



Villagers on the Move: Re-thinking Fallahin Rootedness in Late-Ottoman Palestine

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Quite possibly there is no region of the Ottoman Empire of comparable size that has been studied geo-microhistorically in the past two decades as much as Ottoman Palestine,¹ particularly cities that today fall within the pre-1967 borders of the Israeli state, and Nablus.² Given the immense changes and upheavals of the late nineteenth and twentieth centuries throughout Palestine, interest in the Ottoman-era historical development of each town is indeed merited, and its study has importance. There has been little attempt, however, to examine simultaneously the full extent of relations and networks *between* the various towns, villages, and urban-centered Ottoman administrative districts that have been inadvertently cordoned off from each other in the name of micro-examination. This is curious, because it is commonly understood that Ottoman administrative borders were porous boundaries on the social landscape, and underwent periodical re-routing from

Hebron, David's Pool.

Source: *Library of Congress*.

above. ‘Adel Manna’ has recently characterized the 1834 Palestinian revolt against the rule of Mehmed ‘Ali as “remarkable” because it united “people widely separated by geographical features, local cultures, and even religion” in common cause.³ This essay is not about 1834, but Manna’s assertion raises a question central to it, which known primary sources relating to the popular revolt are regrettably silent about: did the revolt bring Palestine together, or did it spread so quickly and widely because of pre-existing, broad networks of relations?

Studies of geographically and administratively defined areas have clearly demonstrated the growing bureaucratization and standardization, i.e. modernization and incorporation, of local society around and through government institutions in the Tanzimat years. These reforms encouraged and promoted compartmentalization of regions around urban-based government institutions. Studies unbounded by geographical space can bring into focus another dimension of how local society was conceived, understood and fashioned – the popular conception. This essay uses evidence from the Hebron *shari‘a*-court records with this goal in mind. It traces and examines everyday movement and interaction among villagers in Palestine in the last third of the nineteenth century.⁴ Its frame of reference is a developing consensus in Middle Eastern studies that peregrination, mobility and migration – long recognized in and beyond the Empire among notables, merchants, Sufis, Jews, and bedouin – are historically society-wide phenomena.⁵ In the case of late-Ottoman, southern *bilad al-sham*, this essay will demonstrate through a focus on patterns of mobility that a plethora of subaltern networks of so-called “inter-regional” relations had been forged on the ground by the last third of the nineteenth century, the pervasiveness and historical significance of which has heretofore been overlooked. I maintain that the amplitude, nature, and extent of these quotidian relations occasion a re-thinking of our historiographical conceptualization and approach to Palestinian society on three levels. Firstly, they suggest there is a need to re-think the conventional “urban center – rural hinterland” model as the only appropriate methodology for examining rural society. Secondly, and concomitantly, they impel us to expand a common, city-based-microregion approach to the study of late-Ottoman Palestine in order to incorporate the multitude of historical circuits and interactions that were not bounded by geo-microregional borders. Finally, they prompt a reassessment of conceptualizations such as “local” and “regional” as they have been commonly used to divide Palestine into sub-units, and the ways these relative terms have been applied to address historical questions of Palestinian identity.

Villagers in Court and Out and About

Ottoman villagers’ use of the Empire’s courts has not been a focused topic of research. However, studies that have made use of Ottoman court records in different centuries, and noted rural usage, allow us to draw a tentative, composite picture of non-urban clientage. A non-exhaustive list of such studies from around the Empire covers Aintab

(Gaziantep) in southern Anatolia in the sixteenth century, the Jerusalem district over the course of the same century, two north-central Anatolian towns in the following century, al-Mansoura in the Nile Delta in the eighteenth century, Nablus in the long nineteenth century, and the vilayet of Danube in the one decade of its existence in the second half of the same century.⁶ The picture that forms from this small, non-scientific sampling suggests that villagers always made use of Ottoman courts, to varying degrees in different locales, and that this use seems to have grown slowly across the Empire over the centuries.⁷ In the Hebron *shari'a* court, from the year of the first archived *sijill* (register of cases), 1867, villagers rich and poor⁸ were frequent clientele, regularly presenting or otherwise involved in a wide range of cases ranging from taxes, debt and loans, engagement, marriage, divorce, and inheritance, to conflict, property sales, and business-contract disputes.

For the first half of the nineteenth century, the relative balance of power between Palestine's highland villages and the urban administrative centers they belonged to has been demonstrated.⁹ What remains less clear is how such a power balance between town and village may have affected the way networks of interrelations developed in the countryside. A close reading of late-Ottoman court cases in Hebron in the last third of the century suggests that a large segment of the rural population was at this time more mobile, and villages more horizontally integrated with each other, than is generally assumed in historical literature.¹⁰ This observed mobility also confounds Zionist and Palestinian nationalist literatures' conception of the firm rootedness on the land ascribed to Palestinian *fallahin*, albeit for opposing reasons in each nationalist narrative.

