ISTANBUL WINE-TAVERNS AS PUBLIC PLACES

IN THE SIXTEENTH AND SEVENTEENTH CENTURIES

GAMZE YAVUZER

BOĞAZİÇİ UNIVERSITY

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DECLARATION OF ORIGINALITY

I, Gamze Yavuzer, certify that

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ABSTRACT

Istanbul Wine-Taverns as Public Places in the Sixteenth and Seventeenth Centuries

This thesis is on the roles of wine-taverns as public places in Istanbul during the sixteenth and seventeenth centuries. It examines the place of wine-taverns in the larger context of public places and their functions in everyday life. Literature on public places in early modern Ottoman cities mostly revolves around coffeehouses and tends to represent wine-taverns as marginal places. However, this study questions this perception and attempts to show that in terms of their locations, the services they offered and the diversity of their clients, wine-taverns had a great deal in common with coffeehouses and *bozahanes.* In addition, by comparing state policies on wine-taverns with those on coffeehouses and *bozahanes*, the thesis argues that the state produced a common reaction to these places in order to prevent public disorder and transgressions such as drinking wine and prostitution.

ÖZET

On altıncı ve On yedinci Yüzyıllarda bir Kamusal Alan Olarak İstanbul Meyhaneleri

Bu tez, 16.ve 17. yüzyıllarda İstanbul meyhanelerinin kamusal alan olarak rolü üzerinedir. Meyhanaleri kamusal alanların geniş bağlamında ve gündelik hayattaki fonksiyonları kapsamında ele almaktadır. Erken modern Osmanlı şehirlerinde kamusal alan üzerine literatür genel olarak kahvehaneler ekseninde incelenmekte ve meyhaneleri marjinal yerler olarak görme eğilimdedir. Bu çalışma tam da bu varsayımı sorgulamakta ve meyhanelerin bulundukları konumlar, sundukları hizmetler ve müdavimlerinin çeşitliliği bakımından kahvehaneler ve bozahaneler ile birçok ortak özellik paylaştığını göstermeye çalışmaktadır. Buna ek olarak, devletin meyhaneler üzerine uyguladığı politikaları kahvehaneler ve bozahanelere yönelik politikalar ile karşılaştırarak, devletin bu tip mekanlara kamu düzenini sağlamak ve içki içme ve fuhuş yapma gibi yasa ihlallerini engellemeye çalışmak amacıyla genel bir tepki geliştirdiği iddia edilmektedir.

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To my father

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CHAPTER 1

INTRODUCTION

This thesis is about wine-taverns as public places in Istanbul during the sixteenth and seventeenth centuries. It investigates the place occupied by wine taverns in relation to other public places such as coffeehouses, *bozahanes*[1] and bathhouses in this period. Indeed, as I try to show in this thesis, wine-taverns, coffeehouses and *bozahanes* had a great deal in common in terms of the various services that they offered their customers. The wine-tavern was essentially a place where wine was served to clients from different social backgrounds. However, wine taverns were also important sites for socialization; they attracted clients not only for wine drinking, but also for some other services like musical entertainment, prostitution and food.

Apart from being a study on the social functions of wine taverns, this thesis also investigates the attempts of the Ottoman authorities to regulate this institution. Here, too, the state policies and regulations on wine taverns shall be examined together with those on coffeehouses and *bozahanes* during the sixteenth and seventeenth centuries. However, it was not just the state that policed wine taverns. Ordinary urban residents who lodged complaints against the wine taverns in their neighborhoods played a very important role in getting the state to take action against these institutions. Thus this thesis shall deal with both the legislations coming from above and the petitions coming from below in order to present a more comprehensive view of the interventions on wine taverns.

[1] *Bozahane* was a place where fermented millet drink was served. These places were selling two different kinds of *boza*: sweet *boza* (*tatlı boza*) and Tatar bozası. As Tatar bozası contained excessive alcohol, the *bozahanes* selling it received reaction of the state.

There is a substantial body of literature on drinking establishments in early modern Europe. English alehouses were discovered by Peter Clark as a topic of scholarly research quite early, in 1983. In his *The English Alehouse: A Social History 1200-1830,* Clark studied alehouses within a large framework, and demonstrated the transformations that alehouses underwent from the thirteenth century to the nineteenth.[2] After Clark opened up this rather neglected topic to discussion, studies followed focusing on different aspects of alehouses, taverns and inns both in England and Europe. Topics discussed included the legislations about such places, their functions as places of socialization, the disorder and violence they brought about.[3] Scholars working on these topics have demonstrated that taverns, alehouses and inns played a significant role in early modern European society by providing people from all layers of society with a place for pastimes. They have also explored how these institutions reflected the social experiences of their time and at the same time how they were attempted to be regulated by both the authorities and the moralists.

The literature on wine taverns in the Ottoman Empire, by contrast, is quite rudimentary. Works by Reşat Ekrem Koçu, Jak Deleon and Vefa Zat are largely popular in character, and mainly relate anecdotes abouta a few prominent taverns[4].

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[2] Peter Clark, *The English Alehouse: A Social History 1200-1830*, (London: Addison-Wesley Longman Limited, 1983).

[3] For some preliminary sources in European literature see: Mark Hailwood, *Alehouses and Good Fellowship in Early Modern England*, (Woodbridge: The Boydell Press, 2014), Alan Jay Epstein, *The Social Function of the Alehouse in Early Modern London*, (New York Univ., 1977), Peter Clark, The Alehouse and the Alternative Society, In *Puritans and Revolutionaries: Essays in Seventeenth Century History Presented to Christopher Hill*, (ed.) Christropher Hill, Donald H. Pennington, Keith Thomas, (Oxford University Press, 1978), *The World of Tavern: Public Houses in Early Modern Europe*, (ed.) Beat Kümin and B. Ann Tlusty, (Aldershot, Hants, England; Burlington, VT: Ashgate, 2002), A. Lynn Martin, *Alcohol, Violence and Disorder in Traditional Europe*, (Truman State University Press, 2009), Beat Kümin, *Drinking Matters: Public Houses and Social Excahge in Early Modern Central Europe*, (Palgrave Macmillan, 2007).

[4] Reşat Ekrem Koçu, *Eski İstanbul'da Meyhaneler ve Meyhane Köçekleri*, (İstanbul: Doğan Kitap, 2012), Jak Deleon, *İstanbul Barları; Meyhane Üzre Ruzname; Bodrum Barları; Galata Gazinoları*, (İstanbul: Cep Kitapları, 1990), Vefa Zat, Eski İstanbul Meyhaneleri, (İstanbul: İletişim, 2002).

Also, they concentrate mostly on the taverns of the nineteenth and twentieth centuries in a nostalgic manner. As for the academic literature, we have only the article of Fikret Yılmaz as a study that focuses on wine taverns and drinking culture.[5] Through a study of the Edremit court registers of the sixteenth century, he questions how ordinary people in that period entertained themselves.

Apart from these, we have to rely on the literature on coffeehouses, consumption studies and public places.[6] In particular, studies on coffeehouses have proliferated in recent years. Even though some of these studies touch upon taverns as alternative places to coffeehouses, having coffeehouses as their main focus, they tend to undervalue the role of wine-taverns. In these studies, coffeehouses are generally characterized as places that created a "new kind of sociability" after their

[5] Fikret Yılmaz, "Boş Vaktiniz Var mı? Veya 16. Yüzyılda Anadolu'da Şarap, Eğlence ve Suç, *Tarih ve Toplum Yeni Yaklaşımlar 1*, (2005), Fikret Yılmaz, What About a Bit of Fun? Wine, Crime and Entertainment in the Sixteenth-Century Western Anatolia, in *Celebration, Entertainment and Theatre in the Ottoman World*, (ed.) Suraiya Faroqhi and Arzu Öztürkmen, (London; New York: Seagull Books, 2014).

[6] Ralph S. Hattox, Coffee and Coffeehouses, The Origins of a Social Beverage in the Medieval Near East. (Seattle: University of Washington Press, 1988), Ayşe Saraçgil, "Kahve'nin İstanbul'a Girişi: 16. ve 17. Yüzyıllar," in Helene-Desmet Gregoire and François Georgeon (eds), Doğuda Kahve ve Kahvehaneler. trans. by Meltem Atik and Esra Özdoğan. (İstanbul: Yapı Kredi Yayinları, 1999), Cengiz Kırlı, *The Struggle Over Space: Coffeehouses of Ottoman İstanbul*, 1780-1845,"Unpublished Ph.D. Dissertation, (State University of New York at Binghamton, 2000), Ahmet Yaşar, *The Coffeehouses in Early Modern Istanbul: Public Space, Sociability and Surveillance*, Unpublished MA Thesis, (Boğaziçi University, 2003), Alan Mikhail, The Hearth's Desire: Gender, Urban Space, and the Ottoman Coffee House, in *Ottoman tulips, Ottoman coffee : leisure and lifestyle in the eighteenth century*,)ed.) Dana Sajdi, (London ; New York : Tauris Academic Studies, 2007), James Grehan, *Everyday life & consumer culture in 18th-century Damascus*, (Seattle : University of Washington Press, 2007), Tülay Artan, Forms and Forums of Expression: Istanbul and the Beyond,1600-1800),in Christine Woodhead (ed.) *The Ottoman World*, (Milton Park, Abingdon, Oxon; New York: Routledge, 2012), Cemal Kafadar, "How Dark is the History of the Night, How Black the Story of Coffee, How Bitter the Tale of Love: The Changing Measure of Leisure and Pleasure in Early Modern Istanbul", in *Medieval and Early Performance in the Eastern Mediterranean*, edited by Arzu Öztürkmen and Evelyn Birge Vitz, (Brepols Publishers, 2014),Kate Fleet and Ebru Boyar, *A Social History of Ottoman Istanbul*, (Cambridge, UK; New York: Cambridge University Press, 2010), Tülün Değirmenci, Kahve Bahane, Kahvehane Şahane: Bir Osmanlı Kahvehanesinin "Portresi", in *Bir Taşım Keyif: Türk Kahvesinin 500 Yıllık Öyküsü*, (İstanbul: Kültür ve Turizm Bakanlığı, 2015), Selma Akyazıcı Özkoçak, "Coffeehouses: Rethinking Public and Private in Early Modern Istanbul", *Journal of Urban History*, Vol. 33, (2007), Marinos Sariyannis, Law and Morality in Ottoman Society: The Case of Narcotic Substances, in *The Ottoman Empire, The Balkans, The Greek Lands: Toward a Social and Economic History*, (ed.) Elias Kolovos, Phokion Kotzageorgis, Sophia Laiou, Marinos Sariyannis, (Istanbul: The ISIS Press, 2007).

rapid spread throughout the Ottoman realms in the course of the sixteenth century. By contrast, wine-taverns are represented as having played a minimal role as "public places". According to this view, wine-taverns were not frequented much because of their bad reputation and illegitimate existence in an Islamic Empire. While scholars have acknowledged that the issuing of multiple ordinances for the abolishment of wine taverns proves the inefficacy of these attempts, they have also claimed that wine-taverns' disreputable nature prevented them from being accepted as an alternative place for gathering. Because wine-taverns were largely marginal places, it has been argued, they were found mostly in the underdeveloped areas of Istanbul, outside the city walls and where residential dwellings did not exist.

This study attempts to qualify the picture presented by the current literature by showing that wine-taverns were an established institution of "public" life in Ottoman Istanbul. We shall see that taverns could be located in Muslim neighborhoods, near mosques and masjids, on the main roads and next to private properties as well as in the outlying areas of the city. We shall also see that the number of taverns in Istanbul was significantly boosted by the existence of taverns operating under cover and within domestic spaces in addition to the licensed taverns. Moreover, an examination of the state's various attempts to close down the taverns reveals that they were regarded as a serious problem and received a great deal of attention from the state. The parallels between coffeehouses and wine taverns in terms of their functions and the state control imposed on them further suggest that coffeehouses were not as "unique" as is widely presumed. In this sense, this study is an attempt to fill a gap in the literature on "public places" in the early modern Ottoman period by emphasizing the commonalities between wine taverns, *bozahanes* and coffeehouses and their

multi-functional structure that attracted adult-male clients from various social backgrounds.

While the secondary literature on wine taverns in the Ottoman world is quite insufficient, the primary sources are very rich. This thesis relies primarily on the court registers of Galata, Eyüp, Üsküdar, Hasköy, Balat and the registers of Bab, İstanbul and Rumeli courts from the sixteenth and seventeenth centuries, published by ISAM Yayınları and the collection of court registers published by Timur Kuran. Court registers are very fruitful sources for the study of wine taverns as they provide details on many different aspects. Wine taverns appear in the court registers mainly in the context of complaints made by city dwellers against the wine taverns in their neighborhoods. Apart from that, we encounter cases about partnership agreements between tavern keepers, taverns that did not pay their taxes, illegal taverns that were operating without a license and within houses. Because the registers specify the location of taverns by defining the places around them; by stating whether a private property, a main road, a shop or a river was next to a tavern, they also allow us to locate wine taverns within the urban space.

In addition to court registers, *mühimme* registers and *ahkam* registers also deal with the petitions against wine taverns. *Mühimme* registers also include many ordinances concerning coffeehouses, wine taverns and *bozahanes*, mostly on their abolishment. In addition, many other kinds of sources from *fetva* collections to *kanunnames* and from travel accounts to biographical dictionaries of poets also offer occasional information about wine taverns, and are incorporated into the study.

While this thesis focuses on the sixteenth and seventeenth centuries, it does not take these two centuries as a unit. On the contrary, Ottoman Istanbul went through

quite different social and economic experiences during the sixteenth and seventeenth centuries. The sixteenth century was a time of demographic, economic and urban growth, while military, fiscal and political crisis hit the Ottoman capital at the turn of the sixteenth century. While this crisis abated by the early 1630s, the capital witnessed two new periods of crisis in the middle and end of the same century. This experience of crisis brought about an increasing emphasis on shariah-based social and moral regulations during the seventeenth century in a different form from that which was seen in the sixteenth century with the sunnitization process. Besides the different dynamics, both in the sixteenth and the seventeenth centuries urbanization and the number of public spaces increased. All these dynamics will be discussed in greater detail in the third chapter in relation to their effects on the state regulations on "public places".

As this thesis examines wine-taverns as "public places", it is necessary here to explain what I mean by "public" in the early modern Ottoman context. First, it is necessary to be clear about what we mean by "private" and "public" today in order to designate the deviations from the concepts used in the early modern period. Although there are several definitions of "public", the most relevant one for this thesis defines it as "that (which) is open to, may be used by, or may or must be shared by, all members of the community; not restricted to the private use of any person or persons; generally accessible or available".[7] On the other hand "private" is defined as "withdrawn from public life, peculiar to oneself".[8] These two terms today are used as mutually exclusive; what is "private" could also be defined as what is not public and 'public' as the opposite of "private".

[7] Oxford English Dictionary XXII, (Oxford: Clarendon Press ; Oxford ; New York : Oxford University Press, 1989), p. 780.

[8] Ibid. p. 515-516.

It has been argued that the notions of "public" and "private" were intimately connected to each other and impossible to distinguish before the modern period. Jürgen Habermas, for instance, who has theorized about how the rise of the 'bourgeois public place' challenged the monarchy in the eighteenth century, claims that there was no opposition between "public" and "private" in medieval Europe.[9] Similarly, Erica Longfellow asserts that although people spent time alone, read silently or prayed alone, they did not conceive of a "private life" as something protected from state control or community interference as late as the seventeenth century.[10]

Europeanists have also shown that public and private had a rather different range of meanings in the early modern period than in the modern one. Richard Sennet claims that "private" meant privileged at a high governmental level.[11] Longfellow, on the other hand, argues that in seventeenth-century England while "public" was associated with nation and community, "private" had a rather negative meaning. "Private" was regarded as "less public" and "not public", therefore having secrecy and being morally susceptible as in the relationship between unmarried men and women. In that sense, she emphasizes that those two terms obtained a different meaning in seventeenth-century England.[12]

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[9]Jürgen Habermas, The Structural Transformation of the Public Sphere, trans. by Thomas Burger with the assistance of Frederick Lawrence (Cambridge, Mass.: MIT Press, 1989), p. 11, Dana Goodman, Public Sphere and Private Life: Toward a Synthesis of Current Historiographical Approachesto the Old Regime, *History and Theory*, Vol. 31, No. 1 (Feb., 1992), p.4.

