

Polygamy in the Ottoman City of Bursa

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ABSTRACT

This paper discusses polygamies in an Ottoman city, Bursa. In this research we have used the estates of 361 married men who died in and around the city between the years 1839-1864. According to the judicial records of this period, Anatolian Bursa families appear very different from how they were depicted by stereotypes in terms of women rights and polygamous marriages. Nevertheless, historical sources reveal the existence of polygamous marriages during the first periods of the Ottoman society where it gradually became a rare phenomenon with the transformation of tribal traditions into city culture.

Keywords: Ottoman, Bursa, Polygamy, Monogamy, Marriage, Alimony, Tanzimat Period.

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INTRODUCTION

The city of Bursa where the Ottoman state was first established, was capital of the province of *Hüdavendigar*, including the districts of *Balıkesir*, *Karahisar-ı Sahip* and *Kütahya*, and the sub-provinces of *Gemlik*, *Mudanya*, *Yalova*, *Tirilye*, *Bilecik*, *Mihaliç*, *Kirmasti* and *Iznik*. It is situated in western Anatolia, about 35 km south of the Sea of Marmara and close to Constantinople. Thus, throughout the centuries it has been one of the most central cities of Anatolia in terms of trade, credit relations, production of silk and agriculture. Besides, Bursa is set at the slope of Uludağ, which is the highest mountain in western Anatolia. At the foot of this mountain lies a large valley. The interaction between the valley and Uludağ is also what makes Bursa a great city in terms of production and trade. The enclosed rich plain was an indispensable grain reservoir in a period when bulky grain transportation over extended distances was out of question. Moreover, Uludağ benefitted the local area's climate. However, due to the lack of sufficient water resources, the nearby region around the green island of Bursa and its close environment could only be used by dry farming.¹

This paper discusses polygamies in the city of Bursa between the years of 1839 and 1876 which are known as *Tanzimat* periods in Ottoman society. It is based on the registers of the estates and properties of deceased persons, which were called Estate Ledgers, *tereke defterleri*. In the Ottoman courts these estates of deceased people were recorded in details. In this research we have used the estates of 361 married men who died in and around Bursa between the years of 1839 and 1864. It was possible to check polygamy rates through this extensive list of the estates including full inventories of the properties left by each deceased.² Furthermore, these lists had the knowledge of deceased's identity and as well as the inheritors'. Briefly, each estate record gives reliable information especially about spouses, offspring and parents. In the city, the court dealt with the people's legal matters. A judge called "qadi" was the head of this court.

In the judicial records of this period, Anatolian Bursa families appear very different from how they were depicted by stereotypes in terms of women rights³ and polygamous marriages. All in all, it turned out that polygamy, at least in Bursa, evidently existed only in rare cases.⁴

Polygamy in General

Polygamy is the marriage of one man with more than one woman at the same time. Polygamy is a general term which covers both polygyny (marriage with more than one woman) and polyandry (marriage with more than one man).

Since the widespread usage of the word polygamy refers to polygyny, we preferred to employ the same word for the same purpose.

Let us note that in the beginning, polygamy is nowhere the exclusive form of marriage, even most of the people permit it the large majority of men live in monogamy. It may be modified in a monogamous direction due to socio-economical and sexual reasons.⁵ That kind of a tendency can be clearly observed in actuality.

Most often, one of the wives, generally the first married, holds a higher position than the rest or is regarded as the principal wife. Though this situation sometimes points to the sexual privilege, it is a widespread custom or requirement for the husband to cohabit with his spouses in turn.⁶

In spite of the fact that monogamy has existed in the historical process, according to the biblical religions including Islam, social life was launched with Adam and Eve who made a monogamous marriage. Even in the Old Testament, the story of the creation of them presents monogamy as the will of God.⁷ Nevertheless, it's historically proved that limited polygamy existed in Jewish societies as well as in Christian societies.

At the beginning, Islam emerged in a society where polygamy had been practicing without limits. When the problem is viewed honestly, it appears that Islam conceives polygamy as out of normal practice.⁸ This is what you can see in the word and in the spirit of the Quran. When the verses, related to the issue, are regarded within their entirety, it will be clearly seen that monogamous marriages are being promoted as the most suitable form of marriage for the human nature. As a matter of fact, the advice for marriages with a single-spouse was not only peculiar to the Quran, but also exists in the New Testament. The verses of the New Testament which state "The spouses are not two, but one body",⁹ the Quranic verse of "We created you in pairs"¹⁰ and the hadith "Women are the halves of men"¹¹ seem to be complementary statements. The meaning of "We created you in pairs" is undoubtedly not that "We matched a man with many women". On the contrary, the Quran announces that a man and a woman complete each other as if they are parts of the same dress and form a unity.¹² This means that the regular social life of a man concerned with marriage can be realized with a single woman rather than in groups. In another verse, it is emphasized that men and women are created as objects of reciprocal relaxation and soothing.¹³ All these statements are showing that monogamy is the normal and balanced practice. Also polygamy necessitates very special situations.

In the first years of Islam, many women became widows due to the wars, and they

were facing many financial difficulties. This fact turned polygamy into an inevitable social necessity of a warrior society. Obviously, the effect of other socio-economic conditions and traditions played an important role to inveterate the situation. However, due to the fact that it weakened the bonds of love between the couples and led a jealousy among the spouses and children, it is not possible to say that this form of a marriage arising from arduous conditions of definite times is practiced properly at all times in history.

