

Society and Politics in an Ottoman Town

‘AYNTĀB IN THE 17TH CENTURY



BY

HÜLYA CANBAKAL

SOCIETY AND POLITICS IN AN OTTOMAN TOWN

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SOCIETY AND POLITICS IN AN OTTOMAN TOWN

‘Ayntāb in the 17th Century

BY

HÜLYA CANBAKAL



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CONTENTS

List of Maps, Tables and Figures	ix
Acknowledgements	xi
List of Abbreviations	xiii
Note on Transliteration	xv

Introduction	1
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PART I

Chapter One. An Introduction to ‘Ayntāb	19
‘Ayntāb, the Town	19
‘Ayntāb, the <i>Livā</i>	48

PART II

Chapter Two. Privilege Certified	61
The Question of ‘ <i>Askerī</i> Membership	64
The ‘ <i>Askerīs</i> of ‘Ayntāb	67
Becoming an ‘ <i>Askerī</i>	70
Chapter Three. Wealth	90
Distribution of Wealth in ‘Ayntāb	90
Distribution of Wealth Among the Wealthy	96
Question of Identity: Official or Civilian, Central or Local?	112

PART III

Chapter Four. Honor and Influence: The Legal Process	123
The Legal Process	125
Legal Experience and Status	141

Chapter Five. Representation and Decision-Making	150
Representing Individuals and Institutions	152
Representing ‘Ayntāb	160
“ <i>Medīne-i ‘Ayntāb Ahālisi, el-Mūkerremūn.</i> ” The Honorable People of ‘Ayntāb	173
Conclusion	179
Appendix	187
Glossary	191
Bibliography	193
Index	209

LIST OF MAPS, TABLES AND FIGURES

- Map 1.1. ‘Ayntāb and the Ottoman Empire at the end of the seventeenth century
- Map 1.2. ‘Ayntāb and its vicinity
- Map 1.3. ‘Ayntāb in the seventeenth century: the urban layout
- Map 1.4. ‘Ayntāb and its commercial connections according to the court registers
- Figure 1.1. ‘Ayntāb in the nineteenth century
- Table 1.1. Population of ‘Ayntāb (1688–1697)
- Table 1.2. Property purchases by prominent men
- Table 2.1. Major ‘*askerī* groups
- Table 2.2. Household distribution among tax-payers and the ‘*askerī*
- Table 2.3. Districts with more than 100 ‘*askerī*ship claims
- Figure 3.1. Distribution of wealth according to probate inventories
- Figure 3.2. Distribution of wealth: the gender factor
- Figure 3.3a. Distribution of wealth: the status factor (seventeenth century)
- Figure 3.3b. Distribution of wealth: the status factor (eighteenth century)
- Table 3.1. Distribution of wealth: the gender factor
- Table 3.2a. Distribution of wealth: the status factor (seventeenth century)
- Table 3.2b. Distribution of wealth: the status factor (eighteenth century)
- Table 4.1. Witnesses and informants (1689–1693)
- Table 4.2. Honorifics use among witnesses (1656–1660 and 1689–1693)
- Table 4.3. Occurrence of honorifics in court records
- Table 4.4. Court clientele: litigation and transactions
- Table 4.4a. Rates of successful litigation (1656–1660)
- Table 4.4b. Rates of successful litigation (1689–1693)
- Table 5.1. Custodians and trustees (1689–1693)

Appendix

- Table A.1. Household size in ‘Ayntāb
Table A.2. Estimated tax-paying population

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LIST OF ABBREVIATIONS

- BOA Başbakanlık Osmanlı Arşivi (Prime Ministry Archives), Istanbul
- CSSH *Comparative Studies in Society and History*
- DVIA *Diyanet Vakfı İslam Ansiklopedisi*
- EI2 *Encyclopedia of Islam*, 2nd edition
- GKD *Gaziantep Kültür Dergisi*
- GŞMSÖ Cemil C. Güzelbey and Hulusi Yetkin, *Gaziantep Şer'i Mahkeme Sicillerinden Örnekler*, 4 vols. (Gaziantep: GKD, 1966–70)
- IJMES *International Journal of Middle Eastern Studies*
- JESHO Journal of the Economic and Social History of the Orient
- İA *İslam Ansiklopedisi*
- IJTS *International Journal of Turkish Studies*
- KBYEK Konya Bölge Yazma Eserler Kütüphanesi (Regional Manuscript Library of Konya), Konya
- OTAM *Ankara Üniversitesi Osmanlı Araştırma ve Uygulama Merkezi Dergisi*
- ND Nakibüleşraf Defterleri (Registers of the Marshal of the Descendants of the Prophet)
- Reg. 'Ayntāb Court Register, Milli Kütüphane (National Library), Ankara
Citation format: Reg.# 1/2/3 refers to Reg.# 1, page 2, record #3.
- RMMM *Revue du Monde Musulman et de la Méditerranée*
- ROMM *Revue de l'Occident Musulman et de la Méditerranée*
- TKS Topkapı Sarayı (Topkapı Palace), Istanbul
- VA Vakıflar Genel Müdürlüğü Arşivi (Archives of the Directorate of Pious Foundations), Ankara

NOTE ON TRANSLITERATION

Sources in Ottoman Turkish have been transliterated according to the *İslam Ansiklopedisi* system. Modern Turkish orthography is used for place names that are still used today. Most seventeenth-century neighborhood names are no longer in use; therefore, I have transliterated all of them to maintain consistency. Compound Arabic names have been treated as one word as in modern Turkish usage; hence, for example, ‘Abdullaṭīf, instead of ‘Abdü’l-laṭīf. Ottoman and Arabic words that are included in the *New Shorter Oxford Dictionary* (New York: Oxford University Press, 1993) have been rendered in their Anglicized form.

INTRODUCTION

...

*biñ yüzinde dildiler hāneye elli ğurūş
seviniüp virirler idi soñ neferi olmasa*

*çok degildi bu kadar kīse cihād için velī
hem nefir-i ‘āmm ‘askeri çıksun umürü olmasa*

*bu iki emr-i sa‘ab bir laḫzada mümkün midür
böyle bir cabbār vezīrūñ ḫalka zori olmasa*

*‘ālemi taḫkīr idüp hem boynına daḫdı resen
bir müsülmān eylemez ānu zebürü olmasa*

*ehl-i ‘ilm cabbār elinden çekmez idi cevri hiç
yā niyetde yā ‘amelde bir kuşūrü olmasa*

*buña rāzı oldular şükr eyleyüp ḫaḫka hemān
ba‘dehu bir zālīm-i āḫar zühürü olmasa¹*

...

The deferential exasperation in these verses, written by the ‘Ayntābi poet Kemāḫī, was the product of a sixteen-year long war that took place in an area that was a few weeks’ journey away from his hometown.² The war against the Holy League (1683–99) was one of the most exacting wars the Ottoman Empire had ever had to fight.

¹ In the year eleven hundred was assigned [a tax of] fifty *ġurūş* per *hāne*
People would have handed it over, had they not been reduced [to their last penny (?)]

It is not that a sum of the sort was inordinate for the Holy War
Had it not been coupled with the affair of the general levy
How could these two burdensome orders come at the same time,
Were it not for the heavy hand of the tyrant vizier over the people
He abused the populace and put leashes around their necks,
A Muslim would not do it, were he not [backed by] written authority
Men of knowledge would not have suffered the tyrant’s oppression,
Had they not failed in either deed or disposition
They consented to this, readily thanking the Almighty
If only it were not to be followed by another’s tyranny . . .

In *Mecmū‘a I* (Başmacızāde), Güzelbey Collection, Gaziantep University Library, 28.

² There is no information on Kemāḫī in reference works. The only poet with that penname is Ebu’l Kemal Şeyh İbrahim Hakkı Kemāḫī, whose *divān* was published in 1324/1906. Mustafa İsen and Haluk İpekten, *Basılı Divanlar Kataloĝu* (Ankara: Akçay, 1997), 41.

Against the backdrop of domestic strife, both political and military, and defeats on the European front, the empire came under enormous fiscal strain. To ease it, the government had to do more than sending golden and silver vessels from the Inner Treasury to the imperial mint. The introduction of the lifetime tax-farming system in 1695 was the most significant step taken to deal with the fiscal crisis, and it was to have important political repercussions in the following decades. Until then, measures taken against the crisis remained largely within the traditional fiscal repertoire. They included new exactions, such as the confiscation of six monthly salaries of those people receiving stipends from religious endowments and royal domains (*ḥavāṣṣ*), the introduction of an extraordinary tax called Campaign Contribution (*İmdād-ı Seferiye*, lit. campaign aid), and the regular collection of campaign-related taxes (*beldār* and *sürşat*). These monetary exactions were also coupled with a general levy. Traditional as these measures were, they turned the ordeal of the central government to an ordeal for the people, experienced unevenly by different classes in different parts of the empire.

This study examines the town of ‘Ayntāb, modern Gaziantep in Turkey, during this time of troubles. It examines ‘Ayntābi society from the perspective of social and political hierarchy, the power of the urban elite and their relationship with the common folk. These questions cut across a number of research agendas in Ottoman/Middle Eastern history some of which have been more widely explored than others. These include the politics of center-periphery relations in a narrow sense, which is linked, by virtue of the period under study, directly with the questions of decentralization/integration and the rise of local power groups; urban history, particularly, the questions of urban administration, autonomy and identity; and finally, the politics of everyday life.

The years of war against the Holy League are often considered as a particularly important moment in the history of center-periphery relations in the Ottoman Empire. War exigencies, especially the mobilization of resources in kind, cash or in the form of manpower, hastened the recognition of the local elites by the imperial center in an administrative capacity. Various identified in the relevant literature as notables, magnates, patriciate, gentry, or *a‘yān*, as the Ottomans called them, the local elites too felt the burden of the war, for some tax and service exemptions were sporadically suspended, and the Campaign Contribution tax, originally conceived and announced

as a domestic loan, initially targeted the well-to-do. In spite of this, they were in a better position than ordinary townsmen to get around the war exactions, and even when they could not, they were financially less vulnerable. More importantly, the fiscal reform of 1695 further enhanced their position, and their political and economic career was marked by continual ascent in the century after the war.

Nevertheless, the war did not create the local elites out of a vacuum, nor did the eighteenth century carry center-periphery relations into an altogether new domain. The emergence of military magnates was of course a distinctive development. They came to control vast resources and monopolized governorships in some provinces. But in terms of the scope of their activities and power, these elites could no longer be termed 'local'; besides, there were only a handful of them.³ The majority of the local power-holders comprised more modest notable families that controlled no more than a single town and its environs, and before the eighteenth century, they most often operated as an oligarchy. These *a'yān* had more in common with contemporary patriciates in Europe than the military magnates of the Ottoman realm. Later in the nineteenth century, when Maḥmūd II eliminated the *a'yān* who resisted efforts of re-centralization, ordinary notables survived and came to be incorporated into the new administrative set-up introduced by the Tanzimat. As will be examined in this study too, they had been part of the pre-Tanzimat administrative apparatus as well.⁴

Zooming in to examine the local administrative apparatus, or rather, the administrative processes, leads us to more structural questions posed by the urban history tradition, such as urban autonomies and regional identities. A city like 'Ayntāb, located as it was in the

³ For listings of the *a'yān* dynasties, see Stanford J. Shaw, *Between Old and New: the Ottoman Empire under Selim III, 1789–1807* (Cambridge, Mass.: Harvard University Press, 1971); D. R. Sada, "Urban Notables in the Ottoman Empire: the Ayan," (Ph.D. diss., Rutgers University, 1969).

⁴ Mustafa Nuri Paşa, *Netayic ül-Vukuat, Kurumları ve Örgütleriyle Osmanlı Tarihi*, ed. Neşet Çağatay (Ankara: TTK, 1979–80), 2: 282–83; Özcan Mert, *18. ve 19. Yüzyıllarda Çapanoğulları* (Ankara: Kültür Bakanlığı, 1980). On continuity in functional role of the urban elites, Halil İnalçık, "The Nature of Traditional Society: Turkey," in *Political Modernization in Turkey and Japan*, eds. Robert Ward and Dankwart Rostow (Princeton: Princeton University Press, 1964), 54; Albert Hourani, "Ottoman Reform and Politics of Notables," in *The Beginnings of Modernization in the Middle East: The Nineteenth-Century*, eds. W. R. Polk and R. L. Chambers (Chicago: Chicago University Press, 1968), 60–62; Yuzo Nagata, *Muhsin-zāde Mehmet Paşa ve Ayanlık Müessesesi* (İzmir: Akademi Kitabevi, 1999), 1–17.

frontier between Bilād al-Shām (‘the Arab city’) and Rūm (‘the Anatolian city’), poses interesting questions in relation to the historical traditions of the post-Ottoman world, which are based on linguistic and nation-state boundaries. These traditions place ‘Ayntāb in Anatolian history; therefore, this study is primarily conversant with the literature on Ottoman Anatolia, and secondly, with the literature on Arab provinces, particularly, historical Syria (Bilād al-Shām), with which the town had diverse and strong ties both before and after the arrival of the Ottomans.

Seventeenth-century ‘Ayntāb is interesting also from another perspective. It was a medium-sized town of no particular importance. Therefore, it was more typical of the Ottoman provincial world in many respects than the big cities which have been more widely studied, and have shaped our view of urban traditions in the Ottoman Empire. It should also be noted, however, that ‘medium-sized’ did not mean average. With a population of about 14,000 during the second half of the seventeenth century, it was comparable to, for example, Kiev, Basel and Nice, and other medium-sized cities in contemporary Europe, which constituted no more than 20% of the cities there in 1700.⁵ Thus, assuming that there were still compatible levels of urbanization in Europe and the Ottoman Empire during this period, cities the size of ‘Ayntāb were not very common either. But ‘Ayntāb did not stand out from a strategic point of view or in terms of the resources it contributed to the well-being of the ‘well-protected domains’; geographically, it stood outside the core lands of the empire.⁶ Therefore, the imperial center had no reason to pay special attention to the control or well-being of the city; nor did it have the means to be part of the day-to-day business of the town due to the distance involved. While in capital cities or major provincial centers the preponderance of the imperial staff either

⁵ Roger Mols, *Introduction à la démographie historique des villes d’Europe du XIV^e au XVIII^e siècle* (Louvain: Publications Universitaires de Louvain, 1955), 2: 41; Jan de Vries, *European Urbanization, 1500–1800* (Cambridge, Mass.: Harvard University Press, 1984), 70, 275; Paul Bairoch, Jean Batou and Pierre Chèvre, *La population des villes européennes, 800–1850* (Geneve: Librairie Droz, 1988), 61, 67.

⁶ For a discussion of the ‘core’, see Suraiya Faroqhi, “Coping with the Central State, Coping with Local Power: Ottoman Regions and Notables from the Sixteenth to the Early Nineteenth Century,” in *The Ottomans and the Balkans: A Discussion of Historiography*, eds. Fikret Adanır and Suraiya Faroqhi (Leiden and Boston: E. J. Brill, 2002), 365–66.

produced parallel elites or obstructed the local elites altogether,⁷ the elite in late seventeenth-century ‘Ayntāb was quite homogeneous, wealthy and visible in public life. All these features make ‘Ayntāb a good case for the study of urban dynamics outside the shadow of the central state, that is, to the extent that the shadow of the state can be avoided in the seventeenth century.

The political history of cities in the early modern era is inextricably linked with the history of the relationship between their elites and the central state: the question of urban autonomies, or their weakening, merges with the loss of autonomy of the local elites, and in a fundamental way, the story of Ottoman urban elites, and the elite of ‘Ayntāb in particular, closely resembles the stories of other elites which have been most extensively studied in the case of Europe. Patriciates as urban elites with political power were a structural element of the medieval and early modern cityscape, especially where towns could capitalize on economic resources large enough to support them as a group. They controlled political offices and urban wealth, often with a substantial component of rural estate, and often without monopolizing any of them. Where the central state was weak, as in medieval Europe, Transoxiana or southern Asia, urban elites thrived. When the gunpowder states of the early modern era began to encroach on local autonomies and imposed ambitious fiscal and bureaucratic programs, what happened to traditional military aristocracies also happened to urban elites. They survived but found themselves redefined by the influx of the newly-rich who rode the tide of the early modern cycle of economic growth as well as “men representing outside authority who found their way into the patriciate.”⁸

⁷ Alexander F. Cowan, *Urban Europe, 1500–1700* (London: Arnold, 1998).

⁸ Cowan, *Urban Europe*, 36–38, 49–50, 60; *idem*, *The Urban Patriciate: Lübeck and Venice, 1580–1700* (Cologne and Vienna: Böhlau, 1986), 6–10; Wim P. Blockmans, “Voracious States and Obstructing Cities: An Aspect of State Formation in Preindustrial Europe,” in *Cities and the Rise of States in Europe, A.D. 1000 to 1800*, eds. Charles Tilly and W. P. Blockmans (Boulder and San Francisco: Westview Press, 1994), 237–40, 245; T’ung-tsu Ch’ü, *Local Government in China under the Ch’ing* (Cambridge, Mass.: Harvard University Press, 1988), 168–92; Valerie A. Kivelson, *Autocracy in the Provinces: the Muscovite Gentry and Political Culture in the Seventeenth Century* (Stanford: Stanford University Press, 1996); Richard W. Bulliet, *The Patricians of Nishapur, A Study in Medieval Islamic Social History* (Cambridge, Mass.: Harvard University Press, 1972); J. L. McClain, J. M. Merriman and U. Kaoru, eds., *Edo and Paris: Urban Life and the State in the Early Modern Era* (Ithaca and London: Cornell University Press, 1997); R. Burr Litchfield, *Emergence of a Bureaucracy: the Florentine Patricians, 1530–1790* (Princeton: Princeton University Press, 1986).

By accepting the terms of mobility and nobility imposed by the central state, patriciates turned ‘national’, at least in Europe.

In the Ottoman Empire, the ascent of the provincial elites from the seventeenth century onwards was accompanied by a new mode of center-periphery integration. Unlike what had been assumed for a long time, therefore, recent scholarship has demonstrated that the rise of the provincial elites did not necessarily herald the dissolution of the empire.⁹ On the contrary, ‘Ottomanization’ as the creation of a composite elite through the functional and social merger of imperial officials and local powers was made possible by an inclusive system of privilege distribution located in the capital, and it was the degree of economic, social and, possibly, ideological integration thus achieved between the center and provincial elites of different kinds that set the eighteenth century apart from the earlier Ottoman centuries. That this process reflected a variation on the theme of modern state formation has been argued most explicitly by Ariel Salzman—an argument, put forward on different grounds by Abou-El-Haj before her.¹⁰ This study essentially agrees with this characterization. It also agrees with recent efforts to view early modernity in a broader Eurasian context inclusive of the Ottoman Empire.¹¹ Yet, variations on a theme may be, or become, dissimilar enough to preclude literal analogies, and now research on Ottoman early modernity has to be wary of this risk as much as historicism.

Finally, the book draws on the paradigm of the ‘politics of everyday life’, which has not been explored much in the context of Ottoman history. If center-periphery relations defined an imperial

⁹ For a review of this critical literature, see Leslie Peirce, “Changing Perceptions of the Ottoman Empire: The Early Centuries,” and Jane Hathaway, “Rewriting Eighteenth-Century Ottoman History,” *Mediterranean Historical Review* 19/1 (2004): 6–28 and 29–53.

¹⁰ Ariel Salzman, “An Ancien régime Revisited: ‘Privatization’ and Political Economy in the Eighteenth-century Ottoman Empire,” *Politics and Society* 21 (1993); Rifa’at Abou-El-Haj, *Formation of the Modern State: the Ottoman Empire, Sixteenth to Eighteenth Centuries* (Albany: SUNY, 1991).

¹¹ See the collection of articles in *Early Modernities Daedalus* 127 (1998), Special Issue; D. Sachsenmaier, J. Riedel and S. Eisenstadt, eds., *Reflections on Multiple Modernities: European, Chinese and Other Interpretations* (Leiden and Boston: E. J. Brill, 2002); Joseph Fletcher, “Integrative History: Parallels and Interconnections in the Early Modern Period: 1500–1800,” *Journal of Turkish History*, 9 (1985): 40–51; Jack A. Goldstone, “East and West in the Seventeenth Century: Political Crisis in Stuart England, Ottoman Turkey, and Ming China,” *CSSH* 30 (1988): 103–42; Sanjay Subrahmanyam, “Connected Histories: Towards a Reconfiguration of Early Modern Eurasia,” *Modern Asian Studies* 31 (1997): 735–62.

domain of politics, the politics of everyday life pertained to a local domain where the center was a factor, but only indirectly. Everyday politics was embedded in public “*processes* involved in determining and implementing public goals and in the differential achievement and use of power by the members of the group concerned with these goals,”¹² and it operated not through instruments of the state alone but also through structured encounters between ordinary people and the powerful, i.e. those ‘who could get things done the way they wanted’.¹³ In this domain, the elite of ‘Ayntāb were not just an intermediary between the outside authority and the locals or patrons of the local populace, but an authority in their own right; to borrow from Dennis Romano on Renaissance Venice, they were the ‘domini’ of ‘Ayntāb. The domini, according to Romano, saw themselves as the masters of the city and probably, were seen as such. They did not constitute a legal category/estate unlike the patricians/nobles. Nor did they constitute a class in a structuralist sense, since nobles and well-to-do commoners whose wealth was based on diverse sources could both think of themselves as the domini and acted accordingly.¹⁴ The paramount role attributed to the state in the study of the Ottoman past accounts for the current poor state of our knowledge about this aspect of urban elites and about urban politics.

One of the factors behind state-centrism has been a formalist/legalist bias at the heart of which lies an idea of politics as a field of action coterminous with the institutional boundaries of the state and a monopoly held by the state elite. Bottom-up studies of the political process that have introduced the imperial subjects as agents in their fate have recently challenged this approach.¹⁵ Thus, according

¹² M. C. Swartz, V. Turner, and A. Tuden, eds., *Political Anthropology* (Chicago: Aldine Publishing Company, 1966), 4–8. Also, Alf Ludtke, ed., *The History of Everyday Life: Reconstructing Historical Experiences of Life* (Princeton: Princeton University Press, 1995); John Gledhill, *Power and Its Disguises, Anthropological Perspectives on Politics* (London: Pluto Press, 1994), 13–20, 123–50.

¹³ Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. G. Roth and C. Wittick (Berkeley: University of California Press, 1978), 2: 60–61.

¹⁴ Dennis Romano, *Patricians and Popolani: the Social Foundations of the Venetian Renaissance State* (Baltimore and London: The John Hopkins University Press, 1987), 34–38.

¹⁵ Suraiya Faruqi, “Political Activity Among Ottoman Taxpayers and the Problem of Sultanic Legitimation (1570–1650),” *JESHO*, 35 (1992), and other essays in *idem*, *Coping with the State, Political Conflict and Crime in the Ottoman Empire, 1550–1720* (Istanbul: The Isis Press, 1995); Amy Singer, *Palestinian Peasants and Ottoman Officials: Rural Administration Around Sixteenth-Century Jerusalem* (Cambridge: Cambridge University Press, 1994); Karen Barkey, *Bandits and Bureaucrats, the Ottoman Route to State Centralization*, (Ithaca: Cornell University Press, 1994).

to Faroqhi, for instance, “at least the well-to-do among provincial *re‘āyā*” used the mechanism of petitioning and “engage[d] in legitimate activity which we would regard political.”¹⁶ Yet, the ‘illegitimate’ politics of the subaltern and politics *in* society that was not triggered by some injustice committed by the state elite remains largely undocumented, especially for Anatolia and for earlier periods.¹⁷

The agenda of nation-building in the post-Ottoman Middle East has also contributed to state-centrism. For example, the relationship between the local notables and the central state and the role of the notables in the nation-building process was an important question in the large body of literature inspired by Hourani’s paradigm of the ‘politics of notables’.¹⁸ This teleological interest in the history of notables was predicated on a bipolar view of the political domain, with the state on one side and the local/national society on the other.¹⁹ Although the nationalist agenda in this line of research has long been superceded in recent scholarship, the idea of polarity has left behind a legacy of lack of interest in domination *in* society and class relations despite the fact that Hourani’s own construct did not preclude it. This situation has been partly rectified for the eighteenth and nineteenth centuries thanks to research on the political economy of commerce and landholding.

The historiography of notables in Anatolia was informed by an opposite sensibility, namely, oneness of the state and society. In fact, there was no place or need for urban elites in the national narrative of modern Turkish history. The combination of populism, the notion of a class-free nation, and a centralist reading of Ottoman history, resulting from a convenient marriage between the Ottoman state’s own historical discourse and the modernist paradigm, was not likely to incite an interest in urban elites or in urban history. Notables entered

¹⁶ Faroqhi, “Political Activity,” 3.

¹⁷ For similar observations, see Boğaç Ergene, “Subalterity, Postcolonial Critique and the Ottoman Peasantry: A Critical Evaluation of the Modern Approaches to Ottoman State-Society Relations,” *Critique* 13 (1998): 29–43. There is already a significant literature on urban rebellions in Arab provinces in the late eighteenth and nineteenth centuries.

¹⁸ Albert Hourani, “Ottoman Reform and the Politics of Notables,” 41–68. For an overview of the literature, see Philip Khoury, “The Urban Notables Paradigm Revisited,” *RMMM*, 55–56 (1990).

¹⁹ See Fatma Müge Göçek, *Rise of the Bourgeoisie, Demise of Empire, Ottoman Westernization and Social Change* (New York and Oxford: Oxford University Press, 1996), 12–19, for a review of the Weberian and Marxist versions of this paradigm.

the historiography of Anatolia with the rise of the military magnates in the eighteenth century and, particularly, with the aggravation of power struggles among them towards the end of the period. Thus, with the remarkable exception of Mustafa Akdağ's work, pioneering studies on these households depicted the latter in terms of their clash with the central authority, their oppression of the *re'āyā* and, needless to say, as a factor in Ottoman decline.²⁰ As for the urban elites in the Anatolian provinces, Özer Ergenç's studies on the sixteenth century aside, our knowledge about them remained rather poor until recently.²¹ More sophisticated appraisals of the military magnates began to appear in the 1980s while Turkey itself began to move away from statism, and recent scholarship has broken with the Republican anti-*a'yān* attitude. Interest in urban notables has also lately increased: Yüksel Duman's dissertation on Tokat, and from a perspective very close to that of this book, Işık Tamdoğan's studies on urban history and the political culture of the notables have invigorated the scholarship on Anatolian local elites.²²

²⁰ Mustafa Akdağ, "Osmanlı Tarihinde Âyanlık Düzeni Devri," *Tarih Araştırmaları Dergisi*, 8–12 (1970–74): 51–61; İsmail H. Uzunçarşılı, *Meşhur Rumeli Âyanlarından Tirsinkli İsmail, Yılık Oğlu Süleyman Ağalar ve Alemdar Mustafa Paşa* (İstanbul: Maarif Matbaası, 1942); Yücel Özkaya, *Osmanlı İmparatorluğunda Âyanlık* (Ankara: AÜDTCF, 1977); Yuzo Nagata, *Muhsin-zâde Mehmet Paşa*, and *idem*, *Tarihte Âyanlar, Karaosmanoğulları Üzerine Bir İnceleme* (Ankara: TTK, 1997). Nagata's later work is less committed to the centralist discourse.

²¹ Özer Ergenç, "Osmanlı Şehirlerindeki Yönetim Kurumlarının Niteliği Üzerinde Bazı Düşünceler," in *VIII. Türk Tarih Kongresi, Ankara, 4–15 Ekim 1976, Kongreye Sunulan Bildiriler*, 3 vols. (Ankara: TTK, 1981), 1265–1274; *idem*, *XVI. Yüzyılda Ankara ve Konya*, 140–43; "Osmanlı Klasik Dönemindeki 'Eşraf ve A'yân Üzerine Bazı Bilgiler," *Osmanlı Araştırmaları*, 3 (1982). Ayda Arel, "Gothic Towers and Baroque mihrabs: the post-classical architecture of Aegean Anatolia in the Eighteenth and Nineteenth Centuries," *Muqarnas*, 10 (1993): 212–18.

²² Özcan Mert, *18. ve 19. Yüzyıllarda Çapanoğulları* (Ankara: KB, 1980); Necdet Sakaoğlu, *Anadolu Derebeyi Ocaklarından Köse Paşa Hanedanı* (Ankara: Yurt Yayınları, 1984); Yüksel Duman, "Notables, Textiles and Copper in Ottoman Tokat, 1750–1840" (Ph.D. diss., State University of Binghamton, 1999); Canay Şahin, "The Rise And Fall Of An A'yân Family in Eighteenth Century Anatolia: The Caniklizâdes (1737–1808)" (Ph.D. diss., Bilkent University, 2003); Işık Tamdoğan-Abel, "Les Modalités de l'urbanité dans une ville ottomane, les habitants d'Adana au VXIII^e siècle d'après les registres des cadis," (Ph.D. diss., EHESS, 1998); and *idem*, "'Büyükleri Saymak, Küçükleri Sevme' 18. Yüzyıl Adana'sında Ayanların İlişki Ağları ve İki Farklı İlişki Yürütme Üslubu," *Tarih ve Toplum Yeni Yaklaşımlar* 1 (2005): 77–96. Although not concerned with Anatolia, Anastasopoulos' dissertation on Karaferye is also an important recent contribution to the study of *a'yân*. Antonios Anastasopoulos, "Imperial Institutions and Local Communities: Ottoman Karaferye, 1758–1774" (Ph.D. diss., University of Cambridge, 1998).

Note on Terminology

To refer to the elite of ‘Ayntāb, I have retained the term ‘*‘āyān*’, the Ottomans’ choice and the choice of the sources used in this book in particular, and ‘notables’, the choice of most scholars of the Middle East writing in western languages. However, the established usage of the term ‘notables’ in Middle Eastern Studies is not conducive to thinking in comparative terms; as noted by Bulliet, it “[has] a vaguely non-Western ring” to it.²³ As far as the Ottoman period is concerned, this usage is also predicated, in varying degrees, on the idea of the distinction between indigenous elites and members of the Ottoman officialdom. As will be seen later in this book, one cannot easily speak of such a distinction in late seventeenth-century ‘Ayntāb. Therefore, as a simple solution to the inevitable problem of translation, I have generally used the term ‘elite’ which is more inclusive and less committed to any established paradigm in historiography—although it has other problems.²⁴ To use ‘patriciate’²⁵ could have, perhaps, facilitated communication across area studies and contributed to an understanding of Ottoman history in relation to the master narratives of the early modern era, as an increasing number of scholars now seek to do. Such concerns are bound to be framed by the historical experience, hegemonic languages and social sciences of Europe, until, one would hope, the recent rise of World History, albeit under the tutelage of liberal globalism, provides sufficient ammunition for a new social science of history, non-European and European alike. It is possible that for the time being, the term ‘patriciate’ in the sense of a “wealthy, hereditary, urban aristocracy controlling a city through the oligarchic distribution of offices and perquisites but also feeling a loyalty and concern for the city” is “the best of a bad lot.”²⁶ Furthermore, this definition basically agrees with the Ottomans’ view of the *‘āyān* as the ‘wealthy, worthy and influential’ (*ağniyā, ḥaysiyetli, nüfūzlu*), to quote Muṣṭafa Nūrī Paşa.²⁷ I still choose

²³ Bulliet, *The Patricians of Nishapur*, xi.

²⁴ For a detailed discussion, see Antonis Anastasopoulos, “Introduction,” in *Provincial Elites in the Ottoman Empire, Halcyon Days in Crete V*, ed. Antonis Anastasopoulos (Rethymno: Crete University Press, 2006), xi–xxii.

²⁵ Suraiya Faroqhi, *Men of Modest Substance, House Owners and House Property in Seventeenth-Century Ankara and Kayseri* (Cambridge: Cambridge University Press, 1987).

²⁶ Bulliet, *The Patricians of Nishapur*, 20–21.

²⁷ Muṣṭafā Nūrī Paşa, *Netāyici’l-Vukū‘at* (İstanbul: Uḥuvvet, A.H. 1327), 4: 98.

not to resort to historically specific translation even though both the term ‘patriciate’ and ‘gentry’, another rendition of the term ‘*‘āyān*’ in English, referred to diverse socio-political formations even in Europe, and have come to be used for local elites in other geographies too.²⁸

From an analytical perspective, Muṣṭafa Nūrī Paşa’s matrix of ‘wealth, worth and influence’ captures succinctly the matrix of power that this book has set out to explore, and it brings together the two formerly-competing research agendas in the classical sociology of stratification and power, namely, class and status, which also characterized a divide between modernity and pre-modernity in Weberian historiography.²⁹ These two perspectives have since been reconciled in important ways following the post-structuralist and cultural turns in social theory, and the notions of class and status have become more inextricably linked. But this theoretical shift has not yet found an echo in the study of early modernity despite the fact that the idea of a rupture between modernity and pre-modernity has been challenged in other ways.³⁰ Agency, self-conscious identity, the relationship

²⁸ Dina Rizq Khoury, *State and Provincial Society in the Ottoman Empire, Mosul, 1540–1834* (Cambridge: Cambridge University Press, 1997); Ariel Salzmann, *Tocqueville in the Ottoman Empire: Rival Paths to the Modern State* (Leiden and Boston: E. J. Brill, 2004). Compare Kivelson, *Autocracy in the Provinces*, esp. 26–45; Ch’ü, *Local Government in China*; 168–92, 313–20; Richard Van Glahn, “Municipal Reform and Urban Social Conflict in Late Ming Jiangnan,” *The Journal of Asian Studies* 50 (1991), 280–307; G. Edmund Mingay, *The Gentry: the Rise and Fall of a Ruling Class* (London: Longman, 1976), 1–16; P. R. Coss, “The Formation of the English Gentry,” *Past and Present* 147 (1995), 50; James S. Amelang, *Honored Citizens of Barcelona, Patrician Culture and Class Relations, 1490–1714* (Princeton: Princeton University Press, 1986), 216–22. Kivelson’s Russian gentry were closer to Ottoman benefice-holders (*dirlik*) than *‘āyān*, and the Ottoman benefice-holders were closer to Mughal *mansabdar/jagirdars* (rank/revenue-holders), who are often rendered into English as nobility—a term we Ottomanists shun religiously. Chinese gentry, also translated as patriciate, were closer to Ottoman religious literati and even English gentry in some ways, and had little to do with the Russian. The patriciates in western Europe could be more commercial, constitutional and open, as in the north, or more land-based, aristocratic and closed as in the south; they could be centralized as in France and Castile or of mixed constitution everywhere else.

²⁹ For a summary of the historiographic debates, see William Beik, *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge: Cambridge Univ. Press, 1988), 6–17; Peter Burke, “The Language of Orders in Early Modern Europe,” and William M. Reddy, “The Concept of Class,” in *Social Orders and Classes in Europe Since 1500*, ed. M. L. Bush (London and New York: Longman, 1992), 1–12, 13–25.

³⁰ Anthony Giddens, “Class Structuration and Class Consciousness,” in *Classes, Power and Conflict*, eds. A. Giddens and David Held (Berkeley and Los Angeles: University of California Press, 1982), 157–74; Harvey J. Kaye and Keith McClelland,

between objective and subjective group boundaries, between economic resources and other determinants of social position ('different forms of capital') pose an even more entangled web of questions for the historian of early modernity. That is why the elite of 'Ayntāb, or the 'honorable people of 'Ayntāb' as they appear in official documents, are presented in this book in terms of an eclectic conceptual repertoire. The question of the appropriateness of characterizing them as a class, a dominant class, or something else remains, not as a problem specific to Ottoman history but one equally applicable to, for example, the *Honored Citizens of Barcelona*,³¹ to cite one case among their contemporaries.

*

The book starts with a general introduction to the town of 'Ayntāb in the second half of the seventeenth century. Part I locates the town in Ottoman history and space, and depicts the administrative and physical parameters of urban life including topography, demography and economic resources. The next two parts of the book are devoted to aspects of social hierarchy and urban politics.

In Part II, Chapter 2 focuses on the scramble of the 'Ayntābis for titles and entitlements that came with *'askerī* status, which signified a share in the system of privileges orchestrated by the state. I suggest that this demand for titles and its gratification through official means or usurpation were an aspect of Ottomanization as much as a defensive response to increased taxation, and it involved larger segments of the society than is implied by the notion of Ottomanization. Chapter 3 turns to economic power and starts with a general examination of the distribution of wealth in 'Ayntāb. It then surveys the wealth of the wealthy and raises the question of their identity, problematizing, in particular, the relationship between local families and Ottoman officialdom. These two chapters straddle the questions of

eds., *E. P. Thompson, Critical Perspectives* (Philadelphia: Temple University Press, 1990); Pierre Bourdieu, *Language and Symbolic Power* (Cambridge, MA: Harvard University, 1995), 231–51; John R. Hall, ed., *Reworking Class* (Ithaca, NY: Cornell University Press, 1997); Jozsef Borocz, "Stand Reconsidered: Contingent Closure and Institutional Change," *Sociological Theory* 15 (1997): 215–48; Andre Gunder Frank and Barry K. Gills, "The Five Thousand Year World System in Theory and Praxis," and Andrew Sherratt, "Envisioning Global Change: a Long-Term Perspective," in *World System History: The Social Science of Long-Term Change*, eds. Robert A. Denemark et al. (London; New York: Routledge, 2000), 3–23, 115–32.

³¹ Amelang, *Honored Citizens of Barcelona*. See fn. 28 above.

local identity and center-periphery relations while pointing at the role of the state in the distribution of power in a provincial setting.

Part III focuses on everyday politics as reflected in daily encounters that took place in and around the court between ‘Ayntābis of different social standing; more specifically, it focuses on the right to speak and decide in the name of others. In general terms, both of these functions, i.e. representing the local communities and undertaking administrative duties, have long been recognized as defining attributes of urban elites. These functions are also closely associated with urban autonomy and collective agency. There was, however, another side to representation and administrative decision-making, which is muted in the common understanding of the terms ‘administration’ and ‘mediation’ of the interests of the represented: they were both predicated on power and entailed power over others, which is perhaps better expressed by the terms ‘government’ and ‘governance’. Chapter 4 examines the judicial decision-making itself and problematizes the act of testimony as an instance of representation and the participation of the ‘honorable’ and ‘righteous’ ‘Ayntābis in the performative power of law. It also discusses, in a more general sense, the resonance between legal processes and status differences. Finally, Chapter 5 turns to urban affairs in general, and focuses on selected instances of resource management. A close look at administrative processes reveals two points. On the one hand, the elite who represented urban collectivities in these processes personified the collective identity of the town; put differently, they constituted the ‘people’ of ‘Ayntāb as a legitimate agent in public life. On the other hand, the degree of autonomy they enjoyed in town government vis-à-vis the central state also defined the contours of their authority over their fellow townsmen.

Sources

Court registers have been one of the most popular sources in Ottoman studies in the past three decades and they have revitalized the writing of social history in a major way. After many productive years of ‘sicillogy’ during which the records were used to gather facts about a wide range of social practices, relatively recently, textual criticism has opened up new vistas in their use, particularly for cultural history. By pointing out the relationship between the court and its records

on the one hand and the broader fabric of social practices on the other, the study of the registers as social products has at the same time dismantled the tacit assumption of empirical accuracy.³² In addition, it has been recognized that an indeterminate number of disputes were not even brought to the court but settled through communal means.³³ In ‘Ayntāb at least, that was the case as late as the beginning of the twentieth century. Furthermore, probably not all echelons of society were equally eager to avail themselves of the courts’ services as will be discussed in this book too. Therefore, most scholars now concur that these drawbacks significantly circumscribe the methodological possibilities that the registers offer. Despite these reservations, however, court registers still remain irreplaceable for the study of Ottoman social history, certainly for that of ‘Ayntāb.³⁴

This study is based on twenty registers from 1645 to 1699, and a register of probates compiled between 1682 and 1694. For numeric analysis, two data sets covering the periods 1656–60 and 1689–93 are used. Although much of the book focuses on the last two decades of the century, data from the middle period are frequently invoked not only to compare or supplement information about the war years but also to better penetrate the textual characteristics of the records. The data sets in question include all case records and names of all Muslim males who participated in the domain of law in some capacity during the periods specified; that makes 8,510 male Muslim entries for 1656–60 and 8,967 entries for 1689–93.³⁵ Women and non-

³² For historiographic assessments of the registers, see Najwa al-Qattan, “Dhimmi in the Muslim Court: Documenting Justice in Ottoman Damascus, 1775–1860” (Ph.D. diss., Harvard University, 1996), 23–35, 89–147; Dror Ze’evi, “The Use of Ottoman Shari‘a Court Records as a Source for Middle Eastern Social History: A Reappraisal,” *Islamic Law and Society*, 5 (1998): 35–56; Işık Tamdoğan-Abel, “L’écrit comme échec de l’oral? L’oralité des engagements et des règlements à travers les registres de cadis d’Adana au XVIII^e siècle,” *REMMM* 75–76 (1995): 155–65; and Leslie Peirce, *Morality Tales. Law and Gender in the Ottoman Court of Aintab* (Berkeley: University of California Press, 2003).

³³ See, for example, Michael Winter, *Egyptian Society Under Ottoman Rule, 1517–1798* (London and New York: Routledge, 1992), 147, on informal courts held weekly by the shaikhs of religious orders in sixteenth-century Egypt.

³⁴ See the exchange between Zouhair Ghazzal and André Raymond concerning Establet and Pascual’s *Familles et fortunes à Damas en 1700* (Damascus: Institut Français d’études arabes de Damas, 1994) in *IJMES*, 28/3 (1996), and *IJMES*, 30/3 (1998); also Carlo Ginzburg, “Clues: Roots of an Evidential Paradigm,” in *Clues, Myths, and the Historical Method* (Baltimore: The Johns Hopkins University Press, 1992), 96–125.

³⁵ Two registers are used for each data set: Reg.# 25 and Reg.# 18 and Reg.# 39 and Reg.# 40 respectively. Reg.# 25 and Reg.# 18 appear to be the only

Muslims are included selectively because their role in public affairs was marginal.

There is a vast legal literature on the topics brought up in Chapters 4 and 5, and this study barely scratches the surface. I use mainly two major works from the period as reference: the fatwa collections of Şeyhül-islâm Çatalcalı ‘Alî Efendi and Şeyhül-islâm Feyzullâh Efendi.³⁶ These are supplemented with Halebî’s *Multakâ’l-abhur* (1517), which was intended for practitioners of law as a *shurûṭ* work and became the number one manual of the Ḥanafî School in the Ottoman Empire.³⁷

Due to its geography and relative marginality during the period under study, narrative sources have little to offer on ‘Ayntâb. There are few travelogues that cover the town and its environs and most of them date from the eighteenth and nineteenth centuries. Sources written in ‘Ayntâb itself are also limited to a few collections of miscellany (*mecmû‘ât*) with no significant historical content particularly for the seventeenth century, and despite Gaziantep’s long tradition of local historiography, no biographical dictionaries or histories have been unearthed so far. My own inquiries in the city did not reveal any, nor did my research at Konya Regional Manuscript Library, where ‘Ayntâb’s manuscript collections are now kept. Apart from the collections of miscellany just mentioned, I have been able to locate two unofficial nineteenth-century yearbooks (*sâlnâme*) one of which was written by Muştafâ Fehim (1846–1908), a local bureaucrat and a member of the Ḥaşircioğlus, one of the most prominent families in the nineteenth century. The other one, which remains anonymous in the library catalogue probably belonged to him too.³⁸

Like most medium-sized towns, ‘Ayntâb has not received much scholarly attention until recently. When I finished my dissertation in 1999, there were only two scholarly publications about the province.

surviving registers from 1656–60 whereas there are two more registers from 1689–93 (Reg.# 38, 41) that are not included in the database. Likewise, Reg.# 37, also from 1689–93, is excluded for it contains only official correspondence.

³⁶ *Fetâvâ-yı ‘Alî Efendi* (İstanbul: Matba‘a-yı ‘Âmire, 1311); *Fetâvâ-yı Feyziyye ma‘anukûl* (İstanbul: Dâru’ṭ-ṭabâ‘at al-‘âmiriye, 1266).

³⁷ Burhâneddîn İbrâhîm el-Ḥalebî, *Multakâ’l-abhur*, 2 vols. (Dersa‘adet: Şirket-i Şahâfiyye ‘Oşmâniyye, 1317).

³⁸ Muştafâ Fehim, *Risâle fî ta’rîf-i kazâ-yı ‘Ayntâb*. [A.H. 1298/ 1880–81], # 3472, Gaziantep Collection, KBYEK, and *idem* (?), *Sâlnâme-i ‘Ayntâb*. [A.H. 1306–10/ 1888–93], # 3473, Gaziantep Collection, KBYEK. On Muştafâ Fehim, C. C. Güzelbey, *Gaziantep Büyüklüğü ve Gaziantep Meşahirine Ek* (Ankara: Ajanstürk, 1988), 203–8.

One was a printed edition of the three cadastral surveys from the sixteenth century prepared by Hüseyin Özdeğer and the other one was a study of the Turcoman tribes of the area.³⁹ Since then, two dissertations on the eighteenth-century history of the town have appeared: one by Hüseyin Çınar, a general study of economy and society, and another one by Zeynel Özlü, based on the probate inventories from the second half of the century.⁴⁰ Finally, Leslie Peirce's study of legal culture and gender in sixteenth-century 'Ayntāb has contributed greatly to the store of scholarship on Ottoman 'Ayntāb.⁴¹ These studies have helped me put 'my' 'Ayntāb in a clearer long-term perspective when revising my thesis for the present study. Apart from academic studies, local historian Cemil C. Güzelbey's several publications ranging from folklore to oral history and his selected excerpts from the eighteenth- and nineteenth-century court registers have provided invaluable pointers and information, and they remain indispensable for students of historical 'Ayntāb.⁴²

³⁹ Hüseyin Özdeğer, *Onaltıncı Asırda Ayntāb Livāsı* (İstanbul: İÜİF, 1988); Necdet Sevinç, *Gaziantep'de Yer Adları ve Türk Boyları, Türk Aşiretleri, Türk Oymakları* (İstanbul: Türk Dünyası Araştırmaları Vakfı, 1983).

⁴⁰ Hüseyin Çınar, "18. Yüzyılın İlk Yarısında Ayntab Şehri'nin Sosyal ve Ekonomik Durumu" (Ph.D. diss., Istanbul University, 2000); Zeynel Özlü, "Kassam Defterlerine göre XVIII. Yüzyılın İkinci Yarısında Gaziantep" (Ph.D. diss., Ankara University, 2002).

⁴¹ Peirce, *Morality Tales*.

⁴² *Gaziantep Şer'i Mahkeme Sicillerinden Örnekler* (Gaziantep: GKD, 1966–70), 4 vols., fourth vol. with Hulusi Yetkin (henceforth *GŞMSÖ*); *Gaziantep Evliyaları* (Gaziantep: İslami Hizmetler Vakfı, 1990); *Gaziantep'ten Kesitler* (Gaziantep: Ar Ajans, 1992); *Gaziantep Camileri Tarihi* (Gaziantep: Türk İslam Vakfı, 1992).

PART I



Figure 1.1. 'Ayntāb in the nineteenth century (from Francis R. Chesney, *The Expedition for the Survey of the Rivers Euphrates and Tigris* (London: Longman, 1850))

CHAPTER ONE

AN INTRODUCTION TO ‘AYNTĀB

*Şehr-i ‘Ayntāb ne hoş āb u havāsi ne güzel
Rūh bahşāne eser bād-ı şabāsi ne güzel¹*

‘Ayntāb, the Town

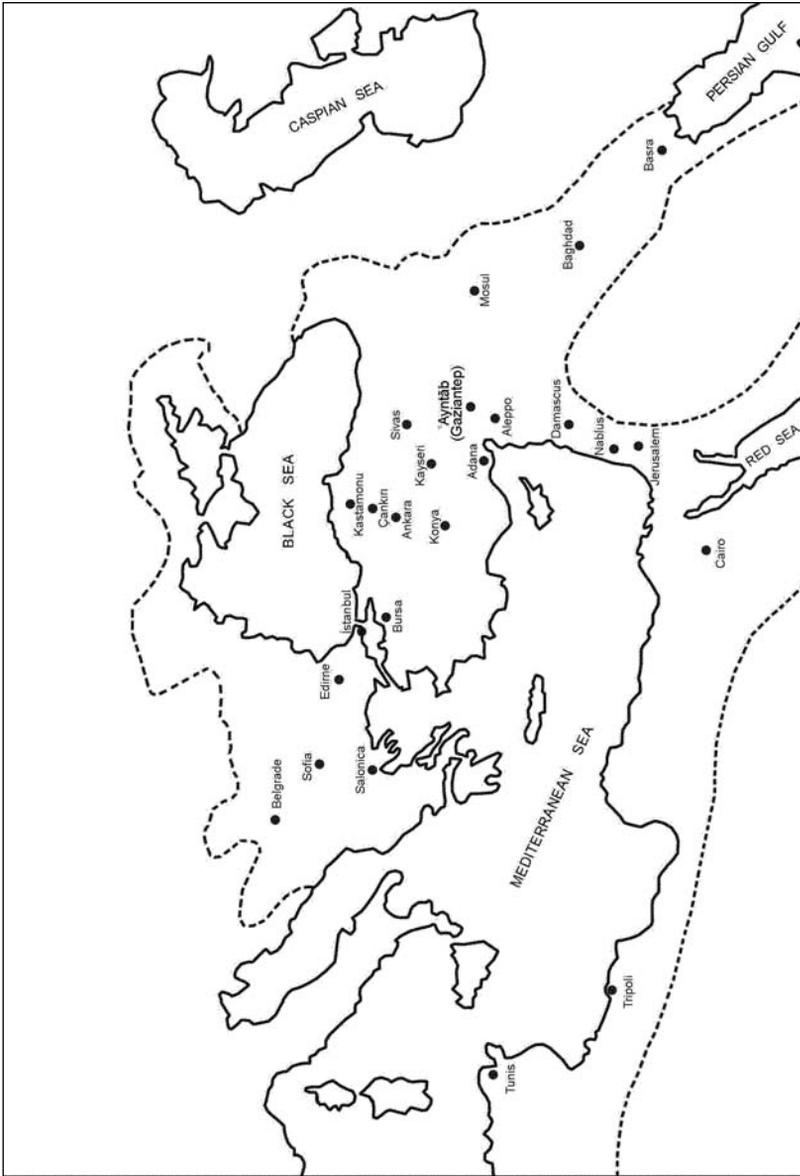
Geography

The city of ‘Ayntāb, modern day Gaziantep, stood in a frontier zone that had separated states, civilizations and cultures throughout history. Fifty-five kilometers to the west of the Euphrates and forty-five kilometers to the north of the modern Turkish-Syrian border, it was located on a considerably high (850 m) and fertile plane, surrounded by lesser extensions of the Taurus mountains in the west and the north (Maps 1.1–2).

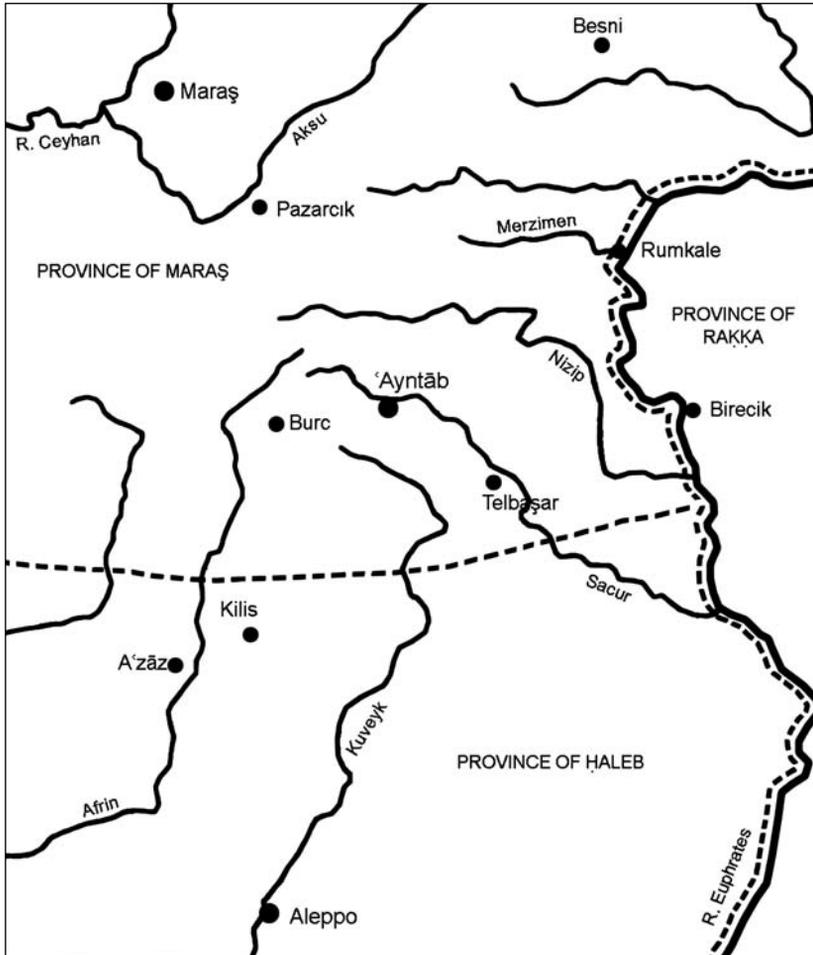
The area became part of the *suğūr* (frontier) between the Byzantine Empire and the Muslim lands after Arabs expanded into northern Syria in the seventh century. From then on, it changed hands many times between Muslim, Byzantine and crusading armies, and from the twelfth century onwards, between Turcoman states and the Mamluks. It was incorporated into the Ottoman Empire in 1516, at the beginning of Selīm I’s Syrian campaign.

Like all frontiers, the region brought together what lay on either side as much as it separated them. The fluidity of the boundaries between historical Syria (Bilād-i Shām) or more generally, between Arab lands (‘Arabistān) and Anatolia (Rūm) was reflected not only in shifting administrative divisions created under the Ottomans, but also in geographic definitions. According to the medieval geographer

¹ “How pretty is the city of ‘Ayntāb; how beautiful are its water and air/How beautiful is its eastern breeze which blows life into one’s soul.” Anonymous, *Cönk* (Private Collection of Abdullah Özer), 49.



Map 1.1. Aynṭāb and the Ottoman Empire at the end of the seventeenth century



Map 1.2. 'Ayntāb and its vicinity

Ibn Ḥawqal, Shām stretched as far north as Maraş and Malatya while ‘Aynī, writing in the fifteenth century, included Malatya in Bilād-i Rūm. Thus, ‘Ayntāb was part of the clime of Shām according to both.²

According to Kātüb Çelebi, too, the whole province of Maraş, like Adana, was part of the clime of Shām but parts of it were considered as Lesser Armenia.³ According to Evliyā Çelebi, the town was characterized as the ‘poppy of ‘Arabistān’, an association that survived into the nineteenth century.⁴

Urban Layout

The town of ‘Ayntāb was located in a very fertile spot on the southern shore of the river Sacur (Alleben/‘Aynū’l-leben), one of the many small rivers of the sub-province (*sancak*). The river bent southwards along the eastern outskirts of the city, forming an arch around which lay a large number of orchards, vineyards and vegetable gardens. Thanks to the Sacur and the aqueducts that carried its waters to higher elevations inside the city, the inner city also abounded in trees and gardens. All visitors were charmed by its pleasant sight.⁵ According to Aigen, who visited the area sometime between 1656 and 1663, the town was surrounded by walls, and a late seventeenth-century poem written by Kemāhī suggests the same⁶ although there is no reference to walls in any other source from the period or in ‘Aynī’s

² ‘Aynī discusses ‘Ayntāb together with other cities in Shām, but locates it in the frontier of the Land of Rūm. *Iqd al-jumān fī tāriḫ ahl al-zaman*, B274, TKS Library, 1: 87b–88a, 89b, 100b, 101a–103b. Also Mehmed ‘Aşık, *Menāzirü’l-avālim*, Turkish Mss 78, Manchester University Library, Bibliotheca Lindesiana, 128b.

³ “. . . eyālet-i Maraş ve Adana . . . bazısı vilāyet-i Ermeniyeye-i şağır bazısı iklim-i Şām’dan ma’duddur. Ve bu iki vilāyet sugūr-u Şām’dan olmağla Şām’a illhāk üdik.” *Cihānnumā* (Istanbul: Maṭba‘a-yı ‘Āmire, 1145), 598.

⁴ “[B]u şehre Arabistān gelincigi diyu tavsif itmişlerdir.” Evliyā Çelebi, *Seyāhatnāme*, B306, TKS Library, 9: 164b; and Muştafā Fehim, *Risāle*, 2.

⁵ Mehmed ‘Aşık, *Menāzirü’l-avālim*, 128b; Evliyā Çelebi, *Seyāhatnāme*, 9: 164b; Richard Pococke, *A Description of the East and Some Other countries* (London: Printed for the author, 1745) 2/1: 155; Vital Cuinet, *La Turquie d’Asie: géographie administrative, statistique, descriptive et raisonnée de chaque province se l’Asie mineure* (Paris: Leroux, 1891), 189.

⁶ The relevant verse reads: “[‘Ayntāb] is a vast expanse that comforts the soul/ If it were not for the encircling wall (*dil-küşā cā-yi fezādr sedd-i devrī olmasa*).” *Mecmū‘a 1* (Başmacızāde), 28. Wolfgang Aigen, *Sieben Jahre in Aleppo (1656–663)* (Wien: Verlag des Verbandes der wissenschaftlichen Gesellschaften Österreichs, 1980), 90.

fifteenth-century *Iqd al-jumān*. However, there was a gate (*Haleb kapısı*) in the southern district of Şhreküsti in the early eighteenth century, and a nineteenth-century engraving shows what looks like the remains of a tower or a parapet to the north of the citadel hill (Fig. 1.1).⁷

The northern part of the town was marked by a sizeable hill called Kürdtepe (turned to Türktepe in modern times), and next to it stood the citadel on high rocky terrain (Map 1.3). The citadel contained the arsenal, the prison, a small mosque and a public bath, and it was inhabited by civilians as well as guards. Muştafā Fehim also refers to a palace that belonged to the fortress commander (*dizdar*), and was in ruins by the time he was writing, like everything else in the citadel.⁸ Immediately to the south of the citadel, and further down along the southern fringes of Kürdtepe lay the commercial area with two major centers, Uzun Çarşı in the north and Arasa Square at a major junction on its southern end. Apart from these two commercial centers, there were also local markets (*sūks*) in Eblehān, Hāyik Müslümān, İbn-i Eyüb, and Şhreküsti.⁹ The old Aleppo route stretched along a north-west/south-east axis merging with the commercial artery near Arasa. Later in the eighteenth and nineteenth centuries, the Uzun Çarşı-Arasa axis developed remarkably towards the south and the west with the addition of many new commercial buildings.

Most Friday mosques and schools of higher learning (*medrese*) were also located along the commercial axis; a few others were scattered in various parts of the town. According to Muştafā Fehim, the government center in the nineteenth century was located in Seng-i Hoşkadem, which stood at a central junction in the commercial area.¹⁰ In the seventeenth and early eighteenth century, the court was in a neighborhood called İbn-i Şeker, slightly to the north of

⁷ VA, D2142, 131–39, *vakfiye* of Ahmed b. Şeyh Ramāzān; Francis R. Chesney, *The Expedition for the Survey of the Rivers Euphrates and Tigris* (London: Longman, Brown, Green, and Longmans, 1850), 1: 350. Modern Gaziantepis have no recollection of city walls, but the Armenian historian Yeghia Kasuni, originally from 'Ayntāb, mentions them. It is not clear however whether the information comes from historical sources or is extrapolated from the author's childhood memory of some ruins in the outskirts of the city. Yeghia Kasuni, "History of Aintab and its Environs," in *Armenian History of Aintab, Patmutyun Antepi Hayoc*, ed. Kevork A. Sarafian (Los Angeles: Union of the Armenians of Aintab in America, 1953), 1: 307.

⁸ Muştafā Fehim, *Risāle*, 12.

⁹ Reg.# 43/295.

¹⁰ Muştafā Fehim, *Risāle*, 24.

