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Diverging Paths? The Shapes of Power and Institutions in Medieval Christendom and Islam, J. Hudson and A. Rodríguez (eds.), (Leiden: Brill, 2014).

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Diverging Paths? The Shapes of Power and Institutions in Medieval Christendom and Islam. Edited by J. Hudson and A. Rodríguez. Leiden: Brill, 2014. ISBN13: 978-9-0042-7736-6. xix + 435 pp. 4 maps. E-ISBN: 978-9-0042-7787-8. €162/US $210.

The connections of the editors – professor John Hudson, from the University of St. Andrews and Michigan Law School, and Ana Rodríguez, Scientific Researcher at the Centre for Human and Social Sciences, CSIC, Madrid – immediately foreshadow the variety of the affiliations of the authors of the articles in this edited book and the wide geographical scope of the medieval institutions that the authors cover. Seventeen scholars have contributed with articles from European (Italian, Spanish, French, English, Scottish and Dutch) and Israeli centres of research that encompass departments of Law and History at universities and Social Sciences and History at two scientific institutions. The 'Diverging Paths' project gathered regularly in Madrid between 2009 and 2011. Naturally not all contributors could attend, but many acknowledge the help of others in the project.

The general theme explored in the essays is how power is reflected in the institutions that developed around two of the three religions that claim belief in a single God, namely Christianity and Islam. The articles accurately reflect the title of this complex book, but explore ideas well beyond simple comparison and contrast.

The book examines 'institutions': their effect on law and its codification, their cost, and their physical locations. Consequently 'institution' and 'institutionalisation' are key words in this book. 'Institution' is chosen, first, to exclude 'mentalities', 'culture', and culture's older sister, 'religion', without, however, excluding 'beliefs or religious organisations' (p. 3) and, second, to focus on 'durable properties of societies', in order to avoid too much focus on constructed pivotal events of history that explain divergences (p. 4). 'Institutions' are very widely defined. Most authors narrow their analysis to functioning institutions which can be described, are powerful and unified and act as 'arenas of internal social conflict' (p. 6). Many use a specific institution or an 'element of institutionalization processes' to attain some theoretical framework (p. 4). Institutions can even be deemed 'managers of materials' (Manzano). Does law shape institutions or do institutions shape the law (p. 121)? The authors are rightly tentative about the use of the word 'state' at this early period of institutionalisation. Readers are warned to distinguish between institutions and organisations (pp. 53 – 4).

The book's structure is clearly indicated by the division into Part 1 ('Approaches and Explorations') and Part 2 ('Themes and Investigations').

Three introductory essays within Part 1 set the scene for the following essays in the volume. Algazi ('Comparing Medieval Institutions') sets the boundaries for the later essays to exclude 'mentalities' and 'culture', and 'culture's older sister, 'religion', without, however, excluding 'beliefs or religious organisations' (p. 3). Algazi seeks to set up more complex comparisons, to avoid teleology, and to address the 'big questions, […] the historical evolution of societies.' (p. 5). Humfress ('Institutionalisation between Theory and Practice') queries assumptions such as that early Roman law was always 'rational, centred on state structures, and institution-heavy' (p. 22). Scholars of various backgrounds view institutions by focusing either on the regulative, normative or cultural-cognitive approaches (pp. 23 – 4). Narotsky and Manzano ('The Ḥisba, the Muḥtasib and the Struggle over Political Power and a Moral Economy') examine the *ḥisba*, 'the institution that enjoins every Muslim to 'commend the Good and forbid the Evil' and the *muḥtasib*, the person whose duties were to 'keep a hold on 'moral law' on the part of the Caliph'. The authors deplore historians' narrow focus on institutions as a 'given' rather than as 'social agents in historical processes'. The institution is an intrinsically Western concept (pp. 30 – 1).

Part 2 is divided into three sub-groups, with sub-headings titled 'Law and Codification', 'Resources and Power' and 'Palaces and Places'. In Part 2 each sub-group of essays is provided with a directive introduction stating the aims of the sub-section and is ended with a thoughtful conclusion recording how the articles have addressed that sub-group's theme (Hudson, Manzano and Rodríguez). I can only select a few of the themes and contributions.

Three articles address the first sub-heading, 'Law and Codification'. In comparing western legal tradition with that in the east, Stolte posits that the Byzantines are 'heirs' to Roman law, whereas the medieval western world are 'legatees', whose *ius commune* was able to rise to a higher level of abstraction (p. 73). Conte and Ryan warn about imposing a nineteenth century idea of legal codification on Carolingian texts. The professional lawyer, not the legal collections themselves, was 'the most powerful carrier of legal culture' (p. 97). Maribel Fierro notes that the Fāṭimids and Almohads were the two caliphal dynasties most associated with legal codification in the Islamic world.

Four articles in Part 2 are gathered under the second sub-heading, 'Resources and Power'. The actions and principles addressed are located in the Christian West (Carocci, Collavini), the Early Islamic State (Kennedy), the Byzantine Empire (Prigent) and the location of Sicily (Nef). This sub-category addresses 'state funding', 'extraction of resources', the 'development of fiscal systems' and the institutions that 'enabled' those actions. The normal meaning of resources is expanded to include procedures, rules and practices that regulate the social interactions determining production, distribution and consumption (p. 124).

Four articles in Part 2 address the third sub-heading, 'Palaces and Places'. Buildings have a physical reality, around which activities occur; they regulate behaviour. Carolingian courts and palaces are distinct places (Airlie). The *palatium* was a physical structure but other parts such as the threshold (*limen*) and the hall (*aula*) held special symbolism. In the later Ottonian period, *palatium* appears less frequently (MacLean). He cites the Caliphate *palatium* to raise issues of 'itinerant kingship'. It is not the journey that is important but the destinations. Could palaces and the idea of palaces act as impersonal representations of the absent ruler? Kaplan reviews the operations of the monasteries in Egypt, Palestine, Syria and Constantinople, giving Mount Athos special attention. El Cheikh examines the antecedents to the Abbäsid Ceremonial, the place of the Palace in court ceremonial and its institutionalisation, by comparing the Abbäsid example with Byzantine ceremonial.

Common themes are the concern for legal unification and synthesis, the sacralising of the ruler, and the aura of the sacred palace, even in the absence of the ruler. Nevertheless many of the authors warn about easy generalisations. What I liked particularly about this collection of articles is the way that the various authors have addressed the question that Algazi asks in the first sentence: 'Can we engage in large-scale comparisons between societies and even groups of historical societies and ask why they change in one and not the other […]?' I did struggle with parts of the book, owing to my lesser knowledge of sociological and anthropological tools and of Islamic history. I had to work hard to understand the foundations of some of the arguments. Most readers will not be across all fields. However, that is the point and the strength of such a book: to bring together scholars of varied backgrounds and to query the reader's approaches and viewpoints.

Diverging Paths? is a tightly integrated, complex text that explores the relationships between institutions via three key paths: law, resources and elite physical structures, but expands our ideas of all of these. It would be valuable for scholars who already have a reasonable knowledge of the Christian and Islamic histories of the early Middle Ages and would like to understand those world views using the tools of anthropology, law, history and sociology.

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