

the religious law in matters relating to public order, taxation, usury, and land tenure. Rather than viewing government intervention as an exception, it seems that, at least from the middle of the fourteenth century, rulers intervened quite heavily in legislating, modifying, and applying the shari‘ah. We should forsake the long-held paradigm that views the state as essentially external to Islamic law, a paradigm that makes no sense at all for legal historians of other civilizations.¹⁰⁶ Rather, the evidence of the Mamluk legal system—the most highly developed system of Islamic law in the Middle Ages—shows that the *siyāsah* of the state was not only an integral and legitimate element of the shari‘ah, but also an increasingly central one.

¹⁰⁶Miriam Hoexter, “*Qāḍī, Muftī* and Ruler: Their Roles in the Development of Islamic Law,” in *Law, Custom, and Statute in the Muslim World: Studies in Honor of Aharon Layish*, ed. Ron Shaham (Leiden, 2006), 67–86; Ido Shahrar, “Legal Pluralism and the Study of Shari‘a Courts,” *Islamic Law and Society* 15, no. 1 (2008): 112–41.

