

The Scarlet Letter: Cases of Tarring Doors in the Ottoman Konya in the 17th and 18th Centuries

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ABSTRACT

Although tar smearing was a means of revealing acts of adultery and prostitution to the Ottoman society and officials, the opinion of neighborhood residents also gained importance in determining the legitimacy of these allegations. However, beyond its use as a tool of declaring acts of adultery, this was gradually exploited by malicious neighbors to slander each other. Through an exhaustive analysis of Konya court records between 1645 and 1750, this study attempts to examine the extent to which people used tar smearing as a duty under ‘social responsibility’ to stop social evils like adultery, and to what extent was it exploited as a means of a slanderous tool.

KEYWORDS

Ottoman Empire, Konya, social order, tarring, adultery

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INTRODUCTION

Located in the center of the Anatolian geography, Konya is on the south-western edge of a wide plain that also takes the same name. Due to its geographical location, it has been at the crossroads of major routes since ancient times. Having hosted states such as Ancient Greece and Rome, Konya was under the rule of the Byzantine Empire until the Battle of Manzikert. In 1077, the city was taken by Süleyman Şah, the commander of the Great Seljuk Empire, and turned into a Turkish city. While it was a small town within the city walls, with the increase in population and development activities, over time it started to gain the characteristic features of a Turkish-Islamic city.

The city of Konya was the capital of the Anatolian Seljuks and the principality of Karaman, and a city where the princes and the governor of Karaman resided in the Ottoman period. With the establishment of Ottoman sovereignty in the region, political uncertainty left its place to stability, and these ancient territories were connected to the central government through the *şehzades* (princes) and pashas appointed here. In addition to the functionality of an administrative city, this situation gave it the status of '*şehzade sancağı*/prince-governor principality' where the support and control of the administrative headquarters was felt more intensely (Baykara 2002: 182–187; Yörük 2017: 355).

Konya was located on an extremely functional and busy central artery, called the right Anatolian route according to the Ottoman road-network system. In addition to the functions of the right Anatolian route in terms of transportation, communication and military logistics, the fact that it was on the route to Hajj also contributed to its importance and recognition (Çetin 2007: 300–301). Thus, the political and commercial activity of the city increased. So much so that it has taken on the identity of a city where dozens of different professions were practiced in many different markets, business centers and bazaars.

In the 17th and 18th centuries, as a relatively medium-sized Ottoman city, the military, scholars, dervishes and notables; the merchants, shopkeepers, Sufis, Muslim pilgrims (*hajjis*), imams; the insane, drunkards, thieves; the successful, rich, poor, honest, ordinary middle-class people and prostitutes all lived together in Konya. In this context, in addition to legal, favorable and righteous dealings, there was never a shortage of cursing, fighting, wounding, battery, mugging, robbery, adultery, rape, slander, prostitution and murder in the town of Konya that was located on a busy artery and had a diversity of people. As in most of the Ottoman cities, there were officials in Konya who not only solved problems between the people, but also prevented chaos, represented the state and established law enforcement. The authority of these officials carrying out their duties was largely related to the existence of the social control mechanism.¹

In the Ottoman society, individuals were expected to act according to social rules in order to ensure the continuity and harmony in everyday social relations. In general, these rules consisted of social preferences and reflexes known as values and norms. Value is a criterion or set of ideas that determines the proper and desirable social behavior. A norm is a set of rules that regulate relations between individuals by determining their mutual rights and duties. These very norms and values include what is generally considered unacceptable or inappropriate behavior, called 'deviation' in a social setup (Wells 1978: 189–204).

In a typical Ottoman social setup, people were expected to comply with and act within the norms and values adopted and espoused by neighborhoods. These were enforced by the locally

¹ On micro-historical case studies of the colourful Ottoman Empire, see Yaşa 2021.



prevalent social control mechanism and as such any deviation from these norms was penalized. These local control mechanisms were eventually institutionalized, made functional and effective in daily life by the state to ensure order in the society (Özcan 2001: 142–145; Çakır 2012: 31–54).

As in most Mediterranean societies, the fear of defamation or damage to self-pride in the early modern Ottoman society was extremely strong. Some Ottoman historians have studied, from a broader perspective, the meaning of honor and reputation in the lives of the elite and ordinary people in different parts of Anatolia. Leslie Peirce, with her work opening new paths for historians, tended to focus on micro-history through the lens of the city of Aintab. Her work revealed the methods and means adopted by people to cover up their crimes in the local courts, and the importance of reputation in the society during that period.² In her significant work, Başak Tuğ traces the state-centered politics and honor in the rural areas by extensively examining various archival documents (Tuğ 2017). Such studies, mostly within the scope of the history of emotions, have drawn more attention from historians in recent years. Nil Tekgöl, while dwelling on the emotional policy of the state, employs concepts such as *mahabbet* (love) and *merhamet* (compassion) (Tekgöl 2019). The vast majority of these studies are based on the female gender and reveal the significance and meaning of terms like slander, honor/dishonor, bad reputation in the Ottoman social setup.

In addition to these, Fariba Zarinebaf's work on 18th century Istanbul is very important in the context of crime phenomenon, the methods of punishment, the state's intervention in crime and criminals, and the social control mechanism in the Ottoman society. Since it is the city where the sultan is located, the control of the administrative and judicial organization is tighter compared to other Anatolian cities (Zarinebaf 2010). In her work, Elyse Semerdjian focuses on the city of Aleppo, largely following the traces of illicit sex. It focuses on what adultery, rape and illicit sex were in theory (in Islamic law), how the perpetrators of this crime were judged in the *qadi* court and the legal consequences of such crimes (Semerdjian 2008). Dror Ze'evi, who conducted a macro study on women and sexuality in the Middle East between 1500 and 1900, focuses more on conceptual analyzes (Ze'evi 2006). Although all the works mentioned are directly related to adultery, they do not give any information about the application of tar smearing on doors. From these studies, which show the practices in different parts of Anatolia, it is understood that tar was not used widespread as a means of revealing illegitimate sexual relations.

Within the context of honor, this article focuses on the issue of tarnishing the dignity or dishonoring of the person in the Ottoman society through the cases of smearing tar on the doors of individuals. While the legal and social message implied by tar smearing could be ignored, it proves difficult to reveal the perpetrators since these acts were perpetuated in secrecy. The element of secrecy and the social implications of tar smearing meant that, over a period of time, this method became susceptible to misuse by some people to injure the reputation of others against whom they harbored resentment, hostility and sought revenge.

This study attempts to analyze the abuse of the tar cases in the social and legal contexts in Konya. This city was given preference over other Anatolian cities (Istanbul and Bursa) since it witnessed cases of tar smearing far more commonly than others. The approach of local authorities and neighborhood residents to the cases of tar smearing and related incidents on the doors of the houses is analyzed here. The main archival source of the study is the 17th and 18th century Konya court records. These records, known as *Sharia* records, were held by the *qadi* or *naib*. *Qadi*

² For some of her works, see Peirce 1999; Peirce 2011; Peirce 2014.



registers included both the decisions sent from the administrative headquarters, and the problems and solutions that occurred in the city. All tasks included in the workload of the *qadi* were recorded in these records. So much so that, in addition to duties of a judge, like the city mayor he also dealt with many issues ranging from the city's zoning activities to the construction of a road bridge, and even where the market would be setup. Sometimes a *qadi* would also function as a notary; he would issue promissory notes, prepare and approve documents of receipt and tendering. Establishing foundations in the city, appointing and supervising foundation officials were among the duties of *qadis*. Since *qadi* court registers contain such rich data, they are one of the most important sources of reference for social and local history studies (Ortaylı 1975; Jennings 1978; Zévi 1998).

These records that were held by a Muslim judge, contained extensive information about the residents of the Ottoman cities, and explain some aspects of their life. The communities that formed the urban population, local elders, the houses they lived in, the things they ate and drunk can also be studied from these records. How they got married, why they got divorced, what kind of problems led them to appeal to the court, and the crimes they committed are also found in these records. The records provide us with significant data regarding the identity of people in this region; their family and social life, daily routines, clothing habits, utensils they used; their eating and drinking habits, professional life, the community and tribal structure, and the names of places where they lived. In total, the Konya court records consist of 151 registers and there are also microfilms in Ottoman State Archives, the National Library of Turkey, Mevlana Museum Archive and Center for Islamic Studies (ISAM). In this research, 48 Konya court records in the Mevlana Museum Archive dated 1645–1750, were studied.

