R. Kevin Jaques’s monograph investigates the *Tabaqat al-fuqaha’ al-Shafi‘iyah* of Ibn Qadi Shuhbah (d. 851/1448)\(^1\) (22)—a biographical dictionary of Shafi‘i legal scholars—to discuss authority in a time of “legal decline” (23) and social turmoil. In an introduction and eight chapters, Jaques pursues three interrelated areas of inquiry: the structure and function of *tabaqat* texts, which he correctly deems “one of our most important sources of information on medieval Islamic thought” (55); debates among Shafi‘i legal scholars about method and authority; and the societal role of the law itself and jurists as a group in upholding it. Along the way, he provides useful information on the early madhhab authorities as well as the core texts of the developed Shafi‘i curriculum, focused on the notion of authoritative divergence or *ikhtilaf*.

In the Introduction (“Crisis, Legal Decline, and the *Tabaqat* Genre”), Jaques sets up the historical context and lays out his argument. In the Mamluk-era “eschatological crisis,” jurists were responsible for the maintenance of social order by discovering and administering the law, but their ability to fulfill this function was threatened, in Ibn Qadi Shuhbah’s view, by the “collapse of legal ability among low and middle level jurists.” (25) His *Tabaqat* presented a vision of the Shafi‘i legal school aimed at resolving the crisis: by highlighting the importance of transmission of divergent opinions (*ikhtilaf*) from “those whose voices in disagreement should be considered authoritative,” (43) he sought to enable ordinary jurists to fulfill their crucial role. Through the careful composition and structuring of his work, aimed at other legal scholars, Ibn Qadi Shuhbah valued rules over method, praised in-depth personalized jurisprudential learning over “professional” training, and—not surprisingly—promoted his own authority.

Chapter One presents “A Brief Biography of Ibn Qadi Shuhbah,” arranged chronologically from his family heritage through his professional career, including a rise to the position of chief judge of Damascus. It also gives an overview of his *Tabaqat*, first completed in 841/1437, with a fourth and final “edition” completed in 844/1440. (50-

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1. Dates are given in the format: *hijri*/common era.
Chapter Two ("A Brief Discursus on the Diversity of Source Material and Authorial Choice") argues that Ibn Qadi Shuhbah, like all tabaqat authors, “exercises control over the composition of biographical entries” (55) to make claims about particular networks of authority. Carefully analyzing a series of notices including that of Ibn Qadi Shuhbah for the relatively undistinguished fourth/tenth-century Shafi’i jurist al-Daraki, Jaques demonstrates that

tabaqat writers such as Ibn Qadi Shuhbah were able to construct entries by combining received information and then selectively mixing, removing, interpolating, and recasting passages, and thus altering material to imply ideas that may not have been intended by their original authors. (89)

Chapter Three ("Micro-Textual Rhetorical Strategies in Ibn Qadi Shuhbah’s Text: Authority, Death, and the Origins of Ikhtilaf in the Shafi’i Madhhab") follows up on the insight that “most writers were careful and rather masterful manipulators of previous material.” (89) Jaques makes the case for treating biographical dictionaries as complex texts rather than as transparent source material that merely reflects reality and preserves data. (Jaques’s keen awareness of the role of authorial choice in shaping any biographical portrait must have made composing the previous chapter’s sketch of Ibn Qadi Shuhbah challenging.) My only quibble here is that Jaques overstates the originality of his approach in comparison to how tabaqat texts are “typically” treated. (113, similarly at 56) A 1977 essay by Fedwa Malti-Douglas—which Jaques surprisingly does not cite—compares nearly two dozen biographical notices for al-Khatib al-Baghdadi to very similar effect.2 Even among historians of Islamic law, the notion that tabaqat entries were shaped by their author’s distinctive concerns is not novel.3 Nonetheless, Jaques makes his point that “tabaqat texts must be used with caution” by intellectual historians (113) as he illustrates the “hypertextual” relationships between entries using the notices of early Shafi’i authorities al-Buwayti, al-Muzani and al-Rabi’.

