

In the end, *Revolutionary Justice* provides an insightful historical context that explains why Egyptians were denied meaningful self-governance after their two populist revolutions. As the military and Muslim Brotherhood vied for dominance, Egyptians were denied the political space to develop a third way that is more transparent, inclusive, and democratic in representing the diverse needs of more than 90 million people. For that reason, revolutionary justice continues to elude Egypt. ✦

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BRINKLEY MESSICK. *Shari'a Scripts: A Historical Anthropology* (New York: Columbia University Press, 2018). Pp. 534. \$70.00 cloth. ISBN 9780231541909.

Brinkley Messick's long-awaited *Shari'a Scripts* is a study of the relationship between epistemology and materiality in the textual universe of highland Yemen in the first half of the twentieth century. Moreover, it is an attempt to understand *shari'a* and its history as a set of complex relationships between texts and genres, each of which has its own temporality and geographical circulation. Some of the relationships are quite specific – for instance, concepts or formulae that were employed across genres – while others are somewhat more general and touch on the place writing and the written word occupies in the imagination of individuals and communities. *Shari'a Scripts* is not the first attempt at reading the “grammar” of *shari'a* across genres and discourses, but it is the most thorough study to date to systematically examine the materiality of texts along with a close reading of doctrinal works on the reliability of writing and the written word in the Zaydi tradition.

At the core of *Shari'a Scripts* lies a distinction between two separate yet interrelated hermeneutical clusters of the texts – the “library” and the “archive” – within the Zaydi juridical culture. The genres and texts represented in the “library” are more general in their formulation, in the sense that they are stripped of particular details that stem from a specific locality, and cosmopolitan (following Sheldon Pollock's usage) in their geographical circulation. Among the “library” texts, Messick lists *fiqh* manuals, fatwas, and the Zaydi imam's choices (*ikhtiyarat*). The “archival” genres and texts, by contrast, are situated in a specific geographical and temporal context and are thus local. These include minutes of court cases, court resolutions, and contracts. The dynamics between the “library” and

the “archival” texts and genres are multidirectional: concepts and terms from the “library” genres, for instance, found their way to “archival” texts, while “archival” texts, after being stripped of their particular details, inform the formulation and concerns of those at the “library.” Much of *Shari’a Scripts* is devoted to the study of the relationships between the “library” and the “archive.” It is for this reason that the chapters of the book may be read in no particular order, as each chapter may serve as an entry point to the Zaydi textual universe.

Shari’a Scripts, however, ventures beyond the texts and documents. As an anthropology of the Zaydi *shari’i* paper trail, the book pays close attention to the social context of the “library” and the “archive.” Situated in context, the act of writing, that is, the transition from the oral to the written as interrelated legal spheres, becomes manifest. Furthermore, by dwelling on the social contexts and venues in and through which different texts were compiled and circulated, *Shari’a Scripts* reveals how the authority of these genres and textual instruments was constituted.

The concentration on the multiple dynamics between texts, genres, institutions, and individuals is intended, it seems, to counterbalance Messick’s previous monograph, the 1993 *The Calligraphic State: Textual Domination and History in a Muslim State* (University of California Press), his groundbreaking study of textuality of highland Yemen. *Shari’a Scripts* is in interesting dialog with *The Calligraphic State*. “*The Calligraphic State*,” Messick explains, “examines discursive ruptures dating from the turn-of-the-twentieth-century Ottoman period; the ensuing ‘hybrid’ institutions of the following decades of imamic rule; and the further discontinuities of the late twentieth-century republican-era nation-state” (38). *Shari’a Scripts*, on the other hand, focuses on what he calls the “historical” or “premodern” *shari’a*, that is, the pre-colonial/modernized/codified *shari’a*. It appears that Messick seeks to question modernist assumptions about the textual universe the legal codes of the nineteenth century claimed to have replaced by demonstrating the logic of a “historical” *shari’i* textuality.

