

WOMEN IN THE OTTOMAN BALKANS

*AMILA BUTUROVIĆ
AND
IRVIN CEMİL SCHICK*
Editors

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Three women from the province of Salonika in Macedonia. From left to right: Jewish, Christian (Bulgar from Prilip), and Muslim. Photograph by Pascal Sébah. Osman Hamdi and Marie de Launay, *Les costumes populaires de la Turquie en 1873. Ouvrage publié sous le patronage de la Commission impériale ottomane pour l'Exposition universelle de Vienne* (Constantinople: Imprimerie du "Levant Times & Shipping Gazette," 1873).

WOMEN IN THE OTTOMAN BALKANS

Gender, Culture and History

Edited by

AMILA BUTUROVIĆ
AND
IRVIN CEMİL SCHICK

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INTRODUCTION

Amila Buturović and Irvin Cemil Schick

Since the early twentieth century, the word “Balkan” has become a common metaphor to describe chaotic and disorderly political behavior, social turmoil, and the absence of a civilized code of conduct.¹ Derived from a Turkish word that referred to the mountain chain stretching longitudinally through the peninsula,² the term “Balkan” and its various derivatives—“Balkanization,” “Balkan ghosts,” “Balkan hatreds”—have gained strong currency in political, popular, and academic discourses alike, to signify abject political and social fragmentation.

Commonly described as nationalist zealots endowed with pathologically long memories,³ the peoples of the Balkans entered modern history from the ashes of the Ottoman Empire; at least in the opinion of some European observers, however, they have never managed to live up to recognized standards of civilized behavior. Instead, they have continued their tribulations in no less petty and hideous ways than were deemed characteristic of the Ottoman era. The end of communism and the breakup of Yugoslavia in 1991, accompanied by violence and bloodshed in Croatia, Bosnia, and Kosovo, only reinforced this popular image.

Yet the Balkan region also constitutes a historical reality composed of rich and complex experiences of religious and ethnic diversity, and centuries of peaceful coexistence among Christians, Muslims, and Jews. From the Middle Ages, when most of the Balkan peoples belonged to what Dimitri Obolensky has called the Byzantine Commonwealth,⁴ to the Ottoman period and beyond, the region was characterized by multifaceted forms of religious and cultural admixing and interaction. While western Europe exhausted itself through long years of bloody religious wars and atrocities that—ultimately—brought about a well-demarcated cartography of national identity, the religious diversity of the Balkans was only enriched under the Ottoman imperial umbrella, and in ways that defy simple analysis and representation.

Historically, then, the Ottoman period has played a crucial role in the religious and cultural diversification of the Balkans. The fall of the medieval Balkan states

was a gradual process spread over several waves of invasion and consolidation of new forms of governance, between the late fourteenth and the sixteenth centuries. No single state was strong enough to halt the advancing Ottoman armies, particularly given that the latter had acted several times as mercenary allies in the internecine wars that had led to political divisions, deteriorating living conditions, and general economic instability in the region. After conquering Edirne (Adrianople) in 1361, the Ottomans pushed further into the Balkans in several successive military campaigns: Serbia was defeated in 1389 at the Battle of Kosovo, and was eventually annexed in 1459; Bulgaria was conquered in 1396, and Wallachia soon thereafter; Bosnia fell in 1463, followed by Albania, Greece, and a number of Aegean islands during the next few decades. The apex of Ottoman expansion came by the mid-sixteenth century with the conquest of Transylvania, a large part of Hungary, and Slavonia.

Ottoman dominion profoundly impacted all facets of life. The patterns of change that accompanied the course of Ottomanization can be traced through a number of processes, including conversion and the administrative subdivision of the population along religious lines. However, conversion was neither steady nor uniform, and involved not only the adoption of Islam, but intra-Christian conversions as well. Most importantly, Islamization was not a ubiquitous phenomenon: except for some concentrated pockets, Muslims remained a minority in the region at large. The largest Muslim communities were formed in Bosnia, Albania, Bulgaria, and western Thrace. Moreover, in the aftermath of the 1492 Reconquista and the expulsion of the Jews of Spain and Portugal, many Sephardic Jews were welcomed—at the invitation of the Sultan—into this already religiously diverse area, and were resettled in such cities as Salonika and Sarajevo.

In administering their new subjects, the Ottomans relied on some existing structures and practices inherited from Byzantium, but they also introduced new ones, notably the *millet* system of semi-autonomous religious communities. Scholarly opinions differ as to the origins, span, and institutional makeup of this system, but it is widely held that—as far as the imperial court was concerned—the *millets* gradually became the main sources of group identity for the subjects of the Ottoman Empire. The heads of the *millets* were state functionaries appointed by the Sultan and given significant ecclesiastical, fiscal, and legal control over their constituent populations.⁵

Traditional scholarship has understood the *millet* system as a rigid and static structure characterized by fixed and impermeable lines of demarcation that disallowed contact and interaction between different communities. It is only recently that careful studies of this institution have begun to expose its inner workings in a more nuanced manner, notably revealing its porousness and fluidity. Challenging the long-held assumption that people acted uniformly as a group and in accordance with their institutionally prescribed status, recent studies have demonstrated more fully and in greater detail that inter-*millet* relations were dominated by both mutual tensions and shared interests—economic, social,

gender, regional, and so on—that often blurred the spaces of exchange among religious groups, and collectively constituted much more complex forms of identification and social cohesion.

These new and compelling findings have led to a more subtle understanding of religion and ethnicity in the Ottoman Balkans. They have also prompted scholars to trace social patterns of behavior not just in the official policies and institutions of the Ottoman government, but in everyday practices as well. After all, most inhabitants of the Balkans, like most people everywhere else, adhered to cultural practices and values that evolved over time rather than to unchanging structures and norms imposed by the ruler—whoever he might have been. At the same time, to assume that official and popular practices were completely separate and fully differentiated would be to obscure the fact that it is precisely through the negotiation of these two that codes of behavior were formed, and values were sustained. Within such historical conditions, the role of women, conventionally relegated to the private sphere and thus deemed non-canonical and irrelevant to history-making, needs to be reevaluated and fully included in a corrective reexamination of inter-communal relations in the context of the multi-ethnic and multi-confessional Ottoman Balkans.

The present volume aims precisely at contributing to this growing scholarly sensibility by highlighting the role of women in the processes of cultural and social interaction, and in communal practices of both inclusion and exclusion. Envisioned in interdisciplinary terms, the volume does not single out gender at the expense of other relevant analytical categories such as class, culture, ethnicity, nationhood, and religion. Rather, it weaves them together in the context of diverse subjects—law, religion, economics, literature, public and private life, politics and nation-building—and draws upon multiple fields and disciplines. Recognizing the diversity of ethnic and religious groups in the Ottoman Balkans, contributors to the volume seek to address questions of acculturation across religious and ethnic boundaries as they inflected gender relations and the daily lives of women.

To this end, individual contributions assess practices of which women were the principal subjects or objects, cementing existing values or negotiating change vis-à-vis their immediate surroundings and overarching institutions. This represents a move towards a broader understanding of women's participation in all facets of social life, examining their modes of empowerment and disempowerment, of self-affirmation and self-denial, and investigating the fora through which they could—and did—allow their voices to be heard. Whatever their status, the women of the Ottoman Balkans played important roles in both stabilizing and changing the region's historical landscape.

While the scope of this volume is by no means exhaustive, the sources examined by its various contributors are inevitably multiple and diverse, coming not just from Ottoman administrative and court records, but also from local traditions (both written and oral), ecclesiastical archives, and national historiographies.

Contributors have approached the women under study from very diverse analytical perspectives, and yet there are distinct common threads that run through and link together even seemingly disparate contributions. For this reason, the editors have chosen not to attempt a generic grouping of the essays—under such headings, say, as “the law,” “literature,” “religion,” and so forth; instead, readers are encouraged to explore common links and trajectories based upon methodological, theoretical, thematic, and historical considerations.

For example, where Olga Augustinos describes the fictional Christianization and westernization of a former Ottoman slave transposed to France in a novel by the Abbé Prévost, Angela Jianu emphasizes the historical role of upper-class Romanian women in the development of consumer practices that strengthened ties with western Europe and promoted a new, proto-national identity, while Patricia Fann Bouteneff stresses the function of folktales in underscoring not only gender difference but also Pontic identity in Balkanic exile. Where Mirna Šolić writes of the lyrical portrayal of interfaith romance in the works of the Croatian poet Luka Botić, and Ārvin Cemil Schick of inter-ethnic sexual violence as a metaphor for national conflict, Sophia Laiou and Svetlana Ivanova highlight the lived reality of matrimonial relationships across ethnic and religious boundaries in Greek- and Bulgarian-speaking communities, respectively. Where Peter Mario Kreuter focuses on women’s practical duties as protectors of the community against demons and revenants, and Amila Buturović on the role prescribed for them in Bosnian ballads as the ultimate resolvers of social conflicts arising from men’s class-transgressive behavior, Gila Hadar highlights the political activism and organized resistance of working-class Jewish women in Salonika. Where, finally, Kerima Filan describes women’s active role in upholding the Muslim community by establishing charitable foundations and endowing mosques and schools, Selma Zećević stresses their pragmatism and readiness to seek the most advantageous interpretation of Islamic law in dealing with the vexing problem of what to do about a long-missing husband.

The criss-crossing and interlocking conversations that take place among the many interlocutors comprising this volume underscore the fallacy of the dichotomy of fact and discourse, and point to the urgent necessity of giving a more dialogical orientation to the study of Ottoman history. Certainly a material reality exists independently of human perception, but just as certainly that material reality is not comprehensible to the human beings that experience it outside of their cognitive categories, signification practices, and discursive networks. The men and women who worked in factories, went to court, and partook in all manners of social, economic, and political activities were not distinct from those who sang ballads and told tales about ill-fated romances across intercommunal boundaries, nor from those who turned to those same ballads and tales for comfort when transplanted to an alien land as a result of the tragic wars and population movements that brought so much misery to the region, particularly in the twilight of the age of empires. Of course no single scholar can be expected to address all these angles at once, but there is much to be gained from interdisciplinary meetings

of the minds in which the products of different approaches and methodologies are allowed to intermingle and to jointly create a whole that is greater than the sum of its parts. That is precisely the goal of this volume.

Several papers examine how literary texts treat the dynamics of gender relations, encounters with otherness, and the expectations and responsibilities associated with such encounters. In “Eastern Concubines, Western Mistresses: Prévost’s *Histoire d’une Grecque moderne*,” Olga Augustinos looks at the life of Théopbé, the heroine of Prévost’s novel, said to have been modeled on the real-life French-Circassian epistolary author Mlle Aïssé. From the author’s perspective, Théopbé was subjected to two modes of othering: as a harem concubine, and as a Greek woman. She thus epitomized the continuous tension between the construction of the ideal “western” woman, as shaped by eighteenth-century French culture, and her “eastern” counterpart and antithesis. The process of Théopbé’s “liberation” from the harem, and her subsequent exposure to westernization under the tutelage of a French diplomat who certainly had his own cultural and sexual agenda, only reinforced her otherness, raising fundamental questions about the markers and limits of alterity, and whether or not it can ever be transcended.

Similar questions are raised by Mirna Šolić in “Women in Ottoman Bosnia as seen through the Eyes of Luka Botić, a Christian Poet.” Standing outside of the Ottoman geographical space though at its very threshold, and deeply invested in the Croatian movement of national awakening, Botić revived themes recorded in folk poetry about Muslim-Christian romantic encounters. He fashioned new forms of representation for the Ottoman ethos and for inter-religious relations, while simultaneously giving folk poetry a whole new role in the formation of Croatian national culture. Botić’s poetry thus posited women as participants in romantic escapades, but it also helped the reader understand better the politics of cultural differentiation in this zone of heightened contact between Catholic Croats and Muslim Bosnians, especially as rendered into the emerging national canon.

Two essays focus on folk material in an effort to uncover the role of women in either the transmission and safeguarding, or the negotiation and subversion, of societal norms. Amila Buturović’s “Love and/or Death? Women and Conflict Resolution in the Traditional Bosnian Ballad” addresses the range of responsibilities shouldered by women for the preservation of the norms established by patriarchy. In the world of traditional Bosnian ballads, women regulated codes of behavior often to their own detriment. The representation of women was never singular; rather, recognizing their membership in and loyalty to class, generation, marital status, and other social categories, the ballad contrasted their romantic pragmatism against their men’s passive sentimentality which threatened the stability of the social order.

Gender-differentiation in the narration of folktales is the focus of Patricia Fann Bouteneff’s “Persecution and Perfidy: Women’s and Men’s Worldviews in Pontic Greek Folktales.” In stories collected after the mass resettlement of Pontic Greeks

following the tragic population exchange between Greece and Turkey, narrators nostalgically reflected on their homeland, community life, and the challenges posed by exile. Bouteneff highlights these tales' poignant expression of a self-identity that defied the official, undifferentiated definition of Greekness; she shows that, given Pontic Greeks' cultural isolation both before and after relocation, folktales remained an important medium for negotiating gender relations and registering differences between men's and women's life experiences.

Folk culture is also the focus of Peter Mario Kreuter's "The Role of Women in Southeast European Vampire Belief," which focuses on popular stories and reported incidents relating to vampirism as recorded by Austro-Hungarian emissaries, particularly to Romania and Serbia. While later mainstream fiction has tended to focus on male vampires and their female victims, Kreuter's sources reveal a wide range of roles ascribed to women in folk beliefs about the undead. Ultimately, however, it was their function in carrying out proper burial rituals and thus attending to the dead in ways that would safeguard the entire community against their eventual return that accorded women their centrality. In this respect, they were empowered, through ritual practices, to protect their village against alien impostors—vampires—in historical times of continuous political intrusion by aliens of a different kind, first Ottoman and then Austro-Hungarian.

Indeed, a number of essays indicate that the empowerment of Balkan women during the Ottoman period was not limited solely to the sphere of private, everyday life. On the contrary, women also found important venues for self-affirmation through public institutions. Ottoman rule engendered new subjectivities that sometimes came in the form of subversion and resistance, and other times appropriation and participation. In "Women as Founders of Pious Endowments in Bosnia," Kerima Filan examines the involvement of Bosnian women in the construction and administration of public space. Ottoman women could legally own property and freely dispose of it. While they could not personally participate in the actions of the political and religious elites, they did make full use of the rights and privileges accorded them by law to exert indirect but significant, influence on society, notably by designating their property as pious endowments—schools, hospitals, dervish lodges, houses of worship, etc.—and thus controlling their function and operation for decades to come.

Another mode of self-affirmation came in the form of resistance to and subversion of local norms. Sophia Laiou's "Christian Women in an Ottoman World: Interpersonal and Family Cases Brought Before the *Shari'a* Courts" reveals Greek women's ability and willingness to reach beyond their own communities' ecclesiastical and lay institutions when they deemed their interests better served by appearing before Muslim authorities. Court documents reveal that women often had considerable knowledge of their legal options across different legal-religious systems when confronted with specific personal and communal situations, and thus sheds light upon the breadth of the alternatives available to them.

The personal empowerment conferred to women by their appearance before a judge to claim legal rights denied by family members and/or community norms

is also addressed by Svetlana Ivanova in “Judicial Treatment of the Matrimonial Problems of Christian Women in Rumeli during the Seventeenth and Eighteenth Centuries.” Through an examination of Islamic court records as well as Orthodox church documents in Bulgaria, Ivanova determines that Christian women displayed a certain awareness of their legal options as they sought to overcome adversity or vulnerability within their own communities, sometimes resorting to Ottoman authorities in the hope that they would be less influenced by the local balance of power, and therefore more objective and just.

Women’s understanding of their legal rights and their readiness, when necessary, to claim those rights before a judge is also addressed by Selma Zečević in “Missing Husbands, Waiting Wives, Bosnian *Muftis*: *Fatwa* Texts and the Interpretation of Gendered Presences and Absences in Late Ottoman Bosnia.” Focusing on husbands who either deserted their wives or failed to return to them for reasons beyond their control—and on their wives’ subsequent efforts to rebuild their lives and redefine their domestic functions and responsibilities—as reflected in the opinions of the Bosnian jurist Ahmed of Mostar, Zečević discusses the legal framework that governed such cases under various schools of law, particularly the dominant Hanafi school, and shows that both judges and petitioners could be flexible and creative in seeking a just resolution to the hardships faced by women.

If some women pursued their rights in court, others took to the streets. Gila Hadar’s “Jewish Tobacco Workers in Salonika: Gender and Family in the Context of Social and Ethnic Strife” focuses on women’s transgression of traditional norms in favor not only of labor force participation, but indeed of active involvement within the workers’ movement. Set against a backdrop of developing capitalism, national awakening, and rising socialist militancy, Hadar shows that delineations of gender, class, and ethnicity crossed, merged, and even conflicted with one another as women broke out of the domestic sphere and into the public arena, taking part in the momentous events and social struggles of their time.

The gradual process of de-Ottomanization, accompanied by daunting changes in the political fabric of the Balkans, occasioned new modes of cultural and social engagement for women. Angela Jianu’s “Women, Fashion, and Europeanization: The Romanian Principalities, 1750–1830” examines the shifts in fashion and consumption patterns north of the Danube by focusing on both Western European perceptions of Romanians and the ways in which Romanian women used clothes, fashion accessories, household items, and luxury imports to express a new identity. Problematizing the conventional East-West dichotomy, the simultaneous presence of Ottoman, Russian, and French influences in Romania serves as the backdrop against which consumer practices by elite women patterned new norms of femininity, bourgeois individualism, and national culture.

By contrast, İrvin Cemil Schick’s “Christian Maidens, Turkish Ravishers: The Sexualization of National Conflict in the Late Ottoman Period” discusses women’s bodies as symbolic sites of Turkish violence against subject populations. War as sexual conquest—a trope widely used in art and literature and deeply

engrained in the European collective memory—was a powerful discursive tool for mobilizing public opinion in support of independence movements struggling against Ottoman rule. Blended with orientalist motifs such as Asiatic despotism, gender and sexual stereotypes were deployed with great political efficacy in the works of Victor Hugo, Lord Byron, and other, less prominent, writers and artists, influencing the course of events not only then but even today.

The picture emerging from this collection of essays is one of fluid identities and porous ethno-religious boundaries, of authorities at times coercive and at times pragmatic, of women often oppressed but aware of and willing to demand their legal rights, of jurists trying to balance divine law with the imperatives of a multi-confessional empire, of gender roles extending far beyond the traditional public/private dichotomy. Women in the Ottoman Balkans were founders of pious endowments, labor organizers, and conspicuous consumers of western luxury goods; they were lovers, wives, castaways, divorcées, and widows, symbols and agents, the subjects of ballads and the narrators of folk tales, victims of communal oppression and protectors of their communities against supernatural forces. For too long, history plain and simple has meant the history of men; it is high time to view the history of women as history plain and simple.

Notes

1. See e.g. Todorova 1997; Goldsworthy 1998; Bjelić and Savić 2002.
2. Ayverdi 2005, I: 273.
3. Not, of course, that this view is entirely unfounded: see MacDonald 2002.
4. Obolensky 1974.
5. On the debates surrounding the early history of the millet system, see Braude 1982.

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Eastern Concubines, Western Mistresses: Prévost's *Histoire d'une Grecque moderne*

Olga Augustinos

Et si elle avait ... consenti à se livrer à mes soins, n'était-il pas naturel qu'elle eût cette confiance pour un homme à qui elle devait les images de vertu qu'elle commençait à goûter? Dans cette supposition ne devenait-elle pas respectable? et pour qui l'était-elle plus que pour moi-même, qui avais commencé à la servir sans intérêt, et qui ... devais me faire honneur d'une conversion qui était proprement mon ouvrage?

[And if she had ... consented to surrender herself to my care, was it not natural that she should have such confidence in a man to whom she owed the images of virtue that she was beginning to taste? On this assumption, was she not becoming respectable? And for whom was she more so, if not for me, who had begun to serve her without interest, and who ... should honor myself with a conversion that was in fact my own doing?]

L'Abbé Prévost, *Histoire d'une Grecque moderne*

Being virtuous was a woman's duty, one that erased Eve's stain and simultaneously ensured social peace through fidelity within the fold of marriage—or, in its absence, through the moral probity of abstinence. This dual bond entwined Christian ethics with the secular, middle-class desire for familial felicity and stability. The purity of the female body ensured the purity of family origins. Honor, on the other hand, was a male prerogative disassociated from the male body. It was the principle, both individual and collective, that guided the reciprocal obligations among men, and demanded the chaste fidelity of a woman worthy of esteem.

Théophé, the heroine of Prévost's novel *Histoire d'une Grecque moderne* [The Story of a Modern Greek Woman] (1740), chose the path of abstinence as the surest way to possess her own body and soul. But before she could even be aware of this choice, she had to be converted from the eastern code of female conduct to the western. This binary opposition was a western construct which sought to define the ideal European woman in part by contrasting her with her eastern counterpart.

Théophé's conversion was the task of a French diplomat who liberated her from an Ottoman harem in Constantinople and embarked on the mission to refashion her into a western woman of "virtue."¹ She had pleaded with him to buy her freedom from the Turkish pasha Chéribér, "in the name of the esteem ... that [the diplomat] had expressed for women who loved virtue."²

She had heard this magic word during a brief encounter with him in the harem quarters, where he had been invited by the aged "Bacha" [pasha] to meet his women. There were twenty-two of them, their ages ranging between sixteen and thirty. Théophé—or Zara, her harem name—was one of the youngest and most attractive. The only thing her master knew of her was that she was Greek. Her charm and spiritedness had endeared her to him and drew the French visitor's attention as well. In the latter's eyes she stood out among the other concubines, and he regretted to see her "born for a destiny different than the one she deserved because of her complaisance and kindness." Then he spoke to her of the women in Christian countries whose husbands ask only for "gentleness, tenderness and virtue" of their life companions. For Turkish women, however, "these virtues were ... lost ... because of their misfortune to have never found in men a reciprocity worthy of their sentiments."³ Thus, he established the contrastive roles of eastern and western women in relation to men at the very onset of their relationship.

Of the three qualities he cited, Théophé focused only on virtue because it presented her with an alternative way of life and a reordered relation to men. In her view, however, virtue meant not monogamous fidelity and familial bliss, as it did for her mentor, but celibate chastity leading to an independent construction of the self. This could be achieved only outside the walls of the harem, and outside, as well, of those of the family fold which, she intuited, would merely impose new restraints and dependencies. Therefore she saw him only as a potential liberator. He accepted this role gladly and readily because he injected into it his own interpretation: the double promise of the mission of conversion and the right of possession over his neophyte. To his dismay, he soon discovered that the *belle Grecque* identified virtue with abstinence so steadfastly that she made it the mark of her new identity. In this instance, virtue was not "a straightforward negation of female control" but an "interplay of constraint and will."⁴ It was her will to self-creation stemming from self-consciousness, "the bitter knowledge ... of the status" he had granted her.⁵

Théophé's efforts to overcome her past as a concubine and to become a virtuous woman were thwarted at every step by her mentor, her "liberator, father, and god" as she called him. Like a new Pygmalion, he aspired to make her into a *femme distinguée*, a creation worthy of her creator to whom she owed "the honor of her conversion." She, like a new Schéhérazade, used the eloquence of the "images of virtue" he had so successfully impressed upon her, to rebuff his passion which threatened to undermine them. She saw in him the father she never had; he saw in her, or rather would have liked to see, a redeemed concubine refashioned into a western mistress, exchanging slavery for voluntary submission. Her struggle

for personal freedom thus began when she found herself in the vortex of these clashing forces once she had left the harem.

This essay examines the antinomies and ambiguities of Théophé's conversion within the framework of the binary opposition between the feminine worlds of the East and the West. Her tumultuous relation with the French diplomat became the battleground where these two worlds came to be entangled with personal visions and desires. Their comparative analysis will demonstrate that Théophé's conversion was a complex process as she tried to forge a new identity by extricating herself from both the physical bondage of the harem and the psychological intricacies of western rules of conduct. To follow her progress along this tortuous path, I look through the prism of the diplomat's layered narrative and its refracted images: hers, through the web of praise and accusation he cast upon her; and his, through his inner contradictions. To better understand her transposition from East to West, I place her story within the context of Ottoman harem culture as it was portrayed in the West, and of representations of Greek women, many of whom lived in harems. Indirectly, her story presaged the history of her birthplace, enmeshed in "noble" origins and hybrid sequels enveloped by an oriental veil.

Behind the Veil: The Bonds of the East

Imaginings of life behind the veil—by definition a taboo for all outsiders—and the more or less observable and verifiable facets of Ottoman life that poured into the West through travel and historical narratives, became the locus of a different social, moral, and aesthetic order. The institution of the harem in particular, often known by its synecdochic appellation *Seraglio* or *Sérail*, had attracted the interest and stimulated the curiosity of travelers at least since the sixteenth century, when the Ottoman world burst into European consciousness.⁶

The harem's multiple textual and visual representations entailed, among other things, a caveat for the West which "was beginning to question the principles of its political institutions, the goals of [female] education., the role of the family, and the ... relation between the sexes."⁷ This last element was of paramount importance for the definition of women's role in western society. Its formulation was facilitated by the construction of a contrastive Other, the "oriental woman." The two opposed prototypes and the codes of conduct they represented, were embodied respectively by the institutions of monogamy and polygamy. Although there was, during the eighteenth century, some discussion of the merits of polygamy, its moral inferiority with respect to monogamy was never questioned.⁸ The latter was considered the abode of "maternal womanhood [that] frequently contrasts to the wanton polygamous Other."⁹

Who was this "polygamous Other," and what were the rules of her conduct? Harem women were of diverse ethnic backgrounds, a fact noted by travelers since the earliest times: "What vision of lovely daughters of the Caucasus and the Archipelago" exclaimed one of them; "Musulmans, Christians, Jews ... pass like shadows under the silver domes."¹⁰ This ethnic diversity notwithstanding, the "oriental woman" was an essentialized construct sweeping over local differences

and past origins. She was “always portrayed as a multiplicity, a plurality”¹¹ because the harem was seen as a crucible where female individuality dissolved into a collective induction in the art of seductiveness channeled to the master’s desires. Erotic, sensual love precluded the true intimacy and affection that were known only to western women. “I presented to her [Théopbé],” noted her mentor, “the infamy of the kind of love practiced in Turkey; this facility of delivering oneself to men’s desires, this vulgarity in the uses of pleasure, this ignorance of everything we call taste and feeling.” Western love, on the contrary, “is a well-regulated relation, which is the sweetest of all possessions and the greatest advantage beauty can bestow on a woman.”¹²

Reciprocity, then, was the key to a western woman’s relation with a man. This fact entitled her to a feeling of superiority over her Asiatic counterpart. Deprived of an inner dimension and of true communion with the opposite sex, the oriental woman was a prisoner of her own beauty, to be pitied rather than reviled. The traveler Jacques Grasset de Saint-Sauveur used these arguments to flatter his female French readers: “It is mainly for you that I have written about the manners and the usages of the seraglio. This work will furnish you many opportunities to exercise this exquisite sensitivity, your greatest appanage. Take pity on these beauties of the Orient and become even more grateful for the good treatment you receive, which is owed to you, but requires a reciprocity of feeling.”¹³

Since reciprocity in gender relations was absent in the Orient, harem women were confined to female company. This condition would either “set women against each other,” or “may bond them together in collective pleasure.”¹⁴ Many observers of the Orient saw this “pleasure” not as companionship but as concupiscence. One such observer, the seventeenth-century traveler Michel Baudier, dedicated a chapter of his account *Histoire générale du sérrail et de la Cour du Grand Seigneur* (1624) to this kind of love, and its title is indicative of its content: “*Des Amours des grandes Dames de la Cour du Turc et des ardentes affections entr’elles*” [On the loves of the Great Ladies of the Turk’s Court, and of their ardent affection for each other]. Thus, unlike the western ideal home bathed in visions of domestic felicity, the harem was represented as the abode of soulless sensuality.

It was Racine who put harem “passions” of sensuous love, jealousy, and cruelty on the stage in his tragedy *Bajazet* (1672). Unlike the ancient mythological themes of his other tragedies, this play was based on recent historical events distanced by their exotic setting. While Sultan Amurat [Murad] was away, his “Sultana” Roxane fell in love with his imprisoned brother Bajazet. This latter was enticed by the promise of the freedom she could confer on him, but was held back by his love for the Ottoman princess Atalide. The discovery of this liaison aroused Roxane’s destructive fury, which brought about the death of all three. In Racine’s tragedy, love and jealousy were stripped of the erotic fantasies westerners were already associating with the harem, and were treated as universal passions. Yet, they were orientalized because they were deemed inherent to the nature of the harem. “In effect,” Racine asked rhetorically, “is there a court in the world where

jealousy and love are so well known other than a place where so many rivals are locked up together and where all these women have no other occupation ... than learning how to please and be loved?"¹⁵

Roxane exemplifies these traits in their most intense form. Racine made her the incarnation of imagined oriental love: seductive and sensual, but also imperious, menacing, and cruel. In the Sultan's absence, she had taken on some of his traits. In effect, she "wield[ed] absolute power" as his "delegate,"¹⁶ and decided to use this power for the love she had chosen.

Bajazet, écoutez; je sens que je vous aime:

...

*Ne désespérez point une amante en furie,
S'il m'échappait un mot, c'est fait de votre vie.*¹⁷

Bajazet, listen; I feel that I love you:

...

Do not throw into despair a woman in love's fury,
If a word escapes from me, your life will be over.

This inversion extended to Bajazet, who thereby became a harem woman. He was "transformed from a man to a woman ... who openly employs his beauty as an exchange value."¹⁸

*Bajazet est aimable: il vit que son salut
Dépendait de lui plaire, et bientôt il lui plut.*¹⁹

Bajazet is attractive: he saw that his salvation
Depended on pleasing her, and soon he pleased her.

Pleasure was all hers, and so was revenge when she discovered that Bajazet's promise of love had been feigned. It is her physicality and carnal love that distinguish Roxane from Racine's ancient heroine Phèdre [Phaedra], whose passions were just as explosive, but more rarefied and subtle. In Roxane we see no trace "of what we call modesty; she does not ... have the delicacy or the pride of a western woman."²⁰ The physical space wherein this love intrigue unfolded was no less sinister and impenetrable: dark corridors, immured apartments, and secret chambers where the mutes awaited their next assignment of strangulation. In Bajazet "the seraglio is more than a setting for a tragedy; it is the supreme tragic site."²¹ In it, Racine dramatized the more sinister images of the Turkish harem, and in Roxane's unleashed passions, love and violence coalesced within a place closed onto itself, a place with no exit.

At a time when interest in the Orient was increasing, and Turkey was the Orient's main representative,²² Racine placed the harem world in the distance of spatial and cultural difference, which is the difference of the exotic. "The character of the Turks," he noted, "however modern they may be ... can be seen as ancient. Their customs and manners are entirely different."²³ Racine was one of the first writers to equate space, mainly cultural space, with time, and on this

basis to bring the Orient closer to antiquity, thus enveloping both in the aura of the exotic Other. Racine would have agreed with Segalen's remark that "exoticism is not only given in space, but is equally a function of time."²⁴

The harem woman in Antoine Galland's *Les Mille et une nuits* [The Thousand and One Nights] (1704–17) and the genre of oriental tales it spawned was different from Racine's heroine.²⁵ She was a beguiling and enticing woman who used her charms to gain and keep her master's favors. Unlike Roxane whose predatory love precluded any erotic fantasies, the woman of the oriental tales and romances "is figured in the seductive veils of the 'oriental' harem that at once hide and exhibit her."²⁶ Her face and figure were all the more enticing because they were invisible. As we have seen, she was not identified with a particular nationality, social class, or religion, but with the space that confined and consumed her life. It was a place laden with contradictions: though a fiercely private institution, it allowed for no privacy; though identified with the feminine sex, it was ruled by eunuchs who had no sexual identity; though a *terra incognita* for all outsiders, its textual and pictorial representations filled the imagination and excited the fantasies of generations of European men and women; though a place dedicated to love, not all of its women tasted its pleasures, and even fewer, if any, its affective bonds. Even the master of the harem—which existed only for his *jouissance*, as Grosrichard called it—indulged in loveless lovemaking, because "a Muslim in his harem perhaps has never known love and its resources. . . . Only the *lascivious tableaux* that drive chaste love away can light the sparks of the eyes of debauchery."²⁷ It was also deemed to be a place of loneliness: "Put behind you all the ideas of the *sérail*," the French diplomat advised Théopbé, "that is, those of solitude and perpetual constraint."²⁸

The "perpetual constraint" of which the diplomat spoke was enforced by the black eunuchs, whose asexuality freed them from desire and therefore qualified them to guard the boundaries of harem women's desires. Women's every movement was scrutinized by the Argus eyes of their keepers, who

punish severely their least infractions. It is with great difficulty that their severe guardians allow them to take a walk in the gardens. These ruthless jailers accompany them incessantly; at their signal, the Gardeners line up along the walls holding long sticks with cloth panels attached to their tips, which form a wall between them and the girls. So great is the jealousy of the Eunuchs, that if they catch a Gardener looking at the women through the openings of the panels, they cut off his head on the spot.²⁹

Fear-inspiring though they were, these overseers shared some of the experiences of harem women. They too came from all parts of the empire, and had been taken from their homes between the ages of eight and sixteen. They too had been severed from their families and origin, a fate that relegated them to an existence of immediacy to better render their undivided allegiance. Since individual and ethnic identities were inconsequential, physical traits became important not as racial markers but as task qualifiers. For the black eunuchs, the more pronounced their

blackness, the more effective they would be as deterrents against transgressions of the boundaries of female desire.³⁰ “Those Eunuchs whose face is less malformed, are intended to guard the first door of the enclosure; but those who guard the entrance to the women’s quarters, and who ordinarily converse with them, in addition to being black, they have considerably more deformities, which make them hideous.”³¹ Their “hideousness” contrasted with the names they were given, typically chosen after the most beautiful flowers, such as Narcissus, Hyacinth, and Rose. This practice was a way to separate the name from its bearer and thus to further neutralize his presence. The names were more akin to the qualities attributed to the women than to the eunuchs themselves, because “serving the women, and being always near about them, their names may be answerable to their virginity sweet and undefiled.”³² They were the protective shield of those qualities that kept “the harem women’s mouth unsullied and pure” when they addressed their keepers.³³

Female purity, then, was just as much prized in the East as it was in the West. However, from the western point of view this quality was inscribed differently in the two codes of conduct. In the East, purity touched only the body and was safeguarded for the master’s enjoyment alone; once the body was no longer pure, then its value was commensurate with the pleasure it gave. In the western context, on the other hand, purity enveloped a woman’s body and soul and remained inviolable in a relation of monogamous fidelity and reciprocity, the twin trademarks of her virtue. Prévost’s hero prided himself for trying to recast Théophé into the latter mold while still indulging in images of the former.

The coexistence of purity and impurity in the harem setting was given a spacial configuration in western accounts. Silent and secluded like a nunnery, it was imagined as the setting of wanton scenes. Its monastic appearance was belied by its moral disorder. The traveler Aubry de La Motraye, whom Prévost knew and whose work he admired, claimed to have entered the women’s quarters when the Sultan and his harem were away. From outside their rooms appeared to him “similar to the cells of Monks and Nuns.” A eunuch opened the door to one of them and La Motraye imagined much more than he saw, inviting his readers to do the same: “Its window panes were painted in different colors similar to those of several *Christian Churches*. In comparing the rooms of the women of the *Grand Seigneur* to the cells of a Nunnery, one must exclude the rich furnishings as well as the usage of these rooms, whose difference one may well imagine without the need of an explanation.”³⁴ Just as the purity of the eastern woman intimated images of her erotic destiny, the ascetic exterior of her room conjured scenes of sensual luxuriance.

The more concealed she was, the more vividly did the image of the oriental woman scintillate in European eyes. Through her eyes she entered the western imagination. The eye had many dimensions in harem literature, but they all made it a locus of desire. It was the channel through which desire was both emitted and attracted. “We saw you,” wrote Zachi to Usbek in Montesquieu’s *Lettres persanes* [Persian Letters] (1720), “wander from enchantment to enchantment ... you fixed

your envious gaze in the most secret of places; you made us move in an instant in a thousand different positions.”³⁵ Looking at the oriental woman was her master’s exclusive privilege, “a kind of visual mastery over her.”³⁶ The western outsider, however, had another means of penetrating the forbidden kingdom: the visible representations of invisible fantasies. Conjuring Théophé’s “stained” past, her liberator let his imagination wander through her harem experiences and in his anticipation of a charmed future when Théophé’s body would have been cleansed and therefore become more delectable. “The caresses of her two lovers, had they not imprinted on her a stain..? A stigma of this sort, could it not be erased by the respite ... of a few days, particularly at an age when nature renews itself ... by its own means?” Images of past sensuality and future purification were the ultimate attraction: “I stood for sometime looking at her with an appetite, or rather an avidity, I had never felt before.”³⁷

In the harem, there was one eye that saw everything but felt no desire. The eunuch’s look, like that of his master, surveyed the female body, but his was the scrutinizing look of the examiner, not the participant. When a new woman was brought to the harem, he inspected her thoroughly, looking for imperfections. His sexual mutilation gave the eye unconditional freedom, because it engaged no other senses. “Being a minister of innocence,” wrote the Chief Black Eunuch to Usbek, “I use the freest of actions and chaste looks which cannot but inspire innocence.”³⁸

A woman’s eye, the only part of her anatomy uncovered in public, was deemed the seat of forbidden desire. As with all things forbidden, the oriental female glance peering from behind the veil—dark and mysterious, soft as velvet and burning like coal embers, daring and cautious—mystified the western traveler. “Their eyes,” remarked the eighteenth-century traveler Aaron Hill, “are of a Piercing *Black*, almost Transparently *Bright and Striking*, and the larger they are, the more esteemed. ... Their Motions carry a *Peculiar Grace* ... the Native Charms of an *Amorous Softness* appear unfeignedly in every look.” In his eyes, their suggestive “motions” revealed their “incontinent” sexuality, a result of their ignorance of the rules of “morality” and the segregation of the sexes.³⁹ Alexander Kinglake, writing in the nineteenth century, found no offense in the oriental woman’s gaze, only allurements:

And perhaps as you make your difficult way through a steep and narrow alley ... you meet one of these coffin-shaped bundles of white linen that implies an Ottoman lady. ... Of her very self you see nothing except the dark, luminous eyes that stare against your face. ... She turns and turns again, and carefully glances around her on all sides, to see that she is safe from the eyes of Musulmans, and then suddenly withdrawing the *yashmak* [veil], she shines upon your heart and soul with all the pomp and might of her beauty. ... There is fire though, too-high courage, and fire enough in the untamed mind ... that drives the breath of pride through those scarcely parted lips.⁴⁰

The eye behind the veil, however, enjoyed a liberty unknown to western women: the liberty of anonymity, to see and not to be seen. Not surprisingly, it was a woman traveler, Lady Montagu, who first noted this freedom: “Their heads and faces as well as their shapes are ... wholly covered by ... a *ferigee* [*ferâce*, i.e. overcoat]... [which] disguises her so that ... ’tis impossible for the most jealous husband to know his wife when he meets her. This perpetual masquerade gives them entire liberty of following their inclinations.”⁴¹ Grasset de Saint-Sauveur, echoing Lady Montagu, was more explicit in his conjectures: “Under such *Domino* ... one can judge how such costume favors gallant intrigues and gives freedom to women.”⁴² Both authors concluded that freedom under the veil was but a sexual escapade.

Although she did not have direct contact with the sultan’s harem, Lady Montagu visited the private apartments of two upper-class Ottoman ladies, one of whom was a former *haseki sultan* [imperial favorite], and gave an inside glimpse of their private lives. The living space she revealed “was not merely picturesque and exotically exciting.”⁴³ She demystified the harem and its associations and described a real feminine space with its own rituals, etiquette, and pleasures. She made the two visits on the same day and was accompanied on both occasions by a Greek lady who served as her interpreter. She was exceedingly proud to be the first Christian woman to have received such invitations and donned the appropriate apparel.

I ... therefore dressed my self in the court habit of Vienna, which is much more magnificent than ours. ... I was met at the door by the black eunuch, who ... conducted me though several rooms, where her she slaves, finely dressed, were ranged on each side. In the innermost I found the lady sitting on a sofa in a sable vest.⁴⁴

Her second hostess was a noble lady of extraordinary beauty. Following a similar ceremonial reception, she entertained her guest by having her “fair maids”—twenty of them—dance:

She made them a sign to play and dance. Four of them immediately began to play some soft airs with instruments ... which they accompanied with their voice, while the others danced by turns. Nothing could be more artful, or more proper to raise *certain ideas*. The tunes, so soft!—the motions so languishing!—accompanied with poses and dying eyes! half-falling back, and then recovering themselves in so artful a manner that I am very positive the most rigid prude ... could not have looked without thinking of *something not to be spoken of*.⁴⁵

For a moment Lady Montagu looked at this scene through the eyes of a “prude,” simultaneously satirizing his puritanism and sharing his prurency. Though she insisted that in her reporting she relied on personal experience and not external authorities—particularly male authorities—this dance activated in her images of sensuousness and seductiveness so copious in harem literature. What the Turkish

lady undoubtedly intended to be an aesthetically pleasing entertainment, the European lady saw as the enactment of the harem of the mind, which allowed for only one interpretation of the dance and its musical accompaniment, the erotic. Demystifying the harem was not an easy task even when undertaken by women, because they too “are capable of seeing as men do.”⁴⁶

One of the most erotically charged scenes depicting a Turkish officer and his concubine was composed by a nineteenth-century writer using the pseudonym “Me D...” The scene takes place in 1821 on the besieged Acropolis, where its *disdar* [governor] revels in carnal delights amid violence and destruction.

A Turk of a mature age, possessing a martial face and tall stature, dressed in a magnificent costume, was lying nonchalantly on silk cushions, next to a marble table laden with liqueurs; facing him was an odalisque of about twenty years of age with a face more pretty than beautiful. ... Her bosom was almost uncovered and her mousseline dress trimmed with gold fringes was so light that she was almost nude. She had set aside a lute that she had just finished playing; the Turk, his eyes inflamed, held her hand while pulling her closer to his cushion while passing his arm around her waist.

...

The apartment was furnished with all the Asiatic luxury; white marble pilasters with gold decorations were placed between voluptuous paintings and formed the enclosure ...; the ceiling, made entirely of mirrors, repeated scenes even more voluptuous than those of the paintings, which, if one raised one's head, one would believe oneself to have caught a glimpse of the pleasures of the Houris.⁴⁷

Like the mirror on the ceiling, the author's vivid tableau encapsulated western images of oriental love: opulence, enervating languor, excitement and indulgence of the senses, music as a sensual stimulant, violence and pleasure cohabiting in the oriental male, cultivated seductiveness emanating from the female.

The harem in Prévost's novel has almost none of this graphic sensuality. “The Bacha's women,” observes the French diplomat, “numbered twenty-two and they were all together in a ‘salon.’ ... Among a large number of servants of both sexes, I remarked that mine were eunuchs. They all stood at the corner ready to execute every order. ... They [the women] had their instruments brought in; some began to play while others danced with sufficient grace and elegance.”⁴⁹ Chériber's harem is almost desexualized here, because it is the place where the two codes of female conduct, the eastern and the western, met and began to compete for ascendancy in Théophé's conflicted identity. It was only later, after Théophé had left it, that her mentor began to fantasize—not about what he had witnessed, but about what he imagined. Fantasy was more potent than the eye.

Greek Women in the Harem

Why did Prévost choose a Greek woman, *une Grecque moderne*, as his heroine? Perhaps because her “noble origins” and oriental present made her a potential candidate for reform. In her double heritage, the boundaries between East and West were more fluid than those demarcated by orientalist discourse. Prévost’s novel, although rooted in this discourse, did not champion its verities; it transposed its contradictions from the realm of the East-West antithesis to the West’s own domain, its self-representation. He embodied its antinomies in the inner contradictions and equivocations of the French diplomat, who played the two codes of female conduct against one another in his efforts to bend Théophé to his will while simultaneously promising her free choice.

To make her worthy of redemption, he had to verify her “noble origins,” thus substituting a more distant collective past for a more recent personal one. Her biological father, Panjota Condoidi, traced his lineage to a Byzantine general who had fought against Mehmed the Conqueror during the siege of Constantinople: “He came from one of these ancient families that conserve less the luster of than pride in their nobility.”⁴⁹ Like Greece itself, Théophé’s family had fallen into decline and abasement. The lost nobility, however, was not that of ancient Greece but that of Byzantium. Condoidi’s name actually belonged to a seventeenth-century Greek, a member of the Phanariot intellectual elite.⁵⁰ In Prévost’s novel there is not a single allusion to the classical past.

Théophé’s early years had been spent in the Peloponnesus, where she was tutored in the arts of the harem and was then briefly initiated into the harem of the Pasha of Patras. She was moved to Constantinople by the man who masqueraded as her father, and there she entered the harem of Chéribér, who presented her to the Frenchman. In the course of the novel, the Morea (the Peloponnesus) is depicted as a place of Turkish pashas and European adventurers. Thus, the European movement of Hellenism that was already connecting modern Greece with its ancient past had not yet embraced the Greek woman herself. This was the Hellenism of western male travelers and classicists who Hellenized the Greek space in order to give physical anchorage to their intellectual progenitors, the ancient Greeks—males just like themselves.⁵¹

Théophé belonged to another lineage, that of the hybrid Christian-Muslim world, and she was part of a long line of Christian women in Ottoman harems. This world was the subject of seventeenth and eighteenth-century narratives that provided an array of portraits of Greek women, placing them in an Ottoman setting. A few treated ancient women, but in less than complimentary terms. Prévost was well versed in this literature because he had a great interest in travel accounts, particularly those describing the Middle East and the Ottoman Empire. He himself directed a vast compilation of travel accounts in *Histoire générale des voyages* (1743–63).

Théophé’s fictional character had a more immediate predecessor, however, one who actually had transposed the Orient into the Occident. She was Mademoiselle Aïssé, a Circassian beauty whom the comte de Ferriol had bought in a slave

market at Constantinople in 1698 when she was four years old and had brought to Paris. Though she was raised in the aristocratic home of Ferriol's sister-in-law, the sister of Mme de Tancin, and became an *habituée* of the Parisian *beau monde*, she always retained the aura and mystery of her oriental origins, rendered all the more captivating by "the charms of her mind"—the gift of her adopted country. Her story became even more intriguing when rumors of her ambiguous relation with her liberator began to circulate. Though their veracity remained in some doubt, the idea of benefactor-father-lover had been implanted.

This triangular relation was also one of the key themes in *Histoire d'une Grecque moderne*, a connection that was pointed out by contemporary and subsequent critics.⁵² Although Prévost did not know Aïssé personally, he became informed of her life and the rumors surrounding Ferriol's unsavory reputation. Soon after Aïssé's death in 1733 and before the publication of her *Lettres de Mademoiselle Aïssé à Madame Calandrini* in 1787, her story, mingling fact with fiction, had been publicized in an anonymous biography, *Histoire de Mlle Aïssé* (1758). A second one followed in 1806. In it, her legend grew and so did Ferriol's reputation for dissoluteness, a reputation that was partly attributed to his long contact with Turkish manners during his ambassadorship in Constantinople (1699–1711). "He was an old depraved man," a biographer stated, "who, after having spent his youth indulging his appetites, fortified his dissolute habits by a long stay in Turkey where he immersed himself in the country's manners."⁵³

Aïssé and Théophé shared another trait, their noble beauty. This perceived similarity distanced them somewhat from their oriental background, making them more amenable to western ways and therefore more beguiling. This may explain why Aïssé was referred to as a Greek in Paris, even though her Circassian origin was well known. "The name of Greece," noted Sainte-Beuve, "was gladly connected with that of Aïssé in the mind of her contemporaries." A poem honored her as a Greek woman:

*Aïssé de la Grèce épuisa la beauté;
Elle a de la France emprunté
Les charmes de l'esprit, de l'air et du langage.
Pour le coeur, je n'y comprends rien;
Dans quel lieu s'est-elle adressée?*⁵⁴

Aïssé took all of Greece's beauty;
From France she borrowed
Her charms of mind, manners, and speech.
As for her heart, I know not a thing;
Whereto did she address herself?

Théophé's distant Greek predecessors in the harem antedated the coming of the Ottomans. They had been present at the courts of the Abassid caliphs as wives and mothers.⁵⁵ In 1346 the Byzantine princess Theodora married Sultan Orhan with the stipulation that she be allowed to practice her religion in the harem in

Bursa.⁵⁶ When Constantinople fell, some of its most highly prized spoils were its maidens, valued for their beauty and nobility, themes echoed in Prévost's novel. Sultan Mehmed the Conqueror, noted the eighteenth-century writer Belin de Monterzi, "had married princesses of the bloodline of the Palaiologos family when he conquered the Peloponnessus."⁵⁷

Monterzi's book, his claims to historical veracity notwithstanding, was fiction disguised as history. It was an epistolary exchange between Byzantine princesses, the Sultan, and his officers. Hardened warriors though they were, in Monterzi's portraits they had a tender heart for the noble Byzantine ladies, who did not resist their gallantries. One of them was Irene, the only surviving member of an illustrious Byzantine family that had perished during the city's siege. She was presented to the Sultan, who became so deeply enamored of her that he temporarily neglected his martial feats for romantic gallantries. Soon, however, his soldiers' clamor revived his bellicose spirit "and he had the object that had taken such a hold on him removed."⁵⁸ She had refused to abjure her faith when alive and was declared an Orthodox saint after her death. In her tragic story we see the themes of beauty, desire, and violence placed in an early oriental setting. We also see the intersection of Christianity and conquering Islam in the fate of a Byzantine woman. Monterzi's other romances were less violent, but they all depicted a hybrid male world parallel to the female world of the harem. Their stories involved Ottoman generals of diverse ethnic backgrounds, some of them even Greek with such names as Priam and Ajax.

Greek concubines, or *les belles Grecques* as they were often called, figured in other quasi-historical, quasi-fictional works produced in the eighteenth century.⁵⁹ One such work written by Madeleine Poisson de Gomez—a prolific writer of novels, plays, and histories—was presented as a "historical" narrative consisting of a gallery of portraits of some of the most famous and powerful "sultanas," several among whom were Greek. Gomez presents them as either victims or instigators of palace intrigues. More often than not these intrigues were rivalries among *hasekis* or imperial favorites, who watched over the fate of their sons because only one could become successor to the throne. Gomez gives ample examples of these fighting mothers and of their successes as well as failures. There was no greater victory for a *haseki* than to become *Valide Sultan* or Queen Mother, "the greatest source of authority and status for dynastic women."⁶⁰

In her narrative, Gomez gave a prominent position to one such dynastic woman, Kösem, who was of Greek origin. Orphaned very young, she found herself at the age of fifteen in the harem of Sultan Ahmed I. Though of ordinary beauty, in Gomez's portrayal, she possessed a majestic demeanor and grace that masked a burning ambition and thirst for power. She was able to exercise power for almost fifty years (1603–51) first through her influence on Ahmed I, and, after his death in 1617, as *Valide Sultan*. She was the force behind her two sons, Murad IV (1623–40) and Ibrahim I (1640–48), both given to debauchery and the attendant mental decay. Her reign came to an end in 1651 when her grandson Mehmed IV ascended to the throne and a new *Valide Sultan* stepped forward. Kösem conspired

to have them both killed and met a horrible and humiliating death at the hands of the palace eunuchs. Her skills for plotting and intrigue were of no help to her once she had lost the title of *Valide Sultan*, which had elevated her to the highest rank and had enabled her to exercise extraordinary power.⁶¹

Another Greek woman had preceded Kösem in Ahmed's favors: she was Basilia, renamed by him "Johahi." Also of humble provenance, Gomez noted, she never forgot her native Athens, nor her religion. When the Sultan wanted to offer her a gift, she asked for the city of Athens, which was being ill-treated by the local governor. The stipulation was that the supervision of the city pass into the hands of the Keslar aga [*Kızlar Ağası*], or Black Eunuch, after her death. Her wish was granted and henceforth her birthplace enjoyed more order and tranquility. She died shortly thereafter in childbirth, but her memory lived among the Athenians who were grateful for her intercession.

One such Athenian, the monk Damaskinos, paid tribute to these women in his tirade against European visitors whom he rebuked for commenting ceaselessly on the Greeks' decline under the Turks. His expostulations are related in Guillet's *Athènes ancienne et nouvelle* (1675). Damaskinos credited the Greek women in Ottoman harems, particularly that of the sultan, for acting as mediators between the conquered—the Greeks—and the conquerors—the Turks—even going so far as to characterize their influence as the Hellenization of the East:

And what has the Sultan's country been for several generations since the Ottoman House has been established in Constantinople and Greek women have most often given him Heirs to the throne? We shall go no further: the Hankiar Azaki [*hünkâr haseki*], or first Sultana of the Empire, who is now the only love of Mahomet [Mehmed] IV and mother of the Little Prince that we see today as the successor, is of Greek birth. She was taken from Rethymnon in Candia [Crete] twenty-one years ago. Finally, we are no longer but one blood and these two people do not form but one nation.⁶²

Almost two hundred years after Damaskinos, the Romanian writer Dora d'Istria also underscored the mediating role of harem women:

The Sultan's palaces as well as the women's quarters of the pashas and beys are always full of the most beautiful women of eastern Europe taken away from Georgia, Colchis, Greece, etc. The sultanas so active in all the affairs of the country, come from nations far superior to the Finno-Mongols. Mahpeikir [Kösem Mahpeyker] and Revia Gülnüs [Râbia Gülnüş] were Greek.... The name 'son of slave' used often by eastern Christians for the Sultan ... explains how much the dynasty of ... the Conqueror owed to the brave blood of the noble races that provided the Sultan's palaces with so many beautiful and intelligent slaves.⁶³

Damaskinos and Dora d'Istria saw harem women not as degraded concubines but as active mediating agents between the conquerors and the conquered. Their beauty did not consign them solely to pleasure-giving; rather, in conjunction with

their intelligence, it elevated them to positions of influence beneficial to their own people as well as to the Ottomans. However, this view which reclaimed the harem woman was far less prevalent than the one that confined her to the erotic realm.

Removing the Veil: The Western Promise

When Hellenic affinities began to sweep aside Greece's eastern connections, the stories of these women enveloped in oriental otherness faded. Before they were eclipsed, however, they left a descendant in Théophé. She differed from them in that she did not use her beauty and intelligence to advance her standing in the harem, but abnegated her oriental past and embarked on the construction of a new identity as a westernized woman of virtue. Her transformation can be seen as a metaphor of Greece's westernization. They both shared a rejection of their immediate past "tainted" by the eastern connection. Both looked to the West for new modes of thought and conduct and both experienced its praise alternating with scorn. Still, there was one significant difference. The transformation of Greece was a male proposition which modeled itself on the male ancient world. Théophé, on the other hand, had only one past, that of the harem. She had no glorious ancestors to emulate. After all, the best known ancient Greek women were the *hetaeraï*, hardly more dignified and virtuous than harem concubines.⁶⁴ Her western voyage, therefore, was a lonely and perilous one, because she had to face the West directly, always haunted by an oriental past unredeemed by ancient connections.

Just like her eastern character, her westernized persona also had literary antecedents, albeit not all female. Their origins went back to medieval romances in which Greek mythological and historical stories and names—Alexander the Great preeminent among them—constituted the thematic core of the *Cycle des Romans d'Antiquité*. The distant and unreachable locales of these stories were the perfect fantasy landscape, at once nebulous and immobile, where the ideals of chivalry and courtly love could be dramatized.⁶⁵ The theme of Greece's emulation of the West found its first expression in Chrétien de Troyes's romance *Cligès* (1176). Its historical backdrop was an abstract and fictitious Byzantium and the courtly world of King Arthur's Britain. The Byzantine prince Alexander, along with twelve noble Greek youths, went to King Arthur's court to be schooled in the arts and skills of chivalry. Alexander served the King so well that he stayed on and married Sir Gawain's sister Soredamors. Cligès was the fruit of their union. Back in Greece, whereto he had returned with his son to claim his father's throne, Alexander advised Cligès to follow his example and seek knightly apprenticeship in Britain.

You will never know, dear son, Cligès,
 your worth in skill and stalwartness
 unless first at King Arthur's court
 you demonstrate how you comport

yourself exchanging blow and stroke
with Britons and with England's folk.

...

In Britain worthy men renowned
for honor and for skill abound.⁶⁶

Father and son both distinguished themselves not only in valor, but also in cunning, as true descendants of Odysseus. In battle they used craftiness as often as bravery, something King Arthur's "frank" knights would have never deigned to do. The wiliness of Greek men was matched by the skill of Greek women in magic and witchcraft. The governess Thessala was a worthy successor to Medea's arts of spells and sorcery. Thessala of course referred to Thessaly, a region associated with wondrous events, the magic arts, and witchcraft practiced by women. The reputation of ancient Thessalian women as sorceresses persisted down to the nineteenth century.⁶⁷ These reputed unedifying traits—the craftiness of men and the pagan practices of women—accompanied the Greeks during their historical transformations in the eyes of the westerners. Greece's more desirable legacy, on the other hand, had already been transplanted to the West, more precisely to France. *Cligès* is the first articulation of this perceived cultural emigration, a theme that became a leitmotif in modern times.

Our books taught us Greece was extolled
both first and most prestigiously
for learning and for chivalry.
Then chivalry came next to Rome;
now all that knowledge has come home
to France, where God has ordained
God grant that it may be retained,

...

That nevermore from France be flown
What God gave others as a loan.⁶⁸

In *Cligès* we see the first manifestation of the promise that the West, represented by France, held for the reeducation of the Greeks. Not unexpectedly, its first beneficiaries were men. The first fictional Greek woman to embrace this world was the heroine of Madame de Lafayette's oriental romance *Zaïde* (1670). Set in the ninth-century Spanish kingdom of Léon threatened by feudal clashes and Moorish attacks, it is one of the first works of modern fiction to depict the Mediterranean as the setting of the encounter of Islam and Christianity in their crisscrossing paths, conflicts, and convergences. It is a hybrid world with gradations of otherness: the Moors, though Muslim, are gallant and courteous, more like the Spaniards than the "dissolute, barbarous" Africans. *Zaïde*, who was born in Cyprus, was a product of this hybrid world. Her mother was a Christian Greek, and her father an official of the island's Arab ruling class. The two groups, Christians and Muslims, intermingled freely. The language of the educated elite was Greek. The young

Arab Prince of Tharse (Thrace?) “spoke Greek with the politeness of ancient Greece.”⁶⁹ This is the work’s only reference to the classical past. Christianity was the identifying characteristic of the Greek world that distinguished it from the Muslim Arabs. Zaïde, who was raised a Christian, refused to marry the Prince of Tharse because “his religion allowed [men] to take as many wives as they deemed agreeable.”⁷⁰

While en route to Muslim North Africa, the ship carrying Zaïde and her family was blown off course, and the young Greek woman was washed ashore on the coast of Spain where she was rescued by the Spanish nobleman Conslave. He was struck by the great beauty of this stranger, by “the proportion of her traits, the delicacy of her face, ... the beauty of her mouth, the whiteness of her bosom, ... and by her big black eyes.”⁷¹ Images of Greek female beauty placed in an oriental setting were already circulating in Europe. The traveler Chevremont relates the intriguing story of an Italian captive, a young girl who was a talented painter of portraits. She was brought to Constantinople and entered the service of a Jewess who had access to the seraglio.⁷² Allowed to go there with her patroness, within a few hours she painted “in miniature” the portraits of the most beautiful odalisques. These portraits were then sold by the Jewish woman to Ottomans and Europeans alike, falsely presenting them as those of Greek women. “Not only was there scarcely any young Ottoman officer who would not hasten to pay whatever price she asked for these rich paintings, but they even circulated in Germany and Italy, and as far as Madrid, where they passed into the hands of the Rich and the Curious under the agreed name of *Beautés vivantes de la Grèce* [Living beauties of Greece].”⁷³

Conslave did not, however, immediately recognize Zaïde’s features as “Grecian,” and looked for signs of her identity. Her magnificent attire betrayed a Moor, but she spoke no Arabic; her face was expressive, but her tongue was incomprehensible. Looking at her without communicating was like looking at a statue, “an eternal absence.” Only when she learned Spanish did their love blossom and their union become possible.⁷⁴ It was verbal communication that made their love meaningful, thus fulfilling the western code’s dictum of reciprocity between the sexes.

Théophé shared certain characteristics with Zaïde: they both came from the hybrid world of Christian—not Hellenic—Greece and the Islamic East; they both possessed exceptional beauty—not the beauty of ancient goddesses, but that of exotic nobility; they both had to learn the speech of their new milieu. However, there were just as many, and perhaps more, differences between them. Zaïde’s family origins were undisputed, whereas Théophé’s remained ambiguous and obscure; Zaïde’s new language skills introduced a direct line of communication with Conslave, clearing away all the confusion of sartorial and bodily semiosis; Théophé’s mastery of French made her liberator’s suspicions even more pronounced, because he always injected a double meaning into her words. More importantly, Zaïde’s westernization was an unconflicted transition guided by a straightforward and secure male protector. Théophé, on the other hand, was

manipulated and exploited by men posing as protective fathers or acting as possessive lovers, and thus had to tread alone the path of western virtue.

In a way, their differences exemplify those of the two centuries: Zaïde belonged to the seventeenth century, with its explicit antinomies—such as Islam and Christianity—and unshaded symmetries. Madame de Lafayette’s readers could identify with her characters, historically distant though they were, because their passions and conflicts were universal. Théophé, on the other hand, was a product of the eighteenth century, when cultural differences had become more complex and problematic. Under the current of universal principles seen as the fountainhead of civilization lay an undercurrent of particular values and practices, the ingredients of culture.⁷⁵ This distinction constituted the double discourse of the Enlightenment in its encounter with diversity. The previous two centuries, and particularly the Renaissance, had discovered and recorded it as part of the variegated human and physical world; this was mainly the diversity of naturalists and cosmographers. During the Enlightenment, empirical interest in cultural diversity continued, but now it was accompanied by an emphasis on difference exemplified by the duality of East and West.

Difference was considered either as the permanent, irreducible exotic, or as a challenge to convert the alien into the familiar. Though a secular undertaking, this conversion “belongs to the most common Christian tradition.”⁷⁶ Prévost, to whom religious education had undoubtedly revealed the tactics and psychology of conversion, transposed it to the secular sphere of the cultural encounter of East and West. Unlike Lafayette’s unproblematic victory of western Christianity over eastern Islam, however, Prévost “challenges the notion of European superiority.”⁷⁷ Théophé’s westernization was one of the earliest examples of the dilemmas of conversion cast in moral as well as cultural terms, because her removal from the harem was a personal liberation as well as a cultural transplantation. In this respect, *Histoire d’une Grecque moderne* can be seen as a bridge between seventeenth-century universalism and eighteenth-century particularism.

There were four facets to Théophé’s conversion: renouncement of her personal past as a prerequisite to moral reformation; the choice between the eastern and western codes of female conduct as social determinants of individual character; the concomitant conflict between her search for empowerment and her liberator’s pursuit of entrapment to secure possession of her; and, finally, her deracination and estrangement from the Orient she abandoned, and from the West that abandoned her. Thus, under the text of conversion lay the subtext of subversion inhering in the dual role of her liberator-possessor.

We have seen that Turks were not preoccupied with tracing and authenticating family and ethnic origins in the selection of harem women. “There are not any traits,” Chéribert points out to the Frenchman, “that are more characteristic of our women than they are of those of other countries.”⁷⁸ Since ethnic and family origin were of no consequence, all women entered the harem on an equal basis. This equality, which extended to their children, remained unchanged over time: its

continuity was attested by such writers as Busbecq and Gérard de Nerval, whose observations were separated by three centuries.⁷⁹

If there was no distinction by family and national affiliation, there were differentiations based upon beauty as well as training. The education of young women in preparation for the harem is a leitmotif in travel accounts. Before they were sold, these young women had to be instructed in the arts of singing, dancing, playing musical instruments, and embroidery. The more accomplished they were, the greater their chances of entering a wealthy household. Their education began at the age of eight or nine when they were bought or brought in as war captives, and continued until they reached the age to enter a harem. It was the task “of the older slaves to take care of the young girls. To learn them to embroider, and to serve them as carefully as if they were children of the family.”⁸⁰ Unlike lady Montagu’s neutral account, most western descriptions presented this pedagogy as induction into the arts of love. Voltaire’s comments on Circassian women typify this view—all the more so because he culled his information from travel accounts:

The Circassians are poor and their daughters are beautiful, thus it is in them that they trade the most; they furnish the harems of the Grand Signior with beauty ... they raise these daughters with the best of intentions to caress men, to perform lascivious suggestive dances, to kindle the appetite of the disdainful Masters ... with all sort of artifices: these poor creatures repeat every day their lessons with their mothers, just like our daughters repeat their catechism without understanding anything.⁸¹

Théophé was the product of such an education. At the age of six, she had been sold by a man who posed as her father to the Turkish governor of Patras and taken to his harem quarters. There, she recalled, she was raised by a slave woman who could hardly wait for her to be ten in order to explain how happy she would be to please her master. “What was announced to me as my highest fortune,” she reminisced, “was presented only in this fashion.”⁸² When she came of age, she was contested by the aged pasha and his young son. Their violent confrontation led to the death of the older man and Théophé’s journey to Constantinople. This incident was the inception of a long series of contestations that would follow her to the end of her life.

Her confession was the first stage of her conversion. Both she and her liberator wanted to replace her past with a more worthy present and future that would redeem her degrading harem experience. To initiate this process, he wanted to ascertain that she had noble origins and was thus worthy of his protection and attachment. Purity of origins would compensate for the impurity of her body. “The information I wanted to obtain,” he stated, “would enable me to discover her birth which would raise her a little in my eyes, without however wiping away the shame she had recounted to me.”⁸³ As in the case of Greece itself, the elevated distant past—classical for Greece, Byzantine for Théophé—never could erase the recent and less glorious one which returned time and again to haunt them.⁸⁴

Théopbé herself was ready to cast off this past and turn her sights onto a new world. She had had vague intimations of its existence when the opulence of the harem had lost its glitter and lassitude had set in after her original bedazzlement. She soon grew weary of the other women and their *petites attentions* and looked beyond the harem walls, searching “for something good of which I had no idea.”⁸⁵ This indefinable “good” was embodied in the magic word “virtue” which encapsulated an alternative way of life. She needed no persuasion to be converted, because she was already predisposed to receiving the new message. “The names of virtue, honor, and conduct ... became attached to my mind ... as if they had been familiar to me. ... There are men who esteem advantages in a woman other than those of beauty. A woman can develop other merits and can obtain other benefits.”⁸⁶ If one were to look for feminist signs in Prévost’s novel, as some critics have, Théopbé’s desire to cultivate qualities other than beauty and her disdain for the complacency of her fellow concubines certainly point in that direction.

Théopbé’s vision of life outside the harem meant both freedom *of* the body and freedom *from* the body, because it was its very beauty that had enslaved her. In a probing self-examination, which her liberator interpreted as a *mea culpa* rather than as deepening self-consciousness, she recalled the two principles that had guided her harem initiation. “One that had made me look at men as the only source of women’s fortune and happiness; the other that had taught me that we could exert on them a kind of an empire through our complaisance, submission, and caresses.”⁸⁷ In the harem imagined by the West, there was no reciprocity in these relations and no emotional involvement. Delivered at a young age to her Turkish master, when she was still ignorant of “the difference between the sexes,” Théopbé never knew the attachment of sentiments nor even the pleasures of love; it was simply a “habit.” To this sensual polygamy devoid of *goût et sentiment*, the Frenchman counterposed an “affective monogamy.”⁸⁸ He spoke to her “of the happiness of a French husband who finds in his life’s companion the virtues that were lost for the Turkish ladies because of their misfortune to have never found in men a return worthy of their sentiments.”⁸⁹ Intimacy and a one-to-one relationship were what he proposed as an alternative to the *infamie de l’amour* in Turkey.

Up to this point, she had shared his condemnation of harem life. Her interpretation of virtue, however, differed from his. He was perplexed and disappointed to see that she had misconstrued his lessons. “What have I taught her,” he remonstrated, “to inspire in her this unbending virtue? It is she who is mistaken and who has misunderstood me. ... It would be ridiculous for a man of the world like me to engage a girl of these merits in maxims more appropriate for the cloister.” She, however, had no doubts about the clarity of his lessons and her interpretation of them. Now they were her own tools for self-construction. “Your friendship and generous protection,” she asserted, “repaired from the first moment all the misfortunes of my fate. I am indifferent to everything that does not contribute to making me more prudent, because from now on prudence is my only

possession.”⁹⁰ This firmness of purpose led her not only to repudiate polygamy, but to reject monogamy as well.

Abstinence, then, is how she perceived virtue, because it would enable her to break with her past and develop those “other merits” that would make her mistress of herself. Adherence to it gave her a sense of empowerment, guiding her on the path to self-definition. Her choice parallels that of many Christian women saints and martyrs, both in the Eastern and Western Churches, in earlier times. Abstinence was particularly imperative in her relations with her mentor, because his knowledge of her tainted past would prevent her from overcoming it. But instead of suppressing her past, she used it as an instrument to reject his marriage proposal, which would have compromised her independence. “The memory of her past,” he recorded, “which was always present in her mind, made her utter injurious and contemptuous expressions about herself ... [and] she pleaded with me to open my eyes ... and to cease letting such an unworthy passion blind me.”⁹¹

Instead of intimacy, she insisted on a celibate togetherness that would exclude the body and engage only the soul. This reordered relation between the sexes was eloquently expressed by Zilia in Françoise de Graffigny’s *Lettres d’une Péruvienne* (1747). Zilia also clarified her position vis-à-vis her benefactor who wanted to marry her. “Come, Déterville, come and learn how to spare the resources of our soul and the gifts of nature. Renounce your tumultuous and destructive feelings; come and learn the innocent and enduring pleasures ... you will find in my ... friendship.”⁹² For Zilia as well as for Théopbé the substitution of *amitié* for *amour* signified an association with men unencumbered by the trappings of beauty and desire.

For Théopbé, this substitution was the key to liberation from her past and the dawning of new possibilities. Having rejected the eastern code, she was now entering the third stage of her conversion—the predicaments of her “free choice.” She thought that the path to it was direct and unclouded by hidden designs and diversionary tactics; such subterfuges were her emancipator’s domain. His memoir is a prime example of the complexity of the motives of a liberator who seeks to justify his will to possess and dominate the beneficiary of his actions. When the latter asserts her independence, “a curious dialectic” begins “between contempt and esteem.”⁹³ Thus Théopbé is both contemptible as a former concubine and potentially admirable if he can transform her into *la première femme du monde* who would voluntarily bend to his will. Should she refuse, as she does, then his invective becomes “a rhetoric of inculpation.”⁹⁴ Théopbé, he declares, is an “ingrate” whose purported transgressions he presents as prosecutorial evidence to the reader-judge. But he subverts independent judgement by reaching his own verdict at the beginning of his case. “I am a lover rebuffed and even betrayed ... by an ingrate who has been the continuous torment of my life.”

To make his case more convincing—and, in a way, to exculpate himself—his testimony is not wholly accusatory: “Nevertheless, I was listened to as a father, respected as a master, and consulted as a friend by the person I loved.” Thus,

Théophé's voice reaches us through the layered and contradictory allegations of her protector, accuser, judge, and, ironically, defender, whose "testimony is all the more problematic because he is absorbed in a solitary and deforming passion."⁹⁶ This was the passion for possession. He was like a predator who stalked his prey, but with one important qualification: his prey had to come to him of her own will: "I do not desire from a woman," he told Théophé, "that which she is not willing to grant me voluntarily."⁹⁷ If the prey resisted, he set up traps so it would destroy itself, and in doing so prove him right. This was a game of power—not brute, naked power, but the power of the self-righteous benefactor.

What were some of the traps he set up to bait what he thought was the rightful prize for his magnanimity and charity? The use of her past against her and the enlistment of deceitful and mendacious persons to surround her. A pattern had emerged from the very beginning of their first meeting. As soon as the relation between mentor and pupil, protector and protégée had been established, a reversal occurred that alternated between moments of peace and harmony on the one hand, and agitated periods of suspicion and jealousy on the other, with the concomitant stigmatization of the coveted object. Mistrust arose simultaneously with his decision to take her out of Chéribér's harem. "I had no doubt ... that she had taken a dislike to life in the *sérail* ... and wished to link some love intrigue with me." Her Greek origins reinforced his suspicions about her dissembling: "Today, as in ancient times, Greek good faith is an ironic proverb."⁹⁸

Nevertheless, he took her under his protection and settled her in his country house near Constantinople. There, he promised her respect and freedom that would enable her to forget "the ideas of the *sérail*." It was he, however, that refused to forget, because these ideas and the images they conjured stimulated his erotic fantasies and armed his vindictiveness. Théophé had left the harem, but, in his eyes, the harem had not left her. When she finished recounting her past to him, he formed his own conclusions. She drew no absolution from him, only the desirous glimpses of a voyeur contemplating scenes of an imagined harem. "While gazing at her figure admiringly, I was doubtlessly flattered by the desire she must have had to please me." But the thought alone that "she was coming out of Chéribér's hands after having been in those of another Turk, and perhaps of a multitude of other lovers she had hidden from me, saved me from the temptation to which the ardor of my age could have exposed me."⁹⁹ Still, temptation persisted and fueled his will to possession through conversion.

In this self-flattering expectation, he overcame his "repugnance" and offered to marry her. She was now all too aware of the dangers lurking under his promises and refused. To avenge his indignation and affirm his honor, he treated her with scorn and reasserted the rights of the master who dispenses freedom and punishment in equal measure. Her freedom of choice was his to grant, since she "belonged" to him. The rejected lover became a punitive judge who, however, needed to gather evidence of her present transgressions before pronouncing a sentence. He became just as obsessed with proving her guilty as he was with desire for her. If he could not possess her body, he had to destroy her soul. It was at this point that her

entrapment began. Since he controlled her environment, he placed her in what he hoped would be compromising positions. The “slaves” he employed to ostensibly serve her better, were envious and conniving women who became his spies and accomplices by fabricating incriminating evidence against Théophé. Even after their treachery and machinations had been discovered, he kept them in his house alleging pity and charity. He was like a director who set up the stage but refused to take responsibility for his actors’ performance.

The relentless pursuit of inculcation spurred by Théophé’s unyielding virtue was epitomized by the episode with Synèse, her alleged brother. The Frenchman took him in with the pretext that he would be a good companion for his sister and would also provide a buffer zone between the protector and his enticing protégée. Synèse’s intimacies, however, went beyond the bounds of brotherly love. Théophé’s protestations only served to increase her liberator’s suspicions and contempt.

The Synèse incident illustrates the theme of incestuous love, *l'équivoque incestueux* as Singerman calls it. Prévost treated the same subject in more explicit fashion in *Cleveland* (1732–39); in *Histoire d'une Grecque moderne* it was more veiled, but equally pervasive. Incest was manifested directly in Synèse’s amorous gestures, and metaphorically in the hero’s contradictory roles as simultaneously Théophé’s adoptive father and aspiring lover.¹⁰⁰ Though more subtly than the incestuous brother, he played the role of father in order to gain the favors of a lover.¹⁰¹ Paternalistic domination and seigniorial rights had also been claimed by M. de Ferriol, Aïssé’s protector. In 1711, when she was seventeen, he sent her a letter in which he unabashedly stated his rights:

When I took you out of the hands of the infidels and I bought you, my intention was not to chagrin myself and to become unhappy; on the contrary, I intended to benefit from the decision of destiny on the fate of women in order to dispose of you as I wished and to make you one day my daughter or my mistress. The same destiny dictates that you be one and the other, since I am not able to separate love from friendship and ardent desire from fatherly tenderness; quietly, then, conform to destiny and do not separate that which it has pleased heaven to join. You would have been the mistress of a Turk who would have shared his tenderness with twenty other women, and I love you exclusively.¹⁰²

Although Aïssé had never been in a harem, its legacy weighed as much on her as it did on Théophé because it was part of their oriental heritage. They were both saved from a concubine’s fate, by definition shameful, and they were both offered the position of a mistress presented as more binding by the feelings of a surrogate father. The moral equivocation of this proposition never entered the mind of these liberators. Ferriol even gave this unholy alliance quasi-religious sanction. Théophé stated its untenability when she pointed out to her protector “that it was not proper either for her to engage in a passion that would renew the disorders and misfortunes she was trying to rectify; or for me who had been her master in

virtue to abuse the just power I had on her ... thus destroying the feelings she owed to my advice as well as to her own efforts."¹⁰³ She was now fully aware of the uses and abuses of power that threatened to destroy this delicate balance. This realization was a sign of her deepened understanding of the antinomies of her conversion and the ambiguities of her conditional freedom demanding her voluntary submission.

In his relentless obsession to possess his protégée, the diplomat destroyed not only his relationship with her, but also whatever generous impulses he might have had and any possibility of self-insight. After the last and most explosive episode of false incrimination perpetrated by the treacherous governess he had assigned to Théophé, he rendered mock-Solomonian justice: he meted out punishment on both of them, claiming that it was impossible to prove either guilt or innocence. They were both going to be confined in the same prison, his house. Théophé's entreaties to be freed from such "cruel persecution" by being allowed to enter a convent were met with contempt and stern refusal. "Suddenly, redoubling her tears, she reduced herself to those Greek humiliations of which she should have ridden herself in France."¹⁰⁴ Once more, her past came back to torment her, only now it was not her harem history but her Greek origins whose nobility had faded just like her beauty. Unable to bend her mind, he had lost interest in her body. With her physical charms waning and his own health declining, harem scenes no longer excited his passion. She was no longer *la belle Grecque* and contemplated mistress, but *une aimable étrangère* from whom he became totally disengaged. Even her death was not known to him for some time.

In the end it was he who became a stranger to himself, because he had betrayed his professed principles of virtue, probity, and, above all, freedom of choice. But he did not destroy them because they lived on in Théophé during her brief life. His duplicity contained a double message: the promise of the West, whose idea of self-definition through the conscious application of learned principles made the *Grecque moderne* a truly free person; and the circumvention of these ideas by their propagator, who was consumed by the passion of possession and domination. Once the idea of freedom had been implanted in Théophé, however, no constraints could obliterate it. Her life and death are testimony to the rewards and perils of free choice, perhaps the key to this enigmatic novel.

Théophé's choice between the promise of the West and the experience of the East was an educational voyage whose final destination would elude her. By privileging the former over the latter, she faced the contradictions of dependence and independence, of estrangement and a search for belonging. In her quest for renewal and selfhood set within a new value system, she experienced the predicament of cultural transposition alternating between freedom and constraint, praise and contempt. Her only constant guide was virtue, which began as a connector with its source—the West—and eventually became her only sustenance and provider of inner strength. It empowered her to renounce both her past as an eastern concubine and a future as a western mistress, and to become mistress of herself. The encounter of East and West in her formation, and their ensuing

intersections and collisions, set her apart from her Greek predecessors in Ottoman harems because they had known only one world, the East.

Notes

1. The fictional diplomat has been identified as Charles Augustin, marquis d'Argental, comte de Ferriol, Ambassador to Constantinople (1699–1711). In 1698 he bought a four-year old Circassian girl, Aïssé, at the slave market and brought her to France where she was raised by his sister-in-law. See Sgard 1995: 254.
2. Prévost 1978, 4: 14.
3. Ibid., 13.
4. Schwartz 2003: 270.
5. Hill 1969: 199.
6. For a descriptive list of sixteenth-century French travel accounts on the Ottoman Empire, see Rouillard 1938.
7. Grosrichard 1998: 125.
8. For an examination of this issue, see Nussbaum 1994. Also, the traveler Aubry de La Motraye pointed out its advantages, chief among which were “the curtailment of all public debauchery ... and the prevention of the problems that bastards and illegitimate heirs create for families.” (La Motraye 1727, 1: 205).
9. Nussbaum 1994: 141.
10. William James Joseph Spry, *Life on the Bosphorus* (1895), cited in Schick 1999: 198–99.
11. Schick 1999: 202.
12. Prévost 1978: 81.
13. Grasset [de] Saint-Sauveur 1796, 1: xiii–xiv. The superiority-inferiority antithesis between western and eastern women was placed in a Christian-Muslim context in the nineteenth century. “Only Christian men know how to honor and cherish their wives,” wrote “Me D...,” a pseudonymous nineteenth century novelist. “They share everything, suffering, love, pleasure. Religion has made their love eternal. Oh! The smile of a faithful wife ... is worth all the seductive caresses of the houris created by the perverse imagination of the Muslims.” Me D... 1822, 2: 27. Sophia Poole wrote in the same vein: “That Christianity is the only medium through which happiness may be attained ... is most certain; therefore, as the Easterners are very far from being Christian, ... so they are very far from being really happy.” [Poole] 1844: 74–75.
14. Nussbaum 1994: 140.
15. Jean Racine, “Seconde Préface” (1676), in Racine 1960: 24.
16. Barthes 1964: 97.
17. Racine 1960: ll.538–42.
18. Barthes 1964: 100.
19. Racine 1960: ll.155–56.
20. Martino 1971: 206.

21. Grosrichard 1998: 124.
22. *Ibid.*, 175–76.
23. Racine, “Seconde Préface,” 24. Lady Montagu expressed a similar idea in a letter to Pope written in Adrianople on 1 April 1717: “I read over your Homer here ... I can assure you that the princesses and great ladies pass their time on their looms ... in the same manner as you find Andromache and Helen described.” (Montagu 1837, 1: 262.) The same linkage was expressed by Delacroix when he visited Algiers in 1832: “It is beautiful! It is like Homer’s time.” Delacroix cited in Yeazell 2000: 38.
24. Segalen 1995: 749.
25. For the evolution of the Oriental tales and romances during the eighteenth and early nineteenth centuries, see Mannsåker 1990.
26. Pucci 1990: 150.
27. Grasset [de] Saint-Sauveur 1796, 1: 8.
28. Prévost 1978: 43. The loneliness inflicted by the Sultan’s neglect became even more stringent after his death when “his women were locked up for the rest of their days in the old Seraglio [the ‘Palace of Tears’] where they dry up languishing.” (Tournefort 1717, 2: 234.)
29. De la Porte 1757: 167.
30. To ensure the absolute control of harem women, older women supplemented the services of black eunuchs. “These old women have the task to watch over the conduct of young girls. They sleep in the same Hall as them in order to hear what they say and to see what they do.” (De la Porte 1757: 168.) Another traveler was more explicit as to what “they might do”: “By every ten virgins there are lamps burning so that one might see plainly throughout the whole room: which doth both keep the young women from wantonnesse, and serve upon any occasion which may happen in the night.” (Withers 1653: 37.) The dedication in this work is signed John Greaves, who underscores the authenticity and reliability of the account by noting: “The name of the author being unknown, upon inquiry I find it since to be the work of Mr. Robert Withers; who by the assistance of the English Ambassador, procuring admittance into the Seraglio (a favour unusual) ... had time and opportunity to perfect his observations.” (*Ibid.*, A3.) In fact, Withers had translated it from Ottaviano Bon’s original.
31. De la Porte 1757: 176–77. The degree of blackness and facial deformity was also a determinant in the hierarchical order of black slave girls: “The Black-moor girles, are no sooner brought into the *Seraglio*, ... but they are carried to the women’s lodgings where they are brought up and made fit for all services: by how much the more ugly, by so much the more they are valued and esteemed by the Sultana’s [*sic*]. Wherefore the *Bashawe* of Cairo ... is diligent to get the most ill favoured, coal black, blabber-lipped, and flat nosed girles that may be had through all Egypt ... to send them for presents to the *Grand Signor*.” (Withers 1653: 101–102.)
32. Withers 1653: 101.

33. De la Porte 1757: 176–77.
34. La Motraye 1727, 1: 221.
35. Montesquieu 1960: 15.
36. DelPlato 2002: 20.
37. Prévost 1978: 30, 39.
38. Montesquieu 1960: 168.
39. Hill 1709: 110–11.
40. Kinglake 1982: 36–37. A less evocative but more accurate description of the bundled oriental woman in public space was given by Thevenot almost two hundred years before Kinglake: “When they go out they have a *Feredge*, whose sleeves are so long, that one can see only the tips of their fingers. ... Also, when they are in the street, they have their head wrapped in a linen which also covers their front until the eyes and grips their nose and mouth, and is tied behind the head, leaving absolutely no part of their face uncovered except their eyes.” (Thevenot 1665: 106.)
41. Lady Montagu to the Countess of Mar, her sister, 1 April 1717. (Montagu 1837, 1: 258.)
42. Grasset [de] Saint-Sauveur 1796, 1: 136.
43. Melman 1992: 84.
44. Lady Montagu to the Countess of Mar, 18 April 1717. (Montagu 1837, 1: 273.) A similar ceremonious visit took place several decades later when the wife of another ambassador, Lord Elgin, accepted the invitation of the *Valide Sultan* [Queen Mother] in 1801. The reception ritual had changed little and her hostess exhibited the same courteousness and genuine interest, “really quite in the style Lady Mary Montagu talks of.” (Elgin 1926: 131.)
45. Lady Montagu to the Countess of Mar, 18 April 1717. (Montagu 1837, 1: 277.)
46. DelPlato 2002: 24.
47. Me D... 1822, 3: 115–18.
48. Prévost 1978: 12–13.
49. *Ibid.*, 35. Hill contrasted even more emphatically the Greeks’ present decline with their past Byzantine nobility: “Their very *Nature* seems to have changed with their *Conditions*, as their *Principles* had sunk with their Nobility, whom Mahomet the Great (on his taking Constantinople) endeavor’d to extirpate by a general Massacre. ... I was never more sensibly afflicted at the Misfortunes of another than when I saw at Constantinople ... a Man [who] demonstrated by undeniable proof, that he was Lineally Descended from the Emperours of Greece; but he was most sordidly Illiterate ... yet he had a peculiar Majesty in his Person ... an Awful Gravity adorned his *Countenance*, and his silent Postures had somewhat Naturally Noble.” (Hill 1709: 173–74.)
50. Göçek 1987: 126.
51. For the Hellenization of the Greek space by European travelers, see Augustinos 2002.

52. For an examination of the origins of Prévost's novel emphasizing the Aïssé connection, see Bouvier 1948: 113–30; and Breuil 1968: 390–400.
53. Cited by Bouvier 1948: 122.
54. Sainte-Beuve 1846: 66. These verses were included in the first edition of the *Lettres* (1787).
55. For more details, see Nour and Soulogiannis 1973: 16.
56. Croutier 1989: 103.
57. [Monterzi] 1764: ix.
58. *Ibid.*, 49.
59. Some of the more popular ones were: Bédacier 1712, 1713; Belin de La Faye 1722; Meusnier de Querlon 1748, 1784, 1894, 1900; [Pajon] 1742; [Rustaing de Saint-Jory] 1711.
60. Peirce 1993: 230.
61. For the life of this extraordinary woman, see [Gomez] 1722, 3: 66–89, 151–71, 202–10, and 4: 4–11, 76–78; Peirce 1993: 232–52; Chassepol 1676: 79–98.
62. Guillet 1675: 245.
63. Istria 1861: 345–46.
64. Catherine Bédacier gave a series of portraits of ancient Greek courtesans, such as Aspasia and Lais, replete with romantic encounters, courtly elegance and urbanity, very much in the manner of Parisian society. But this was a pagan society and these women, unlike Greek men, set an example to be avoided. “I believe,” stated the author by way of a disclaimer, “that not a single one of my expressions will alarm the strictest modesty; and I am even certain that the examples that I give are more appropriate to turn someone away from vice than to lead her to disorderly conduct whose very portrayal will fill her with horror.” (“Préface”, Bédacier 1712: iii.)
65. For descriptions, analyses, and excerpts of these romances, see Bossuat 1962: 47–55; Loomis 1963: 44–47. Loomis and Loomis 1957: 233–41. For a synoptic overview of representations of Greece from the Middle Ages to the seventeenth century, see Mirambel 1951: 40–50.
66. Troyes 2000: 76, 124.
67. The pseudonymous “Me D...” writes of a wandering stranger, “thinking of these enchantresses of Thessaly, who at midnight go to cemeteries, in the midst of tombs ... pronouncing their deceptive oracles.” (Me D... 1822: 70.) These “enchantresses” received fuller treatment in Lussan 1731–32.
68. *Ibid.*, 1–2.
69. Lafayette 1982: 115.
70. *Ibid.*, 120.
71. *Ibid.*, 30. Similar traits characterized a nineteenth-century Greek woman, who described her own beauty as follows: “In my features were immediately recognized that cast of countenance for which the Grecian girls are conspicuous: every trait was marked, my eyes, large and black, were fringed with long lids, ... a distinguishing characteristic of all the women of Chio

- and Smyrna. This cast of beauty is not found in Europe, ... and it is at least attractive on the plea of originality.” [Panam] 1823: 22.
72. Jewish women often served as intermediaries between harem women and the outside world. “The Sultana’s [*sic*] have leave of the *Grand Signor*, that certain Jew-women may at any time come into the *Seraglio* unto them; who being extraordinarily subtile, and coming in under colour of teaching them some fine ... needle work ... do make themselves by their crafty insinuations so welcome to the Kings [*sic*] women, that they ... prevail with them, in whatsoever they shall attempt for their own ends. ... And hence it is that all such Jew-women as frequent the *Seraglio* do become very rich.” (Withers 1653: 52–53; see also Grasset [de] Saint-Sauveur 1796: 31.)
 73. [Chèvremont] 1695: 35–36.
 74. Gérard de Nerval, who had a similar experience of incommunicativeness with his Javanese slave in Cairo in 1843, reacted in a different manner. In his case, which is also characteristic of the nineteenth century, the charm of the exotic was stronger than the need for verbal contact. “There is something extremely captivating ... in a woman from a faraway country ... she speaks an unknown language ... I had the impression ... that I owned a magnificent bird in a cage.” (Nerval 1984: 48.)
 75. This is how Voltaire expressed the relation between universality and diversity: “As a result, ... it becomes clear that everything that is intimately related to human nature is the same from one end of the world to the other; everything that depends on custom is different. ... The hold of custom is infinitely vaster than that of nature; it extends over manners, all sorts of usages, and it spreads variety in the scene of the universe; nature spreads unity; it establishes everywhere a small number of invariable principles; thus the basis is everywhere the same, and culture produces diverse fruits.” (Voltaire 1963, 2: 810.)
 76. P. Bénichou, *Morales du grand siècle*, cited in Singerman 1987: 223.
 77. Douthwaite 1992: 45.
 78. Prévost 1978: 13.
 79. “There is no distinction between the children of wives and those of concubines, but both are held to possess the same rights.” (Busbecq 1968: 118.) The naturalist Belon remarked: “If a Turk married the daughter of a grand seigneur and was also married to the daughter of one of the poorest laborers, the daughter of the laborer is the companion of the daughter of the grand seigneur.” (Belon 1555: 329.) In 1843, the slave merchant who showed Nerval some Abyssinian slaves temporarily housed in his home explained: “They’re in my harem, they’re treated just like the members of my family, taking their meals in the company of my wives.” (Nerval 1984: 45.)
 80. Montagu 1837: 299.
 81. Voltaire 1924, 1: 131.
 82. Prévost 1978: 19.
 83. *Ibid.*, 34.

84. Théopbé's Greekness is identified with Christianity, not Hellenism. "Must I remind you," the Frenchman warns the Sélictar [*silâhdar*], "that Théopbé is Christian? I believe that her inclination for Christianity springs from her blood, or at least from the knowledge she has always had of her country." (Prévost 1978: 90.) Mirambel's assertion that her *goût de l'intellectualité* [intellectual propensity] was a mark of her Hellenic connection is at best indirect. See Mirambel 1951: 42.
85. Prévost 1978: 25.
86. *Ibid.*, 26.
87. *Ibid.*, 22.
88. Yeazell 2000: 5.
89. Prévost 1978: 13.
90. *Ibid.*, 81, 92.
91. *Ibid.*, 94. Mlle Aïssé also refused to marry the chevalier d'Aydie to safeguard her independence as a foreigner. "How would the world look at him," she asked, "if he married '*une inconnue*' [a stranger]? What an embarrassment if I found out all that was said about me. Could I flatter myself that the chevalier would continue to have the same opinion about me?" (Mademoiselle Aïssé to Madame Calandrini, November 1726, in Aïssé 1846: 142.)
92. Graffigny 1993: 168.
93. Singerman 1987: 244.
94. *Ibid.*, 222.
95. Prévost 1978: 11.
96. Singerman 1987: 222.
97. Prévost 1978: 51.
98. *Ibid.*, 13, 29. The "bad faith" of the Greeks spanned the gamut from Cicero to Bayle. The latter wrote: "Those people [the Cappadocians] outdid the Greek nation, although it had brought this vice [bearing false witness] to a great excess, if we refer to Cicero's ... eloquent words on the bad qualities of Greek witnesses." ("Cappadoce," in Bayle 1720: 1: 753.)
99. Prévost 1978: 29.
100. For an analysis of the theme of incest in Prévost's work, see Sgard 1995: 156–57.
101. Prévost 1978: 90.
102. Letter cited by Sainte-Beuve 1846: 14. The figure of the protector-father-seducer also appears in Madame Panam's Memoirs. At the age of fourteen, she was led astray by the promises of the Duke of Saxe-Cobourg: "He treated me like a child; he embraced and encouraged me to call him my father. I wept in his arms and gave him the title ... of the *benefactor of our family*." ([Panam] 1823: 25.)
103. Prévost 1978: 80.
104. *Ibid.*, 120.

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Persecution and Perfidy: Women's and Men's Worldviews in Pontic Greek Folktales

Patricia Fann Bouteneff

“She had a mouth but she didn’t have a voice.” This is high praise for a newlywed bride in Pontic Greek folktales. In some ways, however, the same could be said of non-fictional Pontic women who lived before the modern era. Pontic Greeks, also known as Pontians, owe their name to their homeland, the Pontos, situated on the Black Sea coast of Asia Minor. They were part of the Orthodox Christian *millet*, one of the Ottoman Empire’s legally protected ethnic and religious minority groups. Women in the Pontos had little public voice—early in their married lives, they were not allowed much of one in private either. A young wife who moved in with her husband’s family upon marriage would be expected to keep totally silent until she had produced a son. Instead of speaking aloud, she would communicate with her in-laws by gesture. Although she would have been able to have her say in the house during much of her life, it remains difficult to hear her point of view at the temporal and spatial distance that separates us, especially since Pontic Greek women published virtually nothing before their arrival in Greece.

