

ZARINEBAH

CRIME & PUNISHMENT

CH. ISTANBUL 1700-1800

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# Crime and Punishment in Istanbul

1700-1800

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Fariba Zarinebaf



UNIVERSITY OF CALIFORNIA PRESS

*Berkeley Los Angeles London*

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University of California Press  
Berkeley and Los Angeles, California

University of California Press, Ltd.  
London, England

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Library of Congress Cataloging-in-Publication Data

Zarinebaf, F. (Fariba), 1959–.

Crime and punishment in Istanbul : 1700/1800 / Fariba Zarinebaf.  
p. cm.

Includes bibliographical references and index.

ISBN 978-0-520-26220-1 (cloth : alk. paper)

ISBN 978-0-520-26221-8 (pbk. : alk. paper)

1. Crime—Turkey—Istanbul—History. 2. Punishment—Turkey—Istanbul—History. I. Title.

HV7076.7.Z8Z37 2010

394.94961'809033—dc22

2010020820

Manufactured in the United States of America

19 18 17 16 15 14 13 12 11 10  
10 9 8 7 6 5 4 3 2 1

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**THE FLETCHER JONES FOUNDATION  
HUMANITIES IMPRINT**

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The Fletcher Jones Foundation has endowed this imprint to foster innovative and enduring scholarship in the humanities.

The publisher gratefully acknowledges the generous support of  
the Fletcher Jones Foundation Humanities Endowment Fund  
of the University of California Press Foundation.

**Crime and Punishment in Istanbul,  
1700–1800**

*To my mother and the memory of my father,  
who fought for justice all his life*

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## ACKNOWLEDGMENTS

This book is the result of a personal and intellectual journey that was inspired by many events and individuals. My long stays in Istanbul as a graduate student exposed me to a fascinating city, its people, and its history. I knew that one day I would be engaged in writing about some aspects of its amazing history. Without the training and support of many individuals and institutions, I would not have been able to carry out this ambitious project.

I would like to thank Professor Halil Inalcik and Professor John Woods for their training and mentorship. In the process of my writing of this manuscript, many colleagues and friends offered critical insights and support. Dror Ze'evi, Ariel Salzmänn, and Linda Darling read the manuscript and provided important suggestions and insights. I thank my friend Andrew Wachtel, who read several versions of the manuscript and shared his ideas for making the book more accessible to nonspecialists. I also would like to thank Janet Afary, Palmira Brummett, Richard Beal, Thomas Cogswell, Daniel Goffman, Shirine Hamadeh, Randolph Head, Hasan Kayalı, Georg Michels, Marion Miller, Gabriel Piterberg, Nasrin Qader, Robert Patch, Jo'an Scurlock, Holly Shissler, Jennifer Tobin, and Madeline Zilfi for their support and friendship.

The feedback and support of my colleagues and friends in Turkey were crucial during my research in Istanbul. Among them, I thank Suraiya Faroqhi, Mehmet Genç, Anthony Greenwood, Caroline Finkel, Ali Akyıldız, Şevket Pamuk, Edhem Eldem, Haldün Güllalp, Güliden Sarıyıldız, and Victoria Holbrook. The warm friendship of Dilek Barlas and her family made my long stays in Istanbul a real joy. I also thank Güliden Güneri and Semrin Korkamz of ARIT, as well as Muhittin Eren of Eren Bookstore, for their hospitality and friendship.

I thank Niels Hooper and Emily Park at the University of California Press for their patience and insights and for making the publication of this book possible. Victoria Casana's superb editorial skills greatly enhanced the final version of the manuscript. Jane Blanshard provided editorial assistance on the first draft with diligence. Paul Kaldjian prepared the maps of Istanbul at a very low budget. I thank Naomi Linzer for doing the index.

The generous support of the National Endowment for the Humanities and the American Research Institute in Turkey made this dream possible. The University of California at Riverside provided a Regents Fellowship and additional funding for the editing of the manuscript. I would also like to thank Northwestern University and the University of Virginia as well as the Newberry Library at Chicago for providing summer research grants.

In addition, I would like to thank the staff at the Başbakanlık Archives, the Islamic Research Institute (ISAM) and the Müftülük Archives in Istanbul for their patience and access to sources. I also thank the Rijks Museum in Amsterdam and the British Library for the copyright permissions for images by Vanmour and Fazil Beg Enderuni. The Northwestern University Library provided the images by Allom.

Finally, the long research and the writing of this book would not have been possible without the love and continued moral support of my family in Tehran and in Chicago, the young and the old to whom this book is dedicated. My parents' absolute dedication to scholarship and their confidence in me during times of immense hardship gave me the real passion to write this book. My late father, who as a lawyer and a civil rights advocate was against torture and the death penalty, provided much inspiration for this book. Needless to say, while I was fortunate to have the intellectual, moral, and financial assistance of the individuals and institutions named above and others, all the errors in the interpretation of Istanbul's history are mine.

## NOTE ON TRANSLITERATION AND TRANSLATION

All the translations of Ottoman sources in the text are my own, and I have tried to remain close to the original text as much as possible. I have used Christian calendar dates when citing documents.

