

critique (and of ethnography), one less guided by suspicion? In other words, how might the ethics of the fatwa—an asecular ethics of self-care that aims at unblocking the way—speak back to anthropology as a mode of inquiry?

*Questioning Secularism* is a provocative book that offers critical contributions to literature on the secular, Islam, sovereignty, and state power. While the argument is relevant far beyond Egypt, it is carefully grounded in nuanced historical and ethnographic context. Remarkably, the book remains extremely readable and accessible even as it handles highly complex questions and never opts for easy answers. This book will invigorate—and transform—the study of the secular. It is therefore a must-read not only for all those interested in the region but also for those with an interest in secular power more broadly.

WAEEL HALLAQ, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2012). Pp. 272. \$37.50 cloth.

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In *The Impossible State*, Wael Hallaq argues that the modern state is a bad fit for Muslims. This is so because the paradigm of “Islamic Governance,” developed through centuries of Islamic rule, and the modern state of the West, are incompatible, if not altogether contradictory. The modern state as sovereign, a European invention and an expression of the unique unfolding of Europe’s history, is characterized by: an always-faltering separation of powers between executive, legislative, and judiciary branches; a separation between the “is” and the “ought to be”; and the primacy of the political over everything else (not to mention the state’s penetration of its population à la Foucault)—all of which goes against the very grain of the Islamic nonstate. The latter, by contrast in Hallaq’s view, is organized organically around God’s sovereignty, with shari’a as the moral code, or the privileged expression of His Will. The translation of shari’a into law unfolds through the work of a learned juristic class that mediates between the community, to which the jurists are organically connected, and God the sovereign. The world of Islam is moral through a sort of excellence that rejects the separation between fact and norm. Its “political” realm is confined to executive rulers of rotating dynasties who remain external to the embryonic tight embrace between jurists and community, and whose role is to tax, organize armies, and regulate on the margins. In this universe, the organizing principle of life is the individual Muslim’s “care of the self,” which involves fashioning oneself as moral according to the dictates of the shari’a. This care of self is in contradistinction to the pitiable plight of the modern Western citizen whose subjectivity is fashioned by the state for its own selfish utilitarian ends. Pulling a Huntington-in-reverse, Hallaq argues not only that the modern state, which was thrust by Europe onto Muslim shores, is a bad fit for Muslims, but also that it is decidedly inferior to the counter model of Islamic governance. After all, Muslims, due to their “paradigm” of governance, had lived in peace and tranquility for centuries. They were spared the kind of tumult and revolution that occurred in Europe because, historically, they were free of the tyranny of monarchs, the cruelty of feudalism, and the abuses of the church, all of which had forced their European compatriots to rebel!

Hallaq ends by, on the one hand, inviting the West to recognize the radical difference of the Muslim other and to give up its imposed universalisms. In fact, he invites the West to open its heart and mind to the Islamic model, for who knows, it might learn to be enlightened by it. On the other hand, he expresses skepticism toward contemporary projects of Islamic reconstruction of law, such as in the area of Islamic finance, because the modern state is the

background assumption and the locus for such projects. The problem, according to Hallaq, is that such attempts proceed to reconstruct law while leaving aside the reconstruction of the moral Muslim whom Islamic governance assumed to be the ontological prior to law and litigation. Deprived of the moral context that lends them the quality “Islamic,” such projects are either inauthentic or doomed to failure.

If comparing Islamic governance, an “event” located in premodernity, with the *modern* European state strikes you, dear reader, as odd, you are not alone. There is surely an example of premodern European “governance” that could be more properly and profitably compared with its Islamic counterpart in historical time, and indeed Hallaq shows hints here and there of recognizing similarities of constitutional structure between the two premodern cases. But to compare a “paradigm” (the Islamic) that had prevailed before the advent of modernity and the spread of global capitalism, the imperialist arm of which dismantled all premodern societies—European and otherwise—to a state model (the Western) that emerged in its aftermath, is surely like comparing, well, apples to oranges.

One thing that allows for this comparative sleight of hand is the repeated use of the word “paradigmatic,” for which Hallaq seems to have a special affinity: he repeats it more than any other word in the text (the word “organic” is a distant second). Curiously, he only uses it in relation to the “Islamic” and rarely if ever in relation to the modern state, as in “the paradigmatic modern state.” That is because Hallaq wants to keep the relationship between the “norm” of the Islamic state and its historical reality obscure. Use of the term “paradigmatic Islamic governance” allows for this obfuscation, leaving the reader to wonder whether Hallaq is describing a juristic normative version of this “governance” or providing a historical account of it. Hallaq’s methodological assumption is that the norm (the paradigm) *precedes* the real and thus that that Islamic history can be summed up as the attempt to realize the norm: sometimes Muslims succeed, other times they fail. In short, history is of no import because it is driven by the norm, where history is either a successful or a failed expression of that norm. So why bother with the distinction between premodernity and modernity? Essence is all.

