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*In Quest of Justice: Islamic Law and Forensic Medicine in
Modern Egypt* by Khaled Fahmy (review)

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and Dr. van der Mijle's "cheerful" mouse orchestra was banished to the top of a cabinet (p. 114). The final chapter highlights debates around the complex legacy of celebrated scientists' collections—should they remain unchanged to serve as monuments of a long and prestigious scientific tradition, or be broken up and reframed in order to continue active service? Huistra concludes with reflections on anatomical collections today: It is not the technology that makes collections immortal, but their continuing relevance for research and public engagement—and historians can help make the case.

While this is a succinct but detailed study of an individual institution and its collections, Huistra is careful to include comparisons to collections across Europe and the United States throughout her analysis in order to develop broader arguments about the place of anatomical collections in medical education and research, and their role for the formation of disciplines and institutions. As such, the book will be of interest and use to many historians of modern medicine.

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Khaled Fahmy. *In Quest of Justice: Islamic Law and Forensic Medicine in Modern Egypt*. Oakland: University of California Press, 2018. xv + 377 pp. Ill. \$39.95 (978-0-520-27903-2).

In recent years, common wisdoms about Ottoman and Egyptian socio-legal change in the long nineteenth century have been turned upside down thanks to a series of revisionist studies focusing on "law in action" and legal culture. The notion that the passage to modernity in the Middle East was a matter of competition between secular and religious forces is a case in point. Revisionist scholarship has refuted this narrative by historicizing and problematizing the concept of "secularization"; by showing that the *ulama* (Muslim learned class) were deeply involved in legal and administrative reform; and by highlighting the enduring importance of the sharia, albeit in new forms. *In Quest of Justice* makes a significant contribution to this scholarly momentum by offering a historical reconstruction and analysis of the connection between medicine and law in nineteenth-century Egypt.

The first chapter introduces the practice of autopsy and reconstructs reactions of nonelite Egyptians to the new practices of dissection and quarantines. Adding to the scholarly discourse on secularization in the legal sphere, chapter 2 focuses on the transformation of Egyptian penal law and suggests that bureaucratization is a better prism for understanding this process. Moreover, the chapter suggests that the crux of legal change was not a transition from religious to positive law, as argued in the past, but rather from the spoken word to the written one through the process of bureaucratization. Chapter 3 looks at the matter of public hygiene and related programs, also tracing the debate between those professionals who

believed in contagion and those who were confident that diseases spread through effluvia and vapors arising from decomposing bodies. Chapter 4 traces new ways of monitoring and policing food markets, when older methods of inspection were replaced with forensic chemistry. Chapter 5 discusses the abolition of torture as a means of extracting confession and the elimination of corporal punishment in favor of the central role assumed by forensic medicine and imprisonment, respectively. This change, argues Fahmy, reflected the new logics of the penal system, whose complexity is lost when seen through a simple notion of “secularization.” In the process, Fahmy offers stimulating observations about issues that have preoccupied historians of Middle East law and society. These include the relations between *siyasa* and sharia, the institution of *hisba* (market inspectors), the meaning of colonial knowledge and the nature of the modern state when viewed from the perspective of ordinary women and men. The book draws primarily on an impressive body of documents from the Egyptian National Archives (including forensic medical reports). Unfortunately, Fahmy does not offer a systematic methodological discussion of his use of the sources.

Egypt in the Khedival period (1805–79) was still an Ottoman polity, in terms of politics, economy, and elite culture. In the introduction and conclusion of the book, Fahmy thus expresses his intention to privilege the Ottoman context, “because it is only within this context that [Egyptian] legal reform . . . can be understood” (p. 275). Nevertheless, this appropriate intention in itself remains an unfulfilled promise. Fahmy shows no awareness of the paradigmatic shift evident in historical writing on nineteenth-century Ottoman legal change following the adoption of the socio-legal approach. The book remains oblivious to numerous cutting-edge Ottomanist studies that explore similar issues as Fahmy’s. To mention but a few, Omri Paz, Kent Schull, Avi Rubin, Ebru Aykut, Iris Agmon (mentioned in passing), Milen Petrov, Jun Akiba, Ruth Miller, Amit Bein and others published extensively on these themes.¹ The latter include the relations between Shar’i and other legal bodies, the proceduralization of the law, the adoption of new rules of evidence and new ideas about punishment, gaps between law in the