In Chapter Four ("Macro-Textual Rhetorical Strategies: Trends in Learning as Indicators of Intellectual Development"), Jaques shows how Ibn Qadi Shuhbah structures the Tabaqat to illuminate “the development

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of trends in intellectual history.” (115) Ibn Qadi Shuhbah suggests a
dearth of jurists able “to perform *ijtihad* and *ijtihad*-like operations.” 4
(116) Since few jurists are capable of independently drawing rules from
source texts, they must learn doctrines from authorized figures and core
*madhhab* texts. (120) This chapter also explores Ibn Qadi Shuhbah’s
authorial manipulation of different terms for educational relationships,
mostly through selective omission of terminology present in earlier
*tabaqat* texts, in order to convey his vision of their relative importance
as methods of teaching or studying, their links to particular fields of
learning, and their effect on the authority of individual scholars. In this
vein, Jaques points out that the terms *bahth* and *bahatha*—“used to
indicate especially high levels of achievement in learning”—appear
rarely and “only in the biography of a scholar in Ibn Qadi Shuhbah’s
intellectual pedigree,” making clear these men’s “superior credentials”
and, by extension, his own. (134)

Chapter Five (“The Development of Trends in the Transmission of
‘Ilm”) treats *ijtihad* and *ikhtilaf* historically. Since Ibn Qadi Shuhbah
saw the ability to conduct *ijtihad* as limited, it became important to
“assert the authority of substantive legal texts containing divergent legal
opinions”—in particular, those of al-Shirazi, al-Rafi’i and al-Nawawi.
(151) Substantive law (*furū’*) contained—indeed, arose from the
interaction of—both “core doctrines on which authoritative jurists have
agreed” (*madhhab*) and *ikhtilaf*, or “authoritative dissenting opinions.”
(161) The crisis of legal decline was not due to the disappearance of the
ability to perform *ijtihad*, which had always been fairly rare, but rather
“a reduction in the intensive personal legal training that [Ibn Qadi
Shuhbah] prizes so highly,” (183) making the “existence and
transmission of divergent substantive rules” (182) more vital than ever.

Chapter Six (“The Development of Legal Methodologies and the
Decline of Legal Thinking”) points out further that the rise of *usul al-
fiqh* as a discipline and the greater specialization of jurists in that area
coincided with a drop in the production of *furū’*, even though, Ibn Qadi
Shuhbah holds, “the real object of the legal profession” was “the rules
themselves.” (189) Shafi’i’s basic method (which Jaques calls “rather
simplistic” (192) and “rudimentary or practical” (199)) was important,
but training focused on speculative methodologies and “expedient
sciences”—that is, ancillary disciplines such as variant Qur’anic
readings, history, lexicography, and so forth—correlated with “the rise
of deficient jurists” and “an end to specializations in *fiqh*, which were

4. See also fig. 5.4 at 165, one of the most useful of the book’s numerous charts.
necessary for original legal discovery to continue.” (219)

Chapter Seven (“Curatives for the Decline of Law”) presents the culmination of Jaques’s argument: Ibn Qadi Shuhbah sees key *ikhtilaf* texts as vital for jurists with deficient training to maintain the effective “functioning of the law” (226) necessary to curb social chaos. These texts, mostly centering on divergent opinions attributed to al-Muzani and al-Ghazali, “expanded the range of opinions from which jurists could draw.” (233) Although they seemed to present divergent opinions, they were linked through Ibn Qadi Shuhbah’s construction of educative lineages to al-Shafi’i himself, thus guaranteeing their authoritativeness.

The eighth and final chapter (“Ibn Qadi Shuhbah, Crisis, and His Authority”) shows how the *Tabaqat* presents different elements of Ibn Qadi Shuhbah’s “intellectual pedigree” as well as familial lineage “to present its author as an heir to the great scholars of the past and”—neatly bringing us back to the moment of crisis with which the study opened—“as a leader uniquely qualified to lead the Syrian Shafi’i community in its hour of peril.” (258)

In closing, a word about the writing. The book contains a number of expository digressions. Some work well, including the discussion of an otherwise unimportant government crisis. (94-97) Explaining the context and references for a seemingly offhand remark from an entry devoted to the fifteenth-century jurist Ibn al-Barizi, Jaques shows how “in the space of just fifteen words” (97) Ibn Qadi Shuhbah calls up a wealth of associative detail and networks of meaning. Other digressions, though, affect the flow of argument and consistency of tone to no apparent purpose. Specialists will not need the extended introductory discussion of *usul al-fiqh* (152-158) and readers who might find it useful are unlikely to appreciate this study’s original contributions. Finally, and a reflection of Brill’s lamentable decision to forgo copyediting control, grammatical and typographical errors abound. Occasional mistakes in published works are inevitable and all authors rue them, but there are enough here to be distracting to readers, beginning with the use of “affect” for “effect” in the third sentence (1) and continuing apace throughout the book.

These minor points notwithstanding, Jaques’s study is an important contribution to scholarship. Like Ibn Qadi Shuhbah’s *Tabaqat*, it is a complex text that builds its argument in layers and rewards careful reading. It should be acquired by libraries and read by specialists in *tabaqat* literature, Mamluk history, and Islamic jurisprudence, particularly those with interests in the Shafi’i *madhhab*. 
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