

## THE JUDICIAL COURT IN OTTOMAN CYPRUS (1580-1640)\*

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The judicial court registers of Cyprus (*şer'i mahkeme sicilleri*)<sup>1</sup>, all of which is written in Ottoman Turkish, provides noteworthy and valuable informations about administrative and juridical districts under the judges (*kazas*) and Ottoman caconical courts of Cyprus, or the place of assembly of the Sharia (*meclis-i şer'*)<sup>2</sup> established at the end of the sixteenth and at the beginning of the seventeenth centuries. They are kept at the archives the *Awkaf* in Nicosia city in the Northern Cyprus Turkish Republic<sup>3</sup>. Some of them is now kept at the National Archive in Kyrenia city. Due to the fact that what the courts under judges (*kadi*) practised in Cyprus is an interesting topic for the history of Ottoman Cyprus. My paper is based mainly on first dated four records of the judicial court of Cyprus.

As pointed out by the Ottoman historian the late Prof. Dr. Ronald C. Jennigs after the Ottomans conquered the island from Venetians in the year 1571 competely, they divided it into thirteen juridical districts: Nicosia (*Lefkoşa in Turkish*), Salinas (*Tuzla*), Episcopi (*Piskopu*), Mesaoria (*Mesarya*), Levka (*Lefke*), Carpas (*Karpas*), Famagusta (*Mağusa*), Morphou (*Omorfo*), Koilanion (*Gilan*), Limasol (*Leymesun or Limosa*), Kyrenia (*Girne*), Baphos (*Baf*) and Avdim. Different from these juridical districts, according to Cyprus's first Ottoman population and land survey dated 1571 (*Mufassal Defter*), the island was administratively divided into twelve two small subdivisions (*nahiyes*): Nicosia, Famagusta, Mesaoria, Carpas, Kyrenia, Pentaya, Chrysochou (*Hirsoho*), Baphos (*Baf*), Avdim, Limosol (*Limosa*), Mazuto and Tuzla<sup>4</sup>. In the following years after 1580 some new administrative changes were realized by Ottoman rulers in accordance with conditons.

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<sup>1</sup> Vergi Bedevi, 'Kıbrıs Şer'i Mahkeme Sicilleri Üzerinde Araştırmalar', *Milletlerarası Birinci Kıbrıs Araştırmaları Kongresi*, Ankara 1971, pp.139-48. H. Fikret Alasya, *Tarihte Kıbrıs*, Ankara 1988, pp.74-5; Ahmet C.Gaziođlu, *Kıbrıs'ta Türkler (1570-1878)*, 308 Yıllık Türk Dönenine Yeni Bir Bakış, Lefkoşa 1994, p.409.

<sup>2</sup> Halil İnalçık, 'Mahkeme', *İslam Ansiklopedisi (hereafter: İA)*, 7, İstanbul, pp.149-51.

<sup>3</sup> M. H. Altan, J. McHenry and R. Jennigs, 'Archival Materials and Research Facilities in the Cyprus Turkish Federated State: Ottoman Empire, British Empire, Cyprus Republic', *IJMES*, 8, 1977, pp. 29-42. Ronald C. Jennigs, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571-1640*, New York 1993, pp. 69-106.

<sup>4</sup> *Kıbrıs Mufassal Defteri*, no. 64 and *Kıbrıs İcmal Defteri*, no. 218. They are kept at the archives of Tapu ve Kadastro in Ankara city.

The court set up in Nicosia city after the year of 1571 was no less important than main military organizations of Cyprus (*Divan-ı Kıbrıs*). It was planned essentially for solving juridical cases of all the subjects of Cyprus. One of the judicial courts under Ottoman judges appointed by the chief military judges of Rumeli (*kadiasker*) from Istanbul, many members of which were Mussulman Turks, except for interpreter, were met in Nicosia city to settle the disputes of the Cyprus subjects, including non-Muslims and all military groups. Indeed Nicosia city located in the middle of the island was a main administrative, military and juridical center in Ottoman Cyprus. However, every district had its own judges. Famous Cyprus historian Sir Harry Luke reported<sup>5</sup>:

*'A molla is sent from Costantinople for perhaps a year or more as guardian and defender of the faith, and as judge in commercial disputes, differences, debt, damage and insult, in contract of marriage and title to houses and lands, with power to decide and to punish with forty stripes save one. Under his jurisdiction lie the five qaziliqs of Levkosia and Orini, Kythraia, Morphou, Pentagia, and Carpasion, from whose inhabitants he receives a monthly salary. To the other qaziliqs are sent qazis of the class of readers of Qoran, natives or strangers, who judge in the disputes of the inhabitants of the villages in their qaziliq, and receive from them a small monthly salary, for their own maintenance, and in repayment of the sum claimed either by the molla at Levkosia, or by the persons at Constantinople who have the right of farming out these offices'.*

*Divan-ı Kıbrıs* was essentially a military high council under the governor general of Cyprus (*beylerbeyi*). Its main aim was to defend the island against the enemies. Imperial Council meeting in Istanbul (*Divan-ı Hümayun*) by means of the chief military judges of Rumeli, after the conquest, appointed a judge (*kadı*)<sup>6</sup> or sometimes deputy judge (*naib-i şer'*)<sup>7</sup> who had a royal diploma (*berat*) to each juridical district to solve disputes and to base Ottoman justice system in Cyprus. The court in Nicosia city, where judges resided mostly, was a main Islamic judgement organization of the island because of both densely populated and main military center of the island. It was more authorized and powerful than other courts of the island and was donated more various authorities. Regarding the authorities court Professor Ronald C. Jennigs says<sup>8</sup>:

*'The court was very strongly devoted to settling all disputes. Not infrequently people were willing to compromise in their disputes with different parties, making concessions to the extent that both parties agree formally to become reconciled in their dispute. There seem to have frequently been such people in the local town quarters or villages who formally got involved in helping people solve disputes. That seems to have been an active force within the communities. Compromise was admired'.*

<sup>5</sup> Sir Harry Luke, *Cyprus Under The Turks 1571-1878*, London 1989, pp. 27-28.

<sup>6</sup> Gy. Káldy Nagy, *Kadı, El<sup>2</sup>*, Leiden 1978; also, *Kadiasker, El<sup>2</sup>*, Leiden 1978, p.376. Ebulula Mardin, *Kadı, İA, 6*, İstanbul 1977, pp.42-46.

<sup>7</sup> Cavit Baysun, *Naip, İA, 9*, İstanbul 1964, pp. 50-52.

<sup>8</sup> Ronald C. Jennigs, *Christians and Muslims*, p.104.

The staff of the court in Nicosia city consists of many court officers. The judges were main justice representative instead of the Sultans. After 1593 they also were an official who inspected properties (*müfettiş-i emval*) existed in the island. We know that Ottoman Sultans who generally resided in Istanbul city got the judges to carry out their jurisdiction. Though there is no vast informations about the first Ottoman judges of Cyprus in aforementioned registers, it is known names, wages and the function periods of the judges sent from Istanbul to Cyprus. Tuzla's judge, for example, was Mehmed Efendi in 1580. Ali Efendi was in charge of a judge in Koilanion in 1593. Other Mehmed Efendi was the judge of Piskopu in 1593. Moreover, while the judge of Nicosia district was Sadi Efendi in 1593, the judge of Famagusta city was Emiri Efendi. As a judge Balı Efendi was residing Kyrenia city in 1593. Fazlı Efendi was the judge of Levka in 1594. Zeynelabidin bin Mustafa was the judge of Limasol in 1594, whereas Muslihüddin was the judge of Mesaoria district. They received a daily wage from the inhabitants of district assigned to them<sup>9</sup>. In 1593 Alaaddin Efendi who was a judge at Tuzla district received eighty *akça* daily<sup>10</sup>. The Mesaria judge Seyyid Mehmed got one hundred seventy *akças* daily in 1607, while Musa, the judge of Tuzla, appointed by Sadeddin Efendi, the chief military judge of Rumeli, obtained one hundred thirty *akças* daily. In 1608 the judge of Episcopi received daily eighty *akças* from the inhabitants<sup>11</sup>. According to Kâtip Çelebi (1609-1658), famous Turkish scholar of the seventeenth century, the district of Nicosia *cadı* was an important judicial district that costs five hundred *akças* daily during the middle of the seventeenth century<sup>12</sup>. Its *mollas* or judges received five hundred *akças* daily from the inhabitants. This amount was equal to that of Manisa's judge (*Manisa payesi*). At the same time the scientific rank of the judges of Nicosia was as well as that of Manisa judge. From official documents, it is understood that many of them were involve in trade and possessed the *çiflik*s in the island. Concerning the commercial situation of judges of Cyprus the late Professor Ronald C. Jennigs correctly stated<sup>13</sup>:

*'They participated in business and ownes land as might be expected from relatively high-salaried and well-educated members of the Ottoman elite'*. In addition to this comment we should hint that they have been rich, even if there is no enough information about them in the registers.