In an effort to recover a little of that voice, this essay explores the Pontic Greeks’ folktales, most of which were collected after the Pontians had been exiled, along with the rest of the Orthodox *millet*, to Greece in the early twentieth century. The majority of these tales were recorded immediately following that deportation, in the years between 1923 and 1941, when the narrators and folklorists were fresh to the Balkans and living a life of exile and nostalgia. Tales had been collected before, in the Pontos itself, and would be collected afterwards, but this was the time when the drive to preserve tradition was at its strongest.

Methodology

It is standard practice among folklorists to use a comparative method in their investigations of folk narrative and other traditional art forms. I will be comparing Pontic tales with their European and Middle Eastern counterparts, as well as contrasting tales from one Pontic village with those of other Pontic villages.

These comparisons will lead to the main focus of the paper, a juxtaposition of tales told by women and tales told by men. Information about the narrators of published Pontic folktales is generally scarce, but in those instances where we do know even as little as their names, it is worth making the effort to distinguish the way tales were told by men from how they were told by women. As it turns out, this allows us to recognize that something of a dialogue existed between the two sexes, and to reveal certain preoccupations that they would have been unlikely to air openly.

After looking at the general nature of Pontic folktales in comparison with their Greek, European, and Middle Eastern counterparts, I will consider the idiosyncrasies of the tales from various villages within the Pontic corpus of tales. I shall then contrast the broader characteristics of tales told by women narrators with those told by men, and draw some tentative conclusions about the effects of gender on Pontic narrative style. The tales examined here must be studied entirely from the evidence they provide as texts. Close examination shows the extent to which each teller was affected by his or her individual circumstances, by the narrative tradition in his or her village of origin and the characteristics of its repertoire, by his or her gender, and by his or her audience. I will not be assigning "meanings" to the tales, but will highlight their similarities and differences, and suggest reasons for the points of view they reveal.

Background

Geography and Society

By the time of their exile, Pontic Greeks had lived on the southern coast of the Black Sea for some three thousand years. Greeks began to settle that region in the second millennium B.C. They came as colonists from the Ionian city states, and clung to their Asia Minor foothold through the successive empires of Alexander the Great, Byzantium, Trebizond, and the Ottomans. By the sixteenth century, they were a Christian minority within a Muslim land. Far from historical Greece, they inhabited a region whose geography isolated them not only from other Greeks, but often even from each other, a condition which bred in them a fierce independence and self-reliance. As Gerasimos Augustinos writes in his history of the Greek communities of Asia Minor:

[Their] ability ... to persist was sometimes determined, paradoxically, by how little they depended on the outside world, whether Byzantine or Ottoman. ... Physically secluded from the rest of the peninsula and situated far from the imperial capital to the west, the Greeks of the Pontos looked to their own commercial, intellectual, and political resources to survive. Their Hellenic Orthodox world remained intact longer because the Christian empire of Trebizond avoided Turkish domination until the latter part of the fifteenth century. But even before then, Constantinople's political and

spiritual authority was a distant matter that, in the view of the Trapezuntines, was best kept that way.¹

The climate and physical features of the Pontos combined to restrict and concentrate human habitation along the coast. The largest settlements, such as the city of Trebizond or the town of Kotyora, lay directly on the seaside. Villages were often isolated from one another by the ruggedness of the terrain. Although the Pontic coastal region was rich in natural resources and agricultural products—fish, vegetables, and fruit- and nut-bearing trees along the coast, silver and lumber in the mountains, and grain in the interior valleys—many of the inland villages were too mountainous for anything other than subsistence farming. The village of Imera, however, prospered for a while by supplying charcoal to the silver mines of Argyroupolis, but by the late nineteenth century, its survival, like that of many other Pontic villages, depended almost entirely on the wages of seasonal emigrants—men who found work nearby as silver miners, in other parts of the Ottoman Empire, or in neighboring regions of Russia as builders, craftsmen, or shopkeepers.² The men of such villages as Stavrin and Santa might return home each winter, every few years, or only after retiring from their work abroad. Those who remained in their villages occupied themselves with farming and animal husbandry. Because men of working age spent most of the year away from home, villages more than towns often depended on their women to maintain the community and households.

The Asia Minor Disaster

Pontic life in the homeland ended with the Asia Minor Disaster. Greece, in making a bid to reclaim the territories once held by the Byzantine Empire, launched a major offensive against the Turks in March 1921. By autumn, there was a stalemate. At the end of August the following year, the Turks had routed the Greek army, which retreated to Smyrna (İzmir), which was burned to the ground. The Turks demanded the removal of most of the Orthodox Christian minority within its boundaries; the Lausanne Convention for the Exchange of Populations was signed on 30 January 1923.

During the population exchange, many Pontians were given short notice—anywhere from two hours to three weeks—to prepare themselves and their belongings for removal to Greece. Most could not liquidate their estates and took with them only what they could personally carry. Grief-stricken, destitute, bewildered, they took to the road or embarked on overcrowded transport ships. The majority came to Greece, though others went to the Soviet Union, the United States of America, or elsewhere.

Pontic folktale narrators and collectors found themselves among the exiled. The experience of the Siamanis family, into which the folktale collector Despoina Fostiropoulou had been born in 1907, was typical. Despoina's brother, Giorgos Siamanis, now over 90 years of age, remembered from his home in Athens that his family decided to leave Imera before they were forced out by the coming

exchange of populations. Because the men of working age in their village spent most of the year away from home, the village had relied largely on its women. So it was the women who organized the move and made all the arrangements for the transfer of the family to Salonica (Thessaloniki). His father, who had been working in the Soviet Union, only joined them after they arrived in northern Greece.³

Other folktale collectors arrived in Greece in less conventional ways. D.K. Papadopoulos, who collected the tale of “The Twelve Months” from Stavrin, fled to Russia to avoid military conscription, worked as teacher, founded a Greek school, and helped protect the Greek population during the Russian revolution in 1917; only in 1921 did he arrive in eastern Thrace, where he again took work as a teacher. Xenophon Akoglous, who collected one of the versions of “The Undying Sun,” also fled to the Crimea to avoid conscription, then joined the Greek army, fought in battle, became an officer, and took part in the Greek invasion of Asia Minor in 1919; after the army returned to Greece, he became an instructor at the military academy.

Exile: Pontic Greeks as an Ethnic Minority

The Pontians’ reception and resettlement as refugees in Greece has had an indelible effect on their worldview and served to cohere them as an ethnic group.⁴ The refugees felt themselves to be the victims of an unequal system: they had had to abandon their property at short notice, whereas the Muslims in Greece had been allowed to liquidate their property and effect a relatively leisurely departure. They also believed that the circumstances of their arrival turned their fellow Greeks against them; this belief further confirmed them as holders of an ethnic identity separate from that of their indigenous Greek neighbors.

After their harrowing trek to Greece, many of the refugees were sick, starving, and exhausted. Some discovered relatives who could help them, others were sheltered in urban slums or in theater buildings, schools, and abandoned warehouses. Still others trailed around the countryside begging for sustenance even as they sought deserted villages or homesteads in which to establish themselves. They generally tried to settle with fellow villagers from the Pontos, as is born out to some extent by the number of refugee settlements in Greece named after cities or villages in the Pontos.⁵

Like other refugees from Asia Minor, Pontians faced enormous difficulties upon their arrival in Greece. They soon exhausted their resources and suffered the perils of any displaced people—starvation, disease, poverty, and homelessness. Like all forcibly uprooted peoples, they also suffered the psychological terror of dispossession and readjustment. Moreover, they were confronted by a hostile reception on the part of local Greeks, who were themselves still reeling from the consequences of the Asia Minor Disaster and the shattering of the long-held national ideology known as the *Megali Idea*—“The Great Idea,” according to which Greece would retrieve all its unredeemed lands in Anatolia. Indeed, local Greeks found themselves saddled with the refugees as permanent reminders of

their national disgrace. Inundated by refugees, many of whose mother tongue was either Turkish or an alien variety of Greek, the indigenous population mocked them as “Turk-spawn” and ridiculed the Pontians in particular when they tried to communicate in the high-flown Greek they had learned in school.

The demographic effect of the population exchange on Greece was immediate. Within a few weeks, it had transformed Greece into a nearly homogenous state that had achieved apparent territorial and ethnic integrity. From one standpoint, the refugees were all Greeks, sharing the religion and national ideal of other Greeks—reports and statistics tend to mask the ethnic diversity of the newcomers. But each group had inevitably brought with it its own idiosyncrasies. While the various relief organizations operating at the time recognized this multiplicity of ethnic characteristics, the prevailing official attitude of the time was that the refugees needed to lay aside their Asia Minor heritage in order to concentrate on assimilating fully into the rest of the Greek population.

This assimilation was never completely realized, although on the surface it might have seemed inevitable. The Pontians’ cultural bonds with Greece, especially their consciousness of their classical heritage, had been revived in the last years before the population exchange. Like other Greeks, they had maintained their Orthodox bond with Byzantium through the Church. Nevertheless, despite these ties and the pressure to assimilate, Pontians remained a distinct minority within Greece. Their difficulties as refugees contributed to this, as did their former social situation in Asia Minor. Ottoman society and administration had classified people by their religious affiliation, so that people were divided less by class than by ethno-religious identity. Rich and poor Greeks shared a collective identity: “Since many Greeks had become influential and wealthy, their less successful fellows were able to bask in reflected glory, as it were, reinforcing the conviction of their overall superiority as a group. Later, in the Greek state, despite their rapid entrenchment at the bottom of the social and economic ladder and their political impotence, this sense of cultural and moral superiority was maintained.”⁶ Their new awareness of class difference can be felt in the tales they told in Greece, where a greater emphasis is placed on the differences between rich and poor than in those that were told in the Pontos.

The refugees found themselves ideologically at odds with the state. In their Asia Minor homeland, they had been accustomed to local democracy, virtually governing themselves and maintaining responsibility for community institutions such as the church and school, whereas in Greece they were governed by a centralized state. The refugees’ distrust of the form of the established Greek government fed their passion to be avenged for their uprooting and their irredeemable losses. They made their anger felt through the ballot box: the abolition of the monarchy in 1924 has been directly attributed to their influence.⁷

During this period, many Pontians became ethnicists, actively interested in maintaining their cultural community. They joined together to organize for the preservation of their traditional heritage and to resist full assimilation with the rest of the Greeks. The societies they established included the *Epitropi*

Pontiakon Meleton [Committee of Pontic Studies], founded in Athens in 1927, the *Filekpaideftikos Syllogos* [Pro-education Club], established near Drama in 1928, and the *Efxeinios Leskhi* [Euxine Club], founded in Salonica in 1933. Such Pontic organizations proliferated throughout the country—in the city of Salonica alone there were sixteen.

An overview of the founders of the *Epitropi Pontiakon Meleton* sheds light upon the original focus of one such organization. They consisted largely of clerics and teachers who had been active in petitioning for an independent Pontic Republic—men who had been educated at the major Greek schools of Asia Minor and had taken as their goal the preservation and publication of their historical, linguistic, and folkloric heritage. These founders included Metropolitan Chrysanthos Philippides, who had worked for establishing the independent Pontic Republic; Leonidas Iasonides, a politician and lawyer, had traveled with him to Paris to petition for the republic; Anthimos A. Papadopoulos, a priest and linguist, and Demosthenes Oikonomides, a linguist and folklorist, had worked on the *Historical Lexicon of the Greek Language* of the Academy of Athens. All these men transferred the focus of their activities from nationalist separatism in Asia Minor to an active ethnicism within Greece. The early years of the journal *Arheion Pontou* [Archive of Pontos] were devoted to gathering as much material as possible about the Pontos, its people, history, and culture. It contains collections of folktales, folk songs, dialectal vocabulary lists, collections of riddles, proverbs, superstitions, folk medicine beliefs, and descriptions of towns and villages and their peoples. It published the folklore materials collected by Stathis Athanasiades, Ioannis Valavanis, and Despoina Fostiropoulou, discussed below. The *Pontiaka Fylla* [Pontic Leaves], which published many of the folktales from Stavrin collected by D.K. Papadopoulos, was founded in 1936. Army-officer-turned-folklorist Xenophon Akoglous founded the *Hronika tou Pontou* [Chronicle of Pontos] in 1943.

Pontic Folktales: An Overview

To date, Pontic folktales have been studied as homogeneous, and for good reason.⁸ They share characteristics that set them apart from tales from other parts of the Greek world, Europe, and the Middle East. Though they belong squarely within the wider Greek corpus of tales, they are little known outside the Pontic community, except among specialists in Greek folklore—among whom they have a reputation for being particularly violent. The primary obstacle to a wider readership has been language. The Pontic dialect and standard spoken Greek are mutually incomprehensible; on the page, Pontic does not even look like demotic, since the standard Greek alphabet has to be modified to transcribe it. Pontic tales have rarely been translated into either standard Greek or any other language, so that even when the tales do get included in collections of Greek tales, more often than not they are left in the original opaque dialect. They appear chiefly in Pontic ethnic journals or in books about Pontic traditions that were produced before the 1970s.

The description of the Pontic folktale *in situ* that follows is based on accounts published by Pontic tale collectors; the analysis is largely based on my study of a 1962 selection of tales by Lianides.⁹ The vast majority of Pontic folktales was collected by men, many of them school teachers. Despoina Fostiropoulou was the only Pontic woman whose collection has been published. She was well educated for a Pontic woman, and was fortunate in having a schoolmaster husband who shared and encouraged her interest.

Published versions of Pontic tales do not appear to have been worked over the way the Brothers Grimm's tales were: even noticeable errors remain uncorrected. In "The Drooling Fool, His Brothers, and the King," a tale from the village of Santa, for example, the unpromising hero magically summons the white horse he was given once, the red horse twice, and the black one not at all.¹⁰ In addition, although the tales are often part of "showcases" of Pontic culture, no proverbs have been appended, no "proper" sentiments woven in, while scatology and other crudities remain. Certainly there must have been some editing: although they were not made literary as such, they contain few interruptions, few interjections by the audience, few hesitations or stumblings. On the other hand, the occasional "I should have mentioned earlier that..." has been retained. Very occasionally we find indications of vocal changes (as in the "huuuge boulder" met by the widow in Fostiropoulou's "The Undying Sun"¹¹), or markers of a break in the narrative, as when the transcriber includes the following exchange in "The Good Brothers":

...The other ones waited for him up above. His wife cried, cried, cried, no one could console her.

Let us leave them up above and him down in the earth and let us make ourselves a cigarette: give me your fixings, Sofokles...

* * *

Now, where was it that we stopped?—He went down into the earth (say the others).—Ah, yes: my lord went there, he looks and eeeeeeeveryone is sad and wearing black...¹²

Pontic folktale narrators were members of the community. There are no references to professional storytellers of the sort that existed in some parts of Greece. As Xenophon Akoglous wrote of those in Kotyora, a town on the Pontic coast, "There were only certain people who knew the folktales and they weren't necessarily old. There were also quite a few young men, young women, and middle-aged tale-tellers."¹³ Outsiders may well have also acted as narrators: although not mentioned by Pontic commentators, there is evidence from the folktales themselves that visitors might have been invited to contribute.¹⁴

As in other communities, Pontic tales were also told at work sessions. Pontians told tales during the shucking of the corn harvest and the husking of the hazelnut crop, and while sorting, carding, spinning, and knitting wool. Tales were also commonly told at winter's evening gatherings of family, friends, and relatives. These were called *parakath'* and were not unlike the community sessions known as *veglia* in Tuscany or *ceilidhe* in Ireland.

Tale-telling at a *parakath* followed a certain pattern. "Some narrators acted grave, or pretended to be grave, above all as soon as suggestions began that they tell one. They would change the subject, say that they weren't in the mood, and generally protracted the question, purely to provoke even greater interest."¹⁵ Women were an accepted part of the audience, and were often narrators of tales themselves. Just as the narrators could be any age or sex, so could the audience. Girls and women usually had knitting or embroidery to do, and schoolchildren might abandon their homework to listen in:

Before the folktale began, the housewife or the daughter of the house would take care to bring close to the hearth or to the brazier all the makings for coffee, so as not to be forced in the middle to get up and interrupt the continuity of the narrative. She would also bring whatever else she intended to offer to those gathered: hazelnuts usually, apples and appetizers generally, because some folktales lasted a long time.

When at last everything was ready, the narrator would put on a formal expression and make the introduction with this formula: "Anyone who is inside, stay in; and whoever is outside, stay out; and whoever needs to piss, let him go piss and come back." And then he would typically begin with "In the first times and in the silver years there was a..."¹⁶

Pontic narrators drew on much the same stock of tales as Greek storytellers: their oikotypes—the subtypes of the tales that are tied to a particular cultural setting—generally resemble those of the Greek mainland, and have much less in common with those of Turks (though they do share certain formula tales with them) or of their fellow minorities in the Ottoman Empire such as Armenians, Jews, Kurds, or Laz. Often the building blocks of the tales are virtually identical, but they are combined in different ways. For example, in Minas Tchéráz's collection of Middle Eastern folktales, *L'Orient inedit*, the Armenian Cinderella combines elements that, in the Pontic repertoire, are found in "The Jealous Sisters," "Little Brother and Little Sister," and "Cinderella." In Tchéráz's Armenian tales, as well, the narrators consistently portray a special bond between brother and sister. In that version of Cinderella, we find that the benighted heroine has a brother; he exists only so that the wicked stepmother can dispose of him in the opening of the story, an unnecessary element in the Pontic versions which show more interest in the conflict between the women sharing a household.

Pontic Greek tales originate from a number of sources. Some can be traced back to antiquity (e.g. "The Cyclops,"¹⁷ "The Two Brothers,"¹⁸ "Cinderella,"¹⁹ "The Animal Husband"²⁰). Others seem to originate in medieval sources such as exempla or hagiography (e.g. "The Pasha's Daughter's Dead Lover,"²¹ "Giannitson"²²). Yet others appear to derive from more recent sources (e.g. "Mohammed,"²³ "The King and the Bell"²⁴).

Pontic folktales can usefully be compared to their European counterparts. Like other European folktales, Pontic versions have the family as their organizing principle. But whereas in the European tale the family is more often than not

riddled with tensions and inner conflicts, that is not necessarily true of the Pontic tale, where intra-family tensions flare up only about half the time.

While in French folktales there is an opposition between the village and the open road,²⁵ in Pontic tales we find an opposition between the interior of the house and public space (for women), and between the interior of the village and its exterior (for men). As a result, Pontic heroes and heroines show less confidence in universal nature than do their European counterparts. Thrust outside the house or village, girls take refuge in the hollows or branches of trees, and youths remain perpetually on their guard.

The action in a Pontic folktale usually begins in a house, but then almost always shifts to the world outside the village. The hero or heroine is usually a fairly ordinary person until he or she crosses the village border into the magic space beyond. Except in the case of Cinderella and certain other heroines, the hero or heroine only becomes marvelous when he or she moves away from his or her own place—in other words, he or she is marvelous in other people's places, while (usually) remaining ordinary in his or her own.

In the French tales, where “no discernible morality governs the world in general, [and] good behavior does not determine success in the village or on the road,” cunning and intrigue and the need to perform unethical acts is the norm.²⁶ In Pontic tales, on the other hand, it is usually the clever, industrious people who succeed; it is usually unethical to attack anyone who is a fellow-villager. Morality is shown time and again to reap earthly rewards; it is not seen as arbitrary.

The European hero or heroine, as Luethi notes, falls at the extreme end of the social order, the extreme edge of the family; he or she may be the youngest, the weakest, or apparently the most unpromising.²⁷ The far reaches of the social order, in Pontic tales, tend to be represented either by poverty so extreme that the family makes bread from ashes, or by the fact that the hero or heroine is a widow's child or the offspring of a king's unacknowledged wife. But there are exceptions. The hero or heroine may be the only child of a well-to-do couple (“The Rich Boy,”²⁸ “Giannitson”²⁹). The Pontic hero or heroine, like European and Middle Eastern counterparts, is guided by gifts, advice, assistance; he or she is also occasionally moved by impulse or conscience. Desire for a wife or husband may be the motivator, or sometimes perhaps a less tangible goal—Giannitson is overcome by his vocation to be a monk, Kyrlovits is moved by pity for his wife, the hero and heroine want to find and reassure their parents (in the final section of “The Rich Boy”). Poverty becomes a motivating force more frequently in tales told after the Greek-Turkish population exchange forced the Pontians out of their homeland and into exile in Greece.

Although a villain is common in Pontic tales, there may be more than one to a tale, or there may be none. When the tale does involve one or more villains, revenge is not always exacted. Pontian narrators set things straight in their tales differently than did their European counterparts. For example, revenge in German tales may involve the evil-doer's being burned at the stake, drowned, forced to dance in red hot shoes, or stripped naked and put in a barrel studded with nails and

harnessed to a horse. These punishments are often described in even greater detail than the final good fortune of the heroes. By contrast, punishment is not inevitable for Pontic villains, nor is it often a dose of his or her own medicine, through the use of their own evil methods, the way it so often is in European tales. Where the punishment is not entirely omitted, it is often either left to God to mete out justice, or to natural consequences (with divine agency left tacit). On the occasions when the villain is punished in the folktale, the description is usually perfunctory: he may be chopped into small pieces or may burst from ill nature, or she may be offered death by the sword or the horse. By no means can it be said of Pontic tales, as Tatar does of German stories, that the villain's death in the most painful possible way is a precondition for the hero's happiness.³⁰

Almost all Pontic folktales end with the hero or heroine in a modified and elevated version of his or her original condition; however, they may or may not include a wedding. When weddings do occur, they last forty days and forty nights. Some Pontic tales seem to end almost perfunctorily with such a wedding; others have weddings as the true culmination of the story. In still others there is no reason for a wedding, or the wedding is left out even when one would have expected it. Especially when the protagonist is a girl, a wedding may also occur midway through the narrative and lead to still other adventures.³¹

Tale Characteristics of Different Villages

While it is useful to consider Pontic folktales as a group, they harbor important differences from village to village, and from narrator to narrator—especially when the narrators are of different sex—within a given village.

What we know of the folktale repertoire of Imera comes from two collectors, Despoina Fostiropoulou and the British philologist R.M. Dawkins. The former collected her tales from an unidentified woman, and the latter from two eighteen-year-old men, Vasilios Vasiliades and Haralampos Fotiades. They told no tales in common. Taken as a whole, these thirty-eight tales give us an idea of the character of the Imeran folktale. It is down-to-earth, and contains a stronger religious element than was common in Pontos. The characters come almost entirely from within the Greek community.

Both female and male sets of narratives often express a reliance on God to rectify injustice. The widow is told not to seek vengeance against the thief who stole her hen's eggs ("The Undying Sun"); Maritsa decides to leave the matter of her sisters coming to live with her in the palace in God's hands ("Cinderella Maritsa"); a traitorous servant is left to await his just deserts ("The Scaldhead and the Chance Find"). There is very little of the type of magic found in most wonder tales. Birds descend to sort grain from ashes or to donate feathers for a mattress, a river and a rock speak, angels appear, and a devil deceives a blacksmith, but there are none of the magic cudgels, sacks producing entire dinners, man-eating ogres, or talking crows that appear in other Pontic tales.

Folktales from other villages also have their individual character. Those from the seaside town of Kotyora feature more elaborately worked-out plots

and include more Middle Eastern monsters and character types than those from Imera. Some of those differences might be explained by differences in population size and geography. On the other hand, the village of Santa was similar to Imera in terms of geography and size, but its tales are very different. Santan folktales contain many fantastic elements and are more violent than the average Pontic Greek tale, some of its women are given greater equality with men, and some of its men are fiercely proud and defiant of the king's authority. Internal family relations are somehow much tighter: women are less likely to betray their men. Unlike other Greek or Pontic stories, heroes who rescue a sister or a mother are not subsequently betrayed by her; rather, they usually end up working together to survive their adventures.³² A witch hired to get rid of one hero ends up marrying him and being loyal to him. Even in the tale of "The Drooling Fool," where the wife is embarrassed by her husband and always hopes he will die in his adventures, she takes no steps actively to get rid of him.³³

Four Tales Told by Both Women and Men

In Pontic folktales collections such as those of Simos Lianides, Xenophon Akoglous, Ioannis Valavanis, and Ioannis Parharides—all men—women are usually depicted as liable to betray their households and their men. The tales by Haralampos Fotiades, another man, also fit this mold. On the other hand, those by Fostiropoulou's narrator, a woman, do not. In Fotiades's tales, the women are more to be censured than pitied; just the opposite in Fostiropoulou's. In his, man is set against God's demands; he is God's pawn. In hers, men measure themselves against society's demands, while women are men's pawns. In his, trouble originates usually from the workings of fate; in hers, it originates within the household, usually with a mother-in-law or traitorous servant.

If we had only the collections of folktales from Imera to go by, we might have postulated that there were two different Pontic folktales repertoires, a male and a female. Such a conclusion could be supported by evidence from elsewhere in the Middle and Far East, where women and men participate to different degrees in the narration of folktales, and often have different repertoires from one another. In Afghanistan and India, women have rituals at which they tell folktales and in which men do not participate.³⁴ In Egypt, boys are expected to leave folktales behind when they attain manhood; Egyptian women tell their folktales primarily for children and for other women.³⁵

In parts of Europe as well, women and men can tell very different versions of the same basic tale, and Alan Dundes shows that this tendency persists even when the folktales are transformed into literature.³⁶ In his study of Spanish folktales of courtship and marriage, James Taggart even found a kind of "gendered dialogue" in Spanish villages.³⁷ He psychoanalyzes this dialogue, and to that end assigns "meanings" to the tales to show where they fit within the dialogue. He might have read the differences between the tales told by women and men in the Pontos as a kind of conversation between the sexes, in which each side justifies its own position and shows how it is betrayed or falsely accused by the other. A similar

dialogue, in a Turkish context, is made literal in Sheykh Zada's *The History of the Forty Vezirs*, in which a man convicted of rape and condemned to death and the woman who accused him of the crime each argue the merits of their case through storytelling. As early as 1926, the Russian researcher Mark Azadovskii also remarked on the differences between folk poetry and narratives performed by women and those performed by men.³⁸ "Even if the emphasis lies elsewhere," he writes, Vinokurova "put the female theme in the foreground and treats it carefully, even if it is not the main concern."³⁹ He shows how Vinokurova's time working as a maid led her to emphasize the work of servants in her narratives. Azadovskii makes a similar observation comparing a Siberian woman's narratives to those of other raconteurs in the region: "The fundamental trait of Vinokurova's disposition is her sensitive, soft delicacy, and this soft coloration, this delicacy permeates all her tales. Thus ... there are no obscene instances at all. She did indeed tell me the tale of the four Popes ... but this tale, which I repeatedly recorded in the Verkholensk region, is scarcely recognizable in her rendition (in regard to manner, not in regard to content)."⁴⁰

Despite the existence of two Imeran repertoires, one male and one female, men and women in the Pontos seem by and large to have told the same stories, but with different emphases. Each tale is easily recognizable as the same version when told by a man or by a woman: they take the same framework and clothe it slightly differently. We find a fictionalized description of this phenomenon in a novel, *Aioliki Gi* [Aiolean Land] by Ilias Venezis, which is set in a Greek farmstead on the western coast of Asia Minor. Venezis contrasts the folktales told by a grandmother with those told by a grandfather. For example, the grandmother consistently softens evil-doers: ogres become benevolent demigods of the woods, the wolf in "Red Riding Hood" a beast that tries to do good but falls into evil ways in spite of himself. The grandfather's wolf, on the other hand, is a ravening beast who slakes his hunger greedily first with Red Riding Hood's grandmother, then with the child herself.⁴¹ The picture that he draws of the differences between the grandmother's and grandfather's narrative styles are exaggerated versions of the differences we find in tales told by Pontic female and male narrators.

Below are examples of four different Pontic tales for which a female version can be contrasted with a male version. No context for the telling of the tales was recorded. In no instance did they originate in the same village, and it is unlikely that the narrators knew each other or had heard each other's tales.

The Undying Sun

(AT 461A; Eberhard-Boratav 126; El Shamy 461A.)⁴² The two stories under consideration here would both have been collected in Greece; their tellers originated in different Pontic villages. The version from Imera was collected by Despoina Fostiropoulou from an unidentified female narrator before 1935; the one from Kotyora was collected by folklorist, historian, playwright, and army officer Xenophon Akoglous from a male narrator before 1952. As mentioned above,

Imera was a mountain village, Kotyora a coastal city. In Pontic, Fostiropoulou's story is called "The Undying Sun," Akoglous' "The Sun's Mother."

Greek variants of this story can be found in Crete and the Caucasus, and there is a Turkish variant from South Siberia.⁴³ In each case, advice is asked of the sun. Dawkins also located it among the Gagauzy of Bessarabia, in Persia, Armenia, Russia, and Italy.⁴⁴ The Aarne-Thompson tale type index refers to only one tale of this type, from India; the motif of a thief being punished by having feathers stuck to his head (J1141.1.5) also appears in India. The Eberhard-Boratav version is thematically related to "The Undying Sun" and is found throughout central Turkey. Arab versions have Moses asking advice of God on behalf of a destitute brother and sister. In a Spanish version, "The Griffin Bird," the requests are made of a traveler seeking the advice of a frightful monster, and the story includes a river that must be crossed before the advisor can be reached.⁴⁵

In the Pontic female version, an old woman sets out to visit the Undying Sun to ask who is stealing her hen's eggs; in the male version, a poor man cannot earn enough to feed himself and his three daughters, so he goes to ask for advice of the Sun's mother. Along the way, the widow meets three spinsters who want to know why they cannot get married; the widower also meets three old maids. The widow next encounters a woman wearing three fur coats who wants to know why she cannot get warm; the widower meets a man buried to his waist in the ground. The widow then meets a raging river that wants to know what it must do to be at rest and a boulder teetering on the edge asking the same question; the widower meets only the hanging rock. When the widow finally finds the Sun, he answers all these questions and concludes by saying: "The one who steals your eggs is your neighbor, but say nothing to him; leave him to God and he will come to his just desserts." The Sun's mother gives the widower advice for the others and a magic piece of hide that will always fill his table with food. The widow conveys the Sun's advice to the others and returns home to find that the thief had sprouted feathers on his face and died of the shock. After the widower passes on the advice, he has adventures that revolve around the loss of his piece of hide to the king, forcing him to return for help to the Sun's mother.

The female narrator sets out her story as a morality tale whereas the male narrator makes the morality tale a prelude to an adventure tale. The male narrator pauses for a cigarette immediately after his main character does; no such pause is mentioned in the female tale.

Both stories have a widowed protagonist who is having difficulty getting by, the widow because of the malice of a neighbor, the widower because of the burden of providing for three daughters. Neither widow nor widower is a common Pontic protagonist. Widows in Pontic tales usually have a son who goes on adventures, or a daughter who is sought in marriage; widows lived on the margins of society. Widowers—such as the father in some variants of Cinderella—usually die off early.

The widow and the widower each consult a mythical sun-figure. Along the way, other characters ask them to consult the sun on their behalf. The humans they

meet have moral problems (laziness, selfishness, blasphemy), the supernatural characters have magical problems (inability to be at rest). The characters who obey the sun's directions go on to live happy lives, those who do not are destroyed.

Neither of the widowed protagonists takes direct action against the villain. The widow lets natural justice (perhaps delivered by the sun) deal with the thief who stole her hen's eggs. When the widower returns to the sun's mother for help, she supplies him with the tool he needs to persuade the king to return his property. These details reflect the storytelling characteristics of the villages from which they come. The Imera story has the sun telling the old woman to trust God to punish her neighbor. The Santa story has the widower engaged in a successful struggle against the king.

In both tales the narrators emphasize to an unusual extent certain humanizing characteristics about their atypical protagonists. The widower takes breaks to smoke cigarettes and whets the desire of his audience before telling a story: "He sat down and rested, he asked [the girls] to bring him a little water, he also ... lit a cigarette, and while he was looking at them one by one in the eyes, he smiled, and began very slowly" to tell them what the Sun's mother had recommended. In the story from Imera, the widow is equally human: when she approaches the Undying Sun with her questions, she offers him a kerchief-full of pears from her garden and a basket full of bread; she slaps her bottom to defy the fury of the boulder; soon after she crosses the river, she sees the roofs of the village, sees the smoke rising from the chimneys, and smells the food cooking. In fact, this return from the mythical region of the Sun in both tales is signaled by dinnertime. She dines in the company of the old woman with the furs; he feasts on the bounty provided by the magic piece of hide.

In the woman's version, a widow, lacking a benevolent male in her life, seeks advice from a magical male figure. The old woman meets and corrects girls and women before leaving the village. She moves into mythical territory after she crosses the river, and engages in conversations with the river and the rock. When the women take the advice that she brings them, to become good housekeepers and almsgivers, they are in fact embracing two traits that are highly valued in other tales of the same narrator.

In the male version, however, there is no clear divide between domestic and magical territory, although the association of women with the home and men with public space is evident in the ordering of the supplicants he meets. He encounters the slovenly girls first (closest to his home territory), the buried man second (on the road), and the rock last (far from the village). Lacking a wife at home, he seeks advice from a female figure, the Sun's Mother, and she provides him with a magic device that produces cooked food for him.

Cinderella Maritsa

(AT 510A & AT 780; Eberhard-Boratav 60 & 241; El-Shamy 510 & 780.)⁴⁶ "Cinderella" is of course well known virtually across the world.⁴⁷ There are at least four published versions of this story from Pontos: from Trebizond in 1885,

Stavrin in 1937, Imera in 1938, and Kotyora in 1939.⁴⁸ The tales from Trebizond and Imera come from one subtype, those from Stavrin and Kotyora from another. Like other Greek versions,⁴⁹ the Pontic oikotype opens with cannibalism, but since they do not include famine as its excuse, the deed is all the more repugnant. Of the two examined below, one was collected from a male narrator in or near the city of Trebizond in Ottoman Turkey around 1885, the other from a female narrator in Greece before 1935.

As in other Greek versions of the tale, here too the primary relationship is among women of a household, and different episodes of conflict are shown between women in the same family. Men play a decidedly minor role. The female version of the story begins with a widower with two wicked daughters. He marries a good woman, with whom he has a beautiful little girl. After he dies, no one can control the older girls. In the male version there is no father at all, only an old woman with two wicked daughters and one good daughter. The older girls hate the youngest because their mother loves her best.

In the female version, the two sisters force their stepmother to do all the housework. To make ends meet she spins the wool of strangers for pay. One day the evil sisters load her distaff with poor quality wool and their own with good wool, and propose a spinning contest. The rules are simple: the one whose thread breaks first will be eaten by the others. They let her first break pass; the second they ignore; after the third, they kill her. Maritsa wakes to find her mother's bones scattered. In the male version the scene is much the same, except that the mother is not working for strangers.

In the female version, Cinderella hides her mother's bones and spinning equipment and censes them every day; she becomes the sisters' servant. In the male version, the sisters only spare Cinderella's life so that she can do the housework. She hides the bones and weeps over them every day for forty days.

A great dance is announced in both versions of the tale. In the female version, the king intends to choose a bride for his son. The sisters dress up and go; Cinderella dresses in clothes and shoes she finds near her mother's bones and goes to the dance, where everyone is amazed by her beauty. She dazzles the king's son. Trying to return home ahead of her sisters, she loses a shoe in a stream. The next day, the king's horses refuse to drink from the stream for fear of the shoe, which is found and recognized by the prince. He takes the shoe around, and discovers Cinderella.

In the female version, the sisters persuade the king to let them come to the palace as bridesmaids. In the male version, they are allowed to come because Cinderella takes pity on them. In both versions, when she is brought to childbed, they act as her midwives. Every year, when she bears a baby, they substitute a puppy, a kitten, or a snake for it. The king finally loses patience and has Cinderella locked up—in the female version in the garbage heap (where a servant secretly brings her food), in the male version, in a small room.

In the female version, the king marries one of the sisters. Three cypresses grow from the graves of the babies. When the king passes by, the cypresses bow. His

new wife orders them cut down to make a bed. In the evenings the wood of the bed speaks and says: “Did you ever see a father kiss his wife in front of his children?” She has the bed chopped up, a widow burns the pieces of wood and throws the ashes into her cabbages. A goat eats one and gives birth to three beautiful little boys. In the male version, three flowers grow over the boys’ graves; a cow eats the flowers, and nine months later she gives birth to three little boys, each wearing a string of pearls.

In both versions, the king is so mystified by these events that he searches for someone to explain them. Cinderella is finally allowed to tell her story and claim her children. The sisters are killed. In the male version, Cinderella and the king celebrate with another wedding; in the female version, he gives her so many servants that she never has to rise from bed again.

The female version from Imera lays greater emphasis than other Pontic versions on the fact that the mother and Maritsa were outsiders within the family, and on the usurpation of their rightful roles by the stepsisters. After becoming widowed, the mother must work as a maid in other people’s houses, a humiliating situation faced by many Pontic refugee women in Greece. Only the female narrator includes a physical description of Maritsa after her exile to the garbage heap, describing her as having long hair growing on her face, a sign of starvation. The motif of jealous sisters substituting young animals for the heroine’s newborn babies (and the king’s rejection of her because of it) also appears in a Persian tale.⁵⁰

The female narrator pays careful attention to the nuances in the relationships among the women and to the details of how the stepsisters bring off their plot. The mother has to take in wool to spin and begs the stepdaughters to help; they react by rigging a spinning contest against her. Angelopoulou argues that spinning was an activity that defined whether or not a girl was competent to get married and have children.⁵¹ The ability to spin seems to have been equated with feminine power. Although the evil sisters in the story lay claim to this power, they have to cheat to secure it. The mother can be killed because she no longer appears to spin as well as her daughters—just as the two sisters interrupt Cinderella’s feminine power when they steal her newborns so that her ability to bear children is in doubt and she is cast aside.

The Cinderella in the male Trebizond tale is too full of good will towards her sisters to recognize the danger they pose. It is characteristic of the female tales from Imera, however, that Cinderella recognizes the danger from her sisters, but, having used silence as an armor throughout the story, she is unable or unwilling to tell anyone about it. Though her tongue may be fettered, her mind is not. When the two sisters curse about the beautiful girl at the ball, Cinderella thinks to herself: “If you only knew who I was.” The female narrator has her heroine act as society dictates, but retain her private, internal life.

Giannits and Maritsa (Little Brother and Little Sister)

(AT 1373B & AT 450 & AT 403; Eberhard-Boratav 168; El-Shamy 450.)⁵² This tale was well known in the Greek world, and was collected in Thrace, Epeiros,

Asia Minor, and the islands. It was also known throughout Europe, Turkey, and the Arab world. The two Pontic versions below were both collected in Greece. The villages from which they come, Santa and Imera, were near each other in Turkey.

The story begins with two parents deciding to kill their children—in the female version from Imera because they discover that human flesh is delicious, and in the male version from Santa because they resent taking care of them: “Perhaps we will live until they grow up but after they grow up God knows if they will look after us. Let us kill them and be rid of them and we will be free.”

A bird warns the children of the danger. In the female version they escape into the forest; in the male they take magic flight from their pursuing parents—that is, they throw small objects behind them that magically become immense obstacles for their pursuers.

Once safe from their parents, the children become desperately thirsty. The girl prevents the boy from drinking out of animal tracks for fear that he will be transformed into that animal. When she falls asleep, he drinks from a deer track and becomes a fawn. He uses his antlers to place his sister onto the branches of a gigantic tree. In the female version, the sight of her braids scares the king’s horses that wished to drink from the river; in the male version, her reflection in the water does. When the servants cannot understand what is scaring the horses, the king himself discovers the girl in the tree. The tree is so enormous that the king’s men cannot cut it down in one day; every night the fawn repairs the cut. In both versions, the king summons a witch to lure the girl down. The witch tricks the girl down by kneading bread incorrectly, and pretending to be deaf so that the girl has to climb down to correct her. The witch seizes her by the hair and takes her to the king.

In the female version, the king waits until the girl grows up in order to marry her to his son; in the male version, the king immediately falls in love with her and marries her himself. Shortly after the wedding, in the female version, the witch is envious and poisons the new bride with salt, forces her to trade her eyes for a drink, then abandons her in the wilderness and substitutes her own ugly daughter for her at the palace. The blinded girl gains magic powers: when the witch plots to kill the fawn, the girl causes the knives to lose their edge and the cauldrons to empty out. In place of tears, she weeps flowers. A shepherd rescues her and trades her flowers to the witch for her eyes. The king learns where the flowers came from and unmasks his fraudulent wife. In the male version, the spiteful witch leads the girl to the lake and pushes her in. She is rescued when the fawn throws her bread. Both the witch and her daughter are tied to horses’ tails in the female version; only the witch is punished in the male. The female tale only ends when Maritsa returns to the palace and rewards the shepherd.

The female version is more attentive to the motivation of the characters and to certain “feminine” details. The girl has “braids,” not “hair.” The king holds off marrying her until she is of age, a detail missing from the male version. The priest and his wife (the children’s parents at the beginning of the female tale)

are motivated by gluttony, the fawn by thirst and love for his sister, the witch by jealousy. The motif of the substituted bride, common in “female” tales, is present here but missing in the male version. The male version also lacks a reason for the witch to push the girl into the lake. In the female version the girl works towards her own good: she tries to stop her brother from becoming an animal, uses magic to prevent him from being killed, and persuades a shepherd to help get her eyes back. In the male version, while she also tries to prevent her brother’s transformation, she is otherwise a pawn of the king and the witch.

The Twelve Months

(AT 480.)⁵³ A story about a poor woman and her malicious sister-in-law, “The Twelve Months” is a subtype of the tale Warren Roberts analyzed in *The Kind and Unkind Girls*,⁵⁴ found worldwide in a variety of forms. From Roberts’ paradigm of the “Strawberries in the Snow subtype, Twelve Months form” we can further subdivide the Greek tales into the “Baking subform” and the “Spinning subform.” The tales below are examples of the “Spinning subform”: both women are childless; a rich sister-in-law refuses to let a poor sister-in-law spin wool by her lamp, so the poor sister-in-law is forced out onto the mountain in search of a light; she finds the twelve months sitting around a fire. In each subtype, the rich woman is malicious, the poor one is gracious and enterprising.

Dawkins collected a version of the “Baking subform” from Sourmena and a version of the “Spinning subform” from Haralampos Fotiades in Imera, the latter of which is presented below.⁵⁵ The female version of the tale is from Stavrin, published by D.K. Papadopoulos who collected it in Greece.

The male version of the tale begins with two sisters-in-law, “one rich but evil, the other poor but good.” The female version from Stavrin provides a background story: a hardworking elderly couple has two sons. When the wife dies suddenly, the family suffers greatly, and the old man marries his older son to a local girl from a good family. She is lazy and foul-tempered, so that the father finally builds the newlyweds their own house, and the son flees abroad to find work. The father marries his younger son to a girl from a different village; she is industrious, good natured, and quiet. Although everyone else in the village comes to love her, her sister-in-law is jealous. After the new bride’s husband and father-in-law suddenly die and she is unable to return to her own parents, she is forced to take in wool for spinning to eke out a living. In the female version the woman narrator goes into some detail about her attending evening work parties because she cannot afford a light of her own to spin by. She stops going, however, because she cannot afford to reciprocate; her sister-in-law finally bars her from her work parties, so she goes to spin in the light outside the sister-in-law’s window.

In both versions the sister-in-law drives her away from the window. She sees a distant light on the mountainside, where she finds twelve young men sitting around a fire. In the male version, she is immediately invited to sit by the fire. When they ask her opinion of the months, she speaks well of each of them. In the female version, she is too shy to approach the twelve months, and sits far from the fire to

spin. When she becomes clumsy from the cold, they invite her to approach. She spins her wool quickly and well, as she tells of her troubles; in singing her final lament for her husband, she praises the months. The twelve months fill her apron with live embers. In both versions she obeys their instructions and the embers turn into gold; in the female version she then provisions her house in a wise and thrifty manner so that she can work and live well for the rest of her days.

In the male version, the sister-in-law learns of her success and decides to imitate her. In the female version, the sister-in-law's slovenly habits have brought her to hard times, and her husband never sends her any money. In both versions, the good sister-in-law tells her how the months helped her. In the male version the wicked sister-in-law finds the months around the fire and curses the seasons in turn. In the female version, she finds the months, sits at their fire without being invited, spins her wool very badly, in thick uneven clumps, blurts out her sorrows without being asked, and curses two of the months. In both versions she takes the embers they give her and pours them into the hearth; by the next morning, they have turned into snakes that destroy her. The male version ends with a moral: "Thus suffer the evil ones who do not wish for the good of others." The female version only notes that the good sister-in-law lived even better than ever.

Some of the differences between the two tales—especially Fotiades' rather bare-bones approach and the more lush recounting of Papadopoulos' narrator—may have to do with the relationship between the teller of the tale and his or her audience. The influence of the relationship between storyteller and audience on the telling of a tale has been noted in other cultures. Among the Navajo, Barre Toelken found that the narrator Yellowman would embellish his tales with more digressions and a greater degree of animation and detail when he was telling them to an audience of engaged, actively listening native speakers than when he was simply reciting them into Toelken's microphone.⁵⁶ Kirin Narayan noted, of tale-telling in an Indian village in the Himalayas, that "[a] storyteller reshapes the story to the particular situation at hand, in interaction with particular listeners. Listeners shape the story by their responses and queries."⁵⁷

Other differences in the two tales may have to do with the ages and talents of the tellers. Fotiades was only eighteen when Dawkins recorded his stories; all his tales, even relatively longer ones, are short and to the point, with very few digressions. The woman narrator from Stavrin, on the other hand, freely emphasizes details of spinning wool, the importance of a good woman to the household, and relationships within a family. She also stresses the good sister-in-law's virtual exile from her own people, her isolation within her new community, and her increasing despair due to the malice of her sister-in-law. Fotiades, on the other hand, delivers the tale as a fable contrasting the fate of well-wishers with that of ill-wishers. For Dawkins' benefit, he includes all the names of the months and seasons.

Characteristics of Female and Male Narrators

In the stories studied above, the differences between those told by men and those told by women are generally a matter of detail and emphasis. The four male narrators whose stories are discussed above stress action over motivation, and are apt to linger over action sequences such as a magic flight from murderous parents. They show little concern with getting the elements of marriage arrangements properly laid out: weddings take place as soon as a king desires a girl, whatever her age. Male characters in their tales are apt to be curious and investigate odd phenomena. Their female protagonists are too good-natured or too gentle to recognize danger. In other folktales throughout the Pontos (except those from Santa), we find male narrators telling how their male characters strove to win a bride, to support an ailing mother, or to earn honor in the world. Even as they struggle, however, they are consistently betrayed by women or when they return home from their adventures; those who love them inadvertently cause them harm. The Pontos was a patrilocal society: women moved at marriage into their husband's parents' house, which intensified the theme of the woman as outsider, as unknown, as a potential traitor in the tales narrated by men.

For their part, Pontic women narrators do not portray their female characters as necessarily soft or gentle; in a number of tales told by women, we find female characters clinging ferociously to their chastity or to other virtues. The two women narrators discussed above emphasize the lack of security experienced by a girl when she is removed from parental protection, show her suffering persecution from sisters or sisters-in-law, and include the motif of a substituted bride where the men do not. They show detailed interest in the social interaction within houses, in elements of housework (thrifty provisioning, wool-spinning techniques, evening work party etiquette) and in the motivations that lie behind actions. Although women's female characters speak no more frequently than do those in tales told by men, their protagonists recognize danger even when they can do nothing about it, and think defiant thoughts even as they must remain silent. In other folktales narrated by women, in spite of their hard-held virtue, female characters are misunderstood by their husbands, attacked by servants, lied about and unjustly persecuted within the family, or abandoned far from home.

Tales by a Female and a Male Narrator from Imera

Each set of tales examined above were told by men and women from different villages. As mentioned earlier, we dispose of two repertoires from Imera, one male and one female, with no shared tales. Still, we can learn something of the differences between their two points of view by looking at their repertoires as a whole. Despoina Fostiropoulou collected ten folktales from a female narrator living in Greece. This collection shows some of its narrator's preoccupations. The majority of the narratives trace a girl's career before and after her move to her husband's house. Nine of the ten stories include a difficult situation at the groom's house: persecution, a revolting groom, or an impossible set of tasks to accomplish. Three heroines suffer persecution both at their parents' house and

at their husband's; a mother-in-law is persecuted in her own house. Two of the ten suffer persecution only at their husband's house. Three of the ten suffer no persecution but take command of their situation, however difficult. Although the earthy, rather comic "Undying Sun" may seem to stand outside the model of the female tale, it still insists on the importance of charity and housekeeping skills as a way of getting on with one's life.

Themes that recur in this series are housekeeping as drudgery;⁵⁸ lack of security when removed from parental protection;⁵⁹ betrayal within the house;⁶⁰ lack of security within marriage;⁶¹ the husband being tricked into taking another wife;⁶² and the husband's remorse at the wrongs suffered by his bride.⁶³ A woman is able to take command of her situation only in stories where she has no in-laws to thwart her.

Another common theme shows the bride allegiance divided between her parental and marital houses.⁶⁴ All is set right in "Shihouna" when she finally allies herself with her marital home. "The Almsgiving Bride" dies (a martyr) in retaining allegiance to her mother's way of doing things. Only the widow and the clever peasant girl leave home voluntarily. "The Almsgiving Bride," even more than the others, expresses a woman's loss of volition in marriage. Although she is not in danger of being seduced, she clings to her goal of almsgiving as fiercely as other heroines cling to their chastity.

Fostiropoulou's narrator was telling tales to someone who shared her language, worldview, aesthetic standards, and ethical values. She primarily told tales about women and their concerns, and tried to plumb the psychology and motivations of her characters. The tales are all set in an unspecified village or in the folktale realm just outside its borders. The narrator showed attention to housework and sensitivity to tensions within the household. In stark contrast to the women in Fotiades' tales, those in the tales of Fostiropoulou's narrator value their honor and their chastity even above the lives of their children. The latter was especially eloquent in depicting the plight of young brides in the houses of their in-laws, but she was equally sympathetic to a mother-in-law whose fate crossed that of a vicious daughter-in-law. Even the worst mothers and in-laws, however, were not actively punished (although villainous stepsisters and witches may be). The women of her tales worked within the confines of their social roles, which generally meant staying within the confines of the house. When they did have to leave the house and act on their own, they disguised themselves as men and strove to return to their (husband's) community.

The tales narrated by Haralampos Fotiades were collected by the British philologist Richard Dawkins. Fotiades provided Dawkins with twenty-six tales, but he was clearly a fledgling narrator: his tales have little nuance. He may, however, have deliberately eschewed nuance because he was telling his stories to a non-native listener;⁶⁵ he certainly left off the usual formulaic openings and closings. Unlike many other Pontic narrators whose tales have been published, he keeps his narratives schematic, developing little more than a basic plot for each.

Nine of Fotiades's tales contain the theme of the mysterious ways of God (and other religious motifs). Nine feature the theme of cleverness (ways of winning contests, common in Greek tales). Six tales dwell on the infidelity of women and girls—in his tales, almost all keep lovers, and therefore betray and dishonor their fathers or husbands. Five tales contain the theme of the master-pupil relationship; Fotiades narrated didactic tales and fables, and presented "The Twelve Months" to Dawkins as a way of learning the names of the months in Pontic. There are no enchantments and few magical objects or persons. Fotiades seems preoccupied both with fate as ordained by God and with student-teacher relationships and the didactic process, as well as with the perfidy of women. Some tales are set in exotic locations: one in Austria, one in Germany, and two in England. Russia, the setting for one tale, was not a particularly exotic location for Pontians, many of whom emigrated there in search of work.

Conclusion

The Pontic Greeks have been an embattled people, as a religious minority in their homeland and as an ethnic minority in their lands of exile. Their history and culture gave rise to a deep-seated conservatism which we see reflected in the remarkable consistency of their folktales over time and space.

In terms of structure, Pontic tales do not vary greatly whether they were told by men or by women. The tales were often told during evening sessions in which men and women, boys and girls would gather around the hearth in winter to listen as they worked. The family is the organizing principle, and the house its clear locale. Structural oppositions between the interior of the house and public space for women, and between the interior and the exterior of the village for men also hold sway. A wedding is not a mandatory part of the plot, nor is punishment for the villain. Almost all the stories end, however, with the protagonist in a modified and elevated version of his or her original condition.

Narrative idiosyncrasies appear among villages. In contrast with the elaborate plots and Middle Eastern motifs of tales from Kotyora and the defiance of authority and the violence of tales from Santa, we can recognize the down-to-earth nature of Imeran narratives, their shunning of magic and flights of fancy, and their preoccupation with morality. Each tale's narrator was shaped not only by his or her personality and biography, but also by the narrative traditions of his or her place of origin.

Examining the two Imeran narrators reveals something more interesting than just the particularities of tales from that village. By picking out the features that the male and female tale-tellers from Imera shared with other narrators of their own gender, we can use the Imera tales as a lens to bring into clearer focus some consistent differences between male and female storytellers in the Pontos. Men tended to emphasize action in their stories and spent little time detailing the reasons behind it. Women tended to explore motivation and to detail the nuances of interpersonal relationships. The men showed the rare good female character in their stories as someone passive out of naiveté; not only were such female

characters less rare in women's stories, but moreover they were described as being passive only because of the rigorous self-control demanded of them by society.

The worldviews in the two sets of stories are divergent enough that we can recognize a kind of dialogue between female and male narrators. In brief, men persistently showed that they could be victims of perfidy and betrayed by the women in their lives, so that they needed to take action to prevent or end such situations. Women equally persistently showed that their actions and motivations were open to misinterpretation, and that they could unjustly be persecuted by their men and their in-laws. Within a culture in which heart-to-heart conversations between people of the opposite sex would have been nearly unthinkable, narratives of this sort may have provided, if not a fair and balanced view of prevailing issues, at least one way for the men and women of the region to air their particular preoccupations and concerns.

Notes

1. Augustinos 1992: 16–17.
2. Fostiropoulos 2002: 6; Augustinos 1992: 12–13.
3. My thanks to Bruce Clark of the *Economist* for information about his interview with Mr. Siamanis.
4. This section is based on Bouteneff 2002.
5. Tanimanides: 1988; cf. also Bryer, "The Pontic Revival": 179.
6. Hirschon 1989: 13.
7. Pentzopoulos 1962: 174ff; Clogg 1979: 122.
8. A different version of this overview appears in Bouteneff 2003: 293–295.
9. Lianides 1962.
10. *Ibid.*, 270, 272, 276, 280.
11. Fostiropoulou 1938: 181–202; 181.
12. Akoglous 1939: 393.
13. *Ibid.*, 385.
14. Akoglous 1950: 202.
15. Akoglous 1939: 385.
16. *Ibid.*, 386.
17. Parharides 1951: 81–84.
18. Lianides 1959: 68–76.
19. Fostiropoulou 1938: 184–191.
20. Fostiropoulou 1941: 130.
21. Dawkins 1914: 44–55.
22. Valavanis 1956: 135–138.
23. Dawkins 1914: 174–177.
24. *Ibid.*, 212–213.
25. Darnton 1984: 9–72.
26. *Ibid.*, 54.
27. Luethi 1976: 23.
28. Papadopoulos 1946: 183–196.

29. Valavanis 1958: 135–142.
30. Tatar 1987: 181.
31. Cf. Dan 1977: 13–30.
32. “The King’s Wife” (AT302) in Dawkins’ Santa notebook, 17–54.
33. Lianides 1959: 61–68; subtype of AT530.
34. Mills 1985: 201–206; Narayan 1997.
35. El-Shamy 1980: li–liiii; 1999: 9–10.
36. Dundes 1996: 199.
37. Taggart 1990.
38. Azadovskii 1926: 41.
39. *Ibid.*
40. *Ibid.*, 45
41. Venezis 1943: 45–46, 70–72.
42. Fostiropoulou 1938; Akoglous 1952. The motif of the “Undying Sun” or “The Sun’s Mother” may be linked to the mysterious “Fortress of the Sun” of Pontic Greek folksongs.
43. Dawkins 1953: 458.
44. Dawkins 1950: 367–368.
45. Taggart 1990: 120–129.
46. Fostiropoulou 1938: 185–193; Parharides 1951: 91–100.
47. For overviews of the Cinderella folktale throughout the world, see (among many other studies) Cox 1893, Rooth 1951, Dundes 1988.
48. Parharides 1951: 91–100; Papadopoulos “Sahtaritsa”; D. Fostiropoulou 1939: 184–190 ; Akoglous 1939: 397–401.
49. Angelopoulou 1989: 71ff; Cox 1893: 499.
50. Lorimer and Lorimer 1919: 60
51. Angelopoulou 1989: 76.
52. Fostiropoulou 1931: 193–202; Athanasiades 1928: 197–202.
53. Dawkins 1923: 285–291; Papadopoulos 1946: 171–206.
54. Roberts 1958.
55. Dawkins did not, however, recognize the two as related tales.
56. Toelken 1976: 155; 1998: 382.
57. Narayan 1997: 221.
58. “Cinderella Maritsa”; “Kyrlovits.”
59. “Cinderella Maritsa”; “The Scaldhead and the Chance Find.”
60. “Cinderella Maritsa”; “Giannits and Maritsa”; “Kyrlovits”; “The Scaldhead and the Chance Find”; “Almsgiving Bride”; “The Flattened Rings.”
61. “Cinderella Maritsa”; “Giannits and Maritsa”; “Almsgiving Bride.”
62. “Cinderella Maritsa”; “Giannits and Maritsa.”
63. “Cinderella Maritsa”; “Giannits and Maritsa”; “Kyrlovits”; “The Scaldhead and the Chance Find”; “Almsgiving Bride.”
64. “The Scaldhead and the Chance Find”; “Shihouna”; “Almsgiving Bride.”
65. Cf. Toelken 1976: 155.

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Love and/or Death? Women and Conflict Resolution in the Traditional Bosnian Ballad

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As a type of narrative song, the ballad tells a story, typically on a tragic theme, with an intensity, simplicity, and immediacy of narration that is rarely found in other poetic forms. In folk ballads of anonymous authorship, poetic material is commonly drawn from local and community life, although detailed descriptive elements of the setting and action are usually absent. As a poetic genre, the ballad was established in much of the Balkans by the fourteenth century. With the arrival of the Ottomans in Bosnia in the mid-fifteenth century, the ballad began reflecting the conflation of Slavic customs and Ottoman Islamic values, especially as regards gender relations, cultural norms, and social responsibilities and aspirations. This study analyzes the lyrical and dramatic elements of the Bosnian ballad tradition, focusing in detail on one ballad—loosely entitled *In This World They Could Not Unite*—which derives from a larger and very popular cycle of stories and poems named after the two tragic lovers Omer and Merima that was first recorded in writing in an eighteenth-century anthology.¹ I argue that, although the main protagonists of the ballad are women whose actions reveal subjectivities and experiences rarely enunciated in the “high” literature of the period, the worldview of the ballad is nevertheless regulated within and by the patriarchal order. In and of itself, the ballad is neither reactionary, nor subversive. Rather, it records the nuances of a community in which women engage in critique, divulge ambivalence, oscillate between resistance and subjugation, and forge new forms of gender-based alliances, but still safeguard the patriarchal norms as consolidated in pre-Ottoman and sustained in Ottoman times.

Let us summarize the basic plot of the ballad *In This World They Could Not Unite*. Young Mehmed (Meho) and Fata are in love, but they are not allowed to crown their love by marriage. Opposition comes from Meho’s mother, who rejects Fata on the grounds that her modest background does not make her a good match for a man of such stature and wealth. With the aim of securing noble lineage, Meho’s mother decides to marry her son to a woman named Umihana, daughter

of the eminent Filipović family of Zagorje. Indeed, marriage arrangements are already underway. Pressured by his mother, Meho is forced to abandon his beloved Fata and marry a woman he does not love. Initially hesitant to follow his mother's demands, Meho gives in after she threatens to put a curse on him. He reluctantly helps the bride dismount the wedding horse and carries her into the house as per customary ritual. Once in their bedroom, the newlyweds are expected to consummate their marriage, but that does not happen. Instead, Meho leaves the girl intact under full veil, fetches his lute, and delivers a sorrowful elegy to his beloved Fata, confessing that he has refused to unveil the bride and take possession of her. He then asks his bride to lift her veil ever so slightly so that he can catch a glimpse of her countenance. Her beauty lights up the room, but that does not lessen Meho's love for Fata. In a moment of suicidal despair, he grabs a dagger and pulls out his own heart, lamenting that the only life he is able to share with Fata will have to be the afterlife. His last words are detailed instructions destined for his mother on how to carry out the burial rite, which the bride is to convey in the morning. At breakfast, worried by the fact that the couple has not joined her, the mother decides to check on them. As she opens the door and steps into the room, she finds herself in a pool of her son's blood. Amidst cries of sorrow and pain, the widow-bride conveys Meho's dying wishes and reprimands her mother-in-law for marrying him off to a woman he did not love. The carefully choreographed burial procession passes by Fata's house, and she senses that the body the men are carrying is her beloved Meho's. She drops dead on the spot. Her body is promptly prepared for burial and added to the funerary procession. Two graves are dug next to each other, an apple is placed into a hand of each lover, and the hands are pulled out and intertwined through an opening in the stone, so that the lovers can be united in death and resurrected as they play.

Of Text and Context

In stylistic and thematic terms, this ballad, like most traditional amatory ballads, is a form of soap opera. Love is configured in a number of intertwined ways, and its tragic and melodramatic components are highlighted at the expense of joyous ones. The ballad contrasts the fatefulness of passion to the realities of life, depicting that tension as a struggle of unbridled passion against class difference, family responsibilities, and social commitments. The world of the ballad is an unhappy place for unwavering romantics. If unconditional, pure, and juvenile, love cannot survive. But the ballad does not completely negate such passion; rather, it allows it to ripen in another lifetime, in otherworldly bliss and eternity. Romantic lovers in this and other Bosnian ballads—very much like other famous tragic couples in literary history such as Romeo and Juliet, Majnun and Layla, Tristan and Isolde—are not only connected by love but also by death. As Satu Grunthal observes, this is a common feature of the ballad worldview: there is no love without death, and no death without love.² Death in that sense signifies the continuity of love, its transfer onto a plane that can ensure eternal happiness for tragic this-worldly lovers. The ending of the ballad of Meho and

Fata deploys imagery found in the ending of many medieval European ballads as well, commonly referred to as the rose-and-briar motif,³ which symbolizes the metaphysical transfer of a romance unsustainable by social conditions to a space liberated from the laws of this world. As the tree growing out of the two martyrs' graves blends their bond into the natural world, its cyclical regeneration ensures the renewal of Fata and Meho's love even as they rest still.

Of course, the representation of passion and self-sacrifice in the name of love, beguiling as it is, hardly fits everyday life. In fact, Henderson argues that the ballad often engages the listener in a condition, or event, that is strange to her or his experience.⁴ But that is only partially the case here. The ballad, operating in the domain of both fantasy and reality, incites the listener to sympathy with its characters. It conjures up the pathos of unfulfilled love that is by and large a familiar experience, across status and class, but it also creates an alienating effect by directing that experience into a tragic ending which may be secretly desired by desperate lovers but is rarely materialized. It is the feeling of uncanny sympathy that pulls the listeners into the emotion of the ballad and then expels them from the narrative orbit by its extreme force. In light of this at once engaging and alienating effect of the ballad, we are left to wonder about the process of extrapolating social norms from it, as well as understanding its value as evidential or historical material for the gender relations of which it sings.

At the theoretical level, the relationship between real life and works of art—including poetic texts—is neither simple nor straightforward. No poetic text can be assumed to bear a fixed mimetic value in relation to the historical context within which it was born. In many ways, the extent to which we can rely on cultural material to draw conclusions about historical conditions is a question linked to our views concerning the relationship between a text and its reader. If this relationship is conceived in such a way that either the text or the reader is given authority in the production of meaning, then the process of cultural signification is reduced to a fixed and transparent meaning assumed to be either submitted to the reader through proper language or discovered by the reader through proper reading. Such an assumption tends to oversimplify the complex relationship between history and its cultural record. Despite numerous attempts to nuance this complex relationship, no satisfactory answer has ever been offered, mainly because cultures shape and are shaped by art in historically specific ways. In an effort to recognize this complexity, for example, Jacques Derrida speaks of the process of inventing the reader as one aspect of the complex labor of assigning textual meaning.⁵ He draws attention to the capacity of any cultural text to induce the reader into an array of readings of the historical context, most of which may not have been considered prior to the act of reading. The reader and the text are thus not joined in a simplistic moment of discovery of fixed meaning, but are incited into a dynamic unfolding of signification that loses sight neither of the tension inherent in the act of textual representation, nor in the act of its interpretation.

Taking a cue from such observations, one can postulate that, while inextricably linked to the milieu that produced it, the ballad should not be seen as a forthright

source on social history, nor can it serve the purpose of faithfully reconstructing it. Yet, the dynamic in gender and other relations that the ballad explores is not removed from that history. To assume, then, that as folk material the ballad provides no useful information on gender relations would be to deny the importance of folk renditions in preserving and perpetuating social mores. The ballad genre, as Gwendolyn Morgan postulates, is a form of “oral newspaper” that reflects the general attitudes and sensibilities of the people who produced them, and, as such, provides the means for common people to “record their opinions, perceptions, social mores, history, and philosophical outlook.”⁶ At the same time, however, in the process of reading the ballad, we are prompted to ask genre-specific questions pertinent to the examination of women and gender relations in Ottoman Bosnia. How does the ballad record them? What are the tensions and conflicts? Does that record differ from other modes of cultural/poetic codification? In addressing these questions it is necessary to locate both textual and extra-textual clues that may shed light upon the values dominating gender relations. Otherwise, the opportunity to understand whether the ballad reflects, asserts, ignores, or subverts prevailing gender norms may be lost.

Within and Outside of Text

Before exploring the link between the ballad and social norms, it is important to crystallize the different textual elements that make the poem under consideration a ballad. As mentioned earlier, in the most common short definition, the ballad is understood as a song that tells a story, hence its conspicuous narrative quality. Originally tied to, or even enacted through, dance (from the Italian *ballare*), the ballad relies on performative and melodic renditions, which in turn allow for variations according to different contexts. This combination of melodic, performative, and narrative elements usually presupposes a particular stanzaic and metric organization as well as an unambiguous rhyme that enables the joining of several complex features in a single genre. James Porter argues that the ballad ought to be considered performative rather than written text: in his view, conventional literary analysis falls short of accounting for the singer’s individual renditions in articulating the text, and by default, ignores the synthetic elements that make each ballad a unique product. The “holistic” approach that Porter endorses underscores the notion that the ballad’s song is as relevant as the ballad’s narrative.⁷ Notwithstanding the importance of viewing the genre’s form and content as a single unit—for the reasons explained above—this paper places emphasis not so much on the performativity of the ballad as on its textuality, especially as the Bosnian ballad tradition has moved away from a singularly melodic mode to a prosaic (oral and written) and even dramaturgic one. Nevertheless, a few words on the ballad’s inner composition are in order.

Although the ballad of Meho and Fata does not follow a strict strophic division and its rhyme is rather loose and inconsistent, it nevertheless contains a distinct prosopoetic quality that makes it easily rendered in an oral recitation. Like most ballads in the Balkans, this one too was born within an anonymous folk milieu that

suggests oral transmission. This gives it, as with all other folk ballads, a distinctly impersonal style. Subjectivity is minimized, if not totally eliminated, so that any scene, emotion, or act in the ballad is objectified and sanctioned by the community within which it was born and to which it speaks. In contrast to Henderson's view quoted earlier, Gummere explains that "ballads rest primarily on situation and deed of familiar, imitable type; the popular tale, untrammled by rhythmic law, by choral conditions, tends to a more subtle motive, a more striking fact, a more memorable quality, and a more intricate coherence of events."⁸ Yet, as explained above, the ballad's intent to create a feeling of familiarity is often coupled with a simultaneous reminder of the differences between the choices made in real life and in fantasy—so much so, in fact, that empathy with the characters can go hand in hand with estrangement from them.

This mimetic and also repetitive quality perhaps explains the common abruptness in the flow of ballad narratives. Events related to the climax of the story are often awkwardly brushed over, and narration lacks gradual transitions, descriptive details, and rich imagery that could help us situate the story in a recognizable setting. Moreover, motives for action are rarely explained, and the emphasis is placed on events rather than the characters' inner drama.⁹ Consequently, as a genre, the ballad lacks moral commentary, or indeed commentary of any kind. Dialogue and formulaic expressions are often used instead of descriptions. They facilitate the mnemonic process in the transmission of ballads, but they also rob the story of personal views, especially in the retelling of highly intense emotional episodes. In this way, the stock attributes and *topoi* suggest that the ballad interacts with other genres of popular expression, and it is often the elliptic gaps in the story line of the ballad that lead us to other folk genres which help us fill them in.¹⁰ Although these "fillers" are not presumed to be directly relevant for the development of the story, they are important insofar as they link the ballad to other forms of cultural signification, indicating its receptivity and openness to the wider cultural milieu. Tom Cheesman refers to receptivity of this kind as "intersubcultural dialogue," which is based upon a continuous process of reappropriation among different genre of cultural production:

Differing renderings and renditions of the ballad indicate differing positions in this continuing pan-social discussion ... [and] a typical process of successive re-appropriations of a ballad in differing contexts, using differing media. In this case, as perhaps in all cases of significantly popular ballads, the song's very popularity can be equated with its ability to traverse social boundaries, and this ability in turn can be seen as a function of its ambiguous articulation of conflicts that mattered in the lives of all sorts of people. The song's socially disparate real writers and singers, and real audiences, can be thought of as engaged in debate both with one another, and with the imagined interlocutors summoned up by the ballad ("the authorities," "the lower classes," "women," "men"), concerning the conflicts dramatized in the song. The ambiguous articulation of these conflicts provides space

for listeners to construct their own interpretations of the story and in some cases, as singers and writers, to remake the ballad according to their interpretation.¹¹

So what are these other genres, or fillers, that can shed light on the Bosnian ballad? While the Bosnian ballad, as folk artifact, stands apart from Ottoman canonical literature (in which many elite Bosnian writers partook), it does intersect with it through other forms of poetic art. In general terms, one can identify four different strands of Islamic literary production in Ottoman Bosnia-Herzegovina: prose literature (epistles, charts, records) written in South Slavic; poetry written in Ottoman languages (Persian, Turkish, and Arabic) that conformed to the *divan* style of court poetry as well as mystical poetry; *Alhami*ado literature (Bosnian language in Arabic script, also known as *adžemijski*) that spanned both secular and devotional poetry and prose; and oral folk literature (mainly ballads and love lyrics).¹² These trends coexisted almost throughout the Ottoman period, but they also converged in a way that infused Bosnian literary culture with a range of linguistic and metric patterns.

While from a historical point of view the ballad did not originate in the Ottoman period and can therefore not be viewed as the product of Ottoman cultural influence, the impact of Ottoman values on the Bosnian tradition of balladry is profound. On another level, however, the continuity of the genre, and through it of certain cultural values, from pre-Ottoman well into Ottoman times, is attested by the balladry tradition in the region at large. Yet, this continuity is not linear in either form or content. Albert Lord postulated that the arrival of Ottomans was instrumental in the transformation of a tradition of ballads, short narratives, and local feuding songs into epic poetry, putting an end to the vitality of these genres. Where in the past they had existed as an amalgam of Slavic and Greek traditions, during Ottoman times they became primarily concerned with heroic themes of resistance.¹³ In contrast to Lord, however, other folklorists have convincingly argued that balladry continued not only in an epic mutation, as Lord suggested, but also as ballad proper. In fact, in some case studies conducted on Balkan balladry, the folklorist Alan Dundes has offered convincing arguments for the existence of numerous regional and extra-regional cognates which point to an unbroken thread of continuity in thematic and historical terms.¹⁴ Similarly, the superb study by the Hungarian scholar Lajós Vargyas on the mediaeval history of the folk ballad makes it abundantly clear that the ballad tradition had been present and interactive in the Balkans before, during, and after the Ottoman period, and points to a number of ballad cognates involving Bosnian texts elsewhere in the region.¹⁵ While exhibiting some of the common traits of the balladry tradition found in the Balkans, and in Europe at large, the Bosnian ballad also amalgamated Ottoman cultural formations, reflecting its ethos and social mores. The contents of Bosnian ballads thus reveal the impregnation of the cultural milieu with several systems of meaning that created a platform for different interpretive possibilities in the making of this art.

Related to this question of diachronic and synchronic continuity is the voice given to women in literature. Certain critics argue that traditional genres are a historical product of the patriarchal order, insofar as they are forms devised by men to tell male stories about the world.¹⁶ Under such circumstances, one encounters “female literary sterility,” that is, a lack of participation in canonical genres. Instead, women have resorted to expressing themselves in lesser, minor genres. Working with the Bakhtinian proposition that language is always heteroglot, genre critics argue that generic features are contextual constructs that must be understood as mediators between society and the text. By the same token, in societies brought under imperial or colonial umbrellas, or in those subjected to processes of cultural homogenization and intellectual elitism, the dichotomies to which we are traditionally accustomed regarding literature’s place in society—high vs. low, oral vs. written, canonical vs. marginal—seem intensified because here, the rift between cultural center and periphery occasions the existence of “official” literary systems independent from “unofficial” or indigenous literary productions. However, these binaries are far from fixed. In fact, the interpenetration of genres in Bosnian literature during the Ottoman period is worthy of note: folk expression and canonical production did not remain completely isolated from each other, despite the politics of socio-linguistic divisiveness along the lines of literacy, canon, center/periphery, and religion.¹⁷

This is especially important in reference to the role of Bosnian women in literary production. While literary history has recorded a number of successful poetesses of “high” genres (especially mystical and *divan* poetry), we are indebted to the women of Ottoman Bosnia mostly for their involvement as performers and transmitters of folk lyrics which, clearly intended for local consumption, deployed love themes with strong local symbolism. Traditionally, the most prominent genre among these poems was the so-called *sevdalinka*, popularly identified in gendered terms as the “Bosnian woman’s song.” *Sevdah*, a word of Arabic origin (*sawda*, lit. “black”) introduced into Bosnian through Turkish, is a metaphor for unrequited love. It seeks to describe pathos in physiological terms, because it is believed that the misery of unrequited love causes the same symptoms as the black bile—melancholy, from the Greek *μελαν*, “black,” and *χολη*, “bile”. Hence the “blackness” of love. The love of the *sevdalinka* is of the kind that leads to melancholy and affliction. The *sevdalinka* is called the woman’s song because it centers on women as the agents of longing and pain, since women have traditionally been associated with gentle and easy expression, simple imagery, and the capacity to accept amorous suffering as natural. Often, however, the *sevdalinkas* are performed by men as well, or by women singing in the alienated male “I,” which allows for the transgression of gender codes and the association of emotional torment with men as much as women.

Because of its role in Bosnian women’s lore, the *sevdalinka* is essential to an examination of the dynamic between the ballad, women’s voices, and cognate genres. While it is certainly possible to trace the ballad through the epic tradition, as Lord has suggested, it is mainly the similarities between the *sevdalinka* and

the ballad that often leave historians and critics unclear about the markers of their delineation. Both the ballad and the *sevđalinka* belong to the “secular” music of Bosnian Muslims, in contrast to religious hymns (*ilahije*), Sufi music, and liturgical and devotional chants that are classified as “religious” music.¹⁸ As regards secular music—which, with the exception of women’s wedding songs, prevails in Bosnian urban culture—songs are melodically performed, with or without instrumental accompaniment, and are often concerned with love themes. Among them, the *sevđalinka* occupies the most central place. It embodies influences from both rural and urban culture, both Muslim and non-Muslim, but is mainly associated with the Muslim city elite and their life, aspirations, customs, and social and aesthetic norms. Ankica Petrović notes that before the introduction of Western musical instruments, the *sevđalinka* used to be much lengthier. The Western musical scale, as well the stylistic and melodic demands of Western instruments—especially the accordion that became popular among Bosnian girls—substantially changed the performative and compositional features of the *sevđalinka* by turning it into a shorter and simpler song.¹⁹

In its earlier manifestations, the *sevđalinka* was often associated with ballads, and even classified as such.²⁰ The difference between the two genres may have indeed appeared only stylistic. The *sevđalinka* was usually performed indoors, to a small audience, among urban, well-to-do segments of society; the ballad, on the other hand, was associated with a larger milieu, both urban and rural, and was not intended for private performance. It was communal, performed in a *kolo* (circular dance), instrumentally accompanied, like the *sevđalinka*, by the long-necked *saz*, or more elementally, by the sound of a revolving pan (*okretanje tepsije*), and by combining old-Bosnian and Islamic forms of chant.²¹ Circular dance has been noted in the performance of French and Greek ballads as well.²²

In both the *sevđalinka* and the ballad, the favorite theme is unrequited love that leads to a crisis. In the ballad, that crisis tends to be not only emotional but also social, brought about by the conflation of patriarchal norms, Islamic values, and local amatory sensibilities. In the *sevđalinka*, the crisis is more often than not only emotional, and it is intimated in a way that leads to no explicit resolution. In contrast, the ballad is built around an inevitably tragic resolution to the social-cum-emotional crisis. Therefore, while the themes may be similar, the internal dynamic of the songs tends to be different. Moreover, the *sevđalinka*, the shorter and more melancholic of the two genres, contains very specific references to the setting and the situation. The framing of the love relationship in a recognizable landscape, neighborhoods, families, and other familiar topographical markers, make the story into a seemingly intimate social event. Associations with specific individuals, their courting, evolving feelings, amorous exchanges, are all intimated in the *sevđalinka* with so much lyrical and emotional candor that, at times, the song appears to function very much like a confessional log, a lyrical diary in which poignant and delicate emotions are shared with the listener in minute detail. The *sevđalinka* lacks dramatic force; it flows as pure lyric, making the listener feel like a fly on the wall, a voyeur secretly observing the lovers in their

amatory pathos, listening to the quiet pulse of their affair, empathizing with their longing, and imagining their future. The listener is thus drawn into the intimacy of the relationship as if walking into the sanctity of a sacred space, moved and awed by its delicate vibrations, and incited to thinking of her or his own emotions.

The ballad, on the other hand, removes any topographical familiarity from the story's framework or reduces it to minimal references, allowing the story to embed itself within different places and times. It too speaks of unrequited love, but its narrative style is much more abrupt and impersonal than that of the *sevdalinka*, turning the event, rather than the sentiment, into the focus of the listener's attention. As mentioned earlier, romantic love in the ballad is not sententious; it is destructive. Passion is fateful and doomed, oblivious to the mores of society. It inevitably ends in tragedy. Like medieval European ballads—in which sentimentality results in loss of property and life, and religion or family offer little comfort²³—the Bosnian ballad too resorts to pragmatism as the only way out of social crisis. It is thus unclear whether the ballad treats the fateful ending of the romance as happy or sad. In many ways, then, the intertwining of the *sevdalinka* and the ballad is like the mirror-imaging of two facets of love. One pursues its inner, emotional dimensions, while the other is concerned with its outer, social aspects. Given the mutual influence of the two genres, however, these differences are not to be understood as simple bifurcation or opposition, but as variants that take into consideration the different factors that make love possible or impossible to sustain.

Appropriate for its generic features, the ballad of Meho and Fata takes us on a bumpy narrative journey full of abrupt transitions from one scene to the next. We are offered no pause before poignant inner turmoil and emotional experiences that underpin the course of events, and are robbed of clues for sympathy or empathy. Stock epitaphs abound and the style is at times painfully simple. Looking at the dynamic of the relationship between Meho and Fata, for example, we are struck by how little we are told about its inception and development, and how much we must engage in our own cultural decoding to imagine the pathos of two youths who, under pressure from social codes, must curb their desire to unite. We resort to one kind of imagining, born out of the cultural context of Ottoman Bosnia, which is assumed to be accessible and familiar to the ballad's audience. The ballad is thus more of an abridging rather than explicatory narrative, at times obtuse, and by and large uninterested in directing the listener's own ideas and feelings. Events unfold quickly, but we are not told how to read them. As such, the inception, dynamic, and modality of the relationship of Meho and Fata remain couched behind the basic enunciation of intimacy and affection, and we are left to fill in the absence of information with the memory of our own experiences, or, if we have no such memories, by engaging our imagination. What is important, however, is that Meho and Fata's affection, despite its doom, is not presented as scandalous, illicit, or surreptitious; on the contrary, the narrative treats it as nothing out of the ordinary or socially reprehensible, despite the tension that surrounds it. In fact, the relationship is publicly acknowledged, even if not condoned. The fact

that Meho walks over to meet Fata at her house, in broad daylight and with his mother's knowledge, with the intention of speaking to her about his predicament, prompts us to imagine a community which is not completely prohibitive of unmediated interaction between the sexes or unsupervised presence of women in public space.

As the ballad makes no background statement on the candor of their interaction, we are led to wonder about the dynamics of premarital gender relations in Ottoman Bosnia. In his study on the *sevdalinka*, Munib Maglajlić notes that social space was so completely segregated along gender lines that Muslim women barely had access to public space:

Restrained by strict laws of patriarchal morality, the woman was placed in an unequal position vis-à-vis the man, and was wholly confined to the house and the children. After coming of age, she was fully veiled under the *feredža*, a kind of drape made of black or navy blue cloth, and never exposed until her marriage. In well-to-do circles of Muslim urban society, the woman was completely kept away from men, so that her beauty could have been known only second-hand through stories and rumors spread by other girls or women who may have seen her.²⁴

While the *sevdalinka* may indeed contain textual evidence of such thorough concealment of Muslim women from men that love could only evolve in and through secrecy, it is important to stress that Maglajlić's remark may have been mainly applicable to women of the upper classes, as he himself notes but fails to elaborate. Indeed, a greater degree of seclusion among upper-class women was not an unusual situation in traditional Islamic societies.²⁵ Moreover, the fact that the *sevdalinka* focuses on the local and the familiar, on "the girl next-door" as it were, rather than on anonymous and purely fictional characters as is usually the case in pre-modern romances, may have contributed to the formation of the trope of female physical inaccessibility whereby a woman's beauty is known by reputation rather than through first-hand exposure. In other words, the *sevdalinka* functions both as a song of self-exposure in which women are able to articulate their emotions, usually in the first person singular, and also as a mechanism of protection from intemperate self-disclosure. For a woman to sing and have a voice is a mode of empowerment over emotions, which are otherwise made transparent, in full vulnerability, to both her beloved man and to the audience to whom she sings.

There is little resonance of this in the ballad under study, however. The class factor may indeed account for the different modes of physical representation of women here. While once again the more upper-class the woman, the greater the emphasis placed on her physical invisibility, the common or unmarried woman's physical uncovering to men is not considered blameworthy. The ballad thus reverses Maglajlić's observation—the unmarried woman, Fata, is unveiled and publicly present; the married woman, Umihana, is hidden, in the attic and behind the veil. In fact, some travel literature and ethnological material dating to the

Ottoman period support what the ballad conveys. Consider, for example, the writings of Cevdet Paşa, the early nineteenth-century Ottoman administrator who spent about a year in Bosnia and observed, with astonishment, the practice of courting (*âşıklık* in Turkish, *aşikovanje* in Bosnian, from the Arabic *'ashq*) among young men and women in Bosnian cities, taking note that courting happens in front of girls' windows, in the courtyards of their houses, or at the front door of their homes:

Courting is customary among men and women. In this way they engage in conversation and talk in an extremely free and open way. Fifteen year-old girls are not considered grown-ups, so they do not engage in *âşıklık* behavior. For the most part, they join this kind of conversation after they reach the age of 17–18, and they spend years in *âşıklık*. No matter what age they reach, Muslim girls do not wear the veil and walk uncovered until they get married. But as soon as they get married, they put on the veil and nobody can see their faces any more. Their walking around uncovered is never considered incompatible with their chastity. In fact, Bosnian men and women are very much chaste and honorable. That is one people whose morals are still untainted. ... Although some *ulema* [religious scholars] objected to this way of courting, it was impossible to remove this custom because this is a behavior to which they have been accustomed since olden times. Since custom becomes another nature of the human being, it is evident as daylight how difficult it would be to replace it. While involved in courting, however, they completely refrain from any situation and act that would be contrary to chastity. Young men even always come in front of girls' houses and chat (with them) by their windows, or the girls come down to the courtyard door (*sokak kapısı*) to see the young men. Sometimes they give them water or coffee, or a young man enters the courtyard and the girl brings him a water ewer for ablutions or a prayer rug. If, on such an occasion, accidentally, so much as one finger touches another's hand, that is usually considered engagement and immediately the marriage is contracted. In short, by being involved in a long courting, young men and girls learn about each other's behavior and character and they fall in love and decide to marry.²⁶

In addition to presenting us with a topsy-turvy practice of veiling, this passage is useful for elaborating on the customary practice of courting within clear spatial boundaries that lie neither within purely private nor public space, but in an in-between space. Despite its seeming liminality, that space was nevertheless governed by strict codes of conduct: men as well as women—who are said to be commonly unveiled before marriage—understood that these codes allow them to converse, gaze longingly at each other, drink coffee, or perform ritual prayer, but they also appreciated that even the most innocuous form of physical contact would result in engagement and marriage. Whether that causality was always established is hard to ascertain, but its sheer possibility was probably conducive to both playfulness and self-restraint on the part of the lovers. Furthermore, this

spatial liminality was gendered insofar as it was associated with the woman's, rather than the man's, house. Such a gendered and morally regulated style of courting was filtered not through some vague precepts of Islamic law, but rather through a blend of local customs and etiquette of honor that were specific to Ottoman Bosnian culture, and, as such, present, if implicitly, in the ballad's narrative framing.

In that respect, Meho's visits to Fata needs to be situated within the accepted modality of courting in the prevailing culture of Ottoman Bosnia, and not viewed as dishonorable or unacceptable behavior.

Meho set off through the narrow streets
to the house of Fata, his fair beloved.
Young Fata walked down to greet him

The ballad hints at their repeated meetings and interaction, the exchanging of gifts and messages of love, yet it never anchors them in detailed imagery or a plot. This is not deliberate suspense; quite to the contrary, the events seem exposed beyond any shroud of mystery, condensed to the minimum, and pending events hasten the narrative rather than evoking the anxiety or excitement characteristic of suspense.

The ballad's elliptic quality does, however, create an ambiance of secrecy, by suggesting that some form of physical contact may have taken place between Meho and Fata (as echoed in Meho's last words), and by giving us little reassurance regarding the nature of the contact:

my hair for which Fata cared so dearly,
three ivory combs did she break on it,
three jars of oil did she spread on it,
before she managed to make it so fine.

While the ballad tentatively eroticizes the act of combing hair, it also evokes the feeling of ritual intimacy characteristic of the ancient Bosnian practices of hair combing and hair cutting that was considered a central ritual of bonding amongst kinfolk. Furthermore, it intensifies the emotion about their lost bond: did the act of combing raise hopes, in either party, that they would be united in marriage? Did it generate guilt or shame? The answer may be implied in Meho's suicide, but the ballad moves on without offering so much as a hint of either moral reassurance or reprimand. In fact, as the funerary procession approaches Fata's house, her self-sacrifice is not perceived as a shameful moment but as an act of emotional strength and a confirmation of love. Again, that act happens in her home, with her mother by her side, confirming the role of her house as a sanctuary for her love and not her shame or dishonor:

Fata was doing her embroidery with her yarn
in the bower, on the tallest turret;
just then a cool wind began to blow,

carrying a scent that perked her up.
 When fair Fata looked down,
 she saw something very strange:
 a procession led by unmarried men,
 who carried her young Mehmed,
 and behind them came the *hodžas* and *hadžis*.²⁷
 Instantly she knew what had happened,
 she knew it was Meho, woe unto his mother!
 She fell down onto the embroidery frame,
 as she fell, she never rose up again.
 Her mother rushed thinking Fata had fainted,
 but Fata had given up the ghost.
 Fata's mother cried thus:
 "Wait, wait o you *hodžas* and *hadžis*,
 Wait and carry this lifeless body too."

In contrast to the dynamic of premarital courting in the ballad, where passion is allowed to reign and extreme actions can take place, the rules governing marriage appear quite different. For one thing, they are ostensibly patrilocal. Brought to the house on a horse and ceremonially carried into her husband's residence, the new bride is veiled, muted, and praised insofar as she can bear sons of noble lineage. Her entire being seems to shift to a different kind of moral, emotional, and spatial framing. The ballad gives us a strikingly different picture between premarital and marital conditions, and forces us to come to grips with the changing nature of a woman's role, but once again without providing us with sufficient commentary. This is where Maglajlić's observation quoted above finds more resonance: the woman's attitude shifts from an active to a passive mode, from vocal to silent, from passionate to dutiful. The roles of two women, Fata and the bride, epitomize the tension that builds up during this shift, but the narrative hardly expresses its gravity or implications. Yet it is the violence of Meho's martyrdom in the name of loyalty and love for another woman that creates a rupture in her self-identity—so much so that, when the bride does acquire a voice, it is not the domesticated voice of a dutiful daughter-in-law but one that brings together her identity as widow-bride and what she had been only a few hours earlier, an unmarried girl like Fata. Her empathy with the loss of true love reveals a woman whose transition from unmarried to married life has not had time to be fully encoded. Like Fata, she too may have been deprived of her true love by this arranged marriage. She thus stands up to the mother-in-law and to the norms that disrupt life—and love—in the name of social stability and noble lineage, enunciating her empathy as contempt:

"May God strike you, Mehmed's mother,
 why did you marry him to me,
 why not to Fata, whom he truly loved,
 now Meho lies dead, killed by his sorrow,
 as he died he only spoke of his fair Fata.

Mothers, Lovers, Brides, and Widows

Unfulfilled love, marriage against one's will, the mother's authority, martyrdom, clashes of desire and interest—none of these subjects seems to be treated as anomalous. The ballad unfolds them as episodes possessing an almost documentary function, as records of the society in which tensions arise through the conflation of different value systems, and the seeming opposition of the purity of love versus the realities of social order. In light of this, what hypotheses can we draw regarding gender roles, specifically the role of women, in such ballads?

Offering more complex insight into the workings of society, the ballad challenges us not to assume that social power is concentrated only in the hands of men, and that there is no tension in the management of that power. In fact, such tension is played out across a number of social categories—gender, class, age, etc.—and it is often women who are assigned the responsibility of dealing with and resolving it in daily life, especially in the context of the family. The centrality of women as agents of action is accentuated through the exclusion of male characters. After all, of the four characters in this ballad, three are women: the mother, Meho's beloved Fata, and the bride Umihana. While there is reference to the men preparing and carrying out the funerary procession, the only male who is given a voice is Meho. Here, then, as in many other Bosnian ballads, there exists a conspicuous absence of men. Other than the tragic lover/hero who almost invariably sets off a crisis, men exist as invisible presences. Their invisibility, however, does not signify their negation and elimination from the real world; rather, their textual absence bears silent witness to the organization of the family microcosm, in which the mother functions, by proxy, as the pillar of family stability.

Given that the space of the family tends to be the narrative frame of most ballads, the mother acquires narrative centrality in safeguarding the order. She manages the life of the family and is the carrier of its values. As anthropologists studying life in the Mediterranean—and specifically the central Balkans—have observed, gender roles are intertwined in a non-divisive and largely complementary way, so that women implement the values in the space of daily life, while men oversee them within the larger patriarchal system.²⁸ Women, enshrined in the house and assigned the role of caretakers, are the backbone of the family in Bosnia.²⁹ Men may be the ultimate rulers of the social order, but women are its everyday managers. Their power is thus codified within a particular dynamic of mutual reliance, and rarely portrayed as subversive or rebellious. As we have seen earlier, the three women in the ballad function within dominant norms, hardly subverting their logic. Even the bride who, at the moment of crisis, experiences conjugal rejection by Meho's self-sacrifice and voices a challenge to the blind application of social norms, is not exempted from society's grip. She remains the daughter-in-law, with all the demands that such a role carries.

In contrast, the male tragic hero, while seemingly the principal victim, is also the nexus around which the order is not only upset but also reaffirmed and preserved. Meho stages the clash between the ideal and the real, a collision between the dominant norms and individual desire. This clash is carried out, to use

René Girard's term, as "generative violence," in the sense that "it simultaneously initiates another and constructive cycle—that of sacrificial rite—which protects the community from that same violence and allows culture to flourish."³⁰ In our ballad, however, this is not a solitary act, the individualized catharsis of a love-stricken man. It is gendered through the double sacrifice of the hero and the heroine, which thus implicates both men and women in the responsibility of safeguarding the social order. Their sacrifices are complementary. Their tragedy in this world is recast as happiness in the afterlife, which again echoes the assumption that preserving the normative order in this world will grant them eternal bliss and reward.

Importantly, then, the ballad is not constructed as a "men versus women" world. There are no binaries that imply mutual antagonism and exclusion. Rather, all relations are emblematic of different social responses to a crisis brought about by a pathetic, yet still commanding, male hero. The women are both in harmony and opposition with each other, and therefore they are not given one and the same voice. Thus, the mother and the bride share social status, but are separated by age; Fata, the tragic lover, and the bride share age, but are divided across social status; the mother and young Fata share a sense of social propriety. Here, the two women who ostensibly stand in an antagonistic relationship join forces to preserve and protect the norms. The three women thus reveal different moral and behavioral possibilities and divulge different responses to the crisis, yet neither one radically challenges her role within the system. There is no polarity among them, but constant intertwining of ideas and experiences in a way that infuses complexity into what seems to be a black-and-white order. Folk wisdom thus allows women to act in multilayered ways, validating their actions as a choice—judicial, capricious, sentimental, etc.—rather than as passive adherence to dominant norms. Even though these are never explicated or laid out, they stand in the background and frame the ballad by virtue of the fact that the song is a communal composition. Common narrative markers of such norms are present as well: ritual practices, religious symbols, emotional expressions, and physical gestures. But even given this backdrop of patriarchal and hierarchical society, women appear more as subjects and agents of action than passive recipients of values.

