

particularly, on ascertaining the homogeneity as well as quality of the individual contributions.

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MAIRAJ U. SYED:

Coercion and Responsibility in Islam: A Study in Ethics and Law.

(Oxford Islamic Legal Studies.) xiii, 259 pp. Oxford: Oxford University Press, 2017. £60. ISBN 978 0 19 878877 5.

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In this lucid work of intellectual history Mairaj Syed investigates how Mu'tazilī and Ash'arī theologians and Ḥanafī and Shāfi'ī jurists discussed coercion and its effects on moral responsibility and on civil and criminal liability. The Mu'tazilīs denied that coercion could excuse immoral behaviour: bad acts were bad acts and that was that. Their justifications did evolve, though. Ash'arī determinism evolved so that al-Juwaynī and al-Ghazālī could reject the idea that God would impose impossible obligations, such as an obligation to resist a coercer's attempt to compel an immoral act. These later Ash'arīs claimed that it would be incoherent (in some sense) for God to require compliance with an impossible obligation.

Ḥanafī jurists had to justify a complex set of legal doctrines. Seriously coercive threats, involving loss of life or limbs, could excuse liability for physical harm and cancel liability for commercial transactions, but not for marriage contracts or pronouncements of divorce. The Shāfi'īs, on the other hand, allowed that credible coercive threats could mitigate liability in most areas of the law. In this regard, Shāfi'ī jurisprudence was more straightforward than Ḥanafī, even though Shāfi'īs in Iraq were more disposed to consider contextual nuances and those in Khurasan more likely to draw a bright line around threats that counted as legally coercive.

Syed provides an admirably clear presentation of the theologians' and jurists' views. His exploration of Ḥanafī and Shāfi'ī legal reasoning on questions that transcend narrow legal concerns shows how argumentation in the domain of Islamic positive law, *fiqh*, is often both separate from and driven by different logics to the concerns of Islamic legal theory, *uṣūl al-fiqh*. He notes that, in coercion jurisprudence, Ḥanafī jurists were more scriptural and Shāfi'ī jurists more rationalist and empirical than the field might have led one to expect. Hermeneutics plays a relatively minor role in both juristic traditions' treatments of coercion. One might have concluded from this interesting fact that Islamic legal theory does not aim to guide or constrain applied legal reasoning.

Syed also looks beyond the carefully collected data of his book to wider issues in the study of Islamic intellectual history. One issue that troubles Syed is why pre-modern Muslim writing on coercion in law and ethics shows no interest in political liberty; Syed notes that some modern Western writers on freedom use coercion as a starting-point for their discussions of liberty. While coercion jurisprudence in Islamic law is politicized in the sense that jurists consider coercion by the ruler a relevant standard for assessing the seriousness of coercive threats, the attempt to link that fact to modern writings on liberty struck me as an unnecessarily apologetic

response to an unfair and anachronistic criticism of the Islamic tradition (attributed by Syed to Michael Cook).

The question that most concerns Syed is how to theorize change in pre-modern Islamic intellectual and religious traditions. That change occurred in the traditions in question emerges clearly from Syed's study, but Syed also seeks to show how it occurs. His answer is that traditions are subject to three kinds of constraints: non-derogable core principles (tradition-internal constraints), principles shared with competing traditions (tradition-external constraints), and domain-specific factors (tradition-neutral constraints relating specifically to coercion as a general problem in law and ethics). In the case of coercion, core principles – whether Mu'tazilī objectivism, Ash'arī voluntarism, or the substantive opinions of the founding figures of Ḥanafism and Shāfi'ism – remain stable, as do domain-specific constraints, but justifications can evolve in significant ways. In his discussion of change Syed relies on and considers his own results a vindication of the predictions of Behnam Sadeghi, whose recent book on Ḥanafī law proposed a model for change in the Islamic legal tradition. Examining the history of writings on coercion through the prism of change and constraint gives Syed's book, like Sadeghi's, a history-of-science flavour. A more literary approach to the problem of tradition-internal changes (especially in jurisprudence) might have used Stanley Fish or Ronald Dworkin to develop a more interpretivist model of how participants in a tradition interpret that tradition.

