
FORDHAM INTERNATIONAL LAW JOURNAL

FOURTEENTH ANNUAL PHILIP D. REED MEMORIAL ISSUE

ISLAM AND THE LAW: CONTEMPORARY VIEWS AND PERSPECTIVES

INTRODUCTION

Mohammad H. Fadel

ISLAM AND DEMOCRACY

ISLAM AND THE CHALLENGE OF DEMOCRATIC COMMITMENT

Dr. Khaled Abou El Fadl

ON DEMOCRACY AS A SHARI' MORAL PRESUMPTION: RESPONSE TO KHALED ABOU EL FADL

Anver M. Emon

CONFRONTING MISCONCEPTIONS AND ACKNOWLEDGING IMPERFECTIONS: A RESPONSE TO KHALED ABOU EL FADL'S "ISLAM AND DEMOCRACY"

Erik G. Jensen

SHARI'AH, DEMOCRACY, AND THE MODERN NATION-STATE: SOME REFLECTIONS ON ISLAM, POPULAR RULE, AND PLURALISM

Sherman A. Jackson

ISLAMIC LAW AND FINANCE

"INTEREST" AND THE PARADOX OF CONTEMPORARY ISLAMIC LAW AND FINANCE

Mahmoud A. El-Gamal

CONTRACTUAL FORMS IN ISLAMIC FINANCE LAW AND ISLAMIC INV. CO. OF THE GULF (BAHAMAS) LTD. v. SYMPHONY GEMS N.V. & ORS.: A FIRST IMPRESSION OF ISLAMIC FINANCE

*Umar F. Moghul, Esq.
& Arshad A. Ahmed, Esq.*

WOMEN AND ISLAMIC LAW

AN ISLAMIC PERSPECTIVE ON DOMESTIC VIOLENCE

Azizah Y. al-Hibri

WOMEN IN SHARI'AH COURTS: A HISTORICAL AND METHODOLOGICAL DISCUSSION

Amira Sonbol

CRITICAL VIEWS IN ISLAMIC LAW

JUDICIAL ACTIVISM OF THE SHARI'AH APPEALS COURT IN ISRAEL (1994-2001): RISE AND CRISIS

Dr. Moussa Abou Ramadan

MARTYRDOM, SUICIDE, AND THE ISLAMIC LAW OF WAR: A SHORT LEGAL HISTORY

Bernard K. Freamon

NOTE

PENUMBRAS, PRIVACY, AND THE DEATH OF MORALS-BASED LEGISLATION: COMPARING U.S. CONSTITUTIONAL LAW WITH THE INHERENT RIGHT OF PRIVACY IN ISLAMIC JURISPRUDENCE

FORDHAM INTERNATIONAL LAW JOURNAL

VOLUME 27

DECEMBER 2003

No. 1

CONTENTS

FOURTEENTH ANNUAL PHILIP D. REED MEMORIAL ISSUE

ISLAM AND THE LAW: CONTEMPORARY VIEWS AND PERSPECTIVES

INTRODUCTION *Mohammad H. Fadel* 1

ISLAM AND DEMOCRACY

ISLAM AND THE CHALLENGE OF
DEMOCRATIC COMMITMENT *Dr. Khaled Abou El Fadl* 4

ON DEMOCRACY AS A SHAR'I MORAL
PRESUMPTION: RESPONSE TO
KHALED ABOU EL FADI *Anver M. Emon* 72

CONFRONTING MISCONCEPTIONS AND
ACKNOWLEDGING IMPERFECTIONS:
A RESPONSE TO KHALED ABOU EL FADL'S
"ISLAM AND DEMOCRACY" *Erik G. Jensen* 81

SHARI'AH, DEMOCRACY, AND THE MODERN
NATION-STATE: SOME REFLECTIONS
ON ISLAM, POPULAR RULE,
AND PLURALISM *Sherman A. Jackson* 88

ISLAMIC LAW AND FINANCE

- "INTEREST" AND THE PARADOX OF
CONTEMPORARY ISLAMIC LAW
AND FINANCE *Mahmoud A. El-Gamal* 108

- CONTRACTUAL FORMS IN ISLAMIC FINANCE
LAW AND ISLAMIC INV. CO. OF
THE GULF (BAHAMAS) LTD. V.
SYMPHONY GEMS N.V. & ORS.:
A FIRST IMPRESSION OF
ISLAMIC FINANCE *Umar F. Moghul, Esq.* 150
& Arshad A. Ahmed, Esq.

WOMEN AND ISLAMIC LAW

- AN ISLAMIC PERSPECTIVE ON
DOMESTIC VIOLENCE *Azizah Y. al-Hibri* 195

- WOMEN IN SHARI'AH COURTS: A HISTORICAL
AND METHODOLOGICAL DISCUSSION *Amira Sonbol* 225

CRITICAL VIEWS IN ISLAMIC LAW

- JUDICIAL ACTIVISM OF THE SHARI'AH APPEALS
COURT IN ISRAEL (1994-2001):
RISE AND CRISIS *Dr. Moussa Abou Ramadan* 254

- MARTYRDOM, SUICIDE, AND THE ISLAMIC
LAW OF WAR: A SHORT LEGAL
HISTORY *Bernard K. Freamon* 299

NOTE

- PENUMBRAS, PRIVACY, AND THE DEATH
OF MORALS-BASED LEGISLATION:
COMPARING U.S. CONSTITUTIONAL
LAW WITH THE INHERENT RIGHT OF
PRIVACY IN ISLAMIC JURISPRUDENCE *Seema Saiffee* 370