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Global Issues in a Globalized World: The Unescapable Dialogue between Sharīʿa and the Constitution

Paolo Davide Farah
West Virginia University (WV, USA); gLAWcal - Global Law Initiatives for Sustainable Development (UK); University of Pittsburgh School of Law (PA, USA), paolofarah@yahoo.com

FOREWORD

Global Issues in a Globalized World: The Unescapable Dialogue between Sharīʿa and the Constitution

Paolo Davide Farah*

In an increasingly globalized world,[1] a world in flux,[2] which is constantly subject to rapid circulation of information, change is a dimension that we all experience in our lives with ever increasing frequency. Change, be it that of customs and fashion or that of laws and systems of government, is something which now seems impossible to escape. Change is an integral part of our unstable contemporaneity.[3]

This is not only a continuous change but also a rapid one. In such a social and political environment, at a global and local level, it is more and more difficult to find a singular direction of development, because there are often multiple, distinct trends pulling at that development that obfuscate which direction the development will go.[4] Coinciding with this, in facing shifting scenarios, the most difficult step is to understand why it is necessary to adapt the tools at our disposal for a new reading of reality; this is not only the most complex task but also the most difficult one. It is the labor

* Paolo Davide Farah, Full Professor of Public Policy and Public Administration, West Virginia University, Eberly College of Arts and Sciences, John D. Rockefeller IV School of Policy, and Politics; Director of the West Virginia University, Energy Justice and Just Transition Lab; Visiting Professor of Law, University of Pittsburgh, Law School; Founder, President, Director, Principal Investigator and Senior Research Fellow, at gLAWcal—Global Law Initiatives for Sustainable Development (United Kingdom). Dual PhD in International Law from Aix-Marseille University (France) and University of Milan (Italy), LLM in European Legal Studies from the College of Europe in Bruges (Belgium), Maitrise (J.D.) in International and European Law from Paris Ouest La Defense Nanterre University (France). Email Addresses: paolofarah@yahoo.com; paolo.farah@glawcal.org.uk.

[1] Paolo D Farah, 'Foreword to Global Values and International Trade Law' in Csongor István Nagy, *Global Values and International Trade Law* (Routledge 2021).

[2] Linda Yueh, The Law and Economics of Globalisation: New Challenges for a World in Flux (Edward Elgar 2009); Dagmar Kusa, Identities in Flux: Globalization, Trauma, and Reconciliation (Kritika & Kontext, 2018).

[3] On the concept of liquid modernity and the dynamics and fluid changes in contemporary society, See: Zygmunt Bauman, *Liquid Modernity* (John Wiley & Sons 2013); For assessment and discussions, see: Nicholas Gane, 'Zygmunt Bauman: Liquid Modernity and Beyond' (2001) 44 Acta Sociologica 267; Raymond LM Lee, 'Reinventing Modernity: Reflexive Modernization vs Liquid Modernity vs Multiple Modernities' (2006) 9 European Journal of Social Theory 355.

[4] For an overview of the extensive debate on the changing patterns of the world order, see generally: Pak K Lee, Anisa Heritage and Zhouchen Mao, 'Contesting Liberal Internationalism: China's Renegotiation of World Order'; John N Clarke and Geoffrey R Edwards (eds), *Global Governance in the Twenty-First Century* (Palgrave Macmillan UK 2004) <http://link.springer.com/10.1057/9780230518698> accessed 26 June 2023; Svenja Gertheiss and others (eds), *Resistance and Change in World Politics* (Springer International Publishing 2017) <http://link.springer.com/10.1007/978-3-319-50445-2> accessed 26 June 2023; Oliver P Richmond, *Maintaining Order, Making Peace* (Palgrave Macmillan UK 2002) <http://link.springer.com/10.1057/9780230289048> accessed 26 June 2023; Zhaohui Wang and Zhiqiang Sun, 'From Globalization to Regionalization: The United States, China, and the Post-Covid-19 World Economic Order' (2021) 26 Journal of Chinese Political Science 69; Angela Stent, 'Russia and China: Axis of Revisionists' [2020] Brookings Institution, February; Stephen Chiu, 'The Changing World Order and the East Asian Newly Industrialized Countries: Challenges and Responses', *Old Nations, New World* (Routledge 2019); John M Owen, 'Two Emerging International Orders? China and the United States' (2021) 97 International Affairs 1415; For an in-depth analysis of the existing state of multilateralism, see: Lukasz Gruszczynski and others, *The Crisis of Multilateral Legal Order: Causes, Dynamics and Implications* (Taylor & Francis 2022).

