THE UNIVERSITY OF CHICAGO

REMAKING THE GATE OF FELICITY:
Policing, Social Control, and Migration in Istanbul at the
End of the Eighteenth Century, 1789-1793

VOLUME ONE

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BY

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<td>AÜSBF</td>
<td>Ankara Üniversitesi Siyasal Bilgiler Fakültesi</td>
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<tr>
<td>BSOAS</td>
<td><em>Bulletin of the School of Oriental and African Studies</em></td>
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<tr>
<td>DTCF</td>
<td>Dil Tarih Coğrafya Fakültesi</td>
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<tr>
<td>EI¹</td>
<td><em>Encyclopedia of Islam, First Edition</em></td>
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<tr>
<td>IJMES</td>
<td><em>International Journal of Middle East Studies</em></td>
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<td>İA</td>
<td><em>İslam Ansiklopedisi</em></td>
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<tr>
<td>İBB</td>
<td>İstanbul Büyükşehir Belediyesi</td>
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<td>İUEF</td>
<td>İstanbul Üniversitesi Edebiyat Fakültesi</td>
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<td>İÜSBDE</td>
<td>İstanbul Üniversitesi Sosyal Bilimler Enstitüsü</td>
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<td>İÜTY</td>
<td>İstanbul Üniversitesi Türkçe Yazmalar</td>
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<tr>
<td>JESHO</td>
<td><em>Journal of Economic and Social History of the Orient</em></td>
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<tr>
<td>MESA</td>
<td><em>Middle East Studies Association</em></td>
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<tr>
<td>SBFD</td>
<td>Ankara Üniversitesi Siyasal Bilgiler Fakültesi Dergisi</td>
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<td>TD</td>
<td><em>Tarih Dergisi</em></td>
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<tr>
<td>TKS</td>
<td>Topkapı Sarayı Müzesi, Istanbul</td>
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<tr>
<td>TOEM</td>
<td><em>Tarih-i Osmani Encümeni Mecmuası</em></td>
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For terms in Ottoman Turkish rendered in the Arabic script, I used the system adopted by the Islam Ansiklopedisi, with the exception of the letter kef, which I transliterated as ğ when it appeared in the middle of a word, such as diğer. I used the following marks to indicate hemze (') and 'eyn ('), such as dā'ir and şer'. For personal names and place names I used modern Turkish orthography, such as Selim and Üsküdar. I used the Anglicized form of terms familiar to English speakers, such as pasha, agha, imam and muezzin. I kept passages from transliterated or transcribed editions of Ottoman texts unaltered; but fully transliterated the personal names, book titles, and quotations from the original sources in the footnotes.

Unless otherwise noted, all translations are mine.
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for my parents
INTRODUCTION

This dissertation aims to produce a sharpened understanding of social transformation in late eighteenth-century Istanbul (known also as the "Gate of Felicity") and of the changing relations between government and general populace. I focus my study on the maintenance of public order and security, regulation of the immigrant and transient population, and surveillance of certain segments of the inhabitants of the capital city during the last decade of the eighteenth century. My research considers a range of archival sources, but focuses primarily on the police records of Istanbul, a group of inspection registers compiled during the early years of Selim III's reign, and the court records of the courts of inner Istanbul between 1789 and 1793. By drawing on these sources, I aim to address the present gap in systematic and empirically nuanced studies of Ottoman society and institutions in the late eighteenth century, and illuminate some of the internal dynamics of change that are often overlooked under the influence of Eurocentric and mechanistic models of cultural borrowing.

Research on the social and economic history of the Ottoman Empire in the eighteenth century is sparse by comparison to studies of other periods, and has been dominated by westernization/modernization paradigms. Such paradigms
tend to treat developments in non-western societies within a limited framework of external, western influence, and to obscure the internal dynamics of these societies.\(^1\) The relative sparsity of research stems partly from perceptions of the eighteenth century in terms of the continued decentralization and “‘decline’” of the Ottoman Empire or, at best, a transition to the westernizing reforms of the nineteenth century.\(^2\) Furthermore, as historians who live in nation states, we have a tendency to employ a retrospective approach and narrow perspective that prevent us from capturing the unique dynamics of each historical period. We may be aware of the differences on a theoretical level, but “in practice we persistently and insidiously slip back into judgments and interpretations which make sense only within the framework of a centralized bureaucratic state.”\(^3\) Scholars such as Suraiya Faroqhi, Engin Akarlı, and Jane Hathaway take issue with views that readily equate decentralization with “‘decay’” or “‘decline’” and centralization with


rejuvenation. As Akarlı writes, such a perspective “takes the modern, advanced, capitalist nation-states and societies as a norm of historical achievement and ... tends to associate the historical development of a given population with the westernization of its elite. According to this perspective, the long 18th century, from 1699 until the centralization/westernization drive begins in earnest under Mahmud II’s rule (1808-1839), becomes the period of decline *par excellence*.”

Recent monographic studies based on archival sources have only begun to alter these perceptions. They oblige us to think in terms of “transformation” as

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them -- transformations that constituted some aspects of the "remaking of the Gate of Felicity" and Sultan Selim III's so-called New Order (Nizām-i Cedīd).

A Study of Urban Life through Police Records, Inspection Registers, and Court Records

The beginning of the eighteenth century was marked by the definitive return of the Ottoman court to Istanbul from Edirne in 1703. This shift initiated a process of unprecedented building activity and urban change in Istanbul, and crucial to the formation of the new urban environment were government efforts to reassert the physical presence and authority of the Ottoman sultan in the imperial capital. Throughout the eighteenth century, the government tightened existing laws and promulgated new ones to regulate urban life in the city, utilizing its military police force, composed mostly of Janissaries, to ensure conformity. These regulations often attributed crime and the disturbance of public order to the influx of migrants into the city. Current scholarship portrays these migrants as simply peasants and unemployed vagrants, prone to riot and rebellion. As such, it overlooks the complex social networks that facilitated migration and the finding

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11 For example, the attitude towards Albanians deteriorated especially after some Albanian migrants' involvement in the Patrona Halil Rebellion in 1730. According to an estimate, Istanbul sheltered perhaps 12,000 Albanian immigrants, who provided the tinder for the rebellion. Münir Aktepe (1958). Patrona İsyani (1730). Istanbul: Istanbul Edebiyat Fakültesi Basimevi, p. 170.
of employment, shelter and contacts in the city. It also ignores the evidence that some migrants were rich and came to Istanbul to live a better life and even to take advantage of the amenities and political opportunities the city offered to the affluent. Indeed, those who sat in positions of power considered these wealthy immigrants as upstarts but also felt the challenges they posed.

In her analysis of eighteenth-century architectural constructs and cultural life around them, Hamadeh builds on Faroqi's concept of décloisonnement in order to explain the increasing permeability of social and professional boundaries and the gradual erosion of social distinctions. She convincingly argues that the social transformations in the making since the late sixteenth century became visible in Istanbul's social fabric during the eighteenth century. This new urban society developed its own tastes, aspirations, and recreational activities. My study aims to examine the socioeconomic factors, and social and political networks underlying such changes by exploring how these changes were related to migration, and how they reflected and influenced policing and government regulations in the city.

The fear of crime and the need to control it played a major role in the emergence of state policies to regulate urban life in Istanbul, especially following the Patrona Halil Rebellion in 1730 and the market revolt in 1740. There are

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12 This evocative term was initially used by Suraiya Faroqi to describe the broadening evidential horizon that has allowed recent scholars to revise earlier views of social boundaries as rigidly defined and impermeable. See Faroqi (1997), p. 605.
repeated references in contemporary sources and government regulations to swelling crime, disorder and chaos, and the need for careful surveillance of popular rituals and places of social gathering in the city. During the second half of the century, Osman II (1754-57), Mustafa III (1757-74), and Abdülhamid I (1774-1789) engaged in frequent social legislation such as sartorial laws, prohibitions on luxury goods and markers of distinction, and restrictions on women’s appearance in public spaces. They also tried to regulate population movements by enforcing various limitations on travel documents and building permits.

Selim III’s urban policies were influenced by such earlier attempts to exercise some control over the populace of the city, especially those of his father Mustafa III and his uncle Abdülhamid I. Chapter 1 begins with an overview of the historical background of the alleged relationship between migration into the greater Istanbul area and the maintenance of public order in the city, and the factors that might have contributed to the Ottoman government’s ultimate inability to prevent uncontrolled migration.\(^\text{14}\) I will show in this chapter that,

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\(^{14}\) I use the term government to refer to the alliance or hegemonic bloc that made up the Ottoman administration, emphasizing its fluidity and shifting social base. The concept of hegemony or hegemonic bloc was originally elaborated by Antonio Gramsci (1891-1937). See Walter L. Adamson (1980). *Hegemony and Revolution. A Study of Antonio Gramsci’s Political and Cultural Theory.* Berkeley, Los Angeles, London: University of California Press, especially Chapter 6.
following the 1730 and 1740 revolts in Istanbul, immigrants became increasingly associated with public disorder, uprisings and crime, and that the authorities increasingly perceived them collectively as a disruptive element in society, based on a broad and undifferentiating concept of vagrancy. I will also argue that the efforts to contain migration and to control the transient population were not merely a by-product of the state’s concern with problems of supply and provincial tax revenues, but that such efforts reflected a growing need to consolidate sultanic power and constituted the basis of the struggle to centralize power in the hands of the sultan, especially during the reigns of Selim III and Mahmud II.

Chapter 2 focuses on issues of public order during the early years of Selim III’s reign, from his accession in 1789 until 1792, which marks the beginning of a period of peace that lasted until the invasion of Egypt by Napoleon in 1798. In my discussion, I will not provide a comprehensive account of Sultan Selim’s reign and his reform agenda. Rather, I will focus on his regulations regarding urban life in Istanbul that have been, to a large extent, overlooked in the scholarship on Ottoman modernization and Selim III’s New Order.\footnote{Enver Ziya Karal’s work is the only exception that I am aware of. He draws attention to issues of public order in a separate section under administrative reform. Karal (1988). “Selim III. ’ün Hatt-i Hümayunları, Nizam-i Cedid 1789-1807.” Ankara: TTK. In his prominent study of the reign of sultan Selim, Stanford J. Shaw (1971) focuses mainly on the post-1792 period and his discussion of urban policies in Istanbul under the section on wartime reforms is only three pages long. Shaw (1971), \textit{Between Old and New, the Ottoman Empire under Sultan Selim III, 1789-1807}. Cambridge: Harvard University Press, pp. 75-78.} I will begin the chapter by presenting a brief discussion of Selim III’s reign and then proceed
to examine various patterns of continuity and change in his urban policy in comparison to earlier eighteenth-century policies. The latter part of the chapter will be based largely on Selim III’s imperial decrees (hatt-i hümâyûn), registers of important affairs (mûhimme defterleri) for the years 1203-1206/1788-1792, books of complaints (şikâyet defterleri), and contemporary narrative sources. I will argue in this section that, during his early years as the sultan, Selim III developed a strong commitment to regulate urban life and maintain public order in Istanbul. I will show that despite his idealization as a vigilant reformist, which is a product of the modern emphasis on the westernization of the Ottoman Empire, Selim III relied, in many ways, on traditional methods, which he used creatively in addressing issues of order and security in the city.

Chapter 3 begins with a discussion of Ottoman military police (zâbuta) and functions of the officials responsible for maintaining public order and security in Istanbul. The chapter focuses on a group of inspection registers prepared by members of the scribal service at the Imperial Council (Dîvân-i Hümâyûn) and Janissary guards in their service between 1791 and 1793. These registers were prepared as a result of regular inspections that were repeated every six months in accordance with Selim III’s orders. After a discussion of the significance of these registers for the study of the relationship between the Ottoman government and the populace of Istanbul at the end of the eighteenth century, I will examine in detail a particular register that covered the neighborhoods of inner Istanbul (nefs-i İstanbul). This register lists a total number of 1110 commercial shops, stalls,
bachelor's chambers, and inns. It includes information on the types of shops, names and titles (if any) of shopkeepers, the number (and sometimes the names) of apprentices and those who resided in the shops, and finally the name and title of the guarantor (kefîl) for each person. I will use this register to discuss the fluid networks among immigrants, bachelors, Janissaries and government officials that seem to have been at work at the end of the eighteenth century.

In Chapter 4, I turn to a different group of sources, namely the court records (sicils) of inner Istanbul for the years 1789 to 1793. My sources for the earlier chapters such as imperial edicts, registers of important affairs, military police documents, inspection registers and other documents of the central administration provide insights about the policies of Selim III's administration regarding the maintenance of public order in Istanbul. However, they are silent with respect to the responses of the city's inhabitants to a perceived lack of order and security in their surroundings. Court records reveal various issues of public order that arose among the populace and the ways in which such conflicts reached the sharia courts in the city. The chapter starts with an examination of the functions of the sharia courts, the Imperial Council as a higher court, and the judges with a focus on issues of public order, and continues with a discussion of different types of cases brought before the judges by members of various segments of the society such as women, minorities, religious dignitaries, neighborhood officials, and immigrants. My purpose in this chapter is to examine how the populace perceived the threat of the disturbance of social harmony in
their communities and how they acted upon it. I contend that the city’s inhabitants played an active role, with a considerable degree of autonomy, in the affairs of their communities, and that as far as public order offenses were concerned judges played mainly the role of an umpire concerned primarily with reaching an amicable settlement between the parties and restoring public order and social harmony.

The picture that emerges from an examination of these diverse sources is one that presents both continuities and changes. In some measure, it is this tension between the old and the new that forms the background of this dissertation. I believe that Selim III combined them innovatively in his urban policies to create new administrative measures for large-scale population management in the context of intense urban crisis in the Ottoman capital, which may be interpreted as a measure of increasing bureaucratization and non-western modernity.
CHAPTER 1

MIGRATION RECONSIDERED: PUBLIC ORDER AND SOCIAL

HARMONY IN ISTANBUL DURING THE EIGHTEENTH CENTURY

“...it has not been possible to adhere to these [past] regulations for some time, and even though I have once again issued a decree on this matter, due to a tolerance based on compassion for the poor and the inattentiveness of the officers, unidentified people from surrounding provinces flock to the capital everyday. And in addition to leaving those areas in ruin and uninhabited, their crowding inside Istanbul disrupts social harmony and causes scarcity of provisions. The streets are full of beggars, dervishes, lunatics. And especially that unidentified man I put to death at the mosque last Friday! What shameless behavior?! And, so what if he is insane? Are there no asylums? No! That’s not it! It is certainly the neglect of the officers! God Almighty knows, I will slay many officers for this matter!..”

1

Sultan Selim III (r. 1789-1807) made these comments in an imperial order (ḥatt-i hümâyûn) only days after an unusual incident took place on December 17th,

1791. According to contemporary sources, while the sultan was present at the Ayasofya mosque for prayer, an unidentified Moor from among the believers rose and shouted words of complaint in his own language, as he did not speak Turkish. The "shameless lunatic" as the famous nineteenth-century Ottoman historian Cevdet Pasha later called him, took out a musket ball from his pocket and hurled it at the sultan. He was about to throw another one when the guards caught him and took him outside. Upon the order of the sultan, he was beheaded right there in the palace square. According to the historian Cabi Efendi, when Selim III asked his officials "that he had a grievance is apparent in his courage, did you ask him what it was?", they replied negatively, upon which the sultan felt great indignation. According to the journal kept by Selim III's private secretary, the

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3 "... 'aceb bunun bu kadar cesaretinden derdi ne idi; su 'al olundu mu?' Here, Cabi records another incident in the year 1802 of a Bektaşi dervish named Sabri, who approaches the sultan outside of the Mahmud Pasha Mosque to tell him that he has a problem with him, "'seninle da 'vâ-yi şer 'im vardir.'" In this case, instead of being executed like the Moor, the dervish is placed in a lunatic asylum to avoid causing more indignation (infi 'âl) on the sultan's part. Cabi Ömer Efendi (2003), pp. 89-90. For the English translation of the entry, see Cengiz Kirlî (2000). "The Struggle Over Space: Coffeehouses of Ottoman Istanbul, 1780-1845." Ph. D. Dissertation, Binghamton University, p. 212, f. 40.
man was an Arab who had just been released from a mental asylum and claimed that a certain Murat Bey owed him money.⁴

Following this incident, Selim III issued a decree and ordered the deputy of the Grand Vizier (Kâymağâm Paşa) to take up the matter of security in the city with utmost care.⁵ Members of the military police (zâbita) set out to investigate all quarters of the city and its adjacent townships of Eyüp, Galata and Üsküdar (bilâd-i selâge). They were instructed to purify (taḥlîr) the Gate of Felicity⁶ from ‘unemployed vagrants and unidentified people who do not have guarantors’ by sending them where they originally came from and not allowing any others to enter the city.⁷ For this purpose, they prepared a number of registers for each district that listed individuals who stayed in bachelors’ quarters, commercial shops, bathhouses, inns, dervish lodges and theological schools (medreses). As a

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⁵ Selim III issued numerous decrees on the subject around the same time, as I will discuss in a separate chapter. See for example, BOA. Cevdet Zaptiye [hereafter C. Zap.] 428/ 5 B 1206 [28. 02. 1792]; C. Zap. 941 / 10 B 1206 [04. 03. 1792].

⁶ In continuation of the traditional notions that the ruler’s authority and fortune are interlinked and that justice is dispersed at the gate or threshold of the palace, Istanbul is often referred to by such names as Der-sa ‘âdet, Babû’s-sa ‘âde, and Âsitâne-i sa ‘âdet. Halil İnalcık, “İstanbul.” Eİ CD-Rom version.

⁷ “başboş ve serseri ve kefili olmayan eşhâşı meçhûlû... ve bu mişllû adamları sühületle memleketlerine târd ü def ve Âsitâneyi tâthûre dikkât ve zîyade ihtiyâm eyyelûsin... ve eşrûf från bîlâ- maslahatîn serseri gelenleri Âsitâneye koyumayûb, geri memleketlerine ‘âde içûn...” BOA. HH 9428/ 1206.
result of these inspections, they banished from the city hundreds of men who did not have anyone to bail them.\footnote{I have located about a dozen such registers dating 1206-1208 and I will discuss their significance in a separate chapter. Bailing, or standing surety (kefi\=let) was a widely-used system, the purpose of which was to create a unifying system of incorporation where each individual was required to have a trustworthy member of his community become their guarantor in his dealings with the authorities. See below.}

It appears that the sultan saw a strong link between the expanding population of transients and immigrants, on the one hand, and the disruption of social harmony, on the other. This perceived connection is also apparent in eighteenth-century documents that address the issue. I aim, in this chapter, to explore the historical background of the alleged relationship between migration into the greater Istanbul area and the maintenance of public order and social stability, and to highlight the factors that might have contributed to the government’s ultimate inability to prevent uncontrolled migration. My discussion of the topic will be based primarily on official documents and contemporary chronicles. Where appropriate, I will use secondary sources from slightly later periods in order to better understand the social dynamics of the late-eighteenth century Istanbul. I aim to show that following the 1730 and 1740 revolts in Istanbul, immigrants became increasingly associated with public disorder, uprisings and crime, and that the authorities increasingly perceived them collectively as a disruptive element in society, based on a broad and undifferentiating concept of vagrancy. I will also show that the efforts to contain migration and to control the transient population were not merely a by-product of
the state’s concern with problems of supply and provincial tax revenues. In a later chapter, I will argue that such efforts reflected a growing need to consolidate sultanic power on a novel base, and at the same time, constituted the basis of the struggle to centralize power in the hands of the sultan, especially during the reigns of Selim III and Mahmud II (r. 1808-1839).

Studies on the Ottoman state and political legitimation have shown that during the eighteenth century, Ottoman sultans were "responding to the gradual transformation of authority derived from war to an authority based on social stability." However, social stability in Istanbul was becoming increasingly vulnerable in the face of recurrent food shortages, unemployment, increasing prices, material and psychological costs of relentless wars, fires and epidemics, and unprecedented urban uprisings. According to the ruling elite, an unstoppable influx of immigrants and refugees had become a major factor contributing to chaos and social instability in the city. In his efforts to contain the perceived threat, Selim III made references to certain regulations enforced in the past that had not been in use for some time (... bir müddetden beri bu kâ'idelere ri'ayet olunamayub...) due primarily to the neglect of the officials. Therefore, I find it

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useful to begin this chapter with a discussion of the evolution of the problem of migration and its treatment in the eighteenth century. In the second section, I will elaborate on the relationship between Istanbul’s economy and population, natural catastrophes and epidemics, and chain migrations into the city. In the final section, I will focus on the urban revolts that marked the first half of the century, and their impact on the formation of official policies regarding migrations into the capital city.

1.1. The Eighteenth Century and the Problem of Migration

Migration into the greater Istanbul area during the eighteenth century is a topic that needs to be further studied. There is more familiarity in the scholarship with earlier periods, such as the forced settlement policies of Mehmed II (r. 1444-46; 1451-81), who wanted to repopulate the ruined city after his conquest. \(^{10}\) Efforts to attract people to the city continued into the sixteenth century. Selim I (r. 1512-1520) is known to have brought to Istanbul about a thousand artisans and architects on the way back from his Egyptian campaign. When Süleyman I (r. 1520-1566) declared his wish to bring more water to the city, his grand vizier Rüstem

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Pasha warned him that this would attract a lot of newcomers.\textsuperscript{11} It thus appears that an unregulated increase in the city’s population began to concern the ruling circles as early as the mid-sixteenth century. In an order dated 1567, Selim II (r. 1566-1574) warned his officials about the migration of peasants who abandoned their lands and settled around Eyüb and Kasım Pasha districts of the city. The sultan ordered an investigation to determine the number of immigrants who had come to Istanbul in the past five years and forbade the construction of new houses in the region. He also urged the local administrators to watch out for strangers and to report to the military police those who had been residing in their neighborhood for less than five years.\textsuperscript{12}

During the early seventeenth century, the problem intensified due to the flight of the rural population to cities as a result of the Anatolian civil wars collectively known as the Celali rebellions.\textsuperscript{13} By the eighteenth century, in


\textsuperscript{12} Ahmed Refik (1988). \\textit{Onuncu Asr-ı Hicri’de İstanbul Hayatı (1495-1591)}. Istanbul: Enderun, pp. 139-140.

\textsuperscript{13} According to one estimate 40,000 Armenian families fled to Istanbul. See, Hrand D. Andreasyan (1964). \textit{Polonyali Simeon’un Seyyhatnamesi, 1609-1619}. Istanbul: Baha Matbaası, p. 4. For Celali rebellions, see Mustafa Akdağ (1975). \textit{Celali İsyamları: Türk Halkının Dirlık ve Düzenlik Kavgasi}. Istanbul: Bilgi Yayınevi; Karen Barkey (1994), \textit{Bandits and Bureaucrats. The Ottoman Route to State Centralization}. Ithaca and London, Cornell University Press; İnalçık, Halil (1980). "Military and Fiscal Transformation in the Ottoman Empire, 1600-1700." \textit{Archivum Ottomanicum} 6: 283-337. Theories about the so-called “population pressure” and “demographic crisis” during the sixteenth and seventeenth centuries have been subject to criticism and scrutiny in light of the recent scholarship. The most comprehensive critical evaluation of the debate can be
contrast to earlier state policies to encourage in-migration, the continuous influx of migrants and fugitives into Istanbul was posing a severe challenge for Ottoman governments.¹⁴ Throughout this period, authorities incessantly issued and sent orders to the Rumelian and Anatolian provinces to stop the overflow of migrants into the capital city. The most comprehensive studies on migration into Istanbul during the eighteenth century are two articles by Münir Aktepe and Yücel Özkaya, respectively.¹⁵ Both studies rely heavily on primary sources from the Ottoman archives and sketch out the methods by which Ottoman governments tried to control population movements in the empire, especially in Istanbul. In this sense, their contribution to the field is unquestionable. However, the explanations presented in these articles lack any significant analysis of the primary material used. One purpose in this chapter is to supplement the works of Aktepe and Özkaya with additional primary sources and to address questions such as why the problem persisted in the late eighteenth century, for what reasons controlling potentially permanent migrants became a priority for the authorities, and in what larger context these issues can be better understood. Since the publication of these articles, new material has become available to researchers in

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¹⁵ Özkaya (1981-82); Aktepe (1958).
the Ottoman archives and recent scholarship offers valuable insights into the
social networks developed and exploited by the newcomers in the capital city, as I
will discuss below.

1.1.1. Flight to the Cities and the Empire’s Troubles

Based on their study of archival documents, Aktepe and Özkaya are in
agreement about the major reasons contributing to the flight of the rural
population to major cities, primarily to Istanbul. According to their argument, the
rural population was motivated to flee to urban centers as a result of the combined
effects of the rise of banditry in the country side, the central government’s
weakened/lack of authority outside of the capital city and its vicinity, and the
tendency of government officials to abuse their powers in this vacuum in pursuit
of their personal interests. Both authors argue that although the government in
Istanbul sent numerous edicts called ‘adâletnâmes to the provinces to prevent
these abuses and repeatedly warned the local judges about the proper functioning
of the justice system, the situation continued to be detrimental to the well-being
and security of the re‘âyâ, the primary taxpayers of the empire made up of mostly
peasants, merchants, and artisans. Moreover, increasing numbers of taxpayers
claimed to hold military (askerî) or religious (‘îlmiye) ranks, to be descendants of
the Prophet Muhammed (seyyîds), or to be beneficiaries of an endowment (vakîf)

Türkiye’nin İç Durumu.” Belleten 38 (151-152): 445-491. For earlier periods, see Halil
in order to avoid paying taxes. This in turn increased the burden on those who stayed behind, a burden that was augmented by irregular war-time levies.\textsuperscript{17}

There were additional factors specific to Istanbul that made it an appealing destination. As the seat of the Ottoman sultan and his court, the Gate of Felicity, life was presumably more secure and opportunities for work more abundant there.\textsuperscript{18} Provisionist state policies aimed to guarantee the availability of basic foodstuffs and services much needed by the palace and the city’s inhabitants. State-negotiated and controlled price-ceilings (\textit{nar\'l\'i}) for basic necessities were usually kept low for the same reason.\textsuperscript{19} Furthermore, there was always demand for sufficient labor to supply the palace, government offices, the army and the navy, as well as the wealthy households, and many of the craftsmen supplying

\begin{footnotesize}
\begin{itemize}
    \item[\textsuperscript{17}] See, Özkaya (1974); Aktepe (1958); Bruce McGowan (1997), “‘The Age of the Ayans, 1699-1812.’” In Halil İnalcık with Donald Quataert (eds.). \textit{A Social and Economic History of the Ottoman Empire. Volume Two, 1600-1914}. Cambridge: Cambridge University Press, pp. 637-758, see pp. 646-650; and “Istanbul.” \textit{EP}.
    \item[\textsuperscript{18}] It is interesting to see a petition dated Şevval 1198 [August 1784] that records the complaints of the residents of some villages in Yalakabad (Yalova) regarding the abuse of the local officials. In their petition, residents of these villages asked that either their troubles be resolved or, otherwise, that they should be allowed to reside in Istanbul (\ldots ya ehl\'înin İstanbul'a nakli, veyâ bu belânın üzelerinden def\'i\ldots). The villagers seem to have felt that they would be safer in Istanbul. BOA. C. Zap. 3802.
\end{itemize}
\end{footnotesize}
their needs lived in the greater Istanbul area. The city’s livelihood depended on the goods that came via the sea, and the ports in turn depended upon a large number of porters, many of whom were immigrants providing cheap labor.\(^{20}\) In Ínalçık’s words, “the fact that in the mid-seventeenth century the city’s ovens consumed 250 tons of wheat daily is an indication of the city’s need.”\(^ {21}\) As an additional factor that encouraged migration to Istanbul, Aktepe mentions that the city’s inhabitants were exempt from certain taxes.\(^ {22}\) They were exempt from the peasant (ra’iyyet) taxes and extraordinary war-time levies (tekâlif-i şakka).\(^ {23}\) In addition, artisans in Istanbul did not pay some of the taxes that were imposed on goods sent to the city, such as the market dues (bac-i bazar) and customs.\(^ {24}\) Additional taxes were levied on the Istanbullites, however, among which one could mention such taxes as the sefer akçesi or ordu akçesi on the


\(^{23}\) “İstanbul.” EF, CD-Rom version. For the extraordinary levies illegally extracted from the peasant population in the countryside, see Ínalçık (1965).

esnāf*, which often led to disgruntlement.25 In his study of the Patrona revolt in 1730, Aktepe writes that some new taxes on previously untaxed goods that came after the devaluation of 1719, together with the increasing amounts of the military taxes led to agitation among the public and culminated in rebellion.26 There is no question, then, that the esnāf of Istanbul had to pay certain taxes.27 We also know that such taxes increased during the eighteenth century and that the sale of guild and craft-based offices, such as the office of kethüdâ (guild warden), became a widespread way of collecting tax revenues.28

There were specific situations that would technically lead to exclusion from taxes. First of all, people belonging to either the military class (askeri) or men of religion and learning (ilmîye) would typically be exempt from taxes.

* The word esnāf referred to craftsmen and artisans, artisan-merchants, merchants proper, as well as those guilds engaged in transportation and services, collectively. Sefer or ordu aḳçesi was a military tax imposed on the esnāf in times of mobilization for campaigns.


28 I thank Suraiya Faroqhi for sharing the draft of her unpublished article entitled “Purchasing guild and craft-based offices: a preliminary exploration,” and Engin Akarlı for bringing this article to my attention.
Outside of these groups, non-Muslims paid a head-tax called *çizye*, and all peasants were obliged to pay the tithe (*āşür*), minimally one-tenth, and in many regions one-eighth to one-third of the harvest.²⁹ As İnalcık mentions, residents of Istanbul did not pay this tax. In addition, merchants and artisans paid market dues. The only way a person engaged in any kind of production, trade, artisanal activity would be exempt from paying taxes would be if they belonged to either the *askeri* or the *‘ilmîyye* classes, or if they engaged in trades outside of the established guild structure. Tax evasion could involve a 100 % fine, and renegade production could result in a 200 % fine, confiscation of the equipment, or even banishment to the galleys.³⁰ In short, it is not realistic to assume that the residents of Istanbul as a whole had tax exemptions. It could, however, mean that the traditional boundaries of Ottoman society that strictly divided tax payers and the military-religious class were becoming increasingly fluid in the eighteenth century, and that some were able to use this volatile situation to their advantage.³¹


³¹ The ideal social structure strictly separated the Muslim and non-Muslim tax-paying subjects of the empire (*re‘āya*), made up of the peasants, artisans, and merchants, from the members of the ruling class referred to as *askeri*, which included members of the military not directly engaged in production (*seyfiye*), men of religion and learning (*‘ilmîye*), and the scribes (*kâlemîye*). İnalcık (1973), pp. 55-118. However, as early as the second half of the sixteenth century, Ottoman intellectuals began to see the gradual erosion of these boundaries to be signs of corruption and a decline in the empire’s power. The growing vigor of the central administration - generally referred to as the “bureaucratization” of the empire, the gradual integration of the members of the Janissary corps into the tax-paying population as a result of the corrosion of the *devşirme* system, and the growing number of grandee households as reproductions of the imperial palace in the seventeenth and eighteenth centuries are some of the better-studied
1.2. **Istanbul's Economy, Population and Migration**


\(^{32}\) The best example for the political mass migrations in the eighteenth century would be the influx of Crimean Tatars into the empire following the Russian annexation of Crimea in 1783/84. For eighteenth-century population movements, see McGowan (1997), pp. 646-650. For different estimates and a detailed account of external migrations in the nineteenth century, see Ahmet Akgündüz (1999). "Osmanlı İmparatorluğu ve Diş Göçler, 1782-1922." *Toplum ve Bilim* 80: 144-70, and McGowan (1997), pp. 793-95. A turning point in this regard came in 1857 with the Law of Immigrants (*Muhâcirân Kanunnamesi*), after which the Ottoman Empire officially began to accept and encourage external migrations and granted immigrants tax exemptions, exemption from military service, and religious freedom. One could argue that the reason behind such an attitude was likely to be compensation for the population decrease and agricultural loss as a result of wars, high taxes, epidemics, and inefficient management.
migration-waves, Istanbul also attracted an uncontrollable flow of rural migrants in search of work and socio-economic opportunities. In addition to merchants, craftsmen, medrese students, dervishes and beggars, the influx of young men (bıkların) or households (ev göçü or harem göçü) seem to have been common during the eighteenth century. Life was presumably more secure in the capital city, and there was a large number of religious foundations and hospices that fed the poor regularly. İnalci̇k writes that the hospice of Fatih alone fed a thousand people each day. According to one estimate, in the second half on the seventeenth century there were 485 mosques, 4492 mescids, 157 tekkes and 385 zaviyes in Istanbul.

I will return to the question of security later in the chapter, but suffice to say that:

"uncontrolled migration to Istanbul was always a politically sensitive issue and migrants were perceived, first and foremost, as a potential threat to political stability in the sensitive and "protected" imperial capital. Uprisings and various real or imaginary urban disorders, "of a physical as well as a moral sort" were often attributed to"


34 "İstanbul." Eİ, CD-Rom version.

the presence of uncontrolled elements in the capital, and especially of groups of provincial and unsettled younger males who came seeking employment.\textsuperscript{36}

Ottoman sources and documents from the eighteenth century address the issue of migration on a broad and indiscriminative level and do not make a distinction between different types of immigrants. People came to the capital city for various purposes and lengths of time—for long term residences, as annual or temporary workers, and temporary sojourners, bringing petitions to submit to the court, or goods to be delivered. As Faroqhi mentions, in most cases it is not possible to distinguish between seasonal migrants and potentially permanent immigrants in the court records or imperial orders drafted by Ottoman administrators.\textsuperscript{37} In this dissertation, I use the term immigrant to refer to people who came to Istanbul from another part of the empire for any of these reasons. When my sources allow it, I will make distinctions between single unemployed men, migrant workers, residents of Istanbul with an immigrant background, and the transient population in inns and bachelor’s quarters. I am primarily concerned with bachelors and potentially permanent immigrants, such as immigrant employees of commercial shops, whom the Ottoman authorities perceived as a potential threat to the public and political order in the city. It is difficult, if not impossible, at the current state

\textsuperscript{36} Ibid., p. 96.

of scholarship to determine whether these movements actually led to an increase in the city’s population. It is probable that newcomers quickly replaced those who died as a result of epidemics, earthquakes and fires in the city. The integration into the life of the city depended on complicated occupational and regional networks. People could come and stay for a while, then rent their shops and tools, temporarily or permanently, to go back to their place of origin or to seek their fortune in another town. Such dynamics were most likely to also depend on what other towns or cities had to offer in terms of economic and social opportunities compared to life in Istanbul, especially during a troubled period when the cost of internal and external wars intensified economic problems and problems associated with the provisioning of the city.

1.2.1. Istanbul’s Population at the end of the Eighteenth Century

There are no reliable estimates on the number of immigrants in Istanbul or on the overall population of the greater Istanbul area, including the three townships of Eyüp, Galata and Üsküdar, before the nineteenth century. The first attempt at an empire-wide census took place in 1830-31 in order to determine the number of men eligible for military service after the abolition of the Janissary corps in 1826. This census did not include females and its figures are available only for parts of the empire.38 Even before the census of 1831, however, there

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38 See Karpat (1985). The census of 1831 is known as the first Ottoman census in the modern sense since the publication of Enver Ziya Karal’s work under the title of
were a number of attempts in 1828-1830 to obtain reliable numbers of males in Istanbul, mostly for military purposes.\textsuperscript{39} In the fall of 1829, while peace with Russia was being negotiated, a census of the male population of the city, including infants, was already underway.\textsuperscript{40} The census started with a count of Muslim males, and then proceeded with non-Muslims. The estimates from this census are not available for inner Istanbul, but only for eight neighborhoods within the township of Galata. The census register (m"ufred"at defteri) includes physical descriptions, occupations, and geographical origins of 1156 Muslim males, and by comparison to earlier registers and the 1830-31 census, it deserves recognition as a modern census preceding 1831.\textsuperscript{41}

What is more relevant for the current study, however, is another census mentioned by the court historian Ahmed Lütfi Efendi. During the winter of 1829, there was a severe shortage of grain supplies in the capital city, as a result of the ongoing war with Russia and the loss of expected grain shipments from the Black Sea. Lütfi describes in detail the poor quality of bread in the markets and the unrest among the people, and explains that in order to determine the exact number of people in the city who needed bread, census registers were compiled in Istanbul.


\textsuperscript{40} BOA. HH 19270 (H. 1245), cited in Bingöl (2004), pp. ix-xii.

\textsuperscript{41} The register is transliterated in its entirety in Bingöl (2004).
and the three adjoining townships.\textsuperscript{42} The judge of Istanbul received an imperial order on February 2, 1829 (H. 5 Şevval 1244), instructing him to work with the market inspector (\textit{iḥtisāb ağaşı}) to produce a register of every person, Muslim and non-Muslim, in residential neighborhoods and inns, so that appropriate amounts of bread could be rationed on a daily basis.\textsuperscript{43} We understand from this document that some people were buying more bread than they needed in order to save some for emergencies, thus aggravating scarcity and causing the gathering of angry mobs in front of bakeries. All neighborhood imams (\textit{imāms}), the Greek and Armenian patriarchs, and the chief Rabbi of Istanbul received orders requiring them to send to the judge the exact number of people in their communities. The imperial orders in the court records and Lütфи Efendi’s chronicle suggest that the judge of Istanbul received estimates from Muslim and non-Muslim neighborhood leaders in a fairly short period of time and drafted registers for each region.

According to Lütфи Efendi’s account, these registers yielded a total of 359,089 people in the greater Istanbul area.\textsuperscript{44} To the best of my knowledge, no estimates from these registers have previously been published. During my research in the Ottoman archives, I was fortunate enough to locate the census register for inner Istanbul. This census includes a list of 287 neighborhoods and


\textsuperscript{43} İstanbul Mahkemesi [İM] 154: 70-71.

\textsuperscript{44} Ahmed Lütфи Efendi, vol. 2, p. 361.
the total number of Muslims (male and female) in each neighborhood, including students of theological seminaries (medrese), Gypsies (хире-и қадым) and bachelors (Muslim and non-Muslim) residing in various inns (see tables below). The total Muslim population of inner Istanbul in this register is just under 94,000. With the addition of the number of Muslim and non-Muslim bachelors, the total rises to about 100,000 people (Tables I-II). Whereas the censuses of 1829-1831 were conducted for military purposes and included males only, the 1829 census register for inner Istanbul includes females. The documents clearly state that every person was to be counted precisely (… her hânedâ mevcud ehl-i İslâmdan ne mkdâr nüfûs var ise; ... ve bir hânedâ ehl-i İslâmdan kaç cân var ise ziyaâde haber verilmeyüb...).

**TABLE I**  
Population of inner Istanbul in 1829

<table>
<thead>
<tr>
<th>Subdivisions (kolu)</th>
<th>Number of neighborhoods</th>
<th>Number of Muslims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Çarşı kolu</td>
<td>32*</td>
<td>7583</td>
</tr>
<tr>
<td>Cibali kolu</td>
<td>55</td>
<td>21589</td>
</tr>
<tr>
<td>Balat kolu</td>
<td>63</td>
<td>21494</td>
</tr>
<tr>
<td>Kumkapı kolu</td>
<td>58</td>
<td>19349</td>
</tr>
<tr>
<td>Yedikule kolu</td>
<td>32</td>
<td>11513</td>
</tr>
<tr>
<td>Topkapı kolu</td>
<td>47</td>
<td>12465</td>
</tr>
<tr>
<td>TOTAL</td>
<td>287</td>
<td>93993</td>
</tr>
</tbody>
</table>

*Two neighborhoods in Çarşı kolu were recorded as one, so the total number of neighborhoods was actually 288.*

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45 Bab-i Asafi Divan Beylikçi Kalem-i Mühimme [A. DVN. MHM.] 972 (9 Şevval 1244/April 14, 1829).

46 IM 154: 70/4.
### TABLE II
**Bachelors in inner Istanbul in 1829**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Muslim</td>
<td>1823</td>
</tr>
<tr>
<td>Non-Muslim</td>
<td>4262</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>6085</strong></td>
</tr>
</tbody>
</table>

Source: A. DVN. MHM. 972

### TABLE III
**Population of inner Istanbul in 1830**

<table>
<thead>
<tr>
<th>Subdivisions (kol)</th>
<th>Number of neighborhoods</th>
<th>Number of Muslim males</th>
</tr>
</thead>
<tbody>
<tr>
<td>Çarşî kolû</td>
<td>32</td>
<td>7135</td>
</tr>
<tr>
<td>Cîbîlî kolû</td>
<td>56</td>
<td>9446</td>
</tr>
<tr>
<td>Balat kolû</td>
<td>62</td>
<td>10120</td>
</tr>
<tr>
<td>Kumkapi kolû</td>
<td>58</td>
<td>10372</td>
</tr>
<tr>
<td>Yedikule kolû</td>
<td>33</td>
<td>5148</td>
</tr>
<tr>
<td>Topkapî kolû</td>
<td>47</td>
<td>5002</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>288</strong></td>
<td><strong>47223</strong></td>
</tr>
</tbody>
</table>

* The distribution of neighborhoods appear to have changed slightly compared to the 1829 census register (Table I)

### TABLE IV
**Muslim Inn dwellers/bachelors in greater Istanbul in 1830**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Strong (tuvânî)*</td>
<td>3375</td>
</tr>
<tr>
<td>Infants (sabî)**</td>
<td>20</td>
</tr>
<tr>
<td>Old (mûsin)**</td>
<td>1602</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4997</strong></td>
</tr>
</tbody>
</table>

* Generally 18-50 years of age ** presumably orphans *** older than 50 years of age
How can these figures help us produce realistic population estimates for the late eighteenth century? Available figures for the population of greater Istanbul during the eighteenth century vary widely from 400,000 to 1,000,000.⁴⁷ These figures are not based on official sources and comprise, for the most part, the observations of Western travelers who visited the city. Among them, for example, is the French traveler Olivier, who estimated the population of greater Istanbul in 1792 to be around 500,000 people based on the daily grain consumption in the city’s bread bakeries.⁴⁸ William Eton attempted to calculate the population of Istanbul in 1798, based on the daily grain consumption like

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Olivier, and arrived at an estimate of 426,000 people, with no more than 300,000 permanent inhabitants.\(^{49}\) According to McGowan, the old city within the walls may have held around 300-350,000 inhabitants when not devastated by fire or epidemic, and the total population, including suburbs, was about 600,000 in the late eighteenth century.\(^{50}\) In light of the available estimates from 1829, the upper limit of these estimates appear exaggerated.

In the absence of reliable figures for the eighteenth century, if we apply the 58:42 ratio of Muslims to non-Muslims in inner Istanbul\(^{51}\) to the 100,000 figure (from Tables I and II) for Muslims and bachelors in the bread census, we get roughly 71,200 non-Muslims, which yields to a total population of 171,200 people for inner Istanbul in 1829. This number includes inn dwellers/bachelors, but does not take into account groups such as the residents and servants of the


\(^{51}\) This ratio represents roughly the average of three separate estimates for the sixteenth and seventeenth centuries. The first one is the estimate provided by Sinan Pasha's private physician Cristobal, who estimated 60,000 Muslim households and 44,000 non-Muslim households around 1550, which yields a ratio of 57.7: 42.3. Mantran (1990), p. 45. Barkan's estimate for the period between 1520 and 1535 is 46,635 Muslim households and 33,362 non-Muslim ones with a ratio of 58.3: 41.7. Ömer Lutfi Barkan (1957). "Essai sur les données statistique des registres de recensement dans l'Empire ottoman aux XV\(^{e}\) et XVI\(^{e}\) siècles." *JESHO* 1(Ağustos): 9-36, p. 20, cited in Mantran (1990), pp. 45-46. The third estimate comes from a correspondence by Fabre, a French merchant in Istanbul, who estimated about 2000 Muslim and 1397 non-Muslim households, which is a much lower estimate compared to the first two, but never the less yields almost exactly the same ratio of 58.8: 41.2. Mantran (1990), p. 47.
Topkapı palace and palaces of dignitaries and women of the royal family, soldiers in military barracks, and foreigners (mostly in Galata/Pera) residing in the city. Based on these partially reliable data, one could hypothesize that the population of inner Istanbul was not more than 200,000 at the end of the eighteenth century. If we then apply to this estimate the ratio of the population of inner Istanbul to that of greater Istanbul in 1829 according to Lütfi’s estimate (171,200 to 360,000 → 47.6: 52.4) we get roughly 420,168 people in the greater Istanbul area at the end of the eighteenth century. This rough estimate is very close to Eton’s calculations for 1798. All together, the available data suggest that only the lower end of the estimates ranging from 400,000 to 1,000,000 people seems to be realistic for the late eighteenth-century greater Istanbul area.

<table>
<thead>
<tr>
<th></th>
<th>Muslims &amp; bachelors*</th>
<th>Non-Muslims based on 58:42 ratio*</th>
<th>TOTAL</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inner Istanbul</td>
<td>100,000</td>
<td>71,200</td>
<td>171,200</td>
<td>47.6%</td>
</tr>
<tr>
<td>Bilâd-i selâse</td>
<td>-</td>
<td>-</td>
<td>188,800</td>
<td>52.4%</td>
</tr>
<tr>
<td>Greater Istanbul</td>
<td>-</td>
<td>-</td>
<td>360,000</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: A. DVN, MHM 972 and Ahmed Lütfi Efendi
* Bachelors include Muslim and non-Muslims
* See note 51 above
TABLE VI
Estimated Population of greater Istanbul at the end of the eighteenth century based on 1829 ratios

<table>
<thead>
<tr>
<th></th>
<th>Muslims &amp; Non-Muslims</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inner Istanbul</td>
<td>≤200,000</td>
<td>47.6%</td>
</tr>
<tr>
<td>Bilâd-ı selâse</td>
<td>≤220,168</td>
<td>52.4%</td>
</tr>
<tr>
<td>Greater Istanbul</td>
<td>≤420,168</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Based on percentage values from Table V

1.2.2. Chain Migration and the eşnâf of Istanbul

While the question of the size of the migrant population in Istanbul at the end of the eighteenth century remains an impossible one to answer accurately, recent studies on the nineteenth century can help us get a better understanding of what the picture was likely to have been. In his dissertation, Cengiz Kırılı examines in detail an eşnâf register dating roughly from the first quarter of the nineteenth century. This undated register lists 1859 commercial shops, workshops, and gardens in the Golden Horn (particularly Eyüp and Hasköy) and the west bank of the Bosphorus (Dolmabahçe-Beşiktaş to Rumeli Kavağı). It also includes information on the various piers in these neighborhoods and the names of lighter boatmen, porters, water carriers, and free-lance carpenters. It contains descriptions on the kinds of shops, the names and titles of the shopkeepers, origins of immigrants and their residences in Istanbul. The same kind of information is also recorded for each employee, as well as the employers. Kırılı’s
conclusions are very informative regarding both the esnaf and the migrant population in the areas covered by the register.