Southern mountain villagers' gaze in the last third of the century turns in many directions; neither Hebron nor Jerusalem was their sole or main point of reference. For example, in late February 1870, Isma'il 'Awwad of Ishwa' sued Hasan Shitat of nearby 'Artuf, both villages then in the north of the Hebron district. Isma'il claimed that Hasan had borrowed his camel to travel to al-Qubbab, then just south of al-Ramla (Ramleh), in order to transport wheat back to 'Artuf. He claimed that Hasan had actually continued on further, to Yahudiya and Kafr 'Aan, then in the vicinity of Yafa (Jaffa). What bothered him, according to his claim, was that when Hasan returned his camel, it was sick from exhaustion and hunger. Isma'il said he spent a full month trying to nurse it back to health, then felt compelled to slaughter it. Hasan didn't deny he had traveled to Kafr 'Aan. He said he had instead bought there the wheat he wanted, "a normal load" (i.e. almost 300 kilos), and upon his return, returned Isma'il's camel to him, healthy. He further claimed that Isma'il had worked with the camel two full months before deciding to slaughter it, transporting wheat and hay from the then-nearby village of Sar'a back to Ishwa'. Hasan had offered 200 qirsh compensation for the loss; Isma'il brought the case to court arguing that the camel was worth 1,200 qirsh. Each man in turn brought two witnesses from his own village to substantiate his claims.¹¹

As is the nature of *shari'a*-court case summaries, the case raises many questions that cannot be answered. The court record doesn't reveal Hasan and Isma'il's

occupations nor the relationship between them, although the lending of a camel suggests, if not friendship, an established relation of mutual trust. We cannot know if these men's seasonal profession was small-time wheat trading, although Hasan's lack of transportation, along with the timing of the case, which hints that these camel trips probably took place in early winter, well after the harvest, suggests this was not so. What, however, is clear from the court record is a series of established relations between villagers in five different villages – Isma'il in Ishwa', Hasan in 'Artuf, farmers (or wheat dealers) near Ramleh and Jaffa, and someone else with wheat in Sar'a. The commodity that seems to be cementing these connections is wheat, which was grown in all these locations. The reason for the wheat transport from place to place is not given. Nor can we know how, why, or when the connections between these villagers were first established. But that they had been established is evident. Neither Hasan's or Isma'il's testimonies give any indication that Hasan's excursion was considered extraordinary, or that his destinations were arbitrary. The inference to be drawn, then, is that villages around Ramleh and Jaffa, and most likely the cities as well, were familiar to and within an established circuit for Hasan and perhaps also for Isma'il.

There are many stories of individual initiative like Hasan's, and of seemingly random connections of various types between villagers a day's distance or more apart, in Hebron's Ottoman-period shari'a court records. The sheer number and range of them suggests that they were not random or exceptional. For example, Salim al-Haymuni took Ramadan bin Ahmad Badwan to the Hebron court in late 1871. Salim, a Hebronite, complained that he had lost his donkey in the Hebron-district village of Beit Jibrin four years previously and had now found it in the possession of Ramadan, a villager from al-Sawafir in the Gaza district. Salim claimed he had bought the donkey the previous year from Salih bin 'Abd al-Qadir of Iraq al-Manshiyya West, a village then in the Hebron district.¹²

In a similar case in January 1877, 'Abd al-Min'im bin Husayn Musa al-'Aweiwi of Hebron brought a case against Mahmoud bin Salih al-Sitli (?) of Kafr Ra'i in the Jenin district. 'Abd al-Min'im said the donkey tied outside the court's door was his, purchased more than four years previously from a *fallah* he didn't know, in Jaffa. He said he had ridden it up to Jaffa some seven or eight months after buying it, spent the night in an orchard, and found his donkey gone when he awoke. Now, he said, he had found it in Mahmoud's possession, and he wanted it returned. Mahmoud, in his defense, related that he had bought the donkey several months earlier from Muhammad Musa Abu 'Aaqila of Jit, a village in the Tulkarm district. Muhammad, he said, had bought it from a man from Qufin village, also in the Tulkarm district.¹³

The *sijills* are replete with cases of lost and disappeared animals found after months or years in the hands of other villagers or bedouin. These cases are only occasionally framed as theft. We cannot know how or where these individuals from the villages of Gaza, Hebron, Jaffa, Tulkarm, and Jenin made the acquaintances and initial transactions that are mentioned in these cases, or the meetings that resulted in them appearing in court to settle the question of rightful ownership. Where, for

example, was Mahmoud from the Jenin district when ‘Abd al-Min‘im of Hebron found him with his donkey: perhaps in Hebron, or maybe the two met by chance on the road and proceeded to the courthouse together, or agreed to meet there to record an amicable settlement made between them outside the courthouse. As for ‘Abd al-Min‘im, it appears he may have bought his donkey anonymously in a Jaffa market, since he did not know the identity of the seller. More often than not, the defendant’s seller was mentioned by name in the *sijills*, and sometimes brought into court as well, demonstrating that most of these relationships were not anonymous. Invariably, once witnesses had testified that the animal(s) in question rightfully belonged to the complainant, the judge informed the defendant he should return to his seller and demand a refund.