that ultimately calls into question the way we have given a certain meaning to the world that surrounds us. It also questions our way of being and the categories and frameworks we are using to interpret the reality surrounding us. It consequently influences or impacts our lives and the lenses through which we envisage our relationship with other people and the rest of the world. Yet, in order to deepen our comprehension of the world, it is essential to grasp and decipher its interconnections among different regions and complex systems, therefore give it the form of a permanent dialogue. This applies to all fields of knowledge, including law.

In this context, a juridical analysis that effectively intends to grasp the meaning of pluralism[5] and dialogue cannot disregard the cultural specificities of peoples and civilizations. This statement of principle might appear obvious but putting it into practice is much more difficult than it might seem. In this sense, scholarship on legal pluralism is rich in examples. Until relatively recently, and with some unfortunate oversimplifications, specialized literature has ended up making use of analytical tools and legal concepts typical of the Western world in culturally heterogeneous contexts[6] which had their roots in completely different visions and perspectives of the world. Often unconsciously, analysts, experts, and scholars have considered law as an ideal container to be filled or a tool to be used for accomplishing a specific objective, instead of a vision of the world itself.[7]

In consideration of the above reasoning, it should be noted that there is an inherent risk of developing and promoting intellectual biases and misconceptions. These fallacies might lead to considering others as culturally identical to us, starting from their philosophical perspectives and postulates that guide their actions, their development, and their evolution. This is not only true for the field of social sciences, where the concept of encountering other cultures and societies is central. But

[5] For a review of the concept of legal pluralism Sally Engle Merry, 'Legal Pluralism', *The Globalization of International Law* (Routledge 2017); Martha-Marie Kleinhans and Roderick A Macdonald, 'What Is a Critical Legal Pluralism?' (1997) 12 Canadian Journal of Law and Society/La Revue Canadienne Droit et Société 25; John Griffiths, 'What Is Legal Pluralism?' (1986) 18 The journal of legal pluralism and unofficial law 1; More recently, scholars suggest to expand the scope of legal pluralism to better include a global and multiscalar dimension: Brian Z Tamanaha, 'Understanding Legal Pluralism: Past to Present, Local to Global.' (2008) 30 Sydney law review 375; Ralf Michaels, 'Global Legal Pluralism' (2009) 5 Annual Review of Law and Social Science 243; Paul Schiff Berman, 'Global Legal Pluralism' (2006) 80 s. Cal. l. Rev. 1155.

[6] For a critique see generally the initial contributions of Edward Said on Orientalism, Edward W Said, *Orientalism* (Penguin Books India 1995); Edward W Said, *Culture and Imperialism* (25447th edition, Vintage 1994).

[7] The Law and Development mouvement furthering legal changes and reforms in the Global South has been extensively analysed in the literature, John Henry Merryman, 'Comparative Law and Social Change: On the Origins, Style, Decline & Revival of the Law and Development Movement' [1977] The American Journal of Comparative Law 457; Carol V Rose, 'The New Law and Development Movement in the Post-Cold War Era: A Vietnam Case Study' (1998) 32 Law & Soc'y Rev. 93; On China, see generally: Randall Peerenboom, 'What Have We Learned about Law and Development? Describing, Predicting, and Assessing Legal Reforms in China', *Law and Society in East Asia* (Routledge 2017); Paolo Davide Farah, 'The Influence of Confucianism on the Construction of the Chinese Political and Juridical System (L'influenza Della Concezione Confuciana Sulla Costruzione Del Sistema Giuridico e Politico Cinese)' (Social Science Research Network 2008) SSRN Scholarly Paper ID 1288392 <https://papers.ssrn.com/abstract=1288392> accessed 21 January 2021; D Scott, *'The Chinese Century'?: The Challenge to Global Order* (2008th edition, Palgrave Macmillan 2008); Paolo Farah and Elena Cima (eds), *China's Influence on Non-Trade Concerns in International Economic Law* (Routledge 2016).

also, for the fields of legal sciences and scholarship where otherness is represented by a different way of conceiving normativity right down to its essence. In fact, the law is mostly the result, the effect or the solution of its political, social, cultural, and historical contexts, and it often represents or should represent the synthesis of the society it belongs to.

