

Crime and Punishment in the Imagery of the The Prison in the Great Seljuks

Suç ve Ceza İmgeleminde Büyük Selçuklularda Hapishane

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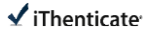
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Abstract

The Great Seljuk State centred in Nishapur, was governed by successful rulers who left a mark on history. As the state's borders expanded, it became necessary to manage people from diverse ethnic groups, leading to distant provinces being governed by either princes or governors. The rapid expansion of borders fueled the ambitions of princes to become rulers themselves, resulting in a series of uprisings. Some emirs and viziers, motivated by their interests, supported these uprisings, making the punishment of individuals a necessity. Among the various forms of punishment, imprisonment was the most actively employed method. This penal system manifested in multiple forms, including castle and house arrests. Due to the robust structure of castles, throughout history, prisons have sometimes been selected from among castles. In this context, the article aims to clarify the discussion on whether castles were suitable places for punishment by examining whether individuals who committed crimes during the Great Seljuks period were imprisoned in castles within the framework of criminal law. Additionally, the article will address whether dungeons and prisons have the same meaning or what the distinctions between them are. The process of transition from dungeons to prisons and its development within the context of penal reforms necessitates the exploration of this dilemma within the framework of the Great Seljuk Empire.

Keywords: Punishment, Castle, Prison, Criminal, Dungeon

Öz

Nişapur merkezli Büyük Selçuklu Devleti, tarihe damga vuran başarılı hükümdarlar tarafından yönetilmiştir. Zamanla devletin geniş sınırlara ulaşması farklı etnik gruptaki insanların idare edilmesini zorunlu hale getirmiş, bu sebeple de uzak vilayetler kimi zaman şehzadeler kimi zamanda valiler tarafından yönetilmiştir. Sınırların hızla genişlemesi durumu şehzadelerin hükümdar olma hayallerini kamçılama, böylelikle isyanlar peş peşe sıralanmıştır. Bazı emir ve vezirler çıkarları çerçevesinde bu isyanlara destek verince kişilerin cezalandırılması bir zorunluluk haline dönüşmüştür. Farklı şekillerde uygulanan bu cezalar arasında en faal olanı elbette ki hapis uygulamasıdır. Bu cezalandırma yöntemi, kale ve ev hapsi başta olmak üzere farklı formlarda kendini göstermiştir. Kalelerin muhkem bir yapıda olması nedeniyle tarih boyunca hapishaneler kalelerden de seçilebilmiştir. Bu bağlamda makale, Büyük Selçuklularda ceza hukuku çerçevesinde suç işleyen kişilerin kalelere hapsedilerek cezalandırılması ile kalelerin cezalandırma için ne kadar uygun mekanlar olup olmadığı tartışmasına açıklık getirmeyi amaçlamaktadır. Ayrıca zindan ile hapishanelerin aynı anlama gelip gelmediği veya aralarındaki ayrışımın ne olduğu tartışmalar çerçevesinde ortaya konulacaktır. Zira zindandan hapishaneye geçiş sürecinin ceza reformları çerçevesinde gelişimi bu ikilemin Büyük Selçuklu Devleti bünyesinde ortaya çıkartılmasını zorunlu hale getirmektedir.

Anahtar Kelimeler: Ceza, Kale, Hapishane, Suçlu, Zindan

Introduction

Since the beginning of time, it has been known that many individuals have sought to disrupt both state and societal order. Initially, the responsibility of maintaining this order fell on communities and tribes. However, with the process of state formation, this dynamic shifted, and a set of legal rules under state monopoly were adopted. These rules, aimed at punishing criminals and reducing participation in crime, were sometimes established orally and sometimes in written form. Therefore, throughout history, anyone who damaged societal and political balance was punished. Examples supporting this include the execution of murderers and adulterers in the Göktürks and the application of retaliatory punishment in Egypt and Rome (Taşağıl, 1997: 110-111; Demirbaş, 2005: 6). In addition to these punishments, imprisonment also holds a significant place. As imprisonment necessitated the establishment of a secure and protected area, the practice first emerged during the Roman era in prisons called Tullianum¹. These prisons, with their underground compartments, are believed to have punished criminals under harsh conditions. Military offenders also served their sentences with the establishment of garrison prisons (Demirbaş, 2005: 6; Bardakoğlu, 1997: 54).

In the early periods of Islam, those who did not pay their debts and those who committed murder, as well as prisoners of war, were punished by being confined in wells and mosques. During the time of Caliph Umar, prisons became more systematic, and a house was purchased to accommodate criminals. The first construction of a jail occurred during the time of Caliph Ali, and this prison was named Nafi². However, due to the ease of escape, a more secure prison named Mehis was constructed (Demirbaş, 2005: 28; Yılmaz, 2001: 551; Ercivan, 2023: 87; Bardakoğlu, 1997: 54-56; Atar, 1979: 217-218). Thus, prisons evolved from their primitive state to a more systematic form (Atar, 1979: 217-218; Demirbaş, 2005: 28). The use of prisons as a political tool during the Umayyad period is likely a result of the lack of authority in implementation (Yılmaz, 2015: 22). The Abbasids constructed more secure and robust prisons, indicating that the number of criminals increased significantly with urbanization, and prisons were built according to the type of crime. It is noteworthy that Abbasid prisons included a mosque and a dârü'l-imâre (Uyanık, 2017: 114; Yılmaz, 2001: 559). The prisons built by the Abbasids were modelled by the Fatimids, with a prison for common crimes called “Habs et-Ma’üne” and another in the Castle of Jebel for political criminals (Takiyyüddin, C. II, n.d.: 188).