In contrast to the women who open up different possibilities for the resolution of the crisis, and who are driven to their choices by family or communal needs rather than sentimentality or idealism, on the single occasion when the man in the ballad is actually permitted to act, he generates the crisis. So it is not the women who are incapable of reconciling the ideals and realities of life—it is the man, Meho. Cognitive and emotional paralysis leads him to act solely on his desire, which ultimately and inevitably leads him to disrupting the order in self-centered fashion. He orchestrates all subsequent events, and brings about the crisis in a domino effect: his pathos and suicide, his bride's witnessing of it, the upheaval in her identity, his mother's loss of her son, and his beloved Fata's suffering and death, are all end-results of Meho's private, self-absorbed decision. He is

therefore only seemingly eschewed from the narrative and rendered irrelevant and ineffectual. In reality, he is the main protagonist who determines the course of events. He orders his bride to say certain things, controls her sexuality and womanhood, instructs his mother as to his burial ritual, and pulls Fata to her death. Yet he is not depicted as a villain, but as the victim of his own pathos. Although he appears emasculated, in fact he choreographs the order of events, which, by virtue of being relational and social, demand a response, as well as another victim—his beloved Fata. This latter's death is the necessary conclusion of Meho self-sacrifice. Resistance to it would have signaled a denial of her loyalty to the man she loved, and the subversion of prevailing norms. Instead, she gives herself to him in death, order is reaffirmed, and salvation is achieved through eternal bliss shared by the two lovers. In that sense, Meho's suicide and self-sacrifice, thanks to the response of the women who surround him, leads not to a disruption of the social order, but, on the contrary, to its re-affirmation.

Rather than challenging or sabotaging them, therefore, the ballad seems to regulate the values and practices that are embedded in local customs and imparted by the Ottoman ethos. When passion and desire appear threatening to the cultural order, women are mobilized to question where the priorities lie and how the crisis can be averted. There is no unique solution to the crisis. In contrast to canonical literature, which by and large reduces gender relations to predictable patterns of behavior, in the ballad, folk wisdom allows for the intertwining of gender with other social categories—including class, age, and family lineage—to help us understand better the subtleties of individual and collective response to any transgression of the norms. Unlike men, who are either removed from narrative action or assigned the function of provoking a social crisis by effecting such transgressions, it is the women of the ballads who are ascribed the choice, and the responsibility, to act for the preservation of the norms. Thanks to these women, crises in the ballads may represent a critique, but hardly a disruption, of the dominant order.

But if women are given the responsibility of upholding the social order even when that runs against their best interests, does that mean that love must be altogether banished from a functioning society? As suggested above, it is commonly noted that the ballad treats romantic love as a destabilizing, even anarchic, force. It emasculates men and empowers women, confusing the basic patterns of interaction that reflect accepted gender norms. Love is thus depicted as counterproductive to the very order that occasions it, and that is why it has to be sacrificed. But the resurrection of love and its continuity in a social "elsewhere" is what crowns the ballad. In that sense, by allowing love to be reaffirmed in the afterlife, the ballad mourns this-worldly losses in the form of a utopian lament that suggests the possibility of reconciliation between this world and the next, between the ethos and the pathos that seemingly cancel each other out in the existing order.

Appendix: The Ballad In This World They Could Not Unite

U svj'etu se naći ne mogaše,
 In this world they could not unite,
što Mehmed Fata milovaše.
 Mehmed and Fata whom he loved the most.
Misli Fata uzeće je Meho,
 Fata thought that Meho would marry her,
hoće Meho, al' mu ne da majka.
 Meho would have, but his mother wished it not.
Fata svoje ruho prodavala.
 Fata was a girl of modest means.
Mehmedu govorila majka:
 Mehmed's mother kept telling her son:
"O moj sine, d'jete Mehmede,
 "O my son, my darling boy Mehmed,
ti se prođi Smiljanića Fate,
 forget about this Fata Smiljanic girl,
Fata nije roda gospodskoga,
 Fata is a woman of no consequence,
jer u Fate b'jela ruha nema;
 Fata has no wealth nor riches to boast of;
ti si, sine, roda gospodskoga,
 you, son, are a man of noble birth,
neće t' moći roda darovati.
 she could never give you a worthy heir.
Ja sam tebi zlato isprosila
 I have found a golden match for you,
sa Zagorja Umihanu mladu,
 from Zagorje, the Umihana maiden,
milu kćerku beg-Filipovića,
 beloved daughter of Filipović Bey,
otišli su po l'jepu djevojku
 the matchmakers are now on their way
sad se tvojim svatima nadam."
 and wedding rites will start in no time."
Meho šuti, ništa ne besjedi.
 Calm and quiet, Meho did not reply.
Onda reče svojoj miloj majci:
 Then he spoke to her in a placid voice:
"Daj mi, majko, ačik mintan mavi,
 "Get me, Mother, my blue cloak to wear;
brzo mi ga na telala dala,
 the one she sent for in the market place,

brzo mi ga na drugom gledala,
 the one she saw on another man,
uzdisala, Mehu spominjala!"
 saw it on him, but sighed after me!"
Dade majka ačik mintan mavi,
 His mother brought him his blue cloak to wear,
ode Meho tijesnim sokakom
 Meho set off through the narrow streets
ispred dovora plemenite Fate.
 to the house of Fata, his fair beloved.
Pred njeg' mlada išetala Fate,
 Young Fata walked down to greet him,
"Kamo Meho, šećer i jabuke,
 "Where to, Meho, my apple and my sweet,
što si mene na to naučio?"
 is that how you got me hooked on you?"
Meho šuti, ništa ne besjedi.
 Meho kept quiet, he did not say a word.
Njeg mlada zaklinjaše Fata:
 Fata begged him, on her life and his:
"Života ti i tvoga i moga,
 "On your life and on mine as well,
kaži meni, što si neveseo?"
 why this sadness, my beloved man?"
Meho kaza, što je i kako je.
 Meho spoke, this is the way the story went.
U to dođe iz dvora robinja:
 But then the slave girl came to take him home:
"Hajde, Meho, tebe zove majka,
 "Come on, Meho, your mother needs you there,
došli su ti kićeni svatovi,
 for the wedding rites are underway,
da ti skineš sa konja djevojku!"
 you must take your bride off her horse."
Ne htje Meho da otiđe dvoru
 Meho did not want to return home
al' ga mlada preklinjaše Fata:
 but fair Fata began to urge him on:
"Idi, Meho, oba ti svijeta,
 "Go, Meho, by this world and the other,
onog svj'eta i ovog cvijeta!"
 by the other world, and by your rose in this one!"
Tad je Meho Fatu poslušao,
 Meho backed down and agreed to go home,

pa on ode b'jelu dvoru svome,
 off he went to that white castle, his abode,
kad mu zlato na konju stajaše.
 to greet his new jewel on the horse.
Mladu Mehi govorila majka:
 His mother came and pleaded with her son:
 "Skini, Meho, sa konja djevojku!"
 "Go on, Meho, take your young bride down!"
Neće Meho da skine djevojke,
 Meho did not wish to take his bride down,
al' da vidiš Mehmeda majke,
 if you could see his mother then,
gdje povadi dojke iz njedara,
 she bared her breasts from her blouse,
poče sina proklinjati svoga.
 and began to curse and plead with her son.
Al' se Meho pobojavao kletve,
 Fearing his mother's curse so,
pa on skinu sa konja djevojku.
 down he brought the bride from her horse.
Kad je bilo večer po akšamu;
 Evening then followed sunset,
večeraše i akšam klanjaše.
 and after dinner they said their prayers.
Kad je bio vakat of ložnice,
 As the hour came to put out the fire,
dvoje mlade u đerdek svedoše.
 the newlyweds were taken to the nuptial chamber.
Da vidite gondže Mehmeda!
 If only you could see the young Mehmed!
On ne skida duvak sa djevojke,
 He did not want to lift the veil off his bride,
da djevojci b'jelo lice ljubi,
 nor wish to behold her face and kiss it;
već on sjede na šikli sanduke,
 instead, he sat on a richly upholstered trunk,
pa on uze sadepli tamburu.
 with his mother-of-pearl inlaid lute.
Sitno kuca, tanko popijeva:
 Playing softly, he began to sing:
 "Misliš, Fato, misliš, dušo moja,
 "Do you think, my Fata, do you think, my sweet,
da djevojci puli duvak skidam?
 that I am lifting the veil off my bride?

N'jesam, Fato, života mi moga,
 No, Fata, on my life I am not,
života mi i moga i tvoga!
 on my life and on yours as well!
Misliš, Fato, misliš, dušo moja,
 Do you think, my Fata, do you think, my sweet,
da djevojci b'jelo lice ljubim?
 that I am kissing her fair face?
N'jesam, Fato, tebe ne želio,
 No, Fata, on my love for you I am not,
već se junak tobom oženio,
 this hero was wedded to you for ever,
u dženetu na prvom konaku!
 in Paradise, at our first embrace!
Misliš, Fato, misliš, dušo moja,
 Do you think, my Fata, do you think, my sweet,
da djevojci ruse kose mrsim?
 that I am playing with her lovely hair?
N'jesam, Fato, nesuđeno zlato!
 No, Fata, my gem that was not to be!
Misliš, Fato, misliš dušo moja,
 Do you think, my Fata, do you think, my sweet,
da djevojci crne oči mutim?
 that I am clouding her clear black eyes?
N'jesam, Fato, rumena jabuko!"
 No, Fata, the apple of my eye!"
Tada reče gondže Mehmede:
 Young Mehmed turns to speak to his bride:
"Čuješ li me, lijepa djevojko,
 "Hear me, o pretty lady,
skini malo puli duvak s glave,
 lift just a bit your veil,
da ti vidim lice i obrve!"
 let me see your face and brows!"
Kad djevojka duvak podignula,
 When the girl lifted up her veil,
sinu lice kano žarko sunce,
 her face lit like the great bright sun,
a gr'oce kano mjesečina.
 her eyes twinkled like the shining moon.
Tada reče beže Mehmede:
 Mehmed spoke to her thus:
"A Boga mi, prikladna djevojko,
 "By God, my lady, you are a pretty one,

i ljepša si i viša od Fate,
 so much taller and finer than my Fata.
ali n'jesi mome srcu draga.
 But you aren't dear to my heart like her.
Selam ćeš mi majci učiniti,
 Bid farewell to my mother for me,
ja joj hoću svijet prom'jeniti!
 I am about to depart for the other world!
Kad u jutru bijel dan osvane,
 When the morning breaks and the new day begins,
nek' sakupi hodže i hadžije,
 let her gather the *hodžas* and *hadžis*,
nek' me kuplju od ruže đulsijom,
 let them bathe me in rosewater,
nek' mi puste perčin niz tenešir,
 lay me on my deathbed and let my hair loose,
što mi ga je Fata odgojila,
 my hair for which Fata cared so dearly,
tri je fildiš češlja salomila,
 three ivory combs did she break on it,
tri kutije jaga potrošila
 three jars of oil did she spread on it,
dok mi ga je mlada odgojila.
 before she managed to make it so fine.
Nek me nose neženjeni momci,
 Let all unmarried men carry my body,
nek ne idu drumom širokijem,
 let them not take me through wide streets,
nek me nose uskijem sokacim,
 but let me go through narrow alleys,
ispred dvora plemenite Fate."
 all the way to my fair Fata's home."
Pa dohvati handžar s čivluka,
 Then from the wall he grabbed a dagger,
handžarom se u prsa udrio,
 and with the dagger he pierced his chest,
i na njemu srce izvadio,
 and with it he pulled out his heart,
mrtav pade, žalosna mu majka.
 he just fell dead, woe to his mother.
Kad u jutru zora osvanula,
 Early next day, as night changed to dawn,
osvanula i sunce granulo,
 morning came, the sun rose and shone,

čudila se Mehmeda majka,
 Mehmed's mother wondered to herself,
što joj nema sina Mehmeda,
 why her son Mehmed was not hurrying down,
pa se hvali l'jepim djevojkama,
 she boasted to the beautiful girls,
kako mu je omiljelo zlato.
 that his bride had enchanted his heart.
Iza toga mnogo i ne prođe,
 Not much time had passed when
rasrdi se nesmiljena majka,
 she became angry and rushed upstairs,
udri nogom u bojali vrata,
 with her leg she kicked the door,
odmah su se vrata otvorila.
 and the door opened right away.
Na golemo čudo udarila:
 Upon which she was deeply shocked:
do koljena u krv ugazila,
 up to her knees she walked into blood,
a djevojka staše u budžaku,
 as the young bride sat in the corner,
u budžaku pod puli duvakom.
 in the corner and still fully veiled.
Progovara lijepa djevojka:
 The bride turned to her and began to speak:
"Bog t' ubio, Mehmeda majko,
 "May God strike you, Mehmed's mother,
što ga ženi nedragom djevojkom,
 why did you marry him to me,
što ga n'jesi Fatom oženila,
 why not to Fata, whom he truly loved,
jer umrije Meho od žalosti,
 now Meho lies dead, killed by his sorrow,
sve lijepu Fatu spominjući.
 as he died he only spoke of his fair Fata.
Selam ti je Meho učinio,
 He wished to bid you farewell,
da sakupiš hodže i hadžije,
 and asked you to gather the *hodžas* and *hadžis*,
da ga kuplju od ruže đulsijom,
 let them bathe him with rosewater,
da mu puste perčin niz tenešir,
 lay him on the deathbed and let his hair loose,

da ga nose neženjeni momci,
 let the unmarried men carry him,
da ga nose uskijem sokacim,
 through the narrow alleys,
ispred dvora plemenite Fate.”
 until they reach the home of his fair Fata.”
Majka curu dobro saslušala,
 The mother sat and listened with grief,
i sakupi hodže i hadžije,
 then she gathered the *hodžas* and *hadžis*,
ponesoše gondže Mehmeda,
 they carried young Mehmed away,
ispred dvora plemenite Fate.
 all the way to his fair Fata’s home.
Vezak vezla plemenita Fata
 Fata was doing her embroidery with her yarn
na čardaku, na visokoj kuli;
 in the bower, on the tallest turret;
puhnu vihor s visokih planina,
 just then a cool wind began to blow,
i odnekle miris nanosaše.
 carrying a scent that perked her up.
Kad pogleda plemenita Fata,
 When fair Fata looked down,
veliko je čudo opazila:
 she saw something very strange:
napr’jed idu neženjeni momci,
 a procession led by unmarried men,
koji nose gondže Mehmeda,
 who carried her young Mehmed,
a za njima hodže i hadžije.
 and behind them came the *hodžas* and *hadžis*.
Odmah se se jadu dosjetila,
 Instantly she knew what had happened,
da je Meho, žalosna mu majka!
 she knew it was Meho, woe unto his mother!
Ona pade po sadeḡ đerđefu,
 She fell down onto the embroidery frame,
kako pade, više ne ustade.
 as she fell, she never rose up again.
Misli majka izgubi se Fata,
 Her mother rushed thinking Fata had fainted,
al’ se Fata s dušom rastavila.
 but Fata had given up the ghost.

Tad zakuka Fatijina majka:

Fata's mother cried thus:

“Stan 'te, stan 'te, hodže i hadžije,

“Wait, wait o you *hodžas* and *hadžis*,

pričekajte i ovog mejita.”

Wait and carry this lifeless body too.”

Kad su bule Fatu opremile,

Women came to prepare Fata for burial,

ponesoše obadva mejita,

and then the two bodies were carried off,

naprijed nose Fatimu djevojkju

ahead they carried young Fata,

a za njom gondže Mehmeda.

and behind her young Mehmed.

Mezare im blizu iskopaše,

They dug two graves side by side,

a kroz mezar ruke proturiše,

and through the earth they pulled out their hands,

a u ruke metnuše jabuke,

and in each hand they placed an apple,

kad se prenu, nek se poigraju.

so that when they rise, they can play a while.

Notes

1. Buturović and Buturović 2002: 7.
2. Grunthal 1995: 7.
3. Morgan 1996: 29.
4. Henderson 1912: 31.
5. Derrida 1992: 74.
6. Morgan 1996: 1–2.
7. Porter 1980: 11–26.
8. Gummere 1959: 70.
9. Ibid.; also Morgan 1996: 13.
10. Grunthal 1995: 9–10.
11. Cheesman 1995: 88.
12. For more discussion see Memija and Hadžiosmanović 1997; Nametak 1986: 234–44.
13. Lord 1972: 298–318.
14. Dundes 1996.
15. Vargyas 1967.
16. Gilbert and Grubar 1979.
17. Buturović 2000.
18. See Petrović 1988: 128–47.
19. Ibid, 132–33.

20. Ibid.
21. Maglajlić 1997: 24–26.
22. Henderson 1912: 5.
23. Morgan 1996: 5–7.
24. Maglajlić 1978: 155–56.
25. For the evolution of such class-based gender segregation in Islam, see Mernissi 1991.
26. Cited in Buzov 2005: 9.
27. *Hodža* means teacher, and *hadži* means pilgrim. As in the Turkish *hacılar ve hocalar*, the two words together signify a group of religious dignitaries.
28. See Hirschon 1978: 66–88; Simic 1999: 11–30.
29. See Bringa 1995.
30. Girard 1977: 93.
31. Buturović and Buturović 2002: 93–97.

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Women Founders of Pious Endowments in Ottoman Bosnia

Kerima Filan

As a religious and social institution, pious endowments played an important social and economic role in the Islamic world during the second period, from the mid-eighteenth century to the late nineteenth. Established in the thirteenth century, the Ottoman Empire inherited this institution, together with the term *vakf* that denoted it,¹ from earlier Islamic states. This institution acquired a stable form following the foundation of the Ottoman Empire—a form that was maintained, mostly unchanged, until the beginning of the twentieth century.

The foundation of *vakufs* took place through a legal act in which individuals declared, of their own free will, that they had set aside a part of their property and endowed it with the intention of coming closer to God [*qurbat*]. The endowed property became a *vakuf* which served Islamic-religious, cultural-educational, and humanitarian causes.²

As the foundation of a *vakuf* is a legal act, certain conditions had to be met for the procedure to be legally valid. One of the key conditions was that the endower had to be the owner of the property and had to have the capacity to dispose of it.³ With regard to the property being endowed, Islamic law stipulates the condition that it must be a property that can yield constant proceeds and perpetually serve the purpose for which it is endowed. This is why, according to the definition of *vakuf* in Islamic law, an endowment can only be movable property and real estate of which the endower disposes as the owner. Since, however, movable property cannot serve perpetually the purpose defined by the endower, it may be the object of endowment if it is related to real estate. For this reason, founders of *vakufs* only endowed fixed property which could yield proceeds over time. Money also yielded income through being lent at the condition that the sum would be repaid, increased in accordance with Islamic legal principles by an amount predetermined by the benefactor; thus, endowing money is also permitted under Islamic law.⁴

The purpose for which the *vakuf* was founded did not necessarily have to be achieved immediately, in accordance with its foundation. In that respect, there

are two kinds of *vakuf*. One category includes those endowments whose proceeds were used immediately upon the foundation of the institution for the final purpose defined by the benefactor. These were called *vakf-ı hayrî*. The other kind was the family *vakuf* [*vakf-ı ehli*], in which the benefactor could decide that he or she personally, or his or her family members, would initially dispose of the proceeds yielded by the *vakuf* that he or she had established, and that after a certain period of time (the duration of which would be set by the benefactor) the proceeds would be used for the final purpose of the endowment. Some benefactors retained a part of the *vakuf* for themselves and their family, and immediately earmarked a part for religious, charitable, and social institutions. Those were known as semi-family *vakufs* [*yarı âilevî vakıf*]. After a time, usually after the *vakuf* founders' descendents had passed away, the latter types of *vakuf* (family and semi-family endowments) would be transformed into the former type of *vakuf*, the *vakf-ı hayrî*. In this respect, we can say that the foundation of a pious endowment relies on two inseparable entities: one is a concrete legal act in which an individual declares that in the Name of God, he or she endows a part of his or her property; the other is the aim of the endowment—that the endowed property should serve Islamic-religious, cultural-educational, and humanitarian purposes.

Giving away part of one's property to charity so that other people should draw support from it is an act intended to please God. Islamic jurists found a basis for the *vakuf* legislation in the *hadiths* (oral traditions of the Prophet Muhammad).⁵ That would be a sufficient motive for any Muslim believer to do a religiously commendable deed—to found a *vakuf* by donating a part of his or her property to charity. As an endowment founded in accordance with religious principles, the *vakuf* was a contribution first to the religious and simultaneously to the social and economic aspects of the community where it was founded, irrespective of the value of the assets at its disposal.

A benefactor who was able to endow relatively large assets would stipulate that they be used for the construction of places of worship, schools, hospitals, libraries, bridges, public baths, public kitchens, public drinking fountains, or hostelrys. In the legal foundational act itself, the benefactor fixed the amount of funds he or she anticipated would be needed for the maintenance of the building(s) within the endowment and the salaries to be paid to *vakuf* officials. Such *vakufs* were a direct contribution to the common good, and were called *müessesât-ı hayriye*.

Another type of *vakuf* was the *asl-i vakf*. These would be founded with smaller funds and combined with others. In that way they contributed to increasing the assets of a larger endowment and to its growth. The more assets a *vakuf* had, the more it could contribute to the religious and social life of the community.

Religious endowments were founded and developed throughout the Ottoman Empire. In particular, they were established in the territory of present-day Bosnia and Herzegovina, which was part of the Ottoman Empire from the fifteenth century to the end of the nineteenth.

As the *vakuf* played an important role in the religious, social, and economic life of the Ottoman Empire, the question arises as to what Ottoman women's attitude

towards pious foundations may have been. In this paper, we shall address this issue, taking as an example the area of today's Bosnia and Herzegovina.⁶

Certainly, the most reliable sources for studying the institution in general are *vakufnamas* [in Turkish, *vakıfnâme* or *vakfiye*]*—documents concerning the foundation and purpose of endowments. How available are the documents that would testify to the foundation of the vakuf over a five-century period? How many of these documents have been preserved to this day? Where can they be found? These queries themselves show that the topic studied here can be addressed only from the starting point we have at our disposal, and which, by this mere fact, can provide only partial clues to the subject at hand. Our approach is as justified as the point of reference is reliable.*

Our point of reference is *Opširni popis Bosanskog sandžaka iz 1604. godine* [Comprehensive register of the Bosnian *Sancak/Sanjak* of 1604] (2000), which is a translation into Bosnian of the *Defter-i Mufassal-i Liva-i Bosna* (hereafter referred to as *Defter*).⁷ This volume contains a register of the *vakufs* which had been established by the end of the sixteenth century in the Bosnian *Sancak*, a territorial and administrative unit of the Ottoman Empire that comprised a major part of today's Bosnia and Herzegovina.⁸ In this register, we searched for records of women who had founded a *vakuf* in this early period of Ottoman Bosnia.

Records in land registers are very short. The *Defter* is only a record of data; it does not explain or comment on it. Nevertheless, from the recorded data, we can gain some basic insight into our topic—specifically, that a number of women were registered among the people who had donated their property to charity by 1604 and thus founded a *vakuf*.

These data enable us to make certain assumptions. For instance, when we look at the records on women as founders of *vakufs* from the perspective of the definition of a *vakuf* in Islamic law, we can say that in the early period of Ottoman Bosnia, women were able to own property and dispose of it by their own free will. We can also surmise that women had access to the courts, since the contract for the foundation of a *vakuf* was concluded at court, i.e. before a *kadı* [*qadi*].⁹

Who were the women founders of *vakufs*? What did they endow? What did they endow their property for? Starting from these questions, we shall study the records in the *Defter* pertaining to female benefactors in Bosnia in the fifteenth and sixteenth centuries.

Women Founders of Independent Endowments

The 1604 *Defter* includes a record for the endowment of Shahdidar, the wife of the deceased Husrev Beg in the city of Sarajevo. The value of the endowed assets was 115,000 *akçe* (aspers), intended for the construction of a *mescid* [*masjid*] (a place of worship) and a *mekteb* (a school).¹⁰ By tracing this record in the *Defter*, we tried to collect more information about the endowment from the sixteenth century established by a woman named Shahdidar.

Some important information is found in the same *Defter*. In the register of quarters in the city of Sarajevo, there is one formed around “the *mescid* built by

Gazi Husrev Beg's wife."¹¹ It is known that in the conception of Islamic towns, *mescids* were the nuclei around which quarters developed. Therefore such quarters were named after the *mescid* that had marked the beginning of the quarter, while the *mescid* itself was known by the name of the benefactor. Religious rituals were held, and lectures on religious and moral life were delivered in *mescids*, which were also centers of social life. Communal issues were resolved there at the neighborhood level. The existence of a record in the 1604 *Defter* referring to a quarter whose centre was the *mescid* known under the name of "Gazi Husrev Beg's wife" shows that this *mescid* had already been built within Shahdidar's endowment. Indeed, Shahdidar was the wife of Gazi Husrev Beg, Bosnia's best-known governor.¹² We find confirmation thereof in another extant document.

Sicil [sijill] (court record from the Ottoman period) No. 1 in the Gazi Husrev Beg library collection of archive documents contains the transcript of a *vakufnama* that has been identified as the *vakuf* of Shahdidar, Gazi Husrev Beg's wife.¹³ This identification was not straight-forward, and was made by Fehim Dž. Spaho while preparing a translation of the document from Arabic into Bosnian.¹⁴ The difficulty was that the transcript, comprised of five folios in the court records (from 38 to 42), contains no mention of two important pieces of information. First, the name of the benefactress is absent, though it is clearly understood from the Arabic text that it is a woman (*wāqifa*, *waqafat wa habasat wa sabbalat*—38/17).¹⁵ Second, the end of the *vakufnama* was not copied, so we cannot reliably establish the time it was drawn up.¹⁶

In the *vakufnama* transcript, we read that the benefactress whose endowment occasioned the drawing up of this document had donated the amount of 100,000 *akçe* (*wa jamī'a mablaghin mi'ati alfi dirhamin*—39/10). She had ordered the construction of a *mescid* with that money in a part of Sarajevo (*wa dhālike jamī' masjidin banathu wa shayyadathu wa a'lathu fī mahallati min mahallāt dāri al-guzāt Sarāy*—39/3–4), and also specified that 3,000 *akçe* should be set aside from the endowed amount to build a school by the *mescid* (*wa sharatat an yubnā bayt at-ta'llim bi qurbi al-masjidi al-mastūri fī dāhili haramihi bi salāsi ālāfi dirham min al-mablaghi al-mazbūri*—39/12–13). In addition to the relatively large amount of 100,000 *akçe*, the benefactress also endowed a house in the city of Sarajevo (*wa dhālike jamī' al-manzil al-kāyin fī baldati al-mazbūra al-mahrūsa fī mahallati al-jāmi'i al-marhūm Yahya pasha*—41/6). She specified that the house would be her home during her lifetime, and that after her death, it was to be sold for the amount of 15,000 *akçe* (*yubā'u dhālike al-manzil al-mawqūf al-mazbūr bi hamsata 'ashara alf dirham*—41/10–11). So, the value of the endowment under this *vakufnama*, 115,000 *akçe*, is identical to the value of the endowment which, according to the *Defter*, had been founded by Shahdidar. Other facts are also common to the *vakufnama* and the *Defter*: both sources record that

1. The *imam*, the chief official leading the prayers in the *mescid*, was to receive 4 *akçe* per day as salary (*wa li al-imāmi kulla yawmin arba'a darāhima*—40/13);

2. The *müezzin* [*mu'azzin*], the official reciting the call to prayer, was to receive 2 *akçe* per day as salary (*wa li al-mu'azzini kulla yawmin dirhamayni—40/14*);
3. The *mu'allim*, the official teaching children at school, was to receive 3 *akçe* per day as salary (*wa li al-mu'allimi kulla yawmin salāsata darāhim—40/14*).

In the interest of space, we shall not enumerate all the identical items in the two sources; as mentioned above, their agreement has been demonstrated by Spaho.¹⁷ On that basis, we are able to deduce how, in sixteenth-century Sarajevo, a wealthy woman—the wife of a state official—formed her pious endowment by endowing the property at her disposal. This woman's *vakuf* served, on the one hand, a religious purpose—a *mescid* was built and maintained; and on the other, an educational purpose—a school was built and maintained. We cannot neglect the economic purpose of Shahdidar's *vakuf* either, as salaries were provided for several officials from its proceeds. Finally, the social purpose of this institution is seen in the fact that a quarter soon developed around the *mescid*. By founding the endowment, Shahdidar made her own contribution to improving life in Sarajevo at the time of its development from a provincial town into a city. The rich endowment of Shahdidar's husband Husrev Beg certainly contributed most to this aspect of Sarajevo's development.

Shahdidar earmarked, probably at the time of the foundation of the *vakuf*, the major part of the property she endowed (100,000 *akçe*) for the construction of a religious and religious-educational institution. She retained, until her death, the right of use over a smaller part of the property endowed for the *vakuf*, namely the real estate comprising a house.

Was Shahdidar the only woman to have founded a rich pious endowment (including the construction of buildings) in Bosnia before 1604? The 1604 *Defter* suggests that this might be so; however, other historical sources show that in the neighborhood of Mejtaš of the city of Sarajevo, a woman named Dudi Bula (or Tuti Bula) commissioned the construction of a *mescid* in the years between 1528 and 1540.¹⁸ That *mescid* is indeed recorded in an older *defter* dated 1565.¹⁹ However, that record provides no specific information concerning the endowment of the woman to whom it refers as Dudi Hatun—we only know that there was a place of worship under that name at the time in Sarajevo, and two more sources testify to that.²⁰ Nevertheless, as they refer to later centuries, we do not have any indication of the time when Dudi Bula's *mescid* was built. If Mujezinović's claim is correct that this *mescid* was erected after 1528 and prior to 1540, then it is older than the one built by Shahdidar. So far, nothing is known about the benefactress Dudi Bula; it is worth mentioning that according to Mujezinović, the title *bula* suggests that she was a religious teacher.²¹ Any other claim about her would be speculative.

Endowments of Women Within Other Endowments

The survival and functioning of buildings constructed within a *vakuf* depended on funds available for their maintenance. The *mescid* built by Shahdidar continued to exist from the sixteenth century to the nineteenth.²² Dudi Bula's *mescid*, which may be even older than Shahdidar's, existed until the early twentieth century.²³ Certainly these buildings had to have been refurbished over such a long period of time. It is difficult to know today how long Shahdidar's funds may have lasted. What is known is that her *mescid* burnt down in a great fire that broke out in Sarajevo in 1697, and that it was subsequently reconstructed by the inhabitants of that quarter with state support.²⁴ Later, the *mescid* was probably maintained with funds from smaller *vakufs* (*asl-i vakf*) which had been joined to this one.²⁵ It is also known that Dudi Bula's *mescid* burnt down in the same fire.²⁶ Although we do not have reliable information concerning the reconstruction of Dudi Bula's *mescid*, it is certain that it too was reconstructed with funds from smaller *vakufs* and similar contributions.

Just as the large *vakufs* (*müessesât-ı hayriye*) were important for the religious-educational, social, and economic life of the quarter in which they were founded, the smaller *vakufs* were equally important for the survival and functioning of the large *vakufs* for the communal good. Judging from the 1604 *Defter*, women from that time contributed to the communal good by founding smaller *vakufs*, which they joined to existing larger ones.²⁷ From the modest amount of information contained in the *Defter*, it is hard to know how the benefactors—women or men—may have decided to which large *vakuf* they would contribute. In several cases, nonetheless, we can discern some hints.

Nefisa and Hanifa—their names recorded in the *Defter*—were Havadže Kemal's daughters. Nefisa endowed the amount of 2,500 *akçe*, and Hanifa 3,000 *akçe*. These women joined the *vakufs* they founded to Havadže Kemal's.²⁸ This benefactor had endowed funds for the construction of a *masjid* in the city of Sarajevo, in the quarter where he lived.²⁹ From these records, it is not hard to reach the conclusion that Nefisa and Hanifa joined their endowments to that founded by their father. If Nefisa and Hanifa were sisters, then İbrahim must have been their brother: the *Defter* records that he was Havadže Kemal's son. İbrahim also endowed 4,000 *akçe*, and joined his *vakuf* to Havadže Kemal's.³⁰ These data suggest that by endowing assets of their own and founding smaller *vakufs*, the children contributed to the larger endowment founded by their father. One more fact that lends support to the hypothesis that these three individuals were closely related—i.e. that all three were Havadže Kemal's direct descendents—is that their *vakufs* were recorded in the same *Defter*, from which we can deduce that they must have founded their *vakufs* at about the same time.³¹ They were joined by another benefactor, Mehmed Čelebi, whom the 1604 *Defter* records as a son of Havadže Kemal; it states that he endowed funds for the building of two public drinking fountains: one in the vicinity of Havadže Kemal's *mescid*, and the other in the vicinity of Havadže Kemal's house.³² According to these records, Mehmed Čelebi used his own funds to establish a *vakuf*, one that improved the quality

of life in the quarter where his parents' house was located, and where his father had commissioned the construction of a place of worship. If the four benefactors mentioned above were Havadže Kemal's children, then this is an example of a case in sixteenth-century Sarajevo where descendants, both male and female, used part of their property to found smaller *vakufs* and thereby helped and promoted larger ones that had been founded by their father.³³ This way the descendants continued to do God-pleasing deeds, and, following the example of their parents, stayed connected with their family of origin.

According to another record in the *Defter*, the *vakuf* founded by Havadže Durak in Sarajevo was supported by his daughters: Hanifa, Emiršaha, and Merdžana—mentioned in the *Defter* as Havadže Durak's daughters³⁴—endowed three shops, probably one each, and thus founded a joint endowment. They also joined their endowments to their father's.³⁵ Havadže Durak, like Havadže Kemal, had a son named Mehmed Čelebi, who was also a benefactor. Having founded a *vakuf*, this Mehmed Čelebi commissioned the construction of a school near Firuz Beg's baths in Sarajevo,³⁶ where his father's shops were located, as were the shops endowed by Hanifa, Emiršaha, and Merdžana. Based on this record, we can almost certainly take Mehmed Čelebi to be the brother of Hanifa, Emiršaha, and Merdžana, and all four as the benefactor Havadže Durak's direct descendants.

The information we have collected about the two families, those of Havadže Kemal and Havadže Durak, shows that the two sons named Mehmed Čelebi established independent *vakufs*, though smaller than those established by their fathers. Both endowed significantly more property than their sisters. Without assessing the issue of the magnitude of the property of the brothers and sisters, it is proper to notice here that they decided on the type of *vakuf* they were going to establish according to their means.

Another woman whom we can assume to have joined her *vakuf* to her father's was named Fatma. The *Defter* records her as the daughter of a man named Sinan. She endowed the amount of 3,600 *akçe* and joined it to the endowment of Keke Sinan.³⁷ Were the names coincidentally identical, or was Fatma in fact the daughter of the benefactor Keke Sinan?³⁸ If she was, then she has something in common with the sisters Hanifa, Emiršaha, and Merdžana: these women's *vakufs* were the only ones joined to their father's endowments prior to 1604.

The relationships between the founders of large and small *vakufs* were not always vertical, as confirmed by the example of a woman called Hanifa, who joined her *vakuf* to one founded by her husband. This can be determined from a record in the *Defter* according to which Hanifa was Hajji Eynehan's wife, and the *vakuf* to which she joined hers had been founded by Hajji Eynehan.³⁹

Hatidža Hatun, Voivoda Sinan's daughter, is another woman who joined her *vakuf* to her husband's. Her husband Husein Beg had commissioned the construction of a mosque and two schools in Rogatica. Hatidža Hatun decided to participate, with a relatively large amount of property, in the maintenance of Husein Beg's *vakuf*. This information about her *vakuf* comes to us from her husband's *vakufnama*.⁴⁰ In fact, at the time Husein Beg founded his *vakuf*, his wife

Hatidža Hatun and his sister Mihri Hatun did the same. Both women set aside and endowed part of their property, and then joined their own *vakufs* to Husein Beg's. Thus, Husein Beg's *vakufnama* contains at the same time the *vakufnamas* relating to the establishment of these two women's *vakufs*.⁴¹ If Husein Beg's *vakufnama* had not been preserved, the record of the *vakufs* of Hatidža Hatun and Mihri Hatun might have been lost forever. The *vakufnama*'s statement that Mihri Hatun joined her *vakuf* to the one founded by her brother⁴² makes her the only benefactress from the early period of Ottoman Bosnia about whom we have established with certainty that she gave support to a brother's endowment. This, of course, does not mean that she was the only such example, but the absence of sources like *vakufnamas* deprives us of the possibility to study other similar cases.

As for other benefactors of whom we find evidence only in the 1604 *Defter*, we cannot even speculate about their kinship with founders of the *vakufs* to which they joined theirs. The reason is that the names of benefactresses were registered in the *Defter* inconsistently, sometimes including the name of father and sometimes not. Some women's names were registered with their husbands' names, while for others such information is not present. Thus, we have one benefactress recorded only as Emina Hatun, and we know nothing of her except that she joined her *vakuf*, established with the amount of 3,000 *akçe*, to Pašajigit's *mesjid* in Sarajevo's Dülger Ibrahim quarter.⁴³ The name of another woman who endowed the same amount to Pašajigit's *mesjid* will (probably) forever remain unknown. She was not recorded even under her own name, but only as the wife of a confectioner [*halvadžija/helvaci*].⁴⁴ Likewise the name of a woman who was recorded only as the wife of a certain "Iskender the tailor [*hayyât*]" will remain unknown. She donated her 3,000 *akçe* to Mevlan Arap's endowment, and was one of two women who had given it money prior to 1604. The *Defter* records that the other woman was named Selima Hatun.⁴⁵ Kadriya Hatun was another sixteenth-century woman of whom we know only that she was a benefactress.⁴⁶ The fact that some women were unnamed may be an indicator of their modest social status.

Endowments of Women Within Endowments with Different Proceeds

The *Defter* does not contain any information that would give us insight into what else, apart from family relationships, could have influenced a benefactress's decision to join a particular *vakuf*. Women joined their *vakufs* both to richer and poorer ones. Emina Hatun, whom we have just mentioned, and the woman recorded in the *Defter* as the wife of a confectioner, both decided to support the maintenance of Pašajigit's *vakuf*—an endowment that had very modest proceeds, sufficient only to meet the institution's basic expenses. The two women, together with four male benefactors, contributed to the maintenance of a *mesjid*. Even more modest were the proceeds of Yakub Pasha's endowment. This was the consequence of a fire which had damaged the buildings whose proceeds had been used to maintain it.⁴⁷ The pasha had founded this endowment at the time when he was governor of Bosnia. He was appointed to that position in 1490, and the following year he had a *mesjid* built which was thus one of the oldest

in Sarajevo.⁴⁸ It is certain that after the fire, the maintenance of that *mescid* was supported by the four *vakufs* which had been joined to Yakub Pasha's endowment prior to 1604. Among the benefactors of these smaller *vakufs* was a woman named Seljuka, the wife of Hajji Kemal.⁴⁹ Since Yakub Pasha's endowment was in financial difficulty, Seljuka's endowment was probably very important. She endowed 3,600 *akçe* and proceeds from two shops. Compared to Nesuh Voivoda's *vakuf*, which was established with the amount of 10,000 *akçe* and was also joined to Yakub Pasha's endowment, Seljuka's *vakuf* was only half as large, but it is important to note the title of *voivoda* added to the name of the benefactor Nesuh, which shows his relatively high status. He also donated the amount of 3,000 *akçe* to another endowment—for a mosque located in Sarajevo's Yahya Pasha quarter. On the other hand, the assets in Seljuka's *vakuf* were about twice the size of those contributed to Yakub Pasha's endowment by two men: one founded a *vakuf* with the amount of 1,500 *akçe*, and the other with the amount of 1,000 *akçe*.

Selime Hatun and the tailor Iskender's wife, along with two male benefactors, helped the maintenance of the poor *vakuf* in Sarajevo's Yahya Pasha quarter. Fatma, daughter of Sinan, and Hanifa's daughter, Hajji Eynehan's wife, also supported the maintenance of two endowments with lower proceeds. We have already shown that these two women had joined their endowments to *vakufs* of their family members. Keke Sinan's endowment, to which Fatma joined hers, had indeed low proceeds, and this is shown by a record in the *Defter* according to which the benefactor Keke Sinan had stipulated the condition that the salaries of the prayer leader [*imam*] and endowment administrator [*mütevelli/mutawalli*] should be proportionally reduced if the income from the endowment was insufficient to cover the modest amounts he was in a position to provide for.

Some other women, however, joined their *vakufs* to richer ones. Đulnasa, Hasan Čelebi's wife, did so by joining her *vakuf* to Ayas Pasha's,⁵⁰ one of the richest and oldest *vakufs* in Bosnia. Ayas Pasha had served two terms as Bosnia's governor, and, at the end of his governorship in 1477, had founded a *vakuf* in Sarajevo⁵¹ within which he built a *mescid*, a small school, and a bridge. By 1604, five smaller *vakufs* had been joined to Ayas Pasha's endowment, one of which was established by Đulnasa. Aiša Hatun, Ali Voivoda's daughter, joined her *vakuf* to Hajji Muslihudin's endowment, one of the richest in sixteenth-century Sarajevo. It is not known whether Aiša was related to Hajji Muslihudin. From 1526, when Muslihudin's mosque was built, until 1604, she was the only benefactor in Sarajevo who joined her *vakuf* to Muslihudin's. The same details are recorded in the 1565 *Defter*, showing that Aiša had been a benefactor at that earlier date.

At that time, as witnessed by the 1604 *Defter*, the *vakuf* founded by Hajji Idriz in Sarajevo had the largest number of joined *vakufs*—12 smaller endowments had been joined to it. Four of these had been founded by women: Hanifa Hatun, who endowed 4,000 *akçe*; Shehsuvar Hatun, who endowed the same amount; Emina Hatun, Atmadži's daughter, who donated 3,000 *akçe*; and finally Đulizar Hatun, who donated the smaller amount of 1,300 *akçe*.⁵² These data still do not reflect the true proportion of women and men who joined their *vakufs* to Hajji Idriz's, since,

of the 12 endowments joined to it, four were endowed by the same person—Yusuf, son of Abdullah. On four distinct occasions, Yusuf endowed various amounts of money (totalling 7,500 *akçe*) to add to Hajji Idriz's endowment.⁵³ Thus, in all, nine people endowed property as additional funds for Hajji Idriz's *vakuf*; five were men, and four were women. We can see already in the *Defter* that Hajji Idriz's endowment was relatively rich at the time when Hanife Hatun, Shehsuvar Hatun, Emina Hatun, and Đulizar Hatun joined their *vakufs* to it. It is known from the literature that Hajji Idriz was a wealthy merchant, and that he had another mosque built, as well as hostelry for travellers [*kervansaray*] in Kiseljak, near Sarajevo.⁵⁴ According to the 1565 *Defter*, Hajji Idriz's endowment in Sarajevo only had one joined *vakuf* at the time—the one established by Hanifa Hatun. Her name was also recorded in the 1604 *Defter* as the first among the benefactors who had joined their *vakufs* to Hajji Idriz's. From this, we can conclude that the first *vakuf* joined to Hajji Idriz's belonged to a woman. Eleven more were joined in the period between two censuses of 1565 and 1604.

Hajji Idriz's endowment in Sarajevo was comprised of a *mescid* and a school.⁵⁵ The *mescid* must have been built around 1540, when a Sarajevo quarter by that name is mentioned in the sources for the first time.⁵⁶ This *mescid* existed until 1938.⁵⁷

Since Hajji Idriz's endowment had the largest number of joined women's *vakufs* in the sixteenth century, it would be interesting to know to what extent women contributed to its maintenance in later periods, as the four women mentioned above had during the first decades of its existence. However, this requires additional research into the history of the endowment during subsequent centuries.

As regards the proportion of women's *vakufs* participating in the maintenance of a larger endowment, in addition to Hajji Idriz's *vakuf*, it is also worth mentioning Havadže Kemal's. According to the *Defter*, that endowment also had quite a large number of joined *vakufs*—as many as seven. Of that total, three belonged to women: apart from Havadže Kemal's daughters Nefisa and Hanifa, Aliya Čelebi's daughter Hanifa also joined her *vakuf* to it.

What Sixteenth-Century Women Endowed

According to records in the *Defter*, women at that time endowed money and, to a much lesser extent, real estate. The amounts they set aside from their property for the *vakuf* were generally of about equal value: most women endowed the amount of 3,000 *akçe* (Aiša Hatun; Emina Hatun; Emina Hatun, daughter of Atmadži; the wife of the confectioner; Hanifa, daughter of Aliya Čelebi; Hanifa, daughter of Havadže Kemal; Hanifa, wife of Hajji Eynehan; Selima Hatun; the wife of Iskender the tailor). The number who gave amounts exceeding 3,000 *akçe* is smaller (Đulnasa: 3,640, Fatma: 3,600, Kadriya Hatun: 3,600, Seljuka: 3,600). The largest amount recorded in the 1604 *Defter* for a women's joined *vakuf* is 4,000 *akçe*, endowed once by Hanifa Hatun and once by Shehsuvar Hatun, and the smallest was 1,300 *akçe*, endowed by Đulizar Hatun. An amount almost twice as large as hers was endowed by Nefisa, daughter of Havadže Kemal (2,500 *akçe*).

If the joined *vakufs* founded by women are compared to those founded by men, we can see that the majority of women's and men's monetary *vakufs* were made up of similar amounts. The most common figure was 3,000 *akçe*. The largest number of men's *vakufs*, just like women's, were founded through endowing cash. However, the number of men who endowed the proceeds of shops or land is higher than the corresponding number of women. Among the latter, such proceeds were endowed by the sisters Hanifa, Emiršaha, and Merdžana. They are the only women in the 1604 *Defter* who established a *vakuf* by endowing only real estate—each sister donated a shop. In the same *Defter*, Seljuka is the only woman whose joined *vakuf* was founded by both cash (3,600 *akçe*) and the proceeds of two shops.

It is difficult to determine reliably how the women had originally acquired the property of which they disposed, but it is probable that they had inherited it. This hypothesis is strongly suggested by the example just mentioned of the sisters Hanifa, Emiršaha, and Merdžana: there is a record in the *Defter* stating that the shops they endowed for the *vakuf* were near Firuz Beg's baths, and in the vicinity of the same building there were also twenty-nine shops that Havadže Durak, their father, had endowed when he established his own *vakuf*. Thus, we can claim with virtual certainty that the sisters had inherited the aforementioned shops from their father. We do not know if the sisters Hanifa and Nefisa inherited the money with which they founded their *vakufs* from their father. However, we do see that at the time the 1604 *Defter* was compiled, the endowment of their father Havadže Kemal disposed of rather large funds in comparison with other endowments—amounting to 40,995 *akçe* in cash and the proceeds of ten shops and three houses.

Hatidža Hatun, the daughter of Voivoda Sinan, endowed a much larger amount than all the women mentioned above: her monetary *vakuf* totalled 15,016 *akçe*.⁵⁸ We know that Hatidža was the wife of Husein Beg and the daughter of Voivoda Sinan. Whether Hatidža Hatun had also inherited her property from her father remains unknown, but it is certain that he had enjoyed high status. He was also a benefactor, and had a *mesjid* built in Rogatica, where Hatidža Hatun lived with her husband Husein Beg. Hatidža's brother Oruč Aga was also a benefactor.⁵⁹ At the time Hatidža founded her *vakuf*, her parents Sinan Voivoda and Fatima Hatun were dead.⁶⁰ Therefore, it is possible that she had inherited property from her parents—property that now legally belonged to her. At the same time, her husband's sister, Mihri Hatun, founded a *vakuf* with an amount only one-fifth as large (3,000 *akçe*), the same quantity as was endowed by the majority of benefactors in the sixteenth century.

Among *vakufs* established by women by the end of the sixteenth century, the one founded by Šemse Kaduna is noteworthy for the size of its funding. She was the wife of Sinan Beg, who held the position of administrator [*sanjakkbeg/sançak beyi*] of Herzegovina several times during the second half of the sixteenth century. She was also the sister of Mehmed Pasha Sokolović (Sokollu Mehmed Paşa), the grand vezir of Bosnian origin.⁶¹ She endowed an amount as large as 80,000 *akçe* from her property. She intended the money to be used in trade

according to established laws; the *vakuf* administrator's and accountant's salaries were to be paid from the profits, and the rest of the money was to be kept and go toward the construction of a *mescid* or other charitable facility, as needed. From the viewpoint of these instructions, her *vakuf* was different from all the other women's *vakufs* dating from the sixteenth century that we find in the sources. This detailed information on Šemsa Kaduna's *vakuf* is based on the preserved *vakufnama*. She founded her *vakuf* at the same time as her husband, Sinan Beg, so that the spouses' *vakufs* were recorded in the same *vakufnama* dated 1582.⁶² We do not know if a building was built from Šemsa Kaduna's *vakuf*, and if so, where, but her grave with a headstone (in Bosnian, *turbe*) did exist in Čajniče in Eastern Bosnia, next to the tomb of her husband and near the mosque built by him.⁶³

The richest endowment established by a woman by the end of the sixteenth century was Shahdidar's. The amount of 115,000 *akçe*, of which 100,000 were endowed in cash, is one of the largest of all the endowments registered in the 1604 *Defter*. Although we do not know anything about the origin of Shahdidar's property, we know that she founded her endowment after the death of her husband, Husrev Beg, given the words *al-marḥūm al-marqūm* prefixed to his name when mentioned in Shahdidar's *vakufnama*.⁶⁴ Since Husrev Beg died in 1541, Shahdidar must have founded her endowment some time thereafter.⁶⁵ In the form copied into the court records, Shahdidar's *vakufnama* ends as follows: "Shahdidar declared that after her death, her *vakuf* should be transferred to Neslishah Sultan, daughter of Seljuk Sultan's daughter, if the latter so demanded, as the benefactress is Neslishah's slave, her property, and her right."⁶⁶ On that basis, Fehim Dž. Spaho who translated Shahdidar's *vakufnama* into Bosnian has concluded that Husrev Beg must have been married to his sister's freed slave.⁶⁷ If this was indeed the case, then most probably Shahdidar inherited the property from her husband. In any case, at the time she founded her endowment, she had at her disposal both real estate and large amounts of money.

Upon comparing the sums of money endowed, we can reasonably establish that the benefactresses mentioned in this paper were wealthy. However, it is worth noting that women with much less property than Shahdidar—Šemsa Kaduna and Hatidža Hatun—also donated their property to charity. If we set aside these three women (in view of their family ties with statesmen), then we can consider the daughters of Havadže Kemal and Havadže Durak—both men were well-known benefactors in Sarajevo—wealthy as well. The two women, and those of whom we know nothing except their names and the fact that they were benefactresses, endowed money, while the endowing of real estate was so rare that it can be taken as sporadic. To what extent women in the early period of Ottoman Bosnia disposed of real estate at all is a question to which an answer cannot be found in the 1604 *Defter*. Some additional information is offered by *vakufnamas* related to that period, in the following manner: since *vakufnamas* contain exact dimensions and the first neighborhood of the real estate being endowed, we encounter the names of women who owned real estate. Such information is found in both

Shahdidar's and Husrev Beg's *vakufnamas*. In Shahdidar's, we read that the house that she endowed bordered the property of Dudiya, daughter of Aliya, on the East,⁶⁸ while Gazi Husrev Beg endowed, *inter alia*, a property that he had bought from a woman named Hanum Hatun.⁶⁹

Review of the Later Centuries

If we compare the properties of *vakufs* founded by women in the sixteenth century with those of the *vakufs* of Aiša, daughter of Hajji Ahmed, in the seventeenth century, and of Fatima Ašida, daughter of Imaretlić Vejsel Aga, in the nineteenth, we see that women in later centuries endowed more real estate than did their predecessors. We learn of these two benefactresses from their own *vakufnamas*. In the hope that we might find some information concerning the benefactresses registered in the 1604 *Defter*, we looked through 1,092 *vakufnamas* from Bosnia and Herzegovina that have been preserved to date.⁷⁰ None of the *vakufnamas* in this sample refer to the *vakufs* of the women mentioned in the 1604 *Defter*.⁷¹ With the exception of the benefactress Shahdidar, the information we have about these women is limited to what is recorded in the *Defter* itself. Nevertheless, the list of *vakufnamas* shows that women founded *vakufs* throughout the centuries in Ottoman Bosnia. The 1604 *Defter* contains information for the period until the end of the sixteenth century, and in the aforementioned set of *vakufnamas* we came across the names of benefactresses in all later centuries. There are 249 recorded benefactresses, which means that out of the total number of the *vakufnamas* preserved in the Gazi Husrev Beg Library, about 23% are for women's *vakufs*. Obviously these figures cannot be considered conclusive, since they include neither the *vakufs* of the women about whom the 1604 *Defter* provides information, nor those of men and women whose *vakufnamas* have not been preserved, especially from the earlier centuries.

Among the preserved *vakufnamas* from Bosnia and Herzegovina are those referring to the *vakufs* of Aiša and Fatima Ašida. The former benefactress founded a *vakuf* in 1646 in the city of Mostar by endowing 7,000 *akçe*, two shops, and gardens. The latter, Fatima Ašida, daughter of Imaretlić Vejsel Aga (*medîne-i Saraybosna'da Yahya Paşa mahallesinde sâkine fahrü'l-muhadderât Fâtima Ašida bint Imâretli-zâde Veysel Aga ibn Ibrâhîm Aga—4–5*),⁷² established her *vakuf* two centuries later, in 1875, by endowing two shops, one oda, and some land [*arsa*]. Aiša, daughter of Hajji Ahmed, stated in her *vakufnama* that she had inherited the real estate she intended to endow from her father. She also states that after her death and that of her sisters, her *vakuf* should be joined to her father's; thus, we also learn from Aiša's *vakufnama* that Hajji Ahmed was also a benefactor. There is no evidence pertaining to Fatima Ašida in her *vakufnama*, either about the origin of her property or about the benefactors in her family. In this short paragraph, we have reviewed only two *vakufs* established by women in later centuries.

Provisions Regarding the Endowment

Only from *vakufnamas* are we able to learn something about whether women attended court in person, or acted through a proxy, when they wanted to draw up a legal document regarding an endowment. The *Defter* offers no information on that subject. In the transcript of Shahdidar's *vakufnama*, there is no mention of her proxy at court, which allows us to assume that she participated in person in drawing up the deed of endowment. Hatidža Hatun authorized her husband Husein Beg to establish her *vakuf* before the court. Accordingly, the court first checked the authenticity of the power of attorney, as stated in the *vakufnama*, and then proceeded to draw up the *vakufnama*.⁷⁴ Although Husein Beg's *vakufnama* includes his sister Mihri Hatun's *vakuf*, there is no record in the *vakufnama* showing that she had empowered her brother or anyone else to represent her before court. There is no such record about Šemsi Kaduna either; her *vakufnama*, like Hatidža Hatun's, is contained in her husband's *vakufnama*.

Whether a benefactress established her endowment in person before the court or by proxy, she, in accordance with legal procedure, declared which part of her property she endowed, for what purpose she had founded the *vakuf*, and who was to be paid a salary from the proceeds of the property she had endowed. She also specified the duties of those who were to receive a salary, and nominated an administrator and a supervisor [*nazır*] for the management of *vakuf* affairs. For large *vakufs* like the one founded by Shahdidar, the range of provisions set by the benefactor was even broader: the salary to be paid to the chief official leading prayers in the *mescid* she built, to the school teacher, assistant teacher (should such a position be established), and bookkeeper; the amount earmarked for the maintenance of the building, including such expenses as lighting, cleaning, the purchase of carpets, etc. All these provisions were recorded in the deed of the *vakuf* foundation. As an official document, the *vakufnama* therefore has a certain format in terms of content sequence. Still, each *vakufnama* is an expression of the free will of a particular benefactor: the benefactor's will had to be executed as law.

As a very small number of sixteenth-century *vakufnamas* have been preserved, we are left with only the *Defter* to try to understand how benefactresses stipulated conditions for the use of the profits from their endowments. Although the relevant information in the *Defter* is very modest, it can be seen that women usually stipulated that the proceeds from their *vakufs* should be used for the salaries of the officials of the endowment to which they had joined their own. In exchange for a salary, the religious official—an *imam* or *mu'ezzin*—had the duty of reciting, at certain times, a chapter from the Qur'an, short or long as specified by the benefactress. When we look at the list of *vakufs* in the 1604 *Defter*, we can see that the joined *vakuf* proceeds also paid the salaries of religious officials: secure salaries kept the *mescid*, the central institution of a large *vakuf*, in operation. For the chief official—the *imam*—a somewhat higher amount was stipulated than for lower-ranking officials such as the *mu'ezzin*. In this respect, Shehsuvar Hatun stipulated a different condition from other benefactors, at least as far as can be

surmised from the *Defter*: she stated that the *imam* and *mu'ezzin* should be paid equal salaries.⁷⁵

Providing an income for unspecified *vakuf* officials according to their function was not, however, a firm rule. Benefactors could stipulate that the duties for which a salary was to be paid out of the proceeds of their *vakuf* should be performed by someone specific personally appointed by them. Seljuka, the wife of Hajji Kemal, posed the condition that a salary from her *vakuf* should be paid to a Mevlana Hussam, in exchange for which he would recite chapters from the Qur'an.⁷⁶ The confectioner's wife, too, decided that a certain Mahmud, son of Mustafa, should be paid a salary from her *vakuf*; he was also charged with reciting chapters from the Qur'an.⁷⁷ Who were Mevlana Hussam and Mahmud, son of Mustafa? Why did the benefactresses stipulate salaries for them? The *Defter* contains no answers to these questions. We can only conclude that they were not *vakuf* officials, since both benefactresses stipulated that after the death of the persons to whom salaries were to be paid, those funds would be paid to the *vakuf* officials. Seljuka and the confectioner's wife thus specified salaries for particular individuals; whether they were family members or friends, we cannot tell from the information recorded. Perhaps the benefactors wanted to support those persons by providing them with a living wage, as far as their *vakufs* could afford? The benefactress Seyda, daughter of Atmadži, also assigned a salary from her *vakuf*, established in 1566, to a particular person—Abdiya Halifa, the chief official at the Ali Pasha mosque in Sarajevo. She stipulated that upon his death, the salary in question would be paid to the chief official, whoever he might be, at the Skender Pasha mosque, located in the quarter where Seyda lived.⁷⁸ Under these provisions, the *vakuf* of Seyda, daughter of Atmadži, was effectively joined to that of the Skender Pasha mosque, but the benefactress transferred the salary to a particular man during his lifetime. The salary was paid for the duties performed in accordance with the conditions laid by the benefactress. These duties had a religious purpose: reading God's Book. On the one hand, this meant that the appointed person had the knowledge (the religious education) to discharge the set duties, and on the other, that he possessed high moral qualities. Therefore, through paying salary—which did not exceed one *akçe* per day in the smaller *vakufs*—the pious endowment played a role in the moral, and even religious-educational, life of the community.

This role of the *vakuf* can be understood even better when a benefactor or benefactress sets the condition that entitlement to a salary, and thus taking on the stipulated duty, should be passed from parent to child. This is what, for instance, Havadže Kemal's daughter Hanifa decided. She stipulated a salary from her *vakuf* for Sheykh Yunus Efendi on the condition that he recites the Qur'an. After Yunus Efendi's death, the salary would be inherited by his children, and then by his children's children.⁷⁹ In order for the children to inherit their father's salary, they had to be prepared to fulfill the condition laid down by the benefactor—they had to be able to recite the Qur'an, which meant that they had at least to attend primary school [*sıbyan mektebi*] where they would learn to read the Qur'an.⁸⁰

Furthermore, under this provision, Yunus Efendi's descendents were expected to be honest people.

Direct support for schools shows even more clearly that these women were well aware of the educational role of the *vakuf*. It was indicated earlier that Shahdidar's endowment had an educational dimension through the school she built. We can also say of Mihri Hatun's *vakuf* that it had an educational purpose, in the sense that the benefactress set aside the profits earned from the money she had endowed for the salaries of the teachers in one of the two schools founded by her brother. The school's founder, Husein Beg, had decided on a salary of 2 *akçe* per day for the teacher at the school he had opened in the village of Vrhbarje, but the teacher received another *akçe* from Mihri Hatun's *vakuf*. In that way, the benefactresses Shahdidar and Mihri Hatun supported education, each according to her funds: one by opening a school, the other by supplementing a teacher's salary. Fatima Ašida, too, set aside part of the funds from her *vakuf* for educational purposes, specifically for the education of women. This benefactress's provision was to reward from her *vakuf* proceeds, as was customary, a religious official who would, every year during three selected months of the Muslim calendar, deliver a lecture once a week for women in the Yahya Pasha mosque in Sarajevo (*ve be-her sene receb ve şa'bân ve ramazân aylarında haftada birer def'a Yahya Paşa câmi'-i şerîfde nisâ' tâ'ifesine va'z u nasîhat edüp vâ'iz efendiye fuzla-ı mezkûreden emsâli misillü ikrâm oluna*).⁸¹ Although we know nothing about Fatima Ašida's own education, this provision shows that she understood the importance of learning. Aiša of Mostar made her contribution to education in her town by stipulating that part of the funds from her *vakuf* should be used to support poor scholars at the Karadžoz Beg *medrese*. However, this was not the benefactor's only condition; she also expressed the wish to buy, if possible, blankets for this school's students with which they could cover themselves in winter, and firewood to keep them warm. The examples of Aiša and Fatima Ašida show that women were able to take care of some "secondary" areas of educational life in the community where they lived.

Judging from the four *vakufnamas* we have used as sources for this paper, it can be expected that others will also provide interesting insight into the purposes of women's *vakuf* funds.

Women in the Service of Endowments

Any person considered by the benefactor to be honest and capable of performing the duty could be appointed *vakuf* administrator or supervisor. The administrator bore a particularly important responsibility, as carrying out the provisions stipulated by the benefactor were, for the administrator, an absolute imperative.⁸² The *Defter* offers us very little information about the people whom the benefactors entrusted with those duties. We can see that Đulizar Hatun entrusted the *mescid* chief official with the duty of administering her *vakuf*, but there is no record as to what salary she attached to that position. Nor is it known what salaries the sisters Aiša and Fatima set aside for the administrator of their *vakuf*, when they entrusted the duty

to their father Mahmud in 1564.⁸³ By entrusting the duty of administrator to their father, they acted like many other benefactors: it was customary for the founder of a *vakuf* to appoint a relative as administrator or supervisor of its management, or a person close to them; he or she might even take on the duty in person.

More research is needed into extant *vakufnamas* to get a clearer idea as to whom female benefactors entrusted with the management and supervision of their *vakufs*, as well as on many other issues pertaining to women's *vakufs*. Even then, however, we are not certain how reliable the results will be, unless a possible relationship can be established between the benefactor and the person she appointed as administrator or supervisor of her *vakuf*.

In the specific case of the benefactresses Hatidža Hatun and Mihri Hatun, we do know that one entrusted the duty of administrator to her husband, the other to her brother. Having founded their own *vakufs* at the same time as Husein Beg, Hatidža's husband and Mihri's brother, both benefactresses laid down the condition that the amounts they were endowing should be managed by the administrator of Husein Beg's endowment.⁸⁴ Further in the *vakufnama*, we read that Husein Beg himself administered his own endowment. As he stipulated that the duty should be transferred to his most honest child upon his death, and then to his grandchild, we see that the same person within the family circle would manage the two women's joined *vakufs* through generations to come.

Two other benefactresses, Šemsa Kaduna and Aiša of Mostar, left us imprecise information on the persons they appointed to the duty of administrator, although we do have their *vakufnamas*. Šemsa Kaduna's deed, which is in fact incorporated into the *vakufnama* of her husband Sinan Beg, does not refer to the administrator by name but with the words "the aforementioned."⁸⁵ As Sinan Beg's brother Ali Beg, to whom the benefactor had entrusted the management of his own endowment, was mentioned as administrator earlier in the *vakufnama*,⁸⁶ it is probable that Šemsa Kaduna accepted the same person as administrator of her rich *vakuf*. We do not know with certainty who managed Aiša's *vakuf* while she was still alive, but we do know that she planned that duty to be shouldered by her husband if she should die before him. Aiša laid down the condition that, upon her death, one *akçe* per day should be given to her husband Hajji Hasan "when he manages the *vakuf* as is his duty." After Hajji Hasan's death, according to the benefactress's stipulation, a judge would appoint a new administrator.⁸⁷ These provisions give rise to the idea that Aiša might have managed the *vakuf* herself during her lifetime, but this is only speculation on our part.

We can see from some other examples that women did, indeed, manage *vakufs*. One such example is found in the 1604 *Defter*, where it is recorded that the sisters Hanifa, Emiršaha, and Merdžana having founded a joint *vakuf*, they determined that "Emiršaha shall be the administrator, and, upon her death, they should act in accordance with the provisions in the *vakufnama*."⁸⁸ Unfortunately, these benefactresses' *vakufnama* is not extant, so that we do not know for whom the position was intended after Emiršaha's death. However, even this short record in the *Defter* shows that after founding a *vakuf*, a woman could continue to take

care of the institution's management. As regards this *vakuf*, it is interesting to note that while it was joined to the endowment of these benefactresses' father, its management was not transferred to the administrator of their father's endowment, nor, for example, to the administrator of the endowment of their brother Mehmed Čelebi. Emiršaha seems to have managed only the property endowed by herself and her sisters—at least the *Defter* testifies that she was appointed to that duty.

Another woman named Hafa performed the duty of administrator of the *vakuf* founded by her father, Musa Čelebi. We learn this from a document [*hüccet/hujjat*] dated 1563 and copied into the court records.⁸⁹ According to that document, Hafa's sister Fatima and brother Mehmed thought that certain rights to manage their father's endowment also belonged to them, and went to court to claim them. After the court hearing, it was established that Hafa had actually been appointed administrator of her father's *vakuf* consisting of a primary school, and that she had been discharging the duty correctly for seven years. By the court's ruling, she was to continue performing that duty. We know nothing about this sixteenth-century family beyond the information recorded in the court document; the reason for the benefactor's decision to entrust one of his daughters with the duty of administrator even though he had a son will remain unknown.

Female descendents did sometimes take over the management of a family *vakuf* when there were no male descendents to carry out the duty, and examples from some other *vakufs* show that this was the practice in Bosnia too. We find evidence of the practice even in the 1604 *Defter*, in a record concerning the benefactor Hajji Mehmed, son of Sinan. This person had a *mescid* and a small school built in Sarajevo, and entrusted all the services of the endowment to his sons and then to their best-qualified sons. In addition, if his male descendents died out, these duties were to be entrusted to his female descendents.⁹⁰ In Fatima Ašida's *vakufnama*, we read that she appointed Mustafa Efendi, son of Ahmed Efendi, as administrator. Upon his death, the duty was to be transferred to his male descendents; if there were no males among his descendents, then according to the benefactress's provisions, the duty of administrator should be transferred to Mustafa's female descendents, from generation to generation (*ve ma'âzallahü ta'âla münkarız olursa mûmâ ileyh Mustafâ efendinin evlâd-ı inâsi batnen ba'de batnin mütevellî olalar*).⁹¹

The supervisor of the management of a *vakuf* had fewer duties and less work than the administrator, and accordingly he was given a smaller salary. In smaller *vakufs*—those joined to a larger endowment—the person performing that duty in the larger *vakuf* could be appointed supervisor of the smaller ones. This is why a supervisor was not directly appointed in some *vakufnamas*, while the appointment of an administrator was not omitted.

When a supervisor was appointed, it was necessary to provide for his salary, and that meant higher expenses that might constitute a burden for a *vakuf* with limited funds. This may be exactly the reason why Đulizar Hatun entrusted the duty of supervisor collectively to all the people coming on a regular basis to pray in the *mescid* to which she had joined her own *vakuf*, founded with the modest

sum of 1,300 akçe.⁹² On the other hand, although Sinan Beg, founder of a rich endowment, certainly did not have to worry about limiting expenses, he still left the duty of supervisor of his endowment to his sons, grandsons, freed slaves, and relatives, from generation to generation, setting the condition that they should perform this function without a fee. As Sinan Beg's *vakufnama* also contains the document establishing the endowment of his wife Šemsa Kaduna, who had accepted the person managing her husband's endowment as the administrator of her own, Sinan Beg's condition concerning the supervisor also related to Šemsa Kaduna's *vakuf*. In any case, in the part of the *vakufnama* related to Šemsa Kaduna's endowment, there is no mention of a supervisor's services.

In founding her rich endowment, Shahdidar envisaged the services of a supervisor, and the salary for his services was to be one akçe. We can read in the *vakufnama* that Shahdidar herself took on that duty: *wa šaratat an-nazārata li naṣfiḥā an-naṣṣati mā dāmat fī hayātihā*.⁹³ Here, the benefactress set the condition that after her death, the duty should be taken over by the supervisor of the endowment of her husband, Husrev Beg, just as she determined that the service of the administrator should also be taken over by the administrator of Husrev Beg's endowment after the death of Sinanudin Yusuf Voivoda, whom she had appointed to her endowment.⁹⁴ The *vakufnama* mentions Shahdidar's condition that, when lending money from her endowment, the administrator should act with the knowledge of the supervisor, suggesting that she, as supervisor, actively participated in the management of her *vakuf*.

Shahdidar's example is not unique in showing that women took on the duty of *vakuf* supervisor. We find further evidence in a text relating that Murad the tailor had endowed 3,600 akçe for a *vakuf*. The benefactor had appointed the administrator of his endowment, and the court subsequently appointed Aiša, daughter of the late Murad the tailor, as the administrator's supervisor, stipulating that "the aforementioned administrator is not to pay out nor receive any money without her knowledge. Recorded in 1565."⁹⁵

Conclusion

We can only offer a general study of the women who founded pious endowments in the early period of Ottoman Bosnia, for we face the problem of missing or insufficient sources. The further back we go, the smaller the number of preserved sources. For this reason, the present study is based on a relatively modest number of sources: the *Defter*—a comprehensive inventory of the Bosnian *Sancaḳ* from 1604—and several *vakufnamas*—court documents pertaining to the foundation of religious endowments. These sources offer us limited insight into the topic at hand, as a very small number of *vakufnamas* have been preserved from the first two centuries (the fifteenth and sixteenth) of Ottoman Bosnia, and the *Defter* contains only basic information on each endowment.

Since women are mentioned as benefactresses in both the *Defter* and the *vakufnamas*, it is clear that they participated in the social life of the community through the founding of endowments. This implies that women in Bosnia during

the first centuries of Ottoman rule owned property and disposed of it independently, some donating their property to charity: they could freely go to court with the intention of establishing a foundation.

As in a number of other cases uncovered by researchers, in the first centuries of Ottoman Bosnia too women founded *vakufs* mostly with cash assets. The number of those who endowed real estate is much smaller. The amounts women endowed varied, showing that endowments were founded by both wealthy and relatively modest women. The wealthy ones were related to men of high social status in their communities. By the end of the sixteenth century, the richest *vakufs* in the territory of Bosnia and Herzegovina were founded by Shahdidar and Šemsa Kaduna. The former had been the wife of the Bosnian governor Husrev Beg, the greatest benefactor of the city of Sarajevo; the latter had been the sister of Mehmed Pasha Sokolović, the Bosnian-born Ottoman grand vezir.

Within her Sarajevo endowment, Shahdidar built a primary school and a *mescid* known to have existed until the nineteenth century. All the other women about whom we found information in the aforementioned sources joined their endowments to larger ones. Šemsa Kaduna did so by joining her rich monetary endowment (80,000 *akçe*) to the one founded by her husband. The amount donated by Hatidža Hatun was also considerably higher than the donations from other women (15,016 *akçe*); she too joined her endowment to the larger one established by her husband.

The most common amount we have encountered as the capital sum in women's *vakufs* is 3,000 *akçe*—also the most common amount in men's monetary *vakufs* of the period. Unfortunately, we do not know much about the status of the women who founded *vakufs* of this value. We can see that some of them belonged to families in which some other members—fathers, brothers, or husbands—were also benefactors. These women joined their *vakufs* to the ones founded by their relatives.

However, the number of benefactresses about whom we know nothing save their names—such as Đulizar Hatun, Hanifa Hatun, Kadriya Hatun, and Shehsuvar Hatun—is quite significant. In some cases, the names or professions of their husbands were recorded alongside their own names, but as there is often no title that would indicate the social status of their husbands, it is likely that they were of humble origin. If our hypothesis is correct, then women of modest means also willingly donated their property to charity. The question that poses itself in connection with the women whose husbands are known is whether or not they donated their property to religious endowments independently of their husbands. If the name of the benefactor Shahdidar is registered in the *Dester* specifically as the wife of the “late” Husrev Beg, can we assume that Hajji Kemal, the tailor Iskender, or the confectioner were alive when their wives founded their *vakufs*? If so, then women acted independently of their husbands when making the decision to found *vakufs*.

Our modest research has also shown that women in the period under study took care of the management of *vakufs* as administrators or supervisors. Of course we

are speaking of *vakufs* that they had founded themselves, or of those founded by their own fathers. Women certainly did sometimes decide to perform the duties of administrator or supervisor in their own *vakufs*. In the case of parental *vakufs*, the appointment was probably made by the benefactor. Thus a court found that the appointment of Hafa Hatun, who managed her father's *vakuf*, had been valid. Aiša, daughter of the tailor Murad, became the supervisor of her father's *vakuf* when, upon his death, the court entrusted her with the duty. Nevertheless, it will remain unknown if that was the court's decision or her father's instructions in his will. As far as the research reported here is concerned, many questions remain open and to answer them would require more comprehensive research. Deeper insight into the topic, at least into the later centuries of Ottoman Bosnia, could be gained through the analysis of existing *vakufnamas*. We endeavored here to point in that direction by reviewing two specific *vakufnamas*, one from the seventeenth century, and the other from the nineteenth.

Notes

1. The word *vakf* comes from the Arabic *waqafa*, meaning "halt" or "suspension." Such a property is excluded from trade and becomes the financial basis of an endowment. Proceeds yielded within the endowment are appropriated exclusively for charity. In modern Turkish, endowments are denoted by the word *vakıf*. In Bosnian, the word *vakuf* has been retained and denotes an endowment founded during the period when the territory of today's Bosnia and Herzegovina made up part of the Ottoman Empire, i.e. an endowment founded in accordance with Islamic legal principles. Therefore, we will use the word *vakuf* herein.
2. Balagija 1933: 8.
3. The ability to dispose of property is defined as follows: the bequeather must not be under guardianship; must be of age, and of sound mind; must not have been proclaimed prodigal by a court; and must not be bankrupt. (Ibid., 8–9.)
4. Ibid., 9–10.
5. Ibid., 5–7.
6. For other studies on the role of Ottoman women in the establishment and administration of pious endowments, see e.g. Baer 1983; Duran 1990; Fay 1997; Meriwether 1997; Singer 2002: 71–98; and Deguilhem 2003.
7. The *Defter-i Mufassal-i Liva-i Bosna* is kept in the *Kuyûd-i Kadîme* series at the General Directorate of the State Land Registry and Land-Ownership Records of the Republic of Turkey in Ankara (T.C. Tapu ve Kadastro Genel Müdürlüğü). The *Defter* was written in three large volumes and is registered under the following numbers: Volume I: 477; Volume II: 478; Volume III: 479. (*Opširni popis*, "Uvod," xxiii). The translation of the *Defter* into Bosnian is in four volumes produced by Adem Handžić (Volumes I/1 and I/2), Amina Kupusović (Volume II), and Snježana Buzov (Volume III). In this paper, we used this translation.

8. In the translation of the *Defter*, the list of endowments is in Volume I/2: 481–511.
9. There is a growing literature on Ottoman women's access to the courts. See e.g. Jennings 1975; Tucker 1998; Peirce 2003.
10. *Opširni popis*, 499–500.
11. In Ottoman: *mahalle-i mescid-i zevce-i Gazi Hüsrev Beg*. (*Opširni popis*, I/2: 5, No. 16.)
12. Gazi Husrev Beg was the governor of the Bosnian *Sancak*—with short interruptions—from 1521 until his death in 1541. He founded a large endowment within which he commissioned several buildings. For centuries, those buildings served sacred, cultural-educational, social, and economic functions. Still today the name of this great benefactor is mentioned on a daily basis in the names of his endowment buildings. In Sarajevo, the Gazi Husrev Beg Library still stands, with a rich collection of manuscript materials from the Ottoman period. That library will often be referred to in this paper. It was founded next to the Gazi Husrev Beg *medrese*, whose building has been preserved to the present day. Next to it is the Gazi Husrev Beg mosque, and by the mosque is an *imaret* (public charitable kitchen) and a *bezistan* (a shopping centre); a short distance away is the Gazi Husrev Beg *hamam* (public bath). Some of these buildings still serve their original functions, while others are used for different purposes. The *medrese* building is used as an exhibition hall, and today the *hamam* building constitutes part of the Bosnian Institute complex. The *vakuf* founded by Gazi Husrev Beg is registered in the 1604 *Defter*. (*Opširni popis*, 492–95.)
13. Gadžo-Kasumović 2003: 41–83. This paper gives a description of a total of 87 *sicils*, which is the number in the possession of the Gazi Husrev Beg Library in Sarajevo, with short descriptions of their contents. As the author notes, the majority of these *sicils* record cases referring to Sarajevo.
14. Spaho 1985: 47–60.
15. The Arabic text is from *Sicil* No. 1 at the Gazi Husrev Beg Library in Sarajevo. The page and line numbers are given in parentheses; here, page 38, line 17. Other parts of the text of this *vakufnama* are similarly identified. Note that all the pages in this *sicil* are numbered.
16. The dating of the *vakufnama* copied in *Sicil* No. 1 is aided by the fact that these court records refer to the years 1551–52, which corresponds to 959 in the Muslim calendar. (See Gadžo-Kasumović 2003: 46.) This provides a *terminus ante quem* for the *vakufnama*.
17. Interestingly, the key piece of information that helped Spaho establish the identity of the benefactress of the nameless *vakufnama* was contained in the 1604 *Defter*. At the time Spaho was translating the *vakufnama*, a photocopy of the *Defter* was present in the archives of the Institute for Oriental Studies under number fo 203/8, copied from the original at the Tapu ve Kadastro, Ankara, TD No. 477. (Spaho 1985: 75). The translation of the 1604 *Defter* into Bosnian was based upon that photocopy.

18. Mujezinović 1974: 291.
19. Čar-Drnda 2004: 275.
20. One of the sources is *Ljetopis* [Chronicle], written by Mula Mustafa Bašeskija in the second half of the eighteenth century. Dudi Bula's mosque is mentioned there on page 96a, entry No. 7. (Our reading.) Another source is Court Record No. 40. These records refer to the years 1800–1801, and a record of Dudi Bula's mosque is on page 143 therein. (Mujezinović 1974: 291.)
21. *Ibid.*, 291.
22. The *mescid* was torn down in 1879. (*Ibid.*, 333.) Unfortunately, we have not come across any data on the school built by Shahdidar.
23. In 1927, it was transformed into a housing unit. (*Ibid.*, 291.)
24. Kemura 1910: 357.
25. We have reliable information that in 1814, a benefactor from the quarter around this *mescid* endowed assets for the purpose of repairing it. (*Ibid.*, 357–58.) Kemura provides the information that the *vakufnama* testifying to this endowment is recorded on page 170 in *Sicil* No. 55. This *sicil* is preserved in the Gazi Husrev Beg Library archive material collection.
26. Mujezinović 1974: 291.
27. With each endowment, the *Defter* records the name of its benefactor, the amount of funds the founder endowed, the purpose of the funds, and an itemized list of expenses as stipulated by the founder. If the benefactor founded a *vakuf* with the intention of joining it to another—larger—*vakuf*, that was recorded in the *Defter* as an addition to the larger *vakuf*. For smaller *vakufs* too, the name of the benefactor, the amount of the funds bequeathed, and their purpose were recorded. According to the *Defter*, all the *vakufs* to which smaller ones were joined contained a *mescid*, and many of them a school as well.
28. *Opširni popis*, 500–501.
29. We do not know with certainty when Havadž Kemal's *mescid* was built. It is first mentioned in a source dating from 1515. This source describes it as one of the most beautiful buildings of the kind in Sarajevo. (Mujezinović 1974: 183.)
30. *Opširni popis*, 501.
31. It is worth noting that all three benefactors are mentioned in an even older *defter*, this one referring to the year 1565. (Čar-Drnda 2004: 273.)
32. See *Opširni popis*, 496.
33. A *mescid*—and later a mosque—named after Havadž Kemal existed in Sarajevo until the twentieth century. Some information about this benefactor's endowment is in Kemura 1910: 337–51. Kemura presents facsimiles and a translation into Bosnian of several documents referring to it. One of the documents is the sultan's *berat* (decree), written in Istanbul in 1772, concerning the reconstruction of Havadž Kemal's *mescid* after a fire. Another document is a financial report from 1794 on the management of the affairs of Havadž Kemal's endowment submitted by its administrator [*mütevelli/mutawalli*]. Finally, Kemura gives a number of *vakufnamas* from later centuries—the

- eighteenth and the nineteenth—about endowments that were joined to this one. Kemura’s book also contains a newspaper article pointing to the need “to restore Kemaludin’s mosque [i.e. Havadže Kemal’s *mescid*—K.F.] as one of the oldest in Sarajevo.” The article, which was published on 21 September 1933 in *Jugoslavenski list* was cut out and pasted onto a white sheet following page 351 in Kemura’s book. Havadže Kemal’s mosque was torn down in July 1940. (See Mujezinović 1974: 185.)
34. *Opširni popis*, 490.
 35. Havadže Durak founded a *vakuf* to build a *mescid* in Sarajevo. Sources testify that the *mescid* was built prior to 1528. (Mujezinović 1974: 277.) Havadže Durak’s mosque still stands in the centre of old Sarajevo.
 36. *Opširni popis*, 490; also Mujezinović 1974: 277.
 37. *Opširni popis*, 490. The literature provides various details as to when Keke Sinan’s *mescid* was built. The more reliable information appears to be that “a man known by the nickname of Keke Sinan” founded an endowment and had a *mescid* built in Sarajevo in 1515. (See Mujezinović 1974: 204.)
 38. A benefactress named Fatma is mentioned in a document—a promissory note—as follows: “The debtor Halil, son of Mehmed from the Keke Sinan quarter, borrowed from Fatma’s fund 3,600 *akçe* in 1565, for a period of one year. The guarantor for the loan is Abdija, son of Mehmed from the Keke Sinan quarter. This loan was arranged through Hodža Sinan, *imam*.” (Kemura 1910: 138.) As this document quotes the year 1565, the Keke Sinan quarter, and the benefactress Fatma, it probably refers to the aforementioned endowment recorded in the 1604 *Defter*.
 39. *Opširni popis*, 487. Hajji Eynehan’s *vakuf* comprised a *mescid* that was built prior to 1528 and was located in the Vratnik quarter of Sarajevo. (Čar-Drnda 2004: 267–94.)
 40. Gazić 1985: 131–33.
 41. *Ibid.*
 42. *Ibid.*, 133.
 43. *Opširni popis*, 496.
 44. *Ibid.*
 45. *Ibid.*, 487–88.
 46. *Ibid.*, 499.
 47. *Ibid.*, 484.
 48. Kemura 1910: 118. Yakub Pasha excelled as an army leader, and is therefore mentioned as an important personality in the Ottoman Empire. He was Bosnian-born, and served for a time as grand vezir. (See Mujezinović 1974: 89.)
 49. *Opširni popis*, 484. Despite the cruel fate that struck Yakub Pasha’s *mescid* back in the sixteenth century, the building survived until the twentieth; it was torn down in 1936. (Mujezinović 1974: 89.)
 50. *Opširni popis*, 483.
 51. *Ibid.*

52. Ibid., 498.
53. Ibid.
54. Kemura 1910: 264–65; Mujezinović 1974: 331.
55. Ibid., 497.
56. Mujezinović 1974: 331.
57. Ibid., 332.
58. Gazić 1985: 130.
59. Ibid., 133.
60. Ibid.
61. The *vakufnama* containing information on Šemse Kaduna's endowment mentions that she was the sister of Mehmed Pasha, grand vezir to three great rulers—Sultans Süleyman I, Selim II, and Murad III. (Trako 1985: 211.)
62. This long *vakufnama* was translated from Ottoman Turkish into Bosnian by Salih Trako (Trako 1985: 193–215.)
63. Sanjakbeg Sinan Beg was one of the greatest benefactors in Bosnia. He established a large endowment comprising several *mescids*, schools, and charitable facilities throughout the land.
64. *Sicil* No.1, f. 40, line 20.
65. The date of construction of this *mescid* has not been reliably established, but it is assumed it was after 1540 and prior to 1556. (Mujezinović 1974: 333.)
66. Spaho 1985: 80.
67. Ibid., n. 23.
68. Ibid., 78.
69. Ibid., 50.
70. Fajić 1978: 245–302. The *vakufnamas* were preserved by being copied between 1884 and 1945 in three separate books, kept today in the Gazi Husrev Beg Library under the common name *Sidžil Vakufnama*.
71. As might be expected, the largest number of *vakufnamas* copied here belong to recent times, the nineteenth and twentieth centuries. Only 3 *vakufnamas* from the fifteenth century have been preserved, 26 from each of the sixteenth and seventeenth, and 87 from the eighteenth.
72. Nametak 1996: 363–66. This *vakufnama* was translated into Bosnian according to the transcript found in the *Sidžil Vakufnama*, Book 1, page 233, as recorded in Fajić 1978: 265.
73. The *vakufnama* of Fatima Ašida, daughter of Vejsel Aga, was copied in Book 1 of *Sidžil Vakufnama*, page 386. (Fajić 1978: 279.) Fajić notes that the *vakufnama*'s original copy was also preserved, but he does not say where. Through a combination of circumstances, I saw the original when a family asked that the document be translated into Bosnian. In this paper, I therefore quote the text from the original manuscript of the *vakufnama*, presenting it to the scholarly public for the first time.
74. Gazić 1985: 131.
75. *Opširni popis*, 498.
76. Ibid., 484.

77. Ibid., 496.
78. The document on Seyda's *vakuf* was copied in *Sicil* No. 2 in the Gazi Husrev Beg Library, and published in facsimile and Bosnian translation in *Kemura* 1910: 220.
79. *Opširni popis*, 501.
80. Elsewhere in the *Defter* it is written that Sheykh Yunus Efendi was the chief official at the Havadže Kemal *mescid* (*Opširni popis*, 500), to which Hanifa joined her *vakuf*. Here we must mention that the benefactress did not stipulate a salary for the position of *imam*, but rather for a particular man who did indeed perform that duty. The fact that she put a condition that the salary and duties be transferred to that man's children, without mentioning their possible service, shows that her stipulation was intended to benefit a particular person.
81. *Vakufnama* of Fatime Ašide, lines 29–31. (Our reading from the original manuscript.)
82. Balagija 1933: 12.
83. *Kemura* 1910: 199.
84. Gazić 1985: 132, 133.
85. Trako 1985: 208.
86. Ibid., 200.
87. Nametak 1996: 364.
88. *Opširni popis*, 490.
89. Mujić 1985: 141–43.
90. *Opširni popis*, 497.
91. *Vakufnama* of Fatime Ašide, line 38. (Our reading from the original manuscript.)
92. *Opširni popis*, 498.
93. *Sicil* No. 1, f. 40, line 20.
94. Ibid., lines 18–21.
95. *Kemura* 1910: 263–64. As the author notes, this is the text of a document entered into *Sicil* No. 2.

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Jewish Tobacco Workers in Salonika: Gender and Family in the Context of Social and Ethnic Strife

Gila Hadar

Salonika, the largest city of Macedonia, is situated in the northern part of modern Greece.¹ An administrative and commercial center for centuries, Salonika² became one of the main sites of settlement for the Sephardic Jews who were expelled from the Iberian Peninsula at the end of the fifteenth century (1492–97) and subsequently became the largest and most dominant element of the city's population.³ They were primarily involved in commercial and industrial activities, and were highly stratified in different classes, professions, and income groups. Culturally, the Jewish community developed its own distinct traditions in terms of family values, religious rituals, language (Ladino⁴), literature, customs, and habits of everyday life.

In the nineteenth century and at the beginning of the twentieth, the city of Salonika witnessed far-reaching political, social, geopolitical, and demographic that influenced all its inhabitants. The various communities were influenced by Turkish and Hellenic nationalism, by socialist and communist ideologies, and by the development of modern capitalist industries.

One of the most remarkable phenomena in Salonika was the industrialization and modernization of the city and the contribution of wealthy Jewish, Greek, and Muslim entrepreneurs, together with European banks and businesses, to these processes. The tobacco industry was one of the largest industries in Macedonia and the Near East. The tobacco factories of Greek Macedonia employed approximately 20,000 workers. In Salonika, where the processing plants were located, 8,000 workers were employed, most of whom were young Jewish girls.⁵ Nonetheless, they are absent from the historical narrative of the city, the community, the family, and the working class.

In this article, I examine the process whereby gender, class, and ethnic identities were created among the female Jewish tobacco workers⁶ of Salonika, as well as their way of life and everyday activities; the ways that their entrance into the work force influenced how they conceived of themselves in the private and public

spheres; and the ways in which the outside world, the community, and the family related to the “princess” who broke into the public arena, took part in the events and social struggles of the time, and became part of the working community and the Socialist and Communist parties. I address how these processes were connected to issues of communal and ethnic/national interests in the Ottoman and post-Ottoman periods. Gender, class, and ethnicity are all emotionally laden issues, each of which contributes to the formation of identity and the sense of belonging. Yet throughout this period, we find that delineations of gender, class, and ethnicity crossed, merged, and even conflicted with one another. These various aspects are examined here in light of the theories of spatiality of Henri Lefebvre, David Sibley, and Juval Portugali, as well as the theories of the gendering of space of Shirley Ardener and others.⁷

The main source for this paper is the Sephardic Jewish press—newspapers and journals written in Ladino and published in Salonika from the end of the nineteenth century until 1941.

The Socialist Federation

Until the Young Turk Revolution (July 1908), trade unions and strikes were forbidden.⁸ After the revolution, rallying behind the Young Turk motto of “Liberty, Justice, Equality, Fraternity,” the workers demanded equality in everyday life as well as in the factory. In the liberal climate that followed the revolution, a type of cultural mass-production began among the different ethnic and national groups, particularly through the free press, serving to raise ethnic and national consciousness within their respective communities.⁹ The new regime permitted the establishment of trade unions and social organizations. “Everyone is eager to exploit the opportunities which freedom has opened up to them. Everyone is establishing trade unions and associations that until now have been prohibited by the authorities. The bakers, railroad workers, tailors, dock workers, shoemakers, sales clerks in the shops and the young girls in the textile mills and factories have all been on strike.”¹⁰

The umbrella organization of the workers was *La Federation Socialista*, which began to work openly immediately after the revolution.¹¹ The Federation was established in 1909 by a group of workers from all ethnic groups who were imbued with socialist ideals: Avraham Ben-Aroyah (Benaroya), Alberto Arditi, Samuel Amon (a tobacco worker), Angel Tomov, Dimitri Michalis, Salih Ben Abdi, Mehmet Nâzımî, Istiryo Nikopoulo, Dimitar Vlahof, and Jacques Ventura. The last two represented the Federation in the Turkish Parliament. At the same time, trade unions were formed along religious and ethnic lines. These unions participated in the struggle for better working conditions and higher wages. The organ of the Socialist Federation was *Journal del Lavorador (Laborador)*. It was published in four languages: Ladino, Turkish, Bulgarian, and Greek. Later, due to problems with the censor, the name was changed to *La Solidaridad Ovradera, La Solidarite Ovradera, and Avanti*.

Immediately following the Young Turk Revolution, strikes began in Salonika. The first strike in which tens of thousands of workers participated, including approximately 10,000 tobacco workers and 3–5,000 dockworkers, railroad workers, and bakers, was organized by the tobacco workers' trade union.¹² The tobacco workers were the first in the city to form a trade union that was part of the Socialist Federation. From the very first year of its establishment, female tobacco workers were part of the tobacco workers' organization, though they did not take part in its management, nor in committees that negotiated with employers.

Working Conditions

The participation of young girls in the work force was, in actuality, an extension of their domestic roles. Just like women who went to work as wet nurses, seamstresses, servants, and laundresses, in the eyes of the family and of the employers, tobacco work too was seen as an extension of women's household duties: sorting (of tobacco leaves), threading (of the leaves on strings), and hanging (the leaves to dry).¹⁴

Tobacco work was seasonal, and during times when tobacco was not being processed, the young girls worked as servants and laundresses in Jewish, Muslim, and Greek houses. The formation of the gender and class identities of these young Jewish working class girls took place in the private sphere of the home and—quite literally—on the floor of the factory. The word for “on the floor” in Ladino is *embasho*, which also means “below” and carries a certain negative connotation: in Ladino, the word *basho* means “inferior—without education or honor.” Just as floor scrubbing was done on one's knees, so the tobacco work was done while sitting on the factory floor (Figure 5.1).

Young girls aged 12–14 were sent to work as servants in wealthy homes. A Swedish tourist who visited the city in March 1900 wrote: “All the laundresses and maids, even in non-Jewish homes, are Jewish.”¹⁵

The principal reason for the entrance of young girls into the work force, besides the prevailing hunger and poverty, was the need to save money for a dowry, a prerequisite for marriage.¹⁶ The necessity of providing a dowry was the issue around which the life of any family that had been “cursed” with numerous daughters revolved. The equation was simple: a rich dowry meant a rich husband—a poor dowry, a poor husband—no dowry, no husband. It was estimated in 1910 that a young girl of the working class would need to work 10 to 15 years to save enough money for a dowry.¹⁷

The reputation of young Jewish girls for being industrious workers, together with the desire of tobacco companies to save on production costs and increase profit, led to the establishment of production lines relying upon the work of young Jewish women and girls. The management strategy of tobacco factories was based on the family. Companies preferred to employ single young girls who, because of their age and the communal and familial nature of Jewish society, were considered submissive and obedient, not “troublemakers.” The workers were not unknown to one another: fathers, mothers, daughters-in-law, sons-in-law, sisters,

brothers, cousins, and neighbors worked side by side in the drying and sorting halls, so that there was constant societal supervision over young girls. Both male and female workers worked principally in the sorting and packaging of the tobacco leaves according to size, hue, and quality. The workday lasted between 14 and 16 hours, and took place in dark and dry halls in order to preserve the quality of the tobacco leaves. Female workers sat on the floor either in circles or in lines, and at their feet lay piles of tobacco leaves to be sorted into baskets. Tobacco dust particles, carried in the air, penetrated their lungs and eyes and caused respiratory problems, lung infections, tuberculosis, eye infections, and chronic headaches, while sitting on the floor caused chronic backaches. In contrast to the textile industry, where the rapping noise of the looms made conversation impossible in the production hall, the task of sorting tobacco leaves was quiet in and of itself. This presented the young girls with a golden opportunity to converse about any possible subject, among others their romantic dreams about groom, house, and family—dreams that would never come true if the empty dowry chest was not filled up with household utensils, bedding, and attire suitable for a bride under the wedding canopy. Mixed into this stream of conversation were issues of social and political import: the difficult working conditions, long hours, and low wages, the discrepancy between the wages paid to males and females performing the same tasks, and their living conditions as compared to those of the young girls in the wealthy households where they worked when there was nothing to do in the tobacco factories. The older women, particularly widows who carried the sole financial burden of providing for their children, preferred to do domestic labor. Though wages for domestic labor were low, they were steady throughout the year and therefore provided more economic security.