FUNCTION AND ABUSE OF THE SOCIAL CONTROL MECHANISM

The concept of social control, developed by modern sociology and aimed at regulating the normative social system, was an existing practice in Ottoman society (Gember 1994: 8). The prevalent social norms, largely inspired by religious, moral, and cultural norms were employed in neighborhood life. Herein the inhabitants, to a certain extent, were held responsible for each other's actions and behaviors in purview of the several accountability (*müteselsil kefâlet*) systems (Başaran 2014: 110–117; Ergenç 1984: 69, 74–75; Zarinebaf 2010: 132–133).

The Ottoman authorities expected inhabitants of the residential areas to be aware of occurrences in their neighborhoods, and therefore were obligated to report any crimes and their perpetrators to state officials. In situations where crimes were committed behind four walls, it would be difficult for neighbors to reveal the offenders or whether this was an individual or collective act (Akgündüz 1991: 348). Among the crimes within this context was illegitimate sexual intimacy, which constituted adultery (Schacht 1982: 179), that fell within the scope of *hadd* irrelevant of whether this was due to love, lust, or for money (prostitution) (Imber 1983: 59–92, Zarinebaf 2010: 105–107).

In addition to being a crime, adultery could fuel actions in social life leading to social turmoil including enmity between people, murders, and the loss of chastity (Bilmen 1975: 202). It gave assurance to authorities acting on the complaints as there were fears of violence because in any revealed incident of adultery, the family of the male generally refrained from responding to accusations, while family of the woman overreacted and often resorted to violence. Although this



could be explained within the perception of ‘honor’ and ‘morality’ in a patriarchal society, some men reported female members of their own family to the courts with the accusations of committing illicit sexual activities. This was done in an attempt to avoid the legal penalties and due to the fear of God, even if it was at the expense of their honor.³ Additionally, one comes across cases in which families, inspired by *fatwas* and legislations (Barkan 1943: 121, 124; Imber 1997: 251), punished their women and their accomplices in the illicit sexual relations (KCR, vol. 7, f. 34-1; also see Zarinebaf 2010: 86–111).

Apart from these responses to the cases of adultery that can be explained through religious and moral sensitivity or the concepts of honor, the state authorities were also taking some precautionary measures such as isolating the people committing infidelity from the society. The residents, especially the *imams* and *muezzins*, were asked to adhere to the state warnings through the Sultan's edicts and report places where prostitutes were residing or otherwise face admonishment and punishment. These edicts made the regular inspection of the neighborhoods inevitable (Altınay 2000: 68–69).

Despite the sensitivities, responses, and sanctions described above, it was difficult for people to report acts of adultery to the authorities as this also entailed certain responsibilities. An unproven adultery allegation was classified as slander (*kazf*) and carried a heavier penalty than adultery itself, even if the other party filed no complaint (Hallaq 2009: 115–116). Unlike other crimes, there was an injunction governing this legislation about adultery which stated that the witnesses of infidelity would not be punished in case they decided against reporting it to the officials.⁴ However, given that this was considered from the aspect of honor, these crimes were only reported to the authorities if people could not prevent it themselves (Zarinebaf 2010: 86–92).⁵ Accordingly, those who witnessed or suspected adultery attempted to convey these acts to the officials through different methods. Of these, the most common was to get the police chief (*subaşı*) to catch offenders in the act (KCR, vol. 11, f. 60-2; KCR, vol. 14, f. 16-1). Additionally, if neighbors suspected acts of adultery in a particular house, they would raid the residence to reveal the incident (KCR, vol. 11, f. 56-1; Yaşa 2020: 529–530). In addition to raids, elders of the society would also appeal to the court to have the perpetrators expelled from their neighborhoods. In both cases, those involved in illegitimate relationships were not left unpunished (KCR, vol. 11, f. 82-2; KCR, vol. 11, f. 164-5).⁶ Apart from these methods, there were also more risk-free and nearly as effective methods for reporting these incidents to the authorities. These included symbolic methods like the tarring on the street doors of the houses where adultery was being committed or where adulterers lived.

In addition to its legal aspects, the tarring of doors also had social and cultural dimensions. Though tarring bore grave accusations when reporting a crime, it also protected the witnesses from legal proceedings which could potentially disturb the social peace as it could be used by

³ Hasan b. Abdullah in Konya province complained to the court, probably due to the said reasons, about his daughter Sultan Hatun who had sexual and immoral relationships with bandits (Konya Court Records [hereafter KCR], vol. 6, f. 23-4).

⁴ ‘If a person knew about acts of adultery and did not inform *qadi*, there is no penalty for this. But if he knew about crimes such as robbery and did inform the *qadi*, the penalty was fifteen *akçe*’ (Akgündüz 1990: 348).

⁵ Adultery was not a crime that only the Ottoman society considered wrong and reacted. Indeed, such activities were perceived as a violation of the social values of the society and had severe repercussions in Europe in the 19th century (Vollendorf 2004: 1–12; Gowing 2012: 813–826).

⁶ When someone was accused of adultery, he/she could immediately file a complaint regarding the accuser (KCR, vol. 50, f. 140-143).



people to threaten and damage the reputations of their adversaries. This would also create gossip among people and therefore be a cause of humiliation. The people whose doors were stained with tar would appeal to the courts to be acquitted from these accusations by calling on witnesses from their neighborhoods to speak in their favor.

SYMBOLIC MEANINGS OF THE ‘DOOR’

The front door (*zokak kapısı*) was the typical place where anonymous accusers would apply the tar (KCR, vol. 13, f. 103-1; KCR, vol. 21, f. 51-2). There are reasons to why the front door, and not any other part of the house was chosen to smear the tar. As using tar was aimed at displaying this message to as many people possible, and because street doors/gates are the most visible parts of the house, this was the most suitable place to smear the tar. Also, since the main reason behind smearing tar was to protect the person(s) witnessing adultery from social and legal risks, the easy accessibility of front doors would allow the person to reveal this message without any risks of being caught. Although the symbolic objects used for displaying this message may have changed across the Ottoman territories, the places where these (objects) were left, hung or nailed remained the front/outer doors of houses.

In addition to being the most accessible and most visible part of the house, the legal and social nature of the street door/gates cannot be overlooked. The street door/gate, along with the walls surrounding courtyard determines the boundaries of private property. It is located between the house, which is a ‘private’ space, and the street, which is a ‘public’ space, and as such constitutes a border between the private and the public spaces. Trespassing, as prohibited by law, of this border without consent lead to conflicts (Yılmaz 2000: 105).⁷ Therefore, it offered an easy, practical solution in allowing the display of this message, while preserving the anonymity of the accuser and prevention of conflicts, without breaking any laws.

The front door is also the place through which potential perpetrators and their partners entered these places of crime. Unrelated men and women meeting with each other alone was also classified as an unlawful and immoral act. Therefore, front doors would also be places where neighbors kept an eye on one another. Any suspicious movement or activity would consequently invite the attention of residents who then informed the authorities (Yılmaz 2016: 251).⁸ This surveillance served not only in crime detection, but also in the acquittal of falsely accused people (KCR, vol. 38, f. 74-2).

TAR AND OTHER OBJECTS FOR GIVING MESSAGES ON DOORS

Tar (*katran*), which is dark colored, sticky, insoluble in water and has a distinctive harsh odor, is obtained by distilling the resinous roots of juniper, pine or cedar trees in a stone, earth or metal pool. Tar, which can be black or yellow in color depending on the type of tree used, had a wide range of uses in the pre-modern period. While yellow tar, which was generally used for therapeu-

⁷ For the concept and distance of public and private spaces see Habermas 1991; Hall 1990.

⁸ In Europe, the neighborhood is defined as ‘a place where everyone is watched by someone else while watching others’ (Farge 2007: 642).



tic purposes, was drinkable, black tar with a wider area of use was not suitable for drinking. Black tar was used for caulking the exterior of galleys and especially galleons, and keeping harmful insects and pests away from places such as houses and barns (Alptekin 2019: 323–336).

