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- ¹ Taking the well-known jurist and jurisprudent Muḥammad Bāqir al-Šaftī (d. 1260/1844) as an example, Schneider sheds new light on the judicial practice and its protagonists in Qajar Iran. Her major source on Šaftī and three of his verdicts which she discusses in detail is Tunakābunī's *Qiṣāṣ al-'Ulamā*. The article sets out with a general introduction to the practice of law in the Qajar period, indebted to previous studies by Hamid Algar and Willem Floor, and also contains a biographical sketch of Šaftī. Schneider then presents and interprets three case studies, inserted as anecdotes by Tunakābunī mainly to illustrate Šaftī's cunning and resourcefulness. Using these anecdotes in a highly original way as a source on procedural aspects of legal practice, she notes in particular that Šaftī avoids formal steps as described in legal handbooks on *ḡazavāt*, nor does he justify or document his decisions with scriptural proofs or arguments of any kind. That this is not always the case, can be gleaned from another article on Šaftī – not noted by Schneider – by Seyyed Aḥmad Tūyserkānī, « Eḥtelāf-e naẓar-e do faqīh-e ham-ʿaṣr dar yek masʿale-ye vaqfī : Mollā Aḥmad Narāqī va Ḥojjat al-Eslām Šaftī Eṣfahānī », *Vaqf: Mīrāt-e jāvidān*, No. 19-20, vol. 5 (autumn & winter 1376/1997), pp. 48-55, where an actual case led to a lengthy theoretical discussion. A separate discussion at the end is devoted to the assertion that Šaftī exercised the right of *takfīr*, i.e. pronouncing someone an infidel. Schneider corrects this statement and presents the instances noted by Tunakābunī, where Šaftī issued verdicts of *tafsīq* (i.e. declaring someone to be sinful, that is not (*ādil*)).

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Thèmes : 4.2.1. Safavides et Qājārs

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