



# Signatures and Seals

## The Unique Symbols of Ottoman Jerusalem's Shari'a Judges



By M. A. Alami

Until 1869, Jerusalem had only one court of law; it was presided over by a judge who ruled in accordance with Shari'a law. He was called the qadi of Jerusalem and was nominally appointed by the Ottoman sultan. The qadi had the authority to appoint deputies, including those authorized to preside in the major towns of the jurisdiction. This jurisdiction covered the region that extended from Safad to Irbid, Ajloun, and Salt in the north and east down to, and including, Gaza in the south.

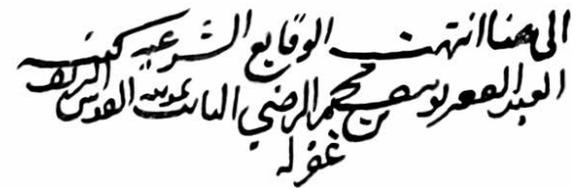
Shari'a law was developed over the centuries by numerous religious scholars of various ethnic origins. It is based on the Holy Qur'an and on the authenticated Traditions of the Prophet (what he said and did). Shari'a law, as it developed, covered all aspects of a citizen: physical, mental, material, and spiritual well-being, as well as matters of procreation (i.e., family affairs). It was independent of the political authority of the Muslim state. Such was the case in all past eras, including the Ottoman period until the onset of their Tanzimat in 1839. The Tanzimat period witnessed numerous Sultani Orders that were issued mostly without reference to the religious establishment. These orders aimed to combat the huge challenges brought about by the financial and military collapse of the Ottoman state, particularly after the disastrous financial consequences of the Crimean War (1853–56). The Tanzimat orders were largely related to matters of finance, trade, banking, etc., and based on European models and standards, which had a drastic effect on the Muslim nature of the Ottoman state and contributed to its transformation.\*

Tanzimat laws also had very profound effects on the Jerusalem Jurisdiction. The Land Law of 1858 privatized *waqf* land and town assets of public *waqfs* of major mosques and religious institutions while permitting private *waqfs* of citizens and non-Muslim institutions. This eventually led to the purchase of much land and assets by European institutions and the Zionist movement, particularly after 1869. In that same year, some 85 percent of Shari'a law was replaced by Sultani Orders as introduced by the civilian *majallah* law and other state laws. Civilian courts were introduced and presided over by civilian judges. Shari'a law was confined to personal matters and applied to Muslims only, presided over by Shari'a judges. It is worthwhile to note that despite all the introduced Tanzimat laws, the Ottoman state failed to arrest the deterioration of the state and of its financial and military affairs. The Ottoman state officially declared bankruptcy in 1876.

A presiding judge signed all documents issued by his court. Each signature was stamped by the seal of the judge. Whereas some 330 qadis and some 250 deputies presided in Jerusalem during the Ottoman period (1517–1917), each had his own unique seal. All documents were recorded in court records of the town. During this period, these comprised no less than 165,000 pages in which some 500,000 entries were recorded. These valuable archives have survived. Judges did not sign the individual recorded entries but usually signed beneath their last entry at the end of their term of office.



Qadi Omar's signature beneath his last recorded entry in 1588.



Deputy Judge Yousef's signature beneath his last recorded entry in 1663.

What follows is a description of some aspects of the judicial Muslim procedures that prevailed prior to the introduction of the Tanzimat, specifically prior to 1869. These did not differ from those that prevailed during the Mamluk, Ayyubid, and previous eras.

Judges had ranks. The qadi of Jerusalem held the highest rank. He appointed deputies to preside over all types of cases. They were known as *muwalla khilafa* (مولى خلافة), deputized qadi. The qadi of Jerusalem also appointed deputies that would preside over special types of cases, such as drawing orders of inheritance (قاضي المواريث), or rule over one case only. They were referred to as "deputy" (النائب). The Jerusalem qadi also authorized judges to tour surrounding villages and preside over the cases raised there, much like circuit judges of England in the past. These were called touring judges (قاضي النواحي). All these titles were included in their signatures, as shown below.

صدر مسي هدا واما العا لكره سوا ولسا  
مس مصلح العاصي العا لكره  
عن عهما



Qadi (القاضي) Hasan, 1658; the signature reads: "What follows has been issued by me, who is poor before the Almighty, Hasan Ibn Mustafa, qadi in Al-Quds al-Sharif, may they both be pardoned."

