

no fireplaces or chimneys. Lighting was also a problem, as most rooms had no windows. The lack of adequate sanitation that Grehan describes was by no means peculiar to the Middle East; Frederick the Great's palace of Sans Souci in Potsdam (constructed between 1745 and 1747) had no internal toilets or washrooms – and in contrast with Europe, public bathhouses were a regular feature of Middle Eastern cities. London did not have an adequate network of piped sewage until Sir John Simon's period in office as the city's Medical Officer of Health between 1848 and 1858.

As Grehan says, the eighteenth century was a time of consolidation, not innovation, in the Ottoman provinces: that came rather later, not, perhaps until the 1830s or 1840s. The centrality of time keeping, so vital to the continuing momentum of the industrial revolution, was not a feature of life in eighteenth-century Damascus. On the other hand, what Grehan calls the “long Ottoman peace” brought an expansion in trade and a steady growth in the urban population, in the sense of the extension of the city's physical space, as discussed in detail in Raymond's *Les grandes villes arabes à l'époque ottomane* (1985).

Grehan's Conclusion is worth quoting at length:

Townspople were very much distracted by workaday routines, and in the midst of prayers, funerals, and other religious rituals, casually haggled, struck bargains, and prattled about their business. They had other things on their mind, which continually called their thoughts back to household and marketplace, and required endless care and attention. More than religion, it was this struggle for survival and sufficiency which stood at the center of popular culture. It bred a mentality which, in coping with all the persistent challenges of pre-modern life, was unavoidably worldly and pragmatic (p. 234).

A constant motif of Grehan's writing, and one of his principal contributions to the field, is his concern to depict the lives of ordinary people with sympathy, understanding and respect. His work shows subtlety and insight; it is social history at its best, simply and elegantly written, with a keen eye and ear for the nuances of social reality.

**Peter Sluglett**

ELYSE SEMERDJIAN:

*“Off the Straight Path”*: *Illicit Sex, Law and Community in Ottoman Aleppo*.

280 pp. Syracuse, NY: Syracuse University Press, 2008. \$29.95.

ISBN 978 0 8156 3173 6.

doi:10.1017/S0041977X09990127

*“Off the Straight Path”* is a highly original work on adultery, immorality and offences against public order in the Ottoman Empire, with empirical evidence from Aleppo, one of the Empire's major provincial capitals. Some of the less obviously attractive features of Islam are what are generally termed the *hadd* punishments, which variously mandate the amputation of limbs, stoning or execution, for theft, adultery, murder and so on. In her examination of some 300 years of the

court records of Aleppo (combined with evidence from a survey of research in other parts of the Empire), Dr Semerdjian was unable to document a single verdict of stoning for adultery, or sex outside marriage, showing that this punishment was never actually imposed, at least during the Ottoman period. This is far more than a simple historical curiosity, since extremists in many Muslim countries are now calling for the “strict application of *shari‘a* law”, unaware, or perhaps unwilling to acknowledge, that the practical working of the legal system was much less relentless than such advocates would have us (and their followers) believe.

The book discusses *zina* (adultery/sex outside marriage) in Islamic and Ottoman law. Essentially, as in, for example, the code of Hammurabi (p. 18) the Islamic marriage contract made the wife the property of the husband, which meant that adultery or rape was equated with theft or taking illegal possession; the *mahr*, or dowry, confirms ownership. In the Ottoman period, the sultans issued *qanun-name(s)*, regulations that the (Islamic) courts had to enforce, mainly although not exclusively on matters not covered in the Quran or elsewhere in the Islamic tradition. Many *qanun-name(s)* have survived, and are important indicators of the practical application of the law, as have books of *fatwas*, decisions by Islamic legal specialists, *muftis*.

All this has other important implications, as Dr Semerdjian is well aware: in the received version of Sunni Islam, it was held that what is called the “gateway of interpretation” (*bāb al-ijihad*) was closed in the tenth century. As Dr Semerdjian’s account convincingly shows, this is simply inaccurate: both the legislation produced by the Ottoman state and the many books of *fatwas* demonstrate that as far as the laws of the Empire were concerned, the system was in no sense fossilized, until, ironically, the European-influenced publication of the various Ottoman codes of law during the tanzimat reforms of the nineteenth century.

