



Max Planck Institute for
Comparative and International
Private Law | Hamburg

AFTERNOON TALKS ON ISLAMIC LAW

Prof. Haider Ala Hamoudi

University of Pittsburgh School of Law

"Exposing the Quietist Myth:
Law and Shari'a in Modern Shi'i Society"

Wednesday, 14 June 2017 – 4 pm

Conference Room 1, 1st floor

All employees and guests of the institute as well as
other interested parties are cordially invited to the lecture.

Nadjma Yassari

About the Speaker:

Professor Hamoudi teaches contracts, commercial law and Islamic law at the University of Pittsburgh School of Law with a focus on Middle Eastern and Islamic Law and the manner in which modern legal actors interpret and apply Islamic law as part of the positive law of contemporary states.

Professor Hamoudi received his B.Sc. from the Massachusetts Institute of Technology and his J.D. from Columbia Law School. He has also served as a legal advisor to the Finance Committee of the Iraq Governing Council, as well as a Program Manager for a project managed by the International Human Rights Law Institute of DePaul University School of Law to improve legal education in Iraq.

About the Topic:

Outside of Iran, it is commonly asserted that Shi'i jurists aspire to adhere to a theory of Quietism under which the jurists seek maximum disassociation from the state and disentanglement from its affairs in perduring anticipation of the Infallible Mahdi to reappear to institute just Islamic rule. Through a thorough exploration of the law of waqf, or Islamic land endowments, as they function in Iraq, this talk demonstrates that Quietism is not an operative political theory among contemporary Shi'i jurists, but that, when it is in their interests to do so, they seek near entire control of areas of state policymaking and administration, even at the risk of exposing themselves to significant entanglement with the state. The better way to understand Quietism, at least in our times, is as justificatory instrument rather than as political theory that provides the revered jurist with a reason of significant theological and historical pedigree to refrain from involvement in state affairs when it is preferable for him to do so.