The aforementioned risk is even more dangerously imminent if we analyze the constitutional systems of modern states, where the implement of national constitutions has gradually replaced – although not completely – regulatory models typical of pre-modern societies. The constitution is in itself a Western instrument, matured in a certain social and historical context, which regardless has been able to spread almost all over the world. Precisely for this reason, the temptation is to consider it as a universal tool for shaping the aspirations and will of countries born instead on the basis of completely different influences.

Philosophically and culturally speaking, as long as comparative analysis among different legal systems proceeds in relatively homogeneous contexts, as in the case of European systems, such a risk of unfairly universal application is more limited or does not emerge.[8] If the original postulates are somehow comparable, focusing on the substantive contents of norms and principles is an intellectual exercise that does not generate excessive theoretical problems. It is only when we take into consideration great systems of thought that belong to other cultural and philosophical scenarios that the problem arises.

However, today, the world no longer admits the geographical distinction between clearly delimited areas of cultural influence as in the past.[9] On the contrary, it creates a new unbounded and fluid spatiality, an "atmosphere" for the mixing of ideas and principles that enter into an inescapable dialogue. The "global village" has no boundaries, at least not as clearly defined as the world of nation states used to have. Its complexity can hardly be reduced to a scheme based on geographical partitions. In such a context, it appears more and more evident how the old methodologies of comparison need to be renovated in the light of new dynamics currently underway.

[8] For an analysis of the reception of legal transplant in homogenous context and the problems see, Gunther Teubner, 'Legal Irritants: Good Faith in British Law or How Unifying Law Ends Up in New Divergencies' (1998) 61 The Modern Law Review 11; Pierre Legrand, 'The Impossibility of "Legal Transplants"' (1997) 4 Maastricht Journal of European and Comparative Law 111.

[9] On the crisis of the neoliberal international economic order, see: Marko Lehti and Henna-Riikka Pennanen, 'Beyond Liberal Empire and Peace: Declining Hegemony of the West?' [2020] Contestations of Liberal Order: The West in Crisis? 17; Thorsten Wojczewski, 'Global Power Shifts and World Order: The Contestation of 'Western'Discursive Hegemony' (2018) 31 Cambridge Review of International Affairs 33; Ziya Öniş, 'The Age of Anxiety: The Crisis of Liberal Democracy in a Post-Hegemonic Global Order' (2017) 52 The International Spectator 18.

Islam and the West

It has been pointed out on more than one occasion how the concepts of “Islam” and “the West” represent two civilizations with uncertain boundaries. Defining what is to be understood by these two terms is extremely difficult, since it presupposes a process involving many theoretical or technical steps that are not always univocal or shared by all experts and commentators.

Nevertheless, these are two terms that are always present in great historical narratives, both in the case of peaceful exchange and dialogue and in the case of confrontation and conflict. Regarding the history of law, including the history of modern and contemporary law, it is not possible to ignore the paths leading to the encounter of Muslim law and Western law, although even in this case it is particularly difficult to define the boundaries of the two terms precisely. However, what has emerged today is the issue of their meeting on common ground and in a stable theoretical framework, as in the case of a constitution. It is an event posing difficult questions that are no longer possible to avoid precisely because of the frequency of exchange between these two worlds, of which we witness more and more often in an age of mass migrations.

Today more than ever, it is crucial to put Islamic law into dialogue with the Western legal tradition. An examination of the interactions and interdependencies between different legal perspectives appears inevitable, especially in the context of modern constitutionalism. Islamic law shapes and influences the lives of the faithful. It defines a field of action which, in some respects, aligns with that of state jurisdiction, while in others it disengages, eludes, and escapes the boundaries and scope of it.

It refers to a way of conceiving life and reality, largely unexplored by Western scholars, who, in this way, overlook a geopolitically significant and vast portion of the world. In this book, law represents, first of all, a lens through which to examine a civilization, offering a means to illustrate a distinct part of the world with a unique conceptualization of normativity. Islamic law is therefore the privileged observatory to witness the dialogue between two worlds.

