should be fulfilled,” instead of “unless they have a pact, which is fully fulfilled.”

On p. 45, the sentence fa-lammā kānat al-‘ajjyya al-muṭlaqa wa’t-kirā‘ al-muṭlaq innānā yuqād bihīmā al-wajh al-jā‘īz ḥumāla mulk al-su‘āl ʿalā dhālikā wa-lam yuhkam sīcā bi-hudm al-kanīsa is translated as, “When the terms “outright gift” or “unlimited lease” were only aimed at the permissible form (wajh). Mālik took up the question on that, and only gave a ruling on demolition of the kanīsa.” The phrase is a conditional sentence and there is no reason to read “Mālik” instead of “mulk.” It may be translated as, “When there is an unrestricted gift or lease, the permissible type [of gift or lease] is only intended, [and] an examination of the ownership [of the property] in question is restricted to this [principle] so that a judgment for the destruction of the synagogue must be issued.”

On p. 54, the phrase alhama allāh ba‘d man arāda allāh bihi khayran min fudalā‘ al-muslimīn min ahl al-‘iḥlā‘ wa’l-dīn is translated as “God inspired some eminent Muslims of the people of knowledge and religion, who wished God’s blessing through it.” However, the ba‘d refers to one Muslim and the second mention of God is in the nominative case. I suggest: “God inspired one of the eminent Muslims among the scholars whom He intended for a blessing.”

On the same page, ḥiyā‘ sunnāthim is better translated as “reviving their religious tradition,” instead of “surviving their practice.”

On p. 60: “support him with a long life and vitality,” is a better translation of amaddahu bi-li al-sīhah wa-l-‘ifāya than, “support him with long hygiene and good health.”

Specialists will be extremely grateful for Hunwick’s book which, in conjunction with his previous publications, provides scholars from a wide variety of fields with access to this fascinating historical incident. Despite the complexity of the texts, this book is also invaluable for teachers who wish to provide students with primary sources relating to the status of non-Muslims living under Islamic law.

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Criminal law is an important part of the broad structure of Islamic law. Historically, it was a significant element in the interface of state and society, and in the contemporary world, it is a highly visible and contentious dimension of programs of Islamization. Controversial issues like amputation as punishment get much attention, but less consideration is given to the broader frameworks of the principles.
and practice that have been defined by Muslim scholars and judges over the centuries. Rudolph Peters presents a significant resource for understanding these broader dimensions of the history and practice of Islamic criminal law.

Peters’ volume provides both a substantial amount of specific case information and an analysis that puts these particulars into a broader conceptual framework. Peters starts with a crucial assumption about the nature of Islamic law: “Rather than a uniform and unequivocal formulation of the law it is a scholarly discourse consisting of opinions of religious scholars” (p. 1), with the result that there are “very few general principles in Islamic criminal law” (p. 19). On the basis of this statement, he organizes his analysis in terms of specific issues as they are developed and defined in particular historical contexts. In this examination, Peters’ study “is not limited to presenting doctrine but also pays attention to how Islamic criminal law ‘worked on the ground’, i.e. how it was actually used in criminal law enforcement” (p. 3).

After a brief introduction, in the second and longest chapter of the book, Peters sets out the “classical doctrine” of criminal law, as presented by historically authoritative scholars. The basic categories he discusses are procedure, general concepts (like criminal responsibility), punishments, and offenses with specifically defined punishments. He covers each of these subjects in depth and cites important examples of specific cases and rulings. Major collections of fatwas (advisory rulings) provide much of the material for this discussion. In itself, this chapter functions effectively as a comprehensive reference guide for those interested in the foundational framework of Islamic criminal law.

In the third chapter, Peters moves to the implementation of criminal law in the Ottoman empire as a case study for the pre-modern situation. Each of the topics noted in the discussion of “classical doctrine” are covered here, with examination of how the “classical doctrine” was applied in the specific contexts of Ottoman society. Peters also presents an important overview of the relationships between Shari’a and state-defined rule (qânûn). Ottoman law, he says, represented a “unique combination of Hanafite doctrine, transformed by the state into an unambiguous body of legal rules, and of state-enacted laws, the qânûn-ns” (p. 71). In this structure, the state-enacted laws and the Shari’a are viewed as complementary and not competitive or contradictory because, in Peters’ view, it is “unthinkable that the Ottoman Sultan, whose principle source of legitimacy was that he upheld God’s law, would, even implicitly, abolish parts of the Shari’a” (p. 75).

Over the past two centuries, processes of Westernization and modernization have resulted in “drastic law reform in the Muslim world” (p. 103) leading to the “eclipse” of Islamic criminal law. Peters describes these changes in chapter 4, noting that modernizing reform programs aimed at a clearly codified legal structure. He looks at the different ways in which Islamic criminal law has been reformed, ranging from complete abolition, to gradual modification and replacement by Western-inspired penal codes. One significant distinction here is between Shari’a and siyâsa, the “discretionary justice exercised by the head of state and