Looking at the general framework, it is evident that each state had its methods of punishment and imprisonment according to its rules. One such state that fought against the Ghaznavids and succeeded in establishing a state in Khorasan was the Seljuks. The applicability of imprisonment penalties in the Seljuks is directly proportional to the unceasing rebellions of princes. Anyone who harboured ill intentions for the state’s continuity, sought to gain excessive power, overshadowed the ruler’s authority, or caused political chaos within and among the people, was eliminated by various punishments. Although political criminals were predicted to be imprisoned and punished, it is also known that sometimes ordinary people were detained (Kanat, 2013: 90-91).

The Etymology and Spatial Characteristics of the Terms “Dungeon” and “Prison”

Throughout medieval history, the enforceability of prison sentences was realized through dungeons. Therefore, examining the etymological and conceptual identities of the terms “dungeon” and “prison” is significant. The word “zindan” (زندان) is believed to derive from the Persian “zēdān” (armoury) and Middle Persian “z(i)ndan” (Mu’in, Vol. II, 1371: 1753b; Steingass, 1963: 625a; Nişanyan, 2002: 983). Zindan means “dark, underground prison³, very dark, distressing place,” and a person punished here was called “zindangir” (incarcerated, thrown into a dungeon) (Devellioğlu, 2007: 1118).

Dungeons are places established on high, hard-to-reach cliffs, wholly isolated from people, designed to be dark and psychologically distressing (Parlatır, Gözaydın, and Zulfikar, Vol. II, 1998: 2516). The selection of these dark places not only disturbed individuals spiritually but also had adverse effects on their vision over time. Dungeons understood to be very cold, subjected criminals to the struggle against cold and hunger. Those sentenced did not have the luxury of visiting their families, apart from correspondence (Zerrinküb, 1372: 121; Velîullâh Zaferî, 1996: 142; Özgüdenli, 2006: 15-19; Yıldız, 2012: 10). Hence, the dungeon, an ancient punishment site, is considered a method of inflicting both physical and psychological torment.

¹ For detailed information, see (*Juvenal and Persius*, 1918).

² This prison, being made of reeds and mud, allowed prisoners to escape easily. Therefore, it was soon demolished and replaced with a more secure prison called “Mahyes/Muhayyes.” For detailed information, see (Muhammed el-Haseni el-İdrisi Kettânî, n.d.: 247; Hülagu, 1996: 22; Uyanık, 2017: 111-112).

³ Underground dungeons were referred to as “Somec.” These dungeons were known for being dark and gloomy places. See (Mu’in, Vol. II, 1371: 1919b) for detailed information.

The primary aim of such torment was to demonstrate how threats to the authority's values, laws, and institutions were suppressed and to create deterrence. Only in this way could the authority be renewed and maintained (Aksu, 2005: 63-65).

The word "prison" derives from the Arabic "habs" (حبس), meaning "to confine a person, a living being, or an object to a place, to detain for a period," "detention, not allowing to leave a place, confinement," and in legal terms, "to forcibly detain a suspect or criminal in a certain place, restricting their freedom" (Sami, 1996: 540). Combined with the Persian word "hane," it becomes "habis+hane," representing the first form of freedom-restricting punishment (Sami, 1996: 539-541; Kanar, 1998: 252; Turkish Dictionary, Turkish Language Institution, Vol. I, 1998, 943; Eren, 2014: 24; Öztekten, 2010: 610, 615). Additionally, the word "sîn" from the root "secn" meaning "to imprison," was used to denote prisons, while "secin/mescun" referred to "prisoner." Hence, the prison officer was called "Seccân" and the prisoner "Secîn, Mescûn." The place where illegal punishments were executed was called "habs, mahbes," and the person imprisoned "mahbûs" (İbn Manzûr, Vol. I, n.d.: 702-703; Kortantamer, 2005: 93; Öztekten, 2010: 616). The most well-known uses of the word "prison" include "zindan, mahpushane, mahbes, dam, kodes, disko" (Eren, 2014: 24). Over time, prisons have institutionalized (Bardakoğlu, 1997: 54).

Prison is the oldest known form of punishment before penal laws (Foucault, 1992: 289). This penal system was applied to some for a temporary period and to others for life. In the Seljuks, houses were also used as prisons, castle dungeons and wells. Prisons, like dungeons, were cold, dark, and psychologically harsh places. Thus, they played an essential role in the transition from physical to mental punishment (Bahar, 2005: 43). The first concept that comes to mind when thinking of prison is crime (Boynukalın, 2009: 453; Bebek, 1993: 469; Tanış, 2018: 141). Prisons were created to prevent such actions by people. Punishment is a continuation of this concept, defined as a sanction applied to make the person who committed the crime regretful (Centel, 2011: 337; Bacaksız, 2014: 4918). Therefore, the common point in the imagery of crime and punishment has been prisons, ranking first in the formal punishment methods of societies (Bahar, 2005: 41).

Characteristics of Castles Used as Prisons in the Great Seljuk Empire

Imprisonment, emerging as a powerful method of punishment, is among the top techniques employed by the Great Seljuk Empire. Although it is known that ordinary people were imprisoned based on their crimes, the most notable group was political criminals. After the establishment of the Great Seljuk Empire, rapidly expanding territories prompted princes to claim governance. Although the general fate of prince rebellions seen in almost every ruler's reign was amnesty, this did not change in the subsequent periods, and princes did not refrain from rebelling again. Therefore, rebellious princes were subjected to punitive measures such as blinding, strangulation with a bowstring, or imprisonment in a castle⁴ (Kanat, 2013: 61). It is observed that almost all princes were pardoned in their first rebellion attempts. However, the dream of becoming a ruler and the active roles of politicians who triggered this urge led to recurring rebellions.