One can trace a number of these cases through the *sijill* pages and verify that the defendants almost always knew their sellers and where to find them. A notable and somewhat unusual case in this regard took place over a period of fourteen months in 1893-94. The chain of events started in the Jerusalem *shari‘a* court, over a donkey that had been wrongfully sold and proven there to belong to a man from Silwan. The Hebronite in whose possession the donkey was found then took his seller to the Hebron court. That man then took his seller to court, and so on. I found four segments of this case. The final *hujjah* named the string of sellers of the donkey in succession over an approximately two-year period; there were five in all.¹⁴ The reason for the quick and frequent turnaround on this donkey is not clear. Other cases indicate that most people had their donkeys for many years. Additionally, in this case as in others, the court record invariably mentions that the animal(s) in question are tied up outside the court’s door, and the witnesses provide detailed descriptions of the color, age and any particular traits of the animals. The donkey does not appear to be a euphemism for an accepted but non-*shari‘a* practice.¹⁵ Even if it were, though, the relations described between the sellers and buyers from different villages are unquestionable, and that is the matter that interests us.

From the sum of these small, seemingly insignificant stories we can deduce that there was a not insignificant number of villagers from many parts of Palestine regularly traveling around the region independently in the latter part of the nineteenth century. They conducted their business in a number of locales and also made the trip to Hebron to use the *shari‘a* courts as a forum for dispute resolution. The cases presented here, typical of the many more that were entered in the *sijills*, suggest that for Hebron villagers, their home region included the Gaza area, the Jerusalem and Ramleh areas, Jaffa and the length of the mountain heartlands. This is not to say villagers didn’t go farther. On occasion they did.¹⁶ However, it appears that a distance of a two-day ride was the upper limit of the common “comfort zone”. Within this broad area, villagers’ court testimonies reveal not only their familiarity with the places but also a working acquaintance with other villagers.

When we add average Hebronites to the equation, the circle of mobility and familiarity expands even further afield.¹⁷ In November 1871, for example, Hebronite As‘ad Abi ‘Ayesha al-Salaymeh came to court to complain about a business deal gone

bad with ‘Abd al-Jawad Ghurab. As‘ad had entrusted ‘Abd al-Jawad with forty-five sheep or goats (*ghanam*) – he enumerated the color and age of each – and forty-five small-jar measurements (*kuz*) of *samn* (clarified butter) equaling ten *uqiyyas* in Hebron measurements, and acquired from Tafila, today in southern Jordan. ‘Abd al-Jawad was to transport everything to Suez and sell it. As‘ad had instructed ‘Abd al-Jawad to bring back money for the sheep and to use the returns on the *samn* to buy Suez-made *samn*. Three months later, when ‘Abd al-Jawad returned, he claimed he had sold the sheep, and that half the *samn* had been lost in transportation, spilling out of the camel-skin bags (sing., *daraq*),¹⁸ and that some more had been lost when eaten by mice while in storage for four days with a man he knew en route, and named, who owed him money for ploughing work. Further, he claimed that when he was passing through Isma‘iliyya, Egypt, on the return journey, the profits had fallen out of the hiding place in his shirt, and were lost.¹⁹

‘Abd al-Jawad was either a liar or a bungling amateur businessman, it seems. While this deal was botched and thus found its way to court, it is quite likely that other people, and perhaps even As‘ad and ‘Abd al-Jawad on other occasions, made this circuit successfully. We can infer this because the journey was made independently, and in order to sell merely a medium-sized herd of sheep and to buy and sell Tafila and Suez butter, both common and readily available local commodities with local markets as well. It has all the trappings of an uncomplicated transaction, at least at the planning stage. Regardless of the losses incurred this time, this case is significant for what it reveals about common, regional knowledge. Given that As‘ad and ‘Abd al-Jawad obviously intended to profit from their venture, we can infer that these small-time entrepreneurs were as familiar with markets, people, products, and prices over the Jordan River and in Egypt as they were with local markets. They knew where to buy and where to sell in order to play these markets to their advantage. Such knowledge is predicated on the pre-existence of geographically broad, common linkages.

Finally, a note regarding the fact that the cases mentioned above depict only half the populace. As reflected in the *sijlls*, the discourse of mobility across the rural countryside in the late-nineteenth century indeed was part of a man’s world. Hebron women were often in court to appeal to it for a loan to support themselves, because their husbands were traveling. They were left behind, either at their own house or at a relative of his or hers, and came to court when their *nafaqa* (maintenance money) was insufficient. These loans were set in terms of a daily allowance to cover the cost of living, and to be paid back by the husband upon his return. Tajia bint ‘Abd al-Qadir Abu ‘Aws, for example, turned to the courts a month after her husband went to Cairo. Rashida Amhin (?) asked for a loan after problems arose for her in her brother’s house, while her husband was in *bilad al-sharq*, today known as Jordan. Adiba bint al-Shaykh ‘Abd al-Hafiz al-Muhtasib bi’llah requested financial assistance because her husband’s stay in Salt, near Amman, was taking longer than expected. When Safiya bint Ibrahim Abi Khadija appealed to the court for support, her husband had been in Cairo for eleven years.²⁰ It was comparatively infrequently that a village woman requested court support.²¹ Since rural women in this period frequently brought other types of cases to

the court, this absence may be another indication that villagers did not travel as far as urbanites, and did not stay away as long. The language of the cases of maintenance loans show that they were common and routinized within the court, providing further indication that men often left home, and women often stayed behind, either in the care of a relative or to run their household.

