

## THE LEGAL STATUS OF THE DANUBIAN PRINCIPALITIES IN THE 17<sup>TH</sup> CENTURY AS REFLECTED IN THE *ŞİKAYET DEFTERİS*

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### Abstract

The present study is devoted to the political relationship between the Moldo-Wallachian Principalities and the Ottoman Empire within the framework of the imperial grievance administration in the second half of the 17<sup>th</sup> century. Examinations are based on the so-called *şikâyet defteris*, imperial registers archiving decrees issued in response to petitions of subjects by the Ottoman Imperial Council. Since this corpus gives insight into the social and institutional links between the Ottoman administration and its exponents, it proved to be a significant source for a more nuanced understanding of the nature of relations between the Porte and the Danubian vassal states and of the specific status of *voievods* involved in the Ottoman administration.

**Keywords:** imperial council; registers of grievances; Moldavia; Wallachia; vassal states; petitioning.

This study focuses on some characteristics of the relations between the Ottoman central administration and the principalities of Wallachia and Moldavia in the second half of the 17<sup>th</sup> century as articulated in the imperial system of petitioning process. The present study relies on the results of my general research concerning the formal and contextual description of the so-called *şikâyet defterleri* („registers of grievances”) from the second half of the 17<sup>th</sup> century.<sup>1</sup>

### I. On the Source Material

The *şikâyet defterleri* („registers of grievances”) contain copies of decrees (*emr*, *hüküm*, *ferman*) issued by the Ottoman imperial council (*divan*, *Divan-ı Hümayun*) as a response to the subjects' petitions for a redress from the middle of the 17<sup>th</sup> century onwards. Addressees of this kind of orders were members of the local authorities, mostly *kadis*. The *divan* functioned partly as the highest jurisdictional authority in the Ottoman Empire, which was led by the grand vizier from the second half of the 16<sup>th</sup> century onwards. Apart from some rare exceptions quoted below, the surviving material of the *şikâyet defteris* is kept today in the Prime Ministry's Ottoman Archives in Istanbul (Başbakanlık Osmanlı Arşivi, hereafter BOA).<sup>2</sup> The appearance of this *defter* type, as a second

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<sup>1</sup> I have analysed this group of sources in my PhD dissertation not yet published. Cf. Kovács, N. E., „A Sikájet Defterik: A Szultáni Tanács Jogorvoslati Szerepének 17. Századi Változásai a Kimenő Parancsok Tükrében [The *Şikâyet Defteris*. Changes in Judicial Function of the Ottoman Imperial Council in 17<sup>th</sup> Century as Reflected in the Outgoing Orders]”, (unpublished PhD dissertation, Budapest: Eötvös Loránd University, 2013).

<sup>2</sup> For a revisited list of the 17<sup>th</sup>-century *şikâyet*-material, see Kovács, N. E., „17. yüzyılda Divan-ı Hümayun'un Şikâyet Defterleri [Registers of Grievances of the Imperial Council in the 17<sup>th</sup> Century]”, *Osmanlı Coğrafyası*

series of registers during the first years of the reign of Mehmed IV (reigned 1648–1687) reflects a significant change in the practice of the Ottoman central administration. Until now we do not have a written source directly about the chancellery or the reorganization of the chancellery explaining why or why at the end of the 1640s was the registration of the decrees diversified according to their content. In our present state of knowledge we can state that this transformation is a symptom of the dramatic social changes and it is closely linked with the financial and social crisis emerging from the second half of the 16<sup>th</sup> century and culminated in the Ottoman Empire exactly the same time when these registers emerged. Figures of the *ahkam (mühimme) defteris* from the late 16<sup>th</sup> century clearly testify that among the relatively constant quantity of issues discussed at the imperial council there was a significant increase in the number of those related to petitions from the late 16<sup>th</sup> century onwards. The archiving procedure of the outgoing orders in the *divan* chancellery was diversified by classifying one group of decrees of high importance (*mühimme*)<sup>3</sup> and another of those considered to be of local interest, consequently regarded to be of secondary importance in the eyes of the imperial centre and to be returned to levels of regional administration (without an exception reflecting on petitions, hence designated as *şikayet*).<sup>4</sup> This change could hardly be explained other way than as an administrative response to the drastic changes in the lower-level judicial administration and to the growing instability of the provincial jurisdiction. The orders preserved in the *defters* give huge and invaluable socio-historical data through the communication of the Ottoman central government and the provincial administration.

It is noteworthy that, as we can learn from the generic instructions of the *şikayet*-orders, the imperial grievance administration<sup>5</sup> cannot be defined as a

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*Kültürel Mirasın Yönetimi ve Tapu Arşivlerinin Rolü Uluslararası Kongresi: Bildiriler / International Congress of "The Ottoman Geopolitics Management of Cultural Archive Heritage and Role of Land Registry" Archives*, eds. Mehmet Yıldırım, Songül Kadioğlu, Ankara: Tapu ve Kadastro Genel Müdürlüğü, 2013, pp. 273–284, in particular p. 281.

<sup>3</sup> Among the most important studies devoted to the identification and description of the *Mühimme Defteris* are to be noted Heyd, U., *Ottoman Documents on Palestine, 1552–1615: a Study of the Firman According to the Mühimme Defteri*, Oxford: Clarendon Press, 1960; Peachy, W. S., "Register of Copies or Collection of Drafts? The Case of Four Mühimme Defters from the Archives of the Prime Ministry in Istanbul", *The Turkish Studies Association Bulletin*, 10/2 (1986), pp. 79–85; Berindei, M.- Veinstein, G., *L'Empire Ottoman et les Pays Roumains, 1544–1545: Études et Documents*, Paris–Cambridge: EHESS, [1987], mainly pp. 124–131; Dávid, G., "The Mühimme Defteri as a Source for Ottoman-Habsburg Rivalry in the Sixteenth Century", *Archivum Ottomanicum*, 20 (2002), pp. 167–209; Emecen, F. M., "Osmanlı Divanının Ana Defter Serileri: Ahkâm-ı Mîrî, Ahkâm-ı Kuyûd-ı Mühimme ve Ahkâm-ı Şikâyet", *Türkiye Araştırmaları Literatür Dergisi*, 5 (2005), pp. 107–139. For an early study on the *şikayet*-series, see Majer, H. G., (Hrsg.) *Das Osmanische „Registerbuch der Beschwerden“ (Şikâyet Defteri) vom Jahre 1675*, Wien: ÖAW, 1983 (Introduction). For a more recent study based on the *şikayet defteris* see Murat Tuğluca, *Osmanlı'da Devlet-Toplum İlişkilerinin Bir Açık Alanı: Şikayet Mekanizması ve İşleyiş Biçimi (1683–1699)*, unpublished PhD thesis, Hacettepe University, Ankara, 2010.

<sup>4</sup> For related investigations in detail, see Kovács, 17. *Yüzyılda Divan-ı Hümayun'un Şikayet Defterleri*, pp. 276–280.

<sup>5</sup> In this context, the term was first used by Michael Ursinus in relation to a later example of the

judicial but rather as a bureaucratic procedure since several circumstances and conditions of the issues registered in the *defters* did not meet the requirements of a legal judgement at the state council: the absence of the accused, lack of knowledge of each circumstance of the case in question etc. prevented the highest legal forum of the Empire from making immediate judgement. However, we should note that court hearings in the *divan* that ended with a specific judgement were, naturally, not registered in the *defters* since in these cases there was no interaction and correspondence between the central and the local authorities. Within the framework of the grievance procedure, the huge majority of the issues were returned back by the *divan* to the levels of regional administration (mostly *kadis*), regularly with generic instructions to investigate the issues.<sup>6</sup>

Beyond the fact that *şikayet defteris* belong to the most important sources for investigating social affairs and the changes in the interactions of the central and peripheral administration in the Empire, they also contribute, as we will see, to the discourse on the relations between the Ottoman central power and its vassals. On the folios of the *defters*, contrary to other Christian vassals, the Moldavian and Wallachian *voievods*<sup>7</sup> appear regularly. Their role was exceptional among Ottoman officials, and at the same time, in some respects, it was similar to them. This source group, owing to richness of relevant data it provides, proved also to be important indicators of some – by that time probably hidden – aspects of the relationship between the Danubian vassals and the Ottoman central administration; thus they help us reach a nuanced understanding in this context.

