Araştırma Makalesi / Research Article

Reassessing Women's Economic Agency Through the Lens of the Shariʿa Court Records: The Case of Eighteenth-Century Ottoman Tripoli

REDA ZAFER RAFEI*

Abstract

In recent years, historians of the Middle East have begun reassessing earlier scholarship on the social and economic dimensions of women's lives in the early modern period. As this body of research developed, historians have increasingly recognized that the portrayals of oppressed and secluded females were largely an Orientalist construct. Nevertheless, the intricate ways in which women's experiences were shaped remain underexplored, a gap this paper seeks to address.

Drawing on court records from Tripoli (in modern-day Lebanon) from the late 18th century, this paper argues that women's extensive use of the shariʿa court was not only to settle disputes and pursue legal matters but also for notarial purposes, including registering ownership of properties, lease agreements, and marital business contracts. Women mobilized assets acquired through purchase, inheritance, or dowry to generate steady sources of income through rent, and capital flows, which supplemented their cash or in-kind dowries (which were mainly gold). These sources enabled women to invest in the agricultural sector, urban real estate, highly desired silk weaving, and money lending services. Moreover, women often resorted to *takhāruj*, a mechanism for trading shares, to secure more independence and greater autonomy over their financial investments.

Keywords: Women, Tarāblus al-Shām, Ottoman Arab land, Shariʿa court registers, Tarika, Early modern, *takhāruj*.

* Assistant Professor, Texas Tech University, Department of History / Dr. Öğr. Üyesi, Texas Tech Üniversitesi, Tarih Bölümü, Lubbock, USA. ORCID: 0009-0009-6118-0643, e-posta: reda.rafei@ttu.edu

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Şer'iyye Sicilleri Merceğinden Kadınların Ekonomik Fâilliğini Yeniden Değerlendirmek: XVIII. Yüzyıl Osmanlı Trablusu Örneği

Öz

Son yıllarda Ortadoğu tarihçileri, erken modern dönemde kadınların sosyal ve ekonomik yaşamlarına ilişkin önceki literatürü yeniden değerlendirmeye başlamışlardır. Bu araştırma alanı geliştikçe, kadınların baskı altında ve kamusal alandan tecrit edilmiş olduğu yönündeki tasvirlerin büyük ölçüde oryantalist bir kurgunun ürünü olduğu giderek daha fazla kabul görmektedir. Bununla birlikte, kadınların deneyimlerinin hangi karmaşık dinamikler tarafından şekillendirildiği halen yeterince incelenmemiştir. Bu çalışma söz konusu boşluğu doldurmayı amaçlamaktadır.

Bu makale XVIII. yüzyılın sonlarına tarihlenen ve günümüz Lübnan'ında yer alan Trablusşam'a ait şer'iyye sicillerine dayanarak, kadınların şer'iyye mahkemelerini yalnızca hukukî ihtilafları çözmek ve dava açmak amacıyla değil, aynı zamanda mülkiyet tescili, kira sözleşmeleri ve evlilik bağlamlı ticarî anlaşmaların kaydı gibi noterlik işlevleri için de yoğun biçimde kullandıklarını ileri sürmektedir. Kadınlar, satın alma, miras veya mehir yoluyla edindikleri varlıkları kira gelirleri ve sermaye dolaşımı aracılığı ile düzenli gelir kaynaklarına dönüştürmüş; bu gelirler çoğunlukla altın şeklinde olan nakdî veya aynî mehirlerini tamamlamıştır. Bu ekonomik kaynaklar, kadınların tarımsal üretim, kentsel gayrimenkul, yüksek talep gören ipek dokumacılığı ve para ödünç verme faaliyetlerine yatırım yapmalarını mümkün kılmıştır. Ayrıca kadınlar, malî yatırımları üzerinde daha fazla bağımsızlık ve özerklik sağlamak amacıyla, hisselerin değiş tokuşuna imkân tanıyan *tehârüç* mekanizmasına sıklıkla başvurmuşlardır.

Anahtar Kelimeler: Kadın, Trablusşam, Osmanlı Arap toprakları, Şer'iyye sicilleri, Tereke, Erken modern dönem, Tehârüç.

Introduction

In her conspectus of the scholarship over the past fifty years, Suraiya Faroqhi, reminds us that the enduring image of Ottoman women as secluded and wholly subject to male relatives is an Orientalist trope.[1] From the 1950s through the 1970s, a growing body of research successfully dismantled this characterization, demonstrating that it functioned largely as an Orientalist construct rather than a historical reality.[2] Nevertheless,

1 Faroqhi, *Women in the Ottoman Empire*.

2 The work of historians continued for the next four decades. Examples are the works of historians like Margaret Meriwether and Judith Tucker who indicate that images of veiled and oppressed Middle Eastern women which travelers, missionaries, and colonial administrators as well as some scholars "steeped in Orientalist tradition" perpetuated for long, have been enduring in the minds of the general public. Amira El-Azhary Sonbol notes that many Middle Eastern women writing about their own societies inadvertently reinforce these narratives. She argues that while their social backgrounds render them receptive to Western intellectual frameworks, these scholars are often simultaneously engaged in struggles for greater rights and gender equality. Some of the harshest criticism to Islamic societies comes from

Faroqui notes that this victory remains incomplete, as, outside a small community of historians with feminist sympathies, specialists in Ottoman history continue to write Ottoman political and social history with little reference to women.[3]

Thus, the scholarship of the past three decades, drawing extensively on Ottoman archival materials, has convincingly demonstrated that women in the Ottoman Empire did not conform to the image of seclusion and financial dependence.[4] However, as Faroqhi argues, scholars have paid relatively little attention to the central economic role of women in the Ottoman domain. This is true in the case of the Province of Tripoli,[5] particularly in the eighteenth century, and a gap this paper seeks to address. With the exception of Beshara Doumani's work, studies of eighteenth-century Tripoli remain limited. Doumani's influential research on family and social history in the Ottoman Mediterranean offers a comparative analysis of Tripoli and Nablus through their respective legal records, namely the shariʿa court registers.[6] However, Tripoli is omitted from the late eighteenth century because corresponding archival materials from Nablus for this period are unavailable.[7]

feminist historians and thinkers who blame Islam as a religion to be culpable for the "backwardness" in societies around the Middle East; see El-Azhary Sonbol, ed., *Women, the Family, and Divorce Laws.*, 3. Only when scholars started to use innovative methodological approaches and nontraditional sources, they started to question this "traditional wisdom," see Meriwether - Tucker, eds., *A Social History of Women*, 1. Almost ten years later Mary Ann Fay also points that these ahistorical views about women in the Middle East are still so entrenched in the west. They are as old as the days when European travelers who passed through Egypt and Syria, among other places, depicted women in derogatory terms although they knew little about Islamic law and women's rights. They imagined women to be secluded inside the harem awaiting men who had a right to take four wives and unlimited slave-concubines. Fay adds that these stereotypical views of women are as recent as 2001 when waging war was justified because of the need to liberate women in the Middle East; see Fay, *Unveiling the Harem*, 4-5.

3 Faroqui, *Women in the Ottoman Empire*, 29.

4 See for example Peirce, *Morality Tales*; also see Beshara Doumani *Family Life in the Ottoman Mediterranean: A Social History* (Cambridge: Cambridge University Press, 2017).

5 Tripoli is located in present day Lebanon; In 1516, the Ottomans conquered Tripoli, the once prosperous Mamluk province, along with the rest of the Arab lands on the eastern shores of the Mediterranean which would remain under Ottoman governance until World War I. In 1595, Tripoli became an Ottoman province extending from Latakia in modern-day Syria in the north to Jbeil and Juniyeh in the south with the city of Tripoli as its provincial capital.

6 Unlike major urban centers like Damascus and Cairo, Tripoli had only one shariʿa court, see Ziadeh, *Arkiyologia al-mustalah al-watha'iqi*.

7 Doumani, *Family Life*; the many volumes native scholar Khaled Ziadeh wrote about Tripoli generally allude to women, but no single monograph would be considered

In this paper, I show that women in the second half of the eighteenth-century Ottoman Tripoli had, in fact, an undisputable presence in the public domain as businesspeople. This presence is manifest in their extensive use of the Islamic shariʿa court, a forum not only for settling disputes and trying legal cases but also for notarial purposes, including property ownership, lease agreements, contracts, and money lending, as well as debt settlement. The paper engages with the work of historians and scholars from different parts of the Ottoman Empire, demonstrating that women were active participants and contributors to the economy of their societies.[8] They visited court to buy properties for investment or to sell properties that they had bought, inherited, or received as dowries. Women then used their investments to generate a steady source of income in the form of rent (when buying) and a capital flow, which supplemented their cash or in-kind dowry (mainly gold), to engage in money lending (when selling).

Litigants who used the legal system for business purposes came from diverse social backgrounds and included both Muslims and non-Muslims, all of whom appear to have fared equally well within the judicial process. Although it was very common for women to be represented by a proxy (*wakīl*) to manage their affairs, this did not seem to compromise their financial agency or the conduct of business processes. In some instances, women themselves acted as *wakīl* for family members or business partners.

My research on the shariʿa court registers from Tripoli indicates that the economic model of Tripolitan women's practices was comparable to those in other regions of the Ottoman Empire and other early modern states.[9] Margaret Meriwether also noted that evidence of women's control over their property, particularly urban real estate, is abundant.[10] Other studies of seventeenth- and eighteenth-century Ottoman cities likewise highlight the extent to which women exercised control over their wealth and participated in economic life.[11]

exclusively a study about women. The multiple theses by students at the Lebanese University, which are in Arabic, only offer a classification and indexing of the types of cases available in the shariʿa court registers.