Taking into consideration the Ottoman society's perception of adultery and the physical characteristics of tar, we can understand why tar was used to publicize an illegitimate relationship. The most apparent attribute of tar is its black color.⁹ In Turkish culture, black represented negative conditions and behaviors (Küçük 2010: 190–192). Ottoman Turks believed that black was an invitation to bad luck, and therefore preferred not to wear black colored clothing (Üçel-Aybet 2007: 198). The associated words with black in the Turkish culture like 'black day', 'black death', 'black anxious', 'black-hearted infidels' (Küçük 2010: 191), 'black slander', 'black mark', 'black mark on the forehead', 'like jet black' (Mutaf 2007: 100) also signify this aspect. This also has historic precedence with an 11th century Turkish philosopher and statesman, Balasagunlu Yusuf, having used 'black-faced' for adulterers (Arik 1995: 18). In the Ottoman legal system which had been standardized over time, references to the black color can be found wherein it was employed for punishing people for dishonorable and immoral activities like 'rubbing black' on the foreheads of pimps, and 'rubbing black' on the faces of those who were false witnesses (Barkan 1943: 121, 123, 125; Yılmaz 2000: 100).

The definitions and punishments related to unchastity and the black color amongst Turks seem to be related, which therefore also explains why tar was used to reveal shameful actions in the Ottoman society. Tar is a very sticky substance that does not wash away easily¹⁰, and its heavy smell made it useful for informing others of such incidents. This 'honor stain' applied to the doors could not be easily cleaned, and any attempt at cleaning it made the stain even more evident.¹¹ The strong smell (Şemseddin Sami 1317: 1075) of the tar also attracted the attention of those passing by.

It is not known how long tar, which has an offensive meaning due to its color, has been used to report illicit sexual activities in Anatolia. The use of tar as a tool of denunciation in cities other than Konya, including Bursa and Istanbul reveals that it bore the same meaning when it was smeared on doors in many parts of Anatolia. It is understood from a document reflected in the Konya records that tar could be obtained from the market very easily, especially in Konya, and that it was relatively inexpensive. In fact, records stating that tar could be purchased for 2 *akçes* in Konya supports the idea that this product was a very cheap commodity (KCR, vol. 10, f. 227-2.). Moreover, in the *narh* (officially fixed price) registers, the price of tar given to boatmen in Istanbul was 6 *akçes* (Yılmaz 2010: 94). Additionally, there were dense pine forests in the surrounding provinces close to Konya (Alptekin 2019: 324). In all likelihood, tar produced from these trees was transported to the Konya market by semi-nomadic communities. It appears that in addition to its various other uses, tar was also turned into a tool to disclose certain sexual crimes in Konya.

⁹ In fact, Evliya Çelebi uses the expression 'like black tar' to describe the color in a description (Evliya 2008, 617).

¹⁰ It is understood from a case submitted to the Konya court that tar left a permanent mark on the wood, which does not disappear even when washed. Eyewitnesses reported this with the words '... we also arrived and saw that the tar on the door had been washed...' (KCR, vol. 10, f. 227-2).

¹¹ While some reported their own daughters to the court to clear themselves of this dishonor, another rejected his daughter who had become pregnant from an illegitimate relationship, or killed his sister and lover when they were caught in the act of adultery. Naturally, all these incidents were recorded in court records and the cases became official.



Apart from tar, different objects were also used as a means of exposing adultery and illicit sexual acts. For example; Naima, one of the Ottoman chroniclers, recorded that a shopkeeper, who believed he was treated unjustly by a market inspector in Istanbul, protested by nailing a European hat on the door of that inspector's house. He pointed out that this incident revealed the shopkeeper's attempt to disclose the market inspector's injustice and cruelty to the larger society with a western object that was perceived as 'irreligious' (Naîmâ 1969: 642).

Apart from the European hat, another object used on the door to give a similar message was the horn. Although the hanging of horns on doors or walls by the homeowners themselves was a cultural practice and used by people to cast away evil, it is a phenomenon that continues in Anatolia, especially in the rural areas.¹² However, the horn examined here depicts the woman who committed adultery and the husband who allowed it, or the first-degree relative of the man who committed this crime. The horn was a symbol used in the Mediterranean regions, especially in rural areas, to reveal and offend men who were deceived by their wives (Blok 1981: 427–440).¹³ The court records reveal that the Konya residents understood the symbolic significance of the horn being hung. An incident records the cultural rooting of the horn clearly when a man, Abdulkirim Halife, who beat his wife for belittling him, insulted his father-in-law with expressions like 'cuckold' and 'pimp' while placing emphasis on the horn metaphor by shouting '...I will not allow my wife to dress like Konya people and will not exhibit my horn' (KCR, vol. 14, f. 68-2).

Objects hung on doors or walls changed from region to region with people resorting to the most accessible and noticeable objects. Therefore, in a place like Trabzon, fish oil was used to reveal such messages on doors and walls (Tosun 2013: 107–108). However, there is no records of the use of fish oil in the Konya region which is understandable given the region's geography. Fruits like apples were also used for giving messages of this kind. An incident is recorded wherein two apples were thrown at the front door of the house of Mehmed b. Yusuf of Hocacihan in Konya, who appealed to the court two days later. This affirms the significance of the symbolic meaning of a fruit like apples that people were aware of. An apple left at the door meant an invitation to an illegitimate intimacy, and Mehmed perceived this as a stain on his honor. This signifies that this possibly bore similar meaning to tar being smeared on doors because he appealed to the court saying 'he left two apples in front of my door and has dishonored me' (KCR, vol. 14, f. 70-2). However, unlike in the tar cases, Mehmed did not want his family to be recorded by the court asking the neighborhood residents.

A simple case of throwing an apple at the door should not have driven Mehmed to appeal to the court since it did not reflect any crime committed by any of his family members. The answer perhaps lies in the fact that firstly apples were conveyed as the forbidden fruit in sacred texts, and secondly because apples represented reproduction in Turkish mythology (Aça 2005: 12). Therefore, leaving apples at the door may have insinuated a message of illicit sexual acts aimed at the girls or women in the house (KCR, vol. 14, f. 70-2).¹⁴ These incidents lead one to believe that

¹² The horn, as a sacred object, was hung on the doors or walls by the homeowners themselves (Emiroğlu 2001: 30). It is also known today that objects such as ram heads, horse heads, and deer heads are hung on the most attractive facades of houses or social places with their horns to protect them from the evil eye, or simply as an ornamental item.

¹³ In the Mediterranean countries, the horn is well known and this object is used to humiliate husbands deceived by their wives (Pitt-Rivers 1965: 46).

¹⁴ Interestingly, it is understood that a quince given by the man to the woman also carries a sexual message (KCR, vol. 42 /131-3).



an apple was perhaps used to send a message to the residents of the house, whereas other objects like the horn and tar were used to inform others of the illegal actions conducted by those living in these houses.

A *fatwa* issued by Ebusuûd Efendi on this topic stands out. It recorded: ‘Is it necessary to dismiss Zeyd, who is an *imam* of the mosque, for rubbing unacceptable objects, hanging indecent objects and horns on doors?’ Though the *fatwa* does not specify what ‘unacceptable’ object it referred to, some suggested that it may have been tar (Düzdağ 2018: 82). This case indicates that an ‘indecent object’ not previously mentioned, also conveyed messages regarding unchaste activities.

The earliest case of tar smearing that appears in records is dated 1533. The records state that Hasan b. Hızır from Göndere village in the Larende province smeared tar and animal manure on the door of İslam Hoca b. Hacı Veys. İslam Hoca appealed to the court to seek ‘my rights according to *Sharia* and customs against the person who rubbed the tar and animal manure on my door at midnight’ (Aköz 2006: 163). This incident also brings attention the use of animal manure. While it is clear from the Konya court records that animal manure logically did not bear any symbolic value, the fact that this was used leads us to believe that it may have implied a meaning that is equal, or even more significant than tar. However, an incident where a woman named Fati b. Ahmed who was summoned to the court by the police superintendent does provide an explanation. When she was asked why there was tar on her door, she defended herself saying that ‘a servant rubbed animal manure on the front door at midnight, it was not tar’ (KCR, vol. 34, f. 112-1). This defense plea by Fati indicates that animal manure neither carried the same meaning as tar nor did it refer to any crime being committed.

Smearing tar on doors only implied illegitimate sexual intimacy, that is adultery, irrelevant of whether it was committed through prostitution or due to love. There is a widespread belief that tar only refers to adultery committed by women in their homes (Ergenç 2001: 204). This situation conforms with the fact that in cases of adultery, it was women’s family which generally reacted (KCR, vol. 6, f. 23-4; KCR, vol. 7, f. 34-1)¹⁵ It should, however, be pointed out that the Konya residents equally reacted to men committing adultery publicly and expelled them from their neighborhoods (KCR, vol. 11, f. 88-2).

