

Shari'a, Inshallah: Finding god in Somali legal politics. By Mark F. Massoud. Cambridge: Cambridge University Press, 2021. 250 pp. \$34.99 paperback

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Shari'a, Inshallah takes readers to the horn of Africa and shows that beneath the seeming disorder of a collapsed state and decades of conflict lies a solid foundation of religious authority that has for over a century served as a source of peace and stability. Most narratives on state-building contend that the rule of law entails clear and publicly disseminated laws that apply equally to all people and that keep the government in check. However, Massoud contends that this narrative is often incomplete. In places like Somalia where people take their faith seriously, religion may serve as the foundation of the rule of law. Somali state and nonstate actors, guided by sincere belief as well as their recognition of the authority of religion, must all grapple with the shari'a—understood not simply as Islamic law but also as an ethical and moral constitution underpinning all aspects of life—when pursuing their respective visions of state-building.

Massoud reveals how law and religion are deeply intertwined in Somalia as actors deploy the shari'a to shape the law as well as people's perceptions of the state, whether positive or negative. Just as legal politics denote the use of state laws to achieve political objectives, shari'a politics represent the use of religious doctrines, symbols and rhetoric to legitimize a political project. Varying Somali actors—dictators, democratic leaders, lawyers, sheikhs, community activities—have sought to deploy the shari'a to legitimize their actions towards state-building. By demonstrating the diverse uses of the shari'a, Massoud makes the compelling claim that more laws may not be the panacea for the unrest plaguing fragile states. Instead, religion may play a crucial role in supporting the rule of law and restoring order. The book's examination of the dynamic politics of shari'a revolves around five themes—contesting, constraining, integrating, restoring, and reclaiming—each discussed through separate case studies.

The Introductory Chapter sets out by breaking down stereotypes about the rigidity of the shari'a. Massoud positions his work in opposition to this discourse, instead asserting the contested and flexible nature of the shari'a, which Somalis in different periods and under different circumstances have adopted and instrumentalized to achieve their respective ends. He explains how both political elites and their adversaries have legitimized their efforts towards state-building by relying on the shari'a. Chapter 1 which follows provides a further discussion of the notion of the shari'a, illustrating how religion, like the rule of law, may be a source of order and tolerance. Massoud makes the important caveat that his goal is not to arrive at some “authentic” version of the shari'a but rather to explain its varied uses in practice by Somali actors. Readers unfamiliar with the shari'a will find a succinct summary of Islamic political history and the emergence of Islamic legal sources.

The remaining chapters are divided into two parts, with part 1 (Chapters 1 and 2) focusing on the colonial and immediate postcolonial periods of the country and part 2 (Chapter 4, 5, and 6) shifting attention to the past 30 years during the period of state collapse. Chapter 2 covers the years of British colonial rule from 1884 to 1960, paying special attention to the two decades from 1899 to 1920, when this rule was challenged by a local Somali religious leader, Sheikh Mohamed Abdullah Hassan. In their competing struggle for authority, both sides relied on the shari'a. Sheikh Hassan waged his anticolonial struggle and rallied support by relying on the shari'a while the British, too, legitimized their position by implementing Islamic courts that advocated a different version of the

shari'a. Chapter 3 looks at the postcolonial period from 1961 to 1991, when governments implemented laws with the goal of constraining Islam. Much of this period was marked by the brutal authoritarian regime of President Mohamed Said Barre, who advocated the compatibility of socialism and Islam to push forward his socialist and national agenda. Nonetheless, his rule was marked by controversy, as many who challenged him on religious grounds, including Sheikhs, were executing, ultimately alienating Somalis from the state.


Chapter 4 explores the rise of warlords following the collapse of the Barre regime and the subsequent emergence of the Islamic Courts Union (ICU) under the leadership of local religious leaders. The ICU and its Islamic courts provided locals with a short period of respite from factionalism and warlordism. However, the ICU stoked US fears over terrorism, and a military invasion swiftly dismantled the ICU after just 6 months in operation. Chapter 5 shifts attention to the Somaliland region in the North, which declared independence following the 1991 state collapse. Somaliland integrated the shari'a into its state-building efforts to protect against the dual threats of authoritarianism and religious extremism. In Somaliland, the region's constitution, state institutions, customary norms, and private arbitration offices manned by local Sheikhs all invoke the shari'a. Nonetheless, this reliance on the shari'a also creates tension with international NGOs that prefer more secular forms of political development.

Chapter 6 showcases how women activists in Somaliland use the shari'a to assert women's rights, while fighting against both the patriarchy that dominates the political and legal landscape and western feminists who view Islam as regressive. Women activists view the shari'a as enshrining gender equality and women's rights, which they promote by co-opting the support of like-minded male sheikhs, and also by opposing customary practices that deny women's rights. The book concludes with Chapter 7, where Massoud discusses the relationship between the rule of law and religion, arguing that just as the rule of law may promote stability and accountability within a society, so too may religion place limits on unfettered authority, especially when religion has widespread appeal.

Shari'a, Inshallah provides a superbly constructed narrative of the twists and turns of shari'a politics in Somalia. The book draws from a variety of sources including archival research across different continents, extensive interviews, and participant observations. The analysis is at once expansive, covering varied episodes of Somali legal history, and meticulous, astutely concerned about the fine-grained nuances of each case study. For example, his interviews with women activists demonstrate how the shari'a is liberating for some while constraining for others. The overall result is a pioneering work that transforms the way we think about the interplay of law and religion in state-building and the creation of legal and social order, in fragile states and beyond.

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Against progress: Intellectual property and fundamental values in the internet age. By Jessica Silbey. Stanford: Stanford University Press, 2022. 448 pages, \$90.00 hardcover/\$30.00 paperback.

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Jessica Silbey has done it again: Like her previous book (Silbey, 2015), Silbey's new work, *Against Progress: Intellectual Property and Fundamental Values in the Internet Age*, urges us to rethink the very conception of intellectual property (IP) and the role it plays in society.

The conventional understanding of IP is that it creates rights designed to incentivize innovation. Once public, unprotected creative works and inventions can easily be replicated by others, diminishing the motivation to engage in the intellectual labor of producing them. Therefore, society grants creators and innovators limited, exclusive rights to their works to allow them to recoup their investments. In this way, the theory goes, IP regimes encourage creativity and innovation. Silbey