<sup>9</sup> A few of the judges of Nicosia was poet. I present Nicosia judges Es-Seyyid Ahmed's poem that he said in 1794 in Nicosia.

*Feleğin aks-i devri merâmdır*

*Her sabahın ahiri şâmdır*

*Azlı ü nasba ne meserret ne keder*

*Azm-ı rah edelim müddet tamâmdır* (*The judicial records of Nicosial*, no. 22, p.278)

<sup>10</sup> *The judicial records of Nicosia*, no.1, p.101.

<sup>11</sup> *The judicial records of Nicosia*, no.2, pp.17,18,86,101.

<sup>12</sup> Kâtip Çelebi, *Cihânnümâ*, İstanbul 1145, p.612, c.f. Grammont, Jean-Louis Bacqué, *Le Description de Chypre dans le Cihân-Nümâ de Kâtip Çelebi*, *Epetirida*, XXIII, Levkoşia 1997, pp. 146-214.

<sup>13</sup> Ronald C. Jennigs, *Christians and Muslims*, p.78.

We absolutely mention that an official expounder of the Sharia (*müfti*) had no an execute role in juridical procedure<sup>14</sup>. As soon as the Ottoman Turks completed the conquest of the island in the year of 1571, an official expounder was appointed by the chief military judge of Rumeli to give opinion on legal matter (*fatwa*)<sup>15</sup> to the litigants. The first Ottoman *müfti* of Cyprus was Ekmeleddin Efendi who had served in Nicosia city<sup>16</sup>. Because of Islamization and Turcification policies by Ottoman governments, the *müfti* of Cyprus gained a specific importance inside the islanders, although he had a quite limited authority. From documents it is well known that relatively Mehmed Efendi and Sadeddin Efendi were the expounders of Cyprus between 1593 and 1608 years. The *fatwa* by official expounders recorded in the registers of Cyprus were used to settled disputes. Generally the fatwas presented to the court dealt with questions about commercial disputes, taxes, inheritance etc.

An officer of the court of justice who summoned persons and produced them in court (*muhzirbaşı*) was one of the important figures of the court<sup>17</sup> in Ottoman Cyprus. Under the *muhzirbaşıs* there were many the *muhzırs*. It was their practise to summon the litigants and the defendants or their official attorneys into the court in person with the order of the judges. In addition to their fuctions, they called non Muslim witness as well as Muslims to the court. In accordance with the Sharia they could be legally witness at any cases at the court<sup>18</sup>. Another Ottoman court official was, a janissary<sup>19</sup> who was a guard for the court (*mahkeme yasağcısı*). In 1594, for instance, Mehmed Beşe bin Abdullah, possibly originally an emancipated slave, was official guard in the court of Nicosia. Ömer Beşe bin Sefer, Mussulman Turk Cypriot, was chosen by police superintendent in 1609 as guard.

The interpreters (*mahkeme tercümanı*) who were generally originated from Greek Orthodox Cypriot, were entrusted with a translation from Greek or another language into Turkish in the court<sup>20</sup>. If any plaintiff who do not speak Turkish applied to the court, he translated into Turkish the lawsuits of litigants. From documents, it looks as if the interpreters, only Christian members of the court, were true members of the court. As important official witnesses related to non Muslim Cypriots, they were

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<sup>14</sup> Bernard Lewis, *Istanbul and the Civilization of the Ottoman Empire*, Oklahoma 1963, pp.147-148.

<sup>15</sup> Ebulula Mardin, *Fetva, İA, 4*, İstanbul 1977, pp.583-4.

<sup>16</sup> Halil Sahillioğlu, *Osmanlı İdaresinde Kıbrıs'ın İlk Yılı Bütçesi, Belgeler, Türk Tarih Belgeleri Dergisi, IV/ 7-8, 1967*, Ankara 1969, pp.17.