## II. On the Status of the Ottomans' Tributary States

The legal status of the Ottomans' tributary states, the comparative aspects concerning their relations to one another and the level of dependence on the Porte are considerably frequented fields of research in Ottoman studies.<sup>8</sup> The

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similar judicial mechanism at provincial level in his monography entitled *Grievance Administration (Şikayet) in an Ottoman Province: The Kaymakam of Rumelia's Record Book of Complaints 1781–1783*, London–New York: Routledge, 2007.

<sup>6</sup> Other studies on the provincial material reached a similar conclusion. See, for instance, Hegyi, K., "Török Közigazgatás és Jogszolgáltatás – Magyar Városi Autonómia [Turkish Public Administration and Jurisdiction – Hungarian Municipal Autonomy]", *Történelmi Szemle*, 28/2 (1985), pp. 227–257. Cf. Baldwin, C. E., "Petitioning the Sultan in Egypt", *Bulletin of the School of Oriental and African Studies*, 75/3 (2012), pp. 499–524.

<sup>7</sup> The "prince" is also used in the article as a synonym for this term.

<sup>8</sup> On Ragusa, considered a typical example of vassal state, see H. Biegman, N. H., *The Turco-Ragusan Relationship. According to the Firmans of Murad III (1575–1595) Extant in the State Archives of Dubrovnik*. The Hague: Walter de Gruyter, 1967. See further: Faroqhi, S., *The Ottoman Empire and the World Around It*, New York: IB Tauris, 2007, pp. 75–97. For a general overview of the systems and types of submitted societies and states recently, see Papp, S., "The System of Autonomous Muslim and Christian Communities, Churches and States in Ottoman Empire: The European Tributary States of the Ottoman Empire in the Sixteenth and Seventeenth Centuries", *The European Tributary States of the Ottoman Empire in the Sixteenth and Seventeenth Centuries*, eds. Gábor Kármán, Lovro Kunčević, Leiden-Boston: Brill, 2013, pp. 375–419; cf. Guboğlu, M., "Kanuni

nature of the legal status of the tributary states was discussed in a fair number of comparative studies and has been investigated from various aspects, such as the terminology of Ottoman diplomatics,<sup>9</sup> the diplomatic representation and protocols applied by the Porte towards representatives of the *voievods*,<sup>10</sup> the inauguration standards and ceremony of the vassal princes,<sup>11</sup> and the terminology of Ottoman narrative sources or analysis of legal conceptions of the Islamic law.<sup>12</sup>

However, discussions sometimes cannot be exempt from being influenced by anachronistic implications of some modern authors to create antitypes to legitimize nationalistic claims or ideas. One kind of these tendentious attempts predominate the ideas concerning the status of the Danubian Principalities.<sup>13</sup> This view is represented by some scholars from the successor-state who argue for equivalence or quasi equivalence between the sovereignty of the *voievods* and that of European monarchs. They emphasize the contractual nature and some kind of bilateral characteristics of the ties between the actually subdued *voievods* and the Ottoman Palace. At the same time, attempts to legitimize the conception of the modern Rumanian state also appear, emphasizing some common features, while omitting or disregarding evident historical differences between the political and legal position of the two orthodox vassal states and Transylvania.

An important proceeding of this discourse is that alongside the existing variability of practices of submission, there are some essential characteristics by which the general description of the vassal status is possible. Firstly, a fundamental yet not exclusive characteristic of the submission was the obligation

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Sultan Süleyman'ın Boğdan Seferi ve Zaferi 1538", *Bellekten*, 198 (1986), pp. 727–805, in particular pp. 791–793; Panaite, V., "The Re'ayas of the Tributary Protected Principalities in the Sixteenth Through Eighteenth Centuries", *International Journal of Turkish Studies*, 9 (2003), pp. 79–104. For the description and critics of the debate, see Papp, S., *Die Verleihungs-, Bekräftigungs- und Vertragsurkunden der Osmanen für Ungarn und Siebenbürgen: Eine quellenkritische Untersuchung*, Wien: Österreichische Akademie der Wissenschaften, 2003, pp. 137–140, from the same author see also: "Keresztény Vazallusok az Oszmán Birodalom Észak-Nyugati Határainál: Diplomatikai Vizsgálat a Román Vajdák Szultáni Ahdnáméi Körül [Christian Vassals Along the North-Western Borders of the Ottoman Empire: Investigations on the Diplomats of Sultanic Ahnnames of the Roumanian Voievods]", *Aetas*, 17/1 (2002), pp. 67–96.

<sup>9</sup> Papp, *Verleihungs*; Papp, *The System*, *ibid*; see also: Kołodziejczyk, D., *Ottoman-Turkish Diplomatic Relations (15<sup>th</sup>–18<sup>th</sup> Century): An Annotated Edition of Ahnnames and Other Documents*. Leiden: Brill 2000.

<sup>10</sup> Kármán, G., "Sovereignty and Representation: Tributary States in the Seventeenth-Century Diplomatic System of the Ottoman Empire", *The European Tributary States of the Ottoman Empire in the Sixteenth and Seventeenth Centuries*, eds. Gábor Kármán, Lovro Kunčević, Leiden-Boston: Brill, 2013, pp. 156–185.

<sup>11</sup> Szabó, J. B., "Insignia of the Transylvanian Princes", *Majestas*, 4 (1996), pp. 85–105, in particular pp. 90–100. See also Szabó, J. B. and Erdősi, P., "Ceremonies Marking the Transfer of Power in the Principality of Transylvania in East European Context", *Majestas*, 11 (2003), pp. 111–160.

<sup>12</sup> Panaite, V., *The Ottoman Law of War and Peace: The Ottoman Empire and Tribute Payers*, New York: Columbia Univ. Press, 2000.

<sup>13</sup> Note that unlike some modern Roumanian authors, I will use this term in accordance with its traditional meaning, excluding the Principality of Transylvania that was neither "Danubian" nor orthodox, as were Wallachia and Moldavia.

of the non-Muslim subjects (*zimmî*) to pay poll tax per household (*cizye*), but considering its legal nature, it was equivalent to the lump sum tax paid collectively by autonomous communities under Ottoman supremacy (*harac*).<sup>14</sup> Secondly, a typical attribute of submission was the considerable limitation or abolition of the vassal's foreign policy, or making it conform to the Ottoman political interests. It is expressed in the terminology of the related documents with variants of the following sentence: „You will be friend of my friends and enemy of my enemies.”<sup>15</sup> Consequently, the vassals were often reminded of their obligation to defend their territory against external enemies. These instructions should be regarded the least as friendly advices, rather as commands concurrent also in relation of inaugurations of *sandjakkbeyis* or *beylerbeyis*, which emphasize the obligations concerning the „tenure” as a share of the imperial domains.<sup>16</sup>

