



Max Planck Institute for  
Comparative and International  
Private Law | Hamburg

# AFTERNOON TALKS ON ISLAMIC LAW

*Saïd Amir Arjomand*

Stony Brook University

"Some Paradoxes and Controversies in Current Legal  
Developments in the Islamic Republic of Iran"

Thursday, 5 July 2018 – 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:

Saïd Amir Arjomand was awarded his Ph.D. at the University of Chicago in 1980. He has been Distinguished Service Professor of Sociology at the State University of New York at Stony Brook since 2004 and has served as Director of the Stony Brook Institute for Global Studies (2008–2017). He is the founder and president of the Association for the Study of Persianate Societies and the editor of its interdisciplinary organ, *Journal of Persianate Studies*. He is also a consulting editor for *Encyclopaedia Iranica* and Senior Research Fellow of the Multiple Secularities Project at the Universität Leipzig. He has published extensively in humanities and social science journals and is the author of several books. His areas of interest are comparative, historical, political, law, religion and global studies.

### About the Topic:

Khomeini and the other clerical rulers of Iran who set up the Islamic Republic of Iran (IRI) after the 1979 revolution, intended to Islamicize the legal system thoroughly and in a doctrinaire fashion. Their project entailed transforming Shi'ite jurisprudence (fiqh) from what Max Weber called a "jurists' law" into the state law of modernized Iran. The first paradox they discovered was that was already done in so far as possible in the Civil Code they had inherited from the old regime. Further paradoxes began to appear almost immediately when the Guardian Council created by the IRI Constitution to achieve the goal of legal Islamicization faced an impossible task, involving unresolvable contradictions that were partially overcome through what I have called the Sunnitization of Shi'ism. The last set of paradoxes surfaced during the efforts of the last Head of the Judiciary, Ayatollah Hashemi-Shahrudi, to reform the Islamic judiciary system around the year 2000. These paradoxes will be illustrated and discussed.

Please register for the presentation via e-mail to  
[veranstaltungen@mpipriv.de](mailto:veranstaltungen@mpipriv.de).