By analyzing it solely as a self-referential phenomenon, confined within the domain of Oriental studies, could have been an acceptable methodology in the past. Yet, in light of the processes of "glocalization", to borrow Bauman's terminology, and Said’s critiques of Orientalism, such an approach is inadequate. Both insights push us to rethink the very basis of how our own legal system and power relations take shape. Not as separated but as intertwined, interlinked, yet distinctly detached worlds. Nowadays, this form of dialogue is indeed structural, and is part of the state of things that has been consolidated in recent decades. The law, in this regard, is a form of culture. A multidisciplinary approach, encompassing all facets of the legal phenomenon, is urgently needed to fully grasp encounters with cultures of entirely different legal ancestry. With this framework in mind,

it becomes imperative to analyze Islamic law through a different theoretical paradigm, in particular one distinct from the methodologies employed by Western comparative scholars.

Ramaioli's book "*Shari'a and the Constitution in Contemporary Legal Models. Two Worlds in Dialogue*" introduces an interdisciplinary and multifaceted approach. In this framework, constitutionalism serves as foundation for initiating a more extensive legal dialogue that encompasses entire systems of thought, belief, and worldviews. According to the author, Islamic and Western law go beyond mere expressions of distinct substantive contents; but they represent different ways of conceptualizing humanity, society, and the structuring of power and authority.

When discussing *sharīʿa*, in fact, the conventional perception often confines its analysis to Oriental studies. However, in today's context, where geographical divisions are diminishing, the boundaries between academic disciplines are also becoming increasingly indiscinct. As globalization challenges and undermines the paradigms of territorial sovereignty, the analysis of it demands interdisciplinary tools. Consequently, legal scholarship must inevitably adopt a broader perspective, examining various ways of conceptualizing normativity and community, legal obligations, and juridical sensibilities. This requires exploring new worlds and embracing new postulates that have, until now, been largely overlooked. It involves not only a matter of state law but also the informal law of peoples and communities, which interacts, shapes, and co-constitutes state laws. This final element represents one of the major contributions of the book. Ramaioli explores the encounter between two legal traditions, moving beyond strict legal positivisms and situating the legal phenomenon within its broader socio-cultural and economic context.

Islamic Law and Comparative Studies

In the following sections, I will introduce and discuss some of the most important contributions of the book. Given the extensive scholarship on Islam and the West[10], it is crucial to comprehend how Ramaioli's book enriches our understanding and knowledge of Islamic law, specifically, and of comparative law more broadly. The answer lies in the book's methodology and what distinguishes it from other works covering the topic.

The book adopts an intriguing perspective to study and examine comparative constitutional law and Muslim law. Ramaioli's analysis goes beyond norms and precepts; it systematically examines the interactions between two comprehensive visions, two systems of belief, occurring within the framework of modern constitutionalism as adopted in contemporary Muslim countries. Islam and the West are considered here as civilizations in the broadest sense of the term. Each civilization possesses

[10] Cf. for a comprehensive analysis Bernard Lewis, *Islam and the West*, Oxford University Press, Oxford 1993; Shireen T. Hunter, *The Future of Islam and the West: Clash of Civilizations or Peaceful Coexistence*, Praeger, Westport 1998.

a distinct legal sensibility, shaped not only rules and regulations but, above all, by their narratives that influence their understanding of the world. These are the two worlds referred to in the book's title, each with unique interpretations and methods for comprehending and making sense of reality. Ramaioli clearly and precisely explains the two diverging worldviews, offering the reader a comprehensive and well-documented context for this legal phenomenon.

Ramaioli, a career diplomat, focuses his academic scholarship in the context of comparative legal studies. His previous publications cover a variety of topics and countries, analyzing how philosophical and religious perspectives influence modern legal systems. His studies on the Muslim world and East Asia not only investigate the comparison between codes and regulations but also delve into the very foundations of a given civilization..

In the Palgrave *Global Issues* series, Ramaioli has already published another volume on related topics, featuring an evocative subtitle: *A Tale of Two Worlds*[11]. It is a book that has followed a methodological approach to the subject, exploring major themes in the relationship between Islam and the West, thereby providing an original perspective on comparative legal theory. This second volume can be viewed as both complementary and, to some extent, a continuation, delving into issues that the author previously addressed only theoretically. These include topics such as the relationship between spatiality and law, the tension between statehood and universalism, and the moment of legitimization of the law. Ramaioli tackles all of these subjects through practical cases that have significantly influenced the constitutional systems of Muslim countries in recent history.