[10] Longfellow, p. 321.

[11] Richard Sennet, *The fall of public man*, (New York ; London : W.W. Norton, 1992), p. 16.

[12] Erica Longfellow, "Public, Private, and the Household in Early Seventeenth-Century England", *Journal of British Studies*, Vol. 45, No. 2 (April 2006).

Social scientists have tended to define "public space" as places where people of heterogeneous backgrounds could come together and voice common concerns.[13] For Hannah Arendt, "public space" is associated with politics as it meant first and foremost a place for people to express their opinions freely.[14] Similarly, Habermas regards it as a "discursive public space" which is independent from state power and in which citizens can employ a critical discourse against the state.[15]

The meaning of "public" and "private" in the medieval and early modern Islamic context, on the other hand, has been insufficiently studied. According to Paulina Lewicka, who wrote on public places in medieval Cairo, although Islamic law did not provide any such division as "public" or "private", a Muslim would have recognized "the walls of the house" as a fundamental marker of space. Accordingly, the internal or domestic space with one's property and family might have been taken as "private" and what remained outside of the walls as "public".[16]

However, Fikret Yılmaz's "XVI. Yüzyıl Osmanlı Toplumunda Mahremiyetin Sınırlarına Dair" presents a different view on that subject. In this article, Yılmaz suggests that there were no clear-cut divisions between the private and the public in sixteenth-century Ottoman Empire. He has also questions whether the home can

[13] Angela Vanhaelen and Joseph P. Ward (ed.), *Making space public in early modern europe: Performance, geography, privacy*, (New York; London: Routledge, 2013), p. 3.

[14] Hannah Arendt, *The Human Condition*, (University of Chicago Press, 1998), p. 50-54.

[15] Jürgen Habermas, Sara Lennox, and Frank Lennox, "The Public Sphere: An encyclopedia article (1964), *New German Critique* 3 (1974), p. 49-50, It should be noted that there are quite a few different conceptions for "public space" and Arendt's and Habermas's are just two of them. There is no concencus on the models of "public space" and all receive different criticisms. In addition, although Habermas and Arendt have similar opinions on the political aspect of the "public space", their formations are not the same. While Arendt's "public space" is 'agonistic' in the sense of the clashes of different interest groups, Habermas claims a rational consensus of the citizens.

[16] Lewicka, p. 51-52.

indeed be seen as purely "private" in that context.[17] By discussing the state's concern with protecting family privacy with some regulations on the one hand, and the fact that neighbors knew each other's private matters on the other, he concludes that sixteenth-century Ottomans did not necessarily see domestic settings as "private".

Another historian to examine the notions of private and public in sixteenth and sixteenth-century Ottoman Empire, Leslie Peirce has focused particularly on the gender associations of these concepts. She has argued that it is quite problematic to make a strict distinction between a "private-domestic-female" and "public-commonweal-male"[18] spheres. In this context, Peirce points out that the concepts of hass and amm, which are sometimes translated as private and public, were polysemic. The former concept was associated with the "elite and the ruling class", while the latter was also used for the "ruled".[19] Peirce suggests, instead, that the Ottomans distinguished between an "inner (*iç-içeri-enderun*)" and "outer (*dışarı-birun*)". Her formulation, in a sense, parallels Lewicka's definition, if we take "inner" as house and what is inside and "outer" as outside of the house. Yet, as it will be suggested below, this explanation is not sufficient to explain the conceptions of "private" and "public" in the early modern Ottoman world.

Neighborhoods have also been given as an example for the inapplicability of a strict dichotomy between the notions of "public" and "private". The Ottoman *mahalle* was a place where residents knew each other, where they lived with a certain sense of solidarity and where they could be held responsible for each other's actions

[17] Fikret Yılmaz, "XVI. Yüzyılda Osmanlı Toplumunda Mahremiyetin Sınırlarına Dair", *Toplum ve Bilim* 83, (2000), p. 102.

[18] Leslie Peirce, *The Imperial Harem: Women and Sovereignty in the Ottoman Empire*, (New York : Oxford University Press, 1993), p. 7.

[19] Peirce, "Imperial harem", p. 8-9.

in certain cases.[20] As basic communities at the local level, *mahalle* gave its inhabitants a sense of collective identity.[21] In this sense, *mahalles* were closed communities that created untouchable exclusive spaces[22]. In addition, according to Fikret Yılmaz, the fact that the neighbors were very well informed about each other's (to us) private issues such as who has an illicit sexual relationship or, who works as a pimp, demonstratesthe cohesive nature of *mahalles.*[23]At the same time, *mahalles* provided meeting points for inhabitants, whether at the *mescid,* in the street, around the fountain or at the marketplace.[24] In this sense, it is argued that neighborhoods in early modern Ottoman Empire exhibited characteristics of both "private" and "public" places.[25]

Historians have also been of differing opinions about how to classify the Ottoman coffeehouses. It could be argued that coffeehouses partially fit Habermas' model of a "discursive public space" in the sense that they were used by janissaries as headquarters for their uprisings especially in the eighteenth century. In addition, coffeehouses could be an arena for "subversive political discourse" whether in the form of rumors, political conversation or theatrical performances.[26] Yet, as Kırlı rightly suggests, coffeehouses diverge from this model as they were not protected

[20] Özer Ergenç, "Osmanlı Şehrindeki "Mahalle"nin İşlev ve Nitelikleri Üzerine", *The Journal of Ottoman Studies* IV (1984), p. 34.

[21] Işık Abel-Tamdoğan, "Osmanlı Döneminden Günümüz Türkiye'sine "Bizim Mahalle"", *İstanbul Dergisi* 40.

[22] Cem Behar, A Neighborhood in Ottoman Istanbul: Fruit Vendors and Civil Servants in the Kasap İlyas Mahalle, (Albany : State University of New York Press, 2003), p.4.

[23] Yılmaz, "Mahremiyetin sınırları", p. 97.

[24] Behar, p. 6, Mikhail, p. 145.

[25] Yılmaz, "Mahremiyetin sınırları", p. 96.

[26] Kırlı, p. 12.

from the political power of the state.[27] As it is known, the state attempted to regulate coffeehouses throughout the second half of the sixteenth and seventeenth centuries. Wine-taverns on the other hand are not represented in the Ottoman sources as a place of any kind of resistance or political discourse. Rather, they were mostly associated with fun and entertainment. However, wine-taverns were also subjected to state regulations just like coffeehouses for various other reasons, as it will be further explained in the third chapter.

To go back to the matter of coffeehouses, Alan Mikhail has argued that because coffeehouses provided men with a space where they could "assemble to discuss neighborhood affairs, conduct business, gossip and relax with one another", they had much in common with the domestic space. In that vein, he compares coffeehouses with the *selamlık*, the part of the home where men could host guests, and claims that coffeehouses provided men with a place of socialization and a place for hosting their guests, and in this way they created the *selamlık* for the people of lower layers who had to own more modest houses lacking such a section that mostly owned by notables. "The poor" in this sense, had an opportunity in coffeehouses to have a space where they could host their guests, as the notables already had in their houses. At the same time, the women who were left alone when their husbands went to the coffeehouses turned their place a *'haremlik'*, a place that was peculiar only to women.[28]

In fact, to gain a fuller understanding of the meaning of private and public in sixteenth-century Ottoman Empire, we might also profitably look at the statements of

[27] Ibid. p. 17.

[28] Mikhail, p. 146-48.

sixteenth-century Ottomans themselves. In his book of etiquette titled *Meva'idü'n-Nefais fi Kava'ıdi'l-Mecalis*, Mustafa Ali, a *medrese*-educated bureaucrat, clearly distinguishes between "the rooms/houses of strangers/foreigners" (*büyut-ı bigyane*) and "private/individual room/places" (*halvet-i hass*).[29] While this distinction may seem reminiscent of the modern private-public distincrion, it is not exactly identical with it. Mustafa Ali states:

> Public places (eyl evi) consist of rooms and pavilions for pleasure in the dressing rooms and private areas of bathhouses, as well as in wine taverns, boza taverns, and coffeehouses, and in the chambers of worship in masjids and mosques and dervish lodges. Furthermore, the term alludes to hans, caravansarays, and the delightful places known as düğün evi, as well as the tight slots and narrow holes inside constricted spaces aboard boats and ships.
>
> But private chambers (halvet-i hass) consist of the following: the choice pavilions in the palaces of kings and commanders; the sublime private devotional chambers in the mansions of veiled ladies; the cells, free of blemish, in the dervish lodges of sheikhs; the libraries in the houses of scholars and masters of gnosis; above all, the private galleries in noble mosques and masjids and the nicely furnished upper stories of the houses of grandees and famous men. This shows that persons of renown and insignificance, princes and paupers, even monarchs and ministers, desire private chambers to which entrance is forbidden without permission or leave (bila-izn destursuz dühul etmek cayiz olmayan).[30]

There are two significant points to be made here about Mustafa Ali's conceptions of "public" and "private" dichotomy. First, by calling *büyut-ı bigyane* or *eyl evi*, "house/rooms of strangers" he designates "public" places as places belonging to "others". Second, he had another determinant for his division that is the necessity of permission for the entrance. Apparently, he saw places like wine taverns,

[29] Gelibolulu Mustafa Ali, *Meva'idü'n-Nefa'is Fi Kava'idi'l-Mecalis*, (İstanbul: Osman Yalçın Matbaası, 1956), p. 210.

[30] Mustafa Ali, *XVI. Yüzyil Osmanlı efendisi Muṣṭafā 'Alī : Mevā'idü'n-Nefāis fī kavā'idi'l-mecālis: "Tables of delicacies concerning the rules of social gatherings"*, (Cambridge, Mass. : Dept. of Near Eastern Languages and Civilizations, Harvard University, 2003), p. 142-143, The replications of this passage for Ottoman understandings of the private-public distinction were first provided out by Shahab Ahmed and Nenad Filipovic, "Two seventeenth-century ottoman heretics", Unpublished article.

bozahanes, coffeehouses, *hans* and caravansarays as places that did not require a permission to enter, and which were in that way open to all, and so not "private". It is also interesting that he regards a "private" place as an exigency for everyone regardless of their status. So, even for the poor who had modest houses and was not able to own such a place, it was their desire to have "a room of their own".

In the light of Mustafa Ali's account, the public-private discussion deserves reconsideration, at least for the sixteenth century. If we take Ali's description as the reflection of the mentality of his time, we can definitely conclude that people in the sixteenth century had separate concepts for "non-private" and "private" places. Mustafa Ali makes a quite clear distinction between "the house/rooms of strangers" and "private rooms". For instance, as long as coffeehouses belonged to "others" and they could be entered without permission, they were regarded as "non-private". Therefore, we should be careful about not reflecting our modern notions of "public" and "private" backwards and searching for their exact connotation in the early modern period.

The emergence and the proliferation of coffeehouses in the late sixteenth and the seventeenth centuries brought about the rise of new forms of entertainment, leisure and socialization in this period.[31]. The new intensity of public places became especially evident in the eighteenth century, which this thesis does not cover. The urban landscape began to change in this century with the court's return from Edirne to the capital after a long absence and with the new needs that emerged after the 1719 earthquake.[32] New constructions and renovations led to considerable urban

[31] Kafadar, "How dark is the history of night".

[32] Artan, "Forms and forums", p. 393, Hamadeh, "Public spaces", p. 283.

growth. Royal gardens were opened to the broader public, while new squares and promenades were introduced to public life. According to Hamadeh, while these transformations were partly the result of the court's attempts to create a new image for the city in response to military failures, the demands and desires of urban society also shaped this new urban fabric.[33] All in all, how people conceived of the "public" and "private" also evolved within this context.

In her article "Mahremiyet: Mahrumiyetin Resmi", Tülay Artan has argued that during the eighteenth century "hass" and "amm" began to take on some of the meanings we associate with the notion of "private" and "public" respectively. [34] She argues that in the eighteenth-century Ottoman world, we see the private life of people e.g. wine drinking, homosexual relationships, women dancing in low-necked dress being portrayed in the miniatures of *Hamse-i Atayi*, for the first time. According to her, as people started to talk about themselves and their privacy for the first time, this brought up what is non-private, which is the modern public.[35] However, whether "public" and "private" acquired their modern meanings in that period is still questionable.

While this thesis conceptualizes coffeehouses, wine-taverns and *bozahanes as public places*, it does not take them as the only "public places". Certainly, the places where one could socialize, i.e., spend time with friends and relatives and have conversations in the sixteenth and seventeenth centuries were not limited to them. Besides the festivals organized by the palace, wedding ceremonies and religious festivals that involved mass participation, there were many occasions on whichone

[33] Hamadeh, "Public spaces", p. 284.

[34] Artan, "Mahremiyet", p. 92, Artan, "Forms and forums", p. 381.

[35] Artan, "Mahremiyet", p. 109, 112.

could spend time and socialize depending on one's own will.[36] These kinds of instances were mostly associated with "*sohbet*", meaning conversation such as "*sohbete gitmek*", going for conversation.[37] The title of a diary from the seventeenth century, written by a Sufi dervish Seyyid Hasan *Sohbetname,* book of conversation, suggests a similar connection between "*sohbet*" and socialization as the diary revolves mostly around his social networks, the spaces and forms of his sociality.[38] In this context, Seyyid Hasan records the dinner gatherings, friendly walks, coffee parties and visits to shops for errands and socializing.[39]

Similarly, when Aşık Çelebi introduces Celali in his biographical dictionary of poets, he mentions about their companionship with the words "At that time he condescended to having a conversation (*musahebet*) and to fellowship (*üns ü ülfet*) with this poor." When he talks about the places they frequented with Celali (*hem dem*), he mentions the greens of Eyüp and Kağıthane, Galata and Hasköy gatherings, Celali's shop, Atmeydanı, Davut Paşa pier, dervish convents and *sema* ceremonies in Vefa.[40] This account demonstrates to us how people in the sixteenth century spent time with friends, how they defined this socialization and what kind of occasions they created for themselves. It also shows that people had quite many alternatives for

[36] Yılmaz, "Boş vaktiniz var mı?", p. 14.

[37] Ibid. p. 24.

[38]Cemal Kafadar, "Self and others: First-person writing in the Ottoman Empire," *Studia Islamica* (1987), p. 125.

[39] Ibid, p. 142.

[40]Aşık Çelebi, *Meşâ'irü'ş-şu'arâ : inceleme, metin*, edited by Filiz Kılıç, Volume 1, (Tepebaşı-Beyoğlu, İstanbul : İstanbul Araştırmaları Enstitüsü, 2010), p. 469 *"Ol esnada bu fakir ile musahebete ve üns ü ülfete tenezzül iderlerdi. Seyr-i gülistanda ve deyr-i muganda Eyyub u Kahıdhane çemenlerinde Galata ve Hasköy encümenlerinde zati dükkanında ve Atmeydanında bahar sohbetlerinde ve hazan cemiyetlerinde gah mahbublar mecma'ı olan hamamlar seyrinde ve gah Davud Paşa iskelesinde suya oynayan sim-endamlar seyrinde gah hankahlarda Vefa sema'ında ve gah harabatlarda deblek sema'ında hem dem idük."*.

their pastimes. Seyyid Hasan and Aşık Çelebi in this sense, provide us with significant details about everyday life.