According to the figures Kırlı draws from the register, 214 coffeehouses made up the largest sub-group of shops in these regions, followed by 148 gardens/vegetable gardens, 142 grocery stores, and 141 barber shops. Muslims and non-Muslims took part in the commercial and artisanal activities in proportion to, more or less, their actual demographic weight within the population. Certain religious groups seem to have been specializing in particular occupations, such as the Greeks running grocery stores and vegetable gardens, Armenians owning bakeries, mills, and pottery shops, and Muslims running bathhouses. In smaller shops, it seems that it was common for the master and his employees to be of the same religion. Larger scale shops like bakeries, bathhouses, and slaughterhouses frequently employed members of different confessions.

Kırlı’s analysis shows that seventy three percent of the employees registered in this region resided in their own workplaces. The rest stayed mostly in coffeehouses, and to a lesser extent in public baths, inns, bachelors’ chambers,

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52 Based on a register from roughly 1792, Necdet Ertuğ reports that the boatmen (kayıkçılar) made up the greatest group on the Bosphorus, and that many among them had migrated from Anatolian provinces. He also finds that coffee shops made up the largest number of workplaces, 358 out of 2745. Hüseyin Necdet Ertuğ (2000). “Osmanlı Kefalet Sistemi ve 1792 Tarihli Bir Kefalet Defterine Göre Boğazıçı.” Unpublished MA Thesis. Sakarya Üniversitesi, p. 273. See also idem. (2001) Osmanlı Döneminde İstanbul Deniz Ulaşımı ve Kayıkçılar. Istanbul: Kültür Bakanlığı. This is one of the group of registers prepared after Selim III’s imperial order mentioned above, and I will be discussing them in more detail in Chapters II and III.
Janissary barracks, or their master’s house. When shop owners and employees are combined, we see that fifty six percent of the total workforce in these areas was residing in the workplace. There is no proven direct relationship between living in the workplace and being an immigrant. However, it is plausible to assume that a majority of them lived in the workplace because they did not have other residences or family in the greater Istanbul area. Kirli’s analysis of those employers and employees whose place of origin was recorded in the register also suggests similar ratios. According to the register, around one third of the shopkeepers and fifty six percent of the employees were immigrants. These numbers combined suggest that immigrants made up nearly half of the total workforce in these areas.

Kirli’s work also suggests that chain migration was essential for the workforce in the areas covered by the register. This process implied social arrangements and networks with contacts at destination, who typically helped newcomers find shelter and work. It seems that people looking for upward mobility and work came to Istanbul from limited number of regions, considering the size of the empire in the eighteenth century. This view is supported by Suraiya Faroqhi in her study of migration according to the court records of Eyüp. These studies suggest that regional allegiances were the most prevalent among

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54 Ibid., p. 103.

55 Ibid., pp. 104-5.
immigrants. Not only did they come from the same areas, and tended to work in the same professions, but they tended to work together, as well. The commonality of occupational specialties among immigrants coming from the same region was linked to the 'carving up' of the labor market by immigrants into the greater Istanbul area – the newcomers stood a chance of establishing themselves only if competition was limited to 'extraneous criteria' such as co-regionality or communal affiliation.\textsuperscript{56} According to the \textit{esnāf} register, it was rare to find a workplace where the master and his employees had migrated from different regions, and the same pattern seems to have prevailed among Muslims and Christians alike.\textsuperscript{57}

An example of chain migration has been revealed by Cem Behar in his study of the neighborhood of Kasap İlyas in Istanbul.\textsuperscript{58} His study of the migrants from Arapkır in Eastern Anatolia discloses some patterns in the process of chain migration in the late nineteenth century. The settlement and concentration of migrants from Arapkır in Mamurettülaziz started in the last quarter of the eighteenth century around the family mansion of a certain Ispanakçızade Hafiz Mustafa Pasha, a vizier and governor of many provinces. Mustafa Pasha resided in Arapkır for a while during his duty as the superintendent of the silver mines in neighboring Ergani and Keban, and undertook to act as a public benefactor,


\textsuperscript{57} Kirli (2000), p. 106.

\textsuperscript{58} Behar (2003).
endowing a pious foundation (vakıf) and assigning its revenues for the upkeep of a public library named after himself.\textsuperscript{59} Entering a high ranking official's service was one of the main avenues for upward mobility during the seventeenth and eighteenth centuries.\textsuperscript{60} It seems that the earliest newcomers were related to the household (kapu) of this Ottoman official, who must have started recruiting local Arapkırlıs for his retinue. Some of these local protégés were either sent or brought to the family's permanent household in Istanbul, and housed either in the family mansion or its immediate vicinity during the third quarter of the eighteenth century. In this way, they constituted the nucleus of a chain of migrations that continued long after Mustafa Pasha was executed in Diyarbakır in 1779, the family mansion burnt down in the great fire of 1782, and the family most likely left the neighborhood.\textsuperscript{61} In her study of Eyüp in the eighteenth century, Faroqui makes a similar point by drawing attention to a \textit{de facto} tolerance for migrants despite preventive measures. "More importantly, wealthy inhabitants of Eyüp and Istanbul generated demand for the service of migrants. Many powerful personages must have used their political leverage to make sure that servitors remained at their disposal, and secured temporary relaxations of migration regulations."\textsuperscript{62}

\textsuperscript{59} Ibid., pp. 98-103, especially p. 101.

\textsuperscript{60} See Rifaat Abou El-Haj (1974).

\textsuperscript{61} Behar (2003), p. 102. In his study of Ottoman customs and daily life in the late nineteenth and early twentieth centuries, Abdülaziz Bey (1850-1918) provided a list of the most common trades among immigrants of certain areas. He listed Arapkırlıs to be commonly engaged and employed in domestic services. Abdülaziz Bey (1995). \textit{Osmanlı ADET, MERSİM VE TABIRLERİ. TÖPLÜM HAYATI.} tr. by Kazım Arısan and Duygu Arısan Günay. İstanbul: Tarih Vakfı Yurt Yayınları, pp. 139-140.
controls.” Based on these indicators, we can assume that Mustafa Pasha was only one of such influential persons who in the long run facilitated migration at the expense of the political authority.

The case of Kasap İlyas and the İspanakçı Viranesi (referring to the area where originally the mansion stood) demonstrates certain characteristics of chain migration that are also supported by Faroqhi and Kılıç in their study of earlier periods. First, it illustrates that immigrants in this area came from a particular geographic region and clustered in a particular portion of the neighborhood. Secondly, as the study of the Ottoman census of 1885 reveals, they also worked in the same professions—about seventy seven percent of those Arapkirlis whose occupations were clearly stated in the census documents were itinerant fruit and vegetable vendors (küfecis) and almost all of them lived within the İspanakçı Viranesi. After them, the largest group of peddlers were street porters (hammal or hammal küfecisi) and old-clothes-men (koltukçu). All three combined, they made up more than half of the artisan/tradesmen/shopkeepers category in the neighborhood, and clearly were neither well-educated nor well-off. Thirdly, Behar convincingly argues that the itinerant vendors worked mostly outside the

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64 Ibid., p. 114.
guild structure and shop use rights (\textit{gediks})\textsuperscript{65} and that a solid network of personal relations was the defining factor in determining ease of entry to the trade. These networks must have functioned in the long run as a means of facilitating and encouraging migration and making the integration of newcomers easier.\textsuperscript{66} It is important to note also that neighborhoods that were inhabited by immigrants from generally the same area of origin typically tended to be safer and more harmonious. In his study of three shantytowns (\textit{gecekondu}) in Istanbul during 1968, Karpat shows that the crime rates among the Nañibaba and Baltalimani settlements, which had established internal order and security, and achieved some degree of cohesiveness based on communal networks, were much lower than both the crime rate for Istanbul and the national rate. On the other hand, the Celalettin Pasha settlement, which was composed of migrants from various different areas, faced acute disintegration because it had lost most of the traditional factors of solidarity – such as the village community and family leadership. This settlement


\textsuperscript{66} Behar (2003), pp. 114-120.
had a crime record significantly higher than the national average. Unfortunately, we do not possess this kind of information for the eighteenth century. But, we know that Ottoman officials were primarily concerned about single men who did not have any acceptable affiliation with an artisanal group or any community through a guarantor in the city, as opposed to such communities as the two settlements mentioned above, which had developed internal networks and were able to maintain social harmony and order in their neighborhood.

In the light of these recent findings, one could say that chain migrants first acquired information about their destination and upon arrival, could count on the support of kin or co-locals within the city, who tended to cluster together. This implies that relations with origin continued, and if prospects were good, the new settler typically became a new link in the chain. Some took new brides or brought their families from their place of origin, and bought or sold property in their town or village. Within this framework of tightly-knit relations based mainly on co-locality or kin, it is not surprising to find migrants from the same regions working in similar professional groups. Thus, the place of origin was the most important marker determining networks in Istanbul in the late 19th century. Although we lack definitive studies for the eighteenth century, Faroqhi’s work on Eyüp

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suggests that this was likely to be the case in the second half of the eighteenth century, as well.

Last, but not least, these studies strongly suggest that in the Eyüp-Hasköy region, no less than half of the workforce in particular professions was made up of immigrants. To some extent, this illustrates the city’s dependence on the migrant workforce, which must have contributed to the Ottoman administration’s ultimate inability to control the influx of immigrants, despite a seemingly strong political determination to do so. Like other pre-modern European cities, Istanbul depended upon newcomers to sustain its large population.69 An interesting question is raised by the relationship between the division of labor in the market and the development of the notion of gediks in the eighteenth century. If gediks became significant in the late eighteenth century70 during a period when migrant labor had such an influence on the economy of the city, one could say that the transformation of gediks was instigated partially as a response to competition fired by migrants who, in certain areas, worked mostly outside of the guild structure and provided cheap labor. It appears that there was a connection between migrants and the “clumsy-handed outsiders” (pîr-perver ve șan‘at ehli olmayan ecânib) who, according to guild members, were harming the businesses

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70 Engin Akarlı has shown this in his work. See, Akarlı (1986).
of many guildsmen and violating public interest in Istanbul.\(^1\) We know that part of the “unfair” competition came from peddling, as well as illegal trade practices carried out by both members of the guilds and nonmembers alike.\(^2\) It seems that, at the end of the eighteenth century, there was much tension underway and artisanal groups tried to protect their members from “unfair” competition by making use of the legal system and frequently presenting complaints to the imperial council and the courts, increasingly so during the reign of Selim III.\(^3\) As Engin Akarlı describes:

“The masters argued, typically, that the falling of one of their gediks into the hands of an incompetent outsider harmed them all. These outsiders, who knew neither their custom nor trade, cheated the populace at large (literally, ‘ibādullah, ‘the servants of God’) and the merchants alike, according to the complainants. This situation undermined the integrity as well as the credibility of the group as a whole and discouraged the merchants from supplying the necessary raw materials and commodities. Shortages followed, prices increased, the populace suffered, and the groups became scattered, impoverished, and, last but not

\(^1\) Engin Akarlı’s paper, “The Uses of Law Among Istanbul Artisans and Tradesmen: The Story of Gedik as Implements, Mastership, Shop Usufruct and Monopoly, 1750-1850.” In International Symposium on Legalism and Political Legitimation in the Ottoman Empire and Early Turkish Republic. Berlin, 1983, discusses the complaints taken to the imperial court in detail. The language used in these complaints against the “clumsy-handed outsiders” is extremely close to that used in imperial decrees on the prevention of the entrance of “unidentified people” into the city, especially in as far as the principle of public interest (\textit{naf'an lil- 'ibād}) and order is concerned. Also see idem. (2004).


\(^3\) For disputes involving credit, rent, and monopoly issues see Akarlı (2004).
least, unable to fulfill their obligations to the government."\(^{74}\)

After 1826, the Ottoman administration under Sultan Mahmud II (1808-1839) made it a common policy to grant *gediks* to increasing numbers of artisans in an attempt to relieve the *esnâf* by distributing taxes fairly among everyone involved in a certain trade, as well as to increase the government’s tax revenues, much needed to finance the military, bureaucratic, and legal reforms. Eventually, most groups came under government supervision and, ironically, lost much of their bargaining power, which had historically been based on judicial arbitration.\(^{75}\)

One should keep in mind, also, that these outsiders were not always clumsy-handed evil-doers (*ehl-i fesâd*) or unidentified (*mechûlî l-arhâl*) bachelors, as the complainants tended to portray them. Recent scholarship and court records suggest that people with some money and connections went to Istanbul, as well. However, what is more important for the topic of this dissertation is that merchants and artisans brought their cases to the imperial council or the courts and tried to justify their position in terms of the Islamic legal principle of public interest (*naf’an lil-‘ibâd*), which was indispensable for the maintenance of a harmonious social order, and public benefit (*maṣlaḥa*) in

\(^{74}\) Ibid., p. 178.

\(^{75}\) See Engin Deniz Akarlı’s articles in n. 73 above and especially idem. (2004), Epilogue, pp. 196-200. After 1838, with the grant of capitulatory privileges to European states and the opening of the Ottoman economy to capitalist competition, the government abolished *gediks* along with all internal monopolistic privileges. Ibid., pp. 198-200.
general. I will discuss these principles and their relationship to public order (āsāviṣ) in further detail in the following chapters.

1.2.3. Natural disasters and epidemics

Like many other cities in the empire, Istanbul experienced frequent natural disasters in the eighteenth century. It was especially vulnerable to fire, and suffered enormous losses, particularly in the great fires of 1750 (burning down perhaps 80,000 houses), 1782, 1784, and 1787 (when two-thirds of the city outside the walls burned, killing about 40,000 people).\textsuperscript{76} Major earthquakes hit the city in 1719 and 1766, in addition to nearly two-dozen smaller ones.\textsuperscript{77} Between 1790 and 1793, seven earthquakes took place in Istanbul.\textsuperscript{78} There were also years when more than one catastrophe hit the inhabitants. According to Hasselquist, a Swedish traveler, in 1750/51 the city was struck with a severe plague epidemic killing over a thousand people everyday; a fire that lasted twenty-four hours and burned thousands of houses; followed by a hailstorm and


\textsuperscript{77} Orhan Sakin (2002). \textit{Tarihsel Kaynaklaryla İstanbul Depremleri}, Istanbul: Kitabevi Yayınları.

an earthquake that destroyed forty-thousand boats and many boatmen; the soldiers revolted, and people were starving.\textsuperscript{79}

The plague was the most catastrophic of all disasters in the eighteenth century. Istanbul witnessed 37 plague epidemics between 1701-1750, and 31 between 1751-1800. This means that for two-thirds of the century people were dying.\textsuperscript{80} The epidemic in 1778, which was the severest during the second half of the century, killed about twenty percent of the population of greater Istanbul.\textsuperscript{81} After making a peak in July and August, the epidemic began to weaken and by December it had basically disappeared.\textsuperscript{82} In the absence of reliable population figures for this period, we do not know in detail what exactly happened following such disasters. However, there is no doubt that they had serious consequences on every aspect of life in the capital city. We know, for example, that the plague had obvious negative effects on the economy. During the 1778 epidemic, as we learn from the letters of a French merchant and the Venetian balio in Istanbul, foreign diplomats and the wealthy escaped to their residences on the shores of the


\textsuperscript{81} Panzac (1997), p. 183. According to contemporary observers, the number of people who died was between 160 and 200 thousand people in the greater Istanbul area. One observer estimated the number of corpses taken to the cemeteries outside the city walls to be at least one thousand everyday in mid-July. See pp. 21-35.

\textsuperscript{82} Ibid., p. 22.
Bosphorus; all bazaars and shops were closed, and the Greeks, Armenians, and Jews all abandoned their businesses. Galata and Pera were completely deserted by the Franks. In short, all economic activity had ceased.\(^3\)

After such epidemics, the government was undoubtedly in shortage of services and artisans, services for the army and navy and the \(eşnāf\) that provided those services. We know, for example, that Istanbul depended on the goods that came via the sea, and an army boatmen and porters, many of whom were immigrants providing cheap labor, and also among the very first to be exposed to the disease.\(^4\) How did the city accommodate such losses in population? Following epidemics and fires, there could be severe shortages of skilled laborers, especially in construction. One should note that while fires and epidemics mostly affected the poorer neighborhoods and wooden houses, earthquakes were more likely to damage stone buildings, such as commercial inns (\(hâns\)) in marketplaces. The abundance of documents following disasters such as earthquakes and especially fires show that it was common for the government to give orders for bringing migrant workers to the city in order to meet the needs of the palace, the army, and the inhabitants.\(^5\) Presumably, losses were quickly made up, since

\(^3\) Ibid., pp. 22-23.


\(^5\) BOA, Cevdet Belediye [hereafter C. Bel.] 2708/ C 1170, 2709/ 20 Za 1196, 641/ Z 1179, 159/ 4 Ra 1207; C. Zap. 2764/ Za 1203, 3552/ 21 B 1197. See also B. J. Slot (1976). ‘‘The Fires in Istanbul of 1782 and 1784 According to Maps and Reports by Dutch Diplomatic Representatives.’’ \(Güney Doğu Avrupa Araştırmaları Dergisi\) 4-5:47-
Istanbul was a favorite destination for fugitives and migrants looking for work, and the city, "like other pre-modern cities of Europe, could not sustain its population through natural increase alone, but depended on a flow of newcomers from the outside for its equilibrium." 86

Plague-devastated cities were refilled by immigration from the countryside. 87 Panzac writes that in Cairo and Istanbul, given their special positions, it did not take very long to compensate for the losses in population following each severe epidemic, whereas in different areas it could take up to forty-five years to make up a twenty percent loss in population. Newcomers typically came from areas with smaller populations, who remained relatively unaffected by the plague. 88 In this way, organized waves of migration were orchestrated by the state, such as those from the Black Sea provinces to Istanbul in the next century. 89 This was a common pattern in other European cities in the eighteenth century, as well. Such was the case in Marseilles, for example, in 1720


87 Quataert (2000), The Ottoman Empire, 1700-1912, p. 112.


when it lost about half of its total population due to the plague and its recovery depended largely on the influx of immigrants from the neighboring regions.\textsuperscript{90}

In conclusion, based on the tight connection between labor, immigration, and Istanbul's population, one could say that immigration control was partly a matter of economic and demographic conjuncture. In addition to the state authorities' initiatives to bring laborers from other regions to work in Istanbul following shortages caused by fires, earthquakes, floods, and presumably epidemics, the wealthy inhabitants of the city also generated demand for the service of immigrants. Especially following such natural disasters, influential people must have used their political leverage to make sure that servitors remained at their disposal, and to secure temporary relaxations of immigration controls, thus stimulating a \textit{de facto} tolerance for immigrants in general.\textsuperscript{91}

\section*{1.3. Rebellion, Migration, and Fear of Crime in the “Well-Protected” City}

In addition to the problems of supply and fiscal revenues, eighteenth-century sultans were also concerned about urban uprisings and civil disobedience. The first half of the eighteenth century is marked not only by a relatively stable period of peace and progress, but also by government policies which seem to be

\textsuperscript{90} Panzac (1997), p. 189, ff. 66. He also writes that the recovery period entailed an increase in the number of marriages and childbearing among the inhabitants. Unfortunately, it is not possible to make a comparison with eighteenth-century Istanbul in the absence of available data.

dictated by a pressing need to proclaim the physical presence and authority of the sultan and his officials in Istanbul following a prolonged period of absence.\(^92\) In the seventeenth century, sultan Mehmed IV (r. 1648-87) spent about twenty-five years of his reign away from Istanbul, mostly in Edirne. Mehmed Halife wrote in his *Tārīḫ-i Gilmānī* that the ruler's absence had turned the city into a big village.\(^93\) Ahmed II (r. 1691-95) and Mustafa II (r. 1695-1703) were both enthroned in Edirne. In addition, Mustafa II officially declared the transfer of the court there on March 21, 1701 in order to expedite the business of the border commissioners, and to facilitate receiving foreign representatives of the Holy League about the ratifications of the Karlowitz treaties.\(^94\) During the uprising known as the "Edirne Incident"\(^95\) which ultimately led to the forced abdication of sultan Mustafa II in

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94 After Ahmed II (r. 1691-95) who died on February 5, 1695 in Edirne, Mustafa II (r. 1695-1703) became the second Ottoman ruler to be enthroned in Edirne after the conquest of Istanbul in 1453. He was also the last of Ottoman sultans to reside in Edirne, and the only one to be deposed there. See, Sakaoğlu, p. 338; compare, *İslam Ansiklopedisi*, v. 5, p. 1214/17. About the treaty negotiations and ratifications, see Rifa‘at Abou el-Haj (1967), "Ottoman Diplomacy at Karlowitz," *JAOS*, vol. 87.4; idem. (1974). "Ottoman Methods of Negotiation: The Karlowitz Case, "*Der Islam*, 51.1; and idem. (1963). "The Reisulkuttab and Ottoman Diplomacy at Karlowitz." Unpublished Ph. D. dissertation, Princeton University.

favor of his brother Ahmed III (r. 1703-1730), one of the major demands made by the rebels who took up arms in Istanbul in preparation to march on Edirne was that the sultan return with his court to Istanbul immediately. This condition was essential for the alliance of the discontented elements in Istanbul—unemployed members of the ‘ulema and the Janissary corps, the troubled esnaf and the people of Istanbul—in rebellion. According to the author of a contemporary anonymous history, although there was no need to stay in Edirne after the conclusion of peace and it was necessary for the sultan to return to Istanbul to engage in organizing the affairs of the country and the taxpaying subjects, as if going against antecedent, the city was in complete neglect. Thus, although it was provoked by long delays in military pay, discontent with the empire’s recent military defeats and territorial losses, and resentment toward Şeyhülislam Feyzullah Efendi’s influence over the affairs of state, it would be incomplete to consider the Edirne incident as merely a Janissary revolt, or the reaction of the ulema against Feyzullah Efendi’s favoritism. “For it was truly the revolt of a city, Istanbul, which intended to keep its privileges.” Not only did the city lose its major


buyer of goods and luxuries, but in the absence of the sultan and his court, many businesses and European wholesale merchants had moved to Edirne as well, and this was seriously affecting Ottoman retailers who depended on them. Apparently, the situation was undermining Istanbul’s position by moving cultural activity, higher prestige, and a relative security in terms of food supplies in the direction of Edirne.⁹⁸

The definitive return of the Ottoman court to Istanbul from Edirne in 1703 initiated a process of unprecedented urban change and building activity in the city. It also “launched a period during which social transformations in the making since the late sixteenth century became visible in the capital city’s fabric, conveying the tastes, aspirations, and recreational activities of the urban society.”⁹⁹ A vital element in the formation of this new urban environment was the state’s endeavor to reassert its physical presence and authority in the capital.¹⁰⁰ Symbolically, the Edirne Incident and the return of the imperial court to Istanbul mark the beginning of a new era of relations and interactions between the civilian

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⁹⁸ Ibid., pp. 103-104.

⁹⁹ In her dissertation, Shirine Hamadeh borrows the provocative term décloisonnement to refer to increasingly permeable social and professional boundaries, and gradually eroding signs of distinction—a process that had been underway since the second half of the sixteenth century. Hamadeh, p. 32.

¹⁰⁰ The transformation of the urban architecture and landscape in this period, as part of the wider social, economic and political changes, which have marked the early decades of the century as the so-called “Tulip Period” has been the subject of numerous studies. For a detailed bibliography, see Tülay Artan (1989). “Architecture as a Theater of Life: Profile of the Eighteenth-Century Bosphorus.” Unpublished Ph. D. Dissertation, MIT; and Hamadeh (1998).
population of the city and the governing elite. Uprisings against the ruling sultan and/or his leading officials were not uncommon in the seventeenth century. To the contrary, between 1618-1703 there were seven major upheavals in the city, three of which led to the deposition of the reigning sultan, in addition to the execution of many high-ranking officials.\textsuperscript{101} These were mainly Janissary revolts.

However, civilian elements among the population of Istanbul began to participate in them as early as 1622.\textsuperscript{102} The association between the Janissaries and the ‘lumpenesnaf’ of Istanbul tightened and became so inextricably linked to one another sometime in the seventeenth century that they could no longer be distinguished as separate social groups.\textsuperscript{103} Janissaries traditionally remained single, devoted themselves to military service and were not allowed to take up any other profession. However, with the corrosion of the devşirme system, from about the middle of the sixteenth century onward, they increasingly entered into trade

\textsuperscript{101} Kafadar (1981), Chapter V, pp. 86-119.

\textsuperscript{102} Ibid., p. 91, quoting from contemporary sources. Naima 2: 217, Danışmend 3: 301, Yuğû, p. 494. The civilians are referred to as the “city folk” (şehirlüler) and the “rabble” (ayak takımı); mostly referring to the fluid and dynamic socio-economic segment of the society made up of migrants and nominal Janissaries trying to make a living outside of the guild system. Kafadar writes that this association had been established as early as the first quarter of the seventeenth century. Ibid.

\textsuperscript{103} Ibid., pp. 91-92. Kafadar uses the term “lumpenesnaf” to refer to the relatively marginal body of esnaf with Yeniçeri affiliations, as opposed to the established, “gilded” esnaf which constituted two different categories of artisans and tradesmen in Istanbul. It appears that he former group “pursued their crafts and trades mainly outside the guild system, unable to establish organic links with the esnaf’ corporations.” See pp. 84-85.
and artisanal professions, mainly outside the guild system. In McGowan’s words, “once the Janissary corps had evolved into a kind of militia, melting into a population with whom it married and whom it fathered, it was impossible to prevent the participation of the Istanbul crowd in matters of war and peace and in other questions affecting the fortunes of the state.”

As the eighteenth century unfolded, two major revolts shook the Ottoman capital. In 1730, the notorious Patrona Halil Rebellion led to the dethronement of Sultan Ahmed III, who had so festively returned to Istanbul after the Edirne Incident in 1703, and brought to an abrupt end the so called Tulip Period (1718-30). The leader of the revolt, whose name the rebellion has come to be known

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with, drew his support mainly from the opponents of the sultan and his Grand Vizier Nevşehirli Damad İbrahim Pasha. Members of the ‘ulema and the Janissaries, “threatened by the Western-style reforms which, according to them, undermined ancient tradition and destroyed the religion and state (dîn ü devlet)” cooperated with the people of Istanbul in what has been interpreted as the first anti-modern outbreak in Turkish history that introduced new disruptive urban elements on a scale hitherto unprecedented in the capital city.\(^{108}\) The esnâf contributed to the turmoil in 1730 alongside the Janissaries, “not with their silent approval but with their physical presence in the uprisings. Thus, the tacit understanding of the seventeenth century had turned to an “active alliance-in-arms” by 1703 which reappeared in 1730.”\(^{109}\)

It is not within the main focus of this study to re-evaluate the Patrona rebellion; however, one must note that there has been a general tendency in the scholarship, with the exception of Aktepe’s and Olson’s works\(^{110}\), to present the

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\(^{108}\) Olson (1977), p. 190-91, quoting from Mardin (1973), p. 175. The view that “those who wished reform were opposed by the ulema, Janissaries, and the people of Istanbul”, and that after 1730 “victories belonged to the second group’’ was expressed by Karal (1940), p.19.


uprising as a reaction of the conservative alliance between the Janissaries and the ulema against modernizing tendencies among the state elite, which threatened the religion and state (dîn ü devlet) both by their infidel innovations and by their compliance with the European powers. A more careful look into the event quickly reveals that many of the Western novelties such as the printing press and the fire-extinguishing pumps were not the outcome of conscious efforts of the ruling circles, and that the rebels did not show much opposition to these new technologies. Their main reaction was to the socio-economic rift between themselves and the members of the privileged classes, who were enjoying the pleasure palaces on the “sweet waters of Istanbul” while the extraordinary taxes levied on the peasants provoked new waves of migration into the city. Many migrants eagerly joined the Janissary corps and expressed their resentment with arson. The eşnaf had been suffering under a devaluation in 1719, new taxes on previously untaxed goods, and increasing amounts of the army tax (ordu akçesi), as well as the influx of cheap labor with the migrants and increased


112 Armenian, Greek, and Jewish minorities of the empire had been operating printing presses since the fifteenth century. This was the first press to publish in Ottoman Turkish. For more on the printing press, see A. Adnan-Adlvar (1930), La Science chez les turcs ottomans, Paris; Jale Baysal (1968). Mülteferrika'dan Birinci Meşrütiyete Kadar Osmanlı Türklerinin Bastıkları Kitaplar, Istanbul: İÜEF Yayınları; Niyazi Berkes (1962). “İlk Türk Matbaası Kurucusunun dini ve fikri kimliği,” Belleten 26: 716-37;

commercialization of the Janissaries. Some of them joined the rebels in their resentment.

In short, what made the Patrona revolt unique was its social base. Halil himself was a nominal Janissary who worked as a bath attendant and an itinerant dealer of used goods, and his main helpers were a fruit seller and a coffee shop-keeper. Thus, it was this urban lower class affiliation of the rebels that constituted the new potentially ‘disruptive’ elements in the eyes of the ruling elite. As mentioned above, the involvement of the civilian population, with some degree of participation from among the eşnâf and migrants, constituted the distinctive feature of this upheaval. There were three minor attempts to avenge Patrona Halil after he and his supporters had been executed in 1731. During one of them, Albanian migrants leading the revolts almost obtained the support of the Janissaries, but the government quickly suppressed it before they could take arms. The established eşnâf, who had, in the beginning, supported the rebels, switched sides as a result of the long-drawn turmoil in the marketplace. Thus, they sided with the protectors of law and order. However, the administration continued to perceive immigrants, especially bachelors, as a potential threat that could instigate social unrest and chaos in the city.


115 According to an estimate, in 1730 there were 12,000 Albanians in Istanbul who provided the tinder for rebellion. McGowan (1997), p. 647.

116 Kafadar, p. 110.
In the decade following the Patrona Halil rebellion, the cost of the war with Russia and Austria (1736-39), which broke out as peace with Nadir Shah of Persia was still being negotiated, aggravated the economic difficulties in the city. The winter of 1739 was extremely severe and the people of Istanbul were troubled by the scarcity of provisions, especially wheat, barley, fat, and honey. In April of 1740, the lack of foodstuffs caused a clamor for bread. On June 6, 1740 a crowd attacked shops and plundered their goods in the Sipahi bazaar, and the riot quickly spread to the flea market and then to the Bayezid Mosque area. Along the way, the crowd pillaged and forced shops to close as they moved like a ‘a pack of dogs,’ and the rebellion spread to all parts of the city. However, upon the intervention of the Aga of the Janissaries, who was quick to act upon the incident despite the absence of both the sultan and the Grand Vizier, the riot did not turn into a full-scale rebellion. Upon his return, sultan Mahmud I issued an imperial decree forbidding shop owners to close their shops, and declaring anyone who did not obey to be one of the rebels. On June 9, there was another outbreak that was


119 The sultan was visiting Mehmed Emin Ağ'a's new kiosk on the Bosphorus, and grand vizier Yeğen Mehmed Pasha was at Sadabad on the Golden Horn. Aktepe (1958), Patrona ..., pp. 17-18.
suppressed by the inhabitants and the əsnəf, who had been armed by the
government to fight against the rebels.\textsuperscript{120} Bathhouses and bachelors’ inns in the
city were investigated, and the death toll for the rebellion and its suppression was
as high as three thousand, according to the British Resident in Istanbul.\textsuperscript{121}

The rebellions in 1730 and 1740 may be indicative of the changing nature
of Istanbul’s large population and its relations with the fluid alliances representing
the government. During the rest of the century, riots occurred in the market
places, especially during periods when provisions were scarce, but there were no
major rebellions in the city. However, one could say that the fear of recurrent
rebellions, those that had the potential to temporarily bring together different
segments of the society – such as immigrants, nominal Janissaries, and
disgruntled əsnəf, was symptomatic of a heightened awareness and concern for
the maintenance of public order in the city. This concern manifested itself in the
policies by which Ottoman rulers attempted to exert some control over
immigrants and protect the general well-being of their subjects, in their capacity
as the upholders of Islamic legal principles and justice throughout the Ottoman
realm. The instability created by the potential of fluid alliances among the
dynamic population of Istanbul, especially during times of political and economic

\textsuperscript{120} Olson (1977), pp. 196-99; Aktepe (1958), \textit{Patrona ...}, pp. 17-18; Kafadar

\textsuperscript{121} June 17, 1740, SP 97, vol. 31; quoted in Olson (1977), p. 196. Everard
Fawkener replaced Lord Kinnoull as British Resident in December 1735, and served till
September 1742.
challenges posed by the ‘ayān (provincial notables), contributed to the renewed efforts to centralize power in the hands of the Ottoman sultan, which began to bear fruit during the reigns of Selim III and, especially, Mahmud II.\(^{122}\)

1.3.1. State Policies and Mechanisms of Control

It is possible to trace this trend in the official Ottoman documents that deal with the migration problem in the eighteenth century. The abundance and frequency of such documents is indicative of the scope of the problem, as well as the government’s failure to resolve it. Following the revolt of Patroa Halil, an imperial order addressed the issue in the following words:

\[\ldots\text{ openly involved in vice, vigilance, and debauchery day and night by provoking each other, these scoundrels [people coming from especially Rumelian provinces residing in inns and such places with the intention of permanently settling here] manifested their treacherous and malicious behavior few times without any reasons in my City of Happiness, by breaking into people’s houses and plundering their property… Each time they were captured and their blood was wasted. To prevent this bloodshed, it is the order of this fermān that from now on those who want to come to my seat of government with the pretext of taking care of their important business are to be prevented, and those who really need to come to follow their business are to find a reliable person to stand surety for them…}^{123}\]

This document, and many others like it, imply an alleged association between immigrants and the disruption of social harmony. Immigrants appear in

\(^{122}\) See Olson (1977), p. 191.

such documents as people “with no business, who gather in the city and disturb public order and security” (...)İstanbul’da işsiz gücüüz toplanarak muhull-i âsâyiş ahvâl vuku’a geldiğinden bunlara müsâ’ade olunmamasi...). Documents often refer to the necessity to ‘purify’ or ‘cleanse’ (taṭīr) the city from the ‘vagrants’ and to chastise (te’dîb) and frighten (terhîb) them to set an example for others. An order by Mahmud I (r. 1730-1754), issued immediately after the uprising in June 1740, refers to the high numbers of people with unknown intentions (mechüllü ’l-hâl ve muḥtellü ’l-ahvâl), who had come to his seat of government in order to escape taxes or with the pretext of conducting business, some of whom were: “... scoundrels and rabble who dare to undertake vile actions such as stirring up the fire of sedition and disorder by coveting the property, children and wives of the servants of God...”  

Sultan Mahmud I saw two more riots in Istanbul during his reign. The first one took place in 1743, amidst news of the siege of Baghdad by Nadir Shah and rumors of war with Iran (1743-46). The second riot broke out during the spring of 1748, initiated by a group of Kurdish men, who attacked shops in the flea market in Bayezid. The military police suppressed both incidents before

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they escalated into major rebellions. On both occasions, the sultan issued new orders for the better implementation of the measures to stop immigrants from coming to Istanbul.\textsuperscript{127} In one of his orders, sultan Mahmud I stated that the economic well-being of the inhabitants were endangered by the crowds: "...In the well-protected city of Istanbul which is the seat of my exalted caliphate, the comfort and ease of obtaining means of subsistence for the actual residents of Istanbul depends on the protection and prevention of the city from the congestion of common people..."\textsuperscript{128}

In the later decades of the eighteenth century, Ottoman rulers continued to issue similar decrees. Osman II (1754-57) and Mustafa III (1757-74) were known for frequent social legislation including sartorial laws, prohibitions on luxury goods and markers of distinction, and women’s movement in public.\textsuperscript{129} Abdülhamid I (1774-1789) and Selim III (1789-1807) followed the same tradition and often went on \textit{incognito} tours of inspection.\textsuperscript{130} However, these measures

\textsuperscript{127} See Aktepe (1958), pp. 23-27.


\textsuperscript{130} Mustafa Nuri Pasha writes that sultan Selim III always went about \textit{incognito}, dressed as a bombardier (\textit{humbaraci}) whereas his father Mustafa III often disguised himself as a keeper of aqueducts (\textit{suyolcu}), and his uncle as a \textit{medrese} student (\textit{sofit}).
provided only temporary relief at best. Regulations were not effective, and in
many cases immigrants eluded controls on their way to Istanbul. The story of a
certain ‘Isā from Egypt reveals the case.

It appears from a document dated 1781 that an Egyptian male by the name
of ‘Isā, who went by the epithet a‘mā (blind), had been in Istanbul at least since
1764-65. He was first exiled to Bursa by the judge of Istanbul on charges of
‘molesting the servants of God and committing all kinds of mischief and intrigue’.
But, he escaped and went back to the capital city. Members of the community
petitioned against him in the spring of 1779 to the Grand Vizier, and this time he
was exiled to İzmir. But during the winter of the same year, there was another
complaint about him. Apparently, he had escaped again and come back ‘for
revenge’. Another imperial order was prepared for him to be sent back to his
exile in İzmir, but he refused to obey. Finally, orders were given to appoint an
agent to put him on a boat and hand him over to the customs officer (gümruk
emīnī) to be sent back to Egypt.\footnote{\ldots i‘badullah taṣallūt ve ızrār ve rahnedār ve envā‘i dürūl mela‘anet ve
mesvedeti mü‘rebıkb öldürdüğünden\ldots \ldots bilā‘-ı fi‘āk yine ʾĀsītāne‘ye gelüb ahz-ı intikām
da‘īyestyle\ldots }\footnote{C. Zap. 219/ 11 L 1195 [September 1, 1781].}

There is a strong emphasis in the imperial orders on the need to prevent
the immigration of single men to Istanbul, in addition to whole households
(topluca na‘l-i hāne or ev göçü). These decrees generally mention the ills

Ankara: TTK, p. 180.}
brought upon the city by the flocking of people, such as shortage of basic
necessities, rising prices, unemployment, insufficient housing as a result of
recurrent fires, increase in crimes such as robbery, assaults on women and
children, and so on.\textsuperscript{132} Single men residing in bachelors’ quarters and inns, or
sleeping in coffeehouses, bathhouses, shops and Janissary barracks, represented a
potential threat to public order and social stability. In all Ottoman towns,
bachelors’ quarters had to be locked at night, partly to improve the security of the
residents.\textsuperscript{133} In contemporary sources and archival documents, groups of single
men generally appear as ‘unemployed vagrant bachelors and their like’ (işşiz
güçsüz, başıbos, serseri, bekär mağalesi).\textsuperscript{134} Being one of the bachelors (bekär
uşaqları) was not necessarily based on actual marital status. Men of all ages,
even if they had wives and families elsewhere, were considered to be bachelors
and were subject to regulation. Perhaps the bachelors of the Ottoman Empire can
be compared to the wandering poor of Europe.\textsuperscript{135} In London and Paris in the
eighteenth century, people often felt threatened by the rapidly multiplying poor

\textsuperscript{132} "Istanbul." \textit{EF}. Orders to prevent immigration were sent to the provincial
officials and local neighborhood judges and imams repeatedly in 1720, 1724, 1730,
1731, 1732, 1734, 1747, 1756, 1757, 1776, 1779, 1784, 1786, to name some that I have
come across. See, for example, BOA, Cevdet Dahiliye [hereafter C. Dah.] 4668/ Ra
1190; 453/ 1177; 4044/ 26 Z 1206.

\textsuperscript{133} McGowan (1997), p. 647.

\textsuperscript{134} The word bekär comes from the Persian bi-kâr meaning unemployed, idle, not
busy. In the Ottoman context, men who came to the city to work were considered bekar
even after they found jobs, and had to have reliable guarantors (keffîls). Reşat Ekrem
Koçu (2002). \textit{Tarihte İstanbul Esnaflı. İstanbul: Doğan Kitap, pp. 161-185.}

\textsuperscript{135} McGowan (1997), p. 647.
of the cities whose size had no precedent in Western history. It was much more than a personal insecurity; the social order itself was threatened by the “dangerous classes”. This phrase occurs repeatedly in the literature, like the recurrence of ‘unemployed vagrants’, ‘scoundrels’, ‘rabble’ and so on in Ottoman official documents, which utilize a broad and undifferentiating concept of vagrancy. The image that appears is one of an unmanageable, volatile, and convulsively criminal class at the base of the society; a large mass of unproductive population in the city without occupation or means of subsistence.\textsuperscript{136}

The most vigorously imposed regulation regarding transients and newcomers to the city was \textit{kefalet} -- standing surety, or bailing. Accordingly, each individual who came to the city was obliged to have a trustworthy person become their guarantor (\textit{kefl}). This was a system widely used in the empire, both as a means of governance and of social control in regulating social relations.\textsuperscript{137} Technically, bachelors could not live in residential neighborhoods, even if they had a guarantor and found landowners willing to rent to them.\textsuperscript{138} As early as 1579, an order sent to the judges of Istanbul, Galata and Üsküdar stated that those who had come from Anatolia and Rumelia within the past five years were to be


\textsuperscript{138} Koçu (2002), p. 162.
expelled and those without surety not be allowed to stay in inns, bachelors' quarters, taverns, or to sleep in shops. This order also forbade the construction of additional bachelors' quarters and stated that those who gave shelter to such people would be severely punished. Neighborhood imams were instructed to cooperate with the muezzins (müezzins) and guild representatives (kethüdâs) to keep strangers out of their neighborhoods.¹³⁹ Before the middle of the nineteenth century, imams were not only religious figures in a neighborhood, but also representatives of the residents in their neighborhood in their affairs with the authorities through the judge of Istanbul. The imam generally transmitted the judge's orders to the congregation after Friday sermons, and was considered to be the guarantor for each of the inhabitants of his neighborhood.¹⁴⁰

In addition to the collective responsibility of the neighborhood, there were particular ways by which the government tried to monitor immigrants in the city. The practice of string bail (kefâlet-i mûtesellsile) was particularly used among the eşnâf, according to which stewards were required to stand surety for members of the guilds, masters for their employees, employees for each other, and shop owners for their tenants.¹⁴¹ From time to time, government officials received


orders to register immigrants with their guarantors and to expell those without one.\textsuperscript{142} There were times when people were expelled even if they were employed and had guarantors, especially if they had not been in the city long enough to meet the prescribed residency requirements.\textsuperscript{143} According to ancient custom (\textit{kanûn-i kadîm}) in the law codes, it was necessary to reside in the same place for at least twenty years to be considered a resident (\textit{yerlü}).\textsuperscript{144} However, it is more common in eighteenth-century documents to come across ten or five-year requirements.\textsuperscript{145} Cevdet Pasha wrote that, while it used to be common practice to inspect all quarters of the city every three years, at the end of the eighteenth century, investigations were carried out every six months.\textsuperscript{146} As I will discuss in the following chapters, during the early years of Selim III's reign, periodic inspections took place every six months in the neighborhoods and market places in the greater Istanbul area.

Other measures Ottoman officials utilized to regulate the movement of immigrants and transients included regulations for travel papers, and establishing

\textsuperscript{142} For example, C. Zap. 245/ 28 M 1177, C. Zap. 428/ 5 B 1206, C. Zap. 494/ 26 B 1217; HH 9428/ 1206.

\textsuperscript{143} C. Zap. 1544/ 9 Za 1147; and 2093/ R 1188.

\textsuperscript{144} Refik (1998), \textit{Onuncu...}, p. 140, fn. 1.

\textsuperscript{145} Idem., \textit{Onikinci...}, pp. 110-112, 131-132, 199.

\textsuperscript{146} Cevdet Pasha (1309), vol. 5, pp. 257-260.
check points on the roads, bridges and entrances to the city.\textsuperscript{147} The practice of requiring papers for travel, referred to as mürur tezkeresi, can be traced back to the sixteenth century and was common practice during the eighteenth and nineteenth centuries.\textsuperscript{148} The Registers of Important Affairs for Istanbul contain records of numerous instances when travelers were stopped at check points for their papers and had to get permits. It appears that the residents of Istanbul had to provide a permanent address and reason for travel, both to be confirmed by the neighborhood imam or the judge, in order to be allowed to enter the city on their return. Only a small number of people seem to have applied for a permit before starting their trips. For example, a certain Derviş Hüseyin from Edirne informed the authorities that he needed to travel to Istanbul and stay there for a few days to settle some personal business. He was aware of a recent imperial order forbidding immigration of households (ev göcü) and he applied for a travel permit to enter

\textsuperscript{147} We know more about the functioning of the regulations regarding city entrances, migrant workers, and travel papers in the period after the abolition of the Janissary corps in 1826, and the establishment of the İhtisap Ağaliği to replace the office of the aga of the Janissaries in municipal matters. The new regulations under the name İhtisap Nizâmnâmesi regulated the transient population’s entry and exit to and from the city, duration of their stay within the city, and the related paperwork. However, the presence of similar decrees in the archives indicates that the problems were not effectively resolved. The functions of the military police also transferred to the new office. See, Osman Nuri Ergin (1995). \textit{Mecelle-i Umûr-i Belediyye}, Istanbul: Büyükşehir Belediyesi, I: 328-347.

the city with a woman in his company.\textsuperscript{149} People who came to settle personal business and petitioners traveling to submit their case to the Imperial Council had to receive a certificate of permission from their local judge and delegations from the provinces were to be restricted to one or two people.\textsuperscript{150} Generally, merchants and artisans delivering provisions to the city were recorded in registers and exempted from such restrictions, however, sometimes even they could be subject to investigation.\textsuperscript{151}

1.4. Concluding Remarks

In this chapter, I have examined the historical background of the relationship between public order and immigration to Istanbul. I have argued that in the aftermath of the rebellions of the 1730s and 1740s, there emerged a tendency among the ruling elite to directly associate immigrants, especially bachelors, with criminal acts and the disruption of public order in Istanbul. Especially in the second half of the century, Ottoman sultans became known for

\begin{itemize}
\item[\textsuperscript{150}] BOA, C. Dah. 4125/1 C 1200; C. Zap. 4326/10 R 1188.
\item[\textsuperscript{151}] "... *Asitâne-i sa'adetime ecnâs-i zahâir ve odun getûrenleri ve tüccâr makûlesi ve sahih erbâb-i mesâlihde yedîlerinde senedî olan bir iki nefer zimmiden ma'adâ ev göçü ve ahîr veçhîle bilâ-maslahaât ve bilâ-emr-i şerîf Asitâne-i sa'adetime gelmek murâd edenleri berû tarafîlara gelmeğe salvermeğûb..." Özkaya (1981-82), document #2, pp. 194-95. In 1740, a group of merchants, who delivered goods regularly, were held under custody in Silivri and given permission only after an investigation. Aktepe (1958), p. 20, citing MD 147, p. 162.
\end{itemize}
their heavy-handed social legislation such as sartorial prohibitions, restrictions on the freedom of movement of non-Muslims and women, and regulation of public spaces. In many ways, "all these sultans were responding to the gradual transformation of authority derived from war to an authority based on social stability."

The question of immigration and the ways in which the government responded to it can be better understood within this framework.