The court *sijills* provide scant evidence of female mobility, although the absence of a particular pattern of case in the *sijills*, as is well known, does not necessarily mean that such a phenomenon did not occur. The case of Husun bint Mahmud bin Hasan ‘Afanah of the Gaza-*qaza* village of al-Sawafir provides only a rare suggestion in the court registers of the plausibility of frequent female mobility outside the confines of the village, similar to men. And likely, this suggestion was a convenient fiction. Husun appeared in the Hebron court in 1890 with a Hebronite *wakil* (representative) in a case brought by her husband, Ahmad bin ‘Abdallah bin Hasan ‘Afanah, also of al-Sawafir. Ahmad declared he and Husun had been married twelve years, and that two months previously she had left their house to work in the olive harvest (*dhahabat min dari tishtighl fi al-zaytun*) and had been staying with Mustafa bin Ibrahim Khater of Ra‘na, then in the northwest of the Hebron district.²² There is no indication that Mustafa was a relative. His relationship to either of the ‘Afanahs is unclear. Ahmad requested the court to order his wife returned to his house. Husun’s *wakil* replied that actually, Husun’s father-in-law had thrown her out of Ahmad’s house two months previously, and that she then fled to Mustafa. He demanded for Husun the remainder of the part of her dowry that was to have been purchased and delivered before the marriage took place, more than a decade earlier.²³

The resolution of this case seems to confirm that Husun didn’t leave home to work in the olive groves. It also calls into question whether she had fled to Mustafa at all. The judge ordered Ahmad to furnish the missing dowry items, and he ordered Husun to return to Ahmad, but not before two guarantors had appeared in court and promised they would provide the money necessary for her daily living needs, enumerated according to the common standard as food, drink, clothes, and other necessities (*lawazim al-dharuriya*), if Ahmad could not. One of these guarantors was the village *mukhtar*, also from the ‘Afanah family. One must wonder if Mustafa was brought into the story to give the ‘Afanahs more reason to have this family dispute heard away from home, although legally there was no need for justification. They were free to use another *shari‘a* court. One may also wonder why the case was brought to the court instead of being solved within the family or through the village *mukhtar*. It is possible this was due to Husun’s insistence. One can only conjecture. What this case indicates, however, regarding female mobility in late-Ottoman Palestine can be seen through both plausibility and evidence: The suggestion that Husun had left the house for seasonal work outside the village was plausible enough to be put forth as an argument in court, and her presence in the Hebron courtroom is evidence of the trip she made from her Gaza village, perhaps with her husband, to appear and insist on her rights.

Conclusion

This small sampling of typical cases from Hebron *shari'a*-court registers has outlined common circuits of a number of villagers on their quotidian ambulations in the last third of the nineteenth century. The focus on villagers has been dual-purpose. One, the rural population comprised the majority in both Ottoman Palestine and the Empire. Yet, our knowledge of rural society remains two-dimensional. Only in recent years has the examination of villages and villagers expanded beyond paradigms of agrarian history, taxes and tax evasion, rebellion, and land tenure to look at the countryside as a stratified place inhabited by individuals.²⁴ Still, the rhythms and routines of daily rural life have not been a subject of historical investigation to the degree that daily urban life has. This essay has made use of late-Ottoman *shari'a*-court cases involving villagers because the court record gives us significant insight into everyday events, points of view, activities, and concerns of villagers themselves.

The sum of the cases discussed above suggests that in this period subaltern, rural Palestinian society was a mobile and relatively integrated population, traveling knowledgeably both near and seemingly far for the un-extraordinary reasons of everyday needs and small-business transactions. Villagers were not exclusively dependent on urban centers, as the conventional “center-hinterland” historical model suggests. Rather, Hebron-area villagers were regularly in contact not only with neighboring villages, but also with villagers in a broad region that traversed several administratively, and geo-microhistorically, defined districts, covering most of Palestine as it was recognized geographically under the British Mandate that would succeed imperial rule in the region several decades later. And, as seen, the relations were reciprocal: villagers from around Palestine frequently traveled to and through the Hebron area as well.

