

SIMILARITIES AND DIFFERENCES IN THE LANGUAGE OF OFFICIAL RECORDS IN SELECTED CRIMEAN AND OTTOMAN JUDICIAL BOOKS*

KATARZYNA STEFANIAK-RAK

Department of Asian Studies, Section of Turkic, Mongolian and Korean Studies
Adam Mickiewicz University
al. Niepodległości 24, 61-714 Poznań, Poland
e-mail: kasiast@amu.edu.pl

The aim of this paper is to discuss both similarities and differences in selected judicial books. Legal terminology and functional vocabulary will be analysed on the basis of words from a Crimean judicial book. Subsequently, books from different regions of the Ottoman Empire will be analysed with regard to their presence. Judicial books are registries which were written in Ottoman Turkish in judicial offices. This publication is an attempt at answering the following questions: Were the words and formulae used in the records similar? Are the names of objects the same? Was the language of the local population reflected in the court records?

Key words: judicial books, Crimea, Ottoman Empire, legal terminology, Crimean-Tatar language, Ottoman language.

1. Introduction

The language of Ottoman judicial books called *sicills* and *defters* is very distinctive. It differs significantly from the literary language. It results, first and foremost, from the contents of the books. Grzegorzewski (1912, p. 7) characterises court records as “*judicial books or written records* to which the judge himself, i.e. kadi or his deputy or a writer under the supervision of the kadi who is the supervisor of these books (*sicill idaresi*), adds all acts of public and private life which are subject to notarial and judicial review.” Fekete (1926, p. 58) defines *defters* in the following way: “a list, a record of notes ranging from the official ones to the private ones. (...) *Defters*

* This paper was written with the financial support of the National Science Centre (Poland), grant no. 3810/B/H03/2011/40.

include merely formal (formulaic) parts such as an introduction, ending and a title which were abbreviated correctly” (my translation, K. S.-R.).

2. Legal Terminology in Judicial Books

The judicial books were written in Ottoman Turkish. It was also the official language of judicial offices in the Ottoman Empire and the Crimea, characterised by formulae, a special terminology and professional vocabulary, which were not used outside the court, chambers of the kadi, or seats of authorities for the most part. They were used by the educated and enlightened. Next to them, there are colloquial expressions from daily life which are found on the occasion of making the inventory of a deceased person's estate.

Sicills are an exceptionally valuable source of knowledge about the language as well as the everyday life of the inhabitants of the region where a given book was created. The contents of several books (*Aş-Şuqūq aş-şari 'īyya wa as-siğillāt al-mar 'īyya* vol. 10; *İstanbul Mahkemesi 121 Numaralı Şer 'iyye Sicili*; *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 1 Numaralı Sicil*; *Şer 'iye sicilleri vols I–II*; *Das sicill aus Skopje. Kritische Edition und Kommentierung des einzigen vollständig erhaltenen Kadiamtsregisterbandes (sicill) aus Üsküb (Skopje)*; *Osmanlı Vesikaların Okumaya Giriş*) have been analysed in order to find out whether the terminology and the vocabulary of the notes from the Crimea are common for the judicial offices regardless of the place where they were taken down. Because of the enormous variety of the contents of the *sicills*, only some of the most frequently attested expressions and words in the 10th¹ book were chosen, and subsequently the contents of the other records were analysed. Thanks to that, it will be easier to check if the terms and expressions were fixed (identical or similar in the Ottoman Empire and the vassal states), or if they are characteristic of the records from the 17th-century Crimea.

2.1. Words and Terms²

'āciz, *'āciz olmak* ‘unable, incapable’ (SŞSM10, p. 141), (IM121, p. 33), (IKS, p. 412), (ŞS, p. 221); *aḥz* ‘receiving; exaction’ (SŞSM10, p. 137), (IM121, p. 26), (DSS, p. 299), (ŞS, p. 25), (OVO, p. 190); *aşāleten* ‘in one's own name; in propria persona’ (SŞSM10, p. 78), (IM121, p. 49), (DSS, p. 723), (ŞS, p. 328); *ba 'de* ‘then, after’ (SŞSM10, p. 77), (IKS, p. 125), (IM121, p. 6), (DSS, p. 300), (OVO, p. 190), (ŞS, p.

¹ The language of other judicial books from the Crimea is similar. The proceedings of the hearings from these *sicills* contain the same terms and words, therefore similarities and differences in the language of official documents will be provided on the basis of SŞSM volume 10 written in the years 1077/1666–1080/1669–1670. In several places there appear examples from volumes 13 (1078/1668–1079/1669) and/or 15 (1085/1674–1086/1675).

² The meaning of the words has been provided on the basis of the Redhouse Dictionary (Redhouse 2000).