Seng-i Hoşkadem and next to Uzun Çarşı.¹¹ There is also reference in early eighteenth-century records to an old court, a building that was staffed by some unspecified officials who collected fees.¹² It is highly likely that this was the old Shafii court, which had fallen into disuse, certainly by the second half of the seventeenth century.¹³

As for the governor's mansion, it would appear that during the sixteenth century, Ottoman governors took up residence outside the center of the town. One of the late sixteenth-century governors, Gergerizāde Keyvān Beg, owned houses in K̄ayacığ in the west, and one of these may well have been his residence/office.¹⁴ Adjacent to K̄ayacığ was a neighborhood called Beg, which seems to have emerged around the time Keyvān Beg established his waqf (1582) or somewhat later. Around this time, at least some governors resided in Beg.¹⁵ Possibly, the last one to do so was Muştafā Ağa, who gave 'Ayntāb one of its most important buildings in 1638, the Mevlevī lodge.¹⁶ Slightly later, in 1647, a mansion (*sarāy*) was bought by the inhabitants of the town for governors, and designated as what may be called a permanent public office.¹⁷ Early eighteenth-century records indicate a certain governor's mansion (*mütesellim konağı*) in Şhreküsti, i.e. somewhere around the commercial artery stretching to the south,¹⁸ and this artery is still called Eski Saray Caddesi (Old Palace Street) today. Thus, quite possibly, this eighteenth-century mansion was the one bought by 'Ayntābis in 1647; if so, then the governor lived in the hub of the city at least from the middle of the century, which can be interpreted as a topographic sign of the acclimatization and local entrenchment of the Ottoman administration.¹⁹ Another sign, perhaps, was the settlement of the timariots in the city. In 1697, seventy-nine out of 119 prebend-holders lived in 'Ayntāb instead of

¹¹ Reg.# 25/191/2 [1068/1657–58]; also Reg.# 19/165–66, *zī'l-ka'de* 1057/1647, cited by Cemil C. Güzelbey, *Gaziantep'ten Kesitler* (Gaziantep: Ar Ajans, 1992), 157–58.

¹² Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 311–12.

¹³ Reg.# 21/145–46, *zī'l-ka'de* 1059/1649.

¹⁴ See his *vakfiye*, dated *muḥarrem* 990/1582, in VA D1768, 6–8.

¹⁵ Güzelbey talks of a governor's mansion in Beg but he does not give a date. Güzelbey, *Gaziantep Camileri Tarihi* (Gaziantep: Türk İslam Vakfı, 1992), 51–2; *idem*, *Gaziantep'ten Kesitler*, 158.

¹⁶ "Gaziantep Mevlevihanesi," *DVIA*, 13: 475.

¹⁷ Reg.# 19²/165–66, *zī'l-ka'de* 1057/1647, in Güzelbey, *Gaziantep'ten Kesitler*, 158.

¹⁸ Reg.# 87/124, *muḥarrem* 1148/1735, in *GŞMSÖ*, 4:18.

¹⁹ Hülya Canbakal, "Residential Topography and Social Hierarchy in Seventeenth-Century 'Ayntāb," in *Aptullah Kuran İçin Yazılar: Essays in Honour of Aptullah Kuran*, eds. Ç. Kafescioğlu and L. Thyss-Şenocak (Istanbul: Yapı Kredi, 1999), 161–70.

the villages. Although a large number of them still lived in the western part of the town, neighborhoods in this region shrank at the expense of the eastern core during the seventeenth century.²⁰

Residential neighborhoods more or less encircled the commercial core and the citadel although the western neighborhoods were somewhat detached from the rest by a strip of gardens. To reconstruct the physical characteristics of the residential areas, however, is not easy because little has survived twentieth-century urbanization. Judging by what little remains, neighborhoods were marked by narrow lanes, here and there turning into vaulted passageways (*kabaltı*) that were capped by structures connecting the buildings on two sides of the lane. According to Pococke, there were whole covered streets down by the citadel and Kürdtepe.²¹ Ordinary streets were flanked by masterfully crafted one- to two-storey limestone houses with flat roofs and iwanned courtyards inside. A nineteenth-century visitor commended the clean look that these houses imparted to the town, making it “far more civilized than any town [he] had yet seen.”²² Back in the seventeenth century, Evliyā Çelebi wrote that all houses had fountains, pools and gardens. Court records indicate that not all but most houses did, and certainly the elite dwellings that Evliyā must have visited.²³ Owing to the geological characteristics of the terrain, the town was dotted with many underground caves (*mağāra*). Various public facilities were built in these caves, such as fountains, baths and prayer halls (*mescid*), and caves that were found in houses were used for storage.²⁴ Physical descriptions found in various court records suggest that cul-de-sacs (*tariḳ ḥāṣṣ*) were not very common in the seventeenth century, pointing to an “Anatolian style extrovertedness” in neighborhood layout as opposed to the more introverted neighborhoods

²⁰ For the sixteenth-century tax surveys, see Özdeğer, *Onaltıncı Asırda Ayntāb*, 121–24. For the seventeenth century, I use a tax-house distribution list and a list of the *‘askerīs* of ‘Ayntāb, in Reg.# 48a/167, 174, *zī‘l-ka‘de* 1108/1697.

²¹ Cemil C. Güzelbey, “Kaplı Kahve”, *GKD*, 8/8 (1965): 186; Pococke, *A Description of the East*, 2/1: 154.

²² Henry C. Barkley, *A Ride Through Asia Minor and Armenia, Giving a Sketch of the Characters, Manners, and Customs of Both the Mussulman and Christian Inhabitants* (London: John Murray, 1891), 212.

²³ *Seyāhatnāme*, 9: 163b.

²⁴ All such mosques and baths have disappeared, and very few of the fountains (*kaṣṭal/kaṣtel*) remain today. Reg.# 37/101/2; Doğan Kuban, “Gaziantep Kenti Koruma Planı” (The Institute of Architectural History and Restoration, 1976, Photocopy), 1–25.

observed in Syrian towns.²⁵ Nevertheless, Evliyā Çelebi tells us that neighborhood security and privacy were maintained by gates that were closed at night.²⁶

In the aftermath of the World War I, the built-up area of the city was no larger than about one and a half square kilometers in size.²⁷ As will be seen below, the population of the town more than doubled between the seventeenth century and the late nineteenth century, but the contours of the city did not change much. For example, Richard Pococke, who visited the town in the early eighteenth century, estimated its circumference as three miles, which points to an expanse roughly equal to its early twentieth-century size.²⁸ The major topographic change that occurred over the intervening two centuries was, thus, the density of settlement. As late as the beginning of the twentieth century, there were large uninhabited spaces within the city, and some of these can be traced back to the seventeenth century. Notably, the wide strip of gardens which cut across the town along the north-south axis separated a number of western neighborhoods from the urban core in the east. No doubt, there were more of such open spaces during the seventeenth century.

Population

Demography and beyond. ‘Ayntāb’s population underwent several fluctuations during the Ottoman era. Like most places in and outside the Ottoman Empire in Eurasia, the town experienced a significant population increase in the sixteenth century, and again, like most places in Ottoman lands, we have only tax records to trace this change. Thus, according to the tax surveys taken in 1536 and 1574, the number of taxable households in urban ‘Ayntāb increased from

²⁵ On Ankara and Kayseri, see Suraiya Faroqhi, *Men of Modest Substance, House Owners and House Property in Seventeenth-Century Ankara and Kayseri* (Cambridge: Cambridge University Press, 1987), 39, 60, 215.

²⁶ *Seyāhatnāme*, 9: 164a.

²⁷ This estimate is based on Jansen’s plan of the historic city, drawn in 1935, and earlier twentieth-century maps. See “Gaziantep,” *Yurt Ansiklopedisi* (Istanbul: Anadolu Yayıncılık, 1982), 4: 3028; Sarafian, *Armenian History of Aintab, Patmutyūn Antepi Hayo’*, vol. 1; Levhānizāde Muṣṭafā Nūreddīn, *Hubb-u istiqlālīn ābidesi, Gāzi ‘Ayntāb müdāfa’ası* (Istanbul: Maṭba‘a-yı Millī, 1340–42 A.H.); Maurice Abadie, *Les Quatre sieges d’Aintab* (1920–1921) (Paris: Charles-Lavauzelle, 1922), 149.

²⁸ Pococke, *A Description of the East*, 2/1: 155.

1,865 to 2,988,²⁹ which I estimate to represent about 9,000 tax-payers along with their families in 1536 and 14,400 in 1574. Assuming that about 13–15% of the population was *‘askerī*, as suggested by Ergenç for sixteenth-century Ankara, then the town had a population of around 16,500 by the end of the sixteenth century. (Appendix, Table A.2)

Judging by tax-house data, the population size took a downturn sometime after 1574, and more or less paralleled the demographic trends in other regions in Anatolia.³⁰ In other words, the town had its share of the ‘seventeenth-century crisis’. In the absence of research on the social, economic and ecologic history of the region during this period, political and military crises emerge as the immediate causes of the downturn.

As in other regions, Celali rebellions were probably a factor. In 1599, the whole region between Aleppo and Maraş was subject to military agitation due to the famous rebel, Kara Yazıcı, who fought royal forces in ‘Ayntāb’s vicinity. According to an Armenian chronicle from 1609, after Kara Yazıcı, Köse Sefer (Paşa) wrought havoc in the area of ‘Ayntāb for seven years recruiting thousands of people and “commit(ting) a multitude of misdeeds.”³¹ In fact, Köse Sefer must have been active around ‘Ayntāb before 1605, because by then, he had been reconciled with the government and was leading the Ottoman forces against Iran. A year later, in 1606, the area was shaken by Canbuladoğlu ‘Alī rebellion.³² The 1620s were marked by tribulations of the Iranian War (1624–39), and in 1626, the troubles of the ‘Ayntābis were multiplied by a major earthquake that affected the region of Aleppo and ‘Ayntāb and caused great loss of life and ruin.³³

²⁹ BOA, TT 186; Nejat Göyünç, “XVI. Yüzyılda Güney-Doğu Anadolu’nun Ekonomik Durumu,” in *Türkiye İktisat Tarihi Semineri: Metinler/ Tartışmalar, 8–10 Haziran 1973*, ed. Osman Okyar (Ankara: Hacettepe Üniversitesi Yayınları, 1975), 77–78.

³⁰ Faroqhi, *Men of Modest Substance*, 46–7; *idem*, “A Great Foundation in Difficulties: or Some Evidence on Economic Contraction in the Ottoman Empire of the mid-seventeenth century,” in *Mélanges Professeur Robert Mantran*, ed. Abdelgelil Temimi (Zaghouan: CEROMDI, 1988), 115.

³¹ *Ganonakirk* (The Law Code), written by a certain priest Azarya, quoted in Kasuni, “History of Aintab and its Environs,” 297–98.

³² William J. Griswold, *The Great Anatolian Rebellion, 1000–1020/1591–1611* (Berlin: Klaus Schwarz, 1983), 105–6, 121–22; Selânikî Mustafa Efendi, *Tarih-i Selânikî*, ed. Mehmet İpşirli (İstanbul: İÜEF, 1989), 2: 863.

³³ Dated 22 *rebî‘ü’l-âhır* 1035/21 January 1626, and reported in Venetian dispatches. Nicolas N. Ambraseys-Caroline F. Finkel, *The seismicity of Turkey and adjacent areas, A historical view, 1500–1800* (Istanbul: Eren, 1995), 61–62.

Decline in tax-house figures from 263 to 228 in 1658–59 points to significant hardships during this period too, which can be associated with the Abāza Ḥasan Paşa Rebellion. Ḥasan Paşa's forces wintered near the town of 'Ayntāb in 1658, and it is possible that the movement of armies disrupted rural life. In fact, one finds several references to peasant flight and abandoned or ruined villages around this time whether because of the rebellion or other factors.³⁴ However, difficulties in the countryside started earlier. Extensive peasant mobility brought many prebend-holders to court with the hope of reclaiming their peasants from the city, and the frequency of peasant indebtedness in the 1640s and '50s clearly points to much strain in property relations.³⁵ The impact of all this on the urban population may not have been negative in the short term due to immigration, but on the whole, its economy cannot have remained unaffected. A number of studies so far have pointed to the 1640s and '50s as possibly the worst years of the seventeenth-century crisis in Ottoman Anatolia and the Balkans. The same may be true of 'Ayntāb.³⁶

There was no military activity in the east in the second half of the century. The empire's war efforts on the European front were almost incessant, but until the war against the Holy League, imperial finances were not yet so strained as to make the authorities resort to extraordinary demands. Consequently, the area of 'Ayntāb was not immediately affected by the workings of the imperial war machine. But it was subject to marauding bands of jobless mercenaries, nomadic tribes and outright bandits who sporadically harassed villages and travelers.³⁷ Nor did the war with the Habsburgs remedy the problem

³⁴ 'Abdurrahmān 'Abdī, *Veḳāyınāme-yi 'Osmānī*, R1222, TKS Library, 59a; Farā'izcizāde Mehmed Sa'īd, *Gülşen-i Ma'ārif* (Maṭba'a-yı 'Āmire, 1252), 878; Silāhdār Mehmed Aḡa, *Ẓeyl-i fezleke*, (Istanbul: Devlet Matbaası, 1928), 1: 151. On peasant flight, Reg.# 18/224/4, 271/1; Reg.# 25/4/3, 30/2, 54/4, 100/1, 170/2, 192/1.

³⁵ Reg.# 17/4/2, 25/2, 32/3, 40/1, 40/2, 48/2, 51/1, 65/1, 1055/1645–46, from Handan Bozkurt, "Gaziantep 17 Nolu Şer'iyye Sicili," (master's thesis, İnönü University, 2002); Reg.# 18/208/1, 211/2, 218/4, 237/1, 238/4, 259/1, 276/1, 1070/1659–60.

³⁶ Faroḡhi, "A Great Foundation in Difficulties," 110; Bruce McGowan, *Economic Life in Ottoman Europe, Taxation, Trade and the Struggle for Land 1600–1800* (Cambridge and Paris: Cambridge University Press, 1981), 83–5, 114, 118–20; Oktay Özel, "Population Changes in Ottoman Anatolia During the Sixteenth and Seventeenth Centuries: the 'Demographic Crisis' Reconsidered," *IJMES*, 36 (2004): 183–205.

³⁷ BOA, MD 94/85, dated *z'ī'l-ḥicce* 1073/1663, attacks on villages and caravans around Behesnī; BOA, AŞ 4/1074, dated 1081/1670–71, attacks on Turcoman tribes in the area of Ḥaleb and 'Ayntāb; BOA, AŞ 4/468, dated *cemāzıyü'l-evvel* 1076/1665; 5/841, *cemāzıyü'l-evvel* 1078/1667, unrest in the area of Maraş, 'Ayntāb, Adana, Karaman.

of mercenaries as many preferred to remain and roam in Anatolia. Overall, the 1680s were a time of increasing turbulence in the countryside, and the decade culminated in the revolt of Yegen ‘Osmān Paşa in 1687–88. Nomadic unrest also accelerated, only to subside the following decade.³⁸ The town itself was not directly hit by attacks, but villages were, and groups of peasants took flight in ‘Ayntāb in the late 1680s as they did in other small towns.³⁹ These hardships were aggravated by war-related cash exactions and two rounds of popular conscription (*nefir-i ‘amm*) that were meant to reinforce the troops in Europe and fight the tribal and military rebels. Conscription caused a direct drain on human resources.⁴⁰

However, the seventeenth century was not an undifferentiated time of hardships. No matter what material losses the town suffered in the first half of the century it must have begun to recover in the second half. Leafing through the court records from the latter part of the century, one hardly gets the impression of a desolate town. Evliyā Çelebi, who visited ‘Ayntāb first in 1648 and then, in 1671–72, corroborates this impression. After his second visit to ‘Ayntāb, he wrote that the town had grown, and that it now had more khans, more mosques and more shops. It is unlikely that he indeed saw “8,067 sublime mansions,”⁴¹ but the impression of affluence and growth that he conveys is important.⁴² Urban growth is reflected in other evidence, too. For example, the number of neighborhoods appears

³⁸ Incidents of rural unrest caused by various groups: Reg.# 34/166/1, *ramazān* 1091/1680, Kurdish tribes of the *ḥavāṣṣ* of Kilis; 159/3, *şefēr* 1092/1681, mercenaries; Reg.# 35/215/4 and 229/1, *muḥarrem* 1094/1682, mercenaries; 252/3, *şefēr* 1095/1684, mercenaries; Reg.# 36/22/1 and 24/1, *ramazān* 1098/1687, mercenaries and Kurds; 44/1, *muḥarrem* 1099/1687, Turcomans and bandits; Reg.# 37/121/1, *şefēr* 1098/1686, banditry; 39/4, 41/2, 42/1, *zīl-ka’de* 1099/1688, Turcomans; 45/4, *muḥarrem* 1100/1688, Turcomans; 50/1, *zīl-ka’de* 1099/1688, disruption of trade; 51/1, *şefēr* 1100/1688, mercenaries and Turcomans. During the 1688 rebellion of the Milli tribes, who were the *re’āyā* of the royal *ḥavāṣṣ*, the tribes spread in the area of Şām, Haleb, ‘Ayntāb, and Maraş. Cengiz Orhonlu, *Osmanlı İmparatorluğunda Aşiretlerin İskânı* (İstanbul: Eren Yayıncılık, 1987), 42.

³⁹ Reg.# 37/29/1, 75/3, 128/1, and more in the following years; Orhonlu, *Osmanlı İmparatorluğunda Aşiretlerin İskânı*, 42.

⁴⁰ Reg.# 37/43/2, *muḥarrem* 1099/1687; Reg.# 37/52/1, *ramazān* 1099/1688.

⁴¹ Incidentally, Chesney, who visited the town around the middle of the nineteenth century, also reported that there were about 8,500 houses in the town. *The Expedition for the Survey of the Rivers Euphrates and Tigris*, 1: 351.

⁴² *Seyāhatnâme*, 9: 163a–b. Discrepancies between such figures cited in different Evliyā copies are no less problematic, and require much caution. Compare, for instance, B306, TKS Library, 163b, (used here) and R1460, TKS Library, 160a.

to have continually increased during 1530–1640, then, it stabilized at around thirty-five after a period of possible contraction in the 1640s. It began to rise again in the 1680s (Appendix, Table A.2).

I estimate the actual population to have been around 14,000 during this period, which is still lower than the 1574 high (Table 1.1; Appendix, Table A.1). This points to a city about one-tenth the size of contemporary Aleppo, one-sixth of Izmir, one-third of Belgrade, half the size of Tokat, and as noted earlier, about the size of 'medium-sized' cities in contemporary Europe.⁴³ It should also be noted that the estimate of 14,000 is based on 'summary *ʿawān-z̄*' figures whose reliability becomes increasingly questionable around this time. According to the summary registers, the decline in tax-house figures continues well into the eighteenth century, and to correlate the decline in tax-houses with a demographic decline becomes all the more difficult when everything else points to a booming town in the first half of the eighteenth century. Therefore, I surmise that tax data for the late seventeenth century may also be misleading, and the population may have been higher than 14,000.

Table 1.1. Population of 'Ayntāb (1688–1697)⁴⁴

	Tax-payers	<i>ʿAskerīs</i>	TOTAL
No. of Households	1,890	1,053	2,943
Estimated pop.	9,167	5,107	14,274
%	64.2	35.8	100

The former mentions 3,900 shops, the latter, 2,270. Both figures seem implausibly high. After two centuries of commercial growth, the town had 2,299 shops in 1892 as well. See *Sālnāme-i Vilāyet-i Haleb* (Haleb: Maṭbaʿa-ya Vilāyet, 1310/1892–93), 192.

⁴³ A. Raymond, "Population of Aleppo in the Sixteenth and Seventeenth Centuries according to Ottoman Census Documents", *IJMES* 16 (1984): 455; Bruce Masters, *The Origins of Western Economic Dominance in the Middle East. Mercantilism and the Islamic Economy in Aleppo 1600–1750* (New York: NYU Press, 1988), 36; Özel, "Population Changes in Ottoman Anatolia," 191. I use figures of tax-paying population for Tokat. Suraiya Faroqhi, "Crisis and Change, 1590–1699," in *An Economic and Social History of the Ottoman Empire*, eds. Halil İnalcık and Donald Quataert (Cambridge: Cambridge University Press, 1997), 569; T. Stoianovich, "The Conquering Balkan Orthodox Merchant" in *Between East and West: The Balkan and Mediterranean World* (Rochelle, N.Y.: A.D. Caratzas, 1992–1994), 2: 14.

⁴⁴ Based on the *ʿaskerī* survey of 1697, a janissary survey from the same year, and tax-house data from 1697 and 1688. Reg.# 37/12/4, *rebīʿi'l-ewvel* 1099/1688; Reg.# 48A/161–67, *z̄i'l-ka'de* 1108/1697, 174, 233, [1108/1696–97].

During the following period, the town experienced a long-term population upswing that lasted possibly until World War I. The number of neighborhoods rose from forty-five in 1697 to fifty-two in 1735. After this date, physical growth slowed down with only two more new neighborhoods emerging before 1817, which should be attributed to the fact that the second half of the century was again a time of troubles marked by economic hardships and rebellions as in much of the empire. The eighteenth century as a whole saw a major increase in building activity as reflected in the proliferation of charitable (*hayrî*) endowments established by the local elite. In fact, some of the most important waqf buildings of the town date from this time, particularly from the first half of the century: for instance, the Hüseyin Paşa Complex (1718–20), Ayşe Bacı (1722), Karagöz (1724, 1755?) and Karatarla (1775) mosques, the Ahmed Çelebi Complex (1713–27?) and Nuri Mehmed Paşa Mosque (1785). Notably, Hüseyin Paşa's complex was the first major commercial investment undertaken since those of Hüsrev Paşa and Lala Muştafâ Paşa, which had coincided with the urban expansion of the sixteenth century.⁴⁵ Further, the number of colleges (*medrese*) almost doubled between 1713–1729 alone with the building of Ahmed Çelebi (1713), Naķib (1726), Ayşe Bacı (1722) and Başmacızâde (1728–29) colleges in addition to that of the Hüseyin Paşa Complex. Three more were added in the second half of the century. Four new khans were built, and a major waterways project was undertaken in 1710 by Kadi Mâhir Efendi.⁴⁶

A new wave of urban expansion took place after the middle decades of the nineteenth century, coinciding both with the Ottoman and European revival. The number of neighborhoods rose to eighty-two

⁴⁵ The complex comprised more than eighty shops, a public bath, a mosque, a college and what is now known as Zincirli Bedesten. Hüseyin Paşa's *vakfiyes*, VA D734/119, dated 1131/1719, and D589/161, dated 1141/1728.

⁴⁶ Hüseyin Çınar, "Antep Şehrinde XVIII. Yüzyılda Kurulan Medreseler ve Vakıfları," in *Cumhuriyetin 75. Yılına Armağan: Gaziantep*, ed. Yusuf Küçükdağ (Gaziantep: Gaziantep Üniversitesi Vakfı, 1999), 173–86; Güzelbey, *Gaziantep Camileri Tarihi*, 21, 44; *idem*, *Gaziantep'ten Kesitler*, 97–98; *idem*, "Kadı Mahir Efendi ve Antep Suyu," *GKD*, 8/3 (1965): 9–10. Reg.# 87/22, *cemâzîyü'l-âhır* 1147/1734, in Güzelbey and Yetkin, *GŞMSÖ*, 4: 17 indicates the increase in the number of shops in the southern part of the commercial area. Also VA D2173, 64–65; 125–28, 240; Çınar, "18. Yüzyılın İlk Yarısında Ayıntab," 22–8, for eighteenth-century commercial buildings, and Nusret Çam, "Gaziantep: Mimari," *DVIA*, 13: 472.

in 1892,⁴⁷ and again, several new public buildings emerged, most of them commercial. The population figures that one finds in various sources for the last decades of the century vary between 32,000 and 43,000.⁴⁸

Ethnicity and religion. The inhabitants of the town in the seventeenth century were overwhelmingly Muslim, and predominantly Turkish. It is known that groups of Turcomans began to move to northern Syria as early as the eleventh century, and this process continued intermittently until the seventeenth century. The area was ruled for centuries by states of Turcoman origin, and right before the Ottoman takeover, the town itself was the seat of a Zū'l-ḩadriye prince.⁴⁹ The language of the court was Turkish, unlike, for instance, Aleppo, only one hundred kilometers to the south,⁵⁰ and nineteenth-century sources tell us that outside the court, too, urban ‘Ayntābis primarily spoke Turkish while in the countryside, the predominant languages were Arabic and Kurdish.⁵¹

However, language is not always a reliable indicator of ethnicity. According to the eighteenth-century traveler Pococke, Armenians, too, spoke Turkish. This is further supported by the occurrence of names like Allāhvirdi, ḩudāvirdi (Arabic-Turkish compounds) and Tañrvirdi, Arşlān, Bayrām (Turkish) among Armenians of ‘Ayntāb,

⁴⁷ Güzelbey, “Gaziantep Şer’i Mahkeme Sicillerinden Örnekler,” *GKD*, 12 (Nisan 1970): 273; *idem*, “Gaziantep Şer’i Mahkeme Sicillerinden Örnekler,” *GKD*, 12 (Nisan 1969): 92; *Sāhnāme-i Vilāyet-i Haleb*, 1310/1892–93, 192; and 1324/1909–10, 246; and Uğuro̅l Barlas, “Halep Salnamelerinin Gaziantep’le İlgili Kısımları,” *GKD*, 5 (Nisan 1962): 95.

⁴⁸ Muştafā Fehim cites 15,741 males for 1879, *Risāle*, 15; Şemseddīn Sāmī, *Kāmūsul-a’lām* (İstanbul: Mihrān, 1889–98), 5: 3232. Also see Cuinet, *La Turquie d’Asie*, 189; Cem Behar, *The Population of the Ottoman Empire and Turkey, 1500–1927*, (Ankara: Başbakanlık Devlet İstatistik Enstitüsü, 1996), 2: 33; Chesney, *The Expedition for the Survey of the Rivers Euphrates and Tigris*, 1: 351.

⁴⁹ Faruk Sümer, *Oğuzlar (Türkmenler): Tarihleri, Boy Teşkilatı-Destanları* (İstanbul: Türk Dünyası Araştırmaları Vakfı, 1967), 158, 261, 271–89, 337. Kātib Çelebi on semi-nomadic Turcomans in Pazarcık, ḩārs-ı Zū'l-ḩadriye and Behesnī (sub-districts in Maraş province), and Kurds in Maraş, Behesnī and Malatya. *Cihānmümā*, 598, 601; “‘Ayntāb,” *İA*, 1: 66.

⁵⁰ One encounters Arabic entries in the early registers of ‘Ayntāb here and there; then, they disappear by the middle of the seventeenth century.

⁵¹ Muştafā Fehim, *Risāle*, 13. Şemseddīn Sāmī, *Kāmūsul-a’lām*, 5: 3232; Cuinet, *La Turquie d’Asie*, 2: 115, 191.

Aleppo, Adana and Kilis.⁵² Fortunately, most non-Muslim Tañrivirdis or Arşlāns are identified as non-Muslims in the sources, which provides a preliminary clue as to ethnicity. Having said that, however, one cannot preclude the possibility that Turkish-speaking Armenians were actually Christianized Turks.⁵³ In the case of Kurds or Arabs, ethnic identification is even more difficult. When a tribal matter was at issue, community affiliation was openly stated, but that did not happen often as far as town residents were concerned. ‘Ayntāb was located on migratory routes of the confederations of Türkmān-ı Haleb and Yeñi İl, which included Kurdish tribes as well; the two federations formed part of the Havāşş-ı Vālide Sulṭān together with the Ekrād-ı Kilis. Throughout the period covered in this study, numerous tribesmen from these groups settled in and around ‘Ayntāb, Turcomans, Kurds as well as Arabs.⁵⁴ Elasticity of tribal formations, unity imposed by administrative divisions, the homogenizing impact of settlement and town life must have contributed to the turkification of Kurds and Arabs in the area. But Kürdtepe continued to bear witness to the ethnic diversity of ‘Ayntāb’s past possibly until the twentieth century.⁵⁵

Non-Muslims. According to Pococke, “The Christians [in ‘Ayntāb were] all of the Armenian communion, as they [were] everywhere to the north of Aleppo.”⁵⁶ He was probably right, as court registers of the seventeenth century do not provide evidence regarding other

⁵² Pococke, *A Description of the East*, 2/1: 154. Reg.# 40/91/4; BOA, MM 1221, 8; BOA, MM 3486, 1–27. Also see, Taeschner, “Anadolu,” *EI*², 1: 470.

⁵³ I would like to thank Metin Kunt for drawing my attention to this possibility.

⁵⁴ Orhonlu, *Osmanlı İmparatorluğunda Aşiretlerin İskânı*, 19–21, 36–37, 41–42; Yusuf Halaçoğlu, *XVIII. Yüzyılda Osmanlı İmparatorluğının İskân Siyaseti ve Aşiretlerin Yerleşirilmesi* (Ankara, 1997), 112; Reg.# 18/211/2, *şefar* 1070/1659, 273/1, *şabân* 1070/1660; Reg.# 25/166/4, *şefar* 1069/1658; Reg.# 34/166/1, *ramazan* 1091/1680, 167/1, *zîl-kâde* 1091/1680; Reg.# 39/225/1, *ramazan* 1101/1690, 226/2, *zîl-hicce* 1099/1688. Also, Peirce, *Morality Tales*, 63–64.

⁵⁵ There was also a neighborhood called Kürd Mahallesi (now called Savcılı) in the south-west, which appears to have come into being sometime after the seventeenth century. See maps in Sarafian, *Armenian History of Aintab*, vol. 1; Levhānizāde Muştafā Nüreddin, *Hubb-u istiklālîñ âbidesi, Gāzi ‘Ayntāb müdāfa’ası* (İstanbul: Maṭba‘a-yı Millî, 1340–42); Maurice Abadie, *Les Quatre sieges d’Aintab*, 149. On aspects of ethnic fusion and transformation, see M.M. van Bruinessen, “The Ethnic Identity of the Kurds,” in *Ethnic Groups in the Republic of Turkey*, ed. Peter Alford Andrews (Wiesbaden: Dr/Ludwig Reichert Verlag, 1989), 613–21, and P. J. Bumke, “The Kurdish Alevis—Boundaries and Perceptions,” in *ibid.*, 518.

⁵⁶ Pococke, *A Description of the East*, 2/1: 155.

denominations.⁵⁷ However, the Armenian community in the seventeenth century was not very large either, and it had been even smaller during the previous century. There were no stipulations regarding non-Muslims in either of the two sixteenth-century Law Codes (*kānūn-nāme*). These codes, dated 1536 and 1574, would have normally specified the kind and amount of the tax that they had to pay.⁵⁸ However, there was a small neighborhood called Ermeniyān in the sixteenth century, possibly in the area of Şhreküsti.⁵⁹ Not counting the few bachelors, this neighborhood constituted 2.4% of the total population with forty-four households (44:1,821 households) in 1536. In 1543, the number of households went down further to twenty-eight.⁶⁰ But in fact, the Armenian population was increasing at a higher rate than the Muslim during the latter part of the century.⁶¹ A mixed residential pattern was emerging, and hence, the Ermeniyān quarter shrank and disappeared.⁶² There emerged two other relatively small neighborhoods identified in denominational terms, Ḥāyik Zimmīyān and Ḥāyik Müslümān, but despite this religious designation, both neighborhoods had a mixed population. One might speculate that they even had a sense of community through the veneration of a common patron saint, Ḥāyik Baba, whose tomb was located on

⁵⁷ A mid-seventeenth-century firman distinctly refers to Jews, but these are more likely to have been villagers. TKS Archive E9284/4, dated 1057/1647–48. For a reference to a Jewish cemetery in 1756. Reg.# 114/75, 1169/1756, in Güzelbey, *GŞMSÖ*, 4: 67.

⁵⁸ This could have been *muraḥḥaşiye*, as was the case for Armenians in parts of eastern Anatolia, or *ispence*, as was the case for most non-Muslims. Compare for example, the *kānūnnāme* of Mardin in Nejat Göyünç, *XVI. Yüzyılda Mardin Sancağı* (İstanbul: İÜEF Basımevi, 1969), 103, 157, and that of Harput in Mehmed Ali Ünal, *XVI. Yüzyılda Harput Sancağı, 1518–1566* (Ankara: TTK, 1989), 57, 245. For *muraḥḥaşiye* see, Halil İnalçık, “Osmanlılar’da Raiyyet Rüsûmu,” *Bellelen*, 23 (1959): 608.

⁵⁹ BOA, TT 186, 26–27. Bishop Paren Melkonian, “Ecclesiastical and Religious Matters [Ekegetsakan Kronakan],” in *Armenian History of Aintab*, 418–19, 430; Kasuni, “The History of Aintab and its Environs,” 305–6.

⁶⁰ BOA, TT 373, 44–45.

⁶¹ In 1574, there were seventy-nine non-Muslim and 2,909 Muslim households, which indicates 182% and 61% increase for non-Muslims and Muslims respectively. Göyünç, “XVI. Yüzyılda Güney-Doğu Anadolu’nun Ekonomik Durumu,” 77–78.

⁶² Armenian histories of the town shed an alternative light on this process however, arguing that Armenians were pushed out of their original neighborhood under uncertain circumstances. Melkonian, “Ecclesiastical and Religious Matters,” 418–19, 430; and Kasuni, “The History of Aintab and its Environs,” 305–6. On the emergence of mixed neighborhoods, see Faroqhi, *Men of Modest Substance*, 38–39; Dror Ze’evi, *An Ottoman Century: the District of Jerusalem in the 1600s* (Albany: SUNY Press, 1996), 23.

the same hill as the two neighborhoods (modern Tepebaşı). Hāyik Baba was possibly an Armenian saint appropriated by Muslims,⁶³ but he was not the only ‘Ayntābi saint venerated by both communities, and the direction of appropriation is not always clear.⁶⁴ It was also here that “the first important church in ‘Ayntāb,” that of the Virgin Mary was to be founded in 1723 or a little later. In the late seventeenth century, there was probably only one church.⁶⁵

In 1676, ‘Ayntāb was placed under a (new ?) catholicos (*muraḥḥaṣa*), Azārye, who was authorized to attend to matters of matrimony and charity among Armenians of the region of Adana, Malatya, Gerger, Aleppo and Antakya. He must have been the catholicos of Sīs.⁶⁶ In the following decade, *cizye* yields increased remarkably,⁶⁷ and finally, in 1704, a separate catholicos was appointed over the Armenians of ‘Ayntāb and Birecik, suggesting further growth of the community.⁶⁸ I estimate that all non-Muslim communities together comprised around 450 households (or c. 2,200 people) around this time, which constituted about 15% of the urban population.⁶⁹

⁶³ It is likely that *hāyik* comes from *Hāyig*, the legendary ancestor of the Armenians. Şemseddīn Sāmī, *Kāmūsü'l-ā'lām*, 5: 4730; Cemil C. Güzelbey, *Gaziantep Evliyalari*, 121–22; also *idem*, “Gaziantep’te Türk Topluluklarının Adlarını Taşıyan Yerler,” in *Türk Yer Adları Sempozyumu Bildirileri, 11–3 Eylül 1984* (Ankara: Kültür ve Turizm Bakanlığı, 1984), 171.

⁶⁴ According to Armenian oral tradition, Şeyh Fethullāh (Şih) Complex in Şehreküsti was built on the grounds of the Church of Saint Yeghia (Elias/Surp Ağya); later, it became a sacred site for both communities. Muslims focused on the tomb and the mosque, Armenians focused on the tomb and the bath. In other respects, the two sets of rituals looked the same. Güzelbey, *Gaziantep Evliyalari*, 51, 54; on Yuf Baba, another shared saintly figure, 90; *idem*, “Şih Camii ve Şih Hamamı,” *Başpınar*, 2 (1939): 16–8; Melkonian, “Ecclesiastical and Religious Matters,” 418–19, 430; Kasuni, “History of Aintab and its Environs,” 305–6.

⁶⁵ Melkonian, “Ecclesiastical and Religious Matters,” 335, 419. Reg.# 39/50/2, dated *şevvāl* 1100/1689, where the Armenian community is granted permission to repair a church wall. The building was referred to as *Ermeni kiltisesi*, and not as the church of a specific neighborhood.

⁶⁶ Reg.# 34/174/2, *receb* 1087/1676; also Reg.# 37/98/2, *receb* 1099/1688; Reg.# 41/10/3, *sefer* 1103/1691; Avedis K. Sanjian, *The Armenian Communities in Syria under Ottoman Dominion* (Cambridge: Harvard University Press, 1965), 229–33.

⁶⁷ In 1092/1681, the total *cizye* figure for the district of ‘Ayntāb was 3,100 *ğurüş*, in 1095/1683–84, it was 3,900 *ğurüş*, and in 1099/1687–88, 4,250 *ğurüş*. Reg.# 34/163/2; Reg.# 35/251/1; Reg.# 36/61/2. Since the *cizye* reform which was to create a significant increase in yields was not yet effected, the tax rate must have been constant in 1092–99/1681–88.

⁶⁸ Çınar, “18. Yüzyılın İlk Yarısında Ayntab,” 67.

⁶⁹ The number of non-Muslim ‘Ayntāb who paid the poll tax at the highest rate (*ā'lā*) in 1102/1690–91 was eleven. Extrapolating from a tax list drawn in 1711 where a total of 471 tax-payers were divided among the three categories of liability

Though marred by uncertainties like all tax data, this figure may not be totally off the mark because it appears that the upward trend in the non-Muslim population continued in the eighteenth century, and by the nineteenth century, 30% of the urban population were non-Muslim. These included Orthodox and Catholic Greeks, Assyrians, Jews and Copts as well as Armenians.⁷⁰ This demographic trend was probably related to flourishing business opportunities. It is known that starting from the latter part of the seventeenth century, Armenian merchants became prominent in the interregional trade connecting eastern Anatolia and northern Syria to Iran and India on one side, and to Europe on the other.⁷¹ In addition, large groups of Armenians emigrated from Eastern Anatolia and Cilicia southwards and towards cities in the course of the seventeenth through nineteenth centuries.⁷² It seems that in 'Ayntāb, non-Muslims were well-entrenched in the textile sector by the early eighteenth century. In 1711, for instance, of the 165 non-Muslims whose professions were specified, sixty-three (38%) were in textile-related crafts (thirteen tailors included),⁷³ and already in the 1690s, one of the most important textile dealers in the town was an Armenian, Kīrkor veled-i Vānis (?) from Ḥāyik Müslümān. He was also one of the wealthiest 'Ayntābis of his time. These developments paralleled the migration of Greeks to commercial

as twelve paying at the highest rate, 102 paying at the medium rate and 357 paying at the lowest rate, the 1690–91 figure would imply 450 payers in all. BOA, MM 3486, 2–9. For the 1711 list, see Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 65.

⁷⁰ The district as a whole had a lower concentration of non-Muslims (8,120 males out of 40,324). Muştafâ Fehim, *Risāle*, 9; also Cuinet *La Turquie d'Asie*, 114, 189. Ottoman sources do not mention a Greek presence in the district. Greeks may have been regarded as Catholics, but Cuinet specifically mentions the presence of Orthodox Greeks as well. Catholic Greeks, Protestants and Jews constituted the smallest minority groups in the district. Muştafâ Fehim, *Risāle*, 10, 17–18; *Sālnāme-i Vilāyet-i Haleb* (Ḥaleb: Maṭba'a-yı Vilāyet, 1288/1871–72 and 1310/1892–93), 182 and 194 respectively. For Jews, also see Avram Galante, *Histoire des juifs de Turquie* (Istanbul: İsis, [1985]), 4: 171–72.

⁷¹ Katsumi Fukasawa, *Toilerie et Commerce du Levant* (Paris: CNRS, 1987), 16; Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 274–367.

⁷² An early instance of emigration from the *livā* of 'Ayntāb, Diyarbakır and Rūm Kal'a: BOA, MM 1221, 8, *rebī'ül-āḥır* 1020/1611. Sanjian, *The Armenian Communities*, 46; Kasuni, "History of Aintab and its Environs," 311. For early seventeenth-century Aleppo, Bruce Masters, *The Origins of Western Economic Dominance in the Middle East*, 38.

⁷³ This looks like a quite high rate although it cannot be properly interpreted without knowing the distribution among Muslims. Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 65.

areas in Western Anatolia and the Balkans and their economic rise in conjunction with the European world economy.⁷⁴

The Economy

The rural connection. Land was the primary form of wealth in ‘Ayntāb as in most early-modern towns, and agriculture contributed to the town’s economy in multiple ways. As noted earlier, ‘Ayntāb was located in a plain blessed with abundant water supplies and fertile soil, and many townsmen owned fields and orchards on the periphery of the town and in villages. While the region’s grains (mostly wheat, followed by barley)⁷⁵ seem to have been consumed locally, some of the fruits produced in the district may have been traded in a wider area. According to Evliyā Çelebi, ‘Ayntāb was famous ‘world-wide’ for its citrus fruits, pomegranates, figs, mulberries, peaches and apricots, and an early seventeenth-century court record suggests that an imperial nursery, located to the north of the citadel, supplied fruit tree saplings to the capital.⁷⁶ The area also produced cotton and olives and exported pistachios all over Syria.⁷⁷ There was also some bee-keeping in the villages.⁷⁸

Commercially the most significant agricultural produce was probably grapes: the region had a very favorable climate and soil for viticulture, and again, a large number of the town’s inhabitants owned vineyards in the seventeenth century.⁷⁹ At least five different kinds of grapes were produced in the second half of the seventeenth century, and a particularly long-lasting variety was exported to Europe via Aleppo for wine-making.⁸⁰ Sixteenth-century data suggest that

⁷⁴ Reşat Kasaba, *The Ottoman Empire and the World Economy. The Nineteenth Century* (Albany: SUNY Press, 1988), 20–22, 28–32, 101–2.

⁷⁵ Özdeğer, *Onaltıncı Asırda Ayntāb*, 71–75; Reg.# 39/167/2, *receb* 1101/1690.

⁷⁶ *Seyāhatnāme*, 9: 165a; Reg.# 14/2, *receb* 1044/1634, cited in Güzelbey, *Gaziantep’len Kesitler*, 141. Also William F. Ainsworth, *A Personal Narrative of the Euphrates Expedition* (London: Kegan and Paul, 1888), 1: 102.

⁷⁷ Özdeğer, *Onaltıncı Asırda Ayntāb*, 201; Aigen, *Sieben Jahre*, 62.

⁷⁸ Reg.# 172/146–48, *rebī’ü’l-āhur* 1106/1694; Reg.# 40/2/3 [1103/1691–92].

⁷⁹ Both according to Evliyā Çelebi and the land survey of 1574, there were ten million vine-stocks around ‘Ayntāb. It is likely that Evliyā Çelebi copied the figure from an official record. *Seyāhatnāme*, 9: 165a.

⁸⁰ Reg.# 35/1/1, *cemāzıyü’l-evvel* 1094/1688. Aigen, *Sieben Jahre*, 62; also *Sābnāme-i Vilāyet-i Haleb*, 1320/1902–3, 233.

the area was also a significant wine-producer on its own account.⁸¹ Viticulture supported a remarkable sweets sector as well, and the town exported molasses and *bastık* and *küfter*, both grape juice-based sweets. According to Evliyā Çelebi, 'Ayntābi sweets were sold as far as Persia and India; they were still among 'Ayntāb's exports in the nineteenth century. Yet, most of the grape-based products must have been consumed locally, and judging by the many other kinds of sweets sold in the town's markets, nine different kinds of *helvā* for example, one is led to think that 'Ayntābis themselves had a rather sophisticated sweet tooth.⁸²

Apart from its commercial contribution to the economy of the town, widespread viticulture and arboriculture implied widespread freehold in land since vineyards and orchards, just like vegetable gardens, remained outside the state domains.⁸³ Freehold arable land (*mülk tarla*) was also common and ownership was not limited to any one sector of the society. Consequently, the town had quite a lively real estate market that became even livelier over the second half of the seventeenth century. Between the middle of the century and the last two decades, the share of rural purchases in property transactions made by prominent men of the town increased from 36% to 51% while the share of urban commercial investments also rose slightly (from 6% to 8%) and residential purchases decreased from 58% to 40%. (Table 1.2) Faroqhi has observed a similar pattern of freehold formation and expanded real estate market in seventeenth-century Kayseri and associated it with a wider trend of commercialization. Notably, her observation also concerns "known townsmen and presumed *'askeris*," and this parallelism in real estate markets in

⁸¹ Yields from the sales tax on wine varied between 16,000–32,000 *ağçes* in the sixteenth century. Özdeğer, *Onaltıncı Asırda Ayntāb*, 131.

⁸² Barkley notes that "a sort of cake" (*pestil/bastık?*) made of pressed or dried grapes was the chief food of the inhabitants. Barkley, *A Ride Through Asia Minor and Armenia*, 212. Reg.# 25/180, 182/3, (1069/1658–59); Reg.# 35/231/1, (1094/1682–83). Muştafā Fehim, *Risāle*, 14; Evliyā Çelebi, *Seyāhatnāme*, 9: 165a.

⁸³ On the recession of arable farming, see Faruk Y. Tabak, "The Ottoman Countryside in the Age of the Autumn of the Mediterranean," c. 1560–1870 (Ph.D. diss., Binghamton University, 2000); also Dina R. Khoury, "The Introduction of Commercial Agriculture in the Province of Mosul and Its Effects on the Peasantry, 1750–1850," in *Landholding and Commercial Agriculture in the Middle East*, eds. Çağlar Keyder and Faruk Tabak (Albany: SUNY Press, 1991), 160–61, 166. On the complexity of the legal issues concerning the proprietary status of orchards, see Colin Imber, "The Status of Orchards and Fruit Trees in Ottoman Law," in *Studies in Ottoman History and Law* (Istanbul: Isis, 1996), 214.

‘Ayntāb and Kayseri suggests a more general phenomenon of redistribution of rural resources.⁸⁴

Table 1.2. Property purchases by prominent men⁸⁵

	1656–1660*	1689–1693**
Residential	56 (58%)	49 (40%)
Rural	35 (36%)	62 (51%)
Urban Commercial	6 (6%)	10 (8%)
TOTAL purchases	97 (100%)	121 (100%)

* Includes all transactions from the available two registers.

** From Reg. # 39–40; other registers from the period not included.

‘Ayntāb stood at the northern end of the nomadic corridor that cut across Syria and connected all the major cities of the region on a north-south axis. Thus, nomads constituted a very large part of the population in the province of Maraş. During the last two decades of the sixteenth century, more than half of the population was nomadic. Westward migration of the east Anatolian tribes, northward thrust of the Arab tribes and continual sedentarization during the second half of the seventeenth century affected this demographic structure in ways that are yet to be discovered. Whatever their combined effect was, the province still had a large nomadic population at the end of the century.⁸⁶ Therefore, pastoral tribes contributed to the urban economy in various ways. Credit and goods were exchanged between urbanites and nomads, including foodstuffs, wool and gallnuts, and urbanites gave their sheep and goats to tribesmen for tending.⁸⁷ A massive

⁸⁴ Suraiya Faroqhi, *Towns and Townsmen of Ottoman Anatolia: Trade, Crafts and Food Production in an Urban Setting, 1520–1650* (Cambridge: Cambridge University Press, 1984), 39–40, 243–45, 262–66, 333–34.

⁸⁵ Muslim males with honorific titles.

⁸⁶ Rhoads Murphy, “Some features of nomadism in the Ottoman Empire: A survey based on tribal census and judicial appeal documentation from archives in Istanbul and Damascus,” *Journal of Turkish Studies* 8 (1984), 192; Xavier de Planhol, *Les fondements géographiques de l’histoire de l’Islam* (Paris: Flammarion, 1968), 239, 295–96; Faruk Sümer, *Oğuzlar (Türkmenler). Tarihleri-Boy Teşkilatı-Destanları*, 210–11.

⁸⁷ Reg.# 18/220/2 *rebî’ül-avvel* 1070/1659, 239/2 [1070/1659–60]; Reg.# 39/76/4 [1100?/1688–89], 96/1 *sefer* 1101/1689, 98/3 *sefer* 1101/1689; Reg.# 172/10, *sefer* 1095/1684, Reg.# 172/19, *cemâziyü’l-avvel* 1097/1686, Reg.# 172/27, *Receb* (?) 1097/1686; Çınar, “18. Yüzyılın İlk Yarısında Ayntab,” 331. For similar observations, see Sarah D. Shields, *Mosul before Iraq: Like Bees Making Five-Sided Cells* (Albany: State University of New York Press, 2000), 162–76, and James A. Reilly, *A Small Town in Syria. Ottoman Hama in the Eighteenth and Nineteenth Centuries* (Oxford: Peter Lang, 2002), 117–20.

number of sheep passed through the district, and for example in 1724, *bāc-ı aġnām-ı kaşşabān*, the market due exacted on sheep slaughtered and sold in ‘Ayntāb, constituted the single largest item among the governor’s revenues.⁸⁸ It is possible that the provision of pack animals for interregional transportation by nomads also offered possibilities of commercial and political cooperation between tribes and local traders, including members of the military who themselves may have had tribal origins.⁸⁹

Trade and industry. Writing in the late sixteenth century, Meḥmed ‘Aşık characterized ‘Ayntāb as a meeting place for merchants and visitors.⁹⁰ He probably had regional commerce in mind because until the eighteenth century at least, ‘Ayntāb was not on long distance trade routes although it stood very close to them.⁹¹ In the sixteenth and seventeenth centuries, the main entrepot of Indian trade in the area was Aleppo, and one of the northern routes from Basra to Aleppo passed through Birecik, a district (*nāḥiye*) of ‘Ayntāb some sixty kilometers to the south-east. Interregional caravans ended up there when overland travel across the desert became insecure and merchants preferred river traffic up the Euphrates. However, in the seventeenth century, travel on the Euphrates was not particularly safe either, nor was navigation easy. Thus, throughout the century, Birecik remained as a port of lesser importance in long-distance trade.⁹² Likewise, the Jidda-Mecca route, which passed through Damascus, terminated in Aleppo, and overland travel from Aleppo

⁸⁸ Çınar, “18. Yüzyılın İlk Yarısında Ayntab,” 258; Reg.# 26/263/1 *zī’l-ka’de* 1071/1661, 264/3 *zī’l-ka’de* 1071/1661, for government purchase of sheep in the area.

⁸⁹ Reg.# 17/90/2 [1055/1645–46]; Reg.# 172/47, *Şevval* 1098/1687, Reg.# 172/93–97, *rebī’ü’l-āḥır* 1104/1692, officers owning pack animals. Oğcızāde Meḥmed Aġa in the latter case may have been from the Kurdish tribe of Oğcu İzzeddinlü.

⁹⁰ “[T]üccār ve müsāfirinüñ maqşad ve mecmā’ıdır.” Meḥmed ‘Aşık, *Menāzırı’l-‘Avālim*, 128b.

⁹¹ For secondary regional routes and main routes connecting Anatolia and Syria, see Franz Taeschner, *Das anatolische Wegenetz nach osmanischen Quellen* (Leipzig: Mayer & Müller, 1924–1926), maps and 2: 31–6. Also for seventeenth and eighteenth-century trade routes, William C. Brice, ed., *An Historical Atlas of Islam* (Leiden and Boston: E.J. Brill, 1981), 26, 31.

⁹² Reg.# 37/139/2, 128/2. Nejat Göyünç, “XVI. Yüzyılda Güney-Doġu Anadolu’nun Ekonomik Durumu,” 86; Halil İnalçık, “The Ottoman State: Economy and Society, 1300–1600,” in *An Economic and Social History of the Ottoman Empire*, eds. H. İnalçık and D. Quataert (Cambridge: Cambridge University Press, 1997), 1: 339; Suraiya Faroqhi, “Crisis and Change, 1590–1699,” in *ibid.*, 2: 483; Masters, *The Origins of Western Economic Dominance in the Middle East*, 29.

to Anatolia followed a route closer to the Mediterranean, thus, bypassing ‘Ayntāb. This was also the main pilgrimage route that connected the capital with the Two Holy Cities.⁹³ Trade with Iran followed two separate routes: the northern route (Diyarbakır, Erzurum, Tokat) was too far from ‘Ayntāb to have any direct impact on the economy of the town, and the southern route passed through Urfa and Birecik, ending in Aleppo.⁹⁴

Being so close to Aleppo, an officially-designated entrepot, was a blessing. According to an imperial order from the year 1689, some shipments to Aleppo from Erzurum, Diyarbakır, Tokat, Mosul and other places actually ended up in ‘Ayntāb. Istanbul was concerned with the loss of customs duties and commanded that henceforth the goods be sent to Aleppo without being unpacked in ‘Ayntāb.⁹⁵ However, caravans had a good reason to avoid Aleppo: it had notoriously high customs duties. Therefore, incidents of evasion continued into the eighteenth century.⁹⁶ However, there was also legal traffic between Iran and Aleppo through ‘Ayntāb, and some long distance trade involving Indian fabrics. The bulk of this trade comprised various kinds of cotton (and linen ?) textiles. Muslim and non-Muslim merchants appeared with equal frequency, and there is evidence that ‘Ayntābi merchants themselves traveled as far as Basra.⁹⁷

⁹³ Compare Reg.# 136/196, [1221/1807], Güzelbey and Yetkin, *GŞMSÖ*, 4:104, where the pilgrimage route is given as Üsküdar-Ankara-Yozgat-Elbistan-‘Ayntāb-Ḥaleb-Şam. BOA, MM 4031, Menzil Defteri, 74–86, 1108/1696/97; Inalcık, “The Ottoman State: Economy and Society,” 1: 339. Suraiya Faroqhi, *Pilgrims and Sultans: The Hajj under the Ottomans, 1517–1683* (London and New York: I.B. Tauris, 1994), 41–2 and map on xii.

⁹⁴ Faroqhi, “Crisis and Change, 1590–1699” 485–86.

⁹⁵ A small quantity of goods was to be retained in ‘Ayntāb if needed by local people. Reg.# 37/62/1, *rebī‘ü’l-āḥır* 1100/1689.

⁹⁶ Masters, *The Origins of Western Economic Dominance in the Middle East*, 28. For examples of caravans ending up in Maraş, ‘Ayntāb or Kilis in the early eighteenth century, see Çınar, “18. Yüzyılın İlk Yansında Ayntab,” 365–66.

⁹⁷ Reg.# 25/76/1, 1068/1657–58, on trade between Tiflis and Aleppo involving textiles and caftans. The following kinds of cloth were mentioned in various records: *pultār beyaz bez*, *ḥayrābādī bez* (ḥaydarābādī ?), *elwān bez*, *penbe*. Reg.# 35/227/2, *ramazān* 1095/1684; Reg.# 35/272/2, (1093/1682); Reg.# 38/78/2, 81/3, *muḥarrem* 1100/1688; Reg.# 37/90/1, (1100/1688–89); Reg.# 39/126/3 (1101/1689–90); Reg.# 39/85/3, *muḥarrem* 1101/1689; Reg.# 39/167/1, (1101/1689–90); and Reg.# 40/113/1, 114/1, *cemāzīyü’l-āḥır* 1103/1692 and *şābān* 1103/1692. The last two records involve a firman that was sent out to places where Armenian merchants conducted business; it commanded that the merchants be assisted in their affairs. Also, Reg.# 38/45/2, *receb* 1099/1688.

But all in all, evidence about long-distance trade in the court records is sporadic and often occasioned by a merchant's death. Therefore, its volume and nature eludes the researcher.

Yet, the regional strength of the town's economy is incontestable. Kātib Çelebi's depictions point to a prosperous town with "illustrious market places" in addition to abundant agricultural resources; he also singles out Aleppo as a trading partner, as well as other places.⁹⁸ It is possible that Aleppo had always been the primary outlet for 'Ayntāb's industrial and agricultural surplus since the urban boom of the sixteenth century.⁹⁹ However, references to local specialty fabrics from Trabzon and Tokat in the north, Rūha in the east, and Hama in the south indicate that the town participated in a wider commercial network which was primarily domestic, and stretched across eastern Anatolia, northern Syria and Iraq (Map 1.4).¹⁰⁰ In the seventeenth century, 'Ayntābi merchants were active participants in this traffic, as the commenda contracts (*muḍāraba*) they were involved in attest to. Some of these ventures were rather modest with no more than 200 *gurūş* of capital; some were sizable, involving over 1,000 *gurūş*, but none was particularly big.¹⁰¹

As for the state of the crafts in the seventeenth century, both Kātib Çelebi and Evliyā Çelebi mention saddle-, harness- and bow-making as prominent industries of the town.¹⁰² The presence of shields from 'Ayntāb among the treasures of the khan of Bitlis and the presence of high quality 'Ayntābi stirrups in the markets of Istanbul around the same time perhaps suggest specialization in metal work as well.¹⁰³ Early in the eighteenth century, the town also exported

⁹⁸ Kātib Çelebi, *Cihānnumā*, 598. Yet, it should be noted that the similarity of wording in *Cihānnumā* and in Meḥmed 'Aşık's *Menāziri'l-'Avālim*, 128b, suggests that Kātib Çelebi may not have visited 'Ayntāb himself.

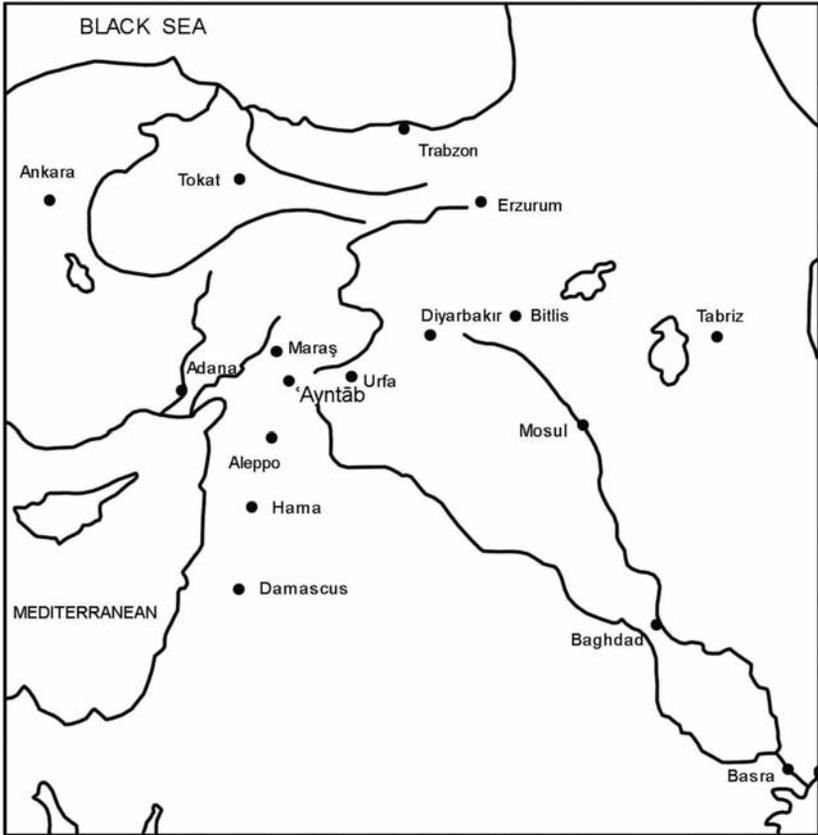
⁹⁹ See, Faroqhi, *Towns and Townsmen*, 153; also Reg.# 25/48/1, 76/1, (1068/1657–58). Also Antoine Abdel Nour, *Introduction à l'histoire urbaine de la syrie ottomane (XVI–XVIII siècle)* (Beyrouth: L'Université Libanaise, 1982), 280–81; Faroqhi, on the north Syrian periphery of Aleppo in the seventeenth century, "Trade and Traders in 1660s Iskenderun," in *Making a Living in the Ottoman Lands, 1480 to 1820* (Istanbul: Isis, 1995), 219.

¹⁰⁰ Reg.# 172/104–7. There were also two khans 10–12 km to the north of the town. Reg.# 39/235/3, *receb* 1101/1690; Nusret Çam, "Gaziantep: Mimari," 473. For examples from around the turn of the eighteenth century, see Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 360–63.

¹⁰¹ For example, Reg.# 25/136/2; Reg.# 18/22/2, 233/4, 262/1; Reg.# 35/238/1.

¹⁰² *Cihānnumā*, 598; *Seyāhatnāme*, 9: 165a.

¹⁰³ R. Dankoff, ed., *Evlīya Çelebi in Bitlis* (Leiden and New York: E. J. Brill, 1990), 300; Yaşar Yücel, *Eş'ar Defteri (1640 Tarihli)* (Ankara: TTK, 1992), 103.