Spaces for socializing outside home could also be mosque courtyards for men that they had conversation after the prayers.[41] Likewise, public gardens were important places for leisure activities and pastimes for the people of a wide range of social backgrounds. As Hamadeh claims, especially the eighteenth century witnessed a new intensity of public gardens, as the latter became more numerous as well as more visible.[42] Barbers, marketplaces and streets were also places where people could encounter each other outside of a planned meeting. On the other hand, homes, especially those of wealthier, were open to various family celebrations and religious festivities. Visiting a friend or a relative and staying overnight was also a common pastime.[43]

[41] Shirine Hamadeh, *The city's pleasures: Istanbul in the eighteenth century*, (Seattle: University of Washington Press, 2008), p. 124.

[42] Hamadeh, "Public Spaces", 278-283.

[43]Abraham Marcus, *The Middle East on the eve of modernity: Aleppo in the eighteenth century*, (New York: Columbia University Press, 1989), p. 22.

CHAPTER 2

PICTURING THE WINE-TAVERNS

2.1 Introduction

In this chapter, I will analyze the roles of wine-taverns as "public places" in early modern Istanbul. The topics discussed include the spatial distribution of wine-taverns in the city, the kinds of activities that typically went on in wine-taverns, the different types of taverns and the variety of clientele that they serviced. This discussion will show that wine-taverns actually had a great deal in common with other public places such as coffeehouses, bathhouses and *bozahanes*. All these public places were, to some extent, multi-functional.[44] Although each had a primary function such as serving coffee, wine or *boza*, they could also perform some secondary functions. For instance, besides serving wine and being a place of socialization mainly, a tavern could also be a place of prostitution, food and entertainment. Likewise, a coffeehouse could also serve wine, provide entertainment and serve as a place for prostitution. Because there was no strict differentiation between the different public places, they could also easily substitute for each other when it was needed.

Whereas the coffeehouse was an institution that had originated in the sixteenth century and whose introduction to Istanbul was discussed by several contemporary sources, not much has been written on the origins of wine-taverns in Ottoman Istanbul.[45] The evidence about taverns in Byzantine Constantinople, however,

[44]Multi-functional aspect of 'public spaces' in the early modern period is also discussed by Akyazıcı Özkoçak, "Coffeehouses", p. 967.

[45]Peçevi İbrahim Efendi, *Peçevi Tarihi*, ed. Bekir Sıtkı Baykal (Ankara: Kültür Bakanlığı, 1992), p. 196.

suggests a great deal of continuity from the Byzantine to the Ottoman period. Taverns in Byzantine Constantinople, which were known as "kapelos", were also places where people drank wine with appetizers, had conversation with friends, and had sexual encounters, where brawls and debauchery occurred very often and where people enjoyed themselves with music and dance.[46] Apart from that, the distribution of taverns within Byzantine Constantinople was very similar to that of taverns in Ottoman Istanbul, as will be seen further below. During the fourteenth century, taverns were situated alongside the Golden Horn, which was at that time a significant commercial site, inhabited by the Byzantines, Venetians and Genoese.[47] In addition, Galata and the region of Vlanga (today's Yenikapı district and the surrounding areas) were places where taverns were particularly concentrated in the Byzantine capital.[48]

However, the similarities between the Byzantine and Ottoman taverns should not make us think that the Ottomans directly inherited the Byzantine legacy. During the Ottoman siege of Constantinople, the wine trade had also been affected by the financial problems of the time like many others. This made it difficult to find wine in the city,[49] and, some of the tavern keepers had to close down their businesses.[50] Moreover, when Mehmed II took the city, many of the inhabitants had fled, been captivated or had gone into hiding within the city. Although in line with Mehmed II's policy to repopulate Constantinople attempts were made to convince those in hiding

[46] Marcus Rautman, *Daily Life in the Byzantine Empire*, (Westport, Conn: Greenwood Press, 2006), p. 104.

[47] Nevra Necipoğlu, "The Social Topography of Late Byzantine Constantinople: Evidence From the Patriarchal Register", *Journal of Turkish Studies* 36 (2011): 135-36.

[48] Necipoğlu, "The Social Topography,", p. 136.

[49] Nevra Necipoğlu, *Byzantium between the Ottomans and the Latins : politics and society in the late empire*, (New York : Cambridge University Press, 2011), p.156.

[50]Necipoğlu "Byzantium between Ottomans and the Latins", p. 159.

and those who had fled to return to the city in return for some privileges and the assurance of security, these attempts were not very successful.[51] As a result, Mehmed decided to bring people from different places to the city. It is estimated that %41,7 percent of the non-Muslim population of the city during the late fifteenthth century were recent settlers.[52] Besides these changes in population, it should be noted that in the very first three days after the conquest, in accordance with Islamic legal stipulations about lands that were forcibly conquered, the whole city had been plundered and many properties had passed into the hands of newcomers. However, the Geneoese population is known to have continued their existence in Galata undisturbed and unbothered well until the sixteenth century.

On the other hand, as one of the earliest sources on taverns, we have the legal code of Mehmed II, which says:

> "the surrendered infidels are not allowed to sell wine in any other tavern than in their own neighborhoods, and if they attempt to bring unfermented grape-juice from other than their own vineyards and sell it in their houses, my officers shall find them, take the wine and punish them."[53]

Despite the above-mentioned depopulation, plunder and failing businesses, this code suggests that tavern culture continued without a serious interruption and gained what had been its customary legal status from the earliest times of the city's foundation. In addition, the demographic survey that was carried out in 1455 in Istanbul identifies two tavern keepers around Galata; one is Armenian and one is Greek.[54] This shows

[51] Stephanos Yerasimos, "Osmanlı İstanbul'unun Kuruluşu", in Nur Akın, et al. (eds.), *OsmanlıMimarlığının 7 Yüzyılı, Uluslararası Bir Miras*, (İstanbul: YEM Yayın, 1999), p. 96.

[52] Ibid. p. 205.

[53]Osmanlı Kanunnameleri ve Hukuki Tahlilleri Cilt 1 Fatih Devri Kanunnameleri, (ed.) Ahmet Akgündüz, (Istanbul: FEY Vakfı 1990), p. 490.

[54] Halil İnalcık, *The Survey of Istanbul 1455: The Text, English Translation, Analysis of the Text, Documents*, ed. by Emre Yalçın, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2012), p. 277.

that two years after the conquest there were some non-Muslims who operated taverns in the city. It is not clear, however, whether the owners were mostly Byzantine locals who continued their earlier businesses, or incoming non-Muslims who opened up new taverns, or the Geneose residants who stayed in the city, or whether all these cases prevailed concurrently.

Although taverns had existed in Ottoman Istanbul since the conquest, the scarcity of sources does not allow a precise discussion of their function. We do not know whether they were places for socialization where people could gather and spend time or places that only sold wine without any other function. However, as I shall demonstrate further below, the court cases also provide evidence that at least some Ottoman taverns were places of socialization as well.

The tavern in the Ottoman world was referred to by various words, the most prevalent ones being *meyhane* and *meygede* in the official documents. These two, together with *işrethane*, simply mean "wine house". *Humhane*,, meaning, "wine cellar," was also used rarely. Although very seldom used, the word *şaraphane* is also seen in the court registers,[55] and also has the meaning of "wine house". Yet, since it is referred in the registers as "finding a *şaraphane* inside the house", the term probably implied a wine cellar rather than a fully-fledged tavern. Besides these common and official terms, wine, tavern and cup-bearers were also commonly referenced in Ottoman poetry in both a metaphorical and literal sense. These poems show us how early modern Ottomans conceptualized taverns, describing them as *cay-ı safa (the place of pleasure), ziba-mahal (heart tempting), dil-keş (heart*

[55] Eyüp Mahkemesi 3 numaralı sicil (1585-1587), (İstanbul: İslam Araştırmaları Merkezi), 2011, Case No: 39.

refresher), dil- güşa(nice, beautiful place) etc.[56] The term *harabat*, which is seen again in poetry and other literary works like biographical dictionaries, could also signify a tavern as well as a brothel or ruin.[57]

Unfortunately, we do not have any official figures for the taverns in Istanbul until the nineteenth century. The only source that gives some numbers is Evliya Çelebi in the seventeenth century. According to him, the total number of taverns in the city was 1060, of which 800 were illegal.[58] He also counts 100 taverns, 600 shops, 300 houses and 50 tanneries for the district of Haskoy alone[59]. It is important to emphasize that Evliya Çelebi operated in a culture that did not value numerical precision; hence it would be wrong to take his figures as more than rough approximations. It is only when we come to the nineteenth century that we get some official figures for Istanbul taverns together with information about their distribution within the city. A document belonging to the years 1826-1827, which records the taxes collected from the taverns, lists the number of taverns in 45 districts of Istanbul and here the total number is given as 560.[60] Given the large number of taverns that operated under cover, however, the actual number of Istanbul taverns was probably much higher.

[56] Ayni Hasan, *Sakiname*, edited by Mehmet Arslan, (İstanbul : Kitabevi, 2003).

[57] Franciscus a Mesgnien Meninski, *Thesaurus Linguarum Orientalium: Turcicane, Arabicae, Persicae I*, (Istanbul: Simurg, 2000), p. 1871.

[58] Evliya Çelebi, *Evliya Çelebi Seyahatnamesi*, (İstanbul: YKY, 1996-), p. 314.

[59] Ibid. p. 375.

[60] Yaşar, p. 41.

2.2 Location of Wine-Taverns

As it is designated in the code of Mehmed II, the main criterion to set up a tavern was to do it in the "non-Muslim neighborhoods". In reality, however, most neighborhoods were inhabited by both Muslims and non-Muslims, even if the actual ratios could differ significantly from one neighborhood to the other. Thus, the code of Mehmed II, which did not acknowledge this intertwined nature of neighborhoods, was frequently violated. Through the sixteenth[th] and seventeenth[th] centuries, new orders were issued prohibiting non-Muslims from setting up taverns near mosques, *mescids* and the houses of Muslims who "were offended" by this situation.[61] Nevertheless, those kind of regulations were not peculiar only to taverns. An order given in 1618 in Edirne states that a coffeehouse and a placed called *duhanhane*, which seems to have been a place for smoking, were attempted to be removed from the surroundings of the Üç Şerefeli mosque in order not to disturb the Muslims.[62]. All in all, as summarized by Fikret Yılmaz, the authorities allowed taverns to operate legally in the sixteenth century, when they were located in neighborhoods with a preponderance of non-Muslim inhabitants, not close to mosques and *mescids*, or when they were situated at the center of a town where they could be controlled more easily.[63]

When we look at the Istanbul districts in which taverns were widespread, the first that comes to mind is of course Galata. As noted earlier, the district had already

[61] Ahmet Refik Altınay*, Eski İstanbul Manzaraları (1553-1839), (*İstanbul : Timaş Yayınları, 1998), p. 40, Ahmet Refik Altınay*, On altıncı asırda Istanbul hayatı; 1553-1591 : Istanbulun düşünsel, sosyal, ekonomik ve tecimsel ahvalile evkaf, uray, beslev ve gümrük işlerine dair Türk arşivinin basılmamış belgeleri,*(Istanbul : Devlet Basımevi, 1935), p. 50-51.

[62] 82 Numaralı Mühimme Defteri, Ankara T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Case No: 82.

[63]Yılmaz, "Boş Vaktiniz var mı", p. 31.

had a reputation for housing many wine-taverns in Byzantine times and continued to be famous for its taverns also during Ottoman times. Tournefort, the French traveler who visited Istanbul in the late seventeenth century, describes Galata as being almost an autonomous Christian region where taverns were allowed and numerous.[64] Evliya Çelebi, similarly, calls this district "a land of infidels" and says that "Galata" is synonymous with "tavern" (*ve Galata dimek meyhane dimektir*).[65] He also notes that apart from Galata, taverns were spread throughout Istanbul but were mostly concentrated in *Samatyakapısı*, *Kumkapı*, *Yeni Balıkpazarı, Unkapanı*, *Cibalikapısı*, *Ayakapısı*, *Fenerkapısı*, *Balatkapısı*, *Hasköy* and "of course in all the neighborhoods on the Bosphorus" such as *Ortaköy*, *Kuruçeşme*, *Arnavutköy, Yeniköy, Tarabya, Büyükdere, Kuzguncuk, Çengelköy, Üsküdar* and *Kadıköy*.[66] It should be noted that the neighborhoods mentioned by Evliya Çelebi were mostly inhabited by non-Muslims.[67]

Besides the above-mentioned orders and rules on setting up a tavern, we observe a quite different picture in practice. The fact that the taverns were established almost everywhere gives the impression that those orders were not strictly applied. Moreover, the existence of illegal taverns, as it will be explained soon, probably made it much easier to bypass all these restrictions.

First and foremost, various court cases indicate that the most significant restriction – that against opening taverns in neighborhoods of Muslims and around

[64] Joseph de Tournefort, *Tournefort Seyahatnamesi*, ed. Stefanos Yerasimos, (İstanbul: Kitap Yayınevi, 2008) p. 38.

[65] Evliya Çelebi, p. 314.

[66] Ibid. p. 314.

[67] Edhem Eldem, Daniel Goffman, Bruce Masters, *Doğu ile Batı Arasında Osmanlı Kenti: Halep, İzmir ve İstanbul*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2000), p. 171.

mosques and *mescids* was not observed in many cases. For instance, there was a tavern between two *mescids* in Kasımpaşa in the seventeenth century[68], another one around four *mescids* in Langa in the sixteenth century[69] and many others were established in "Muslim neighborhoods".[70] This situation, however, will be discussed in greater detail in the following chapter within the context of the state's policies towards taverns.

In a typical Ottoman neighborhood, one would find a *mescid*, a public fountain, a marketplace, a bathhouse and maybe a primary school and a dervish convent.[71] In addition to these, coffeehouses could be seen in almost every neighborhood after the end of the sixteenth century.[72] It is not clear whether there was a deliberate layout for the positioning of such establishments. Still from sources it is possible to get a sense of some general patterns in the neighborhoods' layout. Taverns are mentioned in the imperial orders as mostly being "on the main roads[73] and on the road of bathhouses" (*ulu yollar ve ekseri hamamların yolu üzerinde meyhaneler olub…*).[74] The court cases about drunken people who came out of taverns and busted the bathhouses and molested the women inside[75] also confirm the

[68] 85 Numaralı Mühimme Defteri, Case No: 440, 244.

[69] Altınay, "*İstanbul Hayatı 1553-1591*", p.141-42.

[70] For some examples see: Ahmet Refik "İstanbul Hayatı 1553-1591", p. 50-51, 141-42, Timur Kuran, *Mahkeme Kayıtları Işığında 17. Yüzyıl İstanbul'unda Sosyo-Ekonomik Yaşam* v.1, (İstanbul: Türkiye İşbankası Yayınları 2010), p. 528.

[71] Behar, p. 4, Mikhail, p. 144.

[72] Mikhail, p. 139.

[73] For some examples of the taverns which were situated on the main roads see: Eyüp Mahkemesi 49 Numaralı Sicil Case No: 115, Galata Mahkemesi 90 Numaralı Sicil, Case No: 408.

[74] Altınay, "*İstanbul Hayatı*", p. 141-42.

[75] Altınay, *"İstanbul Hayatı"* p. 40, Walter Andrews and Mehmet Kalpaklı,*The age of beloveds : love and the beloved in early-modern Ottoman and European culture and society*, (Durham: Duke University Press, 2005), p. 189.

tendency for these two types of institutions to be physically proximate. Taverns were also said to be near the fish market. According to Evliya Çelebi "wherever there is a tavern, naturally a fish market is situated nearby since fish is a food of joy and rejoicing"[76]. To give an example outside of Istanbul, one imperial order reveals that in Plovdiv in the mid-seventeenth century, taverns were quite close to the fish market and some shops belonging to non-Muslims, all of which were situated around a mosque.[77] The seashore and piers were other places where there was a concentration of taverns.[78] One specific tavern in seventeenth century Üsküdar was surrounded by the sea, the pier of Balaban and two Muslim properties,[79] and another one in Eyüp was located near a stream and two other taverns[80].

