Index

Abdul-Majid, M. 101–2
Abed-Kotob, S. 135
Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI) 45, 173, 184, 199, 232
Afchar, H. 36
Affaki, G. 194
agency contract (wakala) 167, 169–70, 200, 230–31
Ahmad, K. 56, 57, 58, 59, 60, 62
Ahmed, J. 120
Ainley, M. 159, 164, 171, 172
Ainsworth, J. 3
Al-Ghazali, Z. 36–7, 60, 135
Al-Kasani, A. 43
Al-Makarim, Z. 57
Al-Sadr, M. 67
Al-Suwailem, S. 77
Algaons, L. 155
Ali, Salman Syed 69–78, 214
Allianz insurance group 205, 206
Alpay, S. 221
Alsharif, A. 211
Amin, M. 161, 165, 166, 168
An-Na’im, A. 15, 21, 153
Anderloni, L. 118
aqd theory (objectivism), property rights 41–2
Archer, S. 79, 82, 231
Arif, M. 57, 61, 62, 63
Ash’arism (Sunni orthodoxy), property rights 35–9, 40
Askegaard, L. 118
asset-backed contracts see sale-and-asset-backed contracts
Asutay, Mehmet 55–68, 213–27
Attijariwafa Bank 118
Ayub, M. 64
Baele, F. 100–101
Bahrain 217, 218
Ballard, R. 28
Bangladesh 218
Baskan, F. 222
Beck, T. 102
Berman, P. 9
Bernstein, P. 47, 233
Berry, J. 118, 119
Bodman, H. 135
bonds see sukuk (bonds)
Borradori, G. 18
Branca, P. 121
Brugnoni, A. 120, 121
Burnat, F. 193
Caixa Bank 148
Cattelan, Valentino 1–12, 15, 16, 32–51, 228–34
Cayla, J. 122
Cekici, Ibrahim-Zeyyad 192–202
Cetorelli, N. 102
Chapra, M. 7, 56, 57, 61, 62, 70, 80
Chehata, C. 38, 41, 42
Chehata, D. 135
Chiba, M. 2, 19, 21, 22–3, 24, 28
Cihak, M. 90, 99
Cizakça, M. 7
Clode, M. 169
Coase, R. 6
Cole, D. 10
Collyer, M. 110, 113
Comaroff, J. and J.L. 159
competition economic impact of Islamic finance 102–4
Germany, Islamic financial products from other European countries 210–11
Conlan, S. 19
conventional banking bank-customer relationship 147–8

235

Valentino Cattelan - 9781781002513
Downloaded from Elgar Online at 04/20/2019 02:46:19PM via free access
Islamic finance in Europe