Continuous immigration clearly gave rise to problems of supply in the city and reduced fiscal revenues from the provinces, but the exaggerated and undifferentiating description of immigrants and bachelors as vagrants and criminals implies a growing concern that went beyond such economic and fiscal concerns. Despite frequent legislation, however, immigrants often eluded controls, in part due to the neglect of state officials, but more importantly, because the city’s dynamics generated a constant demand for their services. Based on studies on a slightly later period, it appears that a considerable portion of migrations took place in the form of chain migrations from a limited number of places in Anatolia and Rumelia. Faroqhi’s work on immigrants in Eyüp, Kırıh’s analysis of a register from the early nineteenth century, and Behar’s study on the itinerant vendors of the Kasap İlyas neighborhood indicate that, in the areas these studies cover, migrants provided about half of the entire labor force. It is not feasible to assume that this was the case in the entire greater Istanbul area in lack

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of studies on other parts of the city. However, one could conclude that the attempts to prevent immigration into Istanbul represented a dichotomy between the Ottoman government’s quest for social stability on the one hand, and Istanbul’s actual dependency on a flow of newcomers to sustain its population and to meet its needs, on the other.
CHAPTER 2

SELIM III AND HIS URBAN POLICIES IN ISTANBUL, 1789-1792

Regulating urban life in Istanbul constituted a major concern for the Ottoman authorities throughout the eighteenth century. In the previous chapter, I examined the characteristics of this concern and the mechanisms utilized by government officials to address the question of public order and peace in the city. This chapter focuses on the treatment of the same issues during the early years of Selim III’s reign, from his accession in 1789 until 1792, which marks the beginning of a period of peace that lasted until the invasion of Egypt by Napoleon in 1798. My aim is not to provide a comprehensive account of sultan Selim’s life and his policies that have come to be known as the New Order (Nizām-i Cedid). Rather, I will focus on his regulations regarding urban life in Istanbul, which have been to a large extent overlooked in Ottoman scholarship.¹ I will start the chapter

¹ Enver Ziya Karal’s work is the only exception that I am aware of. He draws attention to issues of public order in a separate section under administrative reform. Karal (1988). ‘‘Selim III’ün Hatt-i Hümâyûnlar, Nizam-i Cedid 1789-1807.’’ Ankara: TTK. In his prominent study of the reign of sultan Selim, Stanford J. Shaw (1971) focuses mainly on the post-1792 period and his discussion of urban policies in Istanbul under the section on wartime reforms is only three pages long. Shaw (1971), Between Old and New, the Ottoman Empire under Sultan Selim III, 1789-1807. Cambridge: Harvard University Press, pp. 75-78.
by presenting a brief discussion of Selim III’s reign, and in the second part, I will examine patterns of continuity and change in his urban policy in comparison to earlier eighteenth-century policies. The latter part of the chapter will be based largely on Selim III’s imperial decrees (hāṭṭ-i hūmāyūn), registers of important affairs (mūhimme defterleri) for the years 1203-1206/1788-1792, books of complaints (sikāyet defterleri), and contemporary narrative sources. I will argue in this section that, during his early years as the sultan, Selim III developed a strong commitment to regulate urban life and maintain public order in Istanbul, and that, for the most part, he utilized traditional methods to address issues of social regulation and immigration. I will also show that the attack he encountered at the Ayasofya mosque in December 1791 constituted a turning point in terms of the aggressiveness with which he demanded solutions to issues of security and social control in the city.

2.1. From Şehzade to Sultan: Selim’s Early Years

Before Selim’s birth on December 24, 1761, his uncle Abdülhamid (r. 1774-1789) was the only surviving heir to the Ottoman throne. At that time, Abdülhamid was confined to the palace cage (kafes) and had no sons. Selim’s birth was accompanied by celebrations that lasted for a whole week. The chief astrologer Münecimbaşi İsmail Çınarî declared that, according to the stars, he would be a world-conqueror, just like his namesake, the great sultan Selim I (r.
1512-1520). He was welcomed as the long-awaited auspicious prince who would continue the Ottoman lineage.²

When his father Mustafa III died following the Ottoman defeat by the Russians in 1774, Selim was thirteen years old. He is known to have been exceptionally well educated as a prince. In addition to his formal education, he sometimes attended meetings of the Imperial Council and military inspections with his father, in preparation for his future career as the Ottoman sultan.³ When his uncle Abdülhamid succeeded to the throne, Selim became the only surviving heir of the Ottoman dynasty (his nephews, princes Mustafa and Mahmud would be born in 1779 and 1785, respectively). Sultan Abdülhamid had spent the better part of his life in isolation in the palace cage until he became sultan at the age of forty-nine. He spared the young Selim from strict confinement to the palace and allowed him to go out on some occasions. Thanks to these opportunities, Selim met with the leading statesmen of the period, including the Şeyhülislâm Ataullah Efendi, Grand Vizier Halil Hamid Pasha, and the commander of the Janissaries.


In addition, he corresponded with the representatives of foreign states in the city through his companions in the palace.\(^4\)

In 1785, the Grand Vizier Halil Hamid Pasha plotted a failed coup to dethrone Sultan Abdülhamid, supposedly to replace him with the young prince.\(^5\) Selim’s own involvement in the plot has never been established. Nevertheless, Abdülhamid strictly confined Selim to his quarters in the palace. This period in isolation has been associated with an increasing impatience on the part of Selim to become sultan to initiate his reforms. His correspondence with Louis XVI, inspired by the hope of securing French support against the Russians, is perhaps the most celebrated event of Selim’s years in confinement.\(^6\)

Selim did not have any children. His infertility has sometimes been associated with a failed attempt to poison him following the plot in 1785. After he became sultan, he dedicated himself to the care of prince Mustafa and especially the young Mahmud, who was only four when his father died. Following in Abdülhamid’s footsteps, Selim did not confine his nephews to isolation in the palace and was especially concerned about their good health, as they were the only surviving heirs to the throne. He developed a more intimate


relationship with Mahmud and influenced his ideas about the Ottoman state and reforms.

2.2. Accession of the Reformist Sultan

Selim ascended to the throne as the twenty eighth sultan of the Ottoman dynasty on 11 Receb 1203/7 April 1789 at the age of 28. Although he inherited a highly decentralized empire that was practically bankrupt and at war with Russia as well as Austria, a huge crowd of wildly enthusiastic people watched his accession ceremony, in the hope that they had found their great leader in the young sultan. 7 Upon his accession, he vigorously supported the war effort, distributed to the Janissaries the accession bonus which Abdülhamid had cancelled due to financial difficulties, and announced that he would not hesitate to command the army himself if it became necessary.

The literature on the modernization of the Ottoman Empire represents Selim III as a vigilant reformist who had a plan to reform the decaying institutions of the empire even before he came to the throne. 8 He is typically glorified as an

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early champion of Westernizing reforms, who failed to replace the corrupt institutions of the empire but inspired and influenced future sultans, especially Mahmud II (r. 1808-1839). Mahmud II in turn is championed for the abolition of the Janissary corps in 1826 in a bloody massacre that came to be known as the auspicious event (Vak’a-yi Hayriyye) and by doing so eliminating the greatest obstacle in the way of the empire’s modernization. However, contemporary sources do not represent Selim III with the same idealization. According to Christoph Neumann, a causal relationship between the failure of Selim’s military reforms and Ottoman inferiority vis-à-vis European nations was established later, during the late nineteenth century. In his work on the famous Ottoman historian Ahmet Cevdet Pasha, Neumann demonstrates that this relationship was already well-established in Cevdet’s history, and especially manifest in his discussion of the dethronement of Selim III. Earlier narratives such as Üss-i Zafer and Netâyicü l-vükû’ât both treat the elimination of the Janissary corps as a purely military matter. About seventy years later, Abdurrahman Şeref associates Selim III’s reign with an era of “gradual infiltration of the new civilization” (medeniyet-i

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10 Ibid., pp. 104-132.

This development suggests that Selim’s portrayal as a reformer is a later tradition resulting from the modern emphasis on the westernization of the Ottoman Empire and the establishment of the secular Turkish state in the 20th century. This portrayal proclaims that the revolt of Kabakçı Mustafa, which resulted in the dethroning and murder of Selim III and the elimination of his Army of the New Order (Nizam-ı Cedid ordusu), was proof of the need to remove the Janissaries without which true reform and modernization would never be realized. Thus, Selim’s failed military reforms, and his reign as a whole, came to be perceived as a turning point for Turkish modernization and the lens through which this process became meaningful. It came to legitimize the massacre of 1826 as the elimination of the greatest obstacle that stood in the way of the great achievements of the Tanzimat era, officially starting the venture of Ottoman modernization.

This perceived tension between the old and the new forms the background of the rest of this chapter. My purpose is not to provide a detailed discussion of the dynamics of Ottoman modernization, but rather to contribute to a better-informed and nuanced understanding of the period under consideration with an emphasis on a somewhat unnoticed aspect of Selim’s New Order. In the following sections I will demonstrate that Sultan Selim III’s urban policies in Istanbul were for the most part highly traditional. It was the aggressiveness and

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activism with which he tried to make use of the already existing mechanisms to maintain public peace and order in the city that I believe constitutes a novelty, and an attempt to remake the capital city -- the Gate of Felicity. A new kind of activism, which became increasingly evident as the nineteenth century progressed, was at the heart of Selim’s demands for solutions and his threats against those who did not obey his orders.\textsuperscript{13} The spirit of this activism was beautifully described by Cevdet Pasha with the Arabic aphorism “‘blessing is in activity’” (\textit{al-baraka fi ‘l-ḥaraka}).\textsuperscript{14}

2.3. Defining the New Order

Although the term \textit{nizām-i cedīd} -- literally the new regulation, system, or order-- has generally been associated with Selim’s military reforms, it is in fact an older term used to refer to various regulations that were not based on early Ottoman law codes and customs, generally referred to as \textit{kanūn-i kadīm} or \textit{nizām-i kadīm}. For example, when grand vizier Köprülü Fazıl Mustafa Pasha (1689-1691) introduced new measures to increase the state’s tax revenues, he referred to these regulations as \textit{nizām-i cedīd} as opposed to \textit{nizām-i kadīm}.\textsuperscript{15} The same term was used to refer to the military reform proposals that De Rochefort

\textsuperscript{13} I borrow the term activism from Carter Findley based on his observations regarding bureaucratic reform in this period. Findley (1980), 116.

\textsuperscript{14} Ibid., quoting from Cevdet, XI, p. 132.

\textsuperscript{15} M. Tayyib Gökbilgin, “‘Nizam-i Cedid,’” \textit{LA}, IX: 309; and El².
submitted to the Ottoman court in 1717.\textsuperscript{16} In his *Uşūlū ʾl-ḥikem fi niżāmū ʾl-ümem* (Methods of wisdom for organization of nations), Ibrahim Müteferrika used the term *niżām-i cedīd* to describe what he believed were the necessary revisions to be made, mainly in the military, political, and technological fields, in order to compete with the advancements of European nations.\textsuperscript{17} Under Selim III it became a generic term used for the comprehensive reform projects that aimed to renew the old ways (*uşūl-i ʿattākayt tecādīd*) of the Ottoman Empire including the military, administrative, fiscal, educational, and social aspects.\textsuperscript{18} In his description of the sultan’s new regulations regarding the transient population in the city, the historian Edib refers to Selim’s policies as being “imposed in accordance with the new order.”\textsuperscript{19} However, this broader definition of the term has generally been overlooked in favor of a narrow reference to Selim’s military projects and his Army of the New Order.

Contrary to the commonly held assumption that he was a reformer at birth, when Selim ascended to the Ottoman throne his concept of reform was not much different than that of his predecessors in the eighteenth century. As far as he was

\textsuperscript{16} “Projet pour l’establisement d’une troupe d’ingénieurs au service de la Porte.”

De Rocherfort was a French officer who visited Istanbul with a group of French Protestants to seek the Ottoman government’s approval for the settlement of a Huguenot colony in Rumelia. See Hammer, vol. XV, p. 68.

\textsuperscript{17} Şen (2003), p. 213; Berkes, pp. 42-45.

\textsuperscript{18} Enver Ziya Karal raised this question back in 1946. 2\textsuperscript{nd} edition Karal, 1988.

\textsuperscript{19} “... *talārīr ve defter-i hānāt ve dekākīn ber-müceb-i niżām-i cedīd*” in Edib, f. 158-159.
concerned, the reason for Ottoman failures vis-à-vis its rivals was the inefficiency of the traditional institutions, and they had to be revived in accordance with the ancient custom (kanûn-i  kadîm). His ideas of change and reform were generally guided by the necessity to secure the cooperation of the established classes for the ongoing war effort.\(^{20}\) He was inclined, for example, to find a way of accommodating the provincial notables (â ’yân), who had become locally quasi-autonomous and had more control over such disorderly elements as the Janissaries in the provinces. Without a new mechanism to replace the â ’yân, Selim thought, a power vacuum could only produce more room for Janissary oppression or would allow foreign powers to incite agitation among non-Muslim subjects of the empire.\(^{21}\) Some have argued that the abandonment of this policy of accommodation after Selim’s removal from the Ottoman throne precipitated the Greek revolt and the rebellion of Kavalali Mehmed Ali Pasha, and constituted the beginning of the partition of the empire.\(^{22}\)

Selim III’s dependency on the provincial notables for military support during the war further diminished the power of the central authority.\(^{23}\) The

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\(^{22}\) Adil Şen claims that had Selim not been removed (most likely due to some kind of involvement of the European powers) he would have saved the empire and writes, “it could be said that this was the beginning of our national disasters.” See pp. 144-145.

\(^{23}\) See, Özkaya (1974); Aktepe (1958); İnalçık (1986); Bruce McGowan (1997), “The Age of the Ayans, 1699-1812.” Ali Yaycıoğlu is currently working on a Ph.D. dissertation at Harvard University on the â ’yân and the Deed of Agreement (Sened-i İnifâk) of 1808.
strengthening of the provincial power magnates would likely have undermined Istanbul’s hegemony and might have harmed the public image of the sultan, as well. As Selim’s concept of the “new order” implies, a reinstatement of the authority of the Ottoman sultan and the central government in Istanbul would have to rest on a new emphasis on law, regulation, and enforcement of the law.²⁴ Given the ongoing war and his dependency on the notables, Selim focused his energies on establishing himself firmly in Istanbul and on planning a new order for the city. This was the underlying motive in what developed into a vigorous agenda to “cleanse” the city from “mischievous” influences and to maintain public order and peace among its inhabitants.

2.3.1. Wartime Policies

Soon after he became sultan, in May 1789 Selim called a general consultative council (meclis-i meşveret) of notables.²⁵ By doing so, he was revitalizing an Islamic tradition that had been in use only infrequently in the eighteenth century. The Imperial Council (Divān-i Hümayûn) which was composed of the sultan’s ministers, constituted the governing body in charge of the laws and regulations of the empire.²⁶ Other members of the ruling class


would be involved in consultation only under extraordinary circumstances. However, consultative councils were well-established and did not go against Ottoman custom. It is possible that, to some extent, Selim was also inspired by the *cahiers* in revolutionary France.  

Sultan Selim made use of consultative councils throughout most of his reign. Numerous specialized councils assembled for particular issues and the Imperial Council transferred most of its legislative and administrative duties to these bodies.  

By doing so, he tried to incorporate many members of the elite into the decision-making process, while decreasing the power of the grand vizier in the process, who was mostly away from Istanbul as a result of the ongoing war and delegated his authority to his deputy, the Kaymakam Pasha.

Over two hundred notables, including provincial judges, administrators, scribes, teachers, and military officers attended the first consultative meeting. Selim invited them to share their frank opinions about the problems of the empire and possible solutions to these problems. The main subjects to be addressed were the army, the provincial administration, finances, and the administration of justice, with possible suggestions for additional topics as the discussants saw fit. The meeting continued for two days and the participants discussed many topics

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including abuse and oppression of the subjects of the sultan, violations of the
Sharia and the sultanic laws, weaknesses of the army, and corruption and bribery
in administration.  Similar councils continued to take place at periodic intervals
and shaped Selim’s efforts to respond to the main sources of popular discontent in
the domestic sphere as the war continued abroad.

Modern historians celebrate the reports known as the reform proposals
(ışâhat läyi̇halarî) as the most distinctive outcome of Selim III’s consultative
efforts.  The sultan asked for these reports following the conclusion of the peace
of Jassy in January 1792, and the reports had a predominantly military focus. As
a result of the modernist emphasis on Selim’s military projects as the nucleus of
Ottoman westernization, the proposals have collectively come to signal the
beginnings of true reform. On the other hand, his urban policies have been
mentioned only in passing and generally treated as insignificant.

One can argue that this military bias is partly caused by the obvious
threats, dangers, and high costs that had been most immediately felt in the
military sphere since the seventeenth century. The advice to kings literature had
revived since the seventeenth century, persistently emphasizing the need to

\[\text{Karal (1988), pp. 22-28.}\]

\[\text{Enver Ziya Karal (1942-43). “Nizam-ı Cedid’e Dair Layihalar” Tarih}
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\[\text{Vesikalari I: 414-425, II: 104-111, 342-351, 424-432.}\]

\[\text{Karal (1988) is the only exception. He devotes a significant section to urban}
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\[\text{matters in Istanbul; see especially pp. 95-122.}\]
improve the traditional institutions. There had also been some experimentation with European weapons and military techniques in the Ottoman army and navy since the 1730s. For instance, the French Count Alexander de Bonneval (Humbaracıbaşı Ahmed Pasha) built a new bombardier corps and started an engineering school in Istanbul between 1729 and 1742 and Baron de Tott served as a military advisor for the Ottoman army between 1773 and 1781. Given the political situation, the contemporary Ottoman emphasis on military matters is not unusual.

However, modern historians’ emphasis on the need for military reform as an indispensable element of modernization reflects not only Ottoman realities but also a paradigmatic worldview. As discussed earlier, the West becomes the norm in this paradigm and tradition its very opposite. Thus, modern historians tend to

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34 On Bonneval, see Compte de Bonneval (1885). Le Pacha Bonneval. A. Vandal (ed.), Paris; and Mehmed Arif (1913). “Humbaracı Ahmet Paşa (Bonneval).” TOEM III/18 (Feb.): 1153-57, IV/19 (April): 1220-24, and IV/20 (June): 1282-86. For de Tott, see Baron de Tott (1784), Mémoires du Baron de Tott sur les turcs et les tartares, 2 vols., Amsterdam, also available in English as idem. (1785). Memoirs of Baron de Tott, containing the state of the Turkish Empire and the Crimea... with numerous anecdotes, facts, and observations on the manners and customs of the Turks and Tartars, 2 vols., London. Niyazi Berkes draws attention to the possibility that de Tott’s memoirs may have inspired the stories known as the Adventures of Baron Münchhausen, see Charles de Peyssonel (1785), Lettre ... contenant quelques observations relatives au Memoires, qui sont parus sous le nom de Mr. Le Baron de Tott, Amsterdam; quoted in Berkes (1998), p. 68.
see reform as an unavoidable conflict between the forces of good and evil, between reformists and conservatives. This perspective continues to have an influence on discussions of Turkish modernization even in the twenty-first century. Accordingly, the failure of Selim’s military reforms becomes a clear sign of the need to abandon traditional Ottoman institutions and to adopt western models in the military, governmental and administrative reorganization. This approach presents Ottoman modernization as inevitable, unproblematic, and welcomed by all the good elements in society as a liberating experience. Under the shadow of this paradigm, non-military matters on Selim’s agenda are, to a large extent, overlooked.

2.4. Life in Istanbul and the Demand for Order in the City

Controlling the population of Istanbul and demanding conformity with sumptuary laws became a major concern for Selim III during his early years as sultan. It is possible to think that the wartime shortages and the unfeasibility of reforming an army that was at war influenced his position. However, I contend that Selim became highly concerned with the control of Istanbul’s population lest the power vacuum that the absence of the Janissaries created lead to heightened crime and sense of insecurity in the city. The Janissaries traditionally functioned as the city’s police force and when they left for military campaigns their duties were assumed by only a small group that remained in the city. Cevdet Pasha wrote in his history that rumor had spread among the Janissaries that the sultan
had intentions to assign soldiers from his Nizām-ı Cedid army to each of the
military police stations in Istanbul to supplement the small number of Janissaries
in the city while the rest were on campaign. According to Cevdet, this was one of
the factors that added to the discontent among the Janissaries, which eventually
culminated in the Kabakçi Mustafa revolt that ended Selim III’s sultanate.35

Descriptions of the consultative council meetings or the reform proposals
available to us indicate that the problems of urban life in Istanbul hardly
constituted a significant issue for participants in these endeavors. There are
occasional references to scarcity of provisions, high prices, and crimes such as
arson and theft, but only as part of the discussions of the costs of prolonged
warfare. There is, however, an abundance of archival materials that provide the
researcher with valuable information on many aspects of urban life at this time,
such as imperial decrees, registers of important affairs, police documents, and
books of complaints.

In the previous chapter, I summarized the common methods Ottoman
administrators and sultans resorted to in regulating public life, immigrant and
transient populations, and issues of public order. It appears that Selim III

35 "... Sultan Selim han hazireleri Bayezid camii'de selamlığında sekbân başı 'Arif
Ağa'ya (Ağa, ordu nun 'azimetî hasebiyle Istanbul hâlî ve kolluklarda yefîçeri az kaldı.
Nizām-ı cedid 'askerinden her kolluğa içer beşer adam köysam münâşib olmaz mı?)
deyi buyurduklarında 'Arif Ağa dağı (Emr ü fermân e fendimizi bir, lakin yefîçeri ağası
ordu-yi humiliyindadir. Ben burada bir vekil külüfazım. Irâde buyurulur ise bu hüsâsu
yefîçeri ağasına yazayım) demesi üzerine (Yok yazma dursun, isterem) buyurmuş
olduğu yefîçerler içinde hafif hâvidiş ve maçlalarda cem'iyet-i hafife ile meşverete bâ'îş
olarak çöçak tarafindan sâliführt zikr yamâkıla ta'lim-i fitne için gizliçce
approached these issues in a fairly traditional fashion. For instance, he was heavily influenced in his upbringing by the example of his father Mustafa III and uncle Abdülhamid I. Both of these sultans were zealous about sartorial regulations and *incognito* inspection tours (*tebdils*). Abdülhamid had been preoccupied with popular discontent and political opposition in the city, especially during the last months of his reign. Perhaps most disturbing to him were various pamphlets (*sakka, kâgid*) that were posted at different locations in the city and directly addressed the sultan, criticizing his policies.\(^{36}\) Shortly before he died, for example, an anonymous note was left at the Kaptan Pasha public fountain in Karaköy. The note criticized the Ottoman defeat at Özi and blamed Abdülhamid and his “reformist” grand vizier Yusuf Pasha, as well as the Şeyhülislâm and the deputy grand vizier for their incompetent policies. The warning, according to the contents of the note, came from the Janissary corps and threatened to “take matters in hand” if Abdülhamid did not replace these officials with true Muslims and conclude a peace agreement with the Russians to end the war. “Otherwise you will regret it,” the memo read.\(^{37}\) Abdülhamid ordered a secret investigation and presumed that the threat came from the “infidels,” i. e.

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\(^{37}\) Ibid.
pro-Russian foreigners, or supporters of the chief admiral of the fleet, since he was the only high-ranking official not mentioned in the memo.\footnote{The original document quoted and transliterated in Sarıcaoğlu is HH 54817.}

Selim must have taken note of these events and the dangers of facing opposition, especially at times of war. It appears that, in some measure, his consultative councils intended to prevent the building up of a similar opposition against him. Despite his innovative approach in terms of reviving the tradition of consultation, in matters of urban life, Selim seems to have followed in the footsteps of his father and uncle. Like them, he himself frequently roamed the city in disguise. In many cases he responded to what he observed in the form of the so-called "blank-sheet" (beyâz üzerine) imperial decrees that emanated directly from the palace without being initiated by any court or government office, but based on Selim’s personal initiative. In most of these decrees, Selim III addressed the deputy grand vizier, who took charge of the responsibilities of the grand vizier in Istanbul while the latter was on military campaign. Below, I discuss some of the major themes that are prevalent in Selim’s decrees and the way he addressed matters of urban life in the city.

2.4.1. Sumptuary laws

The Ottoman central government regularly issued sumptuary laws and sartorial regulations in the second half of the eighteenth century. As mentioned earlier, Osman II (1754-57), Mustafa III (1757-74), and Abdülhamid I (1774-89)
promulgated legislation on dress codes, women’s public behavior, prohibition of luxury goods, and markers of social distinction. The frequency of such laws suggests that they were not holding, while also pointing to heightened anxiety over state power and the blurring of communal identities. Selim’s wartime policies fit into this framework. What is interesting, however, is that while the Ottoman Empire was at peace for the most part during the reigns of Osman II and Mustafa III, Selim devoted most of his energies to social issues in Istanbul while war with Russia and Austria continued. One may assume that the issue of security and order became more urgent during times of war, since most of the Janissaries who were at the same time the security forces in the city, went to the battlefield. One must also add that in such precarious times of war and economic pressures sumptuary laws sought to assure everyone “that the world was still an orderly place in which all retained their respective political and social positions.”

Ottoman clothing laws entitled only high-ranking officials to luxury textiles like various brocades and silks as well as expensive furs. Members of the ruling class in general were allowed special fabrics and cuts that were denied to others. Since the ruling class was predominantly Muslim, dress codes aimed at

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restricting the public use of the most valuable merchandise to Muslims.\textsuperscript{41} Common people were required to wear the styles and colors associated with their own religious communities. The differences in wealth were typically signaled by the quality of the fabrics rather than style or color. For instance, non-Muslims sometimes were allowed to wear certain shades of red, and yellow leather shoes (\textit{sari mest pabuç}) were strictly reserved for Muslims. When Julia Pardoe visited Istanbul during the early nineteenth century, she observed that purple slippers were designated for Jews, red for Armenians, and yellow for Muslims, but she was nevertheless able to acquire a pair of yellow slippers herself.\textsuperscript{42} Women were required to observe rules of modesty and segregation in public outings and violation of the regulations was considered ""indecency"" (\textit{edebszilik}).\textsuperscript{43} A common restriction on women’s freedom of movement in public was a ban on riding in boats for transportation or recreation. Selim III was highly determined about this ban, and he threatened to sink the boats and execute any boatmen who offered rides to women.\textsuperscript{44}

\textsuperscript{41} The indoors is generally assumed to be free of such regulation; Zilfi (2000), pp. 303-304.

\textsuperscript{42} Ibid., p. 303.

\textsuperscript{43} ""...Bostancıbaşıya dağlı tenbih eyle, seyirlerde edebszilik etmesinler! Öyle karaların yakasına, hoşuzu kesesin!"" HH 9330 (1204).

\textsuperscript{44} ""...Kâymaḳām Paşa: mecnu' iskelelere tenbih edeziz, bu günden şöfira karlar yağlı kaynağı bimnesin ve hangi kayıkcı yağlı kaynağı kur birdirirse kat ederim ve kaynağı baturım!"" HH 9375 (1204).
The principle that lay at the heart of sumptuary regulations was differentiation by class and religious affiliation. These regulations served to justify the existing power relationships, to maintain confessional identities, and to preserve the communities along with the authority of the leaders of these communities. As Zilfi points out, the focus on headgear reaffirmed the sectarian allegiances. In theory, turbans were exclusive to Muslim males. Christians wore hats, and Jews wore bonnets distinctive to their own communities. Womankind (tā'ifeh-i nisvān), on the other hand, had to observe the standards of modesty regardless of their religion when in public. The common street wear for women in the eighteenth century was the long, plain dust coat (ferāçe) worn with a kerchiefed headpiece and veil (yaşmak), also worn by non-Muslim women. In the second half of the eighteenth century, it seems that the trend for women and men of means was to aim for greater size of headgear, in a way similar to millinery fashion in Europe. Selim III complained repeatedly in his orders to the deputy grand vizier that he often saw women dressed inappropriately in light-colored fabrics, wide collars, and big hairdos (bofoz), even carrying umbrellas like European women. Non-Muslim women wore yellow leather shoes reserved for Muslims alone. Men, too, did not observe the sumptuary requirements. He

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45 See “Ghiyar,” *El*.  
47 *Hofoz* was a kind of headgear or hairdo prepared by wearing the hair in a high bun or wrapping it with a fabric, some parts of which may have been left to hang down. Selim repeatedly complained about these being too long.
criticized the *Pashalis* (those in the service of a pasha) for wearing excessively short wadded caps and repugnantly [long] turbans (*paşalıların kavukları kısa ve sarıkları pek betdir. Anlara da hâ yasağ edesin ve sarıkları kestiresin!*). Selim ordered the deputy grand vizier to make it very clear to all the violators that they would be severely punished, if he caught them (*tenbih edesin, râst gelirsem hakkılarından gelirim*). He told the deputy that the people breached the regulations only because of the war with Europeans but they should know better (*Frenk ḥarbidir gezeler lakin reʿayıya tenbîh edesin*). 48 Clearly, Selim was responding to a power vacuum in the city in the absence of appropriate resources and sufficient personnel as a result of the war. He also made direct references to ongoing military campaigns as the primary reason for the neglect of existing regulations (*...seferler takrîbiyle nizâma uyulmadığından ...*). As already mentioned earlier, according to Cevdet Pasha, Selim III was considering reinforcing the police forces in Istanbul by assigning *Nizâm-i Cedid* soldiers in place of the Janissaries who were sent to the Russian front. 49 I will return to the issue of the military police in Istanbul in a separate chapter.

Studies on the history of sartorial legislation and especially clothing laws in Europe show that there were efforts to reserve distinctive things for the nobility as far back as the late twelfth century. Venetian women in the early fifteenth

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48 See HH 9330 (1204), HH15918 (1203), HH 9273 (1203); 9735 (1204).

49 See note 35 above.
century could be excommunicated if the trains of their gowns were too long.\textsuperscript{50}

Colonial Virginia and Massachusetts displayed similar trends in the sixteenth century.\textsuperscript{51} In the eighteenth century, as the emerging bourgeois classes of Europe and America were challenging the aristocracy both economically and politically, monarchies tried to assert their superiority by demanding plain dress for the bourgeoisie and limiting their use of furs and luxury commodities.\textsuperscript{52} Although it is not possible to speak of a bourgeois class in the eighteenth-century Ottoman Empire, we now know that “middling” classes were emerging who were able to afford the luxury items traditionally reserved for the elites and used them to display their new wealth and social aspirations.\textsuperscript{53} Selim himself was very critical of the popular use of imported textiles and urged his men to wear domestic fabrics.\textsuperscript{54} It may be possible to say that at some level, there was a trend in Istanbul at the end of the eighteenth century that can be compared to the efforts of

\begin{enumerate}
\item Quataert (1997), p. 404. For references on Europe and consumption issues see footnotes 6-23, p. 422.
\item Karal (1988), pp. 133-137.
\end{enumerate}
European monarchicals to exert "a concerted attempt to impose a visible hierarchy on shifting, flexible, and overlapping social groups." 55

This is not to suggest that Selim was trying to do away with the exemptions of certain privileged groups. In the wake of his accession he issued a series of orders that renewed the traditional regulations enforcing markers of distinction in public places, but he also allowed exemptions. In the Ottoman political tradition, the end of a sultan's reign nullified all sultanic laws and allowed the new ruler to reconsider all documents bearing the seal of a previous sultan. This meant that all persons who held official papers of exemption or appointment from the palace had to renew their documents with every new sultan. In accordance with this practice, Selim restored the exempt status of certain groups and individuals by issuing new certificates bearing his imperial seal soon after his accession. A set of documents dating only about a month after the accession but succeeding his imperial decree that reinstated the clothing laws, reveal the exemption of the following individuals:

"... those subjects who have possessed exemptions [to the regulation on the clothing of non-Muslims] for a long time who are listed below with their names and reputations: the governor (voevoda) of Wallachia, his brothers, their families, and the translators in his service; the voevoda of Moldavia and his dependents; translators for the imperial fleet; sons of the deceased voevodas of Wallachia and Moldavia; voevoda of Iskerlet; deceased voevoda of Iskerlet; sons of deceased translators; some former guild wardens; and a group of money lenders and money

exchangers in the service of the palace who are old, ill or unable to walk are exempted from the prohibition on riding horses. Jewelers, doctors and surgeons are allowed to wear yellow leather shoes and sable caps. Various engineers in the service of the navy and some doctors are allowed to ride horses and wear yellow leather shoes.”

Exemption from certain sumptuary laws was not the only privilege enjoyed by certain groups in the city. At the end of the eighteenth century, there was an increasing number of mostly non-Muslim Ottoman subjects who acquired protection or citizenship from European states represented in Istanbul. Under the Capitulations, employees of foreign consulates and their households had diplomatic immunity and were also exempt from taxation. Known as the “protected” ones (berâtu, hümâyel) they mostly appeared to be translators in the service of European consulates. Selim III imposed renewed regulations to inspect the authenticity of the documents (berâ) in the possession of translators and to restrict the number of translators working for consulates after the conclusion of peace in 1792. However, earlier documents reveal that the situation was becoming increasingly pressing. For instance, in their response to an order from the sultan, the patriarchs of the Armenian and Greek Orthodox communities in Istanbul complained that they were doing their best to impose the new

56 See HH 9780, HH 9781, HH 9782. These are separate drafts of the same register containing the names of those who were given official documents for exemption between Şaban 1203 and Rebiüllevvel 1207. It appears that new names were added to the register as more people were granted exemptions.

regulations, but their subjects were "becoming European" in such great numbers that it almost seemed as if the Europeans were outnumbering Ottoman subjects.\(^{58}\)

2.4.2. Provisioning the city

To support its large population as well as the palace, the army and the navy Istanbul drew on the coastal regions of Rumelia and Anatolia, and was also supplied by boat traffic on the Marmara and Black Seas.\(^{59}\) Like other cities of the Mediterranean world and Europe, it commanded the services of smaller towns for its provisions.\(^{60}\) During the eighteenth century, the system of acquiring grain and sheep for the capital city underwent various transformations to adjust to changing circumstances.\(^{61}\) In terms of the maintenance of public order, recurring shortages of basic foodstuffs, which were more pronounced during times of war but also continued sporadically afterwards, constituted a major source of popular unrest in

\(^{58}\) "...Şu Frenkler ile re'âyalarımız ma'lûm olunmuşdur. Zirâ re'âyalarımız bütün Frenk olıyor, memâlâkimizde re'âyadan Frenk ziyâde olıyor..." MD 198, no. 15. This note is recorded in the margin (derkenâr) at the end of the document. See also no. 16-17 for a decree on translators and consulates.


\(^{60}\) Ibid., p. 494.

the city. The loss of the Crimea in 1783 and of Wallachia in 1789 deprived Istanbul of major sources of grain and the difficulty of transporting supplies in the wintertime caused severe shortages, significantly adding to popular dissatisfactions that manifested in gatherings in front of bakeries, lootings, and fires. As Charles Tilly points out, at times like this the conflict over food assumes a political dimension. The failure to handle shortages can become “the occasion not simply of food riots and temporary takeovers of the food supply, but also of demands for the permanent removal of incumbent officials.”

According to contemporary Ottoman sources, during the winter of 1789 demands for the deposition of the grand vizier and his associates were increasing, and the decision to send 5000 Janissaries from Istanbul to the Austrian front raised concern about their much needed services to provide order in the city. During frequent inspection tours Selim III incessantly went after the bakers who did not comply with the price regulations or quality standards for bread, albeit without much success. Early on in his reign he requested from his officials a comprehensive report on grain supplies and inconsistent prices.

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64 Edib, f. 78a; Enveri, f. 98a-b.

65 HH 9714 (1203). For a discussion of the report and Selim’s policies regarding the grain supply, see Sasmazer, Chapter 4.
Following in the footsteps of his uncle, Selim tried to personally police the bakers of the city. During his reign, Abdülhamid I had frequently inspected bakeries and resorted to exemplary punishments against bakers who violated the price and quality regulations. On one occasion shortly before Selim’s accession, he supposedly had a baker nailed by his ear to the front of his store in order to ‘‘discipline and frighten’’ the bakers. He frequently voiced his concern about riots in the face of grain shortages and warned the deputy grand vizier: “You know the size of the population in Istanbul. What would happen if, God forbid, there was no bread for one day? I can not stop but think that riots would multiply all over.”

During the harsh winter of 1789 and 1790 there were riots in the streets. The flour supply was very poor and adulterated with corn, millet, and barley throughout the spring of 1790. New shipments from the Danubian provinces were insufficient, since most of the harvest had to be diverted for military use.

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66 See for example, HH 9365 (1204), HH 9372 (1204), HH 9824 (1206), HH 90110 (1205), 15434 (1204); and Topkapı Sarayi [TS], E. 2356, E. 5026/10.

67 “…firunların bizzat teftişinde te dib ve terhib için etmekcilerden birini dikkânının yanında kulağından mıhladığı…” HH 647 (1203). See also, HH 496 (1203).


The bakers were threatened by the rising grain prices\textsuperscript{70} and their guild leaders complained to the judge of Istanbul that, under the circumstances, bakers would most certainly have to produce bread underweight, which would be an injustice to the public.\textsuperscript{71} The bread that was available in the market was “not edible and God forbid, like mud.” Males, females, children; Muslim and non-Muslim alike, gathered outside of bakeries in complaint.\textsuperscript{72} Due to a shortage of sugar and other foodstuffs in addition to bread, the public took to the streets. At the same time, a riot broke out among the bakers over the allegedly unfair distribution of high-quality flour.\textsuperscript{73} Government officials attributed the revolt mainly to Albanian bakers and prohibited many of them from selling or passing their licenses to their brethren.\textsuperscript{74}

Following the riot, Selim III reprimanded the chief halberdier (çavuşbaşı) for not paying enough attention to the market inspections and appointed a new group of guards to patrol the markets in disguise. He also continued to go on

\textsuperscript{70} For soaring market prices of bread and other baked goods during especially 1789-1793, see Aynural, pp. 150-155.

\textsuperscript{71} HH 15437 (1204).

\textsuperscript{72} “… ve yine yevm-i mezbûrda galâ sebebiyle bir mertebe firûnlarda etmek yağmâri olup, vaşığa gelmez ve tabh olunan [nân-i] aziz me’kül olmayup, ma’azallâh te’âlâ balçik gibi cümle firûnlarda ricâl ve nisâ ve sibyân ve kefere ve re’âyâ ve berâyâ feryâd u fîgân üzre olup, Hakk te’âlâ encâmmî hayr eyleye, âmîn.” Emecen (2003), p. 408.

\textsuperscript{73} HH 55177 (1204), and Tarih-i Cevdet, III: 1484.

\textsuperscript{74} Sasmazer, p. 118.
patrols himself. In the summer of 1792, he dismissed and exiled the judge of
Istanbul Cevdet Halil Efendi for his favoritism among some of the bakers and for
contributing to the scarcity of daily foodstuffs available to the servants of God.

After the conclusion of peace in 1792, a new grain administration was set
up to regulate grain purchases that were to be made at market prices from then on.
A grain-purchase treasury was set up under the enhanced authority of the
supervisor of grains (zâhîre nâzîrî) who administered the project of building large
state granaries to store supplies for the winter. This may have given the Porte
more control over the supplies, but did not remedy the situation on the whole.

In Cevdet Pasha’s view, the unchecked increase of Istanbul’s population, caused
partly by the number of idle soldiers resident there, caused a severe shortage of
supplies and occupied the officials to such an extent that they did not have time to
deal with other issues. The association of the riots with Albanian bakers, who
constituted the majority of migrant workers at the mills and bakeries of the greater

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75 See note 66 above and also HH 10110 (1205), 10076 (1205), 9330 (1204), 496 (1203), 647 (1203), 496(1203).

76 “... ‘Azi ve nefyı-ı kâzî-i İstanbul Cevdet Efendi: hâlâ İstanbul kâzîsi olan
Cevdet Halîl Efendi bu esnaîda etmeksi esnâfîni istişhâb birle akvât-i yevmiye-i
‘ibâdullâhîn muzâyaka vezârîretlerine âdî olmak üzere rikâb-i kämyâb-i sâhîneye
içbâr olunmakla işbu mäh-i Zilka’denin on üçüncü günü ... Gelîbolu ya nefîy tağrîb
olundu. Yerine Şam’dan ma’zûl Mahmûd Çavuşzâde Şemseddin Efendi İstanbul
kâzâsîyla tefîb olundu.’” Edib, f. 150.

77 See Ergin, Mecelle II: 737-810, Sasmazer, Chapter 5, and Tevfik Güran (1984-
85). “The state role in the grain supply of Istanbul: the grain administration, 1793-
1839.” IJTS III (1): 27-41

78 Cevdet, V: 257-259.
Istanbul area, added to the concern of officials regarding the state’s control over the immigrant and transient population in the city. It is this topic that I now turn to.

2.5. “A sweet fountain is always crowded:”79
Migration and Selim III’s Istanbul

I discussed in the previous chapter the influence of the intensification of the fear of crimes on state policies regarding the regulation of urban life in Istanbul, especially in the wake of the Patrona Halil Rebellion in 1730 and the market revolt in 1740.80 The frequency of social legislation, especially in the second half of the eighteenth century, suggests that the law was often flouted. The “angry male of the 1700s,” as Madeline Zilfi refers to the historian Şemdanişade, bitterly complained about the routine violations and the apathy of the authorities, who exerted themselves only for a few days instead of punishing violators at every opportunity.81

During the 1790s there seems to be a renewed emphasis on the precariousness of the regulations and the need for social control. Under Selim’s administration, the primary reasons for the state’s concern about overpopulation and migration from the countryside continued to be social unrest, disorderly

79 (mashrabu l’adhibi kathiru z-zihami) Arabic aphorism used by Vasif in his history to describe the influx of immigrants into Istanbul. I.Ü. TY 5980, ff. 135a-136a.

80 See chapter 1.

conduct, prostitution, congestion, food shortages, fire hazards, and plagues.$^2$

However, unlike the former sultans of the eighteenth-century, Selim made the issue of public order a priority in urban policy. This was partly the result of the incident in the Ayasofya mosque in December of 1791, when an unidentified person among the believers started yelling and throwing musket balls at the sultan.$^3$ This attack appears to have culminated in a personal commitment on the part of Selim III to making Istanbul a safer place for all, including himself. As mentioned briefly in the previous chapter, Selim III’s regulations regarding migration into the greater Istanbul area gained momentum after this incident$^4$ and focused on unemployed bachelors and migrant workers, who were generally perceived by the authorities to be highly suspect and potentially criminal.$^5$

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$^3$ See Chapter 1.


$^5$ In his history, Edib refers to the measures as being “imposed in accordance with the New Order” (taḥrīr ve defter-i hānāt ve dekākūn ber-mùceb-i niẓām-i cedid), f. 158-159.
Within days after the Ayasofya incident, Selim issued a series of blank-sheet imperial decrees in which he spelled out the regulations for the inspection of Istanbul (*niẓām-i teftiş-i Istanbul*). The register of important affairs for the year 1206/1791-92 contains copies of the regulations that were sent to a large number of officials. These regulations were reproduced and recorded in many police documents, inspection registers and contemporary narrative sources. A careful examination of these sources reveals that the new regulations were based for the most part on traditional policies utilized by previous Ottoman sultans, as well as ancient custom and regulations (*kānūn-i kadın, niẓām-i kadın, deb-i dīrīn*). As was the case in previous periods in the eighteenth century, Selim’s regulations speak of the influx of outsiders into the capital city as a significant cause of grievances such as the rise of crime, social unrest, hazards, and food shortages. His approach was two-fold. First, police officers were to prevent those who did not have legitimate reasons to go to Istanbul from entering the city. Secondly, those who managed to avoid the checkpoints were to be monitored and subjected to strict surveillance. Selim was convinced that in both cases the neglect of government officials was the primary cause of the ineffectiveness of previous regulations. He put pressure on his officials to urge them to be effective and used consistently threatening language to remind them of the consequences of poor performance. Simultaneously, however, he relied on the time-honored practice of

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86 See MD 198 (1206-1215/1791-1801), no: 5, 6, 7, 8, 9-14, 15, 185, 187, 310, 318.
holding communities responsible for the inhabitants of their own neighborhoods and used the surety (kefâlet) system creatively to increase the effectiveness of surveillance.

There is a strong emphasis in Selim’s regulations on the perceived growth of the population of greater Istanbul. According to these sources, the population of the city had grown so much that controlling the influx of various kinds of people and supplying provisions became the most troubling issues that preoccupied the government. For example, Edib wrote in his history that:

“...the Exalted Threshold [Istanbul] is filled to the brim with all kinds of creatures to such an extent that preoccupation with the task of providing basic foodstuffs leaves the ministries of the government with almost no time to attend to state affairs and oversee the regulation of order in the empire! While this is the case, due to the lack of effective regulation, flocks of people with their households continue to enter the city from sea and land, bringing about many kinds of detriments...”

This somewhat dramatized account reflects the frustration of the ruling cadres with insufficient provisions in the city, especially during such times of war.

Edib went on to explain that prior to the new regulations, many orders were sent to the surrounding provinces in Anatolia and Rumelia, as well as the Dardanelles and all harbors, instructing officials to stop all persons traveling to Istanbul without papers. However, he writes, corrupt and dishonest administrators simply

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87 “...Āsītāne-i ʿaliyye ecnās-i maḥlûkât ile memlû ve meşhûn olub ve vuğlā-i saltanat yالف mez kāle-i rûzmerlererini tedārik meşgûlesiyle umûr-i devlet ve râbiṭa-i niżīm-i memleketi ruʿyetinden kalmağ derecelerine varmiş iken, menʿi ʿuṣṣuṣu bir râbiṭa ve niżīm taşına idârâ kalımmadığından berren ve bahreyn ḫāne ve ʿiyâlleriley ev göçü peyderpey Āsītāneʿye doldukları nice maşarratı müştemil olub ...” Edib, f. 119b.
took advantage of these poor people and, instead of turning them back, they extorted fines from them.⁸⁸ In one of his decrees in the wake of the Ayasofya incident, Selim addressed his officials in the following manner:

"... when they receive imperial orders to stop those [persons] who are coming with their households and those who have no business [in the city], governors, judges and officers say, "oh well, this kind of order arrives every year". They just copy it into the court records and report with an ilam that the order has been received, however, they pay no attention to its implementation..."⁹⁹

In less than a month after the Ayasofya incident, new regulations had been sent to the judges and administrators of the surrounding provinces. In these decrees, Selim outlawed travel permits to the capital city and ordered local officials to pay utmost care to the matter, adamantly stating that whoever among them was caught allowing trespassing and issuing papers would be severely punished on the spot.⁹⁰

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⁸⁸ "... lákin gelenlerden hiç bir ferdin ev göçü geriye dönmeyeb nişâyet zâbiğın nâmında bulunan mürteklebire bir güzelce me kel [?] olmağla, "fermânsız geçilmez" diyerek bir alây biçareyi ve ba‘z münferißen gelen garîb‘a’d-diyârları bile şaçlayub cerimelerini almalarıyla emr-i infâz-i emr-i pâdişahiye ihtimâm ve diâğat olunmadığı muâşkâkâdâr." Ibîd.