The second purpose for focusing on villagers has been to examine the base, subaltern level of the population in order to better understand how society and societal borders were popularly conceptualized, by the people we think of as the most ordinary, and often the least mobile, of imperial subjects. In this regard, the extent to which villagers’ relatively far-reaching relations were commonplace in the court registers is particularly significant. Villagers’ mobility impels us to rethink the ways we apply contrasting terms such as “local,” “regional” and “foreign” to the societal context of late-Ottoman Palestine. It is worthwhile to keep in mind, also, that these cases brought to the *shari'a* courts were a self-selected group. They were brought to the court’s attention because they resulted in conflict or dispute; it is reasonable to assume that for every dispute mentioned, a number of other, similar transactions went off without a hitch and, thus, went unrecorded. In this respect, it can be said that *shari'a*-court cases offer only a sampling of a bigger picture.

By informing us of the distance that people traveled for common, everyday matters and needs, these cases intimate that these distances were likewise considered insignificant and everyday, that is, “regional” or “local.” This, in turn, raises questions about the ways we have thought about regional society, and regional divisions within

society, as well as roots of the Palestinian national identity that would crystallize in decades to come. It is not clear from the court records whether villagers in the areas around Hebron, Jaffa, Tulkarm, Gaza, or Jerusalem thought of themselves or were recognized by others as Khalilis, Yafawis, Karmis, Ghazawis or Qudsis. There is no evidence here to suggest this was the case. Villagers were identified first by their village, and the villages then by their administrative district, both in the court records and in the words of the attendant parties as they were transcribed on the *sijill* pages, often in first-person voice. For example, Mahmoud was identified as being from Kafr Ra‘i in the Jenin district, not the reverse, as a Jenini from Kafr Ra‘i. In contrast, the sizeable population of Hebron-city origin living in Jerusalem in the middle third of the nineteenth century, who often maintained demonstrable connections with properties, family, and others in Hebron, *is* often identified in Jerusalem court registers by the adjective Khalili.²⁵ Does all this imply that regional-based self-identification around cities had not yet developed in the last third of the nineteenth century? Might it signify that the many villages described within these various administrative districts were so familiar to those involved that regional definitions were secondary? The evidence found in the court registers is insufficient for definitive answers, but it does prompt the questions, and evince some answers.

While negative factors are hard to substantiate, it does appear that Ottoman administrative borders, widely known to be both fluid over time and porous by design were insufficient by nature to create regional identity. Choice of court likewise cannot necessarily be used as a reliable indicator of regional affiliation, since jurisdictions were not geographically drawn, as the ‘Afanhs demonstrated by choosing the more distant Hebron court over the Gaza court much closer to home. Turning to positive factors, aside from the widespread networks and relations described in the cases themselves, we should also consider the way these cases were recorded. Isma‘il from Ishwa‘ did not complain that Hasan had taken his camel on an unreasonably long journey; his grievance was that Hasan did not provide the camel with sufficient nourishment and rest along the way. Indeed, the villages he mentioned in the Ramleh and Jaffa administrative districts were identified in the court record by name only, implying their relative location was known to all present in court. The unknown man who sold a donkey to ‘Abd al-Min‘im in Jaffa was identified merely as a villager, a *fallah*, sans regional attachment; no assumption was made by ‘Abd al-Min‘im or the court that he must have been from around Jaffa. While the term *bilad al-sharq* used by Rashida suggests a foreign place, another *bilad*, places around Palestine were uniformly described in familiar terms. This doesn’t close the loop on the question of regional identity or identities, but it does demonstrate the extent to which villagers were on the move, and the broad and thick fabric of connections that wove them together. In other words, it shows that on the ground in Palestine in the last third of the nineteenth century, the term “region” was a rather spacious one.

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Endnotes

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- 1 Among monographs in English: Beshara Doumani, *Rediscovering Palestine: merchants and peasants in Jabal Nablus* (Berkeley: UC Press, 1995); Mahmoud Yazbak, *Haifa in the late-Ottoman period, 1864-1914: a Muslim town in transition* (Leiden: Brill, 1998); Thomas Philipp, *Acre: The Rise and Fall of a Palestinian City 1730-1831*, (New York: Columbia University Press, 2002); Mark Levine, *Overthrowing Geography: Jaffa, Tel Aviv 1880-1948*, Berkeley: UC Press, 2005). A few of the numerous book-length studies on aspects of Jerusalem history are Amy Singer, *Palestinian Peasants and Ottoman Officials: rural administration around sixteenth century Jerusalem* (Cambridge: Cambridge University Press, 1994), Dror Zeevi, *An Ottoman Century* (New York: SUNY Press, 1996), and Sylvia Auld, Robert Hillenbrand and Yusuf Natsheh, eds., *Ottoman Jerusalem*, 2 vols. (London: Altajir World of Islam Trust, 2000). Articles would make this abbreviated bibliography much longer. For example, Ottoman Nablus alone has been researched since the 1990s by scholars including, in addition to Doumani, Judith Tucker, Eugene Rogan, Mahmoud Yazbak, and Patricia Akhtar. Although not discussed here due to space considerations, academic research in Arabic and Hebrew has also made ample use of the geo-microhistorical approach.
 - 2 Noticeably and inexplicably absent from this corpus of city studies are, for example, Hebron and Gaza, anchor towns for a large and dynamic region that encompassed areas today within Israel, Jordan and Egypt. Only very recently has the field of research widened slightly to include areas now under Palestinian-Authority jurisdiction: Farid al-Salim's dissertation on the administrative and societal frameworks of the newly created district of Tulkarm, "A social history of provincial Palestine: the history of Tulkarm in the late-Ottoman period (1876-1914)," (University of Arkansas, 2008) will be published by I.B. Tauris this year within an expanded framework of research on Tulkarm by the author, titled *Palestine and the Decline of the Ottoman Empire, Modernization and the Birth of the Palestinian State* (I am grateful to the author for informing me). In 2012, Yuval Ben-Bassat published a short article focusing on late-Ottoman petitions to the Sultan originating in Gaza: "Regional cooperation among the rural population of Palestine's southern coast as reflected in joint petitions to Istanbul at the end of the nineteenth century," *New Perspectives on Turkey*, 46 (spring): 213-238. Historiography of the large, rural-area populations (on both sides of the Green Line) will be discussed below.
 - 3 'Adel Manna', "Rereading the 1834 Revolt against Muhammad 'Ali in Palestine and Rethinking Ottoman Rule," in Camille Mansour and Leila Fawaz, eds. *Transformed*