collateralized debt obligations (CDOs) 74–5
credit default swaps (CDSs) 756
debt culture and financial instability 73–6
hedge funds 158
interest rate predetermined in 148
Islamic banking contracts
comparison 81, 83, 84, 86, 89, 91
Western economic culture, influence of 2, 3–4, 5, 6–7, 20–21, 27–9
Coulson, N. 15, 17, 22
credit risk
economic impact of Islamic finance 98, 99
Islamic banking contracts 87, 88–9, 90
see also risk assessment
Cyprus 111
Dar, H. 208
Dawkins, R. 2
De Brosses, A. 193
De Rosmorduc, Eleanor 179–91
Demiralp, S. 222
Demsetz, H. 10
deposit guarantee 148, 149, 151, 169
DiVanna, J. 169
Djankov, E. 3
dusuki, A. 170
Eatwell, J. 159
economic development see financial stability and economic development
economic impact of Islamic finance 96–108
access to finance 104–7
bank efficiency assessment 100–102
bank size and z-score 99
competitive behaviour 102–4
credit risk 98, 99
default rates 100–101, 102
equity-like instruments, risk associated with 98
ethical nature of Islamic finance 98, 101, 103–4
financial stability 97–9
Islamic share of population 105
Lerner index measurement 103
liquid assets and limited borrowing power 100
market power and price levels 102–4
monitoring and risk assessment 98, 99
murabaha (cost-plus sale) 100, 101
profit-and-loss-sharing principle 98, 100, 103–4
z-score assessment 99
Ehrlich, E. 22, 30
Eickelman, D. 136
Eidson, J. 4
El-Gamal, M. 5, 35, 43, 44, 103, 221
El-Hawary, D. 80, 88
Ellinger, E. 169
Ercanbrack, Jonathan 157–78
Errico, L. 5, 80
Esposito, J. 136
ethical nature of Islamic finance 98, 101, 103–4
see also Islamic moral economy (IME)
European passport 144, 149, 181, 182
Ezzat, H. 136
Fadel, M. 44
falah (salvation) as personal objective 58, 60, 61
Farahbaksh, M. 80
Farhoush, Azadeh 203–12
Favara, G. 70
Fazio, S. 160
Featherstone, M. 18
Fiennes, T. 174
Figueiredo, B. 122
financial pluralism
credit institutions 230
descriptive and normative applications 229–32
open society, pursuit of 232
Shari’ah supervisory boards (SSBs), regulation of 231–2
see also legal pluralism, management of; property rights pluralism
financial stability and economic development 69–78
banking instability effects 71–2
collateralized debt obligations (CDOs) 74–5
credit default swaps (CDSs) 756
debt culture and financial instability 73–6
debt-based financing and wealth creation in Islamic financial system 76–7
economic and financial cycles 77–8
effects on economic development 71–2
gharar (excessive risk), prohibition of 73, 74, 75, 76
global financial crisis, causes of 73
Islamic context of economic development 69–70
Islamic finance benefits 73–8
links between 70–71
political and governance failures, effects of 72
poverty reduction 71, 72, 77–8
public and private sector debt, effects of 72, 73
riba (interest), prohibition of 73, 74
socio-economic development 69–70
Fiorio, C. 120
Foster, N. 5, 163
France, Islamic finance and laïcité (secularism) principle 192–202
Autorité des Marchés Financiers (AMF) supervision 197–8
Comité des Établissements de Crédit et des Entreprises d’Investissement (CECEI) supervision 196–7
earlier connections with Islamic law 194
financial supervisory authorities 196–8
ijara (lease or hire contracts) 193, 198–9
Islamic finance demand 106, 193
istisna’ (manufacture contract) 193, 198–9
laïcité as state neutrality 194–5
migrant population 110, 111, 117
mudaraba (risk-and-profit-sharing) 200
murabaha (cost-plus sale) 193, 198–9, 200
musharaka (profit-and-loss-sharing agreement) 200
Muslim population 106
parliamentary interventions 195–6
salam (forward sale with prepaid price) 200
Sharia boards 196–7
sukuk (bonds) 193, 195–6, 197–8, 199–200
tawwurrug (tripartite sale) 193, 198–9
taxation 193, 198–200
wakala (agency contract) 200
Freeman, M. 23
Gambera, M. 102
gambling (maysir) prohibition 5, 7, 42–4
Gearty, C. 19, 24
Geertz, C. 2, 38
gender issues see women’s empowerment and Islam
Germany, Islamic finance in 203–12
Allianz insurance group 205, 206
commercial and economic factors for lack of success 208–10
communication and distribution channels 210
credibility, lack of 209
economic potential 210
‘ethno bank’ subsidiaries 210
Exchange Traded Fund (ETF) products 206
F-M-F Islamic Banking 206
iFIS Islamic Banking 206
Islamic financial products from other European countries, competition from 210–11
Islamic financial products on offer 204–7
Islamic holding scandal 208, 210
Kuveyt Türk bank 205
legal and institutional barriers 207–8
Meridio wealth management 205–6
Islamic finance in Europe

