

**Course Syllabus**  
**EMT 3873/6873 HS Law, Ethics and Society**  
**Emmanuel College**  
**Toronto School of Theology**  
**Winter 2020**

***Instructor Information***

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Instructor: Nevin Reda, PhD, Assistant Professor  
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***Course Identification***

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Course Number: EMT 3873/6873HS  
Course Format: *In-class*  
Course Name: Law, Ethics and Society  
Course Location: EM 108  
Class Times: Tuesdays 11:00am – 1:00pm  
Prerequisites: None

***Course Description***

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The seminar will undertake to study the Islamic legal theory (*usul al-fiqh*) and practice (*fiqh*) in conjunction with Islamic ethics, which serves as an integral part of the juridical tradition of Islam. The sources of law like the Qur'an, the Tradition (*Sunna*), consensus (*ijma'*), analogy (*qiyas*) and reason (*'aql*) will be examined in connection with the process by which legal decisions in Islam are made. The course will provide an opportunity to students of comparative ethics and law to learn about one of the well-developed religious-ethical systems in Abrahamic traditions. In addition, this course will offer a study of interaction between faith and history in Islam which has impacted upon the development of ethical-legal judgments in the Shari'a. Assessment: Class Participation (15%), oral presentation (15%), mid-term test (25%), and a final paper (45%).

***Course Resources***

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**Required Course Texts/Bibliography**

- Kamali, Mohammad Hashim. *Shari'ah Law: An Introduction*. Oxford: Oneworld, 2008.
- Sachedina, Abdulaziz Abdulhussein. *Islamic Biomedical Ethics: Principles and Application*. Oxford: Oxford University Press, 2009.
- Ali, Kecia. *Sexual Ethics in Islam*. Oxford: Oneworld Publications, 2007.
- Hallaq, Wael. *Shari'a: Theory, Practice, Transformations*. Cambridge: Cambridge University Press, 2009.

## Course Website(s)

- Quercus: <https://q.utoronto.ca/>

This course uses Quercus for its course website. To access it, go to the UofT Quercus login page at <https://q.utoronto.ca/> and login using your UTORid and password. Once you have logged in to Quercus using your UTORid and password, look for the **My Courses** module, where you'll find the link to the website for all your Quercus-based courses. (Your course registration with ACORN gives you access to the course website in Quercus.) Information for students about using Quercus can be found at: <https://community.canvaslms.com/docs/DOC-10701> . Students who have trouble accessing Quercus should ask Wanda Chin for further help.

## ***Course Learning Objectives/Outcomes***

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Upon successful completion of the course, students are expected to:

### Religious Faith and Heritage

- Demonstrate knowledge of religious heritage, and articulate clearly their own theological positions (as related to pastoral practices).
- Interpret scripture and religious texts using a variety of methods, sources, and norms.
- Identify and respect the diversity of theological viewpoints and practices within their religious tradition.

### Culture and Context

- Demonstrate critical understanding for one's area of specialization of the relationship between faith practices and cultural contexts.
- Employ diverse methods of analysis in relating to one's cultural contexts of one's specialization.
- Give evidence of critical self-awareness with regard to their own and—and others'—faith perspectives and practices of educational ministry.

### Ability with Scholarly Tools and Skills

- Demonstrate competence in the use of a library and in the construction of a bibliography
- Demonstrate familiarity with pertinent web-based resources and skills.
- Demonstrate competence in the following skills:
  - Clear and effective communication in both oral and written forms;
  - The construction of a logical argument;
  - The making of informed judgments on complex issues;
  - The use of standard conventions of style for scholarly writing.

### Ability to carry out specialized research

- Demonstrate competence in the area of Islamic law, its theories and practices.
- Give evidence of an understanding of the nature and processes of research.

## **Evaluation**

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### **Requirements**

The final grade for the course will be based on evaluations in four areas:

(1) Attendance and Class Participation (15%)

Class begins at 11:10am sharp. Three late arrivals in class will count as one absence. Attendance is mandatory. (For Emmanuel College's attendance policy, see below). Students are expected to attend class and to come prepared.

You should expect to devote 3 hours or more outside of class for every hour of classroom instruction. Use this time to prepare the required readings and primary texts in advance. Always be ready to provide a brief summary of each reading, list the main points and explain how the readings relate to one another.

Ensure that you learn and memorize the most important technical terms you come across in your readings. Some students like to keep a notebook specifically for this terminology, defining the terms and giving examples. Other students prefer an electronic notebook. Your class participation mark will reflect your participation in classroom discussions.

(2) Case Study Oral Presentation

Presentation topics and dates will be determined on the first day of class in accordance with the below schedule of readings. Ensure that you address relevant texts, principles and methodologies in your presentation. Students are expected to speak for 15 minutes and to respond to questions and comments after the presentation. You should have a **1-2 page handout** for the class in point form. Some students like to prepare a PowerPoint. Please ensure that you email me a copy of your handout and PowerPoint (if you have one) **by 5:00 pm one day before you present**. This presentation counts as 15% of your final grade and is distinct from the research paper presentation which counts as part of your class participation above.

(3) Mid-Term Test

This test will cover all required readings of the first six classes, including all those in the Hallaq and Kamali textbooks. For the first question, you will receive a choice of five out of seven words, which you will be asked to define and to explain their significance in relation to Islamic law. For the second question, you will be required to fill in the blanks. The third question is an essay question and you will receive a choice of one out of two questions. No aids are allowed in this test.

(4) Research Paper

This research paper must address a current topic in the area of Islamic law and/or ethics. For basic degree students (EMT 3873), this paper should be 12-15 pages (counting bibliography) in double-spaced 12 pt Times New Roman font. For graduate students (EMT 6873), this paper should be 20-25 pages (counting bibliography) in double-spaced 12 pt Times New Roman font. Footnotes and bibliography should consistently follow *Chicago Manual of Style* (16<sup>th</sup> edition), which is available on-line through the library catalogue. Your paper must include the following:

Title page. This includes the paper title, the student's name, the course code and name, the name of the instructor and the date of submission.