In the Great Seljuk Empire, prisons generally appeared as castles rising among sturdy bastions. The connection between the castle and the outside world was maintained by a bridge, with the movement controlled by a tower. Officers named "dajban"⁵ or "kûtval"⁶ were appointed to protect the castles. Mainly during wartime, to prevent prisoners from escaping due to the authority vacuum, it was deemed appropriate to destroy the bridge connecting the castle to the outside world in extraordinary circumstances (Eyice, 2001: 234-235; Kesik, 2011: 50-52). Thus, attempts to escape by the prisoners were prevented. Inside the castles, dungeons and wells were created for criminals. These were prepared as single-person punishment rooms, i.e., cells (Kanat, 2013: 35).

Although there is little information about castle prisons, certain inferences can be made based on presumptions. This is because of the prohibition of human entry and exit in castles used as prisons (Takiyyüddin, Vol. II, n.d.: 188; Yılmaz, 2001: 562). It is known that many castles in the Great Seljuk Empire had a prison identity. In these prisons, the sounds of wild animals echoing in the mountains occasionally reached the prisoners' ears. Prisoners had a reed mat under their feet, which also served as a bed (Zerrînkûb, 1372:119). The prisoners, wearing nothing but an old shirt and shalwar (Özgüdenli, 2006: 18), lived deprived of cleanliness and food. It could take months or even years for them to bathe and clean themselves. Occasionally, prisoners were given a type of bread called "Nân-i Kaşkîn" in addition to regular bread (Mu'in, Vol. III, 1371: 2990a; Steingass, 1963: 1033b; Özgüdenli, 2006: 19).

⁴ The phrase "imprisoned in the castle" was sometimes replaced with the term "sent to the fort." See (Nizâmî-yi 'Arûzî, 1910: 44-45).

⁵ "Daj" means fort, and "dajban" is the name given to the commander of the fort. See (Mu'in, Vol. II, 1371: 1523).

⁶ The word, originally Sanskrit, means "guard" or "protector." For detailed information, see (Kanar, 1998: 503; İzgi, 2002: 503-504).

Political Figures Imprisoned in the Context of Crime and Punishment

Before the establishment of the Great Seljuk Empire, it was known that members of the Seljuk family were imprisoned. Among the most notable figures are Arslan Yabgu and his nephew Tughril. During the state formation process, the nature of their imprisonment shifted from being held by other states to being detained due to internal insurrections within their state.

Seljuk Bey, following in the footsteps of his father Dukak, served as a military commander for the Oghuz Yabgu State. His significant role in the state's administration and military caused Yabgu's wife discomfort. During a meeting, Seljuk Bey's prominent seating position (high up) near the ruler needed to be better received by her. This incident led Seljuk Bey to sever ties with the Yabgu State. Taking his family with him, Seljuk Bey migrated from Yengikent to Jand (Abu'l-Farac, Vol. I, 1987: 292). The political landscape of that era was quite turbulent. The weakened Samanids were targeted by the Karakhanids and the Ghaznavids, who sought to seize Samanid territories. This complex scenario made the Seljuks a pivotal factor among the three states. Struggling for survival, the Seljuks allied with weaker states in their quest for territory. In the Samanid-Karakhanid struggle, Arslan Yabgu emerged as a key figure. Initially, he allied with the Samanids but later switched sides to support Prince Ali Tigin, who played a crucial role in Karakhanid internal conflicts (Usta, 2013: 236-242). This unexpected shift led to the downfall of the Samanids. However, this decision turned out to be detrimental for Arslan Yabgu. The Karakhanid ruler Yusuf Kadir Khan and the Ghaznavid ruler Sultan Mahmud viewed the Ali Tigin-Arslan Yabgu alliance as threatening their states' stability. Consequently, in 1025, they met near Samarkand and agreed to eliminate Ali Tigin and Arslan Yabgu. Acting on this agreement, Sultan Mahmud sent a letter to Arslan Yabgu, inviting him to his palace in Samarkand. Arslan Yabgu accepted the invitation amicably. During a banquet, Sultan Mahmud, having observed Arslan Yabgu's excessive drinking, inquired about the military support he could provide. Arslan Yabgu's exaggerated response convinced Sultan Mahmud of his potential threat. Subsequently, Arslan Yabgu was arrested and imprisoned in the Kalinjar fortress in India. After approximately seven years of imprisonment, Arslan Yabgu died in 1032 (el-Yezdi 1979: 24-28; Sümer, 1992: 71-72).

Due to their policies, the Karakhanids frequently attacked the Seljuks, who were seeking new territories, which led to the imprisonment of Tughril Bey. Chaghri Bey captured the Karakhanid military commander to free his brother, successfully securing Tughril Bey's release. Tughril Bey's captivity represents the second instance of Seljuk family members being imprisoned before the establishment of the Seljuk state. Although the prisoner was not a member of the Seljuk family, the imprisoned individual was. Tughril Bey's future role as the Great Seljuk Empire's first ruler underscores this event's significance.

Despite being a member of the Seljuk family, Abu Abdullah Husayn served the Ghaznavids for a time. Sultan Masud appointed him under the command of Hacib Begtogdı to fight against the Seljuks. Following the Seljuks' victory in the Battle of Nesa in 1035, Husayn was captured and imprisoned by Chaghri Bey (el-Beyhakî, 1375: 571, 628-629; Gerdizi, 1363: 429-430). This imprisonment was short-lived, as Husayn managed to gain the Seljuks' trust and eventually rose to the position of vizier in 1044 (İkbâl, 1338: 39-40; Özgudenli, 2006: 23).