To an important extent, the court records provide ample evidence of the daily functioning of the law as it affected the lives of Ottoman subjects. Chapter 3, “The Shari‘a court record and social history”, contains a path-breaking discussion of the methodological problems and the limitations inherent in the utilization of court records as the raw material of social history. The discussion of the pros and cons of using or relying on this kind of primary source is one of the most sensible I have seen, and I shall certainly add those pages to my collection of readings on the urban social history of the period.

Dr Semerdjian also emphasizes the primary role of the community in bringing offenders against public order to court. Ottoman cities were policed in only the most rudimentary manner, with the result that a consistent feature of the cases she describes was the presence in court of a large numbers of petitioners, or complainers, all living in the quarter (*hara*) in which the offences took place, making the case that the defendant(s) was/were engaged in some kind of dishonourable conduct (too much noise, the presence of women and women together who are not related to each other, solicitation by prostitutes, the procuring of prostitutes, and so on). This evidence also makes an important contribution to current debates about the extent to which the Ottoman Empire was a highly centralized state; in this particular situation at least, “the people” are apprehending the wrongdoer. As she says, “Through the examples of quarter solidarity . . . the informal grass-roots mechanisms for policing moral breaches become clearer” (p. 93).

In chapter 4, Semerdjian shows us the penalties that the courts actually prescribed. Most of the cases she considers resulted in nothing more than banishment of the defendants from the city quarter, an early example of the not-in-my-back-yard principle. This was justified by the argument of *istihsan*, the principle of reconciling the law with the practice of everyday life and the general interest of the community; the word is constantly used in the seventeenth and eighteenth century *fatwa*

collections. Prostitution, though a social nuisance, was evidently a fact of life, especially in a large garrison city like Aleppo, and certainly did not merit violent, still less capital, punishment. That this kind of flexibility was possible shows the vitality of the principle of *ijtihad* mentioned above.

The final chapter deals with domestic violence, and although Semerdjian has found only a relatively small number of cases, it is clear that they too do not conform to stereotype. The courts certainly regarded wife beating and rape as reprehensible, although one of the oddities of the evidence is that many rape victims appeared in court several months pregnant. Nevertheless, women did have the courage to prosecute rapists in court, in spite of the fact that they found it difficult to produce convincing evidence. On a personal note, I have just completed an edited book, *The Urban Social History of the Middle East c 1750–1950*, (Syracuse University Press, 2008): I wish that I had had access to Semerdjian's manuscript before mine went off to the publisher, as her book adds several fascinating dimensions to discussions of the practical application of Islamic law in an urban context.

**Peter Sluglett**

REIDAR VISSER and GARETH STANSFIELD (eds):

*An Iraq of Its Regions – Cornerstones of a Federal Democracy?*

xxii, 274 pp. London: Hurst & Co., 2007. £19.99.

ISBN 978 1 85065 875 7.

doi:10.1017/S0041977X09990139

It was said that at the most ferocious period of Iraq's civil war in the years 2005–07, you could be abducted and killed at a roadblock if you pronounced a certain word in a particular way. You would be asked the question: "What do birds eat?" and if you replied with the common word for millet then your fate would depend upon how you pronounced it. If you said "*dakhan*", you had to hope that the roadblock was manned by members of one of the militias loyal to the various Shii Islamist groupings; but if you said "*dukhn*", your only hope was that the men pointing their guns at you were from one of the many branches of the Sunni Islamist insurgency.

This seemed therefore to be a deadly marker of sectarian difference. Yet the varied pronunciations of the word had nothing to do with sectarian affiliation, but rather with the regional, and to some extent class and urban or rural origins of the speaker. The fact that they were pressed into the service of a civil war in which people were killed simply for being thought to belong to the "wrong" sect in the "wrong" place on the basis of a regional accent, is further depressing testimony to the ways in which the sectarian affiliation of Iraqis seized the imagination of all those who participated in or witnessed the horrors of post-2003 Iraq.

Yet behind the sectarian, and sometimes ethnic, labels that were so congenial and profitable for various political forces as they carved out places in Iraqi politics following the overthrow of Saddam Hussein's regime, lie other social realities. These are equally important for deciding the distribution of power, but are often overlooked. It is all the more refreshing, therefore, to be given the opportunity to read a book in which one of these – the many facets of regional and regionalist politics in Iraq – are explored.

There can be no better guides than the two editors of this volume. Reidar Visser has contributed greatly to the historiography of Iraq, particularly in his studies of Basra and the south, whilst Gareth Stansfield has been a realistic analyst of the