As international demand for tobacco increased and tobacco prices rose, the local tobacco industry was able to offer higher wages than those customary in the mills and textile factories.¹⁸ The division of labor was according to gender. Men were employed as overseers, cutters, and porters, and they sorted the high-quality tobacco leaves—*baş balı*—whereas young girls picked the leaves from the fields (Figure 5.2) and sorted the lower-quality tobacco leaves—*basma*, *pastalçı*, *mirodatus*, and *kaba kolak*. Furthermore, in cases where both sexes performed the same task, female workers received from one third to one half of the men's wages. In one case, for example, men received 20–23 *kuruş* a day for cutting and sorting, whereas young Turkish girls received only 8–10 *kuruş* a day for the same task. Workers' wages were paid according to gender rather than according to task.¹⁹

Why did the tobacco industry provide the most fertile ground for the new socialist ideas, and why did tobacco workers, including young girls, form the most militant group of all the trade organizations—the one that led the socialist struggle in the city?

The answer lies in a combination of factors: the relatively large number of workers who labored under one roof,²⁰ the fact that the work was seasonal, allowing workers time for political and social organization, and the conditions under which tobacco leaves were sorted and stringed. Frequent strikes hurt the



Figure 5.1. A tobacco processing factory at the beginning of the twentieth century. Beth Hatefutsoth, Photography Archives, Tel Aviv. Greece, Salonika, 322/111.47.

factory owners' income and increased production expenses. Employers tried to crush workers' organizations and reduce production costs by several means. In 1910 there was even an attempt, through an appeal to the courts, to outlaw the tobacco trade union. The court complied with the demands of the factory owners, and in response the workers left the factories and laid siege to the courthouse.²¹

Another attempt by factory owners to increase production and break the Jewish trade union was to institute a seven-day work week. The Herzog factory, whose owners were Jewish and which employed 350 Jewish workers along with 30 Turks, Bulgarians, and Greeks, decided to continue production on the Sabbath. In response, the Jewish female workers went on strike, declaring that they refused to work in a factory that did not respect the holiness of the Sabbath.²²

As female workers were paid less than male workers and were considered more obedient, girls and young women were hired to replace the men in traditionally male positions in the factory, in an attempt to cut costs and optimize efficiency. This process of replacing male workers with female workers was part of an overall trend taking place in the tobacco industry throughout the Ottoman Empire, and which succeeded in particular in Bulgaria.²³

One of the excuses used for firing male workers and replacing them with female workers was "safeguarding the honor" of the female workers.²⁴ However, it was not "the honor" of female workers that prompted factory owners to invite



Figure 5.2. Six young women picking tobacco leaves under the supervision of the husband of one of them and his brother, c. 1920.
Courtesy of the Mattaraso Family, Haifa.

Rabbi Meir, Chief Rabbi of Salonika, to inspect the tobacco workshops in order to “investigate the claim” that Jewish girls were working alongside Jewish, Greek, and Muslim men in the same workshops. Rather, it was their desire to hire female workers for traditionally male positions and thus pay female wages. The trade union declared:

The demand to separate the sexes does not arise from the desire of the employers to safeguard the honor of their female employees. It is poverty which shames the male worker as it does the female worker. It is the Tobacco Worker’s Union that protects the honor of the workers, male and female alike.²⁵

The Rabbi inspected and found, to his relief, that in the girls’ workshops there were only female workers, and the only males who—infrequently—entered there were elderly men.²⁶ From a close inspection of the strikes that broke out at the tobacco plant of the Régie Cointeressée des Tabacs de l’Empire Ottoman, we can see an illustration of the tactics of replacing male with female workers. During the first strike that broke out at the factory in August 1908, 400 male workers and 400 female workers struck, most of whom were Jewish.²⁷ From March until the end of May 1911, 400 female workers and 90 male workers went out on strike at the Régie tobacco factory. They were joined by male and female workers from other tobacco factories such as Hasan Âkif, Keyazis Emin, and Herzog.²⁸ The workers demanded wage increases in accordance with the cost of living index, the hiring

of unionized workers, wages that would be paid according to hours worked rather than production quotas, and the shortening of the work day to 7–8 hours in the winter, and 10–11 hours in the summer:

The Jewish, Greek, and Turkish workers reorganized and decided on work hours. The men would work between 7:30 and 16:30 whereas the girls would work between 8:00 and 17:00. The workers would have two fifteen minute breaks during the day. There were different meal/rest times for men and women; the men would take a break when it suited them, whereas the women's break time was signaled by a bell.²⁹

One of the main demands during negotiations was that those jobs considered male tasks would not be appropriated to female workers, and that male workers would not sort tobacco leaves with the young girls. In this way, work would be assured for both male and female workers.³⁰ After long negotiations between workers' representatives and the employers, the strike ended. The wages of female workers were cut, whereas the value of male workers' wages was safeguarded. When the 400 female workers realized that their wages had been reduced, they insisted on continuing the negotiations by themselves; and when the employers refused to speak with them, the young girls called for a strike of their own. The male workers who reported to work found the factory gates locked: "The young girls are on strike and the men are in a lockout." As a sign of sympathy with the Régie factory, the owners of Hasan Âkif, Herzog, and Keyazis Emin also closed down their factories.³¹

The young girls' struggle for fair wages and working conditions sped up their integration into the socialist movement. Female tobacco workers were the first to establish a vocational sector of their own within the tobacco workers' union. This sector was established after the young girls proved their determination and their independence. Their struggles took place both in the factories and on the street, against both their employers and their "brethren" workers who, when it came to the issues of wages and "efficiency" lay-offs, did not hesitate to sacrifice their female counterparts. Each time the young girls felt that their employers or the workers' committees were treating them underhandedly, they called for a strike and took to the streets to demonstrate. Thus, the young girls who worked in the tobacco industry of Salonika became active members of the working class; on the floors of the tobacco factories they acquired an awareness of their rights as workers and, for a limited period of time (that is, until marriage), a new sense of self was formed—one that began to demand rights, to take a stand, and to make decisions not only on the factory floor but also within workers' organizations. By 1912, the factory owners could only dream of employing a young Jewish girl who was not a member of the trade union.³²

Changes in Space

As for the class struggle, its role in the production of space is a cardinal one in that this production is performed solely by classes, fractions of classes and groups representative of classes. Today more than ever, the class struggle is inscribed in space.³³

Henri Lefebvre

Historical sources show that, as in other Jewish communities, the Jewish woman of Salonika was not an independent entity but an inseparable part of the family. In the patriarchal family and society of Salonika, the life of the family, or, more exactly, the life of the women and children, was conducted not in accordance with official space and time—whether it be “government time” or “Jewish time”—but in terms of more internal, restricted dimensions. Besides the private/public dichotomy, other dichotomies existed in the areas of dress, language, and speech as well.

Female workers of the tobacco industry were the first to shatter the separation between the public and private spheres. Approximately 4,000 workers participated in the May First march of 1911—men, women, children, and their entire families. Speeches were delivered in four languages. Ninety-five percent of the participants were Jews, the rest being Bulgarians, Greeks, and Turks. Public space was converted into a political marketplace.

The march met with the disapproval of many, not only because of the social and political identity of the marchers, but also because for the first time, women and children had participated as well.³⁴ The events of May 1911, when thousands of male and female tobacco workers, along with their families, occupied and took charge of their own space, marked a new starting point.³⁵ Beyond the fact that the march was a show of workers’ strength, it was also seen as presenting a threat to public order. Whereas female workers demanding equal rights in the factories had only presented a problem for their employers, girls and young women marching in the streets presented a threat to the traditional order of society and to its institutions. As Lefebvre has argued, “The distinction between the within and the without is as important to the spatial realm as to that of politics. The critique of what happens within has no meaning except by reference to what exists ‘outside’ as possibility.”³⁶ One could summarize the situation, using an old Jewish adage, as: “The King’s daughter has stepped outside!”³⁷

In April 1913,³⁸ the female tobacco workers once more went on strike, and the male workers joined them. Until then, these young girls had had no say in the decisions taken by the workers’ committees; now they demanded to participate in the decision-making process.³⁹ On 20 February 1914, on the eve of one of the largest strikes, five hundred young girls participated in the Convention of Female Tobacco Workers, which addressed the issue of the place of women workers within trade unions.⁴⁰

The strike of 1913 had apparently settled the matter of gender relations within the tobacco workers' union. The young girls' participation in the various struggles and demonstrations and their demand for inclusion in the decision-making process proved "that the girls have the energy and discipline needed to wage battle."⁴¹

The Class Consciousness of Female Workers

Once men understood that the social and class struggle would not succeed without the participation of female workers, they encouraged them to organize and take part in the union's activities. The young girls internalized the concepts of class ideology and social equality both as workers and as women.⁴² Within the Jewish community of Salonika, a common expression was: "The most respectable woman is she who speaks little."⁴³ The fact that these young girls were speaking out and demanding equality and active participation illustrated a change in their consciousness. They now used their voice and participated in discussions that were both political and public. The female tobacco workers possessed both an ideology, and the words to express it. For example, Orico Baruch, Miriam Sasbone, Esterina Kovo, Riketa Filo, Matilda Ashkenazi, Sonhola Algava, and others donated money to the strikers' fund, proclaiming: "Down with scabs! Long live the true unionists!"⁴⁴ Not all the young girls took an active part in the political activities of the Socialist-Communist Party⁴⁵ and in the struggles within the factories. They admired the courage of spirit and the actions of those who did participate, but shied away from them for fear of losing their jobs.⁴⁶

There was a small core of young girls who, with the encouragement of members of their families who were themselves active in the Party and the unions, led the rest of the girls and urged them to take part in the strikes, demonstrations, and assemblies: "There is no shame in coming to the workers' club. Shame is remaining enslaved. ... There is no shame in forming a trade union. Shame is being without a union and allowing the patrons to suck our blood!"⁴⁷ "The Union is Power."⁴⁸

These young Jewish girls looked toward Europe as their model: "Girls, prepare yourselves! Fellow female workers wake up from your deadening slumber; prepare yourselves for the new life! Why aren't we looking towards our sisters in Europe? They take part in everything that happens in the workers' movement and even demand their right to be elected as representatives. And we?"⁴⁹

In 1913, at an evening organized by the Socialist Party, one of the men read a monologue written by the Italian revolutionary author Ida Negri, a socialist Jewish woman, and one of the young girls spoke in support of the women taking to the streets to fight for their rights, side by side with the men.⁵⁰

However, the militant stance of the female tobacco workers remained limited to the field of work relations, expressed in the factories and on the streets. The female workers of Salonika did not succeed in attaining the same achievements as their socialist sisters in western Europe. In particular, they did not succeed in implementing the power of women's solidarity—which they presented toward their employers and their fellow male workers—within the house and the family.

Ethnic Strife within Class Conflict

In their attempts to break the lines of solidarity of the tobacco workers' organization, and in their endeavors toward decreasing production costs, employers exploited the ethnic differences among the workers. After the incorporation of the city into Greece in October 1912, the strikes and demonstrations in which workers took part had repercussions within spheres beyond those of class and gender. Relations between the Jews, Greeks, and Muslims of the city were greatly disturbed. It would appear that a number of Muslim factory owners felt the new political reality held new possibilities for breaking the tobacco trade union, the majority of whose members were Jewish.

In December 1912, the tobacco company of Hasan Âkif, under Muslim (*Dönme*⁵¹) ownership, decided to end the employment of Jewish workers, men and young girls alike, and proclaimed that from that day on, the company would hire only Greeks.⁵² This tactic, however, did not succeed, as Greek and Turkish workers supported their Jewish counterparts.⁵³ The support of Greek and Turkish workers for the class struggle was also expressed in their donations to the strike fund of the Socialist Federation. Ambel İsa, a Turkish yoghurt vendor, donated to the fund, declaring "To the Class Struggle!"⁵⁴ Istiryo Nikopoulos, a Greek tobacco worker from the Régie factory, made a donation to the fund as well, while Jewish workers donated proclaiming "Ethnic propaganda will not succeed."⁵⁵

After the employers' attempt to replace their male workers with female workers failed, and they discovered that the presumably compliant female workers were precisely those who were involved in organizing the workers and stood at the forefront of the strikes, they tried to replace the Jewish female workers who were unionized with Turkish and non-union Jewish female workers. In an attempt to by-pass the strikers who had congregated at the gates of the factory in order to deny entrance to non-union Jewish female workers, the employers disguised these latter in Turkish garb (*ferâce*), complete with veils covering their faces.⁵⁶ This attempt failed, however, as the striking Jewish girls revealed the true identity of the disguised workers and formed committees to consolidate the loyalty of all female workers. During the Great Tobacco Strike of 1914, the Jewish girls once again uncovered the faces of the strikebreakers. Only this time they discovered that behind the veils were not disguised Jewish girls but Muslim girls who had come to Salonika from villages where the tobacco was grown. They were not organized in a union, did the men's work of sorting, and worked for a pittance and a loaf of bread.⁵⁷ In the heat of defending their place of work, their wages, the very sustenance of their families, and their hopes for the future, the Jewish female tobacco workers ripped the veils off the faces of the Muslim girls. Nine Jewish girls were arrested by the police for the crime of offending the religious sensitivities of the Muslim workers.⁵⁸ In response to these events and to an article in the Turkish newspaper *Yeni Asır* [New Age], which was published in Salonika, Chief Rabbi Meir summoned representatives of the employers and of the Socialist Federation and implored them to calm the situation. At the same time, Rabbi Meir

wrote an article for the newspapers in which he denounced the actions of the young Jewish girls.

The conflict that arose between the Jewish and Greek workers organized in their separate unions on the one hand, and the hungry Muslim female workers on the other, acquired a religious and national character. The strikes and demonstrations that took place in the midst of the crisis of the First World War deeply disturbed the relations between the Jews, Muslims, and Greeks of the city. The positive relationship between the Jewish and Muslim communities, who had shared a sense of being “the outsider” and of alienation as a result of the annexation of their birthplace by Greece, was now damaged, while a spirit of patriotism surged among the Greek population. The strike hurt the principal export of Macedonia—tobacco—and consequently the income of the Greek government. The Greek newspapers *Nea Alithya* [*Νέα Αλήθεια*, “The New Truth”] and *Macedonia* [*Μακεδονία*], referred to the striking Greek workers as “Greek patriots.” However, the Jewish workers, who protested in the streets carrying red flags and wearing the fez⁵⁹ associated with Ottoman rule, were accused of attempting to incite the workers of the city in an effort to sabotage Greece’s endeavor to gain the approval of the League of Nations for the annexation of Salonika.⁶⁰

A Socialist Popular Culture

Collective cognitive maps are inter-subjective in the sense that members of the same cultural, economic, ethnic ... group, or people living in the same neighborhood, share similar cognitive maps.⁶¹

Juval Portugali

The need for cultural expressions separate from those of the Jewish, Greek, and Turkish bourgeoisie can be seen by inspection of the social meeting places of the working class. Throughout the period discussed in this article, the promenade along the beach and the coffeehouses near the White Tower were the locales of choice for the leisure of the Jewish, Greek, and Turkish middle-classes. Attending to the many who came to enjoy the breeze off the sea, the magnificent sunsets, and the “Parisian” atmosphere were coffeehouses with names bearing ethnic associations such as *Nea Hellas* [*Νέα Ελλάδα*, The New Greece], *Eptanisis* [*Επτάνησος*, The Seven Islands],⁶² *Olympos* [*Όλυμπος*, Olympus], *Anadolu* [Anatolia], *La Turquie* [Turkey], and others.⁶³ Though it might be argued that the patrons of coffeehouses did not necessarily place any importance on the names of these establishments, we see that socialists preferred to sit at the café *El Amaneser* [in Ladino, The Dawn], *El Muevo Mundo* [in Ladino, The New World], *Café International*, and *Café Cristal*,⁶⁴ situated in the northwest of the city near Yeni Kapı [in Turkish, The New Gate], adjacent to their neighborhoods and the tobacco factories. In short, the names and locations of the coffeehouses suggest that different groups lived in the same territory and shared the same space, but at the same time operated in different cognitive environments.

The class consciousness of the young girls was formulated on the floors of the production halls and then strengthened in the neighborhood. Most of the workers lived in close proximity to the factories near the Vardar Gate and in the neighborhoods of Baron Hirsch and Régie Vardar (so named because of its proximity to the Régie tobacco factories). The family was an inseparable part of the work experience, the neighborhood, and the social struggle. The leaders of the Tobacco Workers' Union understood that they would not reach their goals by addressing only the workers' issues of working conditions, wages, and the participation of female workers; rather, they needed to appeal first and foremost to the family as a whole and to rally its support for the organization, its goals, and the struggle. The demand for better working conditions and higher wages was part of a larger social demand for improved living conditions in working-class neighborhoods in order to make their "slums of despair" into "slums of hope."⁶⁵ The family as a whole was considered to be within the framework of the long-range plans of the union; the entire family participated in First of May celebrations and in the excursions, dances, and picnics that were organized. Donations and food packages were collected and distributed to the families of striking workers.⁶⁶ Sports teams were organized and competitions were held between the teams of different unions, public libraries were opened,⁶⁷ and evening classes were arranged where the young girls of the tobacco factories taught their tired mothers how to read and write in Ladino (with Hebrew letters); Greek, history, and health care were also taught.⁶⁸ Dances were popular events, and those organized by the Socialist Movement took place in a number of dancing schools that supported and made donations to the workers' struggle, such as the *Karı Bazar* dancing school and *Café Havuzlu*.⁶⁹ Even at the dances organized by the Jewish community, class hierarchy was maintained and bourgeois women would not be seen dancing with working class men.⁷⁰

The cultural association *De Grupo Dramatiko*, which performed in Ladino, was part of the socialist movement. Its theatre performances had a political and an educational agenda. Right from its early beginnings, *De Grupo Dramatiko* deliberately engaged in a politics of representation that attempted to develop an alternative base of political power within the neighborhood. This organization played a crucial role in the creation and shaping of the social and political spaces and identities where city and Jewish community policies were negotiated and contested.

The tobacco workers, experienced in conflict from the factories, were also struggling with the tensions between fulfilling their expected roles as wife and mother, on the one hand, and, on the other, their desire to emulate the female heroes of the working class such as "Therese Rakin," "Madlene," "Ana Maslovena," and "Mishlin," the sister of the worker "Gilbert" in Octave Mirbeau's play *The Socialist Holiday*,⁷¹ which gave encouragement to the workers of both sexes in their hour of crisis. Every play that was performed relayed a clear socialist message.

The Female Tobacco Workers in the Eyes of the Bourgeoisie

In the aftermath of the great fire of 1917, the Greek government saw an opportunity to transform the cityscape and revive its ancient Byzantine and Hellenic character.⁷² A new spatial geography was shaped, based upon the exchange value of space and social divisions. The proletariat remained in the deteriorated districts, and were pushed out of the center toward the outskirts.⁷³

The homes of the tobacco workers and of the urban proletariat, the factories themselves, and the public houses were all situated within an area called the Bara. This area included the streets of *Irinis* [Ειρήνης], *Afroditis*, [Αφροδίτης], *Prometheus* [Προμηθέως], *Odysseus* [Οδυσσέως], *Tantalo* [Ταντάλου],⁷⁴ and *Bacchus* [Βάκχου], and was designated by the city as both industrial and adult entertainment zones.

This double process of industrialization and “purification” has been discussed by Henri Lefebvre,⁷⁵ and is described as follows by David Sibley in his *The Geographics of Exclusion*:

Nineteenth-century schemes to reshape the city could thus be seen as a process of purification, designed to exclude groups variously identified as polluting—the poor in general, the residual working class, racial minorities, prostitutes and so on.⁷⁶

The proximity of the tobacco workers to the brothels led to the identification by the middle class of the young girl tobacco workers with prostitutes (Figure 5.3). In a 1920 article in the newspaper *El Kulevro* [The Snake], one writer complains:

We ask the Jewish representatives, “Why do you allow the ‘good girls’ to remain in the old quarter rather than send them away? Don’t the authorities know that decent people live in the Bara? Is it fair to leave these ‘fine ladies’ together with decent young women?”⁷⁷

Another reason for the association of the female tobacco workers with prostitutes was their attire. Older girls who worked in the tobacco factories would dress up their younger sisters—sometimes only eight or nine years old—in high-heeled shoes and brassieres padded with rags or cotton wool. They also used make-up on them in an attempt to make them look older, so that they would get employed and thus be kept off the streets.⁷⁸

The young female tobacco workers posed a threat to the comfortable, orderly life of the urban bourgeoisie for an even simpler reason: their employment in the tobacco factories created a shortage of laundresses and servants. In the eyes of middle-class women, the young girls did as they chose—they would come to work in the homes of the middle class when they so desired, and when they did not, they went to work in the tobacco factories. In a humorous newspaper column, an “Aunt Clara” complains that one of her servants went to work as a maid in some Greek or Muslim home because she had not received a raise that would have allowed her to buy a hat “with a garden of flowers upon it,” gloves, and a corset to accentuate the charms of her body, all for her Saturday stroll through

the Beş Çınar Gardens. “Aunt Clara” went on to decry how times had changed, and how the lady of the house now needed to treat her help kindly, because she was under constant threat that her servants might pack their bags, declare that the tobacco season has opened, and set off to the factories.⁷⁹

The young girls preferred the work of sorting tobacco leaves. This seasonal work was a return to a familiar environment. In the factory halls, no “lady of the house” stood over them yelling orders, and they did not have to work until they dropped from exhaustion; here they were equals, they were “countesses,” and they could dream of a different life.⁸⁰

Within their own neighborhoods, on the other hand, the female tobacco workers were highly respected. They were supported and esteemed for their diligence, their contribution to the family income, and especially for their courage in an environment where docility was part of the cultural code. Articles in the socialist press criticized the arrogant behavior of middle-class women toward their maids. They called upon the bourgeois mistresses to protect their female servants from sexual harassment by the masters of the house and their sons, treat them well, and pay them on time.⁸¹

Love and Romance

As the young girls’ political awareness grew, so did their dreams of romance, family, and children.

Girls usually married young men chosen by their parents (the preferred match being someone within the extended family, such as a cousin). Sometimes—albeit infrequently—a young girl would refuse to marry the appointed candidate, instead choosing to follow the dictates of her own heart. Given the preferences of the families in question, a tobacco worker would not necessarily meet with the approval of the family as a prospective son-in-law, and attempts would be made to separate the loving couple. So it was when Abraham Eskaloni and Estherina Cohen, fellow tobacco workers, fell in love. Estherina’s father disapproved of Abraham’s courting of his daughter and refused to give the marriage his blessing; moreover, she had been promised to another. A frustrated Abraham accosted Estherina’s father, stabbing him with a knife.⁸² After ten long years during which Estherina stood her ground as to her right to choose her own husband, her father finally consented to her marriage with Abraham.⁸³ Marriages also took place, though infrequently, across social and economic classes and religions, as when Jewish women tobacco workers converted to Islam or Christianity and married Muslim or Greek tobacco workers.⁸⁴

Conclusion

In this article, I have focused on a facet previously overlooked in studies on the private/public spheres, work relations, and the Jewish family and community of Salonika in the Ottoman and post-Ottoman periods: the female tobacco workers.

It was first and foremost the female tobacco workers—girls and young women who needed to work in order to help support their families and save a bit of



Figure 5.3. Prostitutes in the Bara (Vardar district).

Detail of an anonymous postcard from the collection of Flor Safan Eskaloni.

money for their dowries—who spoke out publicly. They spoke their minds, cried out their plight, and declared their existence. The female tobacco workers' social, class, and political consciousness came about as a result of the working class's understanding that without the recruitment and support of the young girls and their families, the struggle was doomed to failure.

Despite the fact that work in the tobacco factories contributed to the formation of the female workers' self-identity, it did not produce a substantial and lasting change in their way of life. In a society where self-fulfillment was generally channeled through the family, women did not make a career of tobacco work. Rather, they saw it as a necessity that enabled them to make a living and save money for a dowry, so that when the time came, they would be able to marry and start a family.

From interviews conducted some fifty years later with women who had labored in the tobacco factories, it appears that for these working-class girls, industrialization had not meant progress but low-paying and demeaning work. This is clearly illustrated by the fact that when interviewed, these women did not wish to speak about their work, working conditions, low wages, participation in strikes and demonstrations, or the fact that they may have been part of the socialist or communist movements. Instead, they preferred to speak of their married life, family, and children.⁸⁵

Tobacco work was but a stage in the maturation of the young girls from working class neighborhoods of Salonika—a stage during which new values were introduced into their world, and if only for a short time, they were the “countesses” and the “princesses” who dared to take to the streets and demand social equality. Work ties and social and ideological relationships did not replace family bonds, but rather served as a means of incorporating the family as a whole into a larger “ideological family.”

Notes

1. This article is adapted from a chapter of my Ph.D. dissertation (Hadar 2003), written under the supervision of Prof. Minna Rozen.
2. Also Salonica, Saloniki, Salonique, Selânik, Θεσσαλονίκη; On the multiplicity of names for the city, see Portugali 1993: 156–57: “[T]wo or more collectivities use different languages to refer to the very same phenomenon, so they might construct different cognitive maps of the very same territory. ... From their discourse and actions it is clear that each group perceives the past, present and future of this same territory in its own peculiar way, which is different from that of the other group.”
3. For a discussion of the demographics of Salonika at the end of the nineteenth century and the beginning of the twentieth, see Moutsopoulos 1980: 19–23. The population of the city was principally composed of Jews, Turks, and Greeks, together with Albanians, Bulgarian, Macedonian, Vlachs, Gipsies, and foreign residents. For a general survey of Salonika during this period, see Veinstein 1992; Anastassiadou 1997; Rozen [forthcoming], 1: 137–73.
4. Language is one of the major elements in the creation of the identity of the group, the nation, and the individual. The Jews of Salonika—and in particular the Jewish women of all classes, though most pointedly those of the worker and proletariat classes—spoke only Ladino, a Judeo-Spanish language written in Hebrew characters.
5. On the Greek tobacco workers, see Dagkas 2004; Quataert 1995: 59–74; Quataert 1996: 311–32.
6. The majority of the workforce in Salonika’s tobacco industry was made up of girls between the ages of 10 and 14, with a minority of female workers falling within the 14-to-20-year-old range. Therefore, when the terms “women workers” or “female workers” are used in this paper, one must keep this fact constantly in mind. At the same time one must remember that modern associations with the term “girl” do not adequately express how these workers saw themselves, nor how their community related to them.
7. On the “Public/Private” dichotomy, see Ardener 1981; Keohane 1992: ix–xii; Rizk Khoury 1997: 105–28.
8. Despite this prohibition, tobacco worker strikes did take place in Kavala, and were suppressed by force. On the strikes of the Kavala tobacco workers see *La Epoca*, 23 February 1900, 31 March 1905.

9. "In Salonika," *El Avenir*, 31 July 1909: "Greek business owners painted their stalls and the entrances to their stores in the colors of the Greek flag."
10. *Ibid.*, 28 July 1908.
11. Ben-Aroyah 1972: 311. For the emergence of Greek and Turkish socialism in the years 1909–1914, see Kofos 1964; Liakos 1985; Harris 1967: 16–20; Tunçay 1967; Haupt and Dumont 1977; Tekeli and İlkin 1980: 351–82.
12. Aktsoğlou 1997: 288; *El Avenir*, 12 August 1908.
13. *Raporto annuel de la union de los laboradores del tutun de Saloniqo* 1909: 6.
14. Throughout the world, young women were employed in sorting tobacco leaves under similar conditions. For other examples, see Pollert 1983: 96–114; Stubbs 1985: 71–76; Tilly 1992: 172–73; Baron 1991: 1–46; White 1996.
15. Uziel 1978: 31; see also "Conversions," *El Avenir*, 2 April 1909.
16. The dowry tradition is also common among Greeks. The dowry is not only a transfer of property and bride, but also part of the system of "honor" and "disgrace." On the meaning of the dowry in Greek culture, see Lambiri-Dimaki 1985: 165–78; Hirschon 1981: 70–86; Sant Cassia and Bada 1992: 53, 74–76.
17. *El Avenir*, January 1910.
18. Quataert 1996: 322–23.
19. "The Tobacco Workers' Strike," *El Avenir*, 13 April 1914; on the low wages paid to female workers in the international tobacco industry, see Stubbs 1985: 79; Tilly 1992: 175; Pollert 1983: 100.
20. "Letter," *Journal del Lavorador*, September 1909; "A Letter to my Sister Workers," *Journal del Lavorador*, October 1909: this was a call to the young female workers who worked in the silk mills and sewing workshops to form a union. Regarding a small group of women who attempted to organize a union but failed, see "Why did they want to commit suicide?" *El Popular*, 19 August 1930: two Greek nurses who tried to organize the nurses at the city hospital into a union were fired from their jobs; they were unable to find other employment as they had acquired the reputation of being "instigators," and in the end committed suicide.
21. *La Epoca*, 8 July 1910; see also Dumont 1997: 67 ref. 32, a letter from Ben-Aroyah to C. Huysmans, 11 August 1910, Arch BSI.
22. *El Avenir*, 24 August 1909.
23. "The Herzog Factory," *El Avenir*, 26 October 1909.
24. The concept of honor has many connotations: the honor of the family and relations, class honor, and more. The honor of the (male) individual is expressed in a cluster of attributes such as generosity, honesty, seriousness, loyalty to friends, and defense of those weaker than oneself—women, small children, and aged parents. A young girl who is unmarried personifies the vulnerability of the group; for this reason, the family preferred to marry off the daughter quickly in order to avoid the risk of disgrace. The honor of the family is inseparable from the Jewish cultural heritage. Historical sources

- and research work alike show that “honor” is not a local variant or type of “orientalist” stereotype: throughout the period from the foundation of the Jewish settlement in Salonika until its tragic destruction, the concept of “honor” was a leitmotif in the social fabric which encompassed individual, family, community, and city.
25. *El Avenir*, 27 May 1911.
 26. The demand to separate the sexes arose in previous strikes. See *Journal del Lavorador* (October 1909): 2; *El Avenir*, 27 May 1911. Male workers also appealed to the Chief Rabbi to intervene in order to help save their jobs.
 27. *Ibid.*, 8 August 1908. The principal demands were a 30% increase in wage and a shortening of the work-day to 10 hours. It would appear that the demand for tobacco was high, and the management of the Régie agreed to a 20% wage increase.
 28. “The strike at the Régie,” *La Solidaridad Ovradera*, 28 April 1911, 5 May 1911, 12 May 1911. The strike spread to all the tobacco factories in Kavala, Drama, and Istanbul.
 29. *Avanti*, 16 October 1913.
 30. “The Lockout,” *La Solidaridad Ovradera*, 21 April 1911; *La Solidarite Ovradera*, 12 May 1911.
 31. “One Strike,” *La Solidaridad Ovradera*, 31 March 1911, 12 April 1911; “The End of the Strike,” *ibid.*, 2 June 1911.
 32. *Avanti*, 9 December 1912.
 33. Lefebvre 1991: 55.
 34. “The First of May in Salonika,” *El Avenir*, 2 May 1911.
 35. Lefebvre 1991: 56.
 36. Shields 1988: 45.
 37. The Jewish adage “The realm of the princess’ honor is within” reflects a certain social order that dictates the subdivision of space between genders as expressed in the Ladino proverb “A good woman’s realm is to be found behind closed doors.” On honor and shame, modesty, and sexual humility, see: Peristiany and Pitt-Rivers 1991: 1–20; Pitt-Rivers 1965: 19–78; Friedl 1986: 42–45; Sant Cassia and Bada 1992: 1–3.
 38. *Avanti*, 2 May 1913. The First of May 1913 was the first Socialist “holiday” after the annexation of Salonika by Greece. As the Greek officials feared that the strike would expand and that disturbances would break out as a result of the traditional May Day march, the march was forbidden and the workers celebrated in closed halls at the workers’ club. They heard speeches in Turkish, Bulgarian, Greek, and Ladino.
 39. “The Young Girls’ Convention,” *Avanti* (2 May 1913): 3.
 40. “The Socialist Movement,” *ibid.* (20 February 1914): 3.
 41. “Women and Socialism,” *ibid.*, 7 May 1913.
 42. “Equality between the Sexes,” *ibid.*, 8 December 1913.
 43. In Ladino: *La mujer la mas alavada, es akeya ke avla poco*. Yona 1903: 15.

44. In Ladino: *Abasho las amariyas, Vivan las verdaderas syndikalistas. Avanti*, 22 December 1913.
45. Leontidou 1990: 75. There were many areas of overlap between the Communist Party, the K.K.E. (*Κομμουνιστικό Κόμμα Ελλάδος*), and the tobacco workers. The Greek Communist Party, founded in 1918, found supporters among the intelligentsia, refugees from Anatolia, and a large part of the industrial workers—the tobacco workers in particular. In 1924, many of the Jewish members of the Socialist Federation joined the Greek Communist Party. Ben-Aroyah later left the party, and Ventura left as well, in 1928.
46. Interview with Bienvenida Pitchon Mano, Thessaloniki, February 2002.
47. “Letter,” *Avanti*, 27 October 1921. Whereas the female tobacco workers had an organization of their own in 1913, the seamstresses and female workers in the textile mills attained their own organization only in 1921.
48. “The Union is Power,” *Journal del Lavorador*, February 1910.
49. “Letter,” *ibid.*, October 1909.
50. *Avanti*, 29 December 1913.
51. Eden and Stavroulakis 1997: 37–47. In the mid-seventeenth century, Sabbetai Zvi, a Jew from Smyrna, declared himself the redeemer. The sultan gave him the alternative of death or conversion, and he and his followers converted to Islam. Turks and Jews called them *Dönme* (in Turkish, “convert” or “turncoat”). They referred to themselves as *Ma’amin*, which is Hebrew for “believer.” (The corresponding Turkish-Arabic word is virtually identical.) Salonika and Izmir were *Dönme* centers. On this movement and community, see Scholem 1973; Georgeon 1992: 105–18; Küçük 1977.
52. “Lockout,” *Avanti*, 9 December 1912.
53. “Between Tobacco Workers,” *ibid.*, 5 November 1913.
54. “The Daily List of Donations to the Tobacco Strikers,” *ibid.*, 11 April 1913.
55. “The Daily Fund of the Socialist Federation,” *ibid.*, 14 April 1913; Lucha and Rejina Dasa, Istirio Nikopoulos, Jacob Hassid, and Lazer Zion from the Régie factory; *ibid.*, 8 September 1913.
56. In Ladino: *Eyos las azen vestir kon ferâje ... y ansi se izo un groep o de ninias judias—Turkas*. (“Between the Tobacco Workers,” *ibid.*, 5 November 1913.)
57. Avdela 1998: 424–27. Avdela describes the Great Tobacco Strike of 1914 as a unique event that marked a turning point. In my opinion, this is not so. The young Jewish girls participated in demonstrations prior to that time and fought throughout this period against the Turkish and Gypsy girls hired to break their strike. The struggle and the negotiations over better working conditions and wages for both male and female workers began with the Great Strike of 1911, continued in August 1912 and throughout 1913–14. See “The Tobacco Crisis: to the Public, to the Workers, to the Fathers and to the Mothers,” *Avanti*, 14 May 1913. “Since the 17th of August, 1912, the tobacco workers trade union have been engaged in a struggle against the owners of the tobacco factories.” On the employment of Turkish and Gypsy girls, see “The Tobacco Conflict” (*ibid.*, 9 May 1913): 3. The striking girls were replaced with 8–10-year-old

- Turkish girls; “The Tobacco Conflict,” *ibid.*, 13 June 1913. The writer of the article claims that the Turkish and Gypsy workers were unfamiliar with the work of the tobacco factories.
58. “The Tobacco Workers Strike,” *El Avenir*, 14 April 1914; “The Strike,” *ibid.*, 15 April 1914.
59. *La Epoca*, 23 November 1900: “Beginning next week, every worker of the Régie Tobacco Company must wear a fez.” The fez, which the Young Turks wore proudly, became a symbol of freedom, liberty, and class. The tobacco workers of Salonika, who at first wore the fez as a result of orders issued from above, continued to wear it as a symbol of the pride of the tobacco worker; *Avanti*, 9 December 1912. A month after the Greeks entered the city, the Greek press began to criticize the Jews who wore the fez as a form of scorn towards the Greeks (from the newspaper *Paros*); “The First of May in Salonika,” *ibid.*, 2 May 1913. Though the workers were forbidden to hand out pamphlets and fliers about the First of May demonstrations, they congregated in the workers’ club with red flags, red decorations on their buttons, and wearing the fez.
60. Avdela 1998: 424–30. The strikes and demonstrations hurt the tobacco industry which fed Greece’s principle export: in 1918, tobacco made up 43% of Greece’s exports; “The Jews and the Recent Incidents,” *El Mesajero*, 14 May 1936. Similar claims were heard during the Great Tobacco Workers’ Strike at the beginning of May 1936. The fact that by that time, Jews comprised a demographic minority in the city and a minority among the demonstrators in the streets did not prevent the newspaper *Tahidromos* [*Ταχυδρόμος*, The Mail] from accusing Jewish strikers and demonstrators of being devoid of Greek national sentiments and of harming public order.
61. Portugali 1993: 156–57. “Collective cognitive maps are of immediate relevance to the cultural, economic, ethnic and class conflict.”
62. This name referred to the seven islands off the western coast of Greece.
63. Anastasiadou 1997: 191–92.
64. Ben-Aroyah 1972: 311. Socialism was seen as the dawn of a new era; “The Socialist Federation Fund,” *Avanti*, 29 September 1913. In January of 1915, at the Paradise Hall, the theatre troupe of the Socialist Federation put on a performance of Molière’s *L’avare* in honor of the release from prison of Alberto Arditì, a prominent leader of the Federation. “El primo mayo en Saloniko,” *Suplimento del Avenir*, 2 May 1911; Dumont 1997: 82.
65. Leontidou 1990: 84–88.
66. “The Tobacco Crisis,” *Avanti*, 13 June 1913.
67. “Books,” *La Solidaridad Ovradera*, 3 March 1911; “Library,” *Avanti*, 10 December 1921: “The Library of the Communist Youth is open every evening from 6:00 until 9:00 and on Saturday throughout the day.” For the names of the books that have a clear socialist message, see also Dumont 1997: 95, ref. 15.

68. "Ladino Lessons," *Avanti* (21 November 1913): 2. Two Ladino classes were offered, one for men and one for women; "Our Life," *ibid.*, 11 February 1914; an Interview with Flor Eskaloni Sapan, Ramat-Gan, 2000.
69. "The Daily Fund of the Socialist Federation," *Avanti*, 6 October 1913.
70. "The Federation Socialiste Fund," *Avanti*, 15 December 1913: *Porké una noble dama refuzó de baylar kon un ovrador; i ke les sea segunda lisi3n, a los laboradores ke adiran el Sionizmo.*
71. Romero 1983: 256–57, 283–86.
72. Yerolympos 1996.
73. "The Industrial Area," *Aksion*, 8 January 1935. The municipality decided that within 15 days, all factories were obliged to move to the outskirts of the city between "26th of October" Street and the edge of the Beş Çınar Gardens.
74. The tobacco factories of Praudos, Papastrato, Latour, Pomro and others were all situated on Tantalo Street.
75. Lefebvre 1996: 71–72.
76. Sibley 1995: 57.
77. *El Kulevro*, 23 July 1920.
78. Interview with Bienvenida Pitchon-Mano. Ms Mano did not attend school; her three older sisters took her to work with them in the tobacco factory.
79. "Bula Clara: Chronica Popular," *El Avenir*, 3 August 1906.
80. Interview with Bienvenida Pitchon-Mano. The song *La Cigarrera* went: "How your blue suit becomes you, you look like a countess when you walk out of the tobacco factory."
81. "For the Honor of the Jewish Girls," *El Avenir*, 27 October 1910. This article relates the stories of two brothels where Jewish girls between the ages of 15 and 20 worked while their parents were led to believe that they were employed by the tobacco factories.
82. *El Avenir* (2 September 1904): 12.
83. Perhaps the father was right to be concerned over Estherina's choice: after five years of marriage Abraham died, leaving her a pregnant widow with three little babies, no money, and no support. Estherina worked for a time as a wet nurse and later returned to work in the tobacco factory. Her children grew up in her brother's and sisters' homes. During World War II, Estherina and her children hid in the village of Hortiachi using fake documents, and fought with the Greek resistance against the German occupation.
84. "Religious Conversions," *El Avenir*, 2 April 1909. In this article, the writer decries the fact that young Jewish girls from poor families work as domestic help in Greek and Turkish homes.
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Judicial Treatment of the Matrimonial Problems of Christian Women in Rumeli During the Seventeenth and Eighteenth Centuries

Svetlana Ivanova

In the middle of the seventeenth century, the Bulgarian Catholic bishop Philip Stanislavov (1608/10–74) complained that members of the Pavlikian heretic sect inhabiting the Rumeli province of the Ottoman Empire would not understand that divorces were not allowed, and wanted for a man to be able to leave one wife and take another, arguing that this was the practice with the Turks and the Orthodox Christians.¹ Indeed, in the multi-religious Ottoman society of the pre-industrial age there functioned several distinct matrimonial models based on the *Shari'a* (Islamic law) and on the religious laws and customs of Orthodox Christians, Catholics, Roma, Jews, Armenians, etc. As a result, matrimonial issues were dealt with differently within different communities, and thus, from the perspective of historical research, it is necessary to study these varying practices separately before they can be compared. For this reason, I focus in the present article on Orthodox Christian women.²

Marriage was among the most important factors determining a woman's status—particularly so in pre-industrial society, when remaining unmarried was simply not an option—and thus it occupies a central place in women's studies.³

The wedding of the Orthodox Christian woman, her position within marriage, the crisis situations of divorcing and becoming a widow—these are the matrimonial events on which I attempt to shed light with the aid of the Ottoman-Turkish *sicils*⁴ (*sijill*, the records of the Muslim Ottoman judges [*kadi/qadi*]). The geographical region covered by this paper fits within the central part of the European provinces of the Ottoman Empire known as Rumeli, by and large coinciding with the present-day territories of Bulgaria.

The Documents

For the purposes of the present paper, I have not used sources pertaining to the broader customary legal framework regulating the matrimonial status of Orthodox women in the past. There are relatively few sources on the manner in which

the Orthodox Church regulated its members' matrimonial matters in the period preceding the second half of the eighteenth century. Particularly scarce are the acts of bishopric councils.⁵

Fortunately, Ottoman court records detailing the treatment of the matrimonial problems of Orthodox Christians are available, and their number is unmatched by all other types of sources. The *kadı sicilleri* are one of the largest groups of documents concerning our subject, in terms of both number and volume.⁶ Notwithstanding their great potential, however, they also impose certain limitations on our understanding of the various aspects of the topic.

Quite a few *kadı* documents on the matrimonial status of women in the Balkans and other parts of the Empire are already in scholarly circulation. Furthermore, some conclusions have been drawn concerning the potential of Ottoman judicial documents as historical sources as well as the methodology of their interpretation, and it is important to outline at least some here. Ottoman judicial documents are generally not suitable for quantitative analysis. However, they can be used to document how certain practices may have spread or disappeared. It is also necessary to analyze these documents by region. Frequently scholars will include texts of selected translated or annotated empirical material in their studies, and compare them to the relevant *Shari'a* rules.⁷ When present-day researchers read through the records of judicial disputes between spouses—records in which even direct speech can be found—they are tempted to consider them as literal transcripts. However, the current literature on *sicils* warns against this tendency: judicial records were not mere transcripts of the actual arguments that took place before the court, and their purpose was not to render an accurate account of what happened, but rather to outline the relevant elements of the case in accordance with a scheme provided for by *Shari'a* law, by using formulae guaranteeing the procedural validity of the drafted document and the eventual court decision contained in it.⁸

Cases concerning marriage and divorce as they occur in the registers of Islamic judges cannot be compared quantitatively to their counterparts adjudicated under the customary law of the various confessional communities. It is difficult to assess the validity of the all-too-general view that custom took precedence over formal legal institutions during the pre-industrial age in the Bulgarian lands. It is also impossible to determine the proportion of Christian and Muslim women who resorted to the courts instead of seeking mediation within "custom"; neither do we know what fraction of Christian women preferred the court of *kadı* to that of the bishops.

Despite the limitations of the Ottoman material, however—not least due to its volume—without its help it is impossible to study the institution of marriage within the Christian milieu, and the status of women therein, prior to the nineteenth century.

The Legal Framework:

Canon Law Treatment of Marriage and Divorce

The Orthodox Church regarded marriage as a religious and legal institution. Starting in the end of the ninth century in the Byzantine empire and later in Bulgaria, attempts were undertaken to impose the church nuptials as an obligatory element of marriage, and they became a sacrament while preserving their relation to the customary system by the required public character of the wedding celebration. Marriage was strictly monogamous.⁹ It was preceded by an engagement, considered to be almost equal to a marriage by both custom and the Church. The prenuptial agreements, including those concerning financial and property matters, were concluded at the time of the engagement. By the fourteenth century, the rule had been established that at most three successive marriages were permitted by canon law, irrespective of the reasons for the termination of the preceding ones—death of the spouse or divorce. Under the Orthodox canon law effective in the Balkans during the fifteenth to eighteenth centuries, barriers to entering a marriage were consanguinity of up to the seventh degree, and kinship by marriage or sponsorship (being godfather/godmother to the same child). Thus, one of the functions of the clergy was to ensure the implementation of these rules and the observance of the prohibitions. The policy of the Church was to impose the practice of requesting *vulas*—permission to marry issued by the bishop.

Orthodox Christianity permits the termination of marriage as a means of avoiding debauchery, but the Church made efforts to prevent divorce by imposing reconciliation terms, property sanctions, penance, limitations on remarriage, etc. Under canon law, grounds for divorce were torturing and beating of the wife, attempted murder of a spouse by the other, adultery by the wife, absence of the husband for three years or more, serious illness (but only after attempting to cure it), mental disorder, impotence (but not infertility) of the husband for three years or more, and alcohol abuse. Canon law regulated the status of the children after divorce—which of the parents would take care of them, their allowance, etc. It was accepted that a wife would take back her dowry, except in cases where the blame for the divorce lay with her.¹⁰

Despite the existence of regional differences, the custom among Christian Bulgarians—as reconstructed by ethnologists (on the basis of material from the late nineteenth and twentieth centuries) and historians of law—regulated matrimonial matters in a relatively uniform fashion due to the early adoption of Christianity, allowing its dogmas to influence the treatment of marriage. Customary law incorporated all the grounds for divorce provided by the canons, the only deviation being the addition of the infertility of the wife and bad breath. In the course of time, custom evolved so as to grant greater powers to the head of the family. As late as the beginning of the twentieth century, public opinion regarded divorce as an extraordinary and rare event. That, however, was probably wishful thinking and did not reflect actual practices: indeed, the fact that informants interviewed by Bulgarian ethnographers around the end of the nineteenth and the

beginning of the twentieth centuries enumerated the grounds for divorce in great detail betrayed their familiarity with the practice.¹¹

The Church exercised its legal functions in family and marital matters through ecclesiastical courts (bishopric councils) and on the basis of the principles of Roman law.¹²

***Shari'a* Norms and Actual Practice: Muslim Women Seeking Remedy for Matrimonial Problems before *Kadı* Courts**

I shall now briefly outline the basic matrimonial rules as they were enforced in practice by the Ottoman courts in the Balkans. The present paper does not aim at drawing a comparison between the manner in which the matrimonial matters of Christians and Muslims were treated by *kadı* courts. However, I find it appropriate to cite some examples from the sources where the main actors were Muslim rather than Christian women.

According to the *Shari'a*, marriage [*nikâh*] is not a religious sacrament but rather a civil contract legitimizing sexual relations between a man and a woman, and the creation of their offspring. Marriage is differentiated from the wedding feast, which is a traditional rite complex based upon the customs of different Muslim peoples.¹³

The existence of a nuptial contract is a prerequisite for the validity of the Muslim marriage. The elements of concluding a nuptial contract are the simultaneous expression of an agreement to enter into marriage by the two parties, declared at the same place in the presence of witnesses. The agreement can be stated personally or by the representatives or guardians of a juvenile spouse. The contract can regulate different aspects of matrimonial life, and even stipulate the grounds for divorce, but its core is the wedding gift [*mehr*] given by the groom to the bride. The *mehr* consists of two parts: one presented to the bride at the time of the marriage [*mehr-i muaccel*], and another that the wife is to receive upon the death of her husband or in case of divorce [*mehr-i müeccel*]. Without the gift, the marriage is invalid.¹⁴

The *Shari'a* rules are evidenced in the *sicils*, either by the nuptial contracts entered into by the spouses, or by the registration of concluded marriages. The existing *sicils* from Bulgarian towns contain some documents that may be considered marriage registrations. There are also abundant indirect indications that the practice of contracting prenuptial agreements began to be applied in the central parts of Rumeli as early as the sixteenth century, in compliance with *Shari'a* requirements. A *prima facie* comparison of *sicils* from Bulgarian towns with *sicils* from other parts of the Balkans (reflecting a far greater number of registered prenuptial agreements) would appear to indicate that among Muslims in Bulgarian lands the practice of contracting such agreements before the *kadı* court in particular did not become widespread before the second half of the seventeenth century.¹⁵ The entries in documents that might be regarded as marriage registrations are usually very concise. One such nuptial contract was registered in 1686 in a *sicil* from the town of Sofia. The husband-to-be was Ahmed, and the

wife was Fatime, daughter of Ahmed (?), having Şaban, son of Mustafa, acting as her proxy, with his capacity attested by Ahmed, son of Mehmed, Ahmed, son of Hüseyin, and Mehmed, son of Mustafa. The *mehr* was 800 *akçe*; Osman Efendi, son of Hasan Kâtib, Ahmed Çelebi, and others acted as witnesses for the nuptial contract.¹⁶ In a *sicil* from the town of Rouse, a nuptial contract in Arabic was entered *in extenso* in 1715: in the name of Allah and in consistency with the *Shari'a*, the *kadı* of the town, Abdullah, son of el-Hac İbrahim, registered a marriage between Abdülfettah and Havva, with a *mehr* of 100,000 *akçe* and in the presence of two witnesses.¹⁷

The policy of the Ottoman government was to encourage Muslims to execute their marriages before the court. However, if all the requirements were met, marriages concluded without the involvement of a *kadı* were also deemed legal.¹⁸ During the sixteenth century, a practice emerged according to which the *imam* (prayer leader) of a *mahalle* (neighborhood) would officiate at the wedding ceremonies, but with the authorization of the *kadı*; this practice only gained wide popularity and formal establishment in the nineteenth century. In such cases, a permission [*izinname*] was entered into the *sicils* by the *kadı* for the *imam* of the *mahalle* in which the bride resided, allowing him to officiate at the marriage between the “virtuous virgin, willing to enter a marriage” and the groom, before the witnesses, with the stipulated *mehr* and “provided that there are no *Shari'a* impediments to this marriage.”¹⁹ The registration of these acts in the *sicil* completed the legal, contractual aspect of the marriage, while the participation of the *imam*, who uttered special prayers, appears to have endowed the nuptials with the character of a religious ceremony. The *imam* also ensured that the *Shari'a* requirements for a legally valid marriage were observed. Living among the population, the *mahalle imamı* was obviously in a position to have first-hand information about everyone’s marital status. These facts, of course, were also known to the obligatory marriage witnesses, but the *imam*, being involved in the administration of the population, must have been regarded as the proper person to give a true assessment of the situation and, above all, to undertake the actual verification. The formula “provided that there are no *Shari'a* impediments” should probably be interpreted in this sense. The *kadı* issued a marriage licence on each individual occasion. By registering this document in a *sicil*, he legalized the purely juridical, contractual side of the marriage. The *imam*, on the other hand, was responsible for making sure that the *Shari'a* norms for a valid and legitimate marriage were not violated. Fourteen marriages of Muslims, administered under the authorization of the *kadı*, were registered in two columns in a *sicil* from Sofia on 24 October 1616. It was established that no *Shari'a* impediments existed. The marriages were registered by the relevant entries (*nikâh tezkeresi*) and stamped with the seal of the *mahalle imamı*.²⁰ The distribution of functions between the *kadı* and the *imam* reflected the actual manner in which the *Shari'a* as a legal system coexisted with the sacred Islamic ritual in the context of the matrimonial institution.²¹ The requirement that marriages be renewed in cases where an offence

had been committed against Islam also suggests a certain sacral component in the nature of the marriage.²²

There are records of occasions when women formally established their current matrimonial status. They did so in order to be granted the right to dispose of their husbands' assets, or to be able to marry again in cases where this was not their first marriage. The representative of Sultana Hatun, daughter of Ebubekir from Sofia, stated in court that her husband Mustafa had drowned on his way back home from a military campaign. She had been informed of that fact by her fellow townsmen Ahmed Beşe, son of Mehmed, and Mehmed Beşe, son of Mustafa, who also testified accordingly before the court, which consequently issued a certificate [*hüccet*] to her.²³

Documents included in *sicils* from Bulgarian towns exemplify the typical provisions that were included in the marriage contracts in practice. While marital agreements could include a variety of provisions and regulate different matters, marriage contracts registered in court in these parts of the Ottoman Empire were quite simple and did not include anything beyond the minimal obligatory elements.²⁴

A variety of sources confirm that in Rumeli, at least starting from the sixteenth century, brides were indeed given *mehr* upon entering marriage, and that a second part was given in case of divorce or the death of the husband.²⁵ Apparently it was not obligatory for the wife to bring a dowry [*cihaz*], which was considered her property. All expenses relating to the support of the family and the upbringing of children were borne by the husband. In case of divorce, the wife was permitted to have custody of the children until the ninth year of girls and the seventh of boys.²⁶

Muslim men were permitted by law to marry up to four wives simultaneously, and there was no limitation on the number of concubines and slave women they might have. Some instances of bigamy surface in inventories of inheritance. There are even cases of men being married to four wives—for example the famous Tristeniklizade es-Seyyid İsmail Ağa.²⁷ However, monogamy prevailed among Muslims in the area and period under review.

At the same time, however, there are many reports of individuals entering into subsequent (second or further) marriages, and this practice accounts for the fact that the status of being single was uncommon in the Muslim society. After the death of Mehmed, from the *mahalle* Kara Hisar, his son and two daughters, all of legal age, inherited one half of the house that their father had inherited from his deceased wife who was not their mother and had no living children of her own.²⁸

Under *Shari'a* law, there were both permanent and temporary impediments to entering into a marriage and remaining in it. The permanent ones were consanguinity—lineal or collateral—as well as kinship by marriage and “by milk” (colactation). Temporary impediments included the case in which a man and a woman were divorced by the so-called triple divorce; the man already had four wives; the groom belonged to a non-Muslim denomination, since Muslim women were prohibited from marrying non-Muslim men; and the *idda* period—for three

lunar months after the death of her husband or after a divorce, the wife could not remarry. A husband was allowed to impose corporal punishment if his wife did not perform her connubial duties. In case the husband disappeared, his wife was obligated to wait for him for four years.

According to *Shari'a* law, a valid marriage could be dissolved in two ways: nullification of a marriage in cases where it had not been consumed, and divorce [*talâk*], the latter having two forms: final [*bâin*], and provisional or reversible [*selâse*].²⁹

A divorce initiated by the husband needed no substantiation and could be enforced in two ways: *talâk-i bâin*—where the marriage was terminated immediately after the declaration of the husband's intent; and *talâk-i selâse*—or triple divorce, where the husband's desire to divorce had to be expressed unequivocally three times, simultaneously or over a certain interval, and during which he could cancel the divorce. There existed a specific form of *talâk-i bâin* known as conditional divorce, where the husband would make certain stipulations or set a condition, and if they were not fulfilled the wife would be free of her marital bond with him.

It was not obligatory for these declarations to be made in the presence of the wife. A divorce initiated by the husband did not have to be declared before a *kadı* court, and was not registered in the *sicils*.³⁰ We learn of the fact that Mahmud, son of Mustafa, had divorced Rukiye by *talâk* from the record on the case that she brought against him, claiming 20 *kuruş* for *mehr-i muaccel*, 42 *kuruş* for *mehr-i müeccel*, and a 5 *kuruş* allowance. With the assistance of two witnesses, however, Mahmud proved that he had already paid her these sums.³¹

A wife could move for divorce [*tefrik*] only before a court and only on certain grounds: the husband's absence for four years or more; his inability to support her if she was able to prove that such support was owed to her; the non-performance of a husband's connubial duties for three years or more; the husband's impotence, if it was proven that he had been in that condition at the time of the wedding, and after an additional one-year period had elapsed; insanity, leprosy, or other diseases, after two years had elapsed. In case the woman had been a juvenile at the time of the marriage and the union had not been consummated, she could divorce upon coming of legal age. Other grounds for divorce included the case where the husband led an immoral way of life or compelled the wife to same; the husband's disposition of his wife's property against her will; and his preventing her observance of religious rites. In 1728, Mustafa Ağa, father of Zeyneb and acting as her representative, declared before the court in Sofia and in the presence of her husband İbrahim Beşe: "İbrahim cursed the faith and religion of my daughter and because of this I plead for her to be divorced." The court ruled in favor of divorce and the payment of 1000 *akçe* as *mehr*.³²

Documentation on divorce is far more abundant than that on the contracting of marriage among Muslims. Judging from the grounds for divorce that are found in the *sicils* from the Rumeli territories, we may again conclude that prenuptial agreements in that region contained only the minimal prerequisites for their

validity under the *Shari'a*, without employing the far greater variety of terms and provisions permitted by law.³³ In practice, women divorced most commonly by *hul/hal*. This is natural, since those divorces were of the *tefrik* type and it was obligatory for them to be registered before the *kadı* court.³⁴ Under that procedure, the woman quoted the relevant acceptable grounds—usually the formula “there was no good life between us,” “there was no understanding between us,” or “we had quarrels and arguments,” and more rarely it was added that the husband had been abusing her. Entries under this procedure always include the husband’s consent, and for that reason, this type of divorce has been described as divorce by mutual consent.³⁵ The wife owed compensation to the husband, which practically meant that she would forfeit her claim to *mehr* and an allowance from her ex-husband. In some cases, she also assumed the support of the children. A dweller in the mahalle Kuru Çeşme in the town of Sofia, the gypsy woman Saime, daughter of Prechin, stated before the court that the gypsy Hüseyin, son of Mustafa, was her husband, but that there was no understanding between them. “Because I am outraged by his rude behaviour, I want a *hul* divorce, and I therefore renounce the *mehr-i muaccel* of 1000 *akçe* agreed upon as his obligation.” Saime also assumed the responsibility of supporting their child, and became the child’s guardian.³⁶

Whereas a husband’s unilateral statement was sufficient for him to obtain a divorce, in many cases wives still needed to have recourse to the courts in order to legitimize their status. This is particularly evident in the case of conditional [*şartlı*] divorce, where, after meeting the set conditions, the wife still needed to have the court declare the divorce in order to be free. In one such case, Ahmed Ağa had stated a year earlier that if he drank his wife Safiye Hatun would be free of him by triple divorce; however, he had continued to drink. For this reason, Safiye asked the court through a representative in 1686 to confirm that she was divorced. Ahmed Ağa admitted that he had set such a condition, but denied that he had been drinking. Accepting the testimony of two Muslim witnesses supporting Safiye’s version, the court declared that the woman was free of her husband by a triple divorce. In another case before the court in the town of Vidin, Fatime of Belgrade stated that her husband İbrahim, son of Salih, lived in the *kasaba* (small town) of Nish and provided no allowance [*nafaka*] to her. Fatime was issued a *hüccet* for an allowance, which she had sent to her husband in order to claim the means to acquire food and clothing. However, İbrahim had refused to pay what he was obliged to give her, and had instead stated that ten days after the return of the messenger Fatime would be free [*iradeti elinde olsun*]. For that reason, Fatime wanted that fact to be confirmed, and this was done by two summoned Muslims. On 15 May 1720, it was recorded that the conditions for the divorce and the divorce itself had been declared on 24 April 1720.³⁷

The documents confirm that the will of the husband was decisive in divorces. He could use different verbal formulae to express his will, and even sometimes his whim.³⁸ The departure of a husband, for example, only provided his wife with grounds to make a claim for the issuance of an allowance from her husband’s estate, but not with grounds to obtain a divorce.

Technically, most of the recorded divorces were initiated by Muslim women, since—unlike men—they could only get divorced by a court action. Women needed to present legitimate grounds, especially in cases when they expected material compensation by the husband—who, for his part, would often seek ways to avoid it. In 1737, Ali Beşe from the town of Rousse divorced his wife by *talâk-i bâin* and refused to pay her the 40 *kuruş* of *mehr*. The wife had to go to court, and, with the assistance of a conciliator [*musalih*], she settled for a *mehr* of 20 *kuruş*.³⁹ Women were often obliged to “buy themselves out” of unwanted marital bonds and even assume the upbringing of the children. The courage that it took to do so, probably based on careful estimates of future means, is all the more evident against the background of cases in which the husband was actually obliged to support the children. Kadriye, daughter of Abdullah from Vidin, was divorced from her husband el-Hac Ali by *talâk* in 1704. She claimed and received from the court a ruling of 3 *akçe* per diem for the minor Mustafa, whose care she assumed.⁴⁰ It is curious that in *sicils* from present-day Bulgarian towns, I have not encountered cases during the period under review in which Muslim women cited *zina* (adultery) as grounds for divorce, since that would have been more beneficial to them from the material point of view.⁴¹

The *kadı* court was the institution where women could seek protection in drastic cases of brutality by an ex-husband after a divorce. Kadriye Hatun, daughter of Osman from the village of Banska in the *kaza* of Razgrad, had been divorced three-and-a-half years earlier from the *spahi* Mehmed Bey, a dweller of the same village. By proxy, she filed charges against her ex-husband who, together with another *spahi* charged with certain police powers, had attacked her house. They had kidnapped her, along with her father, and had taken them to the village of Kopriviche, in the *kaza* of Rousse, where they raped her. Although he was summoned twice to the court, Mehmed Bey refused to appear. The interrogated dwellers of the village of Kopriviche confirmed the words of the victim.⁴²

Our material confirms the common observation that the marital status of Muslim men was far more advantageous than that of Muslim women. Men were free to resolve many of their marital problems without the need of institutional involvement. However, the very fact that women possessed certain officially recognized remedies is significant by itself. Family and marriage problems were in the jurisdiction of the *kadı*—the basic administrative and legal institution of the Ottoman empire, forming a relatively dense network throughout its provinces and thus facilitating access to justice, especially for town dwellers. This fact is indicative of the degree of formalization of the marriage institution. Of course, it is important (though difficult) to know to what extent Muslim women actually took advantage of these legal opportunities.⁴³

Christian Women before the *Shari‘a* Court:

“Hüccet of the Divorce (*Tefrik*) of the Christian Woman Istoiana”

I shall begin the discussion of our main topic with an interesting case from 1709. Before the court of Sofia appeared an inhabitant of Sofia named Icho, son of

Iovan, a *zimmi* (non-Muslim), who came from the village of Chorni Dol, in the *kaza* of Şehirköy (today the town of Pirot in Serbia). In the presence of his own daughter—the mature [*kebire*] Christian woman Istoiana—he presented his claim against Mitre, son of Radoslav, a *zimmi*, a dweller in the village of Boindol in the same *kaza*. Icho claimed that thirty days earlier, without Istoiana's or her father's permission [*izin*], Mitre had “committed a marriage” [*nikâh*]. Illegally and by force, he had taken Istoiana to a summer sheep pen. He had treated Istoiana as a husband would [*zevciyet muamelesi ider*]. The father pleaded that the court, after an interrogation, enter a verdict of *tefrik* (a divorce declared by court).

When questioned about what had happened, Mitre replied that Istoiana was sane and had reached sexual maturity, i.e. puberty [*akula ve balige*], and that she had acted freely [*faail muhtar*] and of her own accord [*kendi rızasiyle*]. “One unworthy [*rekik*] priest from the monastery of Palavniche (?), whose name I do not know, married us [*bana niküh idüp*] according to our false rite [*âyin-i bâtilamız üzre*]. Now she is my wedded wife [*zevce-i menküha*].” Mitre's assertions were not accepted by the court, and he was required to present proof thereof. After some time, two non-Muslims were summoned before the court. They declared that they were not aware of the marriage, and confirmed the father's assertion that Istoiana had been taken by force without either her permission or that of her father Icho. Thus, under *Shari'a* law, it was not established that Istoiana was the lawful wife of Mitre. Istoiana was separated from Mitre by *tefrik* and was transferred to her father in the *Shari'a* court. These events “were recorded on demand” on 20 May 1709. The witnesses were Hüseyin Efendi, son of Ahmed Efendi, and Mustafa Çelebi, son of Abdullah.⁴⁴

The Institutions

In accordance with the *zimma/dhimma* pact, the Orthodox Church as a legal institution was integrated into the Ottoman social and administrative network during and after the fifteenth century. Thus, the Church preserved elements of the role it had played during the previous Balkan-Byzantine period, and even saw its functions expand. This expansion particularly concerned the powers granted to the Church by the Ottoman state to regulate the family and matrimonial relations of its members in accordance with canonical law. The scarce information that we possess indicates that wherever the Church attempted to regulate those matters, it tried to follow the requirements of the canon.⁴⁵ It seems, however, that during the first centuries of Ottoman rule, not all local structures of the Church were able to exercise these powers to the full extent.⁴⁶ This must have meant that the legal rights of Christian women were curtailed. The Church's unsystematic functioning, and the scarcity of surviving documents issued by the Church bodies, make it difficult to study the regulation of the matrimonial problems of the Christian people from the Bulgarian eparchies of the Constantinople Patriarchate before the nineteenth century. It is therefore important to make use of the information available in the Ottoman documents concerning the treatment of the matrimonial problems of Christian women by the *kadı* court.

The powers of the Church to regulate family and matrimonial relations were established by the Ottoman state in the *berats* issued personally to the bishops. The renewed *berat* from 1703 for Anastasii, metropolitan of Sofia, reads: “Without the knowledge and permission of the aforementioned clergyman, [priests] shall not marry against their Church decrees those infidels who are not permitted to enter into a marriage. If a non-Muslim’s wife runs away, or if a non-Muslim has to divorce or to take a wife according to their useless confessional decrees [*akd-ı nikâh ve fesh-i nikâh*], or if they should be subjected to damnation and punishment—the so called *aforos* (excommunication)—in their churches, only the aforementioned clergyman and no one else should mediate.” In other similar documents it is especially emphasized that non-Muslims can marry only up to three times in succession, and that if they do otherwise, they should be punished. Also mentioned are the taxes that were paid upon entering the first, second, and third marriages, and when there was need to enter into or terminate a marriage.

A *berat* from 1738 on the appointment of the bishop of Cherven (near Rousse) also contains the standard provisions regarding the marital powers of the Church:

From the records preserved in the state Archive ... it is evident that pursuant to the high *berats* granted to the bishops, they ... collect taxes, as have been collected in the past as well, from those entering into their first, second, and third marriages. ... When a divorced or miserable Christian woman asks the aforementioned monk, he possesses the right to permit a marriage or to terminate the existing one in accordance with the relevant religious rituals, after the Church is paid a fee. ... Without the permission of the aforementioned monk, no priest shall have the right to permit the marriage of persons for whom marriage is not allowed. It shall not be allowed for a priest to be forced to perform a service against the rituals that he is following, or to be made to marry any Christian man to this or that Christian woman. No interference with the papers composed and dispatched for the sanction of those Christians who have been subjected to *aforos* shall be allowed. Whenever the aforementioned priests perform marriages against the religious requirements, ... they shall be punished by dismissal or shaving of their beards, and their positions shall be granted to more worthy ones.⁴⁷

These texts outline the main problems that the Church dealt with when regulating the matrimonial issues of its parishioners: the desire to enter into more than three marriages, or possibly to evade some other matrimonial limitations. It was precisely because a prelate had permitted an illegal concubinage and a fourth marriage that the synod of the Ohrid archbishopric defrocked and excommunicated him from the Church. We may add that folklore as well as ecclesiastical court documents from the nineteenth century suggest that another common problem was the desire to marry a close relative.⁴⁸

Christians were not obligated to go to the *kadı* in order to be married or to divorce, but there may have been judges who abused their positions in order to

collect taxes. Such a case is discussed, for example, in a *ferman* from 1700 sent to the authorities of the town of Vidin as a result of a complaint by Kalinikos, Patriarch of Constantinople. Quoting the *berats* granted by sultans, the patriarch pointed out that when a marriage of infidels [*kefire taifesi*] was to be contracted or terminated [*akd-i nikâh ve fesh-i nikâh*], this was to be conducted by the bishops and the priests in accordance with their false rites [*âyin-i bâtlamız üzre*]. However, in order to gain some money, *kadis* and *nâibs* (assistants to the *kadı*) claimed that without a letter from them [*mürâsele*] a marriage could not be contracted. This inflicted damage upon the Treasury and was a breach of the infidels' customs.⁴⁹ In order for such taxes to be collected—although that meant acting beyond legal powers in order to obtain undue financial gain—at least formally a marriage or divorce had to be sanctioned by the *Shari'a* court. A similar case is evidenced by another *ferman* to the *kadı* of Vidin concerning abuses by the former *kadı* who had traveled around the *kaza*, stayed at the houses of the *reaya*, and, in violation of procedure, forcefully performed the partition of inherited estates as well as illegally earning fees for contracting marriages.⁵⁰

It becomes clear from such documents that it was not unusual for *kadis* to officiate in marriages among Christians, and collect the officially-set fees. It has been established that various regions experienced a scarcity of priests in different periods, particularly the villages of Bulgaria in the fifteenth to seventeenth centuries. As a result, Church marriages could not be regularly performed, and this opened the way for the only institutionalized alternative available—registration before the *kadı*. On the other hand, it was precisely during the seventeenth century that the jurisdiction of the *kadı* institution reached its apogee in the provinces under study, and that the network of *kadı* courts was completed and its staffing peaked. Particularly from the middle of the seventeenth century to the end of the eighteenth, the office of the *kadı* became especially desirable, and as a result there was pressure to create new *kadı* posts. This, together with an increase in corruption among the lower-rank (*toprak*) *kadis*—as evidenced by *adaletnames* (sultanic acts of mercy against injustices upon the *reaya*)—leads to the conclusion that those *kadis* who had waited for a long time before assuming their limited term in office sought to exploit all available opportunities to collect earnings, that is, to perform the maximum number of procedures and collect the associated fees—in obvious competition with customary practices. The local *zimmi* would have represented a substantial reserve for this expansion of the scope of formal *Shari'a* procedures. Going back to the *ferman* of 1700 mentioned earlier, it is clear that looking for business around the *kaza* was the easiest way for a *kadı* to increase his earnings, because while the population of the town of Vidin was predominantly Muslim, the countryside was mostly inhabited by Christian villagers.⁵¹

The *fermans* cited above were issued in response to complaints by local bishops against *kadis*, and, as mentioned earlier, the number of such problems in Rumeli appear to have increased during the eighteenth century. The local bishop considered the perimeter of his activities, as well as his finances, to be endangered. The case of Mitre and Istoiana also confirms that the administration

and local authorities recognized the competence of the clergyman to contract marriages—the subject of dispute was not whether or not the Church had the jurisdiction to officiate marriages in general, but rather whether or not such an act had been performed in this particular instance.

It seems, however, that Christians themselves resorted to the *kadı* courts for several reasons. According to some researchers, financial motivations played a part: marriage and divorce fees at the *kadı* courts were lower than those collected by bishops.⁵² In addition, simpler procedures—for example, no investigation into the motives for divorcing, no conciliation terms, and no bans on subsequent marriages—and the wish to evade some canonical restrictions might have induced Christians to use the services of the *kadı*. Indeed, all these factors are evidenced by the documents of the bishopric courts from the nineteenth century. Even then, the Church had difficulty imposing its regulation of marital relations and especially enforcing the barriers to marriage, and was forced to make compromises (the principle of economy), explicitly citing the motive “so that they do not go to the *kadı*.”⁵³ Some documents lead us to conclude that, by and large, Christians resorted to marrying and divorcing before the *Shari‘a* court when seeking guarantees that the terms of the marriage or divorce would be enforced. Apparently—out of a desire to seek a double guarantee—some Christians went simultaneously to both the Church authorities and the *kadı* court. Thus, in 1741, in the town of Manastir, Karanfil and Iankula were married by a priest, and a month later they appeared before the *kadı* to register their marriage. In 1636, a Christian woman stated before the *kadı* court in the town of Manastir that “before the date of the present record, my husband left me in accordance with our rituals and I am divorced from him.” This claim was confirmed by the testimony of two Muslims: “In truth, the aforementioned husband divorced her in our presence according to their rituals.”⁵⁴

Similar documents reveal how, at least starting in the second half of the seventeenth century (if we strictly follow the emergence of sources evidencing that process), the courts of the *kadı* and the bishop collided in the field of matrimonial institutions. The court of the bishop should have had certain means at its disposal to enforce its decisions, but, as the records in the *sicils* suggest, the *kadı* court continued to be in demand among Christians when dealing with their matrimonial problems.

It is not possible to state this with certainty, but it appears that the number of Christians from Rumeli who turned to the *kadı* court for the settlement of their marriage and family issues decreased during the eighteenth century. It is equally difficult to accurately determine the reason for this phenomenon—whether it was because they had no further need to do so, or because they increasingly turned to the Orthodox institutions that were *de jure* entitled to solve their marriage problems. For now, I tend to favor the second explanation. With the consolidation of the institutions of the Orthodox Church in Bulgarian lands starting toward the middle of the eighteenth century and continuing during the nineteenth, it is probable that the opportunities of Christian women to have recourse to its judicial

services in dealing with their matrimonial matters increased. Coincidentally or not, it was precisely around the end of the eighteenth and the beginning of the nineteenth centuries that *fermans* confirming the jurisdiction of bishops over the matrimonial matters of Christians started to be issued with greater regularity. The codexes [*kondikas*] of bishops reveal an abundance of divorce cases in the nineteenth century.⁵⁶ It appears that episcopal bodies had begun to function more systematically during the eighteenth century, and the jurisdiction of the Church over marriages and divorces was reestablished, perhaps accompanied by a clearer institutional division between the treatment of the matrimonial matters of Muslim and Christian women.⁵⁷ It is against this background that some of the above mentioned conflicts may be interpreted. The bishops had been unhappy with ongoing infringements on powers that had been guaranteed them for several centuries. By the end of the eighteenth and the beginning of the nineteenth centuries, the Church appears to have gained the opportunity to assume the full-fledged exercise of these powers in the lands that now constitute Bulgaria. Thus, the Church confronted *Shari'a* institutions that had, until then, been *de facto* performing, at least in part, the Church's functions in the field of matrimonial relations.

Against that background, Icho's recourse to the *kadı* court over his daughter's matrimonial problem should not be considered an exception. However, it is more difficult to guess exactly why he did so. At the time, beside the *kadı* court in Sofia, there was also a bishop—in this particular case, the Metropolitan Anastasii.⁵⁸ It can only be supposed that because Istoiana and Mitre had had conjugal relations, and a wedding ritual had been administered—quite possibly by an authorized clergyman—the Church would not have accepted so easily the argument that there was no legal marriage, and therefore would not have readily granted a formal divorce. Rather, the Church would have made efforts to stabilize the marriage that was opposed by the father and perhaps by Istoiana herself.

Neither bishops, nor *kadis* could however enforce criminal sanctions (imprisonment, corporal and capital punishments); in cases—marital or otherwise—when they did impose such sanctions, they had to refer them for execution to the secular Ottoman authorities.⁵⁹ Indeed, cases involving the matrimonial problems of both Christians and Muslims do figure among those brought to the attention of the central government.⁶⁰

Ottoman laws provided for certain situations in which the *Shari'a* court, along with local security authorities, could interfere in matrimonial and sexual relations between Christians (as well as between Muslims); this applied to cases of adultery.⁶¹ Special accidental fees and penalties were imposed upon adulterers and included in the total list of accidental fees and penalties (*bad-ı hava*) so often recorded in Ottoman taxation registers. While it was shared equally between *timariot* and *sancak beyi*, this penalty had to be imposed by a *Shari'a* court. Thus, Derviş Ağa, the *zâbit* of the village Taban in the region of Rousse, appeared before the *kadı* court and declared that one year earlier Sabo had committed adultery, and three months later she had had an abortion. This was confirmed by the priests

Georgy and Nikola, dwellers in the same village; at least the court considered their statement that “this whole business cannot have happened without a reason” to be substantiation of the charges. The proceedings were recorded in the *sicil* and Sabo was handed over to the *zâbit*, most probably for him to carry out the sentence and collect the fine. In another case, the *voivoda* el-Hac Ebubekir—probably relying on his authority and because he hoped to collect the fine for adultery—claimed that Pauna, former wife of Dimo, had wedded the candle-maker Vasil without first being divorced and rejected by Dimo and against the *Shari‘a*. When interrogated, Dimo, son of Parashkev, from the village of Dizdar in the region of the town of Provadia, confirmed that he had in fact left her. A further example: In the court of Sofia, in 1617, a cash bail [*kefalet*] was registered for Milka, daughter of Yove, from the village of Lozene-i Zir. She had been accused of adultery. In accordance with the rules of the *Shari‘a*, she had been detained for the purpose of investigating her situation, but because of difficulties in proving the allegations against her, her brother Stoyu, son of Yove, now paid her bail. This was recorded in the *sicil* at the request of the *zâbit* of the village, Hüseyin Bey.⁶²

Both Ottoman and Church documents recorded the involvement of representatives of the town or village communities in the matrimonial issues of their members; apart from being summoned as witnesses, they could initiate a particular procedure or be involved in the enforcement of a decision. This was the lowest institutional level concerned with the regulation of matrimonial problems in a social environment actively involved in all the stages of matrimonial relations. Witnesses, neighbors, relatives, elders, and dignitaries—they were all exponents of traditions and local customs. Their participation in all matrimonial events was in many cases sufficient to legitimize them.⁶³

Matrimony

In 1638, Visha, from the village of Tzurno Buka in the region of Manastir, complained that she had been married by force. Her husband and a priest had entered the room where she was sleeping and had hastily recited a prayer. On the following day, before the *Shari‘a* judge, the marriage was nullified.⁶⁴ What stands out in this case is its similarity to the case in which Mitre had tried to marry Istoiana. It is known that in the past in Bulgarian traditional society, a public wedding—the customary rite, often without a church ritual—had been sufficient to legitimize a marriage. Yet, some hints in the sources suggest that during the period of Ottoman rule, religious marriage—the nuptials, a sacrament officiated by a priest—gradually came to be regarded as essential, if not sufficient, for legal matrimony. In both the instances just cited, no mention is made of a public wedding, and the recitation of a prayer by a priest was considered sufficient for a valid marriage. It is important to note that Orthodox priests were involved in both cases of disputed marriage. In fact, the priests were the officials recognized by both the Church and the Ottoman state, and they were empowered to administer legal marriages of Orthodox subjects. Perhaps this is what had led the two unsuccessful bridegrooms to hope that the Church nuptial sacrament performed by a priest,

together, of course, with sexual intercourse, would have sufficed to put the brides and their families before a matrimonial *fait accompli*, even if there had been no wedding witnessed by the public. We can only speculate that both the Church and the Christian community would have been reluctant to accept the easy dissolution of wedlock created in this manner,⁶⁵ and thus the court of the *kadı* appeared as the simplest alternative means of obtaining a divorce.

Nuptials⁶⁶ fell within parish priests' jurisdiction, and their authorization to officiate was included in the bishops' *berats*. In his memoirs—one of the first examples of this genre in modern Bulgarian literature—Sofronii, bishop of Vratsa, describes his adventures at the end of the eighteenth century as a village priest, and relates how Ahmed Giray Sultan, the Crimean Tatar Khan, had wanted to take by force a Bulgarian girl as his second wife. Sofronii, however, prevented him from doing so by hastily wedding the girl to another man. The marriage was a fact and was lawful, and Giray Khan could only direct his anger at the priest.⁶⁷

Some of the quoted Ottoman *berats* confirm that the Orthodox bishops issued a *vula* (bull), i.e. a canonical permission to enter a marriage, and that technically the priest could exercise his discretion on that matter. The issuance of a bull was within the competence of metropolitan bishops. Parish priests, however, living closest to their parishioners—like the *mahalle imami*—were those who could actually provide information as to whether the issuance of a bull was permissible in a particular case. The *ferman* issued on the occasion of the appointment of the metropolitan of Sofia stated that only the metropolitan was authorized to appoint an intermediary for the conclusion of an engagement (betrothal) or divorce. Some *berats* and “Church” *fermans* contain concrete provisions aimed against the practice of circumventing the competent parish priests: “Whenever somebody from the *reaya* goes to another place with the intention to marry against the rules, the marriage shall not be allowed.” This *ferman*, addressed to the Varna metropolitan, exhibits clear dissatisfaction with lay people who did not get a *vula* from the Church and got married before *imams* in the mahalles. There are also recorded cases in which the sanctions provided for by the canons and the *berats* were imposed on priests who had officiated at marriages in violation of the canon. The 1802 *berat* of Paisii—metropolitan of Varna, Yeni Pazar (the town of Novi Pazar), Kozluca (the village of Oreshnik in the district of Razgrad), Pazarçık (the town of Targovizhte), and Mangalia (in Romenia)—is very clear: the *reaya* conclude marriages and divorces [*akd-i nikâh ve fesh-i nikâh*] with the mediation of the metropolitan and his proxies [*vekil*] who, when necessary, give blessings or anathema (*aforos*) in accordance with their customs in their churches. But some do not comply with their old false customs. When they wish to get married or divorced [*talâk*] from their legal wives, they request permission from the metropolitan. If he does not marry them because that would contravene custom, they refer to the *imams* of the Muslim *mahalles* who, prompted by greed, conclude the marriage.⁶⁸

However, domestic sources from as late as the third quarter of the nineteenth century do not provide evidence of the systematic registration of marriages. It is

indicative that a *pismovnik* (epistolary reference book) from the eighteenth century contains a sample form entitled “How a paper of marriage should be written.” It is a model blank form in which the father of a newlywed bride declares that he gives “to the one wanting her ... my daughter as wife,” blesses his daughter, and wishes her to have children (“to give birth in peace”). Further, it describes the assets that the father grants his daughter under the condition “to have these assets at their disposal jointly with her husband. To be their possession.” The newlyweds were to have full disposal of the assets granted to them, and no one was to interfere—“neither me, nor her mother, nor her brothers.” The names of the witnesses were to be recorded.⁶⁹ In practice, the Church would have certified, by such a document, the conclusion of a nuptial contract—or, more precisely, of a prenuptial agreement. Perhaps Mitre had kidnapped Istoiana in order to evade the pre-wedding oral agreement—and most importantly, its financial aspects. Perhaps this was a case of “stealing of a lass” or “elopement of a lass” as a form of customary marriage.⁷⁰

But for Mitre there existed another option for concluding a legal marriage with Istoiana: as with other Christians, he could have taken the matter to the *kadı* court. When marriages between Christians were registered in local *sicils*, the entries were even more laconic than those referring to Muslims. A Christian’s entry into marriage before the *Shari’a* judge was effected by his or her appearance in person or by proxy, and in the compulsory presence of witnesses. Niko, son of Stamat, entered into marriage in 1550 by his proxy Kosta, as evidenced by the Sofia *kadı sicil*. In another case, the bride Tota, daughter of Jorgi, was also represented by a proxy—Kiriak, son of Dimo—for the purpose of entering into marriage before the Sofia *kadı* court. The witnesses were Niko, son of Dimo, and Simo, son of Shenar. A matrimonial donation was agreed upon in the amount of 100 *akçe*. In a *sicil* from Vidin dated 1763, it is recorded that “The husband is Parvul, the lawful wife is the Christian woman Stoiana.” That was, in fact, the registration of a marriage, as is also confirmed by the presence in the document of the names of three Muslims, apparently the witnesses. The marriage of Nikola, son of Stan, from the *çiftlik* of Kerim Bey, and Kalina, daughter of Ignat, from the village of Koshov in the region of Rousse, was also recorded in similar manner. No matrimonial donation is registered in these last two cases, and the deeds are of the short-entry type, certifying only the matrimonial event itself.⁷¹

Various deeds in *sicils*—the partition of estates, the registration of divorces and marriages of Christians—suggest that the sum of money often called *mehr* in Ottoman documents, to which the wife was entitled in case of divorce or the death of her husband, was also provided for in the Christian community. In 1715, after the death of Dragosh, son of Ispas, from the *çiftlik* of Genç Ali Ağa situated near Rousse, his wife Todora, daughter of Istoian, and their mature children Dragoi and Dimko were recognized as his heirs. Later Dragoi died as well. Then Kalina, daughter of Istoian and wife of the deceased son Dragoi, claimed her husband’s share from the estate of his father Dragosh. She asserted that the claim was in her own name and on behalf of their infant children Dragoi and Ivana. Eventually, the

following two deductions were made from Dragosh's estate: the refund of a debt to Kalina, confirmed by Istati and Istamad, totalling 600 *para*, and a "confirmed claim by the wife arising from her marriage [*nikâh*]" totalling 240 *para*. After that, the remainder of the estate was distributed into the following shares: to the widow Todora, 1555 *para* (of which 680 *para* came from the share of her deceased son as *münasaha*—death of a person entitled to an inheritance, before his inheritance share has been transferred to him); to the daughter, 204 *para*; to Kalina, widow of Dragoi, 510 *para*; to Dragoi's son, 1926 *para*; and to his daughter Ivana, 963 *para*.⁷²

In some documents concerning the divorce of Christians, it was expressly emphasized that no *mehr* had been provided for at the time of marriage. In 1772 the Christian woman Neno, daughter of Todor, from the Peio *mahalle* in the *varos* of Vidin, declared before the court that Petre had become her husband but without stipulating [*tesmiyesiz*] a *mehr*. Because there were arguments between them, they had divorced by *talâk* and renounced their respective matrimonial rights and obligations.⁷³

Receiving *mehr* is considered to be among the principal advantages for women under *Shari'a* marriage, particularly in the event of divorce on the husbands' initiative. This must have been an exceedingly attractive proposition for Christian women as well. In spite of the influence of *Shari'a* inheritance norms, however, I have so far been unable to determine with certainty if the agreement on *mehr* did gain ground among Christians as an element of prenuptial agreements under the customary or Canon law, or if references to *mehr* among Christians occurred mostly in cases of marriage or divorce before the *kadı*. While customary law seems to suggest that a wife could retain ownership of her dowry after the termination of the marriage, individual reported cases of compensation from the husband in case of divorce—or from his estate after his death—do not seem to reflect any general rule. Property issues between spouses could be settled in accordance with the norms of canon law (which had, in turn, adopted a number of customary practices): women were granted ownership rights with respect to both their dowry and the marriage gifts they had received at the time of contracting the marriage.⁷⁴

Like Muslims, Christians too got married not only before a *kadı* court, but also, in sporadic instances, before an *imam*. In 1802, the metropolitan of Varna complained through the Patriarch to the Sublime Porte that upon meeting with obstacles to marrying or to divorcing their lawful wives according to their ancient laws, some disobedient Christians would go to Muslim *mahalles* to the *imams*, and the latter, because of greed, would administer the marriage or divorce in contravention of their laws. Subsequently, a *ferman* was issued confirming the metropolitan's jurisdiction and directing *Shari'a* authorities to warn *imams* to abstain from this practice. The disposition quotes a decree issued on a similar occasion in the *kaza* of Bania in the *sancak* of Vidin.⁷⁵

As already noted, in opting for a *kadı* or *imam*, Christians sought an institution through which they could circumvent prevailing customs (and probably the

Church), perhaps regarded as excessively harsh. Significantly, this also meant opting for an institutional marriage—something particularly important for women.

Divorce

A marginal note from 1777 in a Bulgarian manuscript reads: “Let it be known that a bride, the daughter of Pencho [nicknamed] Hard Bread, got married and had her husband for nine days, and then hanged herself by a rope in the small house.”⁷⁶ A village woman from the region of Sofia sought another solution for her marital problems. On 17 October 1617, at night, Tzonio, son of Todor, a dweller in the village of Dobroslavche, was murdered. Nikola, a brother of the victim, the proxy of the mature daughters of the late Dafna and Vukana, and appointed in a special court session as guardian of the infant sons Mihail and Eno, declared in court jointly with Stana, sister of the murder victim, and in the presence of representatives of their village whose names are enumerated, that Pirka(?), daughter of Rade and wife of the victim, confessed as follows: While her husband was alive, there had been no good life between them, only quarrels. He tormented her and was mad. Worried by his harassment she went to Dimitar, son of Nikola, and the gypsy Spas, brother of Sharko. She gave them two pieces of *kâfirlik* (infidel’s) silver bracelets, three *kâfirlik* silver necklaces, three *kâfirlik* shirts, two *kâfirlik* sleeveless jackets, two *kâfirlik* fur-coats, two *kâfirlik* waist-bands, and one silver cup. In return for all this, she directed them to kill her husband. “I am the cause of his death,” said the woman, confirming that she had no claims [*diyyet*] for his death against any dweller of the village or anyone else—a standard procedure with criminal acts. Dimitar and Spas had committed the murder with her consent (*re’y*—decision, sentence). At the request of the “ashamed” widow, the court divided the estate of the murdered Tzonio, from which she did not get a share. After Pirka admitted to having murdered her husband, her father Rad became her *kefil* for instances when she would be summoned by the court (also standard procedure with criminal acts).⁷⁷

Between the two extremes represented by these cases—committing suicide, and contracting the murder of an abusive husband—the Christian women of the period under study, both in towns and villages, resorted to the *kadı* court to seek a divorce.

The *kadı* registered non-Muslim divorces, regardless of whether or not the respective marriage had been concluded in accordance with the norms of the relevant non-Muslim confession. Divorce between Christians was usually denoted by a specific term meaning “annulment of marriage,” and was final.⁷⁸ By way of motive for divorce, the *sicils* usually note briefly that there were constant quarrels between the spouses. This is the most common formal ground in the case of divorces between Muslims as well (in cases of *hul*). In 1781, Velko, a dweller in the *kasaba* of Filurdin in the region of Vidin, declared to his wife Miladina that there were quarrels between them and that he was leaving her by *talâk-i bâin*. She accepted the divorce without receiving a *mehr*. In 1709, before the Sofia

court, Pano, son of Ishterko, a dweller in the *mahalle* of Sungurlar, declared in the presence of his wife Suba, daughter of Tzone, that there was no accord between them and that he wanted a divorce [*tatlik*]. “Now I am parting from my wife, the aforementioned Christian woman Suba. May she be divorced from me by an irreversible divorce [*talâk-i bâin*]. Since I married her with the transfer of one pair of silver *kâfir* bracelets as *mehr-i muaccel*, I am giving her similar ones.” Evidently, in this case a *mehr* had been agreed upon as the basis of the nuptial contract. According to another record, later that year the same Suba asked the judge to set an allowance—money for food and clothing and other needs—for her two infant sons of whom she was taking care. The court determined that the father was to pay 2 *para* per diem.⁷⁹

In many cases of divorce between Christians, the wife appears to have been the initiator of the divorce. In 1709, Mile, daughter of Philip, a dweller in the *mahalle* of el-Hac Pervane in the town of Vidin, declared before the court to her husband Zjivan, son of Raiko, that because of the discord between them she was divorcing him on her initiative [*talebim ile tatlik idüp*], and she relinquished any receivables and claims stemming from matrimonial and all other rights and obligations that had existed between them before the divorce.⁸⁰ It appears that the *hul* procedure was applied in this case, although there is no express mention of it.