Ottoman Polygamies

There is a considerable literature written by the Westerners and Turks on polygamy in Istanbul available. However, one must be cautious when interpreting such works. Most of the Western observers of Ottoman society were fascinated by stories about 'the harem and its mysteries' and looked at polygamy as an exciting local curiosity. Many sentimental, picturesque and romantic proses had been written by Orientalist tradition about polygamy in Islam or in the Middle East particularly in old times and there is only a few number of statistically based serious studies. Most of impressionistic accounts of European travelers also suitably fit within a history of the Orientalist tradition rather than the realistic description of Turkish writers.¹⁴ Therefore, the Western sources and opinions should be evaluated cautiously.

Historical sources also point to the existence of lives with polygamous marriages which is easily accessible during the first periods of the Ottoman society. It can be claimed that the special conditions stemming from the facts that they were expanding, waging wars constantly, and having a strong desire to dwell on a large geography, were the principal reasons for the existence of this type of marriage. Beautiful girls and widows of the Byzantines, whom they were fighting with, were convincing factors of polygamy especially for the Turkish soldiers.¹⁵ As a result of this formula the *Ghazis* (the warriors) did not only marry to a beautiful woman, but also they possessed a prosperous home. The statement of *Aşıkpaşazade*, which depicted the entrance of Orhan Ghazi, the second sultan into Nicaea clearly brings up this issue:

“(When the Turks entered the city) the infidels met them. They were behaving as if their kings had been dead and they had been enthroning his son to his place. Especially women came abound. Orhan Ghazi asked ‘Where are the husbands of these women?’ They replied ‘they were perished in war or by hunger’. There were a lot of quite beautiful women among them. Orhan Ghazi distributed these women in shares among the warriors. He ordered them to get married with these widows. They did so. There were prosperous houses in the city and they were given to the warriors. Who does not accept ready houses and women?”¹⁶

Only one of the four spouses of Orhan Ghazi, who was the first sultan married to foreign women, was Turkish. Apart from the founder Osman Ghazi, all sultans in the early period, got married to four wives. Since the life of dynasty is not the subject matter of this study, we shall not dwell on the marriages of the sultans. However, it should be noted that Islamic law accepts legitimacy of female slaves, not only for a sultan, but also for the other Muslims. However, because of the jealousy of their wives, it is known that this kind of life could not gain prevalence.¹⁷

The Discussions of Ottoman Writers on Polygamy Issue

This semi-nomadic community which couldn't realize the division of labor and had not been institutionalized enough lost the grounds of polygamist life style as it began to settle down at the center of cities and left the wars to professional armies.

Thus, even early sixteenth century famous Turkish moralist Kınalızade Ali Çelebi (1510-1572) said that "when a man had a healthy, virtuous and skilled wife", even if he was handsome, noble and rich, he was content with her and not got married with another women at the same time... A man was like a soul in skin, suchlike one man is not suitable for two houses.¹⁸

The issue of polygamy, *taaddüd-ü zevcat* started to be discussed in various regions of the Muslim world beginning from the second half of the nineteenth century when the rights of women started to be questioned, to a great extent. There were some people who took up the matter in a biased way -for or against- and there were some other people among famous religious scholars and men of literature who could remain quite objective by following common sense. Although one of these intellectuals, Şemseddin Sami (1850-1904), who is known as a panturkic discussed in his novel "*Women*" (1882) that monogamy was the only way for a marriage based on love, and in this respect he made a sociological account of the social fact on polygamy from a pragmatist point of view. According to him, love and respect felt essentially in monogamous relationships. For this reason, it is better to be satisfied with one spouse.

However, not everybody on earth gets married to live in a blessed love; there may be people who get married to satisfy their natural needs or for the sake of getting their wives' labor force. Therefore, abolishing polygamy may result in unintended problems in some societies where that functions. For instance, when the woman becomes not efficient to carry out her duties as a wife, she herself may want her husband to get married again. Islam, rather than bringing inapplicable laws as in Christianity permitted polygamy in order to prevent deviant relations, illegal secret marriages, and acquisition of a child by

illegitimate ways. Yet, it is permitted only in special conditions and Islam never commanded, advised or praised it.¹⁹ Thus, although the author explicitly stated that he favoured monogamy, he saw polygamy as an institution that might be valid in special conditions.

An interesting discussion about polygamy was recorded between Mahmud Es'ad (1855-1918), who led the Commission on the Decree of Family Law (*Hukuk-ı Aile Kararnamesi*) dated 1917, and Fatma Aliye Hanım (1862-1936), who was the daughter of Ahmed Cevdet Pasha (1822-1895). According to Mahmud Es'ad, who exhibited a functionalist approach, this kind of marriage had two properties that prevent prostitution: First, women entering into the period of menopause in their early ages may lead their husbands to live together with other women without marriage.²⁰ But it must be noted that though the period of menopause poses important changes in the lives of women, these changes cannot be the reasons that necessitate polygamy. The women can carry out their functions other than her activities related to fertility. Moreover, it is clear that there occur regressions in the biological make-up and sexual desires of men after those ages.

Second, since females generally reach puberty earlier than males, the excessiveness of women in the age of marriage brings about imbalance. According to the author, this imbalance leads to prostitution, in societies where polygamy is illegal. He also stated that none of his contemporaries, who opposed his ideas, was married to a single spouse and in an effort to be attractive to women while they do not consider any drawback in the openings of brothels.²¹

Against this author, the objection of Fatma Aliye may be the first voice of women that rose against polygamy in the Muslim world of 1880s. She said, "It should be proved how the permission of polygamy in Islam may become a necessity in this civilized world", and then narrated an interesting practice of the second Caliph Omer which had forbidden polygamy; "in response to a letter asking for a permission by Ebu Ubeyde, who was around Akka with the Muslim army, Omer wrote, "Why are you saying that some of the Muslim soldiers want to get married to Rum girls? You can permit those who have no spouse in the Hijaz to do this. And as for the married men, they should endeavor to position Rum girls as concubine".²²

When her ideas were taken in their entirety, though Fatma Aliye seemed to accepted polygamy, she ultimately questioned the validity of this institution. It is worth to note that she pointed out to the women who did not want their husbands to have a second wife, the right to divorce their husbands by maintaining that "since there is divorce against polygamy in Islam, polygamy

cannot be a compulsory injustice to women. The women, who do not want another partner for their husbands, have a right not stay with him and marry another man".²³ Undoubtedly, here, she referred to divorce by means of *muhalaa* which is realised upon women's wishes. Since an event, that we shall be narrating soon, is related to this, we shall give information related to *muhalaa* in the following.