<sup>17</sup> Mustafa Akdağ, *Türkiye'nin İktisadi ve İçtimai Tarihi, 1, 1243-1453*, Ankara 1979, pp.387-99.

<sup>18</sup> Ronald C. Jennigs, *The use of Oaths of Denial at an Ottoman Sharia Court Lefkoşa (Nicosia), 1580-1640, JTS, XXII, 1996*, pp.13-23.

<sup>19</sup> Mücteba İlgirel, *Yeniçeriler, İA, 13*, İstanbul 1986, pp.385-95.

<sup>20</sup> Cengiz Orhonlu, *Tercüman, İA, 12/1*, İstanbul 1979, pp.175-181.

registered in the court record books. For example, by 1630 a Christian named Jiya was interpreter in the Nicosia court.<sup>21</sup>

Court clerks (*muharrir or kâtip*)<sup>22</sup> were in charge of entering into the register the verdicts. Indeed they were recording not only imperial edicts (*ferman*), or *berats* sent from İstanbul to Cyprus but also the proceedings of local trials into the books. For instance, Turfan Bey, Turkish Cypriot, was a secretary of the judicial registers (*muharrir*) in the court in 1583, as Abdülhalim Çelebi was the clerk of the court (*mahkeme kâtibi*) in Nicosia. Together with court clerks, officials who collate documents (*mukabeleci*) were endeavoring in common in the court. Mehmed Efendi was a *mukabeleci* at same court in 1593.

Not only was the court of Nicosia a juridical committee, but also an executive board in the island. Moreover, the municipal matters and customary duties were practised by the court of Nicosia. All high level military officers like the governor general (*mirmiran*), major generals (*mirliva*), commander of cavalry soldiers (*miralay*), holder of a large military fief (*za'im*), the agha of the Janisseries of Cyprus (*yeniçeri ağası*), police superintendents (*subaşı*), chief policeman (*asesbaşı*) were legally true members of the court as well as financial officers like minister of finance (*defterdâr*)<sup>23</sup>, officially charged with the duty of writing official memoranda (*tezkireci*), law military official who fixes inheritance shares (*kassam-ı askeri*), the administrator of mortmain property (*beytulmal-ı âmme ve hassa nazırı*)<sup>24</sup>, and trustee of royal domain given to the Sultan in Cyprus (*hasşa emini*), accountant (*muhasebeci*), director of tax revenue office (*varidatçı*), clerk in charge of financial transactions (*ruznâmeî*). In addition to those court members, there existed religious personels as a member such as prayer leaders (*imam*), preachers (*hatip and vaizs*), dervishes. In particular mystic staff of the lodge of *Mevlevî* dervishes (*Mevlevihâne*) located in Nicosia city took an active role to settle disputes at the court. Under the judges, juridical courts heard cases and gave a ruling on disputes according to Imperial law (*kanun*), customary law (*örf*) and the sacred law of Islam (*Şeriat*). Written documents such copies of imperial letters, legal opinions (*fatwa*), firmans, title-deeds (*huccet or temessük*) were meritoriously taken into consideration by court members to solve disputes in the late sixteenth century as legal proofs.

The situation of tradesmen, order of the bazaars and daily life style of Muslims were regularly investigated by the judges. Superintendent of police who had charge of examining weights, measures, provisions (*muhtesib*) on behalf of the judges set a

<sup>21</sup> On dragomans in Cyprus see M. Akif Erdoğan, Onsekizinci Yüzyıl Sonlarında Kıbrıs'da Avrupalı Konsoloslar ve Tercümanları, *II. Uluslararası Kıbrıs Araştırmaları Kongresi, 24-27 Kasım 1998, Gazimağusa, Doğu Akdeniz Üniversitesi, Gazimağusa, Kuzey Kıbrıs Türk Cumhuriyeti*.

<sup>22</sup> F. Krenkow, Katib, *İA, 6*, İstanbul 1977, pp.431-32.

<sup>23</sup> İ. Hakkı Uzunçarşılı, Defterdar, *İA, 3*, İstanbul 1977, pp.507-8.

