Contents

Foreword — V

Preface — VII

Adnan Trakic

1 Harmonisation of Shari'ah and Common Law: An Overview — 1

Aishath Muneeza

2 Harmonisation of Contract Law: How Far Have We Gone – and Where Are We Going? —— 11

Noor Suhaida Kasri

3 Islamic Banking, Islamic Capital Market, and *Takaful*: The Shari'ah and Common Law Harmonisation Analysis — 33

Ridoan Karim

4 Shari'ah-Compliant Financing for Energy Projects: A Call for Standardisation of Islamic Finance Contracts — 63

Ashgar Ali Ali Mohamed and Muhamad Hassan Ahmad

5 Insubordination in Employment Law: The Common Law and Shari'ah Perspective — 77

Elsa Satkunasingam

6 Tabung Haji: A Missed Opportunity to Display Good Corporate Governance of an Islamic Institution? —— 91

Farheen Baig Sardar Baig and Ashgar Ali Ali Mohamed

7 Defamation from Common Law and Shari'ah Perspective: The Convergence and Divergence —— 111

Ridoan Karim and Normann Witzleb

8 "Trust" and "Self-Accountability" in the Protection of Privacy:
Responding to the Rise of International Data Protection Standards
in Muslim Countries —— 129

Maizatun Mustafa

9 Enhancing Environmental Sustainability Through the Harmonisation of Common Law and Shari'ah —— 151

Sridevi Thambapillay

10 Selected Issues in Family Law: Towards the Harmonisation Between Shari'ah and Common Law —— 173

Hanifah Haydar Ali Tajuddin and Nasimah Hussin

11 Harmonising Criminal Justice System — 195

Muhamad Hassan Ahmad, Mohammad Naqib Eishan Jan and Ashgar Ali Ali Mohamed

12 Human Rights and the Rule of Law: The Common Law and Shari'ah Perspective —— 207

Ashgar Ali Ali Mohamed and Muhamad Hassan Ahmad

13 Alternative Dispute Resolution: The Conventional and Shari'ah Perspective — 225

Julio C. Colón

14 Muslims in the US and State Involvement in Religion — 239

Adnan Trakic

15 Harmonisation of Shari'ah and Common Law: Findings and Recommendations — 259

Notes on Contributors — 279