Introduction. The most important part of the Introduction is the thesis statement, setting out in the briefest possible form the exact proposition or hypothesis which the paper will demonstrate. The Introduction also provides the context necessary to show why the paper is important. To this end it identifies the research question and describes its broader setting in academic research. It gives attention to previous enquiry and available secondary literature (the *status quaestionis*). The Introduction should also include a description of the project as a whole (i.e. a one-paragraph road map outlining what you plan to do).

If you want, you can also include a section on method as part of the introduction, describing the relevant primary literature and the methods to be used for interpreting it. It gives a rationale for the method and indicates how it will be used to generate dependable conclusions and verify the thesis statement.

Your introduction should not exceed one page (not counting the literature review and the section on method). Some students like to write two or three paragraphs, one with the thesis statement: one with the road map, and one on the state of the scholarship.

Exposition. The main body of the thesis is the clarification, development, and demonstration of the thesis statement, using authoritative evidence. The exposition is typically organized as parts of an argument. The interrelationship of the parts of the exposition, and the direct relevance of each part of the exposition to the thesis statement, should be clear to the reader.

Conclusion. The thesis statement should be recapitulated, the demonstration should be summarized, the limitations of the demonstration and the remaining uncertainties should be acknowledged, and the implications of the study for the faith community, the wider scholarly community, and/or the world should be set forth.

Bibliography. Books, articles, and other sources that have been used must be listed. It is preferable to distinguish between primary and secondary literature in the bibliography.

## Submission Guidelines

Please submit your assignments in both paper and electronic formats by the due dates/times. For electronic submissions, please email them to [nevin.el.tahry@utoronto.ca](mailto:nevin.el.tahry@utoronto.ca) . If you do not receive a response acknowledging that I have received your assignment within 24 hours, then please resend, since, I will probably not have received it.

## Due Dates

<i>Component</i>	<i>Weight</i>	<i>Due Date</i>
Class participation	15 %	N/A
Mid-term test	25 %	Feb. 11
Case study presentation	15 %	TBA
Research Paper	45%	March 31 @ 11:00 a.m.

## Advice on Academic Writing

For advice on academic writing, go to <http://www.writing.utoronto.ca> . If you wish to book an appointment with a writing instructor for individual help, go to

[http://www.vic.utoronto.ca/students/tutorialservices/Writing\\_Centre.htm](http://www.vic.utoronto.ca/students/tutorialservices/Writing_Centre.htm). Make sure you book your appointment as early as possible. Advanced degree students in a conjoint degree program are encouraged to use <http://www.sgs.utoronto.ca/currentstudents/Pages/English-Language-and-Writing-Support.aspx>.

### **Grading System - Basic Degree Students**

1000, 2000 and 3000 level courses use the following numerical grading scale (see section 11.2 of the BD Handbook):

90-100 (A+)	Exceptional
85-89 (A)	Outstanding
80-84 (A-)	Excellent
77-79 (B+)	Very Good
73-76 (B)	Good
70-72 (B-)	Acceptable
0-69 (FZ)	Failure

### **Grading System - Graduate Degree Students**

5000, 6000 and 7000 level courses use the following alpha grading scale;

A+	(90-100)	Profound & creative
A	(85-89)	Outstanding
A-	(80-84)	Excellent
B+	(77-79)	Very Good
B	(73-76)	Good
B-	(70-72)	Satisfactory at a post-baccalaureate level
FZ	(0-69)	Failure

**Late work (BD).** Basic Degree students are expected to hand in assignments by the date given in the course outline. Penalty for late assignments is 2% deduction in grade per day of lateness. The absolute deadline for the course is the examination day scheduled for the course or the last day of exam week for the semester in which the course is taught, whichever is sooner.

This penalty is not applied to students with documented medical or compassionate difficulties or exceptional reasons (e.g., a death in the family or a serious illness); students facing such difficulties are kindly requested to consult with their faculty adviser or basic degree director, who should make a recommendation on the matter to the instructor and request an SDF. The absolute deadline for obtaining an SDF for the course is the examination day scheduled for the course or the last day of examination week, whichever is sooner. An SDF must be requested from the registrar's office in the student's college of registration no later than the last day of exam week in which the course is taken. The SDF, when approved, will have a mutually agreed upon deadline that does not extend beyond the conclusion of the following term. If a student has not completed work but has not been granted an SDF, a final mark will be submitted calculating a zero for work not submitted.

**Late work (Graduate).** Graduate students are expected to hand in assignments by the date given in the course outline. Penalty for late assignments is 2% deduction in grade per day of lateness. The absolute deadline for the completion of work in a course is the last day of the examination week for the trimester in which the course is taken. Students are expected to meet the course deadlines of the instructor offering the course and are advised to plan their research projects accordingly. Students who find themselves

unable to meet deadlines for completing coursework can, under certain conditions, receive extensions for completing the work after the dates set by the college in which the course is offered.

The authority to grant an extension for the completion of work in a course beyond the original TST or college deadline (whichever is earlier) for that course rests with the student's college Graduate Director, not the instructor of the course. Nevertheless, the instructor's signature is required for course extension requests to be processed. Students will petition their college Graduate Director for extensions, using a standard form provided by TST on its website. See Section 7.11 of the Conjoint Graduate Degree Handbook.

**Course grades.** Consistently with the policy of the University of Toronto, course grades submitted by an instructor are reviewed by a committee of the instructor's college before being posted to ACORN. Grades are not official until they are posted to ACORN. Course grades may be adjusted where they do not comply with University Assessment and Grading Practices Policy found at [www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/grading.pdf](http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/grading.pdf), policies found in the TST conjoint program handbooks, or college grading policy.