At the end of our sketchy overview of the basic criteria of the vassal status we must add that the Ottoman dynasty regarded the tributary lands evidently its own property as articulated repeatedly in decrees, letters and narrative sources as well.<sup>17</sup> Abdurrahman Paşa, author of a seventeenth-century chronicle, presents the inauguration of a *voievod* of Wallachia, probably Antonie din Popeşti (r. 1669–1672), with the following laconic words ascribed to the Sultan, thereby referring to an essential feature of the Ottoman idea of governing, namely the principle of justice:

<sup>14</sup> The terms *cizye* and *harac* can not be distinguished exactly in Ottoman terminology. However, in the formative period of Islam these notions meant two different kinds of taxes. See Simon, R., *A Korán Világa*. [=The World of Quran], Budapest: Helikon 1987, pp. 201–203. Cf. Panaite, V., „The Voivodes of the Danubian Principalities – as Harâc-güzarlar of the Ottoman Sultans”, *International Journal of Turkish Studies*, 9 (2003), pp. 59–78, in particular 62–64. It is telling, in this respect, that the tax rate levied on Transylvania was always lower than that of Moldavia and Wallachia. Wallachia, which was the nearest to the Ottoman centre, had to pay the highest tribute. Cf. Papp, *The System*, pp. 399–401; Zach, C. R., *Staat und Staatsträger in der Walachei und Moldau im 17. Jahrhundert*, München: Hieronymus Verlag, 1992, p. 188.

<sup>15</sup> Maxim, M., *L'Empire Ottoman au Nord du Danube et l'autonomie des Principautés Roumïnes au XVI<sup>e</sup> siècle*, İstanbul: ISIS, 1999, p. 27; Panaite, *The Voivodes*, pp. 70–76. Stipulations on political conformity were expressed in similar formulae in the letter of oath by István Báthory, prince of Transylvania, to Maximilian II (Maximilian I as king of Hungary). See Veress, E. (ed.), *Báthory István Levelezése [Correspondence of István Báthory]*, Kolozsvár: Gróf Teleki Pál Tudományos Intézet, 1944, vol. I, pp. 115–116.

<sup>16</sup> Panaite, V., „Custom in the 16<sup>th</sup>–18<sup>th</sup> Centuries Ottoman-Roumanian Relationship: Starting Points for a Historiographical Debate”, *Revue des Études Sud-est Européennes*, 31 (1993), pp. 171–185.

<sup>17</sup> It is a frequently quoted fact that once he conquered Buda in 1541, Süleyman I (r. 1520–1566) gave the land of Temes to Péter Petrovics and Transylvania to János Zsigmond as *sanjaks*. See Szilágyi, S. (ed.), *Erdélyi Országgyűlési Emlékek Történeti Bevezetésekkel / Monumenta Comititalia Regni Transsylvaniae*, Budapest: MTA, 1976, p. 78. Cf. Fodor, P., *Magyarország és a török hódítás [Hungary and the Ottoman Conquest]*, Budapest: Argumentum, 1991, pp. 111–113; further Berindei-Veinstejn, *L'Empire*, p. 34; and Panaite, *The Ottoman Law*, p. 349. The similar legal status of the Ottoman province and *voievodates* was often declared in Ottoman decrees: „...your land being similar to my other well-protected domains...” (*vilâyet ve memleketün sâ'ir memâlik-i mahrûsem gibi olub...*). For instance, concerning Transylvania, see *3 Numaralı Mühimme Defteri (966–968 / 1558–1560) <Tipkibasım>*, Ankara: OADB, 1993, p. 548, nr. 1150. Furthermore, also referring to the *reaya*, see Panaite, *The Reayas*, pp. 84–85.

“On the tenth Wednesday the *zimmî*, who became new *voievod* of Wallachia was enrobed in caftan and panache (*süpürge*) through the *kaimakam paşa*. When the mentioned appeared in the presence of the Sultan, he turned to him and cautioned him with the following words: „hereby I donate You the governorship (*beğlik*) of Wallachia but if I will hear that you oppress the people, you will be beheaded.<sup>18</sup>”

As the symbolic sphere of the diplomatic practices is concerned, due to the inconsequent use of titles and honorific attributes by the Ottoman sources it is also difficult to reach an exact conclusion about the imperial status let alone certain hierarchical order of the tributaries.<sup>19</sup> This is also confirmed by the relevant *şikayet*-entries: the *voievod* is usually mentioned as a common subject (*zimmî*), in other cases he occurs as *voyvoda* or *beg*,<sup>20</sup> on some rare occasions, he appears accompanied by attributes used also regularly for Christian monarchs (*kıdvetül-ümerai'l-milletül-mesihîye*).<sup>21</sup>

Although, there were some differences between the imperial status of Ottoman vassals in the levels of diplomatic issues and institutional ties, the extent of the Ottoman supremacy over the exponents was rather dependent on political factors and the liability of the effectiveness of central power than some supposed principles or standards carved in stone. Undoubtedly, each vassal represented different levels of autonomy, and the characteristics of dependence were diversified. On the basis of contemporary reflections and communication of the Ottoman elite it would also be difficult to unfold any hierarchical order of the Empire's vassals. Neither can be grasped exact divergence between legal status of the tributary princes on different levels of self-governing and that of the regional governors of the Empire.<sup>22</sup>

While diplomatics, diplomatic representation, and narrative sources represent rather symbolic aspects of Ottoman political thought, registers of complaints, as a kind of a more “pragmatic” sources on imperial administration allow us to study the relationship between the Porte and its regional exponents through their practical aspects of cooperation.

Since, among the fields of the state administration, the ŞDs shed light on the practice of jurisdiction, they provide important data on the role and function of the involved officials. The *şikayet*-entries realize immediate legal con-

<sup>18</sup> 22 August 1668; Derin, F. Ç. (haz.), *Abdurrahman Abdi Paşa Vekâyî-nâmesi: Osmanlı Tarihi (1648–1682)*, İstanbul: Çamlıca, 2008, p. 318.

<sup>19</sup> Panaite, *The Ottoman Law of War*, pp. 343–344.

<sup>20</sup> *Voievod* of Wallachia as addressee, for instance: ŞD 8/208:1000. Here and hereafter each entry preserved in a *şikayet* defteri from the BOA is quoted as follows: ŞD number/page number:number of the entry.

<sup>21</sup> Ştefan XI Petriceicu (r. 1672–1673), petitioner in an order issued November 1672 is referred to as the “idol of the chiefs of the Messiah's community.” ŞD 8/110:489; for another similar example of Radu XII (1664–1669), *voievod* of Wallachia in March 1667, see ŞD 6/25:102.

<sup>22</sup> Faroqhi, *The Ottoman Empire*, p. 76.

nection between the regional population of the Empire on the one hand, and the Ottoman central administration on the other. As it is apparent, within the borders of the Empire, this intervention was usually managed through *kadis*. The *defters* testify that the option of petitioning to the Porte was available for (and also used by) subjects living in Ottoman provinces; and not only for them but also for those who lived in the territory of autonomous states whether they were Muslims or not. Thus, the Porte demonstrated its supremacy also over the people who lived in these territories, as they, too, were regarded as Ottoman subjects.

At that point, the role of the *voievods* of Wallachia and Moldavia, and the prince of Transylvania proved to be significantly different. In contrast with other vassal leaders, the first two occur frequently as addressees or even petitioners of the seventeenth-century *şikayet*-orders, while not even a single one was found having any kind of relevance to Transylvanian princes and people. It is not provable that this phenomenon can be correlated to any kind of political consideration or distinction made by the Ottoman court concerning its vassals. Moreover, we must remember that on account of the nature of the system, the *şikayet*-procedure depended on the initiatives and attitude of the petitioners each time, and only consequentially on the central decision-making of the *divan* which postulated the former. Yet it is evident that in the seventeenth-century system of grievance administration, the Porte was the highest forum for judicial appeal in the eyes of the inhabitants and princes of Wallachia and Moldavia as much as for subjects of other regions of the Ottoman Empire. However, in the light of the *defters*, among the vassal states, this option was preferred only by the Moldo-Wallachian subjects.