Although the application of tar signified an illicit crime in a residence, it did not specify who the allegations of adultery were targeting among the residents of the household. It was only after the local residents gave information about the household to the court that such information could be revealed.¹⁶ Tar smearing did not specify whether the adultery took place in the actual residence, or if its inhabitants were involved in this crime somewhere else as people committing adultery did not necessarily meet at either partner’s house (KCR, vol. 51 / 35-1). These details would usually be revealed in the courts where residents of the neighborhood were obliged to

¹⁵ Although adultery is an equal crime legally for both parties - women and men - those targeted by the society the most were adulterer women and men who were liable for their care or could prevent them performing these acts. When the adultery incidents involving prostitution were investigated in the court, there were generally complaints about women, and although the men’s names were mentioned, there was no legal action taken against the men with whom the woman was caught (Abacı 2001: 191).

¹⁶ According to a lawsuit in Bursa, a woman named Ümmühan had tar smeared on the house door of the mosque’s müezzin, but not considering this enough, she also put a letter expressing her chastity on the door. In other words, she also gave the name of the person whom she was claimed to have committed adultery by letter (Abacı 2001: 203).



provide details of the crimes.¹⁷ In the courts, there were tar smearing cases that questioned the chastity of women (KCR, vol. 31, f. 121-1), men of the house, the wife and children, all the men of the family (KCR, vol. 26, f. 103-1), and men living alone (Güneş Yağcı 2005: 51–87). In which case, it is not possible to reach a clear conclusion whether the allegations of adultery were aimed at the women residents of the houses smeared with tar. In contrast, the male family members were questioned not only to ascertain whether they were involved in the adultery themselves, but also to reveal if they had tolerated infidelity of the women in their households.¹⁸

There was an incident recorded where an attempt was made to smear tar on the gate of an elementary school. This was prevented by the schoolteacher's prompt action. However, this makes one wonder what smearing tar on the school gate would mean to the public. The fact that the teacher took preventive action before the tar was applied, and that there appears to be no further explanation in the court records makes it difficult to understand the nature of the intended slander (KCR, vol. 50, f. 251-1; Sak and Çetin 2014: 589–590).

A GOAT WITH SCABIES AND DEFAMING HONOR: TAR IN OTTOMAN KONYA

People in the Ottoman society developed a mentality that can be referred to as 'cunning' or 'being cautious' as they did not want any adultery case for which they did not possess sound evidence to go unpunished (Mutaf 2007: 103). In this context, tar smearing was an act that allowed people to inform the authorities about a crime that they suspected was being committed by particular people of the neighborhood, while at the same time also protected them from being punished for *kazf* (slander) when there was a lack of proof. This also prevented any personal conflict that could emerge about the allegations when publicizing the issue (Yılmaz 2000: 95). In 70 percent of the tar trials in Konya (from 1645 to 1750), the records reveal that the residents of the houses had no information about the perpetrators of tar smearing,¹⁹ and about 10 percent of these were unable to prove their suspicions about particular people they presumed were committing these crimes. This shows that almost 80 percent of the tar smearing incidents were committed by 'unknown people' (*fail-i meçhul*) (see Appendix I). This proves how easily tar functioned in informing others about the crime without revealing the identity of the tar smearer.

Smearing tar on the door was a serious threat, which not only mobilized the state to punish adultery but also warned adulterers and their family members to abstain from such crimes. Nevertheless, this could also have simply been a tool for punishing enemies. Therefore, while this helped in ensuring the public opinion and their reactions to adultery remained alive in the social set up, it also served as a deterrent for the potential criminals (Mutaf 2007: 103). This would also force those who turned a blind eye to adultery to take this into consideration, and end any relations with these people, as the neighborhood would be focused on the tar smeared house, so

¹⁷ In the Topraklık district in Konya, tar was smeared on the door of a house where a mother and daughter lived together, and the residents of the house were summoned to the court concerning this. During the court hearing, the residents of the district stated that the girl named Ayşe was chaste, but her mother Fakî did not avoid strange men, was always talking to strange men, and was warned about this on many occasions before (KCR, vol. 34, f. 112-1).

¹⁸ It is also a crime to tolerate a wife's unchastity (Üçok 1946: 55).

¹⁹ The household members have expressed this situation as 'it is not known who did it and even we do not have suspects' (KCR, vol. 20, f. 227-3; KCR, vol. 23, f. 69-3; KCR, vol. 26, f. 223-1; KCR, vol. 49, f. 145-4).



those who ignored these acts would jeopardize their own security. The *qadi* and court officials dealt with such issues seriously, and according to the court investigations the *qadi* would eventually give a verdict.

Tar smearing on doors was also convenient for people using it to settle personal conflicts because this not only protected the identity of the person smearing the tar, but also tarnished the image of the individuals whose doors were stained (KCR, vol. 21, f. 51-2). Therefore, it was turned into an effective tool for ‘slandering’ and ‘defaming’ neighbors, which not only undermined its purpose but also threatened the social order. Tar smearing turned the inhabitants of a household into suspects in the eyes of the community, not only in their neighborhoods/villages but also in the places where they were forced to resettle. Inhabitants of the houses stained with tar would investigate this themselves rather than waiting for the authorities to act. This was in an attempt of clearing their names and regaining their reputation and honor (Mutaf 2007: 99). This also signifies the influence of tar smearing among the Konya society. The inhabitants of these houses had to appear before the court and confront the neighborhood/village residents to regain their reputation within the community (Peirce 2003: 113).

Tar smearing also forced the head of the family to observe the activities of his family members more closely. Men considered to have lost control over the women of their household would be humiliated with expressions like ‘pimp’, ‘horned’ (KCR, vol. 14, f. 68-2) and ‘cuckold’ (KCR, vol. 14, f. 146-3) and socially shunned within the community.

It is clear from the Konya records that the residents of these houses generally appealed to the court the morning after the tar smearing incident. Of the 50 tar trials in the period studied, in 28 cases (56 percent) the residents did not even wait until the morning, but appealed to the court immediately after the incident. In 7 of the remaining cases (14 percent), the appeals were filed the next day. This shows that 70 percent of the cases were brought to the court within a day. This rose to 86 percent in cases that were filed within three days, while there was one case that was brought to the court after ten days (Appendix I). This indicates that that legal action was taken promptly in reported cases of tar smearing.

Tar smearing with evil intention not only disturbed the house residents but also the whole neighborhood. Because a crime had been committed in a neighborhood, it entailed people having a responsibility to the authorities, and the consequent imposition of punishment. In such cases the house residents had to plead in court that the tar was smeared ‘unjustly’ by someone with ‘evil intentions’ in the neighborhood. Data shows that in 92 percent of the cases, inhabitants of the tar-stained houses turned out to be innocent (Appendix I). This clearly highlights how tar smearing was used by others to settle their personal feuds. For instance, es-Seyyid Mehmed b. es-Seyyid Ahmed, a resident of the Sariyakub neighborhood in Konya, wrote two threatening letters to Molla Süleyman b. Hasan, a teacher in the neighborhood elementary school. Molla Süleyman explained the content of these letters in the court as follows:

‘...Seyyid Mehmed has written two letters in total threatening me to leave the school, saying, ‘otherwise I will rub tar on the door of your school, and again if you do not leave the school, then I will rub tar on the door of your house and defame you in the whole neighborhood. In this case, the city government will confiscate your property and I do not even want to think of the insults that this will entail for you’ (For the scanned version of this case, see fig. 1)



