

of governance in the Ottoman empire and represented an institutionalized tool of negotiation. The petitioning dialogue (each petition opening a procedure and calling for an administrative treatment and a political answer) was a key feature of imperial governance and its interpretation is a way to relativize visions of a distant Empire. The author shows this with great acuity for the late 19th century but might underestimate the consistency of the imperial heritage that other resources at Başbakanlık Osmanlı Arşivi (BOA) in Istanbul illustrate. What was new during the Tanzimat era was a reform of the functioning of the office of petitions. Petitions from the whole Empire were no longer treated together, but classified according to the geography of the Empire. Hence Ben-Bassat found these petitions together, in contrast with researchers working on previous periods, who have contended with a mix of petitions from the whole empire.

Ben-Bassat also argues that there was, in addition to a technological change that introduced the telegraph to the petitioning system, a quantitative change in the number of petitions received in the capital city of the Empire. Having personally seen the millions of petitions of the previous periods at BOA, I think this may be an overstatement.

In his conclusion, the author discusses the question of the specificity of petitions from Palestine. Introducing this argument is a way for him to reconnect with debates on the historiography of the region, capitalizing on his study of both the Ottoman normality of the petitioning system and the emergence of new questions in early 20th-century Palestine. Another important issue, evoked in the introduction, pertains to petitions as possible “forerunners of modern public opinion” (p.19). This interpretive impulse is fascinating as it again breaks with culturalist visions of the region that suggest that there was no such dimension in local societies. Its exploration however might require Ben-Bassat’s vision to reconnect more intimately with the previous periods in which, I suspect, the petitioning system was already the expression of a local form of civic conscience.

As it uses, presents, and interprets petitions in a way that challenges many static visions of the Ottoman history of Palestine, *Petitioning the Sultan* is thus a very valuable contribution to the current trend in historiography that discusses the inertia of previous analytical postures and builds upon an innovative reading of largely ignored sources in order to propose reinterpretations and paradigmatic changes.

BRINKLEY MESSICK, *Sharī‘a Scripts: A Historical Anthropology* (New York: Columbia University Press, 2018). Pp. 519. \$70.00 cloth. ISBN: 9780231178747

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In *Sharī‘a Scripts*, Brinkley Messick analyzes the implementation of the Zaydi interpretation of shari‘a in the town of Ibb, in Yemen, during the first half of the 20th century. Ibb of this period stands out as a unique site to study the deployment of shari‘a before the penetration of modern/colonial techniques. As such, this work represents a departure from the usual methodologies of sociological and historical studies of the 19th- and 20th-century Islamic world that reduce the narrative to a mere colonial encounter. As an anthropologist, the author was able to observe the indigenous legal process *in situ*, thus, unlike the historian, Messick has insight into how his archival material was created.

Nevertheless, the reading of this indigenous archive by Messick raises issues about the question of historicity in the reading of Islamic legal practices, a point which needs to be brought into the picture using historical lenses.

At the outset, the author poses his central question: What are the ways in which what is to be understood as divine is operationalized through human interpretation? Building on Clifford Geertz, Messick approaches shari‘a as a type of local system, formation of local texts in a historically specific regime of truth. The result is not only an anthropological inquiry into the operations of shari‘a but also a theoretical reflection on the relationship between local texts and the vernacularization of the Zaydi legal doctrine in Ibb.

The book is divided into two main parts: “library” and “archives,” two separate realms that are in constant dialogue with one another in order to deploy shari‘a in daily life. The first part of the book deals with the question of library, “a particular shari‘a library” (p. 21), or a specific textual universe and the doctrinal grounds of interpretive legal act in Ibb. The intellectual edifice of this library is built upon five sciences that should be mastered by the student of shari‘a as “interpreter”: language; knowledge of the Quran; the practice or custom of the Prophet (*sunna*); actual cases (*masā’il*); and the meta-discipline of *uṣūl al-fiqh* (pp. 100–133). The intra-*madhhab* dialogue with the thinkers of other schools, such as Shafiis, attests to what Messick calls the “cosmopolitan” character of the Zaydi interpretation in Ibb.