These are not topics to be underestimated. When incorporating diverse perspectives into dialogue, even from seemingly small observations, crucial conclusions can ultimately be drawn. It is useful to recall how, on more than one occasion, Ramaioli delves into the etymology of the juridical terms he employs. This includes references to Arabic terminology as well as the Greek and Latin, emphasizing how, from the etymons of single words, it is already possible to outline an initial vision of the world and of the law. *Jus*, in fact, is not merely a word;it is a way of providing a specific interpretation of the world, invoking the ancient deities of the classical age and thus establishing a civilization on this foundation[12]. The same can be said of the Arab peoples: the nomads of the desert gradually formulated their own laws, grounded in the terminology of commercial frontiers and caravan routes, deeply influenced by the way of life of the Arabian Peninsula during those foundational years.

[11] Federico Lorenzo Ramaioli, *Juridical Perspectives between Islam and the West. A Tale of Two Worlds*, Palgrave Macmillan, New York 2024.
[12] Cf. Alan Watson, *The State, Law, and Religion: Pagan Rome*, University of Georgia Press, Athens 1992.

Ramaioli, offering a precise explanation of the cultural contexts in which we reside, primarely aims to caution us with a valuable insight that contextualizes the book's speculations. Concepts such as the Latin *fons juris*[13] or the Arabic *uṣūl al-fiqh*[14] along with the state, the constitution, and juridical personality, are not neutral containersbe filled with substantial content based on the political and economic needs of the moment. Instead, these are narratives - ideas that, in the context of large comparisons between systems, should not be taken for granted but rather traced back to their specific cultural context. Originating in precise historical and social settings, these concepts could only have emerged within those contexts. Before any in-depth analysis of the content and substance of the legal norm, due consideration must be given to these contexts. It is only from this starting point that an informed comparison can subsequently be made.

Philosophy and Law: Fostering a Multidisciplinary Approach

To comprehensively grasp this legal phenomenon, characterized by a variety of elements and facets that must all be considered as part of a broader whole, understanding the foundational elements of the 'Two Worlds' is necessary. Ramaioli's book, while exploring philosophical and technical legal concepts, is written in a manner that effectively communicates to a broad audience, including non-specialists. It is precisely the book's multidisciplinary approach that makes it easy to read and equally informative. Rather than approaching legal concepts, such as legal pluralism, solely in their techno-juridical aspects, the book enriches the discussion with a wealth of cultural references and examples. These illustrations help clarify the concepts by illustrating them in action and across multiple practical scenarios, such as those encountered in modern constitutionalism. In the light of the growing trend towards more specialized and technical studies, the success of such undoubtedly ambitious task is fundamentally tied up to its ability to render complex phenomena understandable and to make questions accessible to everyone that might otherwise remain within the purview of a few experts.

Some introductory paragraphs provide basic concepts not only on Islamic *sharīʿa* (a term often misunderstood and thus needing appropriate introduction) but also on the structural differences between Muslim and Western legal perspectives. Examples include the conception of time and space, about the perspectives on authority and power, the conceptualization of retribution, and the purpose for which rules are established. These elements, coupled with cultural insights, provide a contextualization of the legal phenomenon akin to the introduction of a story, gradually immersing the reader into the history of two distinct yet interconnected worlds. Ramaioli beings by equipping

[13] Sources of law, as introduced in their Latin form by authors such as Cicero and Livy.
[14] As it will be explained in the introduction of the book, they are the "roots of knowledge" of the Islamic sharīʿa, that is to say the set of instrument and methodologies for its human comprehension,

the readers with the necessary tools to comprehend the story, guiding them towards the discovery of a new perspective of perceiving and seeing the two worlds.

As an example, according to Ramaioli, *sharīʿa* does not merely coincide with substantive normative contents (on which there would be much to discuss in any case) but is primarily an interpretation of reality - a vision of things. Consequently, it establishes a unique relationship between humankind and its surrounding world. *Sharīʿa* structures the lives of Muslim believers and profoundly defines the society they have created and shaped over centuries. Rather than a legacy of the past, considered concluded with the advent of modernity either by choice or by imposition, it remains a living heritage. Even today, it significantly determines communitarian life, social interactions, and inevitably shapes the way of conceiving law and legal obligations.