Another significant episode involving Seljuk's imprisonment during this period pertains to their relations with the Abbasids. After establishing their state, the Seljuks, who valued Sunni Islam, expressed their allegiance to the Abbasid Caliph al-Qa'im. Over time, the Shiite Buyids' aggressive stance towards the Abbasids fostered a closer alliance between the Abbasids and Seljuks. When the Abbasid Caliph first invited Tughril Bey to Baghdad, Tughril could not respond favourably (Piyadeoğlu, 2020: 96). However, on the second invitation, Tughril Bey decided to travel to Baghdad. The primary reason for his initial noncompliance was likely the Seljuks' struggle to establish their presence in Iran. During this period, the Abbasids could not offer substantial help, which allowed the Buyids to strengthen their influence in Baghdad, appointing Arslan Besasiri as the Buyid governor of Baghdad (Merçil, 1992: 528). This political shift led the Abbasid Caliph al-Qa'im to invite Tughril Bey again, receiving a positive response. When Arslan Besasiri and his supporters learned of Tughril Bey's strong army approaching the city, they incited unrest. Tughril Bey set up his camp outside the city to prevent harm to Baghdad's citizens. Despite the rebels' efforts to avoid Tughril Bey's entry, they failed. Entering the city with his soldiers, Tughril Bey allowed them to shop, during which a sudden commotion led to the Seljuk soldiers being attacked and killed. Enraged by this, Tughril Bey blamed the Buyid Emir al-Malik al-Rahim, arresting him on December 23, 1055, and imprisoning him first in the Sirevan Castle⁷ and later in the Tabarak Castle (Reşîdü'd-dîn Fazlullah, 2011: 98-99; İbnü'l Esîr, Vol. IX, 1985: 463-465; İbnü'l-

⁷ The Cibâl region is located near Hulvân, where date palms are cultivated. See (Ibn Hurdâzbih, *el-Mesâlik ve'l-Memâlik*, translated into Persian by Hüseyin Karaçanlu, 1370: p. 33; Minorsky, *Hudûdü'l-'âlem minel meşrik ilel mağrib*, 2008: p. 90).

Cevzî, 2014: 16-19; Zahîru'd-dîn Nîşâbü'rî, 2018: 24; er-Râvendî, Vol. I, 1999: 104; el-Hüseynî, 1943: 13; Bundârî, 1999: 8; Turan, 1969: 91-93; Sevim, 1997: 3-7).

During the elimination of Buyid dominance in Baghdad, Tughril Bey was accompanied by his cousin Resul Tegin. Tughril Bey assigned the administration of critical centres like Shiraz, Khuzestan, and Basra to Hezaresb b. Bengir displeased Resul Tegin and led to his rebellion. Tughril Bey tasked Hezaresb b. Bengir with suppressing the revolt, resulting in Resul Tegin's defeat. This rebellion ended with Resul Tegin being spared from execution through the intervention of the Caliph (Piyadeoğlu, 2020: 111-112). While the effects of this rebellion persisted, Ibrahim Yinal, similar to Resul Tegin, also sought to claim authority, leading to another insurrection (Pîrneya and İkbâl, 1376: 312-314; Yinanç, 1944: 48-49). This rebellion was short-lived, and Ibrahim Yinal was pardoned, serving alongside Tughril Bey for nearly a decade. However, when he was assigned the administration of Mosul, his move to Jibal was interpreted as a second act of rebellion. Despite warnings from both Tughril Bey and the Abbasid Caliph, Ibrahim Yinal attempted to clarify his intentions in Baghdad, claiming he had no rebellious motives (Sevim and Merçil, 1995: 55; Piyadeoğlu, 2020: 113-114). Meanwhile, Arslan Basasiri and the former governor of Mosul, Kureysh, exploited the administrative void in Mosul to re-establish their dominance. In response, Tughril Bey, accompanied by Ibrahim Yinal, marched on Mosul, prompting Arslan Basasiri to flee after setting the city ablaze.

While these events unfolded, Ibrahim Yinal sought support from the Fatimid caliph. He promised that, in exchange for Fatimid assistance in becoming the ruler of the Great Seljuk State, he would have the khutbah read in their name instead of the Abbasid Caliphs. When the Fatimid Caliph looked favourably upon this agreement, Ibrahim Yinal took advantage of Tughril Beg's involvement with Arslan Basasiri and went to Hamadan. Upon learning of his brother's rebellion attempt, Tughril Beg took action by sending his wife Altuncan Hatun and his vizier Amid al-Mulk to protect the caliph in Baghdad, and then set out for Hamadan himself (Mîrhând, Vol. IV, 1339: 62; Ahmed b. Mahmûd, 2011: 55; Pervîz, 1351: 109; Pîrneya and İkbâl, 1376: 319; Sevim and Merçil, 1995: 43). In November 1058, when Ibrahim Yinal besieged the city, Tughril Beg, who was in a difficult position, requested help from his wife and vizier in Baghdad. However, due to the Abbasid Caliph's fear for his safety, he did not allow the Seljuk soldiers to leave Baghdad, making Tughril Beg's call for help ineffective for a time (el-Hüseynî, 1943: 13; Abû'l-Farac, Vol. I, 1987: 313; İbnü'l-Adîm, 1982: 4; İbnü'l-Esîr, Vol. IX, 1985: 484; İbnü'l-Cevzî, 2014: 34-35; Bundârî, 1999: 12-13; Kaçın, 2017: 144-146). The person responsible for Tughril Beg's difficult situation was not only the Abbasid Caliph. Amid al-Mulk Kunduri also played a role in this matter. He sought to prevent Altuncan Hatun from going to Tughril Beg by plotting to place Enushirvan, Altuncan Hatun's biological son and Tughril Beg's stepson, on the throne. Altuncan Hatun, aware of the agreement between the vizier and his son, tried to arrest both. However, the vizier managed to escape, and Enushirvan was removed by being imprisoned in an unknown fortress. After Tughril Beg fell ill, Enushirvan, despite hoping to be released by negotiating with the fortress commander, found this impossible. Amid al-Mulk, Kunduri did not permit his release, so Enushirvan, during a game of chess with the fortress commander, suddenly attacked him and killed him. The fortress guards surrounded Enushirvan in an attempt to escape from the fortress. Believing he could escape his captivity by jumping down, he acted on this belief and leapt. Due to the great height, Enushirvan died. He was buried next to his mother's grave in Rey (er-Râvendî, Vol. I, 1999: 106; Sibt İbnu'l-Cevzî, 2011: 122, 123; Sevim and Merçil, 1995: 56, 57).