The key treatise (*matn*) of the library is that of Imam al-Mahdi Ahmad bin Yahya al-Murtada’s (d. 1437 CE) *The Book of Flowers*, a concise doctrinal amalgamation of Zaydi *fiqh* penned sometime in the 15th century. Messick’s detailed reading of the three commentaries (*shurūḥ*) of the *Book of Flowers* reveals its foundational character and durability in subsequent centuries: First is *Commentary on the Flowers* by ‘Abd Allah Ibn Miftah (d. 1472 CE), a student of Imam al-Murtada. The second text is *The Raging Torrent*, a fervent critique of Zaydi doctrine penned by Muhammad bin ‘Ali al-Shawkani (d. 1834 CE). Finally, the third text by Ahmad bin Qasim al-‘Ansi (d. 1970) is the *Gilded Crown*, the central doctrinal work to Messick’s book as it was penned in the same era as the archival material exploited by the author. This quasi-classical commentary first appeared in print, representing a departure from the traditional manuscript style. In his *Gilded Crown*, al-‘Ansi reduced the open-ended argument and stressed univocality of the Zaydi *fiqh*.

Messick, then, discusses the question of the written documents as articulated in the Zaydi doctrinal universe of Ibb. The author ties the Qur’anic principals governing archival writing, as it is articulated in verse 282–83 of sura 2, to the treatment of the archival documents in locally situated works of *tafsīr* and in the intellectual spectrum of the *Flowers* literature. The textual transition from Qur’an to local Zaydi texts highlights the role of the human interpretive agency in the process of the application of what is considered to be divine command to daily practices. In this part, Messick seems to be most interested in the process of archivization and its relation to memory. He argues that in the Arabic language both memory and archivization processes, semantically, are derived from the trilateral Arabic root *ḥ-f-ẓ* denoting “to store, preserve or safeguard.” In the legal procedures, memory has its limitations, and necessitates the recourse of an associated written document. In the meantime, a judge cannot act upon what he finds in his archive if he does not remember it.

Messick, focuses on fatwas, that is the legal opinions of muftis, and the “choices” (*ikh-tiyār*) of the ruling imam (pp. 157–94). Despite Messick’s silence on the deployment of local fatwas in the legal life of Ibb, according to him, as production of shari’ a discourse, the two genres had informative differences. Although both aimed at producing juristic responses to mundane affairs, unlike fatwas, the “choices” of imams were not produced as a response to particular questions but to general types of fact situations. Messick draws on a 1952 case of marriage dissolution (*faskh*) and appended in ‘Abd al-Qadir bin ‘Abd Allah’s manuscript wherein Imam Ahmad’s thirteen original choices are found in eight short texts. In this particular case, we see that the conflict is solved through Imam Ahmad’s opinion quoted directly in the court decision. A similar situation in 1958 is resolved with a basic reference to Imam Ahmad’s opinion, by referring to his name, without quoting his opinion. As such, the court records in Ibb bore frequent citations of judges to relevant “choices” of the ruling Imam and did not reference the local doctrinal sources as articulated in *Flowers* literature. Hence, it was the imam’s choice that attributed a binding force to a legal opinion (p. 251). To this reader, the position of imam raises interesting questions regarding the existence of a hierarchy of legal offices within the Islamic polity in Ibb. This observation, in turn, would lead us to speculate that this is a symptom of the possible existence of an indigenous codification-like process. Such a possibility is not entertained by Messick and would raise further questions about different forms of codification in both the East and the West.

The second part of the book, entitled “Archives,” opens with an analysis of the documents deployed in Ibb. Comparable to the notarial activities of the judge of the Ottoman city of Amid in the 18th century certain documents in Ibb were “public” as they refer to documents that were prepared by the local notarial writers without formalized state recognition. Private documents, on the other hand, were those written by notarial writers and certified and authenticated by a judge, or a mufti or a governor in the form of a note (*i’timād* or *taṣdīq*) (pp. 222–25). Such individually retained documents in family archives are examples of “private” documents. Messick focuses on the private notarial writer’s (*kātib*) “unofficial” role in producing written documents in Ibb, with particular attention paid to the *shurūt* or “stipulations” that modeled the activities of the notarial writer in “private” sphere (pp. 321–400).