migrant population 110, 111, 112, 117
Muslims and Islamic finance 204, 205
non-Muslim consumers, fear of alienation of 210
product knowledge and uptake, lack of 208–9
Shari'ah boards 207
Shari'ah compliant products 204–9
Skandia insurance 205
success, potential reasons for lack of 207–11
sukuk (bonds) 205–7
takaful (insurance) structure 205, 211
training programmes, need for 209
Turkish communities, banking subsidiaries targeting 205
gharar (excessive risk) prohibition 5, 7, 73, 74, 75, 76
Islamic moral economy (IME) 65
Luxembourg 183
property rights 42–4
UK 169
Gimaret, D. 36
Gimigliano, Gabriella 143–56
Glenn, H. 2–3, 18, 33
globalization effects
financial crisis 55, 73, 214–15
financial pluralism, descriptive and normative applications 229–30
legal pluralism, management of 18, 19–20, 21–3
parliamentary representation and women's empowerment 127, 128
property rights pluralism 1–2
Gole, N. 225
Gomel, G. 93
Grais, W. 5, 88
Grier, S. 22, 33
Grossman, P. 10
Griffiths, J. 2, 22, 33
Habermas, J. 18
Hainz, C. 102
Haldane, A. 166
haqq (right) see property rights headings
Hart, H. 22, 30
Hasanuzzaman, S. 57
Hassan, M. 221
Hayes, S. 46, 155
Haylamaz, R. 132
Hertogh, M. 23
Hesse, H. 90, 99
hire contracts see ijara (lease or hire contracts)
Hohfeld, W. 10
home purchase plans (HPPs) see UK, regulation of Islamic financial institutions (IFIs)
HSBC 117, 122, 158, 206
hukm (law) as established divine judgement 36–8
ijara (lease or hire contracts)
France 193, 198–9
risk profile of Islamic banks 80, 81, 84–5, 87
UK 167
Inanoglu, H. 221
India 22
Indonesia 217
insurance products see takaful (insurance products)
interest
interest-based financial transactions, UK 160, 166
rate predetermined in conventional banking 148
riba prohibition see riba (interest) prohibition
Iqbal, M. 64
Iqbal, Z. 36, 65, 146
Iran 218
Ireland 111
Isard, P. 159
Islamic banking contracts and the risk profile of Islamic banks 79–95
bank management, Shari'ah board influence 92
capital ratio calculation 82–3
capital requirements and cash flow rights, relationship between 82
conventional banking comparison 81, 83, 84, 86, 89, 91
credit risk 87, 88–9, 90

Valentino Cattelan - 9781781002513
Downloaded from Elgar Online at 04/20/2019 02:46:19PM via free access
Index

financial resources, sources of 80–81

governance structure 88–90

ijara (lease or hire contracts) 80, 81, 84–5, 87

investment risk reserve (IRR) 82–3

istisna’ (manufacture contract) 81, 85, 87

Italian regulatory compatibility and constraints 91–3

liquidity risk 87

market risk 87, 88, 90, 92

mudaraba (risk-and-profit-sharing) 80, 81, 85–6, 87, 88, 91

murabaha (cost-plus sale) 81, 83–4, 87, 88

musharaka (profit-and-loss-sharing agreement) 81, 86, 88

operational risk 87, 89, 90

pricing transparency, lack of 89, 92

profit equalization reserve (PER) 82–3

profit margins 89

profit-sharing investment accounts (PSIAs), 81–2, 90, 93, 231

regulatory framework requirement 90–91

risk profile 87–91

salam (forward sale with prepaid price) 81, 84, 87

Shari’ah board role 88–9, 91, 92

takaful (insurance) 81, 84

taxonomy and typical risk profile 80–87

Islamic holding scandal, Germany 208, 210

Islamic moral economy (IME) 55–68

aspirations and realities, divergence between 66–7

asset-backed investment 64, 65

axiomatic principles 57–61

consumer indebtedness reduction 64

definition 57

divine balance (rububiyah) and coordinated perfection in society 59

embedded financing 64

ethical nature of Islamic finance 98, 101, 103–4

falih (salvation) as personal objective 58, 60, 61

tfoundation of 56–63

gharar (excessive risk) prohibition of 65

and global financial crisis 55

global financial crisis and morality 63

ikhtiyar (free will) 59

individual’s moral role in fulfilling God’s will 59–60, 62–3

intra- and inter-generational social justice 58

market, moral regulation of 62, 63

methodology 62–3

moral screening process 65

operational and institutional features 61–2

operational principles 64–5

participatory financing 65

poverty reduction 64

private property and enterprise as core of economic life 61–2

profit-and-loss-sharing (PLS) contracts 64, 65

prosperity and balanced growth in stakeholder participation 58

reform movement and establishment of first Islamic bank 55, 56

resilience of banks and financial institutions 55

riba (interest) prohibition 63–4, 65

self-interest and social interest conflict 61–2

Shari’ah objectives 60

social accountability before God 57–8, 59

social justice and beneficence 58

tawhid (unity of Allah) framework 57–8, 59–60

tazkiyah (purification) process 58, 60, 61

value orientation 63–5

Islamic share of population 105

ista’sa’ (manufacture contract) 81, 85, 87, 193, 198–9

Italy 110, 111, 114, 117, 210

risk profile of Islamic banks 91–3

Valentino Cattelan - 9781781002513
Downloaded from Elgar Online at 04/20/2019 02:46:19PM
via free access
Islamic finance in Europe