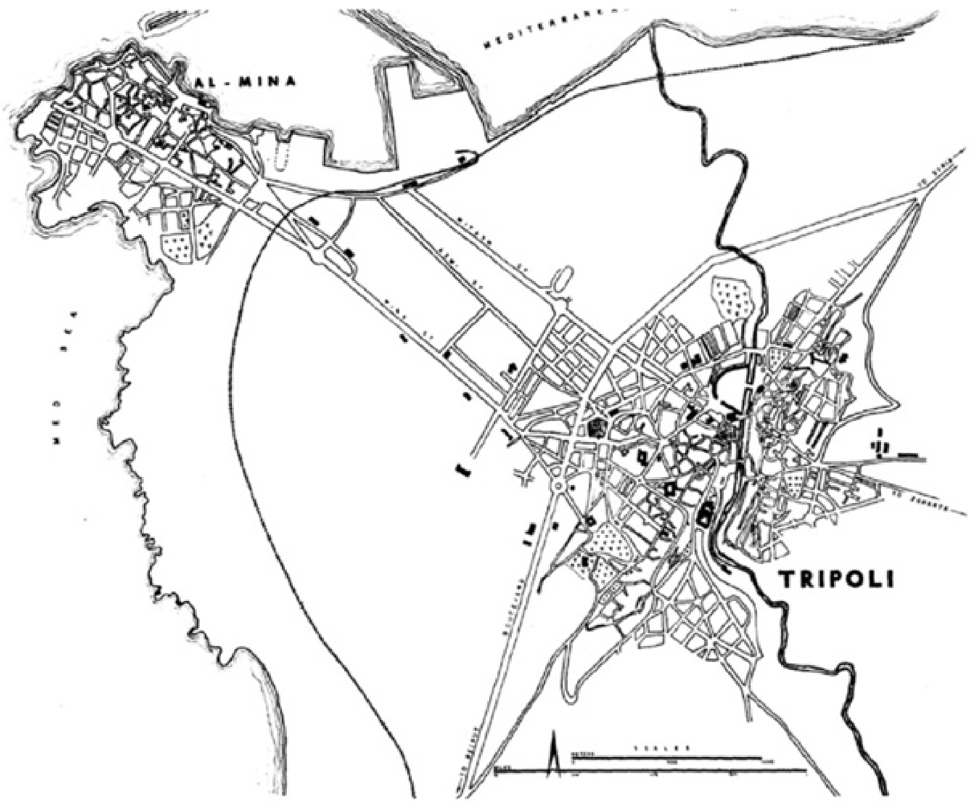
8 Meriwether - Tucker, A *Social History of Women*, 11. The list of scholarly works on different parts of the empire is extensive. Ronald Jennings is considered, for valid reasons, one of the pioneers in the Ottoman field and the father of archival research; see Ronald Jennings, "Women in the Early Seventeenth Century Ottoman Judicial Records", 53-114; Haim Gerber's work on Bursa is also relevant here, see Gerber, "Sharia, Kanun, and Custom", 131-47; Leslie Peirce work on Aintab and other cities within the Ottoman Empire, see Peirce, *The Imperial Harem*.

9 Marsot, *Women and Men in Late Eighteenth-Century Egypt*.

10 Meriwether, "Women and Waqf Revisited".

11 See above, footnote 10.

However, circumstances unique to Tripoli distinguished its women from those living elsewhere within or beyond the empire. Drawing on his comparative study of Nablus and Tripoli, Doumani demonstrates that the merchant and artisanal classes in the former relied heavily on strong ties with peasant clans in the distant countryside for the supply of raw materials, thereby limiting women's opportunities to participate in the agricultural economy. By contrast, Doumani argues that the green zone, the fertile land of irrigated orchards and groves surrounding the old city of Tripoli and extending to the coastal line (Map 1), an area densely cultivated with cash-crop groves such as olive, mulberry, and citrus, placed women at a distinct advantage.



Map 1. Source: Tripoli-Lebanon.com. The Mamelukes completely changed Tripoli's landscape. They abandoned the old location by the seashore (al-Mina) and rebuilt a city inland at the foot of the Crusaders' Citadel, two miles away from the old urban site. The green zone is the irrigated groves and gardens in between the two locations.

Building on Doumani's analysis, this study examines the economic opportunities that this fertile zone created for Tripolitan women. The proximity of these agricultural lands to residential neighborhoods facilitated broader female participation in the agrarian economy and expanded possibilities for investment in agriculture, urban real estate, and manufactured commodities destined for export markets. Tripoli's political economy encouraged household strategies that favored the conjugal family unit, attached significant importance to affective ties, and enabled women to exercise far greater access to and management of commercially productive property, particularly irrigated orchards that formed the economic backbone of the city's middling social groups.[12] Ultimately, I argue that such economic engagement afforded Tripolitan women significant agency in financial matters, occasionally conferring a measure of independence, flexibility in making major life decisions, and autonomy in their personal affairs. I discuss elsewhere issues related to marriage, divorce, and custody of children and how women used their financial means to negotiate marital bonds and dissolutions. In this paper, I look at the business aspect of marital relationships and how it unfolded in and out of the matrimonial home and *majlis al-sharʿ*.[13]

This paper also delves into *tarika* (probate inventories) to gain insights into the trends, practices, and strategies women adopted in the distribution of assets, particularly the trading of shares (*takhāruj*). The analysis of the distribution of *tarika* demonstrates that, upon a husband's death, household possessions became the property of the wife. Moreover, at the time of the distribution of inheritance, women routinely resorted to *takhāruj* of the inherited assets,[14] a practice that entailed the trading or buyout of shares among heirs. More specifically, I argue that *takhāruj* gave women room to circumvent male and female domination and provided a tool for complete control over the profits from urban real estate and cultivated land.

Conducting Business in the Public Domain

Women appeared in court in person to resolve personal matters as well as to conduct business, buying, selling, renting, and frequently attending to waqf issues either as beneficiaries or managers of religious endowments (*mutawallī*). Although women had their faces covered and consequently needed a *maḥram* to identify them, the veil, I would argue, did not negate their presence in the public domain for business purposes or take away from their agency. The *maḥram*'s sole duty was to confirm their identity,

12 Doumani, *Family* Life, 33.

13 I discuss in chapter V of my dissertation the impact of financial independence on personal matters, including marriage and divorce, custody of children, and alimony.

14 According to Islamic shariʿa rule on inheritance, women get determined shares of movable and immovable assets that relatives leave to their heirs. These shares vary according to gender and the degree of relationship to the deceased.

İslam Araştırmaları Dergisi 55 (2026) 183-214

not to 'conceal' their physical presence. In September of 1751, Nayyira appeared in person, identified by her son, to settle the inheritance of her late niece (daughter of her sister) with the niece's husband.[15] Evidence from the registers indicate that women sometimes appeared with their faces uncovered (*ḥāsira ʿan wajhihā*), a rare occurrence that was explicitly noted in the text. However, they did not have any disadvantage vis-à-vis the court, which meant that the veil did not necessarily shape the court's perception of women.[16]

Examples of women, mostly belonging to the well-to-do class, conducting business in their private residence are abundant. In August of 1751, the scribe of the Tripoli shariʿa court, ʿAli Afandi, appeared at the *dār* (a larger size house which has usually multiple stories and sometimes smaller size houses, each called *bayt*) of Qasim Agha in the *mahalla* of Swayqat al-Khayl (one of Tripoli's neighborhoods) and in the presence of *Fakhr al-Moukhadarāt* (the pride of all honorable ladies) *al-sitt* (lady) Maryam bint Qasim Agha to document the sale contract she executed three years prior. *Al-sitt* Maryam, who was identified by her son Muhammad ibn al-amir Sulayman, was present in *al-majlis al-sharīʿ* (court session) in person to testify that she sold eight *qirāt*, her share of a shop she previously inherited.[17] It was not unusual for court personnel to hold *majlis al-sharīʿ* at the private homes of upper-class clients. However, the fact that *majlis al-sharīʿ* took place in Maryam's father's house does not necessary indicate that she did not appear in 'public'. This is because a designated part of the house called *manzūl* served as a 'public' space, where witnesses, dignitaries, and a representative of the qadi (judge) who were present during the session and heard her testimony, could be seated.[18]

Ottoman subjects, males and females, frequented court for all kinds of legal issues. The number of women of all social statuses who appeared in court in Tripoli in person is high, a clear indication of an undisputable presence in the public domain. A session held outside *al-maḥkama* (the official courthouse or building) was the exception, not the rule. Still, some elite females chose to govern their affairs and attend to their business

15 TSCR 12-2-50-2. Another example is when Layla bint al-shaykh Salih al-Taynali came to court in person to sell the house she previously purchased in January of 1785; her adult son accompanied her for identification purposes, see TSCR 25-1-48-1.

16 TSCR 12-4-176-2; TSCR 14-3-159-2.

17 TSCR 12-2-46-1, a clear indication that *al-sitt* Maryam belongs to the upper class is the fact that her son is an *amīr* (a prince). Any court session is called *majlis al-sharʿ* even if it did not take place in a court house.

18 I show elsewhere that some houses had a *manzūl* which served as a public space used by females to meet with family members as well as individuals who were not related to them for business purposes.

interests from the comfort of their homes. However, it should not be assumed that elite females were confined to their homes. Examples of upper-class men hosting and attending court sessions at their residences are similarly abundant. These instances suggest that the practice of holding a court session at a private home was a matter of convenience rather than an intention to seclude elite females.

Wakīl –Proxy: A Mere Business Affair?

