

***Mariage et séparation à Damas au Moyen Age: Un corpus de 62 documents juridiques inédits entre 337/948 et 698/1299***, by Jean-Michel Mouton, Dominique Sourdel & Janine Sourdel-Thomine (Documents relatifs à l'histoire des croisades, 21), (Paris: Académie des Inscriptions et Belles-Lettres, 2013), 326 pp., ISBN 978-2-87754-296-8, €40.

This volume makes available extraordinary documents on legal practices related to marriage for future research. While similar documents have been known, most of these originated from Egypt, pertained to the first three Islamic centuries and little is known about the historical context of their preservation. The importance of the documents in this volume thus goes back to three aspects: they refer to the Middle Period, they originated in Syria, specifically Damascus, and most importantly they form a coherent corpus. All documents are part of the *Şâm Evrakları* held in Istanbul in the Türk ve İslam Eserleri Müzesi. They were brought to Istanbul from Damascus in the late Ottoman period. In Damascus they had been part of the “Gheniza”-style storehouse for disused documents and books, the Qubbat al-khazna. The *Şâm Evrakları* have not been made accessible for research in the last decades, which is – to put it mildly – regrettable. They simply form the most important known collection of documents from Syria for the Middle Period and the fact that they are kept behind closed doors seriously impedes historical research. It can only be hoped that the Türk ve İslam Eserleri Müzesi changes its attitude and opens up this splendid collection.

For the time being we only have photographs of documents which fall into two main collections: One is held in Berlin and goes back to the early twentieth century when a German-Ottoman expedition opened the Qubbat al-khazna and photographed mostly non-Arabic material. The second collection goes back to the early 1960s when Dominique Sourdel and Janine Sourdel-Thomine had the opportunity to work on the *Şâm Evrakları* and took numerous photographs. The material in this second collection has led to numerous publications, the most important of which has been the collection of pilgrimage certificates (*Certificats de pèlerinaged'époqueAyyoubide* [Paris: Académie des inscriptions et belles-lettres, 2006]). The present

volume is thus the second major publication of material with a Qubbat al-khazna-*Şâm Evrakları*-Paris photographs *isnād*.

As expected, this is fascinating and ground-breaking material: The volume contains 62 complete, partial, and fragmentary documents. Around half of them are marriage contracts with separation documents and receipts settling the outstanding dowry forming two further large bodies. While only 28 of these are explicitly dated internal criteria allowed the editors to convincingly date the remaining documents. Even though they span some 350 years there is a distinctive clustering in the Burid, Zangid, and Ayyubid periods so that roughly two-thirds of the documents fall into the much shorter period between the early sixth/twelfth and the mid-seventh/thirteenth century.

In the books first, and briefer, part (pp. 11-61) the editors analyze this material and propose ways of how it can be used in future research projects. Obviously all these suggestions have to be read against the background that this is a small sample for a long period. Furthermore, we do not know whether this sample is representative of marriage-related documents in Damascus at large and to what extent legal processes and archival practices have prioritized the conservation of certain documents at the expense of others. Nevertheless, they allow new insights and suggest tendencies that cannot be ignored in future research on Islamic family law or Syrian history. The editors note that the most striking feature emerging from these documents is the instability of marriage and high divorce rate. While thirty-eight of the documents deal with marriage, nineteen documents are concerned with separation in one way or the other. In addition for the majority of the women appearing in the documents the marriage contracts deal with their second or even third marriage.

One of the most laudable aspects of this first part is the editors' constant drive to make diachronic arguments to identify changes over time. This allows them for instance to track the variation of coinages used such as the emergence of silver *dirhams* in the Ayyūbid period, while gold *dinārs* were predominant in other periods. One of the most fascinating trends concerns the social profile of those who marry: In the 'Abbāsīd and Fāṭimid periods grand Arab families, a sort of tribally identified aristocracy, dominate. With the Būrid period these families disappear and if they are still represented they are clearly of modest economic status. In contrast traders and craftsmen,

especially those dealing with textiles, but also farmers (*fallāḥ*), bakers (*kbabbāz*), grocers (*baqqāl*), beer sellers (*fuqqāʿī*), fish merchants (*sammāk*), and butchers (*qaṣṣāb/jazzār*), start to play the most salient role, which might indicate the development of a new urban society. Most surprisingly, the military and the *ʿulamāʿ* (except as witnesses and legal authorities) hardly appear.

The second part (pp. 69-243) provides for each document an edition, translation, and brief commentary highlighting the most striking features. This is partly hideously difficult material and the editors deserve full credit for their work on the documents. Their corpus successfully establishes the formulary of these legal documents and their work will serve as a reference work for future research in this regard. When it comes to the reading of names there is evidently more room for interpretation and one might for instance occasionally disagree with the literal reading of professional *nisbas* that is adopted in the translation. The book thankfully includes reproductions of the documents. They are of varying quality, but on account of the inaccessibility of the material this is as much as we can currently get. The index is rather sparse and contains only personal names. For a volume which will only be read from beginning to end in few cases, an index of technical terms would have been very useful. However, overall this is a wonderful book which will have a considerable impact in studies on Islamic law and Syrian history.

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