Jameelah, M. 136
Jang, J.-H. 222
Jawad, H. 136
Jobst, S. 205
Johnston, D. 35
Kabeer, N. 129
Kamali, M. 7, 35, 37, 38, 43
Karaca, E. 216
Karasik, T. 170
Karim, R. 231
Katju, K. 30
Keskin, T. 223
Khalaf, R. 105
Khan, A. 57
Khan, M. 8, 149, 233
Khan, T. 80
Kishor, S. 129
Kjeldgaard, D. 122
Kötz, H. 2, 3
Kuran, T. 103–4, 223
Kuwait 217, 218

laïcité (secular) principle see secularism
Lanchester, J. 163
Lane, E. 38
law (hukm) as established divine judgement 36–8
Le Goff, J. 43, 47
lease contracts see ijara (lease or hire contracts)
Leff, A. 163
legal framework 143–56
access price 144–5
Alternative Investment Fund Managers Directive 182
bank-customer relationship in conventional banking 147–8
Banking Directive 143, 145, 147, 149
Caixa Bank case 148
common market access 143–6
Consumer Credit Directive 148
credit institutions 146–9
cross-sectoral directives 144–5
deposit guarantee 148, 149, 151, 169
Deposit-Guarantee Schemes Directive 148, 169
EU Prospectus and Transparency Directives 185
EU Savings Directive 188, 189
EU VAT Directive 189
European financial intermediaries 150–51
European passport 144, 149, 181, 182
harmonization principles 145–6
hybrid payment institutions 152
interest rate, predetermined in conventional banking 148
Lamfalussy process 145
Markets in Financial Instruments Directive (MiFID) 143, 145
moral hazard 149
payment institutions 151–2
Payment Services Directive 144, 145–6, 151
portfolio management 150–51
profit-and-loss-sharing accounts 150
remuneration of sight accounts 149
riba (interest) prohibition 150, 151
sale-and asset-based contracts 147
Shamil Bank of Bahrain EC v Beximco Pharmaceutical 153
Shari’ah compliant investments 146–7
Shari’ah Supervisory Board (SSB) 153
transparency rules 153
Undertakings for Collective Investment in Transferable Securities Directive (UCITS) 143–4, 145, 150
legal pluralism, management of 15–31
al-qanun al-islami conundrum 16, 21, 28
Christian church leaders’ views, controversy over 18
communication problems 28–9
discretion and ikhtilaf (toleration of opinion) 17
discrimination problems 21
global legal reasoning and kite-flying methodology 24–7
globalization effects 18, 19–20, 21–3
history of 22
Islamic law and religion, connections and disconnections 24–5

Valentino Cattelan - 9781781002513
Downloaded from Elgar Online at 04/20/2019 02:46:19PM via free access
legal consciousness focus 23
legal exceptions, use of 19–21
legal procedures, excess focus on 16–17
legal transplants and methodological confusion 27–9
man-made history of legal systems 22
methodological pluralism 17
navigation challenge 23–4, 25–6
parallel legal orders, judicial rejection of 28
personal status law 22
plural-consciousness development 15–16
pluralism as necessity 16–17
pluralist lawyering 19–21
post-modernization as navigation technique 17–19
property rights pluralism 2–3
psychological evidence, disregard of 28–9
religion and law connections, distrust of 23, 24, 28
secular scholars’ views, controversy over 18, 24
Shari’ah ‘right path’ concept 15–16, 17, 24, 29
state-centric positivism risks 17, 21, 23–4, 25–6, 28–9
tripartite distinction, official/unofficial/legal postulates 22–3, 24
types of internally plural law 25–7
Western supremacy assertions 20–21, 27–9
see also financial pluralism; property rights pluralism
Legrand, P. 3
Lerner index measurement 103
Lewis, M. 155
Liechtenstein 111
Linant de Bellefonds, Y. 41
Luxembourg, Shari’ah compliant investments 179–91
Best Practice guidelines 180
Code Napoléon 181
Commission de Surveillance du Secteur Financier (CSSF) 181, 182, 183