At the same time, among the people concerned in the petitions and the resulting orders no representative of other considerable subordinated states (for instance Transylvania, Crimean Khanate) occur. Accordingly, since the Porte functioned in several cases not merely in theory but in effect as the highest court over the *voievods*, it encroached the „domestic affairs” of the Danubian principalities on the level of judicial administration. The significant number of the orders addressed to the *voievods* could hardly be explained merely by geographical causes, while the absence of the Transylvanian prince and subjects from the seventeenth-century *şikayet*-orders is more than interesting.

Similarly to any other Ottoman subjects, the Transylvanians had the right and opportunity to appeal with their troubles and grievances to the Porte in theory. The fact that it never came into practice can be explained by the more advanced jurisdiction of Transylvania inherited from the Hungarian Kingdom, thus petitioning to the Ottoman court was not a habitual element of the legal procedure in Transylvania.<sup>23</sup> Moreover, just like in Hungary, appealing to

<sup>23</sup> Concerning the system of jurisdiction in Transylvania, see Trócsányi, Z., *Erdély Központi Kormányzata [Central Government of Transylvania]*, Budapest: MOL, 1980, pp. 57–58 and 245–249; and by the same author: *Törvényalkotás az Erdélyi Fejedelemségben [Jurisdiction in the Principality of Transylvania]*, Budapest: Gondolat, 2005, pp. 235–240, and 245–275.



the Ottomans was regarded a condemnable attitude in Transylvania as well.<sup>24</sup> However much the Transylvanians were pressed by their own internal conflicts, they regarded the Porte an entirely alien power and were reluctant to turn with their complaints to the Ottoman high council. All these differing attitudes of the Transylvanians and the orthodox Vlachs of Moldavia and Wallachia are closely related to their different traditions and cultural background. In full contrast with the political tradition of Transylvania, the Moldo-Wallachian orientation towards Constantinople goes back to the Byzantine era.<sup>25</sup>

Hereinafter, I attempt to characterize how the Wallachian and Moldovan *voievods* were formally integrated and involved into the provincial system of Ottoman jurisdiction as well as their function within the grievance administration.

### III. The Occurrence of the Danubian Principalities in the *ŞDs*

In the course of their expansion in the Balkan peninsula, the Ottomans stretched their supremacy onto the Danube river, and in 1394 forced Mircea, *voievod* of Wallachia to pay tribute. Moldavia officially became vassal of the Porte in 1455, but there are some references to a payment of Moldavian tribute as early as 1377. Due to its specific geographic position Moldavia was forced to manoeuvre between the Polish-Lithuanian Commonwealth and the Ottoman state until the late 18<sup>th</sup> century, thus the latter had to gauge permanently with the Polish aspirations in the region. Wallachia, lying closer to the Ottoman core lands, was a more controllable tributary of the Porte. However, the temporal political instability of the *voievods* and the threat of the Cossac's raids in the Eastern Balkan resulted in danger of political destabilization and, in addition, risk in supply of grain and other goods indispensable for the imperial capital.<sup>26</sup>

Applying the method of statistical analysis, orders taken from 6 *defters* of different time-spans of the seventeenth-century were investigated with special regard on the *voievods* as addressee. The chosen *defters* are as follows: 1) a register mis-classified as *Mühimme Defteri* nr. 92 preserved in the BOA;<sup>27</sup> 2) *ŞD* 8; 3) *ŞD* 25; 4) *ŞD* 31; 5) the *defter* kept in the Austrian National Library

<sup>24</sup> At least this aspect is reflected in the actions taken against those who appealed for Turkish assistance. See Trócsányi, *Törvényalkotás*, p. 245.

<sup>25</sup> Cf. Ágoston, G.–Oborni, T., *A Tizenhetedik Század Története [History of the 17th Century]*, Budapest: Pannonica, 2000, pp. 44–49. Concerning the practices of Political interactions between Transylvania, the Danubian Principalities and the Porte see Jakó, K., "Havasalfölde és Moldva Szerepe Erdély Portai Kapcsolataiban [The Role of Wallachia and Moldavia in the Political Relations of Transylvania and the Porte]", *Identitás és Kultúra a Török Hódoltság Korában [Identity and Culture in the Ottoman Era]*, eds. Pál Ács and Júlia Székely, Budapest: Balassi Kiadó, 2012, pp. 140–157.

<sup>26</sup> For an overview on the relations of the Danubian Principalities and the Porte during the 17<sup>th</sup> century, see: Uzunçarşılı, İ. H., *Osmanlı Tarihi*, vol. III/2, Ankara: Türk Tarih Kurumu, 1954, pp. 82–101.

<sup>27</sup> Dávid, *The Mühimme Defteri*, pp. 167–209.



(Österreichische Nationalbibliothek) in Vienna (Cod. mixt. 683);<sup>28</sup> 6) another register from Dresden (Eb 372).<sup>29</sup> Regarding the quantity of orders sent to the two *voievods* there are salient differences among the registers:

Table I

	Wallachia	Moldavia
“MD 92” (1656–1658)	-	-
ŞD 8 (1672–1673)	36	17
Cod. mixt. 683 (1675)	12	-
Eb 372 (1680–1681)	9	3
ŞD 25 (1697)	1	-
ŞD 31 (1699–1700)	1	-

Occurrence of the *şikayet*-entries related to the principalities is quite frictional within the examined materials: in some cases the copies of decrees frequently occur while in others none can be found. It is clear even at first sight that Wallachia – situated closer to the Ottoman capital – is much stronger represented in the registers. Besides, there is close relationship between the intensity of the related entries and the proximity of the council, as oddly attested by the example of the ŞD 8 written during and after the Ottoman campaign led through the eastern periphery of the principalities to Kamenec-Podolsk in 1672. The large amount of the orders addressed to the *voievods* in this register can be explained by the easier accessibility of the council led by the grand vizier as the leader of the advancing army;<sup>30</sup> furthermore the number of grievances usually increases during wartime.<sup>31</sup>

<sup>28</sup> Published facsimile edition by Majer, H. G. (Hrsg.), *Das Osmanische „Registerbuch der Beschwerden“ (Şikāyet defteri) vom Jahre 1675*, Wien: ÖAW, 1983.

<sup>29</sup> The *registas* (short summaries) of some entries of the *mühimme*-registers (marked Eb 356, 358 and 387) and of the *şikayet*-register (marked Eb 372, which was kept formerly at Sächsische Landesbibliothek Dresden) was published in Hungarian by Lajos Fekete “A Berlini és Drezdai Gyűjtemények Török Levéltári Anyaga [Turkish Archive Material of the Collections in Berlin and Dresden]”, *Levéltári Közlemények*, 6 (1928), pp. 259–305; and 7 (1929), pp. 55–106.

<sup>30</sup> The sessions of the Imperial Council continued during wartime by dividing the central decision making: once the grand vizier left the capital, he remained the chief of the council summoned regularly also at the camp of the army under his command, while the *divan* in the capital (in Istanbul and/or in Edirne) was headed by the deputy of the grand vizier (*kaymakam paşa*).

<sup>31</sup> About the Moldo-Wallachian-related entries of the ŞD 8, see Kovács, N. E., “Győztes Hadsereg Vesztés Vitézei: Pillanatképek az 1672. Évi Kamenec-Podolszkiji Hadjárat Idejéből [Distressed Soldiers of a Victorious Army: Glimpses of the Ottoman Campaign to Kamenets-Podolsk in 1672]”, *Keletkutatás*, Budapest 2015:2, pp. 81–91.