In sum, despite the restrictions and the regulations on the location of taverns, they could be established almost anywhere with the possible exception of the surroundings of the palace and the ulema residences. The sources indicate that taverns could be found near mosques, *mescids*, bathhouses, shops and houses of both Muslims and non-Muslims, on the main roads, on the coast and next to piers, next to churches and by the stream.

2.3 Forms of Wine-Taverns and Other Places for Drinking Wine

In a more general sense, Ottoman taverns could be distinguished into those that were "legal"and those that operated covertly and "illegally". In the seventeenth century,

[76] Evliya Çelebi, p. 254-255 *"... ve'l hasıl meyhane olan yerlerde elbette balık bazarları mukarrerdir zira ta'am-ı tarabdır."*

[77] 85 Numaralı Mühimme Defteri, Case No: 500.

[78] Evliya Çelebi, p. 175.

[79] Eyüp Mahkemesi 74 Numaralı Sicil, Case No: 107.

[80] Eyüp Mahkemesi 49 Numaralı Sicil, Case No: 115.

the introduction of the *gedik* system, which limited the number of workplaces and allowed the artisans to make their own regulations about their businesses[81], also enabled the "legal" tavernsto obtain the licence (*gedik*) provided by this system. *Gedikli* taverns had to open their taverns at the exact place that was approved by the state and tavern keepers of this type had the right to leave their tavern to their sons.[82]

In a couple of miniature paintings dating back to the late eighteenth century, one from Enderunlu Fazıl's *Hubanname*[83] and the other from *Hamse-i Atayi*[84], taverns are represented as spacious places as having a similar layout. Both are situated in basement stores, and have windows at the very top to prevent outsiders from prying in. Of course, the images could well be portraying "illegal" taverns that were operating covertly; however, they are still precious for giving us a sense of the internal appearance of taverns. In addition, the Polish traveler Simeon, who visited Istanbul in 1608, describes the taverns of Galata as three or four storey buildings with a sea view.[85] Besides these shops in closed form, there were also open-air taverns, which appeared during the summer months along the Bosphorus and the Marmara Sea.[86] The existence of these open-air taverns suggests that the issue of

[81] Ahmet Kal'a, "Gediklerin Doğuşu ve Gedikli Esnafı, Türk Dünyası Araştırmaları", *Türk Dünyası Araştırmaları* (1990), p. 181.

[82] Ibid. 182.

[83] Metin And, *Osmanlı Tasvir Sanatları I: Minyatür*, (İstanbul: Türkiye İşBankası Yayınları, 2002), p. 382 Hübanname, literally meaning "The Book of Beautiful Men", was written by Enderunlu Fazıl, in which he talks about men from various different lands and their beuties.

[84] Artan, "Mahremiyet" p. 106 Hamse-i Atayi, written by Atayi, is composed of stories that include tales and superstitions. The miniatures accompanying the stories however, have more of a realistic nature like this one.

[85] Dpir Lehats'i Simeon, *Polonyalı Simeon'un Seyahatnamesi, 1608-1619*, (ed.) Hrand D. Andreasyan, (İstanbul: İstanbul Üniversitesi, 1964), p. 12.

[86] Andrews and Kalpaklı, p. 69.

"visibility" might have differed according to the location as well as the "legality" of taverns.

Figure 1: A tavern scene from Hamse-i Atayi. Walters Art Gallery, 666-fol. 44a. Reproduced from http://turkishculture.org/dia/login.php

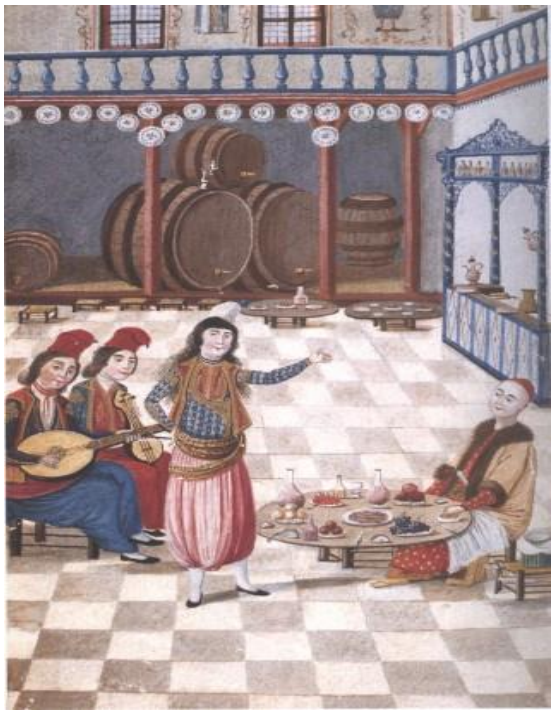

Figure 2: A tavern scene from Hübanname and Zenanname. Istanbul University Library, T 5502, folio 41a. Reproduced from Metin And, *Osmanlı tasvir sanatları I: minyatür* (İstanbul: İş Bankası Kültür Yayınları, 2002), 382.

A subcategory of *gedikli* taverns consisted of establishments that only sold wine to costumers from their storehouse and which did not provide a place for spending time.[87] Nevertheless, despite the difference, the sources suggest that both structures were called *meyhanes* and there was not a separate terminology. These two different types of taverns existed together along with some that are known to have made delivery to vineyards and orchards. In the registers, it is recorded in the first half of the seventeenth century that in Silivri "…all the time, the above mentioned tavern keepers, bring pots of wine and arak to the vineyards and the orchards of the abovementioned town and cook the food of wine-drinkers…"[88]Another case from

[87] Yılmaz, "Boş vaktiniz var mı", p. 34.

[88] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 123 *"...hergah mezburun meyhaneciler kasaba-i mezburede vaki olan bostanlar ve bahçelere desti ile ve tulum [ile] hamr ve arak getirip ve sürb-i hamr edenlerin ta'amlarını tabh edip..."*

1755 reveals that in Üsküdar there were some tavern keepers again delivering wine in vehicles within the neighborhood.[89] Although we do not know how widespread such services were, obviously at least some taverns provided these kinds of delivery services.

Koltuklus, on the other hand, comprised the taverns that operated without state license.[90] Wandering sellers of wine were mainly regarded as *koltuklus*. Presumably, the owners of these taverns could not get a license or did not want to pay the high taxes imposed on taverns to make more profit. Since the court registers and state orders are full of such cases, the number of such taverns can be estimated to have been quite high.

"Illegal" taverns tended to operate from inside domestic residences. Interestingly, the state seems to have been able to differentiate between those of their subjects who preferred drinking at home and those others who turned their house into a tavern to make profit. All the people who were brought to court on charges of secretly operating wine-tavern in their homes were non-Muslims.[91] Presumably, Muslims, some of whom would also have held drinking parties at home, were deterred both by law and custom from operating wine taverns. Apart from domestic residences that functioned as taverns, there were some shops, for instance a grocery store, which served wine secretly in the back of the store. In eighteenth century Beykoz, for

[89]İstanbul Külliyatı: İstanbul Ahkam Defterleri II, (İstanbul: İstanbul Araştırmaları Merkezi, 1997-), p. 76.

[90] Reşat Ekrem Koçu, *İstanbul Ansiklopedisi*, (İstanbul: Tan Matbaası, 1958-), p. 6064.

[91] For some examples from court registers see: Altınay, *"Onbirinci Asrı Hicride İstanbul Hayatı*", p. 14-15, Kuran, p. 542, Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 109.

instance, a state order forbids selling wine in the houses and shops of non-Muslims.[92] Similarly, some *bozahanes* were also known to sell wine besides the fermented millet drink *boza*.[93] Some coffeehouses, especially the ones in predominantly non-Muslim neighborhoods or the ones owned by non-Muslims, are known to have served wine to their customers[94]. Since it was an illegal act to sell wine from a coffeehouse, and since we learn of such cases only when they were busted, it is not possible to say how widespread the practice was.

Besides the abovementioned differences in the types of taverns, sixteenth and seventeenth century observers differentiate between taverns owned by Jews and Christians. Dernschwam, the German traveler who visited Istanbul around 1553-1555, for instance, claimed that Christians mixed a lot of water with wine, whereas Jews never did this. He also noted that these two communities never drank each other's wine.[95] Evliya Çelebi writes exactly the same thing about the tendencies of Christian and Jewish tavern keepers to not buy wine from each other.[96] Abdülaziz Bey, who composed his text in the late nineteenth century, emphasizes another

[92] Ahkam Defteri II, p. 234. *"...camii' şerif kurbunda vakı' menazil ve dekakinlerine hamr u arak vaz' ve ahara alenen bey'a mübaderet ve dekakin-i merkumeler zahirde bakkal dükkanı suretinde bulunup derunlarında kasabamıza amed ve eşkıya makulelerine meclis kurub…"*

[93] Mehmet Ertuğrul, *Şeyhülislam Ebussuud Efendi Fetvaları Işığında 16. Asır Türk Hayatı*, (İstanbul: Enderun Kitabevi, 1983), Mesele 716, Yılmaz, "Boş vaktiniz var mı?", p. 46.

[94] Grehan, "Everyday life"p. 145, François Georgeon, Osmanlı İmparatorluğunun Son Döneminde İstanbul Kahvehaneleri, in *Doğu'da kahve ve kahvehaneler*, ed. by Helene Desmet-Gregoire, François Georgeon, (İstanbul: Yapı Kredi Kültür Sanat Yayıncılık, 1999), p. 57.

[95] Hans Dernschwam, *İstanbul ve Anadolu'ya Seyahat Günlüğü*, (Ankara : Kültür ve Turizm Bakanlığı, 1987), p. 141, 145.

[96] Evliya Çelebi, p. 316.

difference. According to his account, the taverns of the Jews did not have music and dance unlike those of Christians'.[97]

Of course, taverns, coffeehouses, bathhouses and *bozahanes*, were not the only places where people could drink alcohol. Quite the contrary, both Muslims and non-Muslims had various spaces where they could consume it. Among them first and foremost were private homes, where people ran a much lower risk of being caught drinking wine. Despite the lower risk, we still find cases of busted people in court registers that gathered at the house of one of them and had "wine parties". For instance a certain İbrahim Çavuş was caught in his house with a few women while having a wine party.[98] These kinds of gatherings, according to Fikret Yılmaz, were not infrequent; they could involve up to eleven people and they could be accompanied by entertainment.[99]

Apart from houses, people also had such gatherings in more "open" places such as public[100] and private gardens[101], caravanserais[102], in the rooms of khans[103], in tanneries[104], around windmills[105] and churches[106] and in threshing fields[107]. This

[97] Abdülaziz Bey,p. 309.

[98] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 550. For similar cases see: Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 556 and Üsküdar Mahkemesi 56 Numaralı Sicil, Case No: 136.

[99] Yılmaz, "Boş Vaktiniz var mı", p. 24-25.

[100] Eremya Çelebi Kömürcüyan, *İstanbul tarihi: XVII. Asırda İstanbul*, (İstanbul: Eren Yayıncılık, 1988), p. 50-51.

[101] Eyüp Mahkemesi 74 Numaralı Sicil, Case No: 554.

[102] Üsküdar Mahkemesi 56 Numaralı Sicil, Case No: 442.

[103] Fariba Zarinebaf, *Crime and Punishment in Istanbul: 1700-1800*, (Berkeley, California: University of California Press, 2010), p. 104.

[104] Yılmaz, "Boş vaktiniz var mı", p. 41, Üsküdar Mahkemesi 51 Numaralı Sicil, Case No: 115.

[105] Üsküdar Mahkemesi 56 Numaralı Sicil, Case No: 280.

variety of places for drinking together, in addition to suggesting the prevalence of drinking activity outside the taverns, depicts people's capacity to create for themselves spaces for socialization and not confine themselves to the relatively limited number and range of "social places" in the early modern period.

2.4 Clients of Wine-Taverns

The clients of early modern Ottoman taverns were a heterogeneous group who came from different echelons of society. For the same period, Beat Kümin also suggests a diverse profile of clients for European taverns. He suggests that "one guest" profile does not seem applicable to the early modern European taverns, since they formed a place both for young and old; townsfolk and peasants; Christian and Jews; soldiers and civilians and men and women.[108] Whereas it is possible to draw a similar picture for the Ottoman context[109], in Safavid Iran, according to Rudi Mathee, drinking culture was not widespread among ordinary people, rather it was more peculiar to the Shah and the elite.[110]

Within this diversity of profiles, there were some prominent groups among the clients of the taverns. Janissaries, unequivocally, were one of them.[111] Evliya Çelebi narrates some accounts in which he reports a tavern full of janissaries or he

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[106] 3 Numaralı Mühimme Defteri, Case No: 268 and 593.

[107] Yılmaz, "Boş Vaktiniz var mı", p.16.

[108] Beat Kümin, Public Houses and their patrons in Early Modern Europe, in *The world of the tavern : public houses in early modern Europe*, edited by Beat Kümin and B. Ann Tlusty, (Aldershot, Hants, England ; Burlington, VT : Ashgate, 2002), p. 51.

[109] Andrews and Kalpaklı, p. 69.

[110] Rudi Matthee, *The pursuit of pleasure : drugs and stimulants in Iranian history, 1500-1900*, (Princeton, N.J. : Princeton University Press, 2005), p. 66.

[111] Grehan,"Everyday life", p. 134.

complains about this attitude of janissaries when relating the story about how the janissaries were called to save the Ahıska Castle from the enemies but none of them left the taverns or *bozahanes*.[112] Naima also reports that when Murad IV banned all taverns, the janissaries became heartbroken (*ol ecilden esker yeniçeri dil-gir olmuş idi*).[113] According to Ahmed Cavid, two-thirds of janissaries were tavern goers in the eighteenth century.[114]

We learn from sixteenth-century biographical dictionaries of poets who included among them some artisans and shopkeepers as well as large numbers of *ulema* and scribes, [115] were also frequent customers of taverns. In the sixteenth century, many poets wrote on Sufi themes and for them the tavern also had a symbolic value as a place where they found love and beauty.[116] Apparently "the tavern" was not solely a metaphor in their poems and many poets were known to have been regulars at taverns.[117] In two famous biographical dictionaries of poets in the sixteenth century, written by Aşık Çelebi and Latifi, we find many references to poets who were identified as well-known regulars of taverns.[118] For instance, Aşık Çelebi writes that Zari"used to spend the four seasons of the year, the twelve months,

[112] Evliya Çelebi, p. 95.

[113] Naima,*Târih-i Na'îmâ : (Ravzatü'l-Hüseyn fî hulâsati ahbâri'l-hâfikayn)*,hazırlayan Mehmet İpşirli, (Ankara : Türk Tarih Kurumu , 2007), p. 476.

[114] Ahmed Cavid, *Hadika-i Vekayi*, (ed.) Adnan Baycar, (Ankara: Türk Tarih Kurumu Basım Evi, 1998), p. 248.

[115] Zeynep Altok, Aşık Çelebi ve Edebi Kanon, in *Aşık Çelebi ve Şairler Tezkiresi Üzerine*, ed. by Hatice Aynur and Aslı Niyazioğlu, (İstanbul: Koç Üniversitesi Yayınları, 2011), p. 117-132.

[116] Cornell Fleischer, *Bureaucrat and Intellectual in the Ottoman Empire, the historian Mustafa Ali*, (Princeton, N.J. : Princeton University Press, 1986), p. 23.

[117] Saraçgil, p. 34.

