

Riggs, Thomas (Ed.). *Legal Issues Across the Globe, Volume 1*. Farmington Hills, MI: Gale, A Cengage Agency, 2018.

Law and society inform and reinforce each other. Societies' customs, traditions and values guide and spur legislation to effect social regulation. Laws, in turn, protect what societies tend to value—life, liberty, property, identity, etc. No legal instrument, thus, can be understood, let alone evaluated, without tracing its roots back to history and society in which it has been embedded. Except for the Hobbesian free-for-all, human communities have been a repertoire of various regulatory regimes that were brought into being to govern the behavior of their members. Each society at a given historical juncture develops a spoken or written normative order to live by. It is this order that reveals humane or inhumane constituents of legal or legislative instruments that are crafted to govern human social conduct.

In a globalized moment that humanity lives in today, many get carried away in viewing the contemporary world as *OneWorld.net* that is supposedly galloping towards generating a body of unified laws with societal differences melting away into growingly similar, if not the same, legal and social aspirations. *Legal Issues Across the Globe* reads like a cautionary tale against such hubris. It holds up the mirror to the contemporary world to show its beauty spots without airbrushing the warts that it carries. It does this job so deftly that the reader begins to foresee a hopeful future without nurturing any illusion about the enormity of realizing it. This balance in vision keeps the reader from being driven to either despair or delusion. The former is easy to creep up as the book is about “Legal Issues” that speak to social ills that challenge the legal-judicial system across countries and continents. Yet it projects cautious optimism to see the light at the end of the tunnel.

The text carefully carves out middle ground between exuberance and apathy, a moderation that is woven in its conceptual design as well as its execution. It has chosen six issues of our time that consistently dominate the headlines and intrude upon our attention no matter where we live. These issues that invariably arise out of the ways in which we exercise our fundamental freedoms are listed in the following order: Internet freedom of speech, marijuana, police misconduct, refugees, same-sex relationships, and the sexual and reproductive rights of women. Each of these issues addresses curtailed human liberty. Some of them, however, could have been more clearly titled to highlight what causes them. The word “refugees,” for instance, seems to have bled its resonance with the masses, even in the Western world. It is no coincidence that anti-immigrant ultraright movements are fast becoming mainstream, at least on the issue of immigration. Human movement across national borders is viewed differently if it is presented as “forced migration” —as from Afghanistan, Syria or Yemen. So, “forced migration,” instead of “refugees,” could have been a better descriptor of human unfreedom in movement across national jurisdictions.

Similarly, the title of “sexual and reproductive rights of women” is likely to raise many eyebrows. These rights are increasingly being argued as gender-neutral, i.e., they extend to multiple “genders,” not just the male and female gender. The word “women” in the title expresses the mistaken binary of men and women, and implies the denial of additional genders that do not fit into this dated and restrictive binary frame. It is because of this reason that the word woman, both in singular and plural form, is fast dropping out of scholarly usage (“pregnant woman” is now “pregnant person”). Also, gender as a plural word entails a very different sidebar to the entire issue of “sexual and reproductive rights,” and not just the “sexual and reproductive rights of women.” These are, however, minor omissions, if we call them so. They do not necessarily bear upon the content of the discussion of any issue in any substantial way.

The globalized nature of the selected issues is also undeniable. This is evident from the treatment of each issue in a select set of 12 countries each. In all, close to 50 countries from Africa, the Americas, Asia and Europe have been covered. Selection of countries is driven by the salience of a given issue in their legal and legislative jurisdictions: Internet freedom in Cuba, same-sex relations in India, or sexual and reproductive rights of women in Pakistan, and so on and so forth. In places where positive leaps have been made to resolve these issues, human freedoms stand extended to those whom they were once denied. In places where these issues have snagged such leaps to the ultimate human freedom, their discussion has nevertheless opened a democratic space for continued struggles, raising hopes that resolution of these issues is not a matter of if but when.

Olivier De Schutter, in the volume's introduction, for instance, has engaged the issue of human freedom in the right to love, i.e., human freedom to love whomsoever one wants. In this discussion, he particularly speaks to same-sex relationships in non-Western settings. He makes a special mention of a decision by the Indian Supreme Court that rejects same-sex relationships in any legitimate form (p. XII). As much as this decision may sound disappointing, it is not going to stand for too long as it contradicts the very foundation of the Indian republic and the very conviction of Indian civil society: democracy. India prides itself on being the world's largest democracy. The court's restrictive view of same-sex relations that is reminiscent of the Middle Ages, however, collides with India's democratic image, and as such its vibrant civil society will fight to any length to see it overturned. So, sooner or later, the Indian Supreme Court's decision is destined for the dustbin of history.¹

The contributors and editor of the volume are careful of the ways in which they each couch a given issue. They do not present any of the six issues as a contest between libertarianism and authoritarianism. Nor do they support the libertarian variant of anarchism, i.e., unmediated people power. They are rather descriptive in their approach while presenting each issue. This approach, however, constitutes both the strength and weakness of the volume. In terms of strength, descriptive analysis is closest to objectivity, which keeps authors from being judgmental or passing unnecessary verdict on a given country for its legislated practice in regard to any of the issues it discusses. All the same, this strength turns into a weakness of the volume as it loses an explanatory framework to descriptive analysis. Descriptive data pile up in volume without answering the crucial question of "why" ultraconservative or progressive practices coexist in the world in relation to all or any of the issues discussed.

It bears repeating that going beyond descriptive analyses and answering the question why is the highest form of knowledge production. More importantly the editor and contributors' commitment to descriptive analysis has hindered the much-needed theorizing of the issues at hand and their variability across geographies. It is hard not to generalize (i.e., theorize) when you have a mounting volume of descriptive data on key issues of our time. Olivier De Schutter, for instance, speaks to the qualified or unqualified recognition of same-sex relations across countries and continents, and singles out Africa and Asia as the two continents that are still in denial of these relations in any legitimate manner. This descriptive observation could have been much more valuable if it had answered "why." Joseph Conrad, a classic fiction writer without any claim to fame as a legal scholar, has done enviably well in explaining "the heart of darkness," with which we do not have to agree. So one mourns the fact that authors of this volume let slip a grand opportunity for theorizing and generalizing in an otherwise monumental contribution to legal and social scholarship.

At the same time, this reviewer is sympathetic to the volume contributors whose professed aim has been to prepare this reference title to build benchmark knowledge on a limited set of issues and their geographical diffusion. They had a specific audience in mind of advanced high school students and beginner undergraduate scholars whom they wanted to educate on a chosen set of issues and their legislative and legal variability across nations . The authors' approach was not only meant to build a knowledge base for students but to initiate them in understanding and evaluating a given set of issues in their global context. In this aim, the authors have been spectacularly successful. It is noteworthy that like British writer J.K. Rowling, they each write elegantly without letting elegant writing hinder the understanding of key issues. Their pieces are just as accessible as they are readable to both general and specialist audiences. As well, it is hard to overlook the authors' diligence and sophistication in packing each contribution with highly relevant information that makes it a memorable work of longer-lasting significance. In this respect, this volume goes beyond its intended audience to benefit serious researchers, scholars and writers in their respective intellectual pursuits. Kudos to its contributors!

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Notes

¹ As predicted, the Indian Supreme Court, on September 5, 2018, decriminalized homosexuality, overturning an almost 150-year-old colonial-era ban on consensual [homosexual sex](#).