A famous man of literature *Ahmed Midhat Efendi* (1844-1912) maintained that Islam permitted polygamy in response to the hard punishments it envisaged for adultery.²⁴ By comparing humans with birds such as doves and nightingales he stated that "Doves, nightingales and other birds get involved in the incubation periods of females; they are monogamous. Yet, if humans were monogamous, like the birds mentioned, men would have been involved into the states of women such as birth, *nifas*, and suckling".²⁵ However, he makes a kind of logical error due to the fact that it is necessary to have objects in the same genre for a true and logical comparison.

In "*Kadınlarımız*" (Our Women), written by Celal Nuri with a secular and radical perspective in 1915, a quite different approach was exhibited about the issue. After maintaining that Islam envisaged a monogamous family structure, due to the fact that there were few polygamous families in the society, he suggested that the Caliph should bring a prohibition -after a little transition period and apart from necessary cases-. "Since, as a requirement of the religion, the Caliph is entrusted with such orders and prohibitions, he is authorized to proscribe polygamy."²⁶ Just like the case in interest. "The exalted Caliph of Islam counted interest up to nine per cent permissible, related to this issue the 'Regulation of Interest' (Murabaha Nizamnamesi) was adorned with the auspicious and bright monogram of the Sultan and the judges made their practices according to this regulation. The state takes and gives interest officially. In all these procedures, there is the signature of the exalted SheikhuIslam."²⁷

Celal Nuri, who critically approached to monogamy, thought that an open door should be left after all: "The permission to receive another woman should exclusively be given in necessary situations. For example, when a person is happy with his wife but his wife could not carry out her responsibilities as a wife, in order not to offend her and to preserve the rights of husband, this permission can be given. That is all!"

As a matter of fact, before the enactment of the Decree of Family Law, there were intensive discussions concerning the issue among the Islamists, the Turkists, and the Westernists. The Turkists one man named *Mansurizade Said*, who was a member of the Commission, just like Celal Nuri who drew attention through his Westernist ideas, claimed that it is possible for the Sultan to prohibit and limit polygamy into such conditions as getting the permission of

the first wife. In the end, with the persistence of Mahmud Esad and Ahmed Naim, polygamy was not forbidden but was restricted to an important degree. In order to bring a reasonable limit to polygamy, by making use of a perspective in the sect of *Hanbelites*, the Decree dated 1917 adopted that the woman during betrothal could ask for a monogamous marriage.²⁸

This condition is not valid according to the *Hanefites*, but it is binding in terms of *Hanbelites*. But, contemporary researcher Muhammad Hamidullah thinks that this opinion, without mentioning that it belongs to the Hanbelites, is binding for all Muslims.²⁹

Applications

In the age of *Tanzimat*, the ratio of those who got married to more than one woman was not quite different from that in the earlier periods in Bursa. According to the results of a research we conducted on the heirs of 361 married males who died in Bursa between the years 1839-1864; of these 361 married men, the number of those who were married with one woman is 353 (97, 8 per cent), that with two women is 7 (1, 9 per cent), and that with four women is only 1 (0, 3 per cent).³⁰ It can be seen, the ratio of polygamy was very low (2, 2 per cent).

The ratios belonging to the earlier years show that this low ratio did not result from the influence of the storms of change in the age of *Tanzimat*. We also have some reason to believe that the relatively low ratio of polygamy was far from being a new nineteenth-century development.³¹ When the records are examined, it cannot be said that polygamy could find a realm of the practice earlier. Judicial records from the sixteenth-century contain almost no mention of polygamy while divorces (from monogamous marriages) are amply presented.³² Over again, of the research belonging to the sixteenth and seventeenth centuries, two showed the rates of 2 percent and 1 percent while another indicated 4. 4 percent counted as a high rate. However, this last research did not cover the entirety of the society; rather it included the top ranking officials which used to be called "*askeri*" (military).³³

Many European travelers also noted the relative absence of polygamy. In the sixteenth century, a Western traveler observed Turkish families as families with disgust against polygamy.³⁴

The writers of *Tanzimat* period, which we narrated their views above, also stated that the practice of polygamy was scarce in the Ottomans. Ahmed Midhat who advocated such marriages, narrated the following interesting words pointing to the scarcity of polygamy in the Muslim countries, through an academic

French:

“We know that there is the name but not the entity of polygamy in your countries. You only praise it but in practice you have no skill, and we denigrate it but we are quite passionate in its practice.”³⁵

In another work, the same author wrote that 95 per cent of the Ottoman families were monogamous, the ratio of men with two wives was quite low and having more than two wives was almost non-exist.³⁶ Fatma Aliye also told that the number of women with another wife was as few as they could be counted on the fingers of one hand.³⁷

When we examine the socio-economic conditions of polygamous men, we can clearly see the explicit cause of polygamy between 1839 and 1864 in Bursa society. It can be said that two (one of them was chief *muezzin* belonging to the lower level, and the other was a retired person from the middle class) who married twice in order to have a child. Among the heirs of these two men, although they had two spouses, they didn't get children. Since they could have no child in their marriages, either their biological qualities were not suitable to have a child or they died soon after their second marriages. Thus, we can confidently say that those who had no child in their first marriage, without the application of the temporary adopted child, received their second wife upon the former.³⁸

Apart from being childless, the scarcity of the number of children may be another factor. It exhibits an interesting fact that polygamous people had few children. Among these, there was only one man with two wives who had seven children (three girls, four boys), in the other families, the distribution of children per family was three, two, four, three, and four. Even a person who was married with four women had only four children (two girls, two boys). Since the man with seven children dealt with agriculture, he needed a lot of children. Having four or more children was not insufficient in Bursa.

