

**Zoila Combalía, M<sup>a</sup> del Pilar Diago Diago, Alejandro González-Varas Ibáñez (eds.): *Derecho e Islam en una sociedad globalizada. (Law and Islam in the globalized society).***

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The reviewed book *Law and Islam in the globalized society* edited by a team of researchers from the Law Faculty at the University of Zaragoza offers hot and demanded topic; as Maria del Pilar Diago Diago points out “it is no more correct to talk about Islam and Europe but rather Islam in Europe and quite soon having in mind the evolution of second, third and later generation of migrants, we will have to refer to Islam of Europe”. The book therefore tries to present the current space of intercultural conflicts which arise from the penetration of Islamic institution to Europe and offer some general ideas for their resolution from the interdisciplinary perspective.

The first chapter written by Zoila Combalía deals with the social and judicial challenges which arise from the presence of Islam in the Western societies in the 21<sup>st</sup> century. Combalía begins with the interpretation of *Sharía*, does not omit the highly debated position of women according to the Islamic law and goes on with the main differences which create the basis for the cultural conflicts. She points out, that Islam is not a church, it does not have a priest, Islam is a community – *umma* – and there is no mediation between the God and the humankind. The Europeans find it then difficult when they want to cooperate with the Islam about the common interests, as there is no interlocutor as no one represents Islam authentically from the confessional point of view. On the other hand, the western societies have not only clear representatives but sharply distinct between political and religious communities unlike in *umma*, Islamic community which is integrally both civil as religious.

The second chapter written by Maria del Pilar Diago Diago deals with the hidden conflicts in the family field. She touches the marriages of minors and

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offers views of different judicial systems and different juridical solutions including so called Sharia Councils and the Muslim Arbitration Tribunals in the Anglo-Saxon systems. Third chapter written by Olivier Borel deals with the ideal of French secularism pointing out that the *laïcité* is the product of history and as the history is, it is in constant evolution. He therefore starts from the French Revolution coming to the recent jurisdictions over the clashes between the French secular concept and the freedom of religious expression in regards to wearing veils. Borel points out that in three countries (Albania, Turkey and Azerbaijan) the debate is not only about the personal liberty, it goes up to the political signification of the Islamic veils. We could also add to this debate the situation in Kosovo or the Serbian region Sandjak with the overwhelmingly Muslim population where the traditional mild European Islam approach clashes with the new harsh one which came to these countries in the 1990's.

The fourth chapter written by Ricardo García García deals with the Islam and the Spanish administration and gives us the overall picture of the Muslims in Spain and the level of cooperation between them and the Kingdom of Spain. The fifth chapter by Jaime Rossell deals with the legal questions and the economic consequences arising from the issue of religious alimentation both halal as well as kosher. He asks question whether the state should interfere in the process of certification of *Halal* and *Kosher* alimentation, whether the state should regulate the use of the *Kosher* and *Hallal* certification or leave the decision up to the consumer and if it wishes to regulate it, how to do then. Rossel then gives us the overview of the situation in Great Britain, Germany, France and Spain as one of the European examples facing the regulation of religious alimentation.

The sixth chapter by Alejandro González-Varas Ibáñez focuses on the juridical situation of the mosques in Spain as well as internationally and points out that they could be understood as the symbolic appropriation of territory as they are being built as symbols of identity. Seventh chapter by María Dolores Ortiz Vidal deals with the Islamic *Káfila*, voluntary commitment to take charge of the needs, upbringing and protection of a minor child. This measure evolved in the Islamic countries where adoption is generally prohibited in the need to protect children and their rights. It is only legal assistance of child and does not create a legal parent/child relationship between the child who is in charge and the person holding the right and so cannot be considered adoption. Last, but not least chapter by Juan Ferreiro Galguera analyses the development in Egypt and the Arab spring. This chapter does not really fit in the framework of the publication as it does not really deal with the intercultural clashes arises from the Islam migration into Europe and rather tackles issue which is only related to the story and if the editors insisted to insert it into the book, the recommendation would be to have it as a first chapter and interlink it with the other texts.

The quality of the book and its contributions is predetermined by the selection of the authors which have been dealing with the clashes between the

European and Islam legal systems in their careers. However, it would be great if the texts would be more interlinked with each other and I desperately miss the last concluding chapter by the editors. The design of the chapters is also different, some of the texts have English interpretation while others do not, the whole book is in Spanish, while the chapter three is in French, and also the summary would be more helpful if put as an abstract and not only as a list of the (sub)headings. I greatly appreciate the knowledge of the authors and I strongly believe there has been a lack of such book on the European bookshelves as the literature dealing with the issue is still very scarce while the development in the judgements is rapid. I would recommend the authors to find financial sources for the translation of the book into English and publish it in recognized publishing house so the wide European audience would gain an access to it. This book should be compulsory reading for every judge, academician or student dealing with the Islam legal system but as the issue becomes part of our life, also for every European citizen.