

LAWS70105 Islamic Law and Politics in Asia

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2013, Parkville This subject commences in the following study period/s: May, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Islam does not recognise a distinction between religion and law because for Muslims both are derived from God's revealed message. The result is an inevitable tension between Islamic beliefs and the modern (secular) nation state that has become the subject of major global controversies and conflicts in recent decades. It also lies at the heart of the politics of Islam in Asia. This tension, and the legal, political and social controversies that result from it, are the focus of this subject, which is based on selected comparative case studies, focusing on efforts to implement legal Islamisation. Teaching is led by a scholar who has conducted extensive fieldwork across South East Asia and worked closely with Islamic legal institutions in the region. He is supported by guest lecturers from South East Asia, who will bring their own local perspectives to class discussions.</p> <p>This subject examines the relationship between the modern nation state and Islam in Asia, focusing on the 240 million Muslims in Australia's South East Asian neighbourhood.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # How the original Arabic-derived legal thought has been adapted in new Asian homelands # The essential position of Islamic legal traditions as an alternative authority to the contemporary nation state # Current political and religious controversies arising in South East Asia. These will be selected from a range that may include:

	<ul style="list-style-type: none"> # Islamic legal codes and laws for Muslims # The Qadi, Islamic judicial traditions and courts for Muslims # Islamic criminal punishment # Interest-free banking, 'Islamic economics' and commercial law # Islamic approaches to the status of women (fiqh Al-Nisa) # Zakat and other forms of philanthropy # Education and the role of Madrasa and Pesantren # The introduction of revivalist Islamic codes # Islamic radicalism and terrorist groups in South East Asia, including Darul Islam, Jemaah Islamiyah and Al Qaeda.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have an understanding of the history and development of Islamic legal traditions and jurisprudence in Asia # Have an understanding of the role of Islam in modern law and politics, with a focus on selected states in the Asian region # Understand the tensions between Islamic scholarship, law and religious belief on the one hand and, on the other, the notion of the secular nation state.
Assessment:	Take-home examination (100%) (5–8 July) or 10,000 word research paper (100%) (12 August) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	http://www.law.unimelb.edu.au/subject/LAWS70105/2013