### III.A Voievods and subjects of Moldavia and Wallachia as they Appear in the *Defters*

During the Ottoman campaign in 1672 the *voievods* were frequent addressee of *fermans* concerning matters of their territorial competence. However, in some other cases in the seventeenth-century *defters*, the princes also occur among the concerned of the *şikayet*-entries. Henceforth, I investigate the Moldavian- and Wallachian-related entries with regard to the role of the *voievods*. Apart from the *defters* mentioned above, I rely on data from further registers from the 17<sup>th</sup> century, including copies related to the Danubian Principalities but sent to Ottoman officials. In the *şikayet*-orders sent to them, the *voievods* appear in following functions: 1) executors of the Porte with territorial competence (typically charged with seek and capture wanted persons and runaways; assistance in returning stolen possessions or repaying debts; sending culprits to the *kadi*); 2) offenders; 3) petitioners.<sup>32</sup> In this regard, no difference can be found between them and other Ottoman officials, since sometimes *kadis* and *beylerbeyis* also occur in these roles. Several examples demonstrate that the *voievods* or their families, similarly to other Ottoman subjects, turned to or were impeached by the Ottoman imperial council in some personal affairs. This fact not only questions their alleged sovereignty but explicitly contradicts the theory of bilateral nature of the ties they were linked to the Porte.

#### III.A.1 The Christian *Voievods* as Ottoman Executors

From the orders dispatched to the *voievods* it turns out that, apart from some differences in competence, they functioned similarly as other Ottoman officials within the seventeenth-century system of grievance administration. In general, they were summoned to recompense the petitioner and/or to examine the issue in question; to capture and hand over fugitives etc. However, the orders received by them outline a special characteristic of their competence: they themselves were to arrange the issues submitted to the Porte by non-Muslim subjects (*zimmî*) living in their territory while in cases relating Muslims the *voievods* were forced to cooperate with the surrounding *kadi* offices. In some of the decrees they were ordered to reconcile debates of non-Muslims, often stipulating that if the lawsuit could not be settled *in situ*, the litigants should be summoned to the nearest *kadi* office. This kind of bureaucratic-judicial practice presented on the folios of the registers demonstrates the rather limited legal competence of the Christian *voievods*, which – especially when Muslims were involved – was complemented by the (Islamic) legal authority of the *kadis*. Practically, in each case of appeal, with the exception of those that according to the order were to be transmitted to and investigated by the imperial *divan*, the *kadi* offices of İbrail (Brăila) and Yergöği (Giurgiu) were the immediate judicial supervisors of the *voievods*.<sup>33</sup>

<sup>32</sup> Orders responding the *voievods*' petitions were sent rather to the competent *kadi* than the *voievod* himself.

<sup>33</sup> In the orders sent to the Moldavian *voievods*, *kadi* of İbrail (Brăila) was assigned, while in

Fortunately, an order is available in the *expositio* of which some boyars of Moldavia clearly refer to – and thereby describe for us – the status of the *voievod* within the grievance administration. The argumentation, they used to defend their position in a certain dispute is as follows: “...it is the ancient custom that those cases in which a Moldavian non-Muslim subject (*reaya*) has a claim against another Moldavian, their issue belongs to the *voievod*, while in cases with Muslim accusee, he or she [i.e. the non-Muslim accuser] shall be sent to the nearest *kadi*...”<sup>34</sup> The boyars had a good reason to emphasize the importance of this old custom, since it was violated at the actual case. The governor of Silistre, despite the ancient custom and without permission of the sultan (*kânûn-ı kadîme muhâlif ve fermân-ı hümâyûnuma mugâyır*), arbitrarily caught and imprisoned (*ahz ve habs*) Moldavian *reyas*.

This system of hierarchy emerged between the non-Muslim authority and the *kadi* courts might have never been formalized, yet it was gradually applied in the grievance administration, and it reflects the principles and priorities of the Islamic law.

The majority of the orders sent to the *voievods* deal with injuria occurring in the territory, but not necessarily always against inhabitants of the principalities. 57,1 % of the relevant orders in the six *defters* were issued as a result of a petition of a Muslim petitioner, while less than half of them (41,6%) responded to complaints of non-Muslim subjects, and only one entry was written upon the joint petition of non-Muslim and Muslim individuals (1,31 %).<sup>35</sup>

Cases relating to debt and inheritance appear most frequently among the orders, while complaints about boyars and tollmans supervised by the *voievods*, or raids against passers-by are also rather common. Another specific group of issues is related to seeking and arresting runaways and criminals.

In some of the decrees concerning northern Rumelia (Bulgaria), the prince of Wallachia was commanded to capture and send to the Porte those accused persons who previously fled to the left bank of the Danube. The affair of a Vlach petitioner named Godescu might be the most adventurous among this kind of episodes. He had a demand on a Bulgarian person called Zubov, who lived in the vicinity of Rusçuk (Ruse) and would not pay his debt. As it turns out from the *expositio* of the entry, in accordance with an earlier order, Zubov had been arrested and imprisoned by the agent of the *divan*. However, since the superintendent (*muhtesib*) of Rusçuk acted for Zubov as bailman, the latter was released, and a few days later they both fled to Wallachia. This is the only order

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those addressed to the Wallachian princes, *kadi* of Yergöği (Giurgiu) was assigned. The *voievods* had the right to defend themselves in the cases they were personally involved: *şer'î cevâbun var ise civârunda akreb olan kazâda Mevlânâ Yergöği kâdısı huzûrunda tarafundan vekîlün ile şer'le görûlmek emrüm olmuştur...* „If you intend to argue before the Law, I was ordered to judge your issue in the nearest *kadi* court in Yergöği in presence of your representative.” ŞD 11/247:3.

<sup>34</sup> „Boğdan re'âyâsının birinün birinden hakkı olsa Boğdan beğine ve eğer bir müslümândan hakkı olsa Boğdan voyvodasına ve civârda olan kâdiya havâle olunmak kânûn-ı kadîm iken...” ŞD 6/191:928.

<sup>35</sup> The copy of this later decree: ŞD 8/375:1824.

in which the Porte allowed two alternative solutions for the *voievod*: he should either compensate the accuser by repaying him the claimed amount of money, or capture and send both of them to the camp of the grand vizier.<sup>36</sup>

In March 1673, the prince of Wallachia received an order from the grand vizier Köprülü Fazıl Ahmed Paşa (1661–1676) as a result of the petition submitted by the trustee (*voyvoda*) of the sultanic *hass* estate in Rusçuk.<sup>37</sup> While the official, a certain Ahmed, collected the taxes from the villages of the estate, two Vlachs from the Wallachian villages of Korojan(?)<sup>38</sup> and Pietroşani, conspiring with local swindlers (*yalakçı taifesinden bazıları*), somehow tricked two servants of the *voyvoda* by squeezing five hundred ducats out from them, then fled away (*bunun iki hizmetkârın izlâl ve beşyüz altını alub firâr edüb...*). The *voievod* of Wallachia was commanded to retrieve and hand over the stolen money to the offended man, as well as to summon the offenders to the *kadi* court of Yergöği in case they intended to “defend themselves before the Islamic law” (*şer’î cevâbı var ise*).