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صبیان اولان لمبور افیغ الکتاب ملاسلیم نام کنه مجلس شیخ خط لازم التوفیق ذکر اولنا صلی
 علیه سکاندن السید محمد بن السید احمد نام کنه حضرت از زریه دعوت و نفر بر کلام ایدوب مزبور سید محمد بن
 بر قطعه و بر دفعه بر قطعه جمعا ایکی قطعه کاغذ بر ایدوب مکتب مزبور الفای ایدوب درونلر نه بنم ایچو
 مکتبده بعد الیوم قالعوب کیدوب معاملکدن فارغ اول والا سکن مکتبک فیتونه فطران سوره
 وینه فالقرسک مترکن فیتونه سوروب سنی عالمه رسوای و فطران سورودیم بسبیل سنی والے اخذ ایدوب
 بالجملة المکی دیکدن الدیغندن ماعدا سکا دخی ایده حکم حقایق باروسه عقلمه یوقدر صحر خیر اتمکله
 بنم دخی ذکر اولنا کاغذ لری کیم الفای ایدوب که معلوم اولما مغله محتوی اولوب تاریخ کتابده برکون
 مقدم بانه ایکی نفر ادم الوب مکتب مزبور درونده مترقب اولدوغرم مزبور سید محمد نصف اللیل
 دیدنه بر چوکل فطران ایله مکتب مزبور کلوب فیتونه فطران سورمه صد دنده ایکن بر دخی درون
 مکتبده جفوب مزبور سید محمد اخذ فیتونه و حبیبی یوقند یغرم باشخیه یغرم اولان بالاجه اولان
 کلماته مشغل بر قطعه کاغذ دخی مزبور سید محمد جیسینده جعفر اولوقند مزبور سید محمد استنطاق
 اولوندقه حضور سلیمینده مکتب مزبور معما الفای اولنا الفاظ مذکوره یه مشغل ایکی قطعه کاغذ
 بر عکر بر ایدوب الفای ایدوب و بشو کاغذ دخی یوقند مکتب فیتونه یدمه اولان فطران سوروب
 الفای ایدوب کرک ایدی حیوا قرار و اعتراف دخی اتمکله سوال اولوب نفر یغرم و موجب شرعیسه اهر
 اولوق مظلوم در دیکده غب السؤال والا نکار و بعد الاستشهاد عدول اهر اهر رجال سلیمینده
 السید محمد بن السید حبیب و اسمعیل زایهم نام کنه لر اهل الشیخا مجلس شرع حاضران اولوب استیلا
 فی الواقع تاریخ کتابدن برکون مقدم کیم ایله نصف اللیل ذکر اولنا مکتب شریف اوکنده یغرم حضور یغرم
 مرقوم السید محمد مقدم مکتب مزبور الفای اولنا الفاظ مذکوره یه مشغل ایکی قطعه کاغذ بر عکر بر ایدوب
 الفای ایدوب و حال المشو یدمه اولان فطران المشو مکتب فیتونه سوروب و اهدام ایچو المشو کاغذ دخی
 مکتبه الفای ایدوب کرک ایدی هم شیطانه ایدیم عفو ایله ایدوب اعتراف ایدوب و اعتراف ایدوب بر جوف
 بوجه اوزره شاهد لر شهادت دخی ایدوب جیره بری ادا شهادت شرعیه ایدوب کل دنه بعد التعديل
 والتزکیم شهادت لری مقبوله اولغایه موجیله مزبور سید محمد یغرم ایچو ضابطه تنبیه برله ما وقع
 بالطلب کتب اولندی فی الیوم الرابع عشر من جمادی الاولی سنة تسع وثلثین واهواله الف

محمد اغابن
 عمره اشرفا نقضاً و اسادات
 السید ابرهیم افندی یکن زام
 عمره العلماء المحققین
 محمد افندی المفتی حالاً

Fig. 1: Slandering the honor of a school teacher with tar (KCR, vol. 50, f. 251-1)



As Seyyid Mehmed used tar smearing as a threat in his letter, it can be argued that he really believed that this pressure would force even an educated person like a teacher to do what he/she was told, thus highlighting the influence of this method. At the same time, it must be pointed out that for these threats to be successful, it was necessary for the accuser to appeal to the court first and get people from the neighborhood to testify against Süleyman so that the teacher could be fired, and if demanded also be expelled from the district. The letter bears interesting significance in terms of the legal and social dimension of this incident. It would ensure the dismissal of Süleyman from his job and would be ‘humiliating’ (Peirce 2003: 165). As he was afraid of these threats, Süleyman took preventive measures and caught Seyyid Mehmed red-handed before he had the chance to smear tar on his door. The teacher also found another threatening letter in Mehmed’s pocket. Süleyman also brought witnesses to the court to give evidence in his favor. Despite Mehmed denying all of these claims in court, he was humiliated when Süleyman’s witness testified that Mehmed had previously expressed his intention to carry out this act. It was Molla Süleyman prompt actions that averted these threats, and saved his honor and dignity which would have been damaged if Mehmed was successful in smearing tar on his door (KCR, vol. 50, f. 251-1).

Chaste people were also subjected to verbal and physical attacks by tar being smeared on their doors. There is a case dated 22 Ramadan 1097/13 August 1686 where tar was smeared on the door of a man called Mehmed b. Bedel from Çiniöğlu. As Mehmed and his wife were examining the tar-stained door, two women named Şehri and Ayşe came over to them. It appears that they were the perpetrators and wanted to damage the reputation of Mehmed’s wife by attacking her with a stone while alleging that ‘the tar was probably smeared on the door by your wife’s lovers.’ They also made accusations of adultery claiming that Mehmed’s wife had lovers (KCR, vol. 31, f. 121-1).

Some people persisted in both smearing tar on the door and insulting the house residents for committing adultery. In one case, Seyyid Abdurrahman b. Seyyid Mustafa in the Hacıemir neighborhood smeared tar on the door of woman named Emine bt. Halil. Although the neighborhood residents confirmed that Emine was an honorable woman (*ehl-i ırz*), Abdurrahman continued to harass her and ‘slander her honor’. After the second case was filed and neighborhood residents reported Abdurrahman’s actions, the court punished him with *ta’zir* (denouncing/scolding) (KCR, vol. 54, f. 229-3).

The female inhabitants of the tar smeared houses would not only be questioned about their chastity, but were also defamed as women were only considered respectable if they were honorable (*ehl-i ırz*) and honest (*müstakime*) (KCR, vol. 37, f. 74-2). This forced the head of the family of tar smeared houses to appeal to the courts stating ‘I was suddenly defamed / *bana külli ar tarî oldu*’ (KCR, vol. 42, f. 156-2; KCR, vol. 47, f. 123-1). These words express the emotions of residents of tar-stained houses because they felt ashamed and were unable to face the society. Although falsely accused people were acquitted by the courts immediately, they were still susceptible to all types of insults including damage to their honor and dignity and blemishing of their chastity. It is ironic that tar worth ‘two *akçes*’ could damage the most valuable asset of people, their honor.²⁰

Apart from being used by ill-intended people to defame and damage the reputation of others, there are some incidents when tar or other substances were rubbed on doors by animals. In one

²⁰ İsmail and Mustafa, who were present in the courthouse at the case of tar smearing on the door said, ‘our aunt Asiye gave us two *akçes* to buy tar the previous day’ and this expression shows that tar was inexpensive and could be obtained easily (KCR, vol. 10, f. 227-2).



such incident, Ahmed b. Halil, a resident of Sarı Hasan neighborhood in Konya appealed to the court and stated that a goat with scabies, owned by shepherd Mehmed b. Hüseyin had rubbed tar on the front door of his house. Because the goat had scabies, tar was rubbed on the animal as a form of treatment, and the goat rubbed tar on the door. This created problems for Halil's family because some ill-intended people in the neighborhood raised suspicions about his wife and daughter-in-law. This forced Halil to appeal to the court and demand an investigation about his family members in an attempt of restoring his reputation. The investigation proved his claims were justified and therefore confirmed the honesty and chastity of Halil's family (For the scanned version of this case, see Fig. 2). These incidents confirm how females of households were targeted using tar, and also the importance of the testimonies of the neighborhood residents in such cases.

When studying the social dimensions of these cases, interesting information emerges regarding people who used tar to slander others for their own personal interests. In one case, a man called Hüseyin smeared tar on the door of his brother Yusuf who lived next door to him. Unlike his brother, Hüseyin was not considered a trustworthy person in the neighborhood and therefore no one testified in his favor. It appears that there was hostility between the wives of Hüseyin and Yusuf, which pushed Hüseyin, with the help of his friend, to smear tar on his brother's door (KCR, vol. 21, f. 51-2).

