El Shamsy Ahmed,
The Canonization of Islamic Law: A Social and Intellectual History,

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Ahmed El Shamsy provides us with a detailed and well-grounded study on the emergence of Sunni Islamic law in its classical form. The expressed goal of this study is to elucidate the reasons for and the circumstances of the formation of Islamic law in its classical form between the second/eighth and the forth/tenth-century. For this undertaking the author combines a thorough examination of the intellectual history of this period with a detailed account of the socio-political circumstances in Egypt in the eighth and ninth-century. The study is hence not simply concerned with Islamic law and pertaining aspects such as *ḥadīth* scholarship, but likewise sheds light on a number of other concurrent issues such as the struggle for religious authority and the inquisition (*miḥna*), the emergence of a literary culture and the workings at the local socio-political level. The individual at the center of this development leading to the canonization of Islamic law, and around whom revolves the narrative of this book, is the eminent legal scholar Muḥammad b. Idrīs al-Shāfiʿī (d. 204/820). El Shamsy sensibly divides the study into three parts; the first three chapters follow al-Shāfiʿī from Medina to Iraq and thereafter to Egypt, chapters four and five look at the socio-political situation in Egypt around his time, before the final three chapters treat the emergence of Shāfiʿī's school and its impact.

Following an informative introduction, chapter one uses al-Shāfiʿī's stay in Medina to analyze the prevailing legal system, the communal tradition of Medina. It shows how al-Shāfiʿī's teacher Mālik b. Anas (d. 179/796), the most famous advocate of this communal tradition, resorted to codify this legal practice in Medina in written form, as a response to a new type of legal reasoning (*raʾy*) originating in Iraq through such individuals as Abū Ḥanīfa (d. 150/767). While the normative tradition in Medina had previously been handed down orally, people like Mālik felt forced to compile a written record of it, which in the case of Mālik resulted in his famous *Muwaṭṭaʾ*. In El Shamsy's eyes this was a step towards establishing writing as a means of expression as opposed to a mere mnemonic device. He argues that the literacy that emerged in the second/eighth-century, of which the *Muwaṭṭaʾ* was a part, allowed a more systematic engagement with the 'corpus of information'.

The next chapter accompanies al-Shāfiʿī to Iraq, where he encounters the followers of Abū Ḥanīfa. The latter emphasized legal reasoning in their jurisprudence but also linked their rulings to locally known companion traditions. The Ḥanafis saw their position threatened by the emergence of a growing body of widespread *ḥadīth* reports, which the Ḥanafīs failed to take into account. According to El Shamsy, al-Shāfiʿī resented the Ḥanafīs' reliance on legal reasoning believing that substantiated *ḥadīth* reports were a sufficient basis for legal rulings. He likewise identified inconsistencies between the Ḥanafī legal positions and some of the local companion traditions they claimed to draw from. Simultaneously, El Shamsy perceives a transformation in al-Shāfiʿī's own viewpoint in Iraq. He thus moved away from an emphasis on Medinan traditions and practice and considered all *ḥadīth* reports as equal, provided they had a sound chain of transmission (*isnād*).

Al-Shāfiʿī's break with Mālik's teachings became complete after his move to Egypt, the location of the third chapter. El Shamsy depicts Egypt as the place where al-Shāfiʿī's model finally came together. Accordingly, al-Shāfiʿī established the Qur'an and the *sunna* as the primary tools of legal interpretation, elevating them to the status of canon. At a lower level, he also accepted the use of techniques such as consensus (*ijmāʿ*), the opinions of companions, and analogy (*qiyās*), for the sake of extending existing rules not covered in the primary sources. Furthermore, El Shamsy demonstrates that al-Shāfiʿī's model placed great importance on competence in Arabic, so as to understand the subtleties and underlying meanings of the Qur'an. Beyond that, he identified *ḥadīth* reports as the means to explain the holy book. El Shamsy observes, hence, in al-Shāfiʿī's jurisprudence a move away from the communitarian approach of Mālik, based on the practice of the community of Medina, towards an individualist endeavor with direct access to the sources. Whereas Mālik's approach relied often on blind imitation (*taqlīd*) of communal tradition, al-Shāfiʿī's model gave way to a scientific interpretative system.