conflict resolution 185
cross-sector fact-finding task force 180
diversification and growth opportunities 179–80
eligibility of 182–3
family wealth management companies 184
financial participation companies 183–4
future of 189–90
gharar (excessive risk) exclusion 183
investments through fully taxable companies 186–7
legal framework 180–85
migrant population 111
murabaha (cost-plus sale) deposit mechanism 183, 187
private equity and real estate investments 184, 187
regulated investment vehicles 181–3, 188
riba (interest) prohibition 183
Securitization law 184
Securitization vehicles, taxation 188–9
Shari’ah boards 182
Shari’ah compliant investment funds 179
Specialized Investment Fund (SIF) 181–2
sukuk (bonds) 179–80, 182–3, 184–5, 187–8
takaful (insurance) products 190
tax treaty network 189
taxation 180, 183–4, 186–9
training schemes 180
transparency problems 190
Undertakings for Collective Investment in Transferable Securities (UCITS) 181, 182–3
unregulated vehicles 183–4
VAT 187, 189

McCormick, R. 169
MacIntyre, A. 4, 39, 228
Mahlknecht, Michael 203–12
Malaysia 105, 217, 218, 232
Malik, M. 171
manufacture contract (istisna’) 81, 85, 87, 193, 198–9
market
  moral regulation of 62, 63
  power and price levels 102–4
  risk 87, 88, 90, 92
maysir (gambling) prohibition 5, 7, 42–4
Meinzen-Dick, R. 3, 232
Melissaris, E. 17
Menski, Werner 3, 15–31, 33
Merry, S. 2
Metcalfe, B. 135
Miglietta, F. 81, 84, 85
migrant banking 109–25
  cosmopolitan and transmigrant people 122
  Creole marketing approach 115, 117
  cross-country variations 110–11
  dimensions and economic relevance 110–14
Islamic banking 120–23
Islamic banking, reverse acculturation and crossover consumption 122–3
long-term approach 116, 117–18
market segmentation 118–20
marketing approaches 114–20
migrant approach, and acknowledgement of differences 114–17
migrant integration models 111–12
migrants’ countries of origin 112
migrants’ needs, evolution of 119–20
migrants’ remittances 113
mono-cultural marketing approach 114
Muslim population 120
Shari’ah law 121, 123
transcultural approach 116, 118
welcome marketing approach 116, 118
xenophobic approach 114, 115
Miller, T. 122
Mirakhor, A. 65, 79, 146

Mirakor, A. 79
Moghissi, H. 136
Molyneux, P. 64
Montanaro, E. 170
Moore, S. 22
Moosa, E. 37
moral economy see Islamic moral economy (IME)
Moshin, K. 79
mudaraba (risk-and-profit-sharing) certificates, Luxembourg 183
France 200
Islamic banking contracts 80, 81, 85–6, 87, 88, 91
see also profit-and-loss-sharing (PLS) accounts
murabaha (cost-plus sale)
  economic impact of Islamic finance 100, 101
  France 193, 198–9, 200
  Luxembourg 183, 187
  risk profile of Islamic banks 81, 83–4, 87, 88
  UK 165–6, 168–70
musharaka (profit-and-loss-sharing agreement)
  France 200
  Islamic banking contracts 81, 86, 88
  UK 167
see also profit-and-loss-sharing (PLS) accounts
Mu’tazilism (substance-over-form approach), property rights 35–6, 37, 40
Muttenzer, F. 4

Napolitano, Enzo M. 109–25
Naqvi, S. 56, 57, 58, 59, 61
Nestorovic, C. 120, 121
Netton, I. 36
Nienhaus, V. 233
Nkonya, L. 3
Nomani, F. 61

