

Syllabus
Constitutional challenges in islamic world
(University of Copenhagen)

(2 ECTS)

Author, lecturer:

(University of Copenhagen, <https://www.coursera.org/learn/muslim-world>)

Department of Public Law

Meeting Minute # ___ dated _____ 20__

1. Course Description

The course studies what motivates the restive Muslim youth from Tunis to Tehran, what political positions Islamists from Mali to Chechnya are fighting for, where the seeming obsession with Islamic law comes from, where the secularists have vanished to, and whether it makes sense to speak of an Islamic state. Since 2009 there has been a renewed wave of popular unrest sweeping throughout much of the Muslim world. Secular, but generally repressive and inefficient autocracies have come under pressure or been swept aside entirely. At the same, the various Islamic Republics have not fared much better, but been convulsed by internal unrest, economic and social decline. Throughout the Muslim lands, existing constitutional arrangements are being challenged, often very violently. This course is a survey of the constitutional ideas and institutions that have developed since the mid 19th century throughout predominantly Muslim countries, but its focus will lie on the actors that have dominated this discourse and shaped its outcomes. We will look at the large body of classical writings on the Islamic state only in so far as it is necessary to understand the contemporary debate, but concentrate on the legal and political developments of the 20th and 21st centuries. Three common themes will characterise the course: We privilege the study of the legal and social reality and seek to highlight where it is at odds with dogmatic stipulations, be they religious or constitutional. We seek to illustrate the practical tensions posed by limited administrative capabilities and political legitimacy that resulted from the incomplete reception of modern bureaucratic statehood. We seek to examine how popular dissatisfaction with the practical performance of Muslim governments has fuelled demands for greater accountability under the guise of cultural authenticity.

Pre-requisites

The course is aimed at students of 2nd year of bachelor program with basic knowledge of constitutional and comparative law. Advanced level of oral and written legal English is required.

a) Abstract

2 ECTS, (<https://www.coursera.org/learn/muslim-world>)

The course is build-up a combination of video lectures and individual practical exercises aimed at deeper self-study of the topics discussed over the video lectures. The course will be useful for foreign and Russian students seeking to deepen their knowledge on constitutional development in islamic world particularly the challenges which appeared in Arab countries after the “Arab spring”.

2. Learning Objectives

The main objective of the course is to provide students with an opportunity to gain a better insight into constitutional development in the Eastern countries, its role and the current issues relating to it. As a result of the course students will gain in-depth knowledge of the main changes in this field, will explore the topic through concrete examples and the most prominent constitutional reforms which happened in Arab countries during last decasde. Students will also grasp the notion of constitutional regulation navigating between law and politics.

During the course students will learn the basic historical concepts of islamic constitutional development, as well as key information about the constitutions of Arab countries; they will further explore the role of constitutional norms in settling disputes between different branches of power; students will also be able to focus on modern challenges which appear in life of Arab people after the so called “Arab spring”.

3. Learning Outcomes

Students must gain knowledge on:

- Muslim contemporary discourse about the res publica, better contextualise the demands for religious law in public life, and to better ascertain the theoretical and practical feasibility of postulated religious alternatives to the still-dominant secular model of governance.

Skills and abilities:

- Use specific terms and sources of islamic law;
- Practical research and analytical skills;
- Skills of preparing and writing essays and legal opinions on various topics related to constitutional and other public aspects of islamic law.

Students should gain the following competences:

- Ability to work with information (search information from various sources, evaluate and apply information necessary for scientific and professional assignments);
- Ability to work in islamic legal environment, apply muslim law, including its prominent sources;
- Ability to search, analyze, and work with relevant information by applying juridical, comparative and other specific methods;
- Ability to identify legal issues and complexities occurring in professional sphere.

4. Course Plan

A. Table: Total hours broken down by subject

Item	Subject-Headings	Total hours	In-Class Hours, including		Self-study hours
			Video Lectures	Seminars	
1.	Week 1. Overview: Presenting the Course		113 min.	-	30 min.
2.	Week 2. Ottoman Empire and Modern Turkey		151 min.	-	30 min.
3.	Week 3. Egypt and Maghreb		178 min.	-	30 min.
4.	Week 4. Saudi Arabia and the Gulf		177 min.	-	30 min.
5.	Week 5. Iran and the Shiites		263 min.	-	30 min.
6.	Week 6. The Levant (Jordan, Syria, Lebanon and Iraq)		218 min.	-	30 min.
7.	Week 7. Afghanistan, Pakistan and Bangladesh		268 min.	-	30 min.
8.	Week 8. Malaysia and Indonesia		193 min.	-	30 min.
9.	Week 9. Sub-Saharan Africa		149 min.	-	30 min.

