

Artifacts and Islamic Law: An Interdisciplinary Dialogue

June 16th-17th 2016, Wissenschaftskolleg zu Berlin, Wallotstr. 19

Convenors: Finbarr Barry Flood and Leor Halevi

The aim of this workshop is to bring together historians of material culture and Islamic law. The hope is to initiate a pioneering dialogue between two fields of study that have much to offer each other, but that have rarely engaged in conversation.

One of the historiographic peculiarities of Islamic art history, for example, demarcating the field from its Byzantine and western medieval cousins, is a notable inattention (or resistance) to juridical and theological sources. Studies of specific kinds of material forms and practices - among them early funerary rites, Qur'anic epigraphy, the commissioning of metalwork and medieval urbanism - have drawn liberally from both exegetical literature (*tafsīr*) and Islamic jurisprudence (*fiqh*), generally to excellent effect. Consideration of such sources is not, however, a standard feature of the modern scholarly landscape. On the contrary, for many historians of Islamic material culture, sources of this kind are doubly compromised, marked by an assumed lack of historicity and practical effect that consigns them to an entirely textual universe, even when they relate to the production or reception of material things.

And yet, it is clear that the juridical sources are immensely rich in references of relevance to historians of art, architecture and material culture. Specific genres of legal texts seem especially promising in this regard. Among them is the genre of *hisba*, a genre of market regulation that includes the arts and crafts. *Hisba* manuals tend to have a local or regional focus; they therefore provide significant insights into the types of commodities on sale at particular times and in specific places. They sometimes also signal changes in patterns of circulation and consumption occasioned by availability of new commodities, for example. The proscriptions recorded in *hisba* manuals can also provide insights into social practices associated with certain types of artifacts, a topic not generally addressed in the historical chronicles that historians of material culture generally depend upon.

The dichotomy between juridical norms and material practices that characterizes the study of Islamic material culture is also one of the historiographic peculiarities of the history of Islamic law. In theoretical manuals, Muslim jurists relegated material evidence to a lower tier, as evidence that could be admitted in court but only through the oral testimony of an expert witness. Following this bias against mute objects, historians of Islamic law have rarely paid serious attention to artifacts and other physical objects. They have concentrated instead, as historians of ideas, on abstract legal concepts. But legal sources, from oral traditions to fatwas, are full of specific material references, which should become essential evidence for cultural and social history. Conversely, such rulings are themselves preserved, perpetuated and transmitted by material means, the specific forms of which might bear closer consideration than they have generally received.

The workshop aims, therefore, to bring historians of Islamic law and historians of Islamic material culture into a productive conversation.

Thursday, June 16th

- 13.00-14.00 Buffet lunch
- 14.00-14.30 Introductory remarks by Leo Halevi and Finbarr Barry Flood
- 14.30-15.00 Presentation by Jonathan Brockopp, Pennsylvania State University
The Material Culture of Early Muslim Scholarly Communities
- 15.00-15.30 Presentation by Baber Johansen, Harvard Divinity School, Cambridge
The classification of goods in contractual exchange under Muslim Law
- 15.30-16.00 Presentation Ron Shaham, The Hebrew University in Jerusalem
The Records of the Shari'a Courts as a Source for the Study of Islamic Material Cultures
- 16:00-16.15 Coffee Break
- 16.15-16.45 Response by Gudrun Krämer, Freie Universität Berlin
- 16.45-18.00 General Discussion
- 18.00-18.30 Cocktail

Friday, June 17th

- 10.30-11.00 Presentation by Elizabeth Lambourn, De Montfort University, Leicester
Manifesting Islam outside the lands of Islam
- 11.00-11.30 Presentation by Ruba Kana'an, Aga Khan Museum, Toronto
Between Monument and Memory: Friday Mosque and the dilemma of the Friday Prayer
- 11.30-12.00 Response by Birgit Krawietz, Freie Universität Berlin
- 12.00-1.00 General Discussion
- 1.00 Lunch