

## Background Literature

### Why this Dialogue? Why Has It Failed? Toward a Complex Synthesis...

- John Esposito (2008), "Pluralism in Muslim-Christian Relations," *ACMCU Occasional Papers*, Prince Alwaleed Bin Talal Center for Muslim-Christian Understanding, Georgetown University, April: 4-43.
- Abdulaziz Sachedina (2007), "The Clash of Universalisms: Religious and Secular in Human Rights," *The Hedgehog Review*, Fall 9 (3): 49-62
- James Cockayne, (2002) "Islam and international humanitarian law: From a clash to a conversation between civilizations," *IRRC September*, 84(847): 597-626
- Mohammed Abu-Nimer (2004), "Religion, Dialogue, and Non-Violent Actions in Palestinian-Israeli Conflict," *International Journal of Politics, Culture and Society*, Spring 17(3)
- Robert Barnidge Jr. "War and Peace: Negotiating Meaning in Islam," *Critical Studies on Terrorism (preprint)* 1(2): 263-278, 2008

### IHL and Contemporary Challenges in Warfare

- Michael N. Schmitt (2007), "21st Century Conflict: Can the Law Survive?" *Melbourne Journal of International Law* 8(2): 443-476.
- Gabor Rona (2003), "Interesting Times for International Humanitarian Law: Challenges from the "War on Terror," *The Fletcher Forum of World Affairs*, Summer/Fall 27(2).
- Ganesh Sitaraman (2009) "Counterinsurgency, the War on Terror, and the Laws of War," *Virginia Law Review* (forthcoming) [[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1354677](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1354677)]
- M. Cherif Bassioni (2008), "Criminal Law, the New Wars and the Crisis of Compliance with the Law of Armed Conflict by Non-State Actors," *The Journal of Criminal Law & Criminology*, 98(3)
- Marco Sassoli (2004), "Uses and Abuses of Laws of War in the War on Terrorism," *Law and Inequality*: 195-221.
- ICRC Informational Report, *International Humanitarian Law: Answers to your Questions*
- Derek Jinks, "The Temporal Scope of Application of International Humanitarian Law in Contemporary Conflicts," *Background Paper prepared for the Informal High-Level Expert Meeting on the Reaffirmation and Development of International Humanitarian Law, Program on Humanitarian Policy and Conflict Research at Harvard University*, 1-9.

### Multidisciplinary Perspectives

- James Turner Johnson (2008), "Thinking Comparatively about Religion and War," *Journal of Religious Ethics*, 36(1):157-179
- Bryan S. Turner (2007), "Islam, Religious Revival and the Sovereign State" *The Muslim World*, 97 July: 405-418.
- Frédéric Volpi and Bryan S. Turner (2007), "Making Islamic Authority Matter," *Theory, Culture & Society*, 24(2): 1-19
- Joel Beinin (2005), "Political Islam and the New Global Economy: The Political Economy of an Egyptian Social Movement," *CR: The New Centennial Review* (5)1:111-139
- Brinkley Messick (1998), "Written Identities: Legal Subjects in an Islamic State," *History of Religions* 38(1): 25-51
- Iza Hussin (2007), "The Pursuit of the Perak Regalia: Islam, Law, and the Politics of Authority in the Colonial State," *Law & Social Inquiry* 32(3) Summer: 759-788

### Islamic Jurisprudence

- Quraishi, Asifa (2006) "Interpreting the Qur'an and the Constitution: Similarities in the Use of Text, Tradition, and Reason in Islamic and American Jurisprudence," *Cardozo Law Review* 28: 67
- Fadel, Mohammad (2008), "The True, the Good and the Reasonable: The Theological and Ethical Roots of Public Reason in Islamic Law," *Canadian Journal of Law and Jurisprudence*, 21(1): 1-65.

- Sohail Hashmi (1993), "Is There an Islamic Ethic of Humanitarian Intervention?" *Ethics & International Affairs* 7: 55-73
- Bernard K. Freamon, "Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History," *Journal of Conflict & Security Law* (2005) 10(3): 321-343
- Bernard K. Freamon (2006), "Some Reflection on Post-Enlightenment Qur'anic Hermeneutics," *Michigan State Law Review*: 1403-1441
- Shaheen Sardar Ali and Javaid Rehman, "The Concept of Jihad in Islamic International Law," *Journal of Conflict & Security Law* (2005), 10(3): 321-343
- John Kelsay, "Democratic Virtue, Comparative Ethics, and Contemporary Islam," *Journal of Religious Ethics* 33(4):697-707

### Shared Concerns

- John Kelsay, "Islam and the Distinction between Combatant and Non-Combatant," in James T. Johnson and John Kelsay, eds., *Cross, Crescent, and Sword: The Justification and Limitation of War in Western and Islamic Tradition* (Westport, CT: Greenwood, 1991)
- Abdullahi Ahmed An-Na'im (2006), "Why should Muslims abandon Jihad? Human rights and the future of international law," *Third World Quarterly* 27(5): 785-797
- Heiner Bielefeldt (2000), "Western" versus "Islamic" Human Rights Conceptions?: A Critique of Cultural Essentialism in the Discussion on Human Rights," *Political Theory*, 28(1): 90-121
- Robert Carle (2005), Revealing and Concealing: Islamist Discourse on Human Rights," *Human Rights Review*, 6(3) April, 122-137
- Nico Krisch (2005), "International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order," *European Journal of International Law* 16(3): 369-408.
- Karima Bennoune (2004-05), "A Human Rights Approach to Armed Conflict: Iraq 2003," *U.C. Davis Journal of International Law & Policy*, 11: 171-227.

### Adapting IHL to New Security Challenges

- Youssef H. Aboul-Enein and Sherifa Zuhur (2004), *Islamic Rulings on Warfare*, Strategic Studies Institute, U.S. Army War College
- Joseph C. Myers (2006-07) "The Quranic Concept of War," *Parameters*, Winter: 108-27
- Quintan Wiktorowicz (2005), "A Genealogy of Radical Islam," *Studies in Conflict & Terrorism*, 28:75-97
- Assaf Moghadam (2008-09), "Motives for Martyrdom: Al-Qaida, Sala Jihad, and the Spread of Suicide Attacks," *International Security*, 33(3) Winter: 46-78

### Applications and Agenda Setting for the Future

- Naz K. Modirzadeh, "Taking Islamic Law Seriously: INGOs and the Battle for Muslim Hearts and Minds," *Harvard Human Rights Journal* 19: 191-233
- Valentine Moghadam (2005), "Peacebuilding and Reconstruction with Women: Reflections on Afghanistan, Iraq and Palestine," *Development*, 48(3): 63-72
- M. Cherif Bassiouni (2005), "Postconflict Justice in Iraq," *Cornell International Law Journal*, 101-166
- Cohen, Amichai (2005), "Administering the Territories: An Inquiry into the Application of International Humanitarian Law by the IDF in the Occupied Territories," *Israel Law Review* 38(3): 24-79.