328); *bey* ‘sale’ (SŠSM10, p. 138), (IM121, p. 9), (§S, p. 328); *beyān*, *beyān etme* ‘declaration’ (SŠSM10, p. 18), (IM121, p. 5), (DSS, p. 722), (IKS, p. 110); *beyyine* ‘proof, argument’ (SŠSM10, p. 40), (IKS, p. 116); *bi’l-muvācehe* ‘in confrontation; by confronting’ (SŠSM10, p. 105), (IKS, p. 114); *bi’ṭ-taleb* ‘on request, according to the will’ (SŠSM10, p. 138), (IM121, p. 51), (DSS, p. 723), (OVO, p. 190), (§S, p. 328); *bi-t-tamām* ‘completely, fully’ (SŠSM10, p. 81), (IKS, p. 103), (§S, p. 325); *bi-t-tav* ‘voluntarily’ (SŠSM10, p. 80), (IKS, p. 218); *deyn* ‘debt, obligation; obligatory act’ (SŠSM10, p. 80), (IKS, p. 125), (DSS, p. 640); *edā*, *edā etme (eyleme)* ‘1. affectation. 2. payment, paying a debt’ (SŠSM10, p. 23), (DSS, p. 180), (§S, p. 267), (OVO, p. 190), (IKS, p. 125), (IM121, p. 23); *ferāgat* ‘abnegation; abandonment, resignation’ (SŠSM10, p. 78), (IM121, p. 33); *fevt olmak* ‘to die’ (SŠSM10, p. 127), (IKS, p. 116), (IM121, p. 3), (DSS, p. 266), (OVO, p. 190); *firār eyleme* ‘escape; desertion’ (SŠSM10, p. 131), (§S, p. 25); *ḥayyiz-i kabūl* ‘acceptance by a party’ (SŠSM10, p. 23), (IKS, p. 112), (§S, p. 328); *ḥudūd* ‘border; limit’ (SŠSM10, p. 138), (IKS, p. 221), (IM121, p. 4), (DSS, p. 722), (§S, p. 294); *ḥuṣūṣ* ‘issue, subject, case’ (SŠSM10, p. 23), (IM121, p. 6), (DSS, p. 251), (§S, p. 325), (OVO, p. 189); *ıkbāz*, *ıkbāz etme* ‘holding, withholding’ (Devellioğlu 2006, p. 454), (SŠSM10, p. 138), (IKS, p. 216); *ibrā* ‘an acquitting, absolving’ (SŠSM10, p. 127), (IKS, p. 220), (IM121, p. 6); *ibrā-i iskāt*, *ibrā ve ibtidā* ‘start, beginning’ (SŠSM10, p. 98), (IKS, p. 413); *icāre* ‘rent’ (SŠSM10, p. 89), (IKS, p. 103); *ıkrār*, *ıkrār etme* ‘confession; declaration’ (SŠSM10, p. 23), (IM121, p. 6), (DSS, p. 722), (§S, p. 25), (IKS, p. 103); *ıkrār ve i’tirāf*, *ıkrār ve i’tirāf etme* ‘confession and admission’ (SŠSM10, p. 16), (DSS, p. 723), (§S, p. 266); *inkār*, *inkār etme* ‘1. a denying; an ignoring. 2. contest’ (SŠSM10, p. 40), (IM121, p. 6), (IKS, p. 200), (§S, p. 325), (OVO, p. 190); *iṣbāt etme* ‘proving; demonstration; confirmation’ (SŠSM10, p. 137), (IKS, p. 112), (§S, p. 291); *iskāt eyleme* ‘throwing down; rejection, dismissing’ (SŠSM10, p. 76), (IM121, p. 51), (§S 292); *iştirā* ‘purchase, buy’ (SŠSM10, p. 18), (IM121, p. 27), (§S, p. 328); *kabūl etme/eyleme* ‘acceptance, admission, acceptance’ (SŠSM10, p. 75), (IKS, p. 109), (IM121, p. 6), (DSS, p. 478), (§S, p. 25), (OVO, p. 190); *kaḥz*, *kaḥz eyleme* ‘acquisition, seizing, a taking into possession’ (SŠSM10, p. 125), (IKS, p. 115), (IM121, p. 26), (DSS, p. 516), (§S, p. 325), (OVO, p. 190); *karz* ‘loan, debt’ (SŠSM10, p. 72), (IKS, p. 115); *kefīl*, *kefīl olma* ‘guarantor, surety; standing surety’ (SŠSM10, p. 89), (OVO, p. 190), (IKS, p. 102), (§S, p. 328); *keyfe-mā-yeṣā ve yahtār* ‘in accordance with the will and wish’ (SŠSM10, p. 78), (§S, p. 23); *kit’a* ‘piece, part’ (SŠSM10, p. 50), (IM121, p. 4); *kirā* ‘rent; tenacy’ (SŠSM10, p. 48), (IKS, p. 116), (IM121, p. 9), (DSS, p. 510); *maḳtūl* ‘murdered, killed’ (SŠSM10, p. 59), (IKS, p. 113); *ma’lūm* ‘familiar, known’ (SŠSM10, p. 127), (IM121, p. 4), (DSS, p. 300), (§S, p. 42); *maṭlūb* ‘wished for, desired’ (SŠSM10, p. 18), (IM121, p. 9), (DSS, p. 449), (OVO, p. 190); *meblağ* ‘sum (of money), amount’ (SŠSM10, p. 40), (IKS, p. 205), (IM121, p. 39), (DSS, p. 266), (§S, p. 25); *meclis-i şer* ‘Islamic court’ (SŠSM10, p. 23), (IKS, p. 112), (IM121, p. 5), (DSS, p. 299), (§S, p. 312); *meccrūh* ‘1. wounded, injured. 2. rejected’ (SŠSM10, p. 49), (IKS, p. 112); *merḥūm* ‘deceased’ (SŠSM10, p. 125), (IKS, p. 109), (IM121, p. 4), (§S, p. 324); *merkūm* ‘mentioned, noted’ (SŠSM10, p. 137), (IM121, p. 6), (DSS, p. 299), (§S, p. 325), (OVO, p. 189); *mesfūr*