In 1728, Yovana, daughter of Simo, from the village of Seslavche in the region of Sofia, stated to her husband Stoian, son of Gergo, that because there was no good understanding between them, she was divorcing him lawfully by *hul* [*muhalaa-i sahihe-i şer 'iye*] in exchange for her relinquishing her claim to the assets that he owed her under their agreement—a pair of silver bracelets worth 10 *kuruş*, a ring worth 1 *kuruş*, and 6 *kuruş* in cash that were her *mehr-i muaccel*—and freed him of any matrimonial obligations and claims for the time from the beginning of their marriage until their divorce. In 1722, the Christian woman Tzveta, daughter of Istoicho, a dweller in the village of Kamartsi (?) in the region of Sofia, declared before the court to Paun, son of Mitre, a dweller in the village of Boyana, that he was her husband but that there was no good understanding between them. “Since I move for *hul*, I therefore give up all the agreed-upon assets that he owes me—one pair of silver bracelets worth 5 *kuruş* that are my *mehr-i muaccel*; furthermore as payment under our reconciliation agreement [*bedel-i sulh*], I give Paun 10 *kuruş* and I am divorcing him by *hul*.” Paun accepted the terms. Besides all this, however, Tzveta also gave her ex-husband three shirts worth 1 *kuruş* each, a waist belt worth 1 *kuruş*, and a pair of socks worth 1 *kuruş*, as well as 10 *kuruş* as forfeiture for the *hul* [*bedel-i hul*].⁸¹

As in most such cases, the record states that the document was issued and handed to the husband, obviously because of his financial interest. As with Muslim women, in the case of Christian women too, this divorce procedure, identified as *hul*, underlined the privileged position of the husband—a situation endorsed by Bulgarian customary law as well.⁸² For Christian as well as Muslim women, the need to resort to the court signified their weaker position; however, apart from the greater need for legal protection in the case of women, the fact that

an institutional possibility existed for the provision of such protection deserves favorable mention.⁸³

Technically, divorces between Christians had to be administered by the Church, and extant bishopric and municipal books (codex) from the nineteenth century contain considerable material on the subject. Concerning earlier periods, the *pismovnik* mentioned above is particularly valuable, as it contains a sample blank form entitled "How a paper of leave should be written." It goes as follows: "Because [name], daughter of [name] from the village or parish of [name] complains that her husband has stolen her belongings, has fled secretly, has not sent her any money or letters for seven years; this fact having been established by testimony under oath; therefore, after having witnessed the ill-treatment she is subjected to and having perceived the weakness of her nature, under Divine and sacred law our humility has delivered and grants leave to [name], claimant, from [husband's name], and we grant her permission to marry another man as arranged by her and in accordance with her resolution. Therefore and for her salvation, the present letter of leave is granted." A second sample was intended to apply to cases where the divorce was initiated by the husband: "In a different manner" a divorce is granted to a husband whose wife "committed this and that ... because Divine and sacred law commands that the adulterous wife be separated from her husband." The man is permitted to enter into another marriage as well.⁸⁴

Judging from the quoted samples, the divorce procedure shows some similarities to that before the court of the *kadi*: the appearance of the claimant and possibly the other party, the presence of witnesses (two people who may be subjected to relevant procedures to establish their reliability), and reference to sacred law—obviously the Christian canons in this case. However, in contrast to the *hüccets* of the *kadis*, as well as to some of the records in the bishop *kondikas* from the nineteenth century, the sample forms contain no provisions regarding property matters between the ex-spouses. On the other hand, a great deal of attention was paid to the reasons for the divorce, as was not the case with *kadi* divorces of Christians, thus providing an explanation as to why Christians resorted to the latter. The reasons for divorcing were the main consideration for the ecclesiastical courts in determining whether or not to grant a divorce, and thus it was necessary for them to be proven genuine.

It is curious that the reasons quoted in the sample form that a woman or man might have used as grounds for divorce match the reasons most commonly recorded in the bishops' *kondikas* from the mid- and late nineteenth century: women referred to the lasting absence of their husband and his failure to provide financially for his family, and men referred to adultery on the part of their wife. The forms in this *pismovnik* end with permission for a new marriage similar to the permission in the bishops' *kondikas* from the nineteenth century, but not encountered in the *hüccets* of the *kadi*. This is indirect proof of the existence of the practice of requesting a *vula* (permission issued by the local bishop to enter into a marriage after a divorce) verifying that the future marriage would be in accordance with the canons.

Divorce because of the absence of the husband appears to reflect the realities of the age. The increased migrations during the seventeenth and eighteenth centuries, and the mobility of men (in general, because of population growth and the strengthening of destructive elements within society as a result of significant social transformations, but also more particularly due to the acceleration of the economy) seem to have had a direct effect on the strength of the matrimonial bond. In 1638, while the husband was away working, his Christian wife entered into a new marriage. Regardless of the insistence of her first husband that she should return to him, she asserted that she had divorced him, and received 700 *akçe*. In 1788, the villager Sarbin divorced his wife before his departure to Istanbul.⁸⁵ It is for this reason that in many cases of conditional divorce among Muslims, it was stated that the husband was gone. There are also a number of recorded claims by Christian women who, without initiating a formal divorce, asked the court to appoint an allowance for them and their children, or to grant them the right to dispose of family assets because their husbands had been gone for too long. In 1657, Stamata from the mahalle Kuyumcu in Rousse stated before the court that six years earlier her husband had departed for Wallachia. "I have received not a single *akçe* or grain of corn for my living," said she. The court authorized her to sell her husband's house, as was the standard procedure applied by the court with respect to both Muslim and non-Muslim women in similar cases.⁸⁶ It seems that there was also an increase in the number of prospective bridegrooms whose actual marital status was uncertain because they were migrants, probably leading to the establishment of certain new social and legal practices that, particularly for the Christian environment, are directly linked by historiography to the rise in the number of divorces and the increasingly important role of women in migrant families. For example, entries in different *kondikas* from the nineteenth century illustrate the practice of requiring men coming from far away to provide testimony from their native places or to present guarantors concerning their true matrimonial status. Thus, according to Ivan Snegarov, the material from the *kondikas* of the nineteenth century suggests that economic migrations and the absence of husbands changed the way of life of the family. It could be expected that the birth rate was also affected, that the burden of additional physical labor was placed on the wife and children, and that the age and gender distributions of labor within the family were altered. This would have eroded the despotic authority of the father in the patriarchal family, while the wife would have gained a leading role.⁸⁷

The divorce cases heard by ecclesiastical courts in the nineteenth century are considerably richer in terms of reasons for divorce: there are examples of all the sorts of factors that cause divorces in modern society—social, economic, psychological, and physiological. The impression suggested is that a rich variety of relationships existed between spouses and played important roles in both marriage and divorce. In fact, in the majority of cases, divorces were initiated by the wife even though this ran against with public morals: "Whether the woman lives well or poorly, it is her luck, this was her lot, and she ought to bear her vile fate with patience." Nineteenth-century material on divorces shows a most diverse

range of factors eroding patriarchal marriage. However, even in the second half of the nineteenth century, these factors were probably not particularly significant in quantitative terms.⁸⁸

Documents regarding divorces between Christians contain considerable data concerning money and possessions—the objects of nuptial contracts. As mentioned earlier, following the sources, they can be qualified as *mehr*—a practice borrowed directly from Muslim matrimonial norms. Based on customary practices, we can assume that the term *mehr* might have referred to the presents the bride received from the groom, or even to the compensation that in some regions had to be paid to the father of the bride (in Bulgaro-Turkish, the so-called *baba hak*), in other words, the trousseau of the bride that was used in some regions for the preparation of the dowry.⁸⁹ These hypotheses are supported by records about Christian women who received an inheritance from their deceased husbands and a share from the partition of the estate of their parents or close relatives; in other words, they possessed certain property rights.⁹⁰ Kalina, from the village of Drianoviche in the Vidin region, collected a share from the inheritance left by her brother who had lived in a neighboring village. In another case, a widowed Christian woman who had also lost her sons, sued her nephew for her share in the inheritance of her husband. In a third case, a woman was involved in a trial with her son-in-law.⁹¹ It is indicative that in one case a Christian woman disputed the sale of her vineyard by her husband; however, two Christian witnesses stated that the woman had been present when the deal was concluded, and for this reason the court ruled that there were no grounds for honoring her claim.⁹² Milka, daughter of Misho, a *zimmiye* from the village of Gorno Chepintsi, took her father to court in Sofia in 1617 for a silver bracelet, a trivet, a *çoha*, and a bracelet that she had inherited from her mother, but which had remained in her father's possession. The father had given her the bracelet, but for the rest, "we had continuous disputes, until mediators intervened and we agreed that he should pay me 200 *akçe* and give me a bucket for a price of 100 *akçe*."⁹³

The settlement of property issues between divorced Christians necessarily included a waiver of claims, a practice applied by nineteenth century ecclesiastical courts. The documentation of the latter even contain literal formulae similar to those used in the *kadı sicilleri*. In certain cases recorded in the *sicils*, the allocation of a child's allowance was formulated for Christians in the same way as it was for Muslims.⁹⁴

The formalized structure of documents has precluded a deeper insight into the motivations and conditions under which Christian wives ventured to take the step of seeking a divorce. What was the decisive factor? Was it poor relations within the family? Or a genuine opportunity for the wife to take her financial affairs into her own hands, at least for a while?⁹⁵

In the document cited earlier concerning the disputed marriage between Istoiana and Mitre, there is no mention of any property relations between them. However, it is possible that financial motives induced the kidnapping of the bride. It is interesting that on the basis of the evidence provided by the witnesses—a

common judicial procedure—the court determined that there did not exist a valid marriage, despite the fact that matrimonial relations had existed between Mitre and Istoiana for a long time. To the extent that the court explained the reasons behind its verdict, it was not based on the argument that the priest had lacked the authority to marry them, but rather on the determination that no valid marriage between them existed. *Shari‘a* law foresees nullification of marriages,⁹⁶ although as of this writing I am unable to quote such a case from the local *sicils*. In the case of Istoiana and Mitre, the court accepted the lack of a legal marriage, but did not nullify it; instead, it ruled for a divorce by the initiative of the wife—*tefrik*—on her father’s claim and not Istoiana’s, at least according to the source. It appears that Istoiana was of legal age, and that her father had not been expressly authorized to be his daughter’s proxy [*vekil*] as would have generally been a prerequisite for him to file a claim based on the rights of a third party. However, the *kadı* court decreed that the daughter should be returned to the father. Since the maturity of Istoiana was not disputed, we can only assume that in this case, it was patriarchal authority that was respected.

Single Women—Widowed or Divorced

As with Muslims, in the case of Christians too the disposition of matters relating to the assets left after the dissolution of the couple—by divorce or the death of a spouse—is also documented in many instances and in great detail.

In cases where the children were juveniles, a guardian [*vasi*] of their property was appointed, but not in all instances was the guardian their mother. A group of documents concerns the problems faced by the widow Istefana, daughter of Stefan, from the village of Boyana near Sofia, after the death of her husband Stoian, son of Stefan. On 1 April 1709, it was recorded that in addition to her, the heirs of the late Stoian included the mature Tsvetko and the juvenile Yovan. Deemed qualified, the mother was appointed guardian to her juvenile son in the matter of the receipt of his share of the inheritance. On the same day, at her request and by a special record, she was also granted by the *kadı* court an authorization [*izin*] to spend 8 *akçe* per diem for food and clothing for the juvenile Yovan. On the next day, Istefana confirmed in the presence of two Muslim witnesses that she had received from her husband’s partner, the grocer el-Hac Ömer, son of Ali, the sum of 451 *akçe*—the amount that the deceased was carrying when he, along with Ömer, went to the *kaza* of Ipek to buy sheep and died in the course of the journey. All the records on the proceedings concerning the widow Istefana mention the presence, as a witness, of İbrahim ağa, *zâbit* of the Boyana village. He testified for days on end, until he himself became the subject of a judicial procedure: on 3 April 1709, he was appointed by the *Shari‘a* court as supervisor [*nazır*] of the inheritance transferred to the juvenile son of the late Stoian. On 12 April 1709, for the last time according to our documents, the widow Istefana appeared in court in relation to the affairs of her late husband. She was brought to court—both in her own capacity and as the guardian of her juvenile son—along with her other son, the mature Tsvetko, by Boshko, son of Djurdje, who claimed to have

given, in the presence of witnesses, a loan of 53 *kuruş* to her late husband for the purpose of purchasing sheep. The trustworthy dwellers of the village of Boyana, the non-Muslims Miladin, son of Stoian, and Ilia, son of Todor, confirmed the claim, and the court ruled that 53 *kuruş* be refunded to the plaintiff by the son and the mother.⁹⁷

Divorced Christian women lodged claims not only for the return of wedding gifts, but also for the setting of an allowance for themselves and their children. Petka divorced her husband by proxy, declaring that she had received the price of her dowry and her clothes, and additionally made a claim for an allowance and money for clothing. In 1709 Stoiana, daughter of Todor, a dweller in the mahalle of Orta Mescid in Sofia, appeared in court and declared, in the presence of her ex-husband Arsen, son of Rizo, from whom she was divorced by *hul*, that she was obviously pregnant by him. She asked the court to appoint the financial means for her allowance for the period until she delivered the child. Stoiana was authorized to receive 4 *akçe* per diem. The Christian woman Marcho, daughter of Usta Ioan from the Zincirli mahalle in Sofia, declared before the court to her ex-husband Tomo, son of Stoian, from whom she was divorced by *talâk*, that she demanded the provision of an allowance for food, clothing, and the upbringing of her three infant sons—Anton, Misho, and Anto. The court granted her the sum of 4 *akçe* per diem. Petka, daughter of Petre, from the Banişora mahalle in Sofia, had appointed her brother Velko as her proxy, with Yusuf, son of Abdullah, and Koicho, son of Krino, as witnesses. The proxy confirmed before the court that Petka had received from her ex-husband Ilia, from whom she was divorced, a pair of *kâfirlik* silver bracelets, 4 *kâfirlik* silver chains, 2 *kâfirlik* silver necklaces, and a *sırmalı* fur coat worth 600 *akçe*, in payment for the allowance she was due for sustenance and clothing for the three daughters under her guardianship—Mara, Angelina, and Kuna.⁹⁸

The case of Stamata, from the Kuyumcu mahalle in Rouse, was mentioned above. She declared before the court that her husband had left for Wallachia six years earlier and that she had not received any financial support from him; she was allowed by the court to have her husband's house sold.⁹⁹ In other words, the wife was authorized to settle her material situation without a formal divorce, as was the practice among Muslims. This and other similar documents underscore the fact that women possessed property of their own, but the estate of the family was considered to be under the control of their husbands. Particular legal grounds needed to exist for the wife to be granted authorization to dispose of the estate, or for an allowance to be provided her by the court from the estate. However, there did exist in society certain mechanisms for the provision of material support for the wife and children within the framework of the nuclear family.

The document just mentioned evokes once again the issue of absent husbands. Whether in order to marry again, or to be able to dispose of the family estate, women needed to clarify their matrimonial status. It is apparently in this context that the following document should be interpreted. On 2 October 1722, the wives of Mihail and Dobro, from the Imaret *mahalle* in Sofia, appeared before

the *Shari'a* court. They stated that through local notables [*mütesellim ağas* and *zâbits*], the janissary Hüseyin Beşe had gathered people for paid work, and had sent them to Yenişehir. Two years earlier, their husbands had left in this manner and had not been heard of since. Hüseyin claimed that the men were either killed or sold into slavery. The women asked for a court hearing at which Hüseyin would confirm this fact. When summoned, however, he stated that in the meantime, the husbands of the two Christian women had been hired by someone else, and that this was what had been keeping them away. A letter to the *kadı* of Yenişehir was then sent on behalf of the *mütesellim*—but most likely composed by the court in Sofia—and entrusted for delivery to el-Hac Mehmed, the *çokadar* of the *mütesellim*, and to Hacı Yakub. “When they arrived in Yenişehir, they called the aforementioned infidels and summoned them to court” where the two were interrogated and confirmed that they had been hired for some other job. Other dwellers of Sofia, who also had business in Şehir Köy but happened to be in Yenişehir at that moment, confirmed that the two husbands who were being sought were from Sofia, from the İmaret *mahalle*, and that they were alive, but that from *Gergiovden* (St. George’s day) until *Dimitrovden* (St. Dimitar’s day) they had been hired by a certain Mehmed.¹⁰⁰

There are many instances where the husband refused to fulfill his financial obligations toward his wife and children, and even deceived his wife. Yove, daughter of Petre, from the Wallachian village of Ribnik in the Vidin region, was represented by her father Petre, son of Hristo. In 1700, he lodged a claim against Georgi, son of Marko. Petre claimed that Georgi’s son (also named Marko), who was not present at court, had been his daughter’s husband. At the time of their divorce [*tatlik*], he had taken her possessions—silver and gold jewelry and money. Some time earlier, Petre had lodged a claim for their repossession, but Georgi had denied that Marko had taken them. This time they reached a settlement [*sulh*] for 30 *kuruş*. In 1710, the *kadı* of Vidin was sent a *ferman* issued in Constantinople in response to a petition [*arzuhal*] by the Christian woman Kotza from the capital. Her husband Defto, a non-Muslim, had borrowed 200,000 *akçe* from a certain Arslan as a loan; though the year of the loan is not precisely determined, the transaction must have occurred sometime between 1699 and 1708. She had become a guarantor [*kefil*] for the repayment of the debt with her own property. Her husband had then fled to the *kaza* of Vidin without repaying his debt. It was ordered that Defto be sent to the capital with *çavuş* İbrahim, a court official charged with the delivery and execution of the *ferman*, where he would be brought before the Imperial Divan, the grand vezir, and the *kadı asker* for the examination of his situation and the administration of the law.¹⁰¹

Single Christian women—whether widowed or divorced¹⁰²—had to be more active in their social interactions. They were the ones who most needed the security provided by the institutions, and for that reason they had recourse to the *kadı* as well as the bishop. An “agreement” from 1620 in Greek survives in the documentation of the local Orthodox church, stating that Katherina, wife of the deceased Vasilis, had gone to Arbanasi, a significant and rich village in the

vicinity of Tarnovo (the seat of a metropolitan), where she had received money, silver items, and clothes, all of which had been left in the keeping of church officials by her father and her husband. After that neither she, nor her children or sons-in-law, could make any further claim.¹⁰³

Mixed Marriages between Christian Women and Muslim Men

Extant documents confirm the *Shari'a* rule that if a woman converted to Islam, her husband had either to do the same, or be divorced from her. In Vidin in 1707, a Christian dweller in the *varoş*, the wife of a non-Muslim known as Gömleksiz (“shirtless,” a nickname that could be interpreted as meaning “poor”), had converted to Islam in court, and had contracted a marriage with Hüseyin, son of Mehmed. Both sides expressed their agreement before the *Shari'a* court, with a *mehr* of 1000 *akçe*. There is no mention of the observance of the period of *idda*, nor of any claims by the Christian former husband. In 1709, a dweller of the Yazıcızâde *mahalle* named Ayşe hatun, daughter of Abdullah, who had been “honored with the pride of Islam,” declared: “Now I have been honored with Islam, but my husband, the *terzi* (tailor) Stoino, son of Yovan, a non-Muslim [*zimmi*], left me and his two juvenile sons without an allowance [*nafaka*].” Being Muslims, the juveniles, named Ali and Abdülmenan, were entrusted to Ayşe by the court. The woman demanded an allowance and the court ruled that the father should pay 4 *akçe* per diem for her and the boys. In another case, two witnesses testified that the husband of Ahmed’s daughter Emine had converted to Christianity, and that Emine now wished to marry another man.¹⁰⁴

In this context, mixed marriages between Muslim men and Christian women¹⁰⁵ are noteworthy—for example, the one between the soap-maker Hüseyin, son of Abdullah, and Ianka, daughter of Dimitar, with a *mehr* of 100 *akçe*. Gergana, daughter of Georgi from Rousse, stated before the *kadı* court that she had received the *mehr* of 100 *kuruş* that was due to her after divorcing her husband Ömer Ağa, son of Ramazan Çelebi.¹⁰⁶

Also registered in our documents are many cases in which “daughters and sons of Abdullah”—that is, converts to Islam—married or divorced Muslims before the *kadı* court. Instances of mixed marriages between Muslim men and Christian women are more peculiar. According to the Hanefi legal school, which was dominant in the Ottoman empire, a Muslim man can take as wife and mother of his children a Christian or Jewish woman (but not a pagan) without her having to convert to Islam. This was a pragmatic solution that made mixed marriages acceptable and harmless,¹⁰⁷ and this attitude was perhaps made possible by the Muslim view of marriage as a mere contract, by the monogamy that prevailed among Muslims, and by the legal rights of the Christian wife, to whom a *mehr* was also provided. In 1718, the late Mustafa, a dweller in the Istanbul Kapusu *mahalle* of Vidin, left behind as heirs the infants Fatime and Emine. However, his Christian wife Anka had a claim arising from her *mehr-i müeccel* (in the amount of 2000 *akçe*), as well as from a debt owed to her by her late husband (47 *kuruş*)

that was confirmed by two Muslims. For these reasons, the house of the deceased was sold, and Anka's claims were paid off.¹⁰⁸

Naturally, the question arises as to what may have motivated such marriages. Folklore, as well as some Christian narratives in the Bulgarian language (and part of the historiography based upon them), have created a belief in the exceptional role played by direct coercion on the part of Muslim men with respect to Christian women. However, we must not forget that both these sources had ideological aims.¹⁰⁹ Legal marriages involving a Muslim man and a Christian woman occur in all types of historical sources. We cannot consider all these mixed marriages to be the result of a direct brutal intervention by the official institutions, although a Muslim man probably could hope to be favorably treated if he were to decide to seduce, persuade, or force his chosen woman into marrying him. Official Ottoman documents, however, demonstrate a clear distinction between cases where a Muslim man and a Christian woman had normal marital relations, even marital problems, and cases of outright abuse (including sexual abuse) of Christian and Muslim women. The janissary Osman Beşe kidnapped Petkana, wife of Ilia. He kept her in his house for an entire year, trying to persuade her to divorce her husband. Ilia brought suit and Osman was forced to bring Petkana to court and return her to her husband. Petkana, in turn, sued Osman, demanding the return of her possessions that he had kept.¹¹⁰

Among the reasons for these marriages, we might point to the lack of an adequate social security net for the most underprivileged Christian women, which may have been an incentive for some to marry a Muslim. This was also the only way a Christian woman could improve her standing, and the standing of her children, within the Ottoman social structure. Natural human attraction should not, of course, be underestimated either. After all, it was attraction that made a Muslim man prefer a particular Christian woman to one of his own creed, and the reverse may surely have held as well. Another factor was the desire of many converts to Islam to marry a woman of their own original ethnic background.¹¹¹

A key issue in the legal regulation of mixed marriages was the creed of the children: they could only be Muslims. For that reason, while forbidding Muslim women to marry or have intimate relations with Christians, *Shari'a* law permitted Muslim men to marry non-Muslim women whose children could, in practice, only be brought up as Muslims. This is confirmed by available documents from Rumeli.

A Christian woman could not inherit from a Muslim, and her rights would be transferred to her children. The heirs of Ahmed, son of İbrahim, from the mahalle Gökçe Baba in Vidin, were his infant sons Mehmed and Hüseyin and his daughter Hanife. His wife, the widow Ivana, a Christian, was obviously pregnant. According to the opinion of the respected men and the *müftüs*, only her child soon to be born (and not the Christian mother) could obtain a share of the inheritance. A partition of the estate was made on 10 October 1698. Marginal annotations on the document, and some crossing-outs, reveal the dire situation in which Ivana found herself, and the solution she came up with. The infant Hüseyin also died,

and only his brother Mehmed and sister Hanife were recognized as his heirs—Hüseyn's mother Ivana once again being left out of the inheritance. She then converted to Islam and took the name Fatime; following that, on 26 October 1698, she was acknowledged to be an heiress of her son. In the meantime, while Ivana was still Christian, the court had appointed a certain Mustafa, son of Hüseyn, as guardian of the inheritance left to the juvenile children and the one soon to be born. That part of the document is crossed out, and on 31 October 1698 (by which time Hüseyn had died and Ivana had become Fatime), she asked the court to provide her with an allowance from the inheritance of her infant children. The court granted her 1 *para* per diem per child, and gave permission [*izin*] to the mother to spend the sum so defined for the children—and, in case of need, to borrow additional sums. To the document thus composed, an additional bit of text was added in the upper margin, containing a permission also in the name of the guardian Mustafa Beşe, despite the fact that the document had been issued upon a motion by the mother.¹¹²

My primary goal in this study has been to reveal the legal and institutional options that were available to Christian women when dealing with their marital problems, and I have selected and structured the material accordingly. For this reason, many issues related to marriage and divorce were left out of this text, whose primary focus is empirical material from the *sicils*. The analysis is aimed at circumstantiating generally familiar features of Ottoman court practices by supplying anecdotal evidence concerning a particular period and region.

There is little passion in the material under review. More personal elements such as love and hatred left traces in the documents of Orthodox institutions. Long before the nineteenth century—as early as the twelfth—we read in a record of the Ohrid Archbishopric that Ana from Prespa had, after a brief marriage to Niko, conceived a hatred for him. She “was escaping to other people and places” in order to avoid meeting him, even though “he was looking for her and was begging her to come back.” She declared before the archbishop of Ohrid that if she was not allowed to divorce, she would “jump off a rock, or drown, or strangle herself.”¹¹³ Because the bishop's court carefully scrutinized the personal motives of the parties, it would sometimes hear—and, in the nineteenth century, record—the full range of emotions expressed by the spouses. The wife could describe her husband's insults and indignation, and he could state his complaints about her infidelity.

Kadı records, on the other hand, are dry and dispassionate. Nevertheless, from time to time one can get glimpses of the emotions involved: husbands who wished to make their wives return home, or wives who wanted to marry someone else. Between the lines of some of the *sicil* documents cited here, love shows through as an important factor. Along with powerful financial considerations and changes in women's status within the family, love affected the slow transformation of

marriage—from a relationship between two families, into one between a man and a woman; and from a material contract into a knot of social relations and emotions.¹¹⁴ This trend was realized, among other ways, through the slow expansion of the perimeter of institutionalized marriage and divorce, which was of particular import for the women. Through the entire period under study, these marriages and divorces were made possible thanks in large part to the court of the *kadı*.

Studies on the status of women in the Islamic world and the Ottoman Empire¹¹⁵ show that women often had to turn to courts to seek remedy for their economic interests, because of their weaker position in society. When taking part in transactions involving property, they were usually sellers rather than buyers. According to researchers focusing on family relations, women in the Ottoman empire were extremely dependent on men.¹¹⁶ At the same time, however, women had inheritance rights that were enforced effectively, and had access to legal protection and utilized the available opportunities to obtain a divorce. The Ottoman *kadı* courts treated Christian women as they treated Muslim women, and the marital status of the wife under Orthodox canon law itself was not as unequal as it was in the Catholic tradition.¹¹⁷ These facts contradict received ideas about the unchallenged domination of patriarchal practices in matrimony. Institutional marriage, which was much more favorable to women than informal practices, was a reality in the Rumeli provinces of the Ottoman Empire.¹¹⁸ However, important questions remain as to how widespread the practice of institutional marriage actually was, and what was the proportion of its incidence in comparison with persisting informal and much more patriarchal practices under customary law.¹¹⁹ As noted earlier, the sources cited here have their limitations, and these curtail our direct knowledge of the exact percentage of the women who actually had access to institutionalized marriage and divorce. The opinions and views of contemporaries could perhaps aid us in compensating for this deficiency. To that end, let us return to the very beginning of the article, and to the claims of the poor and isolated Pavlikian heretic villagers, which demonstrate that not just the elite but even people of the most modest and marginalized standing were aware of the different remedies and opportunities available in dealing with marital problems.

Notes

1. Milev 1914: 150.
2. My past work focuses primarily on Muslim women and their marriage problems: S. Ivanova 1996a, 1998, 2002. On the marriage problems of both Christians and Muslims, see also S. Ivanova 1996b, 1999a, 2001a.
3. S. Georgieva 1999: 245–86; Gradeva 2004a: 181–89; Grozdanova and Andreev 1998; M. Todorova 1993; O. Todorova 1991, 1992, 1996a, 1996b, 2001, 2003, 2004.
4. Agmon, 1996; Göçek and Baer 1997; Çiçek 1992; Gerber 1980; Gradeva 2004a; Imber 1997a; Jennings 1995, 1975; Layish 1991; Marcus 1989: 202–208; Matkovski 1973; Meriwether 1999; Peirce 2003: 129–34, 185–94, 351–

- 74; Reindl-Kiel 1999; Tucker 1985, 1988; Würth 1995; Ze'evi 1995, 1996: 173–85; see also the references in note 2.
5. O. Todorova 1989; Angelov and Andreev 1974; Levin 1991: 32–46; Pantazopoulos 1967: 45–51. I have used some documents of Church institutions from the nineteenth century, for which bibliographical information is included at the relevant places.
 6. The *sicil* quoted in this paper is from the collection of the Oriental Department of the National Library St St. Cyril and Methodius (hereafter, OrO; on this collection, see S. Ivanova 2000), as well as some published *kadı sicilleri* cases from Manastır (Bitola in Macedonia), which was part of the autocephalous Ohrid Archbischopric diocese. I have used some of the documents cited in this paper in earlier publications (see note 2 above), and some appeared in works by Olga Todorova and Rositsa Gradeva (see note 3 above). Here, I shall only provide the call number of the original documents, and shall include information on the publications only for those quoted *in extenso*.
 7. Imber 1997a: x–xi and passim; see also note 4 above.
 8. Baltacı 1987; İnalçık 1953–54; Jennings 1978; Mandaville 1966; Peirce 1998; Rafeq 1979; Seng 1991: 308; Ze'evi, 1998.
 9. R. Ivanova 1984.
 10. Andreev 1965; Angelov and Andreev 1974; Levin 1991; Pavlov 1897: 170, 326, 367–70; Snegarov 1926: 28–31; Hristodulova 1976, 1981; Shaguna 1872; S. Georgiev 1990, 2003, 2002.
 11. Andreev 1956: 6, 1979; Baldzhiev 1891: 189; Bobchev 1923, 1896; Marinov 1892: 2: 185, 220, 3: 153, 149–50; Papastathis 1974: 189–96.
 12. Andreev 1954; Baldzhiev 1891: 187; Blagoevich 1974: 9–13; Papadopoulos 1967: 205; Pantazopoulos 1967: 46, 107–108; O. Todorova 1997: 162–77.
 13. Petrushevskii 1966: 175; Serebriakova 1979; Anderson 1950: 2; Meron 1969: 99–100; el-Nahal 1979: 45; Imber 1997a: 165–83; Schacht 1979: 161.
 14. Vagabov 1968: 39; Galabov 1924: 50–64; Cin 1974; Fyzee 1974: 90–98; Verma 1971; Imber 1997b, 1997a: 175–78; Ortaylı 1985: 127–29.
 15. S. Ivanova 1998: 56–57. On the practice of marriage contracting before a *Shari'a* court and in compliance with *Shari'a* requirements in the central parts of Rumeli, see the following cases from the sixteenth century: one marriage between Christians and one between Muslims in a Sofia *sicil* of 1550—unfortunately the documents were probably destroyed during World War II, but they have been published in annotated form (Galabov and Duda 1960: docs. 65 and 139). The following terms were used in seventeenth and eighteenth century documents: *taht-ı nikâhında olup, beni tezvîc idüp, akd-ı nikâh-ı şer'î etmek* (OrO, S8, p. 47, doc. I; S8, p. 69, doc. II, R51, f. 1-a, doc. II). Clearly the agreement of *mehr* was on obligatory practice, since it is mentioned in all inheritance lists of deceased Muslims. Similar data about contracting marriage according to the *Shari'a* also appear in the Ankara *sicils*; see Ongan 1974; also el-Nahal 1979: 44–45; Imber 1997b: 165–83. On

- marriage contracts and especially on the registration of marriages of Muslims in the Balkans, see Mujic 1987.
16. OrO, S12, p. 111, doc. III.
 17. OrO, R51, p. 34-a, doc. I. See also Aydın 1984: 8–9.
 18. Imber 1997a: 165. Some documents stated very definitively that the marriage contract had been concluded in court. Claiming her *mehr* through legal action, the widow Havva, daughter of Ahmed Bey, produced eyewitnesses who had been present at the time of the conclusion of her marriage in court, to testify to the sum of 8000 *akçe* as *mehr*. (OrO, S8, p. 69, doc. II.)
 19. OrO, R51, f. 1-a, doc. II.
 20. OrO, S1bis, p. 269, doc. I.
 21. Aydın 1984: 8–9.
 22. *Fetvas* and *fermans* decree that the renewal of marriage should follow an act of repentance. For example, in his reply to the question “What does the *Shari’a* provide against those who ... refuse to take part in the fight against bandits in the surrounding villages?” Şeyh Mehmed Sadaki said: “It has been established by indubitable texts that war is a religious duty. Those who object to this should renew their faith and marriage.” (*Turski dokumenti* 1961: 1: 53; *Turski dokumenti* 1969: 3: 193.)
 23. OrO, S149, p. 26-b, doc. II.
 24. S. Ivanova 1999a: 165.
 25. In some cases they put *nikâh akçesi*—see OrO, S14, f. 19-b, doc. I. On the value of the *mehr* in the region under consideration, see O. Todorova 2004: 127–30.
 26. Galabov 1924: 52, 59; Petrushevskii 1966: 175; Imber 1997a: 175–78; S. Ivanova 1992: 80.
 27. S. Ivanova 1992: 80. For example, the Sofia *sicil* S12 from 1681–87 contains 239 description of the inheritances of Muslims (132 men and 98 women) and 27 of non-Muslims. We come across 5 Muslims with two wives, and one with three. (See also OrO, R5, f. 3-, doc. 2; S8, p. 49, doc. I; R50, f. 62-a, doc. II; R53, f. 3-a, doc. V.) Along with Lady Montagu’s popular statements, the same conclusions have been reached on the basis of legal documents; see Gerber 1988: 232; Ortaylı 1982a: 37. Nevertheless, we should keep in mind that this was the pre-modern period and the epoch of regionalism. Still in Rumeli—but in Sarajevo—polygamy seems to have been quite widespread according to the narrative of one local *imam*: see Bašeskija 1987.
 28. OrO, S149, f. 26-a, doc. III.
 29. Schacht 1979: 164–65; Imber 1997a: 197–207.
 30. Galabov 1924: 60–61; el-Nahal 1979: 81.
 31. OrO, S149, f. 9-b, doc. I.
 32. OrO, S309, p. 90, doc. III, published in *Turski izvori* 1971: 2: 169–70. A similar case was registered in a *sicil* from the town of Silistra. The *vekil* of Zübeyde Hatun, daughter of Mustafa Ağa, declared that she and her husband Seyyid Osman Ağa did not live well together; the husband had assaulted his

- wife many times, *yatağan* in hand, attempting to kill her, and at the same time he had used blasphemous language. A *fetva* from the *müfti* was presented, concerning the necessity for faith and marriage to be renewed in such cases. The *vekil* asked that the spouses should be separated. Two neighboring women acted as witnesses before the court. It was specified that, as prescribed by the *fetva*, the spouses were to be separated, if the wife would not agree to renewing her marriage. Zübeyde Hatun was asked, and refused to renew her marriage with her husband. Consequently Zübeyde Hatun and Osman Ağa were divorced. (OrO, R50, f. 39-b, doc. I, published in S. Ivanova 1996a.)
33. Fyzee 1974: 162–63.
 34. Schacht 1979: 161–65; Zilfi 1997.
 35. O. Todorova 2004: 236.
 36. OrO, S308, p. 31, doc. I, published in Gradeva 2004a: 183. The *kadı* documents from the eighteenth century mention, albeit rarely, various material belongings as a separate part of the *mehr-i müeccel*, or, in one of the few cases where a divorce was requested by a rural woman, cereals and livestock, which were returned by the wife to her husband. (OrO, R52, f. 2-a, doc. II; R51, f. 35-a, doc. I.) The most substantial modifications in nineteenth-century *hüccets* were in this part of the document—the *mehr* was always represented as two portions; see S. Ivanova 1999a: 167.
 37. OrO, R3, f. 8-a, doc. I; S60, f. 28-a, doc. I.
 38. Galabov 1924: 62–64; Anderson 1970; Schaht 1979: 161–65.
 39. OrO, R6, f. 41-a, doc. I. About a divorced Christian woman who received part of her property from her ex-husband and ex-father-in-law after *sulh*, see S14, 2-a, doc. III. For *bedel-i sulh* or *sulh*, see Gradeva 1993: 107–108, 115; Peirce 2003: 120.
 40. OrO, S38, f. 6-a, doc. I.
 41. Imber 1983; Peirce 1998: 270–75.
 42. OrO, R1, f. 5-a, doc. I.
 43. Gerber 1980: 230; Imber 1997a: 164; Jeninngs 1975: 101; Duben 1985: 81–88.
 44. OrO, S4, f. 18-a, doc. IV.
 45. Papastathis 1974: 189–96; O. Todorova 1997: 162 and passim; see also 55 below.
 46. Pantazopoulos 1967: 44.
 47. Kabrda 1957: 383–84, 387–92; *Turski izvori* 1971: 2: 175–76. See also Matkovski 1973: 93, 108.
 48. Snegarov 1995: 2: 275–76.
 49. OrO, S14, f. 7-b, doc. II.
 50. OrO, S14, f. 8-a, doc. II.
 51. O. Todorova 1997; Gradeva 1990; İnalçik 1965, 1978: 81–82; Ortaylı 1982b; Faroqhi 1992: 351–59; S. Ivanova 1999b.
 52. Matkovski 1973: 97–99, 103; O. Todorova 1989; Gradeva 2004a: 181–82.
 53. Grozdanova 1979: 149.

54. Matkovski 1973: 103; *Turski dokumenti* 1969: 3: 48. The last document raises the question of what exactly these customs were—a divorce before the ecclesiastical court (in which case the two Muslim witnesses seem out of place), or before the community and in accordance with customary law?
55. The Church tried to broaden the scope of the cases that were considered and resolved in religious courts. Rositsa Gradeva quotes a *Nomokanon* from 1788: “The bishops in their sees have to resolve ... almost all other [matters] belonging to Christian civil law. ... Therefore, the bishops now have to be experts not only in canon law (which is their obligation and necessity) but in civil law as well, so that they do not judge illegally and come to decisions irrationally.” (Gradeva 2004a: 172.)
56. Īnalcık 1982: 1: 437; Snegarov 1935, 1946; Pantazopoulos 1967: 44–45, 55–58.
57. S. Ivanova 1999a: 171–73.
58. Lachev n.d.
59. Gradeva 1989, 2004; Lape 1956: 40, 69; Snegarov 1947–48: 46–47.
60. O. Todorova 2003: 118–24; Zarinebaf-Shahr 1996: 86–87.
61. *Turski izvori* 1971: 1: 20; Peirce 1998: 318–22; Singer 1996: 131–32.
62. OrO, R1, f. 5-a, doc. IV, published in *Turski izvori* 1971: 2: 132–33; OrO, S1bis, p. 8, doc. I; Dimitrov 1981: 137; OrO, S1bis, p. 8, doc. I, published in Gradeva 2004a: 178.
63. Grozdanova 1979: 139–51; S. Ivanova 1991, 1996b: 184–186; Peirce 2003: 185–94. In the nineteenth century—according to documents of both the ecclesiastical courts and the Christian town communities—marital problems were often first dealt with “within the village” or “within the *mahalle*,” and only after that were divorces legally formalized before the metropolitan bishopric. Thus, marriages and divorces could be subjected to the Church and/or the community, the legal frameworks of canonic and customary law, and the sanction of public opinion and the formalized ecclesiastical court. Such duality and the involvement of both formal and informal institutions is confirmed by Ottoman sources as well.
64. *Turski dokumenti* 1969: 3: 122.
65. Marinov 1995: 143–44.
66. Ethnographic sources contain abundant information on the importance that was ascribed to engagement, and Canon law concurs on that matter. The *sicils*, however, contain no direct references to engagement. However, references in *kadı* documents to belongings and property that wives received from their husbands upon divorcing them are probably related to that pre-nuptial stage, and may be interpreted as gifts that had been exchanged at the time of the engagement. In nineteenth-century bishopric codexes, engagement is clearly outlined as a separate stage in the regulation of matrimony. Thus, in the codex of the Tarnovo bishopric, a certificate of exchange of gifts was registered in 1854 between the groom Dobri Konstantin (entering his second marriage) and Paraskeva. In practice, this was a pre-nuptial agreement or an engagement,

- and the property relations between the spouses were its central subject. The codex in question also confirms the well-known fact that engagements were considered an important pre-nuptial act, and the intervention of an ecclesiastical court was needed for them to be undone. In 1849, an agreement to undo, by mutual consent, the engagement between Nenu Stoeny and Evprepia Nikolau was entered in the Tarnovo bishopric *kondika*. Both parties were given a copy of the document. In an attempt to establish a legal framework for engagement, bishopric authorities were motivated precisely by the importance that was ascribed to it as a nuptial event. In 1835, for example, the Plovdiv metropolitan bishopric decided that engagements and contracts concerning the dowry should be made in the presence of the parish priest and the *muhtar* (headman) of the *mahalle*, after which they should be presented for endorsement at the bishopric and for confirmation by the city elders. From the viewpoint of the dowry, the citizens were classified into three categories: the first category had to prepare 15 underwear shirts, the second 10, and the third five. See Snegarov 1933–34: 12, 36, 51, 1947–48: 338; TSuhlev 1932: 433–35.
67. Sofronij Vračanski 1981: 81.
 68. Turski izvori 1971: 2: 176; Kabrda 1957: 391; OrO, R42, f. 56-b, doc. I. See also the *berat* of 1834 for the metropolitan of Kyistendil, which bears the same statement about marriages and divorces: OrO, Radomir-kadia, 17 Cemaziyülevvel 1250, Bulgarian Historical Archive (henceforth BIA).
 69. BIA, 1282, f. 94. See the short remarks on marriage in a medieval manuscript in Tsonev 1910: 194. See also the canon rules for penance for fornication, for second and third marriages, for degrees of kinship, and for close kinship between the spouses as grounds for divorce, in the manuscript of a Missal (prayer-book) of the teacher Philip dating from 1685 in the National Library “St. St. Cyril and Methodius,” BIA, 972, f. 132-a–134-b. See also O. Todorova 1997: 53, 116–19, 167–69.
 70. Andreev 1956: 202–203; O. Todorova 2004: 170.
 71. Galabov and Duda 1960: 23–24; OrO, S13, f. 1-b, doc. II; S63, f. 1-a, doc. III, f. 1-b, doc. II.
 72. OrO, R51, f. 8-b, doc. I.
 73. OrO, S159a, f. 15-b, doc. II.
 74. Christian practices in areas of the Balkan peninsula other than its central parts were substantially different; see Pantazopoulos 1967; Shaguna 1872; Snegarov 1933–34: 12; Bobchev 1904; O. Todorova 2004: 174. Furthermore, it must be noted that the inheritance rights of women were gradually expanded under Ottoman secular law on the inheritance of *mirî* (state-owned) lands and on the *tapu* procedure, as well as on the tax liabilities of Christian widows; see O. Todorova 1996a: 105–106.
 75. OrO, R42, f. 56-b, doc. I; see also Dimitrov 1968: 61–62.
 76. Kristova, Karadzhova, and Uzunova 2003–2004: 107, 194.
 77. OrO, S1bis, f. 19, doc. II, f. 21, doc. I, f. 23, doc. I. Also Gradeva 2004a: 186–87. For individual and collective criminal responsibility, see Ivanova 1990.

78. On the distinction between invalid and valid marriage according to the *Shari'a*, see Anderson 1950: 358.
79. OrO, S49, f. 10-b, doc. I; S4, f. 20-a, doc. III, f. 22-b, doc. I.
80. OrO, S60, f. 9-b, doc. I.
81. OrO, S308, p. 31, doc. I; S269, f. 72-b, doc. I.
82. Andreev 1979: 90–91.
83. Jennings 1975: 94.
84. BIA, 1282, f. 94–96.
85. *Turski dokumenti* 1969: 3: 122; Matkovski 1978: 145.
86. OrO, R1, f. 5-b, doc. IV.
87. Snegarov 1935: 4, 52, 71–73, 75, 90–92, 109, 110; Snegarov 1933–34: 50; Lape 1956: 24; Trayanovski 1980: 143. See also Parveva 1992; Bobchev 1923: 70–72; Bromlei and Kashuba 1982: 69; G. Georgiev 1979: 60.
88. The codex of the Tarnovo metropolitan bishopric (covering present-day northern Bulgaria and the regions of Stara Zagora and Kazanlak) contains over 250 registrations of divorces from the period 1847–75. The largest group among them includes cases for which no motives have been registered (73 couples from towns and 145 from villages), followed by divorces motivated by the absence of the husband for many years and the lack of financial or other ties between him and his family (25 couples from towns and 36 from villages). In cases of divorce by mutual consent where interpersonal relations play a central role in deciding to obtain a divorce, men and women appear to have had by and large equal standing (10 cases from towns and 16 from villages). The same applies to cases of divorce resulting from ongoing discord between the spouses due to the wife's unbearable character (23 cases each from towns and villages) and because of the inability of the wife (one couple from a town and three couples from villages) or the husband (six couples from villages) to perform their conjugal duties. Although customary law tolerates physical violence against the wife, divorces were granted on these grounds under canon law (nine couples from towns and 16 from villages). The illness of the wife (three couples from towns and 13 from villages) and of the husband (three couples from towns and four from villages) were also grounds for divorce (together with three cases branded as "sexual perversion"). Cases of adultery only involved acts of infidelity committed by women (10 couples from towns and four from villages). There were also a few divorces due to the immaturity of the husband or consanguinity. For more information, see S. Ivanova 1996b: 177–82.
89. Andreev 1956: 205; Marinov 1995: 144; Pantazopoulos 1967: 57–65.
90. O. Todorova 1996a: 110–14, 1996b.
91. OrO, S14, f. 30-a, doc. I; S60, f. 13-b, doc. I.
92. OrO, S4, f. 10-b, doc. I.
93. Gradeva 2004a: 180. On accounts of similar cases, Elena Grozdanova points out that such mediators most probably acted as representatives of the village community. (Grozdanova 1979: 141.) There are many such cases from the

- nineteenth century. For example, see the *hüccet* of the *kadı* of the town of Karnobat, accompanied by a *fetva* which declares the validity of the scheme for the division of the inheritance of a *zimmi* following a series of deaths among his heirs—both male and female. In the final analysis, the bulk of the inheritance was received by the wife and the two daughters of the deceased. (OrO, F. 142A, a.u. 141, p. 2.) See also the bequest of Todor Kâhya from the village of Shiroka Laka (today, the town of Smolian), dividing landed properties and houses among three daughters and four sons in 1869. (The State Archive in Smolian, Inv. No 1155, F. 415K, inv. 16, a.u. 86.)
94. OrO, S149, 10-a, doc. I, S 38, f. 1-a, doc. IV. See also S. Ivanova 1999a: 166, n. 26. For information on the same problem from a bishopric codex from the nineteenth century, see S. Ivanova 1996b: 183.
 95. On the topic of women's status in regard to the ownership of property—with which I shall not deal here—see for example O. Todorova 2004: 323–61; Todorov 1983; Gerber 1980; Jennings 1975, 1973; Peirce 2003: 129–250; Faroqhi 2002: 133–217, 2003: 219–66.
 96. Anderson 1950.
 97. OrO, S4, f. 9-b, doc. II, f. 10-a, doc. II; f. 10-6, doc. II, f.11-b, doc. I, f. 13-a, doc. I.
 98. OrO, S1bis, p. 4, doc. III, published in Gradeva 2004a: 182; S1 bis, p. 10, doc. IV; S4, f. 23-d, doc. II; S149, f. 16-a, doc. II.
 99. OrO, R1, f. 5-b, doc.IV.
 100. OrO, S269, f. 23-a, doc. II.
 101. OrO, S14, f. 2-a, doc. III; S60, f. 23-a, doc. I.
 102. O. Todorova 2004: 232–40.
 103. Tiutiundzhiev 1996: 13.
 104. OrO, S38, f. 44-a, doc. III; S4, f. 6-b, doc. II; S8, p. 47, doc. I, published in *Turski izvori* 1971: 2: 154.
 105. O. Todorova 1991; Jennings 1995; Shatzmiller 1996; Greene 2000: 105–107.
 106. Galabov and Duda 1960: 45; OrO, R4, f. 8-b, doc. I.
 107. Petrushevskii 1966: 174.
 108. OrO, S67, p. 51, doc. I.
 109. Gradeva 2004b.
 110. OrO, S1bis, p. 167, doc. I and III, published in *Turski izvori* 1971: 2: 119; see also Grozdanova and Andreev 1998: 2; Gradeva 2004b: 206–11: 454; O. Todorova 2004: 149.
 111. O. Todorova 1991: p. 61; Georgieva 1988: 199–201.
 112. OrO, S13, f. 3-b, doc. I; f. 3-b, doc. II; f. 4-a, doc. IV.
 113. Snegarov 1995: 1: 257.
 114. Duben and Behar 1991: 87.
 115. Hambly 1998; Zilfi 1997; Beck and Keddie 1978; Sonbol 1996; Keddie and Baron 1991; Hussain 1984; Ahmed 1992; Keddie 1979; Walther 1981.

116. O. Todorova 2004: 427–63; Matkovski 1973; Gerber 1980: 239–41; Jennings 1975: 59, 65, 74, 96.
117. O. Todorova 2004: 240.
118. Matkovski 1973: 83.
119. S. Ivanova 1996b: 187.

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Women, Fashion, and Europeanization: The Romanian Principalities, 1750–1830

Angela Jianu

Le vêtement, plus qu'aucun élément de la culture matérielle, incorpore les valeurs de l'imaginaire social et les normes de la réalité vécue; c'est le champ de bataille obligé de la confrontation entre le changement et la tradition.

Daniel Roche, *Histoire des choses banales*

The history of dress and fashion in western Europe has, in recent years, become an important chapter in social history.¹ The way people dress—located at the intersection of necessity, aesthetics, seduction, frivolity, ethnic-political allegiances, and economics—is nowadays a legitimate vehicle for the study of mentalities, as well as of the rise and demise of régimes and societies.

In this essay, I examine clothes, fashions, and consumption as interfaces between cultures, as systems of signs and symbols which can encourage imitation or prompt rejection, or can serve as identity-building tools. The travel literature of the period shows how insistently, throughout the eighteenth and early nineteenth centuries, western and eastern Europe looked at each other's clothes, even literally fingered them, trying to fathom what exactly appearances might reveal or conceal in terms of human character, social attitudes, political allegiances, and cultural determinations. The basic opposition at the heart of all these exercises in sartorial reading was broadly between “European” (i.e. West European) fashion on the one hand, and “Oriental” fashion on the other—that is, for the purposes of the present discussion, the dress worn in the late eighteenth and early nineteenth centuries in the Near East, the Balkans, and the East European dominions of the Sublime Porte. Focusing on the shifts in fashion and consumption in the Romanian Principalities between roughly 1780 and 1850,² I have tried to reconstruct, from a number of very different sources, West European perceptions of Romanians in the period, as well as the ways in which Romanians used clothes, fashion accessories, fashionable household items, and luxury imports in order to construct individual

and collective identities in terms of their own perceptions of “Europe” and “European-ness.”

I refer to the Principalities of Wallachia and Moldavia (the future Romania) as they were politically and diplomatically constituted until their unification in 1859 and their transformation into the Kingdom of Romania in 1866. In their relentless push north-westwards, the Ottomans attempted to conquer the Principalities as early as the fourteenth century, but either failed to transform them into *paşaliks* proper or chose simply to include them in their sphere of economic and political influence.³ By the fifteenth century, Wallachia and Moldavia had become Ottoman dominions, controlled according to the strategy of *dar al-‘ahd* (“abode of the covenant”) which guaranteed their autonomy in exchange for a régime of material obligations.⁴ Under this arrangement, the Principalities retained their own administration, political structures, religion, and, until the eighteenth century, their native princes.⁵ However, the Prince increasingly became—especially from the seventeenth century onwards—a top civil servant in the Ottoman state hierarchy, while continuing to pose as a sovereign by divine right at home. After 1659, when the Ottomans suppressed revolts in both Principalities, and especially after the peace of Karlowits (1699) and Charles XII’s defeat by Peter the Great at Poltava (1709), the Porte realized that its control over Moldavia and Wallachia was going to be challenged by the emerging eastern powers Austria and Russia, and decided to appoint devoted rulers selected from the exclusive circle of Greek families residing in the area of Constantinople called Phanar (Fener).⁶ In a relatively short time, a permanent link was established between the office of the *dragoman* (interpreter) of the Porte and the title of *hospodar* (prince, or more appropriately, governor) of the Danubian Principalities, which meant that only rich and influential *dragomans* could hope to gain, whether by licit or illicit means, the Moldo-Wallachian thrones. In practice, the title was often sold to the highest bidder who subsequently attempted to recover his losses by raising taxes and dues and by selling, in his turn, government and administrative offices to *boyars* (i.e. native nobles) increasingly dependent on state service.

Throughout their history, the native *boyars* have built their wealth, power, and sense of identity within the complex network of relationships that evolved among the Ottoman suzerain, the Prince, his Greek-Phanariot and native Romanian clients, and the rest of society: the clergy, peasants, Gypsy slaves, and a steadily growing merchant and professional class which often sought—and gained—entry into *boyardom*. Contesting the Ottoman-appointed ruler and appealing to one great power or another (France, Russia, Austria, Turkey) for the preservation of the principalities’ autonomy and of their own rights as a class became the *boyars*’ main foreign political objective and dominated Romanian political life up to at least the 1840s and 1850s, when a new social and national awareness led to political energies being increasingly channelled towards reforming society and building the nation.

Historians’ views on “Phanariotism” have been predominantly negative, but revisionist readings of the period started to emerge more consistently in the 1970s.

My own analysis of the channels of Europeanization in the Principalities is based on this re-adjusted view, according to which—irrespective of the overall negative impact of foreign domination and its political legacy—the Phanariot régimes contributed in a positive way to the refashioning of the capital cities Bucharest and Iași in the early nineteenth century as “centres of Hellenic culture, a crucial intersection of Ottoman, Russian, Italian and central European influences.”⁷ Many of the Ottoman-appointed princes who arrived in the Principalities with retinues comprising French- and Greek-speaking doctors, secretaries, and scholars, had major roles in building schools, printing presses, hospitals, and orphanages, as well as in commissioning the codes of law that served as the foundations of modern Romanian jurisprudence.

Negative readings of Phanariotism owe much to the rivalry of “natives” and “foreigners” in the pursuit of power and wealth in *ancien-régime* Romania. Late eighteenth- and early nineteenth-century ethnic Romanians must have resented the Phanariots’ presence, the ensuing competition for resources, as well as the superiority of the Greek language and culture that dominated at the courts and the academic centres of Bucharest and Iași, forgetful that this culture was “European” in a foundational sense of the word. In a study which remains little-quoted in the relevant literature, the late historian Vlad Georgescu made what so far apparently remains the only attempt at a quantitative study of the corpus of political texts produced in the Danubian Principalities of Wallachia and Moldavia between 1369 and 1878.⁸ His sample comprised 2,049 texts (princes’ decrees, memoranda, theoretical works, reforms projects) produced by 302 authors on 172 general themes subdivided into topics as varied as the “meanings” of history and the “historical destiny” of the Romanians, the international status, sovereignty, and autonomy of the Principalities, representations of the Ottomans and the Greeks, the merits of industrialization, pleas for civil and human rights, and many others, minutely categorized and quantified by Georgescu. In terms of the Romanians’ broad political-cultural choices as set out by their intellectual élite in the Phanariot period, most texts advocate a rapprochement with western Europe, a distancing from the “East” (the Ottoman suzerain power and the Russian protecting power), and a clearly expressed inclination to distinguish themselves from the “southeast” of Europe (a trend that continues today in the form of a reluctance to be seen as part of the “Balkans”). Anti-European views were rarely expressed before 1821, and when they were, they originated, in Georgescu’s view, in dogmatic disputes largely fuelled by the Patriarchate of Constantinople.⁹ On the contrary, most Romanian authors viewed education in West-European schools and travel abroad in a very positive light. Attacks on the “corrupting” influence of the West belong almost exclusively to the post-1848 period.

The contemporaries’ negative views of the Phanariot period (1711–1821) as disruptive of this pro-European path are reflected in the comparative stagnation in the production of political texts between 1720 and 1770, and in the prevalence of ideas of decline and backwardness in the available texts. Most of the causes of decline as perceived between 1760 and 1830 are connected to foreign domination

or protectorate (Ottoman-Greek between the sixteenth and early nineteenth centuries, Russian after 1821), hence the prevalence of foreign political rather than domestic-social issues in the texts covered by the survey. Very few authors in the period prior to 1821 attributed the country's economic and cultural backwardness to the corruption, venality and/or inefficient administration of the native (ethnic Romanian) élites. Instead they primarily pursued increased autonomy and ultimately independence from the Porte, Austria, and Russia.

Even though such comprehensive statements must be treated with due caution, they do provide signposts for an understanding of the period in Romanian history up to 1850 largely as a culturally pro-European and politically reformist period. This was the crucial period in which a small but influential group of reformist nobles and intellectuals addressed concepts such as the nation, the ethnic unity and shared traditions of the Romanians in the various provinces they inhabited, the pro-European option, and the rejection of Ottoman, Russian, and southeast European developmental models. Their largely theoretical efforts prepared the ground for landmarks such as the abolition of the Ottoman commercial monopoly in 1829, the unification of the Principalities in 1859, the establishment of a constitutional monarchy in 1866, and, eventually, national independence in 1877.

Travellers, Exoticism and *Turquerie*

Travellers' accounts are a major source of information for the largely source-impooverished social history of late eighteenth- and early nineteenth-century Romania, as suggested by a major research project at the "Nicolae Iorga" Historical Research Institute in Bucharest involving the publication of a still growing collection of such accounts in Romanian translation.¹⁰ There is in addition much documentary travel literature not yet published in Romanian, published a long time ago in obscure periodicals, or insufficiently exploited so far. Iconography—chiefly lithographs by itinerant artists, votive church murals, and the earliest formal portraiture in early nineteenth-century Romania—is a source that has been investigated to some extent by art historians and historians of fashion such as Al. Alexianu, Andrei Cornea, and Adrian Silvan Ionescu,¹¹ although even here much remains to be done.

To a lesser extent, internal primary sources such as the period's dowry papers, testaments, and wealth inventories are also suggestive sources, but they, of course, never offer a "living" image of how clothes were actually worn, nor a sense of what material possessions meant for their owners, donors, and observers. What these sources have preserved, however, is the extensive and, until the 1850s, almost exclusively Turkish, lexicon of wardrobes, as well as occasional information on prices and consumption, and on the "social circuits" of clothes—that is, on the ways in which clothes were purchased, offered, transmitted, and recycled in the period from roughly the 1780s to the 1850s.¹² The language of a late-eighteenth-century dowry record from Wallachia or Moldavia is almost incomprehensible to a present-day Romanian, due mainly to the Turkish names of now largely obsolete items of clothing and domestic appliances. Such names entered the

language mainly via Greek, the official language of administration, law, and trade, which explains the hesitant spelling of, for instance, *cübbe* (overcoat), rendered variously as *giubeo*, *giubeoa*, or *giubea*, or of *entari*, normally listed as *anteri* in most documents. Thus, for instance, the items given by a Moldavian *boyar* lady to her daughter in a dowry list of 1775 include “a *cübbe* lined with *samur* (sable),” a “*cübbe* of *kakum* (ermine) with gold thread,” a “*cübbe* lined with *sincab* (squirrel),” as well as a “night *entari* of *germesud* (satin).”¹³ Until the 1830s at least, dowries were replete with items such as *biniş*, *alaca*, *ferace*, *kontoş*, and many other similar items. At this stage, Romanian historiography is still lacking in detailed studies of prices, trade, and inheritance patterns of *boyar* family estates for the period under consideration here. In addition, the wide range of Central European and Ottoman coins used in transactions and the rapid fluctuations in exchange rates and monetary values makes it extremely difficult to assess, for instance, levels of consumption within a family or across several families, or to make comparative analyses of budgets and expenditures among families, or social, ethnic, and professional groups. I am, therefore, giving a few examples that have a purely suggestive value for price/income ratios in late eighteenth-century Moldavia, around the time when the above-mentioned dowry list was issued. Thus, in 1763, when the residing Ottoman *Divan Effendi* (judge) received a monthly salary of 250 *lei*,¹⁴ his secretary 140 *lei*, and the Phanariot prince’s cook 30 *lei*, a squirrel pelisse and piece of *atlas* cost 65 *lei*, a *ferace* was also 65 *lei*, while a horse, a very valuable item at the time, was worth 246 *lei*, and a carriage was 125 *lei*.¹⁵ The Moldavian state budget for 1764 lists salaries of dignitaries, officials and court servants ranging between 60 *lei* per month to the *Uşierul cel mare* (grand court usher) and a mere 2 *lei* per month to the gardener. The Greek doctor Fotaki, with 20 *lei* as official monthly income, and the fur-maker with 10 *lei*, could hardly have engaged in conspicuous consumption, although one should not forget the gifts (Slav. *mile*) made to civil servants and court professionals by the Prince.¹⁶

During this time, an accelerated pace of change dramatically transformed upper-class female fashions, the patterns of consumption, imports and leisure, domestic amenities and interiors, as well as, one can speculate, the élites’—especially élite women’s—sense of their own identity. Members of the urban élites, on which this discussion is focused, included higher and lesser nobility (the native *boyars*), a few wealthy merchants, and some members of other upwardly mobile urban socio-professional groups, such as doctors and civil servants who could gain relatively easy access into the *boyar* class, usually via purchases of titles. The term “Phanariot” or “Greek-Phanariot” designates, as noted above, members of the Ottoman-imposed governing élites of Wallachia and Moldavia between 1711 and 1822, but the upper class groups I have in view also included the ethnic Romanian *boyars*, who, as landowners and state officials, administered the Principalities and exploited their resources in conjunction, if not always in harmony, with the Phanariots.

The writings of travellers to the “Orient” often include tactile little dramas of foreigners and natives curiously gazing at or touching each other’s clothes, the Turkish bath scene in Lady Mary Wortley Montagu’s letters (written 1716–1718, published 1763) being only the most famous scene of this kind.

One such traveller’s tale provides a convenient introductory insight into what a lady of the Phanariot élite in Wallachia must have looked like in the 1790s. Travelling to Constantinople via the Romanian Principalities in 1794—on a more adventurous route than was customary for young English men on the Grand Tour—the young and wealthy John B. Sawrey Morritt (1772–1843) of Rokeby Hall in Yorkshire, and his two companions, crossed the Carpathians from Transylvania into Wallachia in carriages perilously drawn by oxen. Afterwards, having been shaken for days on the terrible Wallachian roads of the time, they were only too ready to be enchanted by the effortless hospitality of a Wallachian lady who received them, surrounded by her children and her maidservants, in the absence of her husband, an *aga* (i.e. police prefect) who was away on business.¹⁷ This tableau of exotic domesticity and colourful costume was complemented the following morning by the minimal and—to westerners—unusual Turkish breakfast of coffee and rose sherbet.

She was seated on a low board sofa which filled the whole of one side of the room, surrounded by five or six Greek slaves in great state, [Morritt wrote to his sister on 25 July 1794.] ... Her gown was long-sleeved, coming up before no higher than her cestus, which was tied *à la Campbell*.¹⁸ It was gathered round her ankles and legs like trousers, and was made of a spotted light muslin. On her head she wore a flat-topped high cap with a gold tassel on the top, and a shawl handkerchief round her forehead, her hair hanging loose about her shoulders. Over her gown she wore a long light blue silk pelisse edged with fur, with half-sleeves; on her feet she had thin yellow-leather boots, with slippers, which she left at the side of the sofa to put up her feet, for they all sit cross-legged, *à la Turque*. Over her bosom she wore a thin fold of muslin which fastened under her cestus; and I assure you, though not of the *première jeunesse*, it is difficult to imagine a more elegant figure.¹⁹

The drawings of the Viennese painter who accompanied Morritt on his travels are presumed lost.²⁰ However, the works of the French-born Swiss “*peintre Turc*” Jean-Etienne Liotard (1702–89) offer a plausible suggestion of the general appearance of a Greek-Romanian Phanariot lady in the period under consideration. Liotard spent a few years in Constantinople (1738–42), where, incidentally, he must have obtained special dispensation to wear Turkish dress,²¹ and a much less documented period in Moldavia (1742–43), where he gained first-hand knowledge of the lines, colours, and fabrics, as well as of the social and political conventions of the Turkish costume in a Balkan context. The only known Moldavian female figure by Liotard is a sketch for the official portrait of Ecaterina Mavrocordat (Greek: Mavrokordatos), wife of the ruling Prince Constantin Mavrocordat, but



Figure 7.1. Jean-Etienne Liotard, *Portrait of the Moldavian Princess Ecaterina Mavrocordat*. Red and black chalk, 1742–43. Kupferstichkabinett, Berlin.

her dress and pose suggest late “Byzantine” court pomp rather than the more relaxed and “bourgeois” attitudes of the Phanariot and native *boyars* in daily life (Figure 7.1). For purposes of illustration, Liotard’s presumed portrait of Mary Gunning, Countess of Coventry, is probably a fairly accurate representation of the late eighteenth-century Moldo-Wallachian every-day code of dress for women of the urban élites (Figure 7.2).²²

The basic elements of the “Phanariot look”—an essentially layered look—were, for the women, a light gauze chemise ending in shalvars (Turkish: *şalvar*), covered by a frock, usually of taffeta or velvet, and one or even two superimposed long or short gowns or coats called *anteri*. In the summer, the *anteri* could be covered in its turn by a *ferace* or a *biniş*, or, on grand occasions, by the *maloté*, a very expensive coat lined with ermine fur. The *entari*, *ferace*, and *biniş* were common to both female and male wardrobes, so that—details excepted—female



Figure 7.2. Jean-Etienne Liotard, *Portrait d'une jeune femme en costume turc assise sur un divan* (presumed portrait of Mary Gunning, Countess of Coventry). Pastel on parchment, c. 1750. Musée d'Art et d'Histoire, Geneva, 1930–2. Photography: Bettina Jacot-Descombes.

and male figures looked very much alike in their long, ample vestments. The colours of these various layered garments were usually vivid yellows, greens, blues, reds, and spotless whites, or, especially in women's light summer frocks—as pictured by Liotard—they were muted, delicate pastel-coloured prints with highly sophisticated patterns. The above is simply the basic outline of the Turco-Phanariot costume, but there were numerous variations in combinations of cut, color, and textures according to region, period and taste, as Jennifer Scarce has shown in her detailed study of female dress in the Near and Middle East.²³

Although tucked comfortably away in Yorkshire, far from the metropolitan extravagances of London, John Morritt's sister must have been aware of the vogue for *Turqueries* that had reached its peak in England and in other parts of Western Europe around the 1770s—that is, about two decades before Morritt's travels.

Kick-started, among others, by traveller-writers such as Lady Mary herself and by earlier Orientalist painters such as Antoine de Favray, Jean-Baptiste Vanmour, and Liotard (both of whom, incidentally, made portraits of Lady Mary),²⁴ the craze for Oriental clothes probably did not extend far beyond the narrow world of European royalty, very rich upper-class circles, and a few cognoscenti enamoured of things eastern. It is doubtful, moreover, that full Turkish dress was ever worn in the West outside balls, masquerades, or portrait-painting sessions, as exemplified in the presumed portrait of Mary Gunning, dressed in a costume which had probably been chosen from among Liotard's own studio props acquired in Constantinople.

One can speculate that for West European upper-class women, being represented in Turkish dress had connotations of Asian opulence, exoticism, and romance (as in the "torn letter" detail of the Countess of Coventry's portrait, for instance, with its suggestions of romantic intrigue). The device must have been—for both painters and sitters—a way of distancing the subjects from the sartorial norms and conventions of their own eighteenth-century daily world, in order to exoticize them into Arabian Nights figures of indolent luxuriousness or relaxed, demure sensuousness. For other categories of sitters, such as the foreign diplomats in Constantinople, Lady Mary Montagu, or the Earl of Sandwich, Liotard's travelling companion, a "Turkish" portrait was intended to establish status and authority in the eighteenth-century public arena, where interest in the Eastern Question and the Middle East was growing apace with the political developments in southeastern and central Europe.

A "Greek land" straight out of the *Arabian Nights' Entertainment* was how John Morritt described Wallachia in a letter to his mother.²⁵ The phrase aptly conveys the meanings that a geographically remote "Orient" not always clearly conceptualized in terms of ethnicity or location could evoke to generations of (West) European readers of Antoine Galland's popular translation, *Les mille et une nuits* (1704–17): story-telling, mystery, confused and confusing, real or imagined, identities of "the other," glimpsed in transit by an easily charmed, non-analytical viewer.

Clothes, Hygiene, and National Character

Other travellers to Romania, especially those who spent a longer time there than John Morritt, were sometimes less enthusiastic about the charms of Asian dress, and attached to it meanings that were related to the supposed impact of Ottoman mores and lifestyles on the national Romanian character. Alexandre-Maurice Blanc de Lanautte, Comte D'Hauterive (1754–1830), the French secretary of the Prince of Moldavia, Alexandru Mavrocordat Phiraris during 1785–86, had an altogether negative view of Turkish attire, but his concern was less for its aesthetics than for its damaging effect on health and morality. As an admirer—as most French observers were—of the Moldavians' "Latin" strength of character, and as an Enlightener who believed that the Principalities should follow in the footsteps of "civilized" Europe, he considered Turkish dress ill-suited both to the national character and to what he envisaged as the country's future. Turkish dress

“favours indolence,” he believed, and is only “proper for the luxurious lifestyle of a much more opulent nation and for the mildness of a different climate.” Oriental attire renders a robust, well-built body useless, D’Hauterive adds, and makes it impossible for the Moldavians—and by extension all Romanians—“to keep up their active lifestyle.” Eventually, he explains, the luxury and vanity of this adopted lifestyle will utterly corrupt “the moral qualities” of the natives, as well as their health and physical well-being.²⁶ As far as the women were concerned, D’Hauterive believed,

The costume is generally speaking barely decent and only to the advantage of women under eighteen years of age. All the inconveniences attending on aging and pregnancies are revealed to the full. The dress does not cover, as it were, anything other than the body’s colour, displaying its shape in all its flabbiness and alteration. Never sitting, rarely standing, their half-reclining body gets flabby, losing, by supporting itself among the cushions from morning till night, the habit of standing upright. ... Always curled up, never wearing any shoes, they cannot put their feet down, and they all slouch rather than walk.²⁷

Such concerns for the health hazards of Ottoman-style garments were echoed a few decades later, in full transition period, by the doctor who oversaw the functioning of Romania’s earliest modern hospitals and the emergence of new views on public health. In a monograph published in Bucharest in 1830 (but referring to the earlier realities of 1800–1828), Constantin Caracaş, one of the city of Bucharest’s chief doctors—and incidentally, one of the first men to adopt trousers and the frock-coat in the Wallachian capital—was equally critical of what he called the “Asian” dress of both men and women, which he found “damaging both to the health and to the purse”:

The long, ample *anteris* [*sic*], the many superimposed furs, the long shawls used as belts, all of these are a burden to the body, which warms up exceedingly, especially in the heated rooms, so that they provoke much sweating, difficulty and *atonia* in all of the body’s members. ... Equally damaging is the spherical *kalpak* of colossal dimensions ... with which they cover their heads; not only is it costly, being made of two or three lambskins brought at great cost from inner Russia, ... but it is too warm for the head, just like the *fez*, worn underneath; this causes much sweating on the top of the head and because of the habit of doffing one’s hat for frequent salutations, in the winter and spring it causes flus, toothaches, as well as pain in the ears and in the head.²⁸

The Pleasures and Dangers of Westernization

We have seen above that by the time John Morritt was writing admiringly to his sister of the Wallachian lady’s Turkish dress in 1794, the vogue for *Turqueries* in England and in Western Europe in general had faded away, as Aileen Ribeiro

has shown, to be replaced increasingly by an interest in garments of neo-classical inspiration.²⁹ At around the same time, the Romanian Principalities—where Turkish dress was the order of the day rather than upper-class ballroom self-indulgence—were rapidly becoming engaged in processes of change which first affected the “form” and not much later the very “substance” of society.³⁰ The new trend was an increasing fascination with all things West-European. The Russian general Langeron resided frequently in the Principalities in the years 1790–1810, during their repeated occupation by the Russian army, and watched the emergence of the new *Zeitgeist* with bemused condescension:

With a little time and even less effort, they [Moldavian ladies] submitted themselves to a civilization desired by their *amour propre* and called forth by their natural wit and their veiled charms, imprisoned as they were in their sad and heavy Asiatic vestments. The only thing they were unwilling to discard was the rouge and powder. Their faces are painted in all the colours of the rainbow.³¹

Langeron was in no doubt that the Russian officers were the main channels for the transmission of European fashions and trends into the Romanian Principalities—lands which, in his eyes, seemed stuck in “Asiatic barbarity” compared to the already Europeanized Russian society:³²

In 1806, we [i.e. the Russian officers commanding the army of occupation during the war of 1806–12] still found a lot of these ladies in their Oriental costumes, their houses without furniture and their husbands as jealous as ever. But a revolution swept quickly and comprehensively first over Iași, then over Bucharest and the provinces. In less than a year, all the Moldavian and Wallachian ladies adopted the European dress. From all over the world, there came to the two capital cities fashion retailers, tailors, and *couturières* . . . Our arrival changed the face of Moldavia more rapidly than Peter I altered the face of his Empire. A few of the younger men also adopted the frock coat, but the older ones as well as those with public functions kept their long beards and their ample gowns. Dancing also underwent a revolutionary change. National dances were banished or fell into disrepute. The fashion was now for Polish, English, and French dances, as well as for waltzes, and these ladies, naturally adept at everything they are keen to learn, became proficient dancers in a single year. When we had first arrived in Moldavia, they could hardly walk.³³

Langeron’s reference to Peter the Great’s Westernizing program is both apt and misleading. In a sense, the changes in fashion, household amenities, and the patterns of consumerism, leisure, and the urban environment between roughly 1780 and 1850 could be said to be in effect a silent revolution that prepared the ground for later political developments. However, rather than being initiated by decree from above, as in Russia, sartorial changes in the Principalities were effected through a more subtle process of transformation largely conducted by

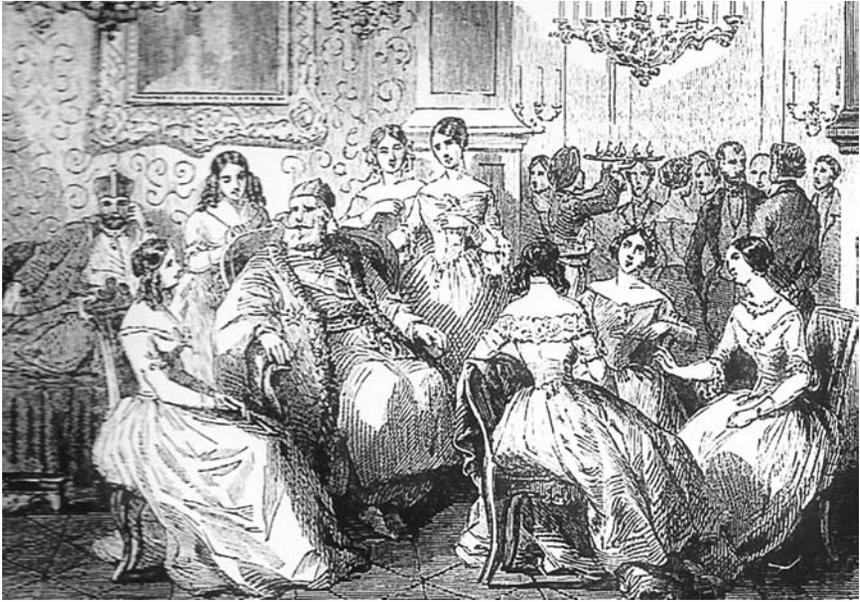


Figure 7.3. Charles Doussault, “A Soirée in Iași.” Lithograph, from the *Album Moldo-Valaque ou guide politique à travers les Principautés du Danube* (Paris: l’Illustration, 1848).

élite women. Rapid though these changes were, they did not happen overnight, as Langeron seems to suggest, and in the beginning they arguably only affected the surface, rather than the substance, of the social fabric.³⁴

The results, in this period of transition, could be involuntarily hilarious. Arriving in Bucharest in 1818, the English medical doctor and Radcliffe Travelling Fellow William MacMichael (1784–1839) saw the Wallachian *boyars* “in loosely-flowing robes” ride “à la Turc” [*sic*] or “indolently lolling, and looking very forlorn, in shabby *calèches* built at Vienna.” “The combination of Oriental and European manners and costume is irresistibly ludicrous,” MacMichael thought. “The boyar looks like a grave Mahometan; but speak to him, and instead of the pompous and magnificent sounds of the Turkish idiom, he will address you in tolerable French, and talk of novels, faro, and the whist.”³⁵

By 1818, when the country had returned to Ottoman domination after the Russian occupation of 1806–1812, MacMichael witnessed the recently established “Club” in Bucharest where the male spectators

were uniformly dressed in huge *kalpaks*, with long flowing robes, and many were smoking Turkish pipes; in short, every thing was Eastern in the appearances of the men, though in the costume of the ladies, who were sitting cross-legged on sofas, there was an evident admixture of French and Oriental attire; their coiffures were richly ornamented with jewels, and

they wore French silk dresses, probably made at Vienna, together with the Greek zone and Turkish slippers. Under the jealous eye of the suspicious government of Turkey, the article of dress is a matter of no small importance; and the use of the costume of civilized Europe would be considered as dangerous an innovation, as the adoption of the most enlightened views of modern policy.³⁶

Even thirty years later, in 1848, this gendered division of French and Oriental clothes was still evident in social gatherings (Figure 7.3).

I have found no documentary evidence to support the notion that the Ottoman Porte intervened in the sartorial regulations of the Principalities by imposing a ban on European fashions. Robert F. Forrest quotes the *Moniteur universel* of 20 July 1806, according to which a Turkish *ferman* (edict) of that year required non-Muslim subjects of the Porte to wear Turkish dress or risk a penalty tax of between 75 and 100 piastres.³⁷ This very economic reference, however, lacks the necessary detail that would make it convincing and useful for the present argument. Which region of the Ottoman dominions and which social groups was this *ferman* supposed to affect? In fact, it is now well documented that most Ottoman regimes were keen to dictate clear sumptuary labelling distinguishing between Muslims and non-Muslims, generally considered inferior.

The Ottoman Porte embarked on a radical programme of dress transformation during the reign of Mahmud II (r. 1808–39), especially from 1829 onwards.³⁸ However, these reforms only concerned male official and military attire: the shalvars were replaced by close-fitting trousers, and turbans by the less cumbersome fez. Women were not affected. In fact, as Suraiya Faroqhi and Madeline Zilfi have shown, “rulings that attempted to make women virtually ‘invisible’ in public places were reiterated in the eighteenth and early nineteenth centuries with a stridency unknown in earlier periods,” and Mahmud II proved at least as conservative in this area as any of his predecessors.³⁹

Processes of sartorial change in the Ottoman world of the early decades of the nineteenth-century were not only gendered, but also region-specific. In many areas of the empire, the Romanian Principalities included, native officials did not as a rule wear the new streamlined fez-and-tunic uniform decreed by Mahmud II. In fact, an inverse process developed in the Ottoman-dominated Romanian Principalities, and presumably in most Balkan and southeastern European areas. As everywhere in the Empire, the ceremonial dress of the Phanariot princes and officials and the emblems of their authority had been subjected to a strict codification as to color, type of fur used for the official *kaftans*, size of the men’s pear-shaped head-dress—the *kalpak*—and even the length of beards, and it can be presumed that infringements of these codes were likely to be penalized by the Turkish suzerain authorities. But even after Mahmud II’s reforms and during the *Tanzimat* period, the dress codes of the Greek-Phanariot and Moldo-Wallachian officials remained unchanged, while women were left apparently free to innovate and modernize. The constraints of state office and court ceremonial would explain

why, as General Langeron and MacMichael observed and as historians of costume such as Al. Alexianu have shown, the men remained more conservative than the women in the area of dress at least until the 1840s. One can only presume that this was due less to Ottoman impositions than to the inherent conservatism of the Phanariot and post-Phanariot courts at Bucharest and Iași.

While Romanian elite women of the *boyar* class started to revolutionize their wardrobes, in Phanariot court circles such changes were adopted more cautiously even among the wives of the ruling princes for whom European fashions had mainly a ceremonial use. Christine Reinhard, wife of the newly appointed French consul in Iași, was pleased to be received in July 1806 by the *hospodar*'s wife, Safta Ipsilanti (Greek: Ypsilantis), "in a dress of red crêpe à la française," while all her ladies-in-waiting were still in Oriental dress.⁴⁰ (See Figure 7.4.⁴¹) For Mme Reinhard, who endured the deprivations of Balkan life with undisguised ill humour, this gesture must have been a comforting reminder of the polished, familiar world back home, to which she longed to return.

One can only speculate about the meanings that women themselves might have attached to their adoption of western fashions in early nineteenth-century Romania. The absence of personal written testimonies such as intimate letters and diaries by women from this period means that we do not know whether they were aware of the moral or political connotations of the changes which they had initiated almost single-handedly. Was it mere status anxiety and derivative fashion awareness based on western models that prompted the shifting patterns of elite consumption? Or was it an agenda deliberately adopted by women in order to symbolically challenge an Oriental, patriarchal order of society in which they could have no other significant contribution to public life? There is no evidence that their menfolk resisted their demands and their new sartorial preferences. On the contrary, available written evidence points to the largesse with which these *boyars* opened their purses to please their womenfolk, while continuing to drag their heavy *kaftans* and *kalpaks* to court, where their functions took them.

Europeanization and the Voices of Tradition

Opposition to the new Europeanizing trends became perceptible after the 1840s, when male attire itself started to be drawn into the processes of change so promptly and unreservedly embraced by women. The French-educated Moldavian writer Alecu Russo (1819–59) did not hesitate to point to the link between changes in fashion and political subversion. In his view, the frock-coat and waistcoat—the "clothes of equality" as he called them—led to the emancipation of a whole generation of Romanians: "[N]ew ideas took our country by storm at the same time as the trousers," he wrote in an unfinished essay published in 1851–52,⁴² "and the invasion was worse than the attacks of the Tartars; it took a single spark to set on fire everything from the *çaksırs* and the *şlıks* [Turkish: *başlık*] to the *mest*, the *cübbe*, and the whole content of our ancestors' wardrobes. ... The change in costume signalled the new spirit of awakening. The new ideas and progress emerged from the tails of the frock coat and the pocket of the waistcoat." There



Figure 7.4. Mihail Töpler, *Portrait of a woman*. Oil on canvas, unsigned, undated.

The National Museum of Art of Romania, Bucharest, 3439.

The sitter is dressed in a rich and hybrid mix of West-European “Empire” dress and Oriental accessories (e.g. the small, flat bonnet adorned with jewels), and with the eyebrows joined at the middle, in accordance with the cosmetic conventions of the day.

was considerable ambiguity in Russo's attitude to these cultural changes and to the disappearance of the Phanariot habits of calculated obsequiousness. While Russo the liberal welcomed the emergence of a new, more democratic civic ethos at court and in towns, Russo the romantic traditionalist regretted the passing of a highly idealized vision of social harmony between *boyars*, serfs, and Gypsy slaves on the landed estates.

For more radically conservative observers of the events as they unfolded in the early nineteenth century, the changes in the lifestyle of the élites were a sign of the collapse of moral order and the loss of traditional values, promptly chastized by God's wrath in the shape of natural disasters. Ioan Dobrescu (1777–1830), a humble baker and artisan from a suburb of Bucharest with a strong moral sense and an intense Orthodox faith who kept a daily chronicle of events between 1802 and 1830, reacted with apocalyptic rage (and abysmal grammar) to the cosmopolitanism, the new fashions, and consumerist hedonism of the Phanariot élites:

The females with heads uncovered and hair cut short, naked down to their waist. The men had discarded their own dress and assumed foreign garments, like unbelievers, some German, others Sfrench [*sic*], and in other ways, some with close-cropped hair, others with curls like the women. And some of us, the more gifted, would mix with them and read their books, some in Sfrench, others in German, still others Talian [*sic*]. And thus entered the teachings of that God-forsaken Volter [*sic*], whom the pagans hold in such esteem, like a God. And we would no longer observe the days of Lent. Always meats at table. At church we went as to a promenade, to show off our best clothes, the females their devilish ornaments, instead of entering the church with fear of God and pray for our sins. In brief, vanity had her throne in Bucharest. We no longer believed in God, but only in fine houses, and clothes, in cheating, and rich meals, in drunkenness, and especially in open whoring.⁴³

Earthquakes, fires, famine, and the “infidels’ invasions” were all, in Dobrescu's view, just rewards for the widespread decline of morality. One may assume that this violent reaction was not an isolated case, especially among the moral and God-fearing middling and lower classes—as well as, one may presume, among the traditionally conservative Orthodox clergy. Far from the extravagant opulence of the court and the *boyars’* households, Dobrescu saw the other side of Phanariot society—the slums, poverty, famines, and the natural disasters such as the famous plague that still bears the name of the Phanariot ruler Ion Caragea (Greek: Karatzas) (1813)—and could not help but vituperate not only against the luxury, but also against what he thought was the superfluous quest for cultural sophistication at the court of Caragea. He gloated when the first theatre built in Bucharest by the prince's daughter, the well-educated Ralu, burnt down: the “pagan temple of the Greek gods” was gone, he announced with undisguised joy.⁴⁴

The fact that Ralu played the piano was considered a “scandal” even by some of the native *boyars*. Her instrument, probably one of the first of its kind in Romania, was, they said, the first step to moral decay.⁴⁵ The Romanian writer Ion Ghica tells the suitably romanticized real-life story, set around the same time (the 1815s), of a young Viennese-educated lady who had brought a piano to Bucharest and played to the delight of passers-by. Her enraged husband smashed the instrument to pieces and the young woman died of chagrin, but not before asking for her coffin to be made out of the piano’s wood. Her deathbed wish was not carried out, however, as the Orthodox priest objected, saying that the *klavier*, as the instrument was then known under its German name, was the “devil’s instrument” (Romanian: *instrumentul necuratului*). Other piano-haters of the time were simply content to store their fruit preserves in theirs.⁴⁶

It is impossible at this stage to assess the relative weight in the public arena of conservative vs. modernizing opinions for periods prior to 1850. But “awakening” and “progress,” the words used by Alecu Russo to describe the new ethos, were no random turns of the pen. They were major key words in the evolving political vocabulary of the late eighteenth and early nineteenth centuries, as studied by the Romanian historian Vlad Georgescu in his aforementioned *Mémoires et projets de réforme dans les Principautés roumaines* (1970–72) and *Istoria ideilor politice românești* [A History of Romanian Political Ideas] (1987). The word “Europe” itself became, in this era of transition, a key cultural term whereby speakers included or dissociated themselves from the “civilized” areas of the continent. As Pompiliu Eliade pointed out, when in the early nineteenth century the Romanian *boyars* started to send their sons off to West European schools and universities, the phrase used was that they had been sent “in” or “inside”—a self-deprecating way of referring to the “Orient” and the Ottoman-controlled Balkans as being “outside” the pale of European civilization.⁴⁷ Far from being the exclusive creation of Enlightenment thinkers and western travellers, the negative view of a backward East Europe resulted to a great extent from the natives’ own sense of inferiority.⁴⁸ A cultural Iron Curtain was already operating on the collective imagination in lands where a ban on foreign travel had been in force more or less efficiently until at least the 1820s.

Whether “imitation” of the West was welcomed or deplored, the leading role of modernizing élites in shaping taste and transforming urban culture in Ottoman-controlled Wallachia and Moldavia is now well-established. The surviving written evidence shows that élite initiatives in the emergent culture of consumerism were embedded within an inbuilt sense of an absolute historical imperative for the Romanian Principalities to exit the orbit of the “Orient” and occupy their “rightful” place among the European nations.

Trade, Consumerism, and Europeanization

The pomp and circumstance of the Phanariot court with the rich ceremonial costumes and the ever-present example of Greek and Turkish opulence could only encourage a taste for luxury that the native Romanian *boyars* appear to have

already possessed in abundance. As early as the sixteenth century, fabulous sums were spent on the acquisition of jewellery and ceremonial accessories. A crown made of diamond plates belonging to the Moldavian princely family Movilă cost 12,000 florins in the early seventeenth century, the equivalent price of 40 villages, or 120 pure-bred horses, or 800 Persian rugs.⁴⁹ Foreign observers often remarked on the love of luxury among Greek and Romanian nobles alike at the Phanariot courts. “The Moldavians go bankrupt to pay for their fabrics and furs, and when they appear in all their finery, they look magnificent and in very good taste,” said Count D’Hauterive in his study *La Moldavie en 1785*.⁵⁰

The new Western influences that started to penetrate the Principalities only changed the patterns rather than the scale of élite consumption, as the new political and economic circumstances created by the Russo-Turkish treaties of the late eighteenth century led to the incipient de-marginalization of the Romanian markets and the gradual encouragement of trade relations with Europe. Starting with the treaty of Küçük Kaynarca (1774), Russo-Turkish negotiations led to a gradual weakening of the Ottoman monopoly over Romanian trade. The Austro-Turkish commercial treaty of 1784 intensified trade relations between Austria and the Romanian Principalities, and the economic “thaw” continued, culminating in the Akkerman Convention of 1826 and the treaty of Adrianople of 1829, both of which dealt a considerable blow to the Ottoman economic control of the Principalities—stipulating the latter’s freedom to trade with other European countries and to navigate their own commercial vessels along the Danube.⁵¹

The new conditions favoured the growth of imports from western Europe in parallel with continuing exchanges with the Orient. Transylvania was the transit area for the penetration of luxury western goods into both Wallachia and Moldova. While the precise quantification of the balance of trade during this period remains elusive, the demand for such goods from the wealthy élite of both principalities suggests shifts in taste and a determined turn towards central and western Europe. It also led to a radical alteration in the status of the merchants, the more industrious of whom accumulated vast wealth and began to be considered on par with the *boyar* class. Merchant houses such as Hagi Moscu of Bucharest and Hagi Pop (or Popp) of Sibiu (Hermannstadt in Transylvania) are the best known of the new brand of traders-cum-bankers-cum-entrepreneurs who created the new culture of industry and capital in late eighteenth- and early nineteenth-century Romania.⁵²

Hagi Constantin Pop from Sibiu, married to Păuna, a woman from the lesser gentry of Oltenia (southern Wallachia), became the favored supplier, banker, confidant, and friend of some of the oldest and wealthiest nobles in Wallachia, such as the Știrbei, Bengescu, Dudescu, and Jianu families. Founded by Hagi Pop’s father and an Oltenian associate during Oltenia’s occupation by Austria (1718–39), the firm—which engaged in import-export as well as banking activities—soon created branches in that province and established links with foreign trading firms in Buda, Belgrade, Zagreb, Fiume, Trieste, and Venice, as well as creating its own branch in Vienna in the late eighteenth century. The fact that Hagi Constantin Pop was trusted by the Austrian authorities in Oltenia and

had friendly links with the Austrian imperial agent in Bucharest helped create the security needed for a prosperous business and for establishing unhindered links with a host of hard-to-satisfy customers.⁵³ The well-preserved commercial correspondence, invoices, and price and shopping lists of the Hagi Pop house are an invaluable source of information on the lifestyle, changing tastes, consumption, and mores of the Romanian nobility around 1800. They also offer a rare glimpse into the beginning of modern entrepreneurship in what was otherwise at the time a backward and mainly agrarian economy.⁵⁴

One of Hagi Constantin Pop's more demanding customers was the formidable widow Dumitrana Știrbei, whose correspondence with Hagi Pop charts the evolving "European" lifestyles of the Wallachian nobility.⁵⁵ Her earliest known order (dated January 1778) was a mix of the homely and the flamboyantly exotic: cutlery, crystals of sugar, gun pellets for sparrows and rabbits, a man's shirt and long-johns, but also Brussels sprouts and lettuce seeds, and, incongruously, a *Musk* (or *Musco*, possibly from "Muscovy") fox fur collar. In June she asked for a carriage (*carăță*). On 21 January 1781 she requested that a gardener be sent to her family estate at Cepturoaia. A seemingly loving mother-in-law to her son's 22-year-old wife Catinca, she ordered two satin-trimmed scarves and small leather gloves for her in April 1782. In a letter dated 5 April 1784, she mentioned "Miliort" ("Mylord"), the little dog Hagi Pop had sent, and who, alas, had only lived one year; in subsequent letters she described in detail the lapdog she wanted as a replacement. The noble, pious, but also avidly consumerist lady must have started quite a trend in remote Oltenia at the time, as evidenced by numerous orders from Oltenian *boyars* for "a small, fluffy dog, the smallest in the whole of Europe," or "a very small, fluffy dog, fit for great ladies" meant as a present for a "*Mamuzel* [i.e. mademoiselle] Zinca Văcăresco."

Other posh pets sent to Oltenia as accessories for fashion-conscious *boyars* were canaries, the detailed specifications for which make sublime reading. On 9 July 1796, the *boyar* Constantin Socoteanu, signing in Greek, ordered a canary, but "not one which sings on a single note": "it should know several notes if it is to be worthy of the exalted person for whom it is destined as a *peșkeș*"—a Turkish word meaning a gift or a reward for a service rendered. The rest of Hagi Pop's correspondence with other *boyar* families is replete with orders for an increasing number of luxury fashion goods such as *shtrimphs* (Austrian stockings), carriages made in Vienna according to customers' minute instructions, leather and gloves, expensive fabrics, feathers, umbrellas, watches, "*apă de obraz*" (literally "face water," i.e. *eau-de-cologne*), fine soap, fine silver tableware, furniture, and even wallpaper. One learns also that good quality tobacco was used as moth-killer, and that the use of irons for smoothing clothes was not unknown. Orders for luxury foods such as *charcuterie*, pineapple (requested in 1798 on doctor's orders for a young lying-in mother), lemons, and oranges, Frontignac wine, as well as for foreign newspapers and foreign domestic staff (gardeners, chambermaids, cooks) betray not only the increasingly sophisticated tastes, but also the spending power—or, as disapproving others would see it, the extravagance—of the élites.

Most of these people, especially the men, were still wearing Oriental-style clothes, like Barbu Știrbei himself (Dumitrana's son) at the spa in Karlsbad, where his Pasha-like appearance did not fail to attract the attention of the central and western European residents and travellers.⁵⁶ However, the orders of new fashion accessories such as stockings, gloves, and parasols introduced an alien element that was surreptitiously revolutionizing sartorial preferences and trends, and was to turn Romania by the 1840 into Europe's—and gradually mainly France's—satellite in fashion, amenities, politics, ideologies, and mentalities.

