

told the newspaper they had been informed that sixty-one of their olive trees were scheduled to be uprooted by Israel.⁴⁵¹

Part Four: The Quiet Witnesses

Two more individuals are worthy of discussion in this case: Shaykhs Ahmad and Khālid, sons of Shaykh Darwīsh al-Ja'abri, whose presence is noted but whose title and role in court are unexplained in the court registers. As noted, Shaykh Ahmad was likely at this time already working as a representative of the Ottoman Bānq Ziraat (Agricultural Bank) and the land-registry offices. His younger brother, Khalid, was in charge of sheep and agricultural-produce taxes (*aghnām* and *'ushr*). Shaykh Ahmad's two hats are as significant as the brothers' presence at the court session. While Ahmad's roles were likely filled by two individuals in bigger cities, in Hebron it appears administrative, financial, and judicial personnel were working in unison when it came to land issues. His presence signifies that the private-mortgage system was no less legitimate than a mortgage through a bank.

Conclusion

This chapter has clearly shown that the tapu certificate was not necessary to prove land tenure in the late Ottoman period. It was the desired document, but it was not the only one

⁴⁵¹ The article has been republished on the Miftah website: www.miftah.org/Arabic/Display.cfm?DocId=4554&CategoryId=4 . Miftah organization was founded in 1998 by Hanan Ashrawi to promote democracy and good governance in Palestinian society.