

goods that were being brought to Yemen from Egypt at the time and clarifying a number of points in connection with the classification of goods, kinds of goods (textiles and non-textiles), the localities where they were produced, from where they were shipped, distribution routes, and the maritime merchants who were involved.

Judicial Reforms in Ottoman Libya, 1835-1911:
The Process of Borderland Implementation

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In 1835, the Ottoman state brought Libya under its direct rule and became confronted with a local population strongly attached to the Maliki *shari'a* and tribal customary law, making it an important, as well as a difficult, undertaking to introduce into Libya the Ottoman legal system based on the Hanafi *shari'a* and statutory law. This article examines the Ottoman judicial reforms implemented in Libya from 1835 up to the Italian invasion of 1911, by focusing on the appointment of judges and the judicial policy-making process. The author mainly draws on the Ottoman documents kept in the Istanbul *Müftülük* and the Prime Ministry Ottoman Archives.

Arbitration by local Maliki *ulama* and tribal sheikhs was generally deemed by the Ottoman bureaucratic elite to be a cause of disorder and confusion. Thus, the application of the Hanafi *shari'a* had been an important government concern since the earliest stages of Libyan incorporation. However, the Ottoman government did not always reach consensus in regard to the administration of justice in Libya. The Sublime Porte and the provincial governors were often ready to tolerate local legal practices in the interest of cost-effectiveness.

On the other hand, the *Şeyhülislâm*'s Office, which was responsible for appointing judges, began, in the early 1880s, serious efforts to appoint qualified judges in Libya directly from the center, insisting on the principle of Hanafi jurisdiction and demanding that they be paid higher salaries. These efforts were eventually successful, as local *ulama* were almost excluded from the judgeship by 1883. One of the results of this Ottomanization policy was the presence in Libya of Syrian-born judges, who were mostly educated in either

Syria or Cairo.

The introduction in Libya of the newly created *nizamiye* court also faced serious difficulties and it could be set up only in the major cities. However, in the provincial center, Tripoli, a fairly organized *nizamiye* court system was established, mainly because it was considered as necessary in preventing European intervention. Overall, judicial reforms in Libya entailed a process involving various actors that led to a significant change in the administration of justice in that society, part of which continued to be practiced even after the withdrawal of the Ottomans from the region.