

Open space session: Curriculum for Islamic Law

Group report from:
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The group reviewed the programmes and modules that were offered in Islamic law at the institutions represented. There was one projected programme on Islamic law and one Islamic and Middle East studies both at the postgraduate level.. More generally modules were offered on law programmes at both undergraduate and postgraduate levels; some introductions to Islamic law others were more specific such as Islamic Family Law, law of Islamic Finance, Islam and Human Rights. It was noted that there was a high demand for research degrees in the area of Islamic financial law.

In thinking through the needs of the curriculum the group discussed the character of the market and noted that there were three distinct groups: British students who might have a general interest in Islamic law, British students with relations to the Muslim community and international students. In this context the curriculum could serve different needs (a) to provide a general education in Islamic law; (b) to provide specific legal education related to possible areas of practice in the British courts (Islamic finance, human rights and equality laws; ancillary and mediation activity in family law) and (c) orientated towards jurisdictions where Islamic law is practiced. These different possible objectives were not necessarily counter-posed but needed to be born in mind when planning courses.

Common to any course was the central issue of the complexity of Islamic legal methodology. This was especially critical when delivering discrete or one-off Islamic law modules in a general degree where substantive teaching could not take place without such an introduction. The group determined that there needed to be a systemic discussion of how to pose the teaching of Islamic legal methods, especially in the context of major controversies over the sources of law and the construction of Islamic legal argument.

This discussion was also linked to the wider context of Islamic legal education and its connection to Islamic studies more generally, including Arabic. In offering courses to non-Islamic studies specialist the issues of Islamic history, theology and philosophy would be largely missing from the context of the course. Critically the role of Arabic in particular was considered and it was noted that few universities provided Arabic and very few classical Arabic. Thus the group wanted to generate a discussion on both the relationship between Islamic law and Islamic studies and the issue of Arabic.

Overall the group thought there were some interesting developments and prospects for Islamic legal education in UK universities. This stemmed from some critical research that was taking place and the confluence of both British and international students and their interests. The Islamic Law network could usefully develop a systematic analysis of the various levels of Islamic legal education and in particular focus on the balance between developing specialists (both academics and practitioners) and providing high quality education for the non-specialist at the same time.