Map 1.4. 'Ayntāb and its commercial connections according to the court registers

yellow and red Morocco leather (*sahtiyān*), and later, footwear, and it maintained its strength in the leather sector throughout the nineteenth century.¹⁰⁴ Olive oil and soap also became important by the end of the eighteenth century, but we find no reference to either of them during the period covered here.¹⁰⁵

Another strength of the town was its textile sector, which was of interregional importance in volume and an important factor in its overall commercial vitality.¹⁰⁶ The sector was given a major boost by the commercial complexes established by Hüsrev Paşa and Lala Muştafâ Paşa in the 1560s and '70s. Hışva Khan, built by Muştafâ Paşa, specialized in raw cotton while İki-Çapulu Khan in 'Ammo, possibly a fifteenth-century building, specialized in cotton and linen textiles along with buffalo hides. The two pasha-foundations included at least two major dye-houses.¹⁰⁷

The sector may have suffered in the early 1600s,¹⁰⁸ but it had recovered remarkably by the end of the century. The town produced cotton cloth, *boğâsı*, commended by Evliyâ Çelebi, and *'Ayntâb bezi*, as well as silk and felt. Raw silk and silk thread may have come from nearby Kilis and 'Azâz, where mulberry cultivation was widespread.¹⁰⁹

¹⁰⁴ Çınar, "18. Yüzyılın İlk Yarısında Ayıntab," 332. According to Muştafâ Fehim, there were 130 tanneries in the nineteenth century. *Risâle*, 14. Also, William F. Ainsworth, *A Personal Narrative of the Euphrates Expedition*, 1: 105–6; *Sâlnâme-i Vilâyet-i Haleb*, 1302/1884–85, 165; 1320/1902–3, 233.

¹⁰⁵ Özlü, "Gaziantep'in 120 No'lu Şeriye Sicili, Transkripsiyon ve Değerlendirme," 51; *Sâlnâme-i Vilâyet-i Haleb*, 1302/1884–85, 165; 1310/1892–93, 192; Muştafâ Fehim, *Risâle*, 14.

¹⁰⁶ Reg.# 39/189/1, *şabân* 1101/1690; Reg.# 37/101/1, *cemâzîyü'l-evvel* 1100/1689; Faroqhi, *Towns and Townsmen*, 152–53; *idem*, "Taxation and Urban Activities in Sixteenth-Century Anatolia," *IJTS*, 1 (1979), 44–48.

¹⁰⁷ VA D583/149, dated 969/1561, *vakfiye* of Hüsrev Paşa; VA D747/274, 298, dated 974/1567, 982/1574, *vakfiye* of Lala Muştafâ Paşa. Also Mehmet Özkarcı, "Gaziantep Lala Mustafa Paşa Külliyesi," *Vakıflar Dergisi*, 25 (1995), 40–41. İki-Çapulu Khan belonged to the waqf of Miḥâliye *Medrese*, also in 'Ammo. Reg.# 25/101/3; Nusret Çam, "Gaziantep: Mimari," 472–73; Reg.# 125/71, *receb* 1175/1762, in Güzelbey and Yetkin, *GŞMSÖ*, 4: 84; Çınar, "18. Yüzyılın İlk Yarısında Ayıntab," 328.

¹⁰⁸ The tax value of the only rural dye-house located in the village of Ağcaöyük in the 1680s was exactly the same as in 1574. This may be a sign of major setbacks following the sixteenth-century prosperity, or simply mean that the tax value of the establishment was never updated in a century. Özdeğer, *Onaltıncı Asırda Ayntâb*, 130; Reg. 37/134/2–3, *cemâzîyü'l-evvel* 1098/1687;

¹⁰⁹ Evliyâ Çelebi, *Seyâhatnâme*, 9: 165a; Reg.# 172/104–7; Kâtib Çelebi, *Cihânummâ*, 598.

Cotton came from Adana and, possibly, from Kilis.¹¹⁰ By the end of the century, sixty new dye-houses had emerged, and in all likelihood, rural production was on the rise.¹¹¹ It was thanks to this infrastructure and momentum of growth that the town was able to take advantage of the new market opportunities that emerged in the following decades.

The expansion of textile production in ‘Ayntāb in the first half of the eighteenth century coincided with a general trend of growth observed in the whole Ottoman economy,¹¹² but it had a foreign spur as well. When the Aleppan economy had to reorient itself from transit trade to regional production and the export of cotton goods in the first decades of the eighteenth century,¹¹³ ‘Ayntāb became the most prominent beneficiary of this shift. It specialized in the production of undyed cotton fabrics called *‘acemī*¹¹⁴ which were shipped to Marseilles through Aleppo. ‘Ayntāb’s *‘acemīs* surpassed in quantity all other fabrics of different origins that were brought to Aleppo for export, and the town itself economically dwarfed all the comparable towns in the vicinity, including Maraş, the administrative center of the province.¹¹⁵ In the last quarter of the century, Aleppo as well as ‘Ayntāb were to reorient themselves once again towards regional markets when both Europe and the Ottoman Empire entered a new

¹¹⁰ Reg.# 38/10/1, *cemāzīyü’l-evvel* 1099/1688. Kilis was a cotton-growing region at least from the first half of the eighteenth century onward. Pococke, *A Description of the East*, 2/1: 153; Ainsworth, *A Personal Narrative of the Euphrates Expedition*, 1: 105. In the nineteenth century, ‘Ayntāb received cotton also from Behesnī although *alaca*-weavers had by then switched to imported cotton yarn. Muştafā Fehim, *Risāle*, 14.

¹¹¹ Reg.# 39/73/3, 81/4, *zī’l-ḥicce* 1100/1689, *muḥarrem* 1101/1689; Reg.# 172/93–98, *rebī‘ü’l-āḥır* 1104/1692. Çınar, “18. Yüzyılın İlk Yarısında Ayntab,” 328. On rural production, Reg. 17/125/1, *cemāzīyü’l-evvel* 1056/1646, in Bozkurt, “Gaziantep 17 Nolu Şer’iyye Sicili,” 290; Reg.# 82/21, *şevvāl* 1143/1731; Reg.# 84/171, *cemāzīyü’l-āḥır* 1145/1732, in Güzelbey and Yetkin, *GŞMSÖ*, 4: 2, 10.

¹¹² Mehmet Genç, “XVIII. Yüzyılda Osmanlı Ekonomisi ve Savaş,” *Yapıt*, 49 (1984), 52–61.

¹¹³ Masters, *The Origins of Western Economic Dominance in the Middle East*, 30–33; Robert Mantran, “Transformation du commerce dans l’Empire ottomane au dix-huitième siècle,” in *Studies in Eighteenth-Century Islamic History*, eds. T. Naff and R. Owen (Carbondale and Edwardsville: Southern Illinois University Press, 1977), 218; also, Roger Owen, “Introduction,” in *ibid.*, 148–51.

¹¹⁴ The term *‘acemī* does not appear in seventeenth-century records. I have not been able to identify whether this was what appears as *‘Ayntāb bezi* in earlier records or a new kind of cloth introduced in the eighteenth century.

¹¹⁵ Fukasawa, *Toilerie et Commerce du Levant*, 46, 51–3. Also, Pococke, *A Description of the East*, 2/1: 155, where he talks about “a considerable manufacture of coarse stamped calicoes” in ‘Ayntāb.

phase of economic and political hardship. Whether this meant real economic shrinkage for the region is yet to be studied. But it seems certain that by the second half of the nineteenth century, the textile sector was again thriving, and engaged at least 1,100 hands in one or the other line of production for export or Ottoman domestic consumption.¹¹⁶

As for the internal organization of the crafts in the seventeenth century, very little can be said about it on the basis of court records. The scarcity of cases relating to craft production during this period may indicate exceptionally peaceful and stable relations among craftsmen, or the vitality of autonomous mechanisms for settling disputes and decision-making. Stability would also imply limited competition and limited business. However, a fatwa from the 1680s suggests that there was competition. The fatwa addressed the question of whether or not established craftsmen could prevent new craftsmen from opening shops, and the response was typically liberal: they could not.¹¹⁷ One could surmise that the challenge of newcomers had generated a need to define and assert monopolies. It is not even clear whether or not all trades had separate guilds during this period, or how rigorously they were organized. Some certainly were, and had their headmen (*şeyh*), but even when a collective matter was at issue, they were represented by ordinary craftsmen who bore no official titles.¹¹⁸ Not surprisingly, as the 'Ayntābi economy flourished in the early eighteenth century, disputes over raw materials, sale rights and standards did become pronounced, and almost all of them were related to the textile sector.¹¹⁹

¹¹⁶ The town's specialties included: *alaca* (cotton or silken cloth, often red and yellow), *bez* (cotton cloth), *döşemelik* (upholstery cloth (?)) and *abā* (coarse woolen cloth). Muştafā Fehim, *Risāle*, 6; Şemseddīn Sāmī, *Ḳāmūsü'l-ʿlām*, 5: 3232; Also see, Donald Quataert, *Ottoman Manufacturing in the Age of Industrial Revolution* (Cambridge and New York: Cambridge University Press, 1993), 100–103; Chesney, *The Expedition for the Survey of the Rivers Euphrates and Tigris*, 1: 351; Cuinet, *La Turquie d'Asie*, 190. According to Cuinet, Aleppo remained the primary outlet, while Beirut, Izmir and Istanbul also received some of the city's surplus produce.

¹¹⁷ Reg.# 35/219/1, [1093–94/1682–83].

¹¹⁸ Reg.# 25/56/1, 81/3, 90/5, 111/2, 171/2; Reg.# 34/169/2; Reg.# 37/3/2; Reg.# 39/117/1, 192/1; Reg.# 41/46/1, 77/4, 122/2.

¹¹⁹ Compare, for example, Reg.# 82/21, *şevvāl* 1143/1731; Reg.# 84/171, *cemāzīyü'l-âḥır* 1145/1732; Reg.# 85/132, *cemāzīyü'l-evvel* 1146/1733; Reg.# 93/246, *ramāzān* 1151/1738; Reg.# 94/87, *cemāzīyü'l-âḥır* 1152/1739; Reg.# 108/128, *şefar* 1163/1750; Reg.# 109/138, *receb* 1165/1752; Reg.# 114/95, *zī'l-ka'de* 1169/1756, Güzelbey and Yetkin, *GŞMSÖ*, 4: 2, 10, 13, 31–32, 58, 60, 66.

*‘Ayntāb, the Livā**Administrative Layout*

Following the Ottoman conquest, ‘Ayntāb was first made part of the province of ‘Arab, which was later called the province of Şām. Then, in 1522, it was annexed to the newly established province of *Zū’l-ḳadriye* (Maraş) and remained part of it until 1818, when it was annexed to the province of Aleppo.¹²⁰ But already before 1818, the administrative relationship between ‘Ayntāb, Maraş and Aleppo was rather complicated, and reflected the frontier position of the province between Bilād-ı Şām and Rūm. The Aleppan Treasury (*Haleb Muḥaṣṣullığı*) administered royal revenues in its wider hinterland, and on and off it also controlled part of ‘Ayntāb’s resources, while Maraş wielded military administrative authority over the district. For example, in the 1650s, the town’s poll tax revenue, which belonged to the tax farm of the royal domains (*ḥavāṣṣ*) in ‘Ayntāb was transferred to Aleppo.¹²¹ Needless to say, this shift of authority was not smooth: the chief tax collector (*emīn*) in ‘Ayntāb continued to claim the poll tax, and the government had to send repeated orders to effect the shift. After a few decades, in 1688–89, all tax farms in ‘Ayntāb were placed under the authority of the Aleppan Treasury.¹²² The association between ‘Ayntāb and Aleppo was perhaps stronger in local perception than is visible in fiscal/administrative divisions. In an endowment deed (*vakfiyye*) from 1691, for example, the town was depicted as part of the province of Aleppo.¹²³

Representatives of the Imperial Administration

The ḥükkām (rulers). The administrative system in seventeenth-century ‘Ayntāb was similar to other regions where the prebend system had been in effect under the classical regime. By the middle of the century,

¹²⁰ Ahmet Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri* (İstanbul: Osmanlı Araştırmaları Vakfı, 1994) 7: 152, 165, 809; Muştafâ Fehim, *Risāle*, 2.

¹²¹ Reg.# 26/268/1, *rebī‘ü’l-āḥır* 1071/1660; Reg.# 26/269/2 *muḥarrem* 1071/1660.
¹²² BOA MM 9871, 1100/1688–89, 321; Reg.# 39/9/1, 11/1, *rebī‘ü’l-āḥır* 1101/1690. But already during the first quarter of the century, income registers of the Aleppan Treasury included “villages of ‘Ayntāb,” listed collectively. BOA, MM 7639, 2, 1037/1627–28, revenue due from 1034/1624–25. I would like to thank Prof. Halil Sahillioğlu for bringing this reference to my attention.

¹²³ “*Haleb vilāyeti dāhiliinde medīne-i ‘Ayntāb maḥallātından. . .*” VA D2173/47, *muḥarrem* 1103/1691.

the power and importance of the governor (*sancağ beği*) had eroded due to the decline of the prebend system with which he had been closely associated, and in some areas, the office had disappeared altogether.¹²⁴ Conversely, the kadi had become even more important than before, in large part due to the synthesis between religious and sultan law and fiscal reforms that enhanced local mechanisms of decision-making.¹²⁵ Thus the *şerh'a* court was the only permanent court that operated in 'Ayntāb. Public sittings (*dīvān*) held by visiting governors of Maraş offered an occasional venue for formal adjudication, but they were too infrequent to make a significant impact in townsmen's lives, and were limited to matters of security and military affairs during this period.¹²⁶

The town had one court and probably one kadi in the second half of the seventeenth century. Leslie Peirce notes that some court cases could be heard by a Shafii deputy judge in the early years of Ottoman rule,¹²⁷ and a waqf document from 1649 suggests that the town may have had a Shafii judge even at that date.¹²⁸ Likewise, the Shafii mufti frequently appeared at the court as a procedural witness in the second half of the seventeenth century, although his role as mufti is not apparent in the proceedings. Nor have I encountered any evidence to indicate the actual presence of a Shafii deputy judge during this period. Thus, it seems likely that the town had a large and perhaps even predominantly Shafii population before the Ottoman conquest like most of Bilād al-Shām, and much of south-eastern Anatolia. Shafiis may have gradually converted to Hanafism through state-sponsorship, but the population remained mixed well into the late eighteenth century.¹²⁹

During the period under consideration, the kadiship of 'Ayntāb was held by absentee judges. It was an *arpalık*, i.e. assigned as additional

¹²⁴ Halil İnalçık, *The Ottoman Empire: The Classical Age, 1300–1600* (London, 1973), 72, 117; Metin Kunt, *The Sultan's Servants, The Transformation of Ottoman Provincial Government, 1550–1650* (New York: Columbia University Press, 1983), 23, 26, 88–90.

¹²⁵ Haim Gerber, *State, Society and Law in Islam: Ottoman Law in Comparative Perspective* (Albany: SUNY Press, 1994), 58–78.

¹²⁶ For example, 'Osmān Paşa, Reg.# 39/106/2, 108/1, *şefar* 1101/1689; Süleymān Paşa, Reg.# 39/166/3, 1101/1690; Aḥmed Paşa, Reg.# 37/137/2, 155/1, 157/3, 1098/1686–1687; Reg.# 37/89/1, 90/1, 1100/1689.

¹²⁷ Peirce, *Morality Tales*, 114 and fn. 90.

¹²⁸ Reg.# 21/145/1, *zī'l-ka'de* 1059/1649. This was a waqf deed that stipulated that the overseer (*nāzir*) be the Shafii deputy judge.

¹²⁹ Özlü, "Gaziantep'in 120 No'lu Şeriye Sicili," 54.

or temporary income to prominent members of the imperial religious hierarchy, such as the *naḳībū'l-e-şrāf*, *każasker*, or an important scholar.¹³⁰ The *arḫalḳ*-holder never got involved in the judicial or administrative affairs of the town, except by appointing a deputy judge (*nā'ib*) through revenue farming, and it is the *nā'ib* who will be referred as the town judge henceforth. Like his military counterpart, the deputy governor (*mütesellim*), the *nā'ib* could also be 'appointed' for short periods as a subcontractor or a trustee (*emīn*). For instance, in 1692, the *arḫalḳ* of 'Ayntāb was held by Mīrzā Muştafā Efendi, the former kadi of Istanbul. 'Oşmān Efendi, the deputy of the *arḫalḳ*-holder, appointed el-Ḥāc Meḫmed Efendi in his place when leaving for Istanbul.¹³¹ In a month, a new *nā'ib* was appointed from Istanbul by the *arḫalḳ* holder, and replaced el-Ḥāc Meḫmed. In another case, a certain 'Abdullāh Efendi, the deputy of the deputy judge 'Ömer, remained in office for about a year.¹³²

The kadi's powers in this period were extensive and included supervision of the janissary commander as well as taking disciplinary action against members of the military during the war.¹³³ He was also the key link between the local people and the imperial government. The implementation of rulings that responded to petitions, inquiries or complaints of a private or public nature were all conditional upon the accuracy of the information provided in the petitions, and it was the kadi's task to see if it was accurate before taking action. As will be seen later, it was not always accurate.¹³⁴ Royal registers in the capital were the ultimate repository of authoritative knowledge to settle certain disputes; this included disagreements about

¹³⁰ Reg.# 26/236/2-3, *cemāzīyü'l-āḫır* 1072/1662; Reg.# 36/30/1, [1098/1686-87]; Reg.# 38/127/1, *şefer* 1100/1688, 166/1, *rebī'ü'l-āḫır* 1100/1689. On *arḫalḳs*, İnalçık, "Centralization and Decentralization in Ottoman Administration," in *Studies in Eighteenth-century Islamic History*, eds. T. Naff and R. Owen (Carbondale and Edwardsville: Southern Illinois University Press, 1977), 30-31.

¹³¹ Reg.# 41/173/2, *receb* 1103/1692; 11/2, *şābān* 1103/1692; 12/3, *ramażān* 1103/1692.

¹³² In Reg.# 35/223/3, *rebī'ü'l-āḫır* 1094/1683.

¹³³ *Serdār* appointments were addressed to the kadi, who was expected to "employ" the former (*istihdām*) in matters concerning commandership. Some examples, Reg.# 34/159/6, [1092/1681]; Reg.# 35/232/1, *zī'l-ka'de* 1093/1682; 252/1, *muharrem* 1095/1683; 286/1, *receb* 1095/1684; Reg.# 36/40/2, *zī'l-hicce* 1098/1687; 43/1, *muharrem* 1099/1687; Reg.# 37/8/1, [1099/1687-88].

¹³⁴ Reg.# 41/5/1, *rebī'ü'l-āḫır* 1103/1692, 31/3, *receb* 1103/1692, and numerous others.

the limits of the royal domain (*havāṣṣ*) or of a major pasha waqf, or else the proper method of taxation in a given village. In such cases, the kadi's authority was underlined by asking him to examine the records; the central authorities thus avoided imposing an unmediated solution to the problem.¹³⁵

Sometimes the kadi was not even expected to consult the central registers if the parties involved already had documents issued in Istanbul, such as an imperial title deed (*berāt*) that specified peasants' liabilities.¹³⁶ In the absence of such documentation, the judge followed procedures used in civil cases. When, for example, a tax collector could not produce a tax register showing the defendant as liable in a particular tax zone, the kadi could have recourse to witnesses to determine the defendant's residential and family history.¹³⁷ In one exceptional case involving the 'dues of subject-hood' (*rusūm-u rā'yyet*)¹³⁸ in a village, the rates to be applied had to be determined anew due to earlier malpractice in collection. The new tax intendant (*emīn*) and the villagers appeared before the kadi as in a civil case, and no authority other than that of the kadi was invoked. The kadi's task was to establish the customary rates and he did so by recourse to the testimony of 'impartial Muslims.'¹³⁹ This incident highlights two other important points about how the public realm operated in 'Ayntāb: first, the uniformity of court procedure in civic cases and cases involving 'state-society' relations, and secondly, the prominent role of standard-setting, truth-bearing, just and reliable 'Muslims' in all affairs of the court.

Like the *arpatlık*-holding nominal kadi of 'Ayntāb, the governor had also become an absentee figure by the second half of the seventeenth

¹³⁵ He was told to "ask for a copy of the [relevant] register, and see . . . [what it said]." Reg.# 35/232/4, *zī'l-ḥicce* 1093/1682; Reg.# 36/28/2, *ṣa'bān* 1098/1687; 38/1, *rebī'ū'l-avvel* 1098/1687; 41/1, *ṣa'bān* 1098/1687, and others.

¹³⁶ For example, Reg.# 34/174/1, *receb* 1091/1680, where the kadi was asked to examine the patent of a prebend-holder (*zā'im*) who had complained about peasants' refusal to pay their dues. The kadi was told to check whether the *zā'im* was indeed entitled to that year's taxes and whether the peasants had indeed evaded payment.

¹³⁷ Reg.# 41/142/1, *rebī'ū'l-avvel* 1103/1691.

¹³⁸ The group of dues owed by peasants to the prebend-holder or to the state if the village was part of the royal domains (*havāṣṣ*).

¹³⁹ Reg.# 41/135/1, *zī'l-ḥicce* 1102/1691. Disputes over posts were normally referred to the capital, often by the disputants themselves. That too, however, had exceptions. Reg.# 38/33/4, *receb* 1099/1688; 73/1, *zī'l-ka'de* 1099/1688; 75/2, *zī'l-ḥicce* 1099/1688; 108/2, *sefer* 1100/1688.

century. As happened in several other provinces, the sources of revenue that had belonged to the governors of ‘Ayntāb were assigned to *beglerbegis* (provincial governors) as temporary or additional income (*arpaluk* or *zamīme*),¹⁴⁰ and ‘Ayntāb came to be ruled by the *arpaluk*-holder’s deputy (*mütesellim*). The title *sancak begi* fell into disuse by the middle of the century, and was replaced by the term *mutaşarrıf* which aptly reflected the shift in the holder’s role from a feudal ruler/administrator to a ‘disposer’ of revenue. Inevitably, the governor’s domain turned into a resource pool that circulated (and circulated fast) between numerous claimants through subcontracts.

For instance, in 1687, a certain İsmā‘īl Ağa was appointed the governor (*mārlivā*) of ‘Ayntāb. In fact, he was probably a deputy himself and not the original governor since he was also addressed as *mütesellim* in some documents. İsmā‘īl Ağa farmed out his post to Ebübekir Ağa for 3,000 *gurūs*, and Ebübekir, in turn, first transferred it to Süleymān Aġā for two months, then to ‘Osmān Aġā.¹⁴¹ In this instance, everyone involved probably benefited from this chain of transfers in proportion to his investment. In another instance, the transfer of the deputy governorship involved an even more entangled story. Even though the circumstances of the transfer are not as clear as in the former case, possibly it was only the original governor Süleymān Paşa himself who reaped the benefits of subcontracting. Süleymān Paşa was given the post in January 1684. The following month, before he had time to appoint his own deputy governor, the present deputy governor appointed Muslīzāde (Musullīzāde ?) Meḥmed Aġā as the new deputy governor to replace himself. The same month, Süleymān Paşa ‘sold’ (*fīruḥt*) the deputy governorship to el-Ḥāc Muştāfā for one year. Yet, in March, he sent another deputy, a certain ‘Abdī Aġā. In June, Süleymān Paşa sold the post again, this time to Aḥmed Aġā, to be effective for one year starting retrospectively from April. But in April (or May), he had already dispatched yet another deputy, ‘Alī Aġā. When the latter arrived, he found

¹⁴⁰ Kunt, *The Sultan’s Servants*, 87, 90. For ‘Ayntāb, Reg.# 25/12/1, *şevvāl* 1067/1657, Ḥasan Paşa; Reg.# 25/162/1, *muḥarrem* 1069/1658, Arslan Paşa; Reg.# 26/214/1, *şevvāl* 1072/1662, ‘Asāf Paşa; Reg.#35/228/1, *şābān* 1095/1684, Siyāvuş Paşa; Reg.# 35/233/4, *şefer* 1095/1684, Süleymān Paşa, who was also the *mutaşarrıf* of Alāiye. BA, AE IV. Meḥmed Reg.# 10676, *şābān* 1098/1687, Meḥmed Paşa.

¹⁴¹ Reg.# 36/52/3, *muḥarrem* 1099/1687; Reg.# 37/4/3, 5/1, *şefer* 1099/1687; 37/4, *zīl-ka’de* 1099/1688; 51/2, *şefer* 1100/1688.

'Abdullāh Āgā in charge, another *mütesellim*, who refused to abdicate the post.¹⁴² If all his deputies acquired the post through a 'sale', as was specifically noted in two cases, then Süleymān Paşa clearly made a small fortune through multiple sales even if the investors', i.e. the *mütesellims*' advance payment was partial. That many among such deputy governor 'appointments' as well as *hāvāşş* assignments were recorded as 'sales', highlights the venal character of governorship during this period.¹⁴³

'Ayntāb and the imperial world. In brief, 'Ayntāb was an ordinary town no more or less significant for the historian than dozens of others located in the interior periphery of the empire. It was no more or less significant for the imperial center either, and that shaped the way the capital 'existed' in 'Ayntāb as it did.

One of the most important parameters of center-periphery interaction was the forms and scale of imperial resource transfer from the town. To start with resources of symbolic value, 'Ayntāb had none of any significance for the imperial center to capitalize on for its legitimacy. Consequently, there was only one minor religious endowment in 'Ayntāb that Istanbul supported: the Dervish Hospice of İbn-i Demirci (*zāvīye*). Properly speaking, it was not an Ottoman foundation either.¹⁴⁴

The district's contribution to imperial revenues was also relatively small. Military forces that were supported directly by 'Ayntābis' taxes were on a minor scale: namely, 119 timars, or 0.24% of the imperial provincial cavalry. This was much below the empire-wide *livā* average of 1.5%.¹⁴⁵ Direct royal revenues from the *livā*, comprising

¹⁴² Reg.# 35/233/4, *şefar* 1095/1684; 236/2, *rebī'ü'l-evvel* 1095/1684; 283/2, *rebī'ü'l-evvel* 1095/1684; 234/1, *rebī'ü'l-âhur* 1095/1684; 281/2, [*receb?*] 1095/1684; 285/2, *şabân* 1095/1684; 286/2, *ramazân* 1095/1683.

¹⁴³ Also Reg.# 37/25/4, *receb* 1099/1688 and Reg.# 36/47/2, *muḥarrem* 1099/1687.

¹⁴⁴ The land that supported the hospice had originally been endowed by the Mamluk sultan Qānşuḡ Ghawrī (1501–16), and registered as such in early Ottoman surveys. In the cadastral survey of 1574, however, it was attributed to the reigning sultan Murād III. During this period, the foundation had an annual income of 14,496 *aḳçes*, which was sizable by local standards. Özdeğer, *Onaltıncı Asırda Ayntāb*, 192–93; Reg.# 37/103, [1100/1688–89].

¹⁴⁵ According to various seventeenth-century accounts, the total number of timars in some twenty provinces where the system was practiced was at least 50,000. Ahmet Tabakoğlu, *Gerileme Dönemine Girenken Osmanlı Maliyesi* (İstanbul: Dergah, 1985), 52.

the *dīmūs*, i.e. the royal domain,¹⁴⁶ various *‘avānż* taxes and the non-Muslim poll tax made up around 20,000 *gurūs* a year in ordinary times.¹⁴⁷ About half of this amount was the *dīmūs*, which comprised the tax farms of butchers, coffee and coffee-houses, market supervision (*ihtisāb*), market dues, winter pasture tax (*kışlak*) on nomads, and revenues from rural royal domains. As a method of tax assessment and lump-sum cash payment, *dīmūs* was specific to Syrian provinces in the sixteenth century, and it was introduced in ‘Ayntāb sometime between 1574 and the early decades of the seventeenth century. The fact that the *dīmūs* system was introduced in nearby Malatya also around this time suggests a move in the direction of monetization of taxes in the area.¹⁴⁸

During the period studied, the value of the *dīmūs* tax farm gradually increased, but sometimes it reverted back to the state due to lack of demand. For example, in 1688–89, it could not be sold at the rate of 11,667.5 *gurūs*,¹⁴⁹ and was combined with a number of other tax farms and annexed to the Aleppan Treasury (*Haleb Muhaşşullığı*). In 1692, again, it had to be temporarily administered by an intendant (*emīn*),¹⁵⁰ an appointee of the center, until el-Ḥāc Süleymān (Ağa?) bid 10,040 *riyālī gurūs* and acquired it.¹⁵¹ At times

¹⁴⁶ According to Cahen, *dīmūs*, derived from the Byzantine *dēmosion* (public impost). As an agricultural tax, it referred to the tithe and was assessed on the basis of acreage rather than the yield. Like the regular tithe, it could be split between the state, religious endowments and *mülk*-holders. Margaret Venzke, “Special Use of the Tithe as a Revenue-Raising Measure in the Sixteenth-Century Sanjaq of Aleppo,” *JESHO*, 29 (1986): 260–61.

¹⁴⁷ *‘Avānż* totals: Reg.# 35/219/2, 220/1, 221/1, [1094/1682–83]; Reg.# 37/114/1–2, 151/1 [1098/1686–87]. Non-Muslim poll tax: Reg.# 35/251/1 [1095/1683–84]; Reg.# 36/61/2 [1099/1687–88].

¹⁴⁸ Even though ‘Ayntāb was briefly included in the province of Şām, *dīmūs* was not mentioned in the two known Law Codes or the sixteenth-century tax surveys, the last of which was in 1574. Akgündüz, *Osmanlı Kanunnameleri*, 5: 624–26, 646–50, 665–66, 680, 690, 979; 7: 23, 51–52, 791. For Malatya, compare M. Yinanç, *Kanûni Devri Malatya Tahrir Defteri (1560)* (Ankara, 1983), and BOA MM 9845, 137, dated 1069/1658–59; for ‘Ayntāb, Reg.# 35/212/1, (1093 or 1094/1681–83); 243/2, *rebî‘ü’l-âhur* 1091/1680; Reg.# 36/30/2, [1098/1686–87]; 38/1, *rebî‘ü’l-avvel* 1098/1687.

¹⁴⁹ In 1660–62, the value of the farm was 8,000 *gurūs*; in 1687–88, it was 9,600 *gurūs*. Reg.# 26/269/1, [1071–72/1660–62], Reg.# 36/47/2, [1099/1687–88]; Reg.# 39/9/1, [1100/1688–89].

¹⁵⁰ Even when the whole *dīmūs* was assigned to a single person, about 2,000 *gurūs* out of the total amount was retained to pay the salaries of soldiers at fortresses and various deed holders entitled to a daily income from the imperial treasury (*vazā’if*). This part of the *dīmūs* was administered by the intendant. Reg.# 37/30/3; Reg.# 25/117/3, 126/2; Reg.# 34/164/4; Reg.# 37/3/2; and possibly Reg.# 41/135/1.

¹⁵¹ Reg.# 41/173/3, *receb* 1103/1692; 30/2, *şevvāl* 1103/1692.

when there was no demand, individual villages were detached (*ifrāz*) from the *dīmūs* and farmed out to small investors; when the whole tax farm seemed productive again, they were reincorporated.¹⁵²

The most steady sources of revenue for the imperial center were the *'avānż* and *cizye*. Within the *'avānż* system, 'Ayntāb was part of Eastern Anatolia and Syria, or the zone of 'Other Provinces' (Eyālāt-ı Sā'ire) in Ottoman fiscal parlance. The term reflected the subsidiary position of these provinces in terms of the amount of imperial revenues expected to accrue to Istanbul. In other words, the 'Other Provinces' had the lowest tax quotas among the three tax zones listed in the *'avānż* registers, and 'Ayntāb itself was even below the eastern average. In 1650, for example, 'Ayntāb's direct tax potential comprised no more than 0.28% of the imperial total, which was 1/9th of Aleppo or 1/3rd of Ankara, to quote better known examples. This was fairly compatible with 'Ayntāb's expected prebendal contribution to imperial revenues. Incidentally, its *cizye* yields also represented 0.30% of the estimated imperial poll tax totals, again, a compatible magnitude.¹⁵³

While cash transfers from 'Ayntāb were relatively small, its role in the provision of goods and services varied with the varying strategic needs of the imperial center. The distance between the two posed natural limits on what the town could offer, but whenever there was military activity on the eastern front, it offered more. For instance, in the seventeenth century, it sent lumber to Birecik and Basra to be used in ship-building, or later, during the Iranian war of 1730–36, the *voyvoda* of 'Ayntāb was put in charge of the protection of transportation on the Euphrates and other war-related measures.¹⁵⁴ Right before the Austro-Ottoman war of 1683–99, the town received two orders to provide retailers and craftsmen for imperial needs. One

¹⁵² According to Çınar, *dīmūs* was assigned to vezirs at the end of the seventeenth century, and the practice continued under the *mālikāne* regime. The only such instance I could identify with certainty was the assignment of the *dīmūs* to Köprülü Muşafâ Paşa. Çınar, "18. Yüzyılın İlk Yarısında Ayntab," 265–67. Reg.# 37/27/4, *cemāzîyü'l-evvel* 1099/1688; 25/4, *receb* 1099/1688.

¹⁵³ Based on McGowan, *Economic Life in the Ottoman Empire*, 18–20. Reg.# 36/61/2; for totals, Tabakoğlu, *Osmanlı Maliyesi*, 147.

¹⁵⁴ Cengiz Orhonlu, *Osmanlı İmparatorluğunda Şehircilik ve Ulaşım Üzerine Araştırmalar* (İzmir: Ege Üniversitesi, 1984), 127; Reg.# 82/39–40, *şevvâl* 1143/1731; Reg.# 85/6, *receb* 1146/1733; Reg.# 87/207, *cemāzîyü'l-evvel* 1147/1834, in Güzelbey and Yetkin, *GŞMSÖ*, 4: 4–5, 12, 19.

group was to go to the front, and a group of carpenters was to go to Raḳka to repair the fortress there.¹⁵⁵ ‘Ayntāb indeed dispatched carpenters to Raḳka, and unlike the regular *orducu* service, they went at the state’s expense. On other occasions, craftsmen could also be recruited for peace-time projects. For example, in 1662, the town was asked to send stonemasons, quarrymen and tile-makers to be employed in the construction of Vālide Sulṭān’s mosque in Istanbul.¹⁵⁶ As for the provision of goods for the capital, one could cite an order concerning the selection of greyhounds for the ‘imperial hunt.’ Certainly, we cannot judge how crucial that may have been for Meḥmed IV at that time, but there is no evidence that ‘Ayntāb was a steady supplier of dogs either.¹⁵⁷

The town was not of central importance from a logistic point of view either. The campaign route between Istanbul and the southern provinces ran closer to the coast past Adana, leaving ‘Ayntāb on secondary communication lines.¹⁵⁸ In the seventeenth century, the central army was stationed in the *livā* possibly only once, on the occasion of Murād IV’s Baghdad campaign (1638).¹⁵⁹ By the second half of the century, however, the eastern front had been secured and there was no external threat. On a number of occasions, the area did become the focus of imperial attention due to military and nomadic unrest as in the case of Abāza Ḥasan Paşa’s revolt in 1658–59 and that of Yegen ‘Oṣmān Paşa in 1688. Ḥasan Paşa’s revolt led to increased state control in the town, possibly because the pasha enjoyed some support in the area as the former governor of Aleppo, and because the town was directly involved in the last episode of the revolt. The ‘Oṣmān Paşa affair and the tribal rebellion of 1688 had no direct bearing on ‘Ayntāb. They affected a much wider area, and the capital was too busy in Europe to shift its attention and resources to the east.

Consequently, ‘Ayntāb never received special attention from Istanbul. For example, no Ottoman sultan or member of the dynasty ever

¹⁵⁵ Reg.# 41/13/2, *ṣa’bān* 1103/1682; Reg.# 35/230/1–2, *zī’l-ḥicce* 1093/1682. I have found no further record indicating that craftsmen were ever sent to the front.

¹⁵⁶ Reg.# 26/190/2, *rebī’ū’l-ewvel* 1073/1662.

¹⁵⁷ Reg.# 35/239/2, *cemāzzīyū’l-āḥır* 1094/1683.

¹⁵⁸ BOA, MM 4031, 1108/1696–97, *İstanbul-Haleb menzıl defteri*, 74–86. See also, Cemil C. Güzelbey, “Gaziantep’te Osmanlı Menzilleri,” in *Gaziantep’ten Kesitler*, 142–44.

¹⁵⁹ BOA, MM 14357, *Menzıl Defteri*, 16.

deemed it necessary to endow the town with grandiose signs of their power, waqfs of any sort. The first Ottoman style minaret to adorn 'Ayntāb's skyline, that of Hüseyn Paşa, was built in the eighteenth century, and that was not a royal building either. The sultans did nonetheless bestow 'Ayntābis with revenue grants, titles and posts and formed long-lasting ties of loyalty with those whose loyalty counted most. More importantly, they also wanted the 'hearts' of the 'Ayntābis in general. They expected them to identify with the polity or the dynasty, to take joy in their subject-hood on the occasion of a new accession for instance, or a royal wedding, and always be well-wishers of the sultan and the state.¹⁶⁰ Some 'Ayntābis certainly had more reason than others to wish the Ottoman sultans well, and be willful and cognizant members of the polity. Unfortunately, sources used in this study do not provide more than a glimpse of the status of the sultans or the Ottoman state in the popular consciousness, or the degree to which 'Ayntābis lived up to Istanbul's idea of subject-hood. For example, remarkably few 'Ayntābis were named after Ottoman sultans of present and past times, and most of those who did bear sultans' names were in the military. There were only two sultans who left a mark on the popular consciousness and around whose name there developed a folklore. These were the only two who had ever set foot in 'Ayntāb by the end of the seventeenth century: Selīm I, who made 'Ayntāb Ottoman, and Murād IV, who passed through the district on his way to Baghdad.

One such story involves an encounter between Murād IV and a local saint whom the sultan first ignores, then 'tests' by putting poison in his coffee. The saint emerges triumphant. The story clearly signifies a dual permeation: appropriation of the royal name and infusion of imperial history by what is local, but it also conveys a sense of competition between the royal name and the saint, or the central and the local. 'Ayntāb emerges triumphant through its anachronistic protagonist Şāh Velī, who was a late sixteenth-century Ḥalvetī shaikh with treatises on sufism.¹⁶¹

¹⁶⁰ Reg.# 36/54/1, 55/1, *muḥarrem* 1099/1687; Özlü, "Gaziantep'in 120 No'lu Şeriye Sicili," 405.

¹⁶¹ Evliyā Çelebi, *Seyāhatnâme*, 9: 165a. For stories: Güzelbey, *Gaziantep Evliyaları*, 59; *idem*, "Ziyaretler ve Meşhur Şeyhler (2)," *Başpınar* 22 (1940): 6-7; Mustafa Güzelhan, "İki Kapılı Hamam-Dutlu Hamam," *GKD*, 8/7 (Temmuz 1965): 4. Stories involving Selīm I: C.C. Güzelbey, "Meşhur Şeyhler ve Ziyaretler, Şamşihöğlü," *Başpınar*, 105/106 (1949): 11-12; Ş. Sabri Yener, "İki Vakfiye," *Başpınar*, 101-2 (1948): 6-8.

PART II

CHAPTER TWO

PRIVILEGE CERTIFIED

*Misali yokdur büldan içinde
Naziri gelmedi devran içinde*¹

Possibly, the most important interpretive shift in the study of Ottoman history in the past two decades has been the critique of the ‘decline paradigm’. The rejection of the idea that Ottoman history after the apogee of expansion and centralism in the sixteenth century consisted of one long undifferentiated episode of decline has further encouraged the on-going historiographic shift towards social history and comparative models. The shift of focus to non-political history and processes of change that were not for the worse for all has helped convey the seventeenth and eighteenth centuries to the domain of historicity. More recently, the history of the state has also been rehabilitated thanks to a number of pioneering works that characterize the seventeenth and eighteenth centuries as a period of realignment in Ottoman state apparatus and center-periphery relations, rather than decline and disintegration.²

One particularly useful concept for the purposes of this study that has emerged from recent debates is ‘Ottomanization’, which refers to a different and possibly stronger degree of integration between the imperial center and the provinces than had been the case under the 150-year-long ‘classical’ centralist regime. ‘Ottomanization’ has come to denote the emergence of an integrated elite through the incorporation of local people into the administrative and distributive networks of the central state and ‘naturalization’ of the members of the Ottoman officialdom into local societies. Officials became local

¹ “It has no match in any country/No epoch has seen its like.” From Balioğlu İbrahim’s *Hikmetname* in M. Solmaz, *Gaziantep Ögü Antolojisi* (Gaziantep: Işık Matbaası, 1963), 28.

² Karl Barbir, *Ottoman Rule in Damascus, 1708–1758* (Princeton: Princeton University Press, 1988); Abou-El-Haj, *Formation of the Modern State*; Linda T. Darling, “The Finance Scribes and Ottoman Politics,” in *Decision Making Change in the Ottoman Empire*, ed. Caesar E. Farah (Kirkville: The Thomas Jefferson University Press: 1993), 89–100; Salzman, “An Ancien Régime Revisited;” *idem*, *Tocqueville in the Ottoman*

by establishing themselves economically where they had been appointed, and locals became Ottoman by acquiring stipends, posts and tax-farming contracts. Marriage reinforced ties both ways.

Notably, the idea of ‘Ottomanization’ also echoes the critique of the modernist narrative in European historiography regarding the formation of the modern state, the nature of absolutism and the composition of the ruling classes in the early modern era, and allows this period in Ottoman history to be seen in a wider context. No longer characterized as a linear progression towards a strong centralist polity at the expense of local powers, modern state-formation now appears to have involved successive stages of centralism and provincial accommodation that resulted in the rejuvenation of the ruling class and allowed the state to capitalize on wider economic and political resources.³

An important dimension of this process was what can be characterized as a scramble for titles or what Lawrence Stone called ‘inflation of honors’ with regard to late sixteenth and early seventeenth-century England in particular. The ‘inflation of honors’ was prompted by a general trend related both to the long-term growth cycle of the early modern era and the growth and consolidation of the state, and entailed the ennoblement of people with various backgrounds, includ-

Empire; Khoury, *State and Provincial Society*; Karen Barkey, *Bandits and Bureaucrats*. For a historiographic review, see Ehud Toledano, “The Emergence of Ottoman-Local Elites (1700–1900): A Framework for Research,” in *Middle Eastern Politics and Ideas: A History from Within*, eds. Ilan Pappé and Moshe Ma’oz (London: Tauris, 1997), 145–62, and Jane Hathaway, “Rewriting Eighteenth-Century Ottoman History,” 37.

³ See, for example, Nicholas Henshall, *The Myth of Absolutism, Change and Continuity in Early Modern European Monarchy* (London and New York: Longman, 1992); H.M. Scott and Christopher Storrs, “The Consolidation of Noble Power in Europe. c. 1600–1800,” and H.M. Scott “The Continuity of Aristocratic Power,” in *The European Nobilities in the Seventeenth and Eighteenth Centuries*, ed. H.M. Scott (London and New York: Longman, 1995), 1: 1–52; 2: 274–91; David Parker, *Class and State in Ancien Régime France, The Road to Modernity?* (London and New York: Routledge, 1996), 129–35; Jonathan Dewald, *The European Nobility: 1400–1800* (Cambridge: Cambridge University Press, 1996), 140–48; Wolfgang Schmale, “The Future of ‘Absolutism’ in Historiography: Recent Tendencies,” *Journal of Early Modern History* 2 (1998), 192–202. See also the following case studies: Beik, *Absolutism and Society in Seventeenth-Century France*; Amelang, *Honored Citizens of Barcelona*; Joanne M. Ferraro, *Family and Public Life in Brescia, 1580–1650* (Cambridge: Cambridge University Press, 1993); Litchfield, *Emergence of a Bureaucracy*. The historiography of the Italian states is particularly relevant because of the paradigm of decline that formerly dominated this field.

ing ‘unworthy’ ones such as craftsmen or even convicts. Increased taxation incited the demand for tax privileges, and social mobility, coupled with the centralization of status allocation incited the demand for honors. Noble title entailed tax exemptions as well as the prestige of state-recognized status.⁴ Thus, on the part of the people, the rush for titles signified the recognition, use and abuse of the status system sponsored by the central state. In other words, it was an act of self-defense and resistance as well as pragmatism and self-promotion. For the state, the ‘inflation of honors’ created income, since certificates of ennoblement were not processed for free, and it bought loyalties, thus contributing to its consolidation.

Without having to draw too literal analogies between the Ottoman socio-political constitution and early modern systems of stratification elsewhere, one can without difficulty recognize the parallel dynamics that affected the Ottoman estates⁵ (*‘askerī* and *re‘āyā*) during this period. In the Ottoman case, the acquisition of stipends, posts and tax farming contracts also made one an *‘askerī*, as did claiming descent from the Prophet Muhammad or entering a military corps. In other words, one dimension of the processes characterized as Ottomanization overlapped with a formal transformation: the expansion of the *‘askerī*. This involved larger segments of the society than just the elites that would have been candidates for Ottomanization: among the prominent and the less prominent, there was a scramble for privileges that *‘askerī* status entailed, if using different means or for different reasons.

When properly certified in the capital or provincial centers, *‘askerī* membership signified recognition of some distinction associated with service or real or presumed attributes. Benefits such as tax exemptions, stipends or other forms of preferential treatment rewarded this distinction. Arguably, recognition by the state overlapped with social

⁴ Lawrence Stone, *The Crisis of the Aristocracy* (Oxford: Oxford University Press, 1965), 71–95; Samuel Clark, *State and Status: the Rise of the State and Aristocratic Power in Western Europe* (Montreal and Buffalo: McGill-Queen’s University Press, 1995); Pierre Bourdieu, “Rethinking the State: Genesis and Structure of the Bureaucratic Field,” in *State/Culture, State-Formation after the Cultural Turn*, ed. George Steinmetz (Ithaca and London: Cornell University Press, 1999), 53–75.

⁵ I use the term estate in the sense of a legally defined status group. Compare Linda Schilcher’s use of the term for eighteenth and nineteenth century Damascus. Linda Schatkowski Schilcher, *Families in Politics: Damascene Factions and Estates of the 18th and 19th Centuries* (Stuttgart: Steiner Verlag Wiesbaden, 1985), Chapter Five.

recognition in most instances. For example, descendants of the Prophet, scholars and religious leaders were probably held in high regard by all classes of people, whether or not they received stipends from the state, whereas the prestige of being a rank-and-file soldier, an officer, or, say, a mosque-sweeper is not apparent from the sources used in this study. Nor can it be ascertained to what extent becoming affiliated with the state as a beneficiary or an official carried additional social value and added to the influence of the personage in question among his neighbors. Therefore, *‘askerī* membership is treated here only in terms of its material benefits and the authority it entailed when linked with office-holding and backed by the coercive power of the state.

The expansion of the *‘askerī* estate after the sixteenth century is hardly a new theme in Ottomanist scholarship, but the enlargement of the military has so far remained the main focus of attention, one of the reasons for this narrow focus being the tacit and ahistorical assumption that the *‘askerī* were the military. During the second half of the seventeenth century, there were three points of entry to the *‘askerī*, namely acquisition of revenue grants with or without civil service, claiming descent from the Prophet Muhammad and acquiring membership of a military corps. *‘Ayntābis* extensively employed all three strategies, and particularly the latter two could accommodate a very large number of claimants in the short run. But before turning to the *‘askerīs* of *‘Ayntāb*, a brief discussion of the diversity and flexibility of the *‘askerī* estate is in order.

The Question of ‘Askerī Membership

Commonly translated as the ruling elite or class, or in descriptive terms, as tax-receivers, as opposed to the tax-paying commoners (*re‘āyā*), the *‘askerīs* were a service nobility comprising “those whom the Sultan had delegated religious or executive power through an imperial diploma, namely officers of the court and the army, civil servants, and *‘ulemā*.”⁶ After the 150-year-long apogee of Ottoman centralism, the estate underwent a dual transformation: it expanded

⁶ İnalçık, “The Nature of Traditional Society” 44. Also see, Abdul-Karim Rafeq, “Political Power and Social Networks: Popular Coexistence and State Oppression in Ottoman Syria,” in *Islamic Urbanism in Human History, Political Power and Social Networks*, ed. Tsugitaka Sato, (London and New York: Kegan Paul, 1997), 22.

and its definition changed. The first of these changes is better known while the latter has not been studied to any great extent. An examination of seventeenth century firmans indicates that the definition of *‘askerī* itself became more inclusive. In other words, the Ottoman state in the seventeenth century was much more liberal in distributing status and privilege than it had been a century before, and the inflation of the *‘askerī* ranks was not simply due to illegitimate penetration of ambitious and unruly subjects.

According to an order issued in 1628, the *‘askerī* comprised the following:

- a) all those who received stipends (*vazīfē*) no less than an *aḳçe* and a half, including preachers, prayer-leaders, scribes, waqf trustees, revenue collectors (*cābī*) and overseers (*nāẓır*), shaiyks, people who recited the Quran or read prayers in return for a stipend, and those who disposed of income from waqfs, *mezra‘as*, dervish convents and the like;
- b) semi-professional auxiliary troops;⁷
- c) descendants of the Prophet (*sādāt*);
- d) those who provided special services to the government, such as falcon-raisers, mountain pass guards, bridge-keepers, messengers, share-croppers on state land, rice cultivators, salt producers, sheep and cattle dealers, copper miners (*bakırcı*), deputy judges, and city wardens; and
- e) those who were exempt (*mu‘āf*) from royal taxes (*tekālif-i ‘örfiyye*).⁸

In an earlier version of this firman from 1606 and a similar one from 1605, wives were also defined as *‘askerī* as long as they did not marry into the *re‘āyā* after their *‘askerī* husbands had died, and according to the firman of 1605, children of *‘askerīs* were also *‘askerī*. Both firmans made it clear that *‘askerīs* could be former *re‘āyā* and what counted was their current status, not their past. Therefore, kadis

⁷ Some of the troops mentioned here, such as the *yaya* and *müsellem*, had already been abolished in 1582. Therefore, the *‘askerī* definition in question may have had an older history than the decree itself. İnalçık, “The Ottoman State: Economy and Society,” 92.

⁸ Dated *cemāzıyü’l-evvel* 1038/1628. Full text in İsmail H. Uzunçarşılı, *Osmanlı Devletinin İlmîye Teşkilâtı* (Ankara: TTK, 1988), 125–26. Also see, Halil İnalçık, “XV. Asır Türkiye İktisadi ve İçtimai Tarihi Kaynakları,” *İFM*, 15 (1954), 53; *idem*, “Osmanlılar’da Raiyyet Rüsümü,” 594–601; and Said Öztürk, *Askeri Kassama Ait 17inci Asır İstanbul Tereke Defterleri, Sosyo-Ekonomik Tahlil* (İstanbul: OSAV, 1995), 40–43.

were instructed not to harass such *askerîs* using their background as an excuse to charge them dues incumbent on the *re'âyâ*.⁹

Clearly, the firmans in question referred to a much larger group of people as '*askerî*' than is implied by the term 'ruling elite' or state functionaries. The difference is important because mistaking the '*askerî*' for the narrower category of *ehl-i 'örf* (military and civil officials), and the *ehl-i 'ilm* (legal experts and scholars), easily lends itself to a binary conception transmuted the '*askerî-re'âyâ*' distinction into one between what is central and local, and ultimately, between the state and society. Further, it assumes a categorical antagonism between the two. As will be seen below, such a binary conception fails to capture post-sixteenth century realities in most parts of the empire.

Secondly, according to the '*askerî*' definition in these firmans, status was hereditary but estate mobility was also engrained in the system. This allowed the '*askerî*' to expand in conjunction with changes in demographic and political circumstances. The definition of the '*askerî*' could also be narrowed when the imperial center decided that the ranks of the estate had become inflated, as happened in the course of the sixteenth century.¹⁰ As the firmans above illustrate, however, it was still more inclusive and liberal in the early seventeenth century than it had been a century earlier.¹¹ Notably, the *mu'âf* (tax-exempt) which constituted a fiscal category between the '*askerî*' and *re'âyâ* in terms of its tax privileges had also disappeared and become incorporated into the '*askerî*'.¹²

However, the expansion of the '*askerî*' in the seventeenth century did not turn it into an anachronistic vestige of the past, another marker of 'decline';¹³ the seventeenth century '*askerî*' was simply different. Nor did expansion reduce '*askerî*' status to fiscal privilege

⁹ Ömer L. Barkan, "Edirne Askeri Kassamına ait Tereke Defterleri, 1545–1659," *TTK Belgeler*, 3 (1966), 4–5. Also see the firman, dated *ramazân* 1013/1604 in Ergenç, *XVI. Yüzyılda Ankara ve Konya*, 214, fn. 3.

¹⁰ Halil İnalçık, "Osmanlılar'da Raiyyet Rüsûmu," 596. *idem*, *Fatih Devri Üzerinde Tetkikler ve Vesikalar* (Ankara: TTK, 1954), 1: 169; and Ömer L. Barkan, *XV ve XVI'nci Asırlarda Osmanlı İmparatorluğunda Zıvâ'î Ekonominin Hukukî ve Malî Esasları, Kanunlar* (İstanbul: İÜEF Türkiyat Enstitüsü, 1943), 1: 109, Law Code of the province of Rumeli, dated 1519.

¹¹ Compare the law code dated 907/1501–1502 in Barkan, "Edirne Askeri Kassamına ait Tereke Defterleri," 6–7.

¹² For a detailed discussion of the different grades of exemption in the sixteenth century, see İnalçık, "Osmanlılar'da Raiyyet Rüsûmu," 594–601; also *idem*, *Fatih Devri Üzerinde Tetkikler ve Vesikalar*, 163.

¹³ Bernard Lewis, *The Political Language of Islam* (Chicago and London: The University of Chicago, 1988), 62, 140–41; "Askerî," *EI2*, 1: 712.

shared by an inordinately large body of subjects because *‘askerī* status did not guarantee tax exemptions automatically, at least not from all taxes. As with most nobilities, tax exemptions of the *‘askerī* were predicated on a style of life that did not entail direct economic activity. When members of the estate were engaged in production, as some of them were even at the height of the ‘classical era’, they were bound to pay taxes.¹⁴ When a large number of *‘askerīs*, particularly military men ‘infiltrated’ the sphere of production later in the seventeenth century, or when producers ‘infiltrated’ the *‘askerī*, the relation between tax exemption and *‘askerī* distinction became even more complicated. They were exempt from *‘avānç*, a property tax, but not from the tithe, or tax on agricultural production.¹⁵ This disparity undoubtedly affected different classes within the *‘askerī* differently, and added to the vast discrepancies of political and economic power between and within *‘askerī* groups. However, the notion of tax exemption in general was inextricably linked with the conception of the *‘askerī*. While the state now recognized a much larger body of people as *‘askerī*, thus granting them distinction and varying degrees of power, it also tried to tax them selectively. Not surprisingly, this policy was contested and the tax liability of the *‘askerīs* did not gain legitimacy until the nineteenth century.

The *‘askerī* definition of the early seventeenth century did not remain a dead letter either. Notwithstanding other changes it may have gone through in the middle decades of the century or during the Köprülü era, the definition of 1628 was still operational in 1697, at least in *‘Ayntāb*.

The ‘Askerīs of ‘Ayntāb

A population survey held in *‘Ayntāb* in 1697 had the explicit purpose of differentiating (*tefrīk*) *‘askerīs* from the *re‘āyā*.¹⁶ All urban elements listed in the firman of 1628 as *‘askerī* were classified as such, and no distinction was made between officials and non-officials or

¹⁴ See Barkan, “Edirne Askeri Kassamına ait Tereke Defterleri,” 435, 437–39, taxes imposed on *‘askerīs* engaged in economic activities. Also, Cemal Kafadar, “On the Purity and Corruption of the Janissaries,” *The Turkish Studies Association Bulletin*, 15/2 (1991): 274–78.

¹⁵ Selami Pulaha and Yaşar Yücel, *I.Selīm Kānūnnāmesi (1512–1520) ve XVI. Yüzyılın İkinci Yarısının Kimi Kanunları* (Ankara: TTK, 1988), 45.

¹⁶ Reg.# 48A/167–61, *zī’l-ka‘de* 1108/1697.

other categories of people within the *‘askerī*. The survey listed a total of 977 persons comprising various military personnel, civil functionaries, *‘ulemā* and the *sādāt*. But apparently, the survey was partial. A separate janissary survey taken around the same time listed 150 names of which nearly two thirds were not covered by the *‘askerī* survey.¹⁷ Thus, double-counted janissary names excluded, the *‘askerīs* of *‘Ayntāb* constituted 1,053 households around the turn of the eighteenth century—if we were to assume that each registered name represented a household (Table 2.1).¹⁸

Table 2.1. Major *‘askerī* groups

Civil functionaries incl. <i>‘ulemā</i>	Descendants of the Prophet	Military	Relatives and protégés?	TOTAL*
134	352	552	32	1,053

* Without overlaps

The first category in Table 2.1 includes stipend (*vazīfe*) receivers and some prebend-holders who were not in the military. The *‘ulemā*, i.e. religious scholars were a small group of thirty-nine *efendis*. Some of these taught in colleges, others were preachers or former kadis, and one was the shaikh of the Mevlevī order, curiously, the only order identified by name in the registers. There were two other shaikhs in the list but their affiliation was not specified. One was identified as a preacher, the other as a *du‘āgū*, literally, a prayer-reader. The group of lesser functionaries comprised imams, preachers, *du‘āgūs*, Quran-reciters and waqf employees, such as trustees and attendants (*farrās*). Among the *sādāt*, nine persons were also identified as civil functionaries, five of whom were among the top *‘ulemā*, and eight among the military (six officers, two *beşes*).

¹⁷ Reg.# 48A/174–73. The janissary survey is undated but the record is preceded and followed by entries from 1108/1696–97.

¹⁸ There is no way of knowing whether each and every name in these surveys represents a household. In some cases sons or brothers may have been listed separately but in actuality formed a single household. At the same time, however, some *‘askerī* households were certainly larger than the average due to a greater propensity to be polygamous. Until further demographic evidence is brought to light, it can be assumed that these two factors evened out.

The military comprised the ‘servants of the sultan’ and at least seventy-nine timariots living in town. Rank-and-file members of the central army, mostly janissaries, were 336 in number and constituted about two thirds of the troops. This figure also includes four citadel guards who did not have specifically ‘*askerī*’ titles, military or otherwise.¹⁹ About a tenth of these lesser troops, namely, thirty-nine people, were retirees. There were eighty-seven high-ranking officers, and about half were from the imperial cavalry. At the time of the survey, 150 troops were at the front, eleven were missing (*nāmevcūd*), and nine were specifically noted not to have joined the campaign (*gīmedi*).

The survey also included a group that can be classified as relatives and protégés. These comprised four dependents (*tābī*²⁰) of officers and twelve relatives: fathers, brothers, or nephews of ‘*askerīs*’, of whom all but one were in the military. The remaining sixteen people in this group constitute a category of their own as none of them had an ‘*askerī*’ title or occupation or was affiliated with other ‘*askerīs*’. Six were from prominent families and had the title *çelebi* or *el-hāc*, and their inclusion in the ‘*askerī*’ is not self-explanatory. Only one of them, it is noted, was tax-exempt by decree (*femānla hāneden muhrecdir*). Fifty names out of the total could not be classified for lack of clear identity markers. Four of these were ‘sons of servants of the sultan’ (*kuloğlu*) who did not have military titles or other qualifiers attached to their names. Seven other *kuloğlus* were in one or another military group.

Thus, the ‘*askerīs*’ of ‘Ayntāb were more or less evenly divided between civilians and the military. Tentatively assuming that each name represented a household, about 5% of the ‘Ayntābi households were headed by civil functionaries; 17% were military households, and 12% claimed descent from the Prophet (Table 2.2). ‘*Askerīs*’ as a whole made up about 36% of all households. While this is a remarkably high percentage, it is not exceptional. Gerber’s findings concerning some parts of contemporary Bursa point to a comparably large body of ‘*askerīs*’.

¹⁹ The relation between citadel guards and the military establishment seems rather unclear. Those who were surveyed on an earlier occasion also had no specifically ‘*askerī*’ titles. Reg.# 41/154/4, *cemāzīyü’l-evvel* 1103/1692; Reg.# 40/190/2, *cemāzīyü’l-evvel* 1104/1693; Reg.# 43/128/2, *şevvāl* 1107/1696.