⁹⁹ "... ev göçü ve bilâ-mağlûhât gelenlerin i‘adesi için emr-i şerîf çıkıyor iken, hükkâm ve zâbiğân "bu mişili evâmîr her sene gelir" diyerek hemân sicillât-i mahâkime tescîl ve vuşûlî-i lâmi ırsâlîyle ikîfî edûb icrâsına ‘adem-i ihtimâm ıleyediklerinden...’ Bab-i Asafî Divan-i Humayun Şikayet Kalemi [A. DVN. ŞKT.] 2323/42 (1 Cemâziyelevvel 1206).

⁹⁰ "... kangi ma‘bereden mûrûr ve ‘übûr eyledîği ve hükkâm ve zâbiğânndan kimler ruhât vermiş olduğu şâber alındıâda derhî bilâ-emr-i ‘âli ruhât verenlerin baklarmdan gelinmekde daâ’ika vakt olunmayacağî..." MD 198, no. 310. For examples of documents sent to Istanbul stating that the regulations had been received, see A. DVN. ŞKT. 2323/42, 71; 2324/36, 59, 63, 70, 83, 85, 86; and 2349/71. These documents are
2.5.1. Investigations and Surveillance of the Population

Immediately after the Ayasofya incident, Sultan Selim ordered the deputy grand vizier to take up the matter of security in the city and to exhaust all available resources to produce immediate results.91 Upon his instructions, appointed members of the military police (ẓābīṭa) set out to investigate all quarters of the city and its surrounding suburbs. They were instructed to "purify" the city from "unemployed vagrants and unidentified ones who did not have guarantors" by sending them back to where they originally came from and not allowing any others to enter the city.92 From a series of more detailed orders copied into the registers of important affairs it is possible to get a clearer idea about who were targeted by these aggressive measures.

The first group that sultan Selim’s decrees targeted was "vagrants and bachelors" (serseri başıboş ve bekâr fâ‘ifesi). Official documents and narratives portray them as those who live in tucked-away inns and secret basements, roam the marketplaces and bazaars idly, and bring about mischief and deceit.93

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91 Selim III issued a series of decrees in the months immediately following the incident. See for example, BOA., C. Zap. 428/5 B 1206 [28. 02. 1792]; C. Zap. 941 / 10 B 1206 [04. 03. 1792].

92 "... serseri başıboş mechâlî l-âlîyâl ve bilâ-kefîl..." HH 9428/1206.

93 "... mûcerred kesb-i ticâret ve celb-i menfa‘at ümûdiyile Dersa‘ādet’e gelûb ma‘ahâzâ o makââlêler kesb-i ticâreta dañî tahsil-i kâbiliyet etmek emr-i muhâl olmaqla serseri Istanbul içinde kimi hân kôšelerinde ve kimisi medâris ve zevâyâ ve dekânın bucağerinda imrâr-i leyî ü nehâr ederek kaft u galâ-yi es‘ârî mûcib olmaqdan gayrî bir şey‘e fâlêdeleri olmâqidînân başka kâda al-fâkru anna yekûna kufran mehümunca bî-
Typically, imperial decrees first stated the normative practices for each group under ancient custom. According to the established tradition, police officers were supposed to examine all documents carefully and allow only those who had legitimate business into the city on the condition that they find someone to vouch for themselves and conclude their affairs in three days. If they stayed on, and were caught, they would be arrested. This used to be how order was maintained, and it had to be restored.

The second group comprised certain groups of artisans in the services sector, especially the porters (*arka țammâlcıları*), bath attendants (*tellâk*) (especially those coming from Albania), gardeners and itinerant vendors (*bağçevân ve küfeciyan*), and boatmen (*kayıkciyan*). Ancient custom and regulations required that they be all held responsible for one another as guarantors, their numbers fixed according to need, and each of them recorded into a register. Inspections would reveal those without guarantors who would then be expelled from the city. Numerous decrees had been issued to prevent infiltration of outsiders into the ranks of these groups in ways breaching the established custom of each trade.

*kesh ü kâr olduklarından faço u faça yukitir olub nice fesâh ihtikâ'ya duçuç oloitlari mülțac-i beyn dehdîr,* Halîl Nuri, *Târîh-i Nûrî*, İstanbul Üniversitesi manuscripts, İ.Ü. T.Y. 5996, f. 89-90; and Süleymaniye Kültüphanesi Asir Efendi 239, f. 133-135. Likewise, “... vilâyet-i Anadolu ve Rumeli cânîbinden ba’zî bekâr adamlar birer bâhâne ile Âsitâne-i sa’a’det-âşiyâneme gelub hânlarda ve mahâllât aralarında vâki‘ költük hânina müsâbîh ba’zî konak ve dükkanlar altinda olan boðrumlarda sâkin olarak esvâk ve bâzârlarda serseri geşt ü giizâr ve devr ü dirâz meks ve ikâmâet ve tezvîrât ve mülâbaderet eylediklerine binâ'en ...” MD 198/5.
In addition to these lay groups, the regulations of the new order also portray some people among the ranks of the ‘ilmîyye class as potential threats to the social order. Selim’s regulations address madrasas, mosques, and Sufi convents as locations hosting vagabonds and beggars who appear to be dervishes, only to infiltrate the city and to escape their re’ayâ status. Similar to the tradition of other groups, the ancient custom for the organization of these places of learning and worship had completely fallen apart. The chronicler Vasif Efendi wrote that the “low and wretched” people who lodged in madrasas, shops, and inns and relied on the support of established eşnâf were sent back to where they had come from in accordance with the orders of the sultan dispatched to officials.94

Selim was determined to revive the nizâm-i kadîm that had come to the brink of total disintegration as a result of the neglect of officials responsible for maintaining the public order. It was necessary to renew the standard regulations for the sake of public order and welfare. This, he proposed, would be achieved by thoroughly and regularly investigating all neighborhoods and inns, baths, bachelors quarters, taverns, shops, marketplaces, madrasas, mosques, and Sufi convents inside and outside the city walls. To carry out the investigations, he

ordered that trustworthy men from the Janissary corps be appointed in accordance with custom for each neighborhood to find and arrest anyone in breach of the regulations.

Copies of the orders were sent to the judges of Istanbul, Eyüb and Üsküdar, all neighborhood imams, and military police officers including the commander of the imperial guards (bostancibaşı), captain of the corps of armorer attached to the Janissary corps (cebecibaşı), and master-general of artillery (topcubaşı). The Şeyhülislâm was instructed to appoint suitable personnel to oversee the inspection of madrasas, mosques, and convents. Separate orders were sent to the Greek and Armenian patriarchs and the chief Rabbi requesting the enforcement of the regulations and carrying out of inspections in their respective communities. In addition, a separate decree was issued as a manual for the new personnel appointed to carry out the investigations. I will discuss the registers that were produced as a result of these investigations in the next chapter.

2.6. Legal theory and Justice of the Sultan

The effect of the assault on the sultan is further revealed by another set of instructions included in the decrees dispatched to the officials. Following the Ayasofya incident, Selim III prohibited the submission of petitions and complaints during the public procession of the sultan for Friday prayers (selâmlık). He instructed local officials to make sure that attendants warned people before they entered the mosque where the sultan was to pray. ‘‘Anyone
who stands up [out of order] will be punished immediately’’ he said. He also sent orders to the chief of the corps of halberdiers of the sultan’s bodyguard (çavuşbaşi) instructing him to forbid petitioners against writing bogus complaints and absurd petitions (müzahtrefâtı) that kept the Imperial Council busy for no reason.95 He complained elsewhere that the neglect of the chief judges (kaźasker) and the çavuşbaşi left cases unresolved and obliged people to resubmit their appeals to the Imperial Council over and over again.96 He pressed the deputy grand vizier to make sure that the cases were handled properly and threatened to punish anyone who acted otherwise.97

The administration of justice at the shari‘a courts and the Imperial Council was a concern for Selim before the Ayasofya event. During his first years as sultan, he repeatedly wrote to the deputy grand vizier about this issue, demanding that cases and appeals submitted to the courts be handled quickly and settled fairly in accordance with the Sharia.98 In 1790, he had a petition writers sent to exile in Bursa for continually writing objectionable (fülaf-ı merzî) petitions,

95 MD 198, no. 5-6.


98 HH 192/9362 (1205), HH 192/9365 (1204).
disregarding previous warnings. He emphasized the need to pay utmost care to the welfare of the servants of God, and to deliver justice without delay in courts. After the Ayasofya incident, Selim continued to issue decrees regarding this issue in an attempt to limit the number of cases brought before the Imperial Council by regulating petition-writing, restricting the number of delegations from provinces, and dismissing petitions that were objectionable and without real meaning (bī-meʿāl).

By long tradition, the Ottoman concept of justice was based on the principle of the protection of the subjects against abuse of government officials and right of every tax-paying subject, regardless of religion, gender, or status, to

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100 "... meşālib-i 'ibāda gereği gibi dikkat edilmek ve ... fermān-i pādisāhi mucebine meşālib-i 'ibāddan da 'vaların sürünçemedede bırakmayaraka tevzx-i 'adâlete çalışılması lüzûmûnun kâzîlara ve càvûşbaşıya tenbîh edildiğine da 'ir..." HH 266/15434 (1204).

101 "... ve şimâba'd, derûn-i camî-i şerîfde hic ferd 'arzuhal vermesin; her kim olursa olsun ayağa kalkăği gibi kazîya uğramırım! Ve rikâb-i himâyûnuma verilen 'arzuhalîler bî-mê 'âl ve edebisîlik olub, bunları yazan yazıcılara tenbîh olunsun. Madde zimninde olmayan müzafefat makûlesi 'arzuhal yazanları dükkânları önünde şalb ederim. Bir şikayeti olanlara söz yoktir. İşte cümlenize tenbîh; günâhîleri boyunlara! Cümleniz gazab ve katr-i sâhanemî maqbar olursuz! Bu maddele'nîn suhûletî nizâmına bâkâsiz. Şofra cevâba katir olamazsiz! Gözûlüzü açasıız!" MD 198, no. 5. See also no.6: "... ve her bir mâţalle imami cemâ 'at-i müslûmine berveh-i te'kid ve tenbîh eylemek üzere pādisâh kâğıt cûmî iye teşrif eder ise kapûlarda kayyûmlar durub cemâ at 'alâ 'azîdîn 'arzuhal vermesi̇ş, kazîsî vardîr" deyû tenbîh ve bu vechele ba'zi cevâmi derûnında rikâb-i müstetâba 'arzuhal verilmesi bî-fermân-i 'âli mennû idî'gînû beyân ve cûmîle cevâmi kayûm ve hademelerine tenbîh..."
take their grievances directly to the sultan. Individual or group petitions could be submitted to the Imperial Council or directly to the sultan on various occasions. Considering that Selim III stayed in Istanbul throughout his rule, the populace of the city presumably had easier access to him via the Imperial Council, but also on outings especially to attend the Friday prayers. One way of getting attention was the practice of “burning reed” (haşr yakmak) where people in the crowd would burn a piece of reed and hold it above their heads for the sultan’s men to collect their petitions. Another name for this practice was “flaming petition” (ates istidasi). At the end of the eighteenth century, most likely in response to a significant increase in the quantity of petitions, it became routine for

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the palace functionaries to collect the petitions and submit them to the sultan under the name of maʿrūzāt-i rikābiyye. It is hard to tell how regularly Selim was observing this tradition before the incident at the Ayasofya mosque. Nonetheless, after the event he repeatedly warned the officials not to allow absurd, ill-mannered, and bogus petitions, and once threatened the petition writers with immediate execution in front of their shops. At the same time, however, Selim sensed that the rise in the number of petitions and abuses of the practice were related to officials' neglect of their duty to attend to legitimate needs of the people. He scolded the officials for this reason through a blank-sheet decree and told them that had they been attending to the affairs of the people properly, the latter would not feel urged to appeal to highest authorities so frequently and certainly not resort to impudent ways and language in doing so.

In Ottoman jurisprudence, the Sharia was the ultimate source of law, but the regulation of public order and interests of the servants of God (ʿibādullāh) were essential for keeping of the Sharia as a legal tradition. The sultan in his capacity as the ultimate guardian of the social order was responsible for the

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108 “... zāhir bir kimsenin maşlahatlarına bakmyorsuzsuz ki bu ʿhalḵ bu ʿkadar rikāb-i hūmāyūnumu tâciz ve dürüli dürüli bī-edeb hareketlere cesâret ediyorlar! İşte sañā ve cümle zābiṭāna tenbīh; günahları boyunlarına...” HH 9428.
protection of the servants of God within his jurisdiction.\(^{109}\) Selim III made frequent use of the common forms of sultanic control such as strolling through the streets in disguise and exemplary punishments.\(^{110}\) In addition to exemplary punishments (sâ’ırlere múcib-i ibret ve bâ’is-i pend ü nasîhât), punishments for the sake of the maintenance of order (niğâm-i memleket), and protection of the servants of God and cleansing of the Ottoman realms (te’mîn-i ‘ibād ve taḥrûr-i bilâd) were penal categories that developed outside of the Sharia and fell under the authority of the sultan.\(^{111}\) In contrast to Islamic legal theory that upheld the individual’s right to a fair trial by the court, crimes that were part of these categories could be punished without trial. In such cases, doubt or potentiality could be used instead of proof of crime, since even if the suspects were innocent the punishment would serve the greater cause of preventing others from breaking the law.\(^{112}\)

In his recent work, Engin Akarlı demonstrates how the civilian population of Istanbul and the government both appealed to the concept of public good


\(^{110}\) For example, the punishment for drafting such unacceptable petitions was execution in front of the petitioner’s shop. "... câmi ‘ide hic kimsenin ‘arzu hâl vermemesinin te’mîyle madde-i muñtevi olmayaan ‘arz yazanlarım dükkanlarım ömünde şalb edileceğine dâ‘ır kaymakam paşaya hitâben ...” HH 192/9428.


\(^{112}\) See “ta’zir” and “siyäsâ” in Peters, pp. 65-68.
(maṣlaḥa) in search of justice. Selim’s imperial decrees suggest that he made frequent use of this concept in formulating policies to regulate urban life. In his numerous blank-sheet imperial decrees he made repeated references to the maintenance of order and security (niẓām-i memleket, tem′īn-i āsāyis), protection of the servants of God (te′mīn-i ′ibādullāh), and cleansing (taḥīr) of the city of mischief and deceitful behavior (fesād, tezvīrāt). As Engin Akarlı explains, fesād/mafsada was the opposite of maṣlaḥa in Ottoman legal practice. These words implied disruption of public peace and harmony by causing mischief. A mischievous person in Ottoman practice was someone ‘‘who persisted in his wrongful and uncooperative behavior, did not heed advice, and could not find anyone to voucher for him/her.’’ At the end of the eighteenth century, ‘‘outsiders’’ (faṣralı) and vagrant unemployed bachelors fell into this category and were seen as the main source of mischief from the point of view of the Ottoman sultan.

One could argue that while appealing to the concept of maṣlaḥa to protect the well-being of the populace of Istanbul, the sultan was infringing on the basic rights of the transient population. In theory, all civilian subjects of the Ottoman Empire made up the category of the ‘‘servants of God’’ and were entitled to the basic conditions/exigencies of civic life such as life, property, progeny, and

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113 Engin Deniz Akarlı, ‘‘Maslaha from ‘Common Good’ to ‘Raison d’Etat’: In the Experience of Istanbul Artisans, 1730-1840.’’ Paper presented at the Early Modern History and Theory Workshop at the University of Chicago, 10 January 2005.

114 Ibid., pp. 6-7.
reason. Individual rights were determined by the person’s status in the community as trustworthy (kendi ḥālinde), doubtful, or simply unknown (mechūlū' l-āhvāl). A doubtful person was someone who had formerly committed a crime and could potentially be expected to commit more crimes. Such persons, if they were suspected could be arrested by the authorities and had to prove their innocence, as opposed to a trustworthy person who could refuse the charges. The mechūlū' l-āhvāl, on the other hand, were people outside of both of these categories. They were unknown since no trustworthy member of the community could speak for them. In the absence of an acceptable affiliation, a person became potentially dangerous and was associated with fesād/mafsada. In our case, the migrant population in Istanbul constituted such a mischievous group and as such a potential threat to public peace regardless of the conditions that may have forced them out of their original communities. As mechūlū' l-āhvāl individuals, their exigencies did not constitute a priority from a legal point of view in the face of an overwhelming concern for public good and rights of the inhabitants of the city. The only way such an “unidentified” person became entitled to his rights was through the institution of bailing, which created the necessary affiliation with a trustworthy individual or a recognized community such as an artisanal group.

115 Ibid., pp. 5-6.
The idea that the prevention of mischief (mafsada) simultaneously served the public good (maṣlaḥa) not only undermined the Sharʿi legal restrictions against arbitrary interventions, but also blurred the boundaries of conflicts based on parallel exigencies. In this sense, one could say that the expulsion of unknown individuals who failed to find a trustworthy guarantor in the city, or the restriction of the appeals to the Imperial Council as well as the ban on submitting petitions to the sultan at the Friday prayers, were justified even if the persons involved were trying to protect their own exigencies of civic life from being abused. They were justified, in other words, because they all aimed to protect maṣlaḥa from mafsada. Whether they were acts of justice or not, however, seems to be another question.

2.7. Concluding Remarks

I have shown in this chapter that as far as urban regulation and sartorial laws were concerned, Selim III followed the example of previous eighteenth century sultans for the most part. However, unlike his predecessors, he engaged in aggressive social legislation while at the same time the Ottoman armies were at war between 1789 and 1792. His regulations were responses to a perceived chaos that prevailed in the city in the absence of the Janissaries who also performed the functions of military police. Selim III addressed the vacuum created by the lack of sufficient policing in the city in numerous blank-sheet imperial decrees, which

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117 Akarlı (2005), pp. 3-4.
often followed his frequent inspection tours. The assault in the Ayasofya mosque in the winter of 1791 was a turning point in terms of the aggressiveness with which he addressed issues of public order, manifested most clearly in his
evehement legislation regarding the "cleaning" of the city from the "mischief"
caused by the influx of "outsiders". It can be said that at the heart of Selim’s
demands for solutions and his recurring threats against those who did not obey his
orders was a new kind of sultanic activism with an emphasis on law, regulation,
and enforcement of the law, which became increasingly evident as the nineteenth
century unfolded.

After the Ayasofya incident, Selim III allocated his limited resources to
the regular inspection and examination of potentially mischievous groups in the
city and this effort produced a series of registers known as books of voucher
(kefâlet defterleri) or inspection registers. Although the practice of requiring
trustworthy sponsors for extended stays in Istanbul was commonly used in
previous periods, these registers constituted a novelty. They included detailed
information collected by the Ottoman military police from various neighborhoods
regarding its inhabitants’ occupation, duration of residence in Istanbul, and each
individual’s guarantor in the city. It is the examination of these registers that I
now turn to in the next chapter.
CHAPTER 3
OTTOMAN POLICE IN THE LATE EIGHTEENTH CENTURY
AND THE INSPECTION REGISTERS OF 1791-1793

Issues of public order and security can not be properly examined without an understanding of the basic structure of policing and the organization of the police. Until the separation of the police from the military during the last quarter of the nineteenth century, security forces in the Ottoman Empire were referred to as zâbiñana, and the terms emn ü äsäyis and nizäm-i memleket were used to denote security and public order. The term police as we understand it in the modern period does not adequately capture the structure of the Ottoman zâbiña, which I prefer to translate as the urban military police. The discussion about the military police in this chapter has an urban focus and deals with issues of public order in Istanbul alone, and the term military police refers to those members of the military class, mostly Janissaries, who stayed in the city during times of war and functioned more like an urban security force as opposed to soldiers. My purpose in this chapter is to examine the structure of this force in relation to the social and economic forces at work in Istanbul at the end of the eighteenth century.
In striking contrast to the extensive literature on issues of policing, crime and deviance in European history, studies involving the Ottoman military police are scant.\(^1\) One could say that the reasons for this dearth are two-fold. First, according to the modernist agenda that I have discussed in chapter two, the Janissary corpse, whose members constituted the backbone of the ṣâhiqa in Istanbul, had become the symbol of corruption and Ottoman backwardness in the eighteenth and nineteenth centuries. This approach created a near exclusive focus on the post-1839 and the Turkish republican eras and discarded developments before the modernization measures as a deviation from the normal course of history and therefore unworthy of attention.\(^2\) Secondly, the literature on modern state formation in general has focused mostly on the army as the leading coercive agent of the state, and regarded the police as an instrument of the implementation

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\(^1\) One must mention studies on Ottoman courts and crime such as Faroqhi (1995), Leslie Pierce (2004), Boğac Ergene (2003), as I will discuss in Chapter 4. The most recent study of the Ottoman police in the nineteenth and twentieth centuries is Ferdan Ergut (1999). *The State and Social Control. The Police in the Late Ottoman Empire and the Early Republican Turkey, 1839-1939.* Unpublished Ph.D. diss., New School for Social Research; published in Turkish (2004) *Modern Devlet ve Polis: Osmanlıdan Cumhuriyete Toplumsal Denetimin Diyalaktiği.* Istanbul: İletişim Yayınları. To the best of my knowledge, no systematic study of the military police in Istanbul before the elimination of the Janissary corps in 1826 has been done.

of certain specific government orders. One could say that this tendency also influenced modern historians of the Ottoman Empire and established the role of the police as subsidiary to that of the army in matters of security and order. An early twentieth-century manual for the students of the police academy in Istanbul describes the relationship between the military and the police as that between siblings:

"The army and the police share the same duty of protecting the country, whether it is protection from external or internal threats. They share a deep, fundamental connection... and are like brothers. However, the army is like the older brother, and the police is the younger brother. Especially in our Ottoman world, older brothers must always receive respect and obedience, whereas the younger should be treated with care and given assistance. Therefore, officers of the army and the police must treat each other with these feelings... since the collaboration of these two only increases security."

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5 "... Ordu dși, polis iç miştir... Karşı korur... Faşat ordu büyük birâder, polis küçük birâderdir. Bıllaşsa bizim ‘Osmânlılık ‘âleminde büyük birâderler dâ’imâ hürmet ve ri’âyete, küçük birâderler dâ’imâ mu‘âmet ve mu‘âvenete şâyeste görülürler... O tâlde polis ve ordu zâbiîmî efendiler birbirlerine bu hâssilerle mu’âmele etmeli, polis ‘askeri selâmalamalı... bunlar arasında ne kadîr aheng-i mu‘âmet tecessüs ederse o kadîr çok emniyet olur... polis ‘askeri selâmalamalı ve de bunu Avrupa’dâ da böyle olduğu için değil vicdânîn yapmalıdır.” İbrahim Feridun (H. 1326/1908), p. 123.
In the 1940s, the Turkish Ministry of the Interior commissioned Okçabol, Alyot, and Tongur, all teachers at the police academy, to write detailed accounts of the evolution of the Ottoman-Turkish police. Reflecting the nature of history writing of their time, they each employed an evolutionist-positivist approach in their study of the changes in the legal and administrative organization of the police as an institution. As one scholar wrote in his critique, “they are, in short, the evolutionary story of the Turkish police that is taken as having unfolded in its unchanged perfect nature through time and reached its perfection with the founding of the Turkish Republic.”

More recently, scholars of the Ottoman Empire have become engaged in discussions about issues of policing and public order as part of the formation of the modern state and the progression of this process in the Ottoman Empire. Ferdan Ergut’s dissertation on the Ottoman state and social control, Nadir Özbek’s work on welfare politics during the Hamidian period, and Cengiz Kırlı’s examination of the coffeehouses of Istanbul during the reign of Mahmud II are some examples of the kind of contributions made by this new generation of historians in the field of the study of the relationship between the late Ottoman


state and its subjects. These studies provide a theoretical and analytical framework for the study of the Ottoman police during the period from the beginning of the Tanzimat era into the early republican period. They address issues of public order such as vagrancy, poverty, prostitution, and surveillance in the late Ottoman Empire. Despite valuable insights, they only briefly deal with the pre-Tanzimat period and for the most part, they tend to emphasize changes rather than continuities that distinguish the late Ottoman Empire. Inspired by the works of Rifa‘at Abu El-Haj, they emphasize the continuities in the process of modern state formation from the eighteenth to the nineteenth centuries, but they focus mainly on the later phases of this process.

In this chapter, I will focus mainly on the inspection registers of 1791-93 to discuss the issue of the maintenance of public order in Istanbul during the early phases of Sultan Selim III’s reign. In the first section, I will briefly discuss the functions of military police officials and the nature of policing in the city. In the later sections, I will present and discuss the data in the registers and their

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9 See also, Ferdan Ergut (2001). “Polis Çalışmaları için Kavramsal bir Çerçeve.” Amme İdaresi Dergisi (34) 1 Mart: 59-78.

10 See Abou El-Haj (2005).
significance for studying the social and economic dynamics of Istanbul at the end of the eighteenth century.

3.1. The Military Police and Policing in Istanbul

The conventional periodization of the history of police in the Ottoman Empire corresponds to the major turning points that mark the perceived historical progression of the empire. The typical periodization includes five stages: from the foundation of the Ottoman principality to the conquest of Constantinople in 1453; from 1453 to the abolition of the Janissary corps in 1826; from 1826 to the establishment of the ministry of public security as a separate institution from the military in 1846; from 1846 to the 1909 CUP (Committee of Union and Progress) government; and from 1909 on into the republican era.\textsuperscript{11} Recently, Ferdan Ergut has suggested an alternative periodization, referring to the pre-Tanzimat era as the “classical period” of policing in the Ottoman Empire.\textsuperscript{12} He argues that only the administrative changes introduced by the Tanzimat began to alter the “classical” structure of policing in the empire, which gained momentum at the end of the nineteenth century and came to a turning point with the introduction of nationalist

\textsuperscript{11} This also corresponds to the periodization in “Zabita Tarihcesi” in Polis Okulu Broşürü, Istanbul: Marifet Basimevi (1937) under different names: zabita tarihcesi, asakir-i mansure devri, zabiye devri, mulakayette polis, meşrutiyette polis, cumhuriyette polis. It is possible that Osman Nuri Ergin was the first person to use this periodization, and others adopted it from him. See, Mecelle, vol. 2.

\textsuperscript{12} Ergut (1999), pp. 76-77.
policies by the CUP government from 1909 on. Ergut’s work is useful for the study of Ottoman police and modernization in the nineteenth and twentieth centuries. Although it focuses mainly on provincial administration and does not offer much information on the earlier periods, it offers a theoretical framework useful for police studies in general.

3.1.1. The Administration of Public Order in Istanbul

The Ottoman Empire, like many early modern states, did not have a specialized police force independent of its military establishment in the eighteenth century. In major cities, Janissaries were typically responsible for policing during times of peace. In the provinces, for the most part, the ‘āyān (local notables) performed the function of police officers and their retinues doubled as security forces. In the absence of a centralized police force, this was most efficient for the government, although it could be prone to corruption and abuse of authority.

The policing of Istanbul represented an exceptional case as the seat of the Ottoman sultan and the capital of the empire. The city and the three adjoining townships of Galata, Eyüb, and Üsküdar were traditionally divided into a number

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of administrative areas for policing purposes, each under the jurisdiction of a high ranking military official.\textsuperscript{14}

As I will discuss below, public order in the capital city was administered by senior military officials and Janissaries. In this hierarchy, the grand vizier and his deputy (kâymakâm) oversaw the functions of the Janissary agha and his deputy (sekbânbaşı). Other senior officials who assisted them in ensuring order in different districts in larger Istanbul included the commander of the imperial guards (bostâncibaşı), captain of the corps of armorer attached to the Janissary corps (cebecibaşı), master-general of artillery (topcubaşı), and admiral of the navy (kapudân pasha or kapudân-i deryâ). Working with these senior officials were the city superintendent (şubâşı) and the captain of guards (‘asesbaşı), who shared the responsibility of managing the prisons in the city, and their agents such as the head of undercover spies (böcekbaşı, literally the chief of bugs), and captain of secret inspection guards (şalma tebdil başçukadari). It should be noted

\textsuperscript{14} There has been some disagreement on the exact number administrative branches. Evliya Çelebi lists twenty four such divisions in the city in his Seyahatname, vol I, p. 120. Halim Alyot lists five, and Ergin suggests a simple division of four in the Mecelle, vol. 1, p. 845. On the other hand, Tongur disagrees with all previous divisions and proposes seven branches, pp. 45-46. In essence, these authors’ observations are not contradictory. Ergin explains his reason for disagreeing with Evliya Çelebi as a matter of description. He writes that most of the officials listed as police officers in the Seyahatname, such as the kadi, muhtesib, kazasker, and Şeyhülislam, have other major religious and administrative responsibilities and cannot really be described as police officials. He adds that the rest of the offices, including those of the şubâşı and asesbaşı, function not independently, but under the authority of the kadi, yenidere ağası, cebecibaşı, topcubaşı, and bostancibaşı. Therefore, although he mentions four main divisions in the city, he actually discusses the role of nine different offices until the separation of the police from the military in 1846. See Mecelle-i Umur-i Belediye, I: 845-885.
that the functioning of these officials did not correspond to a hierarchy in the modern sense of the word, i.e. they did not have clearly defined responsibilities independent of each other. For example, although the rank of *bostancibaşı* was lower than that of the Janissary agha, in some instances the former answered directly to the grand vizier or the sultan. These officials and their retinues worked with the judges of the greater Istanbul area and the market inspector (*muhtesib*) in ensuring order and enforcing judicial decisions in the city. The senior officials did not have the authority to determine the punishments. However, they did have the authority to inflict the punishments stated in the established regulations (*nizām*) if they caught anyone clearly violating the regulations. In more complicated cases involving serious criminal offenses, they were required to bring the suspects to court and the judge’s attention. In the following section, I will briefly discuss the role of these officials in the maintenance of public order in Istanbul.

**Office of the Grand Vizier (*Şadıret*):** As the highest representative of the sultan’s authority, the grand vizier (*şadırvan*) was the highest official in the complex hierarchy of policing practices. Under his control, there were various police forces that functioned in designated districts of the city. Matters regarding the general order and security of the city that his agents brought to his attention were generally discussed at the grand vizier’s court (*Divān-i Āṣaf*) rather than the
Imperial Council (Divān-i Hīmāyūn). The grand vizier sometimes personally undertook inspection tours in the marketplaces and had the authority to assign punishments on the spot. Among the lesser officials who worked with the grand vizier was the chief of the corps of halberdiers of the sultan’s bodyguard (çavuşbaşı) who functioned as one of his assistants in matters of public order and security. The çavuşbaşı had the authority to arrest, punish and execute military members below his rank, as well as carrying out judicial rulings. For example, a request from Selim III for expediting the handling of cases in courts was addressed to the çavuşbaşı, as well as the judges. Checking the identity of travelers and immigrants coming to Istanbul was also among his duties. The çavuşbaşı worked with the captain of the guard of the grand vizier (mühtər agha) who also accompanied the grand vizier on inspection tours and sent suspect Janissaries to their own barracks to be punished.

Overall, the grand vizier’s role in policing was more symbolic compared to those of the Janissary agha, the judges of Istanbul and the market supervisors, and the lesser officials who worked with them and made up the police force in the city. However, when he was present in the city, he did patrol the marketplaces and enforced conformity with sumptuary laws and the regulations regarding

15 Tongur, p. 10.

16 HH 9365 (1204/1789-1790).

17 Tongur, pp. 8-9.
public spaces.\textsuperscript{18} For example, during the period of peace following the signing of the Treaty of Jassy on January 10, 1792, the grand vizier resided in Istanbul and took on his responsibilities in the city, which included arresting those who violated sumptuary laws and regulations governing the production and sale of alcoholic beverages.\textsuperscript{19}

**Office of the Janissary Agha and his deputy (sekbānbaşı):** In addition to his main duties as the commander in chief of the Janissary corps, the Janissary agha played a significant role in providing order and security in the capital city. His area of jurisdiction in Istanbul was restricted to the areas inside the city walls (nefs-i Istanbul) to the exclusion of the imperial palace and its environs, which were policed by the cebecibaşı and his men. The Janissary agha was practically the chief of military police in the city who supervised the military police stations (kolluķ) and their staff in his area of jurisdiction.\textsuperscript{20}

Traditionally, the Janissary agha and his staff inspected the bazaars and streets of Istanbul two or three times a week. The guards in his service would

\textsuperscript{18} For examples from the eighteenth century, see BOA. C. Bel. 2721 (H. 1209); HH 25660 (H. 1238); 26818 (H. 1228); and Hâkim, f. 270 a-b.

\textsuperscript{19} "Benim vezîrim! Hilâf-ı emr-i 'âlî eşvâb gıyennleri aâz ve küreğe vaz 'eyleyesin. Ve şarâb ve raî âhuşûna da güzelce nişâm veresin. Bu âhuşûslara dâ 'ir tedâbîr ve mülâhaçân 'arz edesin. Bu vekâyi 'i eþâfiyla güzel bildirdiğinden safa taâkrîre hâçet yok. İnsâallah i'zâmın muvâsif olursun. Lâkin maâmûn-ı hâç-ı hümâyûnu eşvâb-ı şûrâya ir'de eyle. Akalların başlarına devîrsînler, şûrâ pişmân olurlar!" HH 13412 (H. 1209). The grand vizier at this time was Izzet Mehmed Paşa.

\textsuperscript{20} Ibrahim Feridun, p. 282.
send suspects of military status to their barracks, since members of the military were subject to heavier punishments under martial law, which was executed by their senior officers. During these inspection tours civilians could be punished on the spot, according to the punishment specified in the regulations, only if they were in clear violation of the established regulations. In more serious cases such as habitual offenses, the ruling of the judge, and sometimes the approval of the sultan, was necessary before the execution of any punishment. To supplement the Janissary agha’s inspections, various Janissary officials such as the chief of the cavalry regiments (böyükbaşi) went on evening patrols. For example, in the summer of 1792 the captain (üstâ) and messenger (kol çukadârî) of the 5th Janissary regiment, whose duty it was to “patrol the area surrounding the imperial arsenal every night and day with five to ten watchmen (kara kölküçü),” petitioned repeatedly to receive their salaries that had been cut off after the troops

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22 I discuss this issue in detail in Chapter 4.

23 Theoretically, every night except Fridays. The inspection of the colonel (çorbaci) of the Janissaries was called sira kolu and it started at Atpazari. One yayâbâşı and one böyükbaşi watched the areas around the imperial palace and the Ayasofya mosque. Guards in various neighborhoods patrolled the streets at night. See, Uzunçarşılı (1988), I: 323-324.
returned to Istanbul, and finally they were each assigned a monthly salary of 100 piasters from the imperial treasury to continue their patrols.\footnote{24} 

Among the most important policing duties of the Janissary agha was the appointment of janissaries with the title of kollukçu for the military police stations in the areas under his jurisdiction. The kollukçus' duties included frequent patrols during the day and at night, and taking suspects to the custody of the Janissary agha (ağ a kapısı) or the market inspector (mulhisib). They were appointed for three months by the lieutenant of the Janissaries (kul kethüdâsi or kethüdâ bey) and were financed locally by the residents of the neighborhoods they worked in. The fees collected from the residents were managed by the lieutenant who also charged a fee for each appointment. Thus, in return for holding office for three months the kollukçus had to pay this fee to the Janissary agha's lieutenant.\footnote{25} This made the positions entrepreneurial in character, in the sense that these local fees became a source of profit for the kollukçus. In the eighteenth century the appointment of these and many other offices had become highly venal. Sales of Janissary posts continued to be widespread and addressed in

\footnote{24}“... hudi-i cehânedede leylen ve nezâren beşer ve onar kara-kollukçuyla geçt ü güzâr eden beşinci bölüğün âscisi ile kol çukadârı kullarını hallerine merhameten...” C. Zap. 751 (21 L 1206).

\footnote{25}Tongur, pp. 62-63; Alyot notes that this fee was seventy five akças for three months, sixty of which was for the lieutenant, ten for his sarac [?] and five for his scribe. No date specified. Alyot, p. 46.
frequent imperial orders early in the nineteenth century, as well.\textsuperscript{26} The significant increase in the number of \textit{kollu\c{c}us} over time could have been related to an increasing demand for the privileges associated with joining the military class.\textsuperscript{27} In addition to the military police stations under the Janissary agha, there were others supervised by the \textit{sekbânbâsi} at Vefa and Fatih, and additional stations attached to the courts.

When the Janissary agha left Istanbul for campaigns, his deputy, the \textit{sekbânbâsi}, took over his duties in overseeing the order and security in the city.\textsuperscript{28} If the Janissary agha and the \textit{sekbânbâsi} were away at the same time, the agha of Istanbul (\textit{Istanbul a\c{g}asi}) acted as the chief of military police and oversaw the cooperation of the \textit{kollu\c{c}s} with the deputy grand vizier. In 1790, while the

\textsuperscript{26} In his history, Cabi Efendi wrote: “Fimaba’d esamiler bir ferde furyuht olunmayub, sahibi fevтивde temâhen hazine-mande olunmak üzre ve bundan böyle yeniçeri esamisi dahi birbirine furyuht olunmayub ve bir ortadan bir gayri ortaya nakl olunmak üzere ...” Kırlı (2000), p. 125, f. 79.

\textsuperscript{27} Alyot wrote that while initially there were only one or two guards in each station, this number eventually exceeded ten. The number of Janissaries went from four to ten at the police station in the Yahudi mahallesi, from four to thirteen in Kumkapı, four to twelve in Ayakapı, and three to thirteen in Balat. These posts were sold at “thirty-forty gold coins and the men who purchased them used their powers to make a profit in their neighborhoods.” Alyot, p. 48.

\textsuperscript{28} The post of \textit{sekbânbâsi} was farmed out annually as \textit{iltizâm}, and holders of the office collected fees from each police station they were in charge of. Ergin (1995), II: 848.
Janissary agha was on campaign with the troops, the *sekbânbaşı* patrolled the city in search of illegal taverns and prostitutes inside and outside of the city walls.\(^{29}\)

In addition to the *kollukçus* at the police stations, there were various people who functioned as agents for the general surveillance of the population. For example, *şalma tebdil neferâti* were undisclosed intelligence agents.\(^{30}\)

Another group, the *böcekciler* included civilian men and women, often former thieves and pickpockets, who worked as undercover spies in the service of their supervisor, the *böcekbasi*.\(^{31}\) The agha of the intelligence agents (*baştebdil agha*) worked for the grand vizier as the chief of intelligence, especially in charge of checking market prices and weights, roaming the streets in disguise, and putting

\(^{29}\) HH 11176 (H. 1204). According to the document, the *sekbânbaşı* prepared two registers containing lists of taverns, sweet-drink sellers (*şerbethâne*), and prostitutes in these areas. However, my search for these registers in the archives was not fruitful.

\(^{30}\) For a description of their clothing, see Tongur, p. 65. They usually patrolled crowded spaces, coffeehouses, barber shops, etc. In the nineteenth century, they reported daily events to their supervisors. Ergin (1995), II: 901.

\(^{31}\) It is curious that in his manual for the new police force İbrahim Feridun referred to the *böcekbasi* as the second most important police officer in the city after the Janissary agha. "... *böcekbasi*, ya’ni polis müdürü mâ’iyetinde türli ceraîm işlemiş ama şofradan isti’mân etmiş erkekden kadından tecrübeli me’murlar bulunmuş. Bunlardan *şalma’lar* istişbârât me’murlarîymuş, kâlîddan kâliga girerek suçluları araştırlar mârîmâş. Bir adam muhafîl-i şer’i şerîf veyâa mugâyîr-i tenbih ve âdet bir hareketde bulunursa *böcekbasi* huzûruna getirilir. Eğer kabâhâî ilk seferse derecesine göre burnunu, elini, kölunu kesdirir, ikinci seferse ya kollesi vurdurular ya boynu yâğıt ipe geçirtîlîrîms. *Böcekbası* bâz’en Yemis iskelesinde Baba Cafer zîndânîndaki ye’îçeri ağaşının dâ’i resînde icrâ-yi vazîfe ederîms. " Feridun, pp. 283-84. While it might be possible that the influence of the *böcekbasi* increased in the nineteenth century, this romantic account is highly questionable given the limited authority even the senior military officials had with regard to the punishment of civilians and lack of any evidence in the eighteenth century to support it.
violators into confinement until they were put to trial or punished by their superiors if they held military status.

Office of the City Superintendent (Şubasî) and Captain of the Guards

('Asesbaşi): The şubasî and 'asesbaşi were both Janissary officers who cooperated with each other to police the city during the day and night to ensure compliance with the laws and regulations in effect. They worked together in the administration of the prisons, mainly the Baba Cafer prison. The şubasî was also in charge of other prisons in the city, such as the market prison (iḥtisāb zindāni) and the prison for those condemned to the galleys (tersâne zindāni). The 'asesbaşi's guards policed the prisons, and the judge of Istanbul supervised the şubasî.

The 'asesbaşi and şubasî both worked with the muhtesib to enforce market regulations. Descriptions of the cruelty with which these officials treated people

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32 Baba Cafer functioned as the main prison in Istanbul until it was turned into a police station in H. 1247/1831. Takvim-i Vekayî, no. 917, cited in Tongur, p. 67. On various inspections, repairs, donations, and provision of food for the prisoners in the eighteenth and nineteenth centuries, see for example C. Zap. 1355 (H. 1144), 1456 (H. 1244), 2566 (H. 1179), 2970 (H. 1180), 3904 (H. 1152), 4284 (H. 1200). Compare Ergin, vol. 2: 863-70.

33 Tongur wrote that the 'asesbaşi was not the chief of police, but rather the head of what today would be the gendarme – the 'ases, guards who performed police duties around the prisons, and were financed locally like the kollukçus at military police stations in the city. Tongur, p. 71. According to Feridun, the 'asesbaşi was the third highest official among Ottoman military police, and also the captain of the 28th Janissary mess (bölük). See, pp. 285-86. On the prison of the galleys, see Mehmet İşirli (1981-82). “XVI. Asırın ikinci Yarısında Kürek Cezası ile İlgili Hükümler.” İUEF Tarih Enstitüsü Dergisi 12: 203-48.
they suspected, and the fines and fees they extorted abound in narrative sources and travelogues.\textsuperscript{34} In addition to the well-known bastinado (\textit{falaka}), Evliya Çelebi mentions the \textit{tāziyāne} – an infamous whip carried by the guards on inspection tours.\textsuperscript{35} Given the entrepreneurial nature of many of the posts involved in policing and the heavy handed abuse of authority, it seems probable that the practices of the military police could be repressive and abusive, especially for lower classes.\textsuperscript{36} On the other hand, since the \textit{asesbaşı} and his \textit{ases}, as well as the \textit{şubası} depended on the members of the community in which they worked for their livelihood, presumably it would be in their best interest to satisfy the needs of the community instead of provoking opposition for the duration of their appointment.

\textbf{Office of the Judge (\textit{kâz}) and the Market Inspector (\textit{muhtesib}):} The authority for the sanctions that ensured the efficiency of the maintenance of order and proper functioning of the principle of collective responsibility resided with the \textit{kâz}. The \textit{kâzs} had certain administrative functions along with their judiciary duties. In the greater Istanbul area, there were four main judges – those of Galata, Eyüp, Üsküdar and Istanbul. The \textit{kâz} of inner Istanbul had the highest rank

\textsuperscript{34} Mantran (1990), vol. 1, p. 148.

\textsuperscript{35} Quoted incorrectly as “naziyanе” in Tongur, p. 71.

\textsuperscript{36} Ergut (1999), pp. 78-79; 86-88.
among the judges in the city.\textsuperscript{37} His duties included the overseeing of proper social behavior in public places and public morals (\textit{zabi\textasciitilde ta-i ahl\textasciitilde kiiyye}), such as compliance with sumptuary laws and regulation of women’s participation in outdoor activities.\textsuperscript{38} Seeing to the lawful management of the transportation of provisions such as food stuffs, oil, firewood, and the like was among the most crucial duties of the judge. In addition to their judiciary functions, judges also worked as inspectors and frequently went out on beats with the market inspector known as \textit{mu\textasciitilde tesib}.\textsuperscript{39}

Among the administrative duties of the judge, the most important one was the supervision of the semi-autonomous guilds of Istanbul. The \textit{k\textacircumflex{a}z} implemented the fixed prices (\textit{nar\textasciitilde h}), which he determined as a result of periodic negotiations between the \textit{e\textasciitilde sn\textasciitilde f} and the government, and worked with the \textit{mu\textasciitilde tesib} to ensure conformity with the prices and production standards such as weights. The guilds were independent, to a large extent, in their internal affairs and inflicting punishment on their members, and the elected or appointed steward (\textit{keth\textasciitilde ud\textasciitilde z})\textsuperscript{40} of each guild acted as its representative for the negotiation of its

\textsuperscript{37} Ergin (1995), 2: 848-858

\textsuperscript{38} See Zilfi (2004).


\textsuperscript{40} Stewardships went on sale during this period. See Suraiya Faroqhi’s forthcoming article “Purchasing Guild and Craft-based Offices: A Preliminary
relations with the state. The system of standing surety (kefâlet) was the main mechanism with which Ottoman governments exercised some degree of control over the guilds. As I will discuss below, beginning in the late eighteenth century, and increasingly in the nineteenth, the military police in Istanbul carried out regular inspections to register esnâf groups with a great deal of detail, sometimes including physical descriptions of employers and employees in marketplaces.

**Public order outside of the city walls:** So far, I have focused mainly on the maintenance of order within the city walls, which was under the supervision of the Janissary agha, excluding the areas surrounding the sultan’s palace. The security of the areas in the vicinity of the imperial palace – namely the Ayasofya, Hocapaşa, and Ahırkapı regions, was administered by the Cebecibaşı and his guards. Policing in the remaining regions in the greater Istanbul area was carried out in three administrative districts under separate officials. The admiral of the navy (kapudân-i deryâ) was in charge of the harbor areas around Galata and Kasımpaşa. In addition to a number of sailors (kalyoncus), he also appointed a superintendent (subaşı) to patrol the neighborhoods in these areas. The master-general of artillery (topçubaşı) was in charge of the security of the Tophane and

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Exploration.” I am grateful for her generosity in sharing her work. I also thank Engin Akarlı for bringing this article to my attention.

