becomes increasingly more historical. Fellow papyrologists will work through those early chapters and admire Cromwell's thoroughness, but other readers might give up before getting to the best part of *Recording Village Life*.

That would be a shame, because *Recording Village Life* fills more than one gap in the historical record. Cromwell's focus is on Aristophanes, but her treatment of the people who feature in the documents he composed makes eighth-century rural Egypt seem much less distant to the reader. For example, the aforementioned P.KRU 52 records the settlement of a case of theft. The text does not describe the stolen goods themselves, but they were worth more than 10 *holokottinoi* (*solidi, dīnār*). To put that amount in perspective, note that the house in P.KRU 25 and 47 was worth 12 *holokottinoi*. The victim of the crime had brought the matter before the local Arab emir, but had worked out an arrangement with the accused and had released them of their debt. Aristophanes drafted the document that recorded the agreement. The named thieves were a woman and a man, Tanope and her accomplice, Daniel. As is so often the case with papyri, the text leaves it to modern imagination to determine the nature of the relationship between Tanope and Daniel: P.KRU 52 shows that the two were partners in crime, but does not say if they were otherwise connected. A literal reading of this text in isolation might conjure any number of unsavory scenarios, but, as Cromwell explains, other texts tell a sad story rather than a scandal. Cromwell believes that Tanope was a widow who had fallen on hard times. Tanope appears in other legal documents in which she seeks to gain full payment for selling her (presumably deceased) husband’s property. Daniel also appears in other texts. He was a wealthy property owner who often loaned money to neighbors; thus, he was unlikely to steal. Cromwell supposes that Daniel was simply lending a helping hand to Tanope. Although a literal reading of the texts indicates that both Daniel and Tanope were thieves, Cromwell convincingly argues that Daniel appears in the document only because he acts as advocate or guarantor for Tanope. He basically helped her settle out of court. Perhaps it was even Daniel’s idea to “get it all in writing” lest the aggrieved party have a change of heart. Cromwell’s larcenous widows and squabbling sisters add important texture to our historical understanding of village life in early Islamic Egypt, and the book contains many other examples like the story of Tanope and Daniel.

Glimpses at everyday life aside, Cromwell’s examination of Aristophanes’ career provides a close look at how administrative reforms initiated in the capital played out for people at the village. The narrative sources say that great changes took place in Arab administration during the caliphate of Hisham I (r. 724–743). The Arabic papyrological record and resulting scholarship shows that the main change was the replacement of local Coptic officials with Muslim officials sent from the capital in al-Fustāt. *Recording Village Life* explains what happened to those suddenly out-of-work Coptic officials. There is always more research to be done, but Cromwell’s book provides a foundation that will make that work much easier.


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In *The Historian’s Craft*, Marc Bloch criticized the preoccupation among modern historians with historical origins. Because origins are inherently ambiguous, they may lead the historian on never-ending searches into the past which illuminate little about the present. Over seventy years later, Bloch’s observations remain relevant. The historiography of Islamic law continues to be bent heavily in favor of tracing legal institutions back to their formation. The earliest stages are reasonably thought to tell us things about where Islamic law stands today, but a disproportionate focus on the formative period has left unexamined vast spans of time between then and now.

In his thoughtful and ambitious book, Guy Burak takes the admirable step of tracing not the formation, but rather the second formation, of Islamic law. This is
no small task, not least because a second formation, while avoiding the distortions of a reformation, still implies a fundamental restructuring of an institution’s internal parts which unfolds gradually and is generally difficult to reconstruct. In both its successes and despite its shortcomings, this work addresses a gaping lacuna in our understanding of Islamic law in the late medieval and early modern periods.

The second formation of Islamic law consisted of the recognition by Muslim jurists of a substantive and eventually normative role for the sovereign in determining effective doctrines of law. The cataclysm that set this new order in motion was the rapid and destructive incursion of the Chinggisid Mongols into the Islamic lands during the thirteenth century. With them came an ideology of universal empire as well as a tradition of dynastic law—whereby the legitimate ruler enjoyed a heavenly mandate to legislate—that persisted in an adapted form during the Turco-Mongol dynasties that eventually took power in nearly all of the lands traditionally ruled by Muslims. Among these dynasties were the Ottomans, whose *kanun* was only one, though perhaps the most successful, manifestation of post-Mongol dynastic law. The *kanun*’s success here is measured not by its longevity—though it certainly had an impressive run—but by its integration into the doctrinal and institutional structure of Islamic law. For Burak this is what was new: dynastic legislation came to be seen as a proper adjunct to the *shari’a*, rather than a negotiated privilege or an intrusion upon the prerogative of jurists.

