Contents

List of contributors pa		page viii
List oj	fabbreviations	X
	Preface Robin Griffith-Jones	xiii
	-	XIII
	Introduction Stephen Hockman	I
PART	I THE ARCHBISHOP OF CANTERBURY AND SHARI'A LAW	7
I	The 'unavoidable' adoption of <i>shari'a</i> law – the generation of a media storm	
	Robin Griffith-Jones	9
2	Civil and religious law in England: a religious perspective <i>Rowan Williams</i>	20
PART		
TRAN	NSFORMATIVE ACCOMMODATION	35
	i'a and secular democracy: is Islamic law compatible wit	
tne E	European Convention on Human Rights?	37
3	The <i>Refah</i> case at the European Court of Human Rights <i>Nicolas Bratza</i>	38
4	The compatibility of an Islamic/shari'a law system or shari' rules with the European Convention on Human Rights	^E a
	Dominic McGoldrick	42

5	An analysis of the relationship between shari'a and secular democracy and the compatibility of Islamic law with the European Convention on Human Rights Mashood A Baderin	72
6	Dignity and religion Christopher McCrudden	94
Legal pluralism: should English law give greater recognition to Islamic law?		107
7	Family law: current conflicts and their resolution Elizabeth Butler-Sloss and Mark Hill	108
8	Islamic finance, alternative dispute resolution and family law: developments towards legal pluralism? Ian Edge	116
9	Judging Muslims Prakash Shah	144
10	From Muslim migrants to Muslim citizens Shaheen Sardar Ali	157
п	Ontario's 'shari'a court': law and politics intertwined Marion Boyd	176
Accommodation or conflict: trajectories in the United Kingdom		187
12	Religious rights and the public interest Robin Griffith-Jones	188
PART	III RESPONSIBILITIES AND RIGHTS	205
Freed divide	om of speech, incitement to religious hatred: beyond the	207
13	Where to draw the line, and how to draw it Sydney Kentridge	208
	A note: <i>The Satanic Verses</i> and the Danish cartoons <i>Robin Griffith-Jones</i>	211

	Contents	vii	
	Conienis	VII	
14	Censor or censure: maintaining civility Tariq Modood	216	
15	In praise of 'fuzzy law' Albie Sachs	225	
Religion, the state and the meaning of 'jihad'		237	
16	Towards an Islamic society, not an Islamic state Abdullahi An-Na'im	238	
17	Following shari ^c a in the West Tariq Ramadan	245	
18	Violence, personal commitment and democracy Khaled Abou El Fadl	256	
PART	IV PROSPECT: EQUALITY BEFORE GOD AND BEFORE		
THE LAW		273	
19	Equal before God David F Ford	275	
20	Equal before the law Nicholas Phillips	286	
Select	bibliography	294	
Index of cases		306	
Index	•	311	