For terms other than common English forms (e.g., *pasha*), I have generally followed modern Turkish orthography. For specific Ottoman terms, I have followed Sir James Redhouse's *Turkish and English Lexicon*, New Edition, Beirut, 1987, for the English transliteration of Ottoman words. For proper names (Turkish and Arabic), I have followed modern Turkish orthography (e.g., *Ayşe*, *Mehmed*).

Pronunciation of modern Turkish letters that are not transliterated in English:

- ç ch, as in *church*
- ş sh, as in *ship*
- ğ unvocalized, lengthens preceding vowel
- ı as in *bird*
- c as in *jam*

TEXT:

10/12.5 Minion Pro

DISPLAY:

Minion Pro

COMPOSITOR:

Integrated Composition Systems

INDEXER:

J. Naomi Linzer Indexing Services

CARTOGRAPHER:

Paul Kaldjian

PRINTER & BINDER:

Maple-Vail Book Manufacturing Group

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# Introduction

## *A Mediterranean Metropolis*

*The city drove men to crime!*

—BERNARD CHEVALIER, *LES BONNES VILLES DE FRANCE*  
*AUX XIVE DU XVIIIE SIÈCLE*<sup>1</sup>

European travelers, diplomats, and artists left a rich narrative and visual record of daily life and their encounters in the Ottoman capital for a curious and eager audience back home.<sup>2</sup> For some, Constantinople was the embodiment of Ottoman decline, the violence of the Turk, the decadence of Islam, and the slow pace of European modernity's attempts to gain a firm foothold in Ottoman culture. The Ottoman modernization effort actually started in Istanbul in the late eighteenth century. For the romantic traveler, it was a picturesque Eastern city in the process of decline, with its rich Byzantine and Ottoman heritage and diverse religious, ethnic, and linguistic mosaic. As European women began traveling to the Ottoman Empire in the eighteenth century, a genre of travel narrative by women developed that was more ethnographic and less biased than previous accounts and that focused primarily on the lives of Ottoman women in the harem, whether imagined or real. It goes without saying that these narratives influenced modern Western perceptions of the Ottomans, their once great imperial capital, and their place in world history.

However, recent scholarship has challenged this paradigm. Following Fernand Braudel's pathbreaking study that incorporated Istanbul as a prominent city into the Mediterranean urban network, André Raymond, Edhem Eldem, Daniel Goffman, and Bruce Masters offered an alternative method of studying Ottoman and Middle Eastern cities. Instead of categorizing Ottoman cities into Arab and Islamic prototypes that lacked civic institutions and urban autonomy in comparison with European cities, as Max Weber had done, they called for a more flexible and a bottom-up approach that highlighted geographical, socioeconomic, and historical factors. Moreover, rather than looking back at these cities from the nineteenth-

century nationalist and modernist perspective, they emphasized the importance of developments during the transitional seventeenth and eighteenth centuries and the different trajectories of each city's integration into the world economy. Thus, they argued that as an imperial port city, Istanbul, unlike Izmir and Aleppo, consumed more than it exported. It would therefore lend itself better to a comparison with its counterparts in Europe like Paris and Venice. Moreover, Istanbul, Aleppo, and Izmir were situated uniquely on the borderlands of the Mediterranean world, with commercial connections to both the East and Europe. Istanbul in particular was the largest hub; Palmira Brummett has recently suggested placing it at the center of the Mediterranean network of commerce (with the East), travel, and warfare.<sup>3</sup>

Turkish and Western historians have made important contributions to studies of Istanbul's social and economic history during the early modern period, although that history remains largely understudied compared with the examination of the history of Paris, Venice, or London.<sup>4</sup> Using archival sources, they have studied how the Byzantine capital changed into an Ottoman imperial city and have outlined its administrative and social structure in the early modern period. Art historians have studied the architectural transformation of Istanbul from a Byzantine city to an Ottoman city and later from a traditional Ottoman city to a modern city. But these approaches still center on the role of the Ottoman state in urban life.<sup>5</sup> Shirine Hamadeh's recent book has attempted to integrate the architectural and social history of Istanbul during the eighteenth century, going beyond the study of the patronage of ruling class.<sup>6</sup> More recently, a few scholars have paid more attention to the roles of artisans, non-Muslim minorities, women, and European traders in the social and economic history of Istanbul during the seventeenth and eighteenth centuries.<sup>7</sup> Others have studied urban rebellions in Istanbul and the political changes that they catalyzed.<sup>8</sup> However, they have focused on violence not as an important aspect of daily life but as single moments in the history of the city and the breakdown of law and order. Moreover, with few notable exceptions, the history of Istanbul in the eighteenth century has received very little attention from the historians.