‘mentioned, noted’ (SŠSM10, p. 23), (IKS, p. 223); *metrūkāt* ‘inheritance; effects of the deceased person’ (SŠSM10, p. 23), (IKS, p. 125); *mezbūr* ‘mentioned, noted’ (SŠSM10, p. 127), (IKS, p. 412), (IM121, p. 5), (DSS, p. 219), (ŞS, p. 25), (OVO, p. 190); *mezķūr* ‘mentioned, noted’ (SŠSM10, p. 18), (IKS, p. 103), (DSS, p. 201), (ŞS, p. 25); *minvāl-i meşrūh* ‘in the explanations, by means of explanation’ (SŠSM10, p. 18), (IM121, p. 103); *minvāl-i muħarrer* ‘in writing’ (SŠSM10, p. 14), (IM121, p. 23), (ŞS, p. 25); *mūcib* ‘1. necessary, indispensable. 2. reason, cause’ (SŠSM10, p. 23), (IM121, p. 3), (DSS, p. 197); *muħallefāt* ‘inheritance’ (SŠSM10, p. 18), (IKS, p. 218), (ŞS, p. 325); *mūmā ileyh* ‘aforementioned, named’ (SŠSM10, p. 18), (IM121, p. 3), (DSS, p. 201); *muvācehe* ‘confrontation’ (SŠSM10, p. 138), (IM121, p. 6), (ŞS, p. 25); *muvāfik* ‘appropriate, agreeable, suitable’ (SŠSM10, p. 137), (IKS, p. 200), (DSS, p. 180), (ŞS, p. 290); *müdde’i* ‘plaintiff; accuser’ (SŠSM10, p. 18), (IKS, p. 210); *müsbet* ‘proved, established’ (SŠSM10, p. 18), (DSS, p. 510); *müşārün-ileyh* ‘named, aforementioned (used for high officials and celebrities)’ (SŠSM10, p. 16), in (DSS, p. 299) it is *müşar ileyh*, (IKS, p. 413); *müteveffā* ‘deceased, dead’ (SŠSM10, p. 9), (IKS, p. 109), (IM121, p. 9), (DSS, p. 266), (ŞS, p. 298); *naḫāka* ‘maintenance, alimony’ (SŠSM10, p. 4), (IKS, p. 111), (ŞS, p. 230); *naşb, naşb olma* ‘appointment, nomination; being designated, appointed to a position’ (SŠSM10, p. 17), (OVO, p. 189), (IKS, p. 101), (ŞS, p. 48); *nizā* ‘dispute, quarrel’ (SŠSM10, p. 101), (DSS, p. 723), (ŞS, p. 288); *şābit* ‘authenticated, agreed, proved’ (SŠSM10, p. 16), (IM121, p. 57), (DSS, p. 722), (ŞS, p. 324), (IKS, p. 114); *su’āl* ‘question’ (SŠSM10, p. 18), (OVO, p. 190), (ŞS, p. 291); *şulh, şulh etme* ‘reconciliation, settlement; making peace’ (SŠSM10, p. 82), (IKS, p. 112); *şübūt* ‘being proved, certain’ (SŠSM10, p. 80), (IKS, p. 125), (IM121, p. 6), (DSS, p. 300); *şāhid* ‘a witness’ (SŠSM10, p. 23), (IKS, p. 112); *şehādet-i şer’iyye* ‘testimony in accordance with Sharia’ (SŠSM10, p. 23), (IKS, p. 102), (ŞS, p. 267); *şirā* ‘purchase, buy’ (SŠSM10, p. 40), (IM121, p. 26); *taħrīr* ‘record, writing; registration’ (SŠSM10, p. 79), (DSS, p. 303), (OVO, p. 189); *taḫdīr, taḫdīr olma* ‘appreciation; estimate, being estimated’ (SŠSM10, p. 73), (IKS, p. 102), (IM121, p. 6), (ŞS, p. 291); *taḫrīr-i kelām* ‘giving utterance to words, speaking’ (SŠSM10, p. 138), (ŞS, p. 25), (IM121, p. 51), (DSS, p. 722); *ṭaleb, ṭaleb etme* ‘request; wishing, longing for; requesting, asking for’ (SŠSM10, p. 137), (IKS, p. 113), (ŞS, p. 25), (OVO, p. 190), (DSS, p. 297); *taşarruf* ‘possession, disposal; saving (money)’ (SŠSM10, p. 18), (IM121, p. 67), (IKS, p. 109), (ŞS, p. 328); *taşdīk, taşdīk etme* ‘confirmation, assertion; an affirmation’ (SŠSM10, p. 138), (IM121, p. 6), (DSS, p. 723), (ŞS, p. 23), (IKS, p. 113); *ta’yīn* ‘appointing, designating; appointment’ (SŠSM10, p. 118), (IKS, p. 110), (DSS, p. 299), (ŞS, p. 230), (OVO, p. 189); *teslīm* ‘delivery; submitting’ (SŠSM10, p. 35), (DSS, p. 303), (IM121, p. 24), (IKS, p. 111), (DSS, p. 516); *vaşī* ‘guardian, executor’ (SŠSM10, p. 38), (IKS, p. 152), (IM121, p. 95), (ŞS, p. 298); *vech-i meşrūh (üzere)* ‘in the manner described’ (SŠSM10, p. 53), (IM121, p. 26), (DSS, p. 303); *vekālet* ‘proxy’ (SŠSM10, p. 125), (IKS, p. 125), (ŞS, p. 291); *vekīl* ‘proxy, attorney’ (SŠSM10, p. 137), (IKS, p. 113), (ŞS, p. 289); *verāşet* ‘inheritance, heritage’ (SŠSM10, p. 43), (IM121, p. 9), (DSS, p. 266); *zarar* ‘damage, injury’ (SŠSM10, p. 140), (IKS, p. 210); *zīkr* ‘a mentioning, mention’ (IM121, p. 5), (DSS, p. 197), (ŞS, p. 25), (IKS, p. 102); *zīmmet* ‘charge;

debt' (SŠSM10, p. 3), (IKS, p. 109), (IM121, p. 39), (DSS, p. 669), (ŞŞ, p. 278), (OVO, p. 190); *zimmī* 'non-Muslim (mainly Christian)' (SŠSM10, p. 139), (IKS, p. 113), (IM121, p. 22), (DSS, p. 268), (ŞŞ, p. 292); *ziyāde* 'more; much; very' (SŠSM10, p. 124), (IKS, p. 103), (IM121, p. 33).

The above examples taken from the pages of the 10th judicial book from the Crimea can also be found on the pages of the majority of the analysed records from other *sicills*. An analysis of the issue was first carried out as part of my doctoral dissertation entitled "Protokoły rozpraw sądowych XVII wiecznego Krymu. Analiza językowa i kulturowa" [The proceedings of the hearings from 17th-century Crimea. A linguistic and cultural analysis] (Stefaniak-Rak 2011). The terms and legal formulae as well as selected colloquial vocabulary also appear in the analysed books from different chambers in the Ottoman Empire, which proves that they were fixed and constant.

In general, the recording clerks did not allow for arbitrariness and individual formulation of the records, but used standard phrases and terms. According to Ergene (2003, p. 134): "there are indications in the court records that what is reported in the *sicills* as the speech of the litigants is in fact the translation of their voices into the official language of the legal system". Then he gives an example of a case in which some Christian woman was involved: "Alternatively, the officials of the court may have reconstructed her speech while it was being recorded in the court records. In any case, what we observe in this example is a translation of her actual thoughts, feelings, and perhaps even words into a legal statement that was acceptable according to the existing legal and religious norms." It leads to the conclusion that in some cases witnesses' statements could influence the court records and explains why some colloquial words and grammatical forms appear in the judicial books from the Crimea.