Another incident of imprisonment during Tughril Beg's period occurred when a group from Khorasan sought to loot the property of Baghdad residents. This group demanded the possessions of residents from the Harbiye district of Baghdad. The people replied, "We are chaste individuals engaged in worship in our mosques and need the alms and donations brought to us." Ignoring these words, the group confiscated the people's property and beat those who resisted. They then went to the area called Kasr al-Isa, where they made the same demands from the local people, even forcibly removing them from their homes and throwing them into the streets. The wronged and plundered people set up reed huts near the caliph's palace to draw attention to their plight. While this group continued their disruptive activities, they were ultimately eliminated during the Bab al-Dar attacks and were punished by confiscating 1,000-10,000 dinars⁸. Some were imprisoned and died there (İbnu'l-Cevzî, 2005: 18).

In 1061, Baghdad governor Abu'l-Fath was dismissed by Tughril Beg's order for failing to pay the money he had pledged to the treasury fully. He was replaced by a person named Abu Ahmed. Abu'l-Fath chose to flee, and the new appointee was

⁸ Confiscation is the state's seizure of a person's property due to any crime committed. In the Seljuk period, there were two types of confiscation: general and special. General confiscation involved the transfer of all the offender's property to the state, while special confiscation referred to transferring specific assets. During the Seljuk era, confiscation as a punishment was typically applied to state officials and, though rarely, to ordinary people. Confiscation was usually imposed alongside penalties such as exile, flogging, removal from office, and imprisonment. For detailed information, see (Kaya, 2005: p. 53).

given the authority to locate and punish him. Acting on this authority, Abu Ahmed arrested Abu'l-Fath and had him beaten and imprisoned (Sevim, 1997: 91).

By 1062, Tughril Beg demanded 10,000 dinars from the people of Hoy. When the people did not respond positively to this demand, they requested financial and military aid from the sultan. The sultan was only presented with 4,000 dinars. Finding this amount insufficient, Tughril Beg sent an army to Hoy. The ensuing battle, which lasted about 40 days, resulted in many casualties on both sides. The city's elders sent an envoy to Amid al-Mulk Kunduri to seek a settlement to end the conflict. With peace achieved, Amid al-Mulk Kunduri went to the town and appointed Abu Sa'id as the leader. Abu Sa'id initially gave Amid al-Mulk Kunduri 10,000 dinars in exchange for the surrender of Yusuf, an old rival. After capturing Yusuf, Abu Sa'id severely beat him, leading to his dismissal from leadership and imprisonment by Amid al-Mulk Kunduri. Omar was appointed in his place (Sıbt İbnu'l-Cevzî, 2011: 110).

Amidülmülk Kundûri, who was one of the political prisoners imprisoned for his attempts initiated by Tuğrul Bey's vizier, is known for his actions in the Shiite-Sunni schism. Amidülmülk Kundûri, a Shiite who pursued a destructive policy against scholars adhering to the Shafi'i sect, convinced Tuğrul Bey to issue a decree for the cursing of scholars from the minbar of the Khorasan Mosque. This initiative of the vizier is essential for understanding the strength of his persuasive abilities. Certainly, Amidülmülk Kundûri did not stop with this initiative alone but went further to engage in activities aimed at the imprisonment of these scholars (Yaltkaya, 1925: 101-106)⁹. Although the vizier succeeded in imposing restrictions on the activities and lectures of scholars, he was unsuccessful in imprisoning them. The critical point here is the vizier's ability to persuade to the extent of influencing the ruler due to his ambitions. Fearful of his power, some scholars left Nishapur and continued their scientific teachings in Mecca and Medina in 1058¹⁰. Amidülmülk Kundûri, who supported Süleyman appointed by Tuğrul Bey against Alp Arslan, was dismissed and imprisoned immediately after Alp Arslan became the ruler¹¹. Due to Amidülmülk's interference in Alp Arslan's ascension to the throne, he was detained in Khorasan Amidi's house in Nishapur and later sent to Mervü'r-Rud under house arrest. His family lived in another room of the house where he was imprisoned (Müneccimbaşı, Vol. I, 2013: 71). Amidülmülk, who was held under house arrest for a while, was killed by two individuals (Bundarî, 1999: 28). After his death, Alp Arslan appointed Nizamülmülk as vizier (Köymen, 2001: 11). Nizamülmülk, who established the Nizamiye Madrasa to fight the Fatimids, also appointed the scholar Juwayni, who had fled Nishapur, as a lecturer at the madrasa (Paecock, 2016: 189; Özaydın, 2007a: 188; Özaydın, 2007b: 194-195; Erdemci, 2012: 8; Özaydın, 2002: 554-555). As a result of this critical development, the scholars living in imprisonment were granted their freedom.