## **Policies**

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**Emmanuel College Attendance Policy.** Attendance is mandatory. A high rate of attendance is key to student success, given the nature of theological education and the importance of classroom interaction and learning at Emmanuel College. Students should not accept significant outside obligations during the academic term. For a regular course, students who register and miss two (2) classes may receive a lower or failing grade for the course. In order to avoid this penalty, students must notify their instructor with a valid reason for any absence before class. Students missing twenty-five (25) percent or more of a course will be automatically withdrawn from that course. For an intensive course, full attendance is mandatory.

**Accessibility.** Students with a disability or health consideration, whether temporary or permanent, are entitled to accommodation. Students in conjoint degree programs must register at the University of Toronto's Accessibility Services offices; information is available at <http://www.accessibility.utoronto.ca/>. The sooner a student seeks accommodation, the quicker we can assist.

**Plagiarism.** Students submitting written material in courses are expected to provide full documentation for sources of both words and ideas in footnotes or endnotes. Direct quotations should be placed within quotation marks. (If small changes are made in the quotation, they should be indicated by appropriate punctuation such as brackets and ellipses, but the quotation still counts as a direct quotation.) Failure to document borrowed material constitutes plagiarism, which is a serious breach of academic, professional, and Christian ethics. An instructor who discovers evidence of student plagiarism is not permitted to deal with the situation individually but is required to report it to his or her head of college or delegate according to the TST *Basic Degree Handbook* and the Graduate program Handbooks (linked from <http://www.tst.edu/academic/resources-forms/handbooks> and the University of Toronto *Code of Behaviour on Academic Matters* <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=4871>). A student who plagiarizes in this course will be assumed to have read the document "Avoidance of plagiarism in theological writing" published by the Graham Library of Trinity and Wycliffe Colleges [http://www.trinity.utoronto.ca/Library\\_Archives/Theological\\_Resources/Tools/Guides/plag.htm](http://www.trinity.utoronto.ca/Library_Archives/Theological_Resources/Tools/Guides/plag.htm).

**Other academic offences.** TST students come under the jurisdiction of the University of Toronto Code of Behaviour on Academic Matters <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>.

**Back-up copies.** Please make back-up copies of essays before handing them in.

**Obligation to check email.** At times, the course instructor may decide to send out important course information by email. To that end, all students in conjoint programs are required to have a valid utoronto email address. Students must have set up their utoronto email address which is entered in the ACORN system. Information is available at [www.utorid.utoronto.ca](http://www.utorid.utoronto.ca). The course instructor will not be able to help you with this. 416-978-HELP and the Help Desk at the Information Commons can answer questions you may have about your UTORid and password. *Students should check utoronto email regularly* for messages about the course. **Forwarding** your utoronto.ca email to a Hotmail, Gmail, Yahoo or other type of email account is not advisable. In some cases, messages from utoronto.ca addresses sent to Hotmail, Gmail or Yahoo accounts are filtered as junk mail, which means that emails from your course instructor may end up in your spam or junk mail folder. Students in non-conjoint programs should contact the Registrar of their college of registration.

**Email communication with the course instructor.** The instructor aims to respond to email communications from students in a timely manner. *All email communications from students in conjoint programs must be sent from a utoronto email address.* Email communications from other email addresses are not secure, and also the instructor cannot readily identify them as being legitimate emails from students. The instructor is not obliged to respond to email from non-utoronto addresses for students in conjoint programs. Students in non-conjoint programs should only use the email address they have provided to their college of registration.

## **Course Schedule (may be subject to change)**

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### **Week 1 (Jan. 7)**

#### **Introduction**

##### Required Readings:

1. Kamali, *Introduction*, pp. 14-38.
2. Hallaq, *Sharī‘a*, pp. 1-23.

### **Week 2 (Jan. 14)**

#### **The Judiciary Coming of Age**

##### Required Readings:

1. Hallaq, *Sharī‘a*, pp. 25-71.
2. Shāfi‘ī, *al-Risala* (transl. Majid Khadduri), Chapter VI [On the Abrogation of Divine Legislation] The Abrogating and Abrogated [Communications], pp. 123-45.
3. Aisha Y. Musa, “Al-Shāfi‘ī, the Ḥadīth, and the Concept of the Duality of Revelation,” *Islamic Studies* 46, no. 2 (2007), 163-197.

### **Week 3 (Jan. 21)**

#### **Legal Theory**

Required Readings:

1. Hallaq, *Sharī‘a*, pp. 72-97.
2. Kamali, “The Characteristic Features of Sharia” in *Introduction*, pp. 39-67.
3. Ghazali, *al-Mustasfa* (transl. Aḥmad Zakī Ḥammād), pp. 662 (367)-687 (392).

**Week 4 (Jan. 28)**

**Legal Reasoning**

Required Readings:

1. Hallaq, *Sharī‘a*, pp. 98-124.
2. Kamali, “The Leading Schools of Law” and “Disagreement (*Ikhtilāf*) and Pluralism in *Sharī‘ah*” in *Introduction*, pp. 68-122.

**Week 5 (Feb. 4)**

**The Objectives of the Law**

Required Readings:

1. Kamali, “Goals and Purposes (*Maqāṣid*)” and “Legal Maxims of *Fiqh*” in *Introduction*, pp. 123-61.
2. Mohammed Ghaly, “Deliberations within the Islamic Tradition on Principle-Based Bioethics: An Enduring Task” in *Islamic Perspectives on the Principles of Biomedical Ethics: Muslim Religious Scholars and Biomedical Scientists in Face-To-Face Dialogue with Western Bioethics* (London: World Scientific Publishing, 2016), pp. 3-39.

