

Ironically, few Western ambassadors and consuls in the early modern period seem to have appreciated the significance of the capitulatory articles that emphasize the importance of properly recording their commercial transactions with Ottoman business partners. In Europe it was already common practice to record business transactions extensively, but in the Ottoman Empire, where the ability to read and write could not be taken for granted among local merchants, oral agreements and oral testimony continued to be important. For Europeans an important exception was made in this regard. As long as the Europeans recorded everything properly in the Ottoman courts of law, according to their standard procedures, then the Ottoman government guaranteed that the kadis would favour such documents over oral testimony. All the European merchants had to do was go to the courts, pay the fees for registration and certified copies—and ignore instructions from their home authorities, ambassadors, and consuls not to involve the Ottoman legal system in their commercial practices in any way. Discouragement from their home authorities and ambassadors notwithstanding, there is historical evidence from both Ottoman and European sources that many merchants from the West did register their dealings properly, and that the Ottoman judges indeed tended to uphold the sultan's promises of safety and stability.

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How to Manage the Unmanageable: Inconsistent Ottoman Strategies to Prevent Prostitution

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Abstract

Based on narratives, including 'urban legends', and Ottoman archival sources, this article deals with prostitution in the Ottoman Empire in view of its legal and judicial treatment according to both Sharia and sultanic law. Ottoman policies towards prostitution included measures and punishments ranging from milder (imprisonment, expulsion, taxation, legalization of brothels) to harsher (death sentence and corporal punishment). Since the Ottoman Empire included territories of a great variety of peoples and local customs the measures applied changed over time and varied across places. The author puts forward the hypothesis that the harshness of punishment depended perhaps also on the impact of conservative religious circles such as the Kadızâdelis and Mujaddidiyah.

Keywords

Ottoman Empire – prostitution – Kadızâdelis – Mujaddidiyah – punishment

The anonymous author of an early eighteenth-century Ottoman moralizing treatise, known as *Risâle-i Garîbe* (Treatise of weird things) and completed in 1132/1719–20, condemns "the sailors and oarsmen who set whores free" (*orospu kurtaran kürekçiler*),¹ "the boors, infidels and blasphemers who use prostitutes and then marry them" (*bir fâhişe ile muamele edip sonra nikâhla*

¹ Develi, Hayati, *XVIII. Yüzyıl İstanbul Hayatına Dair Risâle-i Garîbe* (Istanbul: Kitabevi, 2001), p. 23.