Another interesting fact that emerges from records is that people from the more privileged social classes that had titles such as *'seyyid'* (a Muslim title of respect) (Sarıcık 2003; Kılıç 2005)

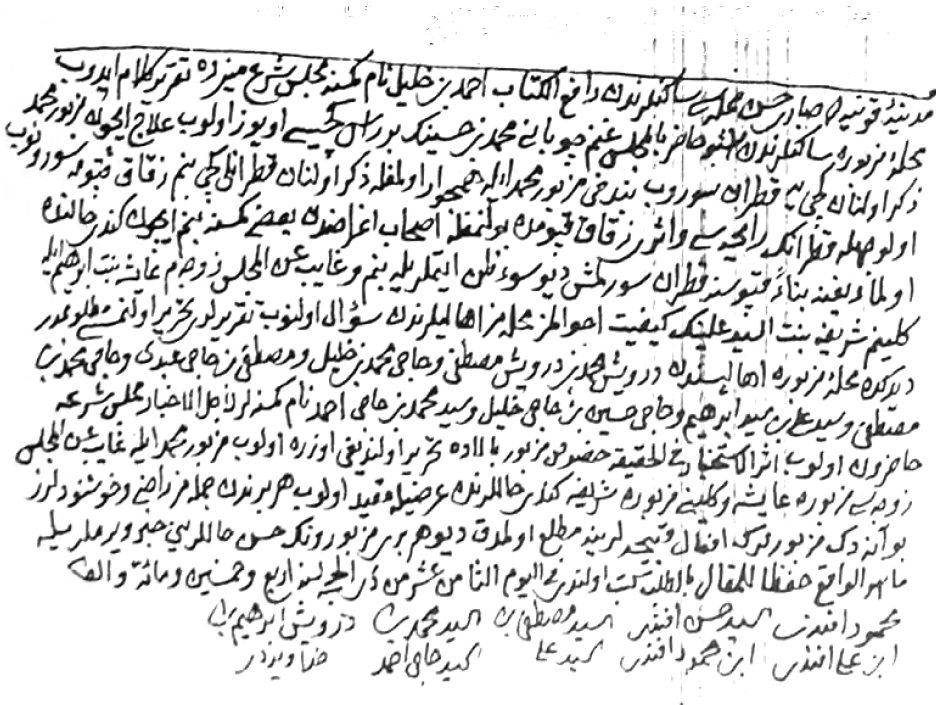


Fig. 2: A goat with scabies rubbed tar on the door (KCR, vol. 56, f. 236-3)



could escape harsh punishment even when found guilty of being involved in such activities. The records studied support these facts. For example, from three cases where offenders slandered honorable people by smearing tar on their doors, two were punished with *ta'zir* (corporal punishment) (KCR, vol. 50, f. 251-1; KCR, vol. 54, f. 229-3), while no punishment was recorded for the third person who was a '*seyyid*' (KCR, vol. 41, f. 181-1). Furthermore, when a privileged member of the village like an *imam* carried out such actions, they could get away with lesser punishment. Ali b. el-Hâc İsmail, the *imam* of Hocacihan village (Beydilli 2001: 11), victimized the poor and even smeared tar on the door of a respectful man named Abdulkadir b. Halil. Although there was no conclusive evidence to support his claim, Abdulkadir suspected that the village *imam* and another man called İsmail b. Mehmed committed this act. Abdulkadir's claims received support from the villagers who testified that the behavior of Ali, who was corrupt and victimized the poor, was unbecoming of an *imam*. In normal circumstances, it would be unusual for a group of villagers to testify against an *imam*, but, as testimonies point out, the people were totally fed up with Ali's behavior. This incident also brings to fore the fact about the social standing of a privileged person like an *imam*. Despite testifying against Ali, the village notables pleaded before court to charge the *imam* with a warning rather than demanding punishment like expelling him from the village (KCR, vol. 57, f. 61-3).

The fact that tarring doors was largely used for damaging the reputation of a person rather than revealing the illegitimate relationships or actions, is not unique to Konya. Bursa records similar to those of Konya were also studied, and it was concluded that such a practice was also common in Bursa. The identity of the perpetrator, who is usually identified as 'unknown', although not very common, offers some clues about the motivations behind tarring cases. Mehmed bin Hacı Bali, who appealed to the Bursa court in 1571, reported that tar was rubbed on his door and doors of another six people, including the local *imam*. The place where the incident occurred was in the Bayezid Paşa neighborhood. The perpetrator, on the other hand, concealed himself by camouflaging his identity with the clothing he wore at the time. However, he was unable to escape the diligence of the neighborhood residents (Yaşa 2020: 517–533). The presence of strangers in close-knit neighborhoods attracted the attention of locals. The document reveals that Seyyid İbrahim passed through the neighborhood twice on Wednesday between the evening and night prayers. Suspecting something unusual and sinister, the people of the neighborhood followed him and noticed tar stain on his shoes. Both the evidence of the tar stains and testimonies of four neighborhood residents accusing him of tarring the door revealed the identity of Seyyid İbrahim (BŞS, vol. A93, f. 55-1). Before the court of law, Seyyid İbrahim also had to reveal his accomplices, if any, and eventually named his brother and a young boy. He even gave details on how they smeared the tar on the door. While the instigator, namely Seyyid İbrahim was on the lookout, his brother held the pot containing the tar while an unidentified boy smeared the tar on the doors (BŞS, vol. A93, f. 55-3).

It does not appear reasonable that Seyyid İbrahim intended to smear this tar as a *guardian of morals*. Court details reveal that he was not a resident of the Bayezid Paşa neighborhood where he committed the crime. In a district where he did not live, it would be impossible to have information regarding seven households, including the *imam*'s house, whose women were possibly having illegitimate relationships. Furthermore, he did not allege this in his statement before the court, and the *qadi* did not even feel the need to investigate the residents of the tarred houses. So, although the main motivation is not revealed, one is led to assume this was a plan to damage the reputations of people living in these households. Furthermore, the documents do not reveal



what kind of punishment was given to Seyyid İbrahim and his collaborators, or even whether they were punished at all. This case provides important clues indicating how easily the tar staining of doors could be abused.

It is understood that smearing tar on doors was uncommon in Istanbul, the capital city of the Ottoman Empire. When studying the local court registers between 1500–1700, only one door smearing incident appeared in 1691, where tar was not used for any purpose other than its intended functionality. Fatma Hatun bint Mehmed's door was smeared with tar many times because she allowed strange men into her house. In such cases, people in the neighborhood questioned the respectability of the person. Afterwards, investigations revealed that she was engaging in illegitimate acts with different men in her own house (Yılmaz 2011: 221–222).

When all these examples are analyzed together with the cases in Konya, it shows that the intention behind the cases of applying tar on doors could vary according to time and place, and that tar smearing as a tool was susceptible to misuse since the early times. However, as there were so many examples of these cases in Konya, further analysis and interpretation behind the motivation of these incidents is required.

In Konya, a total of 52 entries found in the court records are related to door tarring. So, what does this number mean to historians? Firstly, 34 of the 52 entries are statistically dated to the second half of the 17th century, and the other 18 entries to the second half of the 18th century. In other words, 65 percent of the tar smearing incidents occurred during the 17th century and 35 percent in the 18th century. Even after 1739, the last ten-year part of our study, only one case appeared in the court. State officials, who closely followed the social disintegration during 17th century, and defined this as the century of depression for the Ottoman Empire, appear to have been actively investigating the morality issues in social environments.

During the 17th century when the cases of tarring increased, 20 of the 34 cases were brought to the court by the *subaşı*s (law officers). Until 1687, while the *subaşı*s even considered rumors about tar as a criminal report, after this period they did not pay much attention or get involved in such incidents. Although available data can be evaluated as such, we do not have any information or documents that clearly reveal the relevant situation. Over time, the functionality of tar ceased to be a part of the social control mechanism in order to prevent the possible immorality and hostilities this would entail. On the contrary, this was turned into a weapon that threatened social peace and security, which shows that this was no longer a means of denunciation. As revealed, this study dealing with the relative dates and cities, highlights that such problems were brought to the courts to seek immediate expulsions from neighborhoods.

I found that there were 75 entries relating to the expulsion from neighborhoods on the relevant dates. Of these, only 10 were dated to the second half of the 17th century while the remaining 65 entries were dated the first half of the 18th century. This data points to an inverse proportion, although not very high, between the cases of tarring the doors and cases of expulsion from the neighborhood. Instead of using tar smearing on doors which had lost its functionality and enticed hostility, the people of Konya personally appealed to the court within the authority given to them by law, and had these people expelled from the neighborhood. This indicates that the social mechanism had become more transparent and powerful (Çetin 2014: 43–70). This also explains the decline in tar smearing cases in the first half of the 18th century.



LEGAL PROCESS AND CONSEQUENCES

The incidents of tar smearing were mandated to be sued in the court, irrelevant of the fact of whether it reflected the truth or was defamatory in nature. As we see in the Konya court records, when tar was smeared on a door, the court process would start immediately to determine the truth behind this, and issue a decision according to the law. Cases were taken to the court either by residents of the tarred house, or by people in the neighborhood when the house residents decided against appealing to the court to hide the incident if any of their house members were actually involved in the crime (KCR, vol. 49, f. 155-4). This generally resulted in a majority of the cases being reported to the authorities.