Optional Readings:

- 1) Sachedina, “In Search of Principles of Healthcare Ethics in Islam” in *Islamic Biomedical Ethics*, pp. 25-76.
- 2) Jasser Auda, “A *Maqāṣid*-Based Approach for New Independent Legal Reasoning” in Mohammed Ghaly (ed.), *Islamic Perspectives on the Principles of Biomedical Ethics: Muslim Religious Scholars and Biomedical Scientists in Face-To-Face Dialogue with Western Bioethics* (London: World Scientific Publishing, 2016), pp. 69-87.

**Week 6 (Feb. 11)**

**Mid-Term Test**

**Reading Week  
No Classes on Feb. 18**



## Week 7 (Feb. 25)

### Health and Suffering

#### Required Readings:

1. ‘Abdulaziz Sachedina, “Can God Inflict Unrequited Pain on His Creatures? Muslim Perspectives on Health and Suffering.” In *Religion Health and Suffering*, edited by John R. Hinnells and Roy Porter, 65-84. New York: Kegan Paul International, 1999.
2. Sachedina, “Death and Dying,” *Islamic Biomedical Ethics*, pp. 145-72.
3. Nazila Isgandarova, “Physician-assisted Suicide and Other Forms of Euthanasia in Islamic Spiritual Care,” *Journal of Pastoral Care & Counseling* 69, no. 4 (2015), pp. 215 – 221.

#### Optional Readings

4. Sachedina, “Health and Suffering,” *Islamic Biomedical Ethics*, pp. 77-100.
5. J. Meric Pessagno, “The Uses of Evil in Maturidian Thought,” *Studia Islamica* 60 (1984), pp. 59-82.
6. Ozgur Koca, “Ibn ‘Arabī (1165-1240) and Rūmī (1207-1273) on the Question of Evil: Discontinuities in Sufi Metaphysics,” *Islam and Christian-Muslim Relations* 28, no. 3 (2017), pp. 293-311.
7. Nazila Isgandarova, “Medical Assistance in Dying: Challenges for Muslim Healthcare Professionals,” *Journal of Pastoral Care & Counseling* 72, no. 3 (2018), pp. 202 – 211.
8. Mohammed Ghaly, “D3S1 Physicians as Co-Muftis?” (videorecording)

<https://www.youtube.com/watch?v=CGz8mQp5eCg>

Presentations/Case studies: End of life decisions; organ donation

## Week 8 (Mar. 3)

### Early Life

#### Required Readings:

1. Sachedina, “The Beginning of Life,” “Terminating Early Life” and “Recent Developments” in *Islamic Biomedical Ethics*, pp. 101-44; 195-220.

Presentations/Case studies: Reproductive technologies; abortion; (eugenics)

## Week 9 (Mar. 10)

### Marriage, Money and Sex

#### Required Readings:

1. Kecia Ali, “Marriage, Money and Sex” in *Sexual Ethics and Islam*, pp. 1-23.
2. Lena Larsen, “Men are the protectors and maintainers of women ...” Three Fatwas on Spousal Roles and Rights” in Ziba Mir-Hosseini, Mulki al-Sharmani and Jana Rumminger (eds), *Men in charge? Rethinking Authority in Muslim Legal Tradition* (London: Oneworld, 2015), pp. 197-218.

Presentations/Case studies: Adoption; contraception; (surrogate motherhood).

## Week 10 (Mar. 17)

### When Things Go Wrong: Divorce and Illicit Sex in Islamic Jurisprudence

#### Required Readings:

- 1) Kecia Ali, "Lesser Evils: Divorce in Islamic Ethics" and "Prohibited Acts and Forbidden Partners" in *Sexual Ethics and Islam*, pp. 24-39, 56-74.
- 2) Lily Zakiyah Munir, "Domestic Violence in Indonesia," *Muslim World Journal of Human Rights* 2, no. 2 (2005) doi:10.2202/1554-4419.1031. [http://resolver.scholarsportal.info/resolve/15544419/v02i0001/nfp\\_dvii](http://resolver.scholarsportal.info/resolve/15544419/v02i0001/nfp_dvii).

#### Optional Readings

- 3) Laleh Bakhtiar, "The Sublime Quran: The Misinterpretation of Chapter 4 Verse 34" *European Journal of Women`s Studies* v. 18 (4), 10/2011, pp. 431-39.

Presentations/Case studies: Domestic violence; (child custody); (*zina*)

## Week 11 (Mar. 24)

### Sexual Ethics

#### Required Readings:

1. Kecia Ali, *Sexual Ethics and Islam*, pp. 75-96.
2. Sara Omar, "From Semantics to Normative Law: Perceptions of Liwāt (Sodomy) and Sihāq (Tribadism) in Islamic Jurisprudence (8th-15th Century CE)," *Islamic Law and Society* 19, no. 3(2012), pp. 222 – 56.
3. Sachedina, *Islamic Biomedical Ethics*, pp. 190-4.

#### Optional Readings:

4. Ali Gomaa, "The Islamic View of Female Genital Mutilation," *African Journal of Urology* 19, 3 (2013), pp. 123 – 126.
5. Imam Muhammad Hatim, "Islam and Gay, Lesbian, Bisexual, Transgender and Questioning (GLBTQ) Believers" in *Caregiving to Muslims: A Guide for Chaplains, Counselors, Healthcare and Social Workers* (2017), pp. 102-1111.
6. "Liwāt" *EI2* (*Encyclopedia of Islam*, 2<sup>nd</sup> ed., available on-line through the library catalogue)

Presentations/Case studies: FGC; sex change; Circumcision

## Week 12 (Mar. 31)

### Women in the Public Sphere: The Problem of *fitna*

#### Required Readings:

1. Khaled Abou El Fadl, "Islamic Authority" in *New Directions*, pp. 129-44.
2. G. H. A. Juynboll, "Some isnad - analytical methods illustrated on the basis of several woman - demeaning sayings from hadith literature," *Al-Qantara* 10, 2 (1989), pp. 343-84.