In the same years, while the average number of children in a Muslim family was 2.28, it was 3.38 in non-Muslim families. Their superior economic position in comparison to non-Muslims must have affected the number of children in their families. It seems that the general principle “the increase in welfare of a society is negatively correlated with the increase in birth rate” was also valid in those times.³⁹ Indicators point out that there was a tendency to have few children in the society of Bursa. There were even those who adopted out and practiced some types of birth control. That tendency reduces the percentage of the application of polygamy to decrease the number of children in Bursa to a minimum level.

When we look at the social status of the polygamous people, we see that those who had a high social status got married more than one woman as apart from the others belonged to middle or upper levels. Moreover, the number of their children was few. Thus, polygamous life in the Ottomans was positively but the birth rate was negatively correlated with welfare. Unfortunately, we have no knowledge about social status of the wives of these people.

In the period we examined, the richest person in Bursa and the only person who had four wives was the Minister of Timber in Gemlik and *Kapucubaşı of Dergah-ı Âli*, Mustafa Bey. His property with a value of 1,806,378 kurush (silver coins) corresponded to 21 per cent of the total property of Muslim population. It should be noted that, at that time the average price of a cow was 100 kurush; a sheep was 35 kurush; a kilo of wheat was 25 kurush. Being a state official was the most profitable working position in the Ottoman society. As can be understood from the wide title of his name, Mustafa Bey was a higher official who could see the Sultan personally almost every day due to his position as the chief doorman of the Court. In short, people like Mustafa Bey were making use of the right of polygamy.

Yet, this was not so easy. There were obligations that cannot be underrated which polygamy imposed on men. Some women made things very difficult for their husbands who married a second wife. Nevertheless, in consistent with the idiom "*the ship of the partners swims, the ship of sister-in-laws sinks*"* there must be women who sought ways to live together with her partner. Especially, the women with no child, probably the greatest supporters of their husbands who want to get married for a second time, and they probably wanted most to get along with the other wife.

An interesting event that occurred in 1876 in Bursa is a lesson that shows what happened to a man who wanted to be in a second marriage.

Şerife Emine Hanım, who was from the inhabitants of *Ahmed Dai* Street of Bursa, was an important figure of the event. The title "*Hanım*" at the end of her name points to her high social status.* Moreover, that *hanım* in question was a *şerife*.** She was one of few rich women in society. In fact, there were not too many males as rich as her in that time. She had so many goods. Her assets and real estates all were owned by herself. Although their possession belonged to her, she left their management to her husband, *Mehmet Tahir Efendi*, with her own will. Like all men married with wealthy women, Mehmet Tahir Efendi was also behaving very well to his wife, directing the administration of the businesses. Nevertheless, things were not always like this. She started to get older, and he became quite rich. For this reason, he wanted to get married for the second time. Soon he made a marriage contract with a young lady from another street. In fact,

this was not a good thing for him; as the idiom told “*only teneşir (the bench on which the corpse is washed) cleans one who go astray after he is forty*” (*karkandan sonra azanı teneşir paklar*), this second marriage cost him a lot.

As soon as Şerife Emine Hanım heard the event, she applied to the court and presented a list of 33,000 kurush debt of her husband for running various properties of her including the dealer shop in Kayan. She became very angry, because her husband attempted to replace her with a new wife. It was not known why, but Şerife Emine Hanım came to the court again and announced that she refused to all money she asked before from her husband.⁴⁰

Possibly, she thought that another alternative would be more profitable. If she had wished, she would have ended the marriage and opened a divorce trial after five months from the first trial. According to the Islamic law, when the woman abandons some of her rights such as *mehir*, alimony that the husband is obliged to give her, she can end the marriage that she finds unendurable any more. Thus, Şerife Emine Hanım opened a trial of alimony on her husband for, perhaps, she did not see this form of divorce called *muhala* as profitable. Her justification was that her husband married another woman, left her and did not supply her livelihood. It is interesting that she claimed alimony though she was a very rich woman. Yet, according to the Islamic law though a woman may be rich, it is the responsibility of the husband to supply the livelihood. The woman, if she wished, could contribute to the livelihood of home. The woman in question wanted to make use of this right. Further, she profited quite well. In fact, in such cases, the amount of value determined by the judge must fit with the socio-economic status of the woman. And this was what happened, the judge decided Mehmet Tahir Efendi to pay 200 kurush alimony per month to her wife.⁴¹ And this was equal to the price of six sheep.^{***}

Thus, another fact also emerged. A woman who was in a good socio-economic condition did not want to be his second wife. As this event clearly shows, polygamy was requiring quite special conditions. The practices except for such conditions cost men a lot. A woman, who was equal or superior to her husband in terms of socio-economic and cultural aspects, could not accept to be the second wife under normal conditions when there was no reason. Thus, the socio-cultural and economic equilibrium that should be observed in marriages is a renouncing factor from being subordinate wife. There may be dangers for men who do not care for this principle that women, who like to marry a much richer man than herself.