Apparently, each of the analysed books has a different style. Each style has its distinctive features, which is due to various factors. The most important of the factors are:

- (i) Types of the documents written down in the volume (*hüccet* 'certificate, right of ownership, evidence', *ferman* 'decree, edict', *ilam* 'sentence', *arzuhal* 'application, petition', etc.). These documents, for example *fermans*, were written in the official language which is very difficult to understand compared to the Crimean *yarliks*. One of the most important sources devoted to edicts and documents from the Crimea (also these excerpted from the *defters*) is the collection published by Véliaminov-Zernof in 1864. Mary Ivanics describes this book in her article: "Among the numerous editions the most significant work is that of Veljaminov-Zernov who published 378 letters in Arab transliteration from the documents of the Ministry of Foreign Affairs in Moscow. He initiated the publication of the *defters* too" (Ivanics 1975, p. 6)³.

The use of any colloquial expressions or simplifications in the official documents was rather unacceptable. They were organised according to special rules and order. Ordinary documents (of various types and contents) were

³ The different *yarliks*, documents and letters from Crimea were published (*inter alia*) by Kurtoğlu (1937), Kurat (1940), Vászary (1982), Święcicka (2002) and many other authors.

characterised by the formulaic language. However, upon reading them, it can be easily noticed that some recording clerks had the tendency to simplify their language and style. They used all expressions indispensable for writing an official record; nonetheless, frequently enough some simplification of the language of the notes can be observed. One can get the impression that they were under the visible influence of the language of the people who gave statements or testimonies and most certainly used the colloquial language.

- ii) The place a given book comes from, the vocabulary used by the clerks to describe events and situations in which individuals who came to court found themselves. This phenomenon applied to the parts of the notes which refer to testimonies and in which circumstances of a given event are established. Then the influence of the local language on the style of the documents noted by the kadi is visible.

The above factors did not affect the legal terminology of the time. In the majority of the analysed books, one can find the same terms, such as *vaṣī* ‘guardian, custodian’, *bey* ‘sale’, *kaḅz* ‘acquisition’, or *kefīl* ‘guarantor’. Some of them are fixed and always appear when the need arises, others sometimes have several synonyms which are used interchangeably, e.g. *deyn*, *kaḅz*, *zīmmet* occurring in the meaning of ‘debt’. Words and formulae characteristic of the language of the law and the chambers are fixed and invariable, which is clearly exemplified by the terms chosen for the purpose of this comparison. Regardless of the region (i.e. the Crimean Khanate or the Ottoman Empire), the professional vocabulary in the *sicills* is universal. Whilst reading the contents of the mentioned books, it may be observed that the recording clerks used some selected expressions and formulae much more frequently than others. Some of them had several synonyms, which is evident in the above list, e.g. *merkūm*, *mesfūr*, *mezbūr*, *mezḳūr* ‘mentioned, noted’. These expressions were used interchangeably depending on the clerk’s preferences. In the 10th judicial book from the Crimea, *mezbūr* and *mezḳūr* are the most prevalent. The richness of the legal language was essential for the proper functioning of the chamber and the court. It facilitated formulating notes which were written according to a specific and strictly defined order, with the use of specific terms and phrases.

3. Functional Vocabulary and Material Culture in Judicial Books

When reading the official records, one needs to pay attention to the colloquial vocabulary which occurs mainly in the estate inventory of the deceased in the judicial books and serves as a representation of the material and non-material culture of the inhabitants of different regions. Nadine Frantz (1998, p. 791) writes: “The term material culture has come to be used by several disciplines to designate the physical, material objects that cultures create and use in the course of common life. Contained within this designation are objects such as chairs, tools, and other artifacts of daily life as well as those that have traditionally been held as evidence of ‘high’ culture such as music, visual and plastic arts (...)”. Sometimes colloquial words can be found

in compact notes when it is a part of the witnesses' testimonies in the recorded case. The list below was created to establish whether the recording clerks in different registers from the Crimean Khanate and the Ottoman Empire used the same names of objects, comestibles, and clothes.