## Additional Bibliography

Abou El-Fadl, Khaled. *Speaking in God's Name: Islamic Law, Authority and Women* Oxford: Oneworld, 2001.

———. *Reasoning with God: Reclaiming Shari‘ah in the Modern Age*. Lanham: Rowman and Littlefield, 2014.

Abu Rabi, Ibrahim M. (ed.). *Theodicy and Justice in Modern Islamic Thought: The Case of Said Nursi*. Ashgate, Surrey, 2010.

Abu Zahra, Muhammad. *The Four Imams: Their Lives, Works and Schools of Thought*, transl. Aisha Bewley. UK: Dar al-Taqwa, 2012.

Abdul Rauf, Feisal. *Islam: A Sacred Law: What Every Muslim Should Know About the Shariah*. Threshold Books, 2000.

Afsaruddin, Asma. *Striving in the Path of God: Jihad and Martyrdom in Islamic Thought*. Oxford : Oxford University Press, c2013.

———. *Islam, the State and Political Authority: Medieval Issues and Modern Concerns*. New York, NY: Palgrave Macmillan, 2011).

——— (ed.). *Hermeneutics and Honor: Negotiating Female “Public” Space in Islamic/ate Societies*. Cambridge, Mass.: Distributed for the Center for Middle Eastern Studies of Harvard University by Harvard University Press, c1999.

Ahmed, Leila. *A Quiet Revolution: The Veil's Resurgence, from the Middle East to America*. New Haven: Yale University Press, 2011.

Ahmed, Rumei. *Narratives of Islamic Legal Theory*. Oxford: Oxford University Press, 2012.

Ali, Kecia, *Marriage and Slavery in Early Islam*. Cambridge, MA: Harvard University Press, 2010.

Alwani, Taha Jabir al-. *Towards a Fiqh for Minorities: Some Basic Reflections*, trans. Ashur J. Shamis. Washington: International Institute of Islamic Thought, 2003.

An-Na’im, Abdullahi A. *Islamic Family Law in a Changing World: A Global Resource Book*. London: Zed Books, 2002.

Arozullah, Ahsan M and Kholwadia, Mohammed Amin. “Wilāyah (Authority and Governance) and its Implications for Islamic Bioethics: A Sunni Māturīdī Perspective,” *Theoretical Medicine and Bioethics* 34, no. 2 (2013), pp. 95 – 104.

Auda, Jasser. *Maqāṣid al-Sharī'a: A Beginner's Guide*. London: The International Institute of Islamic Thought, 2009.

—. *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*. Herndon, VA: International Institute of Islamic Thought, 2008.

Aydin, Mehmet S. "The Problem of Theodicy in the *Risale-i Nur*" in Ibrahim M. Abu Rabi (ed.), *Islam at the Crossroads: On The Life and Thought of Bediuzzaman Said Nursi*. State University of New York Press, 2003, pp. 215-228.

Ayoub, Mahmoud. *Redemptive Suffering in Islam: A Study of the Devotional Aspects of 'Ashura' in Twelver Shi'ism*. The Hague: Mouton, 1978.

Bedir, Murteza. "The Problem of Uṣūl al-Shāshī," *Islamic Studies* 42, no. 3 (2003), pp. 415 - 436

Beauchamp, Tom L. and James F. Childress. *Principles of Biomedical Ethics*. New York: Oxford University Press, 1979.

Boozari, Amirhassan. *Shi'i Jurisprudence and Constitution: Revolution in Iran*. New York: Palgrave Macmillan, 2011.

Brockopp, Jonathan E. and Thomas Eich (eds). *Muslim Medical Ethics: From Theory to Practice*. Columbia, S.C.: University of South Carolina Press, 2008.

Brockopp, Jonathan E. (ed.). *Islamic Ethics of Life: Abortion, War, and Euthanasia*. Foreword by Gene Outka. Columbia, S.C.: University of South Carolina Press, 2003.

Brockopp, Jonathan E. "Islamic Ethics of Saving Life: A Comparative Perspective" *Medicine and Law* 21, no. 2 (2002), pp. 225 ff.

Brown, Jonathan. *The Canonization of al-Bukhārī and Muslim: The Formation and Function of the Sunnī Ḥadīth Canon*. Leiden: Brill, 2007.

Brown, Jonathan. *Hadith: Muhammad's Legacy in the Medieval and Modern World*. Richmond: Oneworld, 2009.

Brown, Jonathan. *Misquoting Muhammad: the challenge and choices of interpreting the Prophet's legacy*. London: Oneworld, 2014.

Burak, Guy. *The Second Formation of Islamic Law: The Hanafī School in the Early Modern Ottoman Empire*. Cambridge: Cambridge University Press, 2015.

Buti, Ramadan al-. *The Jurisprudence of the Prophetic Biography*, translated by Nancy Roberts. Damascus: Dar al-Fikr, 2006.

Caeiro, Alexandre. "The Power of European Fatwas: The Minority *fiqh* Project and the Making of an Islamic Counterpublic," *Int. J. Middle East Stud.* 42 (2010), pp. 435–449.

Chaudhry, Ayesha S., “The Ethics of Marital Discipline in Pre-Modern Qur’anic Exegesis,” *Journal of the Society of Christian Ethics* 30(2) (2010) 123-30.

———. *Domestic Violence and the Islamic Legal Tradition: Ethics, Law and the Muslim Discourse of Gender*. Oxford: Oxford University Press, 2013.