Sometimes, it could be observed that women who were forced to accept polygamy might fall into great difficulties. Likewise, we meet such instances in judicial records which are full of practical instances of Islamic family law. These

records are the indicators of the difficulties in the situations of some women, who were subjected to polygamy however few they were and had to suffer. In the manuscript dated 20 *Cumadi-ye'l-ula* 1013/1604, it is narrated that a woman, known as Hacı Hasan's daughter Fatma, was imprisoned and left to hunger and thirst at home for four or five days by her husband, Ali's son Hacı Mehmed, who went to another place with his other-favorite wife. Since the doors were locked on this poor woman, her complaint could be delivered to the court only through her father, Hıdır's son Hacı Hasan, who was from the inhabitants of Anarlı district. Hacı Hasan applied to the court by saying that "he locks the outer door of the mentioned house and does not supply food and drink (*meunet-i mekulat*) to her and besides he forbids me to feed her. I ask for the Islamic court to investigate the event carefully by sending investigators to the house". Upon this application, the court sent an investigation group composed of a few people whose names were written on the document. When the issue were interrogated from the neighbors, it was understood that for the last three or four days Hacı Mehmed had really gone to a far place with his other wife, and imprisoned Fatma into that house in hunger and thirst. He had also used to behave her cruelly.⁴² There is no account about the conclusion of the event on the document but it clarifies how the matter was terrible. In such instances, the court gives woman the right to divorce as well as, in case Hacı Mehmed was found, the court may make him incumbent of alimony, upon the wish of the woman. It is worth to consider that these people were from the upper class. Both the first spouse's and her husband's father were *hacıs* (pilgrims). At the beginnings of the eighteenth century, hajj was an activity peculiar to whose financial opportunities were above standards. The difficulty in supplying all women's livelihood -even if the woman was rich, her livelihood was still belong to her husband and she has the right to live separately from his relative and other spouses-, the anxiety to break down the peace of home, and the peevish behavior of parents towards not marrying their daughters to married men seem to have prevented polygamous marriages to become widespread in the Ottomans, though it was legitimate.

About these low ratios, the following reasons can be put forward:

- This might be the consequence of improving women rights in Bursa being a commercial centre. Likewise, it can be interpreted as a result of the fact that the society might not assent to such style of life. The Turkish proverb that "*In homes where there are two women, there can be no order*"* and the Turkmen proverb "*the lamb with two mothers dies of milk, and the man with two wives dies of louse (dirt)*"*** point to this tendency. Especially wealthy women rejected a partner severely.⁴³ Moreover, it is understood that young girls never thought of marrying married men.⁴⁴

- Temporary adopting children⁴⁵ that we found as institutionalized and

very widespread in the Ottomans, may be another reason. There are many judicial records about these institutions. Since the families could adopt a child even temporarily, they might not have been in the need of polygamy.

- Although it is not certain, it can be thought that internal bridegrooms, which had been a recognized institution, might play an important role. For the families with no male child, internal bridegrooms might, probably, seem an alternative form of solution. Likewise, although its reason was not stated, a document of bridegrooms shows that the man inhabited in his spouse's house (patrilocal).⁴⁶

In spite of all these, the reasons to apply for polygamy may be as follows:

- The principal reason for the practice of such a marriage may be the excessive number of women with whom marriage is possible at a certain age group. The female population was increasing in comparison to male deaths which increased as a result of great wars which broke out every eleven years on average, illnesses and weariness resulted from working in hard and bad conditions of outside. Since the traditional structure did not assent the young widows to live as celibate, they were expected to marry immediately.

- In appearance, though the excess in the number of women makes the practice of polygamy possible, it is directly related to the desire of men to possess more than one woman. This desire may have different reasons: youth and the attractiveness of beauty -it is an important factor that since Eastern women marry in very young ages, they become old and lose their beauty faster-, the desire to have more children, and the fact that polygamy may contribute to the material comfort and wealth. Thus, social esteem of men might be supported by such factors.³⁷

Conclusion

Polygamy has been a rare form of marriage in all places. In the societies, where polygamy exists, most of men perpetuate their lives with a single spouse. The societies, where there is polygamy, may turn into single-spouse societies due to socio-economical and sexual reasons. This kind of a tendency can clearly be observed in actuality.

Historical sources point to the existence of lives with polygamous marriages which is easily accessible because of war conditions during the first periods of the Ottoman society. But, with the transformation of tribal traditions to city culture, this became very rare phenomena at least in Bursa.

There are some reasons for the low ratios of polygamy in Bursa. For one thing, there were improved women rights in Bursa which had been a commercial centre. Since, socio-economic and cultural rights of women improve; there occur tendency to monogamy life style. Secondly, the social structure did not assent to unnecessary polygamist marriages; especially wealthy women rejected a partner severely.