arpa 'barley' (SŠSM10, p. 111), (ŞS, p. 338); *aṭlās* 'satin' (SŠSM10, p. 92), (DSS, p. 355); *boğça/bohça* 'bundle' (SŠSM10, p. 107), (IKS, p. 105), (DSS, p. 269); *buğday* 'wheat' (SŠSM10, p. 105), (IKS, p. 435), (DSS, p. 311), (ŞS 335); *buzacağı* 'calf' (SŠSM10, p. 96), (DSS, p. 311); *çakşır/çağşır* 'trousers secured round the waist in folds, and sewn to light leather boots at the ankles (Redhouse 2000, p. 237)' (SŠSM10, p. 92), (IKS, p. 104); *çavdar* 'rye' (SŠSM10, p. 41), (DSS 311); *çoğa/çuğa/çuha* 'broadcloth' (SŠSM10, p. 30), (IKS, p. 104), (DSS, p. 267), (ŞS, p. 335); *çuvāl* 'sack' (SŠSM10, p. 92), (IKS 108), (ŞS 340); *tarı/darı* 'millet' (SŠSM10, p. 119), (IKS, p. 108); *don* [archaic] 'clothing, garment', (also) 'pair of drawers, underpants' (Redhouse 2000, p. 309), (SŠSM10, p. 93), (IKS, p. 104); *döşek* 'mattress' (SŠSM10, p. 85), (IKS, p. 258), (DSS, p. 270), (ŞS, p. 338); *duhān* 'tobacco' (SŠSM10, p. 47), (DSS, p. 294); *eger (eyer)* 'saddle' (SŠSM10, p. 47), (DSS, p. 668); *entari* 'dress, loose robe' (SŠSM10, p. 30), (DSS, p. 355); *fuçî/fiçî* 'barrel' (SŠSM10, p. 91), (IKS, p. 264); *fincān* '(tea/coffee) cap' (SŠSM10, p. 92), (DSS, p. 267); *gömlek* 'shirt' (SŠSM10, p. 138), (IKS, p. 104), (DSS, p. 267), (ŞS, p. 338); *hegbe* 'saddle-bag' (SŠSM10, p. 112), (IKS, p. 105); *hurdevāt* 'scraps (iron)' (SŠSM10, p. 92), (DSS, p. 276); *ibrîk* 'water ewer, kettle' (SŠSM10, p. 138), (IKS, p. 267); *kaftan* 'robe with long skirts and sleeves, caftan' (SŠSM10, p. 80), (DSS, p. 269), (ŞS, p. 338), (IKS, p. 105); *kahve* 'coffee' (SŠSM10, p. 112), (DSS, p. 267); *kahve ibriği/kahve ibriķ* 'coffee pot' (SŠSM10, p. 102), (DSS, p. 274); *kavanoz* 'jar' (SŠSM10, p. 115), (IKS, p. 267); *kazan* 'large pot' (SŠSM10, p. 111), (IKS, p. 267); *kebe* 'felt jacket' (SŠSM10, p. 103), (IKS, p. 104), (DSS, p. 275); *kemer* 'belt' (SŠSM10, p. 87), (DSS, p. 276); *kettān* 'linen' (SŠSM10, p. 92), (DSS, p. 267); *kilim* 'woven matting, kilim' (SŠSM10, p. 80), (DSS, p. 267), (ŞS, p. 335); *kuşak* 'belt' (SŠSM10, p. 66), (IKS, p. 104), (DSS, p. 267); *kürek* 'shovel' (SŠSM10, p. 135), (DSS, p. 311); *kürk* 'fur' (SŠSM10, p. 92), (IKS, p. 260), (DSS, p. 267); *küpe* 'earring' (SŠSM10, p. 132), (DSS, p. 269); *legen* 'bowl' (SŠSM10, p. 91), (DSS, p. 309); *makrama, makreme* 'large scarf; kerchief' (SŠSM10, p. 92), (IKS, p. 105), (DSS, p. 270); *māşa* 'tongs; pincers' (SŠSM10, p. 40), (DSS, p. 311); *meşin* 'leather; sheep leather' (SŠSM10, p. 36), (DSS, p. 275); *ok ma'a/ve yay* 'arrow with bow' (SŠSM10, p. 36), (ŞS, p. 335); *oraķ* 'sickle' (SŠSM10, p. 16), (IKS, p. 108); *pabuç* 'shoe; slipper' (SŠSM10, p. 119), (IKS, p. 104); *pirinç* 'rice' (SŠSM10, p. 119), (IKS, p. 109); *peştamāl* 'large bath towel' (SŠSM10, p. 92), (DSS, p. 267); *şābūn* 'soap' (SŠSM10, p. 92), (IKS, p. 109), (DSS, p. 267); *şaḥan* 'frying pan' (SŠSM10, p. 92), (IKS, p. 106), (DSS, p. 269), (ŞS, p. 340); *şanduk/şandık* 'chest, coffer' (SŠSM10, p. 92), (IKS, p. 267), (ŞS, p. 338); *sepet* 'bascet' (SŠSM10, p. 92), (DSS, p. 276); *sīnī* 'tray' (SŠSM10, p. 138), (IKS, p. 108); *şāl* 'shawl' (SŠSM10, p. 138), (DSS, p. 267); *şem'dān/şam'dān* 'candlestick' (SŠSM10, p. 92), (DSS, p. 356); *taḥta* 'board' (SŠSM10, p. 8), (IKS, p. 264); *tāş* 'cup, bowl' (SŠSM10, p. 92), (IKS, p. 104), (DSS, p. 269), (ŞS, p. 340); *tāva* 'frying pan' (SŠSM10, p. 92), (IKS, p. 105); *teñcere*

‘saucepan’ (SŠSM10, p. 8), (DSS, p. 269), (ŞS, p. 335); *tepsi* ‘tray’ (SŠSM10, p. 92), (IKS, p. 258), (DSS, p. 269), (ŞS, p. 335); *torba* ‘bag’ (SŠSM10, p. 41), (IKS, p. 260); *tülbend/dülbend* ‘muslin; gauze’ (SŠSM10, p. 92), (IKS, p. 105); *yaşdıķ* ‘pillow’ (SŠSM10, p. 40), (IKS, p. 106), (DSS, p. 267); *yorgan* ‘quilt’ (SŠSM10, p. 92), (DSS, p. 270), (ŞS, p. 338); *zarf* ‘cover; envelope’ (SŠSM10, p. 133), (DSS, p. 267).

The above Turkish words were also used in the Crimea. Most of them can be found in any of the analysed volumes. The same objects and goods in different books can be indicative of a similar social status, the use of the same objects and tools. They are also an accurate reflection of the daily life of the inhabitants of the areas where the mentioned records were made. They constitute merely an extract of all the names which can be found. On the basis of the analysis of bequeathed items, some tendencies can be noticed: in the book from the Crimea, there are many names of animals, mainly livestock, and also fabrics, garments, and objects of daily life. Names of weapons and warrior’s equipment occur rarely. In the quoted books from the area of the Ottoman Empire, clothing, home equipment and tools can mainly be found. Names of animals occur but occasionally.

4. Elements Characteristic of the Crimean Tatar Language and Other Kipchak Languages Present in the Records

A number of similarities in the notes from the judicial books from Turkey and the Crimea have been discussed. These mainly refer to the used formulae, legal terminology and some of the names of objects found in the official records. However, it should be emphasised that there are certain elements in the 10th book which distinguish it from the other *sicills*. In some cases, it can be observed that the Turkish forms were replaced by those characteristic of the Kipchak languages. Zajączkowski and Reychman (1955, p. 105) write: “The language of the Crimean Tatar documents in the earlier periods has some dialectal features. That is due to the local and Central Asian languages, which had their influence on the clerical practice, official language and terminology of diplomacy. (...) Even in the later periods, this language of the Crimean Khanate tends to contain more Persian and Arabic words and does not keep its own features.” (my translation, K. S.-R.). Kołodziejczyk (2013, p. 76) states: “Khwarezmian-Turkish, the prevalent language of the Crimean office, was influenced by the Ottoman Turkish language, yet a strong influence of the Kipchak languages can be noticed already in 17th-century documents” (my translation, K. S.-R.). In other cases it is clearly evident that some words present in the Crimean book were unknown in the Ottoman Empire. They are not found in any of the records. Therefore, if one reads individual notes, it can be wrongly assumed that they do not occur at all or constitute only a minute percentage. An in-depth analysis makes it possible to find a big number of words (mainly names of cattle and horse coat colour), names and grammatical forms characteristic of the Kipchak languages which diversify the language of the judicial office in the Crimea.