Table 2.2. Household distribution among tax-payers and ‘*askerī*’ (1697)

All House- holds	<i>Sādāt</i>	Functionaries		Military ²⁰		Relatives/ Protégés	‘ <i>Askerī</i> TOTAL
		‘ <i>ulemā</i> ’	Others	R-&-F	Officers		
2,943	11.9%	1.3%	3.2%	11.4%	5.6%	1.1%	35.8%

Even with a substantial margin of error, these estimates point to a remarkable increase in the ‘*askerī*’ population as compared to the sixteenth century. According to the cadastral survey of 1536, there were 1,865 households in ‘Ayntāb, and 119 of them were tax-exempt. These included the ‘*ulemā*, religious functionaries, waqf officials, retired officers, timariots, and sons of timariots (*sipāhīzāde*).²¹ Together with a small number of handicapped persons, this group constituted about 6% of the population. In 1574, the size of the tax-exempt population was even smaller (~1%), which seems to confirm İnalçık’s observation that the definition of ‘*askerī*’ was narrowed towards the end of the century.²² But the following period more than made up for this decline. Between the early sixteenth century and the end of the seventeenth century, the ‘*askerī*’ population of ‘Ayntāb multiplied more than five times.

Becoming an ‘Askerī

The Quest for Posts and Stipends

While certain claimants to janissary or *seyyid* status were usurpers, the process of becoming an ‘*askerī*’ as a civil functionary or a stipend-receiver started with certification. Therefore, at the outset it required more resourcefulness, all the more so since posts and stipends were limited in number and competition was stiff. Further, the line between

²⁰ Unidentifiable 1.7% not included.

²¹ Özdeğer, *Onaltıncı Asırda Ayntāb*, 124; Nejat Göyünç, “XVI. Yüzyılda Güney-Doğu Anadolu’nun Ekonomik Durumu,” 78. There is a significant discrepancy between Özdeğer’s and Göyünç’s readings, especially with regard to the exempt population (28 as opposed to 119 respectively). To be on the safe side, I have used the higher figure.

²² Also see Nejat Göyünç, “XVI. Yüzyılda Güney-Doğu Anadolu’nun Ekonomik Durumu,” 73–81 for contraction of the *mu‘āf* category in the second half of the sixteenth century.

competition and usurpation was not clear and multiple claims to extant positions were very common particularly in the latter part of the century.²³ Multiple claims were typically characterized as ‘intervention’ (*müddāhale*), and attempts were made to substantiate such claims with diplomas (*berāt*) procured “one way or the other” (*bir tarīkle*). Not a single post or revenue allocation remained immune to interventions. Important trusteeships, other waqf posts, all religious functions, teaching posts, deputy governorship, commandership, *duʿāgū*-ships, the post of the town architect, the head court summoner were all contested.²⁴

Sometimes two axes of competition were involved: one between individuals and one between the center and local decision-makers. The case of Ebübekir Efendi, the trustee and shaikh of the dervish lodge in Dülük, was one such example. First, he lost his position to Bektaş Hālīfe due to a petition sent by the deputy judge Mevlānā ʿÖmer to the capital. The petition argued that Ebübekir Efendi had misused the waqf funds and property. The following year, however, the trusteeship was returned to Ebübekir thanks to a petition by the same deputy judge who conveyed reports (*maḥzar*) by the “‘ulemā and the righteous of the people” of Ayntāb and an order sent by the *şeyhü’l-islām*.²⁵ Ebübekir held the position until his death in 1688. Interestingly, he was challenged again, this time post mortem, by a new claimant who was the shaikh of the Kādirī convent in Tophane, Istanbul. The shaikh had been assigned the income from Dülük the year before and wanted whatever had been appropriated by Ebübekir. His descendants invoked Ebübekir’s diploma and the order of the *şeyhü’l-islām* as well as the fact that Ebübekir had held the position

²³ Examples from the middle of the century. Reg.# 26/271/2 [1071/1660–61]; 270/4, *şevvāl* 1071/1661; 262/1, *zī’l-ḥicce* 1071/1661; 59/2, *muḥarrem* 1072/1661; 255/2, *muḥarrem* 1072/1661; 262/4, *şefar* 1072/1661; 205/1, *zī’l-kaʿde* 1072/1662; 209/1, *zī’l-kaʿde* 1072/1662; 202/3, *zī’l-ḥicce* 1072/1662.

²⁴ Reg.# 34/169/1, *şabān* 1091/1680; Reg.# 37/2/3, *muḥarrem* 1098/1686; 37/118/2, *zī’l-ḥicce* 1097/1686; Reg.# 39/238/2, *şabān* 1101/1690; Reg.# 41/130/1, *şevvāl* 1103/1692; Reg.# 37/9/2, *rebū’l-āḥır* 1099/1688; Reg.# 37/14/2, *cemāzıyü’l-evvel* 1099/1688; Reg.# 38/73/1, *zī’l-kaʿde* 1099/1688; Reg.# 34/176/4, *cemāzıyü’l-āḥır* 1091/1680.

²⁵ “. . . aḥālī-yi vilāyetü’l-‘ulemā ve şulehāsi maḥzarātı ve şeyhü’l-islām işāretıyle . . .” Reg.# 35/241/5–6, *muḥarrem* 1094/1682; 243/1, *şabān* 1094/1683; 277/3, *rebū’l-āḥır* 1095/1684. In the meantime, a certain (?) Ebübekir replaced a certain (?) Bektaş Hālīfe as the prayer leader at a mosque. He acquired the post by justifying his claim by a similar story. Reg.# 35/245/2, *receb* 1094/1683.

in return for teaching and had spent the rest of the waqf revenue to provide food for students and the poor. This point was reiterated, again, by the ‘righteous people’ of ‘Ayntāb, the ‘*udūl*.²⁶ Having heard them and having inspected the diploma, the kadi of ‘Ayntāb ruled against the claim of the shaikh in Istanbul.²⁷

The tension between distributive decisions effected in the capital and in the provinces was also reflected in the annulment of diplomas that had been issued locally by governors and kadis as a warrant (*hüccet* or *kādi berāti*), and their replacement by ‘fiscal diplomas’ (*mālīye berāti*) that were issued in the capital by the Department of Finance (*Mālīye Kālemi*).²⁸ But there was no consensus on this issue even within the central state establishment. For example, around the time that an order by *şeyhü’l-islām* Çatalcalı ‘Alī Efendi helped clear Ebübekir Efendi’s name and assets, a fatwa attributed to the same *şeyhü’l-islām* was used by another claimant who held a locally-issued diploma and defended it against a rival appointed by the imperial center to the same post. ‘Alī Efendi’s fatwa favored precedence in time, and ruled that if two diplomas for the same post clashed, whoever held the one issued first would receive the post.²⁹ In other words, it ignored the distinction between the central and local bureaucracy; by the same token, it ignored centralization efforts in this sphere. But it is unlikely that ‘Alī Efendi had in mind local certificates of disputable origin like those issued by a court witness, a ‘righteous’ ‘Ayntābi, Meḥmed b. ‘Abdurrahmān, who pledged under oath to stop issuing diplomas and warrants.³⁰ As the case of Meḥmed reminds us, the kadi or the governor were not alone in defying the center’s intermittent monopolistic claims regarding the distribution of positions and titles.

This is not to suggest a complete rift between the central state and the province, however. Individuals and networks of interest straddled the two loci of decision-making, and the ties involved were sometimes transparent. The capital granted stipends and posts upon

²⁶ On ‘*udūl*, see Chapter Four.

²⁷ Reg.# 38/71/1, *zī’l-kā’de* 1099/1688.

²⁸ Reg.# 37/23/1, [1099/1687–88]. On different kinds of title deeds, see Y. İhsan Genç, “Osmanlılarda Beratlar” (master’s thesis, Istanbul University, 1988), 35, 50–51.

²⁹ Reg.# 38/75/2, *zī’l-hicce* 1099/1688.

³⁰ Reg.# 25/158/4, dated *şefar* 1069/1658.

petition, sometimes presented in person, by the candidate or the kadi in Istanbul or Edirne. But occasionally, prestigious ‘Ayntābis with good connections in the capital intervened by petitioning on behalf of the candidate.³¹ In some cases, patronage ties were explicitly stated in diplomas. For example, *du‘āgū* İbrāhīm Dede was a protégé of Ḥalīl Paşa, one of the chief directors of finance in 1688, and he was identified as a dependent or follower (*tābi‘*) of the pasha. İbrāhīm Dede had a hefty daily stipend of thirty *akçes*, which was three times bigger than most military pensions. Upon İbrāhīm Dede’s death, his son was able to retain a third of this amount.³²

The importance of good connections cannot be overstated because it was also through personal connections that the imperial circuit of information worked and ‘vacancies’ were made known. Şeyh Meḥmed’s case may be a good example of this. It would appear that like prebends, stipend-type benefits were managed in lots such that when a lot was released upon the death of the beneficiary, or for other reasons, it was assigned to a new person. Şeyh Meḥmed was one such claimant who had a sizable stipend, thirty-five *akçes* a day, comprising three stipend lots previously dispensed from the revenues of the Antakya and Erzurum customs as well as the tax farm of Kocahisar. According to the imperial diploma he held, he had specified these sources of revenue in his petition, including the names of the former beneficiaries whose lots he was requesting, the amount of stipend involved, and the reason why the lots had reverted back to the treasury. If this account can be taken literally, Şeyh Meḥmed must have been well-placed in an extensive network of information and, obviously, influence.³³

Personal trips to Istanbul or Edirne were also useful not just to pull a few strings directly but also to take advantage of the slowness of communication between ‘Ayntāb and the capital. For instance, a candidate could successfully claim in the capital that the former holder of the position he was soliciting was dead although he was not, or that he had moved to another town although he had not.³⁴

³¹ Reg.# 41/18/1, *cemāzjyü’l-ewvel* 1103/1692; Reg.# 35/224/2, *muḥarrem* 1094/1683.

³² Also Reg.# 37/41/3, *ramazān* 1099/1688.

³³ Reg.# 37/40/1–3, *ramazān* 1099/1688; Reg.# 39/18/1 *cemāzjyü’l-ewvel* 1100/1689.

³⁴ Reg.# 36/25/2, *ramazān* 1098/1687; 23/3, *cemāzjyü’l-ewvel* 1098/1687; 23/4, *receb* 1098/1687. In the latter case, the ‘deceased’ shows up and gets the title back.

Once a local diploma was secured from the kadi one way or another, it was a matter of formality to acquire a ‘fiscal diploma’ to replace it. That is what Seyyid Uşüleddin Çelebi did, who was the *naķībū’l-eşrāf* of ‘Ayntāb in the late 1680s. He went to Edirne in 1691 to obtain a ‘fiscal diploma’ for his position as a preacher in ‘Ayntāb, and he got his new diploma. However, he lost the position within six months to the former preacher from whom, it turns out, he had usurped the post by procuring the initial diploma.³⁵ But in the meantime, Uşüleddin Çelebi secured himself a much better stipend as a *du’āgū* (for twenty *aķges* a day), acquired the post of preacher at İbn-i Eyüb Mosque, and within a few months, became the *naķībū’l-eşrāf* again.³⁶

Tax farmers, too, took advantage of the center’s bureaucratic limitations. In one such case, for example, Muştafā b. Ḥasan of the imperial cavalry obtained two villages as tax farms claiming that the former holder had not remitted anything to the treasury for the past two years. Only after two petitions were made by the former holder, central registers were checked, and it was found that the due amount had actually been remitted. The *şeyhū’l-islām*’s intervention in favor of the former holder was also instrumental in his retention of the title.³⁷

The importance of the income that these positions generated for the claimants is hard to gauge because in most cases the amount assigned was minimal. A few top-paying positions aside, civilian function brought no more than one *aķçe* a day, or three *gurūş* a year. Thus, for instance, an ordinary trustee could buy a donkey or a copy of Rūmī’s *Meşnevī* or a few small pots with his yearly income. In other words, unless one held multiple positions and allowances, which was possible, income was unlikely to be a major motive in the scramble for positions. Furthermore, it is conceivable that claimants also paid significant amounts of money by way of fees or bribes just to obtain these posts and entitlements. According to Barbir, that was precisely the case in eighteenth-century Damascus: fees amounted to

³⁵ Reg.# 41/25/2, *zī’l-ħicce* 1102/1691; 35/3, *şevvāl* 1103/1692.

³⁶ Reg.# 41/168/1, *rebī’ū’l-evvel* 1103/1691; 160/1, *rebī’ū’l-āħır* 1103/1691; 155/1, *cemāzıyū’l-āħır* 1103/1692.

³⁷ Reg.# 36/27/1, 28/1, *cemāzıyū’l-evvel* 1098/1687; 26/1, *şabān* 1098/1687; 36/1–2, *şevvāl* 1098/1687; 19/5, [1098/1686–87]. Another *şeyhū’l-islām* intervention, Reg.# 36/18/3, *cemāzıyū’l-āħır* 1098/1687. Competition for tax farms through title deeds: Reg.# 26/273/2, *zī’l-ka’de* 1071/1661; 251/1–2, *rebī’ū’l-evvel* 1072/1661; 210/1, *şevvāl* 1072/1662.

up to half of the yearly income from such posts.³⁸ Thus, one had to have other sources of income, not to mention free time, to be able to serve as a civil functionary, which is just another example of the affinity between civil-service and upper-class membership before modern bureaucracy.

Like other modes of becoming an *‘askerī*, office-holding and stipends promised more than income. Tax exemptions must have been a major incentive behind the demand for official positions too. Yet, it should also be noted that during the war, no *berāt* provided full security against taxes. The Campaign Aid tax (*İmdād-ı Şeferiye*), imposed for the first time in 1687, targeted particularly the wealthy, irrespective of official status. Likewise, *sürsat*, the tax that replaced compulsory government purchases, was collected from the ‘exempt’ too. These factors suggest that the symbolic value of office-holding may have been no less important than its material awards, particularly for the better-off. On the one hand, office-holding possibly entailed the prestige of serving the local community in a public capacity, like the prestige generated by waqf-building. In the last chapter, I will come back to the importance of participating in local administrative processes, which many of these offices entailed. On the other hand, the urge to acquire positions can be seen as a sign of recognizing the Ottoman state and the socio-political model it imposed, and recognizing the distinction that came with state-affiliation.

Perhaps nothing illustrates better than *du‘āgūsh*ips the symbolic ties forged between the imperial center and ‘Ayntāb. *Du‘āgūs* had no formal function other than praying for the well-being of the sultan and the state as was explicitly stated in the imperial diplomas they held. In other words, their stipends were the reward of actual or expected loyalty.³⁹ Like any such grant, however, *du‘āgūsh*ips were retractable. Faced by a severe financial crisis during the war, the government held a survey in 1689 in order to identify the ‘deserving’ and ‘non-deserving’ (*nāmūstehakk*) *du‘āgūs* and pensioners. In ‘Ayntāb, there had been fifty-two of them altogether, fourteen of them *du‘āgūs*. After the survey, only four were deemed to be ‘deserving’; Ḥalil Paşa’s protégé İbrāhīm Dede, for example, was left out. Likewise, of the thirty-eight pensioners, fifteen were deemed to be qualified. Although drawn

³⁸ Barbir, *Ottoman Rule in Damascus*, 80.

³⁹ Prof. Sahillioğlu suggests that they may have also functioned as propagandists praising the sultan in public. Personal interview, October 1995.

up “by the consensus of all,” the lists of true claimants did not emerge easily. Some ‘corrections’ were made to the original lists, and some who had been disqualified at first were added later.⁴⁰ Another government dispatch ordered a similar survey the following year. It is not clear whether or not this was because the first one had been ineffective.⁴¹

This was not the first time that the imperial center tried to curb the number of people who enjoyed disbursements from the imperial treasury, but it was probably the most radical attempt. A few decades earlier, Köprülü Mehmed Paşa had launched a policy of fiscal economy that targeted *du‘āgūs* as well. Like janissaries and *sādāt*, their number too had been on the rise since the latter part of the sixteenth century.⁴² In ‘Ayntāb, fourteen *du‘āgūs* were deemed to be rightful claimants, and at the same time, the stipends of most of them were significantly reduced.⁴³ It is not clear how many lost their title. As seen above, the intervention of 1689 was much more ambitious as it reduced the claimants to four. However, in five years, all but two of the disqualified *du‘āgūs*, including İbrāhīm Dede, were back on the payroll, receiving stipends, and others were added to the list along the way.⁴⁴ Thus, the long-term policy of revenue grants survived the surge of fiscal economy prompted by the war.⁴⁵

⁴⁰ Reg.# 39/18/1 *cemāziyyü’l-evvel* 1100/1689.

⁴¹ Reg.# 39/15/2, *rebī’ü’l-evvel* 1101/1689.

⁴² Mustafa Nuri Paşa, *Netāyici’i Vuķü’āt*, 2: 303–4; Muştafā ‘Ālī, *Mustafa Ali’s Counsel for Sultans of 1581*, ed. and trans. A. Tietze (Vienna: Verlag der österreichischen Akademie der Wissenschaften, 1979–82), 2: 39–40. Muştafā ‘Ālī does not use the term *du‘āgū*, nor does the term appear in the few extant *du‘āgū* deeds from the period before Mehmed Paşa’s reform measures. Thus, it is possible that Mehmed Paşa’s move to limit the number of *du‘āgūs* also helped define the institution more clearly. BOA, D.BŞM.AYM 1/8 *cemāziyyü’l-āḥır* 1034/1625-*ramazān* 1041/1632; 1/9, *şefēr* 1033/1623-*şābān* 1041/1632; 1/10, *şefēr* 1033/1623-*ramazān* 1041/1632; 1/3, *ramazān* 1036/1627; 1/13, *şābān* 1036/1627; 1/14a, *zī’l-ḥicce* 1058/1648; 1/15a–b, *şābān* 1059/1649, *cemāziyyü’l-āḥır* 1063/1653. The earliest occurrence as “*zümre-yi du‘ācyān*” among title deeds issued to ‘Ayntābis, in BOA, D.BŞM.AYM 1/14b, *cemāziyyü’l-āḥır* 1063/1653; as *du‘āgū*, 1/62, *receb* 1067/1657.

⁴³ BOA, D.BŞM.AYM 1/16, 54–55, 58, 60–64, 66–67, 69–70, 72, 1067–68/1657–58. Also, BOA, MM 147, 44b, 1070–72/1659–62, list of *du‘āgūs* and pensioners.

⁴⁴ Reg.# 40/134/1; BOA, D.BŞM.AYM, 3/6, 8, 14, 29, 34, 41–42; 3/21; 3/46, 50, 56–57, 61, all dated 1106/1694–95 and 1109/1697–98.

⁴⁵ In 1691–92, a similar survey was held in Damascus. According to Barbir, this purge of stipend rolls was an exceptional instance never to be repeated in the following century. Barbir, “From Pasha to Efendi,” *IJTS*, 1 (1979): 80. Also on symbolic annual grants, Ze’evi, *An Ottoman Century*, 79–81.

Seyyidization

It was scholars of Arab lands who first drew attention to false claims of descent from the Prophet in the Ottoman Empire. Various monographs on Greater Syria and Egypt in the eighteenth and nineteenth centuries have pointed to a common phenomenon: an increase in the number of *sādāt* that resulted from marriage into *seyyid* families and the forging of genealogies.⁴⁶ Studies by Establet, Pascal and Rafeq, for instance, have indicated an almost two-fold increase in the number of *sādāt* in Damascus in the first half of the eighteenth century.⁴⁷ By the nineteenth century, “everybody was called *seyyid* in Syria and Egypt” according to a contemporary observer. As a result of this widespread use, the noble title lost its distinctive meaning, and has come to convey a civic sense of respect or polite recognition as in ‘monsieur’ in modern times.⁴⁸

What happened in Arab lands happened also in Anatolia and Eastern Balkans, and started much earlier.⁴⁹ The word *müteseyyid*, or self-fashioned pseudo-*seyyid*, appeared in government documents already

⁴⁶ Herbert L. Bodman, *Political Factions in Aleppo, 1760–1826* (Chapel Hill: The University of North Carolina Press, 1963); Michael Winter, “The Ashrāf and Niqābat al-ashrāf in Egypt in Ottoman and Modern Times,” *Asian and African Studies*, 19 (1985). Also, Abdul-Karim Rafeq, “Changes in the Relation Between the Ottoman Central Administration and the Syrian Provinces from the Sixteenth-Century to the Eighteenth-Century,” in *Studies in Eighteenth Century Islamic History*, eds. Thomas Naff and Roger Owen (Carbondale, Ill., 1977), 65–66; Schilcher, *Families in Politics*, 124; James A. Reilly, “Shari‘a Court Registers and Land Tenure around Nineteenth-Century Damascus,” *MESA Bulletin* 21 (1987): 166; Yitzhak Nakash, *The Shi‘is of Iraq* (Princeton: Princeton University Press, 1994), 38–41, 86; and more recently, B. S. Amoretti and L. Bottini, eds., *The Role of the Sādāt/Ashrāf in Muslim History and Civilization, Proceedings of the International Colloquium (Roma, 2–4/3/1998)*, *Oriente Moderno* 18 (1999), Special issue.

⁴⁷ The data used by Establet-Pascual and Rafeq are not exactly compatible, but the findings are suggestive and useful. ‘Abd al-Karīm Rāfiq, “Mazāhir sukkāniyya min Dimashq fi al-‘ahd al-‘uthmānī,” *Dirāsāt ta’rīkhiyya*, 15–16 (1984), 228, quoted in Establet and Pascual, *Familles et fortunes*, 128.

⁴⁸ M. Garcin de Tassy, *Mémoire sur les noms propres et les titres musulmans* (Paris: Imprimerie impériale, 1854), 73.

⁴⁹ Hülya Canbakal, “Status Usurpation in the Ottoman Empire, 1500–1700,” (forthcoming). For passing remarks, see Yücel Özkaya, *XVIII. Yüzyılda Osmanlı Kurumları ve Osmanlı Toplum Yaşantısı* (Ankara: Kültür ve Turizm Bakanlığı Yayınları, 1985); Faroqhi, *Men of Modest Substance*, 18, 49, 162 on Kayseri; Barkan, “Edirne Askeri Kassamma ait Tereke Defterleri,” 8–9 on the Balkans.

in the 1560s. Some Ottoman intellectuals criticized the “ignorant townspeople and villagers” for causing the denigration of the noble lineage by pretending to be *sādāt*. Some saw it as part of a broader socio-political trend that threatened established socio-political hierarchies. The early-seventeenth-century poet Atāyī (d. 1636) put it elegantly:

*Şol ra'yyet ki olur mür-livā
Mütseyyidlere benzer meşelā
Nāfizü'l-emr ola mī hükm-pezīr
'Abd-ı memlūk hiç olsun mī emīr*⁵⁰

Atāyī's contemporary bureaucrat 'Azīz Efendi was concerned about the loss of revenue that false *sādāt* caused and allusively criticized the statesmen for their negligence in the matter. Yet, such critical awareness among some members of the elite did not elicit government action, and until the time of Köprülü Meḥmed Paşa, no attempt was made to remedy the situation and distinguish the 'true' *sādāt* from the 'false' on a mass scale.⁵¹ The first such attempt was occasioned by the Abāza Ḥasan Paşa rebellion in 1658–1659. After the rebellion was suppressed, Köprülü Meḥmed Paşa ordered a massive survey to identify the supporters of Abāza Ḥasan, who included 'ulemā and *sādāt* along with various troops and tribesmen. The survey was to investigate and retract the diplomas of the pseudo-*askerīs* too. Thus, the undertaking had the dual purpose of punishing the rebels and restoring the social order by fighting title usurpation. The survey was directed by İsmā'il Paşa and covered particularly the provinces of Karaman, Maraş, Adana and Aleppo. More or less simultaneously, another survey was undertaken in Rumeli and Özi by the Imperial *Naḳībū'l-eşraf*. Close to 4,000 *sādāt* were inspected in the two surveys, and close to 1,200 of them lost their title, among them sixty-five 'Ayntābis.⁵²

⁵⁰ “Those subjects of the sultan who become governors/Are like false *seyyids*/How come the one who commands should become the commanded/How come a purchased slave should become the commander.” Tunca Kortanmer, “Onyedinci Yüzyıl Şairi Atayî'nin Hamse'sinde Osmanlı İmparatorluğunun Görüntüsü,” *Tarih İncelemeleri Dergisi*, I (1983): 65.

⁵¹ *Ḥvzū'l-Mülük, Kütāb-i Müstetāb and Meşālihū'l-salīhīn* in Yaşar Yücel ed., *Osmanlı Devlet Teşkilatına Dair Kaynaklar* (Ankara: TTK, 1988), 63a–b/200–201; 'Azīz Efendi, *Kanūn-nāme-i Sultānī li 'Azīz Efendi*, ed. Rhoads Murphy (Cambridge, Mass.: Harvard University Press, 1985), 77–78.

⁵² Canbakal, “Status Usurpation.”

Sādāt of 'Ayntāb. Due to what appears to be a binding problem, the relevant register of the *Naḳībū'l-eṣrāf* collection has data only on nineteen neighborhoods in 'Ayntāb. Inspectors identified seventy-eight 'true' *sādāt* and sixty-five 'false' *sādāt*. There is no way of knowing whether the remaining sixteen neighborhoods had a comparable rate of *seyyid* population. If they did, then the town had no less than 250 claimants.⁵³ Aleppo had 596 claimants half of whom were deemed impostors.⁵⁴ Thus, considering the relative size of each town, Aleppo had a lower rate of *seyyidship* claims.

Compared with available evidence for the sixteenth century, these figures represented a major increase in the number of *sādāt*. For example, in the cadastral survey of 1543, there was not a single person who bore the title *seyyid* whereas less prestigious status markers such as *hāci*, *efendī*, *ṣeyh*, *mevlānā*, (and on a few occasions, *beg*) were regularly recorded. If the derivative word *seydī* or *seyyidī*, meaning 'lordly', 'pertaining to descendants of the Prophet' or 'my lord', was a substitute for *seyyid*, then *seyyids* constituted less than 1% of all the names surveyed.⁵⁵ Leslie Peirce confirms that court records of the period indicate the same.⁵⁶ Likewise, 'emīr' which was also used in reference to descendants of the Prophet in Anatolia, Persia and Asia appears very few times in the surveys and, possibly, only as a first name.⁵⁷ *Naḳībū'l-eṣrāf* Registers suggest a general upsurge in usurpation of the *seyyid* title in the last quarter of the sixteenth century, particularly the 1570s, and then in the 1620s. But it cannot be conjectured on the basis of the *Naḳībū'l-eṣrāf* Registers whether *seyyidization* in 'Ayntāb followed this general Anatolian and Balkan rhythm

⁵³ ND #30/28b, 31b–32a.

⁵⁴ Salati estimates that there were 345 *seyyid* households in Aleppo in 1683, which seems compatible with the inspection results. Marco Salati, *Ascesa e Caduta di una famiglia di Aṣrāf Sciūti di Aleppo: I Żuhrāwī o Żuhrā-zāda (1600–1700)* (Roma: Istituto Per L'Oriente C.A. Nallino 1992), 37.

⁵⁵ *Seydī* was never used as a title in the second half of the seventeenth century. In the survey of 1543, it was used twenty-eight times either as a title or as a personal name, and twelve times as a personal name. BOA, TT 373, dated 950/1543. The absence (or scarcity) of *seyyids* in the sixteenth-century surveys seems compatible with Kurt's findings regarding the use of names and titles in sixteenth-century Adana, a provincial center not far from 'Ayntāb. Kurt found three *seyyids* in a name pool of 20,330 persons. Yılmaz Kurt, "Adana'da 1572 Yılında Kullanılan Türk Erkek Şahıs Adları," *Belleten*, 57 (1993): 179.

⁵⁶ Personal communication, October 1999.

⁵⁷ Besim Atalay, *Maraş Tarihi ve Coğrafyası*, 2nd ed. (İstanbul: Dizerkonca Matbaası, 1973), 61–62; De Tassy, *Mémoire*, 73; "Sharīf," *EI2*, 9: 333.

of usurpation or had a different pattern because ‘Ayntābis may not have relied on the Imperial *Naḳībū’l-eṣrāf* much in establishing their claims of noble pedigree, at least until the second half of the seventeenth century. For example, in the inspection of 1659, ‘true *sādāt*’ were identified also by the name of the first Imperial *Naḳībū’l-eṣrāf* from whom they had received a certificate. As imperial inspectors advanced across Anatolia towards the province of Maraş, fewer ‘true *sādāt*’ turned out to possess such certificates—yet another indicator of the limited degree of imperial control over the less-than-vital affairs of the district.⁵⁸

After İsmā‘īl Paşa’s survey of 1659, local authorities were reminded that those who had been ‘annexed’ (*ilhāk*) to the estate of *re‘āyā* by the inspector should remain so, and that no new title deeds should be issued locally by the *naḳīb* or by the kadi. A typical order to that effect read: “Do not allow those who enter [the *sādāt* ranks] by a kadi warrant or by a deputy marshal deed, and those who are accused by people of self-proclaimed *seyyid*ship (*tseyyüd*) to wear the green sign (*‘alāmet*).”⁵⁹ Evidently, these instructions were not heeded and the number of *sādāt* continued to increase. The imperial center itself was partly instrumental in this. Thus, according to a survey taken in 1689 in preparation for the general levy, there were 298 *seyyids* in town, including the old, minors and the handicapped. Less than a decade later, in 1697, the ‘*askerī*’ survey mentioned earlier identified 352 *seyyids*. Thus, in the four decades following İsmā‘īl Paşa’s survey, the *sādāt* of ‘Ayntāb increased by at least 50%, and they were comparable to the *sādāt* of Damascus in terms of relative population size. In both cities, *sādāt* constituted around 11% of the population.⁶⁰ Acting upon “notification by impartial Muslims,” the Imperial *Naḳībū’l-eṣrāf* certified the *seyyid*ship of another group of fifty ‘Ayntābis a year later.⁶¹

Inspections carried out by imperial authorities in the second half of the seventeenth century provide a fairly detailed view of central and

⁵⁸ ND # 30.

⁵⁹ Reg.# 26/261/1, *muḥarrem* 1072/1661; Reg.# 18/252/2, *rebī‘ū’l-āḥur* 1070/1659; Reg.# 34/161/1, dated *cemāzīyū’l-āḥur* 1091/1680; Reg.# 37/58/1, *rebī‘ū’l-evvel* 1100/1688.

⁶⁰ Reg.# 37/76–8, *ccemāzīyū’l-evvel* 1100/1689; Reg.# 48A/167–61, 174–73, *zī’l-ka‘de* 1108/1697. Establet and Pascual, *Familles et fortunes*, 128–29.

⁶¹ Reg.# 50/6, [1110–11/1698–99].

western Anatolia and the eastern Balkans in terms of *seyid*ship claims. ‘Ayntāb was not among the top-scoring localities some of which had close to 900 claimants, and several, more than 500 (Table 2.3). But, considering urban *sādāt* alone, it stood next to these districts in ranking. Since the office of the Imperial *Naḳībū’l-eṣrāf* stopped keeping track of the provincial *sādāt* in the eighteenth century, it is not possible to trace how the topography of *seyid*ship claims may have changed and where ‘Ayntāb stood in the general picture.

Table 2.3. Districts with more than 100 *seyid*ship claims⁶²

Province	District (<i>Kaza</i> or <i>Nahiye</i>)	1658–59	1670–80	1695
Adana	Adana + Tarsus			225
	Sinanlı + Silifke			135
Anadolu	Ankara			342
	Antalya			149
	Bursa			450
	Karahisar-ı Sahib			117
	Keçiborlu			303
	Manisa			650
	Safranbolu			192
Ḥaleb	Ḥaleb	596		
Karaman	Bor			208
	Ereğli	541		522
	Kayseri			326
	Kiriş	326		
	Konya	197		650
	Larende	151		147
	Niğde			449
	Ürgüb + İncesu			148
Maraş	‘Ayntāb	148		
Özi	Alakilise	407	182	409
	Aydos		604	
	Bağcı	145		116
	Çardak	317	218	
	Çirmen	214		176
	Eski Cuma		200	

⁶² From Canbakal, “Status Usurpation,” based on ND ## 19, 30, 24, 27–28, and 25, in chronological order.

Table 2.3 (*cont.*)

Province	District (<i>Kaza</i> or <i>Nahiye</i>)	1658–59	1670–80	1695
Özi	Hācıoğlu Pazarı	257	106	278
	Hāşkøy	155		
	Hezārğirād	657	655	627
	Rüscuğ	819	708	889
	Silistre	586	355	
	Silistre + Çardağ			670
	Şumnu	654		344
	Umürfağih	171	113	109
Rumeli	Dimetoka	651		985
	Gümülcine			130
	Sultānyeri			102
Sivas	Amasya		234	
	Eyrek		309	
	Kazabad		212	
	Ladik		162	
	Niksar		218	
	Sivas		294	
	Sivasili		129	
	Sonisa		192	
	Taşabad		124	
	Tokat		422	
	Artukabad		147	
Zile		220		
İstanbul				295
Topuzlar				
clan in				
Şumnu		243		

Quite possibly, *seyyid*ship claims continued to proliferate in the eighteenth century,⁶³ and most certainly, the political importance of the *sādāt* increased. By the middle of the century, the *nağīb* had his own retinue and was called upon, together with the janissary commander, to provide troops to maintain town security. A firman from the early

⁶³ To take a random example, there were four *sādāt* as opposed to thirty-four ‘pilgrims’ (*el-hāc*) in the only register of probates available from the late seventeenth century. In the three registers from the second half of the eighteenth century studied by Özlü, the respective figures were 107 to 139. Özlü, “Gaziantep’in 120 No’lu Şeriye Sicili,” 2.

part of the following century indicates that he maintained a prison in his mansion to incarcerate *sādāt*. We find no sign of either during the seventeenth century.⁶⁴ As the *naḳīb* rose in power, *sādāt* of the town came to set the tone of popular politics towards the end of the eighteenth century, if not before. During 1772–1824, the town was shaken by a series of riots some of which paralleled and some of which were directly connected with the Aleppo riots of 1770–1819. As in Aleppo, all these riots involved janissaries as well as *sādāt*, and according to researcher Nejat Birdoğan, more than a thousand ‘Ayntābis acquired false genealogies precisely during this time.⁶⁵ Whether janissaries and *sādāt* of ‘Ayntāb constituted rival camps in all of these riots or cooperated in some instances, as was the case in some of the Aleppo riots, is yet to be examined. In any case, although there is evidence of tension between *sādāt* and janissaries already in the seventeenth century, the town’s economic resources and the political stakes must have been too small still to nurture factional politics or other kinds of sustained conflict.⁶⁶

The Military

In February 1703, an inspection was undertaken in the city to identify the true janissaries; only 122 emerged as such, and about as many were demoted to *re‘āyā* status. In other words, a considerable number of those rank-and-file soldiers who had proven to be true ‘*askerī*’ in 1697 (Table 2.2) may actually have been title usurpers. The inspectors whose task it was to differentiate between the two estates had not thought so. Nor had those who had carried out the next survey in 1698. One could speculate that the exigencies of war determined

⁶⁴ Reg.# 106/271, *rebī‘ū’l-ewvel* 1162/1749, in *GŞMSÖ*, 4: 55; BOA, HAT 26846 (1235/1819–20). On the improvement of the “social status, solidarity and economic conditions” of the Egyptian *sādāt*, see Michael Winter, *Egyptian Society Under Ottoman Rule*, 186, 191.

⁶⁵ Nejat Birdoğan, *Anadolu ve Balkanlar’da Alevi Yerleşmesi, Ocaklar-Dedeler-Soyağaçlar* (İstanbul: Mozaik, 1995), 140–41. Unfortunately, Birdoğan does not cite his source.

⁶⁶ See especially, Reg.# 39/106/2, *sefer* 1101/1689; 159/4, *receb* 1101/1689, and 28/1, *cemāzıyū’l-ewvel* 1101/1690, and Hülya Canbakal, “Social Conflict and Rebellion in Eighteenth-Century ‘Ayntāb,” (paper presented at the Colloquium on Islam and Modernity, Wissenschaftskolleg zu Berlin, January 2005; *idem*, “‘Ayntāb at the End of the Seventeenth-Century: A Study of Notables and Urban Politics” (Ph.D. diss., Harvard University, 1999), 166–67.

the degree of vigilance with which claims of military status were reviewed. After all, the capital itself had encouraged entry to the military by promising revenue grants (*dirlik*) and other royal favors in return for fighting in the name of God (*ğazā fī sebīlu'llāh*).⁶⁷ Once the war was over in 1699, there remained no need for further tolerance for title violations. Yet, war was not the only reason for claims of military status to proliferate and be tolerated. In seven months' time after the inspection of 1703, the usurpers were forgiven and given back their title.⁶⁸

During the last two decades of the war, the number of janissaries fluctuated around 250, but in each consecutive survey new names appeared. The actual body of troops changed by up to two thirds, as it did between 1686 and 1690.⁶⁹ There was a noticeable increase in the number of orphanage and maintenance cases during this period, which suggests increased mortality, likely to be related to war casualties, and indeed some of these cases are explicitly stated to be so. But not everyone who saw the battlefield perished. Many did return in the course of the war, and the high rate of change in the janissary body may be due to their circulation between the war front and home, which suggests that their number was in fact much higher than 250.⁷⁰ Indeed, no matter what the exact figures were and how many janissaries were deemed rightful claimants by various inspectors, the town appears to have had a relatively large janissary population by Anatolian standards. For example, a survey taken in 1690 listed 267 of them. At the same date, in Trabzon, there were 174 troops despite the fact that Trabzon was more than double the size of 'Ayntāb. Or in mid-seventeenth-century Konya, there were fewer *kuls* than the number of janissary claimants in 'Ayntāb's villages alone.⁷¹

⁶⁷ Reg.# 40/139/1, *cemāziyyü'l-âhır* 1104/1693.

⁶⁸ Çınar, "18. Yüzyılım İlk Yarısında Ayıntab," 70.

⁶⁹ Reg.# 37/125, *şefer* 1098/1686; Reg.# 39/34–36, *cemāziyyü'l-âhır* 1101/1690; Reg.# 48A/167–161 *zī'l-ka'ade* 1108/1697 and 174–173 (1697); Reg.# 49/181–80, *şevvāl* 1109/1698.

⁷⁰ According to Güzelbey, there were 708 of them in 1677. I have not had a chance to crosscheck his reference. Reg.# 30/246 in Güzelbey, *Gaziantep'ten Kesitler*, 95–96.

⁷¹ Reg.# 39/34–36, *cemāziyyü'l-âhır* 1101/1690; Reg.# 25/85/1–3, *rebī'ü'l-âhır* 1068/1658; Yusuf Oğuzoğlu, "Osmanlı Şehirlerindeki Askerilerin Ekonomik Durumuna İlişkin Bazı Bilgiler," in *Birinci Askeri Tarih Semineri, Bildiriler* (Ankara: Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı Yayınları, 1983), 2: 172. Comparison with Trabzon and Konya is based on tax potential. See McGowan, *Economic Life in Ottoman Europe*, 119–20.

The janissary body in ‘Ayntāb was comparable to eighteenth-century Damascus, where the former constituted about 10% of the population.⁷²

One reason for this situation was possibly the relative weakness of central control over the distribution of titles, which was a factor in the proliferation of *sādāt* as well. Looser control also implied difficulties in mobilizing the local troops for war, a perennial problem that continued in the eighteenth century. Equally important were demographic factors that affected south-eastern Anatolia and northern Syria. As noted in Chapter One, the town continually received peasant and nomadic migrants during the seventeenth century, and military status was probably a reliable medium through which they had access to patronage networks that made their transition to a new way of life smoother. An order from 1689 enjoining the deportation of villagers who had settled in ‘Ayntāb suggests that immigration may have picked up during the war due to rural instability.⁷³

The presence of a large number of lesser *kuls* and tribal immigrants in some peripheral neighborhoods, such as Yaḥnī, Şarḳīyān, Şehreküsti and Ƙurb-u Zincirli was probably not a coincidence. This residential pattern paralleled that in contemporary Aleppo, where tribal and rural immigrants lived in the same peripheral neighborhoods as janissaries, which encouraged an amalgamation between the two.⁷⁴ In ‘Ayntāb, ties between janissaries and local tribes can be traced back to the middle of the century, as suggested by the protection of the settled tribes by the janissary commander of the town. There were also large groups of janissary pretenders among tribesmen, and some of them were successful in proving their claim. In 1659, for instance, the Turcomans of Haleb and Yeñi-il refused to pay personal taxes (*rusūm-u ra‘yyet*) and the sheep tax, arguing that they had “now become janissaries, cavalrymen and timariots.” One of them beat and cursed the tax collector, and it was confirmed by the janissary commander of the town later that he was indeed a registered janissary. Less lucky ones were reincorporated into the *re‘āyā*.⁷⁵

⁷² Abdul-Karim Rafeq, “The Local Forces in Syria in the seventeenth and eighteenth centuries,” in *War, Technology and Society in the Middle East*, eds. V.J. Parry and M.E. Yapp (London: Oxford University Press, 1975), 281.

⁷³ Reg.# 37/75/3, *cemāziyü’l-āḥır* 1100/1689.

⁷⁴ Reg.# 40/111/1, *sefer* 1104/1692. Jean-Pierre Thieck, “Décentralisation ottomane et affirmation urbaine à Alep à la fin du XVIII siècle,” in *Passion d’Orient* (Paris: Kathala, 1992), 151–52. Also Bodman, *Political Factions*, 63–65; Masters, *The Origins of Western Dominance in the Middle East*, 46–47.

⁷⁵ Reg.# 26/194/5 [1073/1662–63]; Reg.# 25/182/1 *cemāziyü’l-āḥır* 1069/1659; Reg.# 25/85/1–3 *rebī’ü’l-āḥır* 1068/1658.

Later in the 1690s, the drive to settle the nomadic tribes may have increased the tribal population in the district and the city, and with that, the claims of military status. For example, the neighborhood of Şarkiyân, possibly founded by immigrants from Şarkiyân tribe, grew towards the end of the seventeenth century, and the neighborhood of Kılıçoğlu, possibly related to the Kılıçlı tribe, emerged around the turn of the century. Both were located in the southern periphery of the town.⁷⁶

Peasants also provided a constant supply of *kuls*, and possibly some among them were also former nomads but recently settled. This is suggested by a murder case involving an attack by settled tribesmen on a man of unspecified identity, whom they accused of not helping them to acquire a position in the retinue of the governor of Maraş.⁷⁷ Several janissaries and more than half of the armorers (*cebeci*) and artillery men (*tobci*) living in ‘Ayntab in the 1670s and ’80s were from villages in the district. According to a survey taken in 1700, all those identified by origin were from the region.⁷⁸ Furthermore, not all peasants claiming *kul* status moved to the town. A survey held in 1658 identified 114 janissary pretenders in three villages; seventy of them were from a single settlement. There were also officially recognized janissaries living in villages and paying their “*şer‘î* tithe and other taxes and dues as stipulated by law and the registers.”⁷⁹

This is not to suggest that claims of military status were limited to recent immigrants. Although the registers used in this study do not contain much information about occupation, there is enough evidence indicating that there were many janissaries among the craftsmen as well. Notably about half of those military men whose civilian occupations can be identified were engaged in the production or selling of food-stuffs. This may point to direct rural ties as well as to the control of the cereal trade by members of the military, as was

⁷⁶ Also Ronald C. Jennings, “Urban Population in Anatolia in the Sixteenth-Century: A Study of Kayseri, Karaman, Amasya, Trabzon and Erzurum.” *IJMES* 7 (1976): 21–57, on neighborhoods of Şarkiyân in Kırşehir and Kayseri set up by nomadic settlers.

⁷⁷ Reg.# 39/119/2, *reb‘ü’l-avvel* 1101/1689.

⁷⁸ Reg.# 30/246, [1088/1677], janissary survey cited in Güzelbey, “Gaziantep Yeniçerileri,” in *idem*, *Gaziantep’ten Kesitler*, 96; also, Reg.# 37/125–28, [1098/1687], campaign survey; Çınar, “18. Yüzyılın İlk Yarısında Ayıntab,” 271.

⁷⁹ Reg.# 25/85/1–3, *reb‘ü’l-âhır* 1068/1658; Reg.# 26/190/1, *reb‘ü’l-âhır* 1073/1662; Reg.# 36/49/1, *muharrem* 1099/1687.

the case in Syria. Also in the mid-1700s, there was a clear connection between janissaries and the supply of animal products. This can be attributed to tribal ties, as was also the case in Aleppo.⁸⁰

It also needs to be noted, however, that mobility between the *re'āyā* and the military was not unidirectional. Members of the military too could become *re'āyā*, not only as a result of compulsory demotion for falling short of their responsibilities,⁸¹ but by choice. There are a few records which indicate that some janissaries opted out of *ʿaskerī* status. Thus, Muṣṭafā b. Ḥasan, one such janissary, asked for a kadi warrant to verify his *re'āyā* status on the following grounds:

I had served the sultan for a couple of years claiming janissary-ship. But due to physical weakness, in addition to being poor and having a large family, I gave up that claim more than fifteen years ago, and I have been paying my taxes.⁸²

If his own account was correct, which according to witnesses it was, he had given up his claim before the war with Austria had started. In other words, his decision was not prompted by the heavy toll the war had taken on the troops although his decision to get it certified was. Likewise, two of Muṣṭafā's fellow townsmen announced that they had "nothing to do with revenue grants (*dīrlik*) any more." One of them had just returned from the front with his officer's permission.⁸³ Probably, theirs were not isolated cases. An imperial decree, dated 1688, addressed janissaries who had disclaimed their military status. The decree called upon them, among others, to take up arms again.⁸⁴

These cases show that military status could be gained and lost or given up, a fact which also created ambivalence and contributed to the vulnerability of those on the margins of the military hierarchy.

⁸⁰ In 1748, twelve out of twenty-three tanners were janissaries. Çınar, "18. Yüzyılın İlk Yarısında Ayıntab," 335. On the preemptive purchase of raw leather outside the city by people "who claim to be janissaries." Reg.# 104/176, *muḥarrem* 1161/1748, in *GŞMSÖ*: 4. Also Dick Douwes, *The Ottomans in Syria: A History of Justice and Oppression* (London: I.B. Tauris, 2000), 22, 158–60.

⁸¹ For government threats to demote military troops upon campaign evasion: Reg.# 18/249/2, [1070/1659–60]; Reg.# 37/73/3, *rebī'ü'l-evvel* 1100/1688; Reg.# 39/41/3, *cemāzîyü'l-âḥır* 1101/1690; Reg.# 39/22/31, *şabân* 1101/1690. Reg.# 37/63/1, *şefar* 1100/1688 associates campaign evasion with the "desire to amass wealth."

⁸² Reg.# 39/148/3, *cemāzîyü'l-âḥır* 1101/1690.

⁸³ Reg.# 39/161/1 and 163/2, *receb* 1101/1690 and *cemāzîyü'l-âḥır* 1101/1690 respectively.

⁸⁴ Reg.# 37/66/2, *şefar* 1100/1688.

Thus, for example tax collectors and local people would try to include in the tax roll soldiers on the front as well as their peasants (*çiftçi*) and servants even when the military men in question did not have land subject to *‘avānç* or any other tax. Or else collectors would treat peasant janissaries like the *re‘āyā* of the village and force them to provide free food, or conversely a subject (*re‘āyā*) might be forcibly recruited into the army for being a former *‘askerī* servant, i.e. an *‘askerī* through clientage.⁸⁵

*

There can be little doubt that tax exemptions and other contingent privileges were a motivating factor for all nouveaux-*‘askerīs* regardless of their social background, and to the extent that the demand for titles, posts and stipends was a response to the growth of the imperial fisc, it had much in common with what was happening in contemporary Europe. Furthermore, positions within the *‘askerī* also provided access to networks of interest operating on a local, regional or imperial scale, thus offering opportunities for additional economic gain. These networks of interest are likely to have influenced the aspiring subjects’ point of entry to the *‘askerī*, as did their current socio-economic status. The status of the *sādāt* and janissaries, for example, poses itself as an important research question, for these two groups came to play a very prominent role in *‘Ayntābi* politics in the eighteenth century. I have argued elsewhere that *seyyidīzation* was the channel of mobility preferred and controlled by the local elite, particularly as it crystallized in the eighteenth century. In other words, there was also a class component to the division between janissaries and *sādāt*. There is evidence to suggest that this may have been the case in the late seventeenth century too, but it is patchy and more research is called for.⁸⁶

As the discourse used in several claims for tax exemption indicates, *‘askerī* was part of the subjects’ political imagination and not just a technical device in service of the financial bureaucracy. This was the

⁸⁵ Reg.# 35/256/2, Reg.# 1095/1683; Reg.# 26/258/1, *ramazān* 1070/1660; Reg.# 36/17/1, *receb* 1098/1687.

⁸⁶ Hülya Canbakal, “On the ‘Nobility’ of Urban Notables,” in *Provincial Elites in the Ottoman Empire, Halcyon Days in Crete V*, ed. Antonis Anastasopoulos (Rethymno: Crete University Press, 2006), 39–50; *idem*, “‘Ayntāb at the End of the Seventeenth-Century,” 169–83.

case among those who sought to become part of the *‘askerī*, at least in *‘Ayntāb*. It is possible that there were regional variations in the subjects’ cognizance of the imperial system of stratification, and it would be interesting to find out whether *‘askerī*-consciousness was limited to the core areas and their immediate periphery, and what other factors influenced the publicity of the imperial models of ideal order. Although class was possibly a factor in provincial people’s receptivity to things imperial, there was no neat overlap between *‘askerī* status and wealth as will become clearer in the next chapter. But as a legally-defined status group, the Ottoman *‘askerī* were not unique in displaying vast discrepancies of wealth due to socio-economic mobility and political centralization.⁸⁷ By the same token, it is possible that not every properly certified *‘askerī* in *‘Ayntāb* enjoyed high social status, and not every member of the local elite was *‘askerī* although the degree of overlap between formal and informal status, i.e. recognition by the state and society, possibly had a significant bearing on the stability of the Ottoman regime in the provinces. It is important to note with regard to the *sādāt* in particular that there was probably a connection between their political and demographic ascendance in the provinces on the one hand and the promotion of the cult of the Prophet in the capital and the simultaneous liberalization of the state’s surveillance policies over the *sādāt* on the other, which paralleled the consolidation of center-periphery relations in other ways.

⁸⁷ M.L. Bush, “An Anatomy of Nobility,” in *Social Orders and Classes in Europe Since 1500*, ed. M.L. Bush (London and New York: Longman, 1992), 26–46; Donald E. Queller, *The Venetian Patriciate: Reality versus Myth* (Urbana and Chicago: University of Illinois Press, 1986), 29–30.

CHAPTER THREE

WEALTH

*Güzeldir hem güzeller şehridir ol
Gülistandır belabil behridir ol¹*

Distribution of Wealth in 'Ayntāb

Wealth is the easiest criterion of social differentiation to trace since it is quantifiable. In seventeenth-century 'Ayntāb, it is particularly easy to trace economic strata because judging by the probate records of the town, wealth was markedly polarized. Thus, according to the only extant probate register from the second half of the century, the estates of the wealthiest 10% of the deceased were on average a hundred times the value of the poorest 10% (2,875: 29 *gurūṣ*) (Figure 3.1; Table 3.1).² Or if we were to use criteria suggested by Establet and Pascual for contemporary Damascus, that is, take 1,000 *gurūṣ* as a threshold marking the wealthy, 20% of the deceased in 'Ayntāb were wealthy, and left behind 2,664 *gurūṣ* on average. The bottom one third only left inheritances worth sixty-four *gurūṣ*. Viewed differently, a large majority, namely 80% of all the deceased, were only marginally better off with an average estate amounting to 156 *gurūṣ*. Admittedly the degree of economic differentiation these figures indicate fades in significance in comparison with large cities, not to mention modern income distribution. But on the other hand, in 'Ayntāb the pie was much smaller.³ Furthermore there was no middling group.

¹ "It is beautiful and a city of beauties/It is a rose garden full of nightingales." From Balioğlu İbrahim's *Hikmetname* in Solmaz, *Gaziantep Örgü Antolojisi*, 28.

² Reg.# 172, (1094–1106/1682–94). Probate entries scattered in a few other registers are not included.

³ Raymond observed in early eighteenth-century Cairo a discrepancy of 1:60,000 between the lowest and highest inheritance records. Even though this ratio does not reflect the average, the degree of economic differentiation in Cairo was incomparably higher than in 'Ayntāb. André Raymond, *Artisans et commerçants au Caire au XVI^{ème} siècle* (Damascus: Institut Français de Damas, 1974), 2: 374.

Again following Establet and Pascual, if an estate of 250/300–1,000 *ğurüş* can be considered to represent people of modest means, then only 16.5% of the deceased recorded in ‘Ayntāb belonged to this category. Moreover most of the people in question stood closer to the lower end. In brief, wealth was highly polarized. This pattern appears fairly close to what Todorov observed in contemporary Ruse and Vidin. It is noteworthy that in Edirne, the second capital of the empire, the distribution pattern of recorded estates was much closer to the distribution of wealth in modern societies than any of the towns previously mentioned. Although the middling group was not larger than the poor, the distribution was bell-shaped with the bulk of the estates standing above the threshold of 1,000 *ğurüş* marking the wealthy.⁴

Undoubtedly, the use of probate records in studies of wealth distribution poses major methodological problems. Due to uncertainties surrounding the relationship between the wealth of an individual and his/her household, accuracy of reporting and assessment, as well as

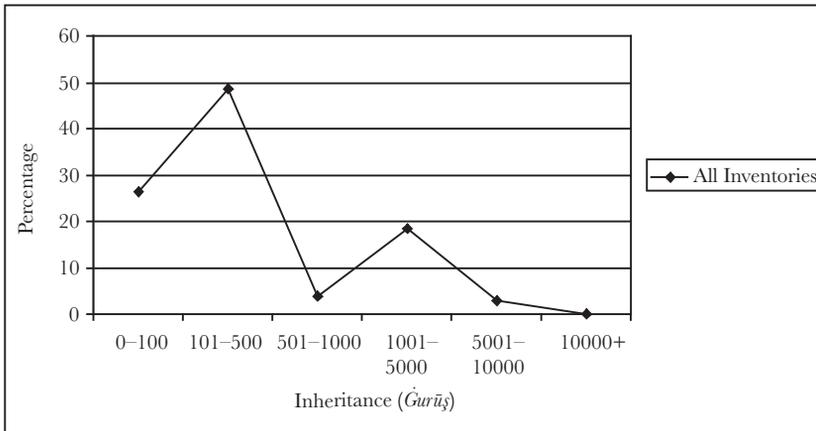


Figure 3.1. Distribution of Wealth According to Probate Inventories

⁴ Nikolai Todorov, *The Balkan City, 1400-1900* (Seattle and London: University of Washington Press, 1983), 158. Also, Raymond, *Artisans et commerçants*, 2: 392; Establet and Pascual, *Familles et fortunes*, 114, 157–58, 163; and for nearly identical patterns of distribution in early modern European towns, see Cowan, *Urban Europe*, 152; Christopher Friedrichs, *The Early Modern City, 1450–1750* (London and New York: Longman, 1995), 150–51.

the representative value of a record sample and the limits of extrapolation, all analyses of wealth based on estate inventories are bound to be provisional. In fact, it can be safely assumed that there was a disparity between the actual distribution of wealth in society and the distribution one finds on the basis of probate inventories because different social groups did not go to court for notarial purposes with equal frequency. As will be further discussed in Chapter Four, people of higher status had a distinct tendency to register the estates of their predecessors at the court. Therefore, if 20% of the probate records belonged to the wealthy, it is highly likely that owners of such estates actually made up a smaller portion of the population. Symmetrically, the poorest, i.e. those with less than 100 *ḡurūs*, must have constituted more than one third of the population. In other words, the polarity of wealth between the upper and lower reaches of the society was probably sharper than the inventories reveal.

Since the collection of inventories from this period is not very large, 103 records in all, various correlates of wealth cannot be readily identified. Two general observations are in order however. First, gender was clearly a prominent factor in the polarity of wealth. The wealthiest woman in ‘Ayntāb left behind 959 *ḡurūs*, or 1/7th of the wealth of the wealthiest man, and the average female estate was 1/6th of the average male estate (Table 3.1; Figure 3.2).

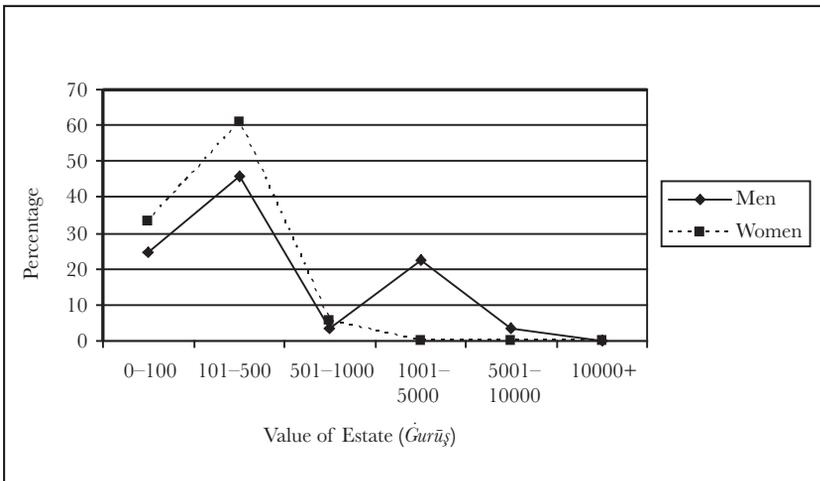


Figure 3.2. Distribution of Wealth: The Gender Factor

Table 3.1. Distribution of Wealth: The Gender Factor

	0–100	101–500	501– 1000	1001– 5000	5001– 10000	TOTAL
Men	21 (24.7%)	39 (45.9%)	3 (3.5%)	19 (22.4%)	3 (3.5%)	85
Women	6 (33.3%)	11 (61.1%)	1 (5.6%)	0	0	18
TOTAL	27 (26.2%)	50 (48.5%)	4 (3.9%)	19 (18.4%)	3 (2.9%)	103

Not surprisingly, the other factor that correlated with economic power was status. People who bore titles of distinction tended to be wealthier than those who did not, and the difference was even more pronounced if dual honorifics, such as Seyyid. . . . Çelebi, El-Ḥāc . . . Ağa, were used. Thus, for example, 91% of the wealthy, i.e. male urbanites with estates exceeding 1,000 *gurüş* had honorific titles in the late seventeenth century whereas only 10% of the poor, i.e. owners of estates smaller than 100 *gurüş* were ‘honorable’ (Figure 3.3a; Table 3.2a). Özlü’s study of the eighteenth-century probate inventories which is based on a much larger data base than mine reveals a similar pattern except that it also points to increased pauperization among descendants of the Prophet and ‘pilgrims’ (*sādāt* and *hācs*). Because of this development, which was related to the fact that the process of *seyyidization* reached new heights in the eighteenth century, and the second half of the century brought economic hardships for all, the rate of ‘honorable’ poor men rose from 10% to 27%. (Figure 3.3b; Table 3.2b)⁵ Data from the eighteenth century also indicate that being doubly distinguished with two honorifics also made a difference. 25% of the poor and 63% of the wealthy had a single title, whereas 2% of the poor as opposed to 21% of the wealthy had dual honorifics. On a different account, 28% of the people with double titles were wealthy, and 5% were poor, and 3,6% of the people with no titles were wealthy, and 33% of the people with no titles were poor.

⁵ The eighteenth-century pattern of distribution, too, parallels those observed in contemporary Vidin, Sofia and Ruse but ‘Ayntābis on the whole appear slightly poorer. Todorov, *The Balkan City*, 148–49.

