agricultural bank."[124] If we follow his analysis to its logical conclusion, this "failure" created unbridgeable fissures on the landscape of Palestinian Ottoman society. In other words, it destroyed itself.

In contrast, Aytekin argues the vagueness of this ubiquitous requirement was intentional, because the requirement itself was intended to be a formality.[125] I suggest that another possibility is that it was conceived of as a safeguard, a clause the state could retroactively enforce in times of need.

Either of these two conceptualizations of vague phrases in the Land Code, formality or safeguard, points to the idea of legal fictions. This legal philosophy has been most thoroughly investigated by scholars of the Ottoman sharia courts (on this, see Chapter Four, below). The following chapters examine how reforms explained above were put into practice in 1876 in rural Hebron. I will argue that the flexibility they appear to demonstrate in implementing property-tenure reform laws was actually the *modus operandi.* In these circumstances, then, we cannot consider it to be circumvention of the law, deviation from it, or ignorance of it by the populace. Rather, we must argue the opposite: that the villagers were so familiar with the new laws of land tenure that they were well-versed in the

[124] Kenneth Stein, *The Land Question in Palestine, 1917-1939* (Chapel Hill: The University of North Carolina Press, 1984), 11.

[125] E. Atilla Aytekin, "Agrarian Relations, Property, and Law: An Analysis of the Land Code of 1858 in the Ottoman Empire", *Middle Eastern Studies* 45/6 (Nov. 2009): 935-938.