Family Law in Islam; between the demands of fiqh and society

In recent years many tensions relating to the “Islamic,” or more precisely the fiqhi, conception of sharia precepts regarding family law have arisen. These tensions reflect the changing and diverse societies in which Islam is practiced, both in Muslim majority and minority contexts. Changing social and cultural norms, coupled with the diverse regulatory frameworks of different nation states have led to numerous specific challenges relating to issues around family hierarchy, forced marriage, the age of consent, polygamy, equal access to divorce, inheritance, the concept of mahramiyya (consanguinity) and its implications for adoption, to name but a few.

Family law is defined as an area of law that deals with matters and regulations that have a significant impact on family relationships, particularly relating to marriage, divorce, adoption, custody, inheritance and abuse. In the contemporary age, obligations and disputes within the area of family law have grown, and now family law is entwined with debates over the structure of family, gender bias, and morality. Beyond the on-going disputes within the area of family law per se, observing Muslims living in contemporary societies, are faced with additional challenges arising out of their desire to follow and enact the fiqhi interpretation of relevant sharia regulations. At the heart of these concerns are questions relating to if, how and to what effect, does the fiqhi conception of family law impact societal and family relations when implemented, both at a personal level within a secular society, and at a statutory level within the Muslim world.

The 3rd annual fiqhi workshop at Al-Mahdi Institute aims to facilitate scholarship directly addressing questions surrounding ‘Family law in Islam; between the demands of fiqh and society. We especially encourage, and invite, paper proposals engaging with the methodological questions involved in justifications for both traditional and alternative perspectives on fiqhi reading of matters related to Family law. We also welcome submissions that seek to employ relevant comparative, sociological, anthropological and/or historical approaches that address the fiqhi reading of family law and its application in contemporary society.
Proposals for a single presenter should include the following:

- Contact information, and a brief bio of presenter(s),
- Tentative title(s),
- Abstract(s) (300-500 word).

Following the workshop, submitted papers will be peer reviewed for inclusion in an edited collection.

The deadline for submission of proposals is 1st January 2015. Successful applicants will be notified by 14th January 2015.

Accepted applicants from within the E.U. will be supported for their travel and hospitality during the workshop, with a further limited number of travel bursaries available for those applying from outside the E.U.

Proposals and queries should be sent by e-mail to: Dr Ali-reza Bhojani (alireza@almahdi.edu)

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