The subsequent chapter portrays the historical context in which al-Shāfiʿī's theory was formulated and spread. In particular, El Shamsy identifies three trends in contemporaneous Egypt: the decreasing influence of the established Arab elites, the growing importance of non-Arab converts in politics and scholarship and the mounting centralization under the late Umayyad and early Abbasid states. These trends fomented an environment of social upheaval in Egypt, which, in combination with the declining identification with the prevailing communal tradition, prepared the ground for al-Shāfiʿī's teaching.

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Chapter five is thereupon devoted to the question how al-Shāfiʿī's model, as an initially marginal phenomena, became the basis to a legal school, which would largely supplant the dominant Mālikī School. El Shamsy finds the main reason for this in the changing patterns of political patronage for religious learning in the ninth-century. While the Mālikīs lost their stronghold in Egypt during the *miḥna* in the mid-ninth-century, the followers of al-Shāfiʿī's school entered a 'golden age' in the 860s due to the fact that the ban against their public teaching was lifted and due to the patronage of the Ṭūlūnid dynasty (868-905).

The third and final part of the book opens in chapter six with a description of the principles of scholarship that al-Shāfiʿī's model required. According to El Shamsy, it sought a scholar who systematically interpreted the sources and put forward personal conclusions regarding legal problems, in contrast to scholars of normative traditions, such as the Mālikīs, who had acted mainly as compilers of their traditions. In addition to originality, al-Shāfiʿī's paradigm stressed authenticity and accuracy in its jurisprudential endeavor, emulating the strict principles of *ḥadīth* scholarship. Thereafter the book looks at the different forms of writing that make up al-Shāfiʿī's corpus and at the techniques of transmission thereof amongst the following generations.

Given that al-Shāfiʿī's model called for specific principles of scholarship, El Shamsy explains in chapter seven that the members of the emergent Shāfiʿī School distinguished themselves through their acceptance of this particular interpretative methodology and the belief that law is interpretative rather than mnemonic. Instead of blind imitation to their founder's teaching, the following generations of Shāfiʿī scholars formed an 'interpretive community' which, though based on the founder's principles, often went beyond his ideas. According to the author, the evolving Shāfiʿī School became in this way the classic model of a legal school.

The final chapter then turns to the extent of influence of al-Shāfiʿī's approach to law, based on his canonization of the Qur'an and the *sunna* and his methodology, amongst other circles of jurisprudence and the intellectual milieu as a whole. El Shamsy shows that al-Shāfiʿī's challenge forced other legal schools to establish their doctrines on systematic and "universally defensible" bases, which in turn facilitated a consensus on methodology between the schools. More specifically, the book points to the impact of al-Shāfiʿī's model amongst traditionalists (*ahl al-ḥadīth*), who hence accepted its division of labor between *ḥadīth* scholars and legal scholars. In this sense, the former would be primarily concerned with substantiating *ḥadīth* reports, which could then be used by the latter. El Shamsy also discusses al-Shāfiʿī's influence amongst the Ḥanafīs, especially in the form of al-Ṭaḥawī (d. 321/933) who integrated *ḥadīth* reports into Ḥanafī law and so started a process of convergence between rationalists and traditionalists. In addition to treating its impact on the Mālikīs, the book likewise demonstrated the importance of al-Shāfiʿī's thought amongst Quranic exegetes and a number of other prominent scholars such as al-Jāḥiẓ (d. 255/868-69) and al-Qādī al-Nuʿmān (d. 363/974).

On the whole, El Shamsy does a great job clarifying how and why Sunni Islamic law arrived at its classical form. The book is well-written and forcefully argued. It also convinces through its set-up and the author repeatedly shows his extensive grasp of pertinent primary sources. While one might initially suspect that the narrative is overly focused on the figure and legacy of al-Shāfiʿī, this narrow perspective actually helps to explain the formation of Islamic law. An added benefit of the book, beyond the realm of Islamic law, is its bearing on a number of other contemporaneous aspects like the struggle for religious authority and the inquisition (*miḥna*), the emergence of a literary culture and the socio-political environment at the local level. In particular, El Shamsy's micro-level examination of the socio-political circumstances in Egypt in the eighth and ninth-century is enlightening. His approach which combines the perspectives of socio-political history at the local level and intellectual history makes for a promising model for further studies.

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