In the Great Seljuk Empire, the betrayal of officials in essential positions was not left unpunished. Osman, the Deputy Dar' of Nizamülmülk, was imprisoned in Tirmiz after discovering that he had informed the Ghaznavid sultan about state matters. When it was revealed that he continued to leak information, he was executed (İbnü'l-Esîr, Vol. X, 1991: 226).

Kerman Seljuk Malik Kavurd, to strengthen his dominance over Fars, besieged and captured Shiraz, causing Fars emir Fazluye to flee the city. Kavurd pursued him and killed many of his soldiers but failed to capture him. In 1063, Fazluye, who had taken refuge in Fesa, decided to collaborate with the governor of Khuzistan, Hezaresb, taking advantage of the chaos in the political authority following Tuğrul Bey's death. When Kavurd defeated the alliance members who looted Shiraz upon his arrival in the region, Fazluye requested assistance from Alp Arslan. Alp Arslan, who was in a power struggle with Kavurd, was inclined to help Fazluye to prevent Kavurd from gaining strength. First, Alp Arslan sent an army commanded by Porsuk to fight Kavurd in 1064, and about a year later, in 1065, he went to Shiraz. Kavurd, fearing the sultan, abandoned the city and took refuge in a fortress. Thus, Kavurd retreated to his domain of Kerman, and the control of Fars was returned to Fazluye (Ahmed b. Mahmud, 2011: 81-82; Piyadeoğlu, 2020: 153-154; Agacanov, 2013: 140-141).

Although Kavurd is known to have led many rebellion movements against state administration, he also carried out his final rebellion in alliance with his eternal enemy, Fazluye. Aware of the situation, Sultan Alp Arslan passed through Shiraz to Kerman and sent his vizier Nizamülmülk against Fazluye (Sevim and Merçil, 1995: 373-376). Nizamülmülk, who captured

⁹ During this period, poets wrote several poems while they were in prison. These works introduced a literary genre known as *habsiyye*, *habsiyyat*, or *zindannâme*. Compared to other poetic forms, the most crucial feature of *habsiyye* is that it is written to reflect the realities of the poets' experiences. For detailed information, see Nizâmî-yi 'Arûzî, 1910: p. 45; Abdülhüseyin Nevâî, vol. III, 1947: pp. 7-18; Velîullâh Zaferî, 1996: pp. 19-22.

¹⁰ One of the scholars of the period, Imâmü'l-Haremeyn Juwaynî, realizing the seriousness of the situation, left the city of Nishapur with Ahmed b. Hüseyin Beyhakî. He first went to Baghdad and then, in 1058, travelled to the cities of Mecca and Medina to disseminate his knowledge. See (Kandemir, 1992: pp. 58-59) for detailed information.

¹¹ For information about the fate of Vizier Kunduri, see (Nizâm Akîlî, 1337: pp. 204-206; er-Râvendî, Vol. I, 1999: p. 115; Sevim, 1998: p. 5).

the fortresses in the Fars region one by one, besieged the Hurshah Fortress, where Fazluye was hiding. However, this attempt failed due to the fortress's difficulty in being captured. Meanwhile, although Fazluye had only a few soldiers, he went out of the fortress to gather more men, which Nizamülmülk's soldiers learned. They pursued and captured him in a cave after a captured soldier revealed his location. Fazluye was brought before Sultan Alp Arslan, who was in Berdsir, where Kavurd was being pressured. In front of the sultan, Fazluye begged for mercy and requested to be ransomed in exchange for his life. Although Sultan Alp Arslan found this request reasonable, when he arrived in Isfahan with Fazluye, vizier Nizamülmülk, distrusting him, had Fazluye imprisoned first in the Isfahan Fortress and then in a pit dug in the Istahr Fortress. In the following process, despite attempts by Fazluye's soldiers to rescue him from the fortress, they were unsuccessful and lost their lives (Sibt İbnü'l-Cevzî, 2011: 159-162; Sevim, 1998: 29-32). When Sultan Alp Arslan, in the framework of his Caucasus policy, captured the city of Ani in 1064, the Greeks, in an attempt to delay the sultan by selecting the most beautiful girls and boys of the city as captives, lined them up in front of the sultan's camp. The Greeks, who failed in this attempt, were captured and imprisoned by Sultan Alp Arslan (Ahmet b. Mahmud, 2011: 67).

In the struggle with Byzantium, Sultan Alp Arslan, advancing towards the Malazgirt Plain, visited Diyarbakir and entrusted the administration of the Mervanoğulları to Ebû'l-Hasan Sa'id. Later, due to disobedience, he was removed from his position by vizier Nizamülmülk and imprisoned, and his brother Nizamüddin was appointed instead (İbn-ül Ezrak, 1975: 174-176).