As I have already suggested, the vision of a civilized, “enlightened” Europe to which the Principalities belonged *de jure* by virtue of their Latin origins and socio-cultural aspirations was already in place as a *topos* in the period's writings. Before it became a political slogan, however, it emerged as an increasingly obsessive keyword for the élite's consumption patterns and lifestyles. The diplomat and polymath Ienăchiță Văcărescu, whose Oriental furs and heavy brocades, like Știrbei's, had been admired by the Viennese ladies on a diplomatic mission in 1786, was rich and fashion-conscious enough to be lured into the race for West-European luxuries that engulfed the Greek-Romanian upper classes in the 1780s and 1790s. A document of 1773 from the Văcărescu family archives appears to be a list of silver and china tableware ordered from abroad: “Two large serving dishes (*tipsii*, Turkish: *tepsi*) for meats, with handles as is customary in Europe, without feet or lids,” reads one of the entries; “twelve pairs of silver knives and forks, as well as twelve spoons; the forks should be of the English type, that is with three prongs,” “one sugar bowl, with a tong such as the Europeans use for picking up the sugar to place it in the cups,” “twelve Viennese china deep dishes, for serving soup.” And the finishing touches: “The silverware should be of moderate weight, not too heavy and not too light, but as is customary nowadays among the nobles of Europe,” insisted the demanding customer, possibly the great *boyar* Ienăchiță himself.⁵⁷ There is a considerable amount of *nouveau-riche* vulgarity in this, and yet Văcărescu the elder, polyglot author of a scholarly history of the Ottomans and Romania's first lyrical poet, was no mere bourgeois upstart intent on conspicuous consumption and display. Both he and his sons were distinguished writers, and their 170-volume library, the catalogue of which has survived, was a very impressive collection of classical and contemporary works, ranging from Homer to Fontenelle (*Entretiens sur la pluralité des mondes*, Lyon, 1810) and unnamed works by Mme de Genlis.⁵⁸ And yet even this politically savvy and literate family was engulfed in the hard-to-resist Europeanizing trend to which women and their fashion choices were the earliest contributors.

Conclusion

Fragmentary though they may be, the narrative and documentary sources presented here point to several interlocking and inter-dependent strands of cultural influence and choice which transformed to a large extent the contents of the wardrobes, libraries, and larders of late eighteenth-century Romanian élites. While on the surface, sartorial and culinary choices are a sheer competitive display of wealth

and status, I would argue that in less obvious ways, the newly adopted trends in lifestyle helped the members of the *boyar* élites and rich merchant class and professionals re-define themselves in terms of a French-dominated “European” cultural, political, and secular identity as opposed to the traditional, Byzantine-Oriental, Orthodox one. This was not a straightforward process, as native doctrines of self-sufficiency and westernizing programmes competed with each other throughout the nineteenth century, a competition which gained momentum towards the end of the century. The convoluted and paradoxical nature of the Romanian Europeanizing process was compounded by the fact that both the Phanariot circles around the princes and the Russian occupying armies could see themselves as the civilizers of Balkan “barbarians.” Adding to the issue’s complexity was the fact that the “barbarians” themselves believed that they were “Latin” Europeans whose natural progress towards civilization had been deflected artificially by “Asian” Ottoman-Phanariot domination—and increasingly, too, by the politically conservative Russian protectorate. Placed between a declining Ottoman Empire, a competitive Austria, and a growing czarist empire, the élites of Wallachia and Moldavia chose to look westwards, and increasingly towards France as the source of a new political culture meant to redeem a country which, in the fatalistic words of a seventeenth-century chronicler, was located “on the pathway of all evils.”

Compared to their Ottoman counterparts, Romanian women were not required to wear the veil and were less rigorously restricted to homes and court harems. This comparative freedom allowed them to make lifestyle choices earlier than, and sometimes on behalf of, their spouses. Whether by accident or design, they appear to have placed themselves on the frontline of the new cultural preferences. Their eagerness, in the early nineteenth century, to abandon the picture postcard prettiness of, say, Morrith’s “Turkish lady” tableau anticipated the enthusiasm with which their western-educated sons would fight against Ottoman suzerainty and Russian control from 1848 onwards. While men were more constrained in their sartorial choices by the demands of court office and the emblems of Phanariot hierarchies, women took the liberty to reject such codes and opt instead for European fashions, in accordance with what they must have felt was the general drift of forthcoming political change.

Elite-driven social and cultural change in nineteenth-century Romania arguably led, as Alecu Russo suggested at the time, to the gradual erosion of visible class markers such as dress, allowing for the emergence of a more individualistic, “bourgeois” mentality where status would be based on purchasing power, taste, and education rather than simply on class. The choices the élites made in the period from the 1780s to the 1850s changed the culture of appearances, but also created a new understanding of the power of culture in shaping identities and, ultimately, politics.

Notes

1. Variants of this essay were presented as papers at research seminars at the University of York (UK), the School of Slavonic and East-European Studies (University College, London), and the Warburg Institute (London). I am grateful to Dr. Jane Rendall, Dr. Geoff Cubitt (my doctoral supervisors at the University of York, UK), Dr. Wendy Bracewell, and Dr. Alex Drace-Francis (University of Liverpool, UK) for their judicious comments and support. Dr. Adrian-Silvan Ionescu and Dr. Anca Popescu (“N. Iorga” Historical Research Institute, Bucharest) were generous in sharing their expertise in fashion history and Ottoman studies, respectively. Dr. Lia Chisacof (The Institute for Southeast European Studies, Bucharest) helped with the transliteration of Greek names. The present text is a re-written version of a chapter from my unpublished Ph.D. thesis *Women and Society in the Romanian Principalities, 1750-1850* (University of York, UK, 2003). It has greatly benefited from insightful comments from the editors of the present volume, Prof. Amila Buturović and Dr. Irvin C. Schick.
2. The unifying name “Romania” for the two Romanian/Danubian Principalities is an accepted anachronism for the period before 1848.
3. Two short studies addressing this issue specifically are Panaitescu 1947 and more recently Maxim 1993.
4. For the *dar-al-‘ahd* system as a halfway house into the Islamic world, see Goffman 2002: 46. For a Romanian perspective on Ottoman domination based largely on Ottoman sources and legal terminology, see Panaite 2000.
5. Şevket Pamuk has argued that this type of arrangement—reached in places like East Anatolia, Iraq, Egypt, Yemen, the Romanian Principalities, and the Maghrib—was a pragmatic way for the Ottomans to ensure the loyalty of local elites, while causing minimal economic disruption and popular unrest. Cf. Pamuk 2004: 225-47.
6. Greek Phanariot proper names of ruling dynasties in the Principalities appear here in their Romanianised forms, as used in the documents of the period.
7. Mazower 2000: 55.
8. Georgescu 1987.
9. *Ibid.*, 80–81.
10. Holban et al. 1968–2001.
11. Painters of Phanariot and Romanian ethnic national dress include itinerant artists such as Luigi Mayer (active 1790s and early 1800s), Louis Dupré (1789–1837), Jean-Etienne Liotard (1702–1789), as well as the earliest producers of formal portraiture in Romania such as Mihail Töpler (1780–1820?). See Alexianu 1971, 1987; Cornea 1980; Ionescu 1990, 2001. Most of the works of the Romanian “primitives” have been recently returned into the public domain with the re-opening, after many decades, of the Gallery of National Art at the Art Museum in Bucharest.
12. Although the number of Turkish words denoting culinary and sartorial categories used in the Romanian language has declined dramatically from

- the impressive one-sixth of the total vocabulary roughly a century ago, many basic everyday objects have retained their Turkish denominators, e.g. boot (Romanian: *cizmă*, Turkish: *çizme*), handbag (Romanian: *geantă*, Turkish: *çanta*), slipper (Romanian: *papuc*, Turkish: *pabuç*), bed sheet (Romanian: *cearșaf*, Turkish: *çarşaf*), frog fastening, clasp (Romanian: *ceapraz*, Turkish: *çapraz*), etc. For a discussion of the Ottoman linguistic legacy in the Balkan languages, see Lewis 1996.
13. Dowry, 7 February 1775, given by “*șetrăreasa*” Maria Cucoranul, née Cuza, to her daughter Anița, in Ghibănescu 1915: 53.
 14. Sing. *leu*, pl. *lei*, from the Turkish *aslanlı*, equivalent to a piastre.
 15. Ghibănescu 1925.
 16. Ghibănescu 1931.
 17. She was at one time tentatively identified by Paul Cernovodeanu as Ilinca Argintoianu, from a well-known Romanian boyar family from Oltenia (Little Wallachia), and her servants were most certainly Gypsy slaves rather than Greeks. For the controversy surrounding her identity, see Tappe and Hope 1980: 591–615. See also the entry by Paul Cernovodeanu in Holban 2001: 1232–35.
 18. In all probability, a reference to a well-known society beauty, Lady Charlotte Campbell, painted c. 1789–90 by J.W. Tischbein in Greek classical dress. See Ribeiro 2002: 273, 275.
 19. Marindin 1914: 62–63.
 20. Alexianu 1987: 135. Some of the sketches, as well as fragments not published by Marindin, may have in fact survived and may be lingering in the Constantin I. Karadja archives in Bucharest, according to the editors of a catalogue of these archives; see Filitti and Brad-Chisacof 1996: 62–71.
 21. For official permission granted to non-Muslims to wear Turkish dress, see, for instance, Elliot 2004: 103–23.
 22. For two comprehensive studies of Liotard’s life and work, see Loche and Roethlisberger 1978, and Herdt 1992. For his stay in Moldavia at the court of the reformist Phanariot Prince Constantin Mavrocordat, see Niculescu 1982: 127–66.
 23. Scarce 1987. This study is especially useful for the abundance of technical details of the ways garments were cut and sewn, rather than for analysis of their meaning or representational values.
 24. See Lew 1991: 432–50; Mansell 1996: 43–49; Pointon 1993; Thornton 1985.
 25. Marindin 1914: 60.
 26. Hauterive 1902b: 242–45.
 27. *Le costume est en général peu décent et seulement à l’avantage des femmes qui n’ont pas encore dix-huit ans. Tous les inconvénients qui suivent l’âge et les grossesses se montrent au grand jour. Le vêtement ne cache, pour ainsi dire, que la couleur du corps, dont il rend les formes dans toute leur mollesse et leur altération. Jamais assises, rarement debout, leur corps à demi-couché s’amollit et perd, en s’appuyant du matin au soir sur les coussins du sofa,*

- l'habitude de se soutenir: [...] Perpétuellement accroupies, jamais chaussées, elles ne peuvent mettre leurs pieds en dehors et se traînent plutôt qu'elles ne marchent.* (Hauterive 1902a: 347–51, my translation.)
28. *Anteriile cele lungi și largi, blănille cele multe, puse una peste alta, brăul de șal lung, de câte cinci coți, toate acestea înfășurând și îngreund trupul lor, îl înfierbântă peste măsură și mai ales când le poartă în camerele lor călduroase, provoc înădușirea corpului, greutate și atonie în toate membrele lui. ... Tot atâta vătămare aduce și calpacul sferoidal de mărime colosală, ... cu care își acopere capul; pe lângă altele, acesta este și costisitor prin făptura lui, fiind compus din două-trei pielcele de miel foarte scumpe, aduse cu mare cheltuailă din părțile dinăuntru ale Rusiei, ... Afară de această falnică căciulă, tot atât de mult încălzește și fesul, care de obicei se poartă sub ea; acestea cauzând sudoare continuă la cap și fiindcă obiceiul de a se tot descoperi pentru salutațiuni, li se întâmplă deseori iarna și primăvara guturaiuri, dureri de dinți, de urechi și cap.* (Samarian 1937: 107, my translation.)
29. Ribeiro 1979: 17–23.
30. The terms “form” and “substance” allude to a late nineteenth-century debate about Westernization in Romania. The writer and politician Titu Maiorescu deplored the vacuous character of “forms without substance” in the Romanian nation-building project.
31. *Il leur a fallu peu de temps et elles ont eu peu de peine pour se soumettre à une civilisation que désirait leur amour propre et que réclament leur esprit naturel et leurs grâces voilées et emprisonnées sous les tristes et pesants habillements asiatiques. Il n’y a que le fard auquel elles n’ont jamais voulu renoncer. Leur visage est peint de toutes les couleurs.* (Hurmuzaki 1876–1912: 3/Supl. 1–2: 75, my translation.) Count Alexandre Louis Andrault de Langeron (b. Paris, 24 January 1763) joined the Russian army in 1790 and took part in all of Russia’s anti-Ottoman campaigns from 1790 to 1828 on Romanian territory. His memoirs were published in [Langeron] 1902.
32. Russia’s sudden transition from “Asiatic” backwardness to European sophistication in lifestyles is well-documented. For a recent contribution, see Hughes 2001: 17–32; I am grateful to Prof. Lindsey Hughes for this reference.
33. *En 1806, nous trouvâmes encore beaucoup de ces dames en costume oriental, leurs maisons sans meubles et leurs maris fort jaloux. Mais la révolution qui se fit alors à Jassy, ensuite à Bucarest et dans les provinces, fut aussi rapide que complète: Au bout d’un an, toutes les dames Moldaves et Valaques adoptèrent le costume européen. De tous côtés il arriva dans les deux capitales des marchands de modes, des couturières, des tailleurs. ... Pierre Ier ne changea pas plus rapidement la face de son Empire que notre arrivée ne changea celle de la Moldavie. Quelques jeunes gens adoptèrent aussi le frac, mais les vieillards et les gens en place restèrent avec leurs barbes et avec leur longue robe de chambre. La danse éprouva aussi une révolution. Les danses nationales furent prosrites, ou au moins méprisées. On apprit*

les polonaises, les anglaises, les vases, les françaises, et ces dames ayant beaucoup d'aptitude pour tout ce qu'elles veulent apprendre, parvinrent en un an à danser à merveille; lorsque nous arrivâmes en Moldavie, elles ne savaient pas marcher. (Hurmuzaki 1876–1912: 3/Supl. 1–2: 79, note1, my translation.)

34. The Russians were not the only channels for the transmission of occidental values. In *De l'influence française sur l'esprit public en Roumanie* (1898), Pompiliu Eliade comprehensively analyzed the presence of French princely secretaries such as Jean Louis Carra and the Count D'Hauterive, the arrival of French tutors, governesses, and domestic staff, the opening of foreign consulates in Bucharest and Iași (Russian in 1782, Austrian in 1783, Prussian in 1785, French in 1796, English in 1801), the impact of the French Revolution, and the circulation of imported books and periodicals as so many signs that Romanian society was opening up to western (i.e. French) influence, as it gradually emerged from the Ottoman sphere of influence. Eliade showed that many of the Greek-Phanariot princes and their entourage were highly educated individuals who patronized the arts and contributed to the introduction of potentially subversive western values into the Romanian Principalities. For a more recent survey of French influence in this period, see Berindei 1991.
35. MacMichael 1819: 82–83.
36. *Ibid.*, 118. The reconstruction of public spaces, assembly and entertainment venues for this period is highly elusive, and it was impossible to find more information on the Bucharest “Club.”
37. Cf. Forrest 1991: 91–99, note 1.
38. Quataert 1997: 403–25.
39. Faroqhi 2004: 41, and Zilfi 2004: 125–41.
40. [Reinhard] 1901: 201.
41. Safta Ipsilanti's portrait was unavailable for reproduction in the present volume, but this portrait of an anonymous lady attributed to the same artist bears a close resemblance to it.
42. Russo 1934: 12.
43. *Ia vedeți, fraților; câtă răutate s-au înmulțit la neamul nostru, pentru fărâdelegile no[ă]stre. Că mai întâi, după cum înapoi am arătat, se cutremură pământul de căzură sfintele biserică și hanurile și casele. Al doilea, arse focul târgul mai de tot. Noi tot n-am băgat de seamă. Încă ne-am pus împotriva cu Dumnezeu. Că întâi era casele învălitate cu lemn, pă urmă le-am învălit cu her. Apoi foametea gro[ă]znică. Și tot n-am băgat de seamă. Apururea cu frica în sân, puțin de nu ne-au robit păgînii. Apoi, ce să vezi? Muerile cu capetele goale și tunse, dezgolite pînă la brîu. Oamenii își lepădaseră portul și-si luase portu strein, ca pagînii, unii nemțește, alții sfranțozește, alții în alte chipuri, cu părul tuns, cu zuluți ca muerile. Apoi ne amestecam cu ei și cei mai procopsiți le învăta cărțile lor, unii sfranțozește, alții nemțește, alții talienește. Și intra învățătura lui Volter, acela uritul lui Dumnezeu, pre carele îl avea, păgînii, ca pre un Dumnezeu. Și sfintele posturi nu le mai băgam în*

seamă. Totdeauna cărnuri la mese. La biserică mergeam ca la o priveală, care și mai care cu haine mai bune, muerile cu felurimi de podoabe drăcești; iar nu să intrăm în biserică cu frica lui Dumnezeu, să ne rugăm pentru păcate. Mai în scurt, mîndriia așăzase scaunu în București. Nu credeam în Dumnezeu, numai în ziduri, în haine, în înșălătorii, în mîncări bune, în beții și mai virtos curviia de față. (From Corfus 1966, entry for 1813–4, my translation.)

44. Corfus 1966: 373–74.

45. Massoff 1961: 1: 516, note 1.

46. Ibid.

47. P. Eliade quoted in Massoff 1961: 1: 374.

48. For the view of East Europe as “invented” by Enlightenment philosophes, see Wolff 1994.

49. Nițu 1998: 7.

50. Hauterive 1902: 360.

51. See Stan 1998. For debates around the nature and extent of the Ottoman monopoly on Romanian trade, see Murgescu 1997: 573–90.

52. The family name “Hagi,” Romanianized form of the Turkish *Hacı*—meaning a person who has made the pilgrimage to the Holy land—may have initially implied that an ancestor or family patriarch had actually made the pilgrimage. That such a person would have been a member of the merchant class is not surprising, given that merchants travelled more freely than others at the time. It remains a fairly common family name in Romania to this day.

53. For a study of the Hagi Pop House and collections of its documents, see Furnică 1908 and Iorga 1904.

54. For entrepreneurs as “the shock troops of early European industrialisation,” see Gildea 1996: 21.

55. All excerpts from Dumitrana Știrbei’s letters are from Iorga 1904.

56. For details of this trip of 1796, see Iorga 1907: 215–231.

57. Document dated 16 July 1773, in Caratașu 1975: 59–61.

58. Caratașu 1975: 11–12. Other items include, *inter alia*, Strabo’s *Geography* in a bilingual Greek-Latin edition, the *Commentaries* of Teofil Coridaleu to Aristotle’s *Logic* (Venice, 1725), the *Great Thesaurus* by Varinus (printed in Venice, 1712, with financial support from the Romanian Prince of Wallachia Constantin Brâncoveanu), the writings of the Fathers of the Eastern Church, works of grammar and rhetoric, Plutarch, Xenophon, Cornelius Nepos, Aristotle, as well as more obscure items such as *Hermione or the Premature Betrothed of Hades*, published in Pest. Annexed to the catalogue is a list of French acquisitions, apparently purchased later by Ienăchiță’s son, the poet Nicolae Văcărescu. They include titles such as: *Tableau de l’Amour conjugal*, *Le Docteur de Cythère*, *Etrennes véridiques*, *Grammaire des fleurs*, and *Chansonnier français*. As a whole, the catalogue is testimony to a great boyar family’s many interests, although its range must have been exceptional at the time, and must have reflected the unusual intellectual abilities of one particular

dynasty. Research into reading, printing, and taste in this period is, as much else, sorely needed.

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The Role of Women in Southeast European Vampire Belief

Peter Mario Kreuter

The overwhelming success of Bram Stoker's novel *Dracula* (1897) implanted the stereotype of the male vampire into the collective imagination. This male motif obscured our view of the famous female vampire characters of the nineteenth century, such as Clarimonde in Theophile Gauthier's *La morte amoureuse* (1836)¹ or *Die Braut von Korinth* (1797) by Johann Wolfgang von Goethe.² Nevertheless, we still find women cast into the role of the "hero vampire" in the twentieth century, notably Miss Christine in Mircea Eliade's short novel *Domnișoara Christina* (1936),³ which can be cited as an example of an original southeast European adaptation of the folkloric vampire figure.

Taking a glance at the official reports written by Austrian military doctors during the eighteenth century, we see that in these records the earliest mention of a vampire refers to a man named Peter Plogojovic.⁴ His case was the first that was made the object of an official report to the imperial government in Vienna, written in 1725 by the *Kameralphysicus* Frombald. But Frombald was not a good chronicler, and so though his short report made its way through the administration in Belgrade and Vienna, it gained no further attention in public opinion.

Only a few years later, in December 1731, a new case attracted the interest of the imperial administration in Belgrade. In the Serbian village of Medvegja, 13 people had died within six weeks under strange circumstances. Therefore the *Physicus Contumaciae Caesareae* (Imperial Plague Physician) Glaser was sent to Medvegja to investigate. The result of his visit on 12 December 1731 was a report that was considered inadequate in Belgrade, because of Glaser's confusing style and his failure to investigate the outbreak of the reported vampire attacks.⁵ It is noteworthy, at least, that Glaser reported that two dead women had been accused by the villagers of being the deadly revenants with whom the widespread deaths in Medvegja had supposedly started. One was a 50-year-old woman by the name of Miliza; the other, the 20-year-old Stanna, had died immediately after giving birth to a child who had, in turn, died only a short time after her mother.

Both Miliza and Stanna had told neighbors of having been in close contact with vampires, the former even pretending to have eaten the meat of two sheep killed by a vampire.

Only a month after Glaser's visit to Medvegya, a second investigatory commission was sent to the village. This time the head of the commission was a young regimental medical officer named Johann Flückinger, who examined the case very conscientiously and personally supervised the exhumation of both the suspected vampires as well as all the people that had been allegedly killed by them. His report became famous all over Europe and marked the beginning of Age of Enlightenment vampire discussions during the 1730s.⁶ The report itself is a curious document: its contents are very rich and detailed, but the German language of the eighteenth century makes it difficult to understand and translate. The language is stilted, and Flückinger was indifferent to questions of grammatical accuracy. Furthermore, inadequate editorial practices on the part of the authors and editors of books and anthologies on vampires have led to a vast amount of variation in the text, and many mistakes. Paul Barber successfully translated Flückinger's *Visum et Repertum* [Seen and Discovered] into English in his study *Vampires, Burial, and Death*.⁷

Flückinger not only reported the case of Arnold Paole, who had fallen off a hay wagon six years earlier, but also wrote a great deal about the actual case he had been charged with investigating. What, then, do we learn from him about the female vampires of Medvegya? The following is part of his account:

At this we went the same afternoon to the graveyard, along with the often-mentioned oldest *haiduks* of the village, in order to cause the suspicious graves to be opened and to examine the bodies in them, whereby, after all of them had been dissected, there was found:

1. A woman by the name of Stana, twenty years old, who had died in childbirth two months ago, after a three-day illness, and who had herself said, before her death, that she has painted herself with the blood of a vampire, wherefore both she and her child—which had died right after birth and because of a careless burial has been half eaten by dogs—must also become vampires. She was quite complete and undecayed. After the opening of the body there was found in the *cavitate pectoris* a quantity of fresh extravascular blood. The *vasa* [vessels] of the *arteriae* and *venae*, like the *ventriculis cordis*, were not as is usual, filled with coagulated blood, and the whole *viscera*, that is, the *pulmo* [lung], *hepar* [liver], *stomachus*, *lien* [spleen], et *intestina* were quite fresh as they would be in a healthy person. The uterus was however quite enlarged and very inflamed externally, for the placenta and lochia had remained in place, wherefore the same was in complete *putredine*. The skin on her hands and feet, along with the old nails, fell away on their own, but on the other hand completely new nails were evident, along with a fresh and vivid skin.

2. There was a woman by the name of Miliza (sixty years old, incidentally), who had died after a three-month sickness and had been buried ninety-some days earlier. In the chest much liquid blood was found, and the other *viscera* were, like those mentioned before, in a good condition. During her dissection, all the *haiduks* who were standing around marveled greatly at her plumpness and perfect body, uniformly stating that they had known the woman well, from her [or their] youth, and she had, throughout her life, looked and been very lean and dried up, and they emphasized that she had come to this surprising plumpness in the grave. They also said that it was she who had started the vampires this time, because she had eaten of the flesh of those sheep that had been killed by the previous vampires.⁸

Flückiger's list of opened graves contains thirteen items, but more than one corpse had been buried in some of the graves—in the case of Stana, for example, both mother and child were found. Flückiger found female corpses in seven opened graves and dissected them; thus, it can be estimated that about half of the dead people examined in this case were women. Some were completely decomposed or significantly decayed, but others were in surprisingly good condition. In one instance, that of Miliza, her body was neither decomposed, nor had it remained unchanged: on the contrary, it was described as plump even though she was said to have been lean when alive.⁹ Flückiger goes on to write:

After the examination had taken place, the heads of the vampires were cut off by the local gypsies and then burned along with the bodies, and then the ashes were thrown into the river Morava. The decomposed bodies, however, were laid back into their own graves.¹⁰

The main point of this account is not only that Miliza was a vampire, but furthermore that the entire spate of killings in the village had started with her. Her case shows, in a nutshell, the main elements of the popular vampire belief, and makes it clear that in principle there was no difference between men and women in this respect: both could become the victim of a vampire, and likewise both could also be the initial one—the first vampire who had started to kill neighbors and cattle.

Even the way Miliza had become a vampire was not typically female. She had eaten the meat of sheep that had supposedly been killed by a vampire. As for Stana, being tormented by another vampire she had tried to protect herself by painting herself with the blood of a vampire, exactly as Arnold Paole—the man who had fallen off a haywagon—had done. In both cases, the remedy appears to have failed.¹¹

In another way too the case of Miliza can be seen as typical for a vampire story. In the first report, that of Glaser, Miliza was described as being “50 years old, laying seven weeks in grave, having moved from the Turkish part of the frontier six years ago.”¹² Glaser further mentioned that she had only eaten of two sheep.

Yet, scarcely a month later, her age had changed from 50 to 60, and her move from the Turkish part of Serbia to the Austrian had not only disappeared, but it now seemed that she had been an autochthonous member of this village since her youth—or the youth of the *haiduks*, since here the German text is unclear. In any case, the time period must have been longer than the mere six years mentioned in Glaser's report. Even within a single text it is not unusual that a vampire should change its age, circumstances, or even its shape: the case was so astonishing that the details seemed to be of secondary importance.

It is also noteworthy that women appear as both vampires and victims in later texts. A notorious case in the German-speaking part of Europe was that of Dorothea Pihsin of Kapnick in 1753.¹³ Kapnick was a mining town in Transylvania, important for its gold and silver resources. But then it became even more famous when, in the first six weeks of 1753, five miners died under mysterious circumstances. The corpse of one of the dead miners was dissected and found, according to the official report, to contain only a water-like liquid, but no blood. After a short investigation, two women—Anna Tonner and Dorothea Pihsin—both deceased in late 1752, were accused of being vampires. Both their graves were opened on 20 February 1753, and while the body of Anna Tonner was nearly completely decomposed after 105 days in the ground, the corpse of Dorothea Pihsin was found to be in very good condition even though she had been interred for even longer—129 days. Her body was exhumed and burned by the hangman under the town gallows, while Anna Tonner was reburied with all the usual rites.

It must be noted that the number of reported female vampires is smaller than that of reported male vampires. Exact numbers are hard to come by, but it was clearly believed that men faced greater threat from the revenant than women. Otilia Hedeşan of the West University of Timișoara, the most prominent contemporary Romanian folklorist with a special interest in vampire belief, provides some data about this fact in her doctoral dissertation.¹⁴ Regarding the term *strigoi*, the Romanian word for vampire, she points out that

In the majority of cases, the more general dictionaries list only the article *strigoi*, masculine, and only some also list a derivative feminine form of this word, *strigoaie*, with a more obscure meaning. The folkloric reality proves that this new derivative does not indicate purely and simply the feminine variant of the *strigoi*, but has a more restricted sense. *Strigoaicele* are “thieves of milk and, in general, thieves of abundance,” i.e. persons who practice magic and whose moment of strongest power—but also of most intense threat—is *Sângiorz*, the day when, according to popular belief, they can steal manna, but can also be defeated.¹⁵

This somewhat weakened and rather restricted definition of *strigoaie* shows clearly that the conception of the male *strigoi* cannot be identically applied to women. Yet, if the vampire figure of Romanian folklore exhibited the same structure in both the male and the female case, would it not have been logical for the characteristics of the female *strigoaie* to be the same as those of the male

strigoi? If it is claimed that the *strigoi* is the Romanian word for vampire—defined as a revenant corpse causing death, illness, and horror to both human beings and cattle—then it has to be admitted at the very least that there exist more than a single notion of *strigoaie*, and that one of these notions deals with magic rites and practises but has nothing to do with the vampire belief itself.¹⁶

Leaving vampires aside for a moment, and focusing on related figures in popular belief, we notice at least a similar vagueness regarding the female variant of yet another male figure, the *vîlva lupilor*, or leader of the wolves.¹⁷ This particular figure is in a sense a cousin of the werewolf—a man who leads wolves and communicates with them, but who shows no (or only minor) signs of transformation himself. Belief in the *vîlva lupilor* is limited to an area in northern Transylvania called Munții Apuseni, and remains alive even today.¹⁸ Although it refers to a male figure and to male human beings, the word by itself is grammatically feminine within the regular a-declension of Romanian grammar. Yet, there is no reported case of a female *vîlva lupilor*. If the word *vîlvă* is ever used for a demoniacal figure of the female sex, she is conceived as fairy-like and no connection with wolves exists. There is the *vîlva apeii* or *vîlva pădurii*, but an approximate English translation for this being would be something like “water fairy” or “spirit of the forest.”¹⁹ Thus, in this special case as well, the male conception cannot be transferred onto women, and the female version of the term refers to something quite different from the male. Furthermore, we have to note that in this case a male figure is named with a grammatically feminine word.

How can this fact be explained? Certainly the answer to this riddle is not to be found in a general lack of women or female figures in popular beliefs. Perhaps it has something to do with the prominence of female demons.²⁰ Looking for example at the demons that cause disease, we see not only that nearly all the names of such demons/diseases are grammatically feminine in structure, but also that even the figure itself is seen as a woman.²¹ Demons are not material beings but are more akin to spectres. Additionally, they are not imagined in an individual sense as a specific human being, but more as a stereotype like “old hag” or “ugly woman.” There is no well-defined idea of them; rather, they remain unoutlined in their appearance. Concrete figures of popular belief tend to be of the masculine sex and exhibit behavior associated with the male gender, while the more ghostly or phantom-like among them are of the feminine sex and exhibit behavior associated with the female gender. Cases where both types are mixed together can not be excluded either.

It is women who are believed to be healers, using herbs or magical rites. Men are believed to be experts in injuries or teeth, but for any kind of disease, the *baba*—an old woman with knowledge of healing—is the only one that the people of the region will visit. Female demons are fought by female healers. Here we can also state one of the main differences between the agriculturally-oriented Bulgarians, Serbs, and Romanians, and the Turks and Hungarians whose ancestors had been nomadic. Among the latter, women have nothing to do with any kind

of medical activity—whether with practical operations like amputation or fixing broken bones, or with (magical) healing.²²

There also exist even simpler explanations based on medical arguments.²³ Already in the eighteenth century medical officers of the Austrian army attempted to find some scientific explanations for the vampire belief.²⁴ The most convincing among these early medical attempts was that of Georg Tallar, who saw in the eating habits of the Romanian population of Transylvania certain health risks that he believed might lead to illness, weakness, and hallucinations.²⁵ In the twentieth century, certain medical doctors identified a specific disease and its symptoms—e.g. anthrax or porphyria—as having served as a foil for the formation of the vampire figure. Most of these explanations are too ridiculous to discuss here, because in every case the authors confused the folkloric vampire with its literary counterpart, leading to the misinterpretation of popular beliefs. In one particular instance, however, the proposed disease may in fact answer our question. In 1995, the Spanish neurologist Juan Gómez-Alonso published a study on vampires and medicine, with rabies at the center of his theory.²⁶ Three years later, he wrote a short paper in English about rabies as a possible explanation for the vampire belief.²⁷ There we find the following statement: “Similar to the case in vampirism, rabies is seven times more frequent in males than in females, both in humans and in animals, and prevails in rural areas.”²⁸ It is known that in most cases, rabies is transferred through the bite of an infected animal like a fox, wolf, or other savage animal, and sometimes by the bite of the household dog after a close encounter with an infected wild animal. In the societies discussed here, women have predominantly engaged in domestic labor or have worked in the fields, while men have generally worked both in the fields and in the forest. Therefore men were simply more likely to be bitten by an infected animal than women. Gómez-Alonso’s rabies theory does not provide the one and only explanation either for the vampire belief as such, or for the smaller number of female vampires. However, putting it together with the facts previously mentioned, we see how different factors may lead to a new theory that explains the relatively small number of female vampires.

Concerning the Balkans in the eighteenth century, it would be interesting to know if the Ottoman administration took notice of the popular belief in vampires. Until now only a few attempts have been made to gather relevant data from the archives.²⁹ Local authorities recognized some cases, but they did not appear interested in personally intervening in the matter. For example, they paid the expenses of men dealing with vampires in order to destroy them, but showed no deeper concern for the situation. The vampire appears in the records under the name of *cādū*.³⁰ This word has a very wide range of meanings, from “sorcerer” or “witch” to “ghost” or “vampire.”

Even if women played a minor role as vampires, their role in the belief as such is anything but negligible. Indeed, women had a key function in protecting rural society from vampire attacks. How could they do this? After all, it was not women who searched for graves presumed to contain a vampire, nor were women

those who destroyed vampires by impalement, decapitation, or burning.³¹ The task of women, generally speaking, was to prepare dead persons for the coffin by washing and clothing them. In so doing, they were always expected to examine the entire body of the deceased in order to look out for signs that might announce his or her fateful transformation into a vampire.

A review of the standard functions of men and women in the domain of mourning and burying the dead reveals that all regularized funeral rites were performed by men and the (male) priest. Preparing the coffin, digging the grave, leading the burial procession—all these elements of the funeral were the duty and the work of men. On the other hand, unsafe and polluting tasks—and also direct contact with the naked corpse—were the duty of women.

Women's tasks included handling the corpse, washing and dressing it, and arranging it in the coffin. Women also sealed off the house so that the soul of the deceased could not re-enter it. They prepared elaborate funeral feasts, an extension of the mother-nurturer role. Ritual food was offered for the soul of the dead, but the business of serious eating and drinking, often a financial strain on the bereaved household, was a public display of consumption—of the capability of household women to perform their usual housewifely duties—and a public affirmation indicating that the household knew how to perform these rites in the culturally prescribed manner.³²

Mourning the dead was one of the duties of the women of the village. They burst out into spontaneous and emotional laments. These laments, some of which were actual songs, served as a means of direct and final communication with the dead and with the world he or she was now entering. For the last time, the merits of the dead person were called out, the loss for the family and the entire community was proclaimed, and the dead was prepared for his or her way into another world, leaving beloved ones behind. *Mediation with the dead*—this was the main function of women, and as such, they had their place not only in burial rites, but also in popular vampire belief.

Transformation into a vampire was believed to be a threat menacing every human being at any time. Of course those who had led evil lives were thought to die in danger of turning into deadly revenants. Murderers, thieves, prostitutes, skinflints, drunkards, excommunicated persons, soldiers killed in action—almost anything, it was believed, might occasion the beginning of a vampire career when lying in the grave.³³ Even an accident, such as a simple fall off a haywagon, could lead, as in the case of Arnold Paole, to a vampirical existence. Previous dealings with a vampire were also thought to be a classical moment of close contact with one's own future fate as a vampire. There were signs, however, that—even from the moment of birth—were taken as indicating that one may subsequently be transformed in the grave. Being born on a very stormy night, or on a day of bright sunshine, might have been seen as the sign of a future vampire existence, as might a cruel death by accident.³⁴ Or perhaps the midwife had been malevolent to the mother and had cursed the newborn child immediately after birth.³⁵ Numerology also played a role—the seventh son, and sometimes the seventh daughter,

would certainly become a vampire after death.³⁶ Additionally, physical signs or deformations could be interpreted as dangerous omens. This might be a defect that only played a role at the beginning of the person's lifetime, such as being born completely bald or with teeth. But sometimes the physical signs could be long-lasting, in some cases until death. One such corporal sign was a small tail due to the prolongation of the coccyx—a medical condition that is rare but clearly shows that biological evolution is, in some cases, not completely successful. Nowadays, such a prolongation of the coccyx is operated on immediately after birth; in earlier times and in an underdeveloped medical system, however, it might have remained there for the person's entire life.³⁷

Women preparing a dead body for the coffin would occasionally notice such a small tail. Thus, in August 2003, I met a so-called *femeie care spală morți*³⁸ in Romania—the nearly 80-year-old Nana Aurelia of Pecica in Banat. She told me that once she had had to prepare a male body for burial, and the corpse had seemed quite strange to her because of its fresh look. Upon examination, she had found that the body had a short tail. Taking a glowing nail, she had inserted it into the chest of the corpse,³⁹ upon which the body had immediately changed its appearance and become grey and lifeless.

Women also had to ensure more generally that all rites surrounding the dead and the burial were carried out properly. Even the smallest mistake or inattentiveness, it was believed, could make an absolutely unsuspected body turn into a future vampire.⁴⁰ For example, if a cat or other animal jumped or flew over the dead body on the bier, this might lead to the tragic result.⁴¹ It was the duty of the mourning family, and especially of its women, to prevent such an eventuality.

This, then, is the true principal role of women in southeast European vampire belief. Women were not the main targets on whom suspicion fell about becoming a vampire, nor were they necessarily the chosen victims. Their main role resulted from their work of washing the dead and preparing them for the coffin. Through this process, they were the first who could react if there were indications that the corpse may be transformed into a vampire, and they were also the first capable of preventing this outcome. Their task was to defend the village and the lives of the people living in it. If they failed in their mission, then the men would have to take action in order to protect the living and destroy the vampire.

Notes

1. Gauthier 1889: 261–95.
2. Goethe 1925, 2: 197–203.
3. Eliade 1936.
4. Frombald 1725.
5. Glaser [1732].
6. Flückinger 1732.
7. Barber 1988: 15–20. The following extracts from Flückinger's report are taken from Barber's translation.
8. *Ibid.*, 16–17.

9. Here it must be stressed that quite different—even contradictory—conditions were believed to be indicative of a vampire. This is one of the main problems in dealing with southeast European vampire belief, and it makes futile any attempt to create a clear list of vampire indicators.
10. Barber 1988: 18.
11. *Ibid.*, 19.
12. Glaser [1732]: fol. 1134v.
13. *Bericht der Nagybyanyer Inspektoren an das Münz- und Bergwesens Direktoriums-Hof-Collegium, Nacybania 1753 Februar 28*, in Hamberger 1992: 88–92.
14. Hedeşan 1998.
15. *Ibid.*, 8–9 [my translation].
16. The unstable character of the female vampire figure is discussed and revealed with examples in Murgoci 1926.
17. For a general introduction into this belief, see Hedeşan 2000: 135–77.
18. In August 2003, I had the opportunity to meet, in the hills around Brad, the 75-year-old Gheorghe David, who claimed to be a *vilva lupilor*. He was recognized as such not only by his neighbors, but also generally by the townsfolk. For further details about him, the reader is referred to the documentary film made in 2003 and based on my research by a German broadcasting company: see Kölmel and Schötteldreier 2003, a video recording first broadcast on 15 November 2003.
19. Hedeşan 2000: 144.
20. A very concise introduction is Lettenbauer 1952.
21. Dukova 1997: 89–91; Lübeck 1898: 242.
22. See Schubert 1987: 220–27.
23. See Kreuter 2001–2002.
24. Kreuter 2001: 81–96.
25. Tallar 1784.
26. Gómez-Alonso 1995.
27. Gómez-Alonso 1998.
28. *Ibid.*, 858.
29. Köhbach 1979; Ursinus 1992.
30. Ursinus 1992: 359.
31. This does not mean that women never performed these actions. In August 2003, in the village of Slatina-Timiş in Banat, I met a woman of more than 80 years who, with the help of her cousin, had impaled the grave of her own husband several years earlier. She had done so only because all other methods to stop the frightening visits of her dead husband had failed.
32. Kerewsky-Malpern 1987: 127.
33. Burkhart 1989: 70–73; Dukova 1997: 96; McNally and Florescu 1994: 119.
34. Burkhart 1989: 70.
35. Cremène 1981: 37.
36. *Ibid.*, 38; Murgoci 1926: 329.

37. Burkhart 1989: 71; Cremène 1981: 38.
38. “Woman who washes the dead”—this is the quasi-official name of her function.
39. Nana Aurelia was interviewed several times by Otilia Hedeşan and told her of many such cases, including the one mentioned here; see Hedeşan 1998: 235–48, especially 240–41.
40. Marinov 1914: 216; Miceva 1988: 467–68.
41. Burkhart 1989: 71; Murgoci 1926: 329; Miceva 1988: 467.

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Christian Women in an Ottoman World: Interpersonal and Family Cases Brought Before the *Shari'a* Courts During the Seventeenth and Eighteenth Centuries (Cases Involving the Greek Community)

Sophia Laiou

This paper investigates the position of women as wives, or potential wives, and as mothers.¹ It explores a wide range of family and personal issues (marriage, divorce, extramarital pregnancy, child custody, adultery, premarital intercourse, rape, and prostitution), using the following sources:

1. Unpublished loose Ottoman documents from the monastery archives of the island of Samos, which are all we have to shed light on how the Ottoman court functioned in the *kaza* of Samos, since the court records have not yet been located.²
2. Veria (Karaferye) Ottoman court records Nos. 1 and 19 (1011/1602–3 and 1058–60/1648–50, respectively), together with a number of cases gleaned from the documents published by Vasdravellis from the same court; the documents published in translation by Vasdravellis are selected from the *kadı* records and those used here have been compared with the originals.³ Also, translated Ottoman documents from court records on Crete and Chios edited by N. Stavrinidis and Ch. Mavropoulos, respectively. In addition, the most recently translated court record No. 3 of Candia, which covers the years 1669–73 and 1750–67. It appears that two or possibly three separate volumes have been bound together in what today constitutes court record No. 3.⁴ From Cyprus, the records of the Nicosia Ottoman court of the years 1693–95 published by Merkellbach, and the Ottoman documents from the Kykkou Monastery published by Theoharidis.⁵
3. This article also makes use of published extracts from the records of the dioceses of Sisanion and Siatista, Trikke (northern and central Greece, respectively), and Paronaxia (the Aegean) for purposes of comparison.⁶

Geographically, the research presented here includes local communities with a large Christian majority (Samos, for instance⁷) and mixed communities in an area ranging from the Aegean islands to mainland Greece. The selection of a variety of cases involving these kinds of disputes is intended to assist a fuller investigation of women's social position in the seventeenth and eighteenth centuries in the southern Balkan peninsula and certain Aegean islands—an area with a predominantly, or at least considerable, Orthodox Christian population. The article does not aspire to offer an exhaustive analysis of the subject; rather, it seeks to highlight a number of common factors.

In an age when the institution of marriage was a major factor of stability and social cohesion in both Islamic and Christian culture, women's position in that value system was pivotal. Any deviation from the established value system threatened the cohesion not only of the family but of the society to which it belonged. Despite the various constraints imposed by the study of court documents,⁸ the latter are the only source available for the study of women—especially those from an agricultural environment and of low economic status—as they give us evidence of how these women chose to turn a private matter into a public one, how they perceived their rights to dignity, motherhood, and a normal private life, and what strategies they employed to achieve their purpose. These documents also make us wonder about the social processes that prompted certain female members of local Orthodox-Christian-dominated communities to go to the Islamic Ottoman courts. Studies of this question have hitherto focused on religiously mixed local communities of the Ottoman Empire or communities in which the Muslim element predominated. In these studies, cases of non-Muslim (mainly Greek and Armenian) women's appealing to Ottoman courts are immediately apparent.⁹

According to the privileges which Mehmed II is believed to have granted to the Patriarch of Constantinople, the latter enjoyed absolute jurisdiction over cases relating to the Orthodox religion (e.g. marriage, divorce, wills, and dowries) and involving Orthodox *reaya*.¹⁰ This jurisdiction extended to the local metropolitans and was confirmed through their patents [*berat*].¹¹

However, as Pantazopoulos has shown, the Church's jurisdiction conflicted both with the Ottoman courts, where cases were tried under Islamic law and *kanun*, and with the communal courts, where, if an out-of-court settlement could not be reached beforehand, the customary law of the local communities was applied.¹² The sultan's Christian subjects had three ways of resolving their personal and family disputes, provided that criminal liability was not at issue: they could turn to the episcopal court, the communal court, or the Ottoman court, if the latter existed in their locality or in a nearby town. As a last resort they could turn to the imperial council, the *Divan-ı Hümayun*, in İstanbul, and appeal the local judge's decision, or to the "natural" recipient of such petitions, the Patriarchate of Constantinople.

It is clear that the women who had recourse to the Ottoman court were seeking more favorable treatment, having perhaps already tried to resolve their dispute in the ecclesiastical or communal court with unfavorable results. In traditional Greek historiography, it is stated that the Ottoman *kadis* were eager to judge cases

of divorces between Christians or to register their marriages, hoping that, at least in the first case, they could persuade the Christians to convert to Islam. Even if this did not happen, the Ottoman judge would have the “moral satisfaction” of having adjudicated cases that normally belonged to the jurisdiction of the local Metropolitan.¹³ In this paper I argue that the non-Muslim *reaya* chose to refer to the *kadis* for various practical reasons, taking under consideration certain provisions of Islamic law and the fact that the Ottoman court decision took immediate effect¹⁴ (and could be appealed only through the imperial council), thus making use of their privilege to opt for a law that could prove more favorable to their needs.

There are a considerable number of entries in the court records of Veria, Herakleion, Rethymno, and Chios concerning Christian marriages and divorces in the seventeenth and eighteenth centuries. Why did these people—men and women alike—elect to marry and separate under the terms of Islam rather than Orthodoxy? To answer this question, it is useful first to look at the institution of marriage and the divorce process both under Islamic law and according to the practice of Orthodox ecclesiastical courts. Under Islamic law, marriage was regarded as a transaction requiring the agreement of both parties. One condition which ensured the validity of the process was the payment of the dowry [*mehr*] by the groom to the bride. Whether this was a sum of money or property in kind, one part [*mehr-i muaccel*] was—usually—handed over when the marriage was contracted, and the remainder [*mehr-i müeccel*] after the husband’s death or after divorce. According to the Hanafi school of Islamic law (the official school of the Ottoman Empire), by paying the dowry the man acquired ownership of the woman’s sexual parts, while his obligation to maintain her [*nafaka*] during the marriage gave him the right to keep her socially confined. In fact, the payment of the *mehr* and *nafaka* had the same purpose: to secure the man’s absolute and exclusive right to have sexual intercourse with his wife.¹⁵

There were two forms of divorce under Islamic law: one pronounced unilaterally by the man [*talak*] by a simple procedure in which he repudiated his wife three times in the presence of witnesses, not necessarily in court; the other pronounced on the woman’s initiative [*hul*] with the husband’s approval.¹⁶ In the first case, the woman was entitled to any outstanding portion of the dowry, a sum for maintenance for a period of three months [*iddet*], and, if there were children not yet of age, an allowance to sustain mother and children until they reached the age of two and a further allowance for the children’s needs (clothing and so on) up to the age of seven for boys and about nine for girls.¹⁷ If the woman initiated the divorce proceedings, she had to pay her husband compensation, usually in the form of all or some of the dowry, the three-month maintenance, or the allowance she received for any children not yet of age.¹⁸ The amount of compensation was negotiated by the spouses. There were also certain conditions under which the marriage could be annulled [*faskh*] at the request of either spouse: the husband’s impotence for more than a year; an infectious disease or mental illness affecting either spouse; the conversion to Islam of the wife but not the husband; the wife’s

minority at the time of the marriage; and the husband's failure to maintain his wife either through poverty or through desertion.¹⁹

In theory, only the Orthodox clergy were responsible for issuing marriage licences and divorce decrees when the applicants were Orthodox *reaya*. According to the Orthodox Church, marriage is a sacrament blessed by Christ and the sanctity of marriage makes its dissolution something to be avoided.²⁰ According to Ginis, whereas the Church was very strict about granting divorces in the Byzantine period, it gradually became more flexible after 1453. The reason for this increased flexibility was the need to curtail the tendency of many Orthodox *reaya* to apply to the Ottoman courts for divorce, and to achieve this the Church recognized more grounds for ending a marriage. These "new" grounds included the husband's absence for either five or three years, the non-virginity of the bride, and insanity or epilepsy occurring after the marriage. To these may be added the grounds which had already been recognised in the Byzantine period, such as the husband's impotence for a period of three years, an unsubstantiated charge of adultery, or the husband's cohabitation with another woman.²¹ It should also be noted that in church divorces there were no legal stipulations covering the provision of maintenance, the amount of which was left to the ex-husband's discretion and was, by and large, a matter of customary law. For instance, there are cases in which the former husband maintained his wife because she was very ill, which was also the reason why the divorce had been granted in the first place;²² and there are recorded cases in which the husband was summoned to pay maintenance [*fakna*] to his deserted wife, the specific amount being determined by the ecclesiastical court.²³

One landmark decision regarding the Orthodox Church's attitude to divorce was the acceptance of divorce by mutual consent, which was made official in 1717 by the decision of the Patriarch of Constantinople, Jeremiah III. Its importance lay in the fact that it went against Byzantine jurisprudence—which specifically forbade consensual divorce—and exemplified the Church's increased flexibility during the Ottoman period.²⁴

Two major issues connected with the role of the Church in the local Orthodox communities and the flexibility it was forced to adopt relate to the Muslim institution of temporary marriage [*mut'a/kebin*] and the payment of the dowry. The first was a marriage that took place in the presence of the *kadı* and two witnesses, had a specific duration—that was not, however, mentioned in the marriage contract—and the man paid, or promised to pay, a sum specified in the contract as the dowry [*mehr*]. After the agreed-upon time had elapsed, the man could leave the woman and she would receive the dowry in compensation.²⁵ In the region under discussion, *kebin* marriages took place either between Muslim men and Christian women or between Christians. Any children resulting from the marriage were recognised as legitimate under Islamic law with full rights to inheritance and support; in contrast, the Orthodox Christian authorities did not recognise marriages (whether *kebin* or not) between Christians that were registered in the Ottoman court, and therefore regarded any resulting offspring as

illegitimate. It should be stressed that since the specific duration of the marriage was not included in the marriage contract, one can not be sure if these marriages were always *kebin*, that is temporary. The custom was widespread in the Balkans and the Aegean islands in the seventeenth and eighteenth centuries, despite efforts to discourage it by the Church, which branded as adulterers those who entered into a *kebin* marriage and those who registered their marriage in the Ottoman court; and despite sultanic *fermans* issued at the request of the ecclesiastical authorities forbidding *kebin* marriage without the consent of both parties.²⁶

In the local Christian communities of the Ottoman Empire, the institution of the dowry [*προίκα*] differed from its counterpart in Islamic law, for it was, in general terms, the man who received the dowry, usually in the form of immovable property. The dowry could also be accompanied by a gift of money [*trachoma*], again from the bride to the groom, while the groom provided the pre-marital gift [*προγαμιαία δωρεά*]. The difference between the dowry and the *trachoma* was that the former was recognised by the Church, while the latter was not; and if the man deserted the woman and the marriage was formally ended, he had to return the dowry intact and in its entirety, while the *trachoma* was not returnable. However, in other areas, we find the practice of *agriliki*, a sum of money given by the groom to his parents-in-law as compensation for the expense of having raised the bride. The *agriliki* is found, with variations, in Thessaly and western Macedonia, where the groom did not receive a dowry or a *trachoma*.²⁷ It should be noted that in the Greek lands the institution of dowry was quite complex, having numerous local variations deriving from communal law. Taking under consideration this complexity, one might say that the obligation to provide a dowry was usually a heavy burden for the girl's family, especially given the fact that the family's social status rose in direct proportion to the value of the dowry. Other daughters, if any, might thus be deprived of any hope for a "proper" dowry and marriage. In the eighteenth century, the Church made unsuccessful efforts to control the custom of both the dowry and the *trachoma*, in a bid to put a stop to the financial drain it inflicted on many households.²⁸ It is important to note that if the man deserted the woman, the canon law implemented by the ecclesiastical courts after 1453 decreed that the dowry be returned to the woman along with the gifts he had given her before the marriage. But if the fault lay with the woman, the man retained the dowry.²⁹ In practice, however, there were variations: for instance, in 1780, the archdiocese of Paronaxia issued a divorce at the request of a husband who had accused his wife of adultery. Whereas, under canon law, the man should have kept the dowry, the divorce document stipulated that the dowry be returned to the woman, who should then return to her husband a sum of money with which he had paid off a debt of hers. So here we have a financial settlement between former spouses which did not implement the provisions of ecclesiastical law, even though the divorce was granted by an ecclesiastical court.³⁰

Bearing in mind the theoretical context outlined above, we can make the following observations. It is understandable that a female Christian Ottoman subject of low financial status, without strong family and social ties, might have

sought relief from her financial problems in a temporary marriage. After the dissolution of the marriage—if it were indeed dissolved—she would be able to make a fresh start, and possibly contract a second marriage, with some capital in hand. Furthermore, the offspring of this marriage were considered legitimate under Islamic law. This strong financial motive was also a factor in marriages contracted between Christians and registered in the Ottoman court. Such marriages had to follow the Islamic convention and thus the man was obliged to pay the dowry at the time of the marriage or in the event of divorce or death.³¹ However, what the Christians did once they had left the court—whether the man handed over the entire dowry written in the marriage contract or only part of it, and whether or not the woman also handed over a sum of money—we have no way of knowing in the absence of some judicial claim filed by one or other spouse.

All the same, regardless of who received the dowry, it must be stressed that the motives of any Christians who registered their marriage in the Ottoman court also included a desire to get around certain impediments posed by the Orthodox Church (such as forbidden degrees of kinship), or a strong desire to end an existing (church) marriage by contracting another in the Ottoman court.³² Furthermore, as Gradeva has pointed out,³³ Christians intending to have a religious wedding had first to acquire a marriage licence from the local metropolitan. This meant that villagers would have to travel to the diocesan office (which was usually in the same town as the Ottoman court) and then return home for the wedding, an expensive and time-consuming journey. In addition, Orthodox subjects had to pay the metropolitan a sum of money for the marriage licence to be issued, and for the ceremony itself to be performed—a sum which depended on whether or not there had been a previous marriage or even two. This was a tax known as the *nikâh resmi*, which is mentioned in the *berats*.³⁴ According to a patriarchal act of the mid-seventeenth century, it amounted to 200, 400, or 600 aspers (depending on whether the marriage was the first, second, or third), plus thirty aspers for the ceremony.³⁵ They also had to pay the *resm-i arus* (or *resm-i gerdek*) to the prescribed tax recipient for the area in which the bride lived. This tax varied according to her religion, and to whether or not she was a virgin.³⁶ Therefore a non-Muslim couple wishing to get married had to pay the *resm-i arus* in any case; then, if they wanted a church wedding, they would pay the *nikâh resmi* to the metropolitan, and give something to the priest of the parish in which the wedding was to take place. If the marriage was registered in the Ottoman court, they would pay the registration fee. In many cases the *resm-i arus* seems to have been considerably less than the *nikâh resmi*, and this might have played a part in a non-Muslim couple's choice of venue for their marriage.

By the same rationale, if the provisions of Islamic law had to be followed for a marriage to be registered in the Ottoman court, then one would expect those provisions to be followed to the letter in divorce cases involving two Christians that were registered by the local Ottoman courts, just as in divorces involving two Muslims, or a Muslim man and a Christian woman. Whether it was a *talak* divorce or a *hul* divorce, in theory both parties received what was due them. And again, if

the provisions of Islamic law were not fully implemented, this was a matter that concerned the divorcing parties, not the Ottoman court, as long as no future claim was lodged for sums owing.³⁷ Should such a claim be lodged, then the case would be tried according to Islamic law. After all, this sort of litigation between former spouses over financial claims happened between Muslims too.³⁸ It must also be stressed that, unless it was specified in the document, we do not know if *zimmis* who applied to the Ottoman court to get a divorce had previously performed a church marriage. Thus, when in 1605 in the Ottoman court of the *kaza* of Samos, a non-Muslim named Leka stated in the presence of his wife Kaya (?), also a non-Muslim, that he wished to divorce her [*tatlik murad ederim*] because they did not get along, and the divorce was issued with both Muslim and Christian witnesses, we may presume that the woman received all that she was legally entitled to under Islamic law; otherwise she could have demanded it by bringing an action against her ex-husband in the Ottoman court.³⁹ In 1648, a Christian from the village of Asomati in the *kaza* of Veria declared that she and her Christian husband were at variance, that she desired a *hul* divorce, and that she therefore renounced the dowry [*mehr*] and other entitlements, both “conjugal and legal” [*hukuk-i zevciyet ve sair hukuk-i şeriye*]. Her husband declared that he accepted the *hul* divorce, and that his wife had discharged her “debt” [*zimme*].⁴⁰ At the Ottoman court in Nicosia in 1694, a Muslim convert stated that his Christian wife had asked him for a divorce, renouncing her entitlement to the dowry and to maintenance; she would keep the house and had no further claims to make.⁴¹

There are also many records of divorces between Christians in which it was stated that no financial claims remained between the spouses. For instance, in 1602 a *zimmi* woman from Veria declared before the *kadı* and her Muslim ex-husband that she abdicated her rights to *nafaka* and dowry; according to the document the divorce was initiated by the man [*kendiye talak veren İbrahim bin Osman mahzarında*] and, thus, the reason for their appeal to the *kadı* was to register the non-existence of any debts.⁴² Also, when a *zimmi* named Chrysomallis asked the Ottoman court of Veria to register the dissolution of his marriage to his Christian wife, Filia, on the grounds that they had been unable to have children, his wife declared that she had received “the dowry and other entitlements.” It was also stated in the document that she might contract a second marriage. This particular case is also interesting because it did not use the usual Arabic word *mehr* for the dowry, but rather the Greek word *brika* [*πρoικα*] [*brika ve sair hukukumu bi-tamam ahz ve kabz edüb*]. In this case, as in other similar instances, the marriage may already have been dissolved by the local metropolitan, and the purpose of registering it in the Ottoman court was to officially and conclusively confirm the absence of “debts.”⁴³

It is worth noting one more case, this time involving Armenians. In 1755, an Armenian couple from Ortaköy in İstanbul testified before the *kadı* that, since they did not get along, and since no dowry had been specified in accordance with the requirements of their religion, they wished their marriage to be annulled and had no financial demands upon one another. In this case, the provisions of

Armenian religious and customary law were used to support the application, while the breakdown of the marriage was registered in the Ottoman court to provide an official record of the absence of any further obligations. The wedding itself had probably been a religious one, which was why the couple invoked their religious law to justify their separation.⁴⁴

Although the court documents describe no more than the facts themselves and leave us to guess at the motives, private thoughts, and hopes of those involved in the cases, it must be stressed that the Christian *reaya* had the opportunity to choose the judicial system which met their needs on any given occasion. Women who had difficulty getting divorce papers from the local metropolitan owing to deliberate dilatoriness in issuing them (in the hope that the couple would reconcile) would turn to the Ottoman judge for the relevant *hüccet*, and in this way they forced the episcopal court to issue the ecclesiastical divorce too.⁴⁵ Furthermore, if a Christian woman wanted to divorce her husband, it was easier for her to apply for a *hul* divorce—as long as her husband was in agreement over the financial settlement—than to go to the ecclesiastical court. One reason for this was that in the Ottoman court, she could apply for a divorce without stating the precise reason. By contrast, ecclesiastical divorce documents recounted the reasons which had prompted either spouse to seek a divorce, precisely because it was the dissolution of a legal cohabitation blessed by the Church, and not of one based on a financial transaction. In theory, these grounds for divorce had to agree with what was laid down in the legal textbooks used by the ecclesiastical authorities. This is why the Church was forced to extend the grounds for divorce, in order to dissuade Christians from going to the Ottoman courts for their divorces.

One exception to this practice was the consensual divorces granted by ecclesiastical authorities from the eighteenth century onwards, for these do not mention the reasons for the couple's "incompatibility," nor did they attach blame.⁴⁶ A woman who very much wanted a divorce and was unable to cite any of the grounds accepted by the Church therefore had to either secure her husband's agreement and apply for a consensual divorce on the grounds of incompatibility, or go to the Ottoman court for a *hul* divorce, again with her husband's agreement and reaching a financial settlement with him. This does not mean that financial settlements, whether in the form of payment from the man to the woman or vice versa, were not reached in ecclesiastical consensual divorces; they were simply not recorded.

Finally, there is one unexplored parameter: the frequency of appeals by non-Muslims to Ottoman courts to register their marriage or get a divorce. Certainly, the ratio of the *zimmis* who applied for such matters to the *kadı* was much lower than that of Muslims. For instance, in court record No. 1 from the *kaza* of Veria, there is only one registration of divorce between *zimmis*; the same is true of court record No. 19. However, to answer this question, one would have to conduct a comparative study of the archives of the ecclesiastical court and a *Şeriye Sicili* of the same area and period, provided that both exist.

On the basis of what has been said above, the *hüccets* attest to cases in which people applied to the Ottoman court for a divorce, seeking an immediate solution to a personal problem, and taking advantage of the provisions of Islamic law. This particular parameter will be analyzed below.

Although the role of the woman is passive—or at least difficult to detect—in the cases of marriage and divorce registered in the Ottoman court, we have a clearer picture when the woman approached the court on her own initiative, whether seeking a divorce, claiming custody of her children and the allowance for raising them, or bringing a charge of sexual assault and/or violence. In these cases, it is clear that the women were strongly asserting their rights, even if they were represented at the court by someone else, usually a male relation.

In two cases from Crete, the widows of Muslims claimed custody of the children and daily allowances for expenses. In 1670, Fatma, daughter of Abdullah, initially applied for expenses to cover the cost of “food and clothing” for the four-year-old daughter she had with her late husband, a Muslim. She was awarded the sum of four aspers a day out of her husband’s estate, which, however, she would have to repay when her daughter came of age. In a second application, made five days later, she asked the court to recognize her as her daughter’s guardian [*vasi*] responsible for “managing and safeguarding” the little girl’s property. Her request was granted as she was deemed fully qualified given that she had also recently converted to Islam [*Fatma bint Abdullah nam hatun şeref-i İslam müşerrefe olub vesayet-i mezbureye kadire olmağın*]. She had apparently converted shortly before or shortly after her husband’s death, probably so that she could be recognized as her daughter’s legal guardian, a role that would have allowed her to stay with the child and also gave her full control over her daughter’s share of her late husband’s estate until she had come of age; it also meant that she would not be restricted to an allowance of limited duration that she would eventually have to repay.⁴⁷ By contrast, in a similar case a few years later (1657), the non-Muslim widow of a fief-holder and mother of a baby boy applied to the Ottoman court of Rethymno and was granted a daily allowance to cover her son’s food and clothing, while the court appointed a male as the child’s legal guardian.⁴⁸

That mothers would change their religion so that they could keep their children for as long as possible after their Muslim husband’s death or after divorce is more clearly apparent in a case tried by the judge of Veria in 1600. A Muslim *sipahi* accused his Christian ex-wife of kidnapping their young son. The whole process reveals that the divorce had been issued just three days before the case was brought before the court, and that, according to the woman, her Muslim husband had had her Christian husband and their two children murdered and had forced her to marry him. She admitted to having kidnapped the boy because she knew that under Islamic law he could stay with her until he was seven. It also appears that the reason the *sipahi* had filed for divorce had been her insistence on bringing the child up in the Christian faith. The court’s decision was that the boy should stay with his mother until he was seven on condition that she converted to Islam (which she did in the course of the trial), while the father was ordered to pay 150

aspers a month as maintenance.⁴⁹ Under Hanafi law a *zimmi* woman is entitled to have temporary custody [*hakk-ı hizane*] of a child until the age of seven for boys and about nine for girls, as long as she does not attempt to change the child's religious beliefs, for by law a child has his/her father's religion.⁵⁰ In this particular case, the court imposed conversion to Islam as a condition of custody, because the father had accused the mother of trying to turn the child towards Christianity. The apparent paradox and contradiction of the mother's undergoing conversion and at the same time deliberately choosing to impart the principles of the Christian faith to the child (which may have also happened in the 1670 case) betrays a consciously superficial and perhaps dissembling change of religious "identity."

The way post-divorce child custody was handled by both Islamic law and the canon or customary law of the local Christian communities may have influenced some women's decision to turn to the Ottoman court. As stated above, in the event of divorce, Islamic law—and especially its Hanafi version—gave the mother custody of the children up to the age of seven for boys and nine for girls. Her right to custody until these ages is especially clear in the Hanafi school. The mother would forfeit that right if she herself renounced it or proved unworthy of it, for example by getting remarried. It is important to note here that the right to custody did not depend on who had initiated the divorce proceedings; even if the woman had sought a *hul* divorce, she could renounce her right to an allowance for the children's support but still retain her right to temporary custody of them.

On the other hand, the issue of post-divorce child custody in Orthodox communities is unclear. The *Hexabiblos* of 1345 states that a mother should have custody of her child as long as she renounces the possibility of remarriage. A *scholion* by Harmenopoulos himself explains that the question of custody arises only in the event of the husband's death; in the case of divorce, custody is awarded to the parent who is not at fault.⁵¹ This conflicts with what Maurer has written in his account of the "public, private, and ecclesiastical law" of the Greek lands in the nineteenth century: according to him, a man who left his wife had, apart from returning the dowry and prenuptial gifts, to bring up the children of the marriage. If he did not want to bring them up himself, the mother would do so, but he had to support them financially.⁵² Although there is no mention of what happened if the wife was held to be at fault in the divorce, we may consider it very likely that custody of the children would be awarded to the husband or his family, unless he renounced this right in favour of his ex-wife, without however paying for their support. Maurer includes this particular practice in the "civil customary law of the nineteenth century." The involvement of customary law in this issue is also apparent in a consensual divorce issued by the ecclesiastical court of Kos in 1772, in which it was stated that the man would assume the obligation to pay two *paras* a day for his daughter until she came of age.⁵³ What legal regulations were applied in relation to child custody after divorce on the island of Naxos during the seventeenth century also remains unclear. What we certainly know is that the children could claim shares from the inheritance of both parents.⁵⁴

To return to the foregoing cases, even in the case of a mixed marriage (between a Muslim man and a Christian woman), the mother could claim custody until the child reached the age of 7–9. If, on the other hand, one considers only ecclesiastical divorce and divorce issued by an Ottoman court, the difference between them with regard to child custody comes down to whether or not the woman bore any responsibility for the breakdown of the marriage. This is because in ecclesiastical divorces the mother was awarded custody of the children only when she was not at fault, whereas under Islamic law she was awarded temporary custody regardless of where the fault lay. In predominantly Orthodox local communities, however, customary law was an especially important factor, and it emerges from Maurer's account of the practices that the issue may have been handled in different ways. It must also be borne in mind that we do not know how many couples with children went to the *kadı* for their divorce. It has been suggested that the couples who applied to the ecclesiastical court for a consensual divorce were childless;⁵⁵ we cannot know if this was also the case with the couples who went to the *kadı*, unless it is specifically mentioned in the court documents.

What is striking about these cases (apart from the emotional aspect) is, first of all, the women's awareness of the provisions of *Shari'a* which relate to them, as also the lucid assertion of their rights arising out of that awareness. Familiarity with *Shari'a* is also evident in an interesting child-custody case: in the *kaza* of Samos in 1635, a non-Muslim father successfully claimed custody of his daughter from his former mother-in-law on the grounds that the girl was approaching the age of 11–12 and was on the verge of being able to experience carnal pleasure [*hadd-i şehvet*]. A *fetva* attached to the record supported his claim, and the girl was eventually handed over to her father by decision of the Ottoman court.⁵⁶ This is an important case because it illustrates the strict application of the provisions of Islamic law in an almost totally non-Muslim environment: the transfer of the *hakk-ı hizane* from the non-Muslim ex-wife to her mother because the former had been remarried, and the handing over of the girl to her father as soon as she went beyond *hizane* and showed signs of physical maturity. It then became his responsibility to safeguard her honour and protect her chastity. Both Islamic law and the customary law of the Orthodox communities regarded the father as the most suitable person to represent an adolescent girl's interests, safeguard her honor, and secure her a good marriage. In the aforementioned document, the father not only accepted responsibility for safeguarding his daughter's honor, but initiated the process of assuming it himself, taking pains to obtain the relevant *fetva* and demonstrating that he knew the details of the *Shari'a* that concerned him.⁵⁷

The charges of sexual assault and physical violence brought by women, as also the intervention of local representatives of the central government in cases of extramarital pregnancy and prostitution, are extremely revealing of attitudes to female sexuality in the seventeenth and eighteenth centuries.

I shall begin with accusations brought before the Ottoman court by women charging that they had been raped or otherwise assaulted by a man. The cases are

very few in number, but they lend themselves to a qualitative analysis because it is remarkable that non-Muslim women should publicize, especially in an Ottoman court, cases of sexual and/or other physical assault. In 1661 the Ottoman court of the kaza of Samos heard a charge brought by a Christian woman that a Christian man had sexually assaulted her in a rural location near a monastery on the island and had gotten her pregnant. She asked that Islamic law be applied. The accused was acquitted because the plaintiff was unable to prove her accusation, and because he swore his innocence under oath. A part in his acquittal must have been played by the plaintiff's admission during the process that she had not resisted the assault.⁵⁸ Twenty years later, again in the Samos court, a non-Muslim woman accused a non-Muslim man of having had unlawful sexual intercourse with her in her home, as a result of which she had become pregnant. The accused denied the charge, pleading ignorance, and the plaintiff's evidence was deemed inadequate [*âciz*]. Male witnesses were then summoned, both from the woman's village and from the nearby town of Karlovasi, and gave evidence that acquitted the accused.⁵⁹ In 1752, two Christian women brought charges before the Ottoman court in Crete against a Muslim man from their village, one accusing him of sexually assaulting her young son and then striking him with such force that the boy died of his injuries a few days later; the other of trying to abduct and kill her. Although she had managed to escape, he had been threatening to kill her if she did not "yield to his desires." Both women asked that he be punished according to Islamic law. The accused denied the charges, but eight Muslim witnesses from the women's village—several of them converts to Islam—appeared and stated that the accused was a murderer and an adulterer. A *fetva* was read out in court from the *müfti* of Hanya giving an affirmative reply to the question of whether Islamic law prescribed the execution of such a person, and the court's permission to impose the death penalty was therefore sought.⁶⁰ A year later, a Christian told the court about her litigation against the garrison commander [*dizdar*] of Ierapetra in Crete, who had spread the rumour that she had been raped by brigands and, being no longer a virgin, was now engaged in prostitution. He had subsequently raped her, slandered her, and assaulted her, occasioning such injuries that she now found it very difficult to walk. The woman had initially pressed charges against the garrison commander seeking compensation for her two injured legs, but she now stated that she had reached a settlement with him for fifty *ğuruş*, which she had received, and that if she ever pressed further charges against the garrison commander in the event of her becoming unable to move, her claim was not to be heard.⁶¹

The one factor common to all these cases is that they mention the offence of unlawful sexual intercourse [*zina*], directly or indirectly. In the last case, the offence of *zina* was not the subject of the action after the settlement had been reached either. The most clear-cut cases are the first two, in which non-Muslim women demanded the application of Ottoman criminal law also with regard to the offence of unlawful sexual intercourse—unlawful in that there was no question of the proprietary status that, under Islamic law, occurs in the context of marriage

and slave ownership.⁶² Neither Islamic nor secular law [*kanun*] recognized the concept of rape, taking the view that both partners participate in the sexual act and therefore the victim of rape is (theoretically) as guilty as the perpetrator. The only case in which only the rapist was punished was when *zina* had been committed upon a mentally ill person or a minor.⁶³ However, there are certain *fetvas* which tacitly acknowledged the non-consent of a woman;⁶⁴ it can therefore be supposed that despite the above-mentioned attitude on the part of both Islamic and secular law, the women victims probably escaped punishment in the actual enforcement of the law. So what were these non-Muslims hoping to achieve by bringing such charges before the court?

In Islamic law, *zina* (unlawful sexual intercourse with or without consent) was considered an offence against God and carried a *hadd* punishment, which ranged from execution by stoning for a married Muslim [*muhsan/a*], to a hundred lashes for an unmarried Muslim (and fifty for a slave).⁶⁵ However, all four Muslim legal schools gradually changed their attitudes toward this particular offence. This change was based on the tradition that Omar, the second Muslim caliph, had resolved cases of rape either by offering the woman the opportunity to marry her assailant and, if she refused, making him dower her in compensation, or by flogging and then banishing the rapist with no payment of a dowry if the woman had not been a virgin. The apparent tendency to replace the *hadd* punishment with the payment of compensation to the woman was based upon the view that there had been a violation of the right of ownership, and compensation—which was likened to a dowry—in actual fact constituted an *ex post facto* recognition (albeit on a single occasion) of the rapist's right of ownership over his victim's sexual parts.⁶⁶ The concept of compensation in relation to a tendency to avoid harsh *hadd* punishment was also reflected in secular law, which, while recognising *zina* as a criminal offence, punished it with a fine in an amount that depended on the financial, personal, and civil status of the guilty party—that is, on his or her financial means and on whether or not he or she was a Muslim, a free person, married, a virgin, and a minor.⁶⁷ It should be noted that the *kadı* could also sentence the perpetrator to a flogging [*tazir*] as well as a fine.⁶⁸

It is clear from the foregoing that if a woman who brought a charge of rape managed to sustain her accusation by producing credible witnesses, she stood a good chance of receiving compensation, unless she insisted on a sentence of corporal punishment. The question is: How easy was it for a woman to prove that she had been raped? In the two cases from Samos, the plaintiffs failed to convince the court. Although they were allowed to present their evidence first, the court deemed it “inadequate”; the records do not indicate what form the evidence had taken. In the 1661 case, the oath of the accused was considered the most important proof of his innocence,⁶⁹ and some part in this must have been played by the fact that the unlawful act of sexual intercourse had taken place outside the plaintiff's home, that is, outside her absolutely private space. In the 1681 case, the rape had been committed in the woman's home, and this may be why it was not enough for the accused simply to swear to his innocence—he also had to present the

court with five male witnesses to confirm it.⁷⁰ One factor common to both cases is that the plaintiffs were pregnant, as a result, they asserted, of the unlawful act of sexual intercourse. Thus, their appeal to the Ottoman court may be explained as an attempt to secure financial compensation, if they were vindicated, and as a deliberate declaration of paternity even if the man denied it. These women had nothing left to lose, for they were already (or soon would be) at odds with their social environment. Being well aware that their vindication in court was a very difficult matter, and laying themselves open to a countercharge of slander regarding a sexual offence [*kazf*],⁷¹ their appeal to the judge may well have been connected with a desire to make known the person who was morally responsible for the condition in which they now found themselves, to expose him within their immediate social environment, and thus to achieve at least moral condemnation of him since a criminal conviction was so difficult.⁷² One is also struck by the fact that charges had not been brought for six-and-a-half months in the 1661 case, and that the 1681 case had also been slow in coming to court—though it is not stated how many months pregnant the plaintiff was. The delay would have told against the women, who thus forfeited much of the force of their case in the eyes of the court.⁷³ One presumes that it was due to their need to delay publicizing their problem or to try to procure an out-of-court acknowledgement of paternity.

Things took a different course in the 1752 case. Here, the two women helped each other in their bid to punish the man accused of the rape of a child, and the attempted abduction and murder of one of the plaintiffs. They also had the support of public opinion, as reflected in the statements of their Muslim fellow-villagers. Lastly, what is striking in the 1753 case is the fact that the plaintiff did not charge the garrison commander of Ieratpetra with rape, but with physical assault which injured her legs. It was easier for her to have him convicted of assault, since she was able to show the court her injuries and possibly to produce witnesses to confirm what she said, thus forcing him to reach a settlement. By contrast, it would have been very difficult to prove that she had been raped, and she would have risked a counter-accusation of *kazf*.

Another interesting case is the charge of rape brought by a Christian woman of Kos against a Christian man in 1764. She took him to “civil court” (*sic*—here meaning the Ottoman court) and he, in order to avoid a criminal conviction, entered into a temporary marriage with her and then divorced her and gave her the *kebin*, the *post facto* payment for the use of a woman’s sexual parts according to the tradition of Omar.⁷⁴

Why did these non-Muslim women turn to the Ottoman court rather than the local communal court? The answer here is clearer than in the case of non-Muslims who registered their marriages or divorces. The point at issue was a criminal offence, the trying of which came under the jurisdiction of the Ottoman court. Surviving Greek documents from Naxos and Paros concerning cases of rape or extramarital sexual intercourse (together with paternity cases) state that the case had been heard by the representative of the *kapudan paşa* (admiral of the Ottoman Fleet) under whose authority most of the Aegean islands came, and in

the presence of the local notables. The notables tried cases mainly on the basis of customary law, and, at least in those instances mentioned in the extant documents, their decision was endorsed by the presence of the representative of the central government and was therefore immediately enforceable.⁷⁵

It should be noted that in communal courts, the thinking that governed the trying of cases like these varied according to local customs. For instance on Naxos in the early nineteenth century, a woman who had had sexual intercourse with a man who subsequently did not marry her could demand financial compensation for her “ruined virginity” (also known as the “maidenhead price”), and child support if the act of extramarital intercourse resulted in the birth of a child. On the other hand, under the customary law of Syros (1695), a woman who consented to her own “ruin” was held up to public scorn and banished,⁷⁶ while in the case of rape the woman could reach a financial settlement or the perpetrator would be sentenced to lifelong penal servitude in the galleys of the Ottoman fleet. In the latter case, the community leaders handed the guilty party over to the Ottoman authorities, who requested that the sentence be carried out.⁷⁷

Although the available archival material furnishes very few cases of a charge of *zina* being brought by a woman, there are many more documents describing interventions by the local Ottoman authorities in cases of adultery and the birth of children out of wedlock. For instance in 1676, the *zabit* in the *kaza* of Samos asked the judge to question a monk about a case of which he had been told—namely that twenty-one years earlier the monk had had unlawful sexual intercourse with a nun who had become pregnant and, in her attempt to procure an abortion, had died. Likewise in 1648, Halil Beg of the village of Muzur in the *kaza* of Veria asked that a *zimmi* woman from the same village be summoned to the court of Veria and questioned about her pregnancy. She replied that she had been raped by one Mehmed Çelebi on whose *çiflik* she lived, and that as a result she was now in her fifth month of pregnancy.⁷⁸ Similar interventions are mentioned on Cyprus, where, in the mid-seventeenth century, the *sipahi* of a village accused a Christian woman of having had unlawful sexual relations with one of her fellow villagers.⁷⁹ Three *buyuruldus* of the second half of the eighteenth century reveal the unsolicited intervention of the *muhassil* of the island in cases of adultery.⁸⁰ On Crete too, in the mid-seventeenth century, the *voyvoda* of Rethymno summoned an unmarried Christian to court to explain the circumstances of her pregnancy, and intervened in a case of an unmarried non-Muslim couple who were cohabiting.⁸¹

The official representatives of the central government had the self-appointed right to bring before court those offences that transgressed the law of God, such as *zina* and the related crime of prostitution.⁸² On many occasions, however, such charges were brought at the request of the local community, when the inhabitants perceived a threat to the public image of their village or district and to the moral code that governed their relations. Thus, in 1705 the *voyvoda* of Samos intervened in regard to the conduct of a woman in a village. According to the *hüccet*, “I heard that she is not always by herself and she associates with (those who are) strangers and not related to her” [*mersum Zafıra daima kendi halinde olmayub*

kendüye ecnebi ve na mahrem olanlar ile ülfet ve ihtilât eylediği mesmum olmağla]; consequently he asked the court to interrogate her. The woman denied the charges, upon which the court asked five Christian clerics who were present at the proceedings to testify on the matter; they confirmed the accusations of the *voynoda*. It appears that her fellow-villagers had been scandalized by her “loose” behavior and had asked the *voynoda* of the island to intervene.⁸³ The punishment which the courts imposed upon women publicly accused of prostitution was banishment from their village or district.⁸⁴

But who were these prostitutes? In what circumstances did a woman become a prostitute? From available documents it appears that quite a number of them had been raped when young and unmarried, and this had been enough to brand them as prostitutes. It also seems that the fact of having been raped had pushed them into the margins of society. They found themselves with no other solution than to consciously turn to prostitution as the only available way of making a living, since they were excluded from any respectable course such as marriage or work.⁸⁵

In the foregoing cases, the Ottoman authorities appear to have cooperated with Christian community leaders—in fact to have acted at the latter’s request. There can be no doubt that the guardians of morality in the local communities in which the Orthodox element predominated, such as the Cyclades and Samos, would have been the notables in association with the representatives of the Church. On the other hand, in areas with a religiously mixed population such as Crete, Cyprus, or Macedonia, the desire of the Muslim inhabitants—whether officials or not—to safeguard moral standards would also have played a part. Besides, there was the issue of the recipients of the fines: as the crime of *zina* was punished by the imposition of fines, the *ehl-i örf* were interested in bringing people to trial for sexual offenses in order to collect any fines that may be imposed by the court.⁸⁶

Thus far we have seen Christian Ottoman subjects turning to the Ottoman court either with their fiancés or husbands in order to get married or divorced, or alone in order to claim what they regarded as their due. In most cases the woman appeared in person before the court and was not represented by a proxy [*vekil*], even in the more “painful” cases such as a charge of sexual assault.⁸⁷ Regarding the Muslim women who elected to represent themselves in court, it has been suggested that they probably belonged to the lower social classes, had no strong family ties, and therefore had little option but to pay the required sum to the court and defend their own interests.⁸⁸ This would also seem to apply to the cases under discussion here: many of the Christian women who went to court had a rural background—though this is not a clear indication of their economic status owing to the lack of data. I do believe, however, that these were not members of the local elite but rather women without strong family ties and without financial means. The cases of the women from Samos who brought charges of sexual assault exemplify this: both were pregnant and came from villages, and their condition would have probably precluded the support of family members, if they had families.

In the final analysis, regardless of whether or not women were represented by a proxy before the Ottoman court, it is hard to imagine that the representatives

of the Church and the community leaders did not object to their going to the Ottoman court, at least for matters that could be dealt with in the episcopal and communal courts. We know, for instance, that the Church tried to curtail the practice of *kebin* marriage through excommunication and denial of burial, and there would certainly have been a great outcry against those individuals who went to Ottoman courts, especially women.⁸⁹ To appeal to the Ottoman court to resolve difficult personal or family issues that did not involve criminal responsibility was to invalidate one of the most basic functions of the Orthodox Church—a function that had been legitimized immediately after the fall of Constantinople: its legal jurisdiction over issues relating to religion and involving Christian *reaya*. Equally, however, it would not have been easy for a woman to publicize personal or family problems, because this would have meant that she had not tried, or had failed in her attempt, to resolve them within the family circle. Having guilty or “shameful” secrets come to light and automatically become a subject of gossip among other members of the community to which she belonged would have been far from pleasant for her or her family. Thus, the Ottoman court was a last resort, one that potentially offered an immediate and final solution to the problem. By choosing this option, one would by-pass the family and the internal, Christian criteria;⁹⁰ this was perhaps no less “painful” than washing one’s dirty linen in public.

Nevertheless, the women in the documents examined above were determined to assert their rights, and to this end they turned to whichever judicial system was advantageous to them—or at least whichever one they believed would be advantageous. Their ability to make such a choice presupposes some direct or indirect knowledge of the provisions of Islamic law in addition to customary and ecclesiastical law; such knowledge could have been gained through social relations, however superficial these may have been, or by hearing from relatives how various cases had been adjudicated by the Ottoman courts. Clearly, then, the communities that comprised Ottoman society were not mutually impermeable. Knowledge of Islamic law is striking in communities in which the Muslim element was only represented by the families of a few Ottoman officials, as was the case on Samos. The fact that Christian women (and men) used the Ottoman court is even more significant there, as it shows that the institution had been completely assimilated by the local Christian population despite the absence of a significant local Muslim element. Christian women who went to the Ottoman court to contract a marriage with a Muslim or a Christian, to register their divorce, or to claim their entitlements under Islamic law, who changed their religion if they thought it necessary, and who brought charges of sexual or other physical assault—these women were demonstrating assertiveness, demanding their rights as they thought best given the existing social constraints. When all is said and done, by making the choices they did, these women were willing to come into conflict with the local religious and socio-political establishment. Their hope that the Ottoman system of justice would vindicate them, even when they brought charges against Muslims who in some cases were even officials, is something that cannot be overlooked.

Notes

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2. The Ottoman archival material from the island of Samos is located in the Cultural Foundation of the National Bank of Greece (Athens) in the form of microfilms, and the originals are in the Archive of the Metropolitan See of Samos.
3. The *şeriye sicilleri* of the *kaza* of Karaferye/Veria are preserved in the Historical Archive of Macedonia (Thessaloniki) in the form of microfilms, and the originals are in the General Archives of Veria. I wish to thank the personnel of both archives for their assistance. Vasdravellis 1954, 2: *Arheia Verias-Naousis (1598–1886)* [Veria-Naousa Archives (1598–1886)].
4. Stavriniadis 1976: vols. 1–2; Karantzikou and Pothinou 2003; Papiomytoglou 1995; Mavropoulos 1920.
5. Merckellbach 1991; Theoharidis 1993.
6. Kalinderis 1974; Giannoulis 1980; Sfyroeras 1956.
7. The island of Samos was repopulated at the end of the sixteenth century on the initiative of the *kapudan paşa* Kılıç (Uluc) Ali Paşa, who prohibited the permanent settlement of Muslims there. (Laiou 2002: 37.)
8. For the difficulties and the constraints presented by the study of Ottoman judicial documents, see Ze'evi 1998 and Pierce 2003: 100–112. For a similar approach concerning Byzantine judicial documents that refer to sexual offenses, see Laiou 1993: 145.
9. An example of using the *sicils* to reveal the social and economic life of non-Muslims, and especially the Jewish community of Jerusalem, is Cohen 1984. See also al-Qattan 1999, especially 434–35. On this subject see also Jennings 1993: 14–39; 1995: 363; 1978: 274–76; Seng 1994: 185, 197; Zilfi 1997: 279; Gradeva 1997: 55–56.
10. Pantazopoulos 1967: 24–25; Konortas 1998: 295–298, where he criticizes the “prerogatives theory” regarding the Ecumenical Patriarchate.
11. See for example the *berat* of 1755 issued for the metropolitan of Chios, where direct orders were included for the matters of marriages and divorces between the Christians inhabitants, in order to safeguard the jurisdiction of the metropolitan in that field. (Mavropoulos 1920: 37, 41, 42.) See also the relevant clauses of the patriarchal *berat* of 1757. (Konortas 1998: 382, 387, 388.)
12. Pantazopoulos 1967: 91–112. For the ecclesiastical and communal courts, their structure and their relations, see Lykouris 1954: 145–248; Koukkou 1980; Siatras 1997; Tourtoglou 1985; Sevastakis 1986: 18–20.
13. Ginis 1960–63: 243–44.
14. This parameter is also stressed by Pantazopoulos 1967: 107.

15. *Encyclopaedia of Islam*, 2nd edition, “Nikah”, 26; Aydın 1982: 1–12; Imber 1967: 87–88. See also Behar 2004: 549–52, in relation to the accommodation and co-existence of the Islamic *mehr* and the Turkish custom of *ağırılık*, i.e., the bride price paid by the husband’s family to the family of the bride and not to the bride herself as in the case of *mehr*. For the Greek version of *ağırılık*, see below.
16. *Encyclopaedia of Islam*, 2nd edition, “Talak”
17. Zilfi 1997: 270–71.
18. *Ibid.*, 273.
19. Tucker 1998: 81–87.
20. For a definition of ecclesiastical marriage, see the *Nomokanon* of Theophilos, Bishop of Kampania, written in 1788 (Ginis 1960: 87).
21. Ginis 1960–63: 242–248; Apostolopoulos 1999: 210, 214; for the Byzantine period see Rallis and Potlis 1852: 1: 295–96 (*Nomokanon* of Photios, title 13, chapter D).
22. Mihailidis-Nouaros 1982–83: 13–14; Bourdara 1988: 156; Diafa 1997: 110; Ginis 1960: 89.
23. Lykouris 1954: 205, 206.
24. Mihailidis-Nouaros 1982–83: 10–12; Savorianakes 2000: 50–53, 60. Ginis also refers to a decision of consensual divorce issued by the metropolitan of Trikala in 1706. (Ginis 1960–63: 255, n. 7.) It seems that the patriarchal decision merely confirmed the social realities of the period.
25. The institution of the *mut‘a* was accepted by the Shi‘is but not the Sunnis. However, Sunnis actually did conclude temporary marriages without mentioning in the official matrimonial contract its specific duration. Therefore, the temporary character of the marriage was a matter of a private agreement between the two parties. *Encyclopaedia of Islam*, 2nd edition, “Mut‘a”; Schacht 1964: 163. The term *kebin* is Persian, and denotes the bride-money (Redhouse 1992: 628) or the “rent” paid by a man for the use of a woman’s genitalia. (Pantazopoulos 1986b: 493.) It is most interesting that in the *Hexabiblos* of Harmenopoulos—a corpus of laws compiled by a jurist named Constantine Harmenopoulos in 1345, which was the basic law code used by the ecclesiastical courts in the Ottoman period—it is mentioned that in the “unwritten marriage,” that is the legal symbiosis of a couple not blessed by a priest, if the man abandoned the woman without justifiable reason, he had to compensate her. That provision is reminiscent of Justinian’s law and, of course, the relevant clauses concerning the Islamic *kebin*. (Pantazopoulos 1986a: 40–41.) For the use of *kebin* by travellers-merchants, and observations they made concerning the institution, see Aggelomatis-Tsougkarakis 1992: 342–43 and 392–93, respectively.
26. Pantazopoulos 1967: 94–102. In a Greek translation of the *ahdname* issued for the inhabitants of the Cyclades islands by Sultan Murad III in 998/1589 and published in Zerlenti 1924: 103, it is stated that if a Christian woman wishes to marry a Muslim man, she must first become a Muslim. This proviso, issued

- under pressure from the Orthodox ecclesiastical authorities, was meant to prohibit the conclusion of *kebin* marriages between Muslim men and Christian women, by putting as a precondition the Islamization of the woman. Also, a *hüccet* of 1658 issued by the Ottoman court of Rethymno cites the refusal of a *zimmi* (non-Muslim) woman to marry a Muslim man (probably a convert) who intended to ask for her hand. (Stavriniadis 1976, 1: 22.) For cases of *kebin* marriage, see also Karantzikou and Photeinou 2003: 54, 60, 119, 121, 133, 143, 144, 156, 159, 160, 167, 184, 204, 224, 231, 237, 255, 258, 274, 294, 298, 318.
27. Pantazopoulos 1967: 57–65. For *agriliki* see *ibid.*, 62, n. 17. Still, the basic interpretation of the term is the money or landed property that a future husband/wife who had already been married once would give his/her future spouse who was getting married for the first time. See, for instance, Sevastakis 1986: 142.
 28. Pantazopoulos 1967: 57–59; Aggelomatis-Tsougkarakis 1992: 382–83, 388.
 29. Ginis 1960–63: 261, 275; see also Ginis 1960: 91.
 30. Sfyroeras 1956: 21.
 31. Pantazopoulos 1986b: 495; Ginis 1960–63: 250–52. For examples of marriages between Christians before the *kadı* see also Karantzikou and Photeinou 2003: 42, 46, 91, 149, 162, 202, 277, 280, 315.
 32. Pantazopoulos 1986b: 495. See also Ginis 1960: 85, where severe penalties were designated in the case of marriages between Christians that violated the rules of kinship, such as confiscation of property and exile.
 33. Gradeva 1997: 58–59.
 34. Kabrda 1969: 75–77.
 35. *Ibid.*, 77.
 36. *Encyclopaedia of Islam*, 2nd edition, “Resm-i arus”; Alexander 1985: 81, 83, 256, 258, 450; Barkan 1943: 329 (*kanunname* of Mora, 1716), 339 (*kanunname* of Rodos and Kos, 1650). In the *kanunname* of Rodos and Kos, the *resm-i arus* amounted to 30 aspers for widows (non-Muslim or not), and 60 aspers for virgins. (*Ibid.*, 339.)
 37. Concerning the way that the Ottoman courts dealt with cases that referred to the ecclesiastical-canonical law, a *fetva* of the *müfti* of Damascus (eighteenth century) is quite interesting. It mentions that the *kadı* or the *müfti* is not permitted to interfere with marriages between *zimmis*. If the *zimmis*, however, ask from the Ottoman judge to adjudicate a conflict that concerns their marriage concluded according to their own religious regulations, he is supposed to adjudicate according to the Islamic law. (Tucker 1998: 49.) Moreover, a *fetva* of Ebusuud (middle of the sixteenth century) underscores the importance of the appeal of the *zimmis* to the Ottoman court, in order to get a (unilateral) divorce (*talak* divorce). If the *talak* divorce was declared before the *kadı*, the *zimmi* man can not claim that the divorce is invalid according to his religion, and therefore the woman is divorced. (Düzdağ 1998: 157.) See also Jennings 1978: 275.