The challenge facing the Ottoman dynasty was how to get the jurists to acquiesce to the doctrinal authority of the sultan’s decrees. The jurists were steeped in the pre-Mongol tradition of relative autonomy, particularly the in Syria and Egypt after the capture of these territories from the Mamluks in the early sixteenth century. The solution, Burak argues, was to establish an official branch of the most venerable doctrinal institution of Islamic law: the legal school, or *madhhab*.

The book’s five chapters describe the related developments which accompanied the evolution of the official state school. Chapter 1 traces the emergence of the Ottoman office of mufti, at both the imperial and provincial levels. Burak argues that the Ottoman system of appointment signaled a departure from previous regimes. Whereas under the Mamluks the authority and influence of muftis turned on the acclaim of other jurists first, and only secondarily on any formal recognition from the sultan, under the Ottomans this balance was reversed. Muftis were drawn almost exclusively from the imperial learned hierarchy (*ilmiyet*, and they relied on their official status for the recognition of their fatwas in courts. The courts themselves were also staffed by members of the hierarchy.

And whereas under the Mamluks the leading muftis’ fatwas did not constitute official state doctrine, under the Ottomans they carried the sultan’s imprimatur.

Chapter 2 examines the institutional jockeying in the sixteenth century by formative members of the learned hierarchy, who sought to carve out a distinct intellectual space for themselves in the venerable genealogy of Hanafi jurisprudence. Burak looks in detail at the learned biographical works (*tabaqat*) of four figures: Taşköprüzade (d. 968/1560), Kinalızade ʿAlī Çelebi (d. 979/1582), ʿAlī Çelebi (d. 979/1582), Maḥmūd b. Süleymān Kefevi (d. 990/1582), and Edirneli Meḥmed Kāmī (d. 1136/1724). Unlike the slightly earlier work by Kemâlpaşazâde (d. 940/1534) in this genre, these authors foregrounded the accomplishments of central Ottoman jurists and were far more selective in their inclusion of jurists from the Arab lands. Such content choices, Burak argues, reflected “the consolidation of the Ottoman learned hierarchy and the growing reluctance to accept Hanafi jurists who were affiliated with other chains of transmission within the school” (p. 87).

Chapter 3, a companion to its preceding chapter, looks at roughly contemporaneous biographical works by two scholars from the Arab provinces, Ibn Ṭūlūn (d. 953/1546) of Damascus and Taqīy al-Dīn al-Tamīmī (d. 1010/1601) of Cairo. In conspicuously omitting certain well-known members of the learned hierarchy, these works seem to press the superiority of scholars in the Arab lands and implicitly impugn the dynasty’s role in regulating the school. Burak takes this lukewarm attitude toward scholars connected with the Ottoman dynasty as confirmation that the dynasty sought to impose control on jurists and their jurisprudence.

Chapter 4 contends that the dynasty, through the learned hierarchy, undertook an “imperial canonization project” (p. 161) that aimed at determining the authoritative corpus of jurisprudential texts to be used by legal officials throughout the empire. The follow-

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ing Chapter 5 surveys practical methods of managing “intra-madhhab plurality” in the Arab provinces; that is, achieving continuity in legal administration while not stifling the un-appointed muftis who held great social sway. For example, these muftis issued fatwas written in Arabic (rather than Turkish), but equipped with the stately protocols that were proper to all other Ottoman official writing.

The conclusion of the book situates the Ottoman establishment of an official school in the context of broader trends concerning law and sovereignty in the eastern Islamic lands after the Mongol invasions. It urges the reader, in light of the preceding analysis, to move away from the predominant periodization of Islamic legal history that sees state intervention in the law as something introduced by Europe in the nineteenth century.

This book is exceedingly detailed, and Burak synthesizes primary sources in Turkish and Arabic in a manner that ought to be done for Ottoman legal history, but rarely is. He additionally notes a known but often underplayed point: Ottoman jurists wrote extensively in both Arabic and Turkish, and if you suffice yourself with just one, your picture of law in the Ottoman Empire will be accordingly inflected and incomplete. Because acquiring sufficient technical facility with both languages (along with the literatures written in them) is difficult, the field of Ottoman legal studies stands to gain from greater collaboration. Burak’s book sets a mark of comprehensiveness to which legal historians may now aspire.