Hallaq’s approach is to be contrasted with that of the renowned historian of Islamic law, Baber Johansen, who provided us with a rich account of Islamic regulation of land rent that highlighted shifting privileges and entitlements in the relations between landowners and land tenants through time. If these shifts showcased anything, it was that there was no such thing as a “paradigmatic” account of the legal norm regulating the relationship between landowners and their tenants in Islamic society. Hallaq would object that the land rent rules described by Johansen were worked out by various jurists over time as part of their attempt to translate the moral code of Shari’a, a task always history-bound and therefore shifting according to historical contexts. It was the moral code that remained stable, an expression of the oeuvre of Islamic governance. But it is hard to see what “moral code” these drastically differentiated rules could possibly be an expression of, particularly given the extent to which they vary, sometimes giving tenants security of tenancy over the land while other times making their tenancy extremely insecure! When it comes to the modern state of the West, Hallaq’s approach is radically different. The modern state is nothing but history, saturated by it through and through, and its history is the history of Europe. Hallaq writes,

The history of the state *is* the state, for there is nothing in the state that can escape temporality. It is therefore a historical product of a particular, culture-specific location: Europe, central and Atlantic—not Latin America, not Africa, not Asia. As Carl Schmitt averred, the “state has been possible only in the West.” (p. 25)

What Hallaq wants to say is that the modern state is hostage to the history of its production, and transforming it into a universal norm is wrongheaded if not altogether impossible. So while the East is all “norm” with history a casual intruder, the West is all history, without a transcendental norm. All this is perhaps well deserved, for a culture that places sovereignty

in the state instead of God deserves to be stuck in historical time, trapped in its own secular particularity.

Hallaq's account of what he calls the "form-properties" of the modern state locates them squarely in their deracinated history. He leaves no stone unturned in the literature of philosophy, critical theory, and legal theory in order to shed a most unflattering light on this modern state and its "form-properties." The critique he marshals is indeed quite devastating, nihilistically using writings from Western authors on the left and right alongside each other, quoting simultaneously and at times in one paragraph Bourdieu (a leftist French intellectual) and Glendon (a conservative legal writer), Adorno (a Marxist critical theorist) and MacIntyre (a Catholic moral philosopher), Foucault (a leftist poststructuralist historian) and Gray (a conservative critic of the enlightenment). So not only does Hallaq compare the premodern with the modern, but he also compares the paradigmatic (in the case of the Islamic) with the critical (in the case of the modern state).

Curiously, while Hallaq shows an impressive mastery and understanding of this Western literature of critique, he seems unaware of its implications. Critique is premised on the act of unmasking the structural dynamics that remain latent and hidden behind normative evocations. Not only does Hallaq treat the critique of the West as an account of the modern state's paradigm, thereby transforming the "behind" unearthed by critique into the "front" of the system, but he also seems completely uninterested in adopting an equivalent critical posture in relation to the "Islamic." Furthermore, Hallaq's writing is rife with anthropomorphisms (e.g., "Shari'a is patient"), his conclusions about history are made deductively, and he uses quotes to refute or assert historical claims, all of which undermine his undeniable mastery of Islamic thought and often make teaching his writings to students all the more difficult.

Hallaq proves to be a conservative theorist of identity. He bemoans the loss of patriarchal rule in the West and frets over its demise in the Islamic world. He is also appalled by the high rate of taxation in the industrial West and compares it unfavorably with the meager 2.5 percent of Zakat on growth of income proposed by Islamic jurists. Without a hint of disquiet, he reassures his readers that contrary to popular opinion, jihad was not obligatory in Islam because there were slave soldiers whose task it was to wage war. But Hallaq is "paradigmatic" of those who have populated the field of Islamic law in Western academia during the last couple of decades: scholars who refuse to accept that the demise of "Islamic governance" was final and irretrievable, and that Muslims pine more for rights and liberties than they do for political Islam, as recent events in Egypt have made clear as day.

JOSEPH A. KÉCHICHIAN, *Legal and Political Reforms in Saudi Arabia* (New York: Routledge, 2013). Pp. 361. \$160 cloth, \$51.95 paper.

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In *Legal and Political Reforms in Saudi Arabia*, Joseph Kéchichian, a leading authority on Saudi Arabia, takes aim at the understudied area of legal and political reforms in the country. Although Kéchichian's study adds significantly to our understanding of both the drivers and the ramifications of legal and political reforms in Saudi Arabia, it is better read as a pertinent analysis of the puzzling question of the longevity of the Al Sa'ud regime. Saudi rulers have indeed had impressive staying power despite internal and external pressures of such magnitude that they could reasonably have provoked the regime's demise. Due to their