Syed's book led this reviewer to wonder why Muslim thinkers sometimes confronted problems of moral philosophy directly and sometimes indirectly. In one chapter Syed identifies two "paradigmatic cases" as "the starting point of medieval Ḥanafīte and Shāfi'ite coerced harm jurisprudence". In one, Zayd threatens to kill 'Amr if 'Amr does not rape Zeynap, and in the other, Zayd threatens to kill 'Amr if 'Amr does not murder Zeynap. Even though such hypothetical cases may have facilitated Muslim jurists' intricate explorations of the theoretical limits of criminal and civil liability, it seems unlikely that many Zayds or 'Amrs ever appeared as defendants in the courtrooms of eleventh- and twelfth-century *qādīs* in Baghdad or Central Asia, either charged with coercing murder or rape or offering coercion as a defence to those charges. Instead, these two cases – like so many other examples of coercion that structure this study – seem designed to encourage speculative explorations in moral philosophy.

The deterministic occasionalism of Ash'arism and the positivism of Sunni jurisprudence would seem to provide little impetus for speculating on questions of human agency and moral value. Still, as Ayman Shihadeh, Sophia Vasalou and others have shown, theologians confronted such questions directly and developed ways of overcoming what might be thought unpromising premises of their traditions. The jurists, however, pursued those questions with strategic obliquity – considering the status of acts before revelation, for example, as an indirect way of experimenting with natural law, as Kevin Reinhart has suggested.

Syed characterizes his authors' main substantive concern as the desire to describe a society in which people enjoy an equal right to freedom from harm (from coercion? from coerced attacks?), and in which moral responsibility and legal liability are fairly assigned. Even so, the intensely hypothetical nature of these authors' discussions often seems designed to guide general explorations of human agency (what limits human agency when God is subtracted from the equation?) and of negative moral absolutes (what acts are so bad that no excuse can mitigate responsibility for them?). Whatever the case, the importance of the material assembled by Syed

is beyond doubt and his careful and illuminating book a stimulating contribution to the study of Islamic law and ethics.

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ELIZABETH SIRRIYEH:

Dreams and Visions in the World of Islam: A History of Muslim Dreaming and Foreknowing.

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While certainly not a sprawling area of research, the subject of the nature, place, role, meaning and understanding of dreams and visions within the Islamic tradition has received a fair amount of treatment within the scholarly literature. Beginning with the explorations published in the comparative volume edited by G.E. von Grunebaum and R. Caillos, *The Dream and Human Societies* (Berkeley, 1966), and extending through the more recent collective volumes edited by L. Marlow, *Dreaming across Boundaries: The Interpretation of Dreams in Islamic Lands* (Boston, 2008) and Ö. Felek and A. Knysh, *Dreams and Visions in Islamic Societies* (Albany, 2012), the subject has been explored in some depth within and across a varied range of thematic, temporal, linguistic and topical contexts. In addition to these considerations a series of monographic treatments of the subject have also been published in recent decades. The most important of these studies include the work of J. Katz (*Dreams, Sufism and Sainthood: The Visionary Career of Muhammad al-Zawāwī*, Leiden, 1996), A. Schimmel's rich anthology of Islamic oneirocritical lore *Die Träume des Kalifen. Träume und ihre Deutung in der islamischen Kultur* (Munich, 1998), J. Lamoreaux's *The Early Muslim Tradition of Dream Interpretation* (Albany, 2002), and P. Lory's *La rêve et ses interprétations en Islam* (Paris, 2003). Taken collectively, these studies canvass a variety of topics connected to the general subject of dreams and visions within Islam and when perusing other relevant research, such as the numerous articles of L. Kinberg on the understanding, meaning, and use of dreams and visions in the early and classical periods or the work of Muhammad alZekri on the contemporary culture of dream interpretation in the UAE, it is patently clear just how wide topical treatments of the general subject have been.

That said, the recent contribution to the literature under review here is by no means superfluous. While necessarily treading familiar ground, Sirriyeh's treatment of the subject is clearly formulated, intellectually honest, and capably executed. Arranged into an interrelated series of nine chapters, *Dreams and Visions in the World of Islam* looks to furnish an illustrated descriptive narrative of the main historical contours of oneirological discourse within Islam from the formative and early periods through to the dawn of the twenty-first century. For obvious reasons, the bulk of this narrative is concerned with the pre-modern period, and in identifying and charting major themes, conceptualizations, interpretive schemata, and discursive practices pertinent to the subject the book devotes its attention to the expected topics. As one might anticipate, the first chapter, entitled "Seeing gods and angels before the rise of Islam" (pp. 9–31) examines the influence of the oneirocritical

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