[118] Aşık Çelebi I and II, p. 393, 534, 575, 577, 828, Latifi, Latifi,*Tezkiretüş-şu'ara ve tabsıratü'n-nuzaman : (inceleme-metin),* edited by Rıdvan Canım, (Ankara : Atatürk Kültür Merkezi Başkanlığı, 2000), p. 187, 504, 506.

the winter and the summer, his whole life in the taverns, and he used to eat and drink in the taverns."[119] There are also accounts of some other poets, who used to drink until they spent their entire money in the taverns.[120]

Together with janissaries and poets, mobs and bandits are also depicted among the significant clients of taverns.[121] This "troublemaker" group was one reason for the bad reputation of taverns. As will be seen in the next chapter, the state also warned tavern keepers not to let such people into their taverns.[122] When the French traveler Thévenot reported his observations on seventeenth century Istanbul, he stated that the mobs of the city customarily gathered in Galata taverns and they could become very dangerous when they were drunk.[123] Prostitutes, procurers and bachelors constituted the other "unwelcome" group in taverns and especially the number of prostitutes is not to be underestimated.

This mixed profile of clients in taverns leads us to question whether all those people from different layers, ethnicities or religions frequented the same taverns. For coffeehouses for instance, we know that those owned by janissaries were also mostly visited by janissaries.[124] Similarly, the names of some bathhouses such as *Rum Hamamı* and *Yahudi Hamamı* suggest that there might have been some separate

[119] Aşık Çelebi I, p. 577*, "Muhassal yılın dört faslında on iki ayında kışında vü yayında 'ömri meyhanede geçerdi ve meyhanede yir içerdi."*

[120] Aşık Çelebi II, p. 828-29, Latifi, , p. 504-5.

[121] Ahkam Defterleri I, p. 255 ,290.

[122] Altınay, *"İstanbul Hayatı 1553-1591",* p. 145

[123] Jean de Thévenot, *Thevenot Seyahatnamaesi*, ed. by Stefanos Yerasimos, (İstanbul: Kitap Yayınevi, 2009), p. 59.

[124] Çaksu, p. 121.

bathhouses for people of different religions.[125] There were even separate days to be used by Christian and Jewish women in the bathhouses of Jerusalem.[126]

After all, even in the participation of all the different groups could frequent the same place at the same time, the elite would not necesserily mingled with the poor or the Muslims with non-Muslims. As Tülay Artan argues, the different seating places for the young or the upper class or the musicians in coffeehouses suggests that existing hierarchies were also observed within the "public places"[127]. Likely, in bathhouses there were some discriminative regulations preventing non-Muslims from putting on *nalıns* like Muslims[128] or requiring them to undress in different rooms than those of Muslims'[129]. Together with the reflections of the differences on non-Muslims, the elite also had a distinguishable position in the bathhouses. First of all, their belongings, like their special napkins, scarves and *nalıns* exhibited their wealth and social status. Their belongings were carried by their servants on the way to the bathhouse.[130] According to Bassano, the elite women went to the bathhouse with their Christian slaves and these slaves helped them bathe.[131] In other words, it is true that people from different segments of the society could visit the same "public places", but it is questionable to what extent they truly intermingled.

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[125]Artan, "Forms and Forums", p. 386,87.

[126]Amnon Cohen, *Osmanlı Küdüsünde Loncalar*, (İstanbul: Türkiye Ekonomik ve Toplumsal Tarih Vakfı,2003), p. 62.

[127] Artan, "Forms and Forums", p. 383.

[128]Osmanlılarda Narh Müessesi ve 1640 Tarihli Narh Defteri, ed. Mübahat Küçükoğlu, (İstanbul: Enderun Kitabevi, 1983), p. 260.

[129] Ibid. 260.

[130] Suraiya Faroqhi, *Subjects of the Sultan: Culture and Daily Life in Ottoman Empire,* (I.B. Tauris, 2005), p. 106.

[131] Luigi Bassano, *Costumi*, (Monaco di Baviera: M. Hueber, 1963), p. 18.

These kinds of reflections on status and religion might well have been carried out in the taverns as well. The verses of Ahi, the poet who lived in the sixteenth century, suggest such a difference. He writes:

> "Zurefa mecma'ı safa kanı
> Efe Meyhanesi yahud Yani"[132]

Ahi here gives the names of two taverns called *Efe* and *Yani,* which are the places of joy for the "elite". His emphasis on the "elite" implies that these taverns were mostly frequented by poets like himself or people of relatively high ranks. A similar emphasis is made by Tıfli in his story *Hançerli Hikaye-i Garibesi*, which was recorded in 1851-1852. In the story, when the spendthrift Süleyman Bey and his friends visit a tavern in Topkapı, his friends tell him that "this evening we had fun in the manner of shopkeepers (*esnafça*); tomorrow let us go to Galata, to *Gümüş Halkalı* tavern to have fun in the manner of grandees (*kibarca*)".[133] Like the taverns *Efe* and *Yani*, *Gümüş Halkalı* tavern in this story also appears as a place for the "elite".

After all, whether or not they preferred going to a public place, the elite always had the possibility to host their guests or to take a bath at home, whereas the poor could not do the same in their rather modest houses that typically had neither a bath nor a *selamlık* inside.[134] In addition to that, the names and titles of the people who were busted when drinking in their houses suggest that a similar tendency might have been valid also for drinking wine. People holding state offices such as a non-

[132] Aşık Çelebi I, p. 393-94.

[133] David Selim Sayers, *Tıfli Hikayeleri*, (İstanbul: İstanbul Bilgi Üniversitesi, 2013), p. 309-313.

[134]Uğur Tanyeli, "Norms of Domestic Comfort and Luxury in Ottoman Metropolises 16th to 18th Centuries" in *The Illuminated Table,The Prosperous House: Food and Shelter in Ottoman Material Culture*, (Würzburg: Ergon in Kommission, 2003), p. 306.

commissioned officer, a clerk or a royal gardener might have avoided being seen in a tavern as it might cause losing their positions.

Mustafa Ali's description of tavern frequenters must be remembered here. According to him,

> "wine taverns are places of drinking and amusement, gathering places and haunts of wine imbibers, frequented especially by two groups. The first group is the hot-blooded young men, the potent youths fond of drinking and fornicating with women and boys…The other group consists of those chronically addicted scoundrels from among the black-faced Africans and Russians of bad stock, who think it proper to drink wine all day and night and who spend their entire lives in taverns"[135].

With the Africans and Russians, Mustafa Ali could be referring to freedmen. Whether they were able to afford visiting a tavern that often remains as a question, but obviously Mustafa Ali did not approve of their presence in taverns. While he adopted a most critical and dismissive tone when speaking about the frequenters of taverns, his way of talking about "private" wine parties was significantly different. He defines the attendants of such gatherings as "men of dignity, great men whose names are mentioned with modesty and with their appropriate titles, pleasure-seeking sophisticates"[136]. He also adds a verse on this issue, which depicts us his perception of wine parties:

> No beggar will understand; wine feasts are gatherings of Jamshid.
> Here there is a princely air; it is a different world.

Being a bureaucrat himself and a believer in the preservation of social boundaries, Ali disapproved of drinking with ordinary people in a public place, while he was much more favorable towards drinking parties held in more exclusive, "private"

[135] Mustafa Ali, "Tables of Delicacies", p. 131.

[136] Ibid. p. 112.

settings. His two different interpretations are quite interesting in the sense that it depicts the perception of a high bureaucrat on drinking culture.[137] After all, he openly states that the act of drinking wine should be performed secretly.[138]

Another widely seen group among the ones who were busted at home was women. Although women were more commonly seen in European taverns and made up a more diverse group, such as married couples, girls in young groups, women who came with the hope of finding a partner or waitresses[139]; women in Ottoman taverns were typically prostitutes. This "bad image" of the women attending taverns, might have led some of them to drink in a more hidden way, either in their home or in the home's of others.

All in all, as in the case of bathhouses and coffeehouses, it could be argued that taverns also catered to people from different status groups, ethnicities and religions and created a place for some intermingling between these groups. Nevertheless, a real intermingling like having conversation or sitting together of these groups is questionable. We might assume however, it was a temporary removal of social barriers, which should not be overestimated or romanticized.

2.5 Functions of a Wine-Tavern

A tavern was, as mentioned above, first and foremost a place for drinking as well as a place for gathering and socialization. Just like any other "public place" in the early modern period, the tavern also incorporated several functions within one place. In

[137] Marcus, p. 9 *"Upper class experienced the same entertainments but usually at home"*

[138] Mustafa Ali, "Tables of Delicacies", p. 131-132, Marinos Sariyannis, "Time, Work and Pleasure: A Preliminary Approach to Leisure in Ottoman Mentality", in *New Trends in Ottoman Studies*, Papers presented at the 20th CIEPO Symposium Rethymno, 27 June- 1 July 2012, (2014), p. 809.

[139] Bernard Capp, Gender and the Culture of the English Alehouse in Late Stuart England, http://www.helsinki.fi/collegium/eseries/ volumes/volume_2/002_07_capp.pdf, (2007).

this respect, I will talk about a tavern as a place of entertainment, a place for prostitution and a place for eating.

As it is stated in the second chapter, in the sixteenth century taverns were not the only places where one could go to have some fun. Vineyards and orchards, mills and some private rooms of *levends* or bachelors were other places where people entertained themselves. In addition, various imperial festivals as well as private celebrations of weddings and circumcisions offered opportunities of entertainment to people[140]. A tavern, however, provided a permanent place for joy that people could visit any time they desired. The seventeenth century Armenian Ottoman writer Kömürcüyan explained this "availability" very well, when he wrote of "taverns that we went to cheer up"[141].

Coffeehouses, which sometimes offered additional entertainment in the form of *Karagöz* and *meddah* plays, also served as a place for entertainment[142] but it was a different kind of service from what we find in taverns. However, for Paul Rycaut, an English diplomat who visited Istanbul in the second half of the seventeenth century, coffeehouses were not featured with this aspect unlike taverns. He claimed that the state closed down coffeehouses and privileged the taverns "because the first were melancholy places where seditions were vented, where reflexions were made on all occurrences of state, and discontents published and aggravated; but wine raised the spirits of men to a gay humour, and would never operate those effects to endanger

[140] Yılmaz, "Boş Vaktiniz var mı", p. 39-41.

[141] Kömürcüyan, p. 55.

[142] Cemal Kafadar, "How Dark is the History of the Night".

his condition".[143] Rycaut's perception of coffeehouses reflects more on the "state talks" that make people melancholic, whereas in the tavern with the effects of alcohol, people do not engage in such state issues and only enjoy themselves. After all, for a similar reason sixteenth century historian Peçevi states that "going to a tavern is better than going to a coffeehouse" (*meyhaneye gitmek kahvehaneye gitmekten evladır*).[144] This perspective however, does not reflect the practice since taverns were subjected to a more severe surveillance and punishment.

The sources on Ottoman taverns often mention about musicians and singers *(hanende vü sazende*s).[145] Drinking with music was obviously an important source of enjoyment for the contemporaries. They describe this enjoyment as "eating and drinking, with the singers and musicians they enjoy so much that it is not possible to explain it"[146] or "in tavern he used to enjoy himself so much that…"[147]

Obviously, most of this entertainment took place at night, as we understand from the complaints of taverns' neighbors. They state that taverns were a source of noise with music going on till the morning. One such complaint comes from seventeenth century Hasköy and states that the tavern keepers Kostantin and İstemad did not close their taverns until the morning and disturbed the neighbors with loud

[143] Paul Rycaut, *The present state of the Ottoman Empire*, (London: Printed for John Starkey and Henry Brome, 1972), p. 165.

[144] Peçevi, p. 196.

[145] Evliya Çelebi, p. 314, Kömürcüyan, p. 55, Kuran, p. 11.

[146] Evliya Çelebi, p. 184 *"…hanende vü sazendegah ile bir hay-ı hudur kim diller ta'bir olunmaz"*

[147] Aşık Çelebi II, p. 828-29 *"Meyhanede ol denli eğlenirdi ki…"*

music.[148] Similarly, coffeehouses operated at night especially during the Ramadan, and Karagöz and meddah plays were performed before a large audience.[149]

Besides this nocturnal entertainment in taverns, people who had wine parties at home also preferred the night. Most of the cases on busted people report that they were drinking at midnight (*nısfu'l leylde*). The illegality of the act was probably one reason that it took place during night. That's why people also preferred buying wine mostly after the night prayer.[150] In addition, together with the illegality, for the people who visited taverns after their work ended, the night was much appropriate. According to Reşat Ekrem Koçu, apart from the youth and apprentices, the working people used to go to taverns between the evening and the night prayer.[151] For the stated reasons, apparently taverns and drinking were an integral part of nocturnal life and taverns themselves created a unique place which fulfilled the need of entertainment in a permanent way.

Prostitution, while being practiced mainly at homes, was also practiced in various public places such as bachelor's rooms, bathhouses, coffeehouses, barber-shops, in some cases in rooms of *levends* and caravanserais and quite widely in the

[148] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 150 *"... meyhaneyi tutup içinde hamr satarlar, lakin gündüzün sattıklarından ma'ada gece ile bile asla meyhaneleri kapanmayıp sabahlara dek hamr satıp bi-vakt zamanlarda erazil doldurup bütün gece çalma ve çığırma ettirip bütün gece meyhanelerinde ateş sönmez…",* For another similar case see: Timur Kuran, p. 529, *" ...halen Nasranilerden Kalfa ve Kömirci ve Yayla nam zımmiler mezbur Abdi Çelebi Mescidi kurbünde sakin oldukları evlerini meyhane idüp içinde erbab-ı şerr-şur şeb-i ruz cem'iyle fisk u fücur ve şürb-i hamr idüp hayhuylarından mescid-i mezburdan kema yenbağı eda-i salata imkan olmayup…"*

[149] Kafadar, "How dark is the history of night".

[150] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 554 *"... fi'l vaki tarih-i kitab gecesi yatsı namazından sonra Eba Eyyub Ensari'den bir peremeye binip zikr olunan Hasköy'den hamr iştira etmeye geldik."*

[151] Koçu, "Meyhane", p. 15-16.

taverns.[152] The court cases state many times that some taverns also provided places for prostitutes to carry on their trade.[153] In some cases, tavern keepers were also associated with procurers, which supports this dual function.[154]

Prostitutes in taverns consisted of both female and male prostitutes with the latter appearing mostly as apprentices as in the cases of coffeehouses and bathhouses.[155] The experience of Mustafa Ali and his "self-discovery" in the tavern that we learn from one of his poems exemplifies the situation in these places:

> Childhood departed, love arrived,
> debauchery in the taverns became my habit;
> Till my age thirty I was
> joined to the demon of perdition.
> My heart's desire was the friend [God]
> but my soul yearned for others;
> That shameless one inclined then to
> pretty girls, now to handsome boys."[156]

The food services in the early modern Ottoman world are not much known. According to Artan, sources mention various places for eating out. *Kebabcı*, *şerbetci*, *helvacı*, *muhallebici*, *gözlemeci*, *börekci*, *çörekçi* and *simitci* were among them.[157] The clotted-cream shops (*kaymakcıs*) also appear as important socializing places both for men and women as seen in the court registers of the sixteenth century

[152] Eugenia Kermeli, Sin and the sinner: folles fammes in Ottoman Crete, in *Euroasian Studies 1/1*, (2002), p. 36-37, Artan, "Forms and Forums", p. 392.

[153] Ahkam Defterleri II, p. 26, *"leyl ü nehar erazil ve eşkıya tecemmu' ve fahişe avretler getürüb ikisi dahi hem meyhane hem karhane olub…",* Dernschwam, p. 144.

[154] Marinos Sariyannis, "Prostitution in Ottoman Istanbul, Late Sixteenth- Early Eighteenth Century", *Turcica*, 40, (2008), p. 57.

[155] Andrews and Kalpaklı, p. 283-284, Zarinebaf, p. 100.

[156] Fleischer, p. 23.

[157] Artan, "Forms and forums", p. 389.

Eyüp.[158] Therefore, although eating in the early modern period is mostly associated with the home, Artan claims that eating out was indeed quite popular.[159]

According to Mustafa Ali and Evliya Çelebi, wine-taverns appear as another important place for eating out.[160] In some cases, one could even go to a tavern only to eat something.[161] Sometimes, too, tavern keepers had disputes with grocers as they bought materials such as olive oil, rice and honey that were not allowed to be bought and sold apart from the grocery store.[162] Some of the taverns are also known to have cooked fish[163] and sheep's head[164]. The tables in the two imagesthat are full of dishes also affirm the variety of food served in the taverns.

