Religious Studies 102A
LAWSO 168
Muslim Diasporas and the Law
Course Syllabus
Winter 2010

Course Information

Prof. Kathleen Moore    Meeting Times: Tu/Th 2:00 – 3:15 p.m.
kmoore@religion.ucsb.edu    Classroom Phelps 1508
Office Hours: Wed. 10:00 – 11:30 a.m.; Thurs 11:00 – 11:50 a.m. and by appt.
Office: 3074 HSSB

Course Description: Today there are more Muslims living in diaspora than at any time in history. This situation was not envisioned by Islamic law, which makes no provision for permanent as opposed to transient diasporic communities. Western Muslims are therefore faced with the necessity of developing an Islamic law for Muslim communities living in non-Muslim societies. In this course we explore the development of new forms of law and legal reasoning in the United States, the United Kingdom and France, influenced by encounters with Anglo-American common law and French civil law as well as Islamic jurisprudence. The underlying context is the aftermath of 9/11 and 7/7, the two terrorist attacks that arguably recast the way non-Muslims in the west view Islam and Muslims.

In a modern world characterized by diversity, the legitimacy of any law affecting cultural practices relies on its consistency with a particular vision of equality. To discuss the legitimacy of laws affecting Muslims in the countries named above, we will be considering the meaning and importance of the cultural practices for those who are affected by the law(s) in their particular contexts. This means we will look at case studies of family law, gender, fine arts, education, juvenile delinquency and constitutional and statutory guarantees of liberty.

Gauchospace:
The Gauchospace web-based course management system will be used to post grades, messages and reading assignments in addition to the books. Discussion forums are available for you to use to communicate with fellow students; participation in at least two of these forums is required. Required readings (except for the four required books) are accessible on the website www.gauchospace.ucsb.edu.
Course Requirements and Grading Policy

Required Books:


Above books are on reserve in Davidson Library and for sale at UCEN Bookstore. You can also find these titles at many websites (e.g., amazon, powell books, etc.).

Required articles:

Selected articles will be accessible on the course website through UCSB Gauchospace. Log in at www.gauchospace.ucsb.edu at the course website for Religious Studies 102A.

Class attendance and participation (10%)
Your responsibility in this course is to be an active learner, not a passive sponge. To be successful, you will need to attend class regularly, complete the readings on time and actively participate to develop your ideas. During the quarter you will be required to participate in two online discussion forums on Gauchospace. Instructions will be provided in class.

Midterm exam (30%)
A take-home essay exam will cover the lectures and readings of the first five weeks of the quarter. Exam date is listed in the schedule below.

Final exam (30%)
A take-home essay exam will cover the lectures, films and readings of the second five weeks of the quarter. Exam date is listed in the schedule below.

Research paper (30%)
In addition to the regular assignments of reading, films and discussion, you are required to conduct independent, original research on a law-related topic with respect to Muslims in the United States or Western Europe. Please consult with the professor to narrow this (admittedly large) topic down to a reasonable research project. The goals are to (1) introduce you to various research methods and (2) to document diverse practices, and
their relationship to political/legal rights, found in a local context (e.g., Southern California). In a broad sense the objective is to illustrate the interplay of law, policy, and society in the construction of a politically-relevant group-based social identity. The topic may come from the class readings, but will require additional research. **You are required to turn in a one-page synopsis of research topic by February 19th. Due date for completed term paper is March 11th by 5 p.m.** Paper instructions with specific requirements will be distributed in class. The paper should be between 10 and 12 pages, typed, double-spaced with 1-inch margins (font size no bigger than 12 point). Be sure to proofread and spell-check.

**Policy on cheating and plagiarism:** Students are expected to adhere to the highest standards of ethical behavior when taking examinations and quizzes. Cheating on examinations and quizzes will result in failure in the course and referral to the Dean of Students for disciplinary action. A recent case of cheating in a LAWSO class resulted in the student receiving an “F” and a two-quarter suspension from the University.

**Creating a Healthy Classroom Environment.** Students are expected to conduct themselves in an appropriate manner with reciprocal respect for the opinions, ideas, values and thoughts of others.

**Important Dates:**
- January 5 First day of class
- February 11 Midterm due by 2 p.m.
- February 19 One-page synopsis of research project due
- March 11 Research paper due/last day of class
- March 17 Final due by 5 p.m.

**Course Schedule and Readings**

1/05 Introduction
Explanation of the class, brief introductory information on demographics

**United States**


1/12-14 Reading: TEHRANIAN, Chapters One through Three.

Detention of Citizen Enemy Combatants. Excerpts from *Hamdi v Rumsfeld*, and *Rumsfeld v Padilla*. Accessible at Gauchospace website.
Reading: TEHRANIAN, Chapters Four through Six.
Civilian Trials of High-Profile Terrorists. Excerpts from *U.S. v Moussaoui*. Accessible at Gauchospace website.

Reading: TEHRANIAN, Conclusion

France

Reading: TERRIO, Prologue and Chapters One through Three
Issues: Youth as trouble.
In-class screening of “Le Grand Voyage” (Ismael Ferroukhi)

Reading: TERRIO, Chapters Four through Seven
Midterm Thursday Feb 11th

Reading: TERRIO, Chapters Eight through Nine
DUE February 19 by 12 noon. One-page synopsis of research paper.

Case Studies of Islamic Jurisprudence

Accessible on Gauchospace website (pending).
QURAISHI, Chapter Fifteen

Reading: RAMADAN, Introduction through Chapter Twelve
QURAISHI, Chapters One through Two

Reading: RAMADAN, Chapters Thirteen through Conclusion
QURAISHI, Chapters Nine and Thirteen

3/11 DUE in class Research paper

3/17 DUE Final exam (take home) by 5 p.m.