Clarke, Lynda and Pamela Cross. *Muslim & Canadian Family Laws: A Comparative Primer*. Toronto: Canadian Council of Muslim Women, 2011.

Cook, Michael, Najam Haider, Intisar Rabb, and Asma Sayeed (eds.). *Law and Tradition in Classical Islamic Thought: Studies in Honor of Professor Hossein Modarressi*. New York: Palgrave Macmillan, 2013.

Daniels, Kate, M. Abdel Haleem and Adel Omar Sharif. *Criminal Justice in Islam: Judicial Procedure in the Shari'ah*. London: I. B. Tauris, 2003.

Donohue, John J. and John L. Esposito (eds). *Islam in Transition: Muslim Perspectives*. New York: Oxford University Press, 2007.

Duderija, Adis (ed.). *The Sunna and its Status in Islamic Law: The Search for a Sound Hadith*. New York, NY: Palgrave Macmillan, 2015.

El-Shamsy, Ahmed. *The Canonization of Islamic Law: A Social and Intellectual History*. New York: Cambridge University Press, 2013.

Emon, Anver M., Mark S. Ellis, Benjamin Glahn (eds). *Islamic Law and International Human Rights Law: Searching for Common Ground?* Oxford, United Kingdom: Oxford University Press, 2012.

Emon, Anver. *Religious Pluralism and Islamic Law: Dhimmis and Others in the Empire of Law* by Anver M. Emon. Oxford: Oxford University Press, 2012.

Emon, Anver. *Islamic Natural Law Theories*. Oxford: Oxford University Press, 2010.

Ercanbrack, Jonathan. *The Transformation of Islamic Law in Global Financial Markets*. Cambridge: Cambridge University Press, 2015.

Fadel, Mohammad. “Is Historicism a Viable Strategy for Islamic Law Reform? The Case of “Never Shall a Folk Prosper Who Have Appointed a Woman to Rule over Them,” *Islamic Law and Society* 18, no. 2 (2011), pp. 131 – 176.

———. *Religion and the Liberal State: The Case of Islam*. [Toronto]: Faculty of Law, University of Toronto, [2008].

———. *The True, the Good and the Reasonable: The Theological and Ethical Roots of Public Reason in Islamic law*. [Toronto] : University of Toronto, Faculty of Law, [2006].

—. “‘Istiḥsān Is Nine-Tenths of the Law’: The Puzzling Relationship of Uṣūl to Furū‘ in the Mālikī Madhhab,” in *Studies in Islamic Legal Theory*, ed. Bernard G. Weiss (Leiden; Boston: Brill, 2002), pp. 161–76.

Ghaly, Mohammed. *Islam and Disability: Perspectives in Theology and Jurisprudence*. New York: Routledge, 2010.

— (ed.). *Islamic Perspectives on the Principles of Biomedical Ethics: Muslim Religious Scholars and Biomedical Scientists in Face-To-Face Dialogue with Western Bioethics*. London: World Scientific Publishing, 2016.

Ghazali, Abu Hamid al- (d. 1111). *al-Muṣtaṣfā fī ‘ilm al-uṣūl* (The Essentials of Islamic Legal Theory), transl. Aḥmad Zakī Ḥammād, dissertation presented to the University of Chicago, March 1987.

Ghazali, Muhammad al-. *Fiqh-us-seerah: Understanding the Life of Prophet Muhammad*. Riyadh: International Islamic Federation of Student Organizations, IIFSO: Distribution by International Islamic Pub. House, 1999.

—. *The Sunna of the Prophet: The People of Fiqh versus the People of Hadith*, translated by A.H. Bewley, M.I. Waley and Aisha Abdurrahman Bewley. Dar Al Taqwa Ltd, 2009.

Juynboll, G. H. A. *The Authenticity of the Tradition Literature; Discussions in Modern Egypt*. Leiden E.J. Brill 1969.

Habib, Samar. *Female Homosexuality in the Middle East: Histories and Representations*. New York: Routledge, 2007.

Haeri, Shahla. *The Law of Desire: Temporary Marriage in Iran*. Syracuse University Press, 1989.

Hallaq, Wael. *The Impossible State: Islam, Politics and Modernity’s Moral Predicament*. New York: Columbia University Press, 2013.

—. *An Introduction to Islamic Law*. Cambridge: Cambridge University Press, 2009.

—. *Authority, Continuity and Change in Islamic Law*. Cambridge: Cambridge University Press, 2001.

—. *A History of Islamic Legal Theories: An Introduction to Sunni Usul al-Fiqh*. Cambridge: Cambridge University Press, 1997.

—. “Murder in Cordoba: Ijtihād, Iftā’ and the Evolution of Substantive Law in Medieval Islam,” *Acta Orientalia* 55 (1994), pp. 55–83.

—. “On the Origins of the Controversy about the Existence of Mujtahids and the Gate of Ijtihad,” *Studia Islamica* 63, no. 1 (1986), pp. 129-141.

—. *Sharī‘a: Theory, Practice, Transformations*. Cambridge: Cambridge University Press, 2009.

—. “Was the Gate of Ijtihad Closed?” *International Journal of Middle East Studies* 16, no. 3 (1984), pp. 3-41.

Hammer, Juliane. *American Muslim Women, Religious Authority, and Activism: More Than a Prayer*. Austin: University of Texas Press, 2012.

—. “Performing gender justice: the 2005 woman-led prayer in New York,” *Contemporary Islam* 4, 1 (2010), pp. 91-116.

—. “Gender Justice in a Prayer: American Muslim Women’s Exegesis, Authority, and Leadership,” *Hawwa* 8, 1 (2010), pp. 26-54.

Hoffman, Valerie J. *The Essentials of Ibadi Islam*. Syracuse, N.Y. : Syracuse University Press, 2012.