After the death of Sultan Alp Arslan on November 24, 1072, his appointed heir, Melikshah, became the ruler, and his brother Tekiş pledged allegiance to him. Due to this allegiance, the administration of Toharistan and Belh was given to Tekiş. Although Melikshah removed his brother, issues on the throne did not end. In 1073, a struggle emerged between Melikshah and Kavurd. Melikshah won this struggle, and Kavurd fled the battlefield to Hamedan. Following this, Melikshah sent an army under the command of Emir Temirel to capture Kavurd. Kavurd, captured by Emir Temirel, was handed over to Emir Savtekin and imprisoned in his tent (Turan, 1969: 197; Kafesoğlu, 1973: 13-14; Yazar, 2011: 233). After Kavurd's execution, his three sons were imprisoned in Hamedan by Melikshah (Kafesoğlu, 1973: 14).

Another incident of imprisonment during the Melikshah period occurred when Melikshah became suspicious of 7000 Armenians wearing Turkish clothing while inspecting the soldiers in the city of Rey. Melikshah decided to cut off the ties of 7000 Armenians with the army, but Nizamülmülk did not approve of this decision and warned Melikshah. However, he could not convince him and eventually the soldiers were expelled from the army. These Armenians, who had no other qualifications than being soldiers, joined Tekiş, who was residing in Busenç Castle, in 1081. This development made Tekiş militarily strong. Tekiş first went to Merv, then to Termez and finally to Khorasan, the second capital of the empire. Melikshah, who received news of Tekiş's rebellion, immediately went to Nishapur and took action. Realizing that he would fail, Tekiş withdrew to Termez Castle to begin defense preparations. However, these preparations must have been in vain, as Tekiş's soldiers were defeated near Belh. After Tekiş's apology and pardon, a temporary calm was achieved. Of course, Tekiş's dreams of becoming a ruler did not end, as seen in other princes (Sibt İbnü'l-Cevzî, 2011: 238; Ahmed b. Mahmud, 2011: 139; Sevim, 1999: 41-42). Because, Tekiş attempted to rebel again in 1084, taking strength from the presence of Melikshah in Mosul. In this context, he first laid siege to the Sarakhs Castle, which was under the control of Mesud b. Emir Yâhız. Realizing the situation, Nizamülmülk's men, Ebû'l-Fûtûh et-Tûsî and Ebû Ali, made a plan and wrote a letter to the emir of Serâhs Castle through the vizier's mouth, informing him that they would come to his aid with a large army, and thus ensured that the letter reached Tekiş. Their aim was to make Tekiş panic and lift the siege. The plan worked as expected, and Tekiş, who panicked, ended the siege and took shelter in Venec Castle. Tekiş, who was captured on October 2, 1085, was imprisoned in Firuzkûh Castle by having his eyes blindfolded (Ahmed b. Mahmud, 2011: 143-147; Sevim, 1999: 66-67; Piyadeoğlu, 2020: 216).

Some Seljuk statesmen resorted to various slanders to discredit individuals who were opposed to their interests and desires in the eyes of the ruler. Sometimes the slandered person was killed, while other times the slanderer was punished and executed. During the reign of Melikshah, the secretary of the Divanü'r-Resail, Ebû'l Mehasin, tried to distance Nizamülmülk from the sultan by slandering him while establishing a close relationship with the sultan. This person accused Nizamülmülk of illicitly taking money from the state treasury. Nizamülmülk, aware of the situation, devised a plan to expose this slander and organized a banquet, inviting the ruler as well. Approximately 1,000 Turkish soldiers, mounted on their horses, were also present at the banquet. After the meal, Nizamülmülk explained that he had spent the money he took from the treasury on the soldiers who fought for the state and presented the ruler with jewels and money. Realizing the truth after this incident, Melikshah had Ebû'l Mehasin arrested and imprisoned in Save Castle. Here, his eyes were gouged out with a knife and fed to hunting dogs (Sibt İbnü'l-Cevzî, 2011: 257; Bundarî, 1999: 60-61). Melikshah's aunt, Safiye Hatun (İbn Vâsıl, Vol. I, n.d.: 23; İbn Haldûn, Vol. I, 1424/2003: 1642; Bubu, Vol. XIII, 2005: 363), was widowed after the death of Sharaf al-Dawla Muslim in a battle with

Suleiman Shah (ed-Diveci, 1402/1982: 168), and married Ibrahim, the leader of the Uqaylid tribe. Ibrahim's election as leader without Melikshah's knowledge was not accepted by the Seljuks, and Melikshah, upon taking action, captured Ibrahim during the Northern Syria campaign and imprisoned him (İbnü'l-Verdî, 1389/1969: 531; İbnü'l-Esîr, Vol. X, 1991: 189-190; Kafesoğlu, 1973: 80).

Upon the death of Melikshah on November 19, 1092, he left behind four sons as heirs: Berkyaruk, Muhammad Tapar, Sanjar, and Mahmud. Mahmud was the son of Terken Hatun, Muhammad Tapar and Sanjar were the sons of Seferiyye Hatun, and Berkyaruk was the son of Zubeyde Hatun. At the time of Melikshah's death, Mahmud and Muhammad Tapar were in Baghdad with their father, while Berkyaruk was in Isfahan. Terken Hatun, wanting her son Mahmud to become the ruler, planned to eliminate Berkyaruk by having him imprisoned in Isfahan. When Berkyaruk was imprisoned, he was unaware of his father's death. State officials supporting Nizamülmülk learned of the situation before Terken Hatun arrived in Isfahan, and they rescued Berkyaruk from the castle, taking him to the city of Ray. Muhammad Tapar, who was in Baghdad, chose to join his brother and support him. Muhammad Tapar supported Berkyaruk in becoming the ruler and did not consider any rebellion at that time. However, later on, Müeyyidülmülk, the son of Vizier Nizâmülmülk, influenced Muhammad Tapar and encouraged him to rebel, becoming his vizier in September 1099 (İbnü'l-Esîr, Vol. X, 1991: 184-186; Zahîru'd-dîn Nîşâbü'rî, 2018: 98-100; Özeydin, 2001: 15-21; Özeydin, 1990: 11-12). As his first action, Muhammad Tapar, directed towards the capital, wanted the Friday sermon, which was read in Berkyaruk's name, to be read in his own name. During the battle between Berkyaruk and Muhammad Tapar in the city of Ray, some emirs switched sides to support Muhammad Tapar. As a result, Berkyaruk first went to Isfahan, but when he was not allowed into the city, he had to head to Khuzestan. However, his mother Zubeyde Hatun chose to stay in Ray, and after Muhammad Tapar took control of the city, she was imprisoned in the castle by Vizier Müeyyidülmülk. In 1099, she was strangled to death (Perviz, 1351: 126-130; Turan, 1969: 180,181; Özeydin, 1990: 12-16; Özeydin, 2001: 55-59; Sevim and Merçil, 1995: 198-201).

