



AET2

Asian and Middle Eastern Studies Tripos, Part II

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**This is a three hour examination**

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**Paper MES38**

**History of the modern Middle East: Imperialism, shari'a and legal reform in the Islamic World**

Answer **three** questions. All questions carry **equal** marks.

Limit **each** answer to a **maximum** of **1200 words**.

Write your number **not** your name as well as the paper code (MES38) on each page of your submission.

**SPECIAL REQUIREMENTS TO BE SUPPLIED FOR THIS EXAMINATION**

*Student declaration form*

**SUBMISSION REQUIREMENTS**

You can **type** or **handwrite** your answers.

If you **handwrite** your answers use black ink. Upload your answers as a scan or image file.

If you **type** your answers upload them as a Word document or a PDF.

Files should be saved as MES38\_[your number].

Upload a completed student declaration form as a separate file.

**The exam will begin as soon as you open the file containing the questions. Once begun you will have three hours to complete the exam.**

Answer **three** of the following questions:

1. What was the relationship between the caliph, the '*ulamā*' and the law in the first three centuries of Islam?
2. What is the 'Circle of Equity' and why was it so appealing to pre-modern Muslim rulers?
3. Explain the difference between al-Ghazālī's and al-Māwardī's conception of *ḥisba* / the *muḥtasib*.
4. Joseph Schacht has famously described the Ottoman *Mejelle* in the following terms: "The experiment of the *Mejelle* was undertaken under the influence of European ideas and it is, strictly speaking, not an Islamic but a secular code." Comment on this observation in light of the Ottoman understanding of the connection between *qānūn* and *sharī'a*.
5. Why did colonial administrators view *waqf*, especially family *waqf*, with suspicion?
6. "European powers invariably used law as a tool of imperialism." Comment by referring to ONE of the following cases:
  - a. the French in North Africa,
  - b. the Dutch in Indonesia,
  - c. the British in India.
7. What was the relationship between the *siyāsa* council (*majlis al-siyāsa*) and the *qāḍī* court (*maḥkama*) in adjudicating criminal cases? Answer with reference to nineteenth-century Egypt.
8. In his *Questioning Secularism*, Hussein Agrama argues that "*hisba*, though based in the *Shari'a*, has been fundamentally transformed under Egyptian civil law." Discuss with reference to both nineteenth- and twentieth-century legal and administrative developments in Egypt.

**END OF PAPER**