Nevertheless, not all taverns provided this food service, and the ones that did paid more taxes than the others.[165] Also some bigger taverns were much better equipped than others, and they served a greater variety of food in greater amounts. For example, a big tavern in Hasköy had forty pots, twenty skewers, two big cauldrons, twenty iron plates, three frying pans, three hundred spoons, one thousand plates;[166] whereas another modest one had only two pots and two skewers.[167] Of

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[158] Madeline C. Zilfi, *Women and Slavery in the Late Ottoman Empire: the Design of Difference*, (Cambridge; New York: Cambridge University Press, 2012), p. 57.

[159] Artan, "Forms and forums", p. 389.

[160] Mustafa Ali, *Gelibolulu Mustafa Ali ve Mevaidü'n-nefais fi- kavai'dil mecalis*, (ed.) Mehmet Şeker, (Ankara: Türk Tarih Kurumu Basımevi, 1997), p. 365, Evliya Çelebi, p. 393.

[161] Evliya Çelebi, p. 55.

[162] 85 Numaralı Mühimme Defteri, p. 429.

[163] Kuran, p. 43.

[164] Kuran, p. 45.

[165] Galata Mahkemesi 90 Numaralı Sicil, Case No: 117.

[166] İstanbul Mahkemesi 12 Numaralı Sicil, Case No: 503.

[167] Eyüp Mahkemesi 74 Numaralı Sicil, Case No: 193.

course the number of kitchen utensils in these wine-taverns was also an important indicator of the capacity of these places that they could serve their clients. In addition, some *bozahanes* had a similar kind of function that clients could drink and eat all kind of giblets just like in taverns.[168]

2.6 Conclusion

As I tried to show above, when we look from a more general perspective we see that we cannot associate one "public place" with one specific function. Just as coffeehouses served more than coffee to their clientele, wine-taverns, too, not only served wine to their customers, but also frequently provided other services from food to musical entertainment to prostitution. In the early modern period where there were relatively few public places, the multi-functional character of these "public places" enabled them to substitute for each other. In addition, contrary to what is generally assumed, wine taverns could be located in various different places within the city, not necessarily in "Christian neighborhoods".

The state control on such places might have been partially responsible for this inter-changeability, which might have been also a way of "handling the state"[169]. It is known that taverns and to a lesser degree, *bozahanes* and coffeehouses were periodically banned by state orders. These orders and the considerations behind them will be examined in greater detail in the next chapter. But we should note here that the periodic state bans on these businesses might have resulted in this tendency that "public places" were ready to substitute one another to eliminate the bans. Barbershops that served as coffeehouses when the state banned the latter can be

[168] Evliya Çelebi, p. 247, Üsküdar Mahkemesi 51 Numaralı Sicil, Case No: 38.

[169] The term was borrowed from Necmi Erdoğan, "Devleti 'İdare Etmek': Maduniyet ve Düzenbazlık," *Toplumve Bilim* 83, (2000).

given as an example for this situation.[170] Also, in cases of unavailability of a tavern in a neighborhood, for instance, a coffeehouse or *bozahane* owner might have wanted to fill this gap and meet the demand by serving wine in his shop. For whatever reason it might be, obviously there were not clear cut lines between the abovementioned places that might prevent one from substituting for the other. Rather, what we see in the early modern period is the ambiguous roles of public places.

[170] Kafadar, "Self and Others", p. 73.

CHAPTER 3

REGULATING THE WINE-TAVERNS

3.1 Introduction

This chapter attempts to provide an overview of the state policies on wine-taverns and wine-drinking. While the focus will be on taverns, by including coffeehouses and *bozahanes* into discussion, I will try to examine the general attitude of the state towards such public places. I suggest that despite the fact that these places got reaction from the state for various reasons, preventing "immoral" acts such as prostitution and wine drinking, and social gathering for various reasons brought forth an overall campaign against such places.

In addition to the discussion on the regulations of public places, the state of drinking and selling wine according to Ottoman law will be discussed in order to provide a basis for the regulations on taverns. As it was indicated in the previous chapter, taverns were not the sole places for drinking wine. Private homes, gardens, caravanserais, rooms of khans etc. were among those alternative places. Moreover, selling wine was not monopolized by the tavern-keepers. One could easily buy wine from others who were dealing with its marketing. Also, it was stated in the second chapter that taverns were an integral part of neighborhoods and this occasionally created troubles mostly for Muslim neighbors. The state's reaction in such cases was mostly towards pleasing the neighbors and closing the specific taverns but as it will be seen later in this chapter, the attitude of the state in these cases was far from being consistent.

3.2 Theory and practice of drinking and selling wine according to Ottoman law

Ottoman legal system was basically comprised of the religious law Sharia and the secular law *kanun*. While Sharia was based on Quran and the sunna, *kanun* was based on customary law (‘örf) and sultan’s will. As Sharia concerned with one’s relation with God, *kanun* was aimed to complement it by regulating the matters of government, court, army, and the relationship between men and state.[171]

According to Sharia, drinking wine was regarded as a *hadd* offence, together with fornication, false accusation of fornication, theft and highway robbery. These five offences were considered as violations against God and the offenders of these crimes should have received a governmental enforcement.[172] In this respect, drinking wine was to be punished by flogging; eighty strokes for the freemen and forty for the slaves.[173]

While the Ottoman criminal law implemented flogging for drinking wine as stated in Sharia, in addition it also imposed fines for this offence. In fact, Ottoman executives were more inclined to impose fines for *hadd* crimes in general, rather than enforcing the severe Sharia punishments of capital or severe corporal punishments.[174] Accordingly, Ottoman *kannunames* stated the punishment for wine drinking as ‘if someone drinks wine, the judge shall apply *ta’zir* (corporal punishment), and take

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[171] Uriel Heyd, *Studies in Old Ottoman Criminal Law*, (ed.) L. Ménage, (Oxford: Clarendon Press, 1973), p. 180, Colin Imber, *Ebu’s-suud: The Islamic Legal Tradition*, (Edinburg: Edinburg University Press, 1997), p. 24, 40.

[172] Rudolph Peters, *Crime and Punishment in Islamic Law: theory and practice from the sixteenth to twenty-first century*, (Cambridge, UK, New York: Cambridge University Press, 2005), p. 7, Haim Gerber, *State and Society in the Ottoman Empire*, (Farnham: Ashgate, 2010), p. 59.

[173] Imber, p. 31, Joseph Schacht, *An Introduction to Islamic Law*, (Oxford: Clarendon Press, 1964), p.179.

[174] Heyd, p. 181-182.

one *akçe* for two strokes' (*eğer bir kişi hamr içse, kadı ta'zir ede, iki ağaca bir akça cürm alına*). While this decree was kept as it is from the time of Mehmed II to Selim I[175], the law of Suleyman I also acknowledges the necessity of proving the crime (*bade's subut*) before the enforcement of again one *akçe* for two strokes.[176] While this detail in Suleyman's law is seen in the manuscript used by Heyd, the *kannunname* manuscript of Akgündüz does not depict a slightest variation on the punishment of drinking wine from the law of Mehmed II to Ahmed I. The fact that the statutes on drinking wine were confirmed without much variation might be reflection of the conservative structure of Ottoman law, which was quite constant as long as social and economic conditions did not bring fundamental changes.[177]

Besides the sultanic criminal code, the prohibited status of drinking wine was also reaffirmed by the religious authorities. Ebussuud for example, even objected to a Muslim consuming a little amount of wine for medicinal purposes. He stated that it is not permissible and that wine is by no means remedial. Instead, he suggested another medication for the patient.[178] In the seventeenth century, Şeyhülislam Feyzullah Efendi gave fatwas against wine in the same direction and he also confirmed the punishment required by the criminal law. He said that the one who commits an offense of drinking wine in his place should have been prevented and administered the *hadd* punishment for wine-drinking and harsh discretionary punishment (*hadd-ı*

[175] Osmanlı Kanunnameleri ve Hukuki Tahlilleri, (ed.) Ahmet Akgündüz, (İstanbul: FEY Vakfı, 1990).

[176] Heyd, p. 72, 111.

[177] Heyd, p. 172.

[178] Ebussuud, Mesele 708, Elcevab: "*Asla caiz olurlardan değildir, ittifaken ettikleri dahi batıldır. Haşa ki hamrda deva ola. Anın yerine gayet sıhhat üzerine pişirilmiş müselles halt etmek lazımdır."*

şürb ve ta'zir-i şedid ile zecr u men' olunur).[179] Likewise, the seventeenth century Şeyhülislam Çatalcalı Ali Efendi stated that if a man gathers with dhimmis and drink wine, *hadd* punishment and harsh discretionary punishment was required (*hadd-ı şürb ve ta'zir-i cedid*).[180] The fiqh manual of İbrahim ibn Mahammed Halabi, Islamic jurisprudent from the sixteenth century, provided a more detailed account on drinking wine while approving the same corporal punishment. He specified that drinking wine was punishable only if the culprit had the smell of wine, if he was brought intoxicated, if two men bore witness or if he confessed that he drunk wine. In that case, if he was a freeman he was to be punished with eighty strokes and if he was a slave with forty strokes.[181]

Non-Muslims on the other hand, were exempt from this restriction and they were allowed to drink wine as long as they did not sell it to Muslims. They were not allowed to keep wine however, more than was needed for their personal use (*kifaf-ı nefs*) so that they would not sell the extra wine to Muslims. When Muslims and non-Muslims were caught keeping wine in their places they were subjected to two different procedures. If the offender was a Muslim, the whole wine he kept was to be poured out; whereas if he was a non-Muslim, the extra wine was to be turned into vinegar by adding salt and he was to be permitted to keep the *kifaf-ı nefs*.[182] Non-Muslims' wine drinking was only mentioned in the court if they committed another

[179] Feyzullah Efendi, *Fetava-yı Feyziye/ Şeyhülislam Feyzullah Efendi*, (ed.) Süleyman Kara, (Istanbul: Klasik, 2009) p. 114.

[180] Çatalcalı Ali Efendi, *Fetava-yı Ali Efendi*, (ed.) Salih b. Ahmed el-Kefevi, (İstanbul: Tabhane-i Amire, 1842), p. 134.

[181] İbrahim İbn Muhammed Halabi, *Mülteka al Abhur Tercümesi*, (ed.) Mehmed Lebib, p. 369-370.

[182] 6 Numaralı Mühimme Defteri, Case No: 251, 491, 1192, 1343.

crime while they were intoxicated. For example, in 1516 Mihal from Üsküdar was punished for burgling while being intoxicated.[183]

Drinking wine (‘*şürb-i hamr’,* as it appears in the sources) was banned in all four Sunni legal schools and jurists of these legal schools laid down the conditions of personal confession or the testimony of two just witnesses to convict one of this offence. Hanafis and Malikis recognized also the smell of wine (*hamr rayihası, rayiha-i hamr*) as circumstantial evidence in the existence of again two witnesses.[184] Obviously in the Ottoman case, *rayiha-i hamr* was accepted as strong evidence to convict people of drinking wine that in 1592 the grand vizier of the time enacted to punish anyone who had the smell *(Her kande eser-i hamr ağız bulmak gerekse şoyle ki böylesi itaba mustahak olunsun*).[185] Most of the wine drinking cases in the court registers were indeed revealed by the smell of wine.

In case a Muslim was convicted of wine drinking and he denied it, the court accepted the testimony of witnesses regardless of his denial.[186] This was the case for Şimerd from Üsküdar in 1524, who was accused of drinking wine and being drunk. He denied that he drunk wine and was intoxicated but the court enforced chastisement based upon the testimony of Hacı and Hasan.[187] The famous fatwa of Ebussuud also confirms the exigency of witnesses. He emphasized that without a witness, an offense could never be proved. When he was asked “what happens if a

[183] Üsküdar Mahkemesi 1 Numaralı Sicil, Case No: 387.

[184] Mona Siddiqui, Drinking and Drunkenness in Ibn Rushd, in *Studies in Islamic Law: A Festschrift for Colin Imber,* (ed.) Andreas Christmann and Robert Gleave, (Oxford: Oxford University Press, 2007), p. 298.

[185] Üsküdar Mahkemesi 84 Numaralı Sicil, Case No: 1062.

[186] Nurcan Abacı, *Bursa Şehrinde Osmanlı Hukukunun Uygulanması (17. Yüzyıl),* (Ankara: T.C. Kültür Bakanlığı, 2001), p. 195-196.

[187] Üsküdar Mahkemesi 5 Numaralı Sicil, Case No: 27.

wine jar is found in Zeyd's possession", he responded with a story of Abu Hanifa. Accordingly, when the famous jurist was entering Medina, on the way of Hajj pilgrimage, he saw the people gathered around a man. They said "We found him with a wine-skin, and we wish to inflict the fixed punishment on him." Abu Hanifa replied: "He's got the instrument of fornication with him, too. So stone him."[188] In fact, the emphasis on witnesses was not particular to cases of wine drinking; rather Islamic law in general attaches great importance to the testimonies in the lawsuit processes.[189] The necessity of four witnesses for adultery cases is just one example of this, although there were cases that this criterion could be disregarded in practice.[190]

Another way to prove that someone had been drinking wine was by extracting from him personal confession. Although most of the wine-drinking cases seem to have ended up in court through the denouncement of witnesses or the local chief of police (*subaşı*), in a few cases we attain confessions. In the early sixteenth century, Karagöz and Bali from Üsküdar for example, went to court to acknowledge that they drank wine.[191] However, we are not provided in the registers that what was the motivation of Karagöz and Bali; whether it was a personal decision to confess their offences at the court or they were somehow obliged to do so.

Even though in theory drinking wine was to be punished with bastinado and/or a fine, the court registers do not allow us to know the given punishment for these cases. Although this does not mean that the offenders were not penalized, it does not

[188] Peters, p. 15.

[189] Ibid. p. 14-15.

[190] Elyse Semerdjian, *"Off the straight path": Illicit sex, law and community in Ottoman Aleppo*, (Syracuse, N.Y. : Syracuse University Press, 2008), p.136.

[191] Üsküdar Mahkemesi 9 Numaralı Sicil, Case No: 796, Üsküdar Mahkemesi 17 Numaralı Sicil, Case No: 153.

let us know indisputably that they were condemned either. We attain only a few cases in the registers that acknowledge the punishment. In such cases, we do not see the amount of money taken as fine or the number of strokes applied.[192] Only in one case, it is acknowledged that both the chastisement and the fine were applied to the offender *(had vurulup ale'l kanun cerime alınıp…).*[193] In another case of drinking wine, it is merely stated that what is required according to sharia was carried out *(mezbura bi hasebi'ş-şer lazım olan yerine konulup).*[194] Although rarely seen, public exposure to scorn might have been imposed for such cases. Hans Dernschwam, the German traveler who visited Istanbul in the sixteenth century, narrates such a punishment that was given to three young Muslims who were busted in a tavern with three prostitutes. Together with the tavern keeper, three boys were forced to ride a donkey, sitting backwards and naked, and round around the city in that way.[195] This was aimed as a customary punishment to create a spectacle for the benefit of other believers, who it was hoped would be discouraged thus from committing the same offense.

In most of the wine-drinking cases, however, for an uncertain reason the registers only record that a person drank wine or was caught with a smell of wine in his mouth (*ağzında raiha-i hamr mevcud idiği* or *elan feminde hamr olduğu sebt-i sicil olundu*). For instance, in 1564 the state ordered the judges of Ustrumca to warn and prohibit the Muslims who drink wine and to report the names of the ones who

[192] Heyd, p. 254.

[193] Üsküdar Mahkemesi 1 Numaralı Sicil, Case No: 677.

[194] Üsküdar Mahkemesi 9 Numaralı Sicil, Case No: 528.

