

Here and elsewhere, Anthony is mindful of contemporary non-Islamic parallel traditions. Thus, he notes the idea that ‘Ali, like the Qur’anic Jesus, did not die. Anthony moreover argues that the allusion to the staff was reflective of “a robust, late antique, particularly Jewish tradition” (p. 219f) and that Ibn Saba’s denial of ‘Ali’s death more generally was in sync with “late antique Jewish apocalypticism” (p. 222). Anthony had also earlier referred to Sayf’s understanding of the apostle Paul’s corruption of Christianity as a means of identifying Ibn Saba’ not merely as sectarian but as the “fount of sectarianism” (p. 133). Anthony concludes his discussion by noting that of all the “traditions and legends” ascribed to Ibn Saba’, the most “compelling evidence on the side of historicity” (p. 241) is his belief in Ali’s *raj’a*, which, he notes, also appears in the earliest traditions about the Imam’s death.

In the volume’s third and final portion, the long Chapter 7, Anthony recounts but also attempts to rescue the *saba’iya* from the numerous and conflicting traditions and legends of the Umayyad period, including those surrounding the 685–87 rising of Mukhtar in Kufa and its aftermath. In fact, Anthony’s de/reconstruction thereof recalls Madelung’s effort, in his *The Succession to Muhammad* (Cambridge: Cambridge University Press, 1998), to untangle the events following the death of the Prophet himself. In the process, Anthony charts the “profound debt of Mukhtār’s movement and his Saba’iya” (p. 275) to the discourse of Ibn Saba’. Not long after his passing, Mukhtar joined the panoply of those—including ‘Ali and his sons al-Hasan and al-Husayn—who were among the “righteous dead destined to return to this world” (p. 292), even as the *saba’iya* themselves appear to have ceased to be an “integral, definable group” (p. 309). In the process, Anthony confronts, in some detail, not only the relevant Arabic sources, but the interpreters thereof to date, including Helga Brentjes, Michael Cook, and Patricia Crone.

Anthony concludes that Ibn Saba’ was really an “anecdotally iconic representative of all those who nurtured a hope that ‘Ali’s victory still loomed over the horizon, despite his death” (p. 313). The alleged “Jewish connection” was in the same “late antique and medieval” (p. 314) tradition of tarring by association with Christians, Magians, Manicheans and even “Persians” (p. 314, n. 2); Christian and Jewish polemicists also employed such “myth-making” (p. 315). Nevertheless, it was the notion of the *raj’a* that would outlast the period and inform Shi’ism from this period forward.

To reach, and to have documented so robustly, this point was a Herculean task. Anthony accomplishes it in a fashion reminiscent of Madelung’s 1998 contribution. As such, *The Caliph and the Heretic* is eminently worthy of the attention of serious scholars. The *ghawghā’* on the web will likely accord it short shrift.

KECIA ALI, *Imam Shafi’i: Scholar and Saint* (Oxford: Oneworld Press, 2011). Pp. 160. \$32.69 cloth.

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This volume, part of a series on *Makers of the Muslim World*, provides an account of the life and thought of Muhammad b. Idris al-Shafi’i (d. 820), the eponym of the Shafi’i *madhhab*, one of the four well-known traditions of legal study that have survived until the present in Sunni Islam. Drawing on the available primary sources as well as important recent studies by Joseph Lowry, Mohyiddin Yahia, Ahmed El-Shamsy, Christopher Melchert, and others, the work provides a readable narrative of al-Shafi’i’s life that attempts to flesh out his character

and to provide an overview of his larger ideas in a form accessible to a general audience. Al-Shafi'i's biography is presented in the first two chapters, and his thought is discussed in the next three chapters. The sixth chapter discusses al-Shafi'i's legacy and the construction of his image in later history. The work also includes suggestions for further reading, a bibliography, and an index.

The broad outlines of al-Shafi'i's life are well known, though certain parts of his biography are uncertain. He was raised in the Hijaz, where he studied with leading scholars in Mecca, including Malik b. Anas. He served as a judge for some time in Yemen, but was implicated in an 'Alid revolt and taken to Baghdad, the Abbasid capital, as a captive. After being released, he studied, or at least had significant scholarly exchanges, with Muhammad b. al-Hasan al-Shaybani (d. 805). He returned to teach in Mecca, then traveled once again to Iraq around 810. In about 814, he left for Egypt, traveling in the retinue of 'Abd Allah, the son of 'Abbas b. Musa, the new governor of the province, and soon established himself in Fustat—then the capital—as a prominent professor of law. He died in Fustat in 820, leaving behind a number of dedicated disciples who preserved his works and methods.