Ibn Ashur. *Treatise on Maqasid al-Shariah*, transl. Mohamed El-Taher El-Mesawi. Herndon, VA: International Institute of Islamic Thought, 2006.

Ibn Rushd (Averroës), *The Distinguished Jurist's Primer*, transl. Imran Ahsan Khan Nyazee. Reading, UK: Garnet, 1994.

Ibn Yusuf, Abdur-Rahman. *Fiqh al-Imam: Key Proofs in Hanafi Fiqh on Taqlid and the Hanafi Interpretation of the Prophetic Statement "Pray as You Have Observed Me Pray."* White Thread Press, 2004.

Ibrahim, Ahmed Fekry. *Pragmatism in Islamic Law: A Social and Intellectual History*. Syracuse, N.Y.: Syracuse University Press, 2015.

—. “The Codification Episteme in Islamic Juristic Discourse between Inertia and Change,” *Islamic Law and Society* 22, no. 3 (2015), pp. 157-220.

Jackson, Sherman. “Fiction and Formalism: Toward a Functional Analysis of Uṣūl al-Fiqh,” in *Studies in Islamic Legal Theory*, ed. Bernard G. Weiss, 177–201.

—. *Islam and the Problem of Black Suffering*. New York: Oxford University Press, 2009.

Jaziri, Abd al-Rahman al. *Islamic Jurisprudence According to the Four Sunni Schools (Al-Fiqh ‘Ala al-Madhahib al-Arba‘ah)* Volume I: Acts of Worship. Fons Vitae, 2009.

Kamali, Mohammad Hashim. *Islamic Commercial Law: An Analysis of Futures and Options*. Cambridge: Islamic Texts Society, 2003.

—. *Principles of Islamic Jurisprudence*. Islamic Texts society, 2002.

Katz, Marion Holmes. *Women in the Mosque: A History of Legal Thought and Social Practice*. New York: Columbia University Press, [2014].

Korteweg, Anna C. and Jennifer A. Selby. *Debating Sharia: Islam, Gender Politics, and Family Law Arbitration*. Toronto: University of Toronto Press, c2012.

Krämer, Gudrun and Sabine Schmidtke (eds.), *Speaking for Islam: Religious Authorities in Muslim Societies*. Leiden and Boston: E. J. Brill, 2006.

Kugle, Scott. *Homosexuality in Islam: Islamic Reflection on Gay, Lesbian, and Transgender Muslims*. Oxford: Oneworld Publication, 2010.

Kugle, Scott and Stephen Hunt, “Masculinity, Homosexuality and the Defence of Islam: A Case Study of Yusuf al-Qaradawi’s Media Fatwa,” *Religion and Gender* 2, 2 (2012), pp. 254 – 279.

Kuran, Timur. *The Long Divergence: How Islamic Law Held back the Middle East*. Princeton: Princeton University Press, c2011.

Macfarlane, Julie. *Islamic Divorce in North America: A Shari‘a Path in a Secular Society*. Oxford: Oxford University Press, 2012.

Mallat, Chibli. *The Renewal of Islamic Law: Muhammad Baqer as-Sadr, Najaf and the Shi‘i International*. Cambridge; New York: Cambridge University Press, 1993.

Maranlou, Sahar. *Access to Justice in Iran: Women, Perceptions and Reality*. Cambridge: Cambridge University Press, 2015.

Māwardī, ‘Alī ibn Muḥammad al. *The Ordinances of Government: A Translation of Al-Aḥkām al-Sulṭāniyya wa’l-Wilāyāt al-Dīniyya*, transl. Wafaa Hassan Wahba. [Reading U.K.]: Garnet Publishing, 1996.

Mir-Hosseini, Ziba, Lena Larsen, Christian Moe and Kari Vogt. *Gender and Equality in Muslim Family Law: Justice and Ethics in the Islamic Legal Process*. London: I.B. Taurus, 2013.

Mir-Hosseini, Ziba, Mulki al-Sharmani and Jana Rumminger (eds), *Men in charge? Rethinking Authority in Muslim Legal Tradition*. London: Oneworld, 2015.

Misri, Ahmad ibn Naqīb al- and Nuh Ha MIM Keller. *Reliance of the Traveller: A Classic Manual of Islamic Sacred Law*. Amana Corporation 1997.

Mohammed, Khaleel. “Sex, Sexuality and the Family” in Andrew Rippin, *The Blackwell Companion to the Quran*. Oxford: Blackwell, 2006.

Mustafa, Abdul-Rahman. *On Taqlid: Ibn al Qayyim's Critique of Authority in Islamic Law*. Oxford: Oxford University Press, 2013.

Mutahhari, Murtada. *Sexual Ethics in Islam and in the Western World*, transl. Muhammad Khurshid Ali. London: Islamic Centre of England, 2011.

Nahar, Azizun. *Islam, The Nature of Self, Suffering, and Salvation: with Special Reference to Buddhism and Islam*. Vohra Publishers & Distributors, Allahabad, India, 1987.

Nakissa, Aria. “An Ethical Solution to the Problem of Legal Indeterminacy: Shari‘a Scholarship at Egypt’s al-Azhar” *Journal of the Royal Anthropological Institute* 20, no. 1 (2014), pp. 93-112.

Nyazee, Imran Ahsan Khan. *Theories of Islamic Law: The Methodology of Ijtihad*. Islamabad: International Institute of Islamic Thought, 1994.



Nu‘mān, al-Qāḍī al-. *The Disagreement of the Jurists: A Manual of Islamic Legal Theory*, edited and translated by Devin J. Stewart; volume editor, Joseph E. Lowry. New York: New York University Press, [2015].

Omar, Sara. "From Semantics to Normative Law: Perceptions of Liwāt (Sodomy) and Sihāq (Tribadism) in Islamic Jurisprudence (8th-15th Century CE)," *Islamic Law and Society* 19, no. 3(2012), pp. 222 – 256.

