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Emilia Justyna Powell, *Islamic Law and International Law: Peaceful Resolution of Disputes*, Oxford University Press, Oxford: 2020, pp. 328

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The question whether the Western approach to international law dominates in the field of public international law is a very current issue. One of the attempts of tackling this problem can be found in the recent Anthea Roberts' book entitled *Is International Law International?*¹ in which the author concludes that international law is not international to the extent we believe it to be. Even though Roberts' work is comprehensive, the only non-Western countries covered are China and Russia. None of MENA states are taken into account. Therefore, the reviewed monograph by Emilia Justyna Powell has been much anticipated and needed work that fills an important gap in the international law scholarship.

Reading *Islamic Law and International Law* is to immerse oneself in a private quest of the author who very much often uses the pronoun "I" when writing about what will be put forward before a reader. This might be a little disconcerting as one is not used to such personal endeavors in the legal scholarship. It might also be regarded as a deviation from objectivity, which is inherent to the legal scholarship. It redirects the attention of a reader towards the author instead of the work that she had undertaken. Fortunately, once a reader gets accustomed to such form of a narrative, the focus is redirected to the research presented. Furthermore, the title of the book suggests much narrower scope, which might discourage some of the readers interested in a broader interaction of Islamic law and international law from picking up the position. While the monograph is devoted to dispute resolution, it also covers more general issues. In addition, Powell also includes a comparative study of non-Islamic states and their behavior when engaged in international disputes.

The book itself has a clear and concise structure. It is divided into eight chapters, including introduction and conclusions. The introduction starts with setting the scene by way of assessing the importance of understanding Islamic law in the context of

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¹ A. Roberts, *Is International Law International?*, Oxford University Press, Oxford: 2017.

international disputes, and introducing Sharia as a law that is interwoven to the different degrees with secular law among Islamic states. Then the author briefly discusses a theory of Islamic peaceful resolution of disputes, highlighting the significance of her project, which relies on empirical analysis. The introduction concludes with two sub-chapters that every academic book should have. In the first one the author clearly states what the book is not meant to be, while the second one provides a road map of the whole book. Unfortunately, the author has not dedicated any specific part of the introduction to the methodological considerations. While Powell writes about applying empirical research in her study and refers to interviews that she conducted, no further explanation is provided. Fortunately, later on, starting from chapter five, she meticulously explains her methodology in the research design section of the chapters devoted to comparative analysis.

In the second chapter, titled *International Law, Islamic Law, and Islamic Law States*, Powell attempts to define all these three categories. This may seem as a futile exercise, especially when it comes to “Islamic Law” and “Islamic Law States,” as defining these concepts is very difficult, if possible at all. This venture is undertaken to introduce a reader who has scarce or non-existing knowledge on the subject matter of Islamic Law. The author shapes ideas carefully, while the review of the sources used by Powell, clearly shows that she relied not only on Western literature but also included Islamic scholarship. Powell introduces here *siyar* – a theoretical concept developed by scholars in the past to deal with outside relations – and implements it as a current idea. When writing about the Islamic Law States she uses comparative method looking at systems of particular states and the overlap between secular law and sharia. These concepts are developed further in the chapters that follow.

The author in the third chapter of the book *Islamic Law and International Law: Similarities and Differences* juxtaposes, as she writes, two “systems.” She starts with historical background, then looks at the existing literature and eventually moves on to differences. She divides the different topics into subchapters, first tackling the relation between law and religion, moving on to the sources of law, and ending with religious features in the courtroom with focus on religious affiliation and gender of judges and the use of holy oaths in the court practice. The similarities are also divided into subchapters, and concern the role of scholars in law formation, custom and the rule of law. It is unclear what methodology was used to choose these particular ideas as similar and different. This chapter also serves as a foundation for the next one, that address the theory of peaceful resolution.

The fourth chapter *A Theory of Islamic Peaceful Resolution of Disputes* begins with the discussion of peaceful settlement of disputes in international law. This is followed by the analysis of the phenomenon of dispute settlement forum shopping. The discussion on non-confrontational ways of dispute resolution is followed by the analysis of a third-party dispute settlement. Then, Powell moves on to various aspects of a dispute resolution process and Islamic principles involved in it, as well as resolution methods used by Islamic Law States. The chapter concludes with analysis of application of Islamic law to collectives.

In the fifth chapter, the author discusses the *Islamic Law States and Peaceful Resolution of Territorial Disputes*. In this context, Powell concentrates on territorial disputes, and attempts to identify specific methods embedded in international law used during peaceful resolution processes. The author commences with providing a comparative and statistical background and then moves on to methodology followed by actual analysis of the data. The chapter ends with conclusion which rounds up the undertaken research and provides results gathered from the empirical data.

The sixth chapter *Islamic Law States and the International Court of Justice* is again an empirical analysis of the Islamic Law States attitudes towards the International Court of Justice (ICJ). While author frames the ICJ as a Western court, she looks at the interactions between Islamic Law States and the Court. In particular, the study undertakes the analysis of Islamic Law States practice towards endorsement of International Court of Justice jurisdiction over particular disputes. The chapter finishes with conclusion, somewhat hopeful, that Islamic Law States “seem to be open to international adjudication as embodied by the International Court of Justice.”

The next chapter *Legal Schools and Regions* also fills the gap in the scholarship as there are apparently rudimentary systemic studies devoted to how the Islamic school of jurisprudence perceive the international dispute resolution. The author chooses two variables: schools as such and their geographic location. She examines two research questions. The first one seeks to establish whether Islamic schools of jurisprudence have an impact on the approach of Islamic Law States towards international dispute resolution methods, and the second looks for geographical differentiation among the Islamic Law States in how they perceive such methods.

The conclusion covered by the eighth chapter encapsulates the findings offered in previous chapters. It is well structured and encompasses comprehensive summary of every issue that was analysed in the book. There is apparent shift in reasoning from the collective thinking about Islamic milieu towards individual regulations of each Islamic Law State and each country separate approach towards application of international law.

Powell's book is a position that fills the gap in the existing scholarship devoted to the Islamic legal tradition and its influence on international law. It does not focus solely on peaceful resolution of disputes, as suggests the subtitle of the book, but covers much wider area of legal research, such as defining the notion of Islamic State and Islamic milieu. It takes a reader on a journey rooted in history both of West and East, enriched by the use of empirical methods including interviews with policy-makers and legislators based in the Middle East. It draws not only from international law and comparative law scholarship but also from international relations. The empirical approach to the study is what makes this book a salient position and a must read for everyone interested in international dispute resolution in the Islamic milieu.