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41 For the guilds of Istanbul in the seventeenth century, see Yi (2004). For guilds in the eighteenth century, see Akarlı (1985/86) and idem. (2005). For the muhtesib, see also Mantran (1957), (1965), and (1990).
Beyoğlu districts. Finally, the *bostancıbaşı* was in charge of policing Üsküdar, Eyüb, both shores of the Bosphorus, the coast of the Sea of Marmara, and the islands, including all open spaces such as gardens, promenades, meadows, and forests. Traditionally the head of the imperial gardeners, the *bostancıbaşı* was also responsible for all construction and repairs along the waterfront.\(^{42}\) In the literature on the eighteenth century, this office has come to be associated mostly with issues of public order, social control and conformity, to such an extent that in some sources he is referred to as the chief of police.\(^{43}\) Indeed, numerous eighteenth-century documents and descriptions directly addressing the *bostancıbaşı* exist and often deal with issues such as the conduct of women and non-Muslims in open spaces such as parks, river banks, and public ceremonies, consumption of alcohol, and the mixing of genders on boats used for

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\(^{42}\) The *bostancıbaşı* was responsible for preparing registers recording building activity on the coast of the Golden Horn and the Bosphorus. Twelve such registers dating from 1791 to 1820 exist in the manuscript libraries in Istanbul and abroad. Some of the *Bostancıbaşı Defterleri* have been published. See, Şevket Rado (1972). “Bostancıbaşı Defteri.” *HAYAT TARIHI MECMUASI* 6; Reşat Ekrem Koçu. “Bostancıbaşı Defterleri.” *İSTANBUL ANSİKLOPEDİSİ*, vol. 6: 2982-2995; and Cahit Kayra and Erol Üyepazarç (1992). *İkinci Mahmud'un İstanbul'u.* Istanbul: İstanbul Büyükşehir Belediyesi. As Kırlı mentions, the transliteration in the 1992 publication includes errors of transcription and should be used by caution. Kırlı (2000), p. 78, ff. 18.

\(^{43}\) Kırlı (2000), p. 75. Shirine Hamadeh suggests that the extension of the gardeners’ duties into the public domain could have taken place during the long periods of absence of the court from Istanbul during the second half of the seventeenth century. She also adds that it could also reflect a strong preoccupation with the enforcement of public order. See, Hamadeh, pp. 122-124.
transportation.\textsuperscript{44} However, this does not indicate that it was exclusively the duty of the \textit{bost\^anciba\c{s}i} to police such matters. It rather suggests that the middling classes of Istanbul who experimented with fashion and tended to challenge the traditional boundaries became more visible in the eighteenth century, at promenades and leisurely boat rides along the Bosphorus waterfront, areas the policing of which fell under the jurisdiction of the \textit{bost\^anciba\c{s}i}.\textsuperscript{45} It is misleading to assume that the maintenance of public order along the waterfront was previously outside of the duties of the \textit{bost\^anciba\c{s}i} or that he took over the responsibilities of the ‘\textit{mutfesib} or the ‘\textit{asesba\c{s}i} in terms of the enforcement of moral conduct.\textsuperscript{46}

\textsuperscript{44} For late eighteenth-century examples see HH. 9330 (H. 1204); 9352 (H. 1205); 9417 (H. 1203); 11349 (H. 1205); 496 (H. 1203). Also see, Baron de Tott, vol. I, pp. 32-35, 61-62, 65; Pertusier, vol. II, pp. 203-204; Refik, \textit{Onikinci Asr-\textit{i} Hicri \text{de}…}, and \textit{Onu\c{c}i\c{n}ci Asr-\textit{i} Hicri \text{de}}. For an informative account of the use of gendered vocabulary in reference to males and females while riding on boats, see Leslie Peirce (1997). “Seniority, Sexuality, and Social Order: The Vocabulary of Gender in Early Modern Ottoman Society.” In Madeline Zilfi (ed.) \textit{Women in the Ottoman Empire}. New York: Brill, pp. 169-196, especially pp. 190-192.

\textsuperscript{45} For example, Eremya Çelebi describes how wealthy women frequenting gardens for recreation had to surrender their jewelry, because “God forbid, should the chief gardener chance upon men and women singing on a boat: he would sink the boat without further ado.” See Kömürçiyân, p. 51, quoted in Hamadeh, p. 124.

\textsuperscript{46} Compare Hamadeh, pp. 123-124, ff. 18.
3.2. The Nature of Policing in Istanbul

Based on the above description of the functions of various officials who took part in the maintenance of public order, what can one say about the nature of policing in Istanbul, and about the relationship between members of the military police and the inhabitants of the city?

The military policing prevalent in Istanbul in the early-modern period can be compared to the systems of indirect rule described by Charles Tilly, where rulers of empires "... generally sought to co-opt local or regional powerholders without utterly transforming their basis of power and to create a distinctive corps of royal servants ... whose fate depended on that of the crown."47 It seems befitting, at some level, to liken the Ottoman Empire to European states that relied on some version of indirect rule until the era of the French revolution, where "indirect rule made it possible to govern without erecting, financing, and feeding a bulky administrative apparatus," at the expense of potential disloyalty, corruption, and rebellion on behalf of the local powerholders.48 In the eighteenth century, Ottoman governments increasingly relied on the power of the local notables (ā'yān) as intermediaries between the state and the society to perform tasks such as taxation, conscription, and policing. Especially outside of big cities,


48 Ibid., p. 25.
the ḏ'yān also assumed responsibility of maintaining public order and their retinues fulfilled the task.

Since social control and maintenance of public order in Istanbul at the end of the eighteenth century constitutes the subject matter of this dissertation, my focus will remain on the functioning of the Ottoman military police in the city, and what this has to offer in terms of understanding the relationship between the governing elite and the people of Istanbul. The control of public order crimes and the struggle over definitions of what constitutes such a crime “consequently, reflect power relations in a society, the character of the regime and even the changes in the relations of production.”49 Therefore, as handling of issues of public order, policing – as a process in which the state and society struggle over the control of daily lives of the people – emerges as an intermediary force between the state and society.50

The main mechanism that made indirect rule functional was the principle of collective responsibility. This principle was used in policing communities in both England and the European continent, as well as in the United States until well into the nineteenth century.51 The Ottoman state relied heavily on the

49 Ergut (1999), p. 64.

50 Ibid., p. 41.

51 The constabulary system in England was the dominant kind of policing until early nineteenth century and was also copied in America. See, Randall G. Shelden (2001). Controlling the Dangerous Classes. A Critical Introduction to the History of Criminal Justice. Boston: Allyn and Bacon, pp. 72-73. England and the European continent showed different patterns in policing and development of modern police. See,
principle of collective responsibility in both the rural and urban contexts. For fiscal, administrative, and criminal responsibilities members of specific communities were held responsible for each other. Although the principle of collective responsibility goes back to the mid-sixteenth century, especially during and after the Celali rebellions of the seventeenth century it became a major tool for the Ottoman administration to discourage the flight of peasants into the cities and to secure continued agricultural production. Collective responsibility gave the members of a particular group, such as the residents of a neighborhood, the right and responsibility to police others and inform the authorities of any alleged behavior contrary to the regulations or the Sharia such as drinking, prostitution, or disturbance of public order (mugāyir-i āsāyılış, mugāyir-i edeb etc.). For instance, as I will discuss in Chapter 4, banishment of individuals or families from a neighborhood based on group petitions submitted to the judge was common.

In cities collective responsibility was put into effect mainly by local religious and administrative leaders such as the imam and muezzin of each neighborhood, who often constituted the top of the chain of guarantors in their neighborhoods.\footnote{52} Before the middle of the nineteenth century, neighborhood imams were not only religious figures responsible for the local mosque and the

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\footnote{52} For a review of various kinds of kefalet, see Ertuğ (2000), pp. 8-15.
congregation. They also acted as the link between the judge of Istanbul and the
city’s inhabitants in their capacity as transmitter of the judge’s orders and imperial
edicts to the population after the Friday sermon. They were also considered
 guarantors for the residents of the neighborhood.\textsuperscript{53} As I will discuss later in the
chapter, surety (*kefâlet*) was the key mechanism with which the principle of
collective responsibility was implemented, and it was crucial for the inspections
carried out during Selim III’s reign. In his study of the Ottoman police, Ergut
works within a theoretical framework that describes the nature of policing as
having a dual nature based on collective responsibility in rural areas and the
Janissaries in big cities. However, as I will show in my discussion of the *kefâlet*
registers below, the Janissaries were in fact very much a part of the system of
collective responsibility in Istanbul.

3.2.1. **Public Order Policing**

One of the most important defining characteristic of Ottoman military
police for this study is what may be referred to as “public order policing”.
Maintaining order (*niżām*) as well as public peace and security (*enn ü āsāyiş*)
was at the heart of this kind of policing, which implied prevention of ruptures to
social harmony. Members of the military police discussed above acted, to some

extent, as public prosecutors who brought suspects and those caught red-handed in a criminal situation to the courts. Thus, prevention of crime *per se* was a necessary means to maintain harmonious relations among the servants of God.

This brings me to the crucial relationship between crime and bureaucratization of the police as an institution. Did the concept of new police as being primarily an instrument of the implementation of executive and judicial decisions, as opposed to being based primarily on collective responsibility, emerge as a result of increasing crime rates or the fear of crime? This is one of the most controversial issues in the literature on state formation and the development of modern police systems. According to Tobias, the British police system that was created in 1829 was a direct result of the increase in crime rates, and not the elite's fear of revolt.\textsuperscript{54} Bayley, on the other hand, has argued that crime has nothing to do with policing.\textsuperscript{55} Although crime statistics in England support Bayley, it would not be realistic to argue that crime had no effect on policing patterns. In the British case, for example, it was not so much the level of crime as the threats of disorder felt by the elite that led to the formation of the


new police.\textsuperscript{56} In the United States, evidence about the Buffalo and Milwaukee police show that in the late nineteenth century the size of the police force increased more rapidly than both the rise in population and the increase in crime, and the increase aimed at containing primarily crimes that threatened “public order” such as disorderly conduct, and vagrancy.\textsuperscript{57} The new methods that developed in response to these threats were perceived as necessary by those in power.\textsuperscript{58}

As I argue in chapter one, the events of the Patrona Halil rebellion in 1730 and the market revolt of 1740 produced a heightened concern about immigrants and vagrants in the city, who, as far as the ruling circles were concerned, were associated with social unrest, disorderly conduct, prostitution, congestion, food shortages, fire hazards, and plagues. Eventually, there emerged a close link between the “unidentifiable ones” (mechülä’l-ahvål) and criminality. I argued in chapter two that the measures Selim III introduced as part of the so-called “new order” in an invigorated attempt to control immigrants and the transient population in Istanbul need to be understood as an extension of this association. In the absence of systematic studies of the voluminous court records of Istanbul


\textsuperscript{58} Shelden, p. 79.
over extended periods of time and reliable crime statistics, it is not possible to
know whether there was an actual increase in crime rates in Istanbul during the
eighteenth and early nineteenth centuries or not.\footnote{Fariba Zarinebaf-Shahr is currently working on a manuscript that is to be
published with the title \textit{Property and Propriety: Social Control in Istanbul during the
eighteenth century} in which she examines various crimes and punishments assigned by
the courts.} However, the language of
imperial decrees and other official documents indicates that there was a rise in the
perception of crime and mischief (\textit{mafsada}) as undesirable phenomena caused
mainly by “immigrants,” “vagrants,” “bachelors,” and “beggars” whose mere
presence in the city posed a threat to public order from the viewpoint of the ruling
circles. The discussion of the inspection registers of 1791-1793 will demonstrate
below that the relationship between bachelors, vagrants, and unemployed men, on
the one hand, and disorder and crime, on the other, was already established by the
end of the eighteenth century. One should keep in mind, however, that this
relationship was based on a broad and undifferentiating definition of vagrancy at
the end of the eighteenth century. Later in the nineteenth century, an association
between vagrancy and unemployment was to become visible.\footnote{See Özbek (1999) and Ergut (1999), pp. 120-122.}
3.3. The Inspection Registers of 1791-93

In this section I will examine the registers produced by Ottoman military police as a result of the inspections ordered by Selim III in the aftermath of the Ayasofya incident. According to the imperial orders that authorized the military police to carry out the inspections, the objective of the inspections was to identify potential mischief makers including vagrants, unemployed an unemployable bachelors (*serserî ve başbûn ve bekâr*), beggars, mendicant dervishes, idle students of religious seminaries and other people who did not have legitimate business in Istanbul according to government officials. To attain this objective the inspectors were given orders to target certain artisanal groups with which such people were likely to mix – porters (*arka hammâllari*), green grocers and itinerant vendors (*bağçevân and küfeçiyân*), boatmen (*kayıkcıyân*), and Albanian bath attendants (*Arnawud tellâk ta'ifesî*), and places where they commonly hung out or among which they could hide – bachelors’ quarters and inns, mosques, religious seminaries, dervish lodges and soup kitchens.61

Following Selim III’s orders, special staff appointed by the imperial council and the military police prepared a number of registers (*defters*) with some degree of regularity. I have located twelve registers that were prepared between

61 “... kefili olmayan eşbaş-ı mecbulu, hüsûsîen dervîsân kıyâfetinde olub Âsitâne’de ‘alâkâsî olmayanları tekyeler ve medreseler ve hânlar ve bekâr odalarında ve çarşu pazaranı sühület ile vilâyetleri taşafina tard ve irsâl, ve memleketleme ışâl ... MD 198: 5 (Evâhir-i Rebi‘ülülâhir 1206); “... kayd-ı ra‘iyyetden âzâd olmak dâ‘iyyestyle medrese ve hân ve dükkân köşelerinde mütemekkin olub...” Vasif, f. 135a-b.”
the end of 1791 and August 1793. At least two, and possibly four of these were prepared immediately after the Ayasofya incident.\textsuperscript{62} Another group of five registers were prepared in the summer and fall of 1792.\textsuperscript{63} Finally, a third group of registers were completed through the summer and fall of 1793.\textsuperscript{64} These registers cover the greater Istanbul area, including Eyüp, Üsküdar, and Galata as well as the neighborhoods inside the city walls. In some cases, separate registers were prepared for the inspection of religious institutions such as madrasas, dervish lodges, mosques, and soup kitchens.\textsuperscript{65} Occasionally, those who were expelled from the city for reasons including failure to find an acceptable guarantor, being vagrant and unemployed, not being registered in a previous inspection register, or exceeding the fixed number of people associated with a certain guild were also registered separately. For example, one register from this period lists 431 men who were arrested to be deported.\textsuperscript{66} Usually, however, each register had a list of those who did not meet the required criteria and had to be sent back to where they

\textsuperscript{62} A. DVN. 827, 829, and possibly 830 and 965.

\textsuperscript{63} A. DVN. 831, 832, 833, 834, 835.

\textsuperscript{64} A. DVN. 836, 837, 899-L.

\textsuperscript{65} For example, A. DVN. 829.

\textsuperscript{66} A. DVN. 965.
originally came from. These men were generally listed as vagrants, bachelors, and unidentifiable persons at the end of most registers.\footnote{A. DVN. 830, and 836. The wording in the imperial order that was sent out required that those who had to be expelled be registered separately, but this was not always the case in practice. (...) kefilileri deftere kaydı, ardından olibanları da başka deftere kaydı ve defterleri huzurumuza "arz ve taktîme dikkat...") MD 198: 5.}

The regional arrangement of the registers corresponds, for the most part, to the jurisdictions of the senior officials responsible for public security as indicated above. The introductory paragraphs in the registers suggest that the four major military police officers – the agha of the Janissaries or the sekbânbaşı as his deputy, topçubaşı, cebecibaşı, and bostâncibaşı, were not necessarily involved in the inspection process. The original imperial decree authorizing the inspections was addressed to the following: sekbânbaşı, cebecibaşı, topçubaşı, bostâncibaşı, judges of the greater Istanbul area, çavuşbaşı, patriarchs of the Greek and Armenian communities, and the inspectors. The registers, however, show that in most cases officials from the scribal service in the Imperial Council were in charge of the inspections and a number of Janissary aides (vâmâkân ve çukâdârân) assisted them during the process. In some cases, the higher officials who acted as chiefs of military police in their own area of jurisdiction appointed these scribes to prepare the registers and provided them with assistants from the Janissary corps. For example, for the inspection of bachelor’s chambers, inns, shops, and porters and boatmen at the docks outside of the city walls the bostâncibaşı appointed three lieutenants (hâşekiyân) in his service to assist Seyyid
Abdullah Efendi, who was in charge of preparing the register. However, in another register covering the same area there is no mention of any senior officials at all, and only the name of the scribe who compiled the register is stated. In only one register, the cebecibaşı was personally present in the inspection of the neighborhood of the imperial arsenal (cebeğâne-i ‘ämire), and this is the only reference to a high-ranking military police officer taking part in the inspections.

It is apparent from the wording in the registers that the regular staff of the military police stations in the areas in question did not take part in the inspection process. Members of the scribal service in the imperial council (bâcegân-i divân-i hümâyûn) were appointed to carry out these inspections with the assistance of Janissary guards assigned to their service for the task. The original imperial order authorizing the inspections appointed Ali Arif Beyefendi, the acting chief accountant (muvakkaten muhâsebe-i evvel) in the service of the sekbânbaşı, to supervise the inspections, and to make sure that the inspectors proceeded in accordance with the sultan’s orders and collected no fee whatsoever for the registration of the guarantors by the name of kefilleme during the process. Kefilleme was generally a collective tax imposed on the non-Muslim subjects of

68 A. DVN. 831.
69 A. DVN. 965.
70 A. DVN. 835.
71 “Tefîşe me’mûr efendilere verilen buyrultuların şüretidir.” MD 198: 8.
the empire along with the poll-tax (*çizye*). Community leaders in a certain neighborhood or village (such as *müftür* and *kocabaşı*) would stand surety as *keflis* for the entire community to guarantee that they would pay the poll-tax in full, and they would pay an additional tax, which was called *kefilleme.* The reference in the imperial order to this tax, which was not related to poll-tax collection, suggests that there may have been previous occasions when this fee was illegally collected by the inspectors or the Janissaries assisting them for registering guarantors. As discussed in Chapter 2, abuse and neglect of government officials was a much-repeated issue in Selim III’s orders, and the temporary appointment of Janissary guards other than the local *kolçukcu* for the inspections might have been aimed at avoiding such abuses.

The original imperial order also identified the registration officials appointed to the service of each senior officer with the specific duty of carrying out the inspections in that officer’s jurisdiction. The registers confirm that these officials and their successors carried out the inspections, but the high-ranking military police official in whose jurisdiction they served rarely accompanied them. In other words, the registration officials and the guards who assisted them

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72 Pakalin, II: 236-237.

did not form a regular department or a unit within the jurisdiction of senior administrators with police duties. The assignments and the corresponding appointments were temporary, lasting only for the duration of the inspection. As far as one can tell from the registers that include both a beginning and a completion date, the inspections took about two to three months to complete, depending on the scope of registration and the areas included. It is not clear from the documents whether the inspectors went back to their regular assignments once they completed an inspection, however, the wording suggests that the same person was not appointed to carry out more than one inspection in a row. The wording also indicates that the officials inspected each location on the spot and registered a guarantor for each person.\textsuperscript{74} In some cases, the steward of a particular guild was asked to provide a sealed letter to the inspectors and voucher as the guarantor for all members of his guild.\textsuperscript{75}

The registers confirm that the inspections were repeated every six months in this period. They contain references to previous registers, sometimes indicating not only when but also by whom the previous register was prepared.\textsuperscript{76} Although I have been able to locate only a dozen of these registers, I am

\textsuperscript{74} "... yegān yegān maḥāl be-maḥāl taharri..."

\textsuperscript{75} See, for example, the entries on boatmen and porters in A. DVN. 830.

\textsuperscript{76} For example, "... emr-i ‘ālī üzere bu maḥāller bundan altı māh muşāddem bā-fermān tecessüse me’īr olan Ḳālā piyāde muşābelecisi Ṣadullah Beyefendi kullarının tatbīr ettiği deftere nażar..." A. DVN. 836.
convinced there will be others as research in the Ottoman archives becomes more accessible and user-friendly.

3.3.1. Observations on the Kefâlet Registers

Although the practice of bailing goes back to the sixteenth century or earlier, the registers under study here, to the best of my knowledge, are among the earliest examples of such registers with an unprecedented amount of detail in them. They are similar to the undated register that Kırıl uses, estimating it to be from the first quarter of the nineteenth century, and the register that Ertuğ uses in his master’s thesis, and guesses to be dating from 1792.\footnote{This also is an undated register that has many similarities to the registers I am using, and catalogued in the same collection. However, although the document itself is not dated, the information in the Divan Beylikçi Kalemi catalogue at the Başbakanlık archives in Istanbul states that is from the year 1250. It is possible that this is a typo for 1205 which corresponds to 1790/1791. See, Ertuğ (2000), and his book on the boatmen of Istanbul, \textit{idem}. (2001).} All of these registers predate the abolition of the Janissary corps in 1826 and constitute the precursors of the \textit{esnaf yoklama} registers and population censuses that became common and more detailed in the nineteenth century. After 1826, the office of the market inspector (\textit{muhtesib}) became a separate bureau under the name of \textit{Ihtisâb Nezâreti} and in accordance with the new regulations inspections were to take place every month.\footnote{In accordance with the regulations, some groups, such as the porters, were to be inspected twice a month. See "Ihtisab Ağahi Nişamnamesi" in Ergin, I: 328-341. In} Population censuses soon followed, some of which I
discussed in Chapter 1, for various military and civilian purposes, reflecting the changes in the logic of Ottoman population counts.\textsuperscript{79}

It is important to note that the inspection registers I am using are significant in a number of ways. First of all, although the practice of kefâlet was a well-established legal concept, the registers were the end-result of Selim III’s application of this time-honored custom in a way that would enable the execution of a new administrative apparatus. It is true that we can extract detailed information regarding the esnâf from earlier documents such as court records and tax registers, including information on guarantors. However, in most of these cases the initiative to require guarantors came from the artisans themselves as part of their negotiations with the government and as a way of protecting their interests.\textsuperscript{80} What distinguishes Selim III’s inspection registers from earlier documents is that they represent the re-invention of the concept of kefâlet in order to collect and keep track of information that would make possible the efficient control and surveillance of particular segments of the society by the administration.

\textsuperscript{79} See Karpat (1985), Behar (1996), and Bingöl (2004).

\textsuperscript{80} Akarlı (2004), pp. 177-78.
Secondly, this innovative use of the practice of surety is also evident in the allocation of resources for the execution of the task of collecting and registering information. As mentioned earlier, the inspection officials were not recruits from among the existing military personnel with policing duties. The corresponding appointments were temporary and lasted only for the duration of the inspection and registration process under the supervision of senior military officers responsible for maintaining public order and security in Istanbul. Thus, although we cannot speak of a modern “rational” bureaucratization in the Weberian sense, we can interpret the new approach apparent in the inspections and registers of this period as an experimentation toward building bureaucratic-administrative structures backed by police authority and aiming at more effective control of certain segments of the civic population, which, at the same time, maintained the traditional distribution and balance between the act of registration as a responsibility of the scribal-financial cadres and ensuring the success of the act by military-administrative backing.

Last but not least, the inspection registers are a crucial resource for the reconstruction of the spatial and social topography of Istanbul at the turn of the nineteenth century. They not only give us a detailed account of the marketplaces and the kinds of shops and trades which existed there, but also provide details about shop owners and their employees, as well as masters and apprentices in particular trades, listing their names and titles, if any. The registers also list
transient populations in inns, guest houses, and bachelor’s chambers, in addition to lists of people who failed to meet the criteria required by the inspectors.

Out of the twelve that I have located, I will discuss in detail one register that seems to be representative of the general outline of these registers. I chose this particular register because, in the first place, it has no missing pages or damaged sections and I was able to examine it in its entirety. It contains a date both at the beginning and the end of registration, which makes it possible to determine approximately how long the process took. Last but not least, the register covers areas that were located within the city walls. As noted earlier, the available literature on the make up of the population of Istanbul in the eighteenth and nineteenth centuries focus mostly on the areas along the Bosphorus, Eyûb, Galata or Üsküdar, and there is a lack of information on inner Istanbul. Therefore, examining core areas inside the walled city itself will make comparison possible, and bring us closer to a fuller understanding of the social and economic fabric of the city in this period.

The register I will use is one of the later ones in the group. The dates on this register suggests that it took about two and a half months to complete from September 6 to November 22 of 1792 (19 Muḥarrem to 7 Rebi‘yūlāḥir 1207). It covers the neighborhoods between the Bayezid mosque, Edirne kapı, and the Golden Horn, including the gates of Eğri Kapı, Ayvansaray, Balat, and Fener,
going as far as the Kapan-ı dakik. The introduction explains the procedure involved in the preparation of the register, as well as the identity of the officials in charge:

"The nineteenth day of the sacred month of Muharrem in the year 1207: By the sublime imperial order that is obeyed by the whole world, a certain Kenan Efendi among the scribal officials in the Imperial Council and a number of assistants from the Janissary corps appointed to be in his service formerly searched and inspected the inns, shops, bachelors’ chambers and the like in the neighborhoods inside the capital city, and submitted a register. It has been the strict order of the Sultan to apply this register and to banish those who are not in this register or do not have a guarantor, and vagrants who roam the streets in idleness. At this time, Hasan Efendi, former scribe of the cebecis who now serves in the imperial chancery, has been appointed [for this task], and Abdullah Efendi has been assigned as a clerk in his service, accompanied by a number of assistants and guards from the Janissary corps. They carried out a thorough examination and carefully investigated the neighborhoods in the area from the Mürekkebciler entrance of the Sultan Bayezid mosque to Şehzadebaşı, Çukurçeşme and Atik Ali Paşa market, Sarıgez and Yenibahçe, Keçeçiler, Karagümüşük, Sultan Selim mosque and its environs, Salmamuruk to Edirne kapı, and from there to the gates of Eğri kapı, Ayvansaray, Balat, Fener and the neighborhoods inside the gates, and Küçük Mustafa Paşa market, Çıçır, Kadiçeşmesi, and Kapan-ı dakik. Those who were not recorded in the previous register or did not have guarantors, and vagrant bachelors were arrested and taken to the custody of the Grand Vizier, and from there they were sent back to their provinces. The rest, who have been bound to firm guarantors, are recorded in this comprehensive register.

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81 Henceforth, southern bank of the Golden Horn. According to Robert Mantran’s map of ihtisab divisions in the seventeenth century [and in EI], this area includes five of the fifteen regions: VI Kadiasker, IX Karaman, X Bab-i Edirne, XI Balat, XII Unkapanı.
which comprises the mentioned areas. It has also been publicly proclaimed and reiterated that no visitors should be allowed to stay in any of the inns for more than three days and that they should not be without guarantors or legitimate business.”

As this introduction explains, the register includes only those who met the necessary conditions imposed by the government. It lists a total number of 1110 commercial shops, stalls, bachelor’s chambers, and inns in the areas described. The register includes information on the types of shops, names and titles (if any) of shopkeepers, the number (and sometimes the names) of apprentices and those who resided in the shops, and finally the name and title of the guarantor for each person. However, it does not include a complete list of all the shops in these areas. It seems that for some reason certain shops were left out. For example, although various shops around them appear in the register, baths themselves are not listed. In some cases, particular shops, such as baths, taverns (meyhâne), and sweet drink sellers (sarbêtâne), were registered separately.

Out of the 1110, 144 coffeehouses constitute the biggest sub-group of the total 101 branches that are recorded in the register. This makes up approximately

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82 A. DVN. 899-L.

83 Given the repeated references to baths and Albanian bath attendants, it may be possible that they were registered separately. However, I have not come across any such registers or found any evidence to support this speculation. In the other registers, baths are listed among other shops according to their location. As mentioned in footnote 29 above, there is also a reference to two separate registers prepared by the sekbanbasi in 1789/1790, including a list of taverns and sweet drink sellers, and prostitutes in an imperial order; however, I have not been able to locate it in the archives. HH 11176 (H. 1204).
thirteen percent of all the shops that were recorded in this area. 106 bachelors' chambers and fifty inns make up the next two largest sub-groups (see Appendix 3. 1.). These two are slightly problematic as categories, because while inns were separate buildings including many rooms – as many as ninety-one and as few as three in this register, bachelor chambers were often located above other shops and not necessarily as separate structures. Thus, 106 represents the number of rooms (bāb), whereas forty-six represents the number of inns (ḫān) as individual buildings.

One of the most striking features of this particular register is certain types of abbreviations that are used throughout the defter. Many of the shopkeepers and guarantors listed are affiliated with a particular number followed by the letter چ or چ. I believe that these numbers and letters represent which Janissary units the persons in question were affiliated with, “k” standing for “bölük/ocaķ” and “c” for “cemā‘at”. For example, in Vezneciler a butcher’s shop was run by a 31k Hüseyin, who stayed at his barrack, a barber shop by a 56k İbrahim Beşe, an inn by Hacı Mehmed who was captain (bölükbași) of 25k, and a coffee shop by 100c Ali Beşe whose kefil was a fellow Janissary (kahecci 100c Ali Beşe, ocaķlisi kefildir). In addition to these, in few entries in the register these are spelled out. Thus, for example, among the commercial stalls inside the courtyard of the Sultan Mehmed mosque, sixteen belonged to the Janissaries of the 5th Bölük. There seems to be no standard about recording military affiliation, since only some
registers have abbreviations, whereas in others the words and numbers are spelled out.\textsuperscript{84}

Until its abolition in 1826, the Janissary corps included 196 units (ortas). 101 regiments (cemā'ats), sixty-one divisions (bölükş), and thirty-four sekban ortas made up these 196 units. Most of the cemā'ats were utilized at frontier areas, except for those from the sixtieth to the sixty-third, the members of which were in the sultan's service and were called sölaks. Among the bölükş, thirty-one units were stationed in Istanbul and the rest in provinces. Only one unit of the sekbans stayed in the capital city and served as hunters in the service of the palace.\textsuperscript{85} In the register, there is mention of cemā'ats between 1\textsuperscript{st} and 101\textsuperscript{st}, and bölükş between 1\textsuperscript{st} and 61\textsuperscript{st}, which are in agreement with the above description. However, in addition to sekban ortas between the 4\textsuperscript{th} and 34\textsuperscript{th}, there are two entries in the register that mention stalls (salâş) inside the Sultan Mehmed mosque, run by a certain Hasan and Muhammed who were both members of the 81\textsuperscript{st} unit of the sekbans.\textsuperscript{86} The two references to the 81\textsuperscript{st} unit are the only ones in the register that contradict the number of units that made up the 196 ortas.

Based on the assumption that the abbreviations stood for Janissary units, the register indicates that approximately forty-one percent (456) of all the shops in

\textsuperscript{84} Ertuğ mentions this in passing; Ertuğ (2000), p. 24.

\textsuperscript{85} Alyot, pp. 37-38; for a more detailed account see Uzunçarşılı (1988), v. I: 155-171.

\textsuperscript{86} "81 sekbânlariñ Hasan, kimse beytütet etmez; 81 sekbânlariñ Muhammed, kimse beytütet etmez..." p. 11.
this area (1110) were run by individuals claiming military status, and more specifically, affiliation with the Janissaries (see Table VII). The register also shows that those shop keepers who had this affiliation also tended to employ and stand surety for others with the same connections or who were part of the same networks. This was not particular to a single trade, although members of the same Janissary unit tended to be in the same profession or even more so in the same neighborhood, even if they were in different trades. For example, in the Durağman neighborhood near the Sultan Selim mosque, there were five coffee shops and one tinsmith’s shop run by members of the 94th cemâ ‘at. Some of these shops were close to the police station (kolluk) in that neighborhood and the guarantors of their owners were Janissary officers (zâbi‘leri) or neighbors (civâri). In Balat, there was one coffee shop, one pastry shop (çörekçi), and one cauldron shop (kazgancı) under the management of 25k Mustafa, 25k Seyyid İsmail, and 25k Hasan, respectively.
Table VII: Distribution of titles among Muslim shop keepers

<table>
<thead>
<tr>
<th>Military titles</th>
<th>Religious titles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beşê</td>
<td>Seyyid</td>
</tr>
<tr>
<td>Odabaşı</td>
<td>Hacı</td>
</tr>
<tr>
<td>Alemdar</td>
<td>Molla</td>
</tr>
<tr>
<td>Sekban</td>
<td>İmam</td>
</tr>
<tr>
<td>Borucu</td>
<td>Hafiz</td>
</tr>
<tr>
<td>Bölükbaşı</td>
<td>Derviş</td>
</tr>
<tr>
<td>Bostancı</td>
<td></td>
</tr>
<tr>
<td>Avçi</td>
<td></td>
</tr>
<tr>
<td>Cebeci</td>
<td></td>
</tr>
<tr>
<td>Odabekçisi</td>
<td>Other</td>
</tr>
<tr>
<td>Subaşı</td>
<td>Ağa</td>
</tr>
<tr>
<td>Çavuş</td>
<td>Kethüda</td>
</tr>
<tr>
<td>Humbaracı</td>
<td>Efendi</td>
</tr>
<tr>
<td>Sipahi</td>
<td>Emir</td>
</tr>
<tr>
<td>Divan sakası</td>
<td>Efendizade</td>
</tr>
<tr>
<td>Saka</td>
<td></td>
</tr>
<tr>
<td>Kulkethudası</td>
<td></td>
</tr>
<tr>
<td>Kapıkethudası</td>
<td></td>
</tr>
<tr>
<td>Haseki</td>
<td></td>
</tr>
<tr>
<td>Vezir çukadari</td>
<td></td>
</tr>
<tr>
<td>Çukadar</td>
<td></td>
</tr>
<tr>
<td>Kalyoncu</td>
<td></td>
</tr>
<tr>
<td>Tulumbacı</td>
<td></td>
</tr>
<tr>
<td>Tüfenkçibaşı</td>
<td></td>
</tr>
</tbody>
</table>

The register suggests that Janissary influence had infiltrated into the ranks of the eşnaf in all trades. However, it is important to note that many of the
shopkeepers bearing military affiliation were not active members of the Janissary corps. The Janissary- *eşnâf* connections can be traced as far back as the middle of the sixteenth century.  

There was also a reverse trend among the *eşnâf* who aspired to become members of the military class in order to have access to the tax exemptions and judicial immunity enjoyed by the military class. Bruce McGowan observes that “Istanbul’s 40,000 “Janissaries” were well-integrated into the craft associations, and manned its fire brigades as well.” He adds that the infiltration of pseudo-Janissaries into the numerous craft corporations was “the development most affecting the lives of artisans during the eighteenth century.”

Unfortunately, as Kırılı also notes about the register that he examined, it is not possible to distinguish active Janissaries from pseudo-Janissaries based on their titles in the register. While titles such as *ôğabaşı*, *bölükbaşı*, *hâşeri*, and *çavuş* have clear military implications, those like *beşe*, *bostancı*, or ‘alemdar are ambiguous. A great majority of the *beşes* in the register also have a mess number with which they are associated, such as “*kaşveci 31 k İbrahim Beşe*”, “33 *Avcilarıñı kebabçı Hüseyin Beşe*”, or “*kolluç civârında 94c Ali Beşe kaşvesi*” and so on. It is possible that these shopkeepers had established patronage relations with Janissary units in Istanbul in order to receive protection and some of the

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privileges of a military status, in the same way as the merchants of Cairo had done in the eighteenth century. André Raymond’s work reveals that the wealthy merchants of Cairo, especially those involved in the coffee trade, had established partnership associations with the Janissaries where the merchant paid a significant “registration fee” to a particular mess in return for the protection of his business. When the merchant passed away, the unit that he was associated with claimed its share of the inheritance, which was about 10 percent in Cairo according to the inheritance records. 90 D’Ohsson also writes about the “pretenders” (фессиона) or the “wishful ones” (تلاعب) as those who called themselves Janissaries and carried the signs of the corps but in reality only used the title to receive certain benefits and exemptions. 91 That the ruling circles were also aware of the situation is apparent from an imperial order that Selim III issued in 1211 in response to a riot in which Albanian bakers were involved. The sultan commented that since many of the Albanian bakers were registered as Janissaries, their poor quality bread was a good excuse to send them to the front. 92

90 “… les civils qui s’affiliaient à l’odjaq, pour s’en assurer la protection, lui versaient vraisemblablement un droit d’entrée, sans doute élevé, mais don’t nous ne savons rien. Au moment de leur mort, et d’une manière très officielle, puisque cette ponction est dûment mentionnée dans les actes de liquidation des successions enregistrés au tribunal, l’odjaq prélevait un pourcentage sur l’héritage, généralement égal à un dixième.” André Raymond, Le Caire Des Janissaires. Paris: CNRS Editions, pp. 63-64; and idem., Cairo. Cambridge: Harvard University Press, pp. 204-205.

91 D’Ohsson, v. 7, p. 332.

It will be useful at this point to take a look into what these exemptions might have been. Contrary to the assumption that the inhabitants of the capital city did not pay taxes, we know that Istanbulites, whether they were affiliated with a guild or not, were responsible for paying a large number and variety of regular and irregular taxes. In addition to exemptions granted by the state, certain guilds or individuals could petition to be exempted from some of their tax burden in return for providing goods or services for the palace, government workshops, the military or other branches of the state sector. In such cases they held a document of tax-exemption (mu’afnāme) that listed the taxes they were exempt from. The records of the Imperial Council also contain petitions from individuals, only some of whom are identified as guildsmen requesting müsellem status (tax-exemption in return for military service) in the seventeenth-century. Given the high percentage of eşnāf claiming Janissary affiliation in the late eighteenth-century register under study, and lack (to the best of my knowledge) of complaints regarding their tax exemptions filed by other eşnāf groups, it does not seem reasonable to assume that over forty percent of all shopkeepers, or over eighty percent of the coffeehouse owners in the areas covered by this register, which constitute a significant portion of the city inside the walls, were exempt

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93 Compare for example, Özkaya (1981-82) and Yi, pp. 188-196.

94 Yi, p. 201. For examples of exemptions from the seventeenth century, see pp. 201-212.

from all kinds of taxation. It seems more feasible to assume that as a result of
their connections with the military, those shopkeepers enjoyed some privileges or
assurances such as protection against abuse, since most of the officials involved in
the collection of taxes, or imposition of regulations, including the regular
inspections, were men of military status associated with the zābiṭa. To give an
example, one could speculate that it was easier for someone affiliated with the
Janissaries to receive from the captain of guards (ṣasbaṣṭ) the necessary permit
to open a coffeehouse compared to others who did not have such affiliation.
Similarly, with the protection of a particular Janissary unit, an employee in a
certain trade might have less difficulty finding for himself a guarantor who would
be regarded trustworthy by the officials keeping the registers.

3.3.2. Ethnic and Religious Divisions in the Marketplace According to the
Inspection Register of 1792

The register only lists those who resided in the shops, but does not indicate
where the shopkeepers and their employees who resided otherwise. In other
words, in this particular inspection individuals were not required to provide a
local address. The inspectors seem to be more keen on making a note of who
resided in the shops rather than where the shop keepers resided. In the entire
register, only one person is noted to be lodging at his barracks (ṣ1k Ḷaṣab
Hüseyin Ḷaṣlasında beytütet edib..), and there are three shops with employees
who went to their own dwellings in the evening.
This register covers roughly the area between the Bayezid mosque, Edirne kapı, and the neighborhoods on the southern bank of the Golden Horn as far as Unkapanı. In this area, the great majority of shopkeepers were Muslim. There were only two barber shops, one pottery shop, one restaurant, and one tripe shop run by Armenians, and two Armenian inn keepers (hān oda başı or hāncı). There are also records of non-Muslim masters and apprentices in certain trades, such as thirty six non-Muslim masters in shoe making (yemeni dikici ustası), one master in belt making (kuşakcı), and twelve non-Muslim animal hair-processor shops (zimmî mütâf dükkanı) in Atpazarı. In addition to these, there are several records of non-Muslim construction workers (binâ ‘amelesi), laborers (rencherân), carpenters (dülger), and Jewish shoe makers (Yaḥūdi pabuṣṭı diken dikici eşnāfi) residing in various inns (see Table IX). However, in the business of mills and bakeries, Armenians seem to have had a significant presence. According to the register, they ran five of the twelve bagel bakeries (simitçi firimi), three of the seven flour mills, three of the seven bakeries and mills, and one bread bakery out of a total of twenty eight that were present in this area. In addition, there was a significant number of non-Muslim workers and itinerant vendors working with Muslim co-workers and masters in various bakeries.\(^96\)

\(^96\) It is possible that some of the non-Muslim workers or Armenians mentioned above were Greek Orthodox, since many names were commonly used by both groups. In official Ottoman usage, the term Greek Orthodox included all Orthodox Christians regardless of ethnic background. However, we know that Armenians were numerically dominant in bakeries and mills in Eyüp/Hasköy and the western bank of the Bosphorus in the nineteenth century. See, Kirli (2000), p. 85 and Sasmazer.
The invisibility of non-Muslims in this register is curious, given that they inhabited the regions covered by the register in significant numbers, especially in the Ayyansaray, Balat, and Fener regions. We know that in other areas of the city Greek Orthodox, Armenian, and Jewish presence was apparent among commercial shops at this time. For example, among the 224 coffeehouses present outside of inner Istanbul in 1792, eleven shops with twenty-four employees belonged to Christians. In the same area, 5033 Muslims, 4223 Christians, and 199 Jews were registered as shopkeepers, employees, and members of various guilds, such as porters and boatmen. During the first quarter of the nineteenth century, in the Eyüp/Hasköy region, as well as along the Bosphorus, the commercial and artisanal activities of each religious community corresponded more or less directly to its actual demographic weight in Istanbul’s population. However, this is not reflected in the register under study. Since some non-Muslim activity was recorded, it is not possible to say that this register recorded only Muslims in the area. It is possible to assume, however, that the absence of non-Muslims in the register is at least partially a result of the exclusion of detailed information on piers and docks, porters, and boatmen in the areas under question. At this point, since the only other register covering the same areas was under

97 See İnciciyan (1956), pp. 13-18; Mantran (1990), I: 49-64, and maps in vol. II.

98 A. DVN. 831.

repair by the staff of the archives, I am not able to compare data and record-
keeping techniques between these two.

3.3.3. Janissaries, Immigrant Networks, and the Inspectors

Unlike many of the other registers from the same period, this defter does not have a list of those who were sent to the custody of the Janissary agha to be expelled from the city. The scribe only tells us at the end of the register that there were twenty-three such vagrants who were idle, unemployed, were not previously registered, or in excess of the need of their particular profession. It is highly probable that a separate register was prepared for those who were arrested inside the city walls for not meeting the necessary criteria and expelled. The presence of a separate register for areas outside of the city walls increases the likelihood of a similar list for inner Istanbul.

Likewise, immigrants are almost non-existent in this register. There are only eight entries in the entire register where the shopkeeper’s place of origin is indicated or suggested in the name of the shop. To be more specific, we learn that Bekir Beşe from Yenice had a tobacco shop, Mehmed Efendi from Tokat was a scribe, Salih from Gümüşhane was an innkeeper, and Mehmed from Paşa had a barber shop. In addition to these, there was an inn named Bursa hani and another one called Ayntabioğlu hani, suggesting that the owners of these inns could be from Bursa and Ayntab respectively. Finally, a boot maker was named
Konyalıoğlu Mehmed, again suggesting the possibility of Konya being his hometown. Other than these, there is a record of two groups of sālyāneçis and judges from Bosnia who were staying in various inns in the neighborhood of the mosque of Sultan Mehmed Han when the register was prepared.

The near lack of immigrants in the registers stands in sharp contrast to the high visibility of immigrants in most of the other inspection registers of the same period. One could possibly assume that at least some of the employees, and to a lesser extent the shopkeepers who resided in their shops (since they are fewer in number), or in a neighboring shop (which was also quite common) were originally from other towns. To this group, one could also add the clientele of the numerous bachelor’s chambers and inns. As mentioned earlier, these two constitute the largest sub-groups after coffeehouses in the register. It would seem likely that newcomers to the city or transients would be staying in inns and bachelor chambers until they found work or a place to stay. Although the place of origin usually goes unrecorded, except for a few (see Table of Hāns in Appendix 3.2.), one could assume that many, if not most, of the workers who stayed at inns and bachelor’s chambers were probably migrant workers. In the fifty inns listed in the register, four had been burnt down in a recent fire and one vacant. The remaining inns had over 800 rooms that accommodated various Muslim and non-Muslim men: construction workers (binā 'amelesi), painters (nakkāş), plasterers (şvâci), carpenters (dülger), laborers (rencberān), sewage/drainage diggers (lağmctiyān), sweepers (ocāk süpürgeçisi), unskilled workers (‘amele),
donkeymen (merkebcı), saddle makers (eğercı), leather workers (sarrāc), boot makers (çizmecı), shoe stitchers (dikici), carriage drivers (koçăş), ox-cart drivers (öküz arabacıları), porters (at ve arka hammäßleri), boatmen (sandălcı), oarsmen (kurekciyân) merchants (tüccăr ve bezirgăn taifesi), public weighers (keyyălăn), wood choppers (haşab yarıcı), water carriers (mahalle säkăsi), and visitors including judges and deliverers of sâlyăne revenues (sâlyăncı)\(^{100}\). In the register, visitors are classified into groups of travelers (müsăfirc), identifiable (ma'lümü'l-ahvâl) travelers, transients (gelür gider müsafrı), transient renters (gelür gider kirăcı zümresi), and “immigrants” (etiyă-i sebîl).\(^{101}\) The register also suggests that the inspectors made sure to warn the innkeepers against allowing transients to stay more than three days to take care of their business, and to only rent rooms to trustworthy (ehl-i 'irz) people and not “strangers” (ecnebi) or “unidentifiable” (mechüli'l-ahvâl) men. These innkeepers had to have firm guarantors (kavă kefaletε răbť), although the register does not clarify who constitutes a firm guarantor.

As the tables demonstrate, bachelor chambers were located more or less in the same areas as the inns, and one can assume that similar rules applied for the

---

\(^{100}\) Sâlyăne was a sum annually sent to Istanbul from certain provinces where the prebendal timăr system was not in use. See Pakalın, III: 111-112.

\(^{101}\) The term “etiyă-i sebîl” is an unusual reference to immigrants and I have not seen it elsewhere. Efi can mean stranger, guest, or immigrant, and one meaning of sebîl is road. A more literal translation would be “stranger of the road.” See in Sir James W. Redhouse, *A Turkish and English Lexicon*, Librairie du Liban: Beirut, 1987.
keepers of bachelor’s chambers. In more than one instance, the imam of the neighborhood in question was recorded as guarantor for the tenants of a bachelor’s chamber. However, since the rooms were often located above shops, the usual procedure was to register the shopkeeper or a neighboring shopkeeper as guarantor.