38. See for instance Zilfi 1997: 282–83; Tucker 1998: 93.
39. Folder 1/18, 1014/1605. A similar register of divorce in the *şeriye sicili* of Karaferye, No. 1, 89.
40. *Şeriye sicili* of Karaferye No. 19, 6.
41. Merckellbach 1991: 81.
42. *Şeriye sicili* of Karaferye No. 1, 83.
43. *Şeriye sicili* of Karaferye No. 11, 105, 1037/1627. See also Vasdravellis 1954, 2: 17–18. For similar cases, see also Karantzikou and Photeinou 2003: 29, 147.
44. Türk Dünyası Araştırmaları Vakfı 1989, 2: 247: *beynimizde hüsn-i zindegânemiz olmamağla âyin-i bâtilamız üzere beynimizde mehr-i müeccel tesmiye olunmadığı ecilden beynimizde olan nikâhımızı ba'de 'lfesh...*
45. For representative examples of deliberate delays in issuing divorce letters on behalf of the ecclesiastical authorities, see Kalinderis 1974: 103; Giannoulis 1980: 46, 51, 52, 53, 54; Sfyroeras 1956: 14.
46. Ginis 1960–63: 255; Mihailidis-Nouaros 1982–83: 13.
47. Stavriniadis 1976, 1: 180, 175; *Şeriye sicili* of Candia No. 2, 56, 59.
48. Stavriniadis 1976, 1: 8.
49. Vasdravellis 1954, 2: 2–3. I was unable to locate the court record for the year 1008 either in Thessaloniki or in Veria.
50. *Encyclopaedia of Islam*, 2nd edition, “Hadana”; Tucker 1998: 128–31.
51. Harmenopoulou 1971: book IV, title IX 3, 241. A similar legal regulation, incorporated in the legal practices on the Island of Samos in 1860, is in Sevastakis 1986: 190, and also in the *Nomokanon* of Theophilus (Ginis 1960: 90), as well as in the *Nomokanon* of Photinopoulos (1766) (Zepos and Georgescu 1982: 70).
52. Maurer 1976: 105.
53. Mihailidis-Nouaros 1982–83: 14.
54. Kasdagli 1999: 254.
55. Mihailidis-Nouaros 1982–83: 14.
56. Folder I/67, 1045/1635.
57. See also Peirce 1997: 173, 187; Tucker 1998: 139; Imber 1997: 192.
58. Folder 2/39, 1071/1661: *mezbur Andriya gelüb beni ahz edüb ben dahi imtina etmemek ile bana fiil-i şeni eyleyüb hamile olmuşumdur sual olunub müceb-i şer icra olunması matlubumdur*. Her confession that she did not resist, as well as her statement that she occasionally suffered from fits—made after the defendant had taken an oath of innocence—demonstrate her endeavor to be considered as *non compos mentis* and thus to avoid the punishment for the crime of false accusation for *zina* [*kazf*]. See also Laiyou 1999: 149–57.
59. Folder II/83, 1092/1681: *Yani veled-i Aleksa nasrani beni evi içinde fiil-i şeni ile bana zina etdi habelim zahir oldu*.
60. Stavriniadis 1976, 5: 1; *Şeriye sicili* of Candia No. 26, 246.
61. Stavriniadis 1976, 5: 13.
62. Schacht 1964: 178.

63. Imber 1983: 62, 73. It is interesting that the same attitude towards the woman's role in a case of rape was held in France in the eighteenth century. (Vigarello 2001: 73–78.) See also Hafton 2003: 311. For a different attitude toward non-consensual sex and the question of whether or not to punish the woman in the Byzantine period, see Laiou 1993: 156–74, where it is stated that in Byzantine Law, the absence of consent by the woman constituting a case of rape could be proved by some objective criteria, such as the use of a weapon, the existence of accomplices, and the location of the crime.
64. Imber 1983: 80–83.
65. Imber 1983: 60; see also Ze'evi 2001: 226, tables 1–4.
66. Sonbol 1997: 216.
67. Heyd 1973: 56–64, 95–103.
68. Sonbol 1997: 223. The consul Jean Giraud (seventeenth century) related that in Athens, adulteresses were exposed to public humiliation if they failed to bribe the *kadı*. (Aggelomatis-Tsougarakis 1992: 396.) The consul probably refers to the imposition of a fine. Also, another traveller described the public flogging of an adulteress in İzmir. (Ibid.) In seventeenth-century Bursa, the women who were brought to court by the *subaşı* and accused of adultery were condemned to the bastinado; it is uncertain, however, if they also paid a fine. (Gerber 1980: 239.)
69. In relation to the oath of innocence, it is interesting that in the *kadı* record of Aintab of 1540–41, women took an oath of innocence in very few cases compared to men. (Peirce 2003: 192.)
70. See also *ibid.*, 354. It is very interesting that in Byzantine civil law, the role played by the locality of the crime was different: if the woman was seduced in a place where her outcry could not be heard, this was proof that she did not consent. (Laiou 1993: 164–65.) On the contrary, Islamic law emphasizes the commitment of the crime inside the “private space” the house.
71. In the Ottoman criminal law of Süleyman the Magnificent, the crime of *kazf* was punished by flogging and the payment of fine [*tazir*], or by *hadd* punishment. (Heyd 1973: 109.)
72. See also Peirce 2003: 203–204 and 361–64, which describes how pre-marital sex and its public exposure even as *zina* sometimes led to the conclusion of a marriage.
73. Sonbol 1997: 221.
74. Mihailidis-Nouaros 1982–83: 21.
75. Tourtoglou 1963: 152–56, 158–59; Kalpourtzi 2002: 38.
76. Tourtoglou 1963: 96–99; for a similar attitude in Syros, see Zepos and Georgescu 1982: 270.
77. Tourtoglou 1963: 100, n. 3.
78. *Şer'iye sicili* No. 19, 4: *mezbur Mehmed fuzulen beni çıkub ev içinde zina etdi.* (1058/1648.)
79. Jennings 1993: 20.
80. Theocharidis 1993, 3: 1203, 1467, 1599.

81. Stavrinidis 1976, 1: 20–21 and 97–98, respectively.
82. Heyd 1973: 241–42.
83. Folder 3/34, 1117/1705. For similar cases, see Tourtoglou 1963: 156, 158–59; and Kalpourtzi 2002.
84. Imber 1983: 73–74; Heyd 1973: 93, 130. For cases of the banishment of prostitutes, see Aggelomatis-Tsougarakis 1992: 349; Ginio 1998: 197; Rafeq 1990–91/2: 190.
85. Stavrinidis 1976, 1: 94–96; Aggelomatis-Tsougarakis 1992: 349–50; Hafton 2003: 350.
86. On the recipients of the fines, see Heyd 1973: 289–95.
87. Among the examined cases, the women were represented in the court by a *vekil* mostly in cases of marriage or divorce, and quite often their vekils were male or female relatives. See for instance Stavrinidis 1976, 1: 347, 394–95; 2: 25, 97, 160, 162.
88. Zarinebaf-Shahr 1997: 253; Faroqhi 2002: 185; Peirce 1999: 148–49. Also, on the islands of the Aegean where Muslims were a very small minority (if they existed at all), women of lower status enjoyed greater freedom of movement and communication. (Aggelomatis-Tsougarakis 1992: 365.) Likewise, it is interesting that in the late Byzantine period, the women of the Despotate of Epirus quite often appeared in person at court in cases of divorce. (Aggelomatis-Tsougarakis 1982: 475–76).
89. Pantazopoulos 1967: 99; Ginis 1960: 246.
90. On this subject, see Seng 1994: 185, 193.

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Christian Maidens, Turkish Ravishers: The Sexualization of National Conflict in the Late Ottoman Period

İrvin Cemil Schick

Nos vierges cette nuit, et nos têtes demain!

Victor Hugo, *Les orientales*

Writing critically about reports of wartime atrocities is always a perilous undertaking. At best, one is liable to being labelled a revisionist; at worst, an apologist. It is with this in mind that I begin the present essay by emphasizing that it is *not* a work of historiography: my concern here is neither whether or not horrific acts of sexual violence were perpetrated during the Balkan struggles for independence from Ottoman rule, nor whether or not such acts were as systematic and widespread as is often reported. Rather, this is a study in cultural theory and textual analysis: it sets out to explore how accounts of violence against women were produced, disseminated, and consumed within a pre-existing cultural matrix; how they in turn both reproduced and reshaped that cultural matrix; and finally how art and literature, and especially the non-ephemeral print medium, partook in the codification and standardization of these accounts so that they could effectively be used to political ends.

It is well enough known that Lord Byron, Victor Hugo, Eugène Delacroix, and a host of other poets, writers, painters, and sculptors rallied to the cause of philhellenism, investing it with fond hopes for the overthrow of centuries of Turkish-“Asiatic” occupation and the restoration of a mythologized classical European grandeur. That they are today part of the canon, however, does not alter the fact that these distinguished artists were not above crass exploitation, and that their works often had recourse to hackneyed clichés conflating “oriental despotism” with “oriental sexuality.” Furthermore, the likes of Byron, Hugo, and Delacroix are only the tip of the iceberg, and works of popular culture—including some that combined politics and pornography in the most astonishing ways—abounded, supporting not only the cause of Greek independence but of other Ottoman Christians as well.

I focus here on a number of visual and literary artistic creations, some better known than others, in the context of the production of a discourse within which the geopolitical realities of the day could be encoded, and public opinion mobilized. The point is not, of course, that acts of sexual violence did not occur before and during national liberation struggles and imperial efforts to thwart them, but that the trope of sexual violence provided a widely recognizable and politically useful discursive tool by which these conflicts could be recast in a manner that made excellent use of pre-existing ethnic, racial, gender, and sexual stereotypes.

Some of the material I use here would no doubt be classified as pornography. My principal justification for using these works—which, it goes without saying, only enjoyed limited circulation—is that to a dispassionate eye, there is no *qualitative* difference between them and what might be considered “mainstream” cultural products. Although books published “privately” and “for subscribers only” could hardly be considered exemplars of *mass* media, I would argue that any distinction between them and either “high” art *or* popular culture is first and foremost a matter of degree, not of essence. Consider, for example, the three pairs of images reproduced here (Figures 10.1–3), in each of which I have attempted to juxtapose a mainstream item with an unabashedly erotic work. In at least one case, Hiram Powers’ *Greek Slave* (1844) in Figure 10.2, the latter is evidently derivative of the former; in the other two pairs, there is no evidence that one work was directly inspired by the other, but it is clear that each pair was animated by a common sentiment. Furthermore, to focus for a brief moment on Gottfried Sieben’s *Balkangreuel* (1909) in Figure 10.1, it is noteworthy that although these illustrations were originally published in a limited edition of 550, they were subsequently pirated in English and Czech editions, not to mention reprinted as widely available suites of postcards. In short, I would contend that the erotic works discussed here can be considered distilled examples of a broader pattern of sexualization of national conflict in the Ottoman Balkans—examples that, precisely because they are taken to the logical extreme, are *paradigmatic* of the mindset that I am setting out to explore.

War and the Sexualization of the Enemy

That there may well be a relationship between war (as the ultimate form of human aggression) and sexuality (which is often prone to, or represented in terms of, aggression) must have occurred to people throughout history. What is of greatest interest to me here, however, is not the underlying mechanism—psychological or sociological—that links war and sexuality, but rather the artistic representations of that linkage, from the tale of Helen of Troy to the etchings of Jacques Callot (1592–1635) and Francisco Goya (1746–1828).

Historically, the wartime acts said to have been committed by specific armies were often explained in terms of the collective characteristics attributed to the people constituting them—exemplifying, in the words of Dušan Bjelić and Lucinda Cole, “the familiar tendency to respond to reports of war atrocities by essentializing ethnic identity—who castrates, who buggers, who mutilates—and



Figure 10.1. Top: Henri Charles Loeillot, “Jeune grecque sauvée de l’esclavage des Turcs.” Lithograph. *Combats pour l’indépendance grecque*, No. 13. Bibliothèque nationale de France. Bottom: Gottfried Sieben. Lithograph. Archibald Smith [pseud.], *Balkangreuel* (Vienna: Gesellschaft österreichischer Bibliophilen [i.e. C.W. Stern], 1909).



Figure 10.2. Left: Public viewing of Hiram Powers' *Greek Slave* (1844). Engraving by R. Thew. *Cosmopolitan Art Journal*, 1857. Right: Risqué photograph, c. 1925. Private collection.



Figure 10.3. Left: "From Serbo-Turkish war scenes: Circassians caught abducting Bulgarian maidens." *Leipziger illustrierte Zeitschrift*, 1876. Right: "They advanced, their arms shiveringly crossed over their chests, their back upright, their croup taut," illustration by Georges Topfer for a sado-masochistic setting of the Armenian deportations. B. Dagirian, *La troublante odyssee d'une caravane* (Paris: Librairie Franco-Anglaise, [1930]).

by countering one narrative with another.”¹ Thus, for example, a book on the Marquis de Sade published in 1901 by the well-known “sexologist” Iwan Bloch (under the pseudonym Eugène Duehren) elicited an angry retort in 1918 from one Louis Morin, who claimed that Bloch’s intention had been to provide “advance justification” for the German crimes of World War I by accusing the French of being congenitally inclined towards sadism!² It is into this context that the material discussed in the pages that follow must be placed.

Although the subject of sexual violence in war gained great prominence during and immediately after World War I,³ my topic here is the preceding century.⁴ Many scholars have commented on the important function that tales of sexual violence have performed in demonizing the enemy and thus helping soldiers overcome the conditioning of social sanctions against violence and the taking of life. As a *metaphor*, however, sexual violence also provides a symbolically dense representation of territorial appropriation and of the inability of men to defend their territory and their manhood. As Jan Jindy Pettman writes,

[v]iolence against women thus becomes an assault on men’s and national honour. There is a complex move here, from actual women’s bodies and the dangers they face, to nationalist discourse using images of women’s bodies to mark national or communal boundaries.⁵

This complex move is, in point of fact, highly problematical in that it tends to reproduce gender stereotypes, and ends up being repressive of the women in the very societies within which it is enacted. I will return to this point in the Conclusion.

In a pioneering early study of wartime rumors, Albert Dauzat stressed their *collective* nature and stated that they do not have a single assignable author. Rather, he argued, they are transformed as they circulate from mouth to mouth: “Each narrator can introduce variants, but these are only accepted if they correspond to the general state of mind.”⁶ This emphasis on the collective authorship of wartime rumors is typical of the period, with its growing interest in social psychology, collective memory, and other aspects of mass behavior. The great historian Marc Bloch spoke of “the magnificent plenitude that only a lengthy time period and innumerable mouths can bestow” upon wartime legends, stressing that “falsehood propagates itself, is amplified, indeed lives, on one condition only: that it finds, in the society into which it is spreading, a favorable cultural stew.” He argued that

[f]alse news are always born of collective representations that pre-exist their birth; it is fortuitous only in its appearance, or, more precisely, what is fortuitous in it is the initial—and entirely arbitrary—incident that triggers the operation of the imaginations; but this setting in motion only takes place because the imaginations are already prepared and are silently fermenting... [F]alse news are the mirror where the “collective consciousness” contemplates its own features.⁷

There is no doubt that wartime rumors and legends owe their existence to beliefs held by broad segments of society: like folklore, they are born and evolve through the very process of their diffusion. But just as an army must act in concert to be most effective on the battlefield, a public must enjoy a significant commonality of thought and belief if it is to provide support for as trying and traumatic an undertaking as war. It is here, I would argue, that cultural products as diverse as poetry, painting, and postcards play a crucial standardizing role. To appreciate the importance of this point, it is only necessary to give a moment of thought to the tremendous influence of the various false stories that circulated during World War I—the Belgian snipers, the German body factories, the babies with their hands cut off, the murdered nurses—in mobilizing public opinion behind the government and against the enemy.⁸ These stories gave discernible form to what would have otherwise been at most a diffuse negative feeling, and in so doing, they made it possible for the governments to manipulate their populations at will. In the heat of the war, Fernand van Langenhove wrote, in his cool-headed and methodical dismantling of the myth of the Belgian snipers:

Thus does one find, in this lower-tier literature, the principal legendary episodes whose origins we have studied, and whose development we have followed; appropriated into fiction, woven onto the weft of intrigue, they have undergone new transformations; they are transposed into new imagined circumstances; they have generally been dissociated from the circumstances that individualize them, and fix them within time or space. The thematic motifs from which they derive, however, remain clearly recognizable.⁹

In the next section, I will give some examples of the depiction of Turkish men as a sexual threat and of the Christian women of the Balkans as victims in urgent need of protection. As Justin McCarthy has noted in connection with the “Bulgarian Horrors” of 1876,

one of the stories that most titillated British readers was the tale of Christian girls sold into slavery or their forcible inclusion into Muslim harems. What fantasies such accounts engendered in the minds of citizens of Manchester and Birmingham can only be guessed. Indignation ran high. However, no sales of women had taken place. European consuls, who searched at length for such sales and abductions, found nothing. The dictates of politics and newspaper circulation had, however, made such stories attractive, and they were widely believed. They were well-publicized in Europe, especially in England, and touched a great vein of sympathy for Bulgarian Christians among the English.

Had the Bulgarian Horrors not engaged the sympathies of the British, the war would probably not have taken place.¹⁰

Barely two decades after the Anglo-Ottoman alliance brought about by the Crimean War—an alliance that had deeply captivated and seduced the British public at all levels through the many photographs, newspaper accounts, and memorabilia it

had engendered—the Turcophile government of Benjamin Disraeli was virtually paralyzed by the outcry sparked by these and other accounts of atrocities, and could not prevent the catastrophic Russo-Ottoman war of 1877–78.

National Conflict Sexualized

The sexualization of Islam in European polemical writings, and the depiction of Muslims as a sexual menace to Christian women, dates from the Middle Ages; it is, for instance, a recurring theme in the *Chansons de Geste*.¹¹ The conflation of sexual and military threats more specifically in the figure of “The Turk” goes back at least as far as the conquest of Constantinople. The fifteenth-century chronicler Jacques de Clerq, for example, wrote that upon entering the church of Haghia Sophia, wherein many Byzantine noble ladies and their daughters had taken refuge, Turks “enjoyed their carnal company, by force and against their consent and will, and in contempt of God our creator and of the faith.” Another chronicler, his contemporary Mathieu d’Escouchy, told the much-repeated (but apparently apocryphal) story of the rape of the Byzantine princess Irene by Sultan Mehmed the Conqueror who, failing to convince her to convert to Islam, led her to Haghia Sophia, stripped her naked, and had her beheaded.¹² Analogous accounts appear in the works of German pamphleteers and hymn-writers; Johannes Brenz wrote in 1537 that

[w]hen the Turks win a victory they conduct themselves not as honorable warriors but as the worst miscreants on earth. After their conquest of Constantinople the Turkish tyrant had the wives and children of the Emperor and princes brought to a banquet, where he violated them and then had them chopped to pieces while the banquet was still in progress. Such doings, far from being rare among the Turks, are their customary way of celebrating a military triumph... Let everyone consider what a terrible disgrace it is to permit women and children to be subjected to such shame—I will not relate the vile deeds committed by the diabolical people, involving all kinds of unchastity.¹³

Indeed, while parallels were frequently drawn between “papists” and Turks in Lutheran propaganda, in a militantly Catholic pamphlet published in 1527 it was Luther himself who was compared to a Turk, in that while the latter “abuses and treats lasciviously all female persons, both secular and spiritual,” the former “entices nuns and monks out of their monasteries and enjoins them to contract false, impious marriages,” and while the latter practices polygamy, the former tolerates infidelity and does not value chastity nor upholds the sanctity of marriage.¹⁴ As might be expected, Ottoman campaigns into Europe, and particularly the sieges of Vienna, also led to sexualized representations of the Turkish foe: Diane Wolfthal has shown that images of lifeless bodies in sixteenth-century German woodcuts involving Turks, conventionally interpreted by art historians simply as dead women, actually feature representational codes that identify them specifically as rape victims—notably skirts raised above the knees.¹⁵

I will now briefly discuss two specific instances of the portrayal of Turks as ravishers of Balkan women: philhellenic art and literature from the nineteenth century, and works focusing on the Macedonian insurrection of 1902–3. The former mostly includes what might be called “high art,” the latter mostly popular material; one purpose of these two case studies is to highlight the deep similarity between the two categories.

Philhellenic Art and Literature

An important source of inspiration for romanticism, the Greek liberation movement (1821–30) rallied some of the most prominent European and American artists of the nineteenth century. And while heroes of the struggle for Greek independence such as Alexandros Ypsilantis, Constantine Kanaris, and Markos Botzaris were eulogized in many of their works, others used the motif of a Greek female captive of the Turks—with all the sexual tensions this idea authorized—to mobilize public opinion in support of the cause. Much has been written about the philhellenic movement, and I could not possibly do justice to it in this short essay.¹⁶ Instead, I will focus on a handful of examples from across a relatively broad spectrum in order to highlight the ways in which the motif of the Turk as sexual predator played into the political agenda of the day.

One of the towering figures of British philhellenism was, of course, Lord Byron. In *Childe Harold's Pilgrimage* (1812–18), he speaks of

Lands that contain the monuments of Eld,
Ere Greece and Grecian arts by barbarous hands were quell'd. (I: 952–53)¹⁷

Having thus set the stage for contrasting an idealized classical Greece with the oppressed and enslaved shadow it had become of its former self under Turkish dominion, Byron turns his attention to its women. In “Tepalen” (Tepeleni), the Albanian home town of the redoubtable Ottoman commander Ali Pasha (known in Turkish as Tepedelenli Ali Paşa), Childe Harold witnesses men of every race and creed going about their business; but

Here woman's voice is never heard: apart,
And scarce permitted, guarded, veil'd, to move,
She yields to one her person and her heart,
Tamed to her cage, nor feels a wish to rove.

...

Ali reclined, a man of war and woes:
Yet in his lineaments ye cannot trace,
While Gentleness her milder radiance throws
Along that aged venerable face,
The deeds that lurk beneath and stain him with disgrace.
It is not that yon hoary lengthening beard
Ill suits the passions which belong to youth;

...

But crimes that scorn the tender voice of Ruth,
 Beseeming all men ill but most the man
 In years, have mark'd him with a tiger's tooth. (II: 541–44, 554–60, 563–65)

This is the classical conflation of harem/seraglio and oriental despotism popularized by Montesquieu in his *Lettres persanes* (1721)—a conflation about which Alain Grosrichard has written so eloquently.¹⁸ If the Turkish oppressor is personified as a disgraceful old man who remains a slave to “the passions which belong to youth,” the woman who is “tamed to her cage” and does not feel “a wish to rove” is, of course, none other than Greece itself. As Byron goes on to write,

Fair Greece, sad relic of departed worth!
 Immortal, though no more; though fallen, great!
 Who now shall lead thy scatter'd children forth,
 And long accustom'd bondage uncreate? (II: 693–96)

The personification of Greece as a harem woman is repeated in Byron's *The Giaour; a Fragment of a Turkish Tale* (1813), which tells the story of a tragic love triangle involving Leila, a beautiful Circassian; Hassan, a Turkish overlord; and the Giaour [“infidel”], a Venetian renegade. The story is set in Ottoman-ruled Greece:

Fair clime! where every season smiles
 Benignant o'er those blessed isles,
 Which, seen from far Colonna's height,
 Make glad the heart that hails the sight,
 And lend to loneliness delight.

...

Strange—that where all is peace beside,
 There passion riots in her pride,
 And lust and rapine wildly reign
 To darken o'er the fair domain. (7–11, 58–61)

Once again, then, the idyllic land of Greece has been defiled by “Turkish lust.” And yet, rather than pitting Hassan and the Giaour against each other in a neat “us against them” or “civilization against barbarism” dichotomy, Byron makes them out to be more alike than different. He emphasizes, for instance, that though it was Hassan who sentenced Leila to death and the Giaour who avenged her, the roles could have just as easily been reversed. This ambivalence has been interpreted as an allegory in which Leila herself represents Greece, squeezed between two rival imperialisms equally to blame for its wretched state.¹⁹

Indeed, western indifference to the suffering of Greeks under the Turkish yoke was one of the main thrusts of Byron's philhellenic poetry, and he angrily denounced his countrymen in *Childe Harold's Pilgrimage*:

What! shall it e'er be said by British tongue,
 Albion was happy in Athena's tears?

Though in thy name the slaves her bosom wrung,
Tell not the deed to blushing Europe's ears. (II: 109–12)

Representing Greece as a damsel in distress would be an effective means of mobilizing chivalry in support of politics. In *The Siege of Corinth* (1816), yet another Venetian renegade helps Turks capture a fortress in a scene that Byron describes with words that unmistakably connote a sexual conquest:

But not for vengeance, long delay'd,
Alone, did Alp, the renegade,
The Moslem warriors sternly teach
His skill to pierce the promised breach.
Within these walls a maid was pent
His hope would win without consent
Of that inexorable sire,
Whose heart refused him in its ire,
When Alp, beneath his Christian name,
Her virgin hand aspired to claim. (177–86)

How could images of immured maidens and pierced breaches fail to convince Byron's countrymen to act?

Like Byron, Victor Hugo took up the cause of philhellenism in *Les orientales* (1829). There, the phantasm of the seraglio as a bloody site of incomprehensible, peculiarly "oriental" despotism is taken to new heights. *Les têtes du serail*—whose epigraph is Shakespeare's "O horrible! O horrible! most horrible!"—is set in İstanbul:

*Le sérail! ... Cette nuit il tressaillait de joie.
Au son des gais tambours, sur des tapis de soie,
Les sultanes dansaient sous son lambris sacré,
Et, tel qu'un roi couvert de ses joyeux de fête,
Superbe, il se montrait aux enfants du prophète,
De six mille têtes paré!* (II: 1–6)²⁰

But who are these "sultanes" who danced on silk carpets? The spirit of Botzaris speaks:

*Quels sont ces cris?... —C'est l'heure où ses plaisirs infâmes
Ont réclamé nos sœurs, nos filles et nos femmes.
Ces fleurs vont se flétrir à son souffle inhumain.* (IV: 55–57)

The bloody road to the seraglio was travelled—in one direction only, needless to say—by countless captive Christian women.²¹ In *Chanson de pirates*, Hugo writes of a young nun—a modern-day vestal virgin—who is abducted by Turkish pirates and ends her days in the imperial harem. Though the pirates are said to be traveling from Morocco to Sicily at the time, and she is therefore unlikely to be Greek, the presence of this poem among so many that deal with specifically

philhellenic themes makes such an identification inevitable. The same is true of *La ville prise*, where the usual sexual imagery is used to conjure the fall of the (presumably Christian) city:

*Les mères ont frémi; les vierges palpitantes,
O calife! ont pleuré leurs jeunes ans flétris,
Et les coursiers fougeux ont traîné hors des tentes
Leurs corps vivants, de coups et de baisers meurtris.* (9–12)

These heaving virginal bosoms are arguably more worthy of mass-circulation bodice rippers than of the great master of French poetry, and that may well be precisely the reason for the tremendous effectiveness of Hugo's imagery on his public. Once again, it was European hearts that the poet wished to rouse in *Les têtes du serail*, as he conjures the memory of Louis IX, who died in Tunis leading the eighth and last Crusade:

*“Et toi, chrétienne Europe, entends nos voix plaintives.
Jadis, pour nous sauver, saint Louis vers nos rives
Eût de ses chevaliers guidé l'arrière-ban.”*

...

*“Ah! si l'Europe en deuil, qu'un sang si pur menace,
Ne suit jusqu'au sérail le chemin qu'il lui trace,
Le Seigneur la réserve à d'amers repentirs.”* (V: 49–52; VI: 13–15)

Happier days for Christendom are heralded in *La bataille perdue*, where Mehmed Reşid Paşa, one of the commanders of the forces that sacked Missolonghi, bemoans the turning of his fortunes:

*Hier j'avais des châteaux, j'avais de belles villes,
Des grecques par milliers à vendre aux juifs serviles;
J'avais de grands harems et de grands arsenaux.
Aujourd'hui; dépouillé, vaincu, proscrit, funeste,
Je fuis... De mon empire, hélas! rien ne me reste.* (67–71)

Of course Byron and Hugo represent the pinnacle of philhellenism; the same themes were taken up, however, in the hundreds if not thousands of popular publications that aimed at rallying support for the Greek cause. A good example is the anonymous American pamphlet *Turkish Barbarity: An Affecting Narrative of the Unparalleled Sufferings of Mrs. Sophia Mazro, a Greek Lady of Missolonghi, Who with Her Two Daughters (at the Capture of that Fortress by the Turks) were Made Prisoners by the Barbarians, by Whom their Once Peacable Dwelling was Reduced to Ashes, and Their Unfortunate Husband and Parent, in His Attempt to Protect His Family, Inhumanly Put to Death in Their Presence* [1828]. Written as a first-person narrative, accompanied by a second narrative by “the exile of Scio [Chios],” and sanctioned by the authority of various American men, this pamphlet was evidently a fund-raising tool for American philhellenes. It begins by pointing out that while the persecution of Greeks by “the merciless Turk—the

avowed enemies of the Cross” is well known to all, news thus far had been limited to the print media; now, however, “there has at length arrived among us, one of the unfortunate subjects, who comes to make a public declaration of them.”²² Following this introduction, Sophia Mazro begins her account of the uprising in Missolonghi and the Ottoman reaction. After her husband is killed, she comes to the sexually charged topic of slavery:

[S]oon we found, contrary to our expectations, that our lives were to be spared, but only to endure, if possible, still greater myseries!—my daughters were given to understand that their fate was determined upon—that they were to be sent with many of their christian female companions to some distant part of the Grand Signor’s dominions, there to be disposed of as slaves, to the highest bidders! (11)

Inevitably the girls are given the option of purchasing their freedom by converting to Islam; they refuse, of course, and Mazro watches them “board the vessel which was destined to convey them to a distant land, where they were to be consigned to slavery.” (11) The irony in the fact that Mazro had subsequently sailed to another distant land where slavery was also practiced, namely the United States of America, never seems to have occurred to the author of the pamphlet.

Since it was intended for respectable Christian Americans, this is as far as the narrative went; the readers’ imagination would do the rest. As was often the case with such accounts, however, nudity was relentlessly deployed to conjure sexual impropriety, as in the following testimony offered from the island of Poros by a Mr. J.P. Miller, one of the Americans charged with distributing relief supplies to the afflicted:

The children were entirely naked, and the women but a little better off, one of them had three wounds in the arm, which she had received from an Arab, her brutal ravisher. I immediately clothed them from the charitable donations of the ladies from New-Haven... I have distributed all the ready made clothes from the boxes, sent from Orange, New-Jersey, to beings all but naked. Many a time, when a daughter of the mountain has presented herself for charity, modesty has prevented me from looking at her, while she, trembling like a forest leaf, gathered her rags around her in order to hide her nakedness. (22)

Between literary giants like Lord Byron and popular pamphlets like the Sophia Mazro narrative were countless poems, stories, and novels, not to mention accounts by journalists, politicians, and propagandists. One such novel is *Romance of the Harem* (1839) by Julia Pardoe, a poet and the author of many books including *Beauties of the Bosphorus* (1839) and *The City of the Sultan and the Domestic Manners of the Turks* (1838). An eminently forgettable work chock-full of incorrect ethnographic details intended to provide couleur locale, Pardoe’s *Romance of the Harem* includes “Song of the Greek Slave,” “Song of the Greek Lover,” and an untitled poem that was subsequently set to music by John William Hobbs as “The Song of the Captive Greek Girl.” It goes as follows:

Oh! the heart is a free and a fetterless thing,
 A wave of the ocean! a bird on the wing!
 A riderless steed o'er the desert-plain bounding,
 A peal of the storm o'er the valley resounding:
 It spurns at all bonds, and it mocks the decree
 Of the world and its proud ones, and dares to be free!

Oh! the heart may be tamed by a smile or a tone
 From the lip and the eye of a beautiful one;
 But the frown and the force with its impulse contending,
 Ever find it as adamant, cold and unbending;
 It may break, it may burst, but its tyrants will see
 That even in ruin it dares to be free!²³

A fitting allegory for Greece yearning to be free, to be sure, even if the deed was long done in 1839 when the novel was published, and still longer in 1850 or so when the song first made its appearance in London. If anything, the success of this song—its first two lines made it into John Bartlett's *Familiar Quotations*—attests to the continuing appeal of the theme of philhellenism years after Greece had achieved independence.

The phenomenal popularity of Hiram Powers' sculpture *Greek Slave*, first completed in 1844 and visited by some one hundred thousand viewers across the United States during its tour of 1847–48, is likewise testimony to how compelling the idea remained, even in slave-owning America.²⁴ As the engraving in Figure 10.2 clearly indicates, visitors included ladies from polite society and even children; despite the moralistic climate of the day, the subject's nudity was evidently offset by the moral power she exuded as a Christian woman enslaved by unbelievers in body but not in spirit—"Naked, yet clothed with chastity" in the words of one anonymous poet.²⁵ Newspapers heaped effusive praise on the work and on the artist, who, for his part, did his best to steer public opinion through pamphlets available wherever the statue was exhibited. In an interview given about the time he completed the first of several copies of *Greek Slave*, for example, Powers said:

The Slave has been taken from one of the Greek Islands by the Turks, in the time of the Greek Revolution; the history of which is familiar to all. Her father and mother, and perhaps all her kindred, have been destroyed by her foes, and she alone preserved as a treasure too valuable to be thrown away. She is now among barbarian strangers, under the pressure of a full recollection of the calamitous events which have brought her to her present state; and she stands exposed to the gaze of the people she abhors, and awaits her fate with intense anxiety, tempered indeed by the support of her reliance upon the goodness of God.²⁶

Perhaps the best known public tribute to Powers' *Greek Slave* was the 1850 poem by Elizabeth Barrett Browning:

They say Ideal beauty cannot enter
 The house of anguish. On the threshold stands
 An alien Image with enshackled hands,
 Called the Greek Slave! as if the artist meant her,
 (That passionless perfection which he lent her,
 Shadowed not darkened where the sill expands)
 To so confront man's crimes in different lands
 With man's ideal sense. Pierce to the centre,
 Art's fiery finger, and break up ere long
 The serfdom of this world. Appeal, fair stone,
 From God's pure heights of beauty against man's wrong!
 Catch up in the divine face, not alone
 East griefs but west, and strike and shame the strong,
 By thunders of white silence, overthrown.²⁷

The last line—which, incidentally, was also found worthy of inclusion among Bartlett's *Familiar Quotations*—emphasizes what distinguished Powers' work from the everyday reality of American cities and plantations: the slave's dazzling whiteness. "Man's crimes in different lands" was not enslavement per se, but the enslavement of white Christian women by Turks. Given the poet's wealthy slave-owning family, this must have been a crucial distinction, and the source of some relief.

Philhellenism also found many adherents in painting. One of the most famous works in this vein, Eugène Delacroix's *Massacre at Chios* (1824, Figure 10.4) is, if truth be told, a remarkably weak painting that pales among such masterpieces of the artist's as *Liberty Guiding the People* (1830) and *The Death of Sardanapalus* (1827). It is difficult to imagine that *Massacre at Chios* would have enjoyed the fame it has, were it not for the dramatic subject matter. Other Philhellenic works by Delacroix included a number of paintings inspired by various Byron poems, as well as *Greek on the Ruins of Missolonghi* (1826), the proceeds from whose exhibition were pledged to the effort to rescue Greek women abducted after the re-conquest and destruction of Missolonghi by the Ottomans that same year. The Greek figure standing over the ruins of Missolonghi is, appropriately enough a woman, as are some of the figures crowding the foreground of *Massacre at Chios*. Indeed, the writhing nude figure tied to the Turk's horse at the far right of the canvas precariously straddles the line between pathos and prurience—a line that was apparently not infrequently crossed in Delacroix's own mind. Her youth contrasts sharply with the old and sickly figures in the center, and her nakedness unmistakably calls attention to the rape she has just suffered, or is about to. As Joan DelPlato notes, "The figure offers a fascinating case study in the way the fear of abduction into the harem was used to provoke philhellenic sentiment."²⁸



Figure 10.4. Eugène Delacroix, *Le massacre de Scio* [The massacre of Chios] (1824). Photoengraving after the original at the Musée du Louvre, Paris.

The Macedonian Insurrection

A much less known instance of the sexualization of national conflict in the late Ottoman Balkans concerns the Macedonian insurrection of 1902–3. Though there was nothing comparable to the philhellenic movement to support the efforts of the Macedonian revolutionaries, these events did come on the heels of the public opinion storm surrounding the “Bulgarian Horrors” of 1876,²⁹ which had whipped up much anti-Turkish fervor in Britain and elsewhere. The ongoing bloodshed in Macedonia, as well as the vision of yet another Christian nation rising against Ottoman rule and pushing the Turks further out of Europe, captured the imagination of more than a few western writers and artists. Thus, one such westerner wrote that



Figure 10.5: Jaroslav Čermák's *Razzia de bachi-bouzoucks dans un village chrétien de l'Herzégovine (Turquie)* [Raid of başbozüks in a Christian Village of Herzegovina (Turkey)] (1861). Dahesh Museum of Art, New York, 2000.19.

the struggle of the Macedonian Bulgars, for liberty, was interesting, I think, because of its quaint setting, and its mingling of the barbaric colour of the East with the more sober tones of the West. Macedonia is the shadow of the Orient. The passions, hatreds, loves, and shoutings of the East, and of the old-time West, can still be found within its borders.³⁰

Building upon long-standing cultural stereotypes concerning the Ottoman Balkans—epitomized by the wonderfully over-the-top painting by the Czech artist Jaroslav Čermák in Figure 10.5—they created a significant body of works of which I wish to discuss just a few particularly striking examples.

The London-born Charles Carrington (pseud. of Paul Ferdinando, 1868–1921) was one of the most active publishers of erotica on the Continent around the end of the nineteenth and the early twentieth century. In a popular series entitled *La flagellation à travers le monde*, he brought out an imposing volume by the prolific pseudonymous author(s) Jean de Villiot entitled *Œil pour œil: Épisode de l'insurrection macédonienne* (1905). This book apparently only went through a single printing, limited to a paltry 300 copies; nevertheless, it is a good example of the conflation of war and sexuality in the context of the Balkans, and as such certainly deserves our attention. Before the novel is a lengthy Preface whose main message is that the author was in no way guilty of exaggeration in his descriptions of war atrocities; and that point is made by summarizing at length an article entitled “*Une page rouge*” by a Jacques Dhur in *Le journal* of 13 October 1903.³¹ This summary describes in painstaking detail many horrors that reportedly took place in the province of Edirne (Adrianople), including many incidents of rape:

In Koulata—a locality of 80 houses—[and] at Tchéglaïk—a small town of 100 houses—it was regular Turkish soldiers—the *asker*—who operated last August 28th. In Koulata they killed several peasants... and raped a certain number of women among whom were Tzona Ivanova, Thodora Stoyanova, and the latter's little daughter... The population of Tchéglaïk was treated in the same fashion. Among the victims of the Turks in that village were four women and eight young girls, whom the soldiers raped, then slaughtered and cut into small pieces... On the 29th, the *asker* and the *başibozuk* [irregulars] invaded Ericlaire, 69 Bulgarian houses were burned down, 40 others were looted and demolished, 45 men were killed before the eyes of their wives and children... A raid on women was undertaken for the repopulation of harems... The *başibozuk* and regulars set fire to Almadjik and massacred about 20 families. Many women and young girls were taken to Turkish houses in the aforementioned village... An old woman, Thodora, was killed, as well as 35 women and young girls whom the Turks first stripped naked, forced to dance, and then raped... Many women and young girls were raped, notably Zlasta Ioneff, Doukinia Stamatova, and the little Daphinea Stoycova. Others were directed onto the harems...

The account continues along these lines for pages on end, after which the Preface concludes triumphally with the rhetorical question: “Having read this account, how could one accuse the author of the present book of having gratified himself by indulging in a narrative of imaginary cruelties?”³²

These pieties notwithstanding, the novel tells a singularly implausible story: Thodra Ivanowna, daughter of a rural notable in Tchéglaïk, loses both her father and her new husband on her wedding day to a *başıbozuk* raid led by an Albanian warlord named Ali Pesheven, “the disemboweler of virgins”. She swears vengeance and joins the Bulgarian rebels, only to be abducted by brigands who sell her to a Frenchwoman who operates a brothel in Istanbul—where, of all things, she becomes a highly successful dominatrix! As fate would have it, Pesheven eventually comes to the brothel. Thodra, who had amazingly managed to preserve her virginity up to that point, willingly yields it to him; but at the very moment of defloration, she castrates him and avenges the deaths of her loved ones, as well as the violence visited upon her homeland and compatriots.

There is much in this novel that is factual, and even more that is fictional. For example, when Thodra is abducted by the brigands, she comes upon three Americans—a young clergyman, his mother, and a Chicago socialite named Maggy Marble trying to forget her heartache by doing God’s work among Macedonian rebels. This is no doubt based on the true story of Ellen Maria Stone, an American missionary kidnapped by Macedonian revolutionaries in 1901.³³ This kernel of truth did not, however, prevent the author from taking amusing liberties in recounting the story: we learn, for example, that Miss Marble eventually comes to find rape at the hands of her captors more than tolerable, provided that her consent is encouraged each time by a sound whipping! Another precedent, clearly fictional this time, would seem to be the well-known anonymous classic *The Lustful Turk* (1828), which ends with the castration of Ali, the Dey of Algiers, by an abducted Greek maiden. (It is worth noting that *The Lustful Turk* was published at the height of philhellenic passion.) If the symbolism behind the castration of “the Turk” is obviously the emasculation of the Ottoman Empire, this simultaneously recasts the political reality of Ottoman rule over the Balkans as a case of *sexual* domination.

All in all, *Œil pour œil* is largely built upon long-standing sexualized stereotypes of the Orient, as is made evident by the narrator’s statement that “In Constantinople one wants pleasure just as in Rome one demands saintliness” (p. 179). What makes this book of interest in the present context, however, is precisely the imbrication of nationalism and sexuality that it harbors. Let me give just a couple of examples; the first is a dialogue between the owner of the brothel and Ali Pesheven:

- Do you not get bored during campaigns?
- Not at all! said the *aga* indifferently.
- There are beautiful girls in Macedonia, eh?
- But of course! Not bad!

—I know something about that. There are here, in the house, ravishing Bulgarians. But they arrive somewhat faded... What do you do with the virgins whose fathers and brothers you have killed?

—What a question! laughed the soldier, We rape them!

—And then?

—What do you mean, and then? What the devil do you want us to do with a girl who has just been raped, sometimes by ten guys who don't much stand on ceremony, so that the fourth or fifth finds nothing more than a motionless, unconscious woman to assuage his mad hunger for love, and sometimes even a dead one, for women often succumb to those successive rapes. (pp. 170–1)

The second passage concerns Thodra's reflections:

Sadists, she had seen a long time ago; without knowing the term, she knew the thing. Those Albanians,³³ those *başıbozüks*, those damned Turks who after massacring and pillaging would rush onto Macedonian virgins, whom they forced to undergo infamous carresses among the roaring flames, in the glow of the fire, experiencing joy only by the imposition of suffering, arousing themselves by needless brutality, by violence, those people were sadists. (p. 220)

In short, the point can be made, I think, that this book blurs the line between politics and pornography. Some might argue that the political content consists of nothing more than a backdrop whose opportunistic purpose is to make the story more plausible and therefore sexually more exciting, but I think that would be oversimplifying things. Besides, even if that were the author's sole intent, the fact remains that readers inevitably brought their own cultural and political baggage to their readings of the text, and took from it lessons that they could not fail to put to use the next time they picked up a newspaper or engaged in a casual conversation on the state of the world.

A related work, this one visual, is an amazing portfolio of twelve large lithographs entitled *Balkangreuel* (1909), printed by the well-known Viennese publisher of erotica C.W. Stern. The name on the portfolio, Archibald Smith, is once again a pseudonym—the prints were the work of the gifted book illustrator Gottfried Sieben (1856–1918). Figure 10.1 features one of these prints, Figure 10.6 another. The latter contains a scene that many Europeans would have found particularly odious: four Turkish soldiers raping four young maidens inside an Orthodox church, as the priest is forced to watch. (Recall the prominence of Hagia Sophia in the rape stories that accompanied the Ottoman conquest of Constantinople.) As it happens, there is a chapter in *Œil pour œil* entitled *L'orgie cruelle dans l'église* whose subject is fairly similar, except that some of the victims in that case are boys. (Like many such books, *Œil pour œil* makes use of homophobia to accrue political capital; Thodra is abducted by a Kurd who mistakes her for a young man!) Villiot writes:



Figure 10.6. Gottfried Sieben, lithograph. Archibald Smith [pseud.], *Balkangreuel*, (Vienna: Gesellschaft österreichischer Bibliophilen [i.e. C.W. Stern], 1909).

Little boys too had been decapitated by the sword. Only a few, among the most beautiful, had been spared. The soldiers had pushed them into the church, where they were keeping the young girls under guard.

And it was there that the horde of savages, satiated with blood and pillage and now coveting other joys, were making their way.

They deliberately entered the temple of the Lord... The captives, their hands tied behind their backs, cried silently, but the little boys were screaming.

The Kurds were strolling gravely. When they found a girl or a child to their liking, they grabbed the victim at random, by the neck, a shoulder, an arm, and pulled him or her toward themselves. (pp. 69–70)

Indeed, there are enough similarities between the two works to make it at least likely that Sieben was inspired by Villiot—although to be perfectly frank, it would not take too much imagination to choreograph those scenes on one's own!

Balkangreuel is part of a well-established tradition of artistic depictions of war atrocities, and can be compared to numerous works published both before

and after it—Jacques Callot's *Les misères et les mal-heurs de la guerre* (1633), Francisco Goya's *Los desastres de la Guerra* (etched 1810–20, first published 1863), J.G. Domergue's *Le livre rouge des atrocités allemandes* (1916), Frans Masereel's *Remember!* (1946). What distinguishes it from the others, however, is that while sexuality is present in them all, *Balkangreuel* is unique in rendering sexual violence as the very essence of war cruelty in Macedonia; and there can be no doubt that this is intimately related to the “oriental” setting of the conflict. The lithographs are accompanied by an Introduction signed Herbert Stone, quite possibly yet another pseudonym (used in at least one other C.W. Stern publication): only five pages long, this text invokes the stereotype of the Balkans as a chaotic and bloody place in which “Serbs, Bulgarians, Turks, Albanians, Greeks are all colorfully and chaotically mixed together like the glass platelets in a kaleidoscope, only with the difference that no matter how much one turns it round and round, no organized picture emerges. But a primary color always shines through there: Blood!”³⁵ The supposed predilection of the various ethnic and religious groups for violence is described in broad generalizations, and then the stage is set for the artwork to follow:

The pencil of the artist was daring as he drew the following pages. It did not paint sweet, sultry love scenes for you, but rather acts of violence in which the man throws himself onto the defenseless woman just like an animal. Scenes in which the woman feels not desire but only pain and fury. As she writhes in the arms of her brutal rapist, she thinks of murder and revenge. The artist masterfully used his daring pencil to subdue or restrain his medium. Daring, cruel, and inexorable, like the men he painted.

Therefore observe seriously and with empathy these pages, and place your women in your hands as if a carpet under the feet, for the sake of their sisters down there in Macedonia. (p. 7)

It is noteworthy that neither the Introduction, nor the pictures themselves single out Turks as the sole perpetrators of sexual violence. From their distinctive attire, it is possible to identify not only Ottoman soldiers and irregulars, as well as Albanians, but also many Macedonian revolutionaries. In pirated editions of these pictures, however, the situation was very different. For example, although the booklet *Balkan Cruelties* (1916) by the pseudonymous Ophillia Pratt retained the original title as well as all the pictures, the text itself is all about the persecution of Armenians, and the villains are incontrovertibly Turks (and Kurds). Boasting a Preface by James, Viscount Bryce—paraphrased most likely without his permission from his *The Treatment of Armenians in the Ottoman Empire* (1916)³⁷—this curious publication consists of photographic reproductions of the Sieben lithographs and twelve remarkably crude poems to go with them. One reads, in part, as follows:

Oh ravished beauty, what a scene,
Was ever like in woodland green?

With back to ground, hands bound to trees,
 What chance to keep him off with knees?
 The lustful Turk is at his best,
 With beauty helpless and undressed.

When he shoved in his wicked bone,
 It felt as hard to her as stone,
 She struggled 'till her arms were sore,
 It helped the Turk enjoy her more,
 Each move she made gave greater joy,
 To him, for he could "Ride-em-boy." (Poem 7)³⁸

Another, the poem that accompanies the lithograph in Figure 10.1, includes the following stanzas:

The town was sacked and set in flames,
 With shout and shot and curse,
 A drunken-bloody Turk is bad,
 A lustful one is worse.

Full many a beauty young and frail,
 Helped feed a wild man's lust,
 And many a simple virgin flower,
 Was trampled in the dust. (Poem 11)

Another pirated version of Sieben's illustrations was *Eunuch a jiné obrázky z Balkánu* (1932), privately published in Prague in an edition of 100, with accompanying text by "J.S." Here, an entire little story (set at the beginning of the fifteenth century!) was written around each picture—the eunuch of the title, for example, is the priest in Figure 10.6, who was supposedly castrated by the merciless Turks. The book appeared at the height of postwar pan-Slavism in Czechoslovakia, and it is at the service of this ideology that it whips up gratuitous anti-Turkish sentiment in a country that, after all, had never been occupied by the Ottomans:

The poll tax and the one-tenth tax levied on crops were commonplace. To them was added violence that went unpunished—torture and the rape of women of radiant beauty, the ravishing of daughters in front of their mothers and fathers, and the abuse of wives whose husbands had died fighting. Every atrocity ending in orgies of debauched passions, as for instance happened in Old Serbia, where bestialities were made worse by the fact that all of Europe was silent, lacking the will to intervene... Turkish cruelty in the Balkans caused rivers of blood and horrible sufferings for Christians.³⁹

Since the uniforms of the Macedonian revolutionaries would have presumably been recognizable to Czech readers, scenes depicting rape by Christian Slavs are not simply passed off as the work of Turks; instead, they are cleverly explained

in the accompanying stories as instances of justified retaliation for cruelties perpetrated by Turks on fellow-Slavs!

Between pirated editions, postcards,⁴⁰ and photographic reproductions, including several in books on erotic art and literature, it is clear that the influence of Gottfried Sieben's illustrations in *Balkangreuel* was not limited to the reach of the portfolio itself. Here I might mention that there is also a mysterious series of watercolor illustrations that have been widely reproduced and are generally attributed to Gottfried Sieben.⁴¹ These depict incidents of flogging in Turkey and the Balkans, and may have been created to accompany *Die Prügelzucht in der Türkei und im Orient* [1908], published under the pseudonym "M. Sadow"⁴² (sic). However, the few copies of this work that I have managed to trace are unillustrated, and despite all my efforts I have been unable to determine whether or not that set of images was ever published in its entirety—and if so, where.

Conclusion

A political cartoon published in a Czech paper in 1897, during the Cretan crisis, shows Crete and Macedonia as two women imprisoned in one of İstanbul's legendary waterfront mansions [*yalı*]; young men clad in Greek and Bulgarian national attire have maneuvered their rowboats in front of the windows of the house, and are preparing to set the two women free (Figure 10.7). In many ways, this cartoon epitomizes the phenomenon that I have attempted to highlight here: independence struggles were gendered and sexualized, and Ottoman rule was represented as the sexual domination and subordination of women by men, thus making it possible to mobilize centuries-old gender and sexual stereotypes in the service of nationalist politics.

One of the key ingredients of the inter-ethnic and inter-confessional sexual relationships used to represent national conflict in the Ottoman Balkans was *suffering*. As Arthur Kleinman, Veena Das, and Margaret Lock have perceptively pointed out,

Cultural representations of suffering—images, prototypical tales, metaphors, models—can be (and frequently are) appropriated in the popular culture or by particular social institutions for political and moral purposes. For this reason, *suffering has social use*.⁴³

Focusing on the social uses to which suffering is put by those who were personally the victims of wartime atrocities, Arthur and Jean Kleinman have argued that the memories of their violation, and the trauma stories that voice those memories, "become the *currency*, the *symbolic capital*, with which they enter exchanges for physical resources and achieve the status of political refugees."⁴⁴ What the fictional texts and images discussed in this essay did in their time was analogous, but since they were for the most part not first-person victim testimonies, their actual function differed somewhat. Through the sexual violence they described, and the collective memories of violation they induced, these works *helped nations accrue political capital* with which they entered into—so to speak—a global

marketplace of military power characterized by imperial rivalries and jockeying for influence and territory. The stories of sexual violation told and retold in myriad poems, novels, plays, paintings, prints, and sculpture elicited political support for national independence movements by establishing victim status and thus demonstrating entitlement.

The problem with instrumentalizing sexual violence and rape in the service of politics is that metaphors are never innocent. As Pettman writes,

[t]he metaphor of rape to represent national or state humiliation... confuses the rapes of actual women with the outrage of political attack or defeat, and in the process women's pain and rights are appropriated into a masculinist power politics. Eroticising the nation/country as a loved woman's body leads to associating sexual danger with boundary transgressions and boundary defence... [P]olicing the boundaries too easily becomes the policing of women's bodies and movements.⁴⁵

In other words, the deployment of sexual violence as a political metaphor bolsters the protection racket that is chivalry: men extort the right to control women in exchange for protecting them from other men. In a compelling study of the British response to the so-called "Sepoy Mutiny" of 1857, Jenny Sharpe noted that "the *representation* of rape violently appropriates English women as 'the sex.' This appropriation takes place through an objectification of the women as eroticized and ravaged bodies." It is not difficult to imagine the social implications of such discursive strategies: stories of rape "violently reproduce gender roles in the demonstration that women's bodies can be sexually appropriated. In this regard, the meaning of rape cannot be disassociated from its discursive production."⁴⁶ Stories that recount the rape of Balkan maidens by "barbarous" Turks not only bolster racism, but they also reproduce gender by objectifying women and portraying them as natural objects of appropriation and targets of violation. As Nancy Paxton has written of colonial rape narratives, the metaphoric use of sexual violation "performed double duty": it "naturalized British colonizers' dominance by asserting the lawlessness of Indian men and, at the same time, shored up traditional gender roles by assigning to British women the role of victim, countering British feminist demands for women's greater political and social equality."⁴⁷

The stereotypes discussed here are alive and well. Tales of Balkan maidens and Turkish ravishers played an important role during the conflicts in Yugoslavia in the early 1990s,⁴⁸ no doubt going a long way towards justifying the mass rapes and other atrocities in the minds of their perpetrators. What is more, every deployment—every "tour of duty," so to speak—makes them stronger: as Bloch wrote more than eighty years ago, "One easily believes what one needs to believe. A legend that has inspired resounding actions, and particularly cruel ones, is pretty close to indestructible."⁴⁹

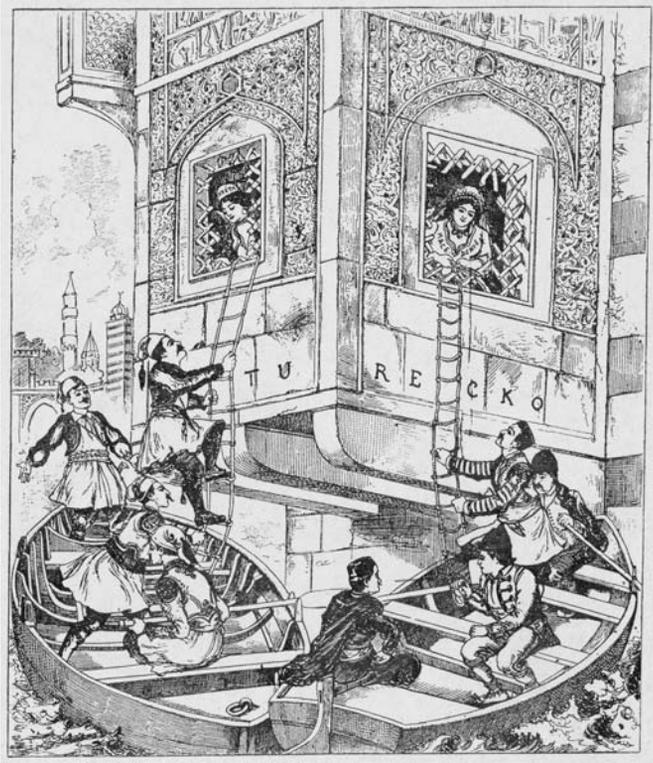


Figure 10.7. Greek and Bulgarian nationalists respectively rescuing Crete-as-woman and Macedonia-as-woman from Turkey-as-harem. Cartoon published in the Bohemian paper *Humoristické Listy* (20 March 1897). John Grand-Carteret, *La Crète devant l'image: 150 reproductions de caricatures grecques, françaises, allemandes, anglaises, autrichiennes, hongroises, bohémiennes, danoises, espagnoles, italiennes, russes, suisses, américaines* (Paris: Société française d'Éditions d'Art L.-Henry May, [1897]).

Notes

1. Bjelić and Cole 2002: 285. In a more recent context, Bjelić and Cole criticize the “sensationalistic act of ethnopornography in which a country... appears as a metonym for the universal rapist” (294). A very enlightening critical study of the projection of sexuality onto nationhood (though not necessarily in the context of war) is Mosse 1985.
2. Dühren 1901; Morin 1918.
3. The best known work on the subject is Hirschfeld 1930; an abridged English translation appeared as Hirschfeld 1937, and a third volume focusing on World War II was published in German in 1968. Less known books and pamphlets include Gallo 1912; Debenedetti [c. 1916]; Spier-Irving [c. 1917]; Vorberg 1918; Baumgarth [c. 1919]; Brunner 1922; Schoene 1925; Fischer and Dubois 1937.

4. As the following pages demonstrate, Kerstin Grabner and Annette Sprung are wrong in asserting that rape became a propaganda tool for the first time during World War I. (Grabner and Sprung 1999: 161–76.) At most, what World War I may be credited for is the unprecedented level and sophistication of its wartime propaganda. For a discussion of the “sexual fear” motif, see Schick 1999: 140–47 and the references cited therein.
5. Pettman 1996: 51. On the symbolic identity of woman and territory, and the consequent symbolic role of the trope of rape in times of war, see also Seifert 1996: 13–33.
6. Dauzat n.d.: 45, 59 (my translation). On “the micro-modifications that the message undergoes as it propagates itself,” see also Ploux 2003: 9.
7. Bloch 1921: 17, 31 (my translation).
8. The literature trying to make sense of wartime rumors and propaganda during and soon after World War I is quite large. See, e.g., Langenhove 1916; Lucien-Graux 1918–20; Bloch 1921: 13–35; Ponsonby 1928; Viereck 1930; Wanderscheck 1936; Gloag 1939; Read 1941.
9. Langenhove 1916: 198 (my translation).
10. McCarthy 1995: 62, 64. Here I am less concerned with what did or did not take place, and more with the effect the dissemination of these stories had on the political realities of the day. I might mention in passing that a counter-narrative did exist, albeit a marginal one; on Ömer Seyfettin’s novella *Beyaz Lale* (White tulip), first published in 1913, see Arslantunalı 2006.
11. See Skidmore 1935: Chapter 10. On the motif of sexualization in medieval anti-Muslim Christian polemics, see Daniel 1960: Chapter 5; Setton 1992: Chapter 1. As Daniel shows, it was not only Muslims that were sexualized in this discourse, but Islam itself.
12. Jacques de Clerq, *Mémoires*, ed. J.A. Buchon, in *Chroniques d’Enguerrand de Monstrelet* (Paris, 1826), 13: 147 (my translation); Mathieu d’Escouchy, *Chronique*, ed. G. du Fresne de Beaucourt (Paris, 1863–64), 2: 35–36; both cited in Schwoebel 1967: 12–13, where other interesting examples also appear.
13. Johannes Brenz, *Wie sich Prediger und Leien halten sollen, so der Türck das Deudsche Land uberfallen würde: Christliche und nottürfftige Unterrichtung* (Wittemberg, 1537). A full translation appears in Bohnstedt 1968: 46–51; this passage is on 47.
14. *Ein Sendbrieff darjnn angetzeigt wirt vermeinte vrsach warumb der Türck widder die Hungern triumphirt vn obgelegen hab. MD xxvij* (Dressden: Wolfgang Stöckel, 1527); cited in Bohnstedt 1968: 24.
15. Wolfthal 1999: 78–80.
16. See for example Droulia 1974; Spencer 1973; Tsigakou 1981.
17. All Byron quotes are from Byron 1905.
18. Grosrichard 1998.

19. McGann 1968: 156; Sharafuddin 1994: 247, 158. I discuss the nineteenth-century western identification of Circassians with Greeks—a spurious connection, needless to say—in Schick 2004: 97–104.
20. All Hugo quotes are from Hugo 1944.
21. I have discussed the ubiquitous theme of captive Christian women and their Muslim/Turkish masters—and the various functions their captivity narratives played in western thought—in the Introduction to my annotated anthology, Schick 2005.
22. Anon. [1828]: 5–6. Other page numbers in the text.
23. Pardoe n.d.: 150.
24. On the strained relationship between Powers’ *Greek Slave* and slavery in America, see Nelson 2004: 167–183. For a discussion of public reception to Powers’ *Greek Slave*, see Kasson 1990: Chapter 3.
25. The poem was reportedly published under the initials “H.S.C.” in *The Knickerbocker Magazine*; it was reprinted in the pamphlet Anon. 1848: 19.
26. Lester 1845: I: 88.
27. “Hiram Powers’ ‘Greek Slave’.” ([Browning] 1900: 198.)
28. DelPlato 2002: 93; more generally, on the figure of Greek harem women in orientalist painting, see 90–103.
29. William Ewart Gladstone’s notorious pamphlet *Bulgarian Horrors and the Question of the East* (Gladstone 1876), which was first and foremost an opportunistic tool with which to attack the Disraeli government, did much to create violently anti-Turkish sentiment in Britain; see, e.g., Harris 1939. A good example of the hysterically racist discourse that followed is Freeman 1877.
30. Smith 1908: v–vi.
31. I thought initially that this may be a spurious reference, but it is genuine. I am very grateful to Ozan Yiğitkeskin for tracking it down and providing me with a copy.
32. Villiot 1905: vi–xx (my translation). Other page numbers in the text.
33. See, for example, Sherman 1980; Carpenter 2004. The latter is a readable, journalistic account; one could, however, take issue with the characterization of this incident as America’s “first” modern hostage crisis: after all, the Barbary Wars were fought precisely because Americans had been taken hostage, and the early nineteenth century would be considered “modern” by most historians.
34. In this book, as elsewhere, non-Turkish Balkan Muslims (e.g. Albanians) as well as other Muslim subjects of the Empire (e.g. Circassians, Arabs, and Kurds) are often depicted as mere proxies for the Turks.
35. Introduction by Herbert Stone in Smith 1909: 3 (my translation). Other page numbers in the text.
36. In fact, this arbitrary change of context is far from unique. Although Jaroslav Čermák’s painting in Figure 10.5 was situated squarely in Herzegovina when

- first exhibited at the Paris Salon in 1861, its engraving is titled “Episode of the Massacre in Syria”! (Strahan [c. 1880]: 1: plate 137.)
37. Cf. Bryce 1916: xxi.
 38. Pratt 1916.
 39. Smith and J.S. 1932: 6–7. I am grateful to Ivan G. Schick and Mirna Šolić for their help with Czech texts.
 40. For example, Brunner (1922: 84) mentions postcards intended “to incite the soldiers against the Turk” that circulated in the Romanian army during World War I. He describes six of the postcards and reproduces one, and although he appears unaware of Sieben’s *Balkangreuel*, it is clear that the images to which he refers were all taken from there.
 41. I must say that the style of these images appears to me to be very different from—and quite a bit less refined than—Sieben’s; however, all the books in which they are reproduced attribute them to him. In any case, here is a list of all the images in this set that I have found to date, and where they appear: A harem scene in Institut für Sexualforschung in Wien 1928–31, 3: 697; another harem scene in Englisch 1932; an Arabian scene in Welzl 1929: 75; a Balkan scene in both Welzl 1929: 96 and Institut für Sexualforschung in Wien 1928–31, 2: 848; and another Balkan (?) scene in Welzl 1929: 152. In addition, I have recently acquired a period photograph of an apparently unpublished harem scene from this series stamped on verso “ARCHIV D. INST. F. SEX. FORSCHUNG WIEN,” for which I am most grateful to Isabelle Azoulay.
 42. This book was published as the first volume of the series *Die Disziplin bei allen Völkern. Eine Geschichte der Körperschaften aller Nationen*. It is organized in two parts, one on corporal punishment and cruelty in Turkey—notably in the harem—and the other on the Balkans. I am only aware of one other volume in the series, on corporal punishment in Russia.
 43. Editors’ Introduction in Kleinman, Das, and Lock 1997: xi, emphasis added.
 44. Kleinman and Kleinman 1997: 9–10, emphasis added.
 45. Pettman 1996: 49, 51.
 46. Sharpe 1993: 66–67, 120.
 47. Paxton 1992: 6.
 48. This is perhaps not the place to delve into recent politics. Interested readers are referred to the following sources for examples of sexualized war propaganda rooted in the material discussed in the present essay: Gutman 1993: ix–x, quoting Milovan Milutinović; Cigar 1995: 70, quoting Nada Todorov; MacDonald 2002: 268, quoting Nikola Marinović.
 49. Bloch 1921: 28, my translation.

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Women in Ottoman Bosnia as Seen Through the Eyes of Luka Botić, a Christian Poet

Mirna Šolić

for Frka

During the first decades of the nineteenth century, Croatian literature was heavily influenced by a long-standing folk tradition that had transformed centuries of struggle against the neighboring Ottoman Empire, and the concomitant burdens of life at the “bulwark of Christianity,” into the negative figure of “The Turk.”¹ Indeed, the genre of “*hayduk*-Turkish” stories that first emerged during the 1850s continued to draw a line between Christianity and Islam, exalting *hayduks*. Christian folk heroes who had been engaged in the fight against Turkish cruelty became a symbol of Croatia’s historical importance as the defender of Christian Europe. Indeed, as Antun Barac has argued, the literature of the 1850s had nothing to offer except for stereotypical images of Turks. Fueled by canonized patterns of hatred, it called for the extinction of everything Ottoman. And not many authors, Barac concludes, succeeded in finding inspiration elsewhere, or in freeing themselves from the literary fashion that was “red with Turkish blood.”²

The propagation of folk tradition, including the “*hayduk*-Turkish stories” mentioned above, was a typical feature of the nineteenth-century Croatian national, political, and cultural revival known as the Illyrian movement (1830–60). Influenced by other similar national movements—especially those in Central Europe—a young generation of intellectuals belonging to the emerging bourgeois class (Ljudevit Gaj, Stanko Vraz, Ivan Kukuljević, Janko Drašković, and others) relied on the populist character of the folk tradition in order to address all the benefits of political and cultural unification for economically impoverished Croatian lands, politically fragmented within the Habsburg Monarchy. To substantiate the natural and political rights of Croats to unite, they based their romantic nationalism on the pseudo-historical construct of “Illyria,” a mythical land of indigenous pre-Slavic inhabitants (whom they falsely considered ancestors to Slavs) existing on the territory of the Balkan Peninsula.

This was not just a nineteenth-century phenomenon *per se*, however, but also a continuation of a centuries-long tradition of Croatian and pan-Slavic political thought³ focusing on the need to integrate Croatian lands: Dalmatia (which was a Venetian colony until 1797, and then, briefly ruled by Napoleon, became an “inherited” part of the Habsburg Monarchy separated from other Croatian lands); “Vojna krajina,” a hinterland military region established by the Habsburgs in the vicinity of the border with the Ottoman Empire; and finally Croatia proper (the northern part of present-day Croatia) with Slavonia. Cultural unification was primarily based on education—the creation of a national literary scene and the fight against widespread illiteracy in order to raise national awareness. Another crucial part of the Illyrian movement’s political and cultural program was the establishment of a standard linguistic idiom that would mediate between people separated by different dialects and also prevent further denationalization. In the northern part, Hungarian authorities were persistently trying to impose Hungarian as the official language, while in Dalmatia, political groups were lobbying for a return to Italian cultural constructs reflecting centuries of Venetian colonial influence.

The unification of the northern Croatian provinces with Dalmatia was crucial for the development of a Croatian national consciousness. Dalmatia was known for its rich cultural tradition which placed Croatia on the cultural map of Europe. In opposition to its rural hinterland, Dalmatian coastal towns such as Zadar, Šibenik and Split, and the islands, together with the Ragusan Republic (which was paying dues to the Ottomans for its independence), had been the centers of flourishing humanist, Renaissance, and Baroque culture from the fourteenth century to the seventeenth—until disrupted by political changes in the eighteenth century. The literary, philosophical, and artistic achievements of that period were considered the highest Croatian contributions to European culture, and consequently proof that Croatia belonged to the Christian and western Mediterranean cultural heritage. Moreover, a bilingual literary tradition, the existence of a highly developed linguistic norm, and a rich tradition in translation provided fertile ground for further language standardization.

From the literary point of view, a need for cultural preservation was articulated in the fifteenth-century works of Marko Marulić—considered the father of Croatian literature—represented by the feminine notion of *baščina* (heritage). *Baščina* is a translation of the Latin term *patria* (homeland), but in contrast to its Latin equivalent (the neutral synonym of *patria* would be *domovina*) this word was consciously chosen by Croatian authors for its semantic reference to the cultural aspect of belonging, and refers to their perception of Croatian identity and nationhood based on shared cultural (Christian and European), rather than national and political, commonalities.

Croatian authors used the metaphor of *baščina* not only to express their concern for the cultural heritage that had been jeopardized during Ottoman rule or as the result of the political fragmentation of the land, but also to criticize their fellow-citizens who neglected their own language, history, and culture. Furthermore,

since this noun was grammatically feminine, *baščina* was the point around which traditional techniques of gendering in literature developed, especially in territorial representations. As Annette Kolodny remarks, “gendering the land as feminine was nothing new in the sixteenth century. Indo-European languages, among others, have long maintained the habit of gendering the physical world and imbuing it with human capacities.”²⁴ In the Croatian context, for example, the Renaissance poet Petar Zoranić—whose views I shall discuss in detail later on—personified the mountains surrounding Split as feminine, paradisiacal landscapes where the importance of heritage was revealed to him by naked nymphs dancing and cavorting with each other. Another example of gendering the land can be found in the whole tradition of Croatian pastorals, which, in contrast to its Italian literary counterpart (upon which it relied), is highly political. In the pastoral entitled *Dubravka* (1628), for instance, the Baroque poet Ivan Gundulić created Arcadia as an imaginary space of freedom in the hinterland of Dubrovnik in order to stress the dire external (Turkish conquests) and internal (conflicts among the city-state’s patriarchs and social classes) problems that could threaten the independence of his town.

Returning to the folk tradition of the Illyrian movement, “*hayduk*-Turkish” writings represented only one side of a two-fold approach to folk literature written at the time, as Barac points out: “by the sweat of their brows,” Croatian writers and philologists did their utmost “to establish the illusion of a Croatian short story.”²⁵ Carried by pan-Slavic idealism, intellectuals and writers of the Illyrian movement intensified cultural links with other Slavs (especially Czechs, Slovaks, and South Slavs) and embraced a new approach to folk poetry based on ethnographic research, travel, and first-hand experience, rather than imitation of already established canons.

In that pre-Romantic era, it was the cultural heritage—rather than the military past—of the Dalmatian rural region that was re-discovered and praised by numerous foreign travelers. Alberto Fortis, an Italian cleric with scholarly interests in biology and other natural sciences, is perhaps the most famous among them. Fortis was the first to portray the idyllic life of the Morlak highlanders, and to record the famous Bosnian Muslim love poem *Hasanaginica* in his *Viaggio in Dalmazia* [Journey in Dalmatia] (1774). Croatian intellectuals and clergy followed his example. During the 1830s, the Croatian bishop Josip Juraj Strossmayer called for the recording of folk poetry as an attempt to preserve cultural and national identity. Animated by the idea of cultural and political brotherhood with other Slavs, especially those living under Ottoman rule, Croatian writers started traveling to Ottoman Bosnia. They replaced established folk patterns with documentary accounts of the life of the common people, their habits, traditions, and folk songs. The negative image of “The Turk” slowly diminished, but at the same time Bosnia became an exotic “other.” Indeed, it was romantically re-discovered by Croatian intellectuals in imitation of western European writers who were investing “The East” with imagined eroticism and exoticism.

My thesis is that the Croatian romantic re-discovery of its cultural heritage through travel and an interest in folk poetry cast a new light on the traditional historiography and literary canon—especially in terms of the representation of otherness and gender—that established a rigid boundary between the Ottoman and Dalmatian (Croatian) cultures. The newer comparative ethnographic approaches, historiographic research, Ottoman studies, as well as research into literature written in multicultural border areas such as Dalmatia focused on the existence of cultural currents and the sensibilities generated therein, and defined the border zone “not as a boundary line, but as a territory or zone of interpretation between two previously distinct societies.”⁶

In *The Ottoman Empire and the World Around It* (2004), a survey of the links between the Ottoman Empire and the surrounding political powers, Suraiya Faroqhi has focused on the multitude of ways in which, during times of peace with its neighbors, the borders of the Empire became permeable, thus enabling both diplomatic and everyday communication with the outer world. She has analysed the importance of the border regions in terms of their links with the imperial center, and their specific geopolitical and cultural significance for the Empire. In terms of Ottoman-Dalmatian encounters, Faroqhi argues that despite numerous wars, the Ottoman Empire maintained links “closer than with any other state of Christendom” with Venice. Thus, the Dalmatian towns under Venetian jurisdiction were not only military outposts for control over the Adriatic, but, together with the Ragusan Republic, also vivid and important centres of exchange, trade, and diplomatic contact between the Empire and Venice.⁷

Concerning the historically dynamic background of the border region, we may argue, as I shall demonstrate later, that literary works written in this area are in a sense the “geopoetic representation” of the border which “acts as a barrier generating cultural conflict and as a bridge promoting respect for cultural difference.”⁸ Applied to the context of the Dalmatian-Ottoman border, such literary works show how Christian and Islamic cultural environments, social codes, and norms were interwoven in literature and everyday life.

Surprisingly, the new Romantic-Illyrian approach to the folk heritage also revealed a lack of factual and historical knowledge about Ottoman Bosnia. The writers that subscribed to this approach often stressed that the aim of their travels was to enlighten their fellow Croats on the subject of Bosnia. For instance, Matija Mažuranić’s travelogue *Pogled u Bosnu* [View into Bosnia] (1844) is a stylized documentary and lyrical description of Ottoman Bosnia. The author often imitates a mixture of “Illyrian language” and Turkish words, or rather Bosniak—*bošnjački* as he calls it.⁹ In the preface to his travel piece, Mažuranić stated that the purpose of his journey had been to introduce his readers to Bosnia, which remained neglected due to a lack of historical knowledge, inadequate communication channels, and the constant striving of Croats for cultural belonging to western Europe. In his words,

From that time, it seems to me, we [Croats] have not turned back. Rather, always looking at the West, we have learned more about Germans, Italians, Frenchmen, and Englishmen than about ourselves; and about the rest of the world we found out only as much as we were able to learn from our close neighbors, who, of course, know almost nothing of Bosnia. But does it have to be like this forever? Is it not time that we turn back and take the shortest way to see the condition of this part of our Illyria?¹⁰

Luka Botić (1830–60), on whom I shall be focusing here, is another writer who recorded Bosnian folk traditions, thus making the “Bosnian experience” the basis of his writing. A Croatian poet born in Split, Botić was inspired by Illyrian ideas concerning the cultural and political unification of all Croatian lands. Moreover, he typifies what Noreen Grover Lape calls “double consciousness,” a faculty inherent in writers existing in “border zones” through either a bi-cultural heritage or immigration, to articulate the difference, to “confront the tension between open and closed frontiers—the struggle to continue or to terminate culture contact.”¹¹

Because of his “double consciousness,” Botić went even further than Mažuranić in his literary discoveries: he not only used stylized language that was closer to elements of Bosniak, but he also interpolated different literary traditions that evoked new meanings in folk tradition as well as new perceptions of literature and life in the border zone. Botić’s “double consciousness” rests in his ability to merge different traditions: knowledge of the Croatian (Dalmatian) literary heritage, Dalmatian folk ballads that he had heard (just like Fortis) in the hinterland of Split, and Bosnian folk traditions.

Botić traveled from Bosnia to northern Croatia at the invitation of Josip Juraj Strossmayer, and returned with the idea of the co-existence between Christianity and Islam through love. In his four short works *Dilber-Hasan* (1854), *Pobratimstvo* [Brotherhood] (1854), *Bijedna Mara* [Miserable Mara] (1861), and *Petar Bačić* (1862), Botić describes love between young Muslims and Christians. More importantly, through different social and artistic conceptualizations of the feminine, he offers a vivid image of Ottoman Bosnian women as seen through social rituals and folk poetry. As I will show, Botić consciously interpolated gendering concepts and the communication patterns of Bosnian folk poetry with the Croatian literary canon that he had culturally inherited. He also experimented with and confronted representations of gender and otherness as articulated in Croatian literature. Furthermore, he delved into a writer’s ability to immerse himself in another culture that he naturally observes as an outsider. Finally, as Tin Ujević remarks, Botić was obsessed with Bosnia. This obsession is represented in his works through the “exotic feminine” typical of other Romantic writers, of whom he dreamt in the Mediterranean Renaissance town where “East reaches the sea”:¹²

With a virginal soul, Botić experienced his own version of romanticism in the relationship between Christianity and Islam. Romantics looked to Spain; Botić found that Spain in Bosnia. ... In Spain, the East was still very

much present in Muslim architecture, symbolized by Moorish crescents, but only as a memory. In Bosnia, however, the East remained an untouched reality.¹³

No matter how abstract and stylized they may be, writes Maja Bošković-Stulli, these folk poems nevertheless reveal the actual social relations that existed, and the part that women played in them. Without this element of artistic stylization, “the folk poems would not be transmitted and performed.”¹⁴ This transmission through stylization is present, to different degrees, in each of Luka Botić’s four main works. All his stories except one are more or less related to real historical events. *Pobratimstvo* is the only lyrical story without a historical basis; in it, Botić describes the love between a Muslim aristocratic girl, Ajkuna, and a Christian, Radmilović Mijo, using the social pattern of “brotherhood” [*pobratimstvo*] characteristic of the ballads and folk customs of the time. The plot of *Petar Bačić* is situated in 1537, when the Turks conquered Klis (near Split) and became a genuine threat to the town. The translation of a sixteenth-century chronicle accompanying the ballad describes this fourth year of the war as one of “the worst for Dalmatia.”¹⁵ However, the religious conflict between Islam and Christianity is replaced by the theme of social injustice among Christians, and praise for the brotherhood between Januš-beg, a Muslim, and a Christian called Petar. *Dilber-Hasan*, the only piece written in prose, is another portrayal of friendship between a Muslim and a Serb on the eve of the second Serbian uprising against the Ottomans in 1806. It is also a vivid and stylized description of the writer’s experiences in Ottoman Sarajevo, and of love between a Muslim and an infidel. Finally, *Bijedna Mara* features the unhappy love of Mara and Adel (and Melka’s love for the latter). From a linguistic and metrical point of view, it is the most complex of the four.

The finest portrayal of the Ottoman context, and, by extension, of Bosnian-Ottoman women, is the artistic incorporation of *sevdalinka* (from Turkish *sevda*, meaning love), the typical love poems of Muslim Bosnia from that period. Botić used them extensively in his work because, as a type of love poetry, they represented an aestheticization of daily events and the interaction between men and women in Ottoman Bosnia. The development of this lyrical form, according to Munib Maglajlić, is inextricably linked to the specific features of flourishing Bosnian towns during the most fruitful phase of the Ottoman presence there (between the sixteenth century and the Austro-Hungarian occupation in 1878), characteristic of rapid urban development as well as artistic and literary achievements. The towns developed according to the “oriental cult of water and greenery,”¹⁶ a term Maglajlić uses to emphasize the historical and cultural contrast between old medieval fortifications as the form of confined town structures, and urbanistic principles characteristic of the new settlements scattered loosely and built in close proximity to water and nature.

As Maglajlić points out, the social position and role of Muslim women became an important element in the construction of urban space. Divided into private (in

Turkish, *harem* or *haremlik*) and public (*selâmlık*) spaces, the houses resembled those of the ruling Ottoman circles. However, the difference between the public and private in relation to gender, as defined by Western theories, should not be fully applied to Ottoman society.¹⁷ As Leslie Peirce suggests, Ottoman urban space was established on different principles of authority, and the public/private division was replaced by a distinction between “the privileged and the common, the sacred and the profane—distinctions that cut across the dichotomy of gender.”¹⁸ The privileged, therefore, became “private” and the common “public”; in other words, “private” meant power.

Peirce’s analysis of the different relations among gender, power structure, and the organization of urban space casts new light on the social role and influence of women in Ottoman society. In contrast to traditional views, she emphasizes the fact that women actually had more power in the domain of communication than was previously thought. For instance, the “hidden” power of women in the ritual of courting is a typical aspect of *sevdalinka*: a girl would stand behind a latticed window [*demirli pendžer*] and engage in dialogue with the man who was courting her. This was called *ašikovanje* (from the Turkish *âşik*, meaning lover), and such courting was common among the members of the lower classes.¹⁹ The hidden girl’s role was privileged in this form of communication: she was able to see the man with whom she flirts, and could even decide whether or not he was suitable for her.

On the other hand, men were deprived of direct visual contact with women. They mostly heard of a girl’s beauty through gossip or rumors spread by other women who had seen her. The concept of visibility therefore became socially significant as it represented “inner power”; it played a crucial role in the socially important ritual of *ašikovanje* and the performance of *sevdalinka*.

In Botić’s work, and especially in *Bijedna Mara*, the *sevdalinka* is presented as a pattern of communication in which the event, the actors, and the setting are interlinked. First, singing is the only way for the young Adel to properly articulate his love. A desperate feeling of love and longing accompanies him from the very beginning, when he meets a poet on his way to Split from neighboring Klis, at the time a Turkish stronghold. This poet is a healer (he is collecting herbs) as well as his alter ego: he is supposed to heal Adel’s heart with a song. The song he sings is a dialogue in verse performed at an imagined meeting with a loved one. It is also a representation of the wait and the journey to see one’s beloved. Furthermore, the poem reveals another important characteristic element: the aestheticization of everyday events.²⁰ Botić recreates it in six-syllable verses:

Da me hoće draga
Zdravo dočekati,
Zdravo dočekati,
Milo pozdraviti:
Što mi носиš, zlato,
iz tog Klisa tvoga? —

If my darling wants
 to soundly welcome me,
 to soundly welcome me,
 to kindly greet me:
 what will you bring me, my precious,
 from that Klis of yours? —

*Ja ti nosim, dušo,
Rumenu jabuku,
I nosim ti, dušo,
Dulsije vodice,
I nosim ti dušo,
Srce obranjeno.*

I am bringing you, my darling,
a ruddy apple,
and I am bringing you, my darling,
perfumed rose-water,
and I am bringing you, my darling,
a safeguarded heart.²¹

The plots of the first three works by Botić mentioned above are set in the broader Balkan and Mediterranean area, while in *Bijedna Mara*, the conflict and love story take place in the very heart of Split. The story is based upon an actual historical document. Botić's ballad is a poetic interpretation of one of the regular reports sent to the Venetian dukes. Dated 8 April 1547, this report by a Venetian functionary informed the rulers that a Turk had allegedly abducted a Christian girl. However, it had turned out that both the girl and the young man had invented the story in order to hide their love for each other. The writer of the report compared this story with a similar event that had happened in 1546 when Mara Vornić, a girl from a well-known aristocratic family, fell in love with Adel, a young "Turk" who used to come to a bazaar in Split to sell his goods.

As expected, their love was predestined to end tragically: Mara's parents did not approve of the relationship; Mara died in a monastery, and Adel married a Muslim girl. The writer of the document recorded the love song of a young "Turk"—actually a Bosnian Muslim—who sang it in a bazaar "*slavjanski*" or "in the Slavic manner." The song is not versified, but just retold by the writer. Botić translates it as follows:

A Turk caught sight of our dove. I am the Turk. Your face is whiter than my wax, and nicer than roses I strained. The Turk caught sight of our dove. I am the Turk. I heard her when she talked, her mouth is sweeter than my honey. Your dove has a nicer figure than my horse. When he sang, the Turks said, smiling: it is love.²²

The various discussions of the origin of the song sung at the bazaar in Split have traditionally analyzed different cultural influences, casting some light on the mutual interconnections between what are typically seen as two distinct and separate cultures. Jakša Ravlić, for instance, has suggested that the song probably belongs to a Dalmatian folk tradition, brought there by Slavs as early as the tenth century.²³ However, analyzing the social patterns surrounding the performance, Munib Maglajlić has questioned Ravlić's theory, claiming that the song performed in the Split bazaar in the middle of the sixteenth-century Ottoman-Dalmatian conflict is in fact the first *sevdalinka* ever recorded. "Taking everything into consideration," he writes, "the Bosniak Adil, who is unhappily in love, is also the first known *singer*, and also probably the first known *poet* of *sevdalinka* and Muslim oral literature in general."²⁴

Maglajlić's analysis supports the thesis of the existence of channels of communication and human contact on an everyday basis between Christian towns

and the Muslim-Ottoman hinterland.²⁵ Most importantly, he has demonstrated, through the poetic modification of historical documents, that at the time when Marko Marulić established the traditional metaphor of Turks as invaders from the East in his *Molitva suprotiva Turkom* [Prayer against Turks] and in *Judita* (1501), his versified Biblical story of Judith, the two cultures mutually co-existed at the level of everyday life.²⁶ Setting the story of inter-religious love (based on a historical document) at a time when the negative representation of Ottoman civilization had been established, Botić's poetical revision of the sixteenth-century text becomes a revision of the dichotomous structure established by the Croatian literary canon.

Ašikovanje is probably also inspired by the real courting that the author witnessed on his journey through Bosnia. *Ašikovanje* was still sung in Bosnia even at the beginning of the twentieth century, when the Croatian writer Antun Hangi vividly described it. He considered it one of the most important social rituals of Bosnian Muslims. The scenes he portrayed and songs he recorded were performed under a girl's window. All have similar dialogic, stylistic, and semantic structures, using a characteristic vocabulary, puns, metaphors, and comparisons. In his romanticized descriptions, the absence of any physical touch is also remarkable, because love is experienced through seeing or a longing to see.²⁷ Botić uses a similar pattern: Mara is shy and embarrassed at the sight of Adel, whereas for Adel the song is the only way of expressing his feelings:

<i>U Turčina đulvodica</i>	A Turk's rose-water
<i>Slatko miriše;</i>	Smells sweet;
<i>Al' je ljepša djevojčica,</i>	But a girl is nicer,
<i>Ljepša od ruže;</i>	Nicer than a rose;
<i>A ja Turčin ginem za djevojkom,</i>	And I, a Turk, am pining for a girl,
<i>Za djevojkom krotkom golubicom!</i>	For a girl, a gentle dove! ²⁸

The concept of longing, waiting, and seeing serves as an initiation to the actions of all of Botić's characters. Melka, a Muslim girl who represents Mara's rival, is also in love with Adel, although she has not seen him. Being the daughter of an Ottoman aristocrat, Melka at first sight represents a woman isolated from the world outside of her room. The portrayal of Ottoman girls and their surroundings is a typical example of romantic exoticism—while the Christian environment is depicted through stylistic forms drawn from the history of literature. The room is described as a private feminine space, with the typical and traditional figures of exotic Oriental beauty:

<i>Al' u sobi i jest teke čudo:</i>	Oh, there is just a miracle in the room:
<i>Svi gospodski sazi i nakiti</i>	Only luxury carpets and ornaments
<i>Naokolo sobu zaodjeli,</i>	Clothe the room on all sides
<i>Pram prozoru suncu pritvorenom</i>	Towards the window left ajar for the sun,
<i>Na mekijem dušecim kadife,</i>	On soft velvet mattresses,
<i>Na visokim svilnijem blazinjam,</i>	On lofty silk blankets,

Srebrom, zlatom sitno izvezenim Embroidered with fine silver and gold,
Leži sama sumorna djevojka. Lies a somber girl alone.²⁹

The setting in which Melka appears for the first time resembles what is a very frequent opening scene in the ballads of Bosnian Muslims: a girl sitting alone on the window sill, doing her handywork, and longing for her loved one:

Vezak vezla Melka na pendžeru Melka sat by the window knitting
Vezak vezla, sjetno uzdisala. Knitting her knitting, sighing wistfully.³⁰

The one for whom Melka longs is Adel. She has learned of his beauty and heroism from her brother Omer's stories. Omer, however, tries to explain to her the uselessness of her pain and longing for one whom she has not seen—in a word, the entire paradoxical notion at the heart of *sevdah*:

Al' odavna sad ne viđam Adu, Oh, how long I've not seen Ado,
Nit je momak tebe kad vidjeo. Nor has the lad ever seen you.³¹

Omer therefore tries to convince her to stop longing for him. He stresses shyness as a virtue, and the impossibility of love for the unseen one as the essence of *sevdalinka*.

The concept of shyness as a feminine virtue in a patriarchal society is, as Hatidža Krnjević has pointed out, one of the main motifs in the ballads of Bosnian Muslims, and thus of Ottoman Bosnian Muslim women. She considers it the crucial tragic psychological element in *Hasanaginica*, the most famous of all such ballads.³² *Hasanaginica*'s bashfulness destroys her life, but in Melka's case shyness disappears as soon as she finds salvation from her current state—the poet-healer comes to her room and tells her that Mara, her rival, has entered a monastery.

Melka overcomes her shyness very easily and proves capable of using her entire patriarchal, social, and family network to lure Adel into marrying her. First, there is her brother Omer who decides to help her because he is outraged by her sorrow. His anger at seeing his sister's pain opens the gate of the patriarchal household. The subordinate role of the sisters in comparison with their brothers did not mean that they could not count on the latter's absolute love and protection; on the contrary, compared with the role of the husband, for instance, the role of the brother had the importance of "a born [blood] relationship."³³ In many instances, a brother also served as a replacement for the patriarchal role of the father. The affectionate relationship between brothers and sisters is not only typical for Ottoman Bosnia, but also for other regions of the Ottoman Empire. Giving the example of eighteenth- and nineteenth-century Nablus, at the time part of the Ottoman Empire, Judith Tucker has argued that in the absence of a father, there was the brother on whom women could count in case of divorce or the death of their husband.³⁴

New insights into family relations during the period in question call into question the direct applicability of western notions of patriarchy to Islamic culture,

without taking into account local, historical, social, and economic circumstances. Although the mother's role was not equal to the father's in the public sphere of the patriarchal system, recent theories argue that the family structure was established on the principle of hidden matriarchy within the marital relationship, since women had powerful positions within the household, dealing with marriage arrangements and even legal issues, traditionally considered part of the public—and thus masculine—domain. As Tucker has noted, instead of “a crude patriarchy in which an all-powerful male head of family imposed absolute submission on women, be they wives or daughters, [court material] suggests that women's lives encompassed a number of affective family relationships.”³⁵ Not only did mothers occupy the central position of protectress in the emotional life of their children, but upon reaching the age of seniority and thus becoming experienced, they gained power over new female family members, such as daughters-in-law, to the extent that they became female “patriarchs”; in many cases they would serve as replacement for a daughter-in-law's own mother, and would assume the traditional kinship responsibility of protecting her honor.³⁶

In *Bijedna Mara*, we find this role shouldered by Adel's mother, whose influence and social position work in Melka's favour. As Hatidža Krnjević has argued, Bosnian Muslim ballads developed the theme of the mother in myriad ways, frequently featuring a “bad” mother who, because of an excessively passionate nature, wants to harm or even kill her children; there was also the mother who falls victim to unfavorable external circumstances.³⁷ A very common motif in these kinds of ballads is that of the mother who warns her son that her milk, the symbol of his blood and existence as well as of their relationship, will be cursed if he disobeys her wishes. Furthermore, in relation to the potential bride or wife, the mother acts as the “mother of the son” or “mother of the husband of a young woman,” a privileged position in the hierarchical structure of the family.³⁸

An example of a young girl who tries to use the mother to attract the son is explicitly given in *Petar Bačić*. Mejra, a young Muslim girl, flatters and entertains Petar's mother who awaits her son and hopes that he will return alive from battle. Mejra uses the mother's weakness and anxiety, and tells her about spells that she cast the previous night in order to protect her son from swords and guns. She offers the mother sweets and other gifts, and runs away at the sight of the Ottoman army coming back, begging her not to forget her good deeds:

<i>Pa da vidiš ljepote djevojke!</i>	And if you see a beautiful girl!
<i>Ona s' maši u svileno krilo,</i>	She reaches into her silk lap,
<i>Iz krila mi vadi đakonije</i>	From which she takes out delicacies
<i>Od samog meda i šećera,</i>	Of pure honey and sugar,
<i>Pa mi nudi Bačićevu majku,</i>	And offers them to Bačić's mother,
<i>Svojom rukom nudi i zalaže.</i>	With her hand she offers and feeds her
<i>Starica se brani i otima</i>	The old woman defends herself and
	pulls away
<i>U nevolji, u žalosti svojoj;</i>	In her misery, in her sorrow,

<i>Djevojci se otet ne mogaše,</i>	She cannot say no to the girl,
<i>Niti njenom silnom silovanju,</i>	Neither to her powerful violence,
<i>Niti njenom milom milovanju.</i>	Nor to her kind tenderness.

...

<i>Zavikali umoreni Turci</i>	The tired Turks yelled
<i>Dogoneći plijen ispred sebe;</i>	Driving booty before them as they went;
<i>A Mejra mi lagana djevojka</i>	And Mejra, a slight girl,
<i>Skočila je od zemlje na noge:</i>	Leapt up from the ground on her legs:
<i>'Pozdravi mi svog sina Bačića,</i>	Greet your son Bačić,
<i>I nemoj me, majko, ostaviti,</i>	And don't leave me, mother,
<i>Nemoj mi se iznevjerit majko!</i>	Don't betray me mother! ³⁹

Finally, a mother was actively involved in the search for a potential bride and in negotiations and arrangements for the marriage. As a woman, she was involved in communication with the bride and with other female members of the family, and her approval was sometimes crucial for stability within the family. Just as “the connection between mother and son was a vital political bond throughout Ottoman history” in imperial and ruling families,⁴⁰ so was it decisive for the well-being of all the members of an “average” family as well.