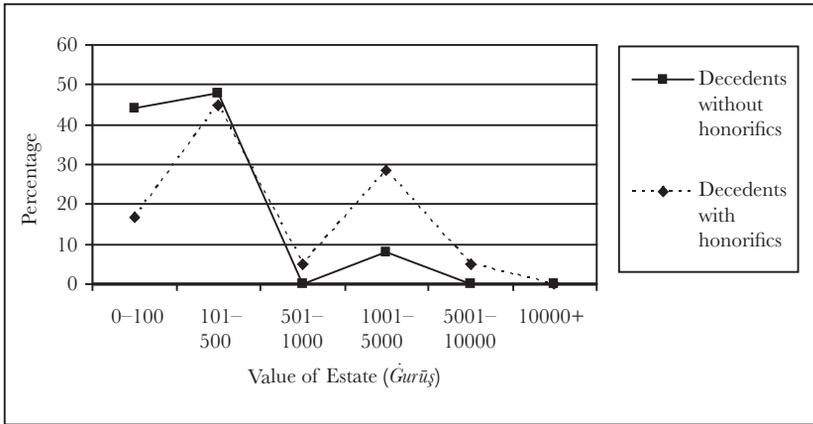


Figure 3.3a. Distribution of Wealth: The Status Factor (Seventeenth Century)

Table 3.2a. Distribution of Wealth: The Status Factor (Seventeenth Century)

	0-100	101-500	501-1000	1001-5000	5001-10000	10000+	Total
Decedents without honorifics	11	12	0	2	0	0	25
%	44.0	48.0	0.0	8.0	0.0	0.0	
Decedents with honorifics	10	27	3	17	3	0	60
%	16.7	45.0	5.0	28.3	5.0	0.0	
All Inventories	21	39	3	19	3	0	85
%	24.7	45.9	3.5	22.4	3.5	0.0	

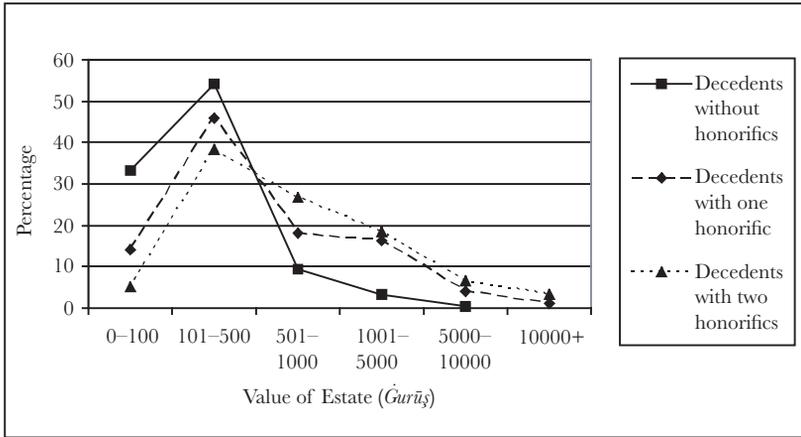
Figure 3.3b. Distribution of Wealth: The Status Factor (Eighteenth Century)⁶

Table 3.2b. Distribution of Wealth: The Status Factor (Eighteenth Century)

	0- 100	101- 500	501- 1000	1001- 5000	5001- 10000	10000+	Total
Decedents without honorifics	122	199	34	12	1	0	368
%	33.2	54.1	9.2	3.3	0.3		
Decedents with honorifics	45	146	57	52	13	4	317
%	14.2	46.1	18.0	16.4	4.1	1.3	
one honorific	42	123	41	41	9	2	257
%	16.3	47.9	16	16	3.5	0.8	
two honorifics	3	23	16	11	4	2	60
%	5.0	38.3	26.7	18.3	6.7	3.3	
TOTAL	167	345	91	64	14	4	685
%	24.4	50.4	13.3	9.3	2	0.6	(100%)

⁶ Based on Özlü, “Kassam Defterlerine göre XVIII. Yüzyılım İkinci Yarısında Gaziantep,” Appendix 1. As the data base of probate records used for the seventeenth century is fairly small, the use of double honorifics is examined for the eighteenth century only.

It goes without saying that these figures reveal only tendencies. They cannot tell us whether a given individual encountered in the court registers or other documents was wealthy, middle class or poor unless we supplement the knowledge of his status distinction with additional biographic information. But these figures do offer sufficient basis to assume that honorifics constitute a fairly reliable index of wealth in macro analysis too, although prestige, status and wealth do not completely overlap as they rarely do. We have already discovered that there was no neat overlap between official/legal status and wealth. The same applies to social status as reflected in the honorific titles of the deceased of ‘Ayntāb. But after all, this too was a common phenomenon.⁷

Distribution of Wealth Among the Wealthy

About two thirds of the wealthy probates, i.e. those above 1,000 *gurūs*, belonged to civilian notables, and a third belonged to members of the military. Thus, even though civilians constituted the majority among the wealthy, the military were over-represented in proportion to their population (less than 20% of the urban households). And among the ‘very rich’ (2,000 *gurūs* plus), the division between civilians and the military was roughly even. In other words, the financial strength of the military became even more conspicuous as one moved higher up the scale of wealth.

Yet military status as such did not guarantee wealth. As among ‘*askerīs*’ in general, there also could be vast discrepancies of wealth within the military. Some janissaries, like Meḥmed Beşe b. el-Ḥāc Baba, who left behind an estate of a mere forty-three *gurūs*, were among the poorest of the poor.⁸ Invariably, all those who qualified as wealthy among the members of the military were officers of the central army or prebend-holding provincial cavalry, and not the rank-and-file. Yet there were also officers who left behind estates smaller

⁷ See also Cowan, *The Urban Patriciate*, 5; Friedrichs, *The Early Modern City*, 183; Michel Figeac, “Les criteres de la notabilite dans les petites villes du Bordelais sous la monarchie de Juillet,” in *Les petites villes du moyen-âge à nos jours*, ed. J.-P. Poussou and Ph. Loupès (Paris-Bordeaux: CNRS, 1987), 284.

⁸ Reg.# 172/62, *şefer* 1101/1689; 172/68, *şefer* 1101/1689; 172/100, *rebī‘ūl-āḥūr* 1104/1692.

than the average. Officers constituted less than 6% of the population while they made up half of the wealthiest. Aḥmed Beg b. el-Ḥāc ‘Abdullāh’s estate, for instance, amounted to no more than 100 *gurūṣ*, while Aḥmed Beg b. İbrāhīm Beg was insolvent.⁹ *Kul* officers, too, could have fairly modest estates: one of them left an estate of 270 *gurūṣ*, another, of 437.5 *gurūṣ*.¹⁰

It is possible, however, that the lifestyles of some of these less fortunate officers were more commensurate with their social status as officers than with their fortunes. One status symbol that they appear to have clung to was residential grandeur. Some had much of their wealth frozen in very expensive houses that must have surpassed in splendor the residences of some wealthier ‘Ayntābis. For instance, almost half of Yūsuf Beg’s modest wealth was invested in a 150-*gurūṣ* house, and more than half of ‘Abdī Aḡa’s somewhat larger fortune was invested in a 300-*gurūṣ* house.¹¹ A civilian, el-Ḥāc ‘Ömer b. Mūsā, whose fortune was three times as large, owned only a sixty-*gurūṣ* house, which represented the average in ‘Ayntāb at that time.¹² Polygamy, in which no ordinary man with comparable wealth seems to have indulged, is another peculiarity one encounters among the poor officers. Having more than one wife was undoubtedly a privilege of the wealthy, whether military or civilian.¹³ But Aḥmed Beg b. el-Ḥāc ‘Abdullāh, mentioned above as an impoverished officer, had two wives, as did Yūsuf Beg b. Yūsuf, also mentioned above. Such instances of extravagance may also explain the common phenomenon of indebtedness among prebend-holders, who experienced much economic instability and social mobility as a group in the seventeenth century. At the beginning of 1686, for example, the total debt (*karz*) of the prebend-holders in ‘Ayntāb to the treasury was 17,100 *gurūṣ*. This debt had been incurred between 1682 and 1686. Later on during the campaign, some of them borrowed an additional 3,500 *gurūṣ*.¹⁴

⁹ Reg.# 172/148–49, *rebī‘ü’l-āḥır* 1106/1694; Reg.# 34/175/1, *şabān* 1091/1680.

¹⁰ Reg.# 172/64, *sefer* 1101/1689; 172/92, *muḥarrem* 1103/1691.

¹¹ Reg.# 172/83–84, *cemāzıyü’l-evvel* 1102/1691; 172/64–65, *sefer* 1101/1689.

¹² Reg.# 172/58–59 *şabān* 1100/1689; a similar case, 172/4–5 *zı’l-ḥıcce* 1094/1683.

¹³ Exceptions did exist. A man with an estate of 160 *gurūṣ* could have three wives. Reg.# 34/170/1, *şabān* 1091/1680.

¹⁴ Reg.# 37/154/1, *muḥarrem* 1098/1686; 137/1, *cemāzıyü’l-evvel* 1098/1687. See Canbakal, “‘Ayntāb at the End of the Seventeenth-Century,” 79–82 on the finances of the prebend-holders.

The Wealthy and their Investments

While Meḥmed Beşe b. el-Ḥāc Baba was among the poorest men in ‘Ayntāb in those years, the wealthiest man, too, was a member of the military. ‘Alī Beg b. Maḥmūd Beg’s fortune amounted to 7,613 *gurūs*.¹⁵ He had a wide range of investments, including rural and urban property, and was also involved in commerce and money lending. He owned eight fields, five vineyards, two *çiftlik*s, several orchards in various villages, more than nine shops, half of a bakery, a grape press (*maşara*), commercial amounts of wheat, barley, grapes, molasses and coffee, and a few months prior to his death, he had bequeathed an oil press to his elder son Tırmuş Beg, and a shop to the younger one with 1,000 *gurūs* worth of capital goods in each (*re’sü’l-māl*). ‘Alī Beg also left 1,122 *gurūs* in cash, and 2,268 *gurūs* in uncollected credit; the amounts owed varied between 3.5 *gurūs* to 700 *gurūs*. As his debtors were in diverse occupations not related to his commercial operations, it would appear that these were not business-related debts, but direct cash loans.¹⁶

‘Alī Beg was followed by Oğcızāde Meḥmed Ağa in terms of the diversity of his financial interests. Meḥmed Ağa was not as wealthy but was an equally good investor. He was engaged in tax farming and had real estate: rural land and a number of houses in ‘Ayntāb.¹⁷ His commercial investments were diverse: he was in the textile business and owned a dye-house built on waqf land inside the town. His sizable stock of pack animals, including seven camels, suggests that he was also involved in regional or long-distance commerce or transportation.¹⁸

The investments of these two officers give us a fairly comprehensive picture of all the major capital outlets available in ‘Ayntāb at this time: land for cereals or viticulture, the production of molasses and its derivatives, the production of or trade in cotton textiles, and trade in coffee. Many other officers, including those with more modest resources, also had money invested in one or more of these areas, and land was the primary form of wealth in most cases. As will be discussed in further detail below, several officers held property that had been held by the family for at least a few generations, which

¹⁵ Reg.# 172/100–103, *zī’l-ḥicce* 1103/1692.

¹⁶ Reg.# 41/102/1, 104/1, *zī’l-ḥicce* 1103/1692.

¹⁷ Reg.# 172/93–97, *rebī’ü’l-āḥur* 1104/1692. For his tax-farming activities, see below.

¹⁸ Reg.# 38/19/1, *cemāzīyü’l-āḥur* 1099/1688.

indicates that the ‘naturalization’ of the military into ‘Ayntāb’s propertied elite went as far back as at least the first half of the seventeenth century.¹⁹

Civilian wealth too took advantage of the same investment conduits though on a more modest scale as far as tax farming was concerned. For example, the property of Başmacızāde ‘Ömer Efendi included seven shops (of which three were in the textile business), land near ‘Ayntāb, huge tracks of vineyards (amounting to 7,500 vines), arable plots and farms (*çiftlik*), all the buildings in a village, trees, three-fourths of a grape press, as well as a large house in ‘Ayntāb itself. These were part of his property which he in 1728 endowed for a college complex.²⁰

Some civilians had a more narrow range of investments. El-Ḥāc İbrāhīm of the Mihnizādes, which was largely a family of lay notables, had all his commercial property in the countryside. He owned eleven vegetable gardens or orchards (*bostan*), three fields, thirteen vineyards, and a packsaddle shop (*kürtünci yeri*). The latter is interesting as it also gives us a glimpse of the rural crafts, possibly promoted by the incursion of urban wealth.²¹ The second wealthiest man in the register of probates, el-Ḥāc Ḥasan b. Meḥmed, too, had all his property in the countryside, and he also lived in the countryside, in the village of Şām to the north-west of ‘Ayntāb. He owned large tracks of land allotted to apiculture and the production of cereals, cotton and grapes. The total value of his estate was 4,500 *gurūs*.²² Predictably, very few individuals among the propertied class of ‘Ayntāb did not own any land although landholding was not of equal importance for everyone. The propertied class also tended to have estates adjacent to one another both in the countryside and the city.²³

¹⁹ Rural property belonging to military: Reg.# 39/25/1, 62/1, 82/1, 83/2, 98/2, 103/1, 133/2, 137/3, 147/3, 178/3, 185/2,4, 190/2, 198/2, 200/3; Reg.# 40/7/4, 9/1, 24/3, 25/1, 27/4, 171/3, 174/1, 175/1, 178/1, 215/3; agricultural property in or around ‘Ayntāb: Reg.# 39/66/1, 110/3, 131/1, 135/1, 202/7, 207/2, 208/1, 209/1; Reg.# 40/20/1, 34/1, 41/1, 102/2, 106/2; urban commercial property: Reg.# 39/60/3, 69/2, 165/3; Reg.# 40/197/1; commerce: Reg.# 39/44/3, 66/2, 97/1, 105/2, 122/1, 179/2, 209/2, 219/1; Reg.# 40/31/1, 88/4.

²⁰ VA D2173, 125, *cemāzīyü'l-evvel* 1141/1728.

²¹ Reg.# 172/132–33, (1105/1693–94); Reg. # 172/16–17.

²² Reg.# 172/146–48, *rebī'ü'l-âḥır* 1106/1694.

²³ M.L. Meriwether, “The Notable Families of Aleppo, 1770–1830: Networks and Social Structure” (Ph.D. diss., University of Pennsylvania, 1981), 170–84, 261–62.

Credit Relations and the Rural Connection. Several members of the urban elite were also involved in credit activities. Thus, for instance, more than two-thirds of Seyyid Hüseyin Beg's wealth, namely, about a sum of 2,500 *ğurūs*, consisted of money that people owed him. One-third of 'Osmān Ağa b. İbrāhīm's inheritance was also tied in credits.²⁴ Civilians, too, were equally active in the credit market. More than three-fourths of İbrāhīm Mollā b. Es'ad's inheritance was tied in credits, and about half of el-Ḥāc Hüseyin b. Serhān's inheritance (c. 2,000 *ğurūs*) consisted of money owed to him.²⁵ Borrowers were from all tracks of life and possibly, all levels of income, but in most instances, the circumstances of these credit operations are not easy to identify.

However, a few general remarks are possible. First, rural indebtedness was rather common. In some instances, whole villages were cited as debtors collectively. The village of Dülük, for instance, had borrowed from the afore-mentioned İbrāhīm Mollā; four other villages had borrowed from the great landlord el-Ḥāc Ḥasan; and another village had borrowed from Seyyid Hüseyin Beg. Some of these may well be credit extended for various cash needs, including tax payment. The latter was a common cause of peasant indebtedness and dependence in other places too. The money extended by the wealthy to villagers or townsmen to pay collective taxes may not have always been loans but gifts, which can be assumed to have entailed even stronger dependence ties. The payment of nearly half of the *'avārız* burden of the neighborhood of İbn-i Eyüb by those in charge of collecting the tax, i.e. notables of the neighborhood, was probably one such instance. The dependence that their payment created was powerfully expressed by the residents of İbn-i Eyüb: "[We are] thankful and willing to accept their judgments in every way."²⁶

²⁴ Reg.# 172/10–12, *şefar* 1095/1684; Reg.# 172/37–38, *şefar* 1098/1686.

²⁵ Reg.# 172/6–8, *muharrem* 1095/1683; 172/19–22, *cemāzıyü'l-âhur* 1097/1686. Also 172/146–48, *rebî'ül-âhur* 1106/1693; 172/51–52, *cemāzıyü'l-âhur* 1100/1689; 172/4–5, *zî'l-ḥicce* 1094/1683; 172/16–17, *rebî'ül-âhur* 1097/1686.

²⁶ Reg.# 18/276/1, *şabân* 1070/1660; Reg.#26/232/1, *şabân* 1073/1663; Reg.# 38/151/1, *cemāzıyü'l-evvel* 1100/1689. Also see, Meriwether, "The Notable Families of Aleppo," 190–93; Khoury, *State and Provincial Society*, 117–18; Suraiya Faroqhi, "Wealth and Power in the Land of Olives: Economic and Politic Activities of Mürîdzade Hacı Mehmed Agha, Notable of Edremit," in *Landholding and Commercial Agriculture in the Middle East*, ed. Keyder and Tabak (Albany: SUNY Press, 1991), 85; and Faruk Tabak, "Agrarian Fluctuations and Modes of Labor Control in the Western Arc of the Fertile Crescent, c. 1700–1850," in *ibid.*, 150–51; Masters, *The Origins of Western Economic Dominance in the Middle East*, 154–59; Beshara Doumani,

The debts in question may have resulted from production-related transactions too, either agricultural or industrial. Evidence for putting-out practices during this period is rather slim, as is generally the case for seventeenth-century Anatolia.²⁷ However, the dye-house in the village of Ağcaöyük mentioned earlier attests to the presence of rural weaving activities as early as the sixteenth century, and in the early eighteenth century, too, ‘Ayntāb continued to receive unfinished cloth from the countryside.²⁸ But the organizational framework in which production and marketing took place is unclear. For instance, the case of el-Ḥāc Ḥüseyn b. İbrāhīm is illustrative. El-Ḥāc Ḥüseyn was a textile dealer and he served as the trustee of İbn-i Eyüb for five years in the 1680s. He had dozens of debtors who owed him a total of 670 *ğurūs*, which made up a third of his estate. Most of these debts were very small amounts, and at least nineteen of the debtors were villagers. It is possible that these were el-Ḥāc Ḥüseyn’s ‘partners’ and he may have provided them with raw materials or money to buy materials. They may also have been his customers who simply bought goods from him on credit, or they may have just borrowed money for various purposes unrelated to the textile business. Considering his experience as a neighborhood trustee, i.e. trustee of the cash waqf of İbn-i Eyüb, el-Ḥāc Ḥüseyn must have been well versed in money market operations.²⁹

Some rural debts were related to agricultural contracts such as sharecropping (*muzāra‘a*) or advance purchase (*selem*) much like in

Rediscovering Palestine, Merchants and Peasants in Jabal Nablus, 1700-1900 (Berkeley and Los Angeles: University of California Press, 1995), 135–51. Concerning the mechanisms and institutional framework of lending, see Eleni Gara, “Lending and Borrowing Money in an Ottoman Province Town,” in *Acta Viennensia Ottomanica: Akten des 13. CIEPO-Symposiums*, eds. M. Köhbach, G. Prohazka-Eisl and C. Römer (Vienna: Institut für Orientalistic, 1999), 113–19.

²⁷ Faroqhi, “Crisis and Change, 1590–1699,” 459, 469, 517; on the acceleration of rural putting-out practices in the eighteenth and nineteenth century, Masters, *The Origins of Western Economic Dominance in the Middle East*, 209–10; Khoury, *State and Provincial Society*, 29, 114; Mehmet Genç, “Ottoman Industry in the Eighteenth Century: General Framework, Characteristics, and Main Trends,” in *Manufacturing in the Ottoman Empire and Turkey, 1500–1950*, ed. Donald Quataert, (Albany: SUNY Press, 1994), 60–86.

²⁸ Reg.# 82/21, *şevvāl* 1143/1731; Reg.# 84/171, *cemāziyyü’l-âhur* 1145/1732, in *GŞMSÖ*, 4: 2, 10. Also Reg.# 2/46, *şefar* 948/1541, which involves the purchase of twenty rolls of washed cotton cloth (*bez*) and four rolls of Damascene linen (*belde-i Şām kelenü*) by an ‘Ayntābi from a villager. In *Şer‘iye Sicilleri*, ed. Ahmet Akgündüz (Istanbul: Türk Dünyası Araştırmaları Vakfı, 1988–89), 2: 24.

²⁹ Reg.# 172/110–16; also, Reg.# 39/203/4; Reg.# 40/32/4, 104/2.

eighteenth-century Nablus and Hama.³⁰ *Muzāraʿa* was a legally complicated arrangement that could ruin the peasant cultivator. It brought together the factors of production in different combinations, i.e. each partner was expected to provide one or more of the following: land, labor, draft animals and seeds, but production factors were not valued equally. The contract favored the partner who provided the seeds as ‘the capital owner’ (*rabbūʿl-māl*) who, for instance, could decide to cancel the contract unilaterally even after cultivation had begun. In all cases of sharecropping I have come across, the seed-providers were urban investors. It was desirable that out of piety (*diyāneten*), the investor should get approval from the laborer/active partner (*ʿāmil*) before canceling the contract but he could not be forced legally to give anything to the laborer.³¹ Moreover, the contract could be declared null and void (*bāṭl*) if one partner provided the seed only. In that case, the whole yield, including the hay, had to be given to the seed owner.³² This is what Aḥmed, a share-cropper from the village of Telbaṣār, seems to have found out only when his case came to court. Yūsuf Çelebi of İbn-i Eyüb had given him wheat and barley for cultivation; he had, in turn, provided the land, draft animals and his own labor. After he delivered half of the yield to Yūsuf Çelebi and retained the rest according to their initial agreement, Yūsuf Çelebi demanded the whole yield, rightly claiming that the contract was not valid. Consequently, Aḥmed was entitled only to a just price (*ücret miṣli*) for his labor, animals, and land. In the end, however, they were reconciled, Yūsuf giving up his claim to the whole yield, Aḥmed giving up compensation in the form of a just price. This settlement suggests that the whole case may have actually been a ploy in order to get around a legal constraint on this particular kind of sharecropping arrangement, common at that time or else in the process of becoming so.³³ Not every dispute related to sharecropping contracts was settled peacefully, and at least in one instance, the line between legal rights and extra-economic coercion

³⁰ Reg.# 172/37–38, *sefer* 1098/1686. Other examples: Reg.# 172/93–97, *rebīʿüʿl-āḥır* 1104/1692; Reg.# 38/19/1, *cemāziyyüʿl-āḥır* 1099/1688; Reg.# 41/96/1–2, 97/1–2, *zīʿl-ḥicce* 1103/1692. Doumani, *Rediscovering Palestine*, 166–67, 179–80; Reilly, *A Small Town in Syria*, 118–19.

³¹ Ḥalebī, *Multakā*, 2: 193.

³² Ḥalebī, *Multakā*, 2: 192.

³³ Reg.# 38/110/1, *rebīʿüʿl-evvel* 1100/1688; Reg.# 38/155/2, *cemāziyyüʿl-evvel* 1100/1689.

was easily crossed by the capital-owner janissary H̄aydar b. Meḥmed. The latter incarcerated his ‘partners’ after the harvest and seized their money under circumstances that remained unclear.³⁴

Whatever form they took, rural credits are known to have been a means of usurping or gaining control of peasant land. In this respect, money-lending used to be associated also with the process of *çiftlik* (commercial farm) formation in the eighteenth and nineteenth centuries.³⁵ It is now generally agreed that regional variation notwithstanding, commercial farming was carried out fundamentally by small producers, and peasant expropriation was not a very common phenomenon. İnalçık has argued that early *çiftlik*s in the seventeenth century were developed on abandoned land or reclaimed waste land, and not on cultivated peasant holdings,³⁶ and this has been borne out by several other studies. Evidence from seventeenth-century ‘Ayntāb, too, seems to support these findings.

In the area of ‘Ayntāb, the term *çiftlik* began to assume its modern meaning of commercial farm in the course of the seventeenth century. By the middle of the century, it no longer denoted a standard

³⁴ Reg.# 39/161/3, 165/3, *receb* 1101/1690. Other disputes: Reg.# 38/22/2, *cemāzıyü'l-âḥır* 1099/1688; 53/1, *şābān* 1099/1688; 68/2, *zī'l-ka'de* 1099/1688.

³⁵ Suraiya Faroqhi, “Land Transfer and Askeri Holdings in Ankara, 1592–1600,” in *Memorial Ömer Lütfi Barkan*, ed. Robert Mantran (Paris: Adrien Maisonneuve, 1980); McGowan, *Economic Life in Ottoman Europe*, 62–79, 136–41; *idem*, “The Age of the Ayans,” in *An Economic and Social History of the Ottoman Empire*, eds. H. İnalçık and D. Quataert (Cambridge: Cambridge University Press, 1997), 2: 685, 692; Sada, “Urban Notables in the Ottoman Empire,” 52–53; B. Cvetkova, “Problems of the Ottoman Regime in the Balkans from the Sixteenth to the Eighteenth Century,” in *Studies in Eighteenth Century Islamic History*, eds. T. Naff and R. Owen (Carbondale and Edwardsville: Southern Illinois University Press, 1977), 178–83; Haim Gerber, *The Social Origins of the Modern Middle East* (Boulder, Colorado: Lynne Rienner, 1987), 36–40, 69–73; Doumani, *Rediscovering Palestine*, 93, 133, 179–80.

³⁶ Halil İnalçık, “The Ottoman Decline and Its Effects Upon the Reaya,” in *Aspects of the Balkans, Continuity and Change, Contributions to the International Balkan Conference held at UCLA, Oct. 23–8, 1969*, eds. Henrik Birnbaum and Speros Vryonis (The Hague and Paris: Mouton, 1972), 350–51; *idem*, “Centralization and Decentralization,” 366, fn. 46. Also Çağlar Keyder, “Introduction”; Halil İnalçık, “The Emergence of Big Farms, Çiftlik: State, Landlords and Tenants”; Gilles Veinstein, “On the Çiftlik Debate”; and Faruk Tabak, “Agrarian Fluctuations and Modes of Labor Control in the Western Arc of the Fertile Crescent, c. 1700–1850,” in *Landholding and Commercial Agriculture*, eds. Ç. Keyder and F. Tabak (Albany: SUNY Press, 1991); Haim Gerber, *The Social Origins of the Modern Middle East*, 36–40; Fikret Adanır, “Tradition and Rural Change in Southeastern Europe During Ottoman Rule,” in *The Origins of Backwardness in Eastern Europe, Economics and Politics from the Middle Ages Until the Early Twentieth Century*, ed. Daniel Chirot (Berkeley: University of California Press, 1989), 142–54.

peasant holding, but a unit of land that could comprise a number of plots of various size, or plots of vastly variable productivity (measured in seed capacity).³⁷ Towards the end of the century, *çiftlik*s began to appear in the real estate market more often,³⁸ and dispatches from the capital began to refer to “*çiftlik*s of the powerful” (*zî-kudret kimesneler*), and sometimes, to ‘*askerî*’ farms. According to these firmans, some of these farms were appropriated by “somehow acquiring a tax farming deed.”

It is possible to infer from these firmans and from several tax farm grants involving abandoned villages that as elsewhere, *çiftlik*s in this period came into being largely through tax arrangements, as revenue claims gradually turned into property claims.³⁹ Absence of peasant grievances regarding expropriation of land complements these observations. However, other mechanisms of *çiftlik* formation should also be mentioned, and often they are more difficult to analyze. The way ‘Osmân Ağa and his son acquired their *çiftlik* piece by piece may be telling.

Court records tell us that in 1632, ‘Osmân Ağa was given the title deed (*tapu*) of a number of *çiftlik*s by the governor of Maraş. One of the plots belonged to one of his deceased relatives (*akrabâ*); other plots, too, were held by his relatives, but we are not told whether they were still alive. Upon ‘Osmân Ağa’s death, his son took over the property and within a few months, he was also given all the houses and stables in the same village. Reportedly, these, too, had belonged to his relatives. Again records do not tell whether the relatives were alive or currently residing in the village.⁴⁰ Even though there may indeed have been kinship ties between ‘Osmân Ağa and the villagers, the transfer of property was not justified by any legal reference such as inheritance rights or transactional obligations. Moreover, the original deeds of transfer were recorded anew in the court registers some thirty years after they had been issued, and this suggests a later challenge to the original entitlement. It is conceivable

³⁷ Reg.# 25/175/4 [1069/1658–59]; Reg.# 18/225/2, *rebî’ü’l-ewvel* 1070/1659; Reg.# 39/151/3 [1101/1689–90], 166/2, *receb* 1101/1690, 198/2, *şevvâl* 1101/1690. McGowan, “The Age of the Ayans,” 681.

³⁸ “[Ç]iftlik ta’bûr olunur müлк . . .” Reg.# 39/113/3, *receb* 1101/1690, 148/2, *cemâzîyü’l-âhır* 1101/1690, 200/3 (1101/1689/90).

³⁹ BOA, MM Ahkâm Defteri 6565, 121/1, *şevvâl* 1086/1675. Reg.# 35/214/4, *zî’l-ħicce* 1093/1682; Reg.# 37/128/1, *şefer* 1098/1686, 129/1, *zî’l-ħalde* 1097/1686.

⁴⁰ Reg.# 26/227/2–3, respectively *şevvâl* and *zî’l-ħicce* 1048/1639.

that these *çiftlik* grants had been occasioned by the abandonment of the village in question in the 1630s although there is no reference to depopulation in the records concerning ‘Osmān Ağa’s *çiftlik*s. Tax farm grants were normally legitimized in the imperial diplomas by reference to depopulation. Consequently, the vague and legally irrelevant reference to kinship ties in this instance may actually betray a concern to legitimize a political act that indeed begged justification.

Among the labor sources of these farms were peasants from timar or *hāṣṣ* lands, and less frequently, waqf lands: peasants took refuge in the farms of the grandees and refused to be resettled in their original homeland.⁴¹ One reason for this displacement was lack of security due to banditry and tribal attacks, which were rampant in the last decades of the century. This situation was explicitly stated in a tax farm request by ‘Abdülkâdir, most likely a member of the military. ‘Abdülkâdir wanted to “establish a farm himself” in order to bring back the *re‘āyā* of Elmalu who had left the village because of Arab, Turcoman and Kurdish tribal attacks.⁴² While ‘Abdülkâdir’s case was unique by its explicit reference to *çiftlik* formation, several other rural tax farms granted during the second half of the century also involved previously abandoned villages that were to be repopulated by the tax farmer.⁴³

Peasant mobility was a cause of major revenue loss for the original tax-claimants in the abandoned villages, but it appears that as long as it did not interfere with the flow of taxes owed directly to the imperial center, such as *‘avānız* or *cizye*, mobility did not alarm the state. If the peasants paid the *‘avānız* in their new abode, and/or if they had been settled there for ten years, they could not be forcibly returned.⁴⁴ Possibly, the fiscal burden of living in *çiftlik*s seemed more bearable to peasants who settled there willingly, unless, of course, circumstances left them no other chance of survival.

⁴¹ Reg.# 39/113/3, *rebī‘ūl-ewvel* 1101/1689; 148/2, *cemāzıyūl-āhur* 1101/1690; 151/3, [1101/1689–90]; 166/2, *receb* 1101/1690; 198/2, *şevvāl* 1101/1690; 200/3, [1101/1689–90]; Reg.# 37/128/1, *şefēr* 1098/1686; 129/1, *rebī‘ūl-ewvel* 1098/1687; Reg.# 35/214/4, *zīl-hicce* 1093/1682; Reg.# 41/16/1, *cemāzıyūl-āhur* 1103/1692.

⁴² “[K]endü *çiftlik* kurup.” Reg.# 41/161/1, *rebī‘ūl-āhur* 1103/1691.

⁴³ Reg.# 34/171/3, *muḥarrem* 1091/1680; Reg.# 35/224/3, *zīl-hicce* 1093/1682; Reg.# 37/12/1 [1098/1686–87], 98/1, *rebī‘ūl-āhur* 1100/1689; Reg.# 39/239/2, *receb* 1101/1690; Reg.# 40/70/1, *receb* 1104/1693, 71/1, *receb* 1104/1693, 74/2, *şevvāl* 1103/1692.

⁴⁴ Whether the payment of taxes in the new location and the ten-year requirement were considered together is not clear from texts. Reg.# 37/128/1, *şefēr* 1098/1686, 129/1, *zīl-ka‘de* 1097/1686.

Settlement in the farms of the powerful also offered the possibility of evading central taxation. Na‘imā mentions, for example, ‘*askerī*’-pretenders who would not let “their Turkish peasant laborers” pay taxes.⁴⁵ And in ‘Ayntāb, too, even tax farmers protected their villages from central taxation, whether or not they had turned them into *çiftlik*s.⁴⁶ A court deposition by the villagers of Nürvāne and Telbaşār about Oğcızāde Meḥmed Ağa, who had held the tax farm of the two villages for ten years, succinctly captures this aspect of the relationship between peasants and the tax farmers. The deposition reads:

He has [never] violated the custom, and as he has enabled us to maintain a place to settle in these difficult times, by helping and being generous to the poor among us every time, and by treating each of us kindly, we are all pleased with and grateful to him.⁴⁷

It is possible, of course, that the villagers were somehow forced to speak so favorably of Meḥmed; some other cases that we will analyze definitely give this impression. In this particular instance however there is no circumstantial evidence to suggest that the villagers were acting under duress. At any rate, it is important that the villagers’ approval of Meḥmed’s authority was deemed necessary or useful for processes that are not readily transparent to us. At a general level, the incident points to an important aspect of the political culture of the period: quite frequently ‘public opinion’ about a person in a power position was officially elicited and placed on record. More narrowly, it alerts us to the phenomena of protection and patronage, which were as much a reality of the rural tax-farming experience as the oppression of the peasantry by ‘rapacious’ tax farmers. The latter phenomenon however formed part of the official rhetoric; thus the edict that instituted the life-term tax farms (*mālīkāne*) in 1695 characterized the relationship between villagers and tax farmers as exploitative and sought to alleviate this type of oppression.

⁴⁵ Muṣṭafā Na‘imā, *Tārīḫ-i Na‘imā* (İstanbul: Maṭba‘a-yı Āmire, A.H. 1281–83) 6: 415–18. On Kurdish nomads of Kilis who settled “aux côtés de gens puissants” in order to avoid tribal taxes, Thieck, “Décentralisation ottomane,” 151–52.

⁴⁶ Reg.# 35/244/1, *rebī‘ü’l-āḫır* 1094/1683; Reg.# 36/48/1, *şefer* 1099/1687. Villagers taking refuge in *a‘yān* land elsewhere in Anatolia, Özkaya, *Osmanlı İmparatorluğunda Ayanlık*, 25, 306, 373.

⁴⁷ “mu‘iāddan tecāvüz imeyüp beher hāl fuḳarāmıza imdād ve ʿānet ve her birimize hüsn-ü mu‘āmelesinden nāṣi bu eyyām-ı ‘usretde iskān olmamıza bā‘is olmağın cümlemiz kendtiden rāzī ve şākirleriz.” Reg.# 38/152/3, *cemāzīyü’l-evvel* 1100/1689.

Berktaş's analogy that the super-exploitation argument was "an act of Freudian guilt-transfer on central government's part" seems quite to the point in this case although, as he also notes, "there is (usually) no smoke without fire."⁴⁸

Tax farming. Some of the wealthiest inhabitants of 'Ayntāb left behind large amounts of cash at the time of their death. For instance, Ḥasan Ağa b. Ḥüseyin Ağa, whose estate amounted to 4,075 *ğurüş*, kept most of his wealth in cash, and the rest was frozen in two mansions of 1,100 *ğurüş* worth. By 'Ayntābi standards, this was a very high figure. Ḥasan Ağa's only commercial property was a large vegetable garden in the vicinity of 'Ayntāb.⁴⁹ Another officer who had also built a large fortune in cash was El-Ḥāc Aḥmed Ağa. Four-fifths of his wealth, that is 4,024 out of 5,050 *ğurüş*, was in cash. He also owned a sizable vineyard, but of course, this cannot explain his remarkable wealth, and neither can Ḥasan Ağa's vegetable garden.⁵⁰ These two men were not engaged in money lending, and at least at the time of their deaths, neither one of them owned commercial stocks of any kind. It is possible, therefore, that the main source of their wealth was tax farming. As officers, they belonged to a group of notables who were most likely to undertake large tax farming contracts.

The control of tax farms is known to be one of the major means through which the new elite of the 'post-classical' period amassed great wealth and power.⁵¹ By offering access to the imperial mechanism of surplus extraction, tax farming also provided one of the most

⁴⁸ BOA, Kepeci, 5040/1-2, *cemāzîyü'l-evvel* 1106/1695 in Mehmet Genç, "Osmanlı Maliyesinde Malikâne Sistemi," in *Türkiye İktisat Tarihi Semineri, Metinler-Tartışmalar, 8-10 Haziran 1973*, eds. Osman Okyar and Ünal Nalbantoğlu (Ankara: Hacettepe Üniversitesi, 1975), 285-88. Halil Berktaş, "Three Empires and the Societies They Governed: Iran, India and the Ottoman Empire," *The Journal of Peasant Studies*, 18 (1991): 252-54.

⁴⁹ Reg.# 172/12-15, *cemāzîyü'l-âḥır* 1095/1684.

⁵⁰ Reg.# 172/47-48, *şevvāl*, 1098/1687.

⁵¹ Halil İnalçık, "Military and Fiscal Transformation in the Ottoman Empire, 1600-1700," *Archivum Ottomanicum*, 6 (1980): 328-33; Genç, "Osmanlı Maliyesinde Malikâne Sistemi," 244-45; *idem*, "18. Yüzyıla Ait Osmanlı Mali Verilerinin İktisadi Faaliyetin Göstergesi Olarak Kullanılabilirliği Üzerine Bir Çalışma," *Türk Dünyası Araştırmaları*. 10 (1981): 50; Faroqhi, "Crisis and Change, 1590-1699," 567; Avdo Suceška, "Malikâne," *İÜİFM*, 41 (1985): 281; Nagata, *Muhsin-zâde Mehmet Paşa*, 4; H. Bowen, "Aḡān," *EI2*, 1:778.

important channels of contact between local elites and the central government. Nevertheless, as was the case elsewhere in the empire at this time, and as would be the case later under the *mālīkāne* regime, all the major tax farms in ‘Ayntāb in the late seventeenth century were held by members of the military.⁵² These included royal revenues (*dīmūs*), the governor’s revenues (*hāṣṣ-i mīrlivā*), the poll tax, and the prebend tax (*bedel-i tmar*). Many minor revenue sources, too, were held by minor members of the military who could obtain contracts by ‘leaving [their salaries] with the treasury’ (*hazīne-mānde*), which was a rather common practice.⁵³

The Devecizādes, who held at least six major tax farms between 1683 and 1692 are a good example of the important tax-farming families. In 1683, they held the coffee and tobacco tax farm, which was part of the *dīmūs* and involved a bid of 649 *ğurūṣ*, and the following year, they held the whole *dīmūs* valued at 8,000 *ğurūṣ*. As noted earlier, Devecizāde Meḥmed Ağa also held the *su müṣṣirliḡi* tax farm of Aleppo, worth 1,700 *ğurūṣ* in 1688, and his sons took it over upon his death the same year.⁵⁴ Meḥmed’s brother Süleymān Ağa obtained the poll tax farm jointly with two other officers in 1687; the three of them together pledged a total of 30,000 *ğurūṣ*. In 1692, Süleymān Ağa still owed the treasury a small portion of his share of the down payment. In 1688, the third brother Hüseyn Ağa was in charge of an ad hoc (?) customs-duty arrangement in ‘Ayntāb, and in 1689, the tax farms of some tribal revenues that he had held for some time were renewed. Later in 1691–92, he was put in charge of an unspecified number of tax farms in the *livā* but it is not clear

⁵² Salzmänn, “An Ancien régime Revisited,” 402–4. TKS E1054/3, *cemāzīyü’l-āḡır* 1061/1650; Reg.# 35/211/3 *muḡarrem* 1094/1682, 225/2 *şefēr* 1093/1682, 239/1 *şefēr* 1094/1683, 240/3 *ramażān* 1094/1683, 251/1 *şefēr* 1095/1684; Reg.# 37/17/2 1099/1687–88, 31/2 *şā’bān* 1099/1688, 93/2 *rebī’ü’l-evvel* 1100/1689, 143/1–2 *şefēr* 1098/1686; Reg.# 38/200/2 *ramażān* 1100/1689; Reg.# 39/11/3 *ramażān* 1101/1690; Reg.# 40/110/1 *muḡarrem* 1104/1692.

⁵³ Reg.# 35/244/2 *zī’l-ka’de* 1090/1679; Reg.# 36/24/2 *muḡarrem* 1098/1682; Reg.# 37/12/1 1098/1686–87, 23/2 1099/1687/88, 25/4 *receb* 1099/1688, 98/1 *ramażān* 1100/1689, 148/1–2 *muḡarrem* 1098/1687; Reg.# 39/236/2 *receb* 1101/1690, 13/3 1101/1689/90; Reg.#40/71/1 *receb* 1104/1693. Pledging of salaries: Reg.# 36/27/1, *cemāzīyü’l-evvel* 1098/1687; 36/1, *şevvāl* 1098/1687; 48/1, *şefēr* 1098/1686; Reg.# 37/5/3, *cemāzīyü’l-evvel* 1099/1688; 25/4, *receb* 1099/1688; 27/4, *cemāzīyü’l-evvel* 1099/1688; Reg.# 40/72/3, *cemāzīyü’l-āḡır* 1104/1693; 143/4, *receb* 1104/1693. Also see, İnalçık, “Military and Fiscal Transformation,” 332; Genç, “Osmanlı Maliyesinde Malikāne Sistemi,” 234–35.

⁵⁴ Reg.# 37/28/1, *receb* 1099/1688.

whether he was acting as an agent or as a contractor on his own account. He was also involved in at least one major commercial deal involving 950 *ğurüş* worth of walnuts sold to two 'Ayntābi partners in 1688.⁵⁵

Erol Özvar has compared 'askerī and re'āyā among holders of life-term tax farms issued in 1685–97. His findings indicate that 'Ayntāb was among the districts where the distribution of the tax farms of different magnitude between the 'askerī and re'āyā was more even than most other places in the empire.⁵⁶ Although Özvar's criteria of membership in either of the estates are not clear, his findings are significant in that they show the relative strength of civilian capital in 'Ayntāb. Still, when we examine the tax farms held by civilians, religious or lay, 'askerī or otherwise, they seem fairly small, ranging between fifty *ğurüş* and a few hundred *ğurüş* in value. These included individual lots within the *dīmūs*, lots within the governor's domain and small or medium-size prebends farmed out by the holders.⁵⁷ This situation may partly reflect the social distribution of wealth in general. As noted earlier, officers represented a disproportionately large group among the wealthy. But there were also civilians with comparable wealth and none appear to have held large tax farms during this period. This situation points to the significance of non-economic factors, most importantly, personal connections that allowed access to the network of information, wealth and influence that was Ottoman officialdom. Connectedness to this network was in itself a resource. A brief episode of bidding for a minor tax farm offers a glimpse of the predicament of the provincial investor whose access to such networks was limited. El-Ḥāc Ya'kūb, a well-off 'Ayntābi of no special distinction, wanted to get the tax farm of the Cüceli Turcomans which was part of the main tax farm of Yeñi-İl. As a resident of an ordinary provincial town, his solution to the problem of accessing the loci of decision-making outside of 'Ayntāb was simple: he gave the money to an officer, Yūsuf Ağa, who was the son of

⁵⁵ Reg.# 35/212/1, 282/4; Reg.# 36/24/2, 53/1; Reg.# 37/62/1; Reg.# 39/11/1; Reg.# 41/3/2, 128/1; Reg.# 38/68/3, *zī'l-ka'de* 1099.

⁵⁶ Erol Özvar, *Osmanlı Maliyesinde Malikâne Uygulaması* (İstanbul: Kitabevi, 2003), 157–62.

⁵⁷ Reg.# 35/278/3; Reg.# 36/18/2; Reg.# 38/3/1, 206/2; Reg.# 39/38/2, 221/2, 228/2, 230/1; Reg.# 40/70/1, 146/3, 177/3; Reg.# 41/5/2, 6/1–2, 9/2, 23/3, 31/1,3, 164/3.

the scribe of the tax farm of Yeñi-İl at that time, and asked him to write to his father so that the latter would obtain (‘*alwirsün*’) the Cüceli tax farm on Ya‘küb’s behalf.⁵⁸

Another solution to the problem of access to top-level administrative process was undertaking locally-managed subcontracts as Genç has also noted with regard to the later *mālīkāne* period.⁵⁹ Subcontracting allowed apportionment of the investment and the revenue both in duration and magnitude. Therefore, it secured the participation of smaller local investors in addition to easing the problem of access to the imperial capital. In ‘Ayntāb, too, this was the primary mechanism by which several civilians and minor investors from among the military acquired shares from the royal domain (*dimūs*), the governor’s domain, or large waqfs in the area.

Though not as common as subcontracts, partnerships, too, facilitated wider participation in the tax-farming market. For example, in 1688, the *hāvāşş* of Receb Paşa, the governor of Maraş, were held by a deputy governor who resided in Maraş. The latter had contracted out parts of the revenue sources under his control to two partners: Kāsım Ağa, who later became the deputy governor of ‘Ayntāb, and a certain Tavūķizāde (?) ‘Alī Çelebi. The same year, Kāsım Ağa and ‘Alī Çelebi had their contract renewed. A little later, Kāsım Ağa farmed out his own share to two other persons, an officer and a civilian from the old family of Demircizādes.⁶⁰ It would appear that all these transfers of revenue entitlements were largely outside the scope of central control. Like stock shares, lots changed hands either through ordinary civil transactions in the presence of witnesses at the court, or through written memos (*tezkiye*) or certificates of receipt (*temessük*) issued by the tax farmer himself.⁶¹

The decree that promulgated the life-term tax farms in 1695 was worded so as to guard against precisely such a situation. The argument was that short-term tenure led to mismanagement, loss of government

⁵⁸ Reg.# 38/40/1, *receb* 1099/1688.

⁵⁹ Genç, “Osmanlı Maliyesinde Malikâne Sistemi,” 245.

⁶⁰ Reg.# 37/28/3, *ramazān* 1099/1688; Reg.# 37/31/2, *şābān* 1099/1688. Also Reg.# 41/23/4, *ramazān* 1103/1692, and other joint contracts: Reg.# 37/17/1, *muḥarrem* 1098/1686; Reg.# 38/72/3, *zīl-ḥicce* 1099; Reg.# 37/164/1, *ramazān* 1098/1687; Reg.# 38/76/2, *zīl-ḥicce* 1099/1688; Reg.# 40/116/4, [1103/1691–92]. See also D. Khoury, *State and Provincial Society*, 117, 120; Faroqhi, “Crisis and Change, 1590-1699,” 567.

⁶¹ Reg.# 37/147/1 and 148/2, dated *muḥarrem* 1098/1686.

income and oppression of the *re'āyā* by tax farmers who wanted to get as much as possible out of their contract. The firman identified the cities of Damascus, Aleppo, Diyarbakır, Mardin, Adana, Malatya, 'Ayntāb and Tokat as problem areas where the current tax-farming system ruined the peasant economy.⁶² Thus, 'Ayntāb was one of the first provinces where life-term tax farms were introduced.⁶³

Yet even before, not all contracts had been short-term. For example, as early as the middle of the century, the tax farm of 'market dues and summons fee' (*ihtisāb ve ihzārīye mukāta'ası*) was held by the same person for fifteen years; a certain Süleymān Ağa held the tax farm of the same two villages for twelve years until 1688, when his holding was renewed following a minor complication; Gergerizāde Muştafā Ağa held a village and a *mezrā'a* for more than ten years; the Debbāğzādes held one of the largest villages of the *livā* for thirteen years.⁶⁴ Both Gergerizāde Muştafā Ağa and the Debbāğzāde brothers, especially Meḥmed and Maḥmūd Efendi, were among the most prominent people of the town.⁶⁵

Some families including the Devecizādes managed to keep their tax farms as family holdings for at least two generations. For example, when Oğcizāde Meḥmed Ağa died in 1693, he had been holding the tax farm of a number of villages for at least nine years.⁶⁶ Upon his death, his two sons requested these holdings and obtained them. The transfer was not automatic, but it was not automatic under the *mālīkāne* system either, at least in theory.⁶⁷ Furthermore,

⁶² For the impact of tax farming on Balkan peasantry, see İnalçık "The Ottoman Decline and Its Effects Upon the Reaya," 351.

⁶³ See Çınar, "18. Yüzyılın İlk Yarısında Ayıntab," 254–93.

⁶⁴ Reg.# 26/275/3, dated *şevvāl* 1071/1661; Reg.# 37/25/4, dated *receb* 1099/1688; Reg.# 41/132/2, *şevvāl* 1103/1692; Reg.# 39/18/1, *cemāzıyü'l-evvel* 1100/1689; 42/3, *şabān* 1101/1690; BOA, MM 202, 42a, *cemāzıyü'l-âḥır* 1088/1677; Reg.# 41/18/2, *receb* 1103/1692.

⁶⁵ Şeyḫ Muştafā, the father of the Debbāğzāde brothers had good connections in the capital. Incidentally, his own father Debbāğ Maḥmūd Efendi was *şeyḫü'l-islām* Debbāğzāde Meḥmed Efendi's father's namesake. Since they were all contemporaries (Meḥmed Efendi died in 1702), it is plausible that the 'Ayntābi Debbāğzādes were related to the *şeyḫü'l-islām*'s family. BOA, MM 202, 42a; Reg.# 41/13/3–4; Müstakimzāde Süleymān Sa'ded-dīn, *Devhatü'l-meşāyih ma'a zeyl* (İstanbul: Çağrı, 1978), 73; İsmail H. Uzunçarşılı, *Osmanlı Tarihi* (Ankara: TTK, 1988), 3/2: 481.

⁶⁶ Güzelbey cites a village named Okçuoğlu in his "Gaziantep'te Türk Topluluklarının Adlarını Taşıyan Yerler," 178. The name does not appear in seventeenth-century records, but it may have some connection with Meḥmed Ağa's family.

⁶⁷ Genç, "Osmanlı Maliyesinde Malikāne Sistemi," 239; Sucasca, "Mālīkāne," 280.

the fact that Mehmed Ağa owed 4,500 *ğurüş* to the state in connection with other tax farms at the time of his death evidently had no bearing on the transfer.⁶⁸

Genç has pointed out that the government had experimented with life-time tax farms in the seventeenth century well before the introduction of the *mālikâne* system. These experiments took place precisely where the new system was to be later introduced, i.e. eastern, south-eastern and Syrian provinces.⁶⁹ Clearly, the examples cited above may be seen as a prelude to *mālikâne*, and there is also evidence that true life-time holdings were not unheard of either. Thus, for example, we find reference in an order from 1660 to a life-time tax farm comprising a group of prebends that formerly had belonged to the citadel guards of Behesnī. The record indicates that the prebends had reverted to the central treasury, and then, were given to a certain Üveys for life.⁷⁰

Question of Identity: Official or Civilian, Central or Local?

Thus the upper class in ‘Ayntāb at the end of the seventeenth century was more homogenous than divided in terms of the economic resources of its members. Local families and local agents of the state in ‘Ayntāb, all invested in urban and rural real estate, credit markets, commerce and tax farming although as elsewhere the biggest investors in tax farming were officers. More importantly, the homogeneity of the elite was not due to its members’ similar backgrounds; the degree of social integration between local notables and representatives of the Ottoman officialdom was also remarkable.⁷¹ When we turn from individuals to households, this phenomenon is even more apparent.

At the end of the seventeenth century, ‘Ayntāb had around eighty families that distinguished themselves from commoners with a ‘name’, i.e. families that were reputed as ‘sons of so and so’ (so and so-*zādes*). This indicates a remarkable increase in comparison with the

⁶⁸ Reg.# 40/147/1, *cemāzîyü’l-evvel* 1104/1693. Also Reg.# 39/134/1 *cemāzîyü’l-evvel* 1101/1690; Reg.# 39/229/1 *receb* 1101/1690; Reg.# 40/125/3 *cemāzîyü’l-âhur* 1104/1693, 131/3 1104/1692–93; Reg.# 41/128/1, *muharrem* 1104/1692.

⁶⁹ Genç, “Osmanlı Maliyesinde Malikâne Sistemi,” 235, fn. 7.

⁷⁰ Reg.# 26/252/1, [1071/1660–61].

⁷¹ Compare Hourani, “Ottoman Reform and Politics of Notables,” 52–53, 60–61.

early decades of Ottoman rule when there were only three such families in the city,⁷² and suggests a shift towards a more broadly based oligarchic power structure. It also points to extensive social mobility since of those three old families, only the Demircizādes survived until the late seventeenth century, and dozens of new ones emerged.

Most of the new families emerged before 1650, and all but fourteen of them had members in at least one subcategory within the *‘askerī*, i.e. religious and civic functionaries, *sādāt* or the military. Judging by what can be gathered from disparate court records, some of them seemed distinctly civilian in composition around the middle of the century, such as the *Ṭoḳādīzādes*, *Debbāğzādes*, or *Bahārzādes*; others such as the *Cānbāzzādes*, *Gergerīzādes* and *Kozanzādes* seemed to be distinctly military. But we also find some families that were mixed as far as their members’ career lines were concerned. Around the middle of the century the *Şeyhzādes*, *Begzādes*, *Çerkeszādes*, *Demircizādes* and *Ḳādīzādes*, then towards the end of the century, the *Başmacızādes*, *Bekmezzādes*, *Ḳomālāğzādes*, *Muhsinzādes*, and *Ḳabasağalzādes*, all had officers or lesser janissaries as well as *‘ulemā* and other civilians among their members.

The *Şeyhzādes*, for example, had been resident in *‘Ayntāb* at least since the beginning of the seventeenth century. The earliest known patriarchs were *Yūsuf Ağa* b. *‘Abdullāh* and his two sons, one of whom was *Muṣṭafā Ağa*, the intendant (*ağā*) of the Turcomans of *Ḥaleb* and the deputy governor of *‘Ayntāb*. The other one was *Şa‘bān Dede* (d. 1622), a *Mevlevī* shaikh, after whom the family may have been named. *Şa‘bān Dede* was probably the most important saintly figure in the family tree if not the first one. His name was retained in *‘Ayntāb*’s collective memory as the wise man who foretold the conquest of Baghdad to *Murād IV* on his way to the Iraq campaign. On the way back, the sultan granted him the land on which the *Mevlevī* lodge was to be built—another typical anecdote that placed *‘Ayntāb* on the imperial map and was proudly recorded by *‘Ayntābis*.⁷³ It was *Muṣṭafā Ağa* who built the *Mevlevī* lodge in 1638, and one of his nephews (or sons?) became the first shaikh of the lodge. During the last decades of the century, the family was one of the most prominent and largest elite families in *‘Ayntāb*. At least

⁷² Peirce, *Morality Tales*, passim.

⁷³ *Güzelbey*, *Gaziantep Evliyalari*, 76.

one other member of the family also became the intendant of the Turcomans of Ḥaleb later in the century, and the family retained the post of the shaikh of the Mevlevī lodge until the demise of the empire.⁷⁴

Unlike the Şeyh-zādes, the Başmacı-zādes, i.e. “sons of printed cloth-makers,” and the Bekmezzādes, i.e. “sons of molasses[-makers],” were unknown until the last decades of the century and made a name for themselves only in the 1680s. The origins of these families, like that of most others, is not apparent from the available sources. But no matter where they came from or who the first patriarchs were, the family names suggest that their rise was related to a commercial thrust rather than to military or religious eminence. In all likelihood, their rise was an early sign of the eighteenth-century boom noted earlier. Not surprisingly, the Başmacı family thrived in the following century and became the founder of an important waqf that included a *medrese* and an elementary school (*mekteb*) in Çukur.⁷⁵ At the time we first hear of them, i.e. in the 1680s, both families had members in the military and among the Başmacıs there were also scholars.

There can be little doubt that women played an important role both in forging alliances among prominent households and in integrating indigenous families and members of Ottoman officialdom. Ergenç has demonstrated that in some Anatolian towns where Ottoman rule had a longer history, marriages between members of the official elite and those of the local families were common as early as the sixteenth century.⁷⁶ The fact that the agents of the central state spoke the same language as the local elites undoubtedly made rapprochement and integration easier, although the absence of such common ground did not constitute an insurmountable barrier.⁷⁷ The Ottoman Empire offered opportunities of mobility and power for urban elites who accepted it as a new and not necessarily unwelcome resource

⁷⁴ Güzelbey, *Gaziantep Camileri Tarihi*, 127–30; Reg.# 35/213/1, *muḥarrem* 1094/1682.

⁷⁵ The waqf deed also stipulated the distribution of free food to the poor during the month of *Muḥarrem*. Excess income, if any, was to be distributed among family members. VA D2173, 125, dated *cemāzîyü'l-avvel* 1141/1728.

⁷⁶ Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A’yan’,” 114–18.

⁷⁷ For eighteenth-century Aleppo, see M. L. Meriwether, *The Kin Who Count: Family and Society in Ottoman Aleppo, 1770–1840* (Austin: University of Texas, 1999), 141–44; for the Mamluk period, Ira Lapidus, *Muslim Cities in the Later Middle Ages* (Cambridge, MA: Harvard University Press, 1967), 107–13, 185–91.

to be tapped. Social integration with representatives of Ottoman officialdom was an aspect of this process. However, matrimonial ties are not easy to trace comprehensively through court records alone, and elite women of ʿAyntāb did not feature prominently among court users during the period examined here.⁷⁸ Therefore, the role of women in furthering social integration and influencing the configuration of power within the urban elite cannot be documented beyond the level of general observations.⁷⁹

The only insurmountable barrier in ʿAyntāb in terms of elite integration was religion. Non-Muslims must have had their own notables although the community was fairly small at that time. Among the wealthiest men of ʿAyntāb was an Armenian merchant, Kīrkūr v. Vānis, who left behind an estate of 2,000 *gurūş* comprising two houses in Hāyik Müslümān, uncollected credits, and a large stock of textiles.⁸⁰ But neither he nor any other non-Muslim ever appeared among the town elite in political roles pertaining to the management of public matters involving more than one religious community. Further research may reveal whether the absence of non-Muslims in public processes was merely a result of the small size of the community or whether other factors were involved as well. As for social integration, I have not been able to identify any inter-communal marriages or cases of conversion although non-Muslim female marriage into Muslim elite families was of course technically possible. Be that as it may, town-wide, i.e. cross-communal public matters belonged to a Muslim male domain, for non-Muslims could not have authority over Muslims (*velāyet*) just as women could not have authority over men. This point will be further discussed in the next chapter.

An interesting parallel to the emergence of an integrated Muslim elite was the way honorific titles were used by military men. In the latter part of the seventeenth century, prominent members of the military elite were often identified by civilian titles such as *el-ḥāc* or *çelebi*, which suggests that perceptions of social affiliation and order were not unambiguous. For instance, ʿAlī Ağa Kōmālāḳzāde, who

⁷⁸ For the sixteenth century, see Leslie Peirce, "Entrepreneurial Success in Sixteenth-Century Ayntab: The case of Seydi Ahmed Boyacı, Local Notable," in *Provincial Elites in the Ottoman Empire, Halcyon Days in Crete V*, ed. Antonis Anastasopoulos (Rethymno: Crete University Press, 2006), 127.

⁷⁹ Examples of marriage between ʿulemā and military families: Reg.# 39/102/1, 153/2, 158/4, 186/1; Reg.# 40/174/1, 179/3, 203/3; Reg.# 172/64.