1. Omri Paz, “Documenting Justice: New Recording Practices and the Establishment of an Activist Criminal Court System in the Ottoman Provinces (1840–Late 1860s),” *Islamic Law & Soc.* 21 (2014): 81–113; Kent Schull, *Prisons in the Late Ottoman Empire: Microcosms of Modernity* (Edinburgh: Edinburgh University Press, 2014); Avi Rubin, *Ottoman Nizamiye Courts: Law and Modernity* (New York: Palgrave Macmillan, 2011); Iris Agmon, *Family and Court: Legal Culture and Modernity in Late Ottoman Palestine* (Syracuse: Syracuse University Press, 2006); Ebru Aykut, “Toxic Murder, Female Poisoners, and the Question of Agency at the Late Ottoman Law Courts, 1840–1908,” *J. Women’s Hist.* 28 (2016): 114–37; Milen V. Petrov, “Everyday Forms of Compliance: Subaltern Commentaries on Ottoman Reform, 1864–1868,” *Comparative Stud. Soc. & Hist.* 46 (2004): 730–59; Jun Akiba, “From Kadi to Naib: Reorganization of the Ottoman Sharia Judiciary in the Tanzimat Period,” in *Frontiers of Ottoman Studies: State, Province, and the West*, ed. Colin Imber and Keiko Kiyotaki (London: I. B. Tauris, 2005), 43–60; Ruth A. Miller, *Legislating Authority: Sin and Crime in the Ottoman Empire and Turkey* (New York: Routledge, 2005); and Amit Bein, *Ottoman Ulema, Turkish Republic: Agents of Change and Guardians of Tradition* (Stanford: California University Press, 2011).

books and law in action, nonelite responses to legal reforms, and the adoption of a legalist mentality in courts, councils, and the bureaucracy at large. Familiarity with this growing body of scholarship would have rendered some of Fahmy's findings on Egypt less surprising than they appear in the book, such as the deep involvement of the ulama in the reforms and the important role of the sharia. In addition, the book does little to demonstrate how exactly the Ottoman context mattered in practice.

With the caveat mentioned above, this book remains a timely achievement, also commended for its engaging narrative.

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Tricia Starks. *Smoking Under the Tsars: A History of Tobacco in Imperial Russia*. Ithaca, N.Y.: Cornell University Press, 2018. xvi +324 pp. Ill. \$42.95 (978-1-5017-2205-9).

The old adage suggests you should never judge a book by its cover; though an exception should be made for *Smoking under the Tsars: A History of Tobacco in Imperial Russia*, by Tricia Starks, associate professor of history at the University of Arkansas. The cover incorporates actual nineteenth-century cigarette advertisements, drawn from the forty-seven stunningly vivid, full-color pictures that help immerse the reader into both the image and reality of smoking during the late tsarist period. Fortunately, Starks has an equally vivid narrative to accompany such engrossing images.

As anyone who has visited the Soviet Union of old—and presumably the tsarist empire that preceded it—will tell you, tobacco smoking in Russia was fundamentally different from most any other country, at least before openness to international markets permitted the influx of mass-produced Western filtered cigarettes. Before then, smoking in Russia was synonymous not with cigarettes, cigars, or pipes, but with the ubiquitous *papirosa* (plural: *papirosy*): a filterless, hollow paperboard tube capped with a cartridge of rolled Turkish- or Russian-Ukrainian-grown tobacco at the end. The rise of *papirosy* in late-nineteenth century Russia accompanied the transformations of urbanization and industrialization. “The easy availability of cheap *papirosy* from street sellers and their portability made for a more mobile, modern, and convenient habit,” Starks writes, “in keeping with the pace of the modern city” (p. 2).

The unfiltered, fast-acting nicotine proved highly addictive, leading to an explosion of *papirosy* sales, consumption, and government revenues, though much of the retail trade was off the books. *Smoking under the Tsars* casts a wide historical net: exploring not only the political-economic impacts of smoking, but the physiological, hygienic, psychological, social, and cultural experiences as well. While similar scholarly histories exist of smoking in other national contexts, this is the first to