O’Brien, R. 159
O’Carroll, L. 211
Okumus, S. 215
Ormsby, E. 36
Oswald, L. 122
Pakdemirli, E. 214
Pakistan 21
Parker, M. 216
Pejovich, S. 3
Pellegrini, M. 5, 88
Peñalosa, L. 122
Petersen, W. 102
Piscatorj, J. 136
pluralism see financial pluralism; legal pluralism, management of; property rights pluralism
Polat, A. 225
Popper, K. 232
Porzio, Claudio 79–95
Porzio, M. 8
Posner, R. 163
Poulter, S. 28
poverty reduction 64, 71, 72, 77–8
Pradhan, R. 3
profit-and-loss-sharing (PLS) accounts 64, 65, 150
economic impact 98, 100, 103–4
UK 165, 166
see also mudaraba; musharaka
profit-sharing investment accounts (PSIAs) 81–2, 90, 93, 231
property rights 32–51
Ash’arism (Sunní orthodoxy and ethical adherence to God’s will) 35–9, 40
asset-backed risk and investment risk-sharing 44–6
certainty and illusion in comparative social research 32–5
taking management and risk-sharing in business profit 45–6
future research 47
hukm (law) as established divine judgement 36–8
insurance and risk sharing 46
marketplace operator’s response 40–41
maya, veil of (intrinsic nature of reality as multiplicity) and Vedic philosophy 34–5, 36, 37, 38–47
Mu’tazilism (substance-over-form approach to finance) 35–6, 37, 40
objectivism, real asset needed for validity of contract (’aqd)
theory 41–2
personal rights, ethical conception of 37–8
personal rights as shares of divine justice 39–40, 41–2
prohibitions of riba, gharar and maysir 42–4
riba (interest), Islamic theory of 42–3
risk management strategies 44–6
secular truths 39–46
social constructions and culture effects 33–4
spiritual truths and ethical performance 35–9
sukuk (bonds) 45
takaful (insurance) 46
property rights pluralism 1–12
Babel reference 1–2
Coase theorem and transaction costs 6
cultural neutrality problems 3
globalization effects 1–2
Islamic finance, challenge of 4, 5–7
legal pluralism 2–3
memetic pluralism 2–4, 6
overlapping cultures 1–2
overview 1–7
Western economic culture, influence of 2, 3–4, 5, 6–7
see also financial pluralism; legal pluralism, management of property transfer and stamp duty land tax (SDLT), UK 165–7
Qatar 217, 218
Rahnema, A. 61
Rajan, R. 102
Ramadan, T. 162
Raman, V. 33, 34
Rankin, A. 23, 24–5
Rayner, S. 41
Razwy, S. 132, 133
riba (interest) prohibition
financial stability and economic development 73, 74
legal framework 150, 151
Islamic finance in Europe

Luxembourg 183
property rights 42–4
Turkey 214, 222
UK 169
see also interest
risk assessment
asset-backed risk and investment
risk-sharing, property rights 44–6
credit risk see credit risk
economic impact of Islamic finance 98, 99
excessive risk see gharar (excessive risk) prohibition
Islamic banking contracts see Islamic banking contracts and the risk profile of Islamic banks
property rights 44–6
risk-sharing, Islamic moral economy (IME) 64, 65
Rohe, M. 29
Rubin, M. 222
Rumbaut, R. 110

