

## INTERVIEW WITH JESSICA M. MARGLIN

Jessica M. Marglin is Ruth Ziegler Chair in Jewish Studies and Professor of Religion, Law and History at USC Dornsife. She received her PhD from the Department of Near Eastern Studies at Princeton University. She has previously held fellowships at Princeton University, Yeshiva University, the Frankel Institute for Advanced Judaic Studies at the University of Michigan, and the Institut d'Études Avancées in Paris. Her research interests include Jews and Muslims in modern North Africa and the Mediterranean; legal history; Non-Muslims in the Islamic world; Mediterranean Studies. Her first book, *Across Legal Lines: Jews and Muslims in Modern Morocco*, which won the 2016 Baron Book prize as well as the 2017-2018 National Jewish Book Award in Sephardic Culture, was published by Yale University Press in 2016; her latest book, *The Shamama Case: Contesting Citizenship across the Modern Mediterranean* was published by Princeton University Press in 2022 and is here discussed with the author.

Q. Tell us a little bit about the latest book you wrote, *The Shamama Case*. Who are you trying to reach with this book? And what are you trying to communicate?

A. This book is a microhistory of a legal case surrounding the estate of Nissim Shamama, a Jew from Tunis who died in Italy in 1873. I got interested in the subject because it offered a way of doing legal history across the Mediterranean – a case that involved Italian courts and Tunisian officials, as well as Jewish law and Islamic law. So, my audience is definitely scholars of the Mediterranean – in addition to historians of Jews, North Africa and the Middle East, and law more broadly. My main goal is to convince readers that debates about citizenship were not bounded by political or even regional borders.

In looking at a case that took place across the Mediterranean, I hope to move away from frameworks that see modern citizenship as a European

invention that was exported to the rest of the world. Instead, I seek to recover Tunisian understandings of belonging that emerge in the course of the Shamama case, which were of course in dialogue with legal categories emerging in Italy at the time. Ultimately, I argue that the discourses of belonging were co-constructed across the imagined boundary dividing Europe from the Middle East and North Africa.

Q. We are always fascinated with legal cases, but we are mostly intrigued by the multicultural world Nissim Shamama represents: a Jew from Tunisia, who lived in France and in Italy where unfortunately he died, in his late 60s. He died as an Italian citizen. What does this mean to Nissim, to his case, to his family, to us readers? Is there a straightforward citizenship as he was born somewhere else and lived everywhere? What does citizenship mean to you, after having researched and written this book?

A. Nissim Shamama's trajectory definitely has something to teach us about what is often called multiculturalism. Perhaps the most obvious one is that the term "multiculturalism" itself – or close cognates like cosmopolitanism or pluralism – often assumes certain reified boundaries among different groups that did not necessarily exist. The Jewish community of Tunisia is usually described as being divided between Livornese Jews (Grana) and indigenous, Tunisian Jews (Twansa). Yet while Nissim Shamama lived in Tunisia as a member of the Twansa community, he successfully claimed to be of Livornese descent once in Europe. Categories like "French" and "Italian" were similarly flexible: many of those with French nationality in Tunisia were in fact Jews or Muslims from Algeria who registered with the French consulates and benefited from extraterritorial privileges. And large numbers of Grana Jews managed to get first Tuscan, and later Italian nationality – even if their families had lived in Tunisia for generations.

A second, related point is that the Shamama lawsuit demonstrates that citizenship was rarely singular or even binary (you are a citizen of Italy or you are not). Rather, like other forms of identity, state membership was often multiple and layered – even in an era that rejected dual nationality. This is why I introduce the term "legal belonging," which emphasizes that state membership existed along a spectrum and that multiple forms of membership could coexist: one could be a subject of the Bey of Tunis but a protégé of France. Or, like Nissim, one could live as both a Tunisian national and an Italian citizen.

Q. We had the pleasure of interviewing Dr Sarah Abrevaya Stein as well, author of another book on citizenship, *Extraterritorial Dreams: European Citizenship, Sephardic Jews, and the Ottoman 20th century*. How is her book connected to yours? How is “her” idea of citizenship connected or not to yours?

A. Sarah’s book *Extraterritorial Dreams* was hugely helpful for my thinking in *The Shamama Case* and in my work more broadly. In her introduction, she rejects the idea of citizenship as binary – which helped me articulate the idea of legal belonging as a spectrum. While she focuses on how Ottoman Jews claimed different forms of extraterritorial status, she nonetheless follows people who cross borders. And her chapter on Silas Aaron Hardoon, whose death also occasioned a long legal battle over nationality, demonstrated that the Shamama case was not an isolated incident but instead belonged to a pattern by which death triggered fierce disputes over belonging.

Q. Let us talk about another difficult term to define, Mediterranean. What is to you the Mediterranean?

A. This is the million-dollar question! I do not believe in a single definition of the Mediterranean. Rather, for me, the Mediterranean is good to think with – a framework that allows me to move away from the regional and civilizational boundaries that tend to organize academic thinking. I do not contend that the Shamama lawsuit tells us anything about the essential nature of the Mediterranean; rather, I use the Mediterranean as a way to connect the historiographies of Europe and North Africa.

Q. Do you think that all Mediterranean peoples have similar case to Shamama’s as our DNAs and belongings are indeed multicultural?

A. I don’t dare to comment on the question of DNA as I’m certainly not qualified to discuss these matters! But I will say that the intense connections across the Mediterranean are nothing new; happily, there is more and more attention among historians to the ties linking Italy and Tunisia – for instance the work of M’hamed Oualdi for the nineteenth century and Guillaume Calafat for the early modern period. In that sense, people have been criss-crossing the Mediterranean for centuries. Mostly, however, I think we need to break down the presumption that there is an essential difference between the “Orient” and the “Occident.” In Mediterraneanist terms, I suppose I’m closer to Braudel than to Pirenne, even if I wouldn’t exactly call myself a Braudelian.

Q. What is your next project?

A. My next book is actually even more Mediterranean in nature. I'm working on a history of extraterritoriality across the Mediterranean in the nineteenth century. Extraterritoriality was a legal status given not only to Europeans in the Middle East and North Africa, but to many locals who were colonial subjects of European empires, obtained consular protection, or naturalized abroad. One of the main goals of this book is to write a connective history of law that brings together European, Middle Eastern, and North African legal systems and explores the ways in which they were connected.

Q. Any last word of wisdom?

A. I would encourage young scholars to think more about legal history: so many people feel intimidated by the field and presume that you need a law degree to do it. But the socio-legal approach is really more about people, institutions, and politics than about legal doctrine. And there are so many rich legal sources that remain under-exploited. My hope is that my work inspires new generations of scholars to write new histories of law in the Mediterranean.