The court petitions were usually filed by the heads of the family or the *subaşı*s immediately after an incident occurred.²¹ The governors or their deputies also brought incidents to the notice of courts through their *mübaşir* (appointed officers) in an effort to minimize such crimes in their jurisdictions. While house residents wanted their names cleared from the slanderous accusations and ensure the perpetrators of tarring incidents were punished, it was the duty of the *mübaşir*s to bring these cases to the court (Akman 2004: 113). The neighborhood residents were registered as plaintiffs in the courts to ensure suspects of adultery were expelled from their neighborhoods (KCR, vol. 49, f. 155-1). In this context, of the 50 lawsuits studied between 1645 and 1750, 25 were filed by heads of the family, 1 by an agent appointed by the family head, 20 by *subaşı*s, 2 by the officers appointed by the Karaman *mutasarrıf*s, 1 by neighbors and 1 by a teacher of an elementary school (Appendix I). The reasons highlighted above explain the majority of the cases being pursued by the victimized family and by the officials who were liable as a part of their duty (Abacı 2001: 65), and also due to material interest in the form of share of fine in the scope of *serbest timar* (Aköz and Yörük 2004: 127). This encouraged officials to file complaints regarding incidents that were reflected with testimonies such as ‘we heard that his door was smeared with tar’ (KCR, vol. 20, f. 164-3). Of the 33 lawsuits studied from second half of 17th century, 20 were reported by the *subaşı*s. This number decreased gradually after 1687 with *subaşı*s showing less interest in the tar-staining incidents.

As explained above, while the motives of the lawsuit depended on who filed the case, the questions put forth by the court were the same whether this was the house inhabitants, officials (*subaşı* or *mübaşir*) or neighbors. The first question was regarding the perpetrator of tarring, this was followed by what their motives could be. The house owner would be the first to be questioned, while neighborhood residents would be questioned later regarding the truth about these allegations. If the house owner had no sound evidence regarding who smeared tar on his door, this made an inquiry into the motive behind this essential. Usually, rather than finding the culprit(s), the residents of the house would give priority to clearing their name in an attempt of defending their honor and dignity. Of the 50 door tarring incidents studied in the Konya records, in 35 cases the plaintiffs had no information about the perpetrators, but simply sought to clear their names. However, in the remaining 15 cases the residents not only attempted to clear their names, but also demanded that the suspects be identified and punished.

Ottoman laws did not have any specific rulings that criminalized the dishonest tar smearers. This meant that although the tar-staining incident would be investigated for the allegations

²¹ As mentioned above, in the case of Konya it is understood that the vast majority of appeals to the court took place on the morning after the incident (see Appendix I).



of adultery and illicit relationships, false accusations did not carry any substantial punishment. However, one should not overlook its social repercussions because when people making false allegations lost the case, they would be considered liars/dishonest among the society. There was a *fatwa* issued by Şeyhülislâm Abdurrahim Efendi (d. 1656) maintaining that tar smearing was not insulting. If this was considered slanderous, then it surely would have led to a penalty for those who made the false allegations. The records highlight that only *te'dib* (disciplinary punishment) was prescribed in the *fatwa*.²² The laws which would detail such punishment in these cases was classified under *hadd-i te'dib* (disciplinary punishment as an example to others). Unlike in other *hadd* legislations, no clear penalties were given. It appears that the main purpose of this disciplinary action was perhaps to control public pressure and therefore prevent these incidents from being publicized (Devellioğlu 2001: 1054).

There are two cases that could serve as examples of penalties imposed on those who attempted to tar-stain the doors of innocent people. In one case, Mustafa b. Osman who smeared tar on the door of his brother's wife who was an honorable woman, was expelled from the neighborhood after his neighbors vouched for her honor (KCR, vol. 10, f. 157-4). In the second incident, Mustafa b. Mehmed smeared tar on the door of Mehmed b. Ramadan's house in the Nebkâloğlu neighborhood of Sâhibyakası. While Ramadan was acquitted by the court upholding his house's dignity, Mustafa continued to harass him by making false accusations regarding a former incident. In the ongoing court process, three local residents testified that Mustafa was a troublemaker, wicked and a slanderer (*harâm-zâde*, *gammaz*, *şerir*, and *sa'ibü'l-fesâd*). Although the court decided to punish Mustafa according to the crime, it is not clearly stated what 'punishment' was given (KCR, vol. 11, f. 138-5).

There are cases which show that people who came to settle in a particular neighborhood were inclined to be considered as potential perpetrators of tar smearing. An incident that took place in the village of Kavak, a sub-district of Sahra supports this. Süleyman Beşe and Mevlüd Beşe were suspected of smearing tar on the door of the house of Hüseyin b. Mehmed. However, this case was later resolved through a peaceful settlement.²³ The two men were asked to leave the neighborhood in exchange for plaintiff Mehmed withdrawing his complaint (KCR, vol. 45, f. 79-3; Sak and Çetin 2015: 157).

Considering the court procedures and satisfactory testimonies, it is highly likely that the victims of tar smearing incidents would first confer with their neighbors and seek their support. As the Sultan's edicts expected people to display awareness in their environments and be observant regarding crimes and criminals, the legal system acknowledged this by classifying testimonies of neighbors as valuable evidence in passing verdict on criminal cases (Yılmaz 2000: 94–97). This meant that the neighborhood community could also be a reliable source for law enforcement (KCR, vol. 57, f. 61-3). As neighbors were familiar with each other, they would know who could indulge in positive (*hüsn-i hal*) or negative (*su-i hal*) activities. Consequently, it was this intimate information neighbors were expected to share so the cases could be determined according to

²² 'If Zeyd and his wife Hind rub tar on Zeyneb's door and admit this, what kind of punishment will be prescribed? Answer: Te'dib' (Menteş-Zâde Abdurrahim Efendi 1243: 123).

²³ For examples about peace practices in Ottoman law (Mutaf 2004: 125–140; Dörtok Abacı 2006: 105–115; Tamdoğan 2008: 55–83).



their testimonies. The people classified as ‘neighborhood residents’ (KCR, vol. 15, f. 26-1) or ‘residents of my neighborhood’ (KCR, vol. 21, f. 271-1) were the adult males of the neighborhood.²⁴

Generally, the number of neighbors who would testify in the courts was between 3-5, but, depending on the nature of the case this figure could sometimes even exceed 60 (Tok 2005: 164). The people who stood as witnesses had to be unbiased Muslims (*bî-garâzî muslim*). As cases were decided according to the statements of neighborhood residents, it can be suggested that the neighborhood was the source of such judicial decisions. The cases studied also highlight this fact. In 47 of the 50 incidents brought to the Konya court, the victims of tar-stained homes were not penalized for adultery or illicit sexual relations because the other residents testified in their favor.

CONCLUSION

This study affirms that in the Ottoman society, in instances where conveying information to the society or officials was crucial, this was done through symbolic means. Because proving acts of adultery before the court was difficult, and when the adultery claims were unproven this was classified as slander which carried severe punishment, this forced the society to resort to other methods of reporting adultery. In view of this, tar smearing was an effective method for the individual avoiding punishment for slander when the person was reported to the courts.

In the findings obtained from the Konya registers, it emerges that tar smearing acted as an effective tool for the social control system in preventing adultery within the society. However, it also appears from the records that this tool was misused by people in retribution for their personal conflicts, and therefore over time lost its credibility and effectiveness. This was proved by the incident described earlier where a teacher received letters threatening tar smearing on his door. The records studied, where most of the cases were discharged by the courts with the intention of restoring the dignity of the residents of tar-stained houses upon neighbors testifying in their favor support this. This study also highlights the different factors that influenced the decision of punishing the perpetrators of tar smearing depending on their social position such as the brother of the plaintiff, an upper class *seyyid* and an *imam*.

The damage that tar smearing incidents entailed on the honor and dignity of people forced the victims to appeal to the court immediately to protect their family from possible slander. As a majority of the tar smearers were unknown, the courts usually investigated the veracity of the claims instead of identifying the perpetrators. Here, the testimonies of the neighborhood/village residents, who testified to both the *hüsn-i hal* (positive) and *su-i hal* (negative) dispositions of these individuals, were significant in issuing decisions on these cases which was also important in restoring the reputation of the victim of tar-staining. In other words, public opinion played a critical role in the social setup of the Ottoman society of Konya.

²⁴ Although there were women among those who participated in the investigation of the person expelled from neighborhood (Tok 2005: 164) in the tar rubbing incidents in Konya, there was no findings regarding the women who took part in the investigation (see Appendix I).