Transliteration

Mahrûse-i Brûsa mahallâtından Ahmed Daî mahallesi sakinelerinden zatı zeyli vesikada muharrerü'l-esâmî Müslimûn ta'rifleriyle ma'rife olan Şerife Emine Hanım ibnetü Mustafa b. Abdullah tarafından husus-ı âti'l-beyanda taleb ve da'va ve ahz ve kabza ve lede'l-iktiza sulh ve ibrâya vekâlet-i âmme-i mutlaka-i sahiha-i şer'iyye ile vekil-i müseccil-i şer'isi Hasan Tahsin Efendi İbn Hüseyin nâm kimesne meclis-i şer'-i şerîf-i enverde halâ zevci işbu baistü'l-vesika Attar el-Hac Mehmed Tahir Efendi İbn Ragıb Efendi mahzarında bilvekâle da'vâ ve takrîr-i kelâm idüb müvekkile-i mezbûrenin emr ve tevkîliyle Alaşar karyesinde kâin mutasarrıfa olduğu bir kıt'a tarlasını gaib ani'l-meclis Mehmed b. Abdullah'a dört bin beş yüz kuruş bedel ile bire'y-i sahib-i arz ferağ ve tefvîz idüb bedel-i meblağ-i merkûm dört bin beş yüz kuruş ile müvekkile-i mezbûrenin malından emriyle ahara bey' itmiş olduğu Donbay ineği semeninden bin kuruş ve yine müvekkile-i mezbûrenin Kaygan Sûkunda kâin mutasarrıfa olduğu bir bâb attar dükkânının icare-i zemîni olub müste'cirleri yedinden emriyle ahz ve kabz itmiş olduğu beş bin kuruş ve yine müvekkile-i mezbûrenin mutasarrıfa olduğu altı kıt'a dut hadikalınının hasıl olan yaprağını beher sene üç bin kuruşa ahara bey' ve esmân-ı hasılası olub sinîn-i mezkûrede müctemi' makbûz olan on iki bin kuruş ki cem'an yirmi ikinin beş yüz kuruş zevce-i müvekkile-i mezbûreye eda itmeyüb zimmetinde kalmağla meblağ-i mecmû-i merkûm yirmi iki bin beş yüz kuruş ile müvekkile-i mezbûrenin kezalik mutasarrıfa olduğu bir bâb attar dükkânında bilâ tesmiyeti'l-ücre altı sene attarlık ticaretiyle ikamet idüb müddet-i mezkûrede beher sene ecr-i misli olan binsekizyüz kuruştan sinîn-i mezkûrede müctemi'an on bin sekiz yüz kuruşu merkum el-Hac Mehmed Tahir Efendi'den bilvekâle halâ taleb iderim deyû tasaddî eylediğim da'vây-ı mezkûremden meccanen fariğ olub husus-ı mezkûre ve ibtidâ-i zevciyetlerinden işbu tarih-i vesikaya gelinceye değin beyinlerinde cereyan iden bilcümle hukuk-ı şer'iyyeye müteallika âmme-i da'va ve mutâlebât ve kâffe-i eyman ve muhasemâttan müvekkile-i mezbûre Şerife Emine Hanım'a izafetle bilvekâle merkûm el-Hac Mehmed Tahir Efendinin ibrây-i âmm-i sahih-i şer'iyle ibrâ ve iskât eylediğimde oldahî kezalik husus-ı mezkûreye müteallika âmme-i da'vâdan müvekkile-i mezbûre Şerife Emine Hanım'a izafetle benim zimmetimi ibrây-i âmm-i sahih-i şer'iyle ibrâ ve iskât ve tarafeynden her birimiz dahî ber minval-i muharrer aharın ibrâsını bilasâle ve bilvekâle kabul idüb bu vecihle kat'-ı niza eyledük deyû mukır ve vekil-i merkûm Hasan Tahsin Efendinin bilcümle sadır olan kelimât-i meşrûhasını merkûm el-Hac Mehmed Tahir Efendi vicahen tahkîk ve şifahen tasdik itmeğin mâ vaka'a bi't-taleb ketb olundu. Fi'l-yevmi'l-hâmis ve'l-işrîn min zil'-hıcceti's-şerife sene selâse ve tis'îyn ve mieteyn ve elf".

Translation (Summary of the Order)

In the Shari'ah court, by her representative Hasan Tahsin Efendi, a son of Huseyin, Sherife Emine Hanım, a daughter of Mustafa a son of Abdullah who lived in Ahmed Dai neighbourhood of Bursa, stated that her husband Attar el-Hac Mehmed Tahir Efendi owes her 33,300 kurush in return of running various properties of her including the dealer shop in Kayan. She left their management to her husband, Mehmet Tahir Efendi, with her own will. Apart from her jewellery and valuable furniture, she had a dealer shop in the Kayan bazaar, fields in Alaşar village, mulberry gardens in various places, vineyards, animals, etc... Her assets and real estates all were owned by herself. However, later on in the court she announced by her agent Hasan Tahsin Efendi that she withdrew her application for the money and had no claim against her husband.

Date 15 Zilhicce 1293/1876

Transliteration

Mahruse-i Brusa mahallatından Ahmed Dai mahallesi sakinelerinden zati ta'rif-i şer' ile ma'rife olan işbu baisetü'l-vesika Emine Hanım ibnetü Mustafa binti Abdullah tarafından husus-ı atî'l-beyanda vekil-i müseccill-i şer'isi Hasan Tahsin Efendi ibn Hüseyin meclis-i şer'i şerif-i enverde müvekkile-i mezburenin hâlâ zevci el-Hac Mehmed Tahir Efendi ibn Ahmed Rağıb Efendi mahzarında bilvekâle ikrar-ı tâm ve takrir-i kelim idüb muma ileyh el-Hac Mehmed Tahir Efendi müvekkile-i mezburenin zevci dahili olup lakin tarih-i kitaptan beş ay mukaddem müvekkile-i mezbureyi bila nafaka ücret ve ahar tezevvüçle müvekkile-i mezbureyi infak ve iksadan eba ve imtina' itmekle müvekkile-i mezburenin nafaka ve kisve beha vesair levazim-i zaruriyyesi için zevci muma ileyh üzerine kibel-i şer'den mikdar-ı kifaye meblağ farz ve takdir olunmak bilvekale matlubumdur didikte ğıbbe't-tasdik müvekkile-i mezbure Emine Hanım'ın nafaka ve kisve vesair levazim-i zaruriyyesi için kibel-i şer'den bi't-terazi muma ileyh el-Hac Mehmed Tahir Efendi üzerine işbu tarihi vesikadan şehriye ikiyüz kuruş farz ve takdir buyrulub meblağ-ı mefruz-ı mezbur harç ve sarfa ve lede'l-hace istidaneye ve inde'z-zafer zevci muma ileyh el-Hac Mehmed Tahir Efendi üzerine rücu müvekkile-i mezbure Emine Hanım'a izin virilmeğın ma vaka bi't-taleb ketb olundu. Fi'l-yevmi'l-hamis ve'l-işrin min zi'l-hiccei ş-şerife li sene salis ve tis'ıyn ve mieteyn ve elf.

