



WORKSHOP TITLE

Law-in-Action in Asian Societies and Civilizations

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The workshop proposes to study legal practices on the Asian continent, with a particular focus on Islamic societies and civilizations. There are specific flaws, common to legal studies in the last couple decades, that the workshop would like to address.

- First, it wants to bypass the notion of “Islamic law” by focusing on networks of practices of the law: for instance, through the process of drafting codes and legal texts, or in conducting parliamentary debates and their resonance in the mass media, or in courtroom interactions.
- Second, it aims at connecting, through inter-disciplinary approaches (legal theory, history, sociology, and anthropology), various societies and legal practices within the Asian continent.

Thus far Middle Eastern (or west Asian) societies have been looked upon, with their predominantly Muslim populations, as cohesive units on their own. As far as legal anthropology is concerned, such cohesiveness proves deceptive due to the limitations that classical legal theory has placed itself into.

- First, by limiting itself to codes and texts, legal theory has detected signs of cohesiveness only formally, that is, through presumed inter-textual similarities between codes, mostly modeled on the Egyptian civil and criminal codes and procedures.
- Second, by narrowing practice to the law’s “applicability,” legal theory fails to see the multiple levels of networks of practices in the life-world.

Our prime focus on legal practice would open up Middle Eastern societies to their Asian counterparts by pointing towards deeply seated similarities or differences that would only be detected through a methodological anthropology of practices.

Our methodology is open to various Asian societies to conduct legal anthropology within a comparative perspective.

- First, even though the Islamic populations of Asia (in the Caucasus, Central Asia, India, China, and Indonesia) outnumber those of the Middle East per se, not much research has focused on potential ties between all such populations.

- Second, once we open our anthropological research to networks of practices, we would then investigate all kinds of similarities and dissimilarities between the Muslim and non-Muslim populations in the Middle East and Asia.
- Third, since our methodology situates itself at the macro and micro levels of reality, it also aims at bringing history together with sociology and anthropology, on the one, and legal theory on the other.

We hope to publish all the workshop papers in a collective book that would open up historical and anthropological research to the legal practices of various societies and civilizations in the Middle East and Asia.

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