

EDITORIAL: DIALOGUE AS A SOURCE OF LAW VOLUME 12. SPECIAL ISSUE

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This Special Issue of the *Journal of Catalan Intellectual History* on “Dialogue as a source of law” is the second volume of the journal to be published exclusively online and exclusively in English. As was presented in the editorial from the previous issue, the journal was conceived from the very beginning as being a proposal for thinkers across the board to delve into intellectual history as a valid, independent discipline for the studying of human thought. In order for it to be accomplished successfully in the 21st century world, we highlighted the importance of relying on interdisciplinarity as a necessary methodological requirement as well as stressing the importance of factoring technology and artificial intelligence into these studies. Technology can be developed (and *is being* developed) as a powerful intellectual resource for analysis; but in this day and age, technology and all that it brings with it (AI, but also the internet, Big Data...) is an element that should also itself be analyzed as a component of the Intellectual History. This duplicity brings us to the issue at hand. Aware that the intellectual historian must work with ideas in two contexts (i) as abstract—albeit applicable—propositions and (ii) in specific historical, cultural instances, we curated a collection of articles which offer a sample of this complementary analytical attempt.

The overarching topic this Special Issue addresses fundamentally is that of the generalized culture of agreement (*pactisme*) which, as will be argued, took over the political scene of medieval Catalonia. In the Introduction to the special issue by guest editors Mario Macías and Pere Ripoll, the authors offer us an overview of how *pactisme* came to be, what implications it had,

the way in which it shaped the politics, society and culture of its time. This introduction also mentions how *pactisme* is susceptible of being analyzed from different angles, all of which contribute to clarify not only the specific dynamics of *pactisme* in its original context, but also its deeper underlying meaning beyond its political and legal development within medieval Catalan institutions.

In the article by Tomàs de Montagut and Pere Ripoll the authors go deep into the history, structure, dynamics, and overall impact of legal *pactisme* in what is, probably, the most comprehensive description of the legal pact-based model of medieval Catalonia to date. Nevertheless, the multifaceted complexity of this model is also approached from other positions. We find the insights into the Jewish perspective in the article about the same time period in the discussion on the *Shevirath Ha-Kelim* by Mario Macías, Pompeu Casanovas and John Zeleznikow who address not only the origins and institutionalization of Late Medieval anti-Jewish violence, but also its relation to the general political, legal and cultural situation in Catalonia. Still from the Jewish perspective of the time, we find Macías' analysis presenting the *Haskamot* of Barcelona in their political and legal context. Despite them being unsuccessful the author contends they should be the starting point for research on the legal and jurisdictional relations between Christians and Jews.

Still discussing medieval legal and religious coexistence, Mustafa Hashmi, on his part, offers in his article a very different approach by attempting to map Shari'ah normative reasoning concepts with the goal of gaining a better understanding of the Islamic normative concepts compared to the Western normative concepts.

We also include in this issue an article by Joan Tello in which he gives the reader a succinct introduction to relevant works by Joan Lluís Vives, Renaissance humanist, and pays special attention to his *Aedes Legum*. While identifying some of the key concepts and describing their meaning carefully, the author provides some tools for better understanding this 16th century work on legal philosophy.

There can be found in this issue two research notes as well. One by Pompeu Casanovas discussing the concept of legal realism as a possibility within the Catalan medieval pact-based model. The other one by Josep Monserrat focusing on Alexandre Galí and the history of the institutions and the cultural movement in Catalonia.

This volume also offers a series of reviews that the reader might consider. In keeping with the theme of the issue, Mario Macías reviews *The Talmud in Dispute During the High Middle Ages* by Alexander Fidora, Görg Hasselhoff (Eds.); Joan Cuscó covers Jordi Sales' *Escrips sobre filosofia catalana* [Writings on Catalan Philosophy]; and finally, Bernat Torres writes about *Subjectivitat i Creativitat. Temps, memòria i creació* [Subjectivity and Creativity. Time, memory and Creation] by Joan Cuscó.

Finally, we should also add a few words about the publication time. This Special Issue was going to come up last year, at the beginning of 2020, stemming from the ongoing research on dialogue as a source of law carried out and presented in several Scientific Workshop at *Institut d'Estudis Catalans* (IEC). We had to adapt to the new circumstances that emerged from the gen-

eral disruption that unexpectedly took place. After a slow recovery, we decided to maintain the year of publication.

Although this volume must come to a close, the lines of research it pursues have still a lot more to offer. For our next issue, we hope to be able to put together another complete series of related articles on the same topic reflecting the fruits of yet another year of research progress.