Translation (Summary of the Order)

In the Shari'ah court, Sherife Emine Hanım, a daughter of Mustafa a son of Abdullah who lived in Ahmed Dai neighbourhood of Bursa, represented by Hasan Tahsin Efendi, a son of Huseyin against her husband el-Hac Mehmed Tahir Efendi. The representative Hasan Tahsin Efendi uttered these words on court: "el-Hac Mehmed Tahir Efendi mentioned, got married to another woman five months ago and left my client without supplying alimony while he was still the husband oh Sherife Emine Hanım. I request 200 kurush per month as alimony from el-Hac Mehmet Tahir Efendi." Therefore, his request was accepted and it was decided for her to pay 200 kurush per month.

Date 15 Zilhicce1293/1876.

See, C 94/666 67 a/4.

Notes and References

¹ Gerber, Haim. *Economy and Society in An Ottoman City: Bursa 1600-1700*, The Hebrew University, (Jerusalem, 1988), p. 21.

² *Ibid*, pp. 2-3.

³ On the subject of Ottoman women rights see, Kurt, Abdurrahman, *Bursa Sicillerine Göre Osmanlı Ailesi (1839-1876)*, Uludağ Üniversitesi (Bursa, 1998); Gerber, Haim, "Social and Economic Position of Women in an Ottoman City, Bursa 1600-1700", *International Journal of Middle East Studies* 12 (3), 1980.

⁴ *Ibid*, p. 232.

⁵ "Polygyny" *Encyclopedia Britannica* (hereafter E. B), vol. 18, (U.S.A., 1970), p. 201.

⁶ *Ibid*, p. 201.

⁷ De Vaux, Roland, O.P., *Ancient Israel*, tr. Jolin McHugh, (London, 1998), p. 24; Genesis, 2/21-24.

⁸ The Quranic verse related to the validity of marriage from one to four women is this: "If you are afraid of that you could not observe the rights of orphans, receive two, three, four from the women you liked (that are legitimate for you). If you fear that you do injustice, receive one or be content with what you have possessed. This is the most suitable for you not to depart from justice." Nisa, 4/3.

⁹ Matta, 19/6.

¹⁰ Nebe', 78/8.

¹¹ Ebu Davud, Taharet, 9-1; Tirmizi, Taharet, 82.

¹² Bakara, 2/187.

¹³ Rum, 30/21; see Sayyid Matlub Husayn, *Evolution of Social Institutions in Islam, During First Century of Hijrah*, (Lahore, 1986), pp. 208-9.

¹⁴ Duben, Alan & Behar, Cem, *Istanbul Households, Marriage, Family and Fertility, 1880-1940*, Cambridge University Press, 1991, p. 148.

¹⁵ Jennings, Ronald, "Some thoughts on the Ghazi-thesis," *Wiener Zeitschrift für die Kunde des Morgenlandes*, Vol. 76, 1986, p. 153.

¹⁶ Aşıkpaşazade, *Aşıkpaşazade Tarihi*, N. Atsız (ed.), (Istanbul, 1970), p. 66.

¹⁷ See Kurt, Abdurrahman, *Bursa Sicillerine Göre Osmanlı Ailesi (1839-1876)*, Uludağ Üniversitesi, (Bursa, 1998), pp.18-9.

¹⁸ Kınalızade Ali Efendi, *Ahlâk-ı Alâî*, Bulak Matbaası 1248 (1833), 2. Kitap, s. 23; *Devlet ve Aile Ahlakı*, haz. Ahmet Kahraman, 1001 Temel Eser, s.48; "İlm-i Tedbirü'l-Menzil", *Sosyo-Kültürel Değişme Sürecinde Türk Ailesi*, T.C.

Başbakanlık Aile Araştırma Kurumu, (Ank. 1992), s.931; Ayşe Sıdika Oktay, *Kınalızâde Ali Efendi ve Ahlâk-ı Alâî*, İz Yayıncılık, (İst. 2005), s. 356.

¹⁹ Ö. Ozankaya, Laiklik Öncesi Dönemde Şemseddin Sami'nin Aile Düzenine İlişkin Görüşleri, pp. 126-7.

²⁰ For the sexual life in menopause period see Arısan, Kazım, *Kadın Hastalıkları (Jinokoloji)*, (Istanbul, 1983), pp. 110, 114, 119.

²¹ Mahmud Esad, *Taaddüd-ü Zevcat*, Malûmat Library, (Konstantiniyye, 1316/1898), pp. 24-9.

²² Fatma Aliye, Mahmud Esad, *Taaddüd-ii Zevcat*, Postface, Malûmat Library, (Konstantiniyye, 1317/1899), pp. 10-3.

²³ *İbid*, pp.16-9.

²⁴ See Ahmed Midhat, *Paris'te Bir Türk*, (Istanbul, 1283/1866), p. 160.

²⁵ Ahmed Midhat, *Jön Türk*, (Istanbul, 1287/1871), pp. 66–7.

²⁶ Celal, Nuri, *Kadınlarımız*, Matbaa-i İctihad, (Istanbul, 1331/1915).