TABLE VIII: Distribution of bachelors’ chambers (*bekâr oda*ları) and rental rooms (*oda*lar) according to location

<table>
<thead>
<tr>
<th></th>
<th>Bachelors’ chambers</th>
<th>Rooms</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Çukurçeşme</td>
<td>7</td>
<td>17</td>
<td>24</td>
</tr>
<tr>
<td>Atpazarı</td>
<td>14</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>Edirne kapı</td>
<td>17</td>
<td>-</td>
<td>16</td>
</tr>
<tr>
<td>Karagümrük</td>
<td>9</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>Balat kapısı</td>
<td>9</td>
<td>2</td>
<td>11</td>
</tr>
<tr>
<td>Sultan Selim</td>
<td>8</td>
<td>-</td>
<td>8</td>
</tr>
<tr>
<td>Fener kapısı</td>
<td>-</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Vezneciler</td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Sultan Mehmed</td>
<td>5</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>Ayyansaray</td>
<td>1</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>74</strong></td>
<td><strong>32</strong></td>
<td><strong>106</strong></td>
</tr>
</tbody>
</table>

---

102 On the inns of Istanbul, see Tamdoğan-Abel (2000).
TABLE IX: Distribution of inns according to location

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of Inns</th>
</tr>
</thead>
<tbody>
<tr>
<td>Çukurçeşme</td>
<td>8</td>
</tr>
<tr>
<td>Atpazarı</td>
<td>14</td>
</tr>
<tr>
<td>Karagümrük</td>
<td>7</td>
</tr>
<tr>
<td>Balat kapısı</td>
<td>2</td>
</tr>
<tr>
<td>Sultan Selim</td>
<td>2</td>
</tr>
<tr>
<td>Fener kapısı</td>
<td>6</td>
</tr>
<tr>
<td>Sultan Mehmed</td>
<td>9</td>
</tr>
<tr>
<td>Eğrikapı</td>
<td>2</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>50</strong></td>
</tr>
</tbody>
</table>

3.3.4. Immigrants in Supporting Registers

To inquire more about immigration networks in Istanbul, I now turn to two supporting registers from the same period. Although they do not cover the same areas, looking at other regions in the greater Istanbul area can be informative and allow comparisons with information already available in the secondary literature on immigration. The two registers I will use in this section are both dated H. 1206/1792.\(^{103}\) The first one covers the Tophane quarter, which was a part of Galata on the western bank of the Bosphorus.\(^{104}\) The register covers shops, stalls, and docks, with considerably more detail on bakers, porters, and

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\(^{103}\) The incident at the Ayasofya mosque took place in December 1791. Both of these defters were prepared after the incident, therefore it is certain that they date from 1792, and not 1791. See A. DVN. 830 and A. DVN. MHM 965.

\(^{104}\) İnciciyan, p. 95.
boatmen in Tophane. It contains 2254 entries and lists the names and origins of eighty-six vagrants who were arrested to be expelled from the city.\(^{105}\) The second register I will use is a separate list of 431 men who were arrested in the areas outside of the city walls, including Eyüb, Hasköy, Kadıköy, Üsküdar and both banks of the Bosphorus, for expulsion from Istanbul.\(^{106}\)

An examination of these two registers indicates that the “vagrants” listed therein came from a limited number of Eastern Anatolian towns (see Table X). In their respective works, both Kirli and Faroqhi conclude that immigrants came to the Eyüb/Hasköy and Bosphorus regions largely from a small number of towns in the Rumelian provinces.\(^{107}\) Since the “vagrants” listed in the two registers under examination here were immigrants who did not meet the criteria to stay in the city legitimately, one could hypothesize that Rumelian immigrants had established more functional networks in these areas, especially considering the geographical proximity of Rumelian provinces to Eyüb/Hasköy, and that as a result they either legitimiz{ed their presence or evaded the inspectors more easily compared to Anatolian immigrants.

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\(^{105}\) The closing paragraph in the register reads 95 out of 2254 people; however, the number of vagrants actually written down is 86. A. DVN. 830.

\(^{106}\) A. DVN. MHM. 965.

\(^{107}\) Kirli’s findings show the ratio of Rumelians to be slightly higher than Anatolians (51 percent and 49 percent); Kirli (2000), pp. 104-105. On the other hand, based on the court records of Eyüb in mid-eighteenth century, Faroqhi found that immigrants who came to Eyüb were almost exclusively from the province of Rumelia; Faroqhi (1998), p. 172, 182.
TABLE X: Major towns sending “vagrants” to Eyüp/Hasköy and the Bosphorus according to A. DVN. MHM. 965

<table>
<thead>
<tr>
<th>Erzurum</th>
<th>60</th>
<th>13.9%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kangırı</td>
<td>37</td>
<td>8.6%</td>
</tr>
<tr>
<td><strong>Tire</strong></td>
<td><strong>24</strong></td>
<td><strong>5.6%</strong></td>
</tr>
<tr>
<td>Tosya</td>
<td>20</td>
<td>4.6%</td>
</tr>
<tr>
<td><strong>Sivas</strong></td>
<td><strong>19</strong></td>
<td><strong>4.4%</strong></td>
</tr>
<tr>
<td>Divriği/Divrik</td>
<td>13</td>
<td>3.0%</td>
</tr>
<tr>
<td><strong>Harput</strong></td>
<td><strong>12</strong></td>
<td><strong>2.8%</strong></td>
</tr>
<tr>
<td>Tokat</td>
<td>10</td>
<td>2.3%</td>
</tr>
<tr>
<td><strong>Kayseri</strong></td>
<td><strong>9</strong></td>
<td><strong>2.1%</strong></td>
</tr>
<tr>
<td>Kastamonu</td>
<td>8</td>
<td>1.9%</td>
</tr>
<tr>
<td><strong>Sakız</strong></td>
<td><strong>8</strong></td>
<td><strong>1.9%</strong></td>
</tr>
<tr>
<td>Van</td>
<td>8</td>
<td>1.9%</td>
</tr>
<tr>
<td><strong>Arabkir</strong></td>
<td><strong>5</strong></td>
<td><strong>1.2%</strong></td>
</tr>
<tr>
<td>Erzincan</td>
<td>5</td>
<td>1.2%</td>
</tr>
<tr>
<td><strong>Filibe</strong></td>
<td><strong>5</strong></td>
<td><strong>1.2%</strong></td>
</tr>
<tr>
<td>Karahisar</td>
<td>5</td>
<td>1.2%</td>
</tr>
<tr>
<td>Çemişkezek</td>
<td>4</td>
<td>0.9%</td>
</tr>
<tr>
<td>Zağferanbolu</td>
<td>4</td>
<td>0.9%</td>
</tr>
<tr>
<td>Ürgüb</td>
<td>4</td>
<td>0.9%</td>
</tr>
<tr>
<td>Niğde</td>
<td>4</td>
<td>0.9%</td>
</tr>
<tr>
<td>Gümülcine</td>
<td>3</td>
<td>0.7%</td>
</tr>
<tr>
<td>Kemah</td>
<td>3</td>
<td>0.7%</td>
</tr>
<tr>
<td><strong>Yanya</strong></td>
<td><strong>3</strong></td>
<td><strong>0.7%</strong></td>
</tr>
<tr>
<td>Abana?</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td><strong>Boyabad</strong></td>
<td><strong>2</strong></td>
<td><strong>0.5%</strong></td>
</tr>
<tr>
<td>Edirne</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Eymir?</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Gerede</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Girid</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Hereke</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Kilvoz?</td>
<td>2</td>
<td>0.5%</td>
</tr>
<tr>
<td>Other*</td>
<td>142</td>
<td>33%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>431</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

* Includes locations that appear once in the register, and two that I have not been able to read. For place names, see Nuri Akbayar (2001). *Osmanlı Yer Adları Sözlüğü*. Istanbul: Tarih Vakfi Yurt Yayınları.
On the other hand, in the neighborhood of Tophane, Anatolian immigrants were highly visible in significant groups. For example, nearly all of the sixty-three employees in nine pastry bakeries (firun-i çörekciyân) were from Zağferanbolu (Safranbolu). Furthermore, they were also members of the 5th, 7th, and mostly the 25th Bölük of the Janissaries.\(^{108}\) Likewise, immigrants from Kuruçay constituted the largest group among the porters working at the docks, with fifty-one porters at the Nefs-i Tophane pier.\(^ {109}\) Those from Kuruçay were also dominant in the bread bakeries in this region together with immigrants from Erzurum, and they belonged predominantly to the 31st Bölük. In other words, Anatolian immigrants seem to be well-established at least in this area and these particular professions. When one examines the list of those who were expelled for not meeting the government’s criteria, those who fled the inspectors, and others whose guarantors promised that they would go back to their place of origin, one also finds that Anatolian immigrants were more numerous than Rumelians, and that those who were forced to leave the city tended to come from towns that typically did not send too many immigrants to Istanbul. For example, the majority of the immigrants in the Tophane register came from Kuruçay, Zağferanbolu, and Ayandon (173 out of 454 or thirty-eighth percent of the total) and the inspectors recorded only three people from these towns who had to leave

\(^{108}\) A. DVN. 830, pp. 13-14.

\(^{109}\) There were a total of 170 porters at eight piers in the Tophane area. A. DVN. 830, pp. 15-16.
(See Table XI). Similarly, sixteen men originally from Ereğli constituted the largest group of people from the same town among those who were arrested, and there were no other people from Ereğli in the entire register.

The information contained in the Tophane register supports the argument that regional allegiance (hemşehrilik) was the primary factor in determining migration patterns.\(^{110}\) It also suggests that people from the same regions sought inclusion into the same Janissary units, and/or that existing members helped their fellow countrymen become a part of the Janissary network. Thus, for example, a group of seven bakers from Kuruçay who were either affiliated with the 31\(^{st}\) Bölük or beşes in the 5\(^{th}\) Bölük, fifty-one porters from Kuruçay all working at the Tophane pier, and fifteen from Eğin working at the Fıruz Ağa pier.\(^{111}\)

\(^{110}\) See Chapter one; Behar (2003); Faroqhi (1998); Kılıç (2000).

TABLE XI: Major towns sending immigrants to Tophane in 1792 according to A. DVN. 830

<table>
<thead>
<tr>
<th>Anatolia</th>
<th>Rumelia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kuruçay</td>
<td>İnebolu 6</td>
</tr>
<tr>
<td>Zağferanbolu</td>
<td>Manastır 4</td>
</tr>
<tr>
<td>Ayandaon</td>
<td>Arnavut 3</td>
</tr>
<tr>
<td>Eğin</td>
<td>Macar 3</td>
</tr>
<tr>
<td>Erzurum</td>
<td>Akkirman 2</td>
</tr>
<tr>
<td>Ereğli</td>
<td>Bender 2</td>
</tr>
<tr>
<td>Deyrî</td>
<td>Corca? 2</td>
</tr>
<tr>
<td>Gircanis</td>
<td>Filibe 2</td>
</tr>
<tr>
<td>Sinop</td>
<td>Other 5</td>
</tr>
<tr>
<td>Taşköprü</td>
<td>TOTAL 29</td>
</tr>
<tr>
<td>İne</td>
<td></td>
</tr>
<tr>
<td>Siyyan</td>
<td></td>
</tr>
<tr>
<td>Erzincan</td>
<td></td>
</tr>
<tr>
<td>Karaağaç</td>
<td></td>
</tr>
<tr>
<td>Kemah</td>
<td></td>
</tr>
<tr>
<td>Karahisar</td>
<td></td>
</tr>
<tr>
<td>Kastamonu</td>
<td></td>
</tr>
<tr>
<td>Sivas</td>
<td></td>
</tr>
<tr>
<td>Trabzon</td>
<td></td>
</tr>
<tr>
<td>Midilli</td>
<td></td>
</tr>
<tr>
<td>Paşa</td>
<td></td>
</tr>
<tr>
<td>Boyabad</td>
<td></td>
</tr>
<tr>
<td>Karaman</td>
<td></td>
</tr>
<tr>
<td>Konya</td>
<td></td>
</tr>
<tr>
<td>Paşalimanı</td>
<td></td>
</tr>
<tr>
<td>Zeytun</td>
<td></td>
</tr>
<tr>
<td>Other*</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>398</td>
</tr>
</tbody>
</table>

| Other          |                      |
| Kırım          | 13                   |
| Ahishā        | 3                    |
| Tatar         | 3                    |
| Evlād-1        | 2                    |
| ‘Arab         |                      |
| Hamedan’      | 2                    |
| Laz           | 2                    |
| Isfahān       | 1                    |
| Magrib        | 1                    |
| TOTAL         | 27                   |
3.4. About Coffeehouses and Janissaries

An analysis of the coffeehouse business in the register reveals other social and economic ties at work in the marketplace, in addition to the immigration networks mentioned above. According to the first register, and as the table in the appendix shows, coffeehouses constituted the largest sub-group of commercial shops in the areas between the Bayezid mosque and the southern bank of the Golden Horn. This observation is in agreement with the findings of Kırı and Ertuğ in their respective works. Kırı found 214 coffeehouses which constituted 11.51 percent of all active shops and vegetable gardens in the Eştip/Hasköy region and the western bank of the Bosphorus in the early nineteenth century. According to Ertuğ, the 358 coffeehouses constituted the largest group (roughly thirteen percent) among all commercial shops recorded on both banks of the Bosphorus around 1792. Similarly, my data indicates that coffeehouses constituted thirteen percent of the shops in the regions which lie on the southern bank of the Golden Horn. Another register which recorded areas outside of the city walls in 1792 yields comparable results with 142 coffeehouses employing 255 people.

112 Kırı (2000), p. 81


114 A. DVN. 831(1207). This register lists 5033 Muslims, 4223 Christians, and 199 Jews, totaling 9455 people in various trades. The coffeehouses make up the largest group, and include 213 employees in 131 coffeehouses managed by Muslims, and 42 employees in 11 coffeehouses run by Christians. Coffeehouses are followed by 229 bachelor’s chambers (excluding those above commercial shops), and 59 inns which had 837 rooms.
Based on the combined results of these registers, it seems possible that coffeehouses constituted the most frequent commercial shops in the greater Istanbul area at the turn of the eighteenth century.115

According to the titles and abbreviations in the register, eighty-three percent (119) of the coffeehouse owners had a military affiliation (Tables XII and XIII). About half of those (57) were identified by the number of the Janissary unit they belonged to, and the rest had either a military title, or both a title and a number. Furthermore, some shopkeepers held military and religious titles at the same time. For example, “53k Seyyid Ömer ‘Alemdăr,” “Kaşveci 61c Molla ‘Abdullah,” or “31k Seyyid Receb ‘Alemdăr.” The picture is further complicated by titles such as ağa, which had lost its exclusively military connotation by this time and was also used as a title of respect for people without a particular talent.116 Likewise, the title of seyyid which referred to assumed lineage from the prophet Muhammed, could also be indicative of some social status that was not necessarily religious. According to the register, it was commonly adopted among

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115 A thorough examination and comparison of all of the registers dating from Selim III’s reign will undoubtedly yield more accurate results. In his dissertation, Kirli applies the coffeehouse-tavern ratio from an imperial decree that records some 600 taverns in Istanbul and his register listing 40, to the number of coffeehouses in the same register, and estimates about 2,500 coffeehouses in early nineteenth-century Istanbul. This figure is close to that estimated by Charles White in 1840s. Charles White (1845). Three Years in Constantinople. London, vol. 1, p. 282 in Kirli (2000), p. 112. Unfortunately Kirli does not mention the identification number of the imperial order, and I have not seen this document.

shopkeepers who also had a military affiliation.\textsuperscript{117} I have grouped shopkeepers based primarily on their military affiliation, if they had more than one title. That is, for example, if a person was registered as 53\textit{k} Seyyid Ömer ‘Alemdar I assumed that he had an affiliation with the military. If seyyid appeared alone (only once in the register), I assumed that the person had a religious affiliation as a descendant of the prophet.

The distribution of titles in the register, as shown in the tables below, indicates that about one out of every four shopkeepers (twenty-six percent) who had a military, and more specifically Janissary affiliation was in the coffeehouse business.\textsuperscript{118} In addition to the coffeehouse owners, many people who resided in the shops also had Janissary affiliations. Furthermore, many of the guarantors of coffeehouse owners and employees were officials of the same Janissary barracks (oda bais or tâbi's) to which the owner and/or employees belonged. For example, Molla Abdullah of the 61\textsuperscript{st} Cemâ'at had as his assistant (tâbi'i) in his coffeehouse a certain Süleyman of the 61\textsuperscript{st} Cemâ'at, and their guarantor was an officer of the same unit.

It is not surprising to see a strong Janissary involvement in the coffeehouse business at the end of the eighteenth century. In fact, Janissary coffeehouses started to increase after mid-seventeenth century and each of them


\footnotesize{\textsuperscript{118} 119 out of 456 military titles in the register.}
were marked with the official emblem of the particular unit they were affiliated with.\textsuperscript{119} This being the case, coffeehouses were associated with unruliness and insurgency in the eyes of the ruling circles and most were shut down when the Janissary corps were abolished.

The registers indicate that the leaders of guilds (\textit{kethüdâs} and \textit{yigitbaşis})\textsuperscript{120} were required to present to the inspection officials letters carrying their seal as proof of their responsibility for the actions of those employed in their guild.\textsuperscript{121} Not surprisingly, some stewards (\textit{kethüdâs}) had Janissary affiliation. For instance, the steward of tinsmiths (\textit{kâlâyci}) was Seyyid Hüseyin of the 45\textsuperscript{th} Böyük, and that of salt sellers (\textit{milhçî}) was Ali from the 51\textsuperscript{st} Böyük. In addition, the stewards of makers of looms (\textit{destgâhchîlar}), seller of cakes (\textit{çörekqîler}), confectioners (\textit{şekercîler}), and cotton or wool fluffers (\textit{hallâcân}) each carried the title of \textit{hâci} or \textit{el-hâc}. As mentioned earlier, the office of \textit{kethüdâ} could be purchased during this period. It appears that some Janissaries were able to purchase such offices by relinquishing their salaries and paying an additional amount of money to the government, and therefore they were likely to have an advantage over others interested in purchasing the office. When the office was

\begin{footnotesize}
\begin{enumerate}
\item[120] The majority of guilds in the seventeenth century had both a \textit{kethüdâ} and a \textit{yigitbaşî}. In these cases the former was considered superior to the latter. However, how exactly they related to each other is unclear. See Yin, pp. 70-73.
\item[121] See, for example, A. DVN. 899-L, and 830.
\end{enumerate}
\end{footnotesize}
purchased as opposed to being elected by the guild members, conflicts were more likely to occur, and the court records of Istanbul suggest that sometimes the yiğitbaşı became the major link between his guild and the government.¹²²

Table XII: Distribution of titles among coffeehouse owners with military affiliation (% 83)

<table>
<thead>
<tr>
<th>Military titles</th>
<th></th>
<th>Religious titles</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Odabaşı</td>
<td>17</td>
<td>Seyyid</td>
<td>10</td>
</tr>
<tr>
<td>Beşe</td>
<td>13</td>
<td>Hacı</td>
<td>2</td>
</tr>
<tr>
<td>Alemdar</td>
<td>12</td>
<td>Molla</td>
<td>1</td>
</tr>
<tr>
<td>Sekban</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Borçu</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Böyükbaşı</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tüfenkçibalı</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subaşı</td>
<td>1</td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Bostancı</td>
<td>1</td>
<td>Ağa</td>
<td>6</td>
</tr>
<tr>
<td>Kalyoncu</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Çavuş</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avcı</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table XIII: Distribution of titles among coffeehouse owners without military affiliation (% 17)

<table>
<thead>
<tr>
<th>Religious titles</th>
<th></th>
<th>Other</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>İmam</td>
<td>2</td>
<td>Ağa</td>
<td>4</td>
</tr>
<tr>
<td>Hacı</td>
<td>2</td>
<td>Efendi</td>
<td>2</td>
</tr>
<tr>
<td>Seyyid</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hafız</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.4.1. Minorities in the coffeehouse business

In conformity with the general outlook of the register, non-Muslims are almost non-existent among coffeehouse owners and employees. There is possibly only one Christian coffeehouse owner who was recorded as “the coffeehouse of the brother of a voyvoda” in the register. Voyvoda was originally the Slavic title for prince, used particularly for the rulers of Moldavia and Wallachia. However, in the eighteenth century this title was given to administrative agents who were mostly Christian and appointed for the collection of certain tax revenues. In contrast to inner Istanbul, in the areas outside the city walls Christians ran approximately 8.4 percent of the coffeehouses. The same ratio in Kırı's work is smaller, nine out of 214 coffeehouses, corresponding to 4.2 percent.

Clearly, Muslims dominated the business of coffeehouses, which tended to be located in great numbers in the vicinity of the mosque complexes (see Table XIV). However, coffeehouses most likely had a mixed clientele. As Kırı shows based on a set of spy reports, the coffeehouse clientele in mid-nineteenth century Istanbul was quite heterogeneous, including Muslim and non-Muslim Ottoman subjects, as well as embassy officials and foreign merchants from various

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123 Pakalın, III: 598.
124 A. DVN. 831; see note 114.
countries such as England, Russia, Greece, France, and Italian states such as Venice, Genoa, and Tuscany.\textsuperscript{126} Although Muslims frequented coffeehouses more often than non-Muslims, the spy reports present evidence that reveal the mingling of Ottoman and non-Ottoman subjects of different confessional groups in coffeehouses, and that “confessional differences and officially defined segregations between Muslims and non-Muslims had no discernable effect on popular sociability in Istanbul towards the mid-nineteenth century.”\textsuperscript{127} We do not possess the same kind of evidence for the eighteenth century, however, given that Greek Orthodox, Jewish, and to a lesser extent Armenian subjects of the empire inhabited the southern bank of the Golden Horn (especially Fener and Balat) it would be quite logical to assume they also frequented Muslim-owned coffeehouses.\textsuperscript{128}

\begin{center}
\begin{tabular}{|l|c|}
\hline
\textbf{Sultan Mehmed mosque} & 27 \\
Atpazarı & 19 \\
\hline
\textbf{Sultan Selim mosque} & 15 \\
Vezneçiler & 13 \\
\hline
\textbf{Çukurçeşme} & 12 \\
Kıztaşı & 11 \\
\hline
\end{tabular}
\end{center}

\textsuperscript{126} Ibid., pp. 140-153.

\textsuperscript{127} Ibid., p. 142.

\textsuperscript{128} For distribution of non-Muslims in the eighteenth century, see İnciciyan, pp. 11-18; and for the seventeenth century, see Mantran (1990), vol. 1: 65-67, 48-62, and maps in vol. 2.
Table XIV: Regional distribution of coffeehouses, continued

<table>
<thead>
<tr>
<th>Vefa</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balat kapısi</td>
<td>9</td>
</tr>
<tr>
<td>Şehzadebaşı</td>
<td>8</td>
</tr>
<tr>
<td>Karagümrük</td>
<td>8</td>
</tr>
<tr>
<td>Fener kapısi</td>
<td>7</td>
</tr>
<tr>
<td>Edirne kapı</td>
<td>4</td>
</tr>
<tr>
<td>Eğri kapı</td>
<td>2</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>144</td>
</tr>
</tbody>
</table>

3.5. From Meşhûlû'l-ahvâl to Ma'îmûl-'ahvâl: Kefâlet in the Registers

The *kefalet* system was central to the networks and social bonds among the *eşnâf*, Janissaries, and immigrants. The registers under study offer a glimpse into how these multilayered networks were functioning among the *eşnâf* at the end of the eighteenth century.

As mentioned earlier, perpetual guarantee (*zincirleme kefalet*) was one of the most common forms of sponsorship between members of the same profession, among masters, apprentices, and their stewards. For example, the fifty public measurers (*keyyâlân*) of the pier of Kapan-i Dakik were all responsible for each other’s proper conduct under the overall *kefalet* of their steward Hasan, and the chief steward (*baş kethûdâ*) of all public measurers Seyyid Ali was the guarantor for all of them. This was the usual pattern especially for the established and well-organized groups of artisans, like the public measurers.
In the case of shops, the registration officials usually expected the masters (usta) to stand for surety for the people who worked in the shop. For example, in Balat a seller of roasted chick peas by the name of Hacı Osman had two assistants who resided in his shop, and he was the guarantor for both of them. Another one, Leblebici Hasan, resided in his shop with one assistant and the neighborhood imam stood for surety for both of them. This example, along with numerous others in the register, also demonstrates that if a shopkeeper did not reside in the shop himself he could be a guarantor for his employees. However, if he resided in the shop himself, with or without a partner or employees, he had to find a legitimate guarantor for himself. According to the register, this guarantor was usually the neighborhood as a collective entity as opposed to a specific person. A number of entries in the register include a note stating that the neighbors collectively stood surety (civâr kefildir) for so and so, without specifying individuals in the neighborhood. In other cases, the registration officials recorded specific individuals as guarantors. In the coffeehouse of Borucu Mehmed near the koluk of Sarachane, for example, Mehmed the shopkeeper resided alone, and his Janissary officer (zâbit) was also his guarantor. Again in the same neighborhood, Musa of the 32nd Cemâ‘at resided with an assistant (tâbi‘i) in his coffeehouse, and he was the guarantor for his assistant. However, he was not

required to show a sponsor for himself and this does not seem to have caused a problem for the inspectors.

It is possible to provide numerous examples of this kind, and they all ultimately suggest the same thing: what constituted an acceptable guarantor was not clearly defined beforehand. The registration officials, who were appointed from the scribal service (kalemiyye) in the Imperial Council, and the Janissary guards (yamakān) in their service, were probably in a position to influence eligibility and negotiate these terms with the people they registered. Most of the people who needed a guarantor tended to be apprentices or assistants, who had no other place than their workplace to reside in, probably because they were immigrants. It is not possible to determine the details of the interaction between the inspectors and the inspected during the registration process. For example, why was Musa ağa of the 32nd Cemā'at not required to find himself a guarantor although he resided in his shop? Or why was it acceptable for green grocer Bekir Beşe and his partner to be each other’s guarantor without a superior’s sponsorship? Were they acquainted with any of the registration officials or the Janissary guards? It is possible that the registration officials accepted such an acquaintance as a legitimate identification of the person they were registering.

I believe that the practice of bailing functioned as a mechanism that served as a bridge between the people in the marketplace and the administrative authorities. I described earlier in the chapter that the inspectors were appointed among the scribes in the service of the high-ranking Janissary officers, and they
had Janissary guards to help them. As mentioned above, the register indicates that about forty-one percent of all the shopkeepers in the covered areas were affiliated with the Janissary corps, at least nominally. Combined with the solidarity among immigrants who originated from the same areas, Janissary affiliation provided another solidarity network. Given that the legitimacy of a person’s status depended on his ability to find an acceptable guarantor and the fluidity of the requirements to meet that condition, it seems feasible to assume that the inspection officials could, to a large extent, determine who was legitimate and who was not. They could determine, for example, if it were acceptable for a shopkeeper to have his “neighbors” (כיבאר) collectively stand surety for him, as opposed to a specific neighbor who would witness and authenticate his statement of identity.\textsuperscript{130} In other words then, in the eyes of the registration officials the person in question had to be identifiable (מאת’ון’ל-איהל). The sultan’s warning about the collection of fees for the registration of guarantors (كيفيلمة) during the inspections suggests that perhaps this process was purchasable or negotiable. Janissaries are visible in the registers as shopkeepers, employees, porters and boatmen, and as guarantors. They were part of the larger network of the Janissary corps, including members of the military police. We can assume that this connection provided them with some influence in the registration process as well.

\textsuperscript{130} I borrow the term ‘authentication of identity’ from Cem Behar, who uses it to explain the role of the neighborhood 무주 in Kasap یyas in determining his role as the person who determined to acceptability of a guarantor to issue the necessary travel papers for those initially came to the neighborhood without the legal paperwork. See Behar (2003), pp. 124-129.
although the scope and weight of this influence most likely fluctuated greatly from one person and group to another at any given time depending on a complex variety of factors.

This is not to say that anyone who made it to the capital city, and even found a job and a place to stay could achieve legitimate status. It is apparent from the long lists of those who were expelled that some of them were employed, others whose guarantors promised they would go back to their hometowns, and yet others who fled the inspectors. For example, two butchers from Eğin, Seyyid Mehmed and Seyyid Ebubekir, did not have legitimate reasons to stay in the city. Bayrakdar Mehmed (also a butcher) and Karshloğlu Ahmed Ağa assured the authorities that both Mehmed and Ebubekir would eventually go back to Eğin.\(^\text{131}\)

This was despite the fact that both butchers held the title of seyyid and worked in a district with a significant group of immigrants from their hometown (Eğin) (Table XI). One could speculate that they were working outside of the guild structure and therefore could not justify their stay in the city. Likewise, it is not clear why two assistants of Leblebici Seyyid İbrahim fled before the inspections although their boss could be their guarantor. Unfortunately, the registers can only tell so much. Given that the inspections lasted many weeks and that the inspectors went from one shop to the next in a group, it must not have been so difficult to hide or escape. On the other hand, many were actually caught and

\(^{131}\) "... mer'\~umun vil\~ayeti cânibine gideceğini ta'ahhûd etmişdir." A. DVN. 830, p. 26.
expelled, hundreds of them at once in some cases. At this point, it is not possible to know why and how exactly the expelled immigrants were unable to gain access to the solidarity networks, compared to others who did.

3.6. Concluding Remarks

In this chapter, I have provided a review of the senior officials responsible for maintaining public order and security, and their role in the inspections. The information in the registers indicate that the senior officials, such as the Janissary agha or his deputy (sekbānbaşı), commander of the imperial guards (bostāncibaşı), captain of the corps of armorer attached to the Janissary corps (cebecibaşı), master-general of artillery (kopcubaşı), and admiral of the navy (kapudān pasha), were rarely personally involved in routine inspections that took place every six months in this period. Most of the inspection and registration officials were in the scribal service at the Imperial Council, and were appointed temporarily to carry out the investigations and prepare the registers with the help of Janissary aides who assisted them in the process. These assignments lasted only for the duration of the inspections (about two to two and a half months), and the appointed officials did not form a regular department under the jurisdiction of the senior administrators with police duties. I believe that we can interpret the routine inspections and registers of this period as an attempt or experimentation toward building bureaucratic-administrative structures backed by police authority that would enable more effective control and surveillance of the population. This
intention is also apparent in Selim III’s innovative use of the time-honored practice of kefālet, while relying on the traditional distinction between the scribal cadres (kalemiyye) and military-administrative (seyfi) officials. It is possible to define the period under consideration as a transitional one that combined “the old and the new” so to speak. Although he used the existing mechanisms innovatively, Sultan Selim’s policies also demonstrated a certain degree of continuity in terms of the principles and objectives they relied on – principles such as reconciliation, social harmony, and recognition of the custom of various groups in handling their affairs.

The routine inspections in the greater Istanbul area were intended to enforce strict kefālet requirements on workplaces, mainly targeting single men who had migrated to Istanbul. The rule was to allow only those men who found jobs and reliable guarantors to lawfully stay in the city. The objective of the requirements was to find those individuals who were not so well-connected and to make sure that those who stayed in the city became identifiable as parts of a recognized collective identity. The practice of kefālet provided the link that transformed the unidentifiable (mechūl) into a legally identifiable (ma‘lūm) category. The smooth implementation of this principle required the participation of the individuals who made up those legally recognized groups – such as artisanal groups, neighborhood residents, religious communities, and the like. Its efficiency was measured in terms of harmony and the degree of resistance it generated. Thus, although it may seem strange and irrational to the modern eye,
that the qualifications for becoming an acceptable guarantor were not specified by law, and that the practice allowed the registration officials to take into consideration each individual’s own networks and circumstances, should be understood as indications of an accommodational approach in achieving social harmony.

Later in the chapter, I focused on one of the inspection registers and made use of two others in order to analyze immigration patterns. The data I have extracted from the registers indicate that a significant portion (forty-one percent) of all the shopkeepers in the southern bank of the Golden Horn had a Janissary affiliation, even if only nominally. This relationship was even stronger among coffeehouse owners, eighty-three percent of whom had Janissary affiliation. The strong patronage relations between the Janissaries and the esnaf which have been documented for the first quarter of the nineteenth century seem to be already established at the end of the eighteenth century, with coffeehouses at the center of these networks.

The social and economic networks that connected the Janissaries to the marketplace and the society at large appear to have played an important role in determining eligibility to become a guarantor and to stay in the city. Janissaries belonging to the same units frequently stood surety for each other and often worked together. Such networks probably ensured a certain degree of reliability and, to some extent, stability. For example, opening a coffeehouse required, among other things, a permit from the captain of the guards (‘asesbaşı). This was
likely to be a privilege only influential people could obtain. That there were not many immigrants among the coffeehouse owners in the nineteenth-century register Kirkl studied would also suggest the same. Furthermore, it would be unrealistic to assume that the registration officials and the Janissaries in their service were socially aloof from the city’s inhabitants and the esnaf.

The social bonds between the Janissaries, esnaf, and immigrants (with the coffeehouse business at its heart) persisted and became stronger in the nineteenth century. The current state of scholarship does not allow us to determine the effects of the abolition of the corps in 1826 on these networks. One could speculate and argue that since the relations that made up these networks – those such as co-regionality and professional connections, often overlapped with the Janissary connection, the removal of only one of these bonds in 1826 would not lead to the destruction of all of the overlapping networks. However, the particular configuration of these networks were highly fluid in the period under consideration and probably differed greatly from one person or group to another based on a complex variety of factors.

It seems that after the elimination of the Janissaries immigrant networks gained more importance, as the case of Kasap Ilyas neighborhood suggests. I argued in previous chapters that from the viewpoint of Ottoman administrators immigrants were associated with urban unrest and Janissary insurgency, especially after the Patrona Halil rebellion in 1730 and the market uprising of 1740. After the elimination of the Janissaries, the Tanzimat administration
devised stricter regulations regarding travel papers and internal passports in order to control migration.\textsuperscript{132} However, Cem Behar’s study convincingly demonstrates how the headman (\textit{mufti\textbar{r}}) of the Kasap İlyas neighborhood circumvented these regulations in issuing travel papers and in the registration of guarantors.\textsuperscript{133} For the rest of the nineteenth and into the twentieth century, Ottoman governments tried to develop new regulations to ban “vagrants” and the unemployed from the capital city. On the whole, despite the changes in the organization of the police after 1846 and new regulations such as the 1909 Regulation on Vagrancy (\textit{Serseri ve Ma\textbar{z}anne-i Su \textbar{e} \textbar{E}\textbar{sh}\textbar{a}s Hakk\textbar{ı}da Kanun}), the practice of expelling vagrants and beggars from Istanbul continued to be the most common, yet ineffective way of responding to uncontrolled immigration.\textsuperscript{134}

\textsuperscript{132} See Çadırcı (1993).

\textsuperscript{133} Behar (2003), see especially pp. 120-129.

\textsuperscript{134} See Özbek (1999), idem. (2001), and Ergut (1999).
### Appendix 3.1:
**List of shops and trades in the southern Golden Horn in 1792**
according to A. DVN. 899-L

<table>
<thead>
<tr>
<th>Trade Description</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coffeehouses (<em>kahvehane</em>)</td>
<td>144</td>
<td>12.9%</td>
</tr>
<tr>
<td>Bachelor chambers (<em>bekar odası</em>)</td>
<td>106</td>
<td>9.5%</td>
</tr>
<tr>
<td>Inns (<em>han</em>)</td>
<td>50</td>
<td>4.5%</td>
</tr>
<tr>
<td>Animal hair-processors (<em>mutaf dükkanları</em>)</td>
<td>46</td>
<td>4.1%</td>
</tr>
<tr>
<td>Green grocer (<em>manav/sebzevatçı</em>)</td>
<td>40</td>
<td>3.6%</td>
</tr>
<tr>
<td>Barber (<em>berber</em>)</td>
<td>38</td>
<td>3.4%</td>
</tr>
<tr>
<td>Butcher (<em>kasab</em>)</td>
<td>34</td>
<td>3.1%</td>
</tr>
<tr>
<td>Tinsmith (<em>kalaycı</em>)</td>
<td>30</td>
<td>2.7%</td>
</tr>
<tr>
<td>Watchmen (<em>bekciyan</em>)</td>
<td>30</td>
<td>2.7%</td>
</tr>
<tr>
<td>Stalls (<em>salaşhā</em>)</td>
<td>29</td>
<td>2.6%</td>
</tr>
<tr>
<td>Maker/Seller of packsaddles (<em>semercî</em>)</td>
<td>25</td>
<td>2.2%</td>
</tr>
<tr>
<td>Maker of looms (<em>tezgahcî</em>)</td>
<td>23</td>
<td>2.0%</td>
</tr>
<tr>
<td><strong>Maker/Seller Bottles (<em>şıseci esnâfi</em>)</strong></td>
<td>20</td>
<td>1.8%</td>
</tr>
<tr>
<td>Maker/Seller of helva (<em>helvacî</em>)</td>
<td>20</td>
<td>1.8%</td>
</tr>
<tr>
<td><strong>Sweet pastry-makers (<em>çörekçi</em>)</strong></td>
<td>20</td>
<td>1.8%</td>
</tr>
<tr>
<td>Cobblers/ Seamsters (<em>dikici</em>)</td>
<td>19</td>
<td>1.7%</td>
</tr>
<tr>
<td><strong>Carriage drivers (<em>koçâş</em>)</strong></td>
<td>18</td>
<td>1.6%</td>
</tr>
<tr>
<td>Kerchief makers (<em>yemeni dikici</em>)</td>
<td>17</td>
<td>1.5%</td>
</tr>
<tr>
<td><strong>Maker/Seller of baskets (<em>sepeticîyan</em>)</strong></td>
<td>15</td>
<td>1.3%</td>
</tr>
<tr>
<td>Bread bakery (<em>ekmekci firinî</em>)</td>
<td>14</td>
<td>1.3%</td>
</tr>
<tr>
<td><strong>Bread bakery and mill (<strong>ekmekci ma'a dejağrîm</strong>)</strong></td>
<td>14</td>
<td>1.3%</td>
</tr>
<tr>
<td>Seller of roasted chickpeas (<em>leblebibîci</em>)</td>
<td>14</td>
<td>1.3%</td>
</tr>
<tr>
<td><strong>Metal-founders (<em>dökmecî</em>)</strong></td>
<td>14</td>
<td>1.3%</td>
</tr>
<tr>
<td>Rental rooms (<em>odahâ</em>)</td>
<td>14</td>
<td>1.3%</td>
</tr>
<tr>
<td><strong>Coal dealer (<strong>kömürçü/kömürçüler mağazast</strong>)</strong></td>
<td>13</td>
<td>1.1%</td>
</tr>
<tr>
<td>Maker/Seller of pickles (<em>tüşucu</em>)</td>
<td>12</td>
<td>1.0%</td>
</tr>
<tr>
<td><strong>Bagel bakery (<strong>simitci firinî</strong>)</strong></td>
<td>12</td>
<td>1.0%</td>
</tr>
<tr>
<td>Maker/Seller of bath towels (<em>pêşemalci</em>)</td>
<td>12</td>
<td>1.0%</td>
</tr>
<tr>
<td>Crepe-makers (<em>bûrûncük bûkûcû ustalarî/bûrûncükû dükkânant</em>)</td>
<td>12</td>
<td>1.0%</td>
</tr>
<tr>
<td>Salt dealer (<em>milhcî</em>)</td>
<td>11</td>
<td>0.9%</td>
</tr>
<tr>
<td><strong>Cotton or wool fluffers (<strong>hallac</strong>)</strong></td>
<td>10</td>
<td>0.9%</td>
</tr>
<tr>
<td>Maker/Seller of shoes (<em>pabuccu</em>)</td>
<td>10</td>
<td>0.9%</td>
</tr>
<tr>
<td><strong>Laundrer (<strong>cameşûyucu</strong>)</strong></td>
<td>10</td>
<td>0.9%</td>
</tr>
<tr>
<td>Maker/Seller of knives (<em>biçakci</em>)</td>
<td>9</td>
<td>0.8%</td>
</tr>
</tbody>
</table>
**Appendix 3.1, continued**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maker/Seller of cloaks <em>(abacıyan)</em></td>
<td>9</td>
<td>0.8%</td>
</tr>
<tr>
<td>Maker/Seller of cauldrons <em>(kazgançı esnafı/dükkanı)</em></td>
<td>9</td>
<td>0.8%</td>
</tr>
<tr>
<td>Commercial shop <em>(dükkân)</em></td>
<td>9</td>
<td>0.8%</td>
</tr>
<tr>
<td>Jeweler/goldsmith <em>(kuyumcu)</em></td>
<td>8</td>
<td>0.7%</td>
</tr>
<tr>
<td>Tobacco shop <em>(duhhanı)</em></td>
<td>8</td>
<td>0.7%</td>
</tr>
<tr>
<td>Maker/Seller of caps <em>(küllahci)</em></td>
<td>7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Blacksmith <em>(naiband)</em></td>
<td>7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Flour mill <em>(dakik değirmeni)</em></td>
<td>7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Oil mill <em>(yaghane/yağı)</em></td>
<td>6</td>
<td>0.5%</td>
</tr>
<tr>
<td>Maker/Seller of kataif desert <em>(katafci)</em></td>
<td>6</td>
<td>0.5%</td>
</tr>
<tr>
<td>Maker/Seller of boots <em>(çizmeci)</em></td>
<td>6</td>
<td>0.5%</td>
</tr>
<tr>
<td>Restaurant/cook <em>(aşçı)</em></td>
<td>6</td>
<td>0.5%</td>
</tr>
<tr>
<td>Kebab restaurant <em>(kebabçı)</em></td>
<td>5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Carpenter <em>(doğramacı)</em></td>
<td>5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Vegetable garden <em>(bağ/bahçe)</em></td>
<td>5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Confectioner <em>(şekerçi)</em></td>
<td>4</td>
<td>0.3%</td>
</tr>
<tr>
<td>Maker/Seller of reed pen knives <em>(kalemtraîsci)</em></td>
<td>4</td>
<td>0.3%</td>
</tr>
<tr>
<td>Maker/Seller of gözleme <em>(gözlemeci)</em></td>
<td>4</td>
<td>0.3%</td>
</tr>
<tr>
<td>Maker/Seller of pipe stems <em>(çubukçu)</em></td>
<td>4</td>
<td>0.3%</td>
</tr>
<tr>
<td>Bakery <em>(firın)</em></td>
<td>4</td>
<td>0.3%</td>
</tr>
<tr>
<td>Bakery and mill <em>(firın ma'a değirmen)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Maker/Seller of pillows <em>(yastıkçı esnafı)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Tailor <em>(terzi)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Dealer of sheep trotters <em>(paçacı)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Clog maker <em>(nalıcı)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Maker/Seller of cages <em>(kafesci)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Mills <em>(değirmen)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Glazier <em>(camcı)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Grocer <em>(bakkal)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Maker/Seller of tripe-soup <em>(işkenbeci)</em></td>
<td>3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Scribe <em>(yazıcı)</em></td>
<td>2</td>
<td>0.1%</td>
</tr>
<tr>
<td>Maker/Seller of pickles and vegetables <em>(tuyuşçu ve sebzevacı)</em></td>
<td>2</td>
<td>0.1%</td>
</tr>
<tr>
<td>Delaer of savory sausage <em>(sucukçu)</em></td>
<td>2</td>
<td>0.1%</td>
</tr>
<tr>
<td>Master of animal hair-processors <em>(muhytabl ar ustaşı)</em></td>
<td>2</td>
<td>0.1%</td>
</tr>
</tbody>
</table>
Appendix 3.1, continued

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dealer of campaign equipment (muhillatçı?)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Maker/Seller of girdles (kuşakçı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Furrier (kürekçi)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Maker/Seller of buckets (kovacı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Maker/Seller of cream (kaymakçı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Maker/Seller of fruit juice (hoşabçı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Inns used as stables (han – ahur)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Ironmonger (demirci)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Lathe-operators (çikrikçi)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Dyers and seamstres khan (boyacı ve dikici esnafı hanı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Herbalist/perfumer (attar)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Stables (ahur)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Coffee and tobacco shop (kahveci ve duhancı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Small inn (koltuk hanı)</td>
<td>2</td>
<td>% 0.1</td>
</tr>
<tr>
<td>Maker/Seller of wheels (tekerlekçi)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Maker/Seller of skullcaps (takyeci)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Dealer of water pipes (suyolcu dişkani)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Broker (sarraf)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Wall maker (örgüçü)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Maker/Seller of candles (mumcu)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Imperial stable (miri ahur)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Maker/Seller of fried dough (lokmacı)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Maker/Seller of sweet biscuits (kurabiyeçi)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of elixirs (iksirci)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Shoe workshop (haffafhane)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of hazelnuts (findıkçı)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Saddle makers (eğerci)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of boza (bozacı)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of börek (börekçi)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of coffee and herbs (attar ve kahveci)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Maker/Seller of aşure (aşureçi)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
<tr>
<td>Seller of roasted coffee beans (kuru kahveci)</td>
<td>1</td>
<td>% 0.09</td>
</tr>
</tbody>
</table>

**TOTAL**                                                                **1110**  % 100
### Appendix 3.1, continued

<table>
<thead>
<tr>
<th>Kapan-i dakik pier (Kapan-i dakik iskelesinde)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Porters (bärgir hammali)</td>
<td>68</td>
</tr>
<tr>
<td>Drovers (sürücüyân)</td>
<td>30</td>
</tr>
<tr>
<td>Porters of wood (hatab bärgir hammallari)</td>
<td>30</td>
</tr>
<tr>
<td>Public weighers (keyyâlân)</td>
<td>50</td>
</tr>
</tbody>
</table>

| Porters in other locations                  | 32 |
| (sa‘ir mahallerdeki hatab bärgir hammallari)|   |
Appendix 3.2:
Distribution of hanıs according to location in the southern Golden Horn
according to A. DVN. 899-L

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Rooms</th>
<th>Residents</th>
<th>Vacant</th>
<th>Guarantor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yeni Han</td>
<td>Çukurçeşme</td>
<td>33</td>
<td>31 rooms with zımmis; 2 rooms with 6 painters (nakkaş) and plasterers (şavacı)</td>
<td>Inn keeper</td>
<td>Seyyid Mustafa</td>
</tr>
<tr>
<td>Kargır Han</td>
<td>&quot;</td>
<td>15</td>
<td>13 zımmís</td>
<td>13</td>
<td>Inn keeper and neighbors</td>
</tr>
<tr>
<td>Peştemal Hanı</td>
<td>&quot;</td>
<td>7</td>
<td>17 workers (’amele)</td>
<td></td>
<td>Their master Bursevi Hacı Süleyman Agha</td>
</tr>
<tr>
<td>Kahvecibaşı Hanı</td>
<td>&quot;</td>
<td>30</td>
<td>2 Muslim, 80 zımmi laborers (rençberân)</td>
<td>5</td>
<td>Their odabaşı and neighbors</td>
</tr>
<tr>
<td>Tahta Han</td>
<td>Kazasker Hamami</td>
<td>14</td>
<td>3 Muslim painters; 14 zımmi sewermen (lağımciyân), sweepers (ocak sıfürgeci), laborers; 1 carpenter (dülger), 2 tobacco crushers (düğün kıyıcı)</td>
<td>Inn keeper</td>
<td>Süleyman, and his neighbors to Süleyman</td>
</tr>
<tr>
<td>Han</td>
<td>&quot;</td>
<td>38</td>
<td>Z laborers, carpenters, and construction workers (binâ ’amelesi)</td>
<td></td>
<td>Inn keeper</td>
</tr>
<tr>
<td>Seyrek Yokuşu</td>
<td>başı environs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Haznedar Kadın</td>
<td>Zeyrekbaşı</td>
<td>5</td>
<td>16 donkeymen (merkebci)</td>
<td></td>
<td>Their steward Keloğlan</td>
</tr>
<tr>
<td>Han</td>
<td>&quot;</td>
<td>4</td>
<td>4 Muslim, 4 zımmi donkeymen</td>
<td></td>
<td>Their steward</td>
</tr>
<tr>
<td>Atpazarı environs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abdi Bey Hanı</td>
<td>Haffafhane</td>
<td>25</td>
<td>Saddle makers, carpenters, laborers and the like.</td>
<td>5</td>
<td>Inn keeper Çukadar Hasan Agha</td>
</tr>
</tbody>
</table>
### Appendix 3.2. Continued