[195] Dernschwam, p. 144.

disobey that.[196] For the non-Muslims who sold wine on the other hand, the state again asked the judges of Kocaili to report the transgressors' names to sentence them as oarsmen.[197] Kermeli states that the names of whores were registered similarly in the eighteenth century to be exiled later on.[198] Also for drinking wine, the state might have wished to keep the names of people for different purposes or they simply did not tend to record the punishment, which was actually the basic characteristic of Ottoman court registers; not to acknowledge the given punishment.

A comprehensive examination of the cases of drinking wine suggests that there could have been different enforcement for this offense. For example, it is possible to see both corporal punishment and mere record of *şürb-i hamr* in the register of Üsküdar from 1524-1525,[199] which suggests that the state's attitude was not very consistent on this issue or the nuances in these cases were not reflected in the registers, which could have allowed us to detect the reason for the different enforcements. On the other hand, the officer in charge - the *muhtesib,* an official appointed to deal with the offences against public morals such as prostitution or drinking wine and the *subaşı* who was responsible for public order - probably had an important act on the number of cases brought before the court.[200] The fluctuations in the number of cases found in the registers might have been affected by the more pious and attentive character of the officer or the agenda of the sultan. For instance,

[196] 6 Numaralı Mühimme Defteri, Case No: 45.

[197] 7 Numaralı Mühimme Defteri, Case No: 1893, For an elaborate study on hard labour and it is emergence in the sixteenth century see; Mehmet İpşirli, "XVI. Asrın İkinci Yarısında Kürek Cezası ile İlgili Hükümler", *İstanbul Üniversitesi Tarih Enstitüsü Dergisi XII*, (1982).

[198] Kermeli, p. 94.

[199] Üsküdar Mahkemesi 5 Numaralalı Sicil, Case No: 27, 281.

[200] Kermeli, p. 95 "*The more pious the pasha was, the more efficient the 'cleaning' operations conducted*."

most of the cases on drinking wine in Hasköy are found in 1642-1643, during the time of Subaşı Mustafa.[201] He was the one who revealed many wine drinking cases and brought them before the court. Similarly in Üsküdar in 1582-1583 the number of wine drinking cases increased prominently, compared to other years, which actually coincides with the wholesale bans on taverns and coffeehouses by Murad III.[202] Such cases might have also differed from one district to another. For instance in none of the court registers of Galata from 1575 to 1663 we attain a case of drinking wine. Also, the registers of Eyüp from 1585 to 1680 do not contain such cases. All these random peaks of wine drinking cases make it difficult to reach a conclusion. Still, it might show that while the city-wide or empire-wide banns had an effect on this situation, local implementations might have varied quite a lot that the districts created their own conducts in terms of providing the local order.

Despite the fact that it was already prohibited by religious law as well as by *kanun*, the state enacted several times to forbid wine-drinking. Apparently it was because the prohibitions were not effective in stopping Muslims from drinking wine that the state tried to control the whole marketing of wine in order to stop it entirely. For instance, in 1671, when Mehmed IV prohibited alcohol, he also had the *hamr emaneti* (the office in charge of taxes on wine and taverns) abolished[203], in an attempt at a complete abolition. Similarly in 1565, the state ordered the judge of Şehirköy (today the town of Pirot in Sirbia) to search every Muslim house, to pour out the wine they find and to warn the non-Muslims who sell wine to Muslims.[204]

[201] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 550, 554, 556, 560.

[202] Üsküdar Mahkemesi 56 Numaralı Sicil.

[203]Hadika-i Vekayi, p.216.

[204] 6 Numaralı Mühimme Defteri, Case No: 589.

As it is stated above, preventing non-Muslims from selling wine to Muslims was seen as an important element in the state's campaigns against drinking wine. The Mühimme registers from 1558 to 1569[205] are full of orders that attempt to stop non-Muslims. These orders were sent to various cities throughout the empire such as Bursa, Malkara, Köstendil, Kocaili or Gelibolu. For instance, one such order from 1568 instructed the judge of İznik to prevent non-Muslims from selling wine to Muslims and punish the transgressors according to the Sharia.[206] The state also interfered at the customs to stop the influx of wine into the cities, such as in 1568 in Iskenderiye it orders the pouring the wine to the sea in order not to let in it to be sold.[207] Although we see quite a number of such prohibitive orders in Mühimme registers, we do not find that many cases in court register which could show us that those orders were actually implemented. As we will see for the taverns, the orders on the sale of wine acknowledge that although the state previously prohibited it many times, non-Muslims continued to sell wine. This suggests that despite the obvious vigilance of the state, it was not easy to stop the whole sale of wine for various reasons. First, except for the random orders that prohibited the sale and drinking of wine entirely, non-Muslims were allowed to drink wine and trade it among themselves. This was an important impediment for the state control on wine as it meant that a significant part of the population could drink it with impunity.[208]

[205] Among the available registers published by ISAM Yayınları.

[206] 7 Numaralı Mühimme Defteri, Case No: 1864.

[207] 7 Numaralı Mühimme Defteri, Case No: 1927.

[208] Yılmaz, "Boş Vaktiniz var mı", p. 29.

Moreover, as for Istanbul, the wine was easily accessible since it was surrounded by wine-growing regions and it was hard to prevent the influx.[209]

An interesting aspect about the marketing and drinking of wine by non-Muslims is that the state put a great emphasis on visibility. In many orders, the non-Muslims were banned from drinking wine in public or selling it to Muslims or non-Muslims "overtly" (*alenen*).[210] The fact that the state in times emphasized more the openness and less the sale, proves state's considerable concern about this issue. While some orders banned the whole sale of wine to Muslims, some others banned only "overtly selling it".[211] It seems that selling wine openly was accepted as illicit by the state. It was stated that non-Muslims should sell wine to each other underhand (*hufyeten*) and being seen while selling it was forbidden (*imdi şiar-ı küffar bu vechile izhar olunmak asla caiz değildir*).[212] The issue of openness comes up also in a fetva of Ebussuud. The sheikhulislam was asked: "What is required according to the Sharia, if wine is sold publicly in a city and if Muslims drink it shamelessly and openly by despising its illegality?" Ebussuud replies that such a person would be an infidel.[213]

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[209] Fleet and Boyar, p. 196.

[210]3 Numaralı Mühimme Defteri, Case No: 359, 7 Numaralı Mühimme Defteri, Case No: 1691, 1864, *Topkapı Sarayı Arşivi H.951-952 tarihli ve E-12321 Numaralı Mühimme Defteri*, (ed.) Halil Sahillioğlu, (İstanbul: İslam Tarih, Sanat ve Kültür Araştırma Merkezi, IRCICA, 2002), p. 334, Hikmet Turhan Dağlıoğlu, *On Altıncı Asırda Bursa: 1558-1589*, (Bursa: Vilayet Matbaası, 1940), p. 23, 58.

[211] Topkapı Sarayı Arşivi, p. 334, Ahmet Refik Altınay, *On Birinci Asr-ı Hicride İstanbul Hayatı*, (Ankara: Kültür ve Turizm Bakanlığı, 1987), p. 14-15.

[212] Altınay, "İstanbul hayatı", p. 216-217.

[213] Ebussuud, p. 147 *"Mesele 715: Bir şehirde aşikare hamr' bey' olunup, ve Müslüman adına olup içenlerin ekseri, kimseden haya etmeksizin, hürmetini istihfaf tarikiyle aşikade içtikleri takdirce, şer'an mezburlara ne lazım olur? Elcevab: Hürmetini istihfaf tarikiyle eden kafirdir, avreti baindir."*

3.3 State's attitude towards specific wine-taverns

As it is stated in the previous chapter, non-Muslims were allowed to operate taverns on some conditions. Basically, they were to be located in neighborhoods dominated by non-Muslims and not to be close to masjids and mosques. Practically however, the only case that could reveal a violation of these rules was the complaints of the neighborhood residents. This was related to the fact that neighborhoods in the early modern Ottoman world were regarded as basic communities at the local level and they were assigned a key role in ensuring public order.[214] The inhabitants of a neighborhood were held responsible for the crimes of which the perpetrator is not known.[215] Neighbors also had the right to banish someone from the neighborhood who disturbed them or who acted "immorally."[216] With such a social control mechanism, the state provided an efficient support for the lack of security that it could offer.[217] The inhabitants of a neighborhood all knew each other and the neighborhood to which they belonged gave them a collective identity. They defined themselves as "we" and they provided solidarity and collective defense besides the responsibility assigned by the state.[218] While on the one hand the neighbors helped the state to provide security in neighborhoods, the state also tried to prevent a possible unrest. In 1579, it was forbidden to let people without a guarantor to settle in a neighborhood since robbery cases increased lately.[219] In another such case, when

[214] Behar, p. 4.

[215] Ergenç, p. 73, Hülya Canbakal, "Some Questions on the Legal Identity of Neighborhoods in the Ottoman Empire", *Anatolia Moderna*, Vol. X, p. 134.

[216] Ergenç, p. 75.

[217] Semerdjian, p. 67.

[218] Abel-Tamdoğan, "Bizim Mahalle", p. 66-70, Behar, p. 4.

[219] Altınay, "İstanbul Hayatı", p.145.

the neighbors made a complaint about an inhabitant in fear that he could cause a problem, the court decided to relocate him to a district where he could provide himself a guarantor.[220]

The fact that the neighbors often knew each other well made their testimony invaluable when a certain offense occurred in their neighborhoods. The imams had a special position in terms of testimonies because besides being the religious headmen of the neighborhood they were also charged with administrative duties by the state such as searching for prostitutes or various other criminals.[221] A case from seventeenth-century Eyüp suggests that imams also warned people correctively for their offenses without bringing the case before the court. In 1679, the imam of Hüsrev neighborhood stated that although he warned the inhabitant Mustafa about his habits of drinking wine and fornication many times, he never abandoned his misdeeds.[222] Like imams and muezzins, inhabitants bearing titles with religious connotation such as *es-seyid* and *el-hac* played an influential role in the lawsuits as witnesses.[223] In 1662, for instance, when the inhabitants of Sofular neighborhood wanted to complain about the misdeeds of a certain Mustafa Çelebi, they went to court with the imams of Sofular, Zal Paşa and Kiremitçi Süleyman mosques, three muezzins and one judge to support themselves more effectively.[224]

[220] Erten, p. 123.

[221] Kemal Beydilli, *Osmanlı Döneminde İmamlar ve Bir İmamın Günlüğü*, (İstanbul: Tarih ve Tabiat Vakfı, 2001), p. 6-12, Sariyannis, "Law and morality", p. 309-310.

[222] Eyüp Mahkemesi 90 Numaralı Sicil, Case No: 325.

[223] Sariyannis, "Law and Morality", p. 309.

[224] Eyüp Mahkemesi 74 Numaralı Sicil, Case No: 100.

The wrongdoings that caused the neighbors' complaints were defined as *"su-I hal"*, meaning bad behavior, and could comprise such acts as fornication, engaging in banditry, illicit sex, drinking wine etc.[225] For instance, in the late sixteenth century in Üsküdar the inhabitants of Hacce Hatun neighborhood stated before the court that they busted Abdullah, Fatma and another Abdullah having conversation at midnight in the place of Mehmed Kethüda, and they asked the judge to find out what was going on.[226] People's reputation was also measured by whether they practiced their religious duties, and most particularly by whether they went to the mosque regularly for the five daily prayers.[227] When in 1620 the inhabitants of the Dümencibaşı neighborhood of Eyüp asked the judge to banish Yusuf from the neighborhood, they claimed that Yusuf was not coming to the mosque for the daily prayers and was speaking to their women indecently.[228]

Taverns created a variety of problems for their neighbors. People mostly complained about the wrongdoings (*fisk-I ficur*) of the tavern frequenters. Neighbors reported that people drank wine day and night, yelled loudly, and had prostitutes in taverns. Moreover, the smell of wine disturbed the neighbors especially when tavern keepers carried it in barrels on the street.[229] In one typical example of neighbors' complaints about taverns, the inhabitants of Hacce Hatun neighborhood went to court with the imam and muezzin of the local masjid and claimed that *dhimmis* Kalfa,

[225] Özen Tok, "Kadı Sicilleri Işığında Osmanlı Şehrindeki Mahalleden İhraç Kararlarında Mahalle Ahalisinin Rolü (XVII. ve XVIII. Yüzyıllarda Kayseri Örneği)", *Erciyes Üniversitesi Sosyal Bilimler Enstitüsü Dergisi*, (2005/1), p. 160.

[226] Üsküdar Mahkemesi 51 Numaralı Sicil, Case No: 570.

[227] Ergenç, p. 73.

[228] Eyüp Mahkemesi 19 Numaralı Sicil, Case No: 528.

[229] Kuran, p. 528, Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 109.

Kömürcü and Yayla turned their houses into taverns and that these taverns were close to the masjid. Day and night large crowds of people were engaging in mischief and drinking wine and their noise was preventing Muslims from performing their prayers in the masjid, as was proper. In addition to all this evil, when they carried barrels of wine on the public road, Muslims were repelled by [the wine's] odious smell (*şeb-ruz cem'iyyetle fısk u fücur ve şürb-i hamr edip hay huylarından mescid-i mezburda kema-yenbagi eda-i salata imkan olmayıp nice feseda mu'eddi olduğundan ma'ada tarik-i ammdan fıçı ile hamr geçirmeleri ile reyiha-i kabihasından Müslimin müte'ezzi olmağın…*).[230]

The significant role played by the people of the neighborhood in complaints about taverns is made particularly clear in a case from 1617. İbrahim Beşe went to court to report that Nikola wanted to turn his caviar store into a tavern. He claimed that this change would do harm to his own store and it would not be appropriate also as Nicola's place is very close to the mosque. Before making a decision, the court called for the neighborhood residents and asked for their opinion: the residents stated that being close to the mosque, it would not be appropriate to have a tavern in Nicola's place. In accordance with their opinion, the court banned this change.[231] A similar case occurred in 1618 when the neighbors of Yani went to court to state that Yani wanted to convert his shop to a tavern. They claimed that if he turns it into a tavern, Muslims would not be able to fulfill their religious duties in the masjid and they would be disturbed by the mischief makers who would hang out at the tavern. Again the court warned Yani not to turn his shop into a tavern.[232] Fatwas also

[230] İstanbul Mahkemesi 3 Numaralı Sicil, Case No: 58.

[231] Kuran, p. 542.

[232] İstanbul Mahkemesi 3 Numaralı Sicil, Case No: 132.

confirm the key role of neighbors and their authority in the administration of punishment. Ebussuud, for instance, states that although wine-drinking was prohibited, if Muslims pour out the wine of a tavern and smash their barrels, they do not have to pay a price because they do it to punish the tavern keeper.[233] These cases indicate that judges commonly resorted to the opinion of neighbors when deciding whether to permit the existence of a tavern or not. It also suggests that rather than the state's own stance against taverns, neighbors' complaints had more influence on the decisions. At the same time, this implies that as long as the neighbors were untroubled by the taverns, the state saw no harm for the taverns existence for certain cases.

Besides the complaints of the neighbors, a tavern could come to the attention of the court because of the reports of wine officers *(hamr emini).* These officers were in charge of the taxes on taverns and wine sale and also regulated the tavern licenses. Whenever the officer found out that a tavern was operating without a license, he asked the court to reconnoiter that tavern.[234]

The state's reaction to neighbors' complaints and notices was quite variable and contradictory. While in some cases it closed down the offending establishments, in others it only warned the tavern keepers. For instance, upon the complaints of the above-mentioned inhabitants of Hacce Hatun neighborhood, the judge decided that the taverns of Kalfa, Kömürcü and Yayla to be abolished and that the owners should be warned not to carry wine in barrels in the street.[235] Likewise, the tavern of Dimitri in Hasköy, which was the object of a complaint by his neighbor Ahmed Ağa, was

[233] Ebussuud, p. 96.

[234] Kuran, p. 125, 480.