Doerfer (1959, p. 369) divides the dialects of the Crimea in the following manner: “the Crimean Ottoman was the Ottoman Turkish language already used on the southern coast; Central Crimean Turkish, which is divided into the north (Bakhchysarai), southern and eastern (Theodosia); Crimean Tatar used in the north-western and eastern part of the Crimean Peninsula”. Some scholars, such as Samojlovič, recognise the division into Northern Turkish and Southern Turkish (Samojlovič 1916, pp. 4–5).

The 10th judicial book was most probably written in the office of the court of appeal of a *kazasker* in Bakhchysarai. The inhabitants of most of the regions of the Peninsula came to him, which is evidenced by the information about the origin of the plaintiffs and defendants who appeared before the court. This in turn surely resulted in the variety of the linguistic features in the court records. These elements will be presented on the basis of several examples which are especially worth paying attention to. They include the following:

- i) Presence of the genitive suffix (genitivus) in the form *-niñ* in the words ending with a consonant (*-нинь*) (Jankowski 1992, p. 273), instead of the Turkish *-ni*, e.g. *Bek'niñ* (SŠSM10, p. 52) ‘Bek’s’; *Ṭayır'niñ* (SŠSM10, p. 18) ‘Ṭayır’s’.
- ii) Presence of the accusative suffix (accusativus) in the Crimean Tatar form *-ni* (*-ни*) (Jankowski 1992, p. 273), instead of the Turkish *-(y)i*, e.g. *ğuruşni* (SŠSM10, p. 73) ‘kurush+Acc.’.
- iii) Presence of the terminative suffix in the Crimean Tatar form of the southern dialect *+QaşI* (Jankowski 2010, p. 208), e.g. *şubatığaşına* (SŠSM10, p. 1) ‘till February’.
- iv) Kipchak names of animals and objects which did not occur in the Turkish language at all or occurred but in a different form and/or the meaning has been identified in the Kazakh language and the Kazakh equivalents have been provided, e.g.:

Animals (especially horses and cattle): *baytal* (SŠSM10, p. 113; SŠSM13, p. 32) ‘filly’ in Kaz.: *байтал* (KRS, p. 114); *biye* (SŠSM10, p. 113; SŠSM13, p. 37) ‘mare’ in Kaz.: *бие* (KRS, p. 149); *cabağı* (SŠSM10, p. 113) ‘foal between sixth and twelfth month of life’ in Kaz.: *жабағы* (KRS, p. 259); *dönen* (SŠSM10, p. 113; SŠSM13, p. 10) ‘almost four years old foal, calf’ in Kaz.: *дөнен* (KRS, p. 217); *kıpacıt* (SŠSM10, p. 113; SŠSM13, p. 16) ‘three years old calf’ in Kaz.: *құнажын* (KRS, p. 547); *kıpanca* (SŠSM10, p. 112; SŠSM13, p. 10; SŠSM15, p. 38) ‘camel or bull that is three years old’ in Kaz.: *құнанша* (KRS, p. 547); *kıpan* (SŠSM10, p. 113; SŠSM13, p. 37) ‘almost three years old foal’ in Kaz.: *құнан* (KRS, p. 547); *serke* (SŠSM10, p. 111) ‘castrated goat’ in Kaz.: *серке* (KRS, p. 715); *urğacı* (SŠSM10, p. 99) ‘female animal’ in Kaz.: *ұрғашы* (KRS, p. 899).

Various words: *çoyun* (SŠSM10, p. 119; SŠSM15, p. 57) ‘cast iron’ in Kaz.: *шойын* (KRS, p. 956); *kaşu* (SŠSM10, p. 36) ‘scissors/shears’ in Kaz.: *қайшы* (KRS, p. 446); *kıurd* (SŠSM10, p. 85) ‘dried cheese’ in Kaz.: *құрт* (KRS, p. 552); *özen* (SŠSM10, p. 79) ‘river’ in Kaz.: *өзен* (KRS, p. 652); *piçaq* (SŠSM10,

p. 40; SŠSM15, p. 25) ‘knife’ in Kaz.: *нышақ* (KRS, p. 676); *taba* (SŠSM10, p. 7) ‘frying pan’ in Kaz.: *маба* (KRS, p. 676).

Selected names: Abay (SŠSM10, p. 127; OT, p. 1; Gafurov 1987, p. 116); Aṭay (SŠSM10, p. 137; Baski 1986, p. 10); Beriş (SŠSM10, p. 79; OT, p. 147); Bölek (SŠSM10, p. 79; OT, p. 166); Cāntay (SŠSM10, p. 79; OT, p. 217); Esenkeldi (SŠSM10, p. 125; OT, p. 266); Eşbolat (SŠSM10, p. 129; OT, p. 269); Koçkar (SŠSM10, p. 80; OT, p. 463); Kökey (SŠSM10, p. 137; Baski 1986, p. 71); Kökköz (SŠSM10, p. 137; Baski 1986, p. 71); Kudāy Berdi (SŠSM10, p. 118; OT, p. 483); Kutlu (SŠSM10, p. 137; OT, p. 508); Meñli (SŠSM10, p. 94; OT, p. 541); Tēmür (SŠSM10, p. 137; Gafurov 1987, p. 194); Tilemiş (SŠSM10, p. 11; OT, p. 746); Toṭay (SŠSM10, p. 131; OT, p. 804).