- Landscapes: Essays on Palestine and the Middle East in Honor of Walid Khalidi* (Cairo: American University in Cairo Press, 2009), 83-104, quote on 85.
- 4 The cases mentioned in this essay were examined as part of a larger research project on the social history of the Hebron region and its inhabitants in the last Ottoman century. There is a large and well-known body of literature on the advantages, drawbacks, and strategies one can and should (and should not) use when studying *shari'a* court registers as an historical source. This research need not be mentioned here, but its insights are recognized and have been applied.
 - 5 One indication of the continuing growth of interdisciplinary recognition of the importance of studying mobility and migration – two distinct, although related, patterns of movement – is the establishment this year of two more academic journals devoted to these subjects. *Migration Studies* is an Oxford journal. The other new journal, *Mashriq & Mahjar*, is the first dedicated to the study of movement in the Middle East. Both are currently open-access online and add to the growing “post-nationalist” field of interest in current and historical migration, both forced and voluntary, and refugees and diasporas. While much of the current research in the field is on the twentieth and twenty-first centuries, recent studies like Lale Can’s investigation of Central Asian pilgrims and migrants in the late-Ottoman Empire, “Trans-Imperial Trajectories: Pilgrimage, Pan-Islam, and the Development of Ottoman-Central Asian Relations, 1865-1914” (New York University, 2012), clearly demonstrate the fruitfulness of investigating mobility in the historical context. In this article, I focus on mobility, not migration.
 - 6 Leslie Peirce, *Morality Tales: Law and Gender in the Ottoman Court of Aintab*. (Berkeley: University of California Press, 2003); Singer (1994); Boğaç Ergene, *Local Court, Provincial Society, and Justice in the Ottoman Empire: legal practice and dispute resolution in Çankırı and Kastamonu (1652-1744)* (Leiden: Brill, 2003); Kenneth Cuno, “Egypt’s Wealthy Peasantry, 1740-1820: A study of the Region of al-Mansura,” in Tarif Khalidi, ed. *Land Tenure and Social Transformation in the Middle East* (Beirut: American University of Beirut, 1984), 303-332; and Cuno, *The Pasha’s Peasants: land, society, and economy in Lower Egypt, 1740-1858* (Cambridge: Cambridge University Press, 1992); Doumani, 1995; and Milen V. Petrov, “Everyday Forms of Compliance: Subaltern Commentaries on Ottoman Reform, 1864-1868,” *Comparative Studies in Society and History*, 2004, 46/4: 30-79.
 - 7 Ottoman villagers’ use of the *shari'a* courts has not been a topic of research. This sample is based on sources I found that have quantified rural usage in some way. Singer (1994) found many court cases that “touch[ed] on the countryside” or “reference[d] rural matters” in sixteenth-century Jerusalem. (12, 20, 21). The cases she discusses deal with administration-villager conflicts. These were not, however, the only reasons Jerusalem-area villagers applied to the *shari'a* court in the sixteenth century. (Personal communication, May 2013.) Ergene (2003) concluded that although villagers used the *shari'a* courts of Çankiri and Kastamonu in north-central Anatolia in the mid-seventeenth to mid-eighteenth centuries with some frequency, when case numbers are compared to the number of villages and villagers, it becomes apparent that the court was not popular with them. He also analyzes the nature of rural inhabitants’ court usage. See pp. 213-219, in particular. James Reilly, in his 1987 article “*Shari'a* Court Registers and Land Tenure around Nineteenth-Century Damascus,” *MESA Bulletin*, 21/2 (December), 155-169, observed that in nineteenth-century Damascus distance from the city played some part in determining rural usage of the court (156). He also noted that villagers formed the minority of clientele compared to Damascenes (165), without further quantifying this. Cuno, in his 1992 examination of land tenure before, during and after the Muhammad (Mehmed) Ali period in Egypt, observed that villagers around al-Mansura “had a variety of more accessible means for the resolution of disputes and the recording of agreements than the urban courts ... and so a large sample had to be taken from the court records in order to obtain a significant number of cases from the countryside.” (7). In an earlier article (1984) using the same court source, Cuno noted that between 1740-1820, he found only 115 cases referring to villagers’ land tenure and observed that “[m]ost of these are disputes, only a much smaller number being records of transactions or inheritance. Villagers are known for their reluctance to involve outsiders in their affairs