الا لجا ذكرفه نمقه الطم الربما  
صالح الاول صلا ربه العا لكره  
عن عه



Deputized Qadi (المولى خلافة) Saleh, 1655; the signature reads: "The matter is as mentioned below, written by the one who is poor before the Almighty, Saleh, deputized qadi in Al-Quds al-Sharif, may he be pardoned."

ما فيه كما حرقه نمقه العا لكره  
محمي انبا ب مدي القدر الربما  
عن عه



Deputy (النائب) Mahmoud, 1660; the signature reads: "What is documented is as stated, written by the one who is poor before the Almighty, Mahmoud, the deputy in the town of Al-Quds al-Sharif, may he be pardoned." Also, the jurisdiction within which a judge was authorized to preside was included in their signatures.

السودنا العا لكره  
عن عه



Deputized Qadi Abul Wafa El Alami, who presided in Jaffa, 1779.

ند طابو به السيرة السه والاعاره السه  
واصب ما اعاره لاسه والمعه  
محمد العاصي العاصي سوا  
الموسى



Qadi Mohamad El Faridi, who presided in Damascus.

Signatures of judges were written in a neat form in Arabic even though the majority of qadis were of Turkish descent. These signatures always included the qadi's name that was predominantly in Arabic. Signatures developed in style such that by the end of the eighteenth century, they became more elaborate, as shown below.

صدع السعرا  
عن عه عن عه  
عن عه



Qadi Omar Izzat, 1778, whose signature reads: "صدر البيع والشراء، نمقه الفقير اليه عز شأنه عمر عزت القاضي بمحمية القدس الشريف، عن عه" ("The sale/purchase was issued, written by the one who is poor before the Almighty, Omar Izzat, the qadi in the protected Al-Quds al-Sharif, may he be pardoned.")

طس لال العا لكره  
محمد محمد محمد محمد  
محمد محمد محمد محمد  
محمد محمد محمد محمد



Deputized Qadi Mohamad, who presided in one of the three courts of Constantinople.

السع السرا  
عن عه عن عه  
عن عه



Qadi Ibrahim, 1231.

صدع السعرا  
عن عه عن عه  
عن عه



Qadi Mustafa, 1214.

Each judge had a unique seal. Most religious scholars and town notables also had unique seals of their own. Seals were usually made of stone, hard wax, or copper. They varied in shape but were usually less than three centimeters in size. Prior to the mid-eighteenth century, seals were carved with geometric or floral ornaments. They usually carried messages which included the first name of the qadi. These messages were mostly in Arabic, with others in Turkish.



Qadi Nourallah Ibn Ishaq, 1563, الوائق بالملك الخلاق، عبده الفقير قاضي نور الله بن اسحق ("Trusting in the King Creator, Qadi Nourallah Ibn Ishaq.")

In addition to the judge's name, some seals included the date of its manufacture and the name of the artisan house that specialized in seal making, e.g., "Haqqi," "Arabi," "رحمي," and "Rahmi."



Noor Mohamad, 1111 H, 1699 AD, "Arabi عربي."



Ja'far Ibn Yousef, 1603, يا خفي الالطاف نجنا مما نخاف، الفقير جعفر بن يوسف ("Oh, ye of discreet graces, save us from what we fear, the poor Ja'far Ibn Yousef.")



Omar Izzat, 1174 H, 1777 AD, "Haqqi حقي."



Qadi Bir Mohamad El Huseini, 1716, المتوكل على الحي الغني، عبده محمد الحسيني ("Depending on the everlasting benefactor, his worshipper Mohammed al-Husseini.")



Abdul Ghaffar, 1180 H, 1766 AD, "Haqqi حقي."



Musa El Khalidi, 1204 H, 1789 AD, "Rahmi رحمي."

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This article is based on an Arabic book by the author titled, *The Judges and Court of Jerusalem, 1517–1917* (in Arabic: "قضاة القدس الشريف" (ومجالس حكمهم 1517-1917)). It may be obtained from Educational Bookshop (المكتبة العلمية), Saladin St., Jerusalem.

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\*Until 1869, the Ottoman state was a Muslim state.