It was very common for women to appoint a *wakīl*, a representative or a proxy to represent them in court which, I argue, did not take away from their agency or freedom to conduct business. As the registers indicate, women sometimes chose their brothers, sons, brothers' and sisters' sons, other women, husbands, and to a much lesser extent, fathers, to represent them in financial matters, including estate transactions, disputes, and other business-related matters. In 1750, Gharib represented his wife in the sale of a grove in the village of al-Minya that she and her brothers inherited from their mother (her two brothers were at court for the same purpose).[19] A woman was not necessarily obliged to have a *wakīl*, although, as I previously mentioned, the presence of a male relative/*maḥram* was required in some instances for identification purposes. As it was a matter

19 TSCR 12-1-33-1; see also TSCR 12-4-12 (161)-1, *Al-sitt* Fatima and her daughter *al-sitt* Khadija were selling the same property but were represented by two different proxies (the son of the first and the husband of the second); TSCR 12-4-16 (165)-3, two brothers (one of them also representing his minor sister in his capacity as her *wasi*) selling a property they owned with their sisters, who were represented by their respective husbands; TSCR 12-4-22 (171)-1, Safiya represented her two children in a dispute over waqf they inherited from their father; TSCR 12-4-22 (171)-2 Fatima appointed her husband (her brother was also present just to identify her) to represent her in the sale of *dār* in Bab al-Hadid- the buyer was also represented by her husband; TSCR 12-4-175-1, the buyer and the seller of a *dār* (three stories which is most likely for investment) were represented by their husbands; TSCR 12-4-30 (179)-2, Abd al-Moʿti and his sister Maryam were selling a grove they inherited from their father to the governor Saʿd al-Din Pasha although Maryam was represented by her husband; TSCR 12-4-40 (189)-2, two men *wakīl* for their wives in the sale of a grove they inherited along with their brothers; TSCR 12-4-41 (190)-1, Mustafa acted as a *wakīl* for his mother and minor brother and sisters in the sale of 80 and 62 olive trees in two remote villages; TSCR 12-4-199-1 Ali bought an upper level house inside a *dār* for his wife; TSCR 12-5-208-1, a man acted as a *wakīl* for his step mother and minor siblings in the sale of a garden; TSCR 12-5-209-2, a well-to-do lady is represented by her brother in the purchase of a garden in the village of *al-Zāwiya*; see also TSCR 12-5-213-2, TSCR 12-6-264-2, TSCR 12-6-275-2 a husband representing his wife in the sale of an orange tree; TSCR 25-1-34-1 husband as a *wakīl* for his wife.

of convenience to have *majlis al sharī*ʿ convening at a private home, so was the appointment of *wakīl* to take care of business in lieu of some women; those who resided in Homs, Damascus, Istanbul, Doumiāt, or Beirut and needed to buy, sell, collect rent, or take care of other business-related matters, found it very practical to appoint a *wakīl*.[20] The same is true for residents of Tripoli who had to take care of business elsewhere.

As mentioned above, women chose family members as *wakīl*, but they also chose trusted members of the community for this role. This fact further strengthens the argument that the appointment of a representative emanated from practicality rather than oppression. *Fakhr al-Mukhadarāt* al-sayyida Khadija bint Ibrahim Baraka Zada appointed a *wakīl*, who was not a family member, to act on her behalf in the sale of a bakery she inherited from her father. Khadija's husband, who was present in court, authenticated the *wikāla* (power of attorney) and testified that the *wakīl* was legally present in court on behalf of Khadija.[21] Sharifa, Mu'mina, and Fatima, daughters of Yusef al-ʿAkkari appointed Khalid ibn al-hajj Muhammad, a total stranger, to represent them in the sale of a property they inherited from their father, although their paternal uncle Ahmad was present in court to identify them.[22]

In cases involving other family members, women made sure to appoint a *wakīl*, or more than one, who was not a family member to avoid any conflict of interest or infringement on their rights. In 1751, Badr al-Hosn designated a *wakīl* to represent her in the sale of a house in al-Askala, although her husband was present in court.[23] Also in 1751, Al-sayyid Bakri ibn al-sayyid Ibrahim acted as a proxy for Sit al-Banin bint al-hajj Yusef al-Minawi in the purchase of a house owned by her husband.[24] When ʿAbd al-Moʿti Jalabi ibn Muhammad Jawish and his sisters Maryam and ʿA'isha wanted to divide their mother's *tarika* in 1755, the two women also designated two different proxies to represent them.[25] In 1769, Hanifa bint Husayn Bashi and her daughter *al-sitt* Fatimah designated two different men to represent them in the distribution of the inheritance of the family's patriarch.[26] *Al-sitt* Maryam bint Qasim Agha mentioned earlier designated al-shaykh Muhammad ibn ʿOmar Bashbi to represent her in the sale of her

20 TSCR 19-3-37-1.

21 TSCR 14-1-7-3.

22 TSCR 25-1-35-1.

23 TSCR 12-6-20 (270)-1.

24 TSCR 12-5-10 (209)-1.

25 TSCR 14-2-51 (110)-3. See also TSCR 14-3-134-2.

26 TSCR 21-1-58-1. See also TSCR 12-4-194-1, TSCR 12-5-235-2, TSCR 21-1-58-1, and TSCR 14-1-59 (58)-1.

İslam Araştırmaları Dergisi
55 (2026)
183-214

shares of a house she previously inherited, in spite of the fact that her son was in attendance when the transaction was taking place.[27]

Although less frequent, women acted as *wakīl* for their male relatives, even in high profile cases. In 1750, Haylana, a Christian woman, represented her husband Jubran Khlat in a lawsuit brought by al-amīr Sulayman ibn al-amīr Musa and secured a favorable ruling for her husband despite the opponent's high status. This legal success demonstrates the familiarity of some females with the legal system and awareness of what it takes to win in a court of law. Haylana appeared in court, prepared with sufficient witnesses to testify on her behalf, ultimately winning her case.[28] Women were also the *wakīl* for non-related males in business related cases. In 1769, Diba bint ʿAbd al-Razzaq negotiated a rental agreement of a *bustān* (garden) on her and her partner Rajab ibn Muhammad's behalf.[29] We can only speculate that a *wakīl* rendered his or her services in return for monetary compensation, especially if they were not a relative to the client. Even if the registers are completely silent on this matter, it can be presumed that some individuals made a living acting as proxies and representing their clients in a legal setting.

Regardless of who acted as *wakīl*, the registers included a detailed identification of this person, especially in cases of property acquisitions or devolutions. Moreover, the text emphasizes that the role of a representative is merely that of a middleman/middlewoman, whose legal function is to convey the wishes of his or her patron and who has no ownership of his or her clients' property, cash, or other material assets. In 1755, the honorable Muhammad Jalabi represented his stepmother *al-sitt* Ruqayya bint Iwaz Agha, in the management of her grandfather's waqf.[30] In 1777, Al-hajj Khalil ibn al-hajj ʿAbd al-Rahman represented his wife Halimah bint Khalil in the purchase of two apartments inside *dār* Shaʿban with his client/wife's money and asked the court to record the procured property in her name.[31] In cases where a *wakīl* was simultaneously representing himself, or herself, and other female relatives, or unrelated female partners, the registers distinguished between each person's shares

27 TSCR 12-2-46-1.

28 TSCR 12-2-29 (79)-1.

29 TSCR 21-1-60 (60)-1.

30 TSCR 14-1-56 (55)-1, Muhammad asked the court for permission to perform an *istibdāl* (exchange of a property) of waqf because the current property, a big house, needed maintenance while the properties that they are trying to acquire are shops "which generates more income." This practice was very common in the management of waqf to maximize the profit.

31 TSCR 19-4-12-2.

of a transaction (such as the percentage of *qirāt* and amount of money each party contributed).[32]

There is substantial evidence that representatives acted in the best interests of their clients. Accusations of representatives abusing trust or acting against their clients' will are exceedingly rare. However, this does not rule out the possibility of misconduct, where a *wakīl* might exploit the power entrusted to them. In fact, the archival sources themselves serve as evidence that such abuse could have occurred (Figure 1); if we read the case recorded in November of 1751, we think that al-hajj Mustafa ibn Hamza Bashi al-Halabi was in court to buy a *dār* in *mahalla* (neighborhood) al-ʿWaynāt, for himself, using his own money. However, upon closer examination of the document, a correction within the record becomes evident: the statement identifying him as the buyer has been struck through, and a marginal annotation, in addition to multiple amended entries in the text, indicates that he was acting as his wife's representative in the transaction, and employing funds that were her private property. The example corroborates the possibility of occasional abuse, yet also corroborates the agency of women in managing and protecting their interests and correcting any infringement on their financial assets, even when the aggressor is a husband.[33] One of the most significant financial assets for Tripolitan women was the mulberry and olive trees, which were often bought and sold independently of the land and were at the heart of the silk and olive oil industries.

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32 TSCR 14-3-133-2. TSCR 25-1-41-2 which documents a property transaction indicates that a wife's role in the sale of a property she owns was not trivial; in this particular example, *majlis al-sharʿ* convened in the seller's own house where she certified that her husband acted appropriately on her behalf because he is an official representative.

33 TSCR 12-3-123-2.

Figure 1. Sample case of possible abuse of a *wikāla* (legal representation).[34]

Women and Urban Economy of Tripoli's Eighteenth-Century

Notwithstanding the misconceptions the European travelers and chroniclers propagated about gender coercion in Middle Eastern societies,[35] they made valuable observations about the importance of the region as a source of commodities in high demand in Europe. F. C. Roux, for example, a French traveler who visited Syria and Palestine at the beginning of the eighteenth-century, talked about the different laws and regulations that governed the presence of French merchants in the province of Tripoli.[36] Comte de Volney, another French author who traveled to Egypt and

34 Ibid.

35 Fay, *Unveiling the Harem*, 23.

36 Roux, *Les Échelles de Syrie*.

Syria between 1783 and 1785, also discussed the agrarian economy and commercial activities of the region.[37]

Their writings and those of other European travelers inform us that by 1667, the French merchants had returned to Tripoli after an absence of over five decades. Their quest was for white silk. Beshara Doumani writes that "after a five-decade-long absence due to French government anger at the treatment of merchants in Tripoli, French merchants returned in 1667." He also points out that in 1685, the French king Louis XIV lifted all customs on silk imported directly from the east to the port of Marseille.[38] The late seventeenth and the eighteenth centuries were thus the ideal time for the production of silk. The decline in demand at the European level later in the eighteenth century would not affect the regional and local markets, where demand continued to be high.[39] Olive oil was also in demand for the manufacture of soap.

The lucrative silk and soap industries were based on the mulberry and olive trees that Tripolitans were growing in abundance in the city and its surroundings. In this context, the green zone, the fertile land of irrigated orchards and groves between the city and the coastal line, constituted the infrastructure of the urban agrarian economy of Tripoli. "Tripoli's propertied middle and working classes generally invested their time and energy in the vast green zone, the highly commodified forest of cash-crop trees (mulberry for the silk industry, citrus for export, and olive for pressing olive oil and soap industry)."[40]

The proximity of the green zone to the residential neighborhoods in the old city allowed women easy access to commercially productive properties, especially irrigated orchards, which were the main livelihood of the middling social groups. Doumani explains that this proximity was a game changer for Tripolitan women, in comparison to women in Nablus, for example. The latter's economy depended on the relationships that merchants and investors built with the peasants in the countryside to secure the supply of raw materials. The stability of these relationships necessitated frequent trips to the countryside and sometimes extended stays during special occasions like weddings and funerals. These practices were out of the question for Nabulsi women. On the opposite end of the spectrum, women in Tripoli invested right in their backyards in an economy that was based on the urban agricultural sector.