The chapters on al-Shafi'i's legal theory draw particularly on the recent studies of Joseph Lowry and Ahmed al-Shamsi. The author agrees with them against the skeptics Norman Calder and Wael Hallaq that the *Risala* and *Kitab al-Umm* are both integral texts authored by al-Shafi'i and that the form we have them in was established in the 9th century, something that has been established by citations of those works in other early works on hadith, law, and legal theory by Ibn Qutaybah (d. 885), Muhammad b. Nasr al-Marwazi (d. 930), Abu Bakr b. al-Mundhir (d. 930), and others, as well as by the abridgements of al-Shafi'i's works by al-Buwayti (d. 846) and al-Muzani (d. 878). In the *Risala* and his other works on legal theory such as *Jima' al-'Ilm* and *Ikhtilaf al-Hadith*, al-Shafi'i stresses the importance of the Sunna (literally, the condoned, time-honored practice) for the elaboration of the law, restricting its meaning to the Practice of the Prophet, and insisting that it is preserved in hadith reports alone, not in the practice of the people of Medina, as the Malikis assert, or in the opinions of the Companions. In addition, Sunna is equated with the Qur'anic term *al-hikma*, which occurs in tandem with the Qur'an. The analysis of the *Risala* follows that of Lowry, on the whole, going against earlier scholarship by stating that al-Shafi'i did not present a theory of Islamic legal hermeneutics based on four sources—the Qur'an, the Sunna, consensus, and *ijtihad*—but rather that he presents the sources as two, the Qur'an and the Sunna. He restricts consensus to a minor role, and he allows *ijtihad* only in cases in which the direct evidence is insufficient to lead to a ruling. He allows *qiyās*, or legal analogy, only if strict and convincing comparison can be made. Instead, the organization of the work is based on the five modes of *bayān*, God's exposition of the law to the believers. The first mode occurs when the Qur'an alone presents a ruling; the second, when the Qur'an presents a sufficient statement but the Sunna adds detail; the third, when the Sunna clarifies or elaborates on a ruling given in summary form in the Qur'an; the fourth, when the Sunna presents a ruling independently; and the fifth, when the jurist must use inference and legal interpretation sanctioned by and based on the Qur'an and the Sunna. Al-Shafi'i's jurisprudence might therefore be characterized as a two-source theory in which the two sources interact in the ways just outlined and never contradict each other. In order to explain apparent contradictions, al-Shafi'i employs a number of hermeneutical devices, many of which are familiar from later texts of legal theory: abrogation; a distinction regarding the scope of a ruling—to whom it applies—as a general (*'āmm*) or specific (*khāṣṣ*) injunction; a distinction regarding ambiguous or undifferentiated (*mujmal*) and unambiguous (*naṣṣ*) rulings, and so on.

The discussion of *Kitab al-Umm* stresses that al-Shafi'i carefully parsed the legal prooftexts from the Qur'an and the Sunna, addressed the many variables that might affect legal rulings, striving for comprehensive coverage of the possibilities that might arise, and in many cases set

out to prove his position rather than merely assert it. The chapters of *al-Umm* on the points of law, as well as his other shorter treatises on contested points of law, reveal an environment in which debate and disputation were prevalent modes of discourse and scholarship. Debate was clearly a major concern of al-Shafi'i, and he modifies his arguments according to the immediate opponent. He rejected *istihsān* (juristic preference), in which a jurist would deviate from an expected ruling for considerations outside the strict scope of legal analogy. His oeuvre as a whole also shows that he adhered to a literalist or "plain sense" interpretation of scriptural prooftexts whenever possible, interpreting Q 4:43 and 5:6 as requiring one to perform one's ablutions again after touching a woman, because the verb *lāmasa* (touch) in the verse means just that, and not "to touch in a lustful manner" or "to have intercourse" as Malik and Abu Hanifah had argued (pp. 91–92).

The work does not address how understandings of al-Shafi'i have developed over time, with the exception of recent debates. Acknowledgement, explicit critique, or revision of Schacht's groundbreaking work is deficient. Detailed explanations and revisions of Schacht's results, based on subsequent scholarship, showing which have been upheld and which have been called into question, would have been useful to the reader. The work gives only a brief sketch of the rise and expansion of the Shafi'i *madhhab*—discussed by Heinz Halm in some detail. A more substantial discussion would have been desirable, given the many outstanding questions about the rise of the legal *madhhabs* as institutions, something with which the several subsequent generations of al-Shafi'i's students were intimately involved. For example, the book accepts Christopher Melchert's conclusion that Ibn al-Surayj founded the Shafi'i *madhhab* without attribution or discussion of the idea. It also reports that the Shafi'i *madhhab* is represented in Indonesia and Malaysia (p. 95) but does not explain how it got there.