On the basis of the above names chosen from the 10th judicial book, some features of the Crimean Tatar language which distinguish it from the Ottoman Turkish language are clearly evident. They can be found in Çoban-zade (2009, pp. 76–77), and include: *v-* (Ott.) *vêrdi* (*Hüdaverdi*) ~ *b-* (CTat.) *berdi* – *Ḳudāy Berdi* (SŠSM10, p. 118); *g-* (Ott.) *Gökey*, *Gökgöz* ~ *k-*⁴ (CTat.) *Kökey* (SŠSM10, p. 137), *Kökköz* (SŠSM10, p. 137); *d-* (Ott.) *Dilemiş* ~ *t-* (CTat.) *Tilemiş* (SŠSM10, p. 11)

Names of Weights and Measures

The majority of the units of measurement, mass and square measures used in the Crimea have their equivalents in the Ottoman Empire (with difference in weight, volume, etc.). There are also common units, such as *arşın* ‘In Istanbul 1 *arşın* of the bazaar (*çarşı*) = 68 cm; 1 Crimean *arşın* (for cotton or flax goods) = 1428 *arşın* of Istanbul’ (SOBS, pp. 175, 183), *kile* ‘Istanbul standard 1 *kile* = 37 cubic decimetres (Reg. of 1298/1881) (...), 1 Crimean *kile* (...) = 4 *kilo* of Istanbul’ (SOBS, pp. 177, 183), *okka* ‘1 *okka* = 400 *dirhems*; 1 Crimean *okka* = 400 *dirhems* = 3 *livre* and 2 ounces of France’ (SOBS, pp. 179, 183) and *çuval* ‘1 *çuval* (sack) = 2 *kañtār* (Aḳkermān Reg.); 1 *çuval* (of henna) = 150 *okka*’ (SOBS, pp. 176, 183). In the Crimean judicial books, there are also some measurement units which were used only on the Crimean Peninsula or were not used in the Ottoman Empire. They are not present in Meninski’s dictionary *Thesaurus Linguarum Orientalium Turcicae–Arabicae–Persicae* (Meninski 1680), and are also absent in *Tarama* (1995–1996), *Derleme Sözlüğü* (1993) and the dictionaries by Zenker (1866/1994) and Clauson (1972). These include: *bessere* (used for the volume of crops) (SŠSM10, p. 16) found in the work by Halil İnalçık (SOBS, p. 183). He defined this unit on the basis of *Traité sur le commerce de la Mer Noire I* by Claude Peyssonel (Peyssonel 1755–1787, p. 168) as the local equivalent of *kile* used in the Khanate: “There were various kiles or, as locally referred to, besseres in the lands under the Khan of the Crimea (...) Baḫçesarāy: 1 Crimean bessere (of wheat) = 4 *kile* of Istanbul = 80–90 *okka* = 112.816–115.380 kg”. In addi-

⁴ Although *k* and *g* are rarely distinguished in notation.

tion to *bessere*, we should also mention the unit of area *zān* (SŠSM10, p. 49) which has been found in Radloff's dictionary *Versuch eines Wörterbuches der Turkdialecte* (Radloff 1911, p. 867) and is 800 fathoms long and 12.5 fathoms wide.

5. Conclusion

The analysis of functional vocabulary and legal terminology of the judicial books from various regions of the Ottoman Empire and the Crimea has shown that the records possess many common features. They include legal terms, formulae used by the clerks in their notes, names of objects and food products, units of measurement and mass (though they vary in their value). They also have a common language. All of the books were written in the Ottoman Turkish language. However, it must be noted that the language of the Crimean documents is simpler than that of the books written in Istanbul. It is also true for other books written outside the capital of the Ottoman Empire. It is most definitely connected with the types of documents and information found in the registries and court records. The grammatical forms characteristic of the Crimean Tatar language, Kipchak names, names of animals, units of measurement and mass, and names of objects distinguish the Crimean books from the other ones.

Abbreviations and Editorial Symbols

Acc.	accusative case
CTat.	Crimean Tatar
DSS	<i>Das sicill aus Skopje</i> , see Kurz (2003)
IKS	<i>İstanbul Kadı Sicilleri Üsküdar Mahkemesi 1 Numaralı Sicil</i> , see Aydın–Tak (2008)
IM121	<i>İstanbul Mahkemesi 121 Numaralı Şer'îyye Sicili</i> , see Aykut (2006)
Kaz.	Kazakh
KRS	<i>Qazaqşa-orysşa sözdik</i> , see Sızdıkova–Xusayin (2001)
OT	<i>Onomasticon Turcicum. Turcic Personal Names. I–II.</i>
Ott.	Ottoman Turkish
OVO	<i>Osmanlı Vesikalarının Okumaya Giriş</i> , see Eminoğlu (1992)
SOBS	<i>Sources and Studies on the Ottoman Black Sea. I. The Customs Register of Caffa, 1487–1490</i> , see İnalçık (1995)
SŠSM10	<i>Aş-Şuqūq aş-şari'îyya wa as-siğillāt al-mar'îyya</i> . Vol. 10
SŠSM13	<i>Aş-Şuqūq aş-şari'îyya wa as-siğillāt al-mar'îyya</i> . Vol. 13
SŠSM15	<i>Aş-Şuqūq aş-şari'îyya wa as-siğillāt al-mar'îyya</i> . Vol. 15
ŞS	<i>Şer'îye sicilleri</i> , 2 vols, see Akgündüz (1988)

References

- Akgündüz, A. (1988): *Şer'îye sicilleri*. 2 vols. İstanbul, Türk Dünyası Araştırmaları Vakfı.
Aş-Şuqūq aş-şari'îyya wa as-siğillāt al-mar'îyya. Vols 10, 13, 15. MS. Gasprinskis Library, Simferopol–St.Petersburg.