37 Volney, *Voyage en Syrie*.

38 Doumani, *Family Life*, 265.

39 Panzac, "International and Domestic Maritime Trade", 189-206.

40 Doumani, *Family Life*, 32.

The registers reveal a notable pattern of women selling properties, including land and orchards, located at considerable distances from their places of residence, a trend that may suggest they were divesting from remote holdings in order to acquire property closer to home, and easier to manage. The sheer volume of transactions provides compelling evidence that women sought to retain direct control over their wealth. In 1750, Maryam and her stepdaughter Katrin sold the twenty-six olive trees they inherited from Maryam's husband and Katrin's father in al-Kura, a village located on the outskirts of Tripoli.[41] In 1755, ʿAdra and her two daughters Hasna and ʿA'isha (Adra also represented her other daughter Salha) sold a *ḥaqla* (small garden) they inherited in the village of al-Minya for 120 *ghursh*.[42] In 1784, *al-sitt* Tayba bint *al-Marhum* (late) Muhammad Afandi al-Yakan designated her husband to act as her *wakīl* in the sale of the 24 *qirāt* of a grove in al-Minya.[43] Also in 1784, *al-sitt* Karima and her three daughters, mentioned earlier, were probably not able to manage or have easy access to the 12 *qirāt* of olive trees they inherited from the husband of Karima and father of the girls, which were scattered between Bkiftīn, Mʿaysra, and Bqayʿa, in the hills surrounding Tripoli, and decided it was more practical to sell them.[44] The trend also applied to houses and shops. In 1750, Mansura bint Chaʿban sold the 4 *qirāt* of a shop she inherited from her father in Beirut.[45] In 1752, Amnah and her two unveiled sisters, Zamzam and Taybah, came to court to sell a house they inherited in al-Minya partly to support Amnah's minor daughter.[46]

Tripolitans were active investors in co-cultivation contracts (*ḍmān*) of the privately owned (*milk*) or leased waqf lands, as well as the olive, orange, and mulberry trees in the green zone and surrounding hinterland. Investment in trees was independent of, or combined with, the land in a type of agreement known as *musāqāt* between the owners and the cultivators or farmers. *Musāqāt* responsibilities included planning for irrigation, which followed a certain schedule despite the fact that the Abu ʿAli River and the many canals it supplied had an abundance of water. It also required the maintenance of trees and removal of old and diseased branches. All these duties fell on the shoulders of growers, though they received a larger share

41 TSCR 12-1-3-1. They sold the trees for 100 *ghursh*.

42 TSCR 14-1-58 (57)-2.

43 TSCR 25-1-34-1.

44 TSCR 25-1-35-1.

45 TSCR 12-1-16-2. This is another example where the sale of a small share of a property was the preferred practice especially that this particular property was in Beirut, necessitating some travel to manage it.

46 TSCR 12-4-44 (193)-2, the minor daughter owned some shares of the house, though it is unclear how she acquired these shares, possibly through a gift from her mother.

of the profit.[47] Both men and women used the court to notarize *ḍmān* as well as *musāqāt* contracts.[48]

Al-sitt ʿA'isha, her niece *al-sitt* Badra and ʿA'isha's brother were partners in the *ḍmān* contract for a garden with orange trees; the contract term was for seven consecutive years, which was not unusual, for a total sum of 35 *ghursh*.[49] Amnah bint al-hajj Muhammad al-Saʿid sold her shares of the garden she inherited from her husband and daughter to her husband's sister. Amna, who had true entrepreneurial skills, then used the cash she collected from the sale to get the *musāqāt* of the fruit trees in the garden she and her sister-in-law co-owned.[50]

Women rented agricultural land that was owned by individuals, including family members, or by the *awqāf*. They signed *ḍmān* and *musāqāt* contracts even with their husbands.[51] In an interesting case in 1751, Zayn al-ʿAbidin, the *mutawallī* of the waqf Mahmud Jalabi, asked the court to revoke the contract his wife, al-sitt Salha bint al-hajj Mustafa al-Kamali, held to co-cultivate the waqf's endowed garden. Zayn explained that his wife was not paying a fair rate and consequently decided to give the contract to a new tenant. Salha did not leave the deal empty handed though; Zayn and the new tenant agreed to pay her one fourth of the new rent as compensation.[52] In 1769, Diba bint ʿAbd al-Razzaq represented her partner, who was not a relative, in the lease of an empty garden.[53]

According to Doumani, Tripoli was an important center of textile production in the period under study.[54] The textile industry was flourishing due to the abundance of raw silk in the province. The volume of mulberry trees that women purchased suggests that they either took part in the sale of raw silk or in the manufacture of textiles; women and young girls might have been engaged in weaving, possibly in their homes, because the inventories of some females' *tarika* make references to the ownership of raw silk or woven handkerchiefs.[55] During the settlement of the estate of Mona bint al-shaykh Khalil al-Bastuni in 1768, her husband al-hajj Mustafa ibn Muhammad admits that he has in his possession 18 *ghursh* that he collected from the sale of *manādīl* (handkerchiefs) she owned.[56]

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47 TSCR 14-1-59(58)-1, TSCR 25-1-60-2.

48 TSCR 12-2-11-2.

49 TSCR 14-2-67-1.

50 TSCR 21-1-6-1.

51 I will discuss marital partnerships later in this paper.

52 TSCR 12-6-51 (301)-3.

53 TSCR 21-1-60-1.

54 Doumani, *Family*, 27.

55 TSCR 23-1-58-2.

56 TSCR 21-1-1-1.

Whether Mona wove those handkerchiefs or was only selling them as merchandise as a peddler is unclear. Many questions remain unanswered regarding the participation of Tripolitan women in the textile industry. For example, we do not know if weaving was gender-based. If it was spread, did it take place at home or in specialized shops? There are multiple references to facilities for the manufacture of soap (*maṣbana*) but not for weaving textiles. More research is thus needed before we have a clear perception and can draw conclusions about this industry. Future inquiries are crucial to tackle the social and gender distribution of weavers or textile workers.[57] Suraiya Faroqhi argues that textiles, whether imported, locally produced, or manufactured in household settings, were among the most significant commodities. While urban workshops and guild-regulated trades remained essential to textile manufacture, Faroqhi stresses that a substantial portion of textile production also occurred in homes, especially spinning and some forms of weaving, thereby blurring distinctions between domestic consumption and artisanal labor.[58]

As mentioned above, French businessmen returned to Tripoli in the late seventeenth century. The registers contain numerous references to their presence and indicate that they were permanently residing in Tripoli. These businessmen, who were seldom in court in person, were exclusively involved in the sale and purchase of mulberry and olive trees.[59] The number of cases in which they purchased real estate, including houses and shops, is very low, though when they did, it was to buy or sell large mansions.[60] As noted earlier, there was a high demand for silk and soap from regional trade that extended from Cairo to Aleppo and Istanbul and from international trade that stretched to the French port cities, especially Marseille. Although the French businessmen did not have a monopoly over trade, because local merchants were as active as they were, the French still had a substantial share of the business.[61]

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57 The collection of *tarika* cases of poor females who died inside Tripoli's khans without known heirs could offer more insights about female weavers. The (very) few cases that are available indicate that these women had one change of clothes in their possession in addition to a pillow, a mattress, and few kitchenware suggesting that they came to Tripoli, possibly from the countryside, to work in the textile industry.

58 Akçetin – Faroqhi, *Living the Good Life*.

59 TSCR 12-3-3-1; TSCR 18-1-7-2.

60 TSCR 12-3-29-3; TSCR 14-3-29 (149)-1, in this particular case two French businessmen (Charlesl? and Cauvin?) were selling through a proxy multiple properties including agricultural land and urban real estates to the governor of Tripoli Saʿd al-Dīn Pasha (1755).

61 Edhem Eldem notes that by the 1720s the French had displaced both Dutch and English merchants in the Levant trade, securing about 60% of the market by the mid-eighteenth century. He further explains that this dominance remained

French traders were almost always represented by members of the Christian community who acted as their agents for business purposes and also served as translators (tarājima, sing. turjumān, sometimes called dragomen). Based on the registers, Christian translators took advantage of the profits their clients were making and, in turn, invested in the purchase of olive and mulberry trees, leaving them as an inheritance for their families. Accordingly, we see female Christians in court very often, buying and selling mulberry and olive trees, but also notarizing *musāqāt* agreements. Muslim women were also buying, selling, and renting trees. However, with the exception of a few upper-class women, the volume of trees traded or invested in remained smaller relative to that of their Christian peers, who were associated with the translators working with French clients.[62]

Urban Real Estate

Cases of the sale and purchase of properties constitute the majority of those recorded in the registers. Women came to court, or, as noted earlier, sent their *wakīl* to buy residential buildings.[63] They also collected rent from urban real estate properties.[64] Khadija bint ʿAli Shaqas mentioned above, rented the *dār* she acquired for 130 *ghursh* of which she collected 120 *ghursh* and left the remaining 10 *ghursh* with the tenant as an allowance to repair and maintain the property during the three-year lease period.[65] In 1761, Maryam bint al-Rayyis Jirigis, a Christian woman, was appointed *wasī* for her minor daughter, and was allowed to use the rent of the house she and her daughter inherited from Maryam's husband to pay for *nafaqa*.[66] Women also collected rent as beneficiaries of multiple waqf properties.[67]

unchallenged until the end of the century, when it collapsed in the aftermath of the French Revolution. Textiles accounted for 80–90% of the total trade value, but the most significant point is that European merchants, especially the French, operated largely at the mercy of local traders. Owing to the strength and organization of their guilds, these local traders "monopolized three of the most crucial components of the market: information, distribution, and pricing." See Eldem, *French Trade*, 27-47.

62 TSCR 16-1-14 (259)-1, TSCR 25-1-60-3, TSCR 23-1-42-4.

63 TSCR 12-5-206-1; also TSCR 18-2-41-2 a woman bought part of a *dār* from her father; TSCR 18-2-55-2, a woman sold a *dār* she inherited for 300 *ghursh*; TSCR 18-2-59-1, a woman herself sold a *dār* 300 *ghursh*.