In *Bijedna Mara*, Adel's mother is concerned about the state of her son, seeing that he enjoys the poetic isolation implicit in playing the *saz* (a string instrument traditionally used for performing *sevdalinka*) and the melancholic mood created by *sevdah*. She knows that he suffers from love, but she also carefully reminds him of his responsibilities, and says she expects him to care about his family and to get married. The importance of his marriage is further stressed by the fact that his father has died, and that there is no male member to lead and protect the family. His mother wisely offers him her mediation in finding the proper bride from the wealthy families among their friends and acquaintances:

<i>Mnogo puta smislih da ti kažem</i>	Many times have I thought to tell you
<i>Pa sve srcu odoljeh do danas,</i>	And until today I have resisted my heart
<i>Zašto mi se ne ženiš, sinko?</i>	Why don't you get married, my son?
<i>Po tvojoj mi čudi djevu kaži</i>	Choose a girl according to your likes,
<i>Prijatelja glavnijeh imamo,</i>	We have important friends,
<i>Nadaleko dosta jih imamo,</i>	Enough of them we have all around,
<i>A imamo božjeg blagoslova,</i>	And we have god's blessing,
<i>Mnogijeh se stiditi ne moraš,</i>	You need not be ashamed before them,
<i>Pa da t' majka isprosi djevojku!</i>	Your mother can ask for a girl for you! ⁴¹

At long last Adel's mother finds out that the source of his pain is his dead beloved; but knowing that there is also another one waiting for him, she decides to arrange a meeting. Pretending to be full of compassion, she wisely supports him in his sorrow, patiently waiting for the moment when he will be ready to think about the girl she has secretly chosen for him:

<i>S njom se mlađan slatko namlakao,</i>	The lad cried sweetly to her,
<i>Njoj je tužan rane pootkrivo.</i>	Sadly he revealed his wounds to her.
<i>Al majka mudra bješe glava,</i>	But the mother was a wise woman,
<i>Ne će ništa prigovoriti sinu,</i>	She addressed no reproaches to her son,
<i>No sve žali za mrtvom djevojkom,</i>	But still he mourned for a dead girl,
<i>Dok je svoga osvojila sina.</i>	While she had won over her son. ⁴²

When the moment comes, Adel's mother invents a story that Melka is their relative, and that she had been left alone after her mother, Adel's maternal aunt, supposedly died. She praises her beauty, and considers her socially suitable for her son. She tells Adel that she is going to visit her and help her choose a future husband. Adel decides to marry her right then and begs his mother to help him get her only for himself. The melancholy and longing of *sevdah* disappears as Adel submissively obeys the will of his mother and bows to tradition:

<i>Idem sine, da ja vidim Melke,</i>	I am going, my son, to see Melka,
<i>Evo meni glasi učestali,</i>	Frequently do I hear the voices,
<i>Navalili prosici njenom ocu,</i>	The suitors hasten to her father,
<i>Mnogi prosici iz mnogijeh strana,</i>	Many suitors from the four winds,
<i>Kažu, dizdar hoće ćer udati;</i>	Saying the captain wants to marry his daughter;
<i>A ja ti se bojim za siročče,</i>	But I am afraid for the poor orphan,
<i>Udat će se i prevarit će se,</i>	She will marry and will bewail,
<i>Bit će ljuba, srećna ne će biti.</i>	She will be a mistress, but not be happy. ⁴³

Adel's decision also signifies a sudden discontinuity with the melancholic mode of a tragic love ballad. However, it is not true that the unexpected decision means an artistically inappropriate and weak choice of ending, as some critics have suggested.⁴⁴ Although events surrounding Mara's and Adel's love form the ideological centre of the plot, the ballad begins with a description of Melka's pain and love for Adel, and ends with their marriage. In this context, Adel's love for Mara and her tragic destiny is the central part of the story. But it is also the main obstacle (as the love between a Muslim and a Christian) to the fulfillment of the traditional customs and the social environment typical of the sixteenth-century Dalmatian-Ottoman hinterland.

If Melka is a representation of an Ottoman-Bosnian woman, Mara, whose tragedy and death are the real sources of the ballad, is portrayed as a typical pious Christian. Although involved in the courting game of *sevdah*, she belongs to the "Christian" framework of narration. In contrast to Melka, Mara is a passive suffering character, without developed psychological features. Mara's pain ranges from the suffering typical of the *sevdalinka* to the religious suffering that she endures in the monastery because of her betrayal of family and tradition. The influence of Christian moral principles is evident in the fact that the poet absolves Mara of sin before her father, stating that her purity had been preserved because

Adel did not touch her. Moreover, he tries to explain that Mara did not even talk to Adel, that the only communication between them had been *visual*:

<i>Djevojka je vidjela Turčina,</i>	The girl saw the Turk,
<i>Ma da š njime govorila nije,</i>	Though she never spoke to him
<i>I to može da grijehu vodi;</i>	That could also lead to sin;
<i>Al' nije l' ga jadna iskajala,</i>	But hasn't the poor girl atoned for it,
<i>Što je srcem svojim ratovala,</i>	In battling with her heart,
<i>I na volju silnom što ne dade?</i>	And not surrendering to its powerful will? ⁴⁵

The Christian cultural model and the principle of suffering (caused by passion and love) can best be described by comparing it with the articulation of suffering in *sevdalinka*, where the religious framework diminishes, and passion alone becomes a self-destructive element:

<i>Jesam li ti govorila, dragi:</i>	Haven't I told you, my darling:
<i>"Ne ašikuj, ne veži sevdaha!"</i>	"Don't court, don't sing about love!"
<i>Od sevdaha goreg jada nejma,</i>	For there is no greater misery than love
<i>A žalosti od ašikovanja.</i>	And greater sorrow than serenading. ⁴⁶

The description of Mara's inner struggle, and the lack of any psychological features that would affect plot development, point to the influence of renaissance and baroque imagery in Luka Botić's works. Botić relied not only on the tradition of folk art in Dalmatia and Ottoman Bosnia, but also on the history of Croatian and Italian literatures.⁴⁷ The allegorical theme of the fallen maiden or son, and the notion of suffering in the desert or monastery, are typical of the baroque style generally, and of Croatian baroque in particular. Typical examples include Ivan Gundulić's *Suze sina razmetnoga* [Tears of a prodigal son] (1622) and Ignjat Đurđević's *Mandaljena Pokornica* [Mandaljena repentant] (1728). Being a romantic writer, however, Botić avoided baroque allegorical and metaphorical structures, using only the concept of suffering and the Christian notion of sin to portray Mara's inner struggle between her love for Adel and the pain of seeking forgiveness from her family. Just as Adel's tradition triumphs over his love and he marries Melka, Mara dies believing that her family will never forgive her:

<i>Glavom kreće nesretna djevojka:</i>	The miserable girl bows her head:
<i>Nek s' ne mole Bogu da ozdravim,</i>	They should not pray to God for my recovery,
<i>No za dušu moju neka mole,</i>	But they should pray for my soul,
<i>Da Bog skine s moje duše grijeh,</i>	So that God shall absolve it of sin,
<i>I da skine kletvu roditeljsku!</i>	And from the curse of my parents! ⁴⁸

Moreover, the Christian and patriotic concept of the feminine is visible not only in the notion of sin and suffering, but also in the description of the specific geographical location where the action takes place. Botić devotes the central space of the bazaar in Split to the love scene, as well as Adel's attempts to approach the

Vornić family house. But his descriptions of the landscape mainly focus on the portrayal of the Split hinterland, especially the mountain of Mosor which has traditionally served as the poetic symbol of the town. Romantic descriptions of the mountains originate once again in the tradition of Croatian literature that brings into close relation the political notion of patriotism and femininity in the imagined mythological world of Arcadia, located in the real geographical environment.⁴⁹

<i>Što zlo nije, pjesniku se smije</i>	All that isn't ill-natured smiles at the poet
<i>I veselo igra oko njega,</i>	And merrily dances around him,
<i>Kao što mu se jutros na uranku</i>	Just as this morning, with the early-rising sun,
<i>Sva priroda od zemlje do neba</i>	All nature did, from the earth to the sky,
<i>Bajna, čarna, vilinska i rajska,</i>	Fabulous, miraculous, fairy-like and ethereal,
<i>I ponosna sa krasote svoje,</i>	And proud of her own beauty,
<i>U toj divnoj spljetskoj okolici.</i>	In those beautiful surroundings of Split. ⁵⁰

Descriptions of meetings with nymphs originate not only in the Croatian literary tradition, but also in folk literature, since nymphs and experiences of nature are elements of the shared Mediterranean folk heritage.⁵¹ Moreover, Botić's description of Marjan and the motif of the wandering poet point directly to the renaissance poet Petar Zoranić, whose travelogue *Planine* [Mountains] (1536) is considered the first Croatian novel. Botić's imagined version of the real sixteenth-century poet Franjo Boktulića wanders through the Split hinterlands and helps those who suffer, while Zoranić's Zoran undertakes a journey from the coast to the mountains in order to meet Dejanira (after whom the mountain range of Dinara is named), a nymph who will free him from the suffering caused by his love. On his way to meet Dejanira he encounters many miraculous events, meets and talks with mythological shepherds, listens to stories of unhappy love, and finally encounters the nymph Hrvatica (meaning "Croatian female") who will liberate him from love's suffering and show him the true meaning of life: to care for the Croatian cultural heritage that has been neglected under Ottoman rule.

Exile into Arcadia becomes a patriotic revelation of the importance of taking care of the "heritage"—or *baščina*, as Zoranić names it. This not only has political meaning, but it also points to the need to preserve culture, literature, and language, which, according to him, remained neglected and therefore defenseless. Moreover, the shepherds in the idyllic landscapes of the mountains lament about wolves that kill their herds. The wolves are, of course, the Turks, since the metaphor also extends to people—especially the feminine aspect:

<i>Tvoji peharnici</i>	Your cup-bearers
<i>drže u uzi i tamnici,</i>	keep in chains and gaols,
<i>čiste divice,</i>	pure virgins,
<i>tvoje zaručnice,</i>	your betrothed,
<i>prez stida oskrvniše.</i>	shamelessly desecrated. ⁵²

Finally, in sharp contrast to the subtle sensuality of the *sevdalinka*, there is the open eroticism of the landscape, described as the struggle or intermingling of the masculine and feminine principles, characteristic not only of high art but also of folk poetry. In his own footnotes, Botić etymologically described the toponyms in these ballads, explaining their origins and meaning. He thus applied the same literary mode as was characteristic of his literary predecessors, but also explicitly eroticized the landscape of the mountains:

<i>Živa slika nebeskijeh vrata,</i>	Like a vivid image of the heavenly gates
<i>Rascvala se zora nad Mosorom,</i>	Dawn had blossomed upon Mosor,
<i>Vedra, mila, sjajna, plamenita,</i>	Serene, loving, radiant, and blazing,
<i>Prelila se po prostranom nebu</i>	She poured over the wide heavens
<i>Kao sunce u šarenu dugu.</i>	Like the sun onto a colourful rainbow.
<i>Suncu ne da pomoliti lica,</i>	She did not let the sun show his face,
<i>Hoće svoju ljepotu da kaže;</i>	It was her beauty she wanted to reveal;
<i>Al sunce, muško, preko nježne</i>	But the sun, a male, shed
<i>Svoje sv'jetle trake prebacuje</i>	His tender rays of light
<i>Po Suđurđu i starom Kozjaku</i>	Upon Suđurđ and ancient Kozjak
<i>I po surom goletnom Marjanu.</i>	And upon a barren and rugged Marjan. ⁵³

In a Christian environment, it seems that the only final solution for the love between a Muslim and a Christian is death and reconciliation with the social norms established by tradition. The love stories *Pobratimstvo* and *Dilber-Hasan* have different possible endings, again influenced by the folk mode but also by romantic and real-life encounters: abduction, escape, and conversion. These phenomena all exist in the ethnographic literature about Ottoman Muslim Bosnia, and they are related to the impossibility of attracting a loved one belonging to another faith or social upbringing. They all represent pressures on the older generation to allow the marriage to take place, an outcome that actually does happen after an initial period of disapproval. Antun Hangi has mentioned cases of abduction and escape even from the beginning of the twentieth century, providing a first-hand account of the persons who were involved in them. This proves that abduction was not necessarily a violent act or solely an act involving two people in love, but that it was pursued with the help of the community, and sought its approval:

If parents forbid a daughter to marry a man whom she loves and whom she has, either publicly or secretly, courted for a long time, or to whom she has promised herself, she resorts to planning her own kidnapping, either personally with him, or through a reliable woman. On a particular day and at a particular hour, usually late at night, the girl goes to a spring with buckets, as if she were going to get some water. At the spring her sweetheart waits for her with a couple of his friends, and takes her to his home. ... For a long time the girl's parents remain angry with their new son-in-law and their disobeying daughter, and therefore for some time neither he nor she is

allowed to appear before them. But finally the parents give in, and reconcile with them.⁵⁴

In *Pobratimstvo*, Ajkuna, an aristocratic Muslim girl, is in love with Radmilović Mile, a Serb from the Bosnian town of Trebinje captured by her father. Ajkuna is a very common name in Bosnian Muslim ballads, and its use is functional—referring to the established stylistic pattern of the ballads—rather than referring to a real historical personality. Likewise in *Petar Bačić*, Kumrija is the name of one of the servants, and this is also a very common name in Bosnian Muslim ballads. Moreover, the poetical exaggeration in the description of the landscape of Skadar is more fictional than real, serving as a lyrical framework for her escape with her loved one:

<i>Na pendžeru bi s' Ajka naslonjala,</i>	Ajka would lean on a window-sill,
<i>Gledala bi sunce na zahodu</i>	She would watch the sunset,
<i>Gledala bi Bojanu pod Skadrom,</i>	She would watch Bojana under Skadar,
<i>Kako Skadar u njoj s' ogledava</i>	How Skadar reflects itself in her
<i>Sa svojijem vitijem munaram</i>	With its slender minarets
<i>I hiljadu bijelijeh kula.</i>	And a thousand white towers. ⁵⁵

Ajkuna escapes with Mijo and follows him on his way back to Trebinje. Ajkuna's escape, however, does not resemble a true secret escape, but a long ritual of farewell (common in Bosnian Muslim ballads) typical for the bride who leaves her house in order to join her future husband and continue her life with his family. Ajkuna dresses herself in her most beautiful garments and adorns her hair. Moreover, she says farewell to her mother and ponders upon her previous life, recalling memories of the past and capturing particular details of the place where she spent her childhood and youth.

In *Dilber-Hasan*, from a desperate and romantic need for escape, abduction turns into a violent act—that of getting Sofa, a Serbian beauty living in Ottoman Sarajevo. As Botić describes it, Sarajevo is close to its representation in historical texts and quite romantic, as seen through the eyes of an outsider and a poet. In contrast to *Bijedna Mara* and Christian Split, Sarajevo is described as more lively, mainly through witty and humorous dialogues, without the ideological literary framework common in the history of Croatian literature. The notion of song becomes here the central concept and link between Hasan, a talented coffeeshop owner who entertains his guest with his love ballads and humorous songs, and a girl from Laatinluk, the Christian part of the town. Hasan bets that he can attract Sofa with his singing, even though the local Muslims try to persuade him that love between a Serbian woman and a Muslim man is not possible. Hasan also befriends a young Serb named Pavel who, being a singer as well, admires his musical talent. Hasan becomes a metonym for the Christian perception of Ottoman culture: like Adel and in contrast to the Christian female character he is sensual, open, artistic, and courageous in publicly announcing his love. As was the case with Mara in the context of Catholic Split, in Ottoman Sarajevo Sofa falls in love with

Hasan under the spell of the *sevdalinka* sung under her window and the ballads featuring unhappy love also performed by Hasan. She feels their power and magic touching her inner self. Just as in Catholic Split, songs in Ottoman Sarajevo have a tremendous and fateful communicative power, representing the moment in a girl's life when she decides to leave the family house for an insecure future:

And that evening Hasan and Pavao came under her window and sang only that tender song about Abdul and Fatima. But inside herself, Sofa felt the fate of that song. Alas, where is now her first innocent and blessed peace in the laps of her brothers and her parents, whom she now wants to leave forever?⁵⁶

Sofa tries to resist her passion because—like Mara—she fears God. Moreover, she is aware of the social and traditional sanctions against inter-religious marriages. However, she overcomes her passive role as the sufferer and agrees with Hasan's idea of escape as the only possible solution to overcome the cultural codes and regulations:

If Hasan had converted, he could not have stayed in Sarajevo because of the Turks. And nor could Sofa, in the embrace of a Turk, because of her parents. ... Hasan sang about numerous cases in which two lovers escaped to Dalmatia, and he, miserable except for his love and his songs, did not have any other guide in life. Sofa resisted the idea of escape, but only with tears and sighs; and the more she gave in to that reckless and terrible thought from day to day, the more the poor girl sighed and wept in her sick heart. Would she not have been more confident if she had not heard the sad, unhappy tale of Fatima and Abdul?⁵⁷

The plan turns out to be unsuccessful and culminates in tragedy, because Hasan's rival Avdaga unexpectedly kidnaps the girl and hides her in a house outside of Sarajevo. The act of kidnapping follows, from a narrative and thematic point of view, the typical pattern of traditional folk poetry and beliefs. It features a character who assumes a disguise and contains stereotypical, orientalist elements such as the racist caricature of an "Arab" servant who has a monstrous smile; his appearance brings out the latent religious fear of the superstitious kidnapped girl:

What a beautiful prayer then, full of fear and hope, humility and faith poured from that soul! ... At that moment the door creaked and the Arab's head appeared: his face was black and shiny, his eyes two sparkles, his lips turned out, his nose curved, his hair ragged, and his teeth small and white. It was as if the girl saw the devil himself in that image.

The two different notions of abduction, one linked to *sevdalinka* and the other to the exoticized, orientalist vision of Bosnia, point to the tragic conflict at the base of Botić's work: no matter how much the two cultures influence each other in terms of everyday life, they remain two opposite traditions. *Dilber-Hasan*

ends tragically, like all of Botić's works. Hasan is killed, and Sofa marries Pavel in accordance with Hasan's wish. Botić's experiments with establishing links beyond traditional norms prove to be unsuccessful.

Tragic endings are not uncommon in literature dealing with inter-ethnic and inter-religious love affairs. John McBratney has discussed such endings in the context of Rudyard Kipling's fiction of miscegenation, where the author "revealed the same ambivalence about the hybrid as his Anglo-Indian contemporaries: a fascination with the transgressive allure of 'miscegenation' combined with a profound fear of the instability brought about by racial mixture."⁵⁹ McBratney argues that the instability does not necessarily originate simply from the the fear of the biological degeneration of the white race in contact with other races (as was claimed by the late eighteenth- and nineteenth-century racial theories he discusses), but also from the fear that the new "hybrid" race could seriously endanger and subvert British imperial rule in India. Thus the British (and in some instances also Indian) imperial structure imposed sanctions against miscegenation, and sabotaged inter-racial couples' attempts to create for themselves a "felicitous" or "casteless" space, "an enclave in which the distinctions that normally divide white from black are temporarily suspended."⁶⁰ Applying this analysis to Botić's poems, it is mainly the Christian (and thus Croatian) social structure that undermines attempts to create such a space, as it feels threatened by the prospect of mixing with the hostile culture of the Ottoman invaders. Thus, in *Bijedna Mara*, the punishment for the interracial love affair is for Mara to spend the rest of her life in a monastery, an isolated space structured according to Christian religious ideals. On a more subtle level, the Ottoman-Islamic social structure also prevents the intermingling of different religions: Ajkuna has to escape from her parents' house in order to join her Christian lover, and Hasan has to leave Bosnia in order to be with Sofa.

Finally, conversion seems to be the last resort for lovers belonging to different religions to be together. As historians have shown, the practice of conversion to Islam was relatively common in the territories occupied by the Ottoman Empire; the theory of forceful conversion and massive colonization by the Turks, however, has been revised by more recent research which has shown that conversion was largely motivated by the wish of many "infidels" to enjoy certain social and political privileges. In her study of the Ottoman conquest of the island of Crete, which had been a stronghold of the Venetian Republic in the Eastern Mediterranean, Molly Greene has shown the political, social, and cultural consequences of this historical event for the town of Candia. Because of its maritime location, history, and culture, as well as certain other Mediterranean characteristics, the intermixing of different cultures in Candia and Crete strongly resembles that in Split and Dalmatia. Greene compares the historical phenomena of the conquest of the Balkans with that of Crete, analyzing different examples of conversion, and describes the relationships between converts, Christian and Muslim.⁶¹ Finally, using Crete as an example, she criticizes the prevailing notion

that there were no mixed marriages, analyzing court documents to discuss the nature of some of the relationships between men and women:

Both the court documents and travelers' accounts show that mixed marriages were not uncommon, facilitated by the fact that Islamic law permits the marriage of a Muslim man with a Christian woman (but not the reverse). These Muslim-Christian unions did not take place in isolation, outside of society, but in fact received the imprimatur of important institutions. From the court records we know that the Muslim courts had no objection to registering these marriages. Even on the Christian side there is evidence that the church—admittedly at the low level of the village priest—was willing to bless these marriages.⁶²

Conversion and the possibility of mixed marriages as seen through Botić's interpretation of folk poetry and knowledge of the Croatian literary tradition do not, however, exactly parallel Greene's historical accounts of the island of Crete. Botić portrays conversion as simply a method used by men to marry the woman of their choice, showing how both men and women were aware that conversion to another religion was the only possible solution to their problem. In that sense, Botić's work echoes the "wedding and rescue" songs discussed by Albert Lord, but it also calls into question Lord's thesis according to which conversion was exclusively undertaken by women.⁶³ Indeed, in Botić's work it is always the man who converts. The explanation of this phenomenon could lie in Botić's Christian (and patriotic) ideology, as well as his emphasis on tradition and his patriotic concept of the feminine—women had to be protected from any kind of conversion, especially cultural or religious. In *Bijedna Mara*, Mara desperately hopes that Adel will convert to Catholicism, since everything happens in the "Christian geographical domain." In fact, Adel was supposed to convert to Christianity, but he could not go through with it; after a period of mourning for the loss of Mara, he marries the Muslim girl. In *Petar Bačić*, Mejra expects that Petar will convert to Islam:

*Miruj, Mejro, srditi se nemoj,
Hoće tebe utješiti majka,
Ti ćeš svojoj ozdraviti majci.
Mladi će se Bačić poturčiti,
Kaursko će ime ostaviti,
Mi ćemo mu tursko izbirati,
Krasno ime Omer-beže mladi,*

*Pa ćemo mu tebe pokloniti,
I zvat će se dizdarovim zetom,*

A ti, Mejro, Omer-begovica.

Be still, Mejra, and do not fret,
Your mother wants to comfort you,
For your mother you shall recover.
Young Bačić will become a Turk,
He shall renounce his infidel name,
The Turkish one we shall choose for him,
A beautiful name, that of

young Omer-bey,

Then we shall give you to him as a gift
And he shall be called the
captain's son-in-law

And you, Mejra, the wife of Omer-bey.⁶⁴

It is possible that Botić borrowed the motif of conversion from Bosnian Muslim ballads in which, as the Czech ethnologist Ludvík Kuba has noted, the lover's desire is so strong that it makes the "Turk" convert to Christianity.⁶⁵

Although Mejra flatters Petar's mother in order to obtain her help in mediating with Petar, there is no conversion. First, Petar is in love with Jelka, a Christian girl; and second, as a pious Christian (and Croatian), Petar Bačić does not want to betray his religion, cultural tradition, and beliefs in order to gain the privileges granted to "Turks." However, he is the victim of an injustice within his own community: his social status and poverty prevent him from marrying Jelka. She is already engaged to a Venetian aristocrat whom she goes to meet clad in black attire instead of wedding clothes, thus expressing her sadness for the loss of Petar. Because of this element of social injustice, the end of the ballad is romantic and tragic and is set on the open sea towards the Venetian side, far away from Split. Petar's brave attempt to kidnap his beloved is unsuccessful: Venetian guards kill him and take back the girl.

In conclusion, our analysis of the different patterns of representation of the feminine in the work of Luka Botić places the ballads of this nineteenth-century Croatian writer in the broader ideological, political, and aesthetic context of European romanticism. Moreover, because historical documents were used as a pretext and basis for their construction, Botić's ballads offer an image of everyday life on the border between the region of Dalmatia and the Ottoman Empire. They demonstrate the mutual co-existence of these two political and cultural systems, the Christian and the Islamic. This approach departs from the notions established by traditional historiography, which has argued for a strict and rigid boundary between the two societies. Finally, by using different modes of writing including folk as well as "high" literary traditions, Botić portrays Ottoman Bosnian women in different social contexts and as playing an active role in social rituals. However, his poetic and ideological prism remains that of an outside observer. Indeed, no matter how much he tried to immerse himself into another cultural code and different traditions, Botić remained faithful to his Christian vision of the world, and its specific aesthetic and political traditions.

Botić's fascination with Bosnia is a stylistic exploration of the culture hidden in the hinterland of Split and beyond the borders of the Habsburg monarchy and the Ottoman Empire. The ideological underpinnings of his re-discovery of Bosnia are linked to the pan-Slavic ideas of the Illyrian movement as a specific, local cultural and political variation of European romanticism. Like many Croatian intellectuals of his time, Botić traveled to Bosnia and recorded the customs and traditions of the Muslim Slavs living just beyond the border of the Christian Habsburg Empire. Yet Botić's artistic interests led him further than the everyday-life and documentary approach established by the Croatian travelogue writers of his time. Not only did he record folk customs and poems, but he also infused his writings with Turkish and Arabic words in order to depict the culture of Bosnian Muslims. He used different literary traditions and modes of writing to describe the life of the people of the region, especially the women. Finally, and

most importantly for our subject, through lyrical descriptions of the feminine in particular social contexts and situations, he showed the extent to which the two cultures—Islam and Christianity—mutually interacted and influenced each other, yet remained separate for their own historical reasons.

Although Botić saw Ottoman Bosnian women through the eyes of a Christian poet and a romantic writer, he cast new light on their social roles through an alternative reading of the social codes as presented in folk poetry. Through the artistic use of folk material, he showed that Ottoman Bosnian society did not quite follow traditional western notions of private/public in relation to gender, and how women had quite an important role within the structure of patriarchal society. Although the power of women was limited in the public world, they—and mothers in particular—were privileged and influential within the intimate boundaries of their own households. They were involved in some of the most important moments of family life, such as marriage arrangements. They were also responsible for the survival and good standing of the family, as well as the emotional life of their children and even that of adult male family members—who, in return, respected and protected them. Finally, living in a society where contact with men outside of the family were restricted, they created internal networks consisting mainly of women.

Botić moreover approaches Ottoman Muslim (but also Christian) women through the use of the *sevdalinka* as a unique Bosnian form of love poetry. As part of the social ritual of courting, the *sevdalinka* reflects the development of the Ottoman features of Bosnian towns and urban culture. Botić uses the *sevdalinka* as a pattern of communication and a particular way of expressing feelings of love, longing, and desire. In a way the *sevdalinka* represents the essence of Botić's obsession with Bosnia and of the particular Bosnian spirituality that he sensed during his travels to the northern parts of Croatia. The communicative nature of the *sevdalinka* became important for those who participated in this social event based in song, both in Ottoman Sarajevo and in Christian Split. Moreover, sung in the bazaar of Split, the *sevdalinka* became the main connection between the two cultures, and culturally represented the penetration of the "other" (in this instance, Islam) into the very center of the well-defined Roman-Slavic-Christian world.

The *sevdalinka* also initiated possible ways for lovers of different religions to unite, such as through abduction, escape, and conversion. These three phenomena were recorded not only in folk poetry but also in cultural studies and historical annals. They were present to varying degrees in different regions of the Ottoman Empire, as well as in the Ottoman and Venetian Mediterranean. As Botić portrays them, women were not at all helpless and passive, but rather took part in these romantic actions together with the broader community. The man in Botić's works is always the one who converts in order to be united with his beloved—though it must be remembered that Botić wrote from the position of the "outsider" Christian poet: the characters' wish to convert or their unsuccessful attempts at abduction and escape were influenced by traditions and religious backgrounds that proved to be stronger than love.

Finally, Botić's portrayal of landscapes plays an important role in the representation of the feminine in his work. On the one hand, his description of the Dalmatian hinterland was strongly influenced by artistic modes taken from the history of Croatian literature. Here, Botić drew heavily on renaissance and baroque poetry, and its ideological use of folk traditions and notions of Christian piety. He also drew on the romantic links between patriotism and the feminine, or rather between *baščina* and eroticism. The absence of any description of Catholic Split is interesting and significant, as it points to Botić's intense preoccupation with Bosnia whose Ottoman culture penetrated Split's very center through the songs sung in the bazaar. On the other hand, Ottoman Sarajevo was portrayed through a highly stylized language characterized by the use of words of Arabic and Turkish origin, and through vivid dialogues and songs close to the desirous character of the *sevdalinka* and the Muslim ballad. But tragic love between members of different religions is a leitmotif in both: Mara dies a Christian martyr, and Sofa marries a Christian after Hasan's death.

Notes

1. Davor Dukić's study of the figure of the "rival" in Croatian historical epics and oral epic poetry may be applied to the "*hayduk*-Turkish" genre. According to Dukić, a large number of folk poems may be reduced to only a few *sjuzet* patterns, consequently leading to the creation of a dichotomous structure in which the narrator belongs to "us" (Christians), in opposition to "them" (Turks). (Dukić 1998)
2. Barac 1947: 13.
3. The beginnings of the nineteenth-century movement can be traced back to the fourteenth century in Croatian literature and political thought (Juraj Šižgorić, Vinko Pribojević, Juraj Križanić, Mavro Orbini, Pavao Ritter Vitezović, and others). Due to mythological anachronism, the Slavs not only became "Illyrians," but the South Slavic languages were also termed "Illyrian," often confused with "Croatian" or just "Slavic." The question of Illyrianism thus became a question of identity. As Trpimir Macan has argued, nineteenth-century Croatian intellectuals preferred the term "Illyrian language" over "Croatian" since the latter denoted the inhabitants of the region surrounding Zagreb who used the so-called *kajkavian* idiom—regionally limited and thus unsuitable to become the common standard idiom of Croats and other Slavs in the wider area of the Balkans. (Macan 1995: 135.)
4. Kolodny 1975: 8.
5. Barac 1947: 11.
6. Lamar and Thompson 1981: 7.
7. Faroqhi 2004: 141.
8. King 1966: 125.
9. Mažuranić 1965: 229.
10. *Ibid.*, 189.
11. Lape 2000: 22.

12. Ujević 1965: 163.
13. *Ibid.*, 156.
14. Bošković-Stulli 1984: 234.
15. Botić 1949: 339.
16. Maglajlić 1983: 15.
17. It is important to note that the western private/public dichotomy is not monolithic either, and that it has been widely criticized especially by feminist theorists. For instance, Nancy Duncan has taken issue with this rigid distinction, arguing that “both private and public spaces are heterogeneous and not all space is clearly private or public.” (Duncan 1996: 128.) The application of binary distinctions to non-Western society has also been part of the feminist critique. In her discussion of women in Middle Eastern cultures, Cynthia Nelson has criticized the depoliticization of space through the establishment of binary distinctions, and the limited knowledge of ethnographers “who, by virtue of their foreignness and maleness, have had limited if any access to the social world of women.” (Nelson 1974: 553.) Julie Marcus refers to the world of the harem, imagined in the West as “the hidden world of the Muslim women,” as serving as the ultimate projection of sexual fantasies that accompany the dichotomy of private and public. (Marcus 1992: 92)
18. Peirce 1993: 8.
19. Maglajlić 1983: 16.
20. *Ibid.*, 55.
21. Botić 1949: 110.
22. *Ibid.*, 179–80.
23. Ravlić 1970: 70.
24. Maglajlić 1983: 13.
25. Faroqhi 2000: 16.
26. Like the currents in folk poetry, a dichotomous concept recurred throughout the centuries in Croatian literature, especially in the context of the “anti-Turkish obsession which nurtured the older Croatian literatures.” (Prosperov Novak 1996: 186.) However, this traditional notion was also often challenged, for instance in the epic poem *Smrt Smail-age Čengića* [The death of Smail-aga Čengić] (1846), written by the Illyrian writer Ivan Mažuranić, where the figure of the Turkish aristocrat is modified in favor of his moral qualities. That the “anti-Turkish obsession” remains an undercurrent resurfacing in times of historical upheaval—in both Croatia and Bosnia—is evidenced by the fact that, during the recent war in Bosnia and Herzegovina (1992–95), it emerged in the works of some Croatian authors as ignorance of the Muslim culture of Bosnia—for example in the collection of essays *Što sam rekao o Bosni* [What did I say about Bosnia] (1995) by Ivan Aralica.
27. Hangi 1906: 151.
28. Botić 1949: 116.
29. *Ibid.*, 110.
30. *Ibid.*, 100.

31. Ibid., 101.
32. Krnjević 1973: 271.
33. Erlich 1966: 123.
34. Tucker 1991: 248.
35. Ibid., 250.
36. Kandiyoti 1991: 33.
37. Krnjević 1973: 174.
38. Ibid., 195.
39. Botić 1949: 273.
40. Peirce 1993: 27.
41. Botić 1949: 119.
42. Ibid., 172.
43. Ibid., 177.
44. For instance, Jakša Ravlić sees Adel's decision to marry a Muslim girl as an ideological, aesthetic, and psychological disharmony in relation to the main idea of *Bijedna Mara*. (Ravlić 1949: 19.)
45. Botić 1949: 134.
46. Maglajlić 1977: 20.
47. Ravlić notes that foreign influences came implicitly through other works of Croatian literature. Among important influences, Ravlić mentions Torquato Tasso, Tommaso Grossi, and especially Alessandro Manzoni and his views on the historical novel in *Del romanzo storico e in generale dei componimenti misti di storia e di poesia* (1845). (Ravlić 1949: 20.)
48. Botić 1949: 158.
49. The feminization of land and landscape is discussed in the works of several literary theorists; see for instance Smith 1970; Kolodny 1975: 84; Heyne 1992.
50. Botić 1949: 138.
51. Bošković-Stulli 1999: 89.
52. Zoranić 1988: 192.
53. Botić, 1949: 139.
54. Hangi 1906: 164–66.
55. Botić 1949: 61.
56. Ibid., 377.
57. Ibid., 375.
58. Ibid., 389. The “Arab servant” mentioned by Botić is probably a black African. Just as Bosnian Muslims were known as “Turks” in the South-Slavic literary tradition and ethnic definitions, in Turkish “Arap” is often used to denote blacks. The presence of blacks in the Balkans may be explained from both a historical and a folkloric point-of-view. Historically, Africans were one of ethnicities present among Ottoman troops, and that is how they came into contact with inhabitants of the Balkans. In folklore, the motif of blackness, and the conflict between black and white, occur very frequently in the Mediterranean and thus in the Dalmatian tradition, symbolizing the

fight between good and evil, and, by extension, between Christianity and Islam. One of its variations is *Moreška*, a traditional war-dance which was performed all over the Mediterranean. In Dalmatia, it has been preserved on the Dalmatian island of Korčula. The dance came to Korčula in the sixteenth century when the island was a Venetian colony, probably from Italy or—through Venetian mediation and trade—from Spain. Etymologically, the word *Moreška* comes from “Moorish,” and the dance was originally inspired by the fight of Christian Spain against the Moorish “infidels” and the victory of Christianity that resulted in the expulsion of the Moors from Spain. The version of this folk drama performed on Korčula departs somewhat from the original principle of inter-religious conflict; rather, it features a conflict between two ethnic identities. Instead of Christian and Islamic knights fighting over a captured maiden, Osman—a white king and a metaphor for the traditional local inhabitants—tries to liberate Bula, a young Muslim maiden, from Moro—a black king who, judging by his name, is a folkloric intruder (a Moor), and thus an ethnic “Other” on the Dalmatian coast.

59. McBratney 2002: 63.

60. *Ibid.*, 68.

61. Greene 2000: 78–110.

62. *Ibid.*, 105.

63. Lord 1991: 194.

64. Botić 1949: 250.

65. Kuba 1953: 643.

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Missing Husbands, Waiting Wives, Bosnian *Muftis*: *Fatwa* Texts and the Interpretation of Gendered Presences and Absences in Late Ottoman Bosnia

Selma Zečević

On the 19th day of the month of Safer in the year 1187/1773, a clerk of the Imperial Chancery in İstanbul copied the text of an imperial decree into the *Ahkâm-ı Bosna* [the book of imperial orders regarding Bosnia]. As indicated in the heading of this imperial order, the decree had been sent to two cities and two dignitaries of the Ottoman province of Bosnia (*Eyalet-i Bosna*). One copy had gone to Topal-oğlu Gazi Osman Pasha, the province governor¹ whose seat at the time was in the city of Travnik,² and the other to the judge of Sarajevo, İzmirli Mehmed Emin Efendi, a problematic judge who was dismissed from his post shortly thereafter.³

The decree concerned a Muslim woman named Nizama from the city of Sarajevo in the province of Bosnia, who had earlier that year undertaken a journey to İstanbul to present a grievance to the Imperial Council. According to the short transcript of the case recorded in the copy of the imperial decree, Nizama was a married woman whose husband Bektaş Alemdar had left their hometown of Sarajevo without providing his wife with alimony [*nafaka/nafaqa*] that would enable her to support herself during his absence. Although the decree does not describe the circumstances of Bektaş's trip, the fact that he had not left alimony for his wife may imply that he had not planned to extend his absence from Sarajevo for more than a few days. As time passed, however, Nizama got no news of her husband's whereabouts and hence did not know whether he was dead or alive. In the meantime, Bektaş's father and brother had turned to the local judge demanding that Bektaş be pronounced missing [*mefkud/mafqūd*], and consequently that his property be placed in their care. Their demand was in accordance with a rule provided by Islamic law, stipulating that all property belonging to a missing Muslim man was to be entrusted to a reliable guardian (or guardians) so that it could be preserved until the circumstances surrounding his life became clear.⁴ The local judge clearly felt that such action was necessary in the prevailing uncertain circumstances, and entrusted Bektaş's property for safeguard in the hands of his father and brother, his closest living male relatives.

These men were not the only ones to enjoy a legal claim to Bektaş's estate, however. According to the same law of personal status, if a missing Muslim man was married, his wife had certain rights in regard to her husband's property.⁵ As long as she did not hear that he was dead, or that he had divorced her *in absentia*, or that he had converted to another religion, she was still considered his wife. Consequently, her legal right to be provided with alimony did not cease with her husband's disappearance.

After some time had elapsed, Nizama was left without money and with no source of income. Hence, she requested from her in-laws (as the guarantors of her husband's estate) the alimony that her husband was legally obliged to provide for her during his absence. When her in-laws refused to give her any portion of her husband's property, she brought the case to the attention of a *shari'a* court in Sarajevo. Although the details of the dispute between Nizama and her in-laws are not described in great detail, the short extract in the text of the imperial decree indicates that Nizama had repeatedly visited the courts of both Sarajevo and the provincial seat of Travnik to claim her rights. This may imply that either her in-laws lived in Travnik and not in Sarajevo, as she did, or that she had traveled to a higher court in order to obtain a ruling in her favor.

Despite going back and forth between two towns and two courts, Nizama failed to obtain her alimony. Undaunted, she set out on a trip to İstanbul in order to present her case before the Imperial Council. The trip from Sarajevo to İstanbul—which could take up to three weeks⁶—was not insignificant under any circumstances, but it would have been all the more daunting for a Muslim woman: travel was only possible by horse, and the only rest stops along the way were travelers' inns of questionable repute that often offered neither proper accommodation nor protection against possible malefactors.⁷ Furthermore, a Muslim woman would have needed a male chaperone to accompany her during her trip, implying that she would have had to ask one of her male relatives to act in that capacity.

Despite the absence of a detailed account regarding Nizama's stay in İstanbul and her appearance at the Imperial Council, the text of the imperial decree leaves no doubt as to the result. Having made the trip, Nizama presented her case to the members of the Imperial Council, who examined the case in light of *shari'a* prescriptions regarding the rights of the wife of a missing man. A ruling was made in her favor, and a document bearing the order to that effect was given to the Imperial Chancery to be registered, copied, and sent to the appropriate authorities in the province of Bosnia.⁸

The problem of husbands who, for a variety of reasons, left their homes and failed to return for an indefinite period of time was unique neither to Muslim societies, nor to the eighteenth century. The likelihood of such incidents in any society increased during times of war and population movement. Exceptionally, desertion was one of the easiest ways to leave an unhappy marriage. For example, examining cases of missing husbands in eighteenth-century Pennsylvania, Merrill Smith has convincingly argued that leaving wives behind and moving to an unknown destination was a trouble-free way of obtaining a divorce without having

to go through the complicated legal process of eighteenth-century divorce law in effect in that state. She suggests that during this period, desertion probably remained the most frequent method of getting divorced.⁹

For Muslim men who lived in eighteenth-century Ottoman Bosnia, desertion was not a necessary means to obtain a divorce, as *shari'a* law provided Muslim men with the possibility of divorcing their wives through a relatively direct and uncomplicated procedure.¹⁰ However, legal and other sources from this period of Bosnian history indicate that Muslim men did leave their homes for any number of reasons, and often they did not return. For example, the eighteenth-century historian of Sarajevo Mullā Mustafā Bašeskija (d. 1809) describes men who did not return from the *hājj*, as well as several merchants who did not return from business trips.¹¹ During the politically uneasy eighteenth century, many Bosnian men did not return home as a result of the frequent wars in which they participated, and news of their whereabouts sometimes did not reach their homes.¹² Subsequently, the wives of these men found themselves in a peculiar legal position: although left without husbands and hence without the benefits of marriage, they were nevertheless considered married as long as no news had reached them of their husbands' fate. Consequently, they could not remarry as long as they lacked definitive evidence as to whether or not their husbands were alive.

Significantly, for an analysis of gender roles, a woman in the absence of her husband had to act in a male capacity. With or without the means of support, the wife of a missing man became the head of the family and thus assumed some of his roles, such as maintaining and dispensing household property and having exclusive custody over their children. Yet, she was considered a married woman and hence unavailable for another marriage. The missing man, on the other hand, was unable to perform the most important condition of matrimony—cohabitate with his wife and provide for his family—and was therefore in breach of certain provisions of the social and legal contract of marriage. Due to his absence from the household, his masculine roles as provider for the family and sexual partner for his wife were indefinitely suspended. How did Bosnian jurists, who had exclusive access to legal and other relevant authoritative texts, interpret this problem in light of the particular circumstances of eighteenth-century Bosnian society? What legal rights did they ascribe to the missing men and to their waiting wives? How did the various schools of Islamic law resolve this problem?

This study examines the intersection between the production of the *fatwa* text and the construction of gendered norms and regulations in Islamic law in late Ottoman Bosnia. More specifically, I focus on the manner in which eighteenth-century Bosnian expert-jurists [*muftii/mufti*] re-interpreted gendered roles ascribed to Muslim men and women as they delivered rulings regarding missing Bosnian husbands and their abandoned wives. As this analysis is based on a body of legal texts that were produced by a particular class of Bosnian Muslim scholars, namely *muftis*, a short review of the interconnection between legal culture, textual production, and the construction of gender in Ottoman Bosnia is in order.

Legal Culture and Textual Production in Ottoman Bosnia

A casual survey of the fourteen catalogues of the Gazi Husrev Beg Library in Sarajevo indicates that despite the four-year (1992–96) period of deliberate destruction of several thousand Bosnian texts written in Persian, Ottoman Turkish, and Arabic,¹³ this library alone remains home to over 20,000 texts written, copied, and/or studied in Ottoman Bosnia.¹⁴ Established in 1537 within the confines of the Gazi Husrev Beg *madrasa* complex,¹⁵ the Gazi Husrev Beg Library is one of the oldest repositories attesting to the presence of Bosnian textual communities of writers and readers who were involved in the processes of production and dissemination of a variety of multi-lingual texts during the four centuries of Ottoman rule (1463–1878) over Bosnia-Herzegovina.¹⁶ A more detailed analysis of the legal texts and documents that are archived in the Library reveals that over time, Bosnian Muslim legal scholars produced and/or reproduced a wealth of source material that can be used for the analysis of different aspects of legal culture in Ottoman Bosnia. For example, the overwhelming majority of these texts and documents demonstrate that Bosnian legal scholars (*madrasa* professors) and legal practitioners (*kadı/qadi* and *mufti*) of Ottoman Bosnia belonged to the Hanafi school of Islamic law.¹⁷ The schools of Islamic law [*mezheb/madhab*] represented the main sources of doctrinal interpretation of all issues that belonged to the domain of Islamic law, such as ritual prayer, the establishment and maintenance of pious endowments [*vakıf/waqf*], marriage and divorce, and so on.¹⁸ Each of these schools relied on a corpus of legal texts attributed to great *imams*—i.e., the eponyms of the schools—as well as to other remarkable scholars. These texts were considered the authoritative texts of a particular school, and, as such, they were continuously studied, memorized, copied, and commented upon by legal scholars and students in Islamic colleges.¹⁹

The interconnections between the authoritative texts on the one hand, and the Islamic colleges and libraries in which they were studied, copied, and archived on the other, is crucial for an understanding of the manner in which Bosnian legal scholars negotiated their membership in both the borderless community of Hanafi scholars and more specifically the community of Ottoman legal scholars. The rich body of legal texts and documents studied, copied, and written by Bosnian jurists challenges the common belief that some jurists, and in particular the so-called “provincial” *muftis* in the central lands of the Ottoman Empire such as Rumelia and Anatolia, were but pious men with a bit more than average education.²⁰ An examination of the legal texts that served as the authoritative sources read and studied by Bosnian jurists indicates that they did not differ from those used for the same purpose in other parts of the Empire, wherever the Hanafi *madhab* was followed.²¹ The uniformity of the authoritative texts within each school of Islamic law mitigated the geographical distances separating the areas where these schools held sway, thus creating a particular sense of fellowship and intimacy between those who relied on them in their daily activities, regardless of their location within the Empire. For example, when Muslim lay people from Anatolia, Bosnia, or Transoxania asked their jurists such questions as “What do *our imams* say?” or

“What is the correct opinion according to *our* doctrine?” they all referred to the same body of texts that constituted the authoritative opinions of the same Hanafi school of law.²² For this reason, it makes sense to consider a school of Islamic law—that is, a *madhhab*—as a kind of “imagined community” of jurists and Muslim lay people alike, who constructed their identities around a common body of authoritative texts that helped them decide on the correct solutions to their life problems.

Still, it would be a mistake to assume that the uniformity of the body of authoritative texts that Bosnian Hanafi jurists read and commented upon implies a corresponding uniformity in their interpretation of these texts. In fact, various jurists read, studied, and/or commented upon their subtleties in light of their own experiences, and hence they gave it new, contextually-colored interpretations. Bosnian jurists who produced commentaries on various Hanafi authoritative texts, original legal treatises, and collections of expert-legal opinions [*fatvā/fatwa*] were no exception.²³

The Mufti and His Text: *al-Fatāwā al-Aḥmadiyya al-Mūstāriyya*

Among the rich corpus of legal source material archived in the Gazi Husrev Beg Library in Sarajevo, a particular collection of legal texts is worth mentioning: *al-Fatāwā al-Aḥmadiyya al-Mūstāriyya* [Collection of the *fatwas* of Ahmed of Mostar]. Ahmed al-Mostari was a “provincial” *mufti* born during the last decades of the seventeenth century in Mostar. His biography indicates the standard path of a legal scholar of his time: he obtained his primary and secondary education in Islamic disciplines in Mostar, and then went on to attend one of the imperial colleges outside Bosnia.²⁴ Unfortunately nothing is known about al-Mostari’s higher education, except that he probably attended an imperial *madrasa* in Bursa. Several biographical dictionaries of the Bosnian-Ottoman religious elite confirm that Ahmed al-Mostari was appointed *mufti* of Mostar and professor at a local *madrasa* sometime in the early eighteenth century.²⁵ Although details of his intellectual biography are rather sketchy, there are several legal works attributed to him deemed worthy of note by a number of Bosnian scholars.²⁶ After serving as *mufti* of Mostar for almost forty years, Ahmed al-Mostari died there in 1776.

Ahmed’s appointment in his native town of Mostar is not surprising, since from the end of the sixteenth century to the end of Ottoman dominance in Bosnia, all *muftis* who interpreted the law in this Ottoman province were appointed from a pool of local scholars who had graduated from the imperial Islamic colleges.²⁷ The connection between a local community and its *muftis* was extremely important because Muslims and non-Muslims alike relied on their expert opinion on all matters pertaining to *shari’a*. In addition, muftis were expected to be familiar with Ottoman administrative law [*kanun/qanūn*] and to take it into consideration whenever a question at hand was to be regulated according to its provisions.²⁸ In sum, a *mufti* was expected to be able to provide clear and knowledgeable answers to petitioners who solicited his expert opinions on all matters of law, be it immutable *shari’a* law or man-made *kanūn*. For example, Mula Mustafa Bašeskija tells us that a *mufti* from Sarajevo, Sejid-Mehmed Efendija Svrako (d. 1780), was highly

respected by his community because his legal opinions were clear and truthful.²⁹ On the other hand, the community could be quite unforgiving of a *mufti*'s inability to provide clear and informed opinions on matters of Islamic law, which sometimes resulted in public mockery of an ill-fated scholar.³⁰

The most important texts produced by *muftis* are *fatwas*. Like the lengthy answers provided by experts in Roman law reached in the process of *jus respondi*, or explanations provided by experts in Jewish Law in *responsas*, a *fatwa* is a non-binding legal opinion produced by an Islamic expert-jurist in response to a question posed by a layman.³¹ Hence, a *fatwa* text represents a recorded dialogue between a questioner, usually a non-expert Muslim [*mustaftī*], and an expert-jurist [*mufti*]. In its usual form, each *fatwa* starts with the questioner's elaboration of a case, and the request for an expert opinion regarding the issue(s) at hand.³² The second part of the *fatwa* contains the jurist's response to the question(s) concerning the issue(s) at stake, which, as many scholars of Ottoman *fatwas* have aptly observed, usually consists of a short answer which reads either "yes" (it is permitted) or "no" (it is not permitted). While the query [*su'āl*] and the answer [*jawāb*] are indispensable components of the *fatwa* text, they were occasionally accompanied by the jurist's explanation of the rationale behind his decision, as well as by an indication of which authoritative texts he had consulted in the process of examining the case in question.³³ The listing of authoritative sources and the explanation of the reasoning behind a particular ruling open up new avenues in the analysis of the complex interpretive process entailed in the delivery of an expert-opinion on any given issue. For example, the reader of the extended version of a *fatwa* text is able to see different stages of that process, from the *mufti*'s re-reading of selected authoritative texts, through his interpretation of the case at hand, to the final stage of the delivery of his particular ruling that appears in the form of a short answer.

In addition to the peculiar, extended form of his *fatwas*, al-Mostari's collection has another feature worth mentioning in this context: while the essential parts of his *fatwas*—i.e. the query and the answer—are written in Ottoman Turkish, the additional parts—the indication of authoritative texts and the elaboration on his ruling—are written in Arabic. This important language shift again indicates the Bosnian *mufti*'s dual membership in two communities of scholars, the borderless Hanafi scholars who wrote works of Islamic jurisprudence in Arabic, and the community of Ottoman legal scholars and practitioners who used Ottoman Turkish as the administrative language of the *shari'a* courts in Bosnia.³⁴ Hence, while providing a succinct query/answer type of *fatwa* text in Ottoman Turkish, the *mufti* also enabled the questioner to present it in a "ready-to-be-used" form at the *shari'a* court in order to substantiate his or her case.³⁵ By writing the explanation and titles of the authoritative sources in the continuation of the *fatwa* text in Arabic, the *mufti* proved his knowledge of the Hanafi authoritative sources, ultimately indicating the high level of his scholarly expertise and giving his ruling the necessary legitimacy.

It would, however, be simplistic to regard al-Mostari's examination of the question at hand as a process during which the *mufti* looked into available doctrinal

texts and then simply regurgitated the opinions of the great scholars of his *madhhab*. Like any other reader, al-Mostari brought to his reading of doctrinal texts his own “here and now” which ultimately influenced his choice of those scholarly opinions which he deemed most befitting the specific context of his place and time. Consequently, al-Mostari’s belonging to a particular local community and his intimate knowledge of the social tissue of that community played a crucial role in the interpretive process entailed in the issuance of his expert-opinions on the concrete problems at hand. As Brinkley Messick aptly puts it, “locally gendered questions were related to locally interpreted jurisprudence. *Muftis* were the creative mediators of the ideal and the real of the *shari‘a*.”³⁶

Man Gone Missing

The category of missing man [*mafqūd*] is discussed in the major canonical texts belonging to all four Sunni schools of Islamic law.³⁷ The interest evidenced by the *madhhabs* in defining the legal position of a missing man is understandable, considering that his prolonged absence would cause numerous problems in regard to his legal obligations and rights *vis-à-vis* other people, most notably his wife and children whom he is legally obliged to provide with alimony. In addition, while a missing man is *in absentia*, his property is left unattended, and this may incite members of his immediate family to put forward a claim for its division. While all *madhhabs* agree in principle that the category of a missing man is problematic and therefore deserving of a particular re-examination of his status, rights, and obligations while *in absentia*, they disagree with regard to some important aspects of his absence, such as the length of the period that must be observed before he is declared dead, and the rights of his wife to obtain a divorce from him and subsequently to remarry. The manner in which Islamic jurists discussed the legal status of a missing man and his abandoned wife is significant for a discussion of the construction and perpetuation of gender roles in certain areas of Islamic law.³⁸

The category of “missing man” is in itself gendered, because Islamic legal discourse did not foresee the possibility that a married Muslim woman could be missing from her domicile for an extended period of time without the knowledge and permission of her husband. Furthermore, if a married Muslim woman were to be absent from the conjugal house without her husband’s consent, she could be declared a transgressor [*nāshidha*] and consequently may lose her right to alimony or even worse, provide her husband with grounds for divorce.³⁹ It appears, therefore, that not only presences in the marital union are gendered, but absences as well.

Yet, considerations of the category of missing man in the works of Islamic jurisprudence always include a discussion of the rights and obligations of his wife who, in this particular context, is referred to as “the wife of the missing man” [*zawjat al-mafqūd*]. While the inclusion of the missing man’s wife into a discussion of her husband’s rights and obligations during his absence is understandable, in view of her assumed financial dependence on him, the manner in which Islamic legal scholars defined her legal position *vis-à-vis* her absent husband is illustrative of the strategies which these jurists applied in order to safeguard the social order based on

male dominance in the marital union. While the jurists made significant efforts to protect the rights of the missing man in his roles of husband and property-owner, they left his wife in the unenviable legal position of a person who is *de jure* married, but *de facto* deprived of the partner with whom she signed the marriage contract binding both to performing specific duties that depended on their strictly-divided gender roles. However, even if one acknowledges that the laws of marriage are gendered because they institutionalize the gender asymmetry that stems from the premise that a wife belongs—as would any other property—to her husband, this treatment of the wife of a missing man is highly problematical. The basic purpose of marriage, as Judith Tucker notes, is the achievement of social harmony and the sexual satisfaction of both partners. This purpose can only be achieved if both partners are present in the conjugal house, i.e. if they live together.⁴⁰ Thus, even if the law anticipated different rights for the partners in a marital union, it also stipulated certain obligations for both of them, as unequal as they may have been. The absence of one partner from the conjugal house hence undermines the institution of marriage and seriously calls into question its main purpose. The conscious decision of the Hanafi jurists to downplay the fact that a missing husband is *de jure* in breach of the marriage contract which bound him, among other things, to cohabitating with his wife, to be her sexual partner, and to act as the head of the household, had detrimental consequences for his wife who *de facto* remained in the conjugal house and was not in violation of the provisions in the marriage contract.⁴¹

In his collection of *fatwas*, al-Mostari included several opinions that specifically dealt with the problem of the missing man and his (abandoned) wife. Like other *fatwa* texts in his collection, those included in the “Chapter on the Missing Man” contain bits and pieces of authoritative texts which al-Mostari read while examining the questions at hand, as well as short explanations of the rationale behind his rulings on these issues. As with other questions that had been brought to his attention, al-Mostari’s examination of the problems concerning the missing man entailed a typical procedure: summarizing the case into a legally acceptable form of question, examining the body of authoritative Hanafi texts, interpreting the case in the light of circumstances, and providing the petitioner with a clear answer. So who, according to al-Mostari, fell under the category of “missing man”?

In his definition of “missing man,” al-Mostari relied on one of the most influential and authoritative Hanafi texts, *al-Hidāya* by al-Marghīnānī (d. 1197),⁴² who wrote: “When a man is absent and his whereabouts are not known, and when it is not known whether he is dead or alive, a judge appoints someone to guard his property.”⁴³ The indeterminacy of the status of a missing man thus led to the placement of his property under the supervision of a legal guardian. While al-Marghīnānī did not specify details regarding the guardian of the missing man’s property, al-Mostari claimed that in general this role was to be entrusted to the “head of the treasury” [*amīn bayt al-māl*], i.e. a state official, and not to a relative of the missing man.⁴⁴ The necessary involvement of two state officials—the judge [*al-hākim*] and the state official whom he appoints to guard the missing man’s property—is a telling example of the precautionary measures which jurists undertook in order to protect

the property of the missing man. Relying on one of the most prominent Ottoman authoritative legal texts, *Durar al-ḥukkam fī sharḥ ghurar al-aḥkām* by Muḥammad b. Faramūz b. ‘Alī Mullā Khusraw (d. 1480),⁴⁵ al-Mostari agreed that state officials needed to be involved in the affairs of a missing man “because the judge appoints someone to look after all those who are incapable of looking after themselves, and a missing man falls within that category and thus becomes like a young boy or a madman whose property need supervision.”⁴⁶ In order to justify the state’s supervision of the missing man’s property, the jurists thus seemingly altered his legal status, so that—according to al-Mostari’s *fatwa*—he was degraded to the same legal status as a “young boy” or “madman.” Importantly, all schools of Islamic law consider a young boy and a madman to be outside of Islamic legal discourse on account of their lack respectively of sexual and intellectual maturity. In other words, they are unanimously considered to be legally incompetent, and therefore interdicted [*majhūr*]. However, an overview of Hanafi authoritative texts that deal with interdicted persons⁴⁷ shows that the comparison of the status of a missing man to that of a young boy or madman was solely used in support of the argument that he was incapable of protecting his property while *in absentia*, and not to indicate his inability to act in any other capacity. Thus, while his property was placed into the care of state officials, the missing man’s legal status did not suffer real changes. In particular, his absence from the conjugal house where, in his capacity as a man, he was supposed to act as the head of his household and the partner to his wife was not taken as cue for any alteration of his legal status.

The presence of numerous property-related questions in al-Mostari’s collection of *fatwas* indicates the deep interest of the relatives of missing men in the status of their estates. For example, one *fatwa* reads as follows:

Query: Zayd was absent with some interruptions, and he was neither *de facto* nor *de jure* dead. Can his estate be sold to someone and divided among his other relatives?

Answer: No.

Explanation: His property is not to be divided before his condition is known because he may reappear alive. The division (of his property) takes place only after his death is established.

Authoritative Source: Muḥammad b. Faramūz b. ‘Alī Mullā Khusraw, *Durar al-ḥukkam fī sharḥ ghurar al-aḥkām*, “Book of the Missing Man” (*Kitāb al-maṣqūd*).⁴⁸

The position of al-Mostari on this issue is in accordance with the majority of the most relevant Hanafi sources regarding the property of a missing man: it must be safeguarded until the circumstances of his whereabouts become clear, that is, until clear evidence is presented that he is no longer alive. However, the sources which he had consulted in order to answer the question of how long the missing man’s property had to be held in abeyance until he was pronounced dead differ on this issue. For example, al-Marghīnānī, whose authoritative *al-Hidāya* is frequently quoted by al-Mostari, claimed that Hanafi jurists determined different time intervals

before a missing man could be pronounced dead. While he himself opted for the rule that only after 120 years had lapsed from a missing man's date of birth could he be pronounced dead, al-Marghīnānī indicated that some scholars within the Hanafi school held that the waiting period should be 100 or 90 years.⁴⁹ al-Mostari elaborated upon his own opinion on the vexing issue of the length of time after which a man should be considered dead in the following *fatwa*:

Query: After ninety years have passed from the birth of Zayd who has been continuously *in absentia*, can the judge make a ruling regarding his death and then divide his property among his heirs?

Answer: Yes.

Authoritative source: *Mu'īn al-Qudāt*, "Book of the Missing Man" (*Kitāb al-Mafqūd*).⁵⁰

As seen above, al-Mostari chose the least popular opinion within the Hanafi *madhhab*, according to which the "missing man" was to be pronounced dead after 90 years had passed from the day of his birth. The pronouncement of a missing man's death had important consequences for the division of his property among his heirs. In addition, it implied a change in the marital state of his wife, who thereafter assumed the status of widow and consequently became available for another marriage.

al-Mostari says: "When the ruling regarding his death is made, his wife starts the waiting period which is prescribed for widows. The waiting period becomes effective on the day of the pronouncement of his death."⁵¹ According to this ruling, which al-Mostari derived from al-Marghīnānī's *al-Hidāya*, it seems that the only option available to the wife of a missing man for getting out of a marriage in which she was *de facto* the only partner was to wait until 90 years had passed from his birthday. How did the jurists justify this position? Did the status of the wife of the missing man change at all with the prolonged absence of her husband?

Married, Without Husbands

The Hanafi rulings on the legal status of the wife of a missing man, and on her rights to the portion of her husband's property that he was legally obliged to provide for her support, do not indicate any changes in her condition while her husband is absent. As with any other married Muslim woman, she was entitled to alimony, which, in her case, was to be taken from the property that had been entrusted to a legal guardian.⁵² While it seems that Hanafi jurists treated the wife of a missing husband fairly, insofar as they unanimously declared that a part of the missing man's property should be given as the alimony to which she was entitled, they failed to provide clear answers regarding those abandoned wives whose husbands left behind no property. What were their options to get out of such a marriage? Could they have demanded a divorce based on the fact that their husbands had no property to be given for alimony?

The following questions were presented to al-Mostari, regarding the rights of the wife of a missing man:

Query: Can Hind, whose husband is *de facto* and *de jure* still alive, marry herself to another man?

Answer: No.

Explanation: There is a prophetic tradition which says: “She is his wife until the explanation concerning his circumstances reaches her.”

Authoritative source: Muḥammad b. Faramūz b. ‘Alī Mullā Khusraw, *Durar al-ḥukkam fī sharḥ ghurar al-aḥkām*, “Book of the Missing Man” (*Kitāb al-mafqūd*).⁵³

While it may seem that Mullā Khusraw’s opinion, which al-Mostari quoted in this *fatwa*, places an exceptional burden on the wife of a missing man—as it leaves her in the untenable position of probably prolonged waiting—it is actually in consonance with the opinions expressed in the most authoritative texts of the Hanafi *madhhab*. For example, one of the most prominent Hanafi scholars, al-Sarakhsī (d. 1090), whom al-Mostari frequently quoted in his collection, made the following statement in his celebrated work *Kitāb al-Mabsūṭ*: “According to our school, she does not remarry. This opinion is derived from the tradition that goes back to the Prophet’s son-in-law ‘Alī ibn Abī Tālib, who said: “She is tempted, so let her be patient until [his] death or divorce is evident.”⁵⁴ Unfortunately, al-Sarakhsī did not provide any details regarding the context or the circumstances under which ‘Alī ibn Abī Tālib had supposedly made this statement. Consequently, it is difficult to determine how and why a missing man’s wife was considered to be “tempted” and thus required to “be patient” and wait for the clarification of her husband’s condition. Another equally reputable Hanafi scholar, al-Marghīnānī, summed up the prevailing opinion of the Hanafi *madhhab*, claiming that its leading scholars had relied on two traditions, one attributed to the Prophet Muḥammad and the other to his son-in-law, both of whom had suggested that “the [marriage] bond between him [the missing man] and his wife is not to be broken.”⁵⁵

The other three main Sunni schools of Islamic law did not share this opinion. For example, the eponym of the Malikite school of Islamic law, Mālik b. Anas (d. 795) stated that a woman whose husband was missing had to wait for four years for news of his condition. After that period, a judge could pronounce her husband dead and she could start the obligatory waiting period [*‘idda*] of four months and ten days. Subsequently, she could marry whomever she wanted.⁵⁶ While making his ruling on this issue, Mālik b. Anas relied on a *ḥadīth* attributed to the prophet’s companion and the second caliph, ‘Umar b. Khaṭṭāb (d. 644), who had determined that a missing man’s wife may start the observation of the obligatory waiting period after four years had elapsed from the first day of her husband’s absence.⁵⁷

The proponents of the *madhhabs* named after *imam* Muḥammad b. Idrīs al-Shāfi‘ī (d. 820) (the Shafi‘ites) and *imam* Aḥmad b. Ḥanbal (d. 855) (the Hanbalites) followed the opinion of their respective eponyms who determined, also on the authority of ‘Umar b. Khaṭṭāb, that the wife of a missing man should remain married to him for a period of four years from the beginning of his absence. Following that period, both *madhhabs* agreed, she could start the four-month and

ten-day waiting period of a widow, after which she would become available for another marriage.⁵⁸

The difference in opinion between the Hanafi scholars on the one hand, and the proponents of the three other major Sunni schools of law on the other, comes down to differences in the selection of the textual indicator [*dalīl*] used as the main argument for their respective rulings. At first glance, it seems that the Hanafites had a more valid argument, because their ruling was based on a prophetic tradition, while all the others relied on a tradition that was supposedly derived from a statement by the prophet's companion 'Umar b. Khaṭṭāb. If the prophetic tradition which the Hanafi *madhhab* used as their main textual indicator—"she is his wife until the explanation concerning his circumstances reaches her"—is authentic, then why was it not used by the leading scholars of the other three *madhhabs* who, instead, opted for the opinion of 'Umar b. Khaṭṭāb?

The conspicuous absence of this alleged prophetic saying in the main Sunni *ḥadīth* collections and the canonical works of the eponyms of other three Sunni schools of Islamic law suggests that in all probability it had been invented. A strong argument in support of this thesis can be found in the work of one of the most prominent *ḥadīth* experts among the Hanafi jurists, 'Abd Allāh b. Yūsuf Zayla'ī (d. 1360–61), *Naṣb al-rāya takhrīj ahādīth al-Hidāya*, in the "Chapter on the Missing Man." After analyzing both the text [*matn*] of this *ḥadīth* and the two existing chains of transmission [*isnād*], Zayla'ī reached the conclusion that the alleged prophetic *ḥadīth* is weak [*da'if*] and must be rejected [*munkar*].⁵⁹

Yet, despite the fact that it is possibly unsound, this particular *ḥadīth* has remained the most important indicator for the Hanafi scholars' rulings regarding the rights of the missing man's wife to obtain a divorce and enter into another marital union while her husband was still *in absentia*. Assuming that al-Mostari's expert opinion was shared by the judges who practiced *shari'a* in Ottoman Bosnia, how did the Bosnian Muslim women whose husbands were missing ever obtain a divorce? How did the position of Bosnian Muslim women *vis-à-vis* their missing husbands differ from that of other Muslim women elsewhere in the Empire?

The Importance of Imperial Geography: "I Have Become a Shafi'ite"

According to available sources, such as the *shari'a* court records [*sicil/sijill*] from Ottoman Bosnia, some abandoned Bosnian wives did eventually receive news of their husband's fate, and the official pronouncement of the death of their husbands was recorded by the *shari'a* court. An interesting example of this practice is recorded in an unusual court document in a copy of al-Mostari's *al-Fatāwā al-Aḥmadiyya al-Mustāriyya* that somehow found its way to the Süleymaniye Library in Istanbul.

It is difficult to reconstruct how and when this particular text left Bosnia and became a part of the archive in Istanbul.⁶⁰ However, judging from the first few loose pages of the manuscript—which contain *fatwas* by various eighteenth-century Bosnian *muftis* as well as loose documents that were drafted at the *shari'a* court in Mostar—it had probably been in the possession of someone associated with that court. For example, on page eight is a record of the registration of a marriage

contract before four witnesses at the *shari'a* court in Mostar in 1799. The text of this record indicates that Husayn b. Churaq (?) and a mature woman who was not a virgin [*thayyiba*] named Safiye bint Muhamed signed a marriage contract and agreed on a *mahr* (nuptial gift)⁶¹ of three thousand *dirhams*. This particular record of a marriage contract is unremarkable in the context of its time and place; however, a subsequent document written on the same page as the contract makes this marriage relevant for the purposes of the present discussion. This second document indicates that Mustafa, the husband of the aforementioned [*mazbūre*] Safiye, had been missing for nine years. The text of the document recounts that Ishaq Çelebi, preacher at the Sultan Süleyman mosque, and his relative Salih Çelebi appeared at the *shari'a* court and under oath informed the officials of the court that the above-mentioned missing Mustafa had died. The official pronouncement of Mustafa's death was witnessed by several men of probity, and the case was thereby finally resolved. Consequently, Safiye's status had changed and—as a widow—she had become available for marriage with Husayn b. Churaq.⁶²

Unfortunately, nothing is known of Safiye's condition during the nine years of “waiting” for news of her first husband Mustafa, since no other available court documents from late eighteenth-century Mostar offer any information regarding this particular case. However, if one takes into consideration *fatwa* texts recorded by the *mufti* of Mostar, Ahmed al-Mostari, shortly before his fellow-townswoman Safiye became the wife of Mustafa, it is clear that she had no other option but to stay married to him until his death had been witnessed by two reliable witnesses. Considering the vast territory spanned at the time by the Ottoman Empire, and the multiplicity of legal and cultural practices within its borders, were the situations of other Ottoman Muslim women who were also the wives of missing Muslim husbands any better? Did they have more options to leave the conjugal house while their husbands were *in absentia*?

Available sources on this topic reveal that in those areas of the Ottoman Empire where—unlike Bosnia—multiple legal schools coexisted, women could and did switch affiliation to a school that held a more favorable opinion regarding the required waiting period. Basing her analysis of the interaction between Islamic legal theory and practice on an examination of legal texts and documents originating in eighteenth-century Ottoman Palestine and Syria, Judith Tucker has observed the following practices regarding legal rulings concerning cases of missing husbands:

A Hanafi *qadi*, however, could not easily annul the marriage when a husband went missing. For him, the marriage could be terminated only if a woman had received news that her husband had divorced her, had died, or become apostate. The news had to be reported to her by trustworthy people, and she had to “believe it in her heart.” Otherwise, she was still married, regardless of the length of her husband's absence or her material conditions, according to the Hanafi *muftis*. The inability of the presiding Hanafi judge to grant an annulment on other grounds was easily circumvented, however, by allowing

a Shafi'i of Hanbali *na'ib* to preside over such cases. Indeed in all three towns it is clear that such a pinch hitter was invited by the Hanafi judge to oversee such cases, thus allowing *fiskh* in cases of desertion or non-support to become a common ruling, despite the absence for such a ruling in classical Hanafi jurisprudence.⁶³

Tucker's keen observation leads to two important conclusions. First, Hanafi judges who practiced law in eighteenth-century Bosnia on the one hand, and Syria and Palestine on the other, appear to have been consistent in following the Hanafi doctrine according to which the wife of a missing man had to wait for confirmation of her husband's death before she could contract another marriage. This should come as no surprise, considering that this doctrine had been prescribed in the most important Ottoman and other Hanafi authoritative texts that Ottoman judges had to take into consideration while making their rulings. Second, the place of an Ottoman woman's residence within the Empire was of crucial importance for the possible circumvention of this ruling. The more legal schools were represented in a given area, the more options were available for an Ottoman woman to divorce her missing husband.

One particular (unfortunately unsigned) *fatwa* written in the margin of a copy of al-Mostari's collection of *fatwas* suggests that some Bosnian *muftis* were ready to permit the practice of choosing a legal school that held an opinion more favorable to Bosnian women seeking a divorce from their missing husbands. The text of the *fatwa* reads as follows:

Query: After the wife of a missing man spent all the alimony that was left behind by her husband, she declared that she changed her legal school affiliation and hence was no longer a follower of the Hanafi but of the Shafi'i school of law (*taşşafa'a oldu*—lit. "she turned Shafi'ite"). Can she [legally] do that?

Answer: It is permissible to change schools and follow Imam Shafi'i.⁶⁴

The absence of authoritative sources and explanation behind this ruling do not necessarily indicate either the *mufti's* lack of knowledge of Hanafi authoritative texts, or his failure to comply with the usual procedure of delivering a correct *fatwa*. Rather, it suggests his willingness to provide a waiting wife with the possibility of obtaining the termination of her marriage, something that could not have been granted her otherwise as long as the fate of her husband remained uncertain. It is difficult to tell with certainty where the "turned-Shafi'i" Bosnian Muslim woman would have gone to get such a favorable opinion, since all judges in Ottoman Bosnia belonged to the Hanafi school of law. It is perhaps not far-fetched to assume that some women who knew of the interpretive differences among various schools of Islamic law on this issue might have traveled outside Bosnia, where they could find non-Hanafi judges willing to provide them with a favorable ruling. Ultimately, Nizama—the waiting wife of Bektaş Alemdar who left her home in Sarajevo and traveled to İstanbul in order to improve her position and obtain a positive ruling

in her mismanaged case—was only one of many Bosnian women who left their residence and set out on a long journey to resolve their legal disputes and find more favorable solutions to their life problems.⁶⁵

Conclusion

A close reading of several *fatwas* from al-Mostari's collection sheds light on two unexplored aspects of Islamic legal culture in the Ottoman province of Bosnia: the production of the *fatwa* genre of legal texts, and the construction and re-production of gendered norms and regulations by a "provincial" *mufti* from the eighteenth-century town of Mostar. Specifically, the analysis of several *fatwa* texts that dealt with the problem of the missing husband [*mafqūd*] and his waiting wife [*zawjat al-mafqūd*] provides evidence regarding a *mufti*'s re-interpretation of the issues at hand in light of the pre-existing body of Hanafi authoritative texts.

The reliance of al-Mostari on legal precedents was in no way exceptional, since all expert-jurists examined the mundane problems of their time in light of the available authoritative texts belonging to their respective *madhhabs*. As with any other reader, al-Mostari too subjected his reading material to a contextual interpretation determined by his "here and now." In this sense, al-Mostari's *fatwa* texts constitute important source material for a two-dimensional analysis of a *mufti*'s interpretive process. On the diachronic level, they bring to the surface bits and pieces of other texts which had over time become the most authoritative Hanafi doctrinal texts, revealing in that way the genealogy of the debate on the issues at hand. On the synchronic level, they reveal how, by choosing out of a variety of pre-existing doctrinal opinions at his disposition, an eighteenth-century Bosnian *mufti* would opt for the one which he deemed most suitable to the context of his time.

The problems arising from the absence of missing Muslim men are discussed in the majority of the authoritative texts that formed al-Mostari's "reading repertoire." Furthermore, the overwhelming majority of the most authoritative Hanafi scholars discussed these problems under the specific heading "Chapter on the Missing Man." The interest of Muslim jurists in the category of "missing man" is understandable if one takes into consideration the practical implications of a man's indeterminate absence, such as, for example, the vulnerability of the property that he left behind. Hanafi jurists developed various strategies to safeguard missing men's property, indicating a high level of concern for the preservation of their exclusive rights over their property while *in absentia*. In the opinion of the jurists, he was *de jure* still alive and hence deserving of all the rights to which a mature Muslim man was entitled. In addition to safeguarding missing men's property, Hanafi jurists ensured that their rights over their wives would also remain unchallenged. Consequently, a missing man's wife was to remain in the conjugal house as long as there was any doubt regarding his life and death. In his absence, she was entitled to that part of his property which would have been used for her maintenance, had her husband been present in the conjugal house.

A cursory glance at the rights and responsibilities of the missing man and his waiting wife may lead one to conclude that Hanafi jurists expended significant

efforts towards minimizing the impact of a Muslim man's absence from his domicile and ensuring that both he and his wife retained their rights and fulfilled their responsibilities just like any other married couple. Yet, closer examination of the practical consequences of these regulations indicates that Hanafi jurists *de facto* undermined the provisions of the marriage contract [*nikâh*] according to which both partners were legally entitled to certain rights and were obliged to fulfill certain responsibilities. The marital contract, which embodied asymmetrical rights for the partners in a marriage, was in itself a legal tool used for the perpetuation of strictly separated gender roles for husband and wife: the husband had exclusive rights over his wife, and the wife was entitled to the nuptial gift [*mahr*] and to alimony [*nafaqa*], both of which were to be provided by the husband. In addition, they enjoyed sexual rights over each other, and shared responsibilities in nurturing their children through different but interdependent processes of fathering and mothering. Finally, upon entering into the marriage union the partners were obliged to cohabit in the conjugal house so that marital harmony conditioned on the fulfillment of these gendered roles and responsibilities would not be undermined. Considering this wide range of roles that were legally prescribed and sanctioned by the marriage contract, it is clear that a missing man was technically in breach of most of its provisions. Yet, Hanafi jurists did not seem to take that into consideration in making their rulings regarding the rights and responsibilities of the missing man and his abandoned wife. Instead of protecting the institution of marriage and all the rights and responsibilities of both partners, they protected *all* the rights of the married male partner and *some* of the rights of his wife. In addition, they held that the male partner had to fulfill *some* of his marital obligations, while his wife was assigned *all* the obligations shouldered by a married woman. The husband's failure to cohabit with his wife and to act as her sexual partner, and his inability to be the head of the household and a father to his children, all of which *de facto* resulted from his absence from the conjugal house, did not factor into the jurists' consideration of the rights and responsibilities of the missing man. More important than the jurists' failure to take into consideration the disturbance of gender roles in the marriage union whenever the husband was not present in the conjugal house is their reluctance to recognize that in the absence of her husband, the wife had to assume some of his *male* roles, such as the disposition of household income and the exclusive care of children.

The *fatwas* of al-Mostari have brought to the fore several important Hanafi authoritative texts which dealt with the problem of the missing man and his abandoned wife, offering important insight into the genealogy of the Hanafi legal debate on this issue. For example, while elaborating his opinion which denied the missing man's wife the right to obtain a divorce from her absent husband as long as she was uncertain of her husband's condition, al-Mostari revealed that Hanafi scholars chose to base their ruling on a prophetic tradition which was not used by any other Sunni *madhhab*. The disregard of this particular tradition in the *fiqh* works of other *madhhabs* and in the major Sunni *hadîth* collections suggests that it may have been fabricated, a consideration that even some prominent Hanafi scholars

such as Zayla'ī expressed in their works. Regardless of the dubious origin of this *ḥadīth*, the Hanafi scholars eagerly took it as textual evidence [*dalīl*] for their unfavorable rulings regarding the options of the wife of a missing man wishing to leave the conjugal house while her husband was *in absentia*. Repeating this ruling by quoting the opinions of the prominent Hanafi jurists Sarakhsī, al-Marghīnānī and Mullā Husraw, al-Mostari himself participated in the perpetuation of a ruling according to which the rights of the male partner in a marriage were safeguarded while the rights of his wife were seriously neglected.

The general agreement among the Ottoman Hanafi jurists regarding the rights of a missing man and the denial of the right of his wife to obtain a divorce in his absence brought a high degree of uniformity in the interpretation and application of this rule throughout the Ottoman Empire. However, even if the Ottoman jurists were not willing to modify their rulings on the wife of a missing man, Ottoman women did find ways to circumvent it. Thus, in areas where other Sunni *madhhabs* co-existed with the officially favored Hanafi *madhhab*, abandoned Muslim women often turned to Shafi'ī or Hanbali deputy judges to gain more favorable opinions regarding their options. Their geographic positioning within the Empire thus could play a crucial role in circumventing the unfavorable ruling and significantly influence the lives of “waiting” Muslim wives. In areas where the Hanafi *madhhab* predominated, such as Ottoman Bosnia, Muslim women did not have the same options unless they were aware of the interpretive differences and were resourceful enough to undertake a possibly lengthy trip, find a non-Hanafi judge, and secure a more favorable opinion. However, with the exception of one *fatwa* in which a Bosnian mufti declared licit the act of switching to the Shafi'ī *madhhab* and hence taking advantage of a more sympathetic opinion, no other source from Ottoman Bosnia indicates that such practices indeed took place.

Notes

1. For more information on Topal-oğlu Gazi Osman Pasha, who served as governor of the province of Bosnia from 1861 to 1869, see Hadžihuseinović 1997–99, 1: 559–62.
2. Travnik became the capital of the Province of Bosnia in the late 1690s. (Malcolm 1994: 91.)
3. See Bašeskija 1968: 64.
4. See Sarakhsī 1970–79, 11: 40–42; Marghīnānī 2000, 2: 903–904.
5. For a short and useful summary of the legal stipulations regarding a husband's duty to provide his wife with alimony, see Linant de Bellefonds 1965: 259–63.
6. Western travelers who journeyed through Bosnia to İstanbul left different accounts regarding the length of the trip from Sarajevo to their destination. The duration depended on road conditions, the means of travel, and, most importantly, the political situation in the areas through which the travelers

- passed. For different accounts of the journey from Sarajevo to İstanbul by English travelers, see Hadžiselimović 2001. The late eighteenth-century Bosnian judge [*kadi/qadi*] Abdullah Hurremović, who wrote a detailed list of the judicial-administrative units [*kaza/qaza*] in the European areas of the Ottoman Empire (Rumeli), stated that the distance from Sarajevo to İstanbul required a traveler to spend about “twenty-six overnight stays” along the way, probably a somewhat exaggerated estimate. (Šabanović 1943: 349.)
7. For a useful description of inns in the Ottoman Balkans, see Jezernik 2004. The most detailed description of the different kinds of inns in Ottoman Bosnia can be found in Kreševljaković 1957.
 8. *Ahkâm-ı Bosna*, 99.
 9. Smith 1991: 87.
 10. Although Islamic jurists looked unfavorably upon divorce, it was nonetheless permitted and sanctioned by Islamic law. For an overview of the regulations regarding different types of divorce in the various Sunni legal schools, see Linant de Bellefonds 1965: 305–471. A detailed analysis of the regulations governing the divorce procedure in the Ottoman Empire during the eighteenth century according to the dominant Hanafi school of law can be found in Tucker 1998: 78–113.
 11. Bašeskija 1968: 307, 309.
 12. Because of its geographic positioning on the border of the Ottoman Empire, Bosnia frequently supplied troops for the Sultan’s army, in particular during its frequent wars with Austria. For example, Bašeskija writes that about 3,000 men left Sarajevo in May 1788 and joined the rest of the Ottoman troops engaged in battling the Austrians. (Bašeskija 1968: 266–67.) Furthermore, Bosnians did not only participate in the wars that the Ottomans waged on their doorstep. For instance, Enes Pelidija states that over 5,000 Bosnian Muslim men were recruited and sent to participate in the Ottoman-Persian war in 1727. According to Pelidija, only about 500 of them returned home in 1728. (Pelidija 1991: 339–41.)
 13. For a substantive analysis of the destruction of this and other libraries in Bosnia-Herzegovina during the 1992–96 period, see Riedlmayer 1994, 1996.
 14. Cf. Dobrača et al. 1996–2004.
 15. For a succinct but useful account of the history of the Gazi Husrev Beg Library, see Mujezinović and Traljić 1982.
 16. Some important scholarly texts that deal with the culture of books in Ottoman Bosnia are Hadžiosmanović 1997 and Ždralović 1988.
 17. After the late fourteenth century, the Hanafi school of Islamic law was favored by the Ottoman sultans, who made it the official legal school of the Empire. By the mid-sixteenth century, the Hanafi school had spread—with the Ottoman conquests—to the Balkan peninsula and Hungary. (Cf. Imber 1997: 25.) For a more detailed account of the spread of Hanafi doctrine in Ottoman Bosnia and its subsequent application in the *shari‘a* courts there, see Handžić 1941.

18. For a summary of different scholarly opinions regarding the development of the schools of Islamic law, see Hurvitz 2000: 39–45.
19. Brinkley Messick's comment on the main features of the authoritative texts is highly appropriate in this context: "Authoritative texts are as fundamental to the history of *shari'a* scholarship as they are to the history of other intellectual disciplines. Such a text was 'relied upon' in a place and time: the knowledgeable consulted it, the specialist based findings upon it, scholars elaborated its points in commentaries, teachers clarified its subtleties, students committed its passages to heart." (Messick 1996: 16.)
20. Thus, J.R. Walsh claims that unlike their colleagues who interpreted Islamic law in İstanbul or in the Arab provinces of the Ottoman Empire, the *muftis* who were in charge of issuing expert-opinions on issues of Islamic law in the "homelands" of the Ottoman Empire (Rumeli and Anatolia) were just pious Muslim men who were not members of the '*ulamā*' class. (Walsh, *EP* 2: 867.) While more research is needed with regard to the backgrounds of the local *muftis* in other parts of the Ottoman Balkans, several biographical dictionaries of Bosnian *muftis* during the Ottoman era demonstrate that after the late sixteenth century, all *muftis* in major cities and towns of Ottoman Bosnia were indeed members of the learned religious elite (the '*ulamā*') who had spent years studying in Islamic colleges both locally and elsewhere in the Ottoman Empire.
21. See, for example, Haso Popara's vol. 9 of Dobrača et al. 1996–2004.
22. In one of the most authoritative sources for the study of the Ottoman *fetvā*, Uriel Heyd has elaborated on some common introductory phrases that a questioner would use before posing his question(s) to a *mufti*. Some of these phrases read as follows: "What is the reply [of the great Hanafī teachers] concerning this problem? The great teachers of religion ...the guardians of the true religion...what do they say concerning this problem?" (Heyd 1969: 39–40.)
23. Several biographical dictionaries of the Bosnian-Ottoman religious elite can be used for an analysis of a variety of commentaries, texts, and *fatwa* collections originating from Ottoman Bosnia. See, for example, Šabanović 1973 and Bašagić 1912. Another important source for the study of Bosnian legal culture and the literary activities of Bosnian jurists during the Ottoman period is Ljubović 1996: 63–80.
24. Šabanović 1973: 347–53.
25. Hasandedić 1975: 433; Hasani 2003: 248.
26. For a comprehensive list of al-Mostari's works, see Fajić 1995: 144–45.
27. In his biographical dictionary of the *muftis* of Ottoman Sarajevo, Sejfudin Kemura pointed out that after the mid-sixteenth century, they were all recruited from a pool of local religious scholars who had, prior to their appointment, graduated from various Ottoman Islamic colleges both in Bosnia and elsewhere in the Ottoman Empire. The appointment of non-Bosnian *muftis* in Ottoman Bosnia prior to the mid-sixteenth century may be explained by the fact that a

- native Bosnian-Ottoman religious educated elite was only formed there in the mid-sixteenth century. (Kemura 1916; Hasandedić 1975.)
28. Mustafa Hasani correctly observes that *muftis* in the Ottoman Empire interpreted both components of Ottoman law—*shari'a* and *qanūn*. (Hasani 2003: 245.) An excellent example of a *mufti*'s engagement with issues pertaining to the latter can be found in al-Mostari's collection of *fatwas*, which included numerous opinions in response to queries on problems regulated by state law. (Cf. Ahmed al-Mostari: 197a–233b.)
 29. Bašeskija 1968: 186–97.
 30. Mula Mustafa Bašeskija writes about an eighteenth-century *mufti* in Sarajevo, Hājjī Muhamed Efendi Čajničanin, who had been given this post due to successful networking and not scholarly expertise. Shortly after Sarajevans realized that his *fatwas* were not reliable, they began to mock him in public, which resulted in his resignation from the post. (Bašeskija 1968: 218.)
 31. Cf. Masud, Messick, and Powers 1996: 3–33.
 32. Heyd 1965: 41–42.
 33. The indication of the authoritative texts the *mufti* consulted while examining the issue at hand was a common feature of *fatwa* texts issued by Bosnian muftis in the Ottoman Empire. Cf. Hasani 2003: 244–45.
 34. The administrative language of *shari'a* courts in Ottoman Bosnia was Ottoman Turkish; consequently, all documents drafted at various *shari'a* courts throughout Ottoman Bosnia are written in Ottoman Turkish. For a detailed analysis of the content and form of the court documents originating from Ottoman Bosnia, see Gadžo-Kasumović 2003.
 35. The practice of bringing *fatwas* issued by local *muftis* to various courts in the Ottoman Empire was common. The purpose of bringing a *fatwa* to court was to bolster one's case and hence to increase the chances of getting a favorable ruling from the sitting judge. However, as *fatwas* were non-binding legal opinions, judges were not required to take them into consideration while delivering their rulings. For the practice of bringing *fatwas* to Ottoman *shari'a* courts, see Jennings 1978: 134; Peirce 2003: 114–15; Ergene 2003: 139–40.
 36. Messick 1996: 151.
 37. For a useful summary account of the Hanafi doctrine concerning the legal status of the “missing man,” see Tyan 1970.
 38. Islamic law is gendered because it takes differences between the sexes as the basis for the creation of a gendered legal discourse in which one gender (male) is given power over the other (female). However, as Abdulaziz Sachedina observes, the gendered character of Islamic law is much more explicit in the sphere of inter-human relationships [*mu'amalāt*] than in the sphere of God-human relationships [*'ibādāt*]. Consequently, the most obvious features of the gender asymmetry are in those areas of Islamic law that regulate the interrelationships between men and women, such as marriage and divorce laws, as well as some other areas of family law. (Sachedina 2000: 160–76.)

39. The principle of *nushūdh* (lit. “transgression”), which in most cases implies a wife’s disobedience to her husband, is one of the strongest indicators of the gender asymmetry that is imbedded in the laws governing marriage and divorce. Consider, for example, the following summary of a court case from a mid-eighteenth-century *shari‘a* court in Sarajevo, in which a Bosnian Muslim husband claimed that his wife exhibited disobedience [*nushūdh*] and hence requested the judge to apply the appropriate rulings. According to the summary of the court proceedings, an inhabitant of Sarajevo named Murteza Ağa put forward the claim that his wife Afife was frequently taking their infant son Abdallah and leaving the house in order to visit her father’s house. Murteza said that this frequent going-and-returning was not caused by his unjust treatment of her, but by her disobedience. Consequently, he requested that the court absolve him from the obligation to pay alimony to his disobedient wife and to recognize her behavior as grounds for divorce [*talāq*]. (Gazi Husrev Beg Library, *Sicil* No. 6, 75.)
40. Tucker 1998: 63.
41. In the chapter “Etiquette of Cohabitation, What Should Take Place During Marriage, and the Obligations of Husband and Wife” of his *Ihyā‘ ‘ulūm al-dīn*, the famous theologian and jurist al-Ghazālī (d. 1111) provided a useful overview of the obligations which married partners needed to fulfill in order to have a sound marriage. According to him, a husband was obliged to “observe moderation and good manners in twelve matters: feasting, cohabitation, dallying, exercising authority, jealousy, support, teaching, apportionment, politeness at times of discord, intimate relations, producing children, and separation through divorce.” (Farah 1984: 93.)
42. *al-Hidāya fī al-fiqh al-Ḥanafī* by al-Marghīnānī (d. 1197), an extended version of the author’s *Bidāyat al-mubtedī*, has over time become one of the most important authoritative texts of the Hanafi *fiqh*. Cf. Dobrača et al. 1996–2004, 9: 117. For the importance of *al-Hidāya* in the Ottoman Empire, see Peirce 2003: 114.
43. al-Marghīnānī 1937: 903.
44. Ahmed al-Mostari: 52a.
45. Mullā Khusraw’s *Durar al-ḥukkām fī sharḥ ghurar al-aḥkām* is the author’s commentary on his work *Ghurar al-aḥkām*. *Durar al-ḥukkām* was one of the most important Hanafi authoritative sources among Ottoman jurists. (Dobrača et al. 1996–2004, 9: 251.) This source was used quite frequently by al-Mostari throughout his collection.
46. Ahmed al-Mostari: 53a. Although al-Mostari correctly ascribed this opinion to Mullā Khusraw, it had actually been taken by this latter from al-Marghīnānī’s *al-Hidāya*. This is an example of the manner in which authoritative opinions within the Hanafi school were carefully reproduced in the texts of generations of Hanafi jurists throughout the Islamic world. (Cf. Mullā Khusraw 1877: 128; al-Marghīnānī 1937: 903.)
47. See for example Sarakhsī 1970–79, 24: 156–84.

48. Ahmed al-Mostari: 51b.
49. al-Marghīnānī claimed that Muḥammad al-Shaybānī (d. 809), the celebrated student of Abū Ḥanīfa, reported that this latter had said: “When 120 years have passed from the day of his birth, we declare him to be dead.” al-Marghīnānī says that some other Hanafi jurists held that this period should be 100 (Abū Yūsuf) or 90 years. (Cf. al-Marghīnānī 1937: 905.)
50. Ahmed al-Mostari: 52a. Osman Lavić has claimed that *Mu‘īn al-Qudāt* was a manual for judges composed by Muḥammad b. Sulaymān. Unfortunately, no other information is available about this author. (Cf. Dobrača et al. 1996–2004, 10: 445.)
51. Ahmed al-Mostari: 52b.
52. al-Marghīnānī 1937: 903.
53. Ahmed al-Mostari: 52a.
54. al-Sarakhsī 1970–79, 21: 236.
55. al-Marghīnānī 1937: 904.
56. Mālik b. Anas 1989: 266.
57. While Mālik b. Anas does not explain the circumstances that led ‘Umar b. Khaṭṭāb to determine that the wife of a missing husband had to wait four years before she could begin the waiting period between two marriages, both al-Sarakhsī and al-Marghīnānī claim that ‘Umar b. Khaṭṭāb determined that the wife of a man who had been carried away from Medina by *jinn*s had to wait for her husband for four years and then commence the waiting period of a widow. (Cf. al-Marghīnānī 1937: 903–904; al-Sarakhsī 1972: 36–37.)
58. al-Shāfi‘ī 2001: 609; Ibn Qudāma 1986–90: 11: 245–46. Also, for the opinion of Ibn Ḥanbal on this problem, see Spectorosky 1993: 113–14.
59. Zayla‘ī 1996: 717–18.
60. Ahmed al-Mostari, *al-Fatāwā al-Aḥmadiyya al-Müstāriyya*, Süleymaniye Library, İstanbul, MS Kasideci-zade 290: 8/b.
61. The stipulation of the amount of *mahr* was one of the main conditions for the legality of a marriage contract. (See Schacht 1964: 163–64.)
62. Ahmed al-Mostari, *al-Fatāwā al-Aḥmadiyya al-Müstāriyya*, Süleymaniye Library, İstanbul, MS Kasideci-zade 290: 8/b.
63. Tucker 1998: 84.
64. Ahmed al-Mostari, *al-Fatāwā al-Aḥmadiyya al-Müstāriyya*, Gazi Husrev Beg Library, Sarajevo, MS 2226: 13b, margin.
65. A review of imperial decrees sent to local judges in Ottoman Bosnia from the Imperial Chancery shows that many Bosnian Muslim women who thought that their cases were not fairly treated in local courts traveled to İstanbul to take up their cases to the highest legal institution in the Empire, the Imperial Council. Most of the cases that Bosnian women brought to the attention of the Imperial council were concerned with property. See *Ahkâm-ı Bosna* for the period 1775–95. For Ottoman women’s practice of seeking justice at the Imperial Council during the eighteenth century, see Zarinebaf-Shahr 1997: 253–64.

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