- Aydın, B. – Tak, E. (2008): *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 1 Numaralı Sicil*. İstanbul, İsam Yayınları.
- Aykut, Ş. N. (2006): *İstanbul Mahkemesi 121 Numaralı Şer'iyye Sicili*. İstanbul, Sabancı Üniversitesi.
- Baski, I. (1986): *A Preliminary Index to Rásonyi's Onomasticon Turcicum*. Budapest, Akadémiai Kiadó.
- Clauson, G. (1972): *An Etymological Dictionary of Pre-thirteenth-century Turkish*. Oxford, Clarendon Press.
- Çoban-zade, B. (2009): *Kırım Tatar İlm-i Sarfı*. Nariman Seyityahya (publisher). Ankara, Türk Dil Kurumu Yayınları.
- [*Derleme Sözlüğü*] (1993): *Derleme Sözlüğü I–XI*. Ankara, Ankara Üniversitesi Basımevi.
- Develioğlu, F. (2006): *Osmanlıca-Türkçe Ansiklopedik Lugât*. Ankara, Aydın Kitabevi Yayınları.
- Doerfer, G. (1959): Das Krimtatarische. In: Deny, J. – Grønbech, K. – Scheel, H. – Togan, Z. V. (eds): *Philologiae Turcicae Fundamenta*. Vol. 1. Wiesbaden, F. Steiner, pp. 369–390.
- Eminoğlu, M. (1992): *Osmanlı Vesikaların Okumaya Giriş*. Ankara, Türkiye Diyanet Vakfı.
- Ergene, B. (2003): *Local Court, Provincial Society and Justice in the Ottoman Empire: Legal Practice and Dispute Resolution in Çankırı and Kastamonu (1652–1744)*. Leiden, Brill.
- Fekete, L. (1926): *Einführung in die osmanisch-türkische Diplomatie der türkischen Botmässigkeit in Ungarn*. Budapest, Königliche Ungarische Universitätsdruckerei.
- Frantz, N. P. (1998): Material Culture, Understanding, and Meaning: Writing and Picturing. *Journal of the American Academy of Religion* Vol. 66, No. 4, pp. 791–815.
- Gafurov, A. (1987): *Imja i istorija. Ob imenah arabov, persov, tadzhikov i tjurkov. Slovar'*. Moskva, Nauka.
- Grzegorzewski, J. (1912): *Z sidzylatów rumelijskich epoki wyprawy wiedeńskiej, akta tureckie* [From Rumelian Sicills of the Vienna battle period, Turkish acts]. Lwów, Towarzystwo Popierania Nauki Polskiej.
- İnalçık, H. (1995): *Sources and Studies on the Ottoman Black Sea. I. The Customs Register of Caffa, 1487–1490*. Cambridge, The Department of Near Eastern Languages and Civilisations.
- Ivanics, M. (1975): Formal and Linguistic Peculiarities of 17th Century Crimean Tatar Letters Addressed to Princes of Transylvania. *AOH* Vol. 29, No. 2, pp. 213–224.
- Jankowski, H. (1992): *Gramatyka języka krymskotatarskiego* [Crimean Tatar grammar]. Poznań, Wydawnictwo Naukowe Uniwersytetu im. Adama Mickiewicza.
- Jankowski, H. (2010): *Język krymskotatarski* [Crimean Tatar language]. Warszawa, Wydawnictwo Akademickie Dialog.
- Kołodziejczyk, D. (2013): *Zaproszenie do osmanistyki* [Invitation to Ottoman studies]. Warszawa, DiG.
- Kurat, A. N. (1940): *Topkapı arşivindeki Altın Ordu, Kırım ve Türkistan Hanlarına Ait Yarlık ve Bitikler*. İstanbul, Bürhaneddin Matbaası.
- Kurtoğlu, F. (1937): İlk Kırım hanlarının mektupları. *Belleten* Vol. 1, pp. 641–655.
- Kurz, M. (2003): *Das sicill aus Skopje. Kritische Edition und Kommentierung des einzigen vollständig erhaltenen Kadiamtsregisterbandes (sicill) aus Üsküb (Skopje)*. Wiesbaden, Harrassowitz Verlag.
- Meninski, F. (1680): *Thesaurus Linguarum Orientalium Turcicae–Arabicae–Persicae. Lexicon Turcico–Arabico–Persicum*. Viennae Austriae.
- Peyssonel, C. (1755–1787): *Traité sur le commerce de la Mer Noire*. 2 vols. Paris, Chez Cuchet.
- Radloff, V. V. (1893–1911): *Versuch eines Wörterbuches der Turkdialekte*. 4 Bände. Sankt Petersburg.

- Rásonyi, L. – Baski, I. (2007): *Onomasticon Turcicum. Turkic Personal Names*. 2 vols. Bloomington, Indiana, Indiana University Denis Sinor Institute for Inner Asian Studies.
- [Redhouse] (2000): *Türkçe/Osmanlıca-İngilizce Sözlük*. İstanbul, Sev Matbaacılık ve Yayıncılık.
- Samojlovič, A. N. (1916): *Opyt kratkoj krymsko-tatarskoj grammatiki*. Petrograd, Tipografija I. Boroganskogo.
- Sızdıkova, R. – Xusayin, K. (2001): *Qazaqşa-orysşa sözdik*. Almatı, Dajk-Press.
- Stefaniak-Rak, K. (2011): *Protokoły rozpraw sądowych XVII wiecznego Krymu. Analiza językowa i kulturowa [The proceedings of the hearings from 17th-century Crimea. A linguistic and cultural analysis]*. Poznań, Uniwersytet imienia Adama Mickiewicza (unpublished doctoral dissertation).
- Święcicka, E. (2002): The Diplomatic Letters by Crimean Kerey Ladies. *Rocznik Orientalistyczny* 55/1, pp. 57–91.
- [Tarama] (1995–1996): *Tarama Sözlüğü*. 8 vols. Ankara, Ankara Üniversitesi Basımevi.
- Vásáry, I. (1982): A Contract of the Crimean Khan Mängli Girây and the Inhabitants of Qırq-Yer from 1478/79. *CAJ* Vol. 26, pp. 289–300.
- Véliaminov-Zernof, V. (1864): *Matériaux pour servir à l'histoire du Khanat de Crimée*. St-Pétersbourg.
- Zajączkowski, A. – Reychman, J. (1955): *Zarys dyplomatyki osmańsko-tureckiej [Handbook of Ottoman–Turkish Diplomats]*. Warszawa, Państwowe Wydawnictwo Naukowe.
- Zenker, J. Th. (1866/1994): *Türkisch–arabisch–persisches Handwörterbuch*. Hildesheim, Georg Olms Verlag (1994 reprint of the 1866 Leipzig edition).