64 TSCR 12-3-120-1; TSCR 23-1-38-1, a woman buying a *dukkān hilāqa* (barber shop) which suggests that she is buying it for investment (rent); TSCR 21-1-53-2, rent of a house; TSCR 25-1-17-1; TSCR 14-4-(192) 12-1, a wife leased a cellar to her husband after she bought it from him.

65 TSCR 23-1-60-1.

66 TSCR 16-2-39 (80)-2.

67 Examples are in TSCR 12-3-142-2; TSCR 12-4-151-1; TSCR 12-4-23-1-57-1; TSCR 18-1-18-1, in this last case, Ruqayya bint Iwaz Beik collected rent from the waqf of her grandfather of which she is the sole beneficiary. TSCR 14-1-32-2, Fatima is the

İslam Araştırmaları Dergisi
55 (2026)
183-214

In parts of the Middle East, women tended to sell property more often than to buy it, as observed by Annelies Moors, writing “They were also more prominent in the trade of residential housing than in either commercial or agricultural property.”[68] We sometimes see this apply in Tripoli, but only in certain circumstances.[69] First, women did not have a desire to keep property that was not located close to where they resided, as we saw above. Second, they preferred to sell properties that were the subject of dispute. In 1750, ʿA’isha and her husband were in court to sell, to an ‘ungrateful foe’, their share of the garden they inherited.[70] In 1778, Safiyya bint al-hajj ʿAli, who was identified by her husband, sold a *dār* she had previously bought in *mahalla* Sāhat ʿAmīra for 100 *ghursh*.[71] Other than these special circumstances, we see women buying properties especially for investment purposes.[72] Fatima bint al-hajj Muhammad bought a *dār* that consisted of three stories, a *masyaf* (an upper level for use in the summer months), and *adab khānah* (bathroom), a sizable property, suggesting that it was for investment rather than personal use.[73]

Urban real estate investments sometimes sparked conflicts and disputes in the densely populated old city. This occured frequently because of the urban growth of the old city without any expansion of the narrow alleys that led to the city’s houses and shops, and the construction of new ones that shared walls and entryways, which caused friction between neighbors. Khaled Ziadeh explains that the proximity of properties prompted neighbors to interfere with each other’s alterations to the building’s structures. Some neighbors disputed who lived next door or who was responsible for collectively assessed taxes. Ziadeh also points out that mobility across the region brought people from different ethnicities and social statuses to Tripoli. Migrants who were making the journey from Aleppo to Beirut, and from there to Doumiat and Alexandria, often stopped in Tripoli – and some never left the city.[74] The agreeable climate, prosperity, and quality of life enticed them to settle there.[75]

mutawallī and beneficiary of her grandfather waqf, she was in court to lease *bayād ard bustān* (agricultural land that does not have trees). TSCR 25-1-17-1.

68 Moors, “Debating Islamic Family Law”, 147.

69 See example in TSCR 25-1-48-1; also look TSCR 25-1-59-1.

70 TSCR 12-2-47 (97)-1, the names of the fathers of the sellers indicate that they might be cousins who ended up with shares in the same property (with A’isha‘s share much smaller than her husband‘s -6 *qirāt* for him versus 1.5 *qirāt* for her).

71 TSCR 23-1-55-1.

72 TSCR 12-2-38 (88)-2.

73 TSCR 25-1-55-2.

74 Ziadeh, *al-surah al-taqlidiyyah*, 154-155.

75 Abdel Nour, *Introduction à L’histoire urbaine*.

These disputes did not deter women from continuing their investments. We thus see them frequently in court to protect their properties against any transgression or infringement on their access to them. Neighbors who did not want strangers to look inside their homes, erected doors or closed windows to protect their private space and prevent exposure especially of women. Access to water was probably the most important factor that led women and other property owners within the city to sue their neighbors. *Al-sitt* Amnah bint al-Marhum al-hajj Ahmad Shakʿah Zada appointed a *wakīl* to sue her new next-door neighbor who tried to limit her access to the water fountain that supplied both houses. It did not take much deliberation in court before Amnah's *wakīl* secured a favorable ruling.[76] Other comparable examples of conflicts around access to water abound in the archival records.[77] Aside from real estate investments, women often leveraged the capital they accumulated through the sale of real estate, and dowries and monetary wedding gifts to engage in moneylending, thereby participating in credit networks.

Money Lending

Margaret Meriwether connected the economic prosperity in Aleppo not only to the commercial activities but also to tax farming and moneylending.[78] In Tripoli, the evidence demonstrates that *iltizām* or tax-farming was confined to male actors, its gendered expectations effectively excluding women from the sector.[79] It entailed travel to remote areas to collect taxes and the use of firearms in some instances to either force the collection of taxes or to protect the countryside from bandits who posed a constant threat to the *ahāli* (subjects). Hypothetically, women could have hired proxies to represent them in tax-farming; however, there is no evidence in the registers in the period under study to support this argument. The involvement in moneylending was thus safer and more accessible to women. The latter gave loans to members of their own families but also to individuals they were not related to. They used cash they had accumulated from inheritance or the sale of properties they had either acquired or inherited. Married women used the dowry and jewelry

76 TSCR 12-1-10-1.

77 TSCR 12-2-76-1; TSCR 16-1-39-1; TSCR 16-2-31-2; TSCR 21-2-44-1.

78 Meriwether, *The Kin Who Count*, 45.

79 "Tax farming is the act of contracting out the collection of taxes in an attempt to maximize revenue from a taxation unit, *muqātaʿa*, through competition among bidders willing to supply a given sum, often in advance, regardless of the actual yield of the tax sources. The aim of the tax farmer, *multazim* in the Ottoman case, was to collect more revenue than his total costs and enjoy a profit on his investment", see Nagata, Tax Farm Register of Damascus Province, 1.

İslam Araştırmaları Dergisi
55 (2026)
183-214

they received at the time of marriage to offer loans. The evidence in the registers that women engaged in money lending is unequivocal, and the lending of loans is well documented.[80]

In cases of *tarika*, disputes, and property sale and purchase, the text refers to *tamassuk*, (from the verb *masaka*, hold a document), when a loan is mentioned. The *tarika* of Mustafa Bashi ibn Muhammad ʿAttar Bashi indicates that he owed 50 *ghursh* debt to his sister, although he was obviously well off.[81] The *tarika* of Jalul bint Mustafa Bashi al-Turjman documents a loan she gave to al-sayyid Ahmad Ziyada in the amount of 60 *ghursh*. Salha bint al-hajj Mustafa left a 60 *ghursh* loan she had given to *al-Muqaddim* (*askarī* or military title) Sulayman ibn Dahman as an inheritance for her nephew.[82] Sufiya bint Ibram lent money to ibn ʿAbd al-Basit, Ibram, Jirjis, ibn al-Tartuniya, and al-hajja, which were part of the inheritance she left for her minor children.[83] When Mustafa ibn al-hajj ʿAli al-Saridar died, he owed 40 *ghursh* to his wife, in addition to her *mu'akhar* worth 50 *ghursh*.[84] The *tarika* of Khadijah bint Muhammad al-Qanawati, which included an elaborate list of jewelry and personal belongings, also included 132 *ghursh* (out of a total *tarika* of 563 *ghursh*), which were loans she gave to a determined number of people, as her husband and mother testified.[85] The inheritance of Muhammad ibn al-sayyid Hasan lists a loan in the amount of 50 *ghursh* that he got from his wife; the list also includes a loan that he owed to Khadija bint Ibrahim Qasim Agha.[86] Women themselves took loans that were sometimes substantial, such as that of Tereza bint Ilyas (1700 *ghursh*), which was indeed substantial by any standards.[87]

80 TSCR 12-4-189-2, a wife lending her husband which came to be known at the time of her death and was calculated as part of the *tarika* since she had siblings who inherited her too.

81 TSCR 12-4-193-3; TSCR 12-6-265-1, this is an example that indicates that a woman took care of her husband's debt and paid it off with the understanding that it was a loan owed to her.

82 TSCR 21-1-49-1; TSCR 14-6-47-1, part of Khadra's inheritance was a loan that she gave to her brother.

83 TSCR 12-2-9-1.

84 TSCR 14-6-60-2

85 TSCR 22-5-1(33)-1.

86 TSCR 25-1-56-1, see also TSCR 18-2-59-2.

87 TSCR 12-4 (186)-2, this case documents a litigation against Teraza bint Ilyas, a *dhimmi* woman, who was accused of holding back a loan in the amount of 1700 *ghursh* she asked Jabur walad Shahaded to pay on her behalf as a *kafīl* (guarantor). Tereza admits that Jabur paid the sum of money as a *kafīl*. She was able to produce enough witnesses to testify that she did in fact pay back the full amount and the case was dismissed. It is worth noting here that both witnesses were Muslim men.

The Possessions of Deceased Women in *Tarika*

Women inherited and were inherited by specific family members according to *ʿilm al farāʾid*.[88] They also inherited their husbands, even when death occurred before the marriage was consummated.[89] In these instances, the consensus among all schools of fiqh is that the wife remains eligible for a dowry.[90] Inheritance rules also applied to non-Muslims, which attracted Christian and Jewish women to use the Islamic courts instead of their respective communal courts.[91] Inheritance included both movable and immovable assets. The *tarika* cases included a detailed list of all the properties that women left behind. It also included cash, clothing, loans they gave to both relatives and non-relatives, and jewelry which were distributed among heirs according to the Islamic rules of inheritance.[92] The *mu'akhar* of married women who died before it was paid, became part of the inheritance to be distributed among heirs.[93] One surprising set of items that appeared over and over again in the *tarika* was the household items listed as possessions of deceased women.

When Zaynab died in Askala in 1751, she was survived by her parents, her husband, and her two minor boys. Her mattress, pillows, and kitchenware were included in her inheritance.[94] Sit al-Banat's *tarika* also included kitchen utensils and furniture in addition to her clothes, jewelry, and properties.[95] *Tarika* of men sometimes included household items that went to their heirs, but that was the exception not the rule. When Hassun ibn Dib died

88 TSCR 12-5-210-1; male cousins also inherited their female cousins, look TSCR 12-5-213-1.

89 TSCR 16-2-15-1.

90 The Qur'an also touches on the right of dowry due to women who lost their husbands before intercourse (wife is still virgin), see Qur'an 4-12.