A Muslim called Mehmed wanted to regain his female slave (*cariye*), who was given shelter by a Wallachian *zimmî*. In December 1672, the *divan* ordered the prince to „summon them and give the female slave back to the owner. If he (i.e. the Vlach) refuses to release her, send them both to the *kadi* of Yergöği in order to settle their dispute in accordance with the Islamic law.”<sup>39</sup>

Another order was issued in April 1680, responding to the petition of Safa Giray, later Crimean Khan,<sup>40</sup> commanding the *voievod* of Wallachia to hand over the four Cossacks who fled from captivity to the territory of the principality. As referred in the entry, the Tatar “prince” might know the person who sheltered the Cossacks by name: they should have been found in with an infidel called Prekova (*Prekova nâm zimmî*).<sup>41</sup>

The largest proportion of the issues concerning subjects (*reaya*) fleeing to the territory of Moldavia or Wallachia are related to the category of matters of extradition. Migration of the *reayas* – consequently loss of income paid by them – was a serious challenge that emerged in the relation of the Ottoman core lands and the tributaries, as had been articulated also in the *şikayet defteris*. Apart from issues concerning immigrants going from Ottoman provinces into the territory of the vassals, there were also some *fermans* that urged the turn-back of those *reayas* who fled from Wallachia to Ottoman provinces. One such order was registered at the beginning of February 1673 as a result of the petition of the *nişancı* himself. Abdurraman Paşa asked the imperial council to intervene because some of the *reayas* living in the *hass* estates at his dispos-

<sup>36</sup> ŞD 8/77:334.

<sup>37</sup> ŞD 8/226:1086.

<sup>38</sup> I cannot identify the village. It was located somewhere at the northern bank of the Danube River, opposite to Ruse.

<sup>39</sup> „...mezbûrları bir yere getürüb câriyesin aliveresin. Vermeyüb ta’allul eder ise şer’le davâları görilmek için Yergöği kâdısı huzûrına irsâl olunmaları emrüm olmuştur...” ŞD 8/132:601.

<sup>40</sup> Reigned from 1691 to 1692.

<sup>41</sup> Eb 372/210:1.

al (located in the *sandjak* of Nikbolu) fled to Wallachia, and even his trustee (*voyvoda*) failed to return them to their original homeland.<sup>42</sup> A *ziamet*-holder called Abdalbaki had to complain likewise about the migration of his taxpayers in Yanova (*Yanova eyâletinde* – sic!; Hung. Jenő, today Ineu in Rumania), in the *sandjak* of Modava. In their response, the *divan* ordered the *voievod* of Wallachia to cooperate on taking back these subjects originally scribed to the village of Îslatina.<sup>43</sup> We may say that the migrants mentioned in this latter issue wandered far away from their homeland, even if the identification of their new residence in Wallachia (village of Çernac?) is somewhat dubious.<sup>44</sup> Apart from the mentioned cases, lots of others illustrate the problem of migration of *reyas* appearing several times in the agenda of decision-making.<sup>45</sup>

A part of the orders reflects the manifold relations between the *voievods* and the members of the Ottoman political elite; more exactly, the loan transactions by which they were linked to each other. Gheorghe Duca, *voievod* of Moldavia (r. 1678–1683) was commanded in the summer of 1680 to settle the debt of as much as 7000 *guruş* of his late predecessor, Anton Ruset (r. 1675–1678), by hunting up the bailers, who, in the mean time, fled to his own country. In case the *voievod* could not successfully have called in the requested amount, the guarantees were to be sent to the *divan*.<sup>46</sup> At the same time, a certain Hacı Behram had a claim of 19.000 *akçe* in arrears against Şerban Cantacuzene, ruler of Wallachia (r. 1678–1688). As it turns out from the entry, the claimant attempted to regain his money by obtaining a *ferman* in order to confirm the sealed debenture (*mühürlü deyn temessüki*) he already got. To settle this issue, an inspector (*mübaşir*) was appointed by the imperial council.<sup>47</sup>

### III.A.2 Voievods as Petitioners

Orders in which princes themselves appear as petitioners form a separate group. In these issues, the *voievod* wrote on behalf of subjects living or staying in his country or to defend his own interests. Petitions submitted by the princes are related typically to challenges – each time *vis-à-vis* offenders from Muslim subjects of the Porte – in which they were not or did not feel authorised to act against the accused. In such cases, the *ferman* empowered the princes to act and settle the issue in question. A considerable part of this type of orders deals with grievances of merchants (and on some rare occasions, grievances about merchants), highlighting the great importance of the area densely interwoven by trade routes.

It happened once that some merchants tried to avoid paying duty. In this situation, both the petitioner and the receiver of the *ferman* was the *voievod*

<sup>42</sup> ŞD 8/239:1154.

<sup>43</sup> Hungarian Marosslatina, today Slatina de Mureş in Rumania.

<sup>44</sup> Probably Cernăteşti in Oltenia.

<sup>45</sup> For a later issue, see the following entry: ŞD 24/51:196.

<sup>46</sup> Eb 372/113:5.

<sup>47</sup> Eb 372/140:4. These parts of the *defters* are damaged and partly illegible.

of Moldavia. He appealed to the imperial council because of some merchants who, upon arriving in Iaşi, refused to pay the regular tariffs, coming up with some undue excuses. In this case, the *voievod* appears as a sultan's subject, being opposed to his accuser, namely other – probably Muslim – subject of the Empire.<sup>48</sup> This issue demonstrates the limitations of the non-Muslim ruler's authority, who, compared to Ottoman officials, did not have the right to interfere in legal conflicts occurring in his territory on his own account, if Muslim subjects were involved. To settle the rights of anyone, he needed to apply for licence of the Islamic legal authority. Once the *voievod* obtained the permission, he became able to force the offenders to observe the regulations.

XI. Ştefan Petriceicu, *voievod* of Moldavia, made a grievance against the customs officer of the port (*iskele emini*) of Maçin<sup>49</sup> in November 1672, due to the latter's behavior; namely that he, contrary to the custom (*hilaf-i mütad*), forced traders who approached Kalas<sup>50</sup> by land to pay toll on their merchandise. The related order addressed to the *kadis* of Maçin and İsakçı<sup>51</sup> referred to the records of the central treasury (*hazîne-i âmiremde mahfûz olan defterlere nazar olundukda...*) while quoting in detail the recordings dealing with the bailiff's (*nazır*) authority and with the tariffs to be collected in the Danubian ports.<sup>52</sup>

A few of the issues submitted by the *voievod* were dealing with offenses against Wallachians committed by foreigner individuals or groups who crossed the Danube from the right coast. In Spring 1691, *voievod* Constantine reported that some people arrived in Wallachia by crossing the Danube "doing their own business without the order of the Sultan" (*ba'zı kimesneler kendü masâlihleri için bilâ-fermân-ı şerîf Eflak yakasına geçüb...*). He also stated that they seized victuals, fodder and horses (*menzil bargiri*) from inhabitants without compensation, then left for Vidin. As a result, the *kadis* along the Danube received a generic instruction to take measures to eliminate robbery excursions in their area.<sup>53</sup> As an answer to his earlier petition, the prince of Wallachia received a confirmed order in June 1699 concerning some disturbances against local *reaya* committed by some people who entered the country without official authorisation (*Devlet-i Âliyem tarafından fermân-ı şerîfüm ile ta'yîn olunmayan ba'zı kimesneler*).<sup>54</sup> In the eyes of the venturers and plunderers, the northern bank of the Danube may have appeared as a near yet strange country where they could act undisturbedly and without the risk of punishment; they might have supposed that they were out of control of the Ottoman authorities. This kind of excursions became part of their everyday lives, which caused not

<sup>48</sup> ŞD 8/89:395. According to the report, the merchants intended to avoid paying by pretending to be men of the state, sometimes members of the military, which they could not have done if they had not been Muslims or if they had not been strangers to the country. Otherwise, the appeal of the *voievod* could hardly be explained.

<sup>49</sup> Today Măcin, in Rumania, on the riverside of the Dobrudjan branch of the Danube.

