**Islam and Human Rights**

Semester 2

Irish Centre for Human Rights

School of Law

**Academic Year 2019-2020**

**Course Outline**

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| **Objective** | The course aims at providing students with knowledge of the relationship between Islam and human rights. It explores the relationship between cultural relativism and universalism claims taking Islam as an example. The course introduces students to relevant theories and methodological tools for developing a constructive dialogical attitude with regard to cultural claims. A brief introduction to basic notions of Islamic law is followed by a study and critical analysis of a series of apparent tensions between Islam and human rights: Islamic criminal justice system and traditional punishments, Islam and political violence, freedom of religion and treatment of minorities and women’s rights. | | | | | |
| **Lecturer(s)** | **Name** | | **Office** | | **Ext** | **E-mail** |
| Dr. Ekaterina Yahyaoui Krivenko | | Room 205  ICHR | | 32065 | [Ekaterina.yahyaoui@nuigalway.ie](mailto:Ekaterina.yahyaoui@nuigalway.ie) |
| **Times** | Term Two | **Day** | | **Time** | | **Venue** |
|  |  | |  | | Irish Centre for Human Rights |
| **Overall Learning Outcomes** | Upon the completion of the course students should be able to:   * Adopt a critical position with regard to cultural relativism v universalism debate, especially in relation to Islam; * Identify gaps and shortcomings of existing international instruments and Islamic discourses on human rights; * Propose possible ways for improvement either for human rights law or for Islamic discourses; * Present arguments in favour of the selected solution; * Demonstrate awareness of and sensitivity to larger social and political implications of their choices in relation to the aim of engaging in a constructive dialogue on Islam and human rights. | | | | | |
| **Methodology** | Each subject is introduced through a short lecture presentation. The students’ understanding of the subject is further developed through participatory discussions based on required readings. Active participation in discussions is essential to the successful acquisition of knowledge and analytical skills.  Students will be required to make a 10-15min presentation on one of the required readings. Prior to the presentation they shall distribute a 1-2 page summary. More details about the format of presentations will be provided during the first class. | | | | | |
| **Programme(s)** | LL.M. programmes, full-time and part-time. | | | | | |
| **Course Material** | Required weekly readings form the basis for the course. These readings are either accessible on the internet or at the university library. These readings include relevant international instruments, case law as well as scholarly articles. Students are encouraged to supplement these required readings with some material mentioned under “additional readings”. | | | | | |
| **Essential Texts** | Relevant international instruments, case-law and articles in international journals as indicated for each course (see below) | | | | | |
| **Supplementary Texts** | International Law Journals, weekly readings (see below) | | | | | |
| **Assessment** | Presentation and participation in class discussions: 20%  Final essay: 80% | | | | | |

**WEEK 1**

Cultural Relativism v Universalism of Human Rights: Navigating Through Approaches.

* Understand the basic questions underlying cultural relativism debate
* Main methodological approaches to cultural relativism – universalism tensions
* Articulation of this tension with regard to “Islam and Human Rights” issue

**WEEK 2 and 3**

History, Basic Notions of Islamic Law and Place of Islamic Law in Modern Muslim States

* History of Islamic Law
* Sources of Islamic Law
* Islamic Law as a methodology
* Modern States and Islamic Law

**WEEK 4 and 5**

Islam, Extremism, and Political Violence

Freedom of Religion and Treatment of Minorities

Islamic Criminal Law

**WEEK 6 and 7**

Islam and Women’s Rights

* Status of Women in Islam and Exercise of Rights in the Public Sphere
* Women and Islamic Family Law (including the issue of polygamy)
* Dress Codes for Women

**WEEK 8**

Presentations

**Full course outline with all required readings will be available on blackboard at least one week before the beginning of the second semester.**