With respect to the substance of the Burak’s argument, the claim of Ottoman interventionism has much in its favor. However, I must register two objections: the first is that the meaning of an “official” school is critically under-theorized. What are the criteria of “officialness”? These criteria could either be gleaned from discourses internal to the learned hierarchy, or imposed heuristically (and anachronistically) by the modern researcher. Burak does neither, which leaves the argument theoretically adrift amid the waves of evidence which he adduces.

Additionally, Burak draws extensively on a well-known article by Rudolph Peters.3 So far as I can tell, however, Burak only takes from this article that the Ottoman state played an “instrumental” role in the “emergence of the Hanafi school as the official and dominant school in the Ottoman domains” (p. 3). The upshot is that it is unclear, at least to me, whether the book aims to prove the existence of an official Ottoman school, or to take the official school for granted and then analyze its implications. It seems that Burak’s goal follows the former for the first few chapters, but in the middle chapters Burak refers to an Ottoman “branch” of the Hanafi school in ways that beg rather than prove the question. It is not obvious that Hanafism was in fact the officially designated school, because the criteria for an “official school” are never made truly clear.

If Burak’s purpose is to take the official school as given and as a result describe how it was manifested, even for this his description gets a bit ahead of itself. For example, the chapter on the imperial canonization of “authoritative texts” (al-kutub al-muʿtabara or al-muʿtamada) views the canonization as consisting of the consensual reading practices of learned authorities; that is, certain texts eventually became a set part of a good legal education. Although this is a sensible view of canonization, the leap from learned consensus to official status requires more explanation than Burak supplies. Burak appears to argue that because so much of what was authoritative was labeled as such by the learned hierarchy (who were part of the imperial order), the designation of “authoritative” was as good as official. “As good as official,” however, is still not quite official. Indeed, it seems to me that the procedural nature of canonization posited by Burak defeats the notion of “officialness,” a notion which implies discrete action by a vested higher authority.

My second objection is that Burak gives fairly little evidence of doctrinal intervention by the Ottoman state. The basic contention is that the state regulated the structure and content of the school in a way not seen in previous Islamic polities. Yet so much of the book is dedicated to tracing the boundaries of the learned hierarchy as a professional group that we are left with little idea of how they diverged enough to be called a separate “branch” of the Hanafi school. What made Ottoman Hanafism distinct in its substantive doctrines? The answer cannot simply be inferred from the Ottomans’ more structured appointment system for imperial and provincial muftis, as all this tells us is who got to say which of the rules available in the

school would be followed in formal venues like courts. Instead of an intervention into the business of jurisprudence, this strikes me as a search by the Ottoman state for organization and clarity in the application of law. I am willing to accept that structure may affect content, but that must be demonstrated. A uniquely Ottoman body of doctrine may exist, but Burak does not provide us with any examples of it.

The concluding chapter, which discusses the rise of dynastic law in the eastern Islamic lands after the Mongols, holds the greatest promise. It carries the book’s title as its own subtitle, and seems to be where the heart of the argument lies. Indeed, Burak says in the Introduction (p. 11) that the other developments he traces depend on this phenomenon of dynastic law. But this conclusion is jarring; it introduces a lot of new material—including key contextual information and major new concepts that do not fit in a conclusion—and leaves the threads of the earlier chapters untied.

After two hundred pages of richly informed analysis of the Ottoman learned hierarchy and the expansion of their authority into the old Islamic lands, this conclusion, though fascinating and unobjectionable, is too far afield from everything just discussed.

Happily, the shortcomings I have discussed are nothing that sharper definitions cannot fix. The kernel of what Burak is driving at is hard to dispute: something palpable changed in the administration of Islamic law after the Mongol irruption. I doubt whether this change is best illuminated by an official school of law. But while an official Ottoman school cannot be taken for granted, the concept is worth interrogating further, in part because it is such a strongly ingrained trope in Islamic legal historiography. If nothing more, subsequent researchers in Islamic law should follow Burak’s example in seeing the interconnections between the productions of jurists and the policies of the dynasties under which they lived.