91 TSCR 12-4-8 (158)-2, Hanna bint Taniyous was in court to get her orphan children's share of the inheritance of their father's sister and won the case; TSCR 12-4-48 (197)-2, when Katub bint Ilyas died, her inheritance was distributed according to the shariʿa (12 *qirat*-half of the inheritance-to her minor daughter, 1/6 each to her father and mother, and ¼ to her husband; TSCR 12-5-202-2, when Katiba bint Yusef died leaving behind a husband and a daughter, her minor nephews (sons of her brother) inherited her according to the shariʿa where a female offspring does not prevent male agnates from inheritance; see also TSCR 12-5-236-2, TSCR 12-6-263-2; TSCR 25-1-60-3 case of distribution of inheritance according to shariʿa rules.

92 TSCR 12-5-200-2.

93 TSCR 12-5-200-2; TSCR 12-5-236-1; TSCR 21-1-57-2; TSCR 14-6-46-1.

94 TSCR 12-3-37-1; TSCR 18-2-1 (116)-1.

95 TSCR 12-3-43 (143)-3; see also TSCR 12-5-218-1, TSCR 12-5-23 (222)-1; TSCR 12-5-224-2, TSCR 12-5-232-1, TSCR 12-6-283-1; TSCR 12-6-284-1, in this case, the deceased woman is not wealthy but she still left some household items that were distributed among her heirs (husband, children and brother); see also TSCR 28-2-7-2, TSCR 28-2-7-3, TSCR 28-2-14-1, TSCR 28-2-27-3.

in 1756, his *tarika* only included a mattress, although he resided in a house with his wife and minor daughter and most likely owned multiple personal effects.[96] In 1756, Khalil al-Shami left an inheritance worth 663 *ghursh,* of which only 6 *ghursh* was for his personal and household items.[97] In 1767, al-sayyid ʿAbd al-Rahman ibn al-sayyid Mustafa al-ʿImadi left an inheritance that amounted to 22,737 *ghursh,* which consisted of multiple gardens, oil, soap, honey, silk, loans, boats, cattle, cash, and a slave. However, his clothes, mattress, and covers were estimated at 104 *ghursh* only, suggesting that the contents of his *dār* were the property of his wife Saʿdiya bint al-sayyid Hasan Afandi Baraka Zada.[98] Interestingly, the *dār* mentioned in ʿAbd al-Rahman's *tarika* is not included as part of the inheritance. The only explanation is that it was owned by his wife Saʿdiyah Nayyira.[99] Because the household effects and, often, the home itself were owned by the wife, the death of a husband did not result in her losing her pace of residence, thereby providing a crucial measure of stability and security.

One observation in the registers is that younger, well-to-do females left sizeable jewelry, clothing, and household items but not many properties. In 1755, Maryam's *tarika* included only 7 q*irāt*, out of 24 *qirāt* of a house, her share of her mother's inheritance. This share was worth 500 *ghursh,* while the remaining 974 *ghursh* Maryam left was jewelry, clothing, furniture, and a *mu'akhar* worth 100 *ghursh*.[100] The young Katiba (the fact that she was survived by her father and a minor son suggests that she died at a young age) left jewelry, clothing, household items, and loans she gave different people worth 760 *ghursh* and not a single property.[101] *Al-sitt* Fatima bint

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96 TSCR 14-6-59-1.

97 TSCR 14-6-59-2, Khalil was married with children so he must have had a house and furniture.

98 TSCR 18-2-22-1; see also TSCR 18-1-23 (42)-2, al-hajj Bakr al-Qattān left a grove worth 1000 *ghursh*, a house worth 500 *ghursh*, and two shops worth 130 *ghursh* but almost no household items beside his cloth and mattress estimated at 14 *ghursh* which implied that his wife owned the house's effects; also see TSCR 12-1-53-1 al-hajj Rajab left an orchard worth 100 *ghursh* and the clothes he was wearing at the time of death worth 3 *ghursh*; also see TSCR 25-1-20-1 Ahmad ibn Ibrahim Razouq left a long list of luxurious clothing, cash, and loans he gave to various individuals but not a single household item; TSCR 25-1-56-1, Muhammad ibn al-sayyid Hasan Dornayqa left 6 *qirāt* of a garden worth 150 *ghursh*, cash he collected from a rental property in the amount of 93 *ghursh*, leather worth 80 *ghursh*, and 4 *qirat*-his share in his father's *dār* but not a single clothing or household item; TSCR 25-1-57-1; TSCR 18-2-1 (116)-2; TSCR 18-2-35-1; TSCR 18-2-58-1, the man in this case left two clothing items worth 11 *ghursh* while his estate was worth 551 *ghursh*; TSCR 18-2-59-2; TSCR 28-2-4-1; TSCR 28-2-15-1; TSCR 28-2-63-2.

99 TSCR 12-2-50-2.

100 TSCR 14-1-35-1,

101 TSCR 14-1-49-1.

al-Marhum ʿAbd al-Mohsin ʿIzz al-Din, who may have died young because she was survived by her mother and minor daughter, left jewelry, household items, clothing, and *mu'akhar* worth 490 *ghursh* and no properties.[102] It is very possible that well-to-do women received shares of their natal families' properties much later in their lives in the form of inheritance; there is no indication in the registers that they were deprived of that right or the right to receive their inheritance from their spouses. Consequently, when they died at an early age, they left only movable wealth, not property. This does not imply that they were inactive in business, as their *tarika* includes references to cash and jewelry they lent out as loans.

Takhāruj and *Istibdāl* or "Trading Shares"

As noted earlier, *tarika* is divided into twenty-four *qirāt,* or shares, regardless of its size, and the distribution of inheritance results in the transfer of a *farḍ* (pl. *farā'iḍ*), an allotted portion or a fixed share of the total *qarārīt* to eligible inheritors. This fixed share varies according to gender, the number of inheritors, and the degree of kinship to the deceased. A female inheritor with the same degree of kinship and blood ties as a male inheritor to a deceased male or female receive half of the male inheritor's share. Consequently, some women end up owning a fraction of a share in a property, depending on the allotted portion they were entitled to inherit. *Muqāsama* is the process of dividing inherited shares among eligible heirs; it was often followed by *takhāruj* or *istibdāl* (both terms were used interchangeably but had similar meaning).[103] *Takhāruj or istibdāl* is the process of trading shares with other inheriting partners to either increase the percentage of one's shares in a property, or to dispose of smaller shares.

The evidence from the registers of Tripoli indicates that both men and women tended to resort to *takhāruj* although the latter were more likely to do so.[104] It may be claimed that this practice enabled Tripolitan females to circumvent male domination, especially if their male relatives received

102 TSCR 14-6-42-1.

103 TSCR 14-6-56-1. Also, TSCR. 12-4-186-1, there were four siblings with a brother and sister choosing to keep their share together while the other brother and sister each took his or her share; TSCR 12-6-280-2, in this case, the siblings were in court for *muqāsama* of a house and decided to open separate doors for each share and paid difference of price to partners. Look TSCR 14-2-96-1, sale of a *ḥosh* that *al-sitt* Ruqaya acquired through *istibdāl*, the buyer is ʿĀsyah bint Muhammad al-Shāmi and her husband who were also buying in an *istibdāl* transaction with 1/3 for the wife and 2/3 for the husband.

104 TSCR 12-5-227-2, TSCR 25-1-34-1 and 2, TSCR 25-1-55-2, TSCR 25-1-58-2, TSCR 25-160-3, TSCR 18-2-48-1, in this last example, a woman sold her share of all the properties that she received from her father as inheritance to her brother.

twice their share or if they inherited with male agnates, putting the latter at an advantage to dictate how the inheritance would be used. *Takhāruj* thus enabled women to remove shareholders who might impede their control over private assets, a critical concern in a male-dominated society.

As noted earlier, the court was not solely a venue for resolving disputes but also fulfilled important notarial functions; the documentation of *takhāruj* of property constitutes one such reason for its frequent use. Those who appeared before the court to exchange property were therefore present amicably in the majority of cases and strictly for business purposes. Consequently, we should not assume that family members came to court to carry out *takhāruj* against their will or that they were coerced into doing so but rather because they were acting in what they perceived as their best interests.

Al-sitt Karima and her daughters, whom I mentioned earlier, selling the olive trees they inherited, first did *takhāruj* with their husband and father's heirs.[105] *Al-sitt* Saʿdiya bint al-sayyid Ahmad al-Sayyad appointed her husband to represent her in the sale of a garden she inherited from her father, but had ownership of the entire 24 *qirāt* after she did *takhāruj* with her father's other heirs.[106] I would also suggest that *takhāruj* allowed women to circumvent another female's authority, even when the resulting division left them with equal shares, as we shall see later in this paper. In some instances, *takhāruj* allowed women who preferred to dispose of properties to liquidate their holdings and redirect the proceeds toward money lending. The economy of Tripoli in the eighteenth century was mainly agrarian, and many Tripolitans, as mentioned earlier, owned cultivated land in the surrounding villages of al-Kura, Zghorta, Akkar, and other regions that were within travelling distance by the standards of the time. *Takhāruj*, therefore, functioned as a strategy that enabled women to relinquish distant properties and secure instead urban real estate and cultivated land in the green zone, conveniently located within their reach.

Examples of *takhāruj* between siblings in the registers are abundant. In June, 1765, Muhammad Darwish Bashi ibn Muhammad Bashi al-Samman sold a house that came into his possession partly through inheritance from his father and his mother and partly through *takhāruj* with his two sisters Nafisa and Fatima.[107] Maryam bint Muhammad Jawish chose to first split

105 TSCR 25-1-35-1.

106 TSCR 25-1-39-1, as an only child, Saʿdiya would have the ownership of 12 *qirāt* of all properties her father left as an inheritance.

