



Review

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progress beyond the chronological and culture-historical. When they do, there are references to systemic processes, ranked societies, and chiefdoms, as well as an unfortunate tendency to ascribe change to “diffusion processes” (usually from north to south) or to ill-defined economic factors and population growth. In that respect, this work reflects its origin in the 1980s as a doctoral dissertation (Hebrew University), completed in 1985 and updated only to 1990 (a few comments on work between 1990–1993 are added on pp. xvii–xviii). The tone of the work is almost, in contemporary archaeological terminology, anti-processual, and certainly reflects no awareness of, or interest in, postprocessual or social approaches to the study of the prehistoric past.

On a more practical level, it is annoying that this remarkably rich and lengthy volume, which treats so many different subjects, contains only a single index, of sites.

However, none of this must detract from the Herculean task that Avi Gopher has undertaken, and completed, with this study of Levantine Neolithic arrowheads. His work will remain for some time an indispensable guide and reference for anyone proposing either to study chipped stone tools in the Levant or to consider the geographical spread and chronological placement of such tools. Now that scholars such as Gopher have laid the empirical foundations so well, it is time for the new generation of prehistorians to erect upon them an archaeology of Neolithic society, incorporating the extensive mortuary, architectural, and environmental data that exist, and that clamor still for interpretation from a social perspective.

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A World Within: Jewish Life as Reflected in Muslim Court Documents from the Sijill of Jerusalem (XVIth Century). Two volumes. Edited by AMNON COHEN. *Jewish Quarterly Review Supplement*. Philadelphia: CENTER FOR JUDAIC STUDIES, UNIVERSITY OF PENNSYLVANIA, 1995. Pp. 212, 375. \$50 (paper). [Distributed by Eisenbrauns.]

Amnon Cohen has gathered, for the years 1530–1601 A.D., hundreds of Shariʿa court cases from the first 82 *sijills* of Jerusalem, dealing in one way or another with Jews living in that city during the first century of Ottoman rule in Bilād al-Shām. His research appears in two volumes. In the first, after a brief introduction, Cohen provides for each Shariʿa court register a “summary” of each case in which one or several Jews are involved; there are, on average, a dozen cases per register, but sometimes this number can be as low as one or two per volume. Then, in the second volume, a facsimile of the court record of

each case is reproduced so the reader can compare the summary directly with the original Arabic or Ottoman text.

Considering the extreme brevity of his introduction, and the lack of analytical and synthetic tools, Cohen’s aim seems to be to provide first-hand source material for researchers interested in “Jewish life” in early Ottoman Jerusalem of the sixteenth century. However, those interested in aspects of “Jewish life” in Jerusalem, or the Ottoman legal system, in particular, will be frustrated because of the way the two volumes have been conceived. In the first, Cohen’s “summaries” are too short to provide us with even a general idea as to how Jews came to court and how the qāḍī’s rulings proceeded; Cohen’s work seems to be oriented more toward researchers desirous of a glimpse of the social life of Jews, that is, some kind of “social history” where Shariʿa court records serve as a source of “information.” Quite often within the perspective of social history, it does not matter much how a case proceeded in the court, what the parties in conflict said, or even how qāḍīs proceeded toward their final decisions. The perspective changes dramatically for those interested in the Ottoman legal system and in judicial writing, in particular; for this rare species of researcher, for whom any word can be significant, and the totality of the document-as-text is the most valuable object, the alternative is to skip the summaries or simply browse through to pick up cases of interest and then go to the original facsimile. Unfortunately, there are problems here as well. The reproductions are too small and the handwriting is quite often illegible enough to discourage even scholars trained in reading the difficult script of court documents. There is, however, a solution to this problem: simply scan the document on a hard drive or CD-ROM and then read it magnified on a computer screen, or print it with a laser printer in a suitable enlargement pattern. The other alternative (and this is my preferred solution) would have been for Cohen to edit, in a third volume, a full transcription of all cases in a modern Arabic script. Needless to say, such a step would have made the handwriting much easier to read.

The Qurʾān, with a very large proportion of its verses devoted to the “people of Moses,” had undoubtedly established a pattern in dealing with the Jews, but it has also given rise to the confusion which has surrounded their status since the beginning of Islam. Even though described, like the Christians, as a “people of the Book” (*ahl al-kitāb*), a mark of appreciation for a monotheistic religion based on *written* signs, the Qurʾānic text will nevertheless devote much of its energies to portraying the Jews as an Other who have ridiculed God’s signs and triggered His anger for the sins they have committed. Looking at those passages in which God’s anger becomes a manifestation of a transformation in society, and the frequent associations made between the wrath of God and the obstacles that the Jews created for God’s Messenger, one realizes that Islam has constructed itself as a system of beliefs based on a system of *differentiation* from the Other—the Jews.