Messick’s use of the terms “historical” and “premodern” as descriptive adjectives offers a key to reading *Shari’a Scripts* but also raises several questions as these categories are relational and have been often invoked to denigrate the other side of the “historical”/“modern” divide depending on authors’ understanding of the rupture. And perhaps more significantly, these descriptive adjectives are rooted in the Zaydi juridical context of highland Yemen and may not be easily applicable to other parts of the Islamic world. Messick suggests that the main distinction between the “historical” and the “premodern” *shari’a* on the one hand and its

“modernized” versions on the other stems from the “totality” of the former. The “historical”/“premodern” *shari’a* was “total,” he argues, as it “consisted of rules suffused with premodern ethical and moral concerns” (40), as opposed to the secularized *shari’a* that is relegated to certain social, political, and ethical spheres. This sense of “totality” seems to inform Messick’s comprehensive approach to the Islamic legal discursive tradition which includes disciplines such as Qur’anic exegesis and *hadith* criticism, disciplines that are rarely considered central to *fiqh* in the western study of Islamic law of the post-formative period. However, measuring the “totality” of *shari’a* may be quite challenging: was the sixteenth-century Ottoman perception of *shari’a*, for example, less “total” and therefore less “historical”/“premodern”?

Indeed, it seems that the “totality” has to do to with the role states/rulers played in different settings and how this role was formulated by the *fiqh* discourse. One may wonder to what extent the book’s concentration on the Zaydi school of law and the imamic rule of highland Yemen contributed to this construct of the “historical” and the “premodern.” The Zaydi imam, as a *mujtahid*, had the right to dispense doctrinal rulings or “choices.” And, as Messick acknowledges, in highland Yemen there were fewer institutions and practices that were not prescribed by what he calls a “shari’a form” or a “standard of the doctrinal *fiqh*” (231). By contrast, in the central provinces of the Ottoman empire, there were concepts and institutions, such as the institution of *miri* land, that were “conceptually unrecognizable property types [. . .], forms unknown to *fiqh*” (231), and the edicts of the Ottoman sultan and its administration were not considered manifestations of *ijtihad*.

This question is particularly significant in the book’s sixth chapter, titled “Intermission,” which bridges the “Library” and the “Archives” sections of the book. In this chapter, Messick compares the Yemeni-Zaydi textual universe to those examined in recent studies of other Islamic textualities. In many ways, this comparison highlights the contribution and applicability of Messick’s conceptual framework to the study of other parts of the Islamic world. However, in this chapter Messick seems to downplay the role of “premodern” states, in which the ruler was not a *mujtahid*, in regulating the paper trail in their domains. This is not to say, of course, that these polities’ interventions lay beyond *shari’a*, but, much like with the case of the concept of *miri* land, jurists had to articulate and justify their legality. In the Ottoman case, for instance, the robust imperial bureaucracy was central to the administration of the empire’s paper trail and allowed jurists to justify the use of archived documents without corroborating evidence. In other words, when the ruler was not a *mujtahid*,

“historical” *shari’as* accommodated the intervention of rulers and administrative elites in the regulation and production of written documents.

These comments should not undermine the conceptual and methodological contribution of Messick’s study. Much like the act of writing about writing which constitutes the core of the book, *Shari’a Scripts* is highly dialogic. As the Postscript attests, the book was written over decades through conversations with and for students and colleagues. Fittingly, the book has no “Conclusion.” ❖

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LESLIE PEIRCE, *Empress of the East: How a European Slave Girl Became Queen of the Ottoman Empire* (New York: Basic Books, 2017). Pp. 368. \$32.00 cloth. ISBN 9780465032518.

Students and scholars of Ottoman history will be somewhat familiar with much of the scholarship before us. This is because Leslie Peirce’s earlier volume, *The Imperial Harem: Woman and Sovereignty in the Ottoman Empire*, became mandatory reading for understanding the role of women in Ottoman society and solidified her status as one of the most important Ottoman scholars of her generation.

Her new book, *Empress of the East*, not only enlightens us about the lives of women in the Ottoman court, but also shows us how the customs of that court radically changed when the courtesan known as Roxelana (and also by her Ottoman name, Hurrem) became the concubine of the sultan and then his wife. While early diplomatic alliances forged through marriage propelled Ottoman rulers into positions of regional power, marriage was then abandoned in favor of concubinage. However, the marriage between Roxelana and Sultan Süleyman (r. 1520-66) appears to have been a love match, and the union of Süleyman and Roxelana produced six children, five of whom were sons. Her historical import is undeniable: she was the only Ottoman concubine to marry the sultan who was her master; she helped to transform the imperial harem into an institution that wielded political power; and she left a legacy of charitable foundations, for which she advocated.

As for Roxelana’s origins, not much is known about her before she was sold at the slave market to the royal court. Apparently, she was bought at