

LAW & RELIGION SPEAKER SERIES

Varieties of Islamic Constitutionalism: Islamic vs Islamist Constitutionalism

Prof. Clark Lombardi
University of Washington

Chairperson: Prof. Gary F. Bell, NUS Law

DATE: 23 August 2018, Thursday

TIME: 12.30pm to 2.00pm

VENUE: Lee Sheridan Conference Room

Eu Tong Sen Building, Level 1, NUS (Bukit Timah Campus)

Increasingly over the past 50 years, constitutions in the Muslim world have incorporated provisions constitutionalizing the traditional Islamic political principle of *siyasa shar'iyya*. This principle precludes the ruler of an Islamic state from enacting or enforcing any legislation inconsistent with Shari'a. According to many scholars, the presence of a "Shari'a Supremacy clause" (sometimes called a "repugnance clause") distinguishes the "Islamic constitution" from a non-Islamic one. Scholars have paid less attention to a second type of "Islamic" constitutional provision, one that is found in some but not all Islamic constitutions. This provision inscribes the Qur'anic principle of "commanding right and forbidding wrong", a principle some Islamic thinkers refer to as "*hisba*". This paper describes the evolution of the *hisba* principle in the Islamic tradition and the appeal of the principle to contemporary Islamist thinkers. It will then explore the recent push by Islamist governments and political parties to constitutionalize this principle and will consider the implications of this development.

ABOUT THE SPEAKER



Professor Lombardi joined the University of Washington School of Law in 2004. A specialist in Islamic law and in constitutional law, he teaches in these areas and also teaches courses in federalism, comparative law, and development law. Professor Lombardi's current research and writing have focused on the evolution of Islamic law in contemporary legal systems. He also focuses on comparative judicial institutions and on the way that constitutional systems deal with religious organizations and religious law. Professor Lombardi has lived, worked or studied in Indonesia, Yemen, Egypt, and Afghanistan. He has taught courses on Islamic law at Columbia Law School and the NYU Department of Middle East Studies. He has spoken at the Council on Foreign Relations and numerous academic forums. He has been involved in projects advising on constitutional or legal reform in the Muslim world, including Iraq and Afghanistan. In recognition of his work, he was named a Carnegie Scholar for 2006-08, which allowed him to expand his research into Islamic law and constitutionalism in the modern world.

REGISTRATION

There is no registration fee for this seminar, but seats are limited.
Light refreshments will be provided on a first-come, first-served basis.
Please register by **20 August 2018, Monday**.
For enquiries, please contact Alexandria at cals@nus.edu.sg

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