

LA354-15 An Introduction to Islamic Law

22/23

Department

School of Law

Level

Undergraduate Level 3

Module leader

Shaheen Ali

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

The module aims to familiarise students with the application of religious law in Muslim jurisdictions as part of the law of the state.

[Module web page](#)

Module aims

Islamic law has evoked a lot of interest, both academically as well as in the present global political arena. In Britain in particular, an increasing number of British Muslims are engaging with the law and both Muslim and non-Muslim alike are eager for information and knowledge on Islamic law. This module introduces students to Islamic law through theory and practice and seeks to address the growing demand from students to acquire knowledge and expertise in this area of law.

The module aims to familiarise students with the application of religious law in Muslim jurisdictions as part of the law of the state. By adopting a comparative and contextual approach to law, the module aims to develop skills of students in this area.

There are clear thematic linkages between topics addressed in other Law modules: Family Law, Child Law, Law and the Intact Family, and Gender and the Law, such as the institution of

marriage, divorce, custody and guardianship of children, and the position of women within family law.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Historical introduction to Islamic Law: an overview of the early development of Islamic Law and the emergence of the various schools of juristic thought in law.

An overview of sources of Islamic law focusing on the Quran, Hadith, Ijma, Qiyas and Ijtihad.

Husband and Wife: the institution of marriage in Islam, its contractual nature, requisites of a valid marriage, dower (mahr) as an essential component of the marriage contract, various methods of dissolution of marriage including Talaq, Khul and Mubarat.

Parents and Children: Custody (Hizanat), guardianship (Wilayat), adoption and the concept of Kifalaat.

Property: An analysis of the concept of property rights in Islamic law using examples of gift (Hiba), inheritance and succession (virasat), dower (mahr).

Law Reform in the Muslim World: Examples of law reform from jurisdictions in South Asia including The Child Marriages Restraint Act, 1929, The Dissolution of Muslim Marriages Act, 1939 (of Pakistan and India), The Muslim Family Laws Ordinance, 1961 (Pakistan) and the Moroccan Family Code 2004.

Application of Islamic Law in diasporic communities

Learning outcomes

By the end of the module, students should be able to:

- Understand and engage in the theoretical discourse regarding Islamic law. Specifically an understanding of the development of principles of sources of Islamic law in the area of family and property rights and its incorporation in legislation
- Understand and appreciate the various concepts employed in constructing Islamic law. Be able to differentiate between 'divine' and 'human' made legal principles and laws based on reformist principles in Islamic law
- Engage and present critical legislative and context based analyses of issues relating to legal reform in jurisdiction in the Muslim world
- Apply the various principles of Islamic law to problems arising with regard to the specific topics covered in the module including marriage, dower, divorce, custody guardianship, succession and inheritance. To recognise principles of Islamic law in the legislation of various Muslim countries covered in the module
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Indicative reading list

S S Ali, Modern Challenges to Islamic Law (2016) Cambridge: Cambridge University Press

International

This module covers Islamic Law in the muslim world as well as in diasporic communities.

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

No transferable skills defined for this module.

Study

Study time

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

Assessment group A1

	Weighting	Study time
3000 word essay	100%	
Students will write an essay on one of a list of given titles.		

Feedback on assessment

Feedback via Tabula

Availability

Courses

This module is Optional for:

- UIBA-MN34 Law and Business Four Year (Qualifying Degree)
 - Year 3 of MN34 Law and Business Studies Four Year (Qualifying Degree)
 - Year 4 of MN34 Law and Business Studies Four Year (Qualifying Degree)
- ULAA-M300 Undergraduate Law
 - Year 2 of M300 Law
 - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 2 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
 - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 2 of M106 Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
 - Year 2 of M104 Law (Year Abroad)
 - Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
 - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 3 of UIBA-MN31 Undergraduate Law and Business Studies
- UIBA-MN32 Undergraduate Law and Business Studies
 - Year 3 of MN32 Law and Business Studies (Four-Year)
 - Year 4 of MN32 Law and Business Studies (Four-Year)
- UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
 - Year 2 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
 - Year 4 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
 - Year 5 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
- UIBA-MN35 Undergraduate Law and Business Studies with Intercalated Year (3+1)
 - Year 3 of MN35 Law and Business Studies with Intercalated Year (3+1)

- Year 4 of MN35 Law and Business Studies with Intercalated Year (3+1)
- UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
 - Year 2 of MN36 Law and Business Studies with Intercalated Year (4+1)
 - Year 4 of MN36 Law and Business Studies with Intercalated Year (4+1)
 - Year 5 of MN36 Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
 - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
 - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
 - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
 - Year 3 of ML34 Law and Sociology (Qualifying Degree)
 - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law