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Rooms</th>
<th>Residents</th>
<th>Vacant</th>
<th>Guarantor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Osman Efendi Hanı</td>
<td>Büyükkaraman</td>
<td>20</td>
<td>Muslim and <em>zimmi</em> 40 trustworthy people (ehl-i <em>uruz makâlesi</em>)</td>
<td>Inn keeper</td>
<td>Halil Beşe</td>
</tr>
<tr>
<td>Koltuk Hanı</td>
<td>Next to Deve Hanı</td>
<td>6</td>
<td>Migrants, transients (<em>etiyâ-i sebil</em>)</td>
<td>Owner</td>
<td>Küçük Ahmed</td>
</tr>
<tr>
<td>Soğancıbaşı Hanı</td>
<td>Near Deve Hanı</td>
<td>20</td>
<td>50 seamsters (<em>dikici</em>) and laborers</td>
<td>Inn keeper</td>
<td>Seyyid Mehmed</td>
</tr>
<tr>
<td>Bahçeli Hanı</td>
<td>&quot;</td>
<td>15</td>
<td>4 boot makers with novices; 60 Muslims and <em>zimmis</em></td>
<td>Inn keeper 49k</td>
<td>Mustafa</td>
</tr>
<tr>
<td>Naılıçacı Hanı</td>
<td>&quot;</td>
<td>33</td>
<td>3 Muslims, and <em>zimmi</em> carpenters and laborers</td>
<td>Their <em>odabaşı</em></td>
<td>Yeğen 'Anos</td>
</tr>
<tr>
<td>Muzellem [?] Hanı</td>
<td>&quot;</td>
<td>36</td>
<td>4 Muslims, and <em>zimmi</em> artisans</td>
<td><em>Odabaşı</em></td>
<td></td>
</tr>
<tr>
<td>Deve Hanı</td>
<td>Sultan Mehmed</td>
<td>?</td>
<td>Only travelers come and go</td>
<td>Inn keeper fixed to a <em>kefil</em></td>
<td></td>
</tr>
<tr>
<td>Ömer Agha Hanı</td>
<td>&quot;</td>
<td>9</td>
<td>Transient (<em>etiyâ-i sebil</em>)</td>
<td>&quot;</td>
<td></td>
</tr>
<tr>
<td>Böllükbaşı Hacı Mehmed Hanı</td>
<td>&quot;</td>
<td>44</td>
<td>Leather workers (<em>sarraç</em>)</td>
<td><em>Odabaşı</em> 43k</td>
<td>Mehmed fixed to a solid (<em>kaví</em>) <em>kefil</em></td>
</tr>
<tr>
<td>Bursalı Mehmed Hanı</td>
<td>&quot;</td>
<td>6</td>
<td>Temporary renters (<em>gelir gider kiracı zümresi</em>)</td>
<td><em>Odabaşı</em> 67c</td>
<td>fixed to a <em>kefil</em></td>
</tr>
<tr>
<td>64c Süleyman’ın Koltuk Hanı</td>
<td>&quot;</td>
<td>4</td>
<td>Migrants</td>
<td>Fixed to solid</td>
<td><em>kefils</em></td>
</tr>
<tr>
<td>Hacı Salih Hanı</td>
<td>&quot;</td>
<td>13</td>
<td>Transient (<em>gelir gider müsâfir</em>)</td>
<td><em>Odabaşı</em> fixed to a <em>kefil</em></td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 3.2. Continued

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Rooms</th>
<th>Residents</th>
<th>Vacant</th>
<th>Guarantor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sultan Mehmed Han mosque &amp; environs</td>
<td>Near the mosque</td>
<td>58</td>
<td>10 judges (<em>kuzütdan</em>); 1 <em>bezīrgān</em>; 9 <em>çukadaran</em>; 1 coffee seller; 8 merchants, and 2 others</td>
<td></td>
<td>Inn keeper Osman Agha</td>
</tr>
<tr>
<td>Kireççiler Hanı</td>
<td>Across the mosque</td>
<td>14</td>
<td>Identifiable travelers (<em>ma‘āumū ʾl-ahvāl</em>)</td>
<td></td>
<td>Inn keeper</td>
</tr>
<tr>
<td>Nakib Hanı</td>
<td>Çarşıesi</td>
<td>38</td>
<td>10 judges and 4 <em>salyānecis</em> from Bosnia, 1 <em>bendegān</em>, 5 <em>çukadar</em>, 1 merchant, Delil Bölükbashi and his servant, 1 <em>koltukçu</em></td>
<td>Karabet, the <em>oşkabaşı</em></td>
<td></td>
</tr>
<tr>
<td>Yer Hanı</td>
<td>&quot;</td>
<td>28</td>
<td>5 judges, 3 guests, 6 porters, 10 Bosnian <em>salyānecis</em></td>
<td></td>
<td>Inn keeper Yusuf Agha</td>
</tr>
<tr>
<td>Taşçilər Hanı</td>
<td>Near the mosque</td>
<td>91</td>
<td>20 rooms with painters, plasterers, sewage/drainage diggers (<em>lağıncı</em>), <em>taşçır</em>; 25 rooms with laborers</td>
<td></td>
<td>64c Çorbacı Mehmed Agha</td>
</tr>
<tr>
<td>Emirler Hanı</td>
<td>&quot;</td>
<td>10</td>
<td>Identifiable persons</td>
<td></td>
<td><em>Oşkabaşı</em> fixed to solid kefil</td>
</tr>
<tr>
<td>Toynak Efendi Hanı</td>
<td>&quot;</td>
<td>45</td>
<td>11 rooms with identifiable persons</td>
<td></td>
<td>Inn keeper 2k Hacı Dede</td>
</tr>
<tr>
<td>Taş Han</td>
<td>Boyacılər kapusu</td>
<td>9</td>
<td>All identifiable/reliable persons</td>
<td></td>
<td>Inn keeper Agop fixed to solid kefil</td>
</tr>
<tr>
<td>Nalband Hanı</td>
<td>&quot;</td>
<td>21</td>
<td>4 rooms with judges; 2 with renters; 2 with <em>zimmî</em> oarsmen; 1 with laborers</td>
<td></td>
<td>51k Hacı Seyyid Ismail for all</td>
</tr>
<tr>
<td>Karagümürük environs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bahçeli Hanı</td>
<td>&quot;</td>
<td>19</td>
<td>12 rooms with seamsters</td>
<td></td>
<td>Inn keeper Mustafa fixed to kefil</td>
</tr>
</tbody>
</table>

205
Appendix 3. 2. Continued

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Rooms</th>
<th>Residents</th>
<th>Vacant</th>
<th>Guarantor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Süleyman Agha Hanı</td>
<td>Karagümürük environs</td>
<td>3</td>
<td>Carriage drivers</td>
<td>Inn keeper</td>
<td>Süleyman fixed to kefil</td>
</tr>
<tr>
<td>Ayntabioğlu Hanı</td>
<td>&quot;</td>
<td>4</td>
<td>Renters from Edirne</td>
<td>Inn keeper</td>
<td>fixed to kefil</td>
</tr>
<tr>
<td>Canbaz Hüseyin Hanı</td>
<td>&quot;</td>
<td>8</td>
<td>Various renters; allows no strangers</td>
<td>Inn keeper</td>
<td>fixed to kefil</td>
</tr>
<tr>
<td>Beytülmalcı Hanı</td>
<td>&quot;</td>
<td>7</td>
<td>Various renters; allows no strangers</td>
<td>Inn keeper</td>
<td>Gümüşhaneli Salih fixed to kefil</td>
</tr>
<tr>
<td>Haseki Mustafa Hanı</td>
<td>&quot;</td>
<td>Stable</td>
<td>Ox-cart drivers (öküz arabacılıarı)</td>
<td>Their steward</td>
<td></td>
</tr>
<tr>
<td>Sultan Selim &amp; environs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Çubukçular Hanı</td>
<td>&quot;</td>
<td>37</td>
<td>19 rooms with boatmen (sandalcı) and cotton/wool fluffers (hallâc); masters and novices</td>
<td>Inn keeper 39k Ahmed Beşe for all</td>
<td></td>
</tr>
<tr>
<td>Sultan Selim Hanı</td>
<td>&quot;</td>
<td>Stable</td>
<td>Porters (at ḥammâllari)</td>
<td>Inn keeper</td>
<td>Mehmet</td>
</tr>
<tr>
<td>Eğri Kapu &amp; environs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Şah Sultan Hanı</td>
<td>&quot;</td>
<td></td>
<td>dyers (boyacı) and makers of Jewish shoes (Yaḥüdî pabuṣṭi dikiciler)</td>
<td>Each other (birbirine kefil)</td>
<td></td>
</tr>
<tr>
<td>Beyhan Sultan Hanı</td>
<td>Near Tekfur sarayı</td>
<td></td>
<td>dyers and makers of Jewish shoes</td>
<td>Each other</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 3.2. Continued

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Rooms</th>
<th>Residents</th>
<th>Vacant</th>
<th>Guarantor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gülşucu Hanı</td>
<td>&quot;&quot;</td>
<td>?</td>
<td>Vacant</td>
<td></td>
<td></td>
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<tr>
<td>Emirler Hanı</td>
<td>&quot;&quot;</td>
<td>32</td>
<td>20 rooms with porters, public weighers (keyyālān), tobacco crushers, wood</td>
<td>Their steward</td>
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<td></td>
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<td>choppers etc.</td>
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<tr>
<td>Fener kapusu environs</td>
<td></td>
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<tr>
<td>Halil Pasha Hanı</td>
<td>Çırçır</td>
<td>12</td>
<td>About 30 porters (bārgir ḥammāllāri)</td>
<td>Their steward</td>
<td></td>
</tr>
<tr>
<td>Çırçır Hanı</td>
<td>&quot;&quot;</td>
<td>?</td>
<td>6 water carriers (mahalle sakası), 22 porters (at ḥammālī)</td>
<td>Inn keeper 12c Emin Beşe</td>
<td></td>
</tr>
<tr>
<td>Taş Han</td>
<td>Arabacılar ve Azepler</td>
<td></td>
<td>Burnt down (muḥarrak)</td>
<td></td>
<td></td>
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<tr>
<td>Turşucu Hanı</td>
<td>&quot;&quot;</td>
<td></td>
<td>Burnt down</td>
<td></td>
<td></td>
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<tr>
<td>Odaci Hanı</td>
<td>&quot;&quot;</td>
<td></td>
<td>Burnt down</td>
<td></td>
<td></td>
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<tr>
<td>Pabuççu Hanı and its environs</td>
<td>&quot;&quot;</td>
<td></td>
<td>Burnt down</td>
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<td></td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>872</strong></td>
<td></td>
<td><strong>129</strong></td>
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THE UNIVERSITY OF CHICAGO

REMAKING THE GATE OF FELICITY:
POLICING, SOCIAL CONTROL, AND MIGRATION IN ISTANBUL AT THE
END OF THE EIGHTEENTH CENTURY, 1789-1793

VOLUME TWO

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE DIVISION OF THE HUMANITIES
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

DEPARTMENT OF NEAR EASTERN LANGUAGES AND CIVILIZATIONS

BY

BETÜL BAŞARAN

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CHAPTER 4

PUBLIC ORDER AND THE COURTS:

THE ADMINISTRATION OF JUSTICE IN ISTANBUL

Imperial edicts, registers of important affairs, military police documents, inspection registers and other documents of the central administration provide insights about official policies and means by which the administration under Selim III aimed to maintain public order in Istanbul. However, they do not offer much information on the responses of the inhabitants of the city to a perceived lack of order and security in their surroundings. In this chapter, I introduce the court records (sicilts) of Istanbul in order to examine different issues of public order that arose among the city’s inhabitants and the ways in which such conflicts reached the shari’a courts in the city. I argue that, as far as public order offenses were concerned, judges played mainly the role of facilitator to reach an amicable settlement between the parties to a conflict and were primarily concerned with maintaining social harmony in the community. Residents had significant autonomy in matters of their neighborhood and in determining who was worthy of being a member of their community and who was not in their eyes.
Inspection registers provide significant insights about the city's social fabric at the end of the eighteenth century, as indicated in chapter three: a constant flow of migrants and transients going in and out of the capital city, a powerful Janissary affiliation among the merchants and artisans in various trades, especially the coffee house business, and an apparent effort on the part of the administration to exert control over specific groups by keeping updated records of personal information about members of such groups. What can court records tell us about these dynamics? Do they suggest similar trends? Are the groups in the inspection registers visible in court records? What kind of issues do they bring to courts? What principles guide the courts in handling public order crimes and violations?

The chapter begins with a brief discussion of the use of *sicils* in Ottoman history writing. I then proceed to examine the courts in Istanbul and the way cases were typically handled. Next, is a discussion of various kinds of public order crimes that frequently came before the courts in the city and different groups of people involved, followed by the concluding remarks.

4.1. The Court Records of Istanbul

Court records (*sicil, sicillät* (pl.)) of the shari'a courts (*maṇkeme*) are an important source of information on the administration of justice in the Ottoman Empire. In addition to a variety of legal matters brought before the courts on a
daily basis, imperial orders such as fermāns, buyruldus, and berāts were also copied into the court registers, serving as local public records.\(^1\) Shari'a courts remained the core of the Ottoman Empire's judicial system until the nineteenth-century legal reforms. The records offer a glance into the past experiences of people of various social and economic backgrounds.\(^2\) As scholars have noted, the use of court records in historical research presents some difficulties. What we find in the "sicils" are after-the-fact summaries compiled by the court secretary, in the presence of witnesses. The exact words of the plaintiff, defendant, or witnesses are not present in the records.\(^3\) Thus, what can be derived from the summaries is constructed, therefore incomplete, as the court record was the product of a process that was most likely to be more complicated and controversial than what is reflected in the summaries. Furthermore, negotiations

\(^1\) Iris Agmon (2004). "Women's History and Ottoman Sharia Court Records: Shifting Perspectives in Social History." *Hawwa* 2/2: 172-209, p. 175. Agmon's article is the most recent and comprehensive discussion of the literature on Middle Eastern women's histories based on the use of shari'a court records and outlines the developments and methodological changes in the field since the 1970s. See also *idem* (2006). *Family and Court: Legal Culture and Modernity in Late Ottoman Palestine.* Syracuse, New York: Syracuse University Press, pp. 40-46 on the use of court records and various trends in history writing. A critique of the use of court records in writing the social history of the Middle East can be found in Dror Ze'evi (1998). "The Use of Ottoman Shari'a Court Records as a Source for Middle Eastern Social History: A Reappraisal." *Islamic Law and Society* 5: 35-56, which is also discussed in Agmon (2004).


which may have taken place outside the court were not part of the written record.⁴ In most cases, the court focused only on what was legally relevant.⁵

Historians of the Middle East have utilized court records in writing social, economic, and regional histories. However, the use of court records in history-writing present some methodological problems. There has been a general tendency to use these sources as a gold mine without contextualizing them, and "scholars have lagged behind in reading these sources intertextually, that is, with reference to fatwa collections, shari'ah manuals, and the legal production of the state."⁶ In her recent monograph based on shari'ah court records of sixteenth-century Aintab, Leslie Peirce focuses on the court as "an arena in which law is interpreted and reproduced by the interaction between the judge that represented the Ottoman state and the local inhabitants who brought their affairs to court."⁷ Thus, she makes an emphasis on law as process as opposed to law as "normative prescription or administrative structure."⁸ Peirce's work demonstrates that the court of Aintab was often a stage for conflicting interests that could not be

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resolved based on a single legal rule, or even a combination of rules. In such cases, the main goal for the judge "appeared to be the preservation of social order, and the guiding principle the assumption that the harmony of the community superseded any narrow particular right."  

Scholarly works utilizing the court records of various towns and cities within the Ottoman realm have increased significantly over the past few decades. Studies based on the court records of Istanbul have mostly focused on Üsküdar, Galata and Eyüp. I rely on the records of the courts of the judge

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9 Ibid., pp. 6-7.


and the deputy judge of inner Istanbul (İstanbul maṅkemesi and Bāb maṅkemesi) between the years 1789 and 1793 in order to allow comparison. I focus primarily on the kinds of public order crimes that the inhabitants of the city brought to the courts for resolution.

4.2. **Administration of Justice in the Courts of Istanbul**

The greater Istanbul area comprised of four administrative districts including inner Istanbul, and the townships (każa) of Galata (Maṅrūse-i Galaţa), Üsküdar (Medīne-i Üskūdar) and Eyūb (Haşlar or Havāş-i Reft'a). Each township had its separate courts, judges, and deputy judges (nā'ibs). The judge of Istanbul had jurisdiction over the areas within the walled city. Matters involving various artisanal groups and their grievances were typically handled by the courts of inner Istanbul.\(^{12}\)

Each township had various courts and their numbers varied according to need and population. İnalcık writes that in the sixteenth century Istanbul had five courts and that this number increased eventually.\(^{13}\) Locations for the courts were


\(^{13}\) “Mahkama.” *Ef²*, CD-Rom version.
chosen for easy access, usually in the bazaar or a mosque. For example, the Davud Paşa mosque had a court set up in its courtyard\textsuperscript{14} and the court of the judge of Galata was near the Arap Cami\textsuperscript{15}. Residents were free to go to any court in a given township to resolve conflicts.

A number of deputy judges assisted judges depending on the size of the court. The judge of inner Istanbul enjoyed higher status and respect because of his proximity to the imperial palace, his jurisdiction over central business districts and matters of common concern for artisans in the larger Istanbul area.\textsuperscript{16} The deputy judge of Istanbul (bāb nāʾībi) had a separate court called Bāb Maḥkemesi.\textsuperscript{17} In addition, the judge of Istanbul appointed a number of other deputies to be in charge of certain areas or particular goods in the marketplaces. Among these were the ayak nāʾībi who walked through the bazaars and handled conflicts among artisans, the keşif nāʾībi who personally went to hear complaints involving property rights, building permits, and the like. The court records suggest that in some cases the judge sent a deputy to hear complaints in a particular neighborhood. For example, when a group of male and female residents complained about a Sufi lodge in their neighborhood near Avretpazarı,

\textsuperscript{14} Ibid.


\textsuperscript{17} Pakalın, I: 142.
the judge sent his chief messenger (mürselbaşı) secretary Ahmed Efendi to set up a court in the court yard of the Hobyar mosque to hear the case. There were also individual deputies who inspected the handling of such basic goods as oil, flour, and candles according to set regulations and heard relevant complaints.

The judge also had in his service secretaries/scribes (kâtibs), an acting trustee (mağkeme emini), and muhârs who acted as court police. In her study on the significance of Istanbul’s court records for the study of daily life, Seng writes that the scribes were usually appointed to the courts as part of their medrese training. As part of the usual practice, the scribes formally transcribed the original notes of the judge into the ledger with their legal certifications and witnessing clauses.

According to the late eighteenth-century records, defendants were summoned and brought to court by ushers (mubâşir), who also delivered the report (i’lâm) of the judge to the imperial council at the conclusion of the case when necessary. In the records of Istanbul between 1789 and 1793, all of the ushers carried the title of Beşe in addition to other titles based on their occupation.

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18 Istanbul Mahkemesi (IM) 62: 69/3 (3 Zilhicce 1208).

19 Uzunçarşılı (1957), p. 32; “Mahkama.” El

20 “Mahkama.” El


For example, Mumcu Süleyman Beşe, Mumcu Feyzullah Beşe, Kolukçu Esseyid Ali Beşe, Kolukçu Elhac Mahmud, Mumcu Halil Beşe, Mumcu Ahmed Beşe, Sucu Mehmed Beşe, and so on. The title beşe suggests that they were registered as Janissaries at some point in their life or affiliated with the corps in some way or other. Several ushers were in the service of the court, although the exact number is unclear.

Typically, the judges would hear complaints brought before the court in their own residences. According to İnalçik, the courts usually had their own premises in the eighteenth century; however, he does not specify any locations. Faroqhi discusses and incident that took place during the eighteenth century involving a group of armed villagers who attacked and set on fire the courthouse in Çal, in the province of Kütahya. Regarding the court of Istanbul, Uzunçarşılı writes that not having a fixed location was inconvenient for the inhabitants and that the situation was remedied in 1836, when the court of the judge of Istanbul was permanently moved into the office of the Şeyhülislam (Bāb-i Meşihat).

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23 For example, IBM 309: 5/6 (1206), 9/2 (1206), 16/3 (1206), 19/3 (1206); IM 59: 51/4 (1205), 59/2 (1206), 94/3 (1206).


25 “Mahkama.” El².


27 Ergin, I: 287.
my own research, I have not been able to determine the location of the courts whose records I have read. İşık Tamdoğan, who works on the eighteenth-century court records of Üsküdar, has had the same experience.\textsuperscript{28} However, although the exact location is unclear, one could hypothesize that some kind of a department where the records of the court were kept already existed in the eighteenth century.

The authority of the judge derived directly from the sultan and once dismissed, he had no authority to issue any documents. In addition to enforcing the Hanafi law based on the shari‘a, the judge also enforced state-legislated \textit{kânûn}, other imperial decrees and customary law, such as in matters concerning guilds.\textsuperscript{29} Gerber observes that the judge and his court were elevated to the status of a major bureaucratic cornerstone of the Ottoman political-administrative system and that the judge became one of the most important functionaries in the system, along with his judicial responsibilities.\textsuperscript{30} One should keep in mind that administrative orders were sent both to the judge and executive officials. In such cases, the judge’s main role was to oversee the proper and legitimate implementation of the imperial orders.

\textsuperscript{28} Personal correspondence.

\textsuperscript{29} Gerber (1994), especially Chapter 4.

According to Ottoman law codes (kânûnnames), members of the executive class (ehl-i őrf) did not have the authority to punish a person or inflict fines on anyone without the prior decision of the judge.\textsuperscript{31} Even if someone was arrested as a suspect, he or she eventually had to be brought before the judge. In some cases, suspects could be held in confinement for as long as one month without seeing the judge to allow time for investigation.\textsuperscript{32} There is also some evidence suggesting that those who were unlawfully arrested could appeal to the judge for the realization of justice. Indeed, a man who was accused of murder in the spring of 1617 rejected the charges when brought before the judge of Galata, who gave the plaintiff fifteen days to produce evidence and decided for the detention of the suspect in the meantime. However, at the end of the fifteen-day period the man was set free due to lack of evidence.\textsuperscript{33} In some cases, the judge submitted the case to the attention of the sultan who could decide for the release of the detainees while requiring them to show trustworthy guarantors.\textsuperscript{34}

\textsuperscript{31} Article 50 in the kânûnname of Yavuz Sultan Selim, and article 65 in kânûn-i ʿOğlanı of Süleyman I; Ahmed Akgündüz (1990-96). Osmanlı Kanunnameleri ve Hukuki Tahilleri. İstanbul, III: 94 and IV: 305. See also “Mahkama,” El. For a discussion of the role of the ehl-i őrf in punishment in sixteenth-century Aintab, see Peirce (2003), Chapter 8, pp. 311-350.


\textsuperscript{34} For an example from the seventeenth century, see MD 3: 308-309/682, MD 4: 16/119, 22/235.
principle, individuals who were recognized by their communities as law-abiding citizens (kendi ḥālinde) could not be arrested unless they were found guilty in court. There were conflicting opinions among jurists about arresting unidentified people; however, most were in favor of it based on the tradition (sunna) of the prophet Muhammed.\(^{35}\) Finally, those who were known to have committed previous crimes, or were likely to commit one for certain reasons (müttehem, mazanne), could be arrested prior to trial in court. In such cases, the reputation of the suspect in the community became extremely important since it determined the likelihood of the person to have committed a crime. Cases involving repeated criminal acts by the same person or habitual offenders (sāi bi’l-fesād) require special attention as this concept plays a crucial role in public order crimes. I will return to this subject later in the chapter.

### 4.2.1. The Courts and their Proceedings

A typical case started with a complaint or reporting of a crime to the court or the executive authorities (ehl-i örf). There was no single office of a public prosecutor in Ottoman legal practice.\(^{36}\) The military police and public officials had the duty of acting like public prosecutors of some sort. Heyd’s findings

\(^{35}\) Akman, p. 107. This was based on the example of the Prophet Muhammad who had an unidentified (mechūl) suspect detained until he was tried in court.

\(^{36}\) Heyd, p. 242.
imply that during the sixteenth century a variety of officials, such as the şubaşı, ʿasesbaşı, a military officer, a tax farmer, the market inspector, or an imam could bring criminal action to the courts. However, based on seventeenth-century Bursa court records, Gerber observes that only the şubaşı acted as public prosecutor and brought to the court’s attention both sharī‘i and administrative cases.37 According to D’Ohsson, during the eighteenth century anyone could have a person arrested for the purpose of bringing them to court by crying out ‘I have a legal claim against him’. In such a case, any watchman would be obliged to take the accused person to the nearest [military] police officer, for a payment of 12 para. The officer would hand the parties involved to the court authorities after an interrogation.38 The court records of inner Istanbul at the end of the eighteenth century show that parties to a conflict were brought to court only by ushers (mübâşirs).

The deputy judges usually carried out the necessary investigation or interrogations about cases brought to the court and recorded their findings in investigation registers (taḥkīkāt maʿrūz defterleri).39 In cases such as murder or serious injury, they went to the crime scene to inquire about the individuals in

38 D’Ohsson, III: 214.
39 Akman, p. 113.
question. The judge could also send the chief messenger (mürelə başı) to go to a location and inquire about a complaint or crime, sometimes with the help of experts such as the chief architect (mi'mär başı) for cases involving disputes over buildings.\footnote{For example, İstanbul Mahkemesi (henceforth IM) 59: 4/4 (1205), 4/5 (1205), 40/4 (1205), 44/2 (1205), 84/2 (1207); IM 62: 69/3 (1208); 75/4 (1208).}

A case hearing in court started with a claim (da'vā). After the plaintiff presented the claim to the court, the defendant either admitted the accusation (i'kār) and agreed on a settlement, in which case the suit ended with the parties agreeing on a settlement, or denied it (inkār) and demanded proof (beynine).\footnote{Gerber (1994), p. 30; Akman, pp. 114-115.} In the latter case, the plaintiff usually brought witnesses to court, whose names were registered into the record. If the plaintiff could not present witnesses or evidence, the defendant could be offered the oath (tahfi).\footnote{For example, IM 62: 9/3 (1208), İstanbul Bab Mahkemesi (henceforth IBM) 309: 5/3 (1206), 9/4 (1206), 9/6 (1206).} Taking the oath would clear the charges against the defendant. In many cases, lack of evidence was enough to establish innocence and the oath was not necessary. However, if the defendant

\footnote{\textquotedblleft...
mezbur yerin ahvalin tefahhus için mahall-i mezbura varulub ahali-yi mahalleden istifsar olundukda...	extquotedblright; Akman, pp. 113-114, f. 51.}
refused (*nükta*) to take the oath, it was assumed that he/she accepted the charges.\(^{44}\)

At the end of the trial the judge gave his ruling. If the defendant was guilty the ruling was referred to as deserving judgement (*kaža-i istihkâk*), and it was recorded in the court records with the formulation “after decision” (*ba' de'l-hükm*) or “after decision and notification/admonition” (*ba' de'l-hükm ve't-tenbîh*) implying that the judge had reached a decision regarding the case. If the plaintiff failed to prove his/her case, then the ruling was called released of judgement (*kaža-i terk*) and this indicated that the defendant was acquitted. This kind of ruling was usually recorded in the registers with the phrase “acquitted due to lack of evidence” (*bilâ beyine bi-vech-i mu'ârazadan men'ölündu*).\(^{45}\)

If acquitted, a defendant could be required to provide one or more guarantors (*kefil bi'n-nefs*) who made themselves responsible for the defendant’s appearance in court whenever summoned. Heyd provides examples of this kind of guarantors from the records of Üsküdar prior to the seventeenth century.\(^{46}\) However, I have not come across any such examples in the records of Istanbul between 1789 and 1793. The judge sentenced the defender to chastisement

\(^{44}\) Akman, p. 115. All of the court records listed in footnote 41 end with this clause, since the defendants took the oath and proved innocent, or the oath was not necessary.

\(^{45}\) See the cases in footnote 41 above. Akman, pp. 115-116.

\(^{46}\) Heyd, p. 254, f. 2.
(taʿzir) if found guilty of certain offences, but generally the number of lashes to be administered or the amount of fines (if there were any) were not specified in the records. According to research based on fifteenth and sixteenth-century sicils, the judge established the facts in criminal cases but did not give a ruling or specify punishment.\(^{47}\) However, according to the seventeenth-century records of Bursa, the judge delivered the verdict, almost without exception.\(^{48}\) One reason the judge did not always determine the appropriate punishment for a case was that in some cases, including matters of public interest (maṣlaḥa) and the protection of the servants of God (teʿmīn-i ʿibādullah), the court submitted in a report (iʿlām) the established facts about the case to the sultan, whose imperial decree on the matter determined the final outcome of the case.\(^{49}\) Many of these reports were most likely received by the Grand Vizier or the senior judge (każasker, każasker) of Rumelia, who were authorized to order (by a buyruldu) the release of imperial orders in the name of the sultan.\(^{50}\)


\(^{49}\) Heyd, p. 255-257.

\(^{50}\) Ibid., p. 256.
The sicils suggest that parties in a conflict often reached an agreement on compensations outside of the court. The court records do not tell us much about the negotiation process; however, we are able to identify such cases since the parties went back to the judge and have the terms of their agreement officially registered. These cases have the expression “bā-tavassuf-1 muşlıhın” (by mediation of conciliators) added into the record.\footnote{51}{For example, IM 62: 36/3 (1208); IBM 309: 5/5 (1206), 57/6 (1207); IM 59: 84/2 (1206), 85/2 (1206); 86/2 (1206), 94/3 (1206).}

4.2.2. Habitual Criminals: Special Case of sā‘i bi‘l-šeşād

Related to the concepts of maşlağa and maşsada was the law concerning “disturbers of the peace” or “evil-doers” (ehl-i šeşād). According to the law book of Süleyman the Magnificent,

“if a person is a disturber of the peace [who] is always engaged in mischievous acts and [whom] the Muslims tell to his face that they do not consider him a law-abiding person, the cadı and the subaşı shall take no part [in the proceedings against him]. The person who is entrusted with [the infliction of capital or severe corporal] punishment and [the execution of] the [Sultan’s] order [to impose such penalty] shall punish [him].”\footnote{52}{Heyd, p. 130. “der beyân-ı ehl-i şesād: eger bir kişi ehl-i şesād olsa daima yaramaz işlerde bulunsa Müslümanlar yüzüne karşı biz bunu [hrı] (hayırlı) bitmeziz deseler kâyi ve subaşı aradan çıkarlar, elinde siyāset ve yasak konulan kimesne hakkından gele.” Ibid., p. 92.}
As mentioned earlier, the Ottoman sultan, as the “fountain-head of the order or of the reform of the world” (sebeb-i nizām-i ‘ālem or sebeb-i iślāh-i ‘ālem) had wide discretion in matters of protection of public interest (maslaha) and of the people (siyāneten li ’l-‘ibād), preservation of public order (nizām-i memleket, emn-i bilād), and deterrent example to others (‘ibreten li ’s-sā‘irīn). Fatwas from the first half of the eighteenth century indicate that criminals whose offenses were not capital could be executed if it were proven, in accordance with the shari‘a, that they were in the habit of repeatedly committing (‘ādet-i müstemirre) those crimes.\textsuperscript{53} Such cases came under the category of “fomenter of corruption in the world,” sā‘i bi ’l-fesād or sā‘in fi ’l-arḍ bi ’l-fasād.\textsuperscript{54}

In the Qur’an, this concept appears only in connection with highway robbery (5:32/37), but in its application in the Ottoman context it applied to a variety of public offenses, whatever the nature, provided that they were habitual.\textsuperscript{55} Gerber relates this to “the development of a burgeoning concept of criminal record” in Bursa in the seventeenth century, based on “the witness of a long line


\textsuperscript{54} Heyd, p. 195.

\textsuperscript{55} Gerber (1998) gives Menage the credit for his edition of Heyd for making the observation that the Ottomans broadened the original concept; see p. 73. For examples of fatwas and imperial decrees making use of the concept of habitual criminals, see the documents published in Mumcu (1963) and examples from the Istanbul sicils I cite below.
of trustworthy Muslims." As I will discuss later in the chapter, determination of the habitualness of public order crimes was an important factor in banishments from Istanbul neighborhoods at the end of the eighteenth century. In addition to emphasizing the significant role of community relations in the legal process, the concept of habitual offenses also raises the question of how habitualness was established. Istanbul's court records demonstrate that the witness of non-Muslim subjects of the empire were also accepted in determining the habitual nature of criminals and disturbers of the peace. There is also evidence that suggests written documents were used as criminal records in the fifteenth and sixteenth centuries. The legal certificates (hüccets) issued by the courts also served as a kind of proof of one's criminal past, töhmet-i sâbiḳa. Akman writes that it was possible to check a person's previous deeds based on the information in the so called registers of criminals (mücrim defterleri), copies of which were stored in Istanbul. According to the court records of inner Istanbul for the period under consideration, the judge determined an individual's standing as trustworthy/law-abiding (kendi ḥālinde), unrecognized/or questionable (mechūl), or disturber of peace (ehl-i fesād, müfsid, or sāʿi bil-fesād) based only on the statements of Muslim and non-Muslim witnesses.


57 Heyd, p. 255.

58 MD 12/1: 116/147; MD 3: 664/1535; 681/1576; and MD 10: 237/366.
4.2.3. Dīvān-i Hūmāyūn as Court of Appeal

According to Islamic jurisprudence, a judge’s ruling could not be overruled by another court in principle, although there was room for review under certain circumstances. In Ottoman practice, a party who was not satisfied by the ruling of the judge’s court and could claim that an injustice had resulted from the ruling in question could appeal for a review of his/her case to the Imperial Council, which functioned as a high court of sorts, among its other duties. One of the senior judges, who were regular members of the Imperial Council would hear the case or might send it to another judge for review. Their decision would be in the form of a recommendation to the sultan and would call for his (mostly routine) ratification. Since judges derived their authority directly from the sultan, this referral, formally a decree, was not understood to be a breach of the original judge’s authority.⁵⁹ Even though in most cases the sultan did not see the appeals personally, petitioners submitted their cases to the Imperial Council and the senior judges thereof, because the council represented the sultan and exercised the authority he delegated to it, and on the assumption that he would not allow injustice to be inflicted on his subjects.

As mentioned in chapter two, one way of bringing cases to the attention of the sultan was submitting petitions during Friday prayer processions and other public appearances. Those who took their cases to the Imperial Council in person

had to wait outside the council chamber known as the kubbe altı (under the dome) until the chief halberdier/ pursuivant (çavuşbaşı) led them inside. The secretaries (tezkireciler) presented the petitions and complaints to the Grand Vizier, who heard the (purely) administrative petitions himself and referred those in legal (ser'i and kânûnî) nature to the senior judge (kâzasker) of Rumelia. Senior judges, like judges, adjudicated both decrees and laws based on custom (örfi) and ser'i cases proper at their courts. Those who could not physically be present could send their petitions to Istanbul through a representative or an agent. Records of the imperial council indicate that cases of both ser'i and örfi nature came to the attention of the council.

The çavuşbaşı had a significant role in the handling of complaints at the imperial council. Also called the master of the Imperial Council (divân beyi), he was the first official to examine the petitions submitted to the council. In his capacity as an assistant to the grand vizier in matters of public order and security, the çavuşbaşı was responsible for the execution of judicial rulings, as well as the correspondence regarding complaints from the provinces. For example, a

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61 Akman, pp. 126-127.

62 For example, Mumcu (1986), p. 98, f. 117.

request from Selim III for expediting the handling of cases in courts was addressed to the çavuşbaşı, as well as the judges.\footnote{HH 9365 (1204/1789-1790).}

The handling of a case at the imperial council did not always indicate that the council convened to hear cases. Unlike the kâzî courts, parties to a dispute, their legal representatives or witnesses did not have to be present at the Diwan-i Humâyûn. This was especially the case for appeals from outside of Istanbul. In such cases, the council might ask the local judge for additional information, ask the judge to hear the case again if there was some discrepancy in the information on which the first decision was based, or ask the judge next up in the hierarchy in the area to hear the case again and report the result to Istanbul. Istanbul would normally approve the judge’s suggestion and announce it as final. However, a case might also require a hearing by one of the judges of the Imperial Council before a final decision. The ruling emanating from the Imperial Council was final. The çavuşbaşı saw to the execution of the council’s decision immediately if the parties were present at the council. Otherwise, the local judge and administrators received a decree requiring the immediate execution of the council’s ruling on the case.\footnote{“Diwan-i Humâyûn.” EI, CD-Rom version; Akman, pp. 106-107.}
4.3. Public Order in the Court Records of Istanbul

In this section, I will present an overview of the different kinds of conflicts involving public order, which came before the court between 1789 and 1793 in inner Istanbul. All of the cases discussed below are cases in which the judge or the deputy judge submitted in a notification (i’lām) the facts established in court to the Imperial Council for approval and issue of an imperial order.66 This was the standard procedure especially in Istanbul where the judges referred matters of public order (nizām-i memleket) directly to the Imperial Council, whereas in the provinces judges forwarded their notifications to the local executive officials, who were the governors in charge of military and serious penal affairs (ḫūkkām-i seyf ve siyāsa).67

4.3.1. Expulsion from the Neighborhood

At the end of the eighteenth century, the most common kind of case brought before the court regarding the disruption of public order and peace

66 These registers are catalogued as “išāmāt”. I have focused on registers 59, 61, and 62 from the court of inner Istanbul (İstanbul Mahkemesi) and register 309 from the court of the deputy judge of Istanbul (İstanbul Bab Mahkemesi) all of which include records of cases that occurred between 1789 and 1793. I chose these particular registers, because I wanted to explore issues of public order, which required the sultan’s attention and were more likely to be recorded in “išāmāt” records. I did not read other volumes that comprised different kinds of records such as inheritance records (kassam) and title-deeds (ḥāccet).

67 Peters (2005), pp. 76-79.
involved petitions by members of a certain neighborhood requesting the expulsion of certain other residents. The banishment of undesirable persons, such as criminals or prostitutes, based on the group testimony of trustworthy residents was by origin a shari'a law. As Gerber points out, this is an example of a shari'a based law which can also be found in the imperial law codes. Article 124 of the Ottoman criminal code states:

"Furthermore, if the community of his (or her) quarter or of his (or her) village complains that a person is a criminal or a harlot and, saying 'He (or she) is not fit [to live with us]', rejects him (or her), and if that person has in fact a notoriously bad reputation among the people, he (or she) shall be banished, i.e. ejected from his (or her) quarter or village. And if he (or she) is not accepted also in the place to which he (or she) moves, he (or she) shall be expelled from the town [altogether]. But [action] shall be suspended a few days to [see how things turn out]. If that person repents his (or her) former misdeeds and [henceforth] leads a righteous life, very well. If not, he (or she) shall be ejected from there too and be definitively expelled; he (or she) will leave the town and go away."\(^{70}\)

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70 Heyd, p. 130. The Ottoman text reads: "ve dahi bir kimesne ğursuzdur veya/hud kocadır deyü mażallesı veya karesi cemâ'ati şikâyet edüb bize gerekmez deyü redd etseler vâka an töhmet dahi ol kimesneniň (üzere) beyne 'n-nâs ma'rüf olsa mażallesinden veya karesinden nefy edüb ya'ni redd edeler. Ve eğer vardırıği yerde dahi kabül etmeyeler şehrinden süreler, amma bir kaç tevek̄şaf edeler ta ki ol kimesne evvelki yaramaziğa tövbe edüb şalâh üzerine olursa hoş, ve illâ andan dahi redd edüb bi 'l-kûllîye (süreler) şehrinden çıka gide." See ibid., p. 92. Some manuscripts of the law code include in the margins the phrase 'banishing is prohibited; what is required by the shari'a shall be carried out.
According to the court records, undesirable residents who “did not mind their business and live a righteous life” (kendi hâlinde ve 'irâzyla mukayyed olmayan) frequently included single or divorced women, women and their families, religious leaders and local officials, as well as migrants. Based on frequency in the sicils, women seem to be particularly vulnerable to such complaints. Muslim and non-Muslim women alike were brought before the court as a result of petitions from their communities, especially if they were on their own. In many cases members of the community submitted a complaint against entire households, in which women were allegedly the main cause of mischief.

A typical complaint to the court can be summarized as follows:
At the beginning was a list of the names of plaintiffs/petitioners who appeared before the court. This group often included the religious leaders of the neighborhood such as the imam and the muezzin, respectable members of the community often holding honorary titles like seyyid, efendi, el-hâc, as well as common Janissary titles such as beşeh and böyükbaşi. Women also appeared among the petitioners.\textsuperscript{71} Petitioners filed a collective complaint with the court and requested that the defendant(s) be banished from their neighborhood. Their group testimony constituted the most significant evidence in accordance with the requirements of Islamic jurisprudence (fiqh). The defendant women were usually present at court and the petitioners presented their case to the judge in the

\textsuperscript{71} For example, IM 62: 33/3 (12 Čemâziyelâhîr 1208); IBM 309: 25/2 (gurre-i Muĥarrem 1207).
presence of the defendants or their agents (vekils). After the plaintiffs explained
their case, the judge asked the defendant for a response. In most cases recorded in
the court records, the accused settled an agreement with the petitioners, assuring
(ta'ahhid) that he/she would leave the neighborhood within a certain number of
days. This implies that the parties involved had most likely reached a settlement
(sulh or musalahta) outside the court or possibly after the plaintiff pressed charges,
but failed to prove it by the stringent standards of hudud crimes in Islamic
jurisprudence.72 The settlement often involved conciliators (bā-tavassut-i
mušlihīn or mušlihīnun tavassutıyla) and the parties had to bring the terms of the
settlement to the judge's attention to be duly registered in the records so that the
agreement would become legally enforceable.73

In cases involving banishment from a neighborhood, the complaints
regarding the accused included being disruptive and dishonest [not virtuous if
referring to a woman] (kendi halinde ve 'irzyla mukeyyed olmama), verbal
harassment with offensive language contrary to the shari'a (hilaf-i şer-i şerif
kelimāt ile ta'ciz ve tekdır; dil-azār ve bed-zebān), receiving unidentified men and
women in their residences (mechulā'l-ahvāl ricāl ve nisvān duhūl ve hurūc ile),

72 Hadd, pl. hudūd crimes were those offenses specified in the Qur'an as
violations of the claims of God (huquq Allāh) comprising theft, banditry, unlawful sexual
intercourse, slander, drinking alcohol, and apostasy (according to some schools of
jurisprudence). These ordinances were essentially regarded as crimes against God and
fixed penalties for these crimes were laid down in the shari'a. See Peters, p. 7.

73 See Peters, pp. 57-68; Heyd, pp. 247-48; Akman, pp. 116-117.
disregarding multiple warnings (*bi'd-*defaʾat tenbh; *defaʾat ile pend ü naṣhata ṭağmen aklanmayub ef'Re al-i şeni'alarinda iṣrār*) and having made such misdeeds a habit (*ʿādet-i müstemirresi olub*). In all of these cases, the accused allegedly disrupted peace and security in the neighborhood (*emni ü rāḥatımız kalmamışdır*) and broke the community’s trust (*bi'l-külliye emniyetımız meslūb olmuşdur*).

### 4.3.1.1. Undesirable Women and their Families

A group of male and female residents of the neighborhood of Ali Fakih gathered under the leadership of the neighborhood imam and muezzin and appeared before the court to complain about one of their fellow residents, Fatma Hatun. The usher Mumcu Ahmed Beše brought Fatma to the court. In the court meeting, the complainants accused Fatma of being disruptive and immoral; she was in the habit of hosting unidentified men in her house and was in fact caught with them [indecently] more than once. The group demanded that Fatma Hatun be banished on grounds that they had no safety or peace in the neighborhood. When the judge asked Fatma to respond to the allegations, she reassured the court that she would leave within a day after the court meeting, upon which the group withdrew the complaint.  

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Maʿrūz: İstanbul'da Koca Muṣṭafa Paşa kurbunda 'Ali Fakih maḥallesı imamı İsma'īl Efendi, müezzini Molla Meḥmed Emīn ve eḥāl-i maḥalleden yazıcı ʿOsman Efendi ve Meḥmed Reşid Ağa ve İbrāhīm Beşe ve Meḥmed Emīn ve Hasan Beşeve Esseyyid Māsā ve Meḥmed Beşe ve Hüseyin Beše ile nisvändan Emine ve 'Āyse ve diğer Emine ve sâ'îrleri İstanbul Bah maḥḳemesinde Mumcu Ahmmed Beşe
In another case involving a certain Salih, his wife Ayşe, and their daughter Emine, the imam of Mimar Kemaleddin neighborhood near Koska, and a group of beşes and bostānīs claimed in court that this family was disruptive of the peace of the neighborhood and immoral; unidentified men repeatedly entered their dwelling and they had not changed their behavior despite multiple warnings. Furthermore, they claimed that Ayşe and Emine had been caught [indecently] with unidentified men and were at the time under custody. After hearing the complaints, Salih who was present at court, divorced Ayşe by uttering the triple divorce formula in her absence and assured the court that he would leave the neighborhood in ten days taking both women with him. The plaintiffs were satisfied and withdrew their complaint.

