

UC San Diego

MELA Notes

Title

Fahmy: In Quest of Justice: Islamic Law and Forensic Medicine in Modern Egypt

Permalink

<https://escholarship.org/uc/item/196906q4>

Journal

MELA Notes, 96(1)

ISSN

0364-2410

Author

Rashidbeigi, Samin

Publication Date

2024-09-13

DOI

10.5070/M7.35408

Copyright Information

This work is made available under the terms of a Creative Commons Attribution License, available at <https://creativecommons.org/licenses/by/4.0/>

In Quest of Justice: Islamic Law and Forensic Medicine in Modern Egypt. By Khaled Mahmoud Fahmy. Oakland: University of California Press, 2018. Pp. xiii, 337. \$39.95 (hardback)
ISBN: 9780520279032.

Fahmy's recent book *In Quest of Justice* is a history of medicine, or to be more specific, a history of the body: it is a book about state-building in modern Egypt. Fahmy uses certain medicine-oriented practices, particularly those that intersect with law, to depict how Egyptians in a "corporeal way" related to the modern state. Therefore, cadaver dissection or investigating the miasmas in Cairo's streets, for example, are cases for Fahmy to assess the bodily relationship of "average" / "non-elite" Egyptians with modern institutions. The book's core argument is that the techniques of "touching" and "controlling" the bodies of state subjects, such as quarantines and collecting vital statistics, served the Egyptian state's consolidation (p. 36). The argument *per se* might be less fresh for the general reader who is familiar with Foucault's notion of biopower and its techniques. However, the book still immensely enriches the ways in which historians of the modern Middle East comprehend social change. In the introduction, Fahmy notifies the reader that for understanding concepts such as "justice" or "law" in Khedival Egypt (1805–1914), he will not trace the European origins of such concepts or deal with the translations. He proclaims that, instead, he contextualizes the discursive changes of these concepts *within* their "administrative and institutional" contexts. In what follows, I render two examples from the book to explain Fahmy's intervention.

In the first chapter, Fahmy complicates the dominant narrative that Islamic jurisprudence resisted anatomo-clinical medicine in Egypt. In highlighting the limitation of the "Islamic rigidness versus European modernity" dichotomy, the chapter draws on cases in which the ulama demanded the political authorities implement new medical techniques, such as quarantines, to secure the community's wellbeing. Fahmy indicates that imagining modern medicine in Egypt somewhere between the European Enlightenment versus Islamic tradition has overshadowed the significance of other factors that contributed to the formation of Egyptian medicine. Following this proposal, he brings in

the military as one of the factors “lurking behind glittering surface” in the making of modern Egyptian medicine (p. 80).

Similarly, in the next chapter Fahmy argues that the Khedival public hygiene policies were novel because they were based on cartography and statistics and because a colonial mentality did not prompt them. What Fahmy indicates with the latter argument is that the officials did not come up with strategies to, for example, relocate slaughterhouses or force the inhabitants to water in front of their houses for the sake of White settlers in the city. Rather, they did so to improve the quality of life of Cairo’s people and because they were convinced that Egyptian urban dwellers were capable of disciplining themselves and serving their city.

In terms of structure, the book consists of a punchy introduction and five thematically composed chapters. In the introduction, Fahmy clarifies that his project engages with four expansive bodies of literature: Egyptian historiography of modern Egyptian medicine; colonial medicine and colonial subjectivity; legal medicine, post-secular critique, and impossible states; and Islamic historiography of modern Egyptian law. The author allocates a good deal of the introduction to elaborate on these fields and to declare what he challenges and adds to this scholarship.

There is no doubt that *In Quest of Justice* is a historical inquiry, but one may ask what kind of history it is and what historical methodology it pursues. Here, I use the term methodology to refer to the overarching strategy that the book adopts to answer its questions. In the introduction, Fahmy himself states that he does not want to trace the book’s key concepts genealogically. Still, when he works with the terms *siyāsa* (state politics) in chapter two or *muhtasib* (market inspector) in chapter four, by going back from the nineteenth century to the twelfth century or fourteenth century, his analyses are deeply genealogical as well as philological, for there is a serious engagement with the terms’ lexical history. Further, when he emphasizes how each chapter of the book is structured around a physical sense—sight, sound, smell, taste, and touch—he mentions that the book is not a cultural or social history of senses. But then, because of the project’s interest in “non-elite” Egyptians, one may expect the book to be a social history. Fahmy frames the project as a corporeal history and states that “[t]his book takes the human body as its unit of analysis and looks at how it can be studied as a site on which both state power and non-elite resistance were performed” (p. 36). Still, I am not fully

convinced that the unit of analysis has determined the book's methodology, for what determines a methodology is the nature of the questions that are asked, and not its subject matter. Just because the book is about the body, it is not automatically a corporeal history, and perhaps the author could unpack what is significant about the body that allows him to ask a new set of questions. Nonetheless, the book's wide-ranging methodology does not in any way undermine the book's brilliance. Rather, it inspires the reader to consider myriad forms of new inquiries about the physical body of a nation in the span of one century.

The book's bibliography testifies to the great extent of Fahmi's research and can be consulted as a rich reading list for graduate students and researchers who have just embarked on the history of medicine in modern Islamic/ Muslim societies. The index, including names and titles, some concepts, and place names, could be more elaborate and consistent.¹²⁰ While the introduction might be too dense and theoretical for undergraduate students' needs, assigning single chapters in undergraduate courses could be fruitful. Overall, the book is an excellent addition to libraries focusing on the modern Middle East, History of Islam, Social History, History of Science, History of Medicine, and Science, Technology and Society.

SAMIN RASHIDBEIGI

PRINCETON UNIVERSITY

The Women's Khutbah Book, Contemporary Sermons on Spirituality and Justice from around the world. By Sa'diyya Shaikh and Fatima Seedat. New Haven & London: Yale University Press, 2022. Pp. 249, with glossary/bibliography/general index/index of

¹²⁰ The following examples made me think of the indexing logic as being eclectic: why are Paris, London, and Syria indexed, while Alexandria, Cairo, and Damascus are not; or if the words "lake" or "slaughterhouse" or "butchers" are indexed, why not index "canal" or "hospital" or "bakers"—these terms too are conceptually significant to the project. "Vaccination against smallpox" is indexed for page 103, but there is no trace of it on the page.