





5.00 credits

30.0 h

Q2

Teacher(s)	Christians Louis-Léon ;Dupret Baudouin ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	The first part of the course is aimed at a brief reflection on the history, nature, methods and main categories of Islamic law, including some notions on the history of its sources. The second part introduces the students to the adaptation procedures of Moslem law to the modern world and to the question of the adaptation of Moslem law within Europe, with its special developments in family law and economic law and their organisational rules within the communities. The third part introduces the juridical systems chosen by contemporary Moslem countries, as well as their recent evolution.
Learning outcomes	
Evaluation methods	For 20% of the points, a bibliographic and documentary research is carried out during the four-month period, on a theme specific to each student. For 80% of the final grade: a written exam consisting of three questions drawn at random from a list of questions communicated before the session, including a question from the current events of the moment. The evaluation takes into account the student's discipline of origin. In September, a similar written exam will represent 100% of the final grade.
Teaching methods	Classical oral presentation by three teachers, with the intervention of external guests.
Content	The <i>LDROI1511 Introductory Course on Islamic Law</i> intends to remove the ambiguity of the concept of "Islamic law" along three lines : A first approach is about a summary reflection on the history, nature, methods and major categories of the traditional legal schools of Islam, including some notions of history of the sources. A second approach shows how this history of a scholarly law has been inscribed since decolonization in positive state law systems, through the analysis of a selection of contemporary Muslim countries, as well as their recent evolutions. A third approach presents the modes of adaptation and the conditions of relevance of "islamic law" in Europe, with more specific developments on five reception mechanisms: the Islamic norm through freedom of religion, through Islam as a recognized religion in public law, through the 'personal status' in private international law of the family, through the common law of contracts (including arbitration and Islamic finance) and finally through political Islam as understood before the European Court human rights. At the end of this course, students will be able to discuss the role of Islamic law in legal systems of countries with a Muslim population and within the legal systems of European states, and Belgium in particular. They will have acquired an ability to search specific literature and a method to orient themselves and to detect the possible solutions in various contexts, in particular European, vis-a-vis a legal question which has an Islamic dimension.
Inline resources	See the moodle website of the course. LDROI1511.
Bibliography	<ul style="list-style-type: none"> • B. Dupret (dir.), <i>La Charia aujourd'hui. Usage de la référence au droit islamique</i>, Paris, La Découverte - Recherches, 2012, 301 pp. (avec un chapitre de L.L. Christians) • B. Dupret, <i>La Charia, Des sources à la pratique. Un concept pluriel</i>, Paris, La Découverte, 2014. • C. Sagesser, L'organisation et le financement public du culte islamique. Belgique et perspectives européennes, Dans <i>Courrier hebdomadaire du CRISP</i> 2020/14 (n° 2459-2460) • C. Torrekens, <i>Islams de Belgique</i>, Presses universitaires de l'ULB, Bruxelles, 2020.
Faculty or entity in charge	BUDR

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Additionnal module in law	APPDRT	5		
Minor in Law (openness)	MINODROI	5		
Bachelor in Ancient Languages and Literatures: Oriental Studies	HORI1BA	5		
Minor in Arabic language and Islamic civilization	MINISLAM	5		
Master [120] in Sciences of Religions	SREL2M	4		