⁸⁰ Reg.# 172/104-7, *rebīʿü'l-āḫır* 1104/1692.

once was explicitly addressed as a member of the *āyān*, appeared in eighteen cases as el-Ḥāc ‘Alī Çelebi and only in five cases as ‘Alī Ağa; Muhsinzāde el-Ḥāc Meḥmed Ağa was identified as an *ağa* only once; Devecizāde el-Ḥāc Hızır Ağa was more frequently identified as *el-ḥāc* than as an *ağa*. Gergerizāde Yaḥyā Beg, Gergerizāde Muştafā Ağa, Bekmezzāde ‘Alī Beşe, and Bayrām Ağa, who was the son of the fortress commander ‘Alī Ağa, were all commonly referred to in civilian terms, and the head summoner ‘Osmān Beşe was identified as *çelebi* in more than half of his nearly 200 appearances at the court.⁸¹

The origins of these *çelebi* officers can rarely be deduced from the court records. Some of them were identified as ‘Ayntābi on various occasions, for example, El-Ḥāc Mīr Ağa, who held the poll tax farm briefly in 1683–84 and became the deputy governor in 1690, Kāsım Ağa, who held the tax farm of the governor’s domain (*havāṣṣ*) in 1687–88, or Meḥmed Ağa, who held the prebend tax farm in 1686–87.⁸² Most officers were not identified by origin but several of them appear to have been long-time residents of ‘Ayntāb. This was one of the factors that turned them into *çelebis* and *el-ḥācs*⁸³ whether or not they married into local civilian families. For example, the Devecizādes mentioned earlier by the late seventeenth century had been ‘Ayntābis for at least three generations. According to Hüseyn Ağa’s deposition in a court case brought against a certain Meḥmed b. Ebübekir in 1692, the grandfather of the three Devecizāde brothers, Hüseyn Ağa the elder, had been in ‘Ayntāb already in 1650 and acquired (*tapu itmek*) arable fields in the village of Şündil (?) that very year.⁸⁴ This may be when the ascent of the family began. Its members remained active in the public scene at least until the 1730s continuing to hold major tax farms and acquiring deputy governorships three times between 1705 and 1727.⁸⁵ In the 1720s, the family had shops in Şehreküsti, ‘Ayntāb’s gate to the routes of interregional commercial traffic, and in Araşa, one of the two major commercial

⁸¹ Reg.# 40/9/1, 137/1, 27/4, 50/2, 96/3, 214/2; Reg.# 48a/167, 174; Reg.# 39/180/1, 102/2, 47/2, 31/2, and 213/3; Reg.# 38/123/2.

⁸² Reg.# 35/254/1; Reg.# 39/157/2; Reg.# 37/29/4; Reg.# 37/143/1–2; Reg.# 39/13/3.

⁸³ For a discussion of these titles, see Chapter Four.

⁸⁴ Reg.# 40/7/2; Reg.# 39/135/1.

⁸⁵ Çınar, “18. Yüzyılın İlk Yarısında Ayıntab,” 79–83 and *passim*.

centers of the town. Both spots were favorite investment outlets for the wealthy. Among the Devecizādes' neighbors were the famous Seyyid Aḥmed b. Ramaẓān, the founder of the Aḥmed Çelebi complex and one of the most prominent figures in 'Ayntāb's public life for some decades. Other adjacent properties were owned by the Muḥsinzādes, the Baṣmacızādes and 'Ayşe Bacızādes.⁸⁶

Another important tax-farming family, the Muslīzādes had also been in 'Ayntāb at least since the first half of the seventeenth century. Its members held the *dīmūs* tax farm in 1680, 1682–83, and possibly during the intervening years as well; in 1684 a Muslīzāde became deputy governor.⁸⁷ Tax farmer Meḥmed's father Ḥızır Beşe, who had died in 1656 or a little earlier, was 'Ayntāb's janissary commander. He had vineyards in the village of Keret that he cultivated in partnership with another member of the military, a certain Meḥmed Beg, possibly the timariot of the village. A number of charges brought against Ḥızır Beşe after his death, including one by his partner Meḥmed Beg, indicate that he may have employed illegitimate means to amass his wealth, including usurpation of some waqf property.⁸⁸ Nevertheless, the Muslīzādes themselves also founded a waqf to support the mosque (Mescid-i Muslī) they built in İbn-i Şeker, right in the center of the town. They endowed 'Ayntāb also with another landmark, the Muslīzāde Garden in the south of the city, which was noted and highly praised by Evliyā Çelebi.⁸⁹

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Where does this socio-economic profile place 'Ayntāb's elite among their likes in other parts of the empire? Until recently, studies on local elites in Anatolia and the Arab lands were informed by two lines of thought represented most characteristically by İnalcık and Hourani. There was substantial agreement between the two scholars' characterization of the local elites: both spoke of religious scholars and functionaries, the military, administrators and merchants.⁹⁰

⁸⁶ VA D2142, 131–39, dated (1140/1727–28); D2173, 125, *cemāzjyū'l-avvel* 1141/1728.

⁸⁷ Reg.# 34/164/4. 167/4; Reg.# 35/274/2, 236/2; Reg.# 37/113/1.

⁸⁸ Reg.# 25/8/2, 14/4, 128/1–2; Reg.# 18/260/1–2; Reg.# 39/52/3.

⁸⁹ *Seyāhatnāme*, 9: 165a. Reg.# 34/163/3; Reg.# 39/235/4; Reg.# 40/34/1.

⁹⁰ Hourani, "Ottoman Reform and the Politics of Notables," 44–45; İnalcık, "Centralization and Decentralization," 30–41, and "Military and Fiscal Transformation," 327–39.

But the two scholars focused on different issues; this was partly due to the fact that İnalçık worked on materials from the central archives and Hourani on local sources. But in addition the viewpoints and concerns of their respective sources were reflected in their work.

İnalçık emphasized homogeneity of the elite as a socio-economic group: “the religious and military upper class and the class of merchants and financiers consisted largely of the same persons.”⁹¹ Unlike İnalçık, Hourani highlighted heterogeneity and lack of unity among the notables since his major concern was not so much the analysis of notables as an economic class but rather their political behavior. Therefore he explored multiple socio-political divisions as possible axes of identity formation and collective action: for example, *a‘yān* as ‘secular notables’ or the ‘bourgeoisie’ as opposed to the religious notables and the military, civilians as opposed to the military, and *‘askerī* as Ottoman officials and officers as opposed to *re‘āyā*. Although his work moved towards a more integrated view of the local elites, it remained informed by awareness of “ethnic, religious, and other” differences between indigenous households and the Ottoman officialdom.⁹² This awareness can still be observed in studies on the Arab provinces despite the recent interest in ties between the provincial ‘new elites’ and the Ottoman capital.

Findings concerning ‘Ayntāb’s elite, presented in this and the previous chapter point to the difficulty of drawing clear lines between the ‘secular notables’, ‘religious notables’, the military or civilians in the last decades of the seventeenth century. While this observation places ‘Ayntāb’s elite closer to İnalçık’s *a‘yān*, in fact, closer to the ‘new elite’ of the revisionist literature, two caveats are in order. First, the unavailability of local sources for ‘Ayntāb and the method chosen in this study to exploit the available sources preclude biographical richness and sensitivity to detail; therefore, they limit the scope of what can be learned about individuals and individual families. They also block from view local perceptions of *a‘yān*hood that may reflect internal divisions within the local elite. They therefore magnify the significance of objective and macro evidence.

⁹¹ İnalçık, “Centralization and Decentralization,” 30–41; Özcan Mert, “Ayan,” *DVIA*, 4: 196; Özkaya, *Osmanlı İmparatorluğunda Ayânlık*, 43; Ergenç, *XVI. Yüzyılda Ankara ve Konya*, 140–41.

⁹² Hourani, “Ottoman Reform and Politics of Notables,” 47–53, 60–61; *idem*, “The Islamic City in the Light of Recent Research,” in *The Islamic City: A Colloquium*, eds. A.H. Hourani and S.M. Stern (Oxford: Oxford University Press, 1970), 18–19.

Secondly, the debate about provincial elites and center-periphery relations in recent literature concerns fundamentally the eighteenth and nineteenth centuries, characterized by distinct economic realities. For example, at the end of the seventeenth century, the system of life-term tax farms was still new. An entrenched diversity of interests was to emerge between the military, whose members held the largest tax farms, and their allies on the one hand and households that pursued independent economic careers not based on state-sponsored accumulation on the other. But this dichotomy only revealed itself with the passage of time. Likewise, the commercial growth of the early eighteenth century, not to mention the altogether different circumstances of the post-Tanzimat boom, boosted economic interests not linked to the distributive networks of the Ottoman capital. The case of Tokat is noteworthy in this context. It was an ‘Anatolian town’ with a predominantly Muslim and Turkish population. Thus presumably, Tokatis had less reason to consider representatives of Ottoman officialdom as ‘alien’ than was the case in non-Turkish towns, but Tokat experienced the same disparity of interests between tax-farming and mercantile elites in the eighteenth and early nineteenth centuries as, for example, Palestine.⁹³ Whether or not the homogeneity of the elite which we observe in late seventeenth-century ‘Ayntāb survived these divisive dynamics requires further research. Perhaps, they did not, and it was these dynamics that distinguished the seventeenth and eighteenth centuries from one another.

⁹³ Duman, “Notables, Textiles and Copper,” and Doumani, *Rediscovering Palestine*.

PART III

CHAPTER FOUR

HONOR AND INFLUENCE: THE LEGAL PROCESS

*Kî yani Ayntab şehri-rânâ
Arus-u âlem ü maşuk-u dünya¹*

The relationship between local elites and the common folk is one of the least explored aspects of Ottoman provincial life, and the little we know is informed by the idea of state-society duality and the broader question of the impact of the central state on provincial relations. Thus, in past scholarship, the rapprochement between the indigenous elites and the imperial center on the one hand and provincial representatives of the Ottoman officialdom on the other was seen as a landmark of the “defection of natural leadership” in provincial histories. Perhaps no historian reflecting on this question has ever been as emphatic as Bodman. Speaking of eighteenth-century Aleppo, he wrote: “[The *aşyân* were] bound . . . to the intrigues of the capital and divorced from consideration for local interests” through the “tentacles” of a system of venality of office and influence.² In later studies, this process has been characterized as a reason for the divergence between the elite’s economic and political interests and those of the local people.³ Although recent scholarship has recast the question of center-periphery relations in less regionalist terms, the relationship between the *aşyân* and local commoners has not been taken up anew. The most important, if indirect, contribution to the topic has come from case studies of eighteenth- and nineteenth-century political economy that focus rather on the impact of economic change on property and class relations.

¹ “And that is Ayntab, the city of grace/The bride of the universe and the beloved of the world.” From Baloğlu Ibrahim’s *Hikmetname* in Solmaz, *Gaziantep Övgü Antolojisi*, 28.

² Bodman, *Political Factions*, 142, also 35–36.

³ Khoury, “The Urban Notables Paradigm Revisited,” 222; Schatkowski Schilcher, *Families in Politics*, 219–21; Manna’, “Eighteenth- and Nineteenth-Century Rebellions in Palestine.” *Journal of Palestine Studies*, 24/1 (1994): 61, 63. For an earlier period, see Ze’evi, *An Ottoman Century*, 84–85.

Closer ties with the Ottoman center or social engagement with the official elite in the seventeenth and eighteenth centuries certainly affected the socio-political position of the indigenous elites as did economic processes, especially in the eighteenth century. Thus it is only natural that these changes should have had a bearing on their identity and the way they related to their fellow townsmen. But the relationship between indigenous elites and the common folk also had long-term features that predated and outlived the impact of the central state. By definition, it involved inequality, hence diversity of interests on a wide range of issues. The elite's engagement with the central state may have contributed to this diversity, but it did not create it.

'Ayntāb's elite related to ordinary townsmen in multiple modes of interaction ranging from patronage and consensus to control and conflict that manifested themselves in the mundane encounters of everyday life. Whether consensual or controversial, most instances of interaction between the elite and ordinary people were woven into a canvas of asymmetrical power relations. This section turns to this asymmetry as a structural aspect of the relationship between the elite and commoners.

Court records reveal a wide array of disputes and transactions that offer a glimpse of the relationship between the powerful and ordinary people. They also shed light on a more fundamental aspect of the relationship between the two, namely the capacity of the powerful to make decisions bearing on the public and private lives of other townsmen. We will therefore study the town court as a major locus of decision-making in 'Ayntāb. It was here that most decisions that affected the town as a whole or its constituent communities were made, as were judicial decisions that established rights and facts concerning individuals. The town elite had an important role to play on both fronts. Matters of public relevance will be discussed in the last chapter, while the present one deals with the judicial process and the relationship between the town elite and the legal establishment.

Law, according to Bourdieu, is a cultural domain that 'constitutes' and 'consecrates' the social reality as is; therefore it is more closely related to the social world and relations of power than any other cultural field.⁴ It can be maintained that the connection between the

⁴ Pierre Bourdieu, "The Force of Law: Towards a Sociology of the Juridical Field," *The Hastings Law Journal*, 38 (1987), 838–39.

domain of law and the social world was probably even more transparent before the technocratic and depersonalized apparatus of the modern state came to control all aspects of the legal process, gradually eliminating the role of the local communities. Ottoman law, like premodern Islamic law and legal practice in general, involved a wide range of non-professional, private/communal mechanisms. The latter affected a case from the moment it spilled over into the official domain at the decision of either one or both of the parties concerned, from the summoning of the opponents to court to the conclusion of a trial and later on to the execution of a sentence. Undoubtedly the boundaries between public and private/communal authority and rights in the legal process varied in different periods and regions. Quite possibly, legal practice gave more weight to public (state) authority in big cities where anonymity prevailed over communal controls and state power was better established. Likewise, it is probable that Ottoman legal practice became increasingly centralized and depersonalized over time. Even so legal practice continued to include the community both in theory and practice, and seventeenth-century 'Ayntāb was no exception.⁵ But the community was not a homogeneous collectivity with a single will despite its illusory alias, the 'people of 'Ayntāb' (*ahālī*). It was in the way 'the people' acted as a legitimate and legally recognized entity that the asymmetry of power among different segments of the community manifested itself as a kind of custody that some enjoyed over the rest. Legal testimony was one such instance where social custodianship of the 'honorable' people of 'Ayntāb was reflected and reproduced on a daily basis.

The Legal Process

Witnesses and Court Attendants in Literature

As one of the most important components of the adjudication process under Islamic law, oral testimony cuts across a variety of research

⁵ Compare Peirce, *Morality Tales*, esp. Part III, and Haim Gerber, *Islamic Law and Culture, 1600–1840* (Leiden and Boston: E.J. Brill, 1999). Also, Boğaç Ergene, *Local Court, Provincial Society and Justice in the Ottoman Empire: Legal Practice and Dispute Resolution in Çankırı and Kastamonu (1652–1744)* (Leiden and Boston: E.J. Brill, 2003), 189–211, for a general assessment from the perspective of conflict resolution.

fields. Accordingly, it has been studied by legal historians, social historians and anthropologists from different perspectives, with different insights and different limitations. Legal historians were the first to note the importance of oral testimony, and discussed it under the general rubric of ‘proof’ and in relation to the role of written evidence in the legal process. They largely focused on the technical and theoretical aspects of the act including the moral qualities of the legitimate witness as were portrayed in legal manuals (*shurūt*). In a passing note, Tyan also referred to the social status of fixed witnesses, i.e. notaries, and remarked that they belonged to the dignitaries of the town, but his remark pertained rather to the social status of the profession itself than to that of the witnesses as individuals.⁶ The latter issue has however been taken up in recent scholarship. Both Johansen and Hallaq have pointed out the role of status in the choice of witnesses and the judge’s employment of their testimonies. In the ninth century, Hallaq tells us, a kadi’s aid in charge of finding reliable witnesses for the court was severely criticized for “dishonoring the institution of testimony” because he “allowed into the House of Justice people who do not belong to it, people who possess neither social standing nor property, such as tailors, grocers, etc.”⁷

Social historians made the same observation earlier. Lapidus’s findings concerning the witnesses’ status as members of the *a‘yān* in Mamluk towns were paralleled by Cahen’s observations about a previous period. In response to formalistic discussions by legal historians on the emergence of pre-certified witnesses, Cahen suggested a connection between the institution and political aspirations of the urban

⁶ Noel J. Coulson, *A History of Islamic Law* (Edinburg: Edinburg University Press, 1964), 125–26, 146; Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Oxford University Press, 1966), 192–94; Emile Tyan, *Le Notariat et le régime de la preuve par écrit dans la pratique du droit musulman* (Lyon: Université de Lyon, 1945), 16–45; *idem*, *Histoire de l’organisation judiciaire en pays d’islam* (Leiden: E.J. Brill, 1960), 236–52. For the Ottoman period, see, Abdülaziz Bayındır, *İslam Muhakeme Hukuku (Osmanlı Devri Uygulaması)* (İstanbul: İslami İlimler Araştırma Vakfı, 1986), 143–205. On *shurūt* manuals, see Jeanette Wakin, *The Function of Documents in Islamic Law: The Chapters on Sales from Tahawi’s Kitāb al-Shurūt al-Kabir* (Albany: State University of New York Press, 1972), 10–12.

⁷ Wael B. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005), 86–88; Baber Johansen, “Le jugement comme preuve. Preuve juridique et vérité religieuse dans le droit islamique hanéfite,” in *Contingency in a Sacred Law. Legal and Ethical Norms in the Muslim Fiqh* (Leiden and Boston: E.J. Brill, 1999), 435–45.

aristocracy. He argued that following the stabilization of Islamic rule in the old urban centers of the Middle East, the “bourgeois aristocracy and certain elements of the administration” might have attempted to reassert their former privileges and “define a superior category of men empowered/entitled to intervene in the affairs, here judicial, of their city.” He drew a further parallel with instrumental witnesses in the Roman Empire, where the function was reserved for members of small local *curiae* and where “status and being a witness were in tandem.”⁸

Among Ottomanists, Nagata was the first to point out the close connection between witnesses and notability, presenting testimony in the eighteenth century as a badge of *ʿaḡān* identity. The *ʿaḡān*, he noted, were “the prominent people of a *kaḡā* who were present as *ṣuhūdu’l-ḡāl* in the *kaḡā* council headed by the kadi.”⁹ Around the same time, Jennings came up with parallel observations. He found that notables figured prominently among the witnesses along with scholars, religious functionaries (*ulemā*) and officials, and he also questioned, rightly, why that should have been the case. As will be seen below, Jennings’ answer to this question revolved around the notables themselves. He argued that notables happened to be at the court more often than others because as men of wealth and status who would have a lot of business involving litigation, they had a personal interest and “[concern] with the fair and effective functioning of the court.”¹⁰ As will be seen below, he was probably right, not to mention the fact that many of them were present in and around the court because town affairs, too, were their ‘business’. What Jennings did not address was the nature of the process of testimony: the relationship between the legal process and the social world outside and the relationship between the witness and those who were affected by his/her testimony.¹¹

⁸ Claude Cahen, “A propos des *shuhūd*,” *Studia Islamica* 31–32 (1970): 78; Ira M. Lapidus, *Muslim cities in the Later Middle Ages* (Cambridge, Mass.: Harvard University Press, 1967), 80–81, 109, 264–65.

⁹ Yuzo Nagata, *Muḡsin-zāde Mehmet Paṣa*, 27.

¹⁰ Ronald C. Jennings, “Kadi, Court, and Legal Procedure in 17th c. Ottoman Kayseri,” *Studia Islamica*, 50 (1979): 143.

¹¹ Jennings, “Kadi, Court, and Legal Procedure,” 142–48; *idem*, “Limitations of the Judicial Powers of the Kadi in 17th C. Ottoman Kayseri,” *Studia Islamica*, 50 (1979): 161–63; Galal H. El-Nahal, *The Judicial Administration of Ottoman Egypt in the Seventeenth Century* (Minneapolis and Chicago: Bibliotheca Islamica, 1979), 16–24, 41.

The first question has been tackled from a cultural perspective by anthropologists. Specifically, three important works by Geertz, Rosen and Messick have linked judicial testimony with its cultural setting. Geertz and Rosen have highlighted the intermediary role of the witness and other informants as agents who communicated factual information into the courtroom in a form that was already culturally configured. This was a major means by which cultural priorities of the world outside the courtroom were transplanted into legal truths. Thus, testimony constituted the main part of the judgment and basis of a consensus on the 'justice' of the verdict.¹² Identifying an analogy between the role of the witness and that of the *hadith*-transmitter, Messick has placed the mechanism of legal testimony within a larger cognitive paradigm: that of the authoritative transmission of knowledge.¹³ Both authors have also observed that witnesses were largely prominent men in their communities, the legal implication being that their reputation was a constituent of the legal power of their utterances.¹⁴ However, the social implications of the representation of truth by prominent men have remained unexplored.

The present discussion of the witnesses of 'Ayntāb draws on all three approaches represented by legal and social historians and legal anthropologists. My discussion starts with an introduction to the institution of testimony in legal theory and practice. Then I examine procedural conventions in 'Ayntāb and the practice of witness recruitment. Finally, I turn to the identity of the witnesses and situate the practice of giving testimony in urban power relations.

For passing remarks, see Adnan M. Bakhit, *The Ottoman Province of Damascus in the Sixteenth Century* (Beirut: Librarie du Liban, 1982), 124–26, 129; Linda Schatkowski Schilcher, *Families in Politics*, 116; Marcus, *The Middle East on the Eve of Modernity*, 111–13, and most recently, Ergene, *Local Court*, 29–30.

¹² Clifford Geertz, "Local Knowledge: Facts and Law in Comparative Perspective," in *Local Knowledge: Further Essays in Interpretive Anthropology* (New York: Basic Books, 1983), 173–79, 189–94; Lawrence Rosen, *The Anthropology of Justice, Law as Culture in Islamic Society* (Cambridge: Cambridge University Press, 1989), 17, 20–23; Brinkley Messick, *The Calligraphic State, Textual Domination and History in a Muslim Society* (Berkeley: University of California Press, 1993); *idem*, "Literacy and the Law: Documents and Document Specialists in Yemen," in *Law and Islam in the Middle East*, ed. Daisy Hulse Dwyer (New York: Bergin and Garvey, 1990). Also Baber Johansen, "Le jugement comme preuve."

¹³ Messick, *The Calligraphic State*, 204–7, 229–30.

¹⁴ Geertz, "Local Knowledge," 194; Messick, "Literacy and the Law," 67–75.

Historical Background and Ottoman Usage

The primacy of oral testimony over written evidence in Islamic legal theory led to the institution of pre-authorized witnesses as early as the eighth century.¹⁵ Legitimate witnesses had to meet a set of physical, social and cultural criteria that pertained to their identity and the way they carried themselves in the world.¹⁶ Righteousness and justice (*ʿadl* or *ʿadāla*) topped the list of moral attributes expected of the legitimate witness, hence the terms *shāhīd ʿadl/shuhūd ʿudūl* or, briefly, *ʿudūl*, i.e. the righteous ones/witnesses.¹⁷ The *ʿudūl* acted both as circumstantial witnesses and instrumental witnesses. In the former capacity, they gave testimony regarding events or facts pertaining to a case, and in the latter capacity, they acted as witnesses to court proceedings. Some of the *ʿudūl* opened shops and assumed notarial functions outside the court, and began to act also as legal advisors to their clients, a practice that became common in North Africa and Andalusia. From the tenth century onwards, *ʿudūl* also took over some adjudicative functions and started directly handling minor cases.¹⁸

The institution of oral testimony in the Ottoman Empire has received rather limited attention so far. Until al-Qattan's contribution about a decade ago, el-Nahal and Jennings were the only two scholars who had devoted some attention to this topic. El-Nahal's and Jennings' studies demonstrated the basic continuity between the pre-Ottoman and Ottoman *ʿudūl*, but several details, for example, whether or not the Ottoman *ʿudūl* continued to act as notaries, could not be established with any certainty. Jennings pointed out that Ottoman *ʿudūl* were not a distinct and closed group as the medieval *ʿudūl* had been. Al-Qattan argued, in addition, that the institutionalization of

¹⁵ Cahen, "Shuhūd," 75–77; Hallaq, *The Origins*, 86–88; Tyan, *Histoire*, 238–41, 349, 361, 365; *idem*, *Le Notariat*, 12; Wakin, *The Function of Documents*, 6–8.

¹⁶ For a list of manners inappropriate for the *ʿudūl*, see Halebī, *Multaqa*, 2: 75; ʿAlī Efendī, *Fetāwā*, 1: 388–92; Feyzullah Efendī, *Fetāwā*, 292–99. For other periods, Schacht, *Introduction*, 125, 193; Messick, *The Calligraphic State*, 161–62; Mohamed S. el-Awa, *Punishment in Islamic Law: A Comparative Study* (Indianapolis: American Trust Publications, 1982), 125.

¹⁷ Even though the term *ʿadl* did not have the sense of 'religiously correct behavior' that the word 'righteousness' has, I prefer to translate it as 'righteousness' instead of 'uprightness' since the former has a stronger sense of justice and moral correctness. I thank Kevin Reinhardt for pointing out this nuance.

¹⁸ Wakin, *The Function of Documents*, 9–10; Tyan, *Le Notariat*, 17–18, 23, 39–40; *idem*, *Histoire*, 248–49; for later practices, see Lapidus, *Muslim Cities*, 137.

sicil-keeping under the Ottomans rendered the notarial functions of the *‘udūl* obsolete.¹⁹ Thus, both scholars pointed to the de-professionalization of the *‘udūl* under the Ottomans. Findings of this study support their argument.

As in earlier Islamic practice, there were two kinds of witnesses in Ottoman courts: instrumental witnesses (*ṣuhūdu’l-ḥāl*) who stood witness to the court hearing itself or its legality, and circumstantial witnesses (*‘udūl*), who gave testimony in support of the litigants. The latter were identified in the main body of the record and the former were regularly listed underneath the record. It will be argued here that a large majority of the *‘udūl* and *ṣuhūdu’l-ḥāl* were actually recruited from the same pool of ‘righteous men’.

A third group of legal agents, informants, are also included in the witness category in this study. Informants provided information (*istihbār*) on matters ranging from prices in the market to the character of the litigants, and were distinguished from *ehl-i vuḳūf* (men of cognizance) who testified in matters requiring expert knowledge. The majority of the cases in which informants were needed and identified by name did not require technical expertise. Thus, as ‘ordinary people’, they were called ‘Muslims’ (*müslimūn*) or ‘people’ (*ahālī*), but they were no different from the *‘udūl* in terms of the way they affected the outcome of a case. Informants were not always called upon to convey their first-hand knowledge of facts, but also reported hearsay and what was known or said by ‘everybody’ (*meṣhūr* and *mütevātir*). Such reports, according to Feyzullah Efendi, had to be preferred by the judge to counter-claims by individual witnesses.²⁰ Moreover, while *‘udūl* testified for the plaintiff, and occasionally, for the defendant, informants were brought in either when there was no individual plaintiff, i.e. when it was a public prosecution case, or after a plaintiff asked the court to investigate the behavior (or state/*ḥāl*) of his/her opponent. In that capacity, informants were evidently immune to

¹⁹ Al-Qattan, “Dhimmi in the Muslim Court,” 93. For the decrease in the independent authority of the *‘udūl* in Damascus and Cairo under the Ottomans, see Adnan M. Bakhit, *The Ottoman Province of Damascus*, 124, and Doris Behrens-Abouseif, *Egypt’s Adjustment to Ottoman Rule: Institutions, Waqf and Architecture in Cairo (16th and 17th Centuries)* (Leiden and New York: E.J. Brill, 1994), 72.

²⁰ Feyzullah Efendi, *Fetāvā*, 306–7. For the use of *tawātur* (unanimous report; hearsay) and *tasāmūf* (what is commonly known about something) as a source of information, also see Messick, *The Calligraphic State*, 180–81.

accusations of bias, and their testimony was considered to be more reliable than that of the witnesses.²¹ In addition, informants, too, appear to have been drawn largely from the same pool of men as witnesses. For example, in the two registers on which the analysis in this chapter is based, there are 189 informant entries. If one excludes multiple occurrences, these involve 157 persons of whom about a hundred appear in other cases as witnesses.²²

The 'Righteous' Witnesses in 'Ayntāb

Witnesses at Work. To understand the ways in which witnesses could affect other people's lives, one simply has to think of the endless variety of disputes and transactions that brought people to the *ṣerī'a* court, since oral testimony could determine the outcome of all kinds of cases. The witnesses were people who 'knew', above all, the 'proper place' of things. The primary meaning of 'adl/'adāla was just that: to put everything in its proper place (*her nesneyi yerlü yerince itmek*), which was a typically pre-modern idea of justice that went back to Antiquity.²³ Thus, for example, the 'udūl, the righteous witnesses, knew who was free and who was a slave, or who was of the *re'āyā* or 'askerī.²⁴ The latter question regarding personal status was a common source of dispute during this period due to the erosion of the timar system. Prebend-holders often sued urban residents claiming that the latter were their subjects (*bağlu re'āyā*) and had to be returned to their villages. In a typical such case, informants from the defendant's neighborhood would be summoned to testify that the person in question had been living in the town and paying his taxes for some decades. The defendant would, thus, escape deportation.²⁵

²¹ For standard litigation procedures, see Johansen, "Le jugement comme preuve," 435–40; Coulson, *A History of Islamic Law*, 124–25.

²² Another thirty may be added to this group, but common names make accurate identification difficult. Reg.# 39–40 (1689–93).

²³ The other meanings of the term according to the sixteenth-century Arabic-Turkish dictionary of Akhtarī were: "to level/even; the opposite of injustice/oppression, and to incline towards/have a propensity for". Akhtarī Muṣṭafā b. Aḥmad, *Akhtarī kabīr* (Bairūt: Dār Ihyā al-Turāth al-'Arabī, [1982?]), 2: 35–6. Roy Mottahadeh, *Loyalty and Leadership in an Early Islamic Society* (Princeton, NJ: Princeton University Press, 1980), 179.

²⁴ Reg.# 40/181/3, 182/3–4; Reg.# 39/148/3.

²⁵ Examples from this period, Reg.# 38/95/4; Reg.# 39/45/3; Reg.# 40/35/1; Reg.# 40/98/2.

Significantly, there was almost never a lack of informants to support the defendants in such cases, naturally so, since every additional resident helped ease the tax burden of the other residents in the short run.

In such disputes of social classification/stratification, records speak only of the most immediate stakes involved, namely, the tax burden. However, at least in claims of prophetic pedigree, clearly more was at stake. There is limited evidence about the process by which prophetic pedigree was locally established in ‘Ayntāb.²⁶ But evidence from other cities and Registers of the Imperial *Naḳībū’l-esrāf* indicate that oral testimony was crucial in establishing descent from the Prophet. For instance, in places where *sādāt* received allowances from government or waqf resources, if the name of one’s ancestors was not found in the allowance lists, testimony by witnesses to one’s reputation as a *seyyid* was sufficient to acquire the title *seyyid* and an allowance. Evidently, the witnesses did not even have to be *sādāt*.²⁷

The righteous witnesses also knew who had money and who did not, who was harmless (*kendi ḥālīnde*) and who was not, who bummed around (*kendi havāsında*) and who did not.²⁸ Whether testifying to actions or to character, they could get people in and out of prison or send them to the hands of the executioner.²⁹ They testified not only to the truth of allegations but also to the probability of an offense. Thus, for instance, an accusation of theft could be rejected or ‘proven’ depending on the informants’ opinion of the defendant—ultimately, of course, depending on the judge’s opinion of the informant’s opinion. Thus, when there was no eyewitness to a particular offense, character testimony of the informants was decisive.³⁰ In some

²⁶ Reg.# 39/107/2, local witnesses testifying to a claim of *seyyāde*.

²⁷ Necdet Sakaoglu, “Seyyidlik Sarığı Sarmak,” *Tarih ve Toplum*, 3/14 (1985), 38; Canbakal, “On the ‘Nobility’ of Urban Notables,” 39–50. Also see, Winter, *Egyptian Society Under Ottoman Rule*, 186, and Dror Ze’evi, *An Ottoman Century*, 73–74.

²⁸ Reg.# 39/83/5, 113/1, 154/2, 156/1, 159/4; Reg.# 40/164/2. Also see Işık Tamdoğan-Abel, “La réputation comme richesse dans la ville ottomane d’Adana au XVIII^e siècle,” in *Pauvreté et richesse dans le monde musulman méditerranéen*, ed. Jean-Paul Pascual (Paris: Maisonneuve et Larose, 2003), 41–43; and for a detailed study of the composition of the neighborhood delegations that prosecuted immoral behavior, see Abdul-Karim Rafeq, “Public Morality in 18th-Century Ottoman Damascus,” *RMMM*, 55–56 (1990), 191–94.

²⁹ Reg.# 39/55/2; Reg.#39/76/2; Reg.# 40/169/1.

³⁰ For the question of positive evidence, see below. For character testimony, Reg.# 39/78/2, 55/2, 76/2, 114/1, 118/1, 154/2, 159/4, 202/1; Reg.# 40/106/2,

cases, the transcription of their utterances clearly announced the verdict, as in ‘*izālesi vācibdir*’, i.e. “his removal—from the surface of the earth—is necessary”.³¹ There is of course no way of knowing whether this was exactly what the witnesses uttered. On the one hand, one could expect the witnesses to have been well-versed in the phraseology of the court if most of them were regulars of the court, as the evidence suggests. Such witnesses could also frame the facts in prescriptive legal terms, and their wording would have matched the transcription fairly closely. Furthermore, if modern practice is any guide in this matter, then regular court attendance was not the only way one could acquire the language of the court. Class and education were also instrumental in mastering that language. On the other hand, it is equally possible that the witnesses’ wording was substantially altered by scribes and given a legally recognizable form, often encountered in fatwas, in order to provide an unequivocal justification of the verdict. Such intervention in the transcription of the proceedings only highlights the importance attached to testimony since it attributes to witnesses what in modern legal culture one would expect to hear from the judge.³²

The Pool of Witnesses. The recruitment of witnesses in ‘Ayntāb was not a random practice. During the four years covering the period between 1689 and 1693 the court scribes of ‘Ayntāb registered 6,432 instances of testimony in two registers alone; these involved about a thousand individuals and included *ṣuhūdu’l-ḥāl*, *‘udūl* and informants (Table 4.1).

The number of those who appeared as witness in only one case in the two registers was 448. Thus, close to half of the identifiable witnesses (448/983) served in only one case, but these 448 instances of testimony represented less than 10% of all identifiable instances of testimony. In other words, in 90% of the instances of testimony

107/3, 164/2, 169/1. On prosecution, see Schacht, *Introduction*, 175–77, 189–90, 206–7; El-Awa, *Punishment in Islamic Law*, 1–64; Uriel Heyd, *Studies in Ottoman Criminal Law*, ed. V.L. Menage (Oxford: The Clarendon Press, 1973), 241–44; Emile Tyan, “Judicial organization,” in *Law in the Middle East*, eds. Majid Khadduri and Herbert J. Liebesny (Washington, D.C.: Middle East Institute, 1955), 259–63.

³¹ Reg.# 39/55/2; Reg.# 40/106/1.

³² On the relation between the oral and the written in court registers, see Tamdoğan-Abel, “L’écrit comme échec de l’oral?” 156–62; Ze’evi, “The Use of Ottoman Sharī’a Court Records as a Source,” 45–52; Peirce, *Morality Tales*, 101–6.

Table 4.1. Witnesses and Informants 1689–1693
(Muslim males with urban residence)

# of witness records	: 6,432			
# of identifiable records with patronymics or other identity markers	: 4,796			
# of identifiable names	: 983			
	Single Occurrence	Multiple Occurrence	Most Recurrent Witnesses*	TOTAL
# of people	448	535–689**	62***– ~100 (?)	983–1,137
% of all records	9.3%	90.7%	35%–?	100%

* Witnesses with more than ten court appearances.

** The lower figure indicates the minimum number of individuals in this category, and assumes 1 name = 1 person. Some common names represent more than one person, hence the higher estimate.

*** There are forty-eight more *names* that appear as witness more than ten times. Assuming one name represents one person, the total number of *people* in the category of most recurrent witnesses would be 110. Yet, there are not sufficient identity markers to isolate the number of occurrences associated with these individuals. Some may have given testimony more than ten times, and some, less than ten times. Hence the rough estimate for the maximum number of “most” recurrent witnesses.

(80% without summoners), the witness was someone who served in more than one case. Such individuals numbered between 535 and 689. Some families were distinctly active as witnesses. For example, Aḥmed b. Ramażān’s family, who founded a school/mosque complex in the early eighteenth century, were regulars of the court. Seyyid Aḥmed Çelebi, son of mufti Ramażān Efendi, appeared as a witness sixty times. His father, his paternal uncle, the *naḳībū’l-e-şrāf* of ‘Ayntāb, his brother-in-law, his nephew, and possibly his son, and his brother, all acted as witnesses more than once. The same was true of ‘Abdūlcelīl b. İbrāhīm’s family. Mollā ‘Abdūlcelīl Çelebi acted as a witness twenty-five times, and one of his sons, his uncle, his brother, and possibly his father, all gave testimony on more than one occasion.³³

³³ Reg.# 39–40, data-base.

Four or five witnesses had a very high number of court appearances (83–171 times), and all but one of these were summoners (*muhẓir*) who were present at hearings as court employees. A few others with a high number of court appearances may also have been court employees, but there were at least sixty-two individuals (with the likely addition of a few more dozen) who acted as witnesses more than ten times. It is highly unlikely that all of them were court employees. In the two registers from 1689 to 1693, only four people were identified as scribes. Similarly, there were only three court scribes in the *‘askerī* survey of 1697, and their number rose to eight in the eighteenth century.³⁴ Furthermore, the appointment of Meḥmed Başmacızāde in 1746 as the eighth scribe suggests that the office of the scribe was a prestigious one which was held by prominent men.³⁵ While scribes were remunerated, there is no evidence that regular witnesses in seventeenth-century *‘Ayntāb* received any pay.³⁶ In any case, if what Hallaq tells us about upper-class witnesses in the eighth century is any guide in this matter, remuneration did not necessarily have a negative bearing on social standing.³⁷

These figures strongly suggest that litigants did not necessarily rely on witnesses from their immediate social circles (friends, relatives, associates, etc.), but chose to bring in witnesses from a given pool of ‘righteous men’. Indeed, the recurrence of circumstantial witnesses (*‘udūl*) lends support to this interpretation because such witnesses were certainly brought to the court by the litigants themselves whereas the existence of a regular body of instrumental witnesses alone (*ṣuhūdu’l-ḥāl*) may be easier to explain away as an institutional component of the court and a technical exigency. The proportion of recurrent *‘udūl* to one-time-only *‘udūl* was very similar to the general pattern. In the two registers examined, there were 423 instances of circumstantial testimony involving 285–389 Muslim male *‘udūl*,³⁸ and in

³⁴ Reg.# 39–40, data-base; Reg.# 48A/167–61, *zī’l-ka’de* 1108/1697.

³⁵ Reg.# 104/262, *receb* 1159/1746, in Güzelbey, *GŞMSÖ*, 4: 45.

³⁶ Compare Bakhit, *The Ottoman Province of Damascus*, 126.

³⁷ Hallaq, *The Origins and Evolution of Islamic Law*, 88.

³⁸ The total number of female and non-Muslim *‘udūl* was nineteen.

80% of these cases the individuals involved acted on at least one other occasion as *ṣuhūdu'l-ḥāl*, informants, or again, as *'udūl*. Considering the fact that circumstantial witnesses were supposed to be eyewitnesses, a recurrence rate of 80% appears to be very high. Therefore, the recurrence of *'udūl* points to dynamics that were not exclusively judicial in a technical sense. As will be argued below, neither was the recurrence of *ṣuhūdu'l-ḥāl* a technical matter.

Undoubtedly, Jennings was right in maintaining that witnesses in Kayseri did not constitute a 'class'. Nor did they constitute a class in 'Ayntāb in any sense. But one cannot maintain in the case of 'Ayntāb that witnesses "simply held the office for a particular case" or that the size of the group was "almost endless."³⁹ While the preference of the court and the litigants for 'tested' witnesses seems to be clear, whether or not these 'tested' witnesses were drawn from an actual list of pre-certified witnesses as in pre-Ottoman times, and whether they also functioned as professional notaries, is more difficult to ascertain and it is, in any case, only partly relevant for this study. To start with the question of notarial services, it seems unlikely that there were a few dozen notaries in 'Ayntāb although it cannot be ruled out that some witnesses did indeed perform professional notarial services. As for the question of pre-certification, there is no evidence that a list of pre-certified witnesses existed in 'Ayntāb. Furthermore, there may not have been a need for pre-certification in a town the size of 'Ayntāb, since good reputation would have been town-wide; and the investigation of righteousness focused exclusively on a person's good reputation as argued by Messick in relation to Ibb in Yemen. "In such a community," Messick notes, "*adala* refers not so much to abstract moral qualities as to an individual's location in the social order and his record of public behavior." Thus the *'udūl* were drawn from a pool of reputable men according to what Messick calls "a marketplace theory of free circulation of witnesses."⁴⁰

³⁹ Jennings, "Kadi, court, and Legal Procedure," 143–45; *idem*, "Limitations," 162. Marcus, too, subscribes to the view that *ṣuhūdu'l-ḥāl* had an unstructured relationship with the court; they were "people with an interest in a case, neighbors and associates of the parties, and respectable residents who happened to be in the court that day for other business." *The Middle East on the Eve of Modernity*, 112.

⁴⁰ Messick, "Literacy and the Law," 70; *idem*, *The Calligraphic State*, 178, 208.

The Identity of the Witnesses. There can be little doubt about the good reputation of some of the witnesses we see at the court of ‘Ayntāb. Several important persons, office-holders, members of notable families are readily identifiable. Most of the witnesses, however, were people about whose identity we know nothing other than the fact that they were considered ‘honorable’, i.e. they were not addressed simply by name but had honorific titles. The majority of the witnesses bore titles: 69% of them in 1656–60 and 64% of them in 1689–93 (Table 4.2).⁴¹

Table 4.2. Honorifics Use Among Witnesses
(1656–1660 and 1689–1693)

	Witnesses with personal or both personal and paternal honorifics	Witnesses with only paternal honorifics	No honorifics	TOTAL
1656–1660	3,547	173	1,408	5,128
% of total	69%	3%	28%	
1689–1693	4,144	367	1,969	6,480*
% of total	64%	6%	30%	

* Includes 37 witnesses with rural residence

Honorific titles, by definition, reflected and reproduced social status. Some of them undoubtedly conveyed more prestige and power than others, while the majority also implied ‘*askerī*’ status: for example, *seyyid*, *āga*, *beg*, *beşe*, *mevlānā*, *efendi*.⁴² In other words, there was a large degree of overlap between informal and formal distinction, as discussed at some length in Chapter Two. The two most common titles in ‘Ayntāb registers, *çelebi* and *el-ḥāc/ḥācı*, were distinctly unofficial.

⁴¹ The only comparable figure I have found in the secondary literature pertains to eighteenth-century Damascus, where 73% of the neighborhood representatives who prosecuted moral offenses had honorifics. Abdul-Karim Rafeq, “Public Morality in 18th-Century Ottoman Damascus,” 191–94.

⁴² For a discussion of these titles, see Barkan, “Edirne Askeri Kassamına ait Tereke Defterleri,” 15–18.

They normally entailed no specific attribute, lineage or service associated with *‘askerī* status, but they were used by *‘askerīs* too, and sometimes without the accompaniment of any *‘askerī*-specific title.

The significance of titles was not historically fixed either. For example, if one looks at the titles of all the *‘Ayntābis* recorded in the court registers, the titles *‘celebi*, denoting high morality, erudition, noble descent and wealth,⁴³ and *efendi*, referring to religious scholars and functionaries, declined in popularity while the title *seyyid*, referring to religious and highest aristocracy, rose in a way that more or less matched the decline in *‘celebi* and *efendi* (Table 4.3). It is also possible that the vocabulary of social distinction became richer in the seventeenth century. For example, while the title used by those who had been to Mecca for pilgrimage in the 1500s was *hāci*, in the seventeenth century, it was replaced by *el-hāc* in popularity but it did not completely disappear. At the same time, *el-hāc* became so common that one is led to suspect that it no longer signified true pilgrimage.⁴⁴

Table 4.3. Occurrence of Honorifics in Court Records*

	1656–1660	1689–1693	Change
<i>seyyid</i>	342	878	157% +
<i>mollā</i>	382	624	63% +
<i>mevlānā</i>	35	55	57% +
<i>el-hāc</i> ⁴⁵	2,409	2,509	4% +
<i>beg</i>	573	377	34% –
<i>‘celebi</i>	1,485	990	33% –
<i>efendi</i>	909	609	33% –
<i>āga</i>	570	521	9% –
<i>beşe</i>	732	686	6% –

* Paternal titles included

⁴³ Demetrius Cantemir, *The History of the Growth and Decay of the Othman Empire*, (London: J.J. and P. Knapton, 1734–35), I: 44; Ettore Rossi, “‘Çelebi’ Kelimesi Hakkında Ebū Şu‘ūd’a Atfedilen Bir Fetva,” *Türk Dili Araştırmaları Yıllığı Belleten*, (1954): 12–13.

⁴⁴ Compare the sixteenth century cadastral survey, BOA, TT 373, and Yılmaz Kurt, “Adana’da 1572 Yılında Kullanılan Türk Erkek Şahıs Adları,” 179; Ergenç, *XVII. Yüzyılda Ankara ve Konya*, 143–45. For a similar observation concerning contemporary Kayseri. Faroqhi, *Men of Modest Substance*, 18.

⁴⁵ Includes *el-hāc* and *hāci*.

‘Ayntābi scribes took honorific titles seriously. A person who did not have a title was a “person called [so and so]” (. . . *nām kīmesne*). Several records introduced the parties in the case involved with these uncomplimentary words and none of those records intimated that these persons might be newcomers to the city or ‘unknown’ to the court for a similar reason. If a person had an honorific title, ‘*nām kīmesne*’ was dropped, implying that s/he *was* known. Accordingly, when titles were accidentally omitted, they were inserted later in the space between the lines, and in one instance, for example, when one of the parties in a case was introduced as a “person called [so and so]” by mistake, the phrase was crossed out and the person’s honorific title was duly inserted.⁴⁶ This care to inscribe distinction reflected the relevance of social status for the legal system since court records normally left out what the kadi and the scribes saw as judicially irrelevant.

As will be seen below, there are other indicators which suggest that social status was relevant not only in the context of the practice of testimony, but also for the legal system in general. But first, we need to put the above figures in perspective. The fact that about two-thirds of the witnesses bore honorific titles does not automatically mean that litigants had a special preference for such witnesses. Theoretically, a rate of 64–69% honorific title-bearing among witnesses may simply reflect the random distribution of titles in society, in which case it would be possible to maintain that witnesses who were not directly related to the case or the parties involved were drawn from among people who happened to be at the court. It is clear that we cannot extrapolate with any accuracy from the court records to society regarding such a question, but we can make educated guesses.

Table 4.4 indicates the distribution of ‘honorable’ and ordinary participants in the legal sphere. Among the various purposes that brought people to the court, property transactions, especially purchases, may be a fairly good index of the social distribution of honorific titles since no buyer would normally neglect to register a purchase. As the wealthy would tend to be over-represented among

⁴⁶ Reg.# 25/98/4.

Table 4.4. Court Clientele: litigation and transactions

	1656–1660	1689–1693
Plaintiffs	429	409
With titles	132 (31%)	152 (37%)
Defendants	356	369
With titles	144 (40%)	166 (45%)
Buyers	218	244
With titles	97 (44%)	144 (59%)
Sellers	283	254
With titles	77 (27%)	98 (39%)
Probate inventories		85 ⁴⁷
With titles		60 (70.6%)
Witnesses	5,128	6,469
With titles	3,547 (69%)	4,144 (64%)

the buyers, and people distinguished with honorifics tended to be wealthier than those without them, people with honorifics must have been less than 44% of the male population,⁴⁸ and possibly, about a third of the population, if we consider the distribution of titles among the litigants too, namely, 31–37% as plaintiffs and 40–45% as defendants.⁴⁹ These figures and estimates lead to the following observations regarding witnesses: while they may have constituted no more than a third of the population, men distinguished with honorifics represented twice as big a group among witnesses: 69% in 1656–60 and 64% in 1689–93. In other words, their presence in the courtroom as witnesses may not have been a random reflection of the distribution of ‘honor’ in society.

⁴⁷ Estates that belong to women have not been included.

⁴⁸ Figures for 1689–93 indicate a significant increase in the presence of men with honorifics in the property market but this is more likely to be due to the effects of the war on the distribution of wealth.

⁴⁹ The respective figures that emerge from Ergene’s study are 44,5% for Kastamonu and 41,8% for Çankırı. Ergene, *Local Court*, 67.

*Legal Experience and Status**An Equitable Space*

There is also reason to suspect that ‘honorable’ people had more reason to take their affairs to court than ordinary people. As was seen in the previous chapter, there was a correlation between wealth and prestige as reflected in the use of honorifics. Prestige—as symbolic wealth—also correlated noticeably with a favorable legal experience.

First of all, ‘honorable’ ‘Ayntābis were more successful litigants than commoners. In 1656–60, the scribes of the court recorded 429 names as plaintiffs in various kinds of lawsuits, and 132 of these plaintiffs bore honorifics. Three-quarters of these ‘honorable’ ‘Ayntābis proved their claim vis-à-vis their opponents whereas only half of the ordinary plaintiffs, 140 out of 297, succeeded in doing so. In 1689–93, the discrepancy was larger. There were a total of 407 plaintiffs, more than a third of whom were ‘honorable’ ‘Ayntābis. Again, nearly three-quarters of them won their cases whereas only a third of the ordinary plaintiffs did so (Table 4.4a–b). The discrepancy among the defendants was less clear-cut. In 1656–60, a total of 356 persons were sued, of whom 40% were ‘honorable’ ‘Ayntābis. The rate of acquittal among them was less than a third whereas 41% of the ordinary defendants came out of the court successful. Yet, the rate of success was again reversed in favor of the ‘honorable’ in 1689–93: nearly half of them as opposed to a third of the ordinary defendants were acquitted.

Furthermore, there were significant discrepancies of status among ‘honorable’ people as well. For example, the legal experience of the rank-and-file janissaries (*beşes*) was worse than that of the commoners. In 1656–60, 42% of the *beşe* plaintiffs and 15% of the *beşe* defendants won the lawsuits in which they were involved. In 1689–93, 63% of the *beşe* plaintiffs and 19% of the *beşe* defendants won their cases. In other words, the relationship between honorifics and symbolic capital could vary, as was the case with honorifics and wealth. Nevertheless, the rank-and-file janissaries were unique among title-holders in that they had already become a socially (and officially) suspect group, and whatever respect the title *beşe* may have commanded initially, it could not survive later sociolinguistic evolution as did *āga* and *beg*. The latter two were both occupational and

honorific titles like *beşe* and they continued to command respect without an occupational connotation while *beşe* disappeared altogether. Be that as it may, the difference between the legal success of people with and without honorifics was obviously higher if *beşes*, i.e. janissaries, were excluded from the count of honorifics. According to Ergene's findings, the way judges in contemporary Kastamonu and Çankırı meted out justice closely paralleled practices in 'Ayntāb.⁵⁰

The pattern of bias observed in litigation in favor of 'honorable' 'Ayntābis does not come as a surprise in view of the fact that Hanafi law itself was status-sensitive. In penal law, offenses that required disciplinary penalties (*ta'zīr*) were dealt with according to the status of the parties involved, and Ottoman jurists retained this principle. Jurists recognized four categories of people: the noblest of the nobles (*ashrāf al-ashrāf*), the nobles (*al-ashrāf*), the middle class (*awsāt al-nās*) and the lowly folk (*al-khasā'is*), and each group received a treatment that suited its status, which conformed to the idea of justice (*'adl*) as equity. Thus, the noblest of the nobles, such as religious scholars and descendants of the Prophet, were only notified (*i'lām*) that they

Table 4.4a. Rates of successful litigation (1656–1660)

	(A) cases with honorifics	(B) cases with no honorifics	TOTAL	(C) Rank-and-file janissaries (as part of (A))	(D) (A) without janissaries
Plaintiffs	132	297	429	19	113
% of total	31%	69%		5%	26%
Successful	97	140	237	8	89
cases					
Successful	73%	47%		42%	79%
cases as % of A, B, C or D					
Defendants	144	212	356	48	96
% of total	40%	60%		13%	27%
Successful	41	87	128	7	34
cases					
Successful	29%	41%		15%	35%
cases as % of A, B, C or D					

⁵⁰ Ergene, *Local Court*, 66–77.

Table 4.4b. Rates of successful litigation (1689–1693)

	(A) cases with honorifics	(B) cases with no honorifics	TOTAL	(C) Rank-and-file janissaries (as part of (A))	(D) (A) without janissaries
Plaintiffs	150	257	407	30	120
% of total	37%	63%		8%	29%
Successful	110	87	197	19	91
cases					
Successful	72%	34%		63%	76%
cases as % of A, B, C or D					
Defendants	169	200	369	31	138
% of total	46%	54%		9%	37%
Successful	76	70	146	6	70
cases					
Successful	45%	35%		19%	51%
cases as % of A, B, C or D					

were guilty; the nobles, “such as notables (*dahāqīna*),”⁵¹ were notified and brought to court (*al-jar*); the middle class, “that is people of the market (*al-sūqīyya*),” were notified, brought to court and imprisoned (*al-ḥabs*); and the lowly people were notified, brought to court, imprisoned and beaten (*al-darb*).⁵² In other words, it was an equitable system (*ʿadl*) administering justice according to everyone’s proper place, and typically pre-modern. There is no such systematic treatment of *taʿzīr* in the fatwa compilations used in this study, which is compatible with the nature of the fatwa genre. But the status of the offenders as well as of the victims is spelled out in a substantial number of

⁵¹ According to Johansen, *dahāqīna* referred to landowners and officials up to the early post-classical period, and according to the nineteenth-century jurist Ibn ʿAbidīn, it referred to heads of villages, merchants, and those who owned capital and real estate. Baber Johansen, “Eigentum, Familie und Obrigkeit im hanafitischen Strafrecht. Das Verhältnis der privaten Rechte zu den Forderungen der Allgemeinheit in hanafitischen Rechtskommentaren,” in *Contingency in a Sacred Law*, 398.

⁵² Abdullah Özer, “İslam Hukuk Literatüründe Taʿzīr Risaleleri ve Şeyhülislam Muhyiddin Mehmed b. İlyas Çivizade’nin Risale Müteallika bi’t-Teazir Adli Eseri” (master’s thesis, Marmara University, 2000), [12]; Johansen, “Eigentum,” 396–400; Ömer Nasuhi Bilmen, *Hukuku İslâmiyye ve İstilahatı Fıkhiyye Kamusu* (İstanbul: Bilmen Yayınevi, 1969), 3:11; Akgündüz, *Osmanlı Kanunnameleri*, 2: 23 quoting from Molla Hüsrav’s *Düer*.

fatwas, which makes it clear that an offense could not be dealt with in isolation from the identity of the parties involved.⁵³

The perennial question of Ottoman (and Islamic) legal history, namely, the degree of compatibility between law and the practice of the kadi, poses itself here too. Penal proceedings in particular remain more obscure because court records rarely specify the penalty meted out by the judge. Therefore, how the kadis of ‘Ayntāb and other places translated the principle of graded punishment into actual verdicts cannot be identified. Until new sources bring new evidence to light, we have to rely on legal commentaries and fatwas for clues regarding the cultural parameters of the legal sphere and social intercourse that the former was expected to honor and regulate. If, on top of that, kadis did follow the spirit of the law, and ruled a bastinado and imprisonment for some, and simply notified some others of their wrongdoing in a similar case, then there is reason to suspect that different classes of people as conceived in law may have had different feelings about the legal system.

The cost factor was also a possible deterrent for the poor as was most clearly revealed in their reluctance to register the estates of their deceased relatives. As Ergene has recently shown in the case of Kastamonu and Çankırı, the cost of registering probates at the court of ‘Ayntāb, too, was relatively higher for the poor than the wealthy—although the reason for this situation was more complicated than argued by Ergene.⁵⁴ For example, heirs of the wealthy, i.e. people whose wealth exceeded 1,000 *ğurüş*, consistently paid less than 2% of the value of the probate as court fees, and some paid as little as 0.5%. For the majority among the rest, the rate of court fees varied between 2% and 4%. The highest rate (11%) was paid by the heirs of a 117 *ğurüş* inheritance, i.e. one that was barely above the poverty line defined in this study. Two other legacies below 200 *ğurüş* were charged 10% and 5.41% each, and two others below the poverty line were charged 5.8% and 5.4% each. Even though small estates were at an advantage as the heirs were charged certain service

⁵³ Şun‘ullah Efendi, “Fī ta‘zīr,” in *Fetāvā*, Süleymaniye Library, Serez #1132, (n.p.); Çatalcalı ‘Alī Efendi, *Fetāvā*, 1: 145–63, 190, 192–93; Yeñişehrī Ebū’l-Fażl ‘Abdullāh, *Behcetü’l-fetāvā ma‘ān-nukūl* (İstanbul: Darü’l-ıbbā‘ati’l-āmire, 1849/1266), 145.

⁵⁴ Ergene, *Local Court*, 76–98.

fees at below the standard rates, fixed fees raised the cost of registration for such people to unreasonable levels.

In view of the status-sensitive cultural bias of the law and the case results at hand, possibly made worse by the cost of resorting to the court's services, it seems clear that the honorable, the noble and the wealthy would have had more reason to trust the local court, and take their cases there more readily. Conversely, the participation of the commoners in the legal system is likely to have been more limited and less willing.

Representation and Authority

No matter how often 'honorable' 'Ayntābis visited the town court for their personal business and ended up acting as *ṣuhūdu'l-ḥāl*, it is likely that they were also solicited to act as witnesses both in cases of litigation and transaction. They were probably called in to court in this capacity because what gave them an advantage in their own cases also helped whomever they testified for. In all likelihood, the court of 'Ayntāb was not unique in the Ottoman judicial system in favoring 'honor' and deferring to status. It certainly was not unparalleled in the pre-modern world.⁵⁵ More importantly, evidence today from such diverse places as the United States, Austria or Lebanon indicates that the identity of litigants continues to matter today, and legal processes favor the socially powerful. If the litigants are female, lower class or belong to an underprivileged race or ethnic group, the likelihood of their winning a case is lower than would otherwise be true. Similarly, litigants who present female or lower-class witnesses or witnesses with the 'wrong' skin color are more likely to lose a case.⁵⁶ In other words, the modern judiciary is marred by a

⁵⁵ Robert Shoemaker, *Prosecution and Punishment, Petty Crime and the Law in London and Rural Middlesex, c. 1660–1725* (Cambridge, UK and New York: Cambridge University Press, 1991), 201–16; Paul Rock, *The Social World of an English Crown Court, Witness and Professionals in the Crown Court Centre at Wood Green* (Oxford: Clarendon Press, 1993), 50–55; Sally Humphreys, "Social relations on Stage: Witnesses in Classical Athens," *History and Anthropology*, 1 (1985): 314, 322–23, 354; R.C. Van Caenegem, "Law and Power in Twelfth-Century Flanders," in *Cultures of Power, Lordship, Status, and Process in Twelfth-Century Europe*, ed. Thomas N. Bisson (Philadelphia: University of Pennsylvania Press, 1995), 160.

⁵⁶ Sandra Beatriz Hale, *The Discourse of Court Interpreting, Discourse Practices of the Law, the Witness and the Interpreter* (Amsterdam and Philadelphia: John Benjamins Publishing Company, 2004), 90–91; W. Lance Bennet and Martha S. Feldman,

power-bias for precisely the same sociological reasons as in pre-modern systems despite its claim to epistemic, hence, moral superiority.

The status of the legal agents mattered in a number of ways. Firstly, testimony in Ottoman 'Ayntāb in this period was probably primarily a moral act. As in Islamic legal practice in general and in contemporary European practice, the relationship between the witness and the litigant was one of representation. The process of presenting a witness was set up in such a way that the witness stood in court to confirm that the litigant was speaking the truth. Ottoman court records provide no information as to the role the witness played as an eyewitness, i.e. as a source of 'facts' about the case. In fact, we can trace 'facts' or circumstantial evidence becoming an issue in court procedure only in the case of investigation (*keşf*) reports which involved expert testimony or testimony by court appointees/employees who were sent out to examine the evidence. Absence of such information in other kinds of records does not mean that circumstantial evidence played no part in the legal process or that witnesses played no 'epistemic' role. In fact, the seventeenth-century jurist Ramlī argued that 'obvious appearances' carried greater weight as evidence than the testimony of one or two witnesses, but he did not make it mandatory for the kadis to examine the facts.⁵⁷ Be that as it may, positive evidence did not enter the records of the court proceedings in 'Ayntāb, and this appears to be significant in view of the fact that court records reduced most of the proceedings to legal formulas, and reflected what was seen as legally relevant and critical in every case. Thus, judging by the court registers, what appeared to be relevant for the legal process was that the witness, as the reputed and credible member of the community which he was, assured the judge that the litigant, too, was a member of the moral community and was

Reconstructing Reality in the Courtroom, Justice and Judgment in American Culture (New Brunswick: Rutgers University Press, 1981), esp. 26–33, 171–74; Cathie J. Witty, *Mediation and Society, Conflict Management in Lebanon* (New York and London: Academic Press, 1980), 130–31.

