

## The Taffūḥ Case: Documentary Discord

Ismaʿīl b. Badawī al-Khmeisi et. al. versus Husayn b. Ahmad al-Hajj al-Zarushta

Two decades after the *Emlak* survey, on a late-summer Monday in 1895, the scribe of Hebron's sharia court, 'Abd al-Qādir Effendi of the Hebronite Hammouri family, rode out to neighboring Taffūḥ. Upon the request of a number of its villagers and under direction from the Hebron sharia-court judge, he had been appointed to hear their case against Husayn b. Ahmad al-Hajj al-Zarūshta. Husayn had received that year 1,200 kuruş from the harvest of parts of Jamrūra lands.<sup>322</sup> This was not the first time, or the last, that the Hebron sharia court judge (*nāib*) would appoint his scribe to hear a case outside the courtroom. On this day, the court session was held in the village square (*sāḥa*).

The complainant, Ismaʿīl b. Badawi al-Khmeisi (خميسة) presented to the judge a claim in his name and in the name of fifteen men and women from Taffuh.<sup>323</sup> He said they all had rights to shares of the profits collected by Husayn from the harvests of the above-mentioned Jamrura lands. The language of his testimony reveals the degree to which the vocabulary of reform had made its way into the language. As recorded in the court records, Ismaʿīl testified that "*al-arādī muqayyada wa-maṭūba*": the land is registered and tapu-ed.

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<sup>322</sup> HR 16 / 144 /120 (12 Rabi I 1313 / 2 Sept. 1895). These lands were known as: al-'Eid, Sh'ib 'Azām, Marj al-Qaşa, Akfar, Khallat al-Khureisa, and al-Ruweisāt.

<sup>323</sup> They were: Muhammad b. Hassan al-Baḥur, Hassan b. Ibrahim al-Hajj Jadallah, Sālim b. Salāme al-S'āida, Muhammad b. Şalāḥ al-'Aweira, Isma 'īl b. Sālim Abu Zreiq [Zreiqāt], Sulīmān b. Salāme Shiḥāda, Şaḥiyya bint Badawī al-Khmeise who was the wife of Salāme al-(?), Muhammad b. Salāme Sulīmān, Husayn b. Sulīmān al-'Aṭiyān, 'Alī b. Husayn Muhammad, Muhammad b. 'Uthmān Ḥimiyān, Nafsa bint Hassan Muhammad who was the wife of Sulīmān al-Zawātne, Khadija bint Muhammad 'Isa al-Qawāsme who was the wife of Maḥmūd Qāsim, Rifqa bint Isma 'īl Jibrīn, and Hassan bin Salam Silmī.