[235] İstanbul Mahkemesi 3 Numaralı Sicil, Case No: 58.

ordered to be closed down in 1636.[236] On the other hand, in 1637 the judge of Hasköy let off the tavern keepers Kostantin and İstemad with just a warning not to disturb their neighbors.[237] At first sight these three cases seem quite similar. All of them were brought before the court by the neighborhood inhabitants and they were all complained more or less about the same points, i.e. wine drinking day and night, smell of wine, wrongdoings of the frequenters and noise. Yet, there might have been some nuances that were not again reflected in the court registers. For instance, the decision of the judge might have depended on whether a tavern had a license. The decision might also be have been affected by the social standing of the plaintiffs. It is also interesting that the judges' decisions of letting off the taverns with warning in 1636 and 1637 were given just after three or four years of Murad IV's firman of abolishment of all the taverns. We do not know for sure how long the order of Murad remained in force but this rather lenient attitude of the judges suggest that either the order was not in effect for a long time or the possible bribery cases were effective enough to bypass the sultans' orders.

Another crucial factor in the decision of the state to close down a tavern was the high income brought by both the taxes on taverns and wine. The fact that wine was prohibited by Islamic law did not prevent the Ottoman state from taxing it. Rather, the state taxed wine albeit under a euphemism, referring to the taxed wine as *şıra,* which simply means grape juice. The term *şıra* was used also to cover the taxes on vinegar and grape molasses (*pekmez*), which were like wine made from grape juice. By adopting this euphemism, the state was able to exploit a rich source of

[236] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 109.

[237] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 150.

revenue.[238] A similar kind of euphemism was also used for the tax on pigs. As pigs were forbidden to Muslims, the state preferred to call it *canavar*, meaning monster, instead of pigs and taxed them under this name.[239] It should be noted however that these kinds of euphemisms were not constant applications that the *kannunnames* include statutes using both *hamr* and *domuz* (pig). For instance, in the laws of Bayezid II, while in the *kanunname* of the city Kalhane in Diyarbakır *şıra* and *canavar* were used for wine and pig, in the *kanunname* of Kefalonia in Greece *hamr* and *domuz* were openly used.[240] It seems like the state paid attention to the language it used for its Muslim population and did not see a problem for using wine and pig for a city which was dominated by non-Muslims. After all, we know that especially *hamr* was used widely for taxing wine that even the office and the officer in charge of taxing it were called *hamr emaneti* and *hamr emini*.

Moreover, in newly conquered places where viticulture and production of wine were important economic activities, the Ottoman state did not interfere with this activity. On the contrary, both in Crete[241] and in Kefe[242], wine production continued ninterrupted after the end of Venetian and Genoese rule and the Ottomans benefited from this profitable activity. In addition, the state monopolized wine marketing through its officers. During the time of Selim I, it was stated in the law of Niğbolu that *subaşıs* could monopolize the wine trade for two months and ten days in

[238] Oleksander Halenko, "Wine Production, Marketing and Consuming in the Ottoman Crimea, 1520-1542", *Journal of Economic and Social History of the Orient*, Vol. 47, (2004), p. 545.

[239] Imber, p. 50.

[240] Osmanlı kanunnameleri II.

[241] Molly Greene, A Shared World: Christians and Muslims in the Early Modern Mediterranean, (Princeton, N.J.: Princeton University Press, 2010).

[242] Halenko, "Wine Production".

a year –whenever they wish to do it- and during that time non-Muslims were by no means allowed to sell wine. For these two months and ten days, only the *subaşı* could sell wine in the city. However, it was also noted that if the *subaşı* could not sell all his wine in this time period, in any case he had to end the monopoly after the end of this time.[243] There are cases in the court registers that non-Muslims who did not obey that monopoly rule were brought before the court.[244] When this monopoly rule was first started to be applied or whether it was a local application is not certain. In any case, it is obvious that the state itself was involved in viticulture, production and marketing of wine, while it also admitted its illicitness.

When Evliya Çelebi talks about taverns as lucrative businesses, he counts thirty officials to whom the tavern keepers paid tax, including the sultan, grand vizier, janissary agha, voivode of Galata, officer of wine etc.[245] In fact, the tavern keepers are known to have paid their taxes basically to the officer of wine but Evliya Çelebi might have referred to the offices who benefited from either this high amount income or the bribery that the tavern keepers had to pay them directly or indirectly. The taverns, as we are informed by a group of tavern keepers from Galata, paid their taxes according to the size of their store; as small, medium and large *(edna, evsat, ala).*[246]Yet, we do not know if this was the only method of collecting taxes from the taverns or there existed other ways. The amount of money paid might also have varied depending on period and place. When the above mentioned tavern owners of Galata went to court in 1604, they stated that every year the small taverns pay 30

[243] Osmanlı kanunnameleri III, p. 417.

[244] Üsküdar Mahkemesi 9 Numaralı Sicil, Case No: 515.

[245] Evliya Çelebi, p. 315.

[246] Kuran, p. 93.

akçe, the medium 50 and large taverns pay 80 akçe (*her sene her bir dükkandan edna ve evsat ve a'la I'tibariyle ta'yin olunup edanisi otuzar ve evasıtı ellişer ve e'alisi seksener akçe cem' idüp…*).[247]

This amount of money collected from the taverns was enough to make the state reluctant to close down the taverns. Although in most cases, the decision was made in favor of the neighbors either by removing the tavern or warning the tavern keepers, there were cases where the state had to think twice. After the inhabitants of Sedbaşı area in Bursa came to court in 1544/1545 to ask for the removal of the nine taverns in the surrounding place, the judge of Bursa brought the case to Divan-I Hümayun. The judge also acknowledged in his petition that those taverns paid fifteen-sixteen thousand *akçes* every year and the tavern keepers stated that asking for this money after the removal would be an injustice. In the order of the sultan it seems that he sought another solution other than the abolishment of the taverns and demanded supervision for them. The order stated that the sultan had to be informed about how close the taverns were to Muslim neighborhoods and masjids, what was the reason behind the offence taken by the Muslims, to whom the tavern keepers paid their taxes, whether their businesses were old or new and what kind of property they were.[248]

This being the case, the state was very attentive about the collection of taxes from taverns and occasionally, it warned the tavern keepers who did not pay their

[247] Ibid. p. 93.

[248] Topkapı Sarayı Arşivi, p. 49 *"Hükm-i şerif-i vacibü'l ittiba'ım vusul bulıcak bi'z- zat mübaşeret idüp naib-i mezbur ile üzerine varub göresin: Zikrolunan meyhaneler olan yerde Müslüman mahallelerine mutassıl mıdır, mescidden ve Müslümanlar mahallesinden ırak mıdır, ne mikdar mesafededir, Müslümanların incinmeleri nedendir,ve 'arzettikleri mikdar akçeyi kime virürler, kadim midir hadis midir, ne zamandan beri olmuşdur, virdükleri akçeyi kime virürler, mülk midir, vakıf mıdır, tımar mıdır, yohsa miri canibine mi virürler, tamam ma'lum idinüp vuku'ı üzere yazıp arzeyleyesin…"*

taxes.[249] Yet, apparently there were abuses in the collection of the taxes that the tavern keepers went to court at times to complain about the injustices occurring in this process. For instance, in 1604 Yorgi and other Yorgi went to court of Galata and stated that some non-commissioned people tried to collect tax from them.[250] Likewise, the state ordered many times that the taverns should not be disturbed for extra money.[251] Moreover, when the tavern owners of Kamah complained about the very high taxes that they could not afford, the state reduced one-third of the tax.[252] This stance of the state might have been related to the fact that state tended to tax people according to their socioeconomic status. At least in case of fornication in Ottoman Criminal Law, slaves were to pay less than free persons, non-Muslims less than Muslims and persons of middling wealth less than wealthier ones.[253] While this might be related more with state's attempt to protect the "weaker" groups in the society, Heyd claims that at least non-Muslims' paying less might have been in effect for keeping the *jizya* payers stable.[254] After all, it should be noted that this way of taxing was not a general application, and there were cases for non-Muslims that they paid the same amount of money as Muslims.[255]

[249] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 519, 520, 521.

[250] Kuran, p. 113-114.

[251] Topkapı Sarayı Arşivi, p.334, Dağlıoğlu, p.58.

[252] Ömer Lütfü Barkan, *XV ve XVI. Asırlarda Osmanlı İmparatorluğunda Zirai Ekonominin Hukuki ve Mali Esasları*, (İstanbul: İstanbul Üniversitesi, 1943-), p. 187.

[253] Heyd, p. 95-96, Peirce, p. 366.

[254] Heyd, p. 287.

[255] Ibid. p. 287.

3.4 State policies on wine-taverns

As we saw above, the state moved against specific taverns because of complaints by the neighbors or by denunciations of officers, and took action either by closing them down or by simply issuing a warning. Yet, these were not the only cases in which taverns were closed down. From the second half of the sixteenth century and through the eighteenth, the state ordered many times the closing down of all taverns in Istanbul. In 1567[256], 1583[257] and 1633[258] however, taverns were banned along with coffeehouses and *bozahanes*. As there was an obvious reaction also against "public places" like *bozahanes*, coffeehouses; the taverns should be approached together with them.

In the second half of the sixteenth century, Istanbul saw a major population growth, which was experienced also in Europe and Anatolia around the same time.[259] The increasing population also led the growth of the city and its urbanization, and new opportunities were created that attracted even more people. As in the case of Europe as discussed above, the city had to meet the demand for places of socialization for this large population.[260] It is stated that with the population growth in England in the later sixteenth century, the number of alehouses accordingly increased. We do not have figures which would allow us to compare any possible increase in the number of wine-taverns in Istanbul in this period, but we know that

[256] Altınay, "İstanbul Hayatı", p. 63.

[257] Ibid. p. 216-217.

[258] Naima II, p. 792.

[259] Suraiya Faroqhi, Ottoman Population, in *The Cambridge History of Turkey*, (ed.) Suraiya Faroqhi and Kate Fleet, (Cambridge, UK ; New York : Cambridge University Press, 2006), p. 376.

[260] Selma Akyazıcı Özkoçak, *The Urban Development of Ottoman Istanbul in the Sixteenth Century*, Unpublished PhD Dissertation, University of London, 1998, p. 37.

around the same time coffeehouses were proliferated quite fast as newly emerging public places. Both the increased population and increased numbers of public places in Istanbul expectedly created concerns for public security. Therefore, it is not surprising that the orders against coffeehouses, wine-taverns and *bozahanes* started and intensified through the second half of the sixteenth century.

The sixteenth century also coincides with the Sunnitization attempts of the Ottoman state, which basically emerged as a result of the rivalry between the Shi'ite Safavid and was manifested by putting stronger emphasis on Sunni orthodoxy.[261] This also brought about the consolidation of Sharia and the stricter control on the acts against religion such as drinking wine and fornication.[262] By empowering the local judges and imams, and motivating the neighborhood residents for local surveillance of "immoral" acts as explained above, helped the state with its social disciplining efforts.[263] By that time, coffee and coffeehouses as new stimulant and new social institution drew reaction of the Sharia-minded reformists and the state and this partly motivated the state on its attempts to control these places.[264]

As it is attempted to show above, the increased population together with urbanization and the social disorder it brought about; the Sunnitization process and the concerns on social disciplining; the political and economic crises of the sixteenth century all created an environment in which public places like coffeehouses, *bozahanes* and wine-taverns were seen as a threat for the public order both by the

[261] Derin Terzioğlu, "Where 'İlm-i ḥāl Meets Catechism: Islamic Manuals of Religious Instruction in the Ottoman Empire in the Age of Confessionalization."*Past & Present* (2013), p. 85.

[262] Imber, p. 91-92.

[263] Derin Terzioğlu,"How to Conceptualize Ottoman Sunnitization: A Historiographical Discussion." *Turcica* 44 (2012) , p. 315.

[264] Terzioğlu, " 'İlm-i Hal", p. 86.

state and by the moralists. Even, especially coffeehouses were seen responsible for this trajectory of crisis and the bad conducts in society.[265] Coffeehouses actually attracted much attention also because of the political conversations going on in these places. The coffeehouse discourse was taken as a potential threat to existing order when its potential impact on people was taken into consideration.[266] As it will be discussed below, an edict from 1578 emphasizes the false rumors spread in coffeehouses. Naima also states that the coffeehouse goers were gathered to "criticize men of rank and to invent false rumors about the state".[267] Likewise, as being places for gathering and friendly conversation as well, *bozahanes* had a similar potential which aroused state's attention.[268]

The above mentioned edict from 1578, which orders the closing down of all coffeehouses in Bursa, clearly explains the state's concerns about coffeehouses. It stated that "gathering in coffeehouses, drinking coffee with young boys, consuming hashish and opium, drinking wine and arrack under cover of coffee, playing chess and gambling, spending their time with such illicit and banned things, the ones who engage in trade are in disgrace, the learned men and scholars are in dark and false rumors are heard by the above-mentioned, as it is ordered, all of them are to be banned and outlawed" (*hala kemakan kahvehanelerde cemolub taze oğlanlar ile kahveler içinde macun beng ve afyon tenavül edüp ve ekser zamanda kahve bahanesile şürbi hamr ve arak eyleyüp nerd ve satranç ve kumar oynayub evkatları*

[265] Kırlı, p. 39-46.

[266] Çaksu, p.112, Değirmenci, p. 121, Akyazıcı Özkoçak, "Coffeehouses", p. 967.

[267] Çaksu, p.57.

[268] İklil O. Selçuk, State Meets Society: A Study of Bozakhane Affairs in Bursa, *In Starting with Food: Culinary Approaches to Ottoman History*, (ed.) Amy Singer,(Princeton : Markus Wiener Publishers, 2011), p. 39.

bu makule menhiyyat ve münkerat ile geçüb ve bu sebebden ehli sanayi ve sair kar ve kisb üzere olanlar rezalette, talibi ilim ve danişmend namına olan eşhas cehalette kalub eracif haberler mezburlardan şayi olub ve bilcümle emir üzere men' ve zecr olunmaları her vech ile lazım iken…).[269]

An order regarding the wine-taverns of Bursa in 1554/55 indicates however that the concern of the state about social gathering existed even before the appearance of coffeehouses. In that order the state primarily banned gathering in wine-taverns (*meyhanelerde asla cem'iyyet olmayub*) and even ordered the abolishment of the tables in those places (*meyhanelerde olan trapezalarını dahi ref' eyleyüp*) in order to validate the prohibition.[270] It should be noted however that here the main concern of the state does not seem to be the political conversation as it is seen in the case of coffeehouses. There are not any clues which would indicate that such "serious" conversations were going on in wine-taverns which could have drew state's reaction. In fact, the fact that *ulema* reacted against coffeehouses by stating that it is better to go to taverns rather than coffeehouses (as narrated by Peçevi) and also Rycaut's claims that unlike coffeehouses taverns were seen as places of fun and unserious talk might imply that taverns were never taken as a serious "threat" for this issue. Rather, what pushed the state against gathering in taverns was the brawling and wrongdoings in these places and so the disturbance of Muslims. As it will be explained soon, wine-taverns created a serious problem because of the criminal activities and the prostitution seen in these places, which might have motivated state for banning the social gathering with the hope of preventing these illicit acts.

[269] Dağlıoğlu, p. 87.

[270] Topkapı Sarayı Arşivi, p. 334.

As mentioned above, in most cases where taverns became the object of complaints by people of the neighborhood, the reason was given as the mischief and wrongdoings of the tavern clientele and the fights that broke out between them. In the registers the wrongdoings of the tavern goers were described with such words as *fısk-ı fücur, fısk u fesad*, *fesedat ve gavga, fesad ve şenaat* and the actors of these mischiefs were mostly described as *erazil ve eşkiya*, *fasık ve facir*, *ehl-i fesad*, *haramzade* and *fesaka taifesi*. In fact, other than the neighbors' complaints, the Ottoman court registers include many cases about violent incidents that occurred in taverns. A