... Court fees, and travel to the town would have been a disincentive to recording land transactions at the *mahkama*" (320). Doumani (1995), who studied Nablus court registers between 1798-1865, observed a "virtual absence of peasants" in the courts until the second half of the 1830s. He characterizes peasant participation in the courtroom from the latter 1850s as "a flood that showed no signs of abating," with growth in both the number and types of cases heard from the countryside. (152-153, and 28). Petrov's 2004 investigation of villagers' usage of Nizami courts in the short-lived Danube *vilayet*, 1860s-1870s, demonstrates that villagers rapidly accommodated the new court mechanism, were frequent clientele of the court, and were adept at using "the new language of the Tanzimat" in it, to their advantage. That said, Peirce's 2003 investigation of the *shari'a* court of Aintab (Gaziantep) in south-central Anatolia, some 100 kilometers north of Aleppo, reached similar conclusions regarding 1540-1541. She describes court clientele during the year of her in-depth microstudy as comprising "a steady stream of villagers, urban residents, and the occasional tribesman or tribeswoman" (70). Cases discussed throughout her book give a vivid picture of the wide range of matters Aintab-area villagers brought to the court in this period.

- 8 The many *terekes* (division of property to inheritors) from the villages that appear in the Hebron court *sijills* clearly demonstrate the range of socioeconomic stratification that existed within a number of the villages within the *qaza*.
- 9 Beshara Doumani and Salim Tamari have both made these observations regarding urban-rural relations for the Nablus and Jerusalem areas, respectively. See Doumani (1995), particularly 149-155; and Salim Tamari, "The City and its Rural Hinterland," in Salim Tamari, ed., *Jerusalem 1948* (Jerusalem: The Institute of Jerusalem Studies and Badil Resource Center, 1999), 68-71.
- 10 The subject, as noted, has not been discussed systematically, although this is very recently beginning to change. Geo-microhistorical methodology, as suggested above, has undoubtedly played a role in perpetuating this lacuna. Two examples from late-Ottoman Palestine: Johann Büsow broaches the subject in Part II, "Everyday Politics," of *Hamidian Palestine, Politics and Society in the District of Jerusalem 1872-1908* (Leiden: Brill, 2011). His discussion of mobility is focused on connections between cities and migration for work or marriage. He argues that most Palestinians in the Hamidian era lived in " 'territorially anchored life forms': they spent most or all of their lives within the same village community or urban neighborhood ... there were only few possibilities, and necessities, for trans-regional communication." (104). For him, the length and difficulties of travel contributed to the isolation of towns from each other within the *mutasarrıflık* (e.g., 478). Ben Bassat (2012) has argued, based on an examination of petitions to the Sultan submitted jointly by groups of villages' *mukhtars* in the *kaza* of Gaza in the 1890s and early 1900s, that Tanzimat reforms brought about the creation of "nuclei of regional identification"[s] in Palestine (215), which crystallized around urban centers. The implicit argument appears to be that this period witnessed the genesis of proto-nationalism, exhibited on a small, regional scale. While he is correct in pointing to the urban-based administrative centralization caused by Tanzimat reforms, *shari'a* court records from the neighboring district of Hebron demonstrate that inter-village relations and the "regional cooperation" Ben-Bassat observed taking form at the tail end of the century were existent much earlier, at least from the late 1860s, and on a relatively large scale. These connections and networks included villages in the Gaza region.
- 11 Hebron *shari'a* court *sijill* (HR) 3/134/327 (*sijill* / page / *hujjah*), 27 Dhu al-Qada 1286 (28.2.1870). All the villages mentioned in this case were emptied of villagers during the 1948 war. Some fled; those who did not were expelled, mostly in phases of Operation Dani. Each village was subsequently almost completely destroyed in 1948-49. On the urban phase of Operation Dani, see Benny Morris, "Operation Dani and the Palestinian Exodus from Lydda and Ramle in 1948," *Middle East Journal*, 40/1 (1986): 82-109. For the fate of these villages in the war, consult Walid Khalidi, *All That Remains: the Palestinian Villages occupied and depopulated by Israel in 1948* (Washington, DC: Institute for Palestine Studies, 1992). Ishwa' (292-293), 'Artuf (268-269), Sar'a (314), al-Qubbab (406-407), al-Yahudiyya (al-'Abbasiyya) (232-235), and Kafr 'Aan (Kafr 'Ana) (247-