<sup>50</sup> Today Galaţi, in Rumania.

<sup>51</sup> Today Isaccea, in Rumania.

<sup>52</sup> ŞD 8/110:489.

<sup>53</sup> ŞD 15/123:516.

<sup>54</sup> ŞD 31/327:1258.

only the *voievods* but also the *reayas* to submit petitions even to the imperial council.<sup>55</sup>

Petitions concerning the issues of migration between the principalities and the neighbouring Ottoman provinces reflect not only the issues of Ottoman subjects who sought refuge in the territory of the vassals. Examples of migration are traceable in both directions. In March 1672, among others, the matter of Wallachian peasants from the vicinity of the Danube was scheduled at the *divan*. These subjects tried to avoid tax paying by escaping and hiding in neighboring Ottoman lands. The Wallachians refused to pay tithe on agricultural activities they continued in their homeland, and they were also unwilling to pay the poll tax (*cizye*) for the Ottoman side. As a result, the accused peasants ultimately came off very badly. According to the decree that responded to the related petition of the *voievod*, the *kadis* residing along the Danube were commanded to collect from the peasants both the poll-tax and the tithe on their products in Wallachia.<sup>56</sup>

Property disputes also appear among litigations between the inhabitants of the principalities and the Ottoman *timar*- or *ziamet*-holders. In spring 1667, the Wallachian *voievod* Radu Leon (r. 1664–1669) complained of a *ziamet*-holder, a certain Mehmed, who collected taxes in Wallachian lands. Moreover, he continued this illegal action in spite of a sultanic decree issued previously concerning the same case and a subsequently formulated legal deed (*hüccet*) by the *kadi* in favor of Radu.<sup>57</sup>

The princes themselves petitioned the imperial council concerning their private disputes several times. An order issued in February 1675 sheds light on economic activities of *voievod* Gheorghe Duca (ruled in Wallachia 1673–1678), also a renowned merchant.<sup>58</sup> He resented his own ship (*mülk sefinesi*) having been held up by some people (*ba'zı kimesneler*) on the Danube while carrying foodstuffs to Constantinople. The order to restrain this kind of abuses was sent to each *kadi* along the route.<sup>59</sup>

Later on, the prince of Wallachia, Constantin II Brâncoveanu (r. 1688–1714), in his inconvenient situation, petitioned the imperial council in Edirne in 1689, after a Turk named Osman demanded him to pay the debt of his predecessor Şerban Cantacuzene. The *voievod* argued that he did not stand bail for his predecessor (*deynine kefîlü'l-mal olmuş değil iken*). The decree defended the interests of the Porte rather than that of the prince, since it forbade all payments from the bequest until the share of the Palace was paid (*mâl-ı mîrât tahsîl olunmadukça*).<sup>60</sup>

<sup>55</sup> See, for instance, another order sent to the governor of Özü (today Ochakiv, Ukraine) upon the petition of Vlach *reayas* in February 1680. Eb 372/329:1.

<sup>56</sup> ŞD 15/123:519.

<sup>57</sup> ŞD 6/25:102.

<sup>58</sup> İnbaşı, M., *Ukrayna'da Osmanlılar: Kamanıçe Seferi ve Organizasyonu (1672)*, İstanbul: Yeditepe Yayınları, 2004, pp. 233–235.

<sup>59</sup> Majer, *Das Osmanische, facs.* 32b/4.

<sup>60</sup> ŞD 13/38:189.



Likewise, the members of the *voievod's* family occur among those who attempted to enforce their rights by obtaining an imperial decree. The widow of Radu XII, *voievod* of Wallachia tried to get rid of some Jews who demanded her to pay on the base of a fake, forged debenture (*sahte temessük peydâ edüb*) in 1675.<sup>61</sup> In another case, she tried to recover her money of 820 *guruş* from a Christian woman named Dukina.<sup>62</sup> It seems that „the former *voievod* of Wallachia, the *zimmî* named Radul” indeed left behind some debt, as it turns out from a petition of one of his Christian connections, who by that time failed in his attempts to recover his amount of 1205 *guruş* from Radul and then from his inheritors living in Istanbul.<sup>63</sup>

### III.A.3 The *Voievods* as Accused

Sometimes the *voievods* themselves happened to be reprimended by the imperial council, that is to say, they appear not only as Ottoman officials or executors but also as petitioners or accused in the *şikayet* entries. However, without an exception, both the concerned and the addressed of this kind of decrees were the vassal princes. On one occasion, Muslim and non-Muslim merchants complained about the prince of Wallachia. According to the charge of the five petitioners, the men of the *voievod* confiscated a stock of fat they had bulked previously at the port of Nikopol for the Ottoman army. Meanwhile, they had not received the sum of 100 akçe guaranteed in return by the obligation they were given in the previous 9 months. The *voievod* was commanded to compensate the merchants – with the usual formula showing the precaution of the imperial council as „in case their claim would be right, You shall pay it” (*mezbûrlarun hakkı var ise edâ eylesin*). If the prince had not been ready to accept the justness of the demand, he had the opportunity to approach the *kadi* to clarify his position.

According to the decree, similarly to every subject of the Porte, both Muslim and non-Muslim, the vassal prince had the option to defend his right in front of the *kadi*. If necessary, the *voievod* was able to do that even through his deputy.<sup>64</sup>

Another order, issued in May 1688, during the critical period of the Ottomans' defeats and retreat from the Hungarian territories, tells us about the grievance of a merchant called Ali against the men of the *voievod* who had hindered him in shipping 400 kile (14,6 tons) of millet from Ibrail (Brăila) to Constantinople. The *voievod* had been demanded to prevent his men from disturbing merchants; however, leaving him again the option of reasoning in the presence of the *kadi* in Giurgiu.<sup>65</sup> Considering the crucial importance of grain transports from the Danubian Principalities in provisioning the Ot-

<sup>61</sup> Majer, *Das Osmanische, facs.* 51b/6.

<sup>62</sup> Majer, *Das Osmanische, facs.* 121a/1.

<sup>63</sup> Majer, *Das Osmanische, facs.* 158a/2.

<sup>64</sup> ŞD 8/375:1824.

<sup>65</sup> ŞD 11/247:3

toman capital,<sup>66</sup> this order may be regarded as a measure in protection of supplies of Constantinople just as much as a legal document in favour of the petitioner.

It occurred that the *voievod* in power occasionally had to pay the bill of his predecessor. From a decree, addressed to Constantine II, it turns out that his predecessor, *voievod* Şerban had misappropriated cattle and crop from the vicinity of the village of Desa<sup>67</sup> belonging to a Turkish estate (*çiftlik*) across Vidin, resulting the Ottoman owners' (both of them called Mustafa) petitioning the Porte. The prince was directed to return the confiscated goods, while he was allowed to turn to the *kadı* in Yergöğji in case of need. At the same time, this decree provides interesting but not unique evidence of Ottoman estates stretching beyond the Danube.<sup>68</sup>

It also occurred that the prince of Moldavia came up against the *şeriat* and received an imperial order as accused. A *zimmî* petitioned the *divan* because after his brother had died in Moldavia without a child, the *voievod* had laid hands on the latter's bequest and then, although the legal heir (ie. the petitioner) authorized his son to take over the property, the *voievod* refused to hand it over. In order to resolve the litigation, the *voievod* was obliged to appear at the court of the *kadı* in İbrail.<sup>69</sup>

### III. A. 4 Internal Strife of the Voievods

A quite distinct group of entries refers to internal conflicts of the princes. In the lines of these reprimanding orders they appear either as petitioners or as accused.