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Appendix I: Data on the Tarring on the Door that Occurred in Konya Between 1645–1750

Document	Plaintiff	Plaintiff				Defendant		Date
		Name	Reli- gion	Neighbor- hood	Judgement	Name	Judgement	
9/98-1	Subaşı	Mehmed b. Abdulkерim	M	Esenli	Hüsn-i hal	Unknown	-	1645
9/131-3	Subaşı	Antara veled Avabos	C	Çiftenerdiban	Hüsn-i hal	Unknown	-	1646
10/157-4	Family head	Mustafa b. Osman	M	Topraklık	Hüsn-i hal	Mustafa b. Osman	Expel	1660
10 / 227-2	Family head	Ali Çelebi b. Mehmed	M	Hocahasan	Hüsn-i hal	İsmail ve Mustafa	unproved	1661
11 / 136-2	Family head	Mehmed b. Ramazan	M	Sahibyakası- Nebkâloğlu	Hüsn-i Hal	Mustafa b. Mehmed	unproved	1661
11/ 138-5	Family head	Mehmed b. Ramazan	M	Sahibyakası- Nebkâloğlu	Hüsn-i hal	Mustafa b. Mehmed	Biased acts	1661
12 / 151-3	Subaşı	Ayşe bt. İsmail	M	Seb'ahân	Hüsn-i hal	Unknown	-	1664
12 / 176-4	Subaşı	Ali b. Mahmud	M	Dehüda	Hüsn-i hal	Unknown	-	1664
12 / 152-1	Subaşı	Emine bt. el-Hac Aliman	M	Beğhekim	Hüsn-i hal	Unknown	-	1664
14 / 59-3	Family heads	Hüseyin b. Mustafa, Mehmed b. İbrahim and Şaban b. Himmet	M	Sudirhemi Hatıb Karyesi	Hüsn-i hal	Hüseyin b. Mahmud	Oath-unproved	1670
14 / 69-2	Family head	Musa b. İsa	M	Ahmeddede	Hüsn-i hal	Unknown	-	1670
15 / 26-1	Subaşı	Bedel b. Nuri	M	Bağ-ı Evliya	Hüsn-i hal	Unknown	-	1670
16 / 38-3	Subaşı	Mehmed b. Bayram (gıyaben) and Fatıma bt. Ahmed	M	Şeyhsadreddin	Hüsn-i hal	Unknown	-	1672
16 / 34-2	Subaşı	İsa Beşe (gıyaben)	M	Divle	Hüsn-i hal	Unknown	-	1672
20 / 51-1	Subaşı	Hüseyin b. Handan	M	Piripaşa	Hüsn-i hal	Ahmed b. Himmet	-	1674



Document	Plaintiff	Plaintiff				Defendant		Date
		Name	Religion	Neighborhood	Judgement	Name	Judgement	
20 / 164-3	Subaşı	Murtaza Çelebi b. Şaban	C	Akıncı	Hüsn-i hal	Unknown	-	1675
20 / 227-3	Subaşı	Ebubekir Beg b. İsmail	M	Aligav	Hüsn-i hal	Unknown	-	1675
21 / 271-1	Family head	Hasan b. Veli	M	Sedirler	Hüsn-i hal	Unknown	-	1676
21 / 51-2	Family head	Yusuf b. Musa	M	Şeyhaliman	Hüsn-i hal	His brother Hüseyin and Abdülkerim b. Molla	From tar case acquitted on oath, but for other reasons biased acts.	1676
13 / 103-1	Subaşı	Ayşe bt. Ali	M	Dinkeş	Hüsn-i hal	Unknown	-	1677
23 / 69-3	Subaşı	Fatıma bt. Mustafa	M	Galebe	Hüsn-i hal	Unknown	-	1677
23 / 117-4	Subaşı	Baryam v. Hadro	C	Aklan	Hüsn-i hal	Unknown	-	1678
23 / 138-2	Subaşı	Yanos v. Yagob	C	İmaret	Hüsn-i hal	Unknown	-	1678
26 / 102-3	Subaşı	Asi v. Bostan	C	Aklan	Hüsn-i hal	Unknown	-	1681
26 / 103-1	Subaşı	Espine v. Yovan	C	İçkale	Hüsn-i hal	Unknown	-	1681
26 / 223-1	Subaşı	El-Hac Mustafa b. Budak	M	Sinanperak- endesi	Hüsn-i hal	Unknown	-	1682
29/84-2	Subaşı	Kerime bt. el-Hac Osman	M	Yediler	Expel	Unknown	-	1686
31 / 121-1	Family head	Mehmed b. Bedel	M	Çinioğlu	Hüsn-i hal	Unknown	-	1686
34/112-1	Subaşı	Fatı bt. Ahmed	M	Topraklık	Biased act	Unknown	-	1687
31 / 67-3	Family head	Şaban b. el-Hac Pirgaib	M	Medrese	Hüsn-i hal	Unknown	-	1688
38 / 74-2	Mübaşır	Simaven v. Kirkor	C	Şükran	Hüsn-i hal	Unknown	-	1692



Document	Plaintiff	Plaintiff				Defendant		Date
		Name	Religion	Neighborhood	Judgement	Name	Judgement	
38 / 106-3	Family head	Simaven v. Kirkor	C	Şükran	Hüsn-i hal	Gabriel v. Armağan	unproved	1692
32 / 96-2	Family head	Ernapoyos v. Yanos and his sister Bağdad	C	Çiftenerdiban	Hüsn-i hal	Unknown	-	1699
41 / 181-1	Family head	Mehmed b. Sefer	M	Bınari	Hüsn-i hal	es-Seyyid İsmail b. Seyyid Mehmed and his friends	Proved there is witness-Judgement is unknown	1699
42/ 156-2	Family head	Hasan b. Mirza	M	Karakayış	Hüsn-i hal	Mustafa b. Halil	oath-unproved	1707
45 / 79-3	Representative	Hüseyin b. Mehmed	M	Sahra/ Kavak Karyesi	Hüsn-i hal	Süleyman Beşe b. Bahşayış and Mevlüd Beşe b. Murtaza	Peaceful settlement	1714
45 / 222-3	Family head	Kiragos v. Arslan	C	Kal'acık	Hüsn-i hal	Unknown	-	1715
47 / 123-1	Family head	Mevlûd b. Ali	M	İbntutî	Hüsn-i hal	Unknown	-	1716
48 / 134-5	Family head	Garb v. Davud	C	Divle	Hüsn-i hal	Unknown	-	1718
48/136-4	Family head	Tebiyos v. Yanos	C	Çiftenerdiban	Hüsn-i hal	Unknown	-	1718
48 / 141-4	Family head	Bâli v. Zekarya	C	Aynedâr	Hüsn-i hal	Unknown	-	1718
49 / 145-4	Family head	İsmail Çelebi b. Hasan Beğ	M	Şeyhosman-rumi	Hüsn-i hal	Unknown	-	1724
49/155-4	Neighbor	Arslan v. İvad	C	İçkale	Expel	Neighbors	-	1724
50 / 251-1	A teacher	Süleyman b. Hasan	M	Sarıyakub	Hüsn-i hal	es-Seyyid Mehmed b. es-Seyyid Ahmed	Ta'zir	1727
52 / 197-4	Family head	el-Hac Halil b. Şaban	M	Sinanperak-endesî	Hüsn-i hal	Unknown	-	1731



Document	Plaintiff	Plaintiff				Defendant		Date
		Name	Religion	Neighborhood	Judgement	Name	Judgement	
52 / 240-1	Family head	Molla Mehmed b. Mustafa	M	Dolabucu	Hüsn-i hal	Unknown	-	1731
52 / 246-3	Family head	Osman b. Mehmed	M	Karaöyük	Hüsn-i hal	Unknown	-	1731
54 / 60-2	Representing his family and neighbors	Osman b. İbrahim, Kezban bt. Ömer and Emine bt. Ali	M	Kuzgunkavağı	Hüsn-i hal	Hüseyin b. Mahmud	unproved – no witness	1738
54/87-2	Mübaşir	Ayşe bt. Hüseyin	M	Nişantaş	Expel	Unknown	-	1738
54 / 160-1	Family head	es-Seyyid Ali b. Hacı Mustafa	M	İmaret	Hüsn-i hal	Unknown	-	1739
54 / 229-3	Family head	Emine bt. Halil	M	Hacıeymir	Hüsn-i hal	Seyyid Abdurrahman b. Seyyid Mustafa	Tâzir	1739
57/61-3	Family head	Abdulkadir b. Halil	M	Village of Hocacihan	Hüsn-i hal	İmam Ali b. Elhac İsmail and İsmail b. Mehmed	İmam Ali - warning	1749