What has been lacking in previous analyses has been a more integrated study of the social history of Istanbul during the transitional eighteenth century that focuses on violence and crime as well as on social control and policing. The eighteenth century was an important transitional and formative period in the history of the city and the transformation of its penal system. This period is significant in setting the stage for many social as well as institutional and legal changes that historians usually associate with the impact of the West and the process of modernization in the nineteenth century. The study of violence and crime not only provides a more nuanced picture of history from below but also sheds an important light on conflicts between various social groups, and the study of policing and punishment sheds light

on the modalities of control and punishment. While scholars of European history have made important contributions to the history of violence and policing in Paris and London, the history of crime in Ottoman cities has been understudied. This book will show that the history of crime and punishment in Istanbul was similar to that of many European cities during the eighteenth century.<sup>9</sup>

### ISTANBUL FROM A CRIMINOLOGICAL PERSPECTIVE

Rather than relying on the sensational and exotic accounts of European travelers, this book normalizes the history of Istanbul and places it in the historiography of Ottoman and Mediterranean cities. It examines changes in the city's physical structure and social fabric, crime and violence, and state control through the study of policing and law enforcement. In other words, it shows how the Ottoman state tried to impose a regime of social control and policing in a city that was experiencing rapid urban growth and increased social conflict and crime.

The first and second chapters provide a backdrop for the physical and social transformation of Istanbul during the Tulip Age and analyze continuity and change in the urban fabric between 1650 and 1800. I argue that many of the changes that took place in the Ottoman Empire during the eighteenth century can be traced back to the late seventeenth century. This was a long century of wars and large-scale migration from the regions where they were being waged, economic crises, fiscal and administrative reforms under the Köprülü viziers, and urban rebellions. Chapter 1 examines the physical expansion of Istanbul, the social and ethnic landscape of its neighborhoods. This chapter takes the reader through the four districts of Istanbul (Eyüp, Istanbul proper, Galata, and Üsküdar) and their neighborhoods to illustrate their changing social and ethnic composition, to locate crime, and to describe the specific patterns of criminal activity discussed more fully in later chapters. I argue that increasing social polarization in the city during the eighteenth century led to heightened social conflict. While the ruling class and its dependents moved to villages along the waterfront, an underclass crowded into and inhabited the dense neighborhoods in the core areas of Galata, Kasım Paşa, and Mahmud Paşa, where poverty and crime were concentrated. The plague and fires caused more damage in these areas. As the city grew and its economy became more commercial, the rates of petty crimes and crimes against property increased.

Chapter 2 explores how migration into Istanbul swelled the ranks of the city's poor and marginal populations. I focus on the policies of the state in controlling migration, protecting the guilds, and preserving the social order. The state responded by tightening its control over various groups such as artisans and rural migrants through increased surveillance and policing.

Chapter 3 places the 1703 and 1730 rebellions in Istanbul within the larger frame-



work of urban violence and uprisings. The various threads of argument in this chapter continue through the rest of the book. I examine the profiles of some of the participants in these rebellions in the context of Istanbul's political and social history. I argue that these rebellions were the result of political, economic, and social changes that took place between 1650 and 1730. Violence and crime formed the undercurrent of urban life in eighteenth-century Istanbul and exploded in urban rebellions at times of acute social and economic crises.

Chapters 4, 5, and 6 explore daily incidents of crime as described in the city's prison and police records, Islamic court documents, and imperial orders, also drawing on the narratives of Ottoman and European authors. The chapters offer a detailed description of crime, with special attention paid to crimes against property, victimless crimes (prostitution and the vice trade), and violent assaults and homicides. Using the records of convicts who were sentenced to penal servitude in the galleys, banishment, or imprisonment, each chapter discusses the nature of these crimes, the backgrounds of those who committed them, and the policies of the state used to punish the criminals. The vice trade and sexual transgressions made up fewer than 5 percent of convictions. Women's transgressions of the moral, religious, and gender boundaries of their communities led to heightened anxiety over the breakdown of order at times of social and political crises. Finally, chapter 6 discusses sexual assault and violent crimes, which included armed theft and robbery. Violent assault was widespread in working-class neighborhoods and formed part of daily life.

The final three chapters examine the state's attempts (through law enforcement and policing) to impose its vision of social order on the burgeoning and diverse population of the capital city. Chapter 8 sheds light on the expansion of policing due to the state's growing concern about rebellion and crime.

No study of the Ottoman vision of urban order in the eighteenth century is complete without a consideration of the relationship between Islamic law and punishment. Chapter 8 discusses the plural legal system and the roles of Islamic and non-Muslim courts as well as the Imperial Council in punishing crime. The Ottoman penal code combined elements of the *shari'a* (Islamic law), the *kanun* (imperial statutes), and custom or communal traditions (non-Muslim laws). I discuss the authority of the sultan, his officials, and the judge in the prosecution and punishment of crime. The transformation of the Ottoman penal system from one employing corporal and capital punishment, blood money, and fines to one using penal servitude in the galleys, banishment, and imprisonment and from private to public punishment is the subject of chapter 9.

Thus, this study of crime and punishment in eighteenth-century Istanbul addresses the following themes: the impact of socioeconomic changes, long wars, and growing poverty on urban violence and criminality; important institutional changes in modalities of surveillance and policing; and the emergence of a multilayered but