107 TSCR 19-2-17-2. In one of my dissertation's chapters, I show that sisters almost always chose to consolidate their inheritance choosing shares in the same properties; TSCR 12-5-215-1.

with her brother a *ḥaqla* (small garden) that they both inherited from their mother to turn around quickly, in the same session and through her *wakīl*, and sell her share to her brother. In this same case, their sister ʿA'isha preferred to have her share independent of her siblings.[108] When al-hajj ʿAbdallah Mohyidin passed away in 1750, his wife, daughter, and sister inherited him. His sister opted for a *takhāruj* in order to keep her share distinct from that of the wife and daughter.[109]

Mothers also inclined to have their inheritance separate from their children, especially if they remarried. In 1751, in the *majlis* convening in the house of 'the best of the teachers' al-sayyid ʿAbd al-Qadir Afandi, the latter's mother indicated that she did a *takhāruj* with her son.[110] In 1778, al-sayyida Fatima bint al-sayyid Muhammad Motraji sold, through a proxy, her share (12 *qirāt*) of a *dār* that came to her possession through *takhāruj* with her father's heirs for 450 *ghursh*.[111] Also in 1778, *al-sitt* Khadija bint al-hajj ʿAli Shaqaṣ designated her son to represent her in the lease of a large *dār* she acquired through inheritance and *takhāruj* with her brother.[112] Women also sold shares they inherited with other heirs to the latter and preferred to have cash instead, as the case of the sale of multiple olive trees that al-sayyida Layla bint al-sayyid ʿAbd al-Karim Afandi Baraka inherited suggests.[113]

Marital Partnerships

Married women in Tripoli looked for business partners within their own homes. The overwhelming evidence in the registers of Tripoli indicates that wives partnered with their husbands specifically in real estate investments, money lending, and rental of urban properties and agricultural land. I argue that cash funds in women's hands, either the *muʿajjal* part of *mahr,* cash received from their natal families either as inheritance or wedding gifts, and jewelry their grooms and families gifted them at the time of marriage, were sources of funds at their disposal to enter into these marital partnerships.

Women used the cash in their possession to buy shares of properties with their husbands. They also bought shares in properties that their husbands

108 TSCR 14-2-110-3.

109 TSCR 12-4-198-1, an example of a court session that took place in a private home.

110 TSCR 12-6-16 (266)-1; also see TSCR 12-6-268-1.

111 TSCR 23-1-59-1, it might be that Fatima was an only daughter since she has half of the ownership of the house.

112 TSCR 23-1-60-1.

113 TSCR 19-2-27 (88)-1; see also TSCR 14-1-10-1.

İslam Araştırmaları Dergisi
55 (2026)
183-214

had acquired, possibly before marriage, either through purchase or inheritance. In 1784, Ahmad ibn al-sayyid ʿAli came to court representing himself and his wife al-sayyida Khadija bint al-sayyid Ibrahim Qasim Agha to sell multiple properties they co-owned. The text indicates that Khadija was selling a house she bought from her husband in two different transactions (she had two separate deeds) and 18 *qirāt* of another house she also bought from her husband, while he kept the remaining 6 *qirāt*. They collected 1900 *ghursh,* of which she received 1600 *ghursh*.[114] Also in 1784, al-sayyida ʿAisha bint al-sayyid ʿAbd al-Rahman Afandi al-Dabbusi sold the house she previously bought from her husband for 500 *ghursh*; the latter represented her in the sale.[115] In cases where married couples were selling or buying property, jointly or individually, spouses came to court to testify that the husband, or the wife, had the right to proceed with the transaction.[116] Ibrahim ibn al-sayyid Husayn al-Thamin sold 2/7 of a *qirāt* of a *dār* to al-sayyid Mustafa al-Dallal in 1763 in the presence of the wives of the buyer and the seller, who were asked by the court to approve the transaction, suggesting that both wives were most likely their husbands' partners.[117]

Wives also partnered with their husbands in leasing either urban real estate or agricultural land and trees. A case recorded in 1783 documenting the distribution of Muhammad ibn al-sayyid Hasan Dornayqah's estate reveals that he owed his wife Amnah bint al-sayyid ʿAbd al-Wahid al-Haddad 100 *ghursh* in debt, 50 *ghursh* for a loan she gave him and the other 50 *ghursh* for the *mu'ajjal* part of her dowry he did not pay.[118] The case that immediately follows in the registers details the couple's intricate investments and the financial responsibilities that fell on Amnah, as a business partner, following her husband's passing. Moreover, her actions indicate that she was anything but a passive partner, but rather a businesswoman *par excellence*. She managed to repay the rental money of a *ḥaqla* Muhammad collected before his death by selling her personal property; she was able to secure the ownership of 12 *qirāt* of a *ḥaqla* Muhammad left as an inheritance in return for the debt he owed her for the *mu'ajjal* and for a *baghmaq* (piece of jewelry) she gave him for business purposes. She received the inheritance she was entitled to under shariʿa, after her minor children and her husband's mother received their shares.[119]

114 TSCR 25-1-41-1.

115 TSCR 25-1-43-1.

116 TSCR 14-3-20 (140)-1, TSCR 12-6-269-2.

117 TSCR 18-2-41-2.

118 TSCR 25-1-56-1.

119 TSCR 25-1-56-2.

In the course of conducting these business affairs, disputes often arose, necessitating recourse to the judicial system. In this context, women appeared in court with their husbands, or were represented by their husbands as their *wakīl*, to lodge business related complaints or resolve disputes. Al-sayyid Muhammad Jalabi ibn al-shaykh ʿAbd al-Qadir al-Jurbaji agreed to resolve the dispute he and his wife, and partner, Layla bint al-hajj Ahmad (Muhammad was her *wakīl*) had with al-hajj Ahmad ibn al-hajj Ahmad al-Masri over a business matter.[120] Business-related complaints were not only directed towards outsiders. As we see in the registers, wives did not refrain from lodging these complaints against their own spouses if needed; the court often ruled in their favor if they produced the proper documentation.[121] Thus, marital status did not interfere with or adversely impact the business relationship between couples. This also applied to other family members.

Family and Business: A Distinct Affair

There is substantial evidence to demonstrate a clear distinction in ownership of assets, both movable and immovable, between members of the same family or those living in the same household. Two months after Hanifa moved to her husband's house, she came to court to sue both her parents claiming that she left in their home some personal items worth 20 *ghursh* that her mother sold without compensating her. Although she lost the case because she could not produce the required number of witnesses while her mother did, this case still suggests that Hanifa had financial independence when she was still single and living with her natal family.[122] In 1750, ʿA'isha bint Sulayman found herself with no option but to live with her late husband's grandson, ʿAbbas Agha, because of old age. ʿA'isha, who was originally from Istanbul but lived all her life in Tripoli, made a request to the judge to document her personal belongings that were moved to her new residence in ʿAbbas's house. Her old age did not curtail her prudence in documenting her ownership of an impressive list of silk and cotton clothing, jewelery, kitchenware, and the large sum of cash she possessed.[123]

The court, which was used for notarial purposes, put an emphasis on who owned what and in what percentage.[124] As discussed earlier, inheritance sometimes resulted in the distribution of properties between distant

120 TSCR 25-1-53-2.

121 TSCR 21-1-39-1; TSCR 12-3-143-1; TSCR 14-2-6-2.

122 TSCR 12-4-1-3.

123 TSCR 12-2-39-1.

124 TSCR 12-4-187-2.

cousins with each inheritor receiving a certain percentage of a total 24 *qirāt*. It was thus necessary to document the distribution and ownership of the shares and establish a financial distinction. Al-sayyid Muhammad ibn ʿAbdallah and Safiya, who was in court representing herself, her adult daughter Khadija bint ʿAbd al-Wahid in her capacity as her *wakīl*, and her minor daughter Badiʿa bint al-sayyid ʿAbdallah in her capacity as her *wasi,* requested that the court help them to perform *muqāsama* of the house they all inherited.[125] ʿOmar ibn al-shaykh ʿUthman and his sister Fatima had shares in an inheritance which enticed him to document his sole ownership of a property he previously bought with his own money.[126]

The clear distinction in ownership of properties particularly applied to spouses. Mansura bint Shaʿban came to court in January of 1751 and sold her share of the shop she inherited from her father in Beirut. Aside from being present to identify his wife to court because she was veiled, Mansura's husband played no role in this sale. The record clearly indicates that she had full ownership of the property, had every right to sell it, and collect twenty-eight *ghursh*, the price she and the buyer agreed on.[127] In August of 1765, Khadija bint ʿAbd al-Jawad came to court and sold the share she owned, through previous purchase, in a house in *mahalla* of al-Qanawati. Her husband Ibrahim ibn ʿAbd al-Rahman, who was only present to identify her to the court, also because her face was probably covered, testified that he did not have any right to the 65 *ghursh* she collected from this sale.[128] References in the records to the forms of payment used in various transactions further indicate that the joint holding of cash assets between men and women was the exception rather than the norm, even among married couples.

A clear separation of assets and property ownership was observed in cases where parents conducted business on behalf of their children, especially minors.[129] Children, in many cases minors, had their share of business endeavours, although their parents, either or both mother and father, or legal guardians acted on their behalf. Parents and legal guardians who were buying or selling properties and other goods in the name of their minor offspring made sure the court noted the adults' status as proxies.[130]

125 TSCR 12-2-45-1.

126 TSCR 12-3-35-2, this case gives another example of a woman who was in court with her adult son who was present to identify her but not to represent her.