This suspicion toward Jewish monotheism found its way into the *ḥadīths* and the *fiqh* literature as well, and Islamic jurisprudence, in particular, legalized the “special status” of Jews and Christians. In only a few cities of the Ottoman Empire did the Jews keep their Rabbinic courts, and they used Rabbinic law and the Shari‘a courts at the same time. Obviously, the question as to which courts were used for which specific purposes is crucial, but not much has been done thus far in this direction. While waiting for the availability of Rabbinic court documents (supposing, of course, that they exist), we are left with the Shari‘a documents; there are numerous cases in which Jews were involved and the question here is whether such material needs different research tools from the other, more common, cases. Since Cohen leaves this question open for the reader to decide, I would like to suggest the following. (1) It is important to follow the “textuality” of the document and analyze its structure on the basis of the order of the statements and their legality, rather than, say, focus on the content of a few items for their “factual” importance, leaving others aside; the notion of document-as-text could make possible the process of reconstruction of the *intentionality* of the social actors and help us see whether there is a logic for decision-making. (2) Knowledge of the “special status” of the Jews based on the Shari‘a court records is inseparable from what was said about Jews (and Christians) in the Islamic literature in general, whether legal or not. What is interesting here is not the issue of the “gap” between theory and practice, but what kind of contribution “practice,” such as the praxis of the courts, had to offer.

In the collection of documents prepared by Cohen, I was struck by the great diversity of cases in which Jews were involved. Jerusalem seems to have had a higher percentage of Jews than had other major cities of Bilād al-Shām, such as Beirut, Aleppo, and Damascus, and this is reflected in the varied nature of the Shari‘a court cases. Compared with documents from nineteenth-century Beirut and Damascus, those of Jerusalem struck me as containing very few property litigations, and, more important, many more of the Jerusalem cases were concerned with normative rules of behavior; in addition, cases of debt were numerous, even though most of the time they did not involve professional “moneylenders” (*sarrāf*), an occupation for which the Ottoman Jews became well-known. But by far the most interesting cases are the ones that attempt to establish new normative rules of behavior between Jews and non-Jews. The large number of records in this category could be a sign that when Ottoman rule in Jerusalem was in its beginnings, the courts became a medium—if not the only medium—for creating a new set of normative rules, or for reworking old ones, governing the relations of the *ahl al-dhimma* and Muslims. Consider as an example of this policy the three cases below as they have been presented in Cohen’s first volume:

1 Rabi‘ al-Awwal, 945: A Jewish woman, Ḥannā bt. Yahūdā, the wife of ‘Abd al-Karīm the tanner (*adamī*),

was returning home from “the Sultan’s pool” where she had been washing her laundry when a Muslim stopped her, asked whether she was Jewish, then hit her with a stone and wounded her head.

The first third (*awā‘il*) of Jumādā’l-Ākhir, 947: A Sultan decree (*firmān*) issued in Istanbul and addressed to the governors and judges residing in the various urban centers of the province of Damascus. It forbids any attempt—such as was actually reported from Safed—of the Jewish communities (and other nonbelievers) to build new places of worship other than the old synagogues. This decree reiterates an earlier order to this effect and is applicable even in cases of real estate purchased or lawfully rented by the Jews.

14 Jumādā’l-Awwal, 945: The Jew Mūsā b. Faraj Allāh presented the court with a document (dated *awā‘il* Ramaḍān, 940) issued by the *daftardār* of Damascus forbidding the *muhtasib* of Jerusalem from entering the spice dealers’ market, forcing them to purchase soap or any other commodity, or molesting them in any possible manner.

Similar cases of Jews having been hit and wounded (usually by fellow Muslims), or molested, or subjected to unlawful taxes, or of debts owed to them that were not repaid at the time they were due, are quite numerous for this period. But there are also, scattered in the *sijills*, other less common cases: in one, for example, Muslims praying in a mosque complained of noises from a nearby Jewish synagogue, thus prompting the qādi to visit the place himself before issuing a ruling asking the authorities of the synagogue to end the abnormal situation so that Muslim believers could concentrate on their prayers. In another case, a ruling was issued requesting Muslims to refrain from the sale of meat slaughtered by Jews; there are other documents showing Jews wishing to convert to Islam, or requesting “a triple divorce”; there is even a case describing a Jew with “a defect in the mind.”

Obviously, the greatest difficulty, whether for purposes of social history or “judicial writing,” consists in the ability to create a meaningful context out of all these documents and see how over the years, from one century to another of Ottoman rule, the nature of complaints and rulings had changed; but there is no context without text and the context is itself a text, as Jacques Derrida would have said. Our analysis, therefore, begins only when we consider the notion of document-as-text seriously.

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