On one occasion, the petitioner was the former *voievod* of Wallachia called Anton (i.e. Antonie Popeşti reigned from 1669 until 1672) and mentioned in the *narratio* of the decree simply as *zimmî*, (*sâbikâ Eflak voyvodası olan Anton nâm zimmî...*).<sup>70</sup> He made a claim against his successor, Gheorghe Duca for preventing him from moving his family and property from Wallachia, probably to Constantinople. The council forbade Duca to hinder his predecessor.<sup>71</sup> In this order, the litigants clearly appear as single non-Muslim subjects (*zimmî*) before the decision of the highest legal authority in the Empire.

<sup>66</sup> İnalçık, H.- Quataert, D., *An Economic and Social History of the Ottoman Empire 1300-1914*, New York: Cambridge University Press, 1994, pp. 179–187.

<sup>67</sup> In the river bend of Vidin, on the left bank of the Danube.

<sup>68</sup> Issued in late December, 1688. ŞD 12/85:399. Another entry of May 1665 unfolds a very similar case, ŞD 4/4:7.

<sup>69</sup> ŞD 6/25:106.

<sup>70</sup> In accordance with the terminology of contemporary chronicles. See also *Vekâyî-nâme*, p. 377. Luca, *voievod* of Moldavia, was also mentioned in this way. For further examples on two *voievods* of Wallachia, see *ibid* p. 318.

<sup>71</sup> ŞD 8/213:1025.

#### IV Conclusion

In conclusion, some entries of the *ŞD*'s from the second half of the 17<sup>th</sup> century show judicial-administrative aspects of the relations between the Ottoman imperial council and the *voievods* of Wallachia and Moldavia. This source attests that in comparison with other vassal states, Moldavia and even more Wallachia were strongly integrated to the imperial grievance administration, within a specific construction of authority shared with *kadi* courts along their borders. A considerable amount of decrees addressed to them testify, that similarly to other officials occurring in the *defters* (*kadi*, *sancakbeyi*, *beylerbeyi*) the *voievods* fulfilled operative functions in their territory. It is also shown by the fact that the formulae in the decrees sent to them correspond to that of orders addressed to other imperial officials. Clichés used to call upon Christian princes to apply the *şeriat* seem rather absurd even though we consider the fact that the bureaucratic practice and the wording of the related documents were extremely schematic.<sup>72</sup> In this system, the authority of the imperial officials and that of the vassal princes differed in one crucial point: as Christians, the latter did not have immediate competency over Muslim subjects. The princes were enabled to act in cases when Muslims were involved only if they were ordered definitively by the imperial council.

Investigations on the *ŞD*'s shed light on the specific status of the Danubian Principalities among the Ottoman tributaries, since the option of petitioning the Ottoman imperial council was open in theory to each subject of these states; however, according to the registers, only inhabitants (including some of the *voievods*) of the two principalities took this opportunity. This difference can be explained by the characteristics of the religious-political tradition of the orthodox Danubian tributary states linked to the Porte, rather than by geographic causes. At this point, it seems to be enough for us to remember that several petitions were submitted to the *divan* from much distant provinces<sup>73</sup> than Wallachia and Moldavia.

The *voievods*, similar to the multitude of other Ottoman subjects they approached the imperial council with their personal petitions, were also regularly commanded by the *divan* to act in issues of inhabitants in their territory. In effect, they served as links through which the Ottoman centre managed to involve the inhabitants of the Danubian Principalities into the system of the imperial grievance procedure. By this means, the Palace surmounted the difficulties which derived from the fact that the Principalities were not under direct Ottoman control and consequently were beyond the scope of the *kadi* courts. Instead of the two regular parties (*divan* à *kadi* or other addressee) of the *şikayet*-procedure between the imperial centre and the periphery, in

<sup>72</sup> In some cases the legitimate belongings were ordered to be returned („...*hakkin aliveresin...*” – for instance: *ŞD* 8/92:406); sometimes, however, the variants of the formulae applied in the decrees sent to *kadis* occur as “I order that the issue shall be investigated according to the sacred law...” („*şer'le görilmek emrüm olmuştur...*”). Cf. *ŞD* 8/340:1653; 345:1673; 83:363.

<sup>73</sup> From, for example, the *vilayet* of Budun (Buda), Uyvar (Érsekújvár in the north-west of Kingdom of Hungary, today Nové Zámky in Slovakia), Kairo, or Bagdad.

the case of the Principalities, generally three administrative entities were involved (*divan à voievod à kadi*). Considering the *şikayet* entries, *voievods* were left no room to ponder in those cases which seemed to the council evidently settleable at local level. On these occasions, the vassals received an order to eliminate the causes of grievance in situ (to recover the claimed goods or money; to hunt up and/or deliver perpetrators etc). If hearing was necessary, the *voievods* conventionally were to send the litigants to the nearest *kadi*; therefore, we can say, the latter functioned somewhat as the supreme court over the vassal princes.

As it cannot generally be ascertained in the case of the outgoing orders whether the petitioner had previously applied to another legal forum or had presented his/her grievance immediately to the imperial council, it is not certain either in the case of the decrees received by the *voievods*. Nevertheless, on some rare occasions, in the content of decrees we may find references to the petitioner's previously made (failed) attempts to gain redress in local levels. So did a certain Hasan, who submitted his petition to the *divan* in the camp of the grand vizier in June 1672, reporting that he had twice sought redress in the *voievod* earlier concerning his claim for recovering his money he had lent to a monk (*rahib*) called Ilije, but in vain.<sup>74</sup>

As it usually happened in the seventeenth-century grievance administration, in great majority of the entries the Porte returned the issues of Moldo-Wallachian (or territorially interested) petitioners to the regional level of the *voievod* to resolve the debate, often stipulating that in case the dispute could not be resolved on the spot, the litigants were to be summoned to the nearest (in general explicitly identified) *kadi* court in order to reach judgement according to the *şeriat*. However, a considerable group of the outgoing orders offer no other options for the vassal princes than to send the litigants straightforward to the appropriate *kadi* court. Consequently, on these occasions their role was rather instrumental in the administrative procedure, based on their territorial competence. They were enabled to act mainly on issues of non-Muslim inhabitants, or at most, if the accused was a non-Muslim individual. However, even then, the nearest *kadi* offices were assigned as superior courts for settling these debates.<sup>75</sup> The *voievods'* role in the imperial grievance administration explicitly contradicts to the myth of the alleged reciprocal nature of the relationship between the Ottomans and the two Principalities, and it sheds light on the limitedness of the collective autonomy of the Danubian Principalities in domestic affairs.

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<sup>74</sup> ŞD 8/51:215.

<sup>75</sup> See, for example, ŞD 8/92:406.

## Öz

Bu yazı, 17. yüzyılın ikinci yarısında Osmanlı İmparatorluğu ve Eflak ve Boğdan voyvodalıkları arasındaki siyasi ilişkilerin Osmanlı şikayet defterlerine ne şekilde yansındığını ele alma amacını taşımaktadır. Osmanlı divanının tebaasından gelen şikayetlere cevap niteliğinde oluşturulup saklanan hükümleri ihtiva eden şikayet defterleri çalışmanın esas dayanağını teşkil etmektedir. Osmanlı idaresi ve metbuları arasındaki sosyal ve kurumsal bağlara dair karineler sunan bu külliyyat, Bâb-ı Âlî ve Tuna'daki vasalleri arasındaki ilişkinin mahiyetine ve voyvodaların Osmanlı idari sistemindeki özel yerlerine dair daha dengeli bir anlayışa ulaşmada önemli kaynaklar mesabesinde dirler.

**Anahtar kelimeler:** divan-ı hümayun, şikayet defterleri, Eflak, Boğdan, vasal devletler, arzuhal.

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