The book contains a few technical errors. The statement that al-Shafi'i is a nickname of sorts meaning "the intercessor" (p. 2) is incorrect; while it is certainly etymologically related to the word *shafi'* "intercessor," it derives instead from the given name of Muhammad b. Idris' ancestor, Shafi' b. Sa'ib, a member of the Quraysh tribe. Al-Shafi'i's view of the excellence of the Companions is reported as follows: "Abu Bakr, and 'Umar, and 'Uthman, and 'Ali" (p. 17). Instead, it should read, "Abu Bakr (is highest in merit), then 'Umar, then 'Uthman, then 'Ali." The text reports that Ibn Surayj debated with the Hanafi jurist 'Isa b. Aban (p. 94), a chronological impossibility, since 'Isa b. Aban died between 220/835 and 230/845, while Ibn Surayj (d. 918) was not born until 863. Instead, Ibn al-Nadim reports in the *Fihrist* that Ibn Surayj wrote *refutations* of al-Shaybani and 'Isa b. Aban. The statement that the *madrasa* of al-Shafi'i, built by Saladin, was Egypt's first such institution (p. 103) is not true. At least eight Sunni *madrasas* were built in Egypt during the Fatimid period (i.e., before 1171). The Maliki and Shafi'i judges of Alexandria, Ahmad b. 'Abd al-Majid Ibn Hadid and Abu al-Husayn Yahya b. al-Mufarrij al-Maqdisi, both had *madrasas* built in Alexandria ca. 1100. Ridwan ibn al-Walakhshi, a Sunni vizier of the Fatimids, founded the Maliki Hafiziyyah Madrasa in 1137–38, and al-'Adil ibn Salar, another Sunni vizier of the Fatimids, founded the Shafi'i 'Adiliyya Madrasa in 1151, both in Alexandria, and these were the premier *madrasas* in Egypt for decades before Saladin built the mausoleum-*madrasa* of al-Shafi'i in Fustat in 1176–80 (see Stephennie Mulder, "The Mausoleum of Imam al-Shafi'i," *Muqarnas* 23 [2006]: 15–46). There are a few transliteration errors such as al-Mutallib, al-Mutallibi (pp. 2,3,68) for al-Muttalib, al-Muttalib.

The books in this series are designed for a wider audience and so lack some of the critical apparatus that one might expect in works devoted to leading figures of Islamic intellectual history. Diacritics are not used, and footnotes are minimal, so that it is often unclear what the source for a particular piece of information, anecdote, or interpretation of the evidence is. The style in this particular work is too colloquial in a number of passages: "Shafi'i

sweated the small stuff" (p. 115) may not make much sense to audiences a few decades from now. The author explains that it is not her intent to resolve the outstanding problems and conflicting accounts relating to al-Shafi'i's life-story through thorough investigation (pp. xv–xvi). Overall, it is decidedly better than Aisha Musa's recent work on al-Shafi'i (*Hadith as Scripture: Discussions on the Authority of Prophetic Traditions in Islam* [New York: Palgrave Macmillan, 2008]), a translation and analysis of al-Shafi'i's treatise *Jima' al-'Ilm* that shows little interest in explaining the work in its historical context. It provides an accessible and up-to-date introduction to al-Shafi'i's life and thought, but does not attempt to go beyond current scholarship, something that should be possible in the coming decades because of the discovery and publication of relevant early works such as the *Mukhtasar* of al-Buwayti and because of the heightened interest in Islamic legal theory over the past two decades.

JUSTIN STEARNS, *Infectious Ideas: Contagion in Premodern Islamic and Christian Thought in the Western Mediterranean* (Baltimore, Md.: Johns Hopkins University Press, 2011). Pp. 299. \$60.00 cloth.

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*Infectious Ideas* is an impressive comparative study of responses to the plague amongst Muslim and Christian communities in the premodern Western Mediterranean. Justin Stearns masterfully navigates through Muslim and Christian literature as diverse as plague treatises, sermons, fatwas, scriptural exegesis, as well as theological and medical texts written over the course of a thousand years in order to highlight the variation that existed within these communities' understanding of the plague and its transmission. By doing so, Stearns challenges earlier studies that assumed that differences in responses between the communities were due to essential civilizational characteristics. Such studies accepted, and further reinforced, the widespread notion that Islamic societies had turned away from reason and gone into "decline" in the post-1200 period, reflected in their "typical" fatalistic attitude towards the plague and rejection of contagion. At the same time, Christian European societies were seen as being more scientific during this period, reflected in their acceptance of contagion and institution of quarantine laws. *Infectious Ideas* rejects both this traditional "decline" theory, and this flattening of the diversity of opinions within each society. Consequently, it provides us with a very rich account of the complex ways in which tradition, sociopolitical realities, reason, and empirical observations were negotiated by both Christian and Muslim scholars in the premodern Mediterranean.

The book's real strength lies in its deployment of a number of key methodological developments of the last two decades. The work of Andrew Cunningham and others on 19th-century transformations in disease etiology due to the "laboratory revolution" provides Stearns with the tools to understand premodern rejections of contagion as measured, rational responses to contemporary observations and medical understanding of the plague, rather than the blind, irrational whims of a conservative, religious elite. Similarly, the book follows current trends in the study of Mediterranean societies, based on the work of Peregrine Horden and Nicholas Purcell, among others, that seek to embrace the diversity and complexity of these societies while undertaking comparative histories rather than resorting to unchanging, essential characteristics. Finally, Stearns builds upon recent work that challenges the sharp division between "science" and "religion" in premodern theistic societies, in order to show the rich