

Shari'a Court Documents (*al-ḥujaj al-shar'iya*) in Ottoman Syria:
An Archival Study.

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The Ottoman *Shari'a* Court registers (*sijillās al-mahākim al-shar'iya*) have frequently been utilized as valuable historical sources that contain information about the society, economy and culture of the time. However, in recent years scholars have criticized these registers in that they have been used without due consideration of their archival character and the court-system in which they were prepared and preserved. Also, we should not forget the existence of *Shari'a* Court documents (*al-ḥujaj al-shur'iya*) that were issued from the Courts to the litigating parties, to which very little attention has been given as historical sources. New light can probably be thrown on the Ottoman *Shari'a* Court itself and its registers by using these *Shari'a* Court documents.

This paper is an archival study of *Shari'a* Court documents in Ottoman Syria, based on the analysis of about 700 of the 2,250 documents preserved at the Historical Document Center in Damascus (Markaz al-watā'iq al-ta'rikhiya bi-Dimashq). The style, character and function of each document are discussed as well as information about their date and content, in order to present a preliminary study in preparation for the use of the documents as historical sources.

From his analysis of marginal notes, comparisons between the documents and description of the same cases in the register, etc., the author classifies them into three groups: originals, fullcopies, and partial copies. In addition to the role of a document, which certifies the particular rights of its possessor, the practical court process on the particular issue raised by a document and the relationship between the documents and another court archives (registers and protocols) are also classified. In so doing, the author identifies methodological problem in past research that was based almost solely on the registers, demonstrates their

usefulness as source materials and suggests possibilities for using them.