Ramaioli also addresses how human agency is envisioned within the two traditions and how individuals perceive and experience history and power or the relationship between law and authority. As the author demonstrates, these seemingly historically situated questions are closely tied to contemporary life, in the dimensions of "here" and "now".

These questions stand out as pivotal in Ramaioli's inquiry, serving as the entry point for constructing a comprehensive narrative on the relationship between law and society. This narrative is the potential to encompass all contemporary societies where Islam plays a direct or indirect normative role, extending beyond what is conventionally labeled as the Muslim world. If Islam is not confined to a geographically localized phenomenon, especially in today's era of mass migration and mobility, any analysis of Islamic law should duly account for this fact, and Ramaioli does so with meticulous detail.

Constitution and Practices: Exploring the Role of Non-State Actors and Informal Legal Systems Through an Inclusive Approach

The book presents an inclusive and comprehensive examination of constitutionalism in the Muslim world. It does not only analyze all the formal constitutional systems, but it also encompasses other constitutional practices. It describes the role of non-state actors as well as informal legal systems and practices.

To reach such a level of completion the author combines an interdisciplinary methodology with an innovative and rigorous classification of the various models and legal systems that are examined in the book. Ramaioli develops a categorization based on the degree of intensity of the interactions between Islamic *sharīʿa* and Western constitutionalism. The book explores various legal systems, ranging from those in which the role of sharīʿa is subtle to those where sharīʿa challenges

the entire constitutional architecture upon which the post-Westphalian world has been built. For the author, it is necessary to go beyond bias and prejudices and to dig deeper into the study of both legal utopias and dystopias. The manuscript aims at understanding the encounters and clashes between the Two Worlds. For Ramaioli, examining these interactions enables a proper understanding of a phenomenon as complex as law within the constantly evolving and ever-changing landscape of the world.

Another major contribution of the book is how the author examines legal concepts deeply consolidated in the two worlds. They are not treated as dogmas that cannot be questioned but as narratives in a constant and dynamic 'physiological' process of transformation. Based on this assumption, the modern state also represents a narrative that has precise philosophical connotations. Western statehood has developed within a precise spatiotemporal framework that cannot be easily exported or transplanted to other areas. Hence, it is possible to conceive the dialogue between broad legal systems as something alive, far from the static nature of comparative models that are no longer able to grasp the complexity of a global context. As analyzed in the first constitutional model covered by the author - the one in which *sharīʿa* does not play any direct role within the national legal system, as seen in the cases of Morocco, Turkey and Tunisia – Ramaioli's approach captures interesting nuances and insights.

Even if the substantive content of rules and norms can recall the ones inherited from the Islamic tradition, especially for family law, they cannot be properly considered *sharīʿa*, precisely because the way of conceiving the precepts and their legitimacy is completely altered by the process of national legislation. It is not a question of content but a question of perspective. For Ramaioli, these perspectives ultimately determine and shape the essence of a legal order.

What appears in the pages of this book are different anthropologies of law: not a way of conceiving only the rules, but above all a way of conceiving the human being and its agency over the legal order. In the book, constitutional systems are examined not only on the basis of positive legal provisions but also on the ground of their underlying philosophical assumptions, including the political and social dynamics arising from them. It is an approach that can capture the profound essence of the ongoing transition. The constitution, analyzed by Ramaioli is above all the mirror of a determined society, a living and dynamic entity that both shapes and is shaped by reality.

Ramaioli dedicates a chapter to the "*sharīʿa*-clause", a provision found in many modern constitutional charters. His analysis, while starting from the positive norm, delves into its philosophical implications, deconstructing it and broadening the perspective of the investigation up to discussing how it influences the way in which the legal system is conceived in its dynamic evolution. Similarly, decisions of the Supreme Courts are not simply analyzed for the effects they

may have on the corpus of national laws, but they are analyzed also as a lens to systematize the encounter between two divergent outlooks that nevertheless enter into a constant dialogue.

The book also addresses topics pertinent to comparative legal scholarship, exploring aspects often not traditionally categorized as law, such as the legal dimensions of Islamic fundamentalism. The case of the Islamic State of Iraq and Syria (ISIS) and its legal vision is emblematic. The author possesses significant expertise in this area, having written a monograph on the topic[15]. Even in such an extreme case, it is in fact possible to perceive a form of dialogue, conflictual, yet symbiotic, between contrasting positions, which meet and clash not on the basis of precepts but on the basis of divergent visions of normativity.