We know that similar practices were realised by the second Caliph Omer. It is explicitly known that Omer made radical decisions about such issues as divorce, *müellefe-i kulub*, and marriage. One of those is related to Huzeyfe b. el-Yaman. Though Qur'an permitted Muslim men to get married non-Muslim women, Omer asked Huzeyfe, the governor of Medain, to divorce his Jewish wife. "Before carrying out this command, Huzeyfe wrote him a letter and wanted him to inform whether marriage with non-Muslims are legitimate or not. Otherwise, he announced, he would not divorce his wife. Upon this Omer replied as 'No, this marriage is legitimate. Yet, foreign girls have a delightful talk and they are deceitful; if you accept to get married them, these women become superior over your wives.' Then, Huzeyfe divorced his wife." See, Fayda, Mustafa Hz. *Omer Zamanında Gayri Muslimler*, Istanbul, Marmara University Faculty of Divinity Publ., 1989, p. 117. "It is reliable to get married upon and when married, with the condition of divorcing herself or the second woman, getting married a woman." Madde: 38. See Aydın, M. Akif, *İslam w Osmanlı Aile Hukuku*, Marmara University Faculty of Divinity Publ., (Istanbul, 1985), p.249.

²⁷ Nuri, *op.cit.*

²⁸ Esad, *op.cit.*, pp.24-29

²⁹ Hamidullah, Muhammad, *İslam Peygamberi*, trans. M. Said Mutlu, vol. II, İrfan Publ, (Istanbul, 1966), pp. 719–20.

³⁰ Kurt, *op.cit.*, p.87.

³¹ See, Duben & Behar, *op.cit.*, p.151.

³² *Ibid*, p.152.

³³ About the research see; Kurt, *op.cit.*, p. 86.

³⁴ Caporal, Bernard, *Kemalizmde ve Kemalizm Sonrasında Türk Kadını (1919-1970)*, (Ankara: Turkey Labor Bank Culture Publ., 1982) J. Palerne, *Peregrinations*, (Lyon, 1606), p. 96, cited, p. 128.

³⁵ Ahmed Midhat, *Mesail-i Muğlaka*, (Istanbul, 1316/1898), p. 285.

³⁶ Ahmed Midhat, *Ahmet Metin ve Şirzad –Yahut- Roman İçinde Roman*, (Istanbul, 1309/1891), pp. 697–8.

³⁷ Fatma Aliye, *Nisvan-ı İslam*, (Istanbul, 1309/1898), p. 88; *Taaddiid-ü Zevcat*, Potface, p. 160.

³⁸ For table showing polygamy percents see, Kurt, *op.cit.*, p. 88.

³⁹ *Ibid.*, pp. 92, 93.

* "Kuma gemisi yürümüş, elti gemisi yürümemiş."

* Such adjectives as "hanım", "hatun", "kadın" (for example, Hatice Gülnar Kadın) were used only for high status women. If we remind that the word "hanım" is derived from the title "han" that used to be given to Turkish rulers, the richness of its meaning, and the prestige and the elegance that the word included appears more explicitly.

** In the Ottomans, if the first of two names of a woman started out with *Şerife*, this refers to that she descended from the generations of Prophet. In males, the title *Seyyid* (like *es-Seyyid Ahmed*) was expressing it.

⁴⁰ See, Appendix I.

⁴¹ See, Appendix II.

^{***} at that times the price of one sheep was 100 kurush.

⁴² Judicial Records of Bursa, B 20/209 64b.

* “Düzen olan evde düzen olmaz”

** “İki eceli kuzu süttten, iki ayallı adam bitten ölür”.

⁴³ Even in such cities of Internal Anatolia as Kayseri and Harput, which seem to be more conservative in comparison to Bursa, women did not accept a partner into the family and wanted to divorce their husbands in such instances. According to the judicial records of Kayseri dated 1546, a wealthy woman called Bağdat told in the court that “*My husband Hızır Bali got married a girl after me. I don't accept this marriage on me. Let him divorce me*”. Upon this reaction her husband proposed that “*let her sell the permission for divorce*”. And the woman obtained the chance of divorce by means of *hul'*, that is by giving a basin, a tray, half of the vineyards she possessed, and all of her *mehri mueccel*. See, *Judicial Records, Kayseri 4* (132) numbered record, Türk Dünyası Araştırmaları Vakfı, vol. I, (Istanbul, 1998), p. 282.

⁴⁴ In the judicial record of Harput, with 181/4 (1) number, dated 1631, Sefer's son Hacı Mustafa stated that his daughter Fatma had been engaged with the person, whose name was Mevlüd, for a few years. However, during this time, Mevlüd got married to another woman but said that he would keep Fatma, too. But Fatma broke off the engagement by shouting out to the court official coming to her house with the witnesses that “*My father tied my skirt to a brush (my father put me in a difficulty I am the representative of my own. Nobody is my representative to marry me. I'm not going to marry Mevlüd. I received and gave up my greeting from the friends and the relatives. About this issue, I appointed Karabaş Mehmed as my representative. Whomever I agree with, he will make my marriage contract*”.

Again according to the Court Records of Harput, 181/6 (3), dated 1631, another young girl named Şahiye who broke off her engagement because she did not want to share with another woman and said that “*he already has a wife, I can't go to him as a partner*”. As far as understood, Şahiye became engaged on her father's wish. Without knowing the person whom she would marry, she received a horse worth 14 kurush, as the gift of engagement. When she learnt the truth, she returned the gift and did not accept becoming a second wife. See, *Ibid*, p. 263.

⁴⁵ For the mentioned practices see; Kurt, *op.cit.*, pp. 71-82.

⁴⁶ *Judicial Records of Bursa, C 94/666 24b.*