

Legal Masterclass: Islamic Law

Description

Islamic law lays out the principles by which the Muslim world is governed (or should govern itself) and by which relationships between Muslims and non-Muslims, as well as between humans and the rest of creation, are to be controlled. The South African parliament has not yet passed any legislation that implements Islamic law. Muslims in South Africa can apply specific Islamic laws in the framework of South African law by making use of provisions already present in South African law.

This course unpacks the different schools of thought pertaining to Islamic law and its relationship with western law.

Structure of workshop

Day 1

- Introduction
- Meaning of Shari`ah and Al-Fiqh
- Sources of South African Law
- Primary Sources of Islamic Law
- Secondary Sources of Islamic Law

Day 2

- The Schools of Islamic Jurisprudence
- Objectives of Shari`ah and Legal Maxims
- Differences between Western Law and the SHARI'AH
- The relationship between Islamic law and family law
- The relationship between Islamic law and contract law
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Day 3

- Qada and its Scope in Islam
- Appointment, Qualifications and Conduct of a Qadi (Judge)
- The Structure and Functioning of South African Courts
- Court Procedure in Terms of Western Law
- Court Procedure in Terms of Islamic Law
- Justice (`Adl) in Islam

Mode of Delivery

Online.

Admission requirements

This SLP is open to people working in a legal, business, regulatory, financial environment or any potential student who has completed Grade 12 studies and has a keen interest in many or a specific area of law.

Assessments

There are no assessments.

Masterclass Facilitator

Dr Franaaz Khan is an Admitted Attorney and Senior Lecturer in the Private Law department at the University of Johannesburg. She holds qualifications in Bachelor of Laws (LLB) degree, a Master of Laws (LLM) degree and Doctor of Philosophy (PhD) degree in Law from the University of KwaZulu-Natal. Dr Khan has been lecturing for more than a decade and practiced as an attorney before joining academia. Dr Khan practiced extensively as an attorney in criminal and civil law. Her research interests are in Criminal Justice, Business Law, Constitutional law and Education. In 2014 she attended KARAMAH, International Muslim Women for Human Rights 2-week summer camp, hosted

In Washington DC and received a certification of completion and participation. Dr Khan is also a member of the Society of Law Teachers of Southern Africa and a member of AMAL- Association for Muslim Accountants and Lawyers. She has also published articles in the South African Crime quarterly journal and De Jure focusing on criminal law.