75 "Ma'rūz: Eşhb-ı 'arzuğal İstanbul'da Koska kūrbunda Mi'mār Kemāleddin maḥallesı imami Hāfiz Esseyyīd Elhāc Meḥmed Efendi ve ehlī-i maḥalleden Hüseyin Efendi, Muşṭafa ve Halīl Beşe ve Elhāc Zekeriyā ve Esseyyīd Alīmed ve Bostānī İbrāhīm Ağā ve Alīmed ve Śuleymān ve Esseyyīd İbrāhīm ve diğer Elhāc Alīmed ve Bilāl ve Simkēş Esseyyīd 'Ali ve sā'ırıleri Bāb maḥkemesinde meclis-i şer'de derūn-i 'arzuğalı isimleri mezkūr Sa'atı Şālih bin Meḥmed mūvācehesinde mezbūr Sa'atı Şālih ve gā'ibān 'an emlēlis zevesi 'Āyē ve kizi Emine maḥalamızıden olub, lakin kendi hāllerinde ve 'irāzerya muḵayyedeler olmayub menziline alwāli nā-mā lūm rīcāl duālūl ve ĥurūc etmekle mezbūr Sa'atı Şālih bi-d-defa'ât tenbīh eylediğizimiz mütenebbih olmadiğindan mā'adə, bu egnāda zevesi mezkūr 'Āyē ve kizi Emine mezhūlī l-alwāl kimesneler ile başlıub ḥalā Ağa kūpāunda maḥbūser olmağla, ol vechle mezbūrānuñ
The apparent lack of a standard procedure in court regarding the time allowed for the relocation of undesirable residents supports the idea that the amicable arrangement reached in court, or as a result of settlement outside the court, was negotiated mainly by the parties to the conflict, as opposed to a direct ruling by judge. Theoretically, the judge would handle this case as one of adultery which would entail severe punishment if the complainants were able to prove their claims. If they failed to do so, the judge would punish the complainants for false accusation. The divorce that took place in the court and the agreement that the parties reached practically resolved these more serious legal issues. That the parties reached an agreement that entailed Salih to take his ex-wife and daughter with him demonstrates this practical aspect and the accommodational nature of court process.

As the examples above demonstrate, the number of days the parties agreed on could vary. For example, the situation must have been quite unpleasant for the above-mentioned Fatma Hatun, so that she agreed to leave in a day. This may suggest that the conflict had been going on for a while before Fatma finally

 harekât-i reddiyelerinden emn ü râhatımız yokdur deyib bi 'l-muvâcehe sâ'i şâllerini ībâr ve maḥalle-i mezbûreden hürûcuni iltimâs eyelediklerinde, mezbûr Sa'ātî Şâlih [ve] zevcesi 'Āyseyi talâk-i gelâge ile tațîk ve fîmâba ad maḥalle-i mezbûrede sâkin olmayub târîh-i i'lâmîdan on gün temâmna dek âhâr maḥalle mezbûretân ile āširîca ta'ahhûd eyeledikde ehâli-i merkâmân dâji râzîlar olub, bu vechle kat'-i nizâ' eyeledikleri ızâr-i 'alîlerine i'lâm olundu. Fî 16 Zîlîka'de 1206." IBM 309: 15/1.
agreed to leave. In some rare cases, there could be no mention of when the
defendant was to leave the neighborhood. For example, Muslim and non-Muslim
inhabitants of the Tevkii Cafer neighborhood near Çarşamba Pazari gathered
under the leadership of the imam and complained to the court about a non-Muslim
couple and their son. They claimed that they were disturbers of the peace in the
neighborhood and that the woman was being held in custody for being caught
with unidentified men. The group demanded the expulsion of the three people
immediately, as they had no safety or comfort in the neighborhood. Their petition
was sent to the imperial council for the issue of an imperial order demanding that
they leave immediately. The record is almost identical in its wording with other
cases of banishment; however, there is no mention of how many days the family
should take to relocate. One could speculate that the accused did not accept the

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76 In another example, in Sinanpaşa a certain barber Derviş Mehmed and his wife
were taken to court by a group of nominal janissaries, as well as the imam and muezzin
of the neighborhood. They agreed to leave in five days; IBM 309: 16/3 (22 Zilika'de
1206). See also IBM 309: 21/1 (17 Zilhicce 1206).

77 “Ma'rūz: İstanbul'da Çehārşanbe pazari kurbunda Tevkī'i Cafer maḥallesı
imam Hāfiz 'Ali Efendi ve ehāli-i maḥallesden ... ve zimmilerden ... ve civārında vâkı’
Beyçeğiz maḥallesı imam Hāfiz 'Omer Efendi ve ehālisinden ... ve sâ'irleri İstanbul Bāb
maḳkemesine Mumcu İbrâhîm Beşe mubāsheretyle ihzâr ettirdikleri sâlifüz-zikr Tevkī'i
Cafer maḥallesı ehālisinden şaḥs-i ma'rīfe olan aşâtic zevcesi Gûl bint-i (?) ve kebîr oğlu
İstavri veled-i Nikâla muvâcehelerinde mezbûrân maḥâllimiz ehālisinden olub lakin
kendi hållerinde 'râdâryla muẖâyyedeler olmayub menziline meḫûlû l-âhval ricâl ve
nîsânın duḫâl ve ḥûrûc edub ḥatta iṣbu târîh-i i'läm gecesi iṣbu Marya naṣrânîyeyi
meχûlû l-âhval ricâl ile baṣâb ve Ağa kâpusuna iṣrâl olunub ol veche mersûme Gûl ve
oğlu İstavri den bir dûrû emîn â rahâtumuz yokdâr deyu bi'l-muvâcehe tehêkki birle
maḥâlle-i mezbûrânın mûsûme Gûl ve oğlu İstavri ve Marya'nîn ḥûrûcûlûn ilûtimâs
eyledikleri mûhâṣir-i mezkûr ilûtimâsyla ḥûzûr-i aṭâlerine i'läm olundu. Fî 19 Şevvâl
charges in the court hearing and failed to reach an agreement with the complainants. The residents of the neighborhood then requested that the judge send a report to the Imperial Council to obtain an order from the sultan, which they could then use to force the family out of their neighborhood. Unfortunately, I have not been able to determine the final ruling on this case. However, it is apparent that the judge did not press charges for adultery as required by fiqh, as was the case in the previous example. One should note that in cases where the parties did not reach an agreement and the accused refused to leave at their own will the ruling of the Imperial Council determined when and to where the accused were to be banished, if they were found guilty. If the accused left at will they also determined where they would relocate.

The summaries of the cases in the records do not allow us to determine what happened after such settlements. We have no way of knowing whether or not parties in a settlement actually honored the agreement that they had reached, or how far away they went, if they left at all. That is, unless they show up in court again. For example, the inhabitants and imam of the Şehsuvar neighborhood near the Kadirga pier complained to the court that Ziynet Hatun, her daughters Ayşe and Fatma, and her sister Ümm Gülsüm (who were not present in court) were allegedly disruptive of the peace and in the habit of verbally harassing others with offensive language contrary to the shari‘a. The inhabitants had applied to the court with a petition requesting their expulsion on August 26, 1789, and the
women had agreed to leave within two weeks. However, despite the written order in the possession of the community, the women were apparently still in the neighborhood three years after the first complaint and continued their disruptive behavior. The group demanded that a new imperial order be prepared and banish them from the neighborhood.  

Among the entries in the four volumes of court records that I have read for they years 1789-1793, this was one of the rare cases where the record included information regarding a previous complaint. This may suggest that, to some extent, the judge left the implementation of the settlements to the discretion of the communities in question. People sometimes evaded the decision of the courts and the imperial orders issued from the Imperial Council. However, unless the community brought it to the attention of the judge again, such cases were not documented. One could speculate that the scarcity of such complaints implies

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78 "Ma’rûz Aşhâb-i ‘arzuğâl İstanbul’da Kaşarqa iliman kurbunda Şehsuvâr maâhallesi imâmi ... ve ehâlîden ... nâm kimeseler Bâb maâkemesinde meclis-i şer’de maâhalle-i mezûrûde sâkineler derûn-i ‘arzuğâlde mûrîfetül’z-ül Ziyenet bint-i ‘Abdullah ile kebîre kızları: ‘Ayyûse ve Fâ’tma nâm hâtûnlar maâhzûrînanda mezbûrât Ziyenet ve kızları ‘‘Ayyûse ve Fâ’tma ve kızkarındaşları gâ’ibe ‘an el-meclis Ümm Gûlsâm ile cümlesi maâhallemizde vâﬁî bir menzîle sâkineler olub lakin kendi hallerinde ‘vrârtyla muçâyvedeler olmayub dil-ûzár ve bed-zebân olmalaryla her birleri cümlemize îlîf-î şer’-î şerîf kelimât ve bi’-muvâcehe şetm ve dâ’îmâ bizi ta’çizden bûlî olmadaiklara bina’en mezbûrâtdan bir veche emniyetimiz yokdur deyu 1203 senesi Zîlîhcesinin dördünkû günü hûzûr-i şer’de teşekki ve maâhalle-i mezûrûden hûrûclarmîn iltîmâs eylediğimiz mezûbre Ziyenet hâtûn danhî şehr-i mezbûrûn onsekizinci günü hâtun mezbûrât ile ma’an maâhalle-i mezbûr hûrûc ve âfâr maâhalleye nâçîle ta’ahhûd eyledikde hervech-i muharrer ta’ahhûdî i’lâm ve bûlásma fermân-i ‘alt şûdîr olmuşken, târîh-i mezbûrân târîh-i i’lâm (?) maâhalle-i mezûrûde sâkineler iken ve ef’tâlinerde ißrâr etmeleriyile râhâtımız bilgûlîyeye meşûl olmuşdur deyu takrûrîlerine müteallîk bir kât’a i’lâm-i şer’t i’ibrâîyla teşekki ve maâhalle-i mezûrûden hûrûclarmîn iltîmâs eyledikleri hûzûr-i ‘âillerine i’lâm olundu. Ft 4 Zîlîhce 1206.” IBM 309: 14/2.
that, in most cases, the parties honored the original agreements and the accused left the neighborhood at will, or, possibly, that they stayed but did not continue their offensive behavior. In either case, the suspect (müttehem) would act in a way that would lift the suspicion (töhmê) on him/her by agreeing to leave or modifying his/her behavior by establishing and maintaining harmonious relations in the community. From the viewpoint of the judge what mattered most was the reestablishment and maintenance of social harmony. However, if the suspect continued his/her misdeeds, he/she became a habitual offender (sâ′i bi′l-fesâd) which entailed more severe punishments such as forced exile, imprisonment, or even execution in extreme cases.

Why did women or households agree to leave their neighborhoods? What were the consequences if they did not? Was it simply that their lives were made miserable if they stayed? The following case suggests that residents sought to reverse unfavorable settlements through the court, if they could prove their case.

Şerife Hatun who resided in the Bostancı Abdullah Ağa neighborhood near Langa in Istanbul complained to the judge that four days prior to her appearance in court residents of the neighborhood had broken into her house under the leadership of Ahmed ibn Mehmed who reported to the police that she had strangers (ecnebi) in her dwellings. Upon investigation it became apparent that this was not the case. Şerife claimed that she had been unjustly accused and shamed, and demanded that Ahmed be reprimanded in accordance with the
shari'a. The accused confessed and with the mediation of conciliators the two parties agreed that Ahmed pay Şerife Hatun in the amount of nine and a half kurus as the amount due her (bedel-i mağbuz). This incident suggests that although women were vulnerable to such accusations which frequently led to expulsions, they were, at the same time, able to make use of the courts to pursue favorable settlements. In this case, Şerife Hatun was present in the court herself and was not represented or escorted by any male relative.

4.3.1.2. Religious Dignitaries and Neighborhood Officials

Although they appear in court records mostly as witnesses or petitioners leading members of their communities, religious figures such as imams, muezzins, and Sufi masters, as well as neighborhood officials such as the watchman (bekçi) also caused grievances in their neighborhoods and ended up in court. Disagreements about them were not uncommon and could often produce

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opposing factions in the neighborhood. The case of a neighborhood imam near Kumkapı offers a glimpse into the politics of the neighborhood that often produced conflicting opinions about what constituted misdeed and the role of the judge in facilitating the resolution of such conflicts. Imam Hafiz Hüseyin Efendi of the Çadırçıl Ahmed Camii neighborhood was taken to court by a group of residents including the muezzin, a number of Muslim men carrying religious titles such as hâçi, monla and seyyid, as well as Janissary titles like beşe, bostanı, and oğtabaşı, who claimed that Hafiz was a corrupt person who took bribes (mürtekib ve mürteşi) and caused debauchery and vice (fisk ü füçür). The residents stated that he had been in the habit of (‘ädet-i müstemirresi) helping prostitutes settle in the neighborhood in return for bribes and allowing them to receive strangers at night, as well as allowing non-Muslims to sell wine contrary to the imperial order that banned it. They added that he had neglected multiple warnings and continued to behave the same way, thus violating the shari‘a and going against what is approved by the sultan (ḥilaf-i şer-‘i âli ve mugāvir-i rizā-yi pâdišâhî). They demanded not only that the imam be removed from his post, but also that he be banished from the neighborhood. When asked to respond, Hafiz Hüseyin Efendi guaranteed that he would transfer his post within ten days to another imam chosen by the residents and leave the neighborhood in five days. The court validated the settlement and reported it to the Imperial Council.80

80 IM 59: 44/3 (14 Zilka‘de 1205).
The same imam reappears in the court records about three months later. This time, a different group of residents testified in court in favor of his good deeds and claimed that he had been slandered and falsely accused of malicious acts by his adversaries – the residents who complained about him in the first place, who were also present in court. The imam convinced the judge and the complainants that he would change his behavior, live an honorable life and busy himself only with his work. His adversaries consented and Zahir Mehmed Efendi, who had replaced him as the new imam, gave his post back to Hafiz Hüseyin Efendi. The court validated that an agreement and reconciliation between the parties was thus established and reported it to the Imperial Council (ol vechle beynlerinde tevftk ve islāh olunduğu ba‘de ‘t-tescil huzk-r v‘ālilerine i‘lām olundu).

This example indicates not only that the populace played a very important role in the legal process, but also that the judge was concerned primarily with achieving an amicable settlement among conflicting parties for a return to public order and harmony in the community. Even in the case of such accusations involving serious offenses such as violating the shari‘a and the sultan’s orders, and facilitating prostitution and alcohol consumption, an imam could be cleared of all charges based on the group testimony of the residents of his neighborhood, in the same way that his bad reputation was established by a group testimony in

81 IM 59: 60/2 (13 Şafir 1206). On the role of imams, please refer to Chapter 3, f. 53.
the first place. In such cases, like the adultery examples I mentioned above, the judge acknowledged that proper proof of these serious crimes in accordance with Islamic jurisprudence were not present at the time of the court hearing. If a person could not be sentenced to a fixed (hadd) punishment due to lack of evidence, he could be sentenced to a discretionary punishment (ta’zīr), and circumstantial evidence – especially, assumptions based on a person’s reputation, would be allowed. 82 In this way, the judge facilitated the negotiation among the residents and authenticated in court the agreement they reached among themselves, and thus realized the principle goal of reestablishing harmonious relations and public order in the community.

In another neighborhood petition, residents of the Dülbedeci Hüsam neighborhood near Kumkapı complained about the neighborhood watchman Esseyid Osman and his sons. The imam, headman (muftī), and the residents claimed that recently Osman and his two sons had beaten up the imam, threatened the residents with knives that they were carrying, and were in the habit of harassing the residents for no reason. Furthermore, Osman had declared himself the new muezzin after the person who occupied that post passed away. The group stated in Osman’s presence that he was not worthy (‘adem-i liyākātini bi’l-

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82 Peters, p. 16.
muvācehe ihbār) of this post and requested that Hüseyin Efendi, who also was present in court, replace him as the new muezzin.\(^3\)

In another interesting case, under the leadership of their imam and muezzin, a group of inhabitants including seven men and five women from a neighborhood near Avretpazarı complained to the court (that was set up in the courtyard of the Hubyar mosque by the chief messenger – secretary Ahmed Efendi), that a certain Yusuf known by the name of Tuti Şeyh was causing unrest in the neighborhood. The residents reported that he was in the habit of yelling and cursing in the evenings and that unidentified (mechülü 'l- aḥvāl) persons frequently visited his dwelling. They requested that the court expell him from the neighborhood. The sheikh refused the charges, but nevertheless guaranteed that he would not repeat this kind of behavior and assured the court and the petitioners that he would leave at his own will if he acted otherwise.\(^4\) This brief entry in the court register follows the standard language of the neighborhood banishment cases (“...bu Şeyh kendi hâlinde olmayub, geceleri bülend-avâz ile sâyla ve bize şetm-i galîzden maʿâda menziline mechûlû 'l-âhvaÎ kimesneler duhûl edüb emn ü râḥatîmiz yokedur deyû ... maḥallesden hurûcunu iltimâs etdikde...”). The parties reached a settlement and duly registered it in court.

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\(^3\) IM 59: 49/4 (16 Zilhicce 1205) and 49/5 (16 Zilhicce 1205).

\(^4\) IM 62: 69/3 (3 Zilhicce 1208).
The records of the court of Istanbul confirm that the religious establishments in the city were inspected under the jurisdiction of the Şeyhülislam. Indeed, in January 1792 all religious establishments (including medreses, mosques, and shrines) and their employees and students were inspected. This inspection was carried out in the same manner as the inspection of commercial shops, inns, and bachelor’s quarters discussed in chapter three. Those who did not meet the criteria specified in the regulations for the inspection of Istanbul were banished.\footnote{A. DVN. 829 (25 Čemâziyelevvel 1206). The introduction in this register mentions that the inspection was executed by specially appointed staff by the office of the Şeyhülislam and the Janissary agha.} It appears that the head of the Sa‘diyye order\footnote{The Sa‘diyye order was founded by Sadeddin-i Cebavi (d. 1300-01). See Pakalın (1993), v. 3, p. 81.} was one such religious figure who was sent to exile as a result of behavior that was in breach of both the shari‘a and the sultan’s orders.\footnote{IM 59: 86/5 (15 Čemâziyelahir 1206).} The imperial order that was sent to the court ruled that the lodge near Hasan Paşa Hanı be transferred to a worthy person with sincere faith (çaḥīḥü ’l-iʿtiṣād), the room which he had named a lodge (tekye) in Karagümruk be shut down, and the “mischievous” disciples (ēhl-i fesād olan mürdiler) be investigated and expelled from the city. This order makes note of a previous inspection carried out under the leadership of the sheikh of the troops (ordu-yi hümâyûn şeyhi) Hafiz Mustafa Efendi and Mehmed Ruşen Efendi (sheikh of the Hedaiyi order), who were appointed by the Şeyhülislam and
accompanied by seven or eight other Sufi masters. The court requested that a new imperial order be written authorizing the same group to enforce the new regulations that forbade all activity without prior approval. This case shows that when people under suspicion (töhmət) did not modify their behavior and repeatedly disturbed the peace in their communities they became associated with mischief (fesəd) which entailed more serious consequences. In this particular case, the actions of the head of the Sa’diyye order were established to be contrary to the shari’a and against the approval of the sultan (hîlîf-i ʃər-i ’ālî ve mûgâyîr-i rizâ-i hâzret-i cihândârî) based on two comprehensive inspections. Since he did not modify his behavior at will, the imperial order that was written in response to this case instructed that he be sent into exile and his disciples expelled from the city. The judge of Istanbul stated in his report (i’lâm) to the Imperial Council that he did not have the authority to appoint a new sheikh for the Sa’diyye order or to investigate the actions of the disciples and asked that these issues be addressed by the Şeyhülislam.

About a year and a half later, a group of Sufi masters appeared at the Istanbul court and complained that some individuals among the group of masters who held the power to execute the regulations regarding Sufi brotherhoods and lodges had been acting unjustly, causing great affliction for the poor. The court sent a report to the Imperial Council requesting that the former imperial order be annulled, and a new one that authorizes only the above-mentioned Hafiz Mustafa
Efendi, Mehmed Ruşen Efendi, and Dülgerzade Mehmed Sadık Efendi to enforce the regulations be issued.\textsuperscript{88} This suggests that there was an ongoing tension between Sufi lodges and the authorities, or some kind of conflict among the various orders.

4.3.2. Immigrants

Immigrants appear in the records of the court of the judge and deputy judge of Istanbul on numerous occasions. As discussed earlier, migrant workers and unemployed bachelors were subject to regulations and artisanal groups were frequently inspected to ensure conformity with the regulations that aimed at controlling the movement of migrant and transient populations in the city. Regulations stipulated that bachelors do not rent and live in residential neighborhoods. The inspection registers, which I discussed in detail in chapter three, suggest that many of them slept in the workplace or rented rooms in bachelor’s inns. Among a large number of cases involving the request of a person’s expulsion from a neighborhood, I have come across only one case that involved an immigrant family from Diyarbekir in the court records of inner Istanbul.\textsuperscript{89} The lack of immigrants as defendants in cases of banishment from neighborhoods could support the argument that the regulations were effectively

\textsuperscript{88} IM 62: 1/4 (11 Muḥarrem 1208).

\textsuperscript{89} IBM 309: 3/6 (13 Șevvâl 1206).
implemented and that immigrants did not reside in residential neighborhoods. However, it could also suggest that they utilized other networks to resolve their conflicts.

This is not to say that immigrants are unrepresented in the court records. They appear frequently in the records as a) men of some wealth who ran their own business and went to court to settle their disputes over rights of gedik, rent, etc., b) parties in inheritance disputes, and c) employees who worked for an agreed amount of time in a certain trade but did not get paid as agreed. In many of these records, it is inferred that the person(s) in question were settled (mütemekkin) or dwelling (sakin) in residential neighborhoods, sometimes with their families. For example, from an inheritance dispute we learn that a certain Ishak had come to Istanbul from a village in the district of Debre (in Manastır) in Rumelia and acquired the use right (gedik) of a bakery with a mill of five wheels (İstanbul’da Ahı Maşlak firunu ve änä merbût beşli değişmen). He was married with children who remained in the village and inherited his bakery when Ishak died in Istanbul.90 In a similar case involving the inheritance of a certain Dimitri, we learn that he was originally from a village in Yenişehir-i Fenar district in Rumelia, but had settled (mütemekkin) in the Fener area in Istanbul and acquired the gedik of a grocery store (bakkal) in Galata. His daughter and son, who resided back in the village that Dimitri came from, went to court to settle the

90 IBM 309: 21/6 (21 Zilhicce 1206).
inheritance after their father’s death. In most cases, the family members of the deceased immigrant were represented by an agent (vekil) in court, who negotiated the terms for the inheritance and transfer of the usufruct rights. These examples suggest that people who came to Istanbul from other parts of the empire were not only poor migrants and single men who allegedly posed a threat to public order, but rather that people with some wealth also came to the city and set up businesses, sometimes bringing their families over to settle in the city. In such cases, the individuals ceased to be unidentified (mechütü'l-ahlvâl) and thus presented no immediate threat to public order whether understood legally or pragmatically from the government’s point of view.

Migrant workers are often mentioned in court records as plaintiffs demanding payment for their services. For example, a man from Tokad complained in court that he had worked as an apprentice and assistant master (kaifâ) in a barber shop for a year in Istanbul but could not receive payment. Likewise, Yorgi from Yenişehir worked for a year in a grocery store in the Eğrikapı region in return for a payment of 24 thousand akças as agreed. However, he was not able to receive this pay and settled for half that amount in

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91 IBM 309: 70/3 (5 Reçeb 1207).
92 For example, IBM 309: 54/6 (23 Cemâziyelevvel 1207).
93 IBM 309: 45/2 (25 Rebi' yülevvel 1207).
the end.\textsuperscript{94} Such examples suggest that perhaps it was common for migrants to make such long-term arrangements with their employers.\textsuperscript{95} From a practical point of view, this would have constituted a legitimate reason to stay in the city and the employer would be an acceptable guarantor for the employee. However, such agreements were not always honored. The court records imply that both the employers and their employees pursued their rights in court in case of the violation of the settlement they had made. Sometimes, employees ran off with their employer’s money or goods from the shop. For example, a butcher shop owner claimed that his employee had escaped with the money in the store after working for only a week, and demanded that the guarantor of the employee pay for his loses. However, he failed to produce an acceptable witness and the guarantor denied that he had agreed to stand surety for the employee in the first place (\textit{mezbûr zîmmîye așlî kefil olmadım deyu inkâr...}). The case was dismissed due to lack of evidence.\textsuperscript{96}

\textsuperscript{94} Bab 309: 38/5 (19 Şâfer 1207).

\textsuperscript{95} For more examples, see also IBM 309: 5/3 (19 Şevvâl 1206), 9/6 (gurre-i Zilkâ de 1206), 15/4 (17 Zilka de 1206); 21/6 (21 Zilhicce 1206), 42/2 (6 Rebiyülevvel 1207).

\textsuperscript{96} IM 62: 9/3 (21 Şâfer 1208).
4.3.2.1. Immigrants and Outsiders as Evil-Doers in Court Records

The examples I have mentioned so far are the kinds of cases that frequently mention immigrants and outsiders as plaintiffs or defendants. In most of these cases, immigrants appear in court to settle inheritance or business matters. They do not appear as evil-doers who pose a perceived threat to public order, since they are not unknown (mechûl) in their communities. When one looks into the conflicts among artisanal groups, however, one finds that guild members and leaders frequently applied to the courts about the infiltration of outsiders into their trade and made use of the legal category of the unidentified (mechûluʾ l-āḥvāl) people to strengthen their position. For example, members of the guild of grocers (bkakûl) in Istanbul, Galata, Eyûb, and Üskûdar submitted a group petition to the court of Istanbul and complained that strangers (ecûnûb) were coming to Istanbul (from elsewhere) and pretending to be members of the guild of grocers to trade goods on the streets and in empty lots. Muslim and non-Muslim grocers claimed that such people often disappeared without paying for the goods that they acquired, and thus, harmed their businesses.\footnote{IM 62: 58/4 (26 Şevvâl 1208).} Similarly, the leaders and members of the guild of cooks, kebab makers/sellers, sweet-drink sellers, and soup sellers filed numerous collective complaints about ‘outsiders’ who were not competent in their trade (ehîl olmayan). In one incident the guild of cooks took a group of itinerant dolma (stuffed vegetables) sellers to court. The cooks accused
the vendors for cooking *dolmas* in their dwellings or rental rooms in various inns and selling them on the streets, even in front of restaurants. In their response, some of the itinerant *dolma* sellers stated that they held written permission in the form of a *berät*, which allowed the old and weak among them to cook and sell *dolmas* provided that they demonstrate they did not have any other means to make a living. The guild members insisted that a new imperial order be issued that strictly prohibited itinerant *dolma* sellers from selling in front of their shops except for the truly old and weak.98

The issue of unfair competition between the guilded artisans and “outsiders” was apparently a highly-contested one. One should keep in mind that the fair distribution of taxes among artisans was a major issue for the guilds. Guild members bore the burden of rising taxes and were therefore adamant about preventing others from undermining their business. Those who in one way or another managed to evade taxation could sell their goods at lower prices. A *dolma* vendor probably sold his home-made *dolmas* for a lower price than the restaurant owner around the corner.

Guild leaders often claimed that the outsiders were allegedly abusing the servants of God and disrupting public order by selling bad quality products for higher prices in violation of their well-established tradition and legally recognized custom (*mugayir-i kânîn-i kadîm* or *nizâm-i kadîm*). They tried to use their

98 IM 62: 35/4 (5 Receb 1208), 36/2 (5 Receb 1208), 36/3 (5 Receb 1208). This *berät* was apparently in their possession since 1186 (1772-73).
bargaining power vis-à-vis government authorities in demanding tighter control to avoid the infiltration of outsiders and what they understood to be unfair competition, so that they could continue to fulfill their obligations to the government. They also complained that the sale, lease, or transfer the use rights to unqualified people undermined the reputation, credibility, and livelihood of the masters and guild members as a whole, and discouraged the wholesale merchants who supplied the much-needed raw materials and commodities from afar from supplying these items.\textsuperscript{99} “Shortages followed, prices increased, the populace suffered, and the groups became scattered, impoverished, and, last but not least, unable to fulfill their obligations to the government.”\textsuperscript{100}

It is important for the subject matter of this chapter to emphasize that guild leaders and masters made explicit use of the legal concepts of \textit{mašlaḥa}, \textit{mafsada}, and \textit{mechūlū l-ahvāl} to appeal to the courts and the Imperial Council in their quest for justice. Their petitions refer to public interest and the protection of the rights and minimum needs of the servants of God. The fundamental objectives of the Ottoman-Islamic legal tradition included “protection of life, religion, family life, rightful gain, and the basic means of livelihood to assure rightful gain, and reason, which meant, in the Ottoman context, a reasonably harmonious social order that assured predictability and enabled human beings to live in


\textsuperscript{100} Ibid.
moderation.\textsuperscript{101} The concept of the servants of God applied equally to all
Ottoman subjects in accordance with the Hanafi school of law, which accepted
that Muslims and non-Muslims were entitled to the same basic exigencies of civic
life.\textsuperscript{102} Accordingly, every individual, including non-Muslims, was entitled to
being engaged in productive activity to make a living (with some exceptions such
as selling wine or pork for Muslims). Therefore, the monopolization of a trade
and forbidding others from taking part in it was, in principle, unlawful, but under
certain circumstances it might be allowed. However, when it impeded the ability
of the old and needy to make a living, it became mischief (mafaṣada), the opposite
of public interest (maṣlaḥa), and the basic principle of rightful gain came back
into the picture. The case of the dolma vendors mentioned above illustrates the
point. This fundamental principle was the reason why the imperial order allowed
the old and needy to sell home-made dolmas and also why the judge did not allow
its breach in the new order demanded by the cooks.

One of the dangers of violating the regulations was threat of banishment
from Istanbul. For example, an Armenian grocer from Niş was accused by fellow
grocers of repeatedly harassing and reprimanding them, and following their
petition to the court the grocer agreed not to repeat the same behavior (which was
against kānūn-i ḵadam) and agreed to be banished from the city if he violated the

\textsuperscript{101} Ibid., pp. 197-198.

\textsuperscript{102} See for example, Najwa Al-Qattan (1999). "Dhimmis in the Muslim Court: Legal Autonomy and Religious Discrimination." \textit{IJMES} 31: 429-444.
traditions again. The court records suggest that people who had come from a
different part of the empire could frequently face the danger of banishment based
on the collective testimonies of their rivals, even if they were guild members. For
example, guild leaders and masters of the pastry makers/sellers (çörekçi) of
Istanbul complained about a colleague’s repeated mischievous, harmful, evil and
deceitful (müfsid ve muzarr ve şerîr ve hâlekâr) behavior and reached a settlement
where they withdrew their complaint only after he agreed in court not to meddle
with the affairs of the guild and live a righteous life, guaranteeing that he would
sell his use rights and be go back to his place of origin if he did not modify his
offensive behavior.

4.3.3. Inns and their Tenants

Inns and their tenants seem to be the cause of frequent complaints by
neighborhood residents. In some cases involving inns and rental rooms,

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103 IM 61: 90/2 (13 Zilhicce 1207). See also IM 62: 58/5 (26 Şevvâl 1208) and
IM 62: 28/1 (20 Cemâzîyelevvel 1208).

104 IM 61: 15/1 (22 Şevvâl 1206). “…bâ’del’-yeym bilâ-dâ’vet loncalarına
varmayub umûr-i esnafa karışmayub kendi hâlinde înzâyla muâkayed ve kâr-u keşiyle
meşgül olmak üzere ta’âhîd eyleyebib eger hilâf-i ta’âhûd hareketim zühür ederse mâlik
olduğum gedişim âhara furâbud birle esnaf-i mezbûreden ibrâc ve vaftan-ı astîyyeme nefû
ve içlî olunmağa râzî oldum dedikde…”

105 On Ottoman inns, see İşik Tamdoğan-Abel (2000). “Hanlar ya da Osmanlı
Kentinde Yabancı.” In Osmanlı Imparatorluğu’nda Yaşamak. Edited by Francois
Georgeon and Paul Dumont (translated from the French original by Maide Selen).
İstanbul: İletişim Yayınları, pp. 387-406.
migrant workers appear in groups. In addition to resenting such things as unpleasant odors of the toilets or noise in the evenings, residents often complained about unidentified (mechûl) people among the tenants of neighboring inns and rental rooms, who allegedly disturbed the peace in the neighborhood. For example, a non-Muslim woman from the Mirahor neighborhood complained in court about her neighbor who built an addition to his house and rented the rooms to unidentified disreputable boatmen (mechûl‘-a‘hvâl erâqlî sandalci kâfâlâtî). In another case, an Armenian innkeeper in the vicinity of Parmakkâpî was allegedly renting rooms to unknown people without guarantors contrary to the sultan’s orders (... hîlâf-i ferma‘-ı ‘âlit bilâ-kefîl eşhâş makûlelerini iskân etmekle emniyetimiz olmayub...). This inn, which had ninety-six rooms, was occupied mostly by masters and leaders of the leatherworkers (meşîncî) guild, among them a number of nominal Janissaries holding titles such as beşe and oğâbaşî. Based on their collective testimony, the innkeeper was replaced by Velîyûddîn who also ran coffeehouse and was trusted by the community (... mersîmu hâncûlîkdan iîrâc ve cümlemizin mu‘temedi olan

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106 For example, a group of non-Muslim itinerant porters (küfeçiyân) from Niğde who came before the court were residents of various inns in the city. IM 59: 4/3 (23 Şafer 1205).

107 IM 62: 8/5 (16 Şafer 1208), 13/2 (20 Rebi‘yûlevvel 1208).


109 IBM 309: 19/3 (15 Zilhícce 1206).
In another case that involved an inn in a commercial area, merchants of the Kapan-ı ‘Asel region complained in court that the rooms of the inn in their neighborhood, which had always been occupied by merchants, were recently occupied by Arab slave traders (evlād-ı ‘Arabdan esirci tā’ifesi), who were disturbing public order by bringing numerous unknown persons into the building, including prostitutes, and making bonfires in the evenings. The merchants claimed that the Arabs had neglected all the warnings and continued their immoral and mischievous behavior, putting the entire neighborhood in danger of a fire (mechūlū’-əhvaller girib çıkub geceleri çira yakub ihrāk hayfinden külliyen emn ü rāḥatımız meslūb olur deyu). They demanded that a sealed imperial order (tuğraht emr-i ‘ālīșān) prohibiting slave traders from staying at this inn be issued and kept in their possession. It appears that the situation caused great unrest among the merchants in the area and must have been previously reported to the Sekbanbaşı, who appointed a scribe to be present at court (... ‘izzetli Sekbānbaşı Ağa bendeleri tarafından ta’īn olunan Esseyid Süleyman yazıcı kulları hāzır olduğu halde...).110

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110 IM 59: 79/5 (8 Cemāziyevvel 1206).
4.4. Concluding Remarks

In this chapter, I have made use of the court records of inner Istanbul to explore the dynamics of conflict resolution among the inhabitants of the city on matters regarding public order and security. My main purpose was to understand how the populace perceived the threat of the disturbance of social harmony in their communities and how they acted upon it. Court records of inner Istanbul suggest that residents frequently took their grievances to court for the restoration of harmony and security in their neighborhoods. It appears that in many cases the parties reached an amicable settlement, either in or out of the court, and registered their agreement in court records. The handling of public order crimes in courts indicates that the populace played an active role, with a considerable degree of autonomy, in the affairs of their neighborhood and in negotiating an amicable settlement among the parties in a conflict. It also suggests that the law ultimately took shape based on this process of ongoing negotiation within a residential community or among trade groups under the auspices of judges, whose role was largely that of an intermediary/umpire concerned primarily with the restoration of public order and social harmony in the community. In all of the cases I have explored, the judge sent a report (i‘lām) to the attention of the sultan and requested the issue of an imperial order, based on the facts established in court, as opposed to a final ruling at the end of the case. This seems to have been standard procedure in the handling of offenses involving public order, whose final outcome
was determined by the sultan or his representatives on his behalf based on the information provided by judges.

The most common public order issue brought before the courts involved the disruption of order and security by evil-doers in the community and a request for their banishment from the neighborhood. Numerous examples indicate that women and their families were particularly vulnerable in such disputes. Neighborhood leaders such as the imam, muezzin, and watchman, as well as Sufi masters and their devotees, appeared before the courts as defendants. In all of these cases, plaintiffs (and/or the court) made use of the concepts of unidentified (mechûlû 'l-âfvâl) people and evil-doers (ehl-i fesâd). The collective witness of Muslim and non-Muslim members of the community and their affirmation of the character (as a law-abiding resident or disturber of the peace) of the defendant determined the likelihood of a person to act contrary to the laws and regulations. Individuals who did not have good standing by general consensus in their community could easily become associated with fesâd/mafsada. Judges usually facilitated agreements between the parties to a conflict that pragmatically restored harmony in the community and avoided more severe punishments such as those involving hukûd crimes. This is in agreement with the accommodational nature of the Ottoman legal tradition. However, judges upheld certain legal principles and norms while facilitating amicable settlements among the parties. If the persons suspected of disturbing the peace failed to reach an agreement with the
complainants or failed to modify their behavior so that harmonious relations in the community were restored, then they became evil-doers (ehl-i fesād) and habitual offenders (sāʾi biʾl-fesād), and suffered more severe consequences compared to the conditions of a settlement negotiated by the parties themselves.

Immigrants appear in the court records mostly as law-abiding inhabitants of the city – plaintiffs or defendants in cases involving business transactions, transfer of shop use rights (gedik), and inheritance disputes. I have come across only one immigrant family against whom residents of the neighborhood filed a complaint. When they appeared as potential evil-doers, immigrants appeared in the capacity of ‘outsiders’ in various trades, who posed a threat for the interests of the guild members of that trade, and as unidentified (mechūlūʾ-l-ahvāl) residents in certain inns in the residential or commercial neighborhoods of the city. In the latter case, residents perceived them as potential disturbers of the peace and requested from the judge that such people not be allowed to stay in inns without trustworthy guarantors.

Overall, the information in the records reveals that people with some money and means also came to Istanbul. The court records include examples of people, who were originally from a different place, but settled in the city and ran commercial shops, sometimes bringing their family members along with them. Such people did not constitute a threat to public order because they meshed with others seamlessly and became part of the legally identifiable (maʿlūmūʾ-l-ahvāl).
CONCLUDING REMARKS

The common perception of the eighteenth century as an era of decentralization, decline and apathy, or merely one of transition to the centralizing and westernizing reforms of the nineteenth century, has led to a relative sparsity of scholarship on Ottoman society and institutions in this period. Studies addressing this gap have increased significantly over the past couple of decades, and the hitherto dominant paradigm of decline has been replaced by a notion of transformation. My dissertation fits into the ongoing quest among scholars of the Ottoman Empire to better understand the nature and direction of this transformation.

My study of policing and maintenance of public order during the formative years of Selim III’s reign addresses the dynamics of this transformation in a number of ways. First, as I showed in Chapter 1, the relationship between the maintenance of public order and prevention of uncontrolled migration into the greater Istanbul area had been in the making since the beginning, and especially during the second half, of the eighteenth century. Selim III’s predecessors had already established certain trends in their responses to the perceived threat of vagrant immigrants roaming the streets, adding to the scarcity of provisions and
basic foodstuffs during long years of warfare, and rising crime in the city.

Selim's policies regarding public order and security bear a certain degree of continuity in this sense – that is, from the perspective of the central administration and the policies it generated.

Secondly, Selim III was adamant in his approach and his demands for conformity regarding his regulations, partly because his orders were frequently ignored. His regulations on the maintenance of order and prevention of uncontrolled migration gained momentum in the winter of 1791 after the incident at the Ayasofya mosque, when an unidentified man suddenly stood up and threw a musket ball at the sultan, which had a strong personal impact on Selim. The period since the 1770s had been particularly troubled due to costly internal and external wars, and especially the loss of the Crimea in 1873 and of Wallachia in 1789 caused severe shortages in the grain supply for the army and the populace of the city. This situation added significantly to popular discontent that manifested in lootings and angry crowds in front of bakeries. As Tilly points out, at such times the conflict over provisions assumes a political dimension.\(^1\) It was at this juncture that Selim III made the issue of public order and security a priority for regulation. According to contemporary descriptions, demands for the deposition of the grand vizier were escalating and the decision to send 5000 Janissaries to the Austrian front raised concern about their much needed services as military police in the city. One can assume that wartime shortages and the unfeasibility of

\(^1\) Tilly (1975), p. 448.
reforming an army that was at war influenced his position. Nevertheless, Sultan Selim became highly concerned with the control and surveillance of the populace lest the power vacuum that the absence of the Janissaries created led to heightened crime and sense of chaos in the capital city.

However, the inspection register of 1792, which I examined in Chapter 3, demonstrates that there was no shortage of Janissary-affiliated men in Istanbul. Titles used by shopkeepers in the southern bank of the Golden Horn suggest that forty-one percent were in some manner affiliated with the Janissary corps, even if only nominally (Table VII). This relationship was even more established among the coffeehouse owners, eighty-three percent of whom had Janissary affiliation (Tables XII and XIII). Migrant workers were also highly visible in supporting registers (Table X and XI), suggesting that the network of relations between the Janissaries, immigrants, and artisanal groups were well-established at the end of the eighteenth century.

Thirdly, archival sources and court records suggest that immigrants were less visible in inner Istanbul compared to the three townships of Eyüp, Galata and Üsküdar. This was partially due to the fact that, compared to inner Istanbul, the townships were comprised of more gardens, orchards and open lands, which might have been more easily accessible and less hostile to newcomers. Studies on the nineteenth century show that migrant populations were able to establish themselves in these areas and to work primarily outside of the guild structure. The inspection registers that I discussed in Chapter 3 and studies on the
Eyüb/Hasköy region indicate that immigrants came from a limited number of towns and villages in Rumelia and eastern Anatolia (Tables X and XI). My study shows that the networks based on co-regionality, which have been documented for the nineteenth century, were already in place at the end of the eighteenth century, and that these bonds most likely helped new immigrants find shelter and work at the point of destination. In her study of the court records of Eyüb in the early eighteenth century, Faroqhi argues that the commonality of occupational specialties among immigrants coming from the same region was linked to the 'carving up' of the labor market by immigrants into the greater Istanbul area – the newcomers stood a chance of establishing themselves only if competition was limited to 'extraneous criteria' such as co-regionality or communal affiliation.² It seems that this was also the case at the turn of the century. One could also speculate that the circumstances in inner Istanbul were less favorable for newcomers as a result of tighter controls and more rigid regulations due to the presence of the sultan's palace and administration there.

The court records of inner Istanbul for the years 1789 to 1793 also offer some insights into the populace of the city. Immigrants appear in court records mostly as law-abiding inhabitants who appealed to the court in order to resolve disputes over property, business transactions, transfer of shop use rights (gedik), and inheritance rights. The records also include information revealing that people with some money and means also came to Istanbul and settled in the city.

sometimes with their families. There are also indications that artisans abandoned unprofitable businesses to seek their fortune in other towns, such as several provincial capitals that were able to divert from Istanbul the much-needed raw materials and provisions. These findings imply that immigrants could go to Istanbul, stay for a while, and perhaps rent their shop-use rights in order to go back to their home towns for a while or to do business somewhere else.

This picture stands in contrast to the Ottoman administration's portrayal of immigrants as potential mischief and evil-doers based on a broad and undifferentiating concept of vagrancy. The latter perception was based on the legal category of the unidentifiable (mechāltū 'l-aḥwāl) individuals who, in the absence of any acceptable affiliation with any community, became potentially dangerous and associated with mischief (mafsada). The regular inspections ordered by Selim aimed at identifying such individuals and requiring that they become identifiable (ma 'lūmū 'l-aḥwāl) if they wanted to stay and work in Istanbul. As I pointed out in Chapters 2 and 3, the only way such unidentifiable individuals became identifiable was through the practice of surety (kefālet). By this practice they became entitled to their basic rights and exigencies that otherwise did not constitute a priority from a legal point of view in the face of an overwhelming concern for public good (mašfaḥa) and the protection of the servants of God ('ibādullah).

The court records of inner Istanbul show that the concepts of *mafasda* and *maṣlaḥa* were frequently employed by the populace. As described in Chapter 4, the inhabitants of the city appealed explicitly to these categories in their quest for justice and protection from the potential dangers associated with unidentifiable individuals and outsiders. Members and leaders of the guilds frequently complained about outsiders who allegedly abused the servants of God and disrupted public order by selling products that did not meet the standards at high prices, thus violating the guilds’ legally recognized custom and well-established tradition. Neighborhood residents repeatedly demanded that the disturbers of public order and harmony be banished from their neighborhood. The alleged evildoers were sometimes unidentifiable residents of inns and bachelor’s chambers, sometimes the imam of the local mosque or a Sufi master and his devotees, and often women and families who were identified as disturbers of the peace by the collective witness of Muslim and non-Muslim members of their community. Individuals who were not in good standing by general consensus were vulnerable to becoming associated with *mafasda*.

In their handling of public order offenses, judges played the role of umpire in facilitating settlements between parties that pragmatically restored social harmony among the members of the community, while at the same time upholding certain legal principles and norms. The court records indicate that plaintiffs and defendants often reached settlements among themselves and registered them with the judge. Ottoman legal practice allowed a considerable
degree of autonomy to the populace in matters involving the affairs of their communities and in the resolution of their communal conflicts. In this sense, it was more accommodational than confrontational, and based on the supposition that parties to a conflict ought to try to reconcile their differences and live in harmony. However, if the disturbers of peace failed to modify their behavior or to reach a settlement with the complainants they then became legally identified as evil-doers (*ehl-i fesād*) and, if they persisted in their unacceptable behavior, as habitual offenders (*sā'i bi'l-fesād*). Both cases entailed more severe consequences compared to the conditions of a settlement negotiated by the parties themselves.

Last but not least, my study of policing and maintenance of order in Istanbul at the end of the eighteenth century sheds some light on the dynamics of transformation in the Ottoman government during the early years of Selim III’s sultanate. As I discussed in detail in Chapter 3, inspections of inns, bachelor’s quarters, wharfs, seminaries, Sufi lodges, and commercial districts took place with regular six-month intervals during these years. The senior administrators with police duties such as the Janissary Agha, his deputy (*sekbānbaşi*) or the commander of the imperial guards (*hostāncibaşi*) were rarely involved in the inspection process. Instead, the inspection and registration staff comprised experienced scribes in the service of the Imperial Council and Janissary guards who accompanied them. The guards who provided protection to the scribes were

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not recruits from the regular staff of the military police stations, either. In other words, Selim III allocated additional resources for the inspections and registrations. The assignments were temporary and the officials involved did not form a regular department under the jurisdiction of senior administrators with police duties. The inspections were intended to enforce strict surety requirements, and the main objective of the requirements was to find those who were not identifiable as members of a recognized community. The registration officials had a significant degree of autonomy in determining the necessary qualifications for becoming an acceptable guarantor (kefîl), and this practice made it possible to take into consideration each individual’s own circumstances and networks as opposed to a list of qualifications specified by law. Thus, although it may seem irrational to the modern eye, this should be interpreted as further implication of an accommodational approach in achieving harmony and maintaining order in the society as a whole.

While we cannot speak of a modern "rational" bureaucratization process, we can interpret Selim III’s policies regarding the maintenance of order in Istanbul as part of a transition, or as experimental efforts toward building new administrative structures backed by military police authority that would enable more effective control and surveillance of certain segments of the society. This experimentation was grounded in both the old and the new. Perhaps this is most apparent in Selim’s innovative use of the time-honored concept and practice of surety in a way that aimed to collect and keep track of information that would in
turn make possible the efficient control and surveillance of particular segments of the society by the government. Selim III’s urban policies can be understood as administrative measures for large-scale population management in the context of intense urban crisis in the Ottoman capital.
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