COMPARATIVE CRIMINAL LAW OF ISLAM

1	Course Title:	COMPARATIVE CRIMINAL LAW OF ISLAM
2	Course Code:	TIB5160
3	Type of Course:	Optional
4	Level of Course:	Second Cycle
5	Year of Study:	1
6	Semester:	2
7	ECTS Credits Allocated:	6.00
8	Theoretical (hour/week):	3.00
9	Practice (hour/week):	0.00
10	Laboratory (hour/week):	0
11	Prerequisites:	
12	Language:	Turkish
13	Mode of Delivery:	Face to face
14	Course Coordinator:	Prof. Dr. H.İbrahim Acar
15	Course Lecturers:	Prof. Dr. Ali KAYA, Doç. Dr. Abdurrahim KOZALI, Dr. Öğr. Üyesi M. Salih KUMAŞ, Dr. Öğr. Üyesi Eren GÜNDÜZ
16	Contact information of the Course Coordinator:	Prof. Dr. H. İbrahim ACAR hacar1959@hotmail.com 0533 359 78 84 Uludağ Üniversitesi İlahiyat Fakültesi- 60 293
17	Website:	
18	Objective of the Course:	To provide learning of Islamic criminal law with its concepts and principles and by comparing it with human criminal law.
19	Contribution of the Course to Professional Development:	Field knowledge acquisition
20	Learning Outcomes:	

	1	To be able to comprehend legal terms.
	2	To be able to detect legal problems correctly and fairly.
	3	To be able to comprehend the boundaries of Islamic law, which is fixed and closed to change, and the field of jurisprudence
	4	To be able to have knowledge about the general theory of crime and punishment in Islamic criminal law.
	5	To obtain general and analytical information about crimes against life, freedom of religion, property and public order and sanctions envisaged for them.
	6	To be able to get an idea about crime and punishments in human law.
	7	To gain the ability to understand, interpret and express texts related to his or her field of expertise.
	8	To be able to conduct advanced studies independently.
	9	To be able to recognize current religious issues and to find solutions to them.
	10	To be able to criticize the acquired knowledge and skills with scientific methods.

21	Course Content:	
	Course Content:	
Week	Theoretical	Practice

1	The Position of Public Law in the Legal System, Definitions of Islamic Law and Human Law, General Information About These Concepts	
2	Concepts of Crime and Punishment, Its Historical Development, Its Sources, Types of Crime in Islam and Positive Laws, Its General Elements	
3	The concept of punishment, Principles of Punishment, Features of Punishment, Reasons Reducing Penalties	
4	The "Hadd" Penalties and Crimes That Make Them Necessary. (Hadd of Adultery , Hadd of Kazf, Hadd Applied To People Who Cross The Road)	
5	The "Hadd" Penalties and Crimes That Make Them Necessary. (Hadd of Drink, Hadd of Theft)	
6	For Murders In Islamic Law Issues (Crimes Required for the Kısas)	
7	For Murders In Islamic Law Issues (Crimes Required for the Diyet)	
8	Female-Male Separation Problem in Terms of The Diyet	
9	Various bets (Akile, Kasame, Penalties equality, the effect of repentance on penalties, etc.)	
10	Crimes that Require The Ta'zir, Legitimate Defense According to Islamic, Criminal Law and Its Legal Results	
11	Prescription in Islamic Criminal Law and Its Effects on Penalties, Apostates in Terms of Freedom of Religion	
12	Past Enforcement of Penalties in Islamic Criminal Law	
13	Victim in Islamic Criminal Law	
14	Ottoman Penal Code and Penal Sanctions in These Laws	

22	Textbooks, References and/or Other Materials:	Mergînânî, el-Hidâye Şerhu Bidâyeti'l-Mübtedi, İstanbul, 1986, IV; Udeh, Abdulkâdir, et-Teşrî'u'l-Cinâiyyi'l-İslâmi, Beyrut, 1993; El-Huserî Ahmed, el-Kısas, ed-Diyât, el-İsyânu'l-Musleh fi'l-Fıkhı'l-İslâmi, Amman, 1974; Ebû Zehra, Muhammed el-Cerîmetu ve'l-Ukûbetu fi'l-Fıkhı'l-İslâmi (el-Ukûbe) tsz; Behnesi, Ahmed Fethi, Tatbîku'l-Hudûd fi't-Teşri'ti'l-Cinaiyyeti'l-Hadiseti, Kahire, 1988; Behnesi, Ahmed Fethi, ed-Diyetü fi'ş-Şerîati'l-İslâmiyye, 1967; Bilmen, Ömer Nasuhi, Hukuki İslâmiyye ve İstılâhâtı Fıkhıyye Kamusu, İstanbul, 1985, III, Acar, H.İbrahim, Diyet Açısından Kadın-Erkek Ayırımı Problemi", Türkiye Günlüğü, Ankara, 1998; Demir, Bayram, İslam Ceza Hukukunda Cezaların Geçmişe Yürürlüğü, Iğdır Ü. İlahiyat Fakültesi Dergisi, 2015, s. 5; Yerlikaya, Ünal, İslam Ceza Hukukunda Mağdur, Basılmamış Y.Lisan Tezi, Isparta, 2006, Aydın,Nurullah,Türk Suç ve Ceza Hukuku; Erem,Faruk, Türk Ceza Hukuku; İçel,Kayıcan, Ceza Hukuku(Genel Hükümler).; Yiğit, Yaşar, İslam Ceza Hukukuna Göre Meşru Müdafaa ve Hukuki Sonuçları, Diyanet İlmi Dergi, 2003, C.1, S.37.; Yiğit Yaşar, İslam Ceza Hukuku Hükümlerinde Ekisi Açısından Zamanaşımı, İslam Hukuku Araştırmaları Dergisi, 2004, s.3
23	Assesment	

TERM LEARNING ACTIVITIES	**NUMBER**	**WEIGHT**

Midterm Exam	0	0.00
Quiz	0	0.00
Home work-project	0	0.00
Final Exam	1	100.00
Total	1	100.00
Contribution of Term (Year) Learning Activities to Success Grade		0.00
Contribution of Final Exam to Success Grade		100.00
Total		100.00
Measurement and Evaluation Techniques Used in the Course		Multiple choice and classic exam

24 ECTS / WORK LOAD TABLE

Activites	Number	Duration (hour)	Total Work Load (hour)
Theoretical	14	3.00	42.00
Practicals/Labs	0	0.00	0.00
Self study and preperation	14	9.00	126.00
Homeworks	0	0.00	0.00
Projects	0	0.00	0.00
Field Studies	0	0.00	0.00
Midterm exams	0	0.00	0.00
Others	0	0.00	0.00
Final Exams	1	12.00	12.00
Total Work Load			180.00
Total work load/ 30 hr			6.00
ECTS Credit of the Course			6.00

25 CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS

	PQ1	PQ2	PQ3	PQ4	PQ5	PQ6	PQ7	PQ8	PQ9	PQ10	PQ11	PQ12	PQ13	PQ14	PQ15	PQ16
ÖK1	4	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK2	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK3	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK4	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0
ÖK5	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0
ÖK6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
ÖK7	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK8	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
ÖK9	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0

ÖK10	0	4	0	0	0	0	0	0	4	0	0	0	0	0	0	0

LO: Learning Objectives PQ: Program Qualifications					
Contribution Level:	**1 very low**	**2 low**	**3 Medium**	**4 High**	**5 Very High**