In the last few years, scholars have directed their attention to the central role played by Muslim states in lawmaking prior to the nineteenth century. Burak's underlying thesis is that the early modern Ottoman state developed mechanisms of control and legal engineering that, in hindsight, were precursors to European modernity. He contributes to a larger debate pursued most recently in Yossef Rapoport's 2012 article on royal justice under the Mamluks and this author's monograph on Ottoman Egypt. In these two publications, law is the sum total of transactions and negotiations between and among several actors, including the state, jurists, and the laity: the state sometimes engaged in direct institutional engineering and at other times was indirectly involved in influencing the law. A counter-argument to this new picture of the centrality of the state in the workings of Islamic law prior to the nineteenth century has been advanced by W. Hallaq in his The Impossible State, where he expands upon his earlier thesis about the incompatibility of the modern state and Shari'a logic.

Building no doubt on Talal Asad's contention that the constitutive rules of a game define its essence, Hallaq argues that Shari'a is ontologically and essentially incompatible with the modern state. In his view, until the nineteenth century Shari'a was a system constructed outside of state power. It is in this context that I read Guy Burak's excellently researched book.

Burak identifies sites of continuity that offer important correctives to Hallaq's arguments for a complete rupture – a rupture so radical that he regards the term "Islamic State" as an oxymoron. Already in the early Ottoman period, Burak argues, Islamic law was not simply a jurists' law (p. 19) but also a state law. Like other Muslim polities of the “post-Mongol period,” the Ottoman state was located at the center of lawmaking, and it invested considerable resources to develop a cadre of scholars (p. 17). To make his argument, Burak discusses the role of the state in the appointment of official muftis, as well as in the creation of

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of a scholarly elite educated in the imperial *madrasa* system. In chapter 1 he argues that Ottoman muftis exercised much more power than their Mamluk counterparts. The legal opinions of the Ottoman chief mufti were binding (pp. 30, 42). Some Ottoman sultans such as Selim (r. 1512–1520) even forbade non-official muftis from issuing fatwas (p. 22), although, as Burak explains, non-official muftis continued to issue their opinions. The training of some jurists in the imperial *madrasas*, Burak contends, “contributed to the adoption of legal concepts and jurisprudential texts that other jurists, mostly those who were not appointed to an official post, did not readily accept and at times even openly rejected” (p. 56).

The second chapter deals with the imperial learned hierarchy, created through the *madrasa* system, from which officially-appointed muftis were drawn. Burak skillfully analyses Ottoman Ḥanafī *ṭabaqāt* or “genealogies,” a term he uses to refer to an intellectual lineage created through biographical and bibliographical data (pp. 69–71). By studying these *ṭabaqāṭ* produced by members of the imperial learned hierarchy, he sheds light on the ways in which members of this hierarchy understood their position within the larger Ḥanafī jurisprudential tradition. He concludes that the imperial learned hierarchy created its own sub-school within Ḥanafism (p. 66), “documenting the genealogy of, and cementing the authority of, specific legal arguments and texts within the Ḥanafī tradition that were endorsed by [its] members” (p. 67). In the third chapter, the author deals with *ṭabaqāt* works from the Arab provinces, designed partly to counter those created by imperial Ḥanafīs in the central lands of the empire, as well as to “preserve the authority of certain legal arguments and jurisprudential texts” (p. 101). He encourages the reader to understand the exclusion of some members of the imperial learned hierarchy from these Arab Ḥanafī *ṭabaqāt* as a critique of the very notion of an imperial learned hierarchy (p. 109).

The fourth chapter contains a fascinating examination of an “imperial jurisprudential canon” (p. 124) that resulted from a review process conducted by the imperial learned hierarchy, with the chief mufti playing a central role. According to Burak, muftis and judges were expected to cite the sources they used to

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4 One reason why the Ottoman mufti appears to have been far more powerful and central to the process of canonization than the Mamluk mufti is the fact that it was the Mamluk chief judge – not the mufti – who regulated the judiciary. In fourteenth-century Mamluk Cairo, chief judges sat atop the legal hierarchy. They were the ones who appointed muftis, rebuked them, and punished them when they did not follow the dominant doctrines of their schools. Taqi al-Din Abū Bakr b. Qāḍī Shuhba, *Tārīkh Ibn Qāḍī Shuhba*, ed. ‘Adnān b. Sālim b. Muḥammad Darwish, 4 vols. (Damascus: al-Ma’had al-‘Ilmi al-Faransi līl-Dirāsāt al-‘Arabiyya, 1977), 3:91, 139, 160–161, 177, 215.