Messick also analyzes the judge’s archives (*dīwān*). These archives contain standard documents such as copies of petitions (*shakwā*), court judgments (*ḥukm*) and charity lists as well as other less routine documents such as the copies of contracts, supplementary documents, and written texts of the litigant responses and correspondences between Ibb’s governor and the Treasury. In this part of his study, Messick peers into the constitution of these archives and hints at the ways in which fraud and false testimony left their traces in the written documents and how they were governed by the court (pp. 313–20). In Ibb, the judge kept one non-signed written copy of each court judgment (*ḥukm*) among the court registers, two other signed copies were handed to the parties in dispute to be safeguarded in their “private” archives (p.265). This observation is mirrored in the Ottoman context as has been demonstrated by historians of Ottoman legal practices. However, according to Messick, there are striking differences between Ottoman and Yemeni written documents. He argues that Yemeni court documents were rich in length as opposed to the brevity of early modern Ottoman court documents (p. 287). Here the reader wonders if such a detailed registration of court cases in Ibb attests to the change

in the technical character of the 20th-century shari‘a apparatuses. Put simply, this reader looks for an appreciation of the accumulative change in the practice of shari‘a, a position which would, then, locate our understanding of Islamic law within a historical canvas. Be that as it may, Messick’s analysis of “entering registers” (*daftar al-ḍabt*) and “recording registers” (*daftar al-qayd*), as kept by the judges of Ibb, highlights each step in the constitution of the judge’s archives in an Islamic polity and represents a meticulous analysis in the scholarship charting the constitution of the archives (*dīwān*) of an Islamic legal court (pp. 272–84).

In his *Sharī‘a Scripts*, Messick is perhaps most interested in one fundamental question: “What is the non-divine character of shari‘a?” As opposed to the divine, which is eternal and unchanging, the non-divine is a social product and therefore prone to constant change. It is at this point that as a historian of Ottoman law, I believe that Messick’s anthropological approach at times lacks historicity. Although quite rich and stimulating, the author’s local analysis has its downsides, overlooking the possible doctrinal and intellectual dialogue between locally situated Zaydi *fiqh* and the wider Islamic legal tradition. This is perhaps most visible when Messick arrives at the conclusion that the category of state-owned lands (*mīrī* in Ottoman parlance) was a “non-shari‘a conception” (p. 230, see also p. 328), something unknown to *fiqh*. One wonders then, how did shari‘a respond to social change over centuries? The category of state-owned lands (peasants’ loss of proprietary rights over arable lands) may be traced to the doctrinal traditions of late medieval Transoxania and Greater Syria before it was crystalized in the Ottoman domains as *mīrī* lands. It was in the realm of *fiqh* that the *mīrī* status of land was legitimized, resulting in what Baber Johansen calls “the death of the proprietors.” Hence, whether Ottoman or non-Ottoman, this patently shows *fiqh*’s technical capacity to respond to changing historical and social conditions in the wider Islamic *oecumene*. It is perhaps this constant dialogue between the jurist and the shifting face of human existence in different world time and space, rather than the dialogue between the jurist and his predecessor, that has never closed the gate of “independent reasoning” (*ijtihād*). Messick’s affinity for an immune shari‘a has the tendency to overlook this very historicity of Islamic law.

In *Sharī‘a Scripts*, Messick guides the reader through the complex legal universe of Zaydi intellectuals, their historical ties with the foundational texts and their role in the local-textual production through interpretive legal act. This local-level interdisciplinary reflection is a must read for the student of Islamic legal practices.

YİĞİT AKIN, *When the War Came Home: The Ottomans’ Great War and the Devastation of an Empire* (Stanford, Calif.: Stanford University Press, 2018). Pp. 288. \$27.95 cloth. ISBN: 9781503603639

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The studies on the Ottoman experience during World War I and the empire’s collapse has multiplied in recent years mainly due to its centenary and the political crises brought about by the collapse of the Middle Eastern states. Many books and articles have been published in different fields of history analyzing the various aspects of the war from