⁵⁷ Johansen, "Le jugement comme preuve," 440, and *idem*, *The Islamic Law on Land Tax and Rent: the Peasants' Loss of Property Rights as interpreted in the Hanafite Legal Literature of the Mamluk and Ottoman Periods* (London and New York: Croom Helm, 1988), 120. Ramlī was not the only Hanafi jurist who had a positive view of circumstantial evidence.

telling the truth.⁵⁸ Similarly, in transactions or acknowledgements (*ikrār*) of any kind, witnesses stood as surety for the efficacy and longevity of the transaction by virtue of their own social standing. As noted by Messick with respect to the document-writers of Yemen, witnesses underwrote the transaction with their personal honor and reputation, and helped frame it in a network of social obligations.⁵⁹ It is quite possible that in smaller places where the anonymity of the big city had not yet jeopardized communal integration, the ethical role of the witness was more prominent than his/her epistemic legal function.⁶⁰

The social status of the witnesses, like that of the litigants, also mattered because status had a bearing on their style—the way they carried themselves and spoke—and style had a bearing on the perceived credibility of the legal agent. Modern studies, again, tell us that the style of the powerful groups in society is more highly valued by the society at large as well as by the legal establishment which is represented by the judge, juries, and other professionals. This cultural bias has a moral implication which is critical for the legal system: for example, proper speech in the ‘standard’ language of the upper classes and, even better, in terms closer to the more specialized style of the court, not only locates the speaker socially, but also renders him/her more credible. In other words, status imparts veracity to one’s word, and consequently, middle- and upper-class litigants and witnesses today tend to receive more favorable verdicts.⁶¹

By the same token, the emphasis which this study puts on the socio-legal importance of the identity of the *‘udūl* may appear to disregard the importance of technical competence in legal matters.⁶² Technical competence was closely linked with education and experience, and may be seen as a self-evident justification for the elite’s

⁵⁸ Andrea Frisch, *The Invention of the Eyewitness, Witnessing and Testimony in Early Modern France* (Chapel Hill: University of North Carolina Press, 2004), 13–25.

⁵⁹ Messick, “Literacy and the Law,” 69–70, 74–75. See also Geertz, “Local Knowledge,” 194; and Lawrence Rosen, *Bargaining for Reality, The Construction of Social Relations in a Muslim Community* (Chicago and London: The University of Chicago Press, 1984), 125.

⁶⁰ Frisch, *The Invention of the Eyewitness*, 15–16.

⁶¹ See fn. 55–56.

⁶² Jennings, “Kadi, Court, and Legal Procedure,” 143.

prominent role in court. But it is quite possible that without a “corresponding *sense of being entitled and required* by status” to put this competence into use, technical skills were of limited value.⁶³ In that sense, the authority that the litigants would have sought in their witnesses was not founded on their being certified ‘*udūl* or certifiably ‘righteous’; on the contrary, the recognition of the witnesses’ ‘righteousness’ was founded on their socially recognized authority.

From a theoretical point of view, testimony was speech that generated obligations. In other words, it involved authority over others (*velāyet*), i.e. it involved *tahakküm* (dominion, control) and *sultān* (power, mandate).⁶⁴ *Velāyet* was directly related with social and political status. Therefore, creed, gender and freedom, the three most important identity markers in Islamic law and social thought, set the limits of *velāyet*, and consequently the range of situations in which one could exercise the authority of giving testimony. Thus, female testimony was not acceptable in cases involving offenses against the ‘Rights of God’ (*Huḳūḳ Allāh*), i.e. public cases; slaves could not give testimony against a free person until they were manumitted; and non-Muslims could not give testimony against Muslims unless they converted. Significantly, testimony by non-Muslims was limited in performative power even when it was for or against a non-Muslim if the opponent had Muslim witnesses.⁶⁵

Thus, social hierarchy and power relations were intrinsic to the way judicial testimony was conceived. The political dimension of testimony and *velāyet* was most clear in the case of *müste’mins*, i.e. protected non-Muslims who were temporarily resident in an Islamic land: they could not testify against a *zimmī* because a *müste’min* did not have *velāyet* over subjects of the Islamic state.⁶⁶ In brief, *velāyet* did not signify political authority alone, but it certainly included it. That is why the regulation of testimonial rights became a central issue for Tanzimat reformers later in the nineteenth century. As the

⁶³ Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Cambridge, Mass.: Harvard University Press, 1984), 409. Emphasis added.

⁶⁴ Akhtari, *Akhtari kabīr*, # 3213, Gaziantep Collection, KBYEK, 2: 442. Akhtari makes no distinction between *velāyet* and *vilāyet* in this particular sense.

⁶⁵ Feyzullāh Efendi, *Fetāvā*, 302–3.

⁶⁶ A *müste’min* could testify against a *müste’min* “if they [were] of the same land [*dār*],” for “difference of land disrupted authority (*dār iḥtilāfi velāyeti kaḳ’ ider*).” This indicates a clear sense of territoriality as opposed to religious community. Halebī, *Multakā*, 2: 76.

earlier Ottoman practice clearly clashed with the idea of equal citizenship, it had to be reformed before the political equality of male subjects could be established.⁶⁷

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Even though al-Kindī's story about the ninth-century kadi's aid who was criticized for recruiting people of no repute and property as witnesses had no direct parallel in legal texts, people of repute and property probably had had more "authority to act upon others" in popular perception, which reflected the status-sensitive nature of the law. Perception of social status was so important that it could jeopardize even the performative efficacy of testimony that was legally valid. For example, some medieval jurists thought that women's inferior social status, as perceived by litigants, would weaken the effectiveness of their testimony even in situations where their testimony was legitimate.⁶⁸

There is no basis to assume that views about the legitimate distribution of power among different social groups in seventeenth-century 'Ayntāb were the same as those in ninth-century Iraq. Yet, the hierarchical conception of testimonial authority as enshrined in legal texts was the same, and judging by the registers examined in this study, the principles based on this conception were never compromised.⁶⁹ Several findings of this chapter point to a clear resonance between social hierarchy and the legal process, which calls for a nuanced understanding of the actual accessibility and 'egalitarian' nature of the Ottoman judicial system.⁷⁰

⁶⁷ Niyazi Berkes, *The Development of Secularism in Turkey* (Montreal: McGill University Press, 1964), 167–68.

⁶⁸ Mohammad Fadel, "Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought," *IJMES*, 29 (1997): 192.

⁶⁹ Reg.# 38/56/5, *ṣa'bān* 1099/1687. Compare al-Qattan, "Dhimmi in the Muslim Court," 197–203.

⁷⁰ Compare Gerber, *State, Society and Law in Islam*, 55–56. See Ergene, *Local Court*, Chapter VI, for an insightful critique of the secondary literature on the legitimizing role of the Ottoman courts as dispensers of justice.

CHAPTER FIVE

REPRESENTATION AND DECISION-MAKING

Ğibta bahş bāğ-ı cennettir ‘Ayntāb
Silk-i behcetle müessesdir binā-yı ‘Ayntāb¹

“Agency/representation (*vekālet*) means to protect (*hifz*),” says Ḥalebī; it is the “substitution of someone for oneself” in attending to one’s affairs/interests (*maṣālih*).² ‘Honorable’ ‘Ayntābis frequently stood as substitutes for others, i.e. they acted as legal representatives (*vekīl*). Although *vekālet* in Islamic law did not involve advocacy in the sense of defense,³ it is possible that the identity of the representative, like the identity of the witness, contributed towards the defense of the person being represented. Therefore, the patterns of legal agency paralleled the patterns of testimony by *‘udūl*, the ‘righteous witnesses’. More than 80% (84/103) of the legal agents who appeared in court in 1689–93 also served as witnesses on other occasions.⁴ With a conservative estimate, at least sixty of these served as witnesses more than twice (58%), and assumed other public functions. In 49%–74% of the instances of agency, one cannot establish immediate kinship ties between the agent and the ‘client’.⁵ In nine cases, the agent served two different individuals, and three other agents served three different individuals. Thus, representing more than one person was not uncommon either.⁶ Considering how well-prepared some of the

¹ “‘Ayntāb is the envy of the gardens of Paradise/The edifices of ‘Ayntāb are made up of strings of splendor.” Anonymous, *Cönk* (Private Collection of Abdullah Özer), 42.

² *Multaḳa*, 2: 84–85. Also Feyzullāh Efendī, *Fetāvā*, 219: “*iqāmat al-ğayr maqama nafsihi taraffuhan aw ‘ajzan fi al-taşarruf al-shar‘ al-mā‘lūm*.”

³ Tyan, *Histoire*, 262–67.

⁴ There are fifty-three instances of agency involving Muslim men without patronymics and very few non-Muslims and women. These have not been included.

⁵ The wide range of uncertainty (49%–74%) here emerges from the fact that there are twenty-six cases where the ‘clients’ were women and the agents may have been their husbands or sons. Unless there are other identity markers, patronymics alone do not help establish kinship in such cases.

⁶ Compare R. Jennings, “The Office of the *Vekil* (*wakil*) in 17th Century Ottoman *Sharī‘a* Records,” *Studia Islamica*, 42 (1975), 166–68; also *idem*, *Christians and Muslims*

plaintiffs came to court, equipped with a fatwa and/or a royal order, it seems likely that the same men acted as unofficial advisors too.⁷

The role of the ‘honorable’ as *vek̄ils* was not limited to legal agency in individual cases. They stood in and acted for individuals on a more permanent basis, as in the guardianship of orphans or the mentally ill (*veṣāyēt*); for legal institutions, as in the trusteeship of pious endowments (*tevlīyēt*); and for collectivities, such as the neighborhoods or the town as a whole. More importantly, standing in for others meant more than spokespersonship: it involved a power over the represented through a transfer of rights, which included the right to decide on matters of direct relevance to the latter.

Running the endowments, handling their relationships with individuals or other institutions, acting on behalf of the townsmen in matters as diverse as moral conformity, security, tax allocation and collection, provisioning, fixing of weights and measures, and under specific circumstances, even the guardianship of orphans, were all aspects of urban administration. The involvement of the town elite in the execution of these and similar tasks, particularly during the eighteenth century, is well documented but it has rarely been explored in detail, and details can significantly modify our understanding of these functions and their political character.

This chapter looks into selected urban functions in order to explore the ways in which representation, decision-making and power were interwoven into the fabric of everyday life. The management of orphans’ money, endowed assets and the town’s collective affairs are examined as instances of resource management. All of these functions allowed the representative legitimate access to the resources of the represented, and the right to make decisions affecting them. That is why urban administration was a political function and predicated on power, which the term ‘urban administration’ itself implies only

in Ottoman Cyprus and the Ottoman Mediterranean World, 1571–1640 (New York and London: New York University Press, 1993), 82. In the latter work, Jennings also observed that plaintiffs who did not employ a relative as their agent “at least slightly” preferred to have as legal agents men who were of major local significance.

⁷ Some examples Reg.# 18/218/5; Reg.# 39/49/1, 50/2, 62/2, 117/2, 134/1, 159/2, 208/3, 220/1; Reg.# 40/104/1, 169/1, 179/1. On *vek̄ils*’ familiarity with law, Marcus, *The Middle East on the Eve of Modernity*, 107, 113. Marcus, however, maintains that agents were usually relatives and associates.

in a neutralized form. At the same time, the elite who were involved in decision-making in public matters constituted a political society at the local level, and this translated into a substitution in the political vision of Ottoman officialdom when it dealt with the ‘Ayntābis, and possibly, also in the vision of the ‘Ayntābis themselves: the elite not only represented the people of ‘Ayntāb, they were the people (*ahālī*).

Representing Individuals and Institutions

Orphans’ Assets

The protection of orphans in Islamic societies was an important theme that cut across the ethical and legal discourse. Theoretically, the kadi was the overseer of orphans’ affairs and could even appoint guardians (*vaṣī manṣūb*) to replace those willed by the deceased (*vaṣī muḥtār*) if the latter were a slave, non-Muslim or sinner (*‘abd, kāfir, fāsiq*). The appointed guardians, then, functioned as deputies to judges in managing orphans’ affairs.⁸ Little is known, however, about the actual practices regarding the protection of the orphans.⁹ Neither the extent to which public authority was involved in the management of orphans’ affairs nor the identity of the guardians has been systematically studied. Although there are several records in ‘Ayntāb registers involving the appointment of guardians by the kadi, this alone does not indicate that guardianship was primarily a non-private matter. It is true that in all instances, custody involved a public dimension in that all appointed guardians, down to the closest relative of the child, undertook an obligation vis-à-vis the public authority by accepting the appointment. Their acceptance was expressed by the term *ta’ahhiid* (engagement, contract) which was also used when accepting any public duty, such as the trusteeship of a waqf. From a legal point of view, custodians were indeed like waqf trustees in that they were entrusted with someone else’s money as well as their well-being. Therefore, they could be, and often were, asked to

⁸ Halebī, *Multaka*, 2: 285; ‘Alī Efendi, *Fetāvā*, 1: 333; Ömer Nasuhi Bilmen, *Hukukı İslāmīyye ve İstilahatı Fıkhīyye Kamusu*, 202–6.

⁹ Margaret L. Meriwether, “Adults and Minors in Ottoman Sharia Courts and Modern Law,” in *Women, the Family, and Divorce Laws in Islamic History*, ed. Amira El Azhary Sonbol (Syracuse, N.Y.: Syracuse University Press, 1996), 219–35.

account for it at the court.¹⁰ But it is those guardians who were unrelated to the children in their custody, custodians from among *‘udūl-u ecānib* (righteous strangers) as they were called on one occasion,¹¹ that will be discussed below. There is no doubt that the majority of appointed guardians were close relatives of the children in their charge. In a significant number of cases, however, kinship ties were not mentioned. This might simply be due to a scribal omission, but there is also evidence that it might not be. A few figures will be illustrative.

The court scribes of ‘Ayntāb recorded a large number of custody cases during 1689–93. Those that appear in the registers used in this study involved seventy-one *vaṣī*s of whom forty-eight are positively identifiable. Of the latter, thirty-eight individuals (~80%) were from among the ‘righteous witnesses’ of the court (Table 5.1). Evidently, sixteen of them were related to the children in their custody. Twenty-nine of them acted as witness more than twice and also appeared in other public roles at the court. Five of them were guardians to children who were not siblings.¹² Judging by the names, two of them appeared to be unrelated to the children. They were appointed for different reasons. In the first case, there was a legal dispute between the child and his uncle, so presumably the judge wanted an impartial *vaṣī*. In the second case, the original guardian was too poor and so the child was given to someone else’s custody. The new guardian el-Ḥāc Muṣṭafā b. Mūsā Çavuṣ was one of the regulars of the court: he gave testimony thirty-one times and acted as a legal agent three times in two cases to persons who were not his immediate relatives.¹³ One *vaṣī*, İbrāhīm b. ‘Abdullāh Bekmezzāde, who acted as a witness fourteen times, was the guardian of a non-Muslim child while the latter’s mother was still alive.¹⁴ He also had another child in his

¹⁰ Reg.# 172/109–110, *ramazān*, 1104/1693, the overseer (*nāẓir*), incidentally, one of the ‘righteous witnesses’, asking for a detailed account from the guardian, the child’s mother. Reg.# 38/56/4, *ramazān* 1099/1688, dismissal of a guardian due to abuse of the child’s money; ‘Alī Efendi, *Fetāvā*, 1: 334–35, on kadi orders regarding the accounts of the guardians.

¹¹ Reg.# 38/114/4, *rebī‘ūl-avvel* 1100/1688.

¹² Guardianship of more than one child: Reg.# 40/47/2, 49/3; Reg.# 39/205/3, Reg.# 40/77/1; Reg.# 39/215/1, Reg.# 40/76/2; Reg.# 40/19/1, 218/2; Reg.# 39/43/3, 111/1; Reg.# 40/99/2, 102/3.

¹³ Reg.# 39/86/4; Reg.# 40/198/4.

¹⁴ For cases of non-Muslims being represented by Muslims who “seem to be notables” in Sivas, see N. Bilge Özel, “Non-Muslims in Sivas at the End of the

custody. Likewise, custodian Meḥmed Çelebi b. el-Ḥāc Aḥmed also had no obvious kinship ties to the children whose custody he held. He was appointed as a *vaṣī* by the original *vaṣī*, the mother, to look after the “property and well-being” of the children in return for a daily salary of four *aḳçes*. This was a decent salary, higher than what most waqf trustees received.¹⁵ A certain ‘Oṣmān Efendi, too, received compensation (two *aḳçes* a day) as overseer (*nāẓır*) of the custodian.¹⁶ All these cases strongly suggest that the entrusting of orphans’ funds to prominent men, with or without compensation, was a common practice, and it seems possible to speak of ‘public custody’ in this sense.¹⁷

Table 5.1. Custodians and Trustees (1689–1693)

	No. of identifiable names	Also appeared as ‘ <i>udūl</i> ’
<i>Vaṣīs</i>	48	38 (79%)
<i>Mütevellīs</i>	39	33 (85%)

From a legal perspective, the *vaṣī* was a surrogate father (*kā’im-i maḳām*); therefore, her/his prime obligation was to protect the child’s interests and maintain the integrity of the child’s assets, seeing to it that there was a regular flow of cash for the child’s subsistence. To this end, s/he was engaged in various transactions like selling, buying, leasing, and money lending. If the child had not inherited any cash or income-generating property, part or all of his/her assets had to be converted to cash for the subsistence allowance (*naḳāka*). This money could be lent as capital to interested parties and the profit/interest thus obtained was used to pay for the child’s needs.¹⁸ It appears that in some cases, at least, the guardian was not the one

18th and the Beginning of the 19th Century” (master’s thesis, Boğaziçi University, 2002), 181–82.

¹⁵ Reg.# 39/43/3, 111/1; Reg.#38/203/2. It is possible that Meḥmed Çelebi had two other children in his custody, but his name does not allow positive identification. Reg.# 39/87/3, 174/2.

¹⁶ Reg.# 38/197/2, *ramaẓān* 1100/1689.

¹⁷ Meriwether has found that close to one tenth of all the guardians in eighteenth-century Aleppo were unrelated to the children. Meriwether, “Adults and Minors,” 228–29.

¹⁸ Halebī, *Multaḳa*, 2: 286–87.

who handled the credit operation, but gave the money to a money-dealer.¹⁹

To pre-empt possible abuses, the *vaṣī* was prohibited from borrowing from the child or engaging in business using the child's assets. Yet the latter's property could be pawned by the *vaṣī* as security for his/her own debt, and when the child grew up, s/he could not demand the assets back if the *vaṣī* had not paid off the debt. The custodian could buy part of the child's property, but it could not be for less than its worth. Or, s/he could sell his/her own property to the child, but again, for no more than its value.²⁰ Apart from these precautions, however, the law gave the *vaṣī* a free hand in managing the child's assets.

Despite the law, custodians actually did borrow from the funds they controlled, and there is no evidence in the court registers to suggest that this generated a legal controversy. The case of Ḥācī Meḥmed is revealing concerning the advantages of trusteeship and the vulnerability of orphans' assets. Ḥācī Meḥmed was the *vaṣī* of an orphan who had inherited 545 *ğurūṣ*. Meḥmed borrowed 300 *ğurūṣ* of this money himself while a certain el-Ḥāc İbrāhīm stood surety for him, and Meḥmed, in turn, stood surety for İbrāhīm, who borrowed forty *ğurūṣ*. More importantly, the rate of interest to be applied was 15%, that is less than the market rate of 20%.²¹

This was not quite what law books prescribed by way of promoting orphans' interests; nor was it a unique instance in which a guardian was seen to misuse his position. There were also many instances in which orphans' property was suspiciously underpriced in auctions. For example, vineyards that belonged to orphans and were sold in the period 1689–1693 were valued at 0.004–0.03 *ğurūṣ* per vine stock, which was considerably lower than the market value. Two exceptionally low-priced sales aside, the price in regular sales varied between 0.02 and 0.2 *ğurūṣ*, with an average of 0.09 *ğurūṣ*

¹⁹ Reg.# 39/113/2; Reg.# 40/38/1, 170/3, in these two latter cases the dealers were Armenians.

²⁰ Ḥalebī, *Multaka*, 2: 286–87. Other measures to protect the integrity of the child's assets, 'Alī Efendi, *Fetāvā*, 1: 197–98, on pawning, 278.

²¹ Reg.# 172/117, *zī'l-ḥicce* 1104/1693. Also Reg.# 38/115/2, *rebī'ū'l-evvel* 1100/1688, two consecutive custodians owing 100 and fifteen *ğurūṣ* respectively to the child. In Reg.# 26/229/3, *ṣābān* 1072/1662, the overseer (*nāzır*) was the largest borrower from the child's funds.

per stock.²² While the location and the condition of the property certainly affected the price, it seems unlikely that all those sold at auction happened to be inconveniently located and in a bad state.

In one such suspicious sale, the guardian sold a vineyard from the inheritance of the child in his custody for a dismal rate of 0.007 *ğurüş* per stock. Later, when the child reached puberty, the guardian refused to pay the thirteen *ğurüş* he owed him, and forced the youth to agree to a settlement (*sulh*) for four *ğurüş*, thus doubly cheating him.²³ In another instance, the guardian Aḥmed b. Ḥamza sold the vineyard of the child in his custody for a price of 0.02 *ğurüş* per vine stock.²⁴ Remarkably, the person who benefited from this convenient price, the buyer, was Meḥmed b. Ḥamza who might well have been Aḥmed's brother. Being the guardian, Aḥmed himself could not buy from the child. Expert informants testified that what Meḥmed paid was the 'ideal price' (*semen misli*) thereby legitimating the transaction. One of the informants happened to be Ḥamza b. Meḥmed, who was one of the 'righteous' of the court²⁵ and possibly, an agnate of both the guardian and the buyer.

Endowed Assets

Another institutional means of accessing others' resources in Ottoman towns was the administration of religious endowments. Özer Ergenç found that waqf trusteeships and controllerships (*neẓāret*) in sixteenth-century Anatolian towns were basically distributed among the notable families.²⁶ What we can say with certainty about the trustees in seventeenth-century 'Ayntāb is that trustees (*mütevelli*) were largely from among the 'righteous witnesses' (Table 5.1). Of the positively identifiable thirty-nine waqf trustees from 1689–1693, only six did not appear as witnesses or in some other legal or public roles, such as representing neighborhoods or acting on behalf of individuals. For

²² Reg.# 39/45/2, 57/2, 108/2, 132/1, 155/2, 179/1, 185/3; Reg.# 40/80/1, 172/1. Instances of suspiciously low prices for other kinds of property owned by orphans or debtors: Reg.# 39/217/1, Reg.# 40/38/2, 49/3, 52/2, 54/2, 98/1, 97/3, 100/1, 161/2.

²³ Reg.# 39/105/1; also Reg.# 39/60/3.

²⁴ Reg.# 39/43/3, 46/1, *sevval* 1100/1689.

²⁵ See Ergenç, "Osmanlı Klasik Dönemindeki 'Eşraf ve A'yân,'" 111 for *a'yân* appearing in the role of *ehl-i hübre* (persons of expertise).

²⁶ Ergenç, "Osmanlı Klasik Dönemindeki 'Eşraf ve A'yân,'" 110.

example Ḥamza Çelebi b. Ḥamza Efendi, seen in the previous chapter as an *ʿadl*, was also the trustee of the Mosque of İbn-i Eyüb. ʿAbdülḥalīm Çelebi b. Muştafâ, who acted as a witness twelve times, and once as a neighborhood representative, was the trustee of the cash waqf of the ʿAmmo quarter. El-Ḥâc ʿAlî b. el-Ḥâc Şemseddîn, the local (deputy) trustee of the waqf of Lala Muştafâ Paşa, acted as a witness five times and once as a representative in a tax dispute. Seyyid Muştafâ Çelebi b. Ḥâcî Nâşır, the trustee of the cash waqf of ʿAmmo, acted as a witness seven times and as a representative on one occasion. He also had two children in his custody.²⁷

Waqf ‘capital’ was private in origin—if one ignores the complicated status of the royal endowments—but most waqfs were public institutions. Firstly, they had inalienable assets. Secondly, waqfs financed and organized some of the most important public services which the pre-modern state could not or did not provide. Institutions of higher learning (*medrese*), worship and charity (mosques, convents, hospices, hospitals, soup kitchens), various urban and commercial utilities (fountains, water works, public baths, khans, caravanserais) were all maintained by waqfs. Therefore, waqf administration in any town meant more or less controlling the town budget allocated for basic public functions, all the more so in smaller localities where there were few or no foundations funded by outside donors, including the sultan himself. In seventeenth-century ʿAyntâb, there were three such establishments: one dervish hospice, which the royal family had inherited from pre-Ottoman times, and two major pasha endowments which were established in the second half of the sixteenth century. All other waqfs were founded by local townsmen, officials or civilians.

In addition to their involvement in the provision of public services, waqfs were also the only institutional participants in the money market. The cash generated from waqf assets could be lent by the trustee, and the interest that was earned was used to pay for various expenses of the foundation. Likewise, cash endowments that were usually designated for minor purposes such as the provision of a lesser service at an already operating large establishment found their way into the money market.²⁸

²⁷ Reg.# 35/57/2; Reg.# 39/56/2; Reg.# 40/62/1, 99/2, 102/3.

²⁸ For example, Reg.# 40/47/5, *zîl-hicce* 1103/1692, money endowed for Quran reciters in the Mevlevî convent.

In ‘Ayntāb, many of the cash endowments accumulated in neighborhood coffers called *‘awārīz* waqfs. These were usually endowments of small to moderate size (20–100 *gurūş*) designated for use by a particular neighborhood or a part of it (*bölük*), and their primary purpose was to help defray the tax burden of the neighborhood using the interest that the original endowment had generated.²⁹ *‘Awārīz* waqfs were more public in nature than most ordinary endowments in that they functioned like a bank where multiple funds/endowments were pooled. Thus, it is possible that no single donor had direct control over the endowment, for instance, through the appointment of the trustee. In all such instances, it was the ‘people’ (*ahālī*) of the neighborhood who chose the trustee/administrator (*mütevelli*) by consensus and it was they whom the donor would usually designate as the ‘gratuitous overseers’ (*hasbī nāzır*) of the endowment.³⁰

The total amount of funds controlled by the neighborhood trustees in ‘Ayntāb can only be conjectured. In 1692, for instance, the amount of credit lent by the neighborhood endowments in nine neighborhoods was 3,730 *gurūş*. This survey did not even cover all parts of the nine neighborhoods in question, and may not have included all of the funds that belonged to the endowments in question.³¹ If we were to ignore such irregularities and assume that the remaining neighborhoods, too, had comparable funds, then the total amount of money at the disposal of the neighborhood trustees would have been close to 20,000 *gurūş*, i.e. about twice as much as the annual yield of the royal *havāşş* in the district. This is a considerably large amount.

The management of these funds involved two sets of tasks: the first pertained to the allocation of the funds when collective needs were to be met and the second pertained to the way the funds were

²⁹ Ergenç notes with reference to the sixteenth century that these funds were used for other public purposes as well, such as the building or repair of neighborhood waterways, fountains, schools, mosques, or for payment of the salaries of the employees in these establishments. Ergenç, “Osmanlı Şehirlerindeki Yönetim Kurumlarının Niteliği Üzerinde Bazı Düşünceler,” 2: 1271. According to Barkan, these funds were diverted to other uses only later, in conjunction with the decline of the *‘awārīz* system. “Avârız,” *İA*, 1; 18.

³⁰ Reg.# 40/220/2, on the supervision of neighborhood credits by the ‘people’; Reg.# 25/152/1, *‘awārīz* endowment deed stipulating that the people of the neighborhood be the supervisor. Also İsmail Kurt, *Para Vakıfları, Nazariyat ve Tatbikat* (İstanbul: Ensar, 1996), 80; Ergenç, “Osmanlı Şehirlerindeki Yönetim Kurumlarının Niteliği Üzerinde Bazı Düşünceler,” 1271.

³¹ Reg.# 40/59/1–3, 60/1, 61/1–3, 62/1, 64/1–2, 220/1, dated *zîl-hicce* 1103/1692.

to be invested in order to secure the viability of the endowment. As will be seen below, the former was a political matter while the latter primarily entailed economic decisions, but both were open to abuse. As in the case of *vaḡīṣ*, whether or not trustees borrowed from the money which was entrusted to them is particularly relevant in this regard. Çizakça has shown in the case of Bursa that there was an increasing trend to do so among the trustees. More importantly, they lent the money they borrowed to bankers in Istanbul, where the interest rate was twice as high as in Bursa.³² A similar relationship may have existed between ‘Ayntāb and Aleppo, too, since the interest rate in ‘Ayntāb was 20% while it varied widely between 10% and 300% in Aleppo.³³ According to Bilmen, there was no legal impediment to such an undertaking if the kadi had first appointed a deputy trustee to look after the interests of the foundation and arrange for the credit to be given to the original trustee.³⁴ But it is not clear whether kadis did so or whether the trustees had a free hand, for example, like custodian Ḥācī Meḥmed who could borrow from the funds he was entrusted with at a rate lower than the market rate.

In brief, positions that gave access to others’ assets also entailed many opportunities for profiteering; therefore, they could turn into objects of competition.³⁵ This does not mean, however, that abuse of position and public trust was the rule. Nor does it imply that the religious-ethical duty of looking after orphans or taking good care of what theoretically belonged to God, i.e. waqf property, was irrelevant in practice. The human conscience appears to be resourceful when it comes to reconciling ethical ideals—such as caring for the needy or serving God and his community—with enjoying the opportunities and prerogatives that come with such service. How exactly the minds of ‘Ayntābi philanthropists worked falls outside the scope of this

³² Murat Çizakça, “Cash Waqfs of Bursa, 1555–1823,” *JESHO*, 38/3 (1995): 332–35, 347, 351. Also Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A’yān,’” 114–15.

³³ Marcus, *The Middle East on the Eve of Modernity*, 182–85; Masters, *The Origins of Western Economic Dominance in the Middle East*, 160–63.

³⁴ Bilmen, *Hukukî İslamiyye ve İstilahatı Fıkhiyye Kamusu*, 5: 76.

³⁵ Bakhit, *The Ottoman Province of Damascus*, 129–30, and Lapidus, *Muslim Cities*, 61, 77 give examples of conspiracies involving professional witnesses and aspiring guardians.

study.³⁶ The point to be underlined for our purposes here is the range of opportunities for self-interest that the ordinary mechanisms of the public domain offered. Even if we ignore ties of patronage or alliance, presence in the hub of the city and the access to the information nexus of the town which this afforded were assets to capitalize on. It may not be a coincidence that in half of the suspiciously low-priced sales cited above, that is six out of twelve cases other than vineyards that belonged to orphans, the buyers were ‘righteous’ and ‘honorable’ ‘Ayntābis who served as representatives and/or witnesses in at least one or two cases between 1689–93.³⁷

Representing ‘Ayntāb

Looking back from the nineteenth century at the *āyān* of the past, Muṣṭafā Nūrī Paşa characterized them as representatives (*vekāl*) of the people (*ahālī*).³⁸ In ‘Ayntāb too, the *āyān* represented their ‘constituency’ and controlled urban resources just as trustees and guardians represented and controlled foundations and orphans’ money. Encounters with the central state, particularly the process of tax management in the seventeenth century, constituted a domain where they were most visibly active as *vekāls*. The way they performed this function will be examined in detail below. Yet, the *ahālī* of ‘Ayntāb or its constituent communities did not exist only as a tax-paying entity. The *ahālī* bore rights and obligations, and undertook transactions as a collectivity that was more than a physical aggregate of the ‘Ayntābis.

Some of these rights and obligations were grounded in penal law and in the conception of the ‘people’ as an intermediate agent between private individuals and the state.³⁹ For instance, when the culprit in

³⁶ On notables, the duty of Catholic social responsibility and embezzlement of public funds, see Joanne M. Ferraro, *Family and Public Life in Brescia*, 156–60, 178–81.

³⁷ Also Reg.# 40/98/1, 97/3, 100/1, 161/2; Reg.# 39/132/1, 217/1. The buyer in the latter case bought another house to collect a debt in the same neighborhood, also through an auction.

³⁸ Muṣṭafā Nūrī Paşa, *Netāyici’l-Vukū’at*, 2: 283; Gibb and Bowen, *Islamic Society and the West*, I/1: 198–99, 256–57; Hourani, “Ottoman Reform and the Politics of Notables,” 40–41. While Uzunçarşılı also recognized the intermediary role of the *āyān*, he emphasized their official face, i.e. their execution of government orders. *Meşhur Rumeli Ayanından Tirsinikli İsmail*, 5–6.

³⁹ Hülya Canbakal, “Some Questions on the Legal Identity of Neighborhoods in the Ottoman Empire,” *Anatolia Moderna*, No. 10 (2004), 131–38.

a homicide case could not be found, the residents in the area where the killing had occurred were responsible for paying the blood money.⁴⁰ Therefore, when victims or their legal heirs did not want a neighborhood (or a village) to remain liable, they had to absolve the people of the neighborhood of any responsibility. Likewise, when a criminal case was to be subject to public prosecution due to the absence of a private plaintiff, as when an unidentified corpse was found in a neighborhood, the *ahālī* of the neighborhood themselves asked for an investigation in order to be discharged of any liability.⁴¹ This was a distinctly territorialized version of an ancient legal principle that regulated the use of space in the interstices of morality and the pre-modern technologies of social control.

Some legal acts where the ‘people’ appeared as an interested party were grounded in civil law although they pertained to the relationship between the representatives of the central state and the ‘Ayntābis. Thus, in transactions involving the transfer of money, goods or services from one side to the other, the ‘people’ and officials discharged (*ibrāʿ*) one another of further obligation as would happen in a civilian transaction. For example, in 1690, after he was given 4,425 *gurüş* for the *nüzül* and *sürsat* taxes of 1100/1688–89, the tax collector Hüseyn Ağa acknowledged (*ikrār*) the receipt of the money in the presence of witnesses, and the ‘discharged’ party, i.e. the ‘people’, were presented with a written record (*temessük*) of the act as a measure against possible future claims.⁴² Likewise, when state officials made payments for large purchases, for instance, when a pasha stayed in the area with his retinue, the ‘people’ acknowledged the payment and legally discharged the officials of further obligation.⁴³

In other acts, the ‘people’ of ‘Ayntāb and the ‘people’ of the neighborhoods appeared in a more active legal capacity. Purchase of property is an example of this. As noted earlier, the ‘people’ of ‘Ayntāb bought a mansion for the governor in 1647, and had a special budget called ‘*sarāy akçesi*’ (mansion money), possibly for the maintenance

⁴⁰ Heyd, *Studies in Old Ottoman Criminal Law*, 115–18, 128–29, 235; Canbakal, “Some Questions,” 132–35.

⁴¹ For example Reg.# 18/205/2; Reg.# 39/73/3, 137/2, 203/1; Reg.# 40/10/4, 36/2; Reg.# 25/187/1; 186/1 and others.

⁴² Reg.# 39/187/2, *saʿbān* 1101/1690; Reg.# 39/45/1, 60/1, 154/2, 159/4, 165/1.

⁴³ Reg.# 37/89/2, Reg.# 39/192/1.

of this particular building. In 1659, they bought another mansion for an unspecified purpose and a number of other houses, one of which they later sold.⁴⁴ They also appeared as an interested party in acts that can be characterized as contracts. One concerned neighborhood endowments (*‘avāniz waqf*) which were an important part of neighborhood life. The foundation deeds of these endowments usually stipulated that the benefactor should not participate in the *‘avāniz* tax share of the neighborhood. In other words, the philanthropic donor asked for a tax deduction from the beneficiaries instead of from the state. It would appear that the people of the neighborhood did not benefit from the endowment automatically in such cases. Instead, they explicitly stated their commitment to the conditions of the endowment, promising (*ta‘ahhüd*) that the donor would not be asked to pay taxes.⁴⁵

Another type of act that committed the ‘people’ to a certain course of action vis-à-vis individuals or the state, or individuals vis-à-vis the ‘people’ was the vow (*nezir*; Ar. *nadhır*). Technically, a *nezir* was a compact (*‘ahd*) between an individual and God which was used since pre-Islamic times to invoke divine intervention for a particular cause through a pledge of offerings or abstinence. Third parties could be made the beneficiary of the vow, thereby committing the vow-taker to a certain course of action in relation to the beneficiary. This possibility made *nezir* an instrument of contractual commitments in the public sphere.⁴⁶

One of the ways in which vows were used entailed a commitment on the part of the ‘people’ to keep order, maintain security or pay

⁴⁴ Reg.# 18/264/4, dated *rebī‘ü’l-ewvel* 1070/1659; 245/2, 247/4, dated [1070/1659–60]; Reg.# 28/192, (1072/1662) and others. See also Eleni Gara, “In Search of Communities in Seventeenth Century Ottoman Sources: The Case of Kara Ferye District,” *Turcica* 30 (1998), 136–41, 151. For the legal status of these transactions, compare Amnon Cohen, “Communal Legal Entities in a Muslim Setting, Theory and Practice, the Jewish Community in Sixteenth-Century Jerusalem,” *Islamic Law and Society* 3 (1996), 75–89, and Canbakal, “Some Questions,” 131–38.

⁴⁵ Various contracts involving neighborhood funds: Reg.# 25/28/1; Reg.# 39/165/1–2, 177/3; Reg.# 40/61/2; Canbakal, “Some Questions,” 135–38.

⁴⁶ *EI2*, 7: 846–47. On the political uses of oaths and vows, see Mottahedeh, *Loyalty and Leadership*, 42–72. On Ottoman practice, Hülya Canbakal, “Moral Obligation, Legality and Liability in Ottoman Public Life (17th–18th centuries),” (paper presented at the MESA Conference, Anchorage, November 2003); Işık Tamdoğan, “Le *nezir* ou les relations des bandits et des nomads avec l’État dans la Çukurova du XVIII^e siècle,” in *Sociétés rurales ottomans*, eds. M. Afifi et al., (Le Caire: IFAO, 2005), 1–11.

taxes, and to pay a kind of fine if the pledge was violated. This version of public vows, which seems to have gained currency in the seventeenth century, was like a new consensual method of taxation. For example, in 1660, after Abāza Ḥasan Paşa's revolt was suppressed, the deputies (*vekīls*) of the 'people' of 'Ayntāb took an oath to denounce his defeated followers. In 1689, again the *ahālī* vowed to denounce campaign deserters and pledged to pay 2,500 *ağçes* (~ 20 *ğurūş*) per neighborhood to the government should they breach the vow.⁴⁷ There were also other types of vows that can be characterized as public vows in that they involved issues of concern to the public and commitments in relations between collectivities and individuals. The latter were often people who claimed or enjoyed some power in the public domain. These vows seemed to reflect the will of the 'people'. For example, someone would vow that he would never "meddle in the affairs of the province" or that he would never become the head of butchers (*kaşabbası*) again: "if I do, and if the kadi, whoever he is at that time, does not collect my fifty *ğurūş nezīr*, I will hold him responsible on doomsday."⁴⁸

In brief, *nezīr* was not just an ingenious new way of taxing the populace, but a multifunctional means of creating obligation in public life, and it was not the only one. Be that as it may, there is no indication in the case of 'Ayntāb that the money pledged was ever collected, which makes these vows all the more interesting from a legal and political point of view. In fact, the legal status of all these transactions calls for further research since the status of the 'people' as a legal agent itself remains unclear, while the transactions themselves all seem to stand in the hazy domain between communal morality and state-sponsored legality. What stands out for our purposes is that all the acts referred to so far required some form of agency: some individuals to stand in physically for the 'people' of 'Ayntāb, i.e. some individuals to embody the 'people'. In all of the cases concerned, it was members of the town elite who appeared in court records as the 'people' and it was their acts that imparted a quasi-legal personality to the town.

⁴⁷ Reg.# 18/258/1, *cemāzīyü'l-āḥır* 1070/1660; Reg.# 37/89/1, dated *rebī'ü'l-āḥır* 1100/1689; also 75/1, dated *cemāzīyü'l-āḥır* 1100/1689.

⁴⁸ "... [K]iyāmet gūni iki elim yakasındadır." Reg.# 35/2/1; also Reg.# 40/17/1 *receb* 1103/1692; Reg.# 40/207/3, dated *receb* 1104/1693; Reg.# 41/152/1, *cemāzīyü'l-evvel* 1103/1692.

For example, when the state (*mīrī*) sold “to the people of the quarter” (*maḥalleli üzerine*) houses that had been confiscated from the followers of Abāza Ḥasan Paşa, eleven names appeared as ‘people’ of the quarter. Seven of these had definitely appeared in a public/legal capacity during the three years preceding the act.⁴⁹ ‘Abdüsselām Çelebi was present as a neighborhood and town representative in collective appointments, and as an informant and a witness in nearly thirty cases; Ḥanefī Efendi was an informant and a witness; el-Ḥāc Ḥızır was a town representative, a spokesman for breadmakers and a witness; el-Ḥāc ‘Alī was a neighborhood representative in an *‘avānız* case and probably a town representative in another case; the other el-Ḥāc ‘Ali (b. Ḥüseyin) was a witness and a legal agent (his son was also probably a witness); el-Ḥāc Ebübekir Beg, the *şeyh* of shoemakers, was a legal guardian (possibly for a non-relative), a town representative and a witness; Ḥamza was a town representative and possibly a witness.⁵⁰

Likewise, the ‘people’ in whose presence Ḥüseyin Ağa acknowledged his receipt of that year’s *nüzül* and *sürşat* and whom he freed of further liability were el-Ḥāc ‘Alī b. Meḥmed Efendi and el-Ḥāc Meḥmed and el-Ḥāc ‘Arab b. el-Ḥāc İbrāhīm brothers. El-Ḥāc ‘Alī was a ‘righteous’ witness with at least six court appearances between 1689–1693. Two of these instances involved matters of town-wide importance. He also appeared as a neighborhood representative in a tax waqf case and, possibly, acted as a legal agent for more than one person, of whom one was a non-Muslim. El-Ḥāc Meḥmed and el-Ḥāc ‘Arab brothers served consecutively as *bazarbaşı* (head of the merchants) during those years and appeared in dozens of cases as witnesses.⁵¹

Decision-Making

Representing ‘Ayntāb in such legal acts or in more conventional encounters with local officials or authorities in the capital involved more than spokespersonship alone. In other words, it did not consist

⁴⁹ Reg.# 18/245/2, 247/4, dated [1070/1659–60].

⁵⁰ Reg.# 18/237/2, 267/2; Reg.# 25/14/2, 112/1, 124/1, 124/4, 132/2, 151/4, 200/3. Appearances as witness not included.

⁵¹ Reg.# 39/187/2, *şābān* 1101/1690; Reg.# 39/45/1, 60/1, 154/2, 159/4, 165/1.

of conveying to higher authorities or other parties opinions, needs, requests or complaints that were identified and articulated independently of the representatives. There was a wide range of decisions to be made locally about the day-to-day functioning of the town and its resources. Some of these decisions were distinctly economic. Lack of standardization in weights and measures, for instance, left this administrative task to the local elite. Thus, it was with their ‘common consensus’ that in 1683, the weight (or scale) used in the commercial district of Araşa was adjusted to match four Aleppan *batmāns*, a decision that also reminds us of the economic unity in the region.⁵² Likewise, the elite as representatives of the people, together with the kadi and the market intendant (*muhtesib*), were involved in fixing the exchange rate of the currency and prices as well as in determining the timing of the harvest on which also depended the beginning of annual taxation.⁵³

They also allocated posts. Several officials were chosen (*ihtiyār*) and appointed “with the consensus and intervention of the *āyān* and *eşraf*.” These included waqf employees or trustees if none were identified in the endowment deed, and other officials who served either the town as a whole or particular neighborhoods, such as *menzūlcis*, the town warden (*kethüdā*) or tax collectors.⁵⁴ When two individuals competed for a post, being the elected one (*muhtār*) and having the *āyān*’s approval played a decisive role in who was to obtain the post. The capital deferred to the local decision if approached for intervention in such disputes: the person “who was better and more useful, and enjoyed the consent and gratitude of the *āyān* of the town” should keep the job.⁵⁵ Even for military posts that were

⁵² “[C]ümle *āyān-ı vilāyet iktifākıyla taşhīh*.” Reg.# 39/239/4 [1101/1689–90]. Also for ‘Ayntāb *kālesi*, Reg.# 38/37/5, *receb* 1099/1688. Both *batmān* and *kāle* widely varied in different parts of the empire. Halil İnalçık, “Weights and Measures,” in *An Economic and Social History of the Ottoman Empire*, eds. H. İnalçık and D. Quataert, Vol. 1 (Cambridge: Cambridge University Press, 1997), xxxvii, xl.

⁵³ Reg.# 35/1/2 [1095/1683–84]; Ze’evi, *An Ottoman Century*, 144. Also see Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A’yān,’” 111.

⁵⁴ Reg.# 39/140/2, 203/4; Reg.# 40/45/3, 64/2, 184/2; Reg.# 25/79/2, 124/4; Reg.# 18/241/3. Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A’yān,’” 109–110. For supervision of the appointees and their removal from office, Reg.# 25/192/2; Reg.# 39/203/4.

⁵⁵ “[A]yān-ı şehir kangısuñdan nızā’ ve şükran üzere ise.” Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A’yān,’” 110. For a similar eighteenth-century order concerning the appointment of a deputy governor, see Thieck “Décentralisation ottomane,” 120. Also Reg.# 37/107/2, *rebī’ü’l-evvel* 1100/1689.

dispensed from the capital local consent counted as early as the sixteenth century, and later in the eighteenth century, when the government instituted the office of the ‘Head *A‘yān*’, it was the local elite again who decided who would occupy the office from among themselves.⁵⁶

These were some areas of governance that the imperial center did not intervene in directly. But even in matters that were directly decided in the capital, it was the local authorities who decided how to execute the orders. As will be seen below, this could make a big difference for all those who were affected.

Tax allocation. Much of what we know about taxation in the Ottoman Empire is limited to the management of the central treasury, types of taxes and changing flows of income from various sources. We have scanty information on how taxes were assigned to individual payers, how they were collected and how disputes were handled. These questions are particularly relevant for the seventeenth and eighteenth centuries, when lump sum (*maḳtu‘*) taxes became more common. Unlike the poll tax, the tithe and various urban and rural dues that involved fixed amounts or rates per payer or transaction, these taxes required a substantial degree of local initiative at different stages of the taxation process. First, local initiative could reduce the overall burden of the town and the district, for every tax-house register was drawn up with the “accord and intervention of the people” of the province or, alternatively, the “accord and intervention of the notables of the province and the humble subjects” was invoked.⁵⁷ On one occasion, ‘Alī Paşa, who was in charge of the *nüzul* and *sürşat* taxes in 1690, was thus persuaded to write off fifty tax-houses on the grounds that some were ‘ruined’. This resulted in a 10% tax cut in that instance.⁵⁸ The people who were involved in the process

⁵⁶ Ergenç, “Osmanlı Klasik Dönemindeki ‘Eşraf ve A‘yān’,” 112, notables registering their choice of a commander at the court; Özkaya, *Osmanlı İmparatorluğunda A‘yānlık*, 121–22, 244, 307; on the process of ‘election’, İnalcık, “Centralization and Decentralization,” 47.

⁵⁷ “[C]ümle a‘yān-ı vilāyet ve fuḳarā-yı nahiyet . . . ittifāk ve ma‘rifetleriyle.” Reg.# 37/105/1, dated *şevvāl* 1100/1689; “. . . ahālī-yi vilāyet ma‘rifetleriyle.” Reg.# 37/46/3, *muharrem* 1100/1688. Also Reg.# 37/12/4, dated *rebī‘ü’l-evvel* 1099/1688; Reg.# 39/7/1, *şefar* 1101/1689 and others. On the language of petitions, Faroḳhi, “Political Activity,” 7–13.

⁵⁸ Reg.# 39/233/1, dated *şabān* 1101/1690. On such negotiations, Suraiya Faroḳhi, “Town Officials, Timar-holders and Taxation: The Late Sixteenth-Century

before the tax collector thus functioned like the *‘udūl* of the town before the kadi. They knew “what could be collected” (*tahṣīlī mümkin*) and their knowledge was counted on by their fellow townsmen as much as by the officials. For example, in 1661, when a group of villagers from the district of Būrc requested that their tax assignment of 1.5 *ḥānes* be reduced to 0.5, for they could not afford to pay more, they also specified that the discounted *ḥāne* be assigned to the “unregistered new neighborhood nearby the Keyvān Bath” in ‘Ayntāb. Such a well-crafted petition could not have been written without the proper coordination of local knowledge.⁵⁹

Both of the cases above ultimately involved tax claims of the central state and the urban elite’s role as mediators and representatives in negotiating better terms for the local people. As already noted, however, mediation and championship of local interests was not the only role they played in the tax management process. The distribution of assignments and collection were completely domestic matters and the notables had a large degree of discretion in that domain. The *‘awānż* taxes required at least a two-step distribution: first, the distribution of the burden among neighborhoods and then, among households. In ‘Ayntāb, there were also sub-neighborhood divisions called *bölük* (lit. a division or a group of people), which added another layer of decision-making to the distribution process.

In all likelihood, those who decided how many tax-houses each neighborhood, *bölük* or village was to bear (*tahammül*) usually sought to maintain a balance in accordance with the resources of these residential units. For example, in April 1698, when they distributed a levy for the accommodation expenses of Yūsuf Paşa and other needs of the town, only a few villages were included in the levy, and these were identified as “some villages that can afford to pay.”⁶⁰ But it is not always clear how the principle of equity worked if indeed it did in every case. For example, the *‘awānż*-house count of 1689 was considerably lower than the previous one probably due to population loss in the aftermath of the general levy. There was, however, no correlation between the number of men conscripted in a neighborhood and the reduction in tax-houses in the neighborhood. In some

Crisis as Seen from Çorum,” *Turcica*, 18 (1986), and Thieck, “Décentralisation ottomane,” 121, 126.

⁵⁹ Reg.# 26/268/3, dated *zīl-kāde* 1071/1661.

⁶⁰ “[B]aḫ tahammüli olan kūrā”. Reg.# 49/179.

neighborhoods, one tax-house was deducted for every three men recruited (3:1), in others, it was one for every seventeen men (17:1), while the tax burden in some neighborhoods was not at all affected by the levy.⁶¹

Another case involving the villagers of *Qızılhişar* was more complicated and demonstrates more clearly the authority of policy-making that the ‘people’ of ‘Ayntāb wielded. The village had paid 260 *gurūş* for the *sürşat* and *beldār* taxes in the year 1686–87, but the villagers also lodged and provisioned inspector *Halil Paşa* and his retinue. Since the distribution of the tax burden among the villages was also decided by the ‘people’ of ‘Ayntāb, in this case, they counted the provisioning of the troops towards the *sürşat* and *beldār* share of the village.⁶² Therefore, the villagers wanted their 260 *gurūş* back. However, they did not succeed because the money had already been redistributed among those whose grain cellars had been ‘unjustly’ broken into by some of *Halil Paşa*’s men. The decision to do so was taken “with the consent (*riżā*) of the people of the province.” Thus, as far as the state was concerned, *Qızılhişar* did not pay any *sürşat* or *beldār* that year, which was legitimate on the basis of ‘the people’s’ decision, which itself was based on a legitimate reason. *Qızılhişar* actually paid the two taxes, however, and the ‘people’ of ‘Ayntāb deemed it fairer to use that money to distribute the burden of the damage caused by *Halil Paşa*’s stay equally among the villagers. From a different point of view, they chose to subsidize the owners of grain stocks by overtaxing ordinary villagers. Whether the measure served everyone or just a few people, the resource transfer that was thus effected was an instance of ‘public finance’ par excellence. In a parallel but less complicated instance, the money which was collected to meet the expenses of a pasha’s visit was found by ‘the people’ to be more than required, and put aside for future needs.⁶³

In urban ‘Ayntāb, the tax load also had to be distributed among *bölüks* which appear to have emerged in the seventeenth century, probably, in response to the new tax regime. The interchangeable

⁶¹ Reg.# 37/12/4, *rebī‘ü’l-ewvel* 1099/1688; 80/1, *ramazān* 1100/1689; 105/1, *şevvāl* 1100/1689.

⁶² “[Ç]ok me’ūnetimiz olup ahālī-yi ‘Ayntāb āña şayup . . .” Reg.# 38/84/1, *muḥarrem* 1100/1688.

⁶³ Reg.# 37/46/3, *muḥarrem* 1100/1688. For a similar example, see Anastasopoulos, “Imperial Institutions,” 54.

use of the words *bölük* and *hâne* (tax-house) in some contexts as well as the existence of cash waqfs that were allocated to individual *böliüks'* collective expenses suggest a clear connection between tax liability and the *bölük*.⁶⁴ But *böliüks* were not all the same size and did not always overlap with the *hâne*, which simply referred to a household at times. Thus, a *bölük* could be as large as five *hānes* or as small as one, and it could change in size with new additions or mergers.⁶⁵ In view of this organizational diversity, tax management within the neighborhoods, too, was hardly a simple or standard process.

In addition, the *'avānız* system itself was graded and involved three categories of wealth: *a'lā* (highest), *evsaṭ* (average), and *ednā* (lowest).⁶⁶ Thus, the wealth of every taxpayer had to be assessed first. More importantly, the three categories of wealth/liability that were officially prescribed probably reflected the spirit of the law alone. In reality, there were many more intermediate categories or no categories at all. For example, the tax share of one of the *böliüks* in 1657 was divided between five households (20% each). A sixth household joined in and agreed to pay a quarter of the whole amount, thus reducing the share of the others to 15%. The allocation of these rates had no correlation with the official rates.⁶⁷ The management of other expenses could involve an even more complicated classification. For example, in 1696, when an ad hoc tax had to be collected in order to finance the citadel guards being dispatched to the front, four major rates of payment were applied. There were forty-four households in the citadel that were liable. Thirty-four of them paid at these four rates, and each of the rest (that is about one fourth) paid different amounts, anywhere between one and a half and thirty *gürüş*.⁶⁸ In other words, the official rates were taken as a guideline

⁶⁴ Reg.# 25/65/4, dated *şefar* 1068/1657; also Reg.# 40/62/1, [1103/1692]; Reg.# 40/15/1, dated *receb* 1103/1692. *Bölük*-specific endowments: Reg.# 25/71/3, 1068/1657–58; Reg.# 40/61/3, 62/1, 64/1–2, 161/4 1103–4/1692–93; Reg.# 53/298/1, 1115/1703–4, and others. The only comparable division within neighborhoods in sixteenth-century cadastral surveys was *zükāks* (a street or a small quarter). Özdeğer, *Onaltıncı Asırda Ayıntâb*, 123. The term was used in the sense of 'neighborhood' in fifteenth-century Keşan. M. Tayyib Gökbilgin, *Rumeli'de Yürükler, Tatarlar ve Evlād-ı Fâtiḥân* (İstanbul: İstanbul Üniversitesi Edebiyat Fakültesi, 1957), 25.

⁶⁵ Reg.#38/161/1, *cemāzîyü'l-evvel* 1100/1689; Reg.# 39/177/3, dated *şabân* 1101/1690.

⁶⁶ Barkan, "Avānız," *İA*, 1: 15.

⁶⁷ Reg.# 25/65/4, dated *şefar* 1068/1657.

⁶⁸ Reg.# 43/128/2, dated *şevvâl* 1107/1696.

and fine-tuned to match the means of ‘Ayntābi society. Finally, once all of these decisions were made, the use of the funds pooled in the neighborhood waqfs required another set of decisions. The money could be counted towards the lump sum burden of the neighborhood or it could be used for individual households or *hānes* on the basis of need.

The process by which a decision was reached on any of these questions remains unclear, but when a dispute arose and some ‘Ayntābis questioned the fairness of the tax allocation or collection, they held the notables (*ḡsrāf*) and representatives (*vekīl*) of the neighborhoods responsible.⁶⁹ Other studies concur that in fact the allocation process was under the notables’ control.⁷⁰ It is possible that their authority was not limited to the assessment of people’s resources and the distribution of the collective burden. In one instance at least, they were capable of imprisoning a certain Hüseyn for refusing to pay his share. Interestingly, Hüseyn was incarcerated in a civilian site, a khan where he was kept in the custody of the khan-keeper. Furthermore, he was not the only one locked up there although the reason for the others’ imprisonment is not clear. When relating the history of the case after the prisoner escaped with the help of a slave and freed all other prisoners, the plaintiffs, i.e. notables of the neighborhood where the khan was located, stated that “[they] had imprisoned him.” Whether regular security forces were involved, or the notables mobilized private forces cannot be inferred from the relevant record.⁷¹ In either case, their access to means of violence in this case and the executive hand of the judiciary offers a glimpse of those aspects of their power about which little is known.

Allocating manpower. Around the time when the sultan had to send gold and silver vessels and utensils from the treasury to the imperial

⁶⁹ Various allocation disputes: Reg.# 38/205/3, *sevāl* 1100/1689; Reg.# 26/230/2, 233/1, *rebī’ü’l-evvel* 1072/1661; Reg.# 39/56/2, *zī’l-ka’de* 1100/1689; 63/2, *zī’l-ka’de* 1100/1689; Reg.# 37/12/4, *rebī’ü’l-evvel* 1099. Also Reg.# 39/184/3 and Reg.# 18/218/4.

⁷⁰ İnalçık, “Centralization and Decentralization,” 42; also *idem*, “Military and Fiscal Transformation,” 321–25, 333–34, and Oğuzoğlu, “Osmanlı Şehirlerindeki Halkın Vergi Yüğü Üzerine Bir Araştırma (1680–1700),” *Osmanlı Araştırmaları*, 15 (1995): 166–67; Gara, “In Search of Communities,” 144.

⁷¹ Reg.# 25/182/3 [1069/1658–59]; Faroqhi, “Crisis and Change, 1590–1699,” 568, 584. On mercenaries, İnalçık, “The Ottoman State: Economy and Society,” 23–24.

mint in order to produce new coins, a new general levy of all able-bodied subjects (*nefir-i ʿamm*) was decreed (1687). Then, it had to be decided locally who from among the ‘able-bodied’ men of ‘Ayntāb were to be conscripted.⁷² As far as ‘Ayntāb was concerned, this was just another decree ordering troops to be dispatched to the front. Dozens had come earlier because the existing troops in ‘Ayntāb had been rather reluctant to heed the orders. One of the follow-up dispatches in this instance also specified that sons of *kuls* as well as janissaries who had lost (*çalık*) or refused the janissary title themselves were also to be conscripted “by intervention of the people and prayer leaders” of their neighborhoods. Should they disobey, they were to be demoted to the status of *reʿāyā*.⁷³ In other words, the ‘people’ (*ahālī*) were given the authority to say who was an *askerī* and who was not, like witnesses who established *ʿaskerī/reʿāyā* status in individual disputes.

In this case, to escape designation as *ʿaskerī* did not necessarily mean to escape the campaign assignment because the order involved a general levy, and the *ahālī* were granted the authority to decide who was to be assigned to the front right away. Thus, when inspector Aḥmed Paşa visited the town to lead the ‘Ayntābi recruits to the front some two years after the first dispatch of the general levy was received, “the prayer leaders and communities of the neighborhoods” chose “by common consensus” the townsmen who were to be dispatched to the front. They also chose those to stay behind as “deemed reasonable and appropriate” to protect the families and houses left behind.⁷⁴

In accordance with these orders, the people of ‘Ayntāb decided to send 478 men to the campaign. In the presence of Aḥmed Paşa, it was confirmed that the people of each neighborhood would stand surety (*kefīl*) for the conscripts from among themselves, and this was individually recorded for every conscript. Records also indicate that

⁷² Reg.# 37/52/1, *muḥarrem* 1099/1687, 43/2, *ramazān* 1099/1688. Also Silāḥdār Mehmed Ağa, *Ẓeyl-i fezleke*, 357–58, 368, 378; Mehmed Paşa, *Zübde-i Vekayāt Tahlil ve Metin* (1066-1116/1656-1704), ed. Abdülkadir Özcan (Ankara: TTK, 1995), 287.

⁷³ “. . . [M]ukaddemā yeñigeri olup dirliklerini inkār idenler . . . ahālileri ve imāmları maʿrifetleriyle . . .” Reg.# 37/66/2, dated *şefar* 1100/1688.