- 248). Also see the individual village pages on palestineremembered.com.
- 12 HR 5/66/60, 10 Ramadan 1288 (23.11.1871). Beit Jibrin and 'Iraq al-Manshiyya were both on the Hebron-Gaza road. During Operation Yoav in 1948, both villages were emptied of their populations. Then, the former was almost completely destroyed, and the latter was destroyed. See Khalidi (1992), 106-108 and 209-211. Also see the village pages on palestineremembered.com.
 - 13 HR 15/2/2, 27 Dhu al-Hijja 1293 (13.1.1877).
 - 14 See HR 16/72/2, from 9 Rabi II 1311 (20.10.1893); and HR 16/79/13, from 9 Jumadi I 1312 (8.11.1894); and HR 16/82/19, from 22 Jumadi I 1312 (21.11.1894); and HR 16/102/53, from 27 Tishrin II 1310 (*maliyya*) (9.12.1894).
 - 15 In loan cases in Hebron, for example, the interest to be collected was often added in through the sale of a fictitious "silver watch" or two. James Reilly (1987) also noted fictitious watches in 19th-century Damascus registers (159). Iris Agmon mentions the "sale" of copies of the *Mecelle* serving the same purpose. See her *Family & Court: legal culture and modernity in late-Ottoman Palestine* (Syracuse: Syracuse University Press, 2006), 153-154. I am grateful to her for first clarifying to me this practice. Personal communication, February 2012.
 - 16 One such case is mentioned in note 21, below.
 - 17 I develop this argument fully in my dissertation.
 - 18 The manufacture of goatskin bags was a sizeable and profitable industry in Hebron. Ottoman central-government and military records indicate that in the nineteenth century thousands were sometimes ordered from Hebron for the hajj caravans and the army's needs. See Başbakanlık Osmanlı Arşivi (BOA) C. ML 16/741, dated 16 Muharram 1215 (9.6.1800), and C.DH. 27/1321, dated 3 Şubat 1216 *maliyya* (15.2.1803), and C.AS 390 / 16128, dated 18 Rabi I 1218 (6.8.1803), and I.AS. 4/1311 RA-12, dated 21 Rabi II 1311 (2.10.1893). Nablus was also involved in this industry. A camel-skin bag would have carried larger quantities than a goatskin bag.
 - 19 HR 5/24/56, n.d. (c. Sha'ban 1288, i.e. early November 1871). I am grateful to Shaykh Taysir Ishaq Muhammad al-Rajbi "al-Rifa'i" for helping me understand some of the complicated 'amiyya used in this *hujjah*. Many *hujjahs* in the Hebron court *sijills* include first-person testimony that appears to be recorded direct speech, written in local, colloquial Arabic. Some of the words have since fallen out of usage.
 - 20 HR 18/55/70, from 5 Rajab 1316 (19.11.1898), and HR 3/122/305, from 25 al-Qada 1286 (26.2.1870), and HR 16/78/11, from 24 Rabi II 1312 (25.10.1894), and HR 4/19/476, from 3 Rabi I 1287 (3.6.1870).
 - 21 One of the few instances I came across is from early 1870, when Khadija bint Ibrahim Abu S'ada of Dura approached the court for *nafaqa* after her husband had been in the Hawran for two years. HR 3/120/301, from the beginning of al-Qada 1286 (February 1870). She was granted 2 ½ qirsh per day, similar to what women in Hebron were receiving at the time.
 - 22 R'ana was occupied in October 1948 and the residents who had not yet fled were expelled. Today nothing remains of the village, but the date of its destruction is unclear. See Khalidi (1992), 221.
 - 23 HR 13/31/56, from 9 Jumadi I 1308 (21.12.1890). The declaration that it had been Ahmad's father, and not Ahmad himself, who threw Husun the wife out of the house was quite possibly a *katib's* transcription error.
 - 24 For critiques of the historiography, see, for example: on Egyptian peasantry, Nathan Brown, "The Ignorance and Inscrutability of the Egyptian Peasantry," in Farhad Kazemi and John Waterbury, eds. *Peasants and Politics in the Modern Middle East* (Miami: Florida International University Press, 1991), 203-221. On the state of the field in Ottoman studies, Suraiya Faroqhi, "Ottoman peasants and rural life; the historiography of the twentieth century," *Archivum Ottomanicum*, 18 (2000): 153-182 and Halil Bertkay, "The search for the peasant in Western and Turkish history / historiography," *The Journal of Peasant Studies*, 18/3 & 4 (1991): 109-184. For the historiography of rural society in a larger geographical context, covering nineteenth- and twentieth-century peasantry from England to Japan, Jim Handy, "'Almost idiotic wretchedness': a long history of blaming peasants," *The Journal of Peasant Studies*, 36/2 (2009): 325-344.
 - 25 My research in the Jerusalem *shari'a* court records, 1839-1867, was sponsored in part by a research fellowship from the American Center of Oriental Research, Amman (ACOR).