Ormsby, Erik L. *Theodicy in Islamic Thought: The Dispute over al-Ghazali's 'Best of All Possible Worlds'*. Princeton: Princeton University Press, 1984.

Pessagno, J. Meric. "The Uses of Evil in Maturidian Thought," *Studia Islamica* 60 (1984), pp. 59-82.

Qaradawi, Yusuf al-. *The Lawful and the Prohibited in Islam*, transl. K. Al-Hilbawi, M. Siddiqui and S. Shukri, reviewed by A. Z. Hammad. Cairo: al-Falah Foundation, 2001.

—. *Approaching the Sunnah: Comprehension and Controversy*. International Institute of Islamic Thought, 2007.

Rabb, Intisar A. *Doubt in Islamic Law: A History of Legal Maxims, Interpretation and Islamic Criminal Law*. Cambridge: Cambridge University Press, 2015.

Ramic, Sukri Husayn. *Language and the Interpretation of Islamic Law*. Islamic Texts Society, 2005.

Raysuni, Ahmad al-. *Imam al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*. Herndon, VA: International Institute of Islamic Thought, 2005.

Reda, Nevin, "From the Canadian Sharia Debates to the World: Developing a Quran-Based Theology of Democracy" in Ingrid Mattson (ed.), *Islam and Democracy: Prospects and Pathways*. forthcoming from Cambridge Scholars Publishing.

—. "From where do we derive "God's law"? The Case of Women's Political Leadership: A Modern Expression of an Ancient Debate" in Oaima Abou Bakr (ed.), *Feminism and Islamic Perspectives: New Horizons of Knowledge and Reform*. Cairo: Women and Memory Forum, 2013.

—. "Women in the Mosque: Historical Perspectives on Segregation," *American Journal of Islamic Social Sciences* 21, 2 (2004), pp. 77-97.

Rowson, Everett K. "The Traffic in Boys: Slavery and Homoerotic Liaisons in Elite 'Abbāsīd Society," *Middle Eastern Literatures* 11, no. 2 (2008), pp. 193 – 204.

Sābiq, Sayyid (d. 2000). *Fiqh al-Sunna*, transl. Muhammad Sa'eed Dabas & Jamal al-Din M. Zarabozo. American Trust Publications, n.d.

Sachedina, Abdulaziz Abdulhussein. *The Islamic Roots of Democratic Pluralism*. Oxford; New York: Oxford University Press, 2001.

Sachedina, Abdulaziz Abdulhussein. *The Just Ruler in Shi'ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence*. New York: Oxford University Press, 1988.

Sadeghi, Behnam. *The Logic of Law Making in Islam: Women and Prayer in the Legal Tradition*. Cambridge: Cambridge University Press, 2013.

Sadr, Muhammad al-Baqir al-. *Principles of Islamic Jurisprudence According to Shi'i Law*, Hamid Algar and Sa'eed Bahmanpour (eds), transl. Arif Abdul Hussain. London: ICAS Press, 2003.

Safi, Omid (ed.), *Progressive Muslims: On Gender, Justice, and Pluralism*. Oxford: Oneworld, 2003.

Salim, Arksal. *Contemporary Islamic Law in Indonesia: Sharia and Legal Pluralism*. Edinburgh: Edinburgh University Press, [2015].

Sayeed, Asma. "Gender and Legal Authority: An Examination of Early Juristic Opposition to Women's Hadīth Transmission," *Islamic Law and Society* 16, 2 (2009), pp. 115-150.

Shāfi'ī, Muḥammad ibn Idrīs al- (d. 820). *al-Risāla fī uṣūl al-fiqh* (Treatise on the Foundations of Islamic Jurisprudence), transl. Majid Khadduri. Cambridge: The Islamic Texts Society, 1995.

Shatibi, Ibrahim ibn al-. *The Reconciliation of the Fundamentals of Islamic Law* (al-Muwafaqat fi Usul al-Shari'a), transl. Imran Ahsan Nyazee. Reading, U. K.: Muhammad ibn Hamad al-Thani Center for Muslim Contributions to Civilization in Association with Garnet Publishing, 2011.

Silvers, Laury. "In the Book We have Left out Nothing: The Ethical Problem of the Existence of Verse 4:34 in the Qur'an." *Comparative Islamic Studies* 2, 2 (2006), pp. 171–180.

Sonneveld, Nadia. *Khul' Divorce in Egypt: Public Debates, Judicial Practices and Everyday Life*. Amsterdam: UvA, 2009.

Stewart, Devin J. *Islamic Legal Orthodoxy: Twelver Shiite Responses to the Sunni Legal System*. Salt Lake City: University of Utah Press, 1998.

Tabataba'i, Hossein Modarressi. *An Introduction to Shi'i law: A Bibliographical Study*. London: Ithaca Press, 1984.

Tavaokkoli, Saeid Nazari; Nasrin Nejadzarvari and Ali Ebrahim. "Analysis of Medical Confidentiality from the Islamic Ethics Perspective" *Journal of Religion and Health* 54, no. 2 (2015), pp. 427-434.

Tucker, Judith. *Women, Family and Gender in Islamic Law*. Cambridge: Cambridge University Press, 2008.

Vogt, Kari, Lena Larsen and Christian Moe (eds), *New directions in Islamic thought: exploring reform and Muslim tradition*. London: I.B. Tauris, 2009.

Vishanoff, David. *The Formation of Islamic Hermeneutics: How Sunni Legal Theorists Imagined a Revealed Law*. New Haven: American Oriental Society, 2011.

Wheeler, Brannon M. *Applying the Canon in Islam: The Authorization and Maintenance of Interpretive Reasoning in Ḥanafī Scholarship*. Albany: State University of New York, 1996.