10.	Week 10. Conclusion and Outlook		228 min.	-	30 min.
	Total:				

B. Content of the Course

Week 1. Overview: Presenting the Course

1. Welcome and Introduction
2. Presenting the Region
3. Early Modern History
4. Unresolved Challenge of Modernity
5. Four Models of Adaptation
6. Indicators of Relative Failure
7. Role of Religion and Islamic Law

Week 2. Ottoman Empire and Modern Turkey

1. People, Place and Patterns
2. Ottoman History
3. Ottoman Reform: Tanzimat and Majallah
4. Creation of the Republic
5. Kemalism and its Problems
6. Westernisation and Islamism

Week 3. Egypt and Maghreb

1. People, Place and Patterns Egypt
2. People, Places and Patterns Maghreb
3. Ottoman and Colonial History
4. Independence
5. Modernisation and Reform
6. Nasserism and its Problems
7. Westernisation and Islamism

Week 4. Saudi Arab and the Gulf

1. People, Place and Patterns
2. Ottoman and Colonial History
3. Patrimonialism and Religion
4. Rentier Economies and Administration
5. Impact of Rents

6. Paradoxical Alliance

7. Unresolved Contradictions

Week 5. Iran and the Shiites

1. People, Place and Patterns
2. Imperial and Colonial History
3. Constitutional Revolution and Reaction
4. Nationalist Revolution and Reaction
5. Islamic Revolution and Reaction
6. Khomeini's Theory of Velayat-e Faqih
7. Unresolved Contradictions

Week 6. The Levant (Jordan, Syria, Lebanon and Iraq)

1. Taking Stock and Midway Summary
2. People, Place and Patterns
3. French Mandates
4. British Mandates
5. Order and Fractured Societies
6. Failure of Arab Socialism
7. Unresolved Contradictions

Week 7. Afghanistan, Pakistan and Bangladesh

1. People, Place and Patterns
2. Colonial History of British India
3. Post-Independence: Pakistan and Bangladesh
4. Afghanistan: Creation of the State and 'Golden Years'
5. Afghanistan: Jihadi Gangsters
6. Failure of State-Building and Islamisation
7. Unresolved Contradictions

Week 8. Malaysia and Indonesia

1. People, Place and Patterns
2. Colonial History Malaysia
3. Colonial History Indonesia
4. Post-Independence Malaysia
5. Post-Independence Indonesia
6. Unresolved Contradictions

Week 9. Sub-Saharan Africa

1. People, Place and Patterns
2. Colonial History Muslim Africa
3. Neo-Colonial Legacies
4. Weak States and Institutions
5. Post-Independence Instability

6. Fractured Constitutional Bargains

Week 10. Conclusion and outside

1. Commonality and Diversity
2. Unity and Friction
3. Minorities
4. Legal and Social Reality
5. Practical Tensions
6. Popular Dissatisfaction

5. Grading System

A. Assessment

Intermediate tests (average score) – 25 %

Coursera final quiz – 25%

In-class Examination (written) – 50 %

An overall assessment formula comprises a sum total of the following variables:

(Average score for Intermediate tests)* 0.25 + (Coursera final quiz)* 0,25 + (In-class Examination)* 0.5 = final grade

B. Grading

- Grading rates for an essay and written exam:
- Outstanding 10 points
- Excellent 8 – 9 points
- Good 6 – 7 points
- Satisfactory 4 – 5 points
- Poor 1 – 3 points

6. Examination Type

Intermediate tests and Coursera final quiz – 10-15 questions tests available at Coursera website during the course.

In-class Exam – graded assessment of the acquired knowledge and skills obtained during the course; includes written questions covering syllabus material, i.e. theoretical and practical evaluation (case study).

Parameters: Written 60-minute exam (case study).

7. Methods of Instruction

- Central part of the course is based on video lectures and reading of the recommended cases and materials; available at: <https://www.coursera.org/learn/arbitration-international-disputes>

8. Special Equipment and Software Support (if required)

[Personal computer; Internet connection]