During this period, the Great Seljuk Empire experienced a highly intense political agenda. Everyone who moved to seize control of the state not only caused internal damage but also led to significant disruptions in foreign policy. One of these events was the Arslan Argun rebellion. Driven by dreams of becoming the ruler, Arslan Argun gathered a large army and marched towards Merv, killing many people there. Börîpars, aware of the situation, also moved towards Merv. In the battle that took place in 1095, Börîpars was captured due to the betrayal of some of his emirs. Arslan Argun first imprisoned him in Tirmidh Castle and later had him strangled to death (Müneccimbaşı, Vol. I, 2013: 77; Kılınççeker, 2021: 615).

During Berkyaruk's struggle for the throne with his brother Mahmud, he was captured and imprisoned by his brother's emirs (Reşîdü'd-dîn Fazlullah, 2011: 143-144; er-Râvendî, Vol. I, 1999: 139). In the same period, Berkyaruk's removal of Müeyyidülmülk from office, appointing his brother Fakhrülmülk in his place, and imprisoning Müeyyidülmülk were other significant developments. This event marked the beginning of developments that would lead to the stagnation of the Great Seljuk Empire. During the Berkyaruk-Muhammad Tapar struggle, Berkyaruk's mother Zubeyde Hatun was imprisoned due to her conflict with Müeyyidülmülk (el-Hüseynî, 1943: 53; Bundarî, 1999: 87).

Before Muhammad Tapar died on April 18, 1118, he was told, "Your illness is due to sorcery, your wife has bewitched you. Therefore, your illness has become incurable." As a result, Gevher Hatun was first imprisoned in a house and then strangled to death (Bundarî, 1999: 118; Urfalı Mateos, 2019: 262; Kaçın, 2017: 36-37).

During the reign of Sultan Sanjar, although few people were imprisoned, the most notable case was the imprisonment of the Ghurid ruler Alaeddin after Sanjar's victory over him in 1152 (el-Cûzcânî, 2020: 88-89).

Conclusion

Crime and punishment are two concepts as old as human history. Prisons, as a means of punishing crime, and the places where this punishment is carried out, date back to ancient times. However, the history of prisons is not as old as the concept of crime and punishment itself; the formation of these institutions began from the period when states started to form. Prisons became a more widespread institution in eras and regions where state authority was dominant. Therefore, it is not entirely possible to describe the formation of prisons in periods when states had not yet emerged. However, in ancient Eastern and Western civilizations where state institutions existed, there were places used as prisons from very early times. The Seljuks, who established their empire in the 11th century and quickly expanded their territory from Maverâünnehir in the east to Anatolia in the west through conquests, built their own order in the regions they ruled. Like other states, the Seljuks also had the concepts of crime and corresponding punishment. With the expansion of the borders, the number of crimes and criminals naturally increased, making prisons, known as dungeons at that time, one of the most important institutions of the state. Over

time, these places also became locations for political prisoners served their sentences. The Seljuks generally used castles as prisons, which were surrounded by high walls and fortified with towers to increase their durability, making them strong defensive structures. The advantages provided by the castles ensured the highest level of security for the imprisoned person. Additionally, the escape and rescue of prisoners were prevented by these structures. Castles had dungeons and wells used as prisons, and the structure itself could be considered a prison, especially when members of the royal family were held there, as it was a place that restricted their freedom. It cannot be said that the punishments given for crimes in the Seljuk period always underwent a legal trial process. Punishments were sometimes left to the initiative of the ruler or state officials appointed by the ruler. Generally, the punishments for crimes were divided into light and heavy penalties. Imprisonment was considered a punishment for relatively light crimes and was often applied to state officials. Imprisonment emerged as a temporary measure until the execution of the punishments for the committed crimes and was widely used in the Seljuk State for political reasons by imprisoning individuals in castles. The gravest and most severe crimes in the Seljuk period were those committed against the state. Deterrent penalties were primarily applied to these criminals. If the perpetrator was a member of the dynasty, a lighter penalty such as blinding was often applied, and the individual was imprisoned to prevent them from claiming the throne. In cases where this punishment was deemed insufficient, the death penalty was also applied. Indeed, the Great Seljuk Sultans usually forgave dynasty members who rebelled for the first time. However, if the rebellion recurred, the death penalty was then applied. Prisons, as one of the most significant institutions in world history, were seen as a guarantee for political stability and the preservation of power for the rulers of the Great Seljuk Empire. Therefore, as a means of enforcement, prisons were always prioritized by the authoritarian Seljuk sultans.

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