salam (forward sale with prepaid price) 81, 84, 87, 200
sale-and-asset-backed contracts
ijara see ijara (lease or hire contracts)
Islamic moral economy (IME) 64, 65
murabaha see murabaha (cost-plus sale)
property rights 44–6
salam (forward sale with prepaid price) 81, 84, 87, 200
tawwaruq (tripartite sale), France 193, 198–9
Saleh, N. 43
salvation (jihad) as personal objective 58, 60, 61
Sanli, U. 216
Santillana, D. 36, 37, 131
Santos, B. 9, 159, 160, 163
Sassen, S. 159
Saudi Arabia 218
Schacht, J. 48
Schmidt, N. 203
Schönenbach, R. 203
Schoon, N. 167
Schuld, K. 205
Scolart, Deborah 126–40
secularism
France see France, Islamic finance and laïcité principle
property rights 39–46
Turkey (laïcist) 214, 222
Seibel, K. 205
Sen, A. 70
Sengès, A. 117
Shamil Bank of Bahrain EC v Beximco Pharmaceutical 153
Shari’ah boards
France 196–7
Germany 207
legal framework 153
Luxembourg 182
regulation of 231–2
risk profile of Islamic banks 88–9, 91, 92
UK 171–3
Shari’ah compliant products
Germany 204–9
legal framework 146–7
Turkey 217, 218
Shari’ah Councils 19
Shari’ah law
Islamic moral economy (IME) 60
migrant banking 121, 123
‘right path’ concept 15–16, 17, 24, 29
women’s empowerment and Islam 130–31
Sidani, Y. 135
Siddiqi, M. 56
Silvestri, S. 137
Sirageldin, I. 61
Skandia insurance 205
Smirnov, A. 7, 38, 39, 41, 42, 228
Solé, J. 5, 79, 169, 171
Spain 110, 111
Srairi, S. 101–2
Sreih, A. 169
Stainier, Florence 179–91
Starita, Maria Grazia 79–95
Stelzer, S. 37
Storck, M. 197–8
<table>
<thead>
<tr>
<th>Index</th>
<th>245</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stromquist, N. 138</td>
<td>economic growth effects 223–4</td>
</tr>
<tr>
<td><strong>sukuk</strong> (bonds)</td>
<td>evolution of 213–16</td>
</tr>
<tr>
<td>France 193, 195–6, 197–8, 199–200</td>
<td>future of 224–5</td>
</tr>
<tr>
<td>Germany 205–7</td>
<td>global financial crisis effects 214–15</td>
</tr>
<tr>
<td>Luxembourg 179–80, 182–3, 184–5, 187–8</td>
<td>green capital, PBs as 222, 224</td>
</tr>
<tr>
<td>property rights 45</td>
<td>Islamic, taboo against use of term 213, 215, 217</td>
</tr>
<tr>
<td>Turkey 216, 224</td>
<td>loans-to-deposit ratios 219–20</td>
</tr>
<tr>
<td>UK 161, 163</td>
<td>Participation Banks (PBs) 213, 215–16, 217–23</td>
</tr>
<tr>
<td>Sullivan, D. 135</td>
<td>Participation Index for PBs 216</td>
</tr>
<tr>
<td>Sundararajan, V. 5, 80</td>
<td>performance and efficiency 221</td>
</tr>
<tr>
<td>Sunni orthodoxy (<em>Ash’arism</em>), property rights 35–9, 40</td>
<td>political economy and Islamic behavioural norms 221–4</td>
</tr>
<tr>
<td>Sussman, N. 120</td>
<td>regulatory reform 215–16, 222</td>
</tr>
<tr>
<td>Switzerland 111</td>
<td><em>riba</em> and interest-free banking 214, 222</td>
</tr>
<tr>
<td></td>
<td>Saving Deposit Insurance Fund 215</td>
</tr>
<tr>
<td><strong>takaful</strong> (insurance products) 211</td>
<td><em>Shari’ah</em> compliant assets 217, 218</td>
</tr>
<tr>
<td>Germany 205, 211</td>
<td>Special Finance Houses (SFHs) 213, 214–15, 221, 223</td>
</tr>
<tr>
<td>Luxembourg 190</td>
<td>strategic marketing 216</td>
</tr>
<tr>
<td>property rights 46</td>
<td><em>sukuk</em> (bonds) launch 216, 224</td>
</tr>
<tr>
<td>risk profile of Islamic banks 81, 84</td>
<td>taxation 216</td>
</tr>
<tr>
<td>UK 150</td>
<td>trends and performances 217–21, 223–4</td>
</tr>
<tr>
<td>Tamanaha, B. 19</td>
<td>Turkish communities, German banking subsidiaries targeting 205</td>
</tr>
<tr>
<td>Tameme, M. 170</td>
<td>Twining, W. 17, 23</td>
</tr>
<tr>
<td><strong>tawhid</strong> (unity of Allah) framework, Islamic moral economy (IME) 57–8, 59–60</td>
<td>UAE (United Arab Emirates) 217, 218</td>
</tr>
<tr>
<td><strong>tawwaruq</strong> (tripartite sale), France 193, 198–9</td>
<td>Üçok, M. 122</td>
</tr>
<tr>
<td>taxation</td>
<td>UK, regulation of Islamic financial institutions (IFIs) 157–78</td>
</tr>
<tr>
<td>France 193, 198–200</td>
<td>advisory firms 158</td>
</tr>
<tr>
<td>Luxembourg 180, 183–4, 186–9</td>
<td>alternative finance returns 165–6, 167</td>
</tr>
<tr>
<td>Turkey 216</td>
<td>alternative financial instruments, regulatory reference to 164</td>
</tr>
<tr>
<td>UK 163, 165–7</td>
<td>child trust funds 167</td>
</tr>
<tr>
<td>Taylor, L. 159</td>
<td><em>CIR v Plummer</em> 165</td>
</tr>
<tr>
<td><strong>tazkiyah</strong> (purification) process, Islamic moral economy (IME) 58, 60, 61</td>
<td>City of London, Islamic financial centre 159</td>
</tr>
<tr>
<td>Tohidi, N. 135</td>
<td>commercial law 163</td>
</tr>
<tr>
<td>training programmes 180, 209</td>
<td>consumer protections for retail customers 168, 172–3</td>
</tr>
<tr>
<td>transparency problems 89, 92, 153, 190</td>
<td>conventional products, use of 161</td>
</tr>
<tr>
<td>Turkey, Islamic banking 213–27</td>
<td>Anatolian Calvinism 2234</td>
</tr>
<tr>
<td><strong>Anatolian Calvinism</strong> 2234</td>
<td>Assurance Fund guarantee scheme 215</td>
</tr>
<tr>
<td><strong>Assurance Fund guarantee scheme</strong> 215</td>
<td>Banking Act 215</td>
</tr>
<tr>
<td>Banking Regulation and Auditing Agency 215</td>
<td>bankruptcycies 214–15</td>
</tr>
<tr>
<td>bankruptcies 214–15</td>
<td>credit growth 220–21</td>
</tr>
<tr>
<td><strong>conventional products</strong></td>
<td>&quot; awarded by Elgar Online at 04/20/2019 02:46:19PM via free access</td>
</tr>
</tbody>
</table>
Islamic finance in Europe