Only by adopting such a broad perspective as to embrace the various conceptions of Islam, a phenomenon that is multifaceted in itself and in constant evolution that moves from gnosis to literalist radicalism, it is indeed possible to examine the encounters between these two worlds in the most exhaustive way possible. The Muslim world is not a monolithic phenomenon. Ramaioli underscores the enduring influences that are still evident today in its interactions with Western legal modernity. These stimuli present us with the image of a diverse and intricate world, speaking to us not with one voice but with many.

Ramaioli's book encourages us to connect the study of Muslim law, its relationship with Western law, and legal pluralism. Our contemporaneity is intrinsically plural. It is essential to scrutinize systems rooted in the same cultural vision and subsequently engage in a dialogue, establishing connections between entire models of thought and belief, as well as comprehensive narratives of life and history. . For a more profound comprehension of the evolving landscape of globalization, it is imperative to transcend the boundaries once demarcated by nation-statehood.

The simplest questions are usually the ones that deserve the most complex answers. And so, on a question such as what law is or what justice is, it would be possible to write hundreds of books. The same can be said for the questions of what Islam is, or what the West is. These are the same questions that the ancients asked themselves, with their anxieties and their hopes; again, they are the same questions that, in one way or another, have shaped the great civilizations of history, founding our centers of knowledge. Although all the answers that we might provide would necessarily be non-exhaustive, it is still necessary to continue asking these questions, and, starting from them, begin to understand our reality. Despite this, recently, we have witnessed a certain approach leading some

[15] Federico Lorenzo Ramaioli, *Islamic State as a Legal Order. To Have no Law but Islam, Between Shari'a and Globalization*, Routledge, London-New York 2022.

scholars to abandon broad reflections and speculations in favor of developing technical knowledge,[16] thereby losing sight of the general context and of the big questions.

Starting from Ramaioli's reflections and other important contributions in Law and Society, it is now possible to ask ourselves once more what true dialogue is, where and how to implement it, and, last but not least, how to think about the laws of tomorrow, in a world that will be completely different from the world of yesterday.

This book is a great addition to the gLAWcal Palgrave book series on "Global Issues". gLAWcal - Global Law Initiatives for Sustainable Development is an independent non-profit research organization and think tank (http://www.glawcal.org.uk/) that attempts to shed new light on Global Issues and Non-Trade Concerns through research, policy analysis, and advocacy. Non-Trade Concerns include good and global governance, human rights, right to water, rights to food, social, economic and cultural rights, labor rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety, and security. All of these values are directly affected by the global expansion of world trade and should be upheld to balance the excesses of globalization.

The gLAWcal Palgrave book series on "Global Issues" complete into many other relevant matters and provides insights into the complex interaction of human and natural systems; modes of cooperation and conflict; and the ways and degrees to which human values can be reconciled and more effectively enacted. The concentration throughout is on an integration of existing disciplines toward the clarification of political possibility as well as impending crises.' The book fits within the broader discussion on how to relate and engage in dialogue with divergent worldviews and transnational issues that go beyond state borders with the goal of countering the sustainability and governance crises we are facing. More dialogue and increasing encounters between seemingly unbridgeable divides and assumptions on what the law is, as well as how we understand law and society relations, are of timely importance. Ramaioli aids in steering clear of the uncritical imposition of a 'correct' legal model onto other countries, fostering openness to diverse conceptions and ideas of the legal phenomenon. Dialogue, instead of closure, should also inform multilateralism and bilateral relations more effectively in order to overcome global challenges such as climate change and poverty.

[16] Technical knowledge is under extensive debate, see: Paolo D Farah, 'Foreword to Technocracy and the Law: Accountability, Governance and Expertise' in Alessandra Sofia Arcuri and Florin Coman-Kund, *Technocracy and the law: accountability, governance and expertise* (Routledge 2021); Robert Howse, 'From Politics to Technocracy-and Back Again: The Fate of the Multilateral Trading Regime' (2002) 96 The American Journal of International Law 94 For a case study on trade regulations, see:

The entire book has been processed through external peer-review and editorial review. In addition to the series editor, three gLAWcal scientific committee members have reviewed the final manuscript of this book.

Professor Paolo Davide Farah
Editor-in-Chief for the gLAWcal Book Series "Global Issues" published by Palgrave MacMillan (New York/London).
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