127 TSCR 12-1-16-2, see also TSCR 12-4-192-2.

128 TSCR 19-1-50-1.

129 For further discussion, refer to chapter 5 of my dissertation.

130 TSCR 25-1-10-2, examples of parents buying properties for their children.

The *wakīl* for *al-sitt* Dawlat bint al-shaykh Yusef Raʿd represented his client, in her capacity as a *wasī*, in the purchase of a house in *mahalla* Aykouz specifically for her minor daughter, with the child's own 400 *ghursh* paid in court to the sellers.[131] When ʿAbd al-Wahid Jalabi ibn ʿAli Bashi al-Shaʿar bought a mulberry garden for his minor daughter Khadija, he first declared his intention to give her a *hiba* (gift) to pay for the property. ʿAbd al-Wahid thus used his daughter's 'own money' to pay for a garden that, according to the registers, became her sole property.[132] Ibrahim Agha ibn Mustafa Agha asked the court to record the sale of a *dār* located within his own residence, to his daughter Khadija. Ibrahim, who represented Khadija, made sure the court noted that he received full payment from her with funds she privately possessed, probably through a *hiba* from her father.[133] Rahma bint al-sayyid Ibrahim bought a house in al-Tabbana for her minor daughter Fatima bint al-sayyid Yusef, using the minor girl's own money.[134] Amna bint al-sayyid ʿOmar ʿAlam al-Din bought a cellar in Rabʿ al-Qanawati for her minor son ʿAli ibn al-hajj Ahmad with his money.[135]

Conducting Business under the Auspices of the Law

The legal system allowed women a measure of personal autonomy enabling them to freely manage and notarize their business, assert their rights to do so, and condemned any transgression against their financial interests. The court handled litigations or business-related issues fairly equally, regardless of gender, contingent upon a clear understanding of the legal process and the ability to produce proper documentation or, in their absence, the required number of witnesses, an essential tool to support a litigation.[136]

Women bought and sold houses, shops, groves, gardens, animals, mills, soap factories, and olive and mulberry trees; this last category was a particularly lucrative business in Tripoli as trees were at the center of

131 TSCR 12-2-5-2.

132 TSCR 16-2-54-2.

133 TSCR 25-1-45-3, it does not look like Khadija was a minor; however we do not have any information about her marital status. We can speculate that Ibrahim Agha wanted his daughter to live close by to take care of him because of old age or because she was not married and he was making arrangement to guarantee a decent living for her after his death.

134 TSCR 12-4-197-1.

135 TSCR 12-4-198-2, it is very possible that Amna was buying the cellar for investment purposes and for generating an additional income for her minor boy.

136 The required number of witnesses is either two men or one man and two women, see Joseph Schacht, *An Introduction,* 193. There is a clear indication in the registers that religious affiliation with Islam was not a prerequisite to be allowed to be a witness. Also see TSCR 20-1-6-1 for an example of a case where the testimony of a man and two women was used to resolve a dispute; see also TSCR 19-1-35-1.

many industries in the city and the province (olive oil, soap, and silk) and were bought, sold, and rented independently of the land.[137] Women also collected rent from the properties they acquired for investment purposes. They offered credit to family members but also to people in their social circles and acted as guarantors for creditors. Married women formed business partnerships with their husbands, which, though informal, carried legal and fiscal responsibilities on both parties. In the absence of partnerships, there was a clear distinction in ownership of couples' properties and assets and a separation of their wealth. This was also true for unmarried women or women living in their family households.

It is reasonable to assume that females who conducted their business informally, remained outside the purview of the court and consequently could not be accounted for. The text routinely refers to past transactions that made it to the registers at a later date due to an ensuing dispute or other circumstances such as sickness or old age.[138] Nevertheless, there is strong evidence in the registers that women of all social statuses conducted business in person or through proxies and engaged in economic enterprises in Tripoli's eighteenth century. Inheritance, *mahr*, and beneficiary rights in religious endowments formed the cornerstone of the resources they had at their disposal to do so.[139] These financial resources, guaranteed by Islamic law, would not have been consequential to Tripolitan females had they not been enforced by the state's legal system.

Moreover, women manifested 'a certain degree of sophistication', similar to what Ronald Jennings observed in Kayseri, for example.[140] The fact that women continuously resorted to the legal system is an indication that, on the one hand, they were aware of their legal rights and, on the other hand, the system was effective. As noted by Jennings, "it was the consistent and conscientious enforcement of the shariʿa by the court that made possible the apparently good position of women."[141]

137 TSCR 12-4 (190)-2, TRC 12-4 (191)-1.

138 TSCR 12-4-40 (189)-2, a loan that Diba gave to her husband but was not registered in court at the time she gave him the money or when he supposedly paid it back according to the testimony of witnesses (a Muslim man and two women, one Muslim and one non-Muslim), comes to light only after her death because of the dispute that ensued between her husband and sibling.

139 I demonstrate in other papers to be published that women had access to these resources (dowries, inheritance, and income from *waqfs*). Meriwether and Tucker also demonstrate that inheritance, dowry, and income from waqf are the main sources for women's wealth in other parts of the Ottoman Empire, Meriwether and Tucker, eds., *A Social History of women*, 11.

140 Jennings, "Women in Early 17th Century Ottoman Judicial Records", 62.

141 Jennings, "Women in Early 17th Century Ottoman Judicial Records", 114.

This archival research debunks the images that the European travelers propagated of women, claiming they were oppressed and deprived of their basic rights to financial independence that Islam granted them. The shariʿa and the imperial laws protected the rights that women were entitled to. The latter strategized and negotiated within and outside the court to buttress their financial gains.

Bibliography

Primary Sources

Sijillāt al al-mahkama al-sharʿiyya fi Tarāblus (Tripoli shariʿa Court Registers, TSCR), Vols. 12-28, 1750-1800.

Secondary Sources

Abdel Nour, Antoine, *Introduction à L’histoire urbaine de la Syrie Ottomane*, Beurouth: Librarie Orientale, 1982.

Ahmed, Leila, *Women and Gender in Islam: Historical Roots of a Modern Debate*, New Haven: Yale University Press, 1992.

Akçetin, Elif, - Suraiya Faroqhi, *Living the Good Life: Consumption in the Qing and Ottoman Empires of the Eighteenth Century*, Leiden: Brill, 2018.

Alff, Kristen, “Levantine Joint-Stock Companies, Trans-Mediterranean Partnerships, and Nineteenth-Century Capitalist Development”, *Comparative Studies in Society and History*, 60/1 (2018): 150-177.

El-Azhary Sonbol, Amira, *Women, the Family, and Divorce Laws in Islamic History*, Syracuse: Syracuse University Press, 1996.

El-Azhary Sonbol, Amira, “Mixed and Other Courts: Women and Modern Patriarchy,” in *Beyond the Exotic: Women’s History in Islamic Societies*, ed. Amira El-Azhary Sonbol, Syracuse: Syracuse University Press, 2005.

Doumani, Beshara, ed. *Family History in the Middle East: Household, Property, and Gender*, Albany: State University of New York Press, 2003.

Eldem, Edhem, *French Trade in Istanbul in the Eighteenth Century*, Leiden, Brill, 1999.

Eldem, Edhem, “French Trade and Commercial Policy in the Levant in the Eighteenth- Century”, *Oriente Moderno*, 18/1 (1999): 27–47.

Faroqhi, Suraiya, *Women in the Ottoman Empire: A Social and Political History*, London, Bloomsbury Publishing, 2023.

Fay, Mary Ann, *Unveiling the Harem: Elite Women and Paradox of Seclusion in Eighteenth-Century Cairo*, Syracuse: Syracuse University Press, 2012.

Gerber, Haim, “Sharia, Kanun and Custom in the Ottoman Law: The Court Records of 17th-Century Bursa”, *International Journal of Turkish Studies*, 2/1 (1981): 131–47.

Jennings, Ronald C., “Women in Early 17th Century Ottoman Judicial Records: The Sharia Court of Anatolian Kayseri”, *Journal of the Economic and Social History of the Orient*, 18/1 (1975).

Jennings, Ronald C., “*Zimmis* (Non-Muslims) in Early 17th Century Ottoman Judicial Records: The Sharia Court of Anatolian Kayseri,” *Journal of the Economic and Social History of the Orient*, 21/3 (1978).

Marsot, Afaf Lutfi al-Sayyid, *Women and Men in Late Eighteenth-Century Egypt*, Austin: University of Texas Press, 1995.

Meriwether, Margaret, *The Kin Who Count: Family and Society in Ottoman Aleppo, 1770-1840*, Austin: University of Austin Press, 1999.

Meriwether, Margaret – Judith E. Tucker, ed. *Social History of Women and Gender in the Modern Middle East*, New York: Taylor and Francis, 1999.

Meriwether, Margaret, "Women and Waqf Revisited: The Case of Aleppo, 1770-1840," in *Women in the Ottoman Empire: Middle Eastern Women in the Early Modern Era*, ed. Madeline Zilfi, Leiden, New York: Brill, 1997.

Moors, Annelies, "Debating Islamic Family Law: Legal Texts and Social Practices", in *A Social History of Women and the Family in the Middle East*, eds. Judith Tucker and Margaret Meriwether, Boulder: Westview Press, 1998, 141-175.

Nagata, Yuzo, ed. *Tax Farm Register of Damascus Province in the Seventeenth Century Archival and Historical Studies*. Tokyo: The Toyo Bunko, 2005.

Panzac, Daniel. "International and Domestic Maritime Trade in the Ottoman Empire during the 18th Century," *International Journal of Middle East Studies*, 24/2 (1992): 189-206

Peirce, Leslie P., *The Imperial Harem: Women and Sovereignty in the Ottoman Empire*, New York; Oxford: Oxford University Press, 1993.

Peirce, Leslie, *Morality Tales: Law Gender in the Ottoman Court of Aintab*, Berkeley: University of California Press, 2003.

Roux, François-Charles, *Les Échelles de Syrie et de Palestine au XVIIIe siècle*, Paris: Librairie Orientaliste Paul Geuthner, 1928.

Schacht, Joseph, *An Introduction to Islamic Law*, Oxford: Oxford University Press, 1982.

Tucker, Judith, *Women, Family, and Gender in Islamic Law*, Cambridge: Cambridge University Press, 2008.

Volney, Comte de, *Voyage en Syrie et en Égypte, Pendant les Années 1783, 1784,*

1785, Paris: Mouton et Co Lahaye, 1959.

Zilfi, Madeline C., ed. *Women in the Ottoman Empire: Middle Eastern Women in the Early Modern Era*, Leiden and New York: Brill, 1997.

Ziadeh, Khaled, *al-surah al-taqlidiyyah lil-mujtamaʿ al-madani: qira'a manhajiyyah fi fijillat mahkamat Tarablus al-sharʿiyyah fi al-qarn al-sabiʿ ʿashar wa bidayat al-qarn al-thamin ʿashar*, Tripoli: Lebanese University, 1983.

Ziadeh, Khaled, *Arkiyologia al-mustalah al-watha'iqi*, Tripoli: Lebanese University, 1986.