⁷⁴ “‘Ayntāb mahallātının eʿimme ve cemāʿatlerinin ittifāk ve ihtiyārlarıyla.” Reg.# 37/80/1, *ramazān* 1100/1689; “. . . maʿkūl ve münāsib gördükleri üzere . . . ittifāk-ı arā ile alıkoyp.” Reg.# 37/71/1, *şefar* 1100/1689. Also Reg.# 37/73/1, *rebīʿü'l-evvel* 1100/1689 and Reg.# 37/56/1, *muḥarrem* 1100/1688.

fifty-five of the draftees were sent as a substitute (*bedel*) for another named individual. It was these individuals who stood surety for the conscript in question and “handed him over” to Aḥmed Paşa’s officer.

There are a few clues as to the identity of the draftees as well as to the identity of those who stayed in ‘Ayntāb and sent a proxy. The latter included *bazarbaşı* Meḥmed, who was later succeeded by his brother ‘Arab, the former mufti Meḥmed Efendi and Şeyḫzāde Seyyid Meḥmed Çelebi, who was the shaikh of the Mevlevī convent and a relative of Muştafā Ağa, the janissary commander.⁷⁵ Among those who escaped military service by sending a proxy, one can also identify some names from among the ‘righteous’ of the court. In other words, those who escaped military service tended to be the elite of ‘Ayntāb. Indirect evidence supports this observation. For example, almost all of those who sent a proxy for themselves had an honorific title. Not surprisingly, less than one fifth of the actual conscripts had one.⁷⁶ The residential distribution of the conscripts also points to the role of status and power in the allocation of human resources. As in most pre-modern towns elsewhere and some Ottoman towns whose residential topography has been studied in detail, the elite of ‘Ayntāb tended to concentrate in and around the urban core.⁷⁷ Those who sent a proxy also tended to be concentrated in central neighborhoods. Six out of the nine draftees from Cevizlice, fifteen out of the eighteen draftees from İbn-i Şeker, half of the draftees from Tarla-yı ‘Atıḳ and both of the two draftees from İbn-i Kōr were proxies. Some of those who sent a proxy had been granted special permission by Aḥmed Paşa a few months earlier: some for being old and sick, some for no explicit reason and some because “they were powerful” and their “presence was important for the affairs of the town.” Those who could be identified among these important men included *bazarbaşı* Meḥmed, ‘Oşmān Efendi, who was the local trustee of the waqf of Ḥaremeyn and el-Ḥāc ‘Alī, possibly a brother of the former mufti.⁷⁸ A few years later, Devocioḡlı Ḥüseyn

⁷⁵ Reg.# 39/3/1, *zī’l-ḥicce* 1100/1689, 13/2 *cemāzīyü’l-āḫır* 1101/1690; Reg.# 40/31/1, *şabān* 1104/1693.

⁷⁶ Reg.# 37/80/1, dated *ramazān* 1100/1689.

⁷⁷ Canbakal, “Residential Topography and Social Hierarchy.”

⁷⁸ “[M]edīne-i mezburēnūi meşāliḫi için ta’kīd olunması mühim ve zī-kudret olan . . .” Reg.# 38/145/2–4, 146/1–3, 147/2–3, 148/1–3, 155/2–3, 159/2–3, *cemāzīyü’l-ewvel* 1100/1689.

Āgā was similarly spared the chore of military service because he had a tax farm to manage.⁷⁹ In brief, the decision regarding who would fight and risk their lives ‘for religion and the state’ was also informed by social hierarchy. That this may be a historical pattern is suggested by a nineteenth-century dispatch ordering the recruitment of cavalry soldiers for the eastern front. The order spelled out that the conscripts should not be from among the poor alone.⁸⁰

A failed rent/labor contract sheds light on a particular mechanism by which one could recruit and send a proxy to the front. According to a court record dated 1690, a certain Seyhī b. ‘Osmān ‘rented himself’ (*nefsini istīcār idüþ*) until the end of the campaign to Īsma‘īl Āgā. Judging by what Īsma‘īl paid his substitute (forty-nine *gürüş*), buying one’s way out of fighting cost nearly as much as buying a male slave or a small house. In other words, it was not something everybody could easily afford.⁸¹ Why Īsma‘īl had to hire Seyhī is not very clear in the first place. He claimed to have been assigned to lead soldiers in Rūha to the European front, which sounds implausible in view of the fact that he had to find a proxy for another campaign-related task. At any rate, this was not why the contract between the two had to be cancelled. Seyhī got sick on the way to the front, the contract became void and Īsma‘īl’s money had to be returned. Non-monetary transactions generated by patronage ties may also have been important in finding a stand-in for military service, but I have not been able to identify such ties of dependency.⁸²

“Medīne-i ‘Ayntāb Ahālisi, el-Mūkerremūn:”
*The Honorable People of ‘Ayntāb*⁸³

In his important study on Abbasid-Buyid political culture during the tenth and eleventh centuries, Roy Mottahadeh offered an extensive discussion of the contractual construction of ‘acquired loyalties’.

⁷⁹ “[S]efer teklīfıyle rencāde ve remāde itmıyesiz.” Reg.# 41/3/1, *receb* 1103/1692.

⁸⁰ Reg.# 142/250, *zī‘l-kā‘de* 1244/1828, in Güzelbey, *GŞMSÖ*, 3: 45.

⁸¹ Reg.# 37/47/1, *muharrem* 1100/1688; Reg.# 39/103/3; Reg.# 41/150/1.

⁸² Also see Thieck, “Décentralisation ottomane,” 123, and İnalcık, “Military and Fiscal Transformation,” 304, 309–10 on the role of the notables in the management of general levies.

⁸³ Address line of a letter notifying the town of the appointment of a new deputy governor. Reg.# 37/2/2, *muharrem* 1098/1686.

According to Mottahadeh, all political contracts were modeled after the primeval covenant between God and humankind, so they were personal by nature. Whether built on vows and oaths or on other exchanges, they bound only those who committed themselves directly and in person. Thus when the *ʿayān* of a town declared their common allegiance to a new ruler, the latter was conceived as an individual, not as the incarnation of an abstract state. Likewise, the town itself did not constitute a legal entity⁸⁴ since, ultimately, medieval Islamic society was not based on institutional building blocks but on individuals. Therefore, *ʿayān* did not act on behalf of the rest of the population. They had no legally binding power over the rest except through personal ties, even though these ties more or less guaranteed that their personal oath would be adopted by others too.⁸⁵

We do not know whether these observations hold for the later history of the region or other regions in early Islamic history, for there are not enough studies of the political culture of Islamic societies. What the various snapshots of collective action from seventeenth-century ʿAyntāb reveal, however, is a different picture. At the heart of the difference lies the impersonal character of the elite's actions, at least in some of the examples we have seen. In situations analogous to those discussed by Mottahadeh, the *ʿayān* spoke on behalf of others. In instances of vow-making, for example, the organized manner in which they made pledges (where representatives from every neighborhood gathered), and the explicit statement that all neighborhoods would pay a certain amount of money should they breach the vow, clearly suggest that the notables' pledge was binding, just as what they said in another capacity, as witnesses, was binding due to their implicit *velāyet* over others. Additionally, the 'third party' involved in these pledges was not a person but the state as a corporate entity (*mūrī* or *taraf-ī devlet-i ʿāliyye*).⁸⁶ But this is of secondary importance for our purposes.

⁸⁴ Johansen challenged the view that the idea of an integral town did not exist in medieval Islamic legal thought. Baber Johansen, "The All-Embracing Town and its Mosques, *Al-Miṣr al-Gāmiʿ*," *ROMM*, 32 (1981–82), and *idem*, "Urban Structures in the View of Muslim Jurists. The Case of Damascus in the Early Nineteenth Century," *RMMM*, 55–56 (1990).

⁸⁵ Mottahadeh, "Loyalty and Leadership," 52, 62, 71–72.

⁸⁶ The term *mūrī* is used in fatwas that pertain to state-society relations; "*taraf-ī devlet-i ʿāliyye*" is from a petition concerning a tax dispute. Reg.#60/128/2, [1119–20/1708–9].

The notables' pledges and other decisions were binding, but not because of their intermediary role which imparted to them an officially recognized authority that allowed them to implement state policies. They were binding because representation involved a transfer of rights. "Rights are deputed" Ḥalebī said in relation to *vekālet*,⁸⁷ and this was succinctly expressed by the notables when they themselves appointed a deputy (*vekīl*) on behalf of 'Ayntābis to handle various financial matters of the town: "We will accept whatever Ḥüseyin deems reasonable and whatever course of action he takes." Ḥüseyin had also been chosen as *menzilci* (intendant of road posts) by common accord a few years before,⁸⁸ and at an unspecified later date, he was removed from office by consensus again: "We do not consent (*nizāmız yokdur*) to his meddling in the affairs of the province."⁸⁹ El-Ḥāc 'Arab, too, was appointed by the 'people' (*ahālī*) as '*vekīl* of the province' on multiple occasions for the management of urban expenses and taxation.⁹⁰

In another sense, *āyān* as '*ahālī*' or as representatives constituted those whom they represented. Thus, the people of 'Ayntāb became an agent, i.e. they came to exist in the public/political sphere only in the person of the *āyān*. That is why on innumerable occasions *āyān* and *ahālī* were used interchangeably. According to Akhtarī, one of the meanings of *ayn*, the singular of *āyān*, was indeed 'people' (*nās*), and Nora Lafi's two case studies indicate that this was a common conception in historical settings as diverse as medieval Sicily and late eighteenth-century Tripoli. In both places, *ahl* and *nās* referred to men of property and notables.⁹¹ This duality in the use of the word '*ahālī*' is reminiscent of the use of the word 'public' in contemporary Western Europe too. The government ordinances in the

⁸⁷ "[H]akk tevki idilür." *Multaḳa*, 2: 85.

⁸⁸ "Ḥüseyin'in ma'kūl gördüğü . . . ve tedbiri maḳbūlumuzdur." Reg.# 18/237/2, *cemāziyü'l-evvel* 1070/1660.

⁸⁹ Reg.# 25/124/4.

⁹⁰ Reg.# 38/84/1, *muḥarrem* 1100/1688; Reg.# 48A/233/2, *şevvāl* 1108/1697. Another case of collective authorization as deputy (*tevki*), this one from the countryside. Reg.# 38/83/2, *muḥarrem* 1100/1688.

⁹¹ Akhtarī, *Akhtarī kabīr*, 2: 85; Nora Lafi, "Aspects du gouvernement urbain dans la Sicile musulmane," *Cahiers de la Méditerranée* 68 (2004): 1–16; *idem*, *Une ville du Maghreb entre ancien régime et réformes ottomanes: Genèse des institutions municipales à Tripoli de Barbarie (1795–1911)* (Paris: L'Harmattan, 2002), 135–142. See also Anastasopoulos, 'Imperial Institutions,' 86–90, for eighteenth-century Karaferye. The author also discusses the ideological significance of the use of the term 'people'.

seventeenth and eighteenth centuries were addressed to ‘the public’, i.e. the subjects in general, Habermas tells us, but the “real carrier of the public” was a “new stratum of bourgeoisie” or the “early bourgeoisie” which consisted of officials, doctors, pastors, officers, professors, merchants, bankers and entrepreneurs—who, actually, did not break with the old nobility before the end of the Baroque.⁹²

When the people of ‘Ayntāb attempted to be political actors without or against the *a‘yān*, they were outlaws (*eşkiyā*), not *ahālī*. For instance, in 1658, a few thousand women and youths/apprentices (*uṣak*) stormed kadi İsmā‘īl Efendi’s residence. They were following a certain Mollā Mu‘terī (?), who had written a letter to the deputy governor stating that the execution of İsmā‘īl Efendi and of another kadi as well as two high officers was religiously/legally necessary (*katli vācibdir*). He had copied and distributed the letter. Then, he incited the crowd and led them to kadi İsmā‘īl Efendi’s residence. They attacked the family members, wounding some, and damaged and plundered the house, causing “sedition and disorder” (*fitne vü fesād*). As far as the political and legal establishment was concerned, they were outlaws.⁹³

The *ahālī* were distinguished from the subjects (*re‘āyā*) on a number of occasions as in “people (*ahālī*) and subjects (*re‘āyā*) who would seek excuses in making [tax] payments . . .,” or “. . . if there are any [tax] payments still owed by the subjects and people.” The distinction here probably referred to urbanites and peasants respectively, as we clearly see in the law code of 1501 published by Barkan.⁹⁴ But *ahālī* were not simply city dwellers either. When the collective identity of the neighborhood or the town was not in question, especially when there was no representation involved, the people of ‘Ayntāb were referred to as *sükkān* (inhabitants), which signified fundamentally a physical relationship between people and the town

⁹² J. Habermas, *The Structural Transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society* (Cambridge, Mass.: MIT Press, 1991), 22–23. On the dual sense of the term ‘people’, see also Peter Burke, *Popular Culture in Early Modern Europe* (Hants, England: Wildwood, 1988), 270.

⁹³ When questioned later, Mollā Mu‘terī admitted all he had done and defiantly repeated that İsmā‘īl Efendi should be executed. Reg.# 25/162/1–2, *muharrem* 1069/1658.

⁹⁴ Reg.# 37/69/1, dated *şefar* 1100/1688; Reg.# 39/41/3, dated *cemāzîyü’l-âhır* 1101/1690; Reg.# 40/118/1, *rebî‘ü’l-evvel* 1104/1692; also Reg.# 36/24/1. Barkan, “Edirne Askeri Kassamina ait Tereke Defterleri,” 6.

or the neighborhood. For example, marking people with reference to space was the most common way of identifying individuals for legal purposes; in that context, a person was an ‘inhabitant’ of one or the other neighborhoods (*maḥallesi sükkānndan*). *Ahālī*, from Arabic *ahl*, meant those who “belonged in and shared a thing with others” as well as “possessors of property,” and implied a social relationship, status and communality.⁹⁵ This distinction between *ahālī* and *sükkān* also resonated in debates among founding fathers of the Hanafi school regarding which one bore the penal liability of *kasāme* (oath of compurgation) and *dijet* (blood money) in certain criminal situations.⁹⁶ These debates ultimately concerned the distinction between corporate identity and the lack of it.⁹⁷

In all of the settings and situations that have been discussed in this chapter, the social agent was the *ahālī* of ‘Ayntāb. It was the people, not the inhabitants who made decisions, expressed preferences, needs, truths, and spoke in the name of others. Only rarely was the word ‘*sükkān*’ used to refer to collective agents.⁹⁸ Normally it denoted a collectivity ‘in itself’ whereas ‘*ahālī*’ represented a collective identity that was identifiable in the actions of the town elite. In his study of modern Morocco, Eickelman’s informants expressed a parallel perception of collective identity: “a neighborhood is not a neighborhood,” they said, “if it does not have any ‘big men’, or men with ‘word’ and if it cannot mobilize.”⁹⁹ This parallelism between modern Morocco and seventeenth-century ‘Ayntāb does not arise from cultural unity or some other historical constant that threaded the two ends of the Mediterranean across centuries. If constants there are, they need to be sought in the more general dynamics of the relationship between representation and political identity. To quote Bourdieu: “[by] his mere visible existence, [the representative] constitutes the pure serial diversity of separate individuals into a moral

⁹⁵ *Ahl* also means one who is entitled or fit in a general sense, or fit “for the bindingness of rights which the law imposes for one or upon him.” Lane, *Arabic English Lexicon*, I/1: 120–22; EI2, 1: 257.

⁹⁶ Ömer Nasuhi Bilmen, *Hukukî İslâmîyye ve İstilahatı Fıkhiyye Kamusu*, 3: 163.

⁹⁷ Baber Johansen, “*Amwāl Zāhira* and *Amwāl Bāṭina*: Town and Countryside as Reflected in the Tax System of the Ḥanafite School,” in *Contingency in a Sacred Law*, 129–30; and *idem*, “Eigentum,” in *ibid.*, 357–60; and Canbakal, “Some Questions,” 135.

⁹⁸ Reg.# 37/89/1; Reg. # 39/184/3.

⁹⁹ Dale F. Eickelman, “Is There an Islamic City? The Making of a Quarter in a Moroccan Town,” *IJMES*, 5 (1974): 287.

person, transforms the *collectio personarum plurium* into a *corporatio*, a constituted body, and he may even, through mobilization and demonstration, make it appear as a social agent.”¹⁰⁰

In his pioneering work on the patricians of Nishapur in the tenth to twelfth centuries, Bulliet wrote: “Their collective biographies [were] entitled *The History of Nishapur*; they were the city of Nishapur.”¹⁰¹ It may not be a coincidence, after all, that ‘*a’yān*’ comes from the root ʿy-n, one of the many meanings of which is ‘self/same/essence’ (*nefs*). In other words, ‘*a’yān* ʿAyntāb ʿAyntāb bi-ʿaynihā’ (the notables of ʿAyntāb are ʿAyntāb itself) may be more than a convenient pun.

¹⁰⁰ Bourdieu, *Language and Symbolic Power*, 249.

¹⁰¹ Bulliet, *The Patricians of Nishapur*, 27.

CONCLUSION

*Nola metheylesem ben ol meabi
Kî âlem methedüptür Aynıtabi*¹

In the introduction to their collective work on the ‘Ottoman City’, Eldem, Goffman and Masters raised anew the question of the regional characterization of Ottoman cities with particular reference to their political culture and their relationship with the imperial center.² They pointed out, rightly, how the nature of the available sources may have contributed to the urban typology of the Ottoman realm. The lack or scarcity of local sources, particularly biographical dictionaries and chronicles, has largely limited historians’ access to local voices in Anatolian cities. By contrast, the availability of, and over-reliance on, such sources for Arab cities has had an opposite consequence. It has led to the dominance in historiography of local points of view and identities, more accurately, the self-perception of their literati. While the increasing use of imperial sources can be said to have counterbalanced the preponderance of the local voices in the case of the Arab provinces, there has not been a comparable archival ‘discovery’ in the historiography of Anatolia. Consequently, Anatolian cities continue to appear devoid of ‘civic pride, autonomy and collective identity’.

‘Aynṭāb shares this historiographic misfortune. As noted above, court records currently stand out as the only source that offers a close-up view of daily life and a glimpse of indigenous voices. Nevertheless, even though they are very different from narrative sources by nature, the court records of ‘Aynṭāb do not point to a city marked by “political and economic subservience to Istanbul and the Ottoman state”³ any more than, say, Aleppo or Hama. By the

¹ “So what if I praise that place/The whole world praises Aynıtab.” From Balioğlu İbrahim’s *Hikmetname* in Solmaz, *Gaziantep Övgü Antolojisi*, 30.

² Edhem Eldem, Daniel Goffmann, and Bruce Masters, *The Ottoman City between East and West: Aleppo, Izmir, and Istanbul* (Cambridge: Cambridge University Press, 1999), 1–16.

³ Eldem, Goffmann and Masters, *The Ottoman City*, 9.

same token, the city was not subject to anything like a “command economy, however imperfect” as argued by Stoianovich with respect to the early modern Balkan cities.⁴ Findings of this study suggest that in most cases office-holders were local people whose family had been residents of ‘Ayntāb for a number of generations at least. They held office either as first-hand appointees or revenue-contractors filling in for absentee-appointees of the state. The capital’s involvement in the daily functioning of the town was also minimal. The main focus of any interaction between the capital and the town was limited to direct taxes, the collection of which allowed a certain degree of negotiation. As for the distribution of these taxes and other local expenses among the inhabitants, or decisions concerning other aspects of urban government, these were a matter of local ‘public policy’, and the state evidently had no say in them. Although discontented inhabitants could always solicit state intervention regarding this or that decision taken locally, during the period covered here, they did not do so very often. In addition, the capital generally referred a variety of disputes back to decision-makers in ‘Ayntāb, and to the discretion of the ‘people’ in particular. The discretion and the will of the ‘people’ of ‘Ayntāb were reflected also in a number of legal and quasi-legal acts some of which seemed openly contractual. Significantly, the line between collective and corporate identity in the sense of a collective legal personality was blurred in these instances. This observation suggests that even though the Weberian framework (which posed a contrast between the European and Oriental/Islamic/Ottoman city) is no longer of much interest due to its formalist bias and the availability of a rich literature of urban history which did not exist until a few decades ago, there may be more to discover about Ottoman cities even within the Weberian framework.

In view of the above, ‘Ayntāb may appear to stand somewhere between the ‘Anatolian city’ and the ‘Arab city’ as we commonly think of them. As seen on several occasions in the previous pages,

⁴ Traian Stoianovich, “Cities, Capital Accumulation, and the Ottoman Balkan Command Economy, 1500–1800,” in *Cities and the Rise of States in Europe*, eds. C. Tilly and W.P. Blockmans (Boulder: Westview Press, 1994), 60–99; also *idem*, “Model and Mirror Of The Premodern Balkan City,” in *La ville balkanique, XV^e–XIX^e siècles*, *Studia Balkanica* 3 (1970): 83–110, where the author characterizes sixteenth-century towns as ‘dependent’ and eighteenth-century towns as ‘semi-dependent’. It is doubtful that ‘Ayntāb qualified as a dependent city even in the sixteenth century.

‘Ayntāb was indeed a city between two worlds and it brought together these two worlds in a variety of ways. This does not mean, however, that the world of Rūm and the world of Shām were so internally coherent and so different from one another as to justify the analytical distinction of the ‘Anatolian city’ and the ‘Arab city’. It is questionable in what ways seventeenth-century ‘Ayntāb was more like Edirne or Bursa than Hama or Nablus, or even Aleppo, and similarly, in what ways Hama or Nablus resembled Damascus or Cairo more than they resembled ‘Ayntāb, Adana, or even Tokat. The case of ‘Ayntāb indicates that if the degree of urban autonomy and urban identity are to be taken as a basis for defining an urban typology of the Ottoman Empire, post-imperial nation-state boundaries need to be discarded. Despite the stronger claim of the imperial center over commodity flows and resources in core regions of the empire, even cities like Bursa and Ankara have been shown to be free of imperial intervention in a wide range of activities. Likewise, if literary production of the elites is to be taken into consideration for defining an urban typology, a caveat is in order. The unavailability of local sources may not necessarily be due to their absence. In the case of ‘Ayntāb, for instance, publications by local historians of the Republican era⁵ intimate the presence of a significant number of manuscripts that may still be in the hands of local families or may have perished, for the cultural and political disposition of the Turkish Republic was not particularly conducive to regionalism or local pride outside the framework of ethnographic interest. And more generally, it is also remarkable, for example, that very little research has been conducted on the *şehrengîz* literature of the sixteenth and seventeenth centuries since A. Sırrı Levent’s pioneering work on the topic.⁶ In brief, both the retention of sources and their discovery and promotion appear to be a matter of will and ‘need’.

⁵ Şakir Sabri, *Gaziantep Büyüklere: Beşyüz Elli Yıllık Âlim ve Şairleri* (Gaziantep: Halk Fırkası Matbaası, 1934); Cemil C. Güzelbey, *Gaziantep Büyüklere ve Gaziantep Meşahirine Ek*.

⁶ *Şehrengîz* was a genre that could combine the biographical dictionary form with an encyclopedic account of everything that a town took pride in, including buildings, natural sites, historical events, and, no doubt, its ‘beauties’. A. Sırrı Levent, *Türk Edebiyatında Şehr-engîzler ve Şehrengîzlerde İstanbul* (İstanbul: İstanbul Fetih Derneği, 1958); Mustafa İsen and Hamit B. Burmaoğlu, “Bursa Şehr-engîzi (Lami‘î Çelebi),” *Marmara Üniversitesi Fen-Edebiyat Fakültesi Türklük Araştırmaları Dergisi* 3 (1987): 57–105. Also Abdurrahman Hibri, *En‘ûs’l-Müsâmirîn (Edirne Tarihi) 1360–1650*, ed. Ratip Kazancıgil (Edirne: Türk Kütüphaneciler Derneği, 1996).

This is not to suggest that one should disregard regional differences between cities (and their literary traditions) that may or may not prove to coincide with ethnolinguistic divisions of the region, or even nation-states. But a consideration of functional and structural variables such as location, material and cultural resources, or the size of a city, and its role in the multiple networks in which it participates (regional, imperial, international) not only substantially moderates what in this author's view is an undue emphasis placed on subjectivity and identity, but also allows us to look beyond Ottoman/Middle Eastern/Islamic urban realities.

From this perspective, 'Ayntāb appears to have been more closely linked with the east than the core lands of the empire to the west. It had economic and administrative ties with Aleppo in particular although it is not clear how close they were before the eighteenth century. The town also participated in wider commercial networks operating in Eastern Anatolia, Syria and Iraq, and had long-distance connections with Iran and, possibly, India through Basra, and Europe through Aleppo. These connections, however, may have been of marginal importance in the seventeenth century. In addition, the regular movement of nomadic tribes between Syria and Eastern Anatolia and their continual settlement also connected 'Ayntāb with other areas in this zone both economically and demographically. This mobile demographic structure may also have been a factor in the parallel configuration of politics in 'Ayntāb, Maraş and Aleppo, with various interests and grievances being played out through *seyyid* and janissary identities in the eighteenth century, if not before.⁷

'Ayntāb also had its share of the ebbs and flows of Anatolian history in general and of the political dynamics that originated in or affected the core lands and their immediate periphery. Most notably, it shared with several Anatolian towns the disastrous impact of the Celali Rebellions from which it began to recover some time in the second half of the seventeenth century, again, more or less in tandem

⁷ Duman's study indicates that janissaries constituted a major economic and political faction in eighteenth-century Tokat too. At the same time, several *sādāt* figured among the notables in various leadership roles or as officials. My findings indicate that in the seventeenth century, Tokat was one of the towns that had a very large body of (false?) *sādāt*. See Table 2.3 above. More monographs are needed before we can properly understand the *sādāt*-janissary politics of the period and delineate its regional boundaries. Duman, "Notables, Textiles and Copper," Chapter II.

with some of these towns. At the same time, even if its economic ties with the imperial center and the core lands were marginal, political ties made up for their marginality. ‘Ayntāb’s elite had a fairly mixed composition consisting of civilians and the military and were connected to the imperial center through multiple ties of privilege recognized by the center. From a different perspective, the presence of a large body of *‘askerīs* was also an expression of the degree of integration between the town as a whole and the imperial center.

In its attempt to distance itself from state-centrism, this study has been deliberately elite-centric. It has tried to show that there was a legitimate domain recognized by the imperial center where, in cities like ‘Ayntāb, people better endowed with wealth and status, hence power, represented and constituted the urban collectivity. These people were indispensable for the state to function locally, especially outside the few provincial centers where the central bureaucracy had more tangible representation. M. d’Ohsson, writing in the eighteenth century, compared *a‘yān*, *iş-erleri* (agents or *chargé d’affaires*) and notables, which he used interchangeably, to municipal officials in European cities.⁸ Muştāfā ‘Ālī, writing in the late sixteenth century, unequivocally identified the *iş-erleri* as members of the local elite, and characterized them as partners to official authority, acting, as they did with no “fear of removal or dismissal,” for they did not owe their authority to royal certificates of entitlement.⁹ They became more intensively involved in the management of local ‘affairs’ in connection with the marginalization of the prebendal system and the military and fiscal centralization efforts of the imperial center in the seventeenth century. Finally, one person from among them in Anatolian cities and part of the Balkans did acquire an imperial patent as a notable in the early eighteenth century (in some places as early as the 1680s), when the office of the Head Notable (*re‘īsü’l-a‘yān*, *baş-a‘yān*, *‘aynü’l-a‘yān*) was created. This was but one moment in the institutionalization of their power within the imperial system.¹⁰ It was

⁸ M. d’Ohsson, *Tableau général de l’empire ottoman* (Paris: De l’imprimerie de monsieur [Firmin Didot], 1824), 7: 286.

⁹ “[M]emālik-i mahrūse a‘yānından maşlahatgüzār nāmına olan iş erleridür-ki berāt-ı pâdişāhīsüz muşlîhlik manşabına mütaşarrıflardur ve ref‘ u ‘azl qorqusunsuz hükâm-i memālike müşterek-i nasfēt-muttaşıflardur.” Muştāfā ‘Ālī, *Mustafa Ali’s Counsel*, 2: 162–63 (40).

¹⁰ İnalçık, “Centralization and Decentralization,” 44–46; Sada, “Urban Notables

an important one, for the choice of the Head Notables by other local notables or by the people has to be seen as part of the pre-history of the parliamentary tradition in the Ottoman Empire.¹¹ As important as this was as a political novelty, it did not represent a rupture in the relationship between the local elites and the central state. This relationship was defined by mutual dependence in the period under consideration. Beik's remarks concerning contemporary France are probably applicable to all early modern polities including the Ottoman Empire: "The king could rule only by delegating power to indigenous notables who had local pull; the notables could function only with royal support."¹² In an important sense, the nineteenth-century reforms were a continuation of this tradition.

The link between the nineteenth-century reforms and the economic and political transformations of the preceding two centuries is now recognized as a legitimate research agenda.¹³ For the historiography of the central lands of the empire, inherited largely by the Turkish Republic, the challenge to the modernization/westernization paradigm opens up new vistas of research into center-periphery relations also from the perspective of political culture. Future research in this area would have to fuse with the debates about the tradition of civil society and democracy. Previously, the center-periphery/state-society dichotomy precluded any consideration of the cultural implications of the change in the mode of central rule and the

in the Ottoman Empire," 48; 'Oşmān Nūrī, *Mecelle-i 'Umūr-u Belediye* (İstanbul: Maṭba'a-yı 'Oşmāniye, 1338/1922), 1: 1657; Nagata, *Muhsin-zāde Mehmet Paşa*, 31–38; Özkaya, *Osmanlı İmparatorluğunda Ayânlık*, 118, 122. The history of this office has not been studied, therefore, it is not known whether it was instituted in all provinces. According to Abdul-Karim Rafeq, for instance, the term was not used in the Arab provinces. Private communication, June 1998.

¹¹ For an insightful discussion concerning the election of the official *ā'yāns*, see Anastasopoulos, "Imperial Institutions," Chapter Four; also Göçek, *Rise of the Bourgeoisie*, 62.

¹² William Beik, "Louis XVI and the Cities," in *Edo and Paris: Urban Life and the State in the Early Modern Era*, eds., J.L. McClain, J.M. Merriman and U. Kaoru (Ithaca and London: Cornell University Press, 1997), 83.

¹³ Abou-El-Haj, *Formation of the Modern State*; Khoury, *State and Provincial Society*; Haim Gerber, *Social Origins of the Modern Middle East*. For an overview, also see Suraiya Faroqhi, "In Search of Ottoman History," *The Journal of Peasant Studies*, 18 (1991): 211–41. For earlier remarks on the modernization paradigm, see Peter Gran, "Political Economy as a Paradigm for the Study of Islamic History," *IJMES*, 11 (1980): 511–26; Huri İslamoğlu-Inan, "Introduction: 'Oriental Despotism' in World-System Perspective," in *The Ottoman Empire and the World Economy*, ed. Huri İslamoğlu-Inan (Cambridge: Cambridge University Press, 1987), 5–7.

composition of the ruling elite in the seventeenth and eighteenth centuries, which were considered to have been intrinsically against the political ideals of the state and to have been tolerated only because the imperial center had no other option. Hence, the need for externalities to explain change, as in the paradigm of ‘modernization as westernization and top-down reform’. It is time that the legacy of the ‘age of the *ʿayāns*’ to the political tradition in the capital and the Anatolian provinces was reassessed.¹⁴

It is also time that Anatolian social history addressed the issue of power. Power relations *in* Ottoman societies were as much a part of their political culture as center-periphery relations, and they are part of the Ottoman legacy. They materialized along multiple fault lines in public life including inequalities based on gender and religion, which have been disregarded in this study for practical reasons. Instead, this study has focused on power relations among ‘equals’, Muslim males. ‘Ayntāb’s Muslim male elite possessed not only substantial wealth but also symbolic resources like reputation, honor and credibility which together translated into formal and informal authority over others in daily life. Legal process was one of the loci where this authority was reflected. The court of ‘Ayntāb treated equals as equals by allowing status differences among Muslim males to bear on legal decisions. The legal process was open to all social classes and groups, but it was not status-blind. In this regard, at least, Ottoman courts were similar to modern courts. At the same time, the elite’s role as representatives in urban government can be construed to have been based on an ultimately legal conception of authority, *velāyet*, or the right to make binding decisions about subordinates. This paralleled their representation of individuals in the legal process or public life in general, and it was their actions in this capacity that gave ‘Ayntāb and the people of ‘Ayntāb a legitimate collective presence in both the imperial and local public domain.

Finally, it is clear that the relationship between the elite and the common folk was not always one of consensual delegation, and domination in return, as the absence of the common folk in this book

¹⁴ Kemal H. Karpat, “The Stages of Ottoman History, A Structural Comparative Approach,” in *The Ottoman State and Its Place in World History*, ed. K.H. Karpat (Leiden: E.J. Brill, 1974), 93. Karpat was one of the first among scholars working on the Ottoman center to mention the cultural legacy of the ‘age of the *ʿayāns*’ to the nineteenth century. For a recent argument on the political culture of the period, see Salzmann, *Tocqueville*.

may misleadingly suggest. At the same time, civic agency was not always cohesive and monolithic, and the power of the elite was not uncontested due to vertical networks of patronage as well as popular politics expressed through various media. It is important to note that major or minor eruptions of protest (which I *have* been able to identify) and factional politics (which I have *not* been able to identify) during the period studied here, were also a contest over who truly were the people/*ahālī* of ‘Ayntāb, and whose vision of public matters was to prevail. It is mainly through examining such eruptions that we catch a glimpse of the non-elite visions of the ‘right order’, but it does not mean such visions did not exist and circulate in various milieus in ordinary times. The riot led by Mollā Mu‘terī, mentioned in the previous chapter, exemplifies the mechanisms by which public opinion was formed outside the domain of the elite. It further indicates that despite the absence of printed media, public opinion could build on literacy, even in a non-elite milieu. By not tackling such aspects of everyday politics, this book admittedly remains unfinished.

APPENDIX

POPULATION ESTIMATES

1. To estimate the household size, I have used probate records from the second half of the seventeenth century (Reg.# 172), and identified the incidence of polygamy as well as the number of children who survived a parent. An exceptionally large family of seventeen people and cases of pregnancy, i.e. unborn babies of the deceased excluded, the average household size according to the probate inventories was 4.85 (Table A.1). However, it should be remembered that not all families had their estates registered and divided officially. Those that were better off probably had a higher propensity to do so. Assuming that members of such families also had a longer life expectancy, the actual household average for the whole population may have been lower than 4.85.

Table A.1. Household size in ‘Ayntāb
(Second Half of the Seventeenth Century)

	Number (%)	Household size
Polygamous households	17 (15.4%)	6.61
Monogamous households	88 (84.6%)	4.53
ALL	105 (100%)	4.85

This finding is fairly consistent with two others concerning the following period. Using the same method, Çınar and Özlü have found that the average household size was 5.04 in the first half of the eighteenth century and 4.30 in the second half.¹ In view of this

¹ Çınar, “18. Yüzyılın İlk Yarısında Ayıntab,” 58–59, Özlü, “Kassam Defterlerine göre XVIII. Yüzyılın İkinci Yarısında Gaziantep,” 17–21.

relative consistency and lack of comparable data for the sixteenth century, I have used the seventeenth-century household multiplier for the sixteenth century as well. According to figures provided by Muṣṭafā Fehim in his annals, average household size rose to 5.47 in the late nineteenth century (household 6,000/pop. 32,800).² Household size appears to reflect economic growth cycles.

2. Since the ‘Detailed *‘Avānż Registers’* (*mufaṣṣal*) for seventeenth-century ‘Ayntāb are yet to be discovered, I have had to work with summary accounts that only give the number of tax-houses. To convert tax-house data to household data, I have established a range of 4–10 households per tax-house, based on the smallest and largest tax-houses I have encountered in seventeenth-century registers³ (Table A.2). Topographic evidence and descriptions of the town found in narrative sources render the lower range estimates highly implausible.

² Muṣṭafā Fehim, *Risāle*, 5, 9–10, 15.

³ See Reg.# 39/231/3 [1101/1689–90], where the *‘avānż* liability of a certain tax-payer Meḥmed, 0.25 *ḥāne*, is written off due to poverty; Reg.# 37/12/4 [1099/1687–88], and Reg.# 39/76/2 [1100/1688–89], where the quarter of K̄araṣakal, which bore a total tax load of 1.5 *ḥānes*, is represented in a court case by twelve, apparently unrelated adult males; and Reg.# 18/271/1, [1070/1659–60], where five villagers seem to bear 0.5 *ḥāne*.

Table A.2. Estimated Tax-Paying Population⁴

Year	Tax-house	Household Range (Tax-house coefficient 4 and 10)	Population Range (Household coefficient 4.85 and 5.04) ⁵	Total population (<i>re'āyā</i> + <i>'askerī</i>)	No. of Neighbor- hoods
1536		1,865	9,045	10,402	22
1574		2,988	14,492	16,666	29
1627–1628 ⁶	288	1,152–2,880	5,587–13,968		35
1646	269	1,076–2,690	5,219–13,047		35
1647	266	1,064–2,660	5,160–12,901		
1648		According to	Evliyā Çelebi		~25
1651–1652	260	1,040–2,600	5,044–12,610		35
1653–1654	263	1,052–2,630	5,102–12,756		35
1658–1659	228	912–2,280	4,423–11,058		
1662–1663	233	932–2,330	4,520–11,301		35
1671–1672		According to	Evliyā Çelebi		32
1688	241	964–2,410	4,675–11,689		50
1689	184	736–1,840	3,570–8,924		40
1695	190	760–1,900	3,686–9,215		42
1697	189	756–1,890	3,667–9,167	14,274	45

⁴ Tax-house figures are rounded. The sources for Table A.2 in chronological order: BOA, TT 186; Göyünç, “XVI. Yüzyılda Güney-Doğu Anadolu'nun Ekonomik Durumu,” 77–78; E 10390/2, TKS—which is dated to 1037/1627–28 by the archive staff by its watermark; Evliyā Çelebi, *Seyāhatnāme*, 9: 163a–b; Reg.# 19(?) / 165–166, 1057/1647, cited by Cemil C. Güzelbey, *Gaziantep'ten Kesitler* (Gaziantep: Arsan, 1992), 158; Reg.# 22/203/1; Reg.# 23/305; Reg.# 25/192/1, *bedel-i sürşat*; Reg.# 26/191; Reg.# 37/12/4, *rebī'ül-evvel* 1099/1688; Reg.# 37/105, *şevāl* 1100/1689; Reg.# 43/292, *sürşat* and *beldār*; Reg.# 48a/233, [1108/1696–97], tax-house distribution for various urban expenses. Note that the figures for 1658–59, 1695 and 1697 are not from *'avānż* surveys. *Beldār* assignments were based on *'avānż* houses, but whether the two were always identical is unclear. Tabakoğlu, *Osmanlı Maliyesi*, 162. For the nineteenth century, see Charles Issawi, *The Economic History of Turkey, 1800–1914* (Chicago: UCP, 1980), 34; Muştafā Fehim, *Risāle*, 5, 9–10, 15; Şemseddīn Sāmī, *Ķāmūsü'l-a'lām*, 5: 3232; Cuinet, *La Turquie d'Asie*, 189; Cem Behar, *The Population of the Ottoman Empire and Turkey*, 2: 33; Chesney, *The Expedition for the Survey of the Rivers Euphrates and Tigris*, 1: 351.

⁵ The coefficient 4.85 is used for the sixteenth and seventeenth centuries; 5.04 is used for the first half of the eighteenth century.

⁶ If the dating of the Topkapı document E 10390/2, TKS, is inaccurate by a year or so, then the drop we observe from 1627–28 to 1646 may be due to the impact of the earthquake of 1626.

Table A.2. (*Cont.*)

Year	Tax-house	Household Range (Tax-house coefficient 4 and 10)	Population Range (Household coefficient 4.85 and 5.04)	Total population (<i>re'āyā</i> + <i>'askerī</i>)	No. of Neighbor- hoods
1705	189	756–1,890	3,810–9,526 ⁷		48
1724	174	696–1,740	3,508–8,770		48
1749	168	672–1,680	3,387–8,467		52
1817					54
1830–1840			20,000		
1890s		32,000–43,000			82

⁷ The increase observed here is related to the change of household coefficient.

GLOSSARY

- ‘*adl*: equity, justice; an upright person
‘*askerñ*: tax-exempt service nobility
‘*awānż*: extraordinary taxes; became regular in the seventeenth century
berāt: a patent certifying a privilege
beşe: honorific title used by rank-and-file janissaries
cābī: revenue collector of a religious endowment
çiftlik: commercial farm
du‘āgū: prayer-reader; well-wisher (of the sultan and the state)
ķānūnmāme: law code
ķul: lit. a slave; a servant of the sultan, esp. in the military
livā: subprovince
mālikāne: life-term tax farm
mezrā‘a: abandoned or temporarily occupied village
mu‘āf: tax-exempt
mukāṭā‘a: tax farm
mūllk: private property
mūtesellim: deputy governor
naķībū‘l-eşrāf or *naķīb*: marshal of the descendants of the Prophet Muhammad
nā‘ib: deputy judge
nāżūr: inspector of a waqf or a legal guardian
re‘āyā: tax-paying subjects
rusūm-u ra‘īyyet: personal dues owed to the prebend-holder
şer‘ī: according to religious law; religious; legal
seyyid (*pl. sādāt*): a descendant of the Prophet Muhammad
şeyhū‘l-islām: chief jurist-consult and highest religious functionary
ta‘zīr: disciplinary punishment
‘*udūl*: upright people; court witnesses
‘*ulemā*: religious scholars and high functionaries
vasī-veşāyet: legal guardian—guardianship
veķil-veķālet: proxy, legal representative—agency, representation
velāyet: legal authority

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| #23 1063–1064/1652–1654 | #40 1103–1104/1691–1693 |
| #25 1067–1069/1656–1659 | #41 1103–1104/1691–1693 |
| #26 1071–1073/1660–1663 | #43 1106–1107/1694–1696 |
| #28 1077–1079/1666–1669 | #44 1106 /1694–1695 |
| #30 1084–1085/1673–1675 | #48a 1108 /1696–1697 |
| #34 1090–1092/1679–1681 | #49 1109 /1697–1698 |
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INDEX

- Abāza Ḥasan Paşa, 29, 56, 76, 163–64
 Abou-El-Haj, Rifa’at, 6, 61, 184
 Adana, 9, 14, 22, 29, 34, 36, 46, 56,
 78, 81, 111, 132, 138, 181
 ‘*adl*, 129, 131, 142, 157
 agriculture, 38–40
 ‘*ahālī*. *See* people
 Akdağ, Mustafa, 9
 Aleppo, 23, 28, 31, 34, 36, 38, 41, 43,
 46, 48, 54–56, 77–78, 83, 85, 87,
 99–100, 108, 111, 154, 159, 179,
 181–82; Aleppan Treasury, 48, 54
 Amasya, 82, 86
 Anatolia, 4, 19–22, 28–31, 35, 37–38,
 40, 41–42, 43, 45, 49, 55, 77–79,
 80–81, 101, 106, 117–18, 127, 130,
 160, 179; notables in 8–9
 Anatolian: city; 3–4, 114–15, 119,
 156, 179–81, 183–84; history,
 182–83, 185–86; provinces, 185;
 tribes, 40
 Ankara, 1, 3, 9–10, 15, 27–28, 33–34,
 36, 42–43, 54, 64, 66–67, 78, 81, 84,
 103, 107, 111, 118, 138, 171, 181
 Antakya, 36, 73
 Araşa 23–24
 Armenians, 23, 27–28, 35–37, 42, 115.
See also non-Muslims
 ‘*arpalık*, 49–52
 ‘*askerī*, 12, 28, 31, 63–77, 80, 84,
 88–89, 106, 109, 115, 118, 131,
 135–37, 171; indebtedness, 96–97
 ‘*awānīz*, 31, 54–55, 89, 100, 105, 158,
 162, 164, 167, 169; waqf (*see* neigh-
 borhood waqf). *See also* taxation
 ‘*āyān*. *See* elite, provincial
 ‘Azāz, 45
 Baghdad campaign, 56–57, 113
 Balkan: city; 91, 93, 179–80; orthodox
 merchant, 32; peasants, 111
 Balkans, 4, 29, 25, 77–78, 80–81, 103,
 183–84
 Barbir, Karl, 61, 75–76
 Basel, 4
 Basra, 41–42, 55, 182
 ‘*bazarbaşı*. *See* merchants, head of
 Belgrade, 31
 ‘*berāt*, 51, 71, 75, 183
 Berktaş, Halil, 107
 Bilād-i Rūm, 4, 19, 22, 37, 48, 181
 Bilād-i Şām, 4, 19, 22, 48, 181
 Bircik, 36, 41, 55
 Bitlis, 43
 Bodman, Herbert, 77, 85, 123
 ‘*bölük*, 158, 167, 169. *See also*
 neighborhoods
 Bourdieu, Pierre, 124, 177
 Bulliet, Richard, 10, 178
 Bursa, 69, 81, 159, 181
 Cahen, Claude, 126–27
 Cairo, 90, 130, 181
 Canbuladoğlu ‘Alī, 28
 Çatalcalı ‘Alī Efendi, Şeyhü’l-islām, 15,
 72
 center–periphery relations, 2–3, 6,
 61–64, 119, 184–85
 Çınar, Hüseyin, 16, 187
 Çizakça, Murat, 159
 contracts, 152, 162; ‘*ahd*, 77, 162;
 collective, 13, 100, 151; commercial
 (*mudāraba*), 43; rent, 173;
 tax-farming, 62–63, 107–110.
See also ‘*nezir*; sharecropping
 Çankırı, 125, 140, 142, 144
 Çatalcalı ‘Alī Efendi, 15, 72, 144
 ‘*çiflik*, 99, 103–106
 Çizakça, Murat, 159
 class, 2, 6–11, 62–67, 74–75, 88–89,
 96, 99, 112, 118, 123, 136, 144–47,
 185
 court, 29, 33, 49, 51, 64, 71, 92, 102,
 126–27, 130–32, 134–37, 142–43,
 145, 147, 166, 172, 185; building,
 25; clientele, 137–40; fees, 144–45;
 informants 128–35, 156, 164;
 registers, 13–14, 96, 133, 144,
 146; scribes, 133, 139, 141, 153
 cotton, 38, 42, 45, 47, 98–101. *See also*
 textiles
 crafts, 37, 40, 43, 47, 99
 craftsmen, 47, 55, 62–63, 86–87;
 organizations, 37–38

- credit relations, 40–41, 98, 100–107, 112, 115, 154–55, 158–59
- Damascus, 14, 40–41, 61, 63, 75–76, 80, 85, 90, 111, 128, 130, 132, 135, 137, 159, 174, 181
- decision-making, 13, 47, 49, 72–73, 109–110, 124, 151–52, 167. *See also* representation, urban administration
- descendants of the Prophet, 61–71, 76–89, 93–95, 113, 127, 132, 137–38, 142–45, 182. *See also* *naḳībū'l-ʿsrāfī*; *seyyidization*
- dīmūs*, 54, 108–110, 117
- dīrlīk*, 11, 84, 87
- Diyarbakır, 37, 42, 111
- duʿāgū*, 68, 75–76. *See also* stipends
- Duman, Yüksel, 9, 182fn7
- Edirne, 66–67, 73, 77, 91, 137, 176, 181
- Egypt, 14, 77, 127, 130
- ehl-i ʿörf*, 66
- Eickelman, Dale F., 177
- Eldem, Ethem, 179
- elite: in ʿAyntāb, 26, 32, 88–89, 96, 178; and commoners, 7, 64, 112, 124, 141–42, 160, 172–73; families, 3, 12–13, 25, 27–28, 52, 69, 77, 98–99, 106, 108, 110–119, 133–134, 135, 137, 156–157, 172, 180–181; investments of, 98–112; identity of, 112–19; and legal practice, 13, 123–27, 137, 142–43, 147–48, 156, 163, 185; provincial, 2–3, 5, 7–12, 61–64, 174–75, 183–85; and the state, 78, 107–108, 112–25, 181. *See also* gentry; patricians; ‘people’; power; representation; urban administration; *velāyet*
- Ergenç, Özer, 9, 28, 66, 114, 118, 138, 156, 158–59, 165
- Ergene, Boğaç, 7, 125, 128, 140, 144, 149
- Erzurum, 42, 73, 86
- ethnicity, 33–34. *See also* tribes
- Euphrates, 19, 23, 30, 33, 38, 41, 45–46, 55
- Evliyā Çelebi, 22, 26, 30, 38–39, 43, 45, 57, 117
- farms, commercial, 103–105. *See also* *çiftlik*
- Faroqhi, Suraiya; 4, 8, 10, 27–29, 31, 35, 40–41, 43, 45, 77, 101, 103, 107, 110, 138, 166, 170, 184
- fatwa, 15, 47, 72, 133, 143–44, 151, 174fn86
- Feyzullāh Efendi, Şeyhü'l-islām, 15, 129–30, 148, 150
- Geertz, Clifford, 128
- gentry, 2, 5, 11. *See also* elite, provincial
- Goffmann, Daniel, 179
- governor, 25, 56, 72, 86, 104–105, 161–62; *sancakbegi*, 48–49, 51–52; *beglerbegi*, 51–52. *See also* *mütesellim*
- Gümülcine, 82
- Güzelbey, Cemil C., 16
- Ḥalebī, 15, 102, 129, 148, 150, 152, 155, 175
- Hallaq, Wael B., 126, 135
- Hama, 40, 43, 102, 179, 181
- hane*. *See* tax-houses
- ḥavāṣṣ, 2, 30, 48, 51, 53, 116, 158
- Head Notable, 183–84
- Holy League, 2, 29
- honorific titles, 40, 93–96, 137–40, 172; *çelebi*, 69, 115–16, 137, 138; *el-hāc*, 69, 115, 137–38; *hācī*, 79, 93, 137–38. *See also* military, janissaries
- Hourani, Albert, 3, 8, 112, 117, 160
- Hüseyn Paşa Complex, 32, 57
- Ḥüsrev Paşa Complex, 32, 45
- India, 37, 39, 107, 182
- Iran, 28, 37–39, 42–43, 55, 79, 109, 182
- Istanbul, 7, 16, 25, 28, 33, 37, 39–40, 42–43, 47, 50, 53, 55–56, 65, 71–73, 111, 144, 159, 179
- Izmir, 31, 47, 55, 179
- İnalçık, Halil, 3, 31, 35, 41–42, 49–50, 64–66, 70, 103, 107, 111, 118, 165, 170, 173, 183
- iş-erleri*, 183
- janissary, 31, 68–70, 76, 83–89, 96–97, 102–103, 112–13, 141–43, 170–71, 182–83; *beşes*, 137–38, 141; pretenders, 85–86, 106. *See also* honorific titles; military
- Jennings, Ronald C., 127, 129, 136, 151fn6
- Johansen, Baber, 126, 143fn51, 174fn84

- Jidda, 41
 justice, 14, 87, 124–128, 145, 149;
 equity, 140–142, 167–168. *See also*
 ‘adl
- kabaltı, 26
 kadi, 49–51; Shafii, 49; warrant (*hüccet*),
 72
 Kara Yazıcı, 28
 Kastamonu, 140, 142, 144
 Kâtib Çelebi, 22, 33, 43, 45
 Kayseri, 10, 27, 39, 77, 81, 86, 127,
 136, 138
 Kiev, 4
 Kilis, 30, 34, 42, 45–46, 106
 Konya, 9, 15, 66, 81, 84, 118, 138
 Köprülü Mehmed Paşa, 67, 76, 78
- Larende, 81
 Lala Muştafâ Paşa Complex, 32, 45
 Lapidus, İra, 126
 law: Ottoman, 125; and power 124,
 145–46, 147–49; and status, 93–96,
 162–64
 legal: process, 123–29, 146–49, 185;
 authority (*velâyet*), 115–16, 148–49,
 174–75, 185. *See also* court
- Malatya, 22, 33, 36, 54, 111
mâlikâne, 55, 106–112. *See also* tax farms
 Mamluks, 53, 114, 126, 146
 Manisa, 81
 Maraş, 22, 28–30, 33, 40, 46, 48–49,
 78, 80–81, 86, 104, 110, 182
 Marseilles, 46
 Masters, Bruce, 179
 Mecca, 41, 138
medreses, 23, 32, 114
 merchants, 37, 42–43, 115, 118–19,
 143, 164, 175–76; head of, 164, 172
 Messick, Brinkley, 128, 136, 147
 Mevlevî lodge, 25, 113, 157, 172
 modernist paradigm, 8, 62
 modernization, 184
 muftî, 49, 134, 172
 Murâd IV, Sultan, 56–57, 113
 Muştafa Nürî Paşa, 10–11, 36
- Nablus, 100, 102, 181
 al-Nahal, Galal H., 129
naķibü'l-eşrâf, 50, 74, 78, 80–81,
 132, 134; Registers, 79. *See also*
 descendants of the Prophet;
seyyidization
- nefir-i ‘amm*, 1, 30, 171
 neighborhoods, 24 (map), 26–27,
 100–101, 131–32, 137, 156–73;
 ‘Ammo, 45, 156–57; Beg, 25;
 Eblehân, 23; Ermeniyân, 35; Hâyik
 Baba, 36; Hâyik Müslümân, 23, 35,
 37, 115; Hâyik Zimmîyân, 35; İbn-i
 Eyüb, 23, 74, 100, 102, 157, İbn-i
 Şeker, 23–25; Kayacık, 25; Kırb-u
 Zincirli, 85; Kürd, 34; Seng-i
 Hoşkadem, 23; Şarkiyân, 85–86;
 Şhreküsti, 22–23, 34–36, 85;
 Yaĥnî, 85; neighborhood waqf
 101–102, 156–64. *See also bölük*
- nezir*, 162–64. *See also* contracts
 Nice, 4
 Niğde, 81
 nomadic: unrest, 29, 56. *See also*
 tribes
 non-Muslims, 14–15, 33–38, 42, 54,
 115, 135, 148–50, 152–54, 182–84
 notables. *See* elite, provincial
- orphans, 150–52, 159–60; property of,
 152–56; guardians of, 152–55
 Ottoman, administration, 25;
 centralism, 61, 64; city, 179–80;
 conquest, 48–49; decline, 9, 61, 66;
 Empire, 1–2, 6, 15, 19, 46, 77, 114,
 181, 184; estates, 63; judicial system,
 145, 149; officialdom, 10, 13, 61,
 109, 112, 114, 118, 123, 152;
 post-, 6, 8; rule, 49, 113–14;
 socio-political constitution, 63, 75;
 state, 8, 57, 61, 65, 75, 179; towns,
 156, 172
 Ottomanization, 6, 12, 61–63
 Özdeğer, Hüseyin, 16
 Özlü, Zeynel, 16, 187
- Palestine, 100, 102–103, 119, 123
 patricians, 7, 178. *See also* elite,
 provincial
 peasant, 88, 111, 176; becoming
 ‘askerî, 86; flight, 29–30;
 indebtedness, 100–102; settlement
 in town, 85. *See also* credit relations,
çiftlik
- Peirce, Leslie 6, 14, 16, 34, 49, 79,
 113, 115, 125, 133
 ‘people’ (of ‘Ayntâb), 6–7, 12, 13, 28,
 50, 62–68, 76, 87–92, 111, 123–27,
 130–52, 158–71, 175–78, 183–86
 population, 4–5, 27–37, 40, 67, 70,

- 79–81, 86, 91–92, 96, 119, 139–40, 167–68, 174; estimates, 187–90
- prebends, 25–26, 29, 48–49, 51, 68, 73, 96–97, 107–109, 112, 116. *See also dirlik*; timar
- probate inventories, 15–16, 91–95
- property, 71, 117, 126, 149, 153–56, 159–61; landed, 98–99, 104–105, 107–108; commercial, 98; relations, 29, 39, 123, 139–40; tax, 66–67
- politics, 2, 6–7, 12–13, 83, 88–89, 182–83, 185–86; ‘of notables’, 7–8
- power, 7, 11–13, 67, 185; economic, 12, 67, 93; of the state/sultan 57, 62, 125; of the urban elite, 2, 5, 114, 124, 174, 183, 186. *See also* representation; status
- putting-out. *See* rural industry
- al-Qattan, Najwa, 129
- Rakka, 56
- re‘āyā*, 8–9, 63–67, 83, 85–88, 109, 111, 118, 171, 176
- rebellions, 8, 29–30, 32, 56, 78; Celali, 28
- representation, 12–13, 127–28, 146, 150–52, 160, 167, 175–178, 183–85.
- Rūha, 43, 173
- rural industry, 46, 99, 101
- Ruse, 91, 93
- Sacur, 22
- sādāt*. *See* descendants of the Prophet
- Şāh Velī, 57
- Salzmann, Ariel, 6, 11, 61, 108, 184
- şehrengīz, 181
- Selīm I, Sultan, 19, 56–57
- şeyhū’l-islām*, 72, 74fn37, 111
- seyyid*. *See* descendants of the Prophet
- seyyidization*, 77–83, 88–89, 93
- Shafiis, 25, 49
- sharecropping: *muzāra‘a*, 101–102; *selem*, 101–102
- Sivas, 81, 153
- state: -centrism, 7–8, 183; consolidation, 62; formation, 6, 62; modern, 125
- status, 11–13, 39, 56–57, 61–65, 70–71, 75, 79, 83–96, 125–26, 131, 137, 139–50, 157, 159–60, 170–72, 176–177, 183–84; formal, 63–64, 88–89. *See also* distribution of wealth
- Stoianovich, Traian, 180
- Stone, Lawrence, 62
- sükkān*, 176–77
- Syria, 4, 19, 33, 37–38, 40–41, 43, 55, 64, 77, 85, 87, 102, 182. *See also* Bilād-i Şām
- stipends, 2, 61–65, 68, 70–77, 88–89. *See also du‘āgū*
- şühūdu’l-hāl*. *See* witnesses
- Tamdoğan, Işık, 9
- Tanzimat, 3, 119, 148
- tax-farms, 48, 52–56, 74–75, 106–112, 116–19, 172–73. *See also mālīkāne*
- tax-houses, 27–29, 31–32, 67–70, 166–70, 187–90
- taxation, 12–13, 50–51, 62–63, 106, 162–63, 165–70; *bāc-ı agnām-ı kaşşabān*, 41; *beldār*, 2, 168; *cizye*, 36, 55, 105; *nüzül*, 161, 164, 167; *sürsat*, 2, 75, 161, 164, 166, 168; *tekālif-i ‘öfyye*, 65. *See also ‘avānız; dīmūs teseyyüd*. *See* *seyyidization*
- textiles, 37, 42, 46–47, 98–101; *‘Ayntāb bezi*, 45–46; *‘acemī*, 46
- timar, 105, 131; -holders, 11, 25–26, 166 *See also dirlik*
- Todorov, Nikolai, 91
- Tokat, 9, 31, 42–43, 82, 111, 119, 181–82
- Trabzon, 43, 84, 86
- trade, 30, 37–38, 41–48, 86–87, 98–99
- tribes, 15, 33, 40, 85–86, 110, 113, 182; Türkman-ı Haleb, 34; Yeñi İl, 33–34; 85–86, 109; Ekrād-ı Kilis, 30, 33–34, 106; Arab, 40, 105; settled, 33–34, 85–86, 106; settlement of, 33–34, 182–83; urban ties of, 34, 40–41, 109, 113, 182
- ‘udūl*. *See* witnesses
- ‘ulemā*, 1, 64–72, 78–79, 112–15, 127
- urban: administration, 12–13, 126–27, 151–152, 159–60, 165–84; autonomies, 2–5, 12–13, 179–80; typology of the Ottoman Empire, 4, 179–82
- Urfa, 42
- Uzun Çarşı, 23, 25
- vaşī*. *See* orphans, guardians of
- velāyet*. *See* legal authority
- Vidin, 91, 93
- viticulture, 38, 98–99
- vows. *See* *nezir*

- waqfs, 25, 32, 45, 49–50, 65, 68,
 70–71, 75, 98, 101, 105, 114,
 117, 132, 152–53, 156–64, 172;
 cash (*see* neighborhood waqf);
 imperial, 25, 32
 Weber, Max, 7–8, 11, 179–80
 wealth, 5, 7, 11, 12, 87–90, 99, 107,
 138, 144–45, 183; distribution of,
 90–96; and the elite, 96–97
 witnesses 49, 51, 87, 110, 125–40,
 149, 153, 156, 159–61, 164,
 170–71, 174; *ṣuhūdu'l-hāl*; 125–36,
 145; *udūl*, 72, 147–54, 166–67.
See also court, legal process
 women, 14, 92, 114–15, 149,
 150fn4–5, 176
 Yegen 'Osmān Paşa, 30, 56

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