LAWS 3039 ISLAM, INTERNATIONAL LAW AND HUMAN RIGHTS

Credit Points 10

Legacy Code 200956

Coordinator Maria Bhatti (https://directory.westernsydney.edu.au/search/name/Maria Bhatti/)

Description This unit explores the intersection between Islamic law, international law and human rights. The unit begins with providing a theoretical framework introducing international law and human rights from a secular and Islamic perspective, providing an overview of how classical and contemporary Muslim scholars engage with the human rights discourse. The second part of the unit will discuss human rights from the perspective of nation states, examining the legal framework (in the context of Islamic and secular law) of key nation states, as well as that of some international organisations (including the Organisation of Islamic Cooperation and the Arab League). Students will examine whether there is an ideal governance framework to protect human rights and discuss core international human rights treaties including Islamic Human Rights instruments (i.e. the Universal Islamic Declaration of Human Rights, the Cairo Declaration on Human Rights in Islam and the Arab Charter on Human Rights). Students will discuss specific human rights issues including Islam and gender, Islam and freedom of expression, Islam and freedom of religion and Islamic criminal law. When examining these topics, students will be encouraged to engage with various interpretations of Islamic law, as well as critically examine the human rights framework.

School Law

Discipline International Law

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2008

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Analyse the intersection between Islamic law, international law and human rights and its applications in contemporary times;

2. Examine human rights from the perspective of nation states, focusing on the legal framework (in the context of Islamic and secular law) of key nation states, as well as that of some international organisations;

3. Propose solutions to specific human rights issues, including Islam and gender, Islam and freedom of expression, Islam and freedom of religion and Islamic criminal law, to protect human rights;

4. Construct principled and ethical argument and perspectives in addressing issues relevant to Islamic law, international law and human rights, both orally and in writing

Subject Content

1. Basic principles of Islamic law, its different schools of thought and tools of interpretation

2. History and framework of international law
3. Human rights and human rights schemes
4. Comparison of Islamic human right schemes with international human rights
5. Intersections between Islam, democracy and the nation-state
6. The interactions between secularism and Islam
7. The role and rights of women under Islamic law
8. The rights and limitations of freedom of expression under Islamic law
9. The right to freedom of religion under Islamic law
10. The principles of Islamic criminal law and the extent to which it applies in contemporary times

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Item	Length	Percent	Threshold	Individual/ Group Task
Quiz	20 minutes	10	N	Individual
Class Participation	Every class	10	N	Individual
Presentation and Peer Review	10-15 minutes	35	N	Group
Research Essay	2,500 words	45	N	Individual

Prescribed Texts

- Abdullah Saeed, Human Rights and Islam: An Introduction to Key Debate between Islamic Law and International Human Rights Law (Edward Elgar Publishing, 2018)

Teaching Periods

Summer A
Parramatta - Victoria Rd
Day
Subject Contact Maria Bhatti (https://directory.westernsydney.edu.au/search/name/Maria Bhatti/)

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3039_22-SUA_PS_D#subjects)