deposit-guarantee scheme 169
double stamp duty, abolition of 158
Finance Act 158, 165–6, 167
financial malfeasance and false advertising 173
Financial Services Compensation Scheme 169
Financial Services and Markets (FSMA) Act, Regulated Activities Order (RAO) 167–8
gharar (excessive risk) prohibition 169
government policy objectives 158–61
hedge funds 158
history of 157–8
home purchase plans (HPPs) (alternative property financing) 165–6, 167, 173
ijara wa iqtina’ (lease-based mortgage) 167
interest-based financial transactions 160, 166
Islamic Bank of Britain (IBB) 106, 117, 149, 158, 169–70, 230
Islamic financial institutions (IFIs) 19, 158, 167–8
Islamic financial institutions (IFIs), profit distribution 168–70
legislative implementation 164–7
legislative and regulatory approach 159–60, 163–4
migrant population 110, 111
murabaha (cost-plus sale) 165–6, 168–70
musharaka (profit-and-loss-sharing agreement) 167
Muslim population 106–7
profit share returns 165, 166
property transfer and stamp duty land tax (SDLT) 165–7
riba (interest) prohibition 169
shared ownership products 166–7
Shari’ah non-compliance risks 171–3
Shari’ah supervisory boards 171, 172–3
’staunch demand’ category 160
sukuk (bonds), consideration of 161, 163
takaful (insurance) provider 150
tax measures 163, 165–7
wakala (agency contract) 167, 169–70, 230–31
Ulutaam, Õ. 227
United Nations Development Programme (UNDP) Arab Human Development Report (AHDR) 129, 130
Gender Empowerment Measure (GEM) 127, 128–9
US 118
Uthman, U. 7
Vertovec, S. 20
Visconti, Luca M. 109–25
Visser, H. 105
Vogel, F. 45–6, 155
Voll, J. 136
von Benda-Beckmann, F. 3, 232
von Grunebaum, G. 36
wakala (agency contract) 167, 169–70, 200, 230–31
Warde, I. 214
Watt, W. 36, 132
Weber, M. 47
Wehr, H. 37
Weill, Laurent 96–108, 193, 195, 196, 197
Weiss, B. 37
Welchman, L. 134
Western economic culture, influence of 2, 3–4, 5, 6–7, 20–21, 27–9
see also conventional banking
Wiebke, W. 133, 135
Williams, M. 159
Williams, R. 18, 162
Wilson, R. 158, 172
Witte, J. 22
Wittgenstein, L. 32–3
women’s empowerment and Islam 126–40
Arab Human Development Report (AHDR) 129, 130
Arab society 134–6
choices, ability to make 129
‘control’ choices 129
European society 136–7
feminist groups 135, 136
gender inequality, measurement and
assessment 126–30
global parliamentary representation
127, 128
home and family, women’s place in
134, 135–6
Islam, effects of 130–32
Khadija model and male-centred
social framework 132–4
Muslim Public Affairs Council
(MPAC) 135
national parliament participation
129–30
resource division between men and
women 127–8

Shari‘ah law 130–31
state legislation and gender
inequality 134
UN Decade for Women 138
United Nations Development
Programme (UNDP), Gender
Empowerment Measure (GEM)
127, 128–9
World Economic Forum, Global
Gender Gap Report 127–8

z-score assessment 99
Zaman, A. 57, 61, 70
Zhuang, J. 71
Zubair, I. 79
Zweigert, K. 2, 3