<sup>24</sup> M. Akif Erdoğan, Osmanlı Kıbrıs'ında Önemli Bir Görevli: Beytulmal-ı Hasşa ve Amme Emni, *XIV. CIEPO*, 18-22 Eylül 2000, İzmir.

market price to main victuals such as bread, meat, oils, flour, honey etc<sup>25</sup>. In 1593-4 and 1607, the muhtesib set a market price at the shops of Nicosia<sup>26</sup>. Aside from this function, he used to control the quality of commercial goods by artisans in the markets. Thus the *muhtesib* related to the judges protected all subjects of the island from ambition of profiteer merchants with official market prices of victuals recorded in the registers by the *muhtesibs*.

Everywhere in Nicosia city police superintendent (*şehir subaşı*) was in general responsible for public order and security in the name of the court. It was his practise to patrol the streets of the city and to punish criminal offenders. The ağa of the Janissaries of Cyprus, whose main duty was to command all of Janissaries of Cyprus, had similar duties in the city as a court member. In short their duties were to police the streets, punish crime and execute the decisions and sentences of the court. Their duties was to put in order on lawful acts and attitudes with the order of the judge. The documents are bringing up many names of *the subaşı* charged in Nicosia city in the end of the sixteenth century<sup>27</sup>. For example, Hızır Subaşı, Mehmed Subaşı, Murad Subaşı, Kadri Subaşı, all of them were Muslim Turks, whom the judges appointed, were referred to the registers as police superintendents in the late sixteenth century in Cyprus.

The court based on the Sharia and customary laws were authorized enough to judge and to punish persons whose cases were brought to the court. If any disagreement between court officers happen in authority, judge or deputy judge will solve problems with regard to the Sharia. It should be noted that regardless of religion, race and sex, all of subjects of Cyprus freely applied to the court in day and night and the hearing their lawsuits were open for whoever to hear. If any person wanted to hear a lawsuit, he or she was able to arrive freely to the judgment hall of the court of Nicosia.

The judges were arbiter not only Muslims, but they were a magistrate non-Muslims as well. When any man and woman applied to the court, judge together with other court officers, carefully had to ascertain for the purpose of solving their lawsuits. Anyone of the court officers must legally not make obstacles against those persons who need justice. As an interesting example, priests of the Orthodox Church of Cyprus always had recourse to the court for their monasteries and tax questions. In accordance with the Sharia theoretically, except for Muslim and non-Muslim women, anyone could be hear as a witness in the court. When women sue any Cypriot or other persons to the court, they can substitute for a major man to the court as their legal agent (*vekil*) so that they follow their cases in the court. It appears from the registers that many Muslim Cypriots and non-Muslim women Cypriots were accustomed to giving with legal agents

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<sup>25</sup> M. Akif Erdoğan, Kıbrıs Ticaret Tarihi Üzerine Ek Bilgiler: Muhtesib, *Kıbrıs Mektubu*, Ankara 1996, pp. 37-39

<sup>26</sup> *The judicial records of Nicosia, no.1*, p. 204. Also, *The judicial records of Nicosia, no.2*, pp.2-4.

<sup>27</sup> Mücteba İlgürel, Subaşılık Müessesesi, *JTS*, 7, 1983, pp. 251-261.

to the court.<sup>28</sup> Due to the fact that the court was a more reliable place for non-Muslims who wants to judge such as Greeks, Armenians, Jews, Venetian merchants, the *Kızılbaşs*, the Gypsies, Christian Syriac of Cyprus. They came here in order to solve their disputes. The judges allowed them to arrive to the court and were not precidious versus them definetely. As well as civil disputes, military cases were juridically tried by the judges at the court. The judges were informed the assignment of military fiefs (*timar*) in their district. When cavalry soldiers who hold a military fief (*sipahi*) do not come to agreement, he applied to the court. Then the Sharia and Ottoman regulations was an official law for the servants of the Sultans in Cyprus. Many military officers in particular Janissaries sued other military officers to the court. In the case of the appeals the judges attentively heard their cases and decided. We have mentioned that the judicial registers are full of such military lawsuits. With regard to the Sharia, a judge who needed justice might prosecute another judge to the court. Such cases occurred at the court at the beginning of the seventeenth century in Cyprus.

What kind of cases the court under judge tried and concluded is interesting. According to the registers lawsuits are as the following: the first row of the court sit took commercials trials, purchase and sale suits at the beginning of the seventeenth century. As a whole the court was a legal notary public to confirm and to corroborate all commercial acts made in Cyprus. As an example, all land and money transfers, and other contracts were achieved in presence of the judges in the court.

Another duty of the judges was to protect traditional Ottoman life sytle in Cyprus. We know that food and drink held an importance place among the duties of court staff. Tobacco, wine and immoral behavoufs like prostitution were prohibited for a while to maintain Islamic ethic in Cyprus. If anybody makes immoral attitude in anywhere of the island like brigandage, hitting, embezzlement, robbery, calumny, cursing, the court is able to fine them legally according to the Sharia. The court's verdicts were in force. I do quote an interesting and exemplary lawsuit took place in Nicosia city in 1635. Ali Ağa, deputy (*mütesellim*) of governor general Ca'fer Paşa, made a claim against Halil, the cadı of Koukla, and said: 'Halil had stated that the Prophet Muhammad is a son of a female slave and he is not the lattest prophet of Muslims. I requested an investigation in the presence of the court under the judge of Nicosia'. Mehmed Efendi, the judge of Baphos, with his written document, confirmed that Halil had stated such a statement at the beginning of Muharram, 1635. Halil admitted that he had said that at the court. Thereupon the judge requested a *fatwa* from Abdrurrahman Efendi, the *müfti* of Cyprus. He gave a *fatwa*. In his *fatwa* he wrote that Halil must be killed without postponement<sup>29</sup>. A copy of this case was registered into the court record book on last Muharram, 1635.

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<sup>28</sup> M. Akif Erdoğan, *Osmanlı Kıbrısı'nda Kadınlar (1580-1640), Tarih Boyunca Türklerde Ev ve Aile Semineri, 25-26 Mayıs 1998, İstanbul 2000*, pp. 163-164.

<sup>29</sup> *The judicial records of Nicosia, no.4*, pp.254.

Moreover, marriage and divorces were carried out under protection of the court. The court can directly interfere lawless acts and contracts in the island. All of legal regulations concerning family life such as the part of the dowery agreed to be paid to a wife if divorced or widowed (*mihr-i mü'eccel*), the part of the wife's dowery paid to her by her husband on consummation of the marriage (*mihr-i mu'accel*), maintenance allowance (*nafaka*), testament (*vasiyet*) were realized at the court under *cadı* rule. Hereupon as verified Professor Jennigs<sup>30</sup>, we make also clear surely that divorcing one's wife at her desire (*muhalaa*), as a widespread divorce method, was practised by *Cypriots* at the court.

The seating all officials who held imperial letters such as governor general, castellans (*dizdâr*), financial managers (*defterdâr*) of the island should be officially ratified by the judges in Cyprus. In the event that imperial letter confirm by the judges they will carry out their duties in Cyprus, even if they were appointed by Imperial Council to Cyprus. Of course the judges were also responsible for whether Ottoman officials carry out legally their authorities in the island. Unless a copy of imperial letter is registered to the registers by the judges, they will not perform acts legally. We cited that the registers are full of many copies of imperial letters sent from Istanbul or other places.

One of the important functions of the judges was to supervise the pious foundation (*awakâf*) which established in Cyprus as an overseer. A copy of the deed of trusts (*wakıfnâme*) is copied into the registers by the clerks of the court<sup>31</sup>. For example, each copy of the deeds of trusts of Ca'fer Paşa and El-Hacc Keyvan was registered into the registers in 1607<sup>32</sup>. If a trustee misuses the conditions written in the deed of trusts, the judges as a chief of the court will legally interfere with that trustee. We know that the exploitation and maladministration by the trustee were widespread enough in pious foundation in the late sixteenth century and the beginning of the seventeenth century in Cyprus. As a matter of fact the accounts of the lodge of Mevlevi dervishes (*Mevlevîhâne*) and of the Sultan Selim pious foundation in Nicosia city were regularly controlled by the judges who had resided in Nicosia city.

To inform all of the subjects of Cyprus in its day firman and orders sent from the Imperial Court in İstanbul was another function of the judges. If any city or place is incorporate into the Ottoman land, the Imperial Court sends an imperial letter announcing the conquest (*fetihnâme*) to the court of Cyprus so that all of the subjects, including non Muslims (*zimmis*), will celebrate it with pleasure. As a precise example, when the fortress of Rewan was conquered by Murad IV. (1624-1640) in 1634, an imperial letter announcing that conquest was sent to the court of Cyprus, ordering the

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<sup>30</sup> Ronald C. Jennigs, Divorce in the Ottoman Sharia Court of Cyprus, 1580-1640, *Studia Islamica*, LXXVIII, Paris, pp.155-167.

<sup>31</sup> M. Haşim Altan, *Belgelerle Kıbrıs Türk Vakıflar Tarihi, I-II*, Kıbrıs 1986.

<sup>32</sup> *The judicial records of Nicosia, no.2*, pp.14, 15, 65, 67.



victory to be applauded and praised in the whole island<sup>33</sup> and it should be ordered that a copy of which will be recorded into the register.

We should remark that the island of Cyprus was a place of exile for criminals who revolted against Ottoman rules at the end of the sixteenth and the beginning of the seventeenth century<sup>34</sup>. In general the state prisoners were accustomed to confining in the fortress of Famagusta town. The situations and the acts of those prisoners confined were continuously pursued by the members of the court. In addition to their own functions, the members of court, especially judges, were responsible for whether the factories belonged to the state found in Cyprus such as sugar cane plantations, dye-houses, tanneries, saltpans and soap factories regularly produce or not. If any misusing takes place at those factories, the judges lawly removes their directors from the factories at once. Theoretically all official buildings and factories related to the state existed in Cyprus was under the protection of court set up in Nicosia. For example, in 1607 when Ahmed I.(1603-1617) was the Sultan of the Ottoman Empire, the dye-houses of Kyrenia and Nicosia were investigated by the judge of Nicosia<sup>35</sup>.

The controlling of the tax collection was referred to the judges. As a supervisor they could inspect whether tax collectors collect in a rate fixed taxes that have been imposed on all of the subject of Cyprus by central administration. The registers are full of tax disputes like capitation tax collected from non-Muslims (*cizye*), and land tax paid by non-Muslims of Cyprus (*haraç*), *öşür*, *çiftbozan*, *ispence*, etc. It seems from the registers that tax collection disputes is occupied many place at the court.

The court was a confirmed assembly where slaves were emancipating offically. I have indicated on my paper in detail<sup>36</sup> that Cyprus had a number of slaves imported from various countries, mostly from eastern Africa, Rumelia and Caucasia. If a slave will be liberated by his or her owners, appeals were to be petitioned to the court. Inasmuch as emancipation was carried out at the court, the judges gained a specific importance among both liberated slaves and the others. Another important duty of the court was to expand little by little Islamic religion and its law into the island. However, conversion to Islam was defined by way of the court. After a non-Muslim Cypriot to be converted to Islam may appeal to the court firstly, by the aid of the court, he or she will be found the right road (*İslam*) in faith offically.

In conclusion so far short informations that I presented above mainly express that the court of Nicosia was an important Ottoman Islamic institution, where all cases

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<sup>33</sup> *The judicial records of Nicosia, no.4*, pp.257. This fetihnâme was published by M. Akif Erdoğan: 1635 Tarihli Revan Kalesi Fetihnâmesi, in *Tarih İncelemeleri Dergisi, XIV*, İzmir 1999, pp. 25-43.

<sup>34</sup> M.Akif Erdoğan, Beyşehir ve Seydişehir Kazalarından Kıbrıs Adasına Sürülmüş Aileler, *Tarih İncelemeleri Dergisi, XI*, İzmir 1996, pp.9-56.

<sup>35</sup> *The judicial records of Nicosia, no.2*, pp.9,16.

<sup>36</sup> M. Akif Erdoğan, 'Chattel Slavery in the Ottoman Cyprus (1571-1640)', in *Essays on Ottoman Civilization, Archiv Orientalní, Supplementa VIII*, 1998, pp. 121-128

were solved, for both Mussulman Cypriots and non Muslim Cypriots in the late sixteenth century in Cyprus. In cooperation with the Imperial Court and chief military judge of Rumeli in İstanbul, the court juridically acted its judicial acts and other important activities. It can be affirmed that the sacred law of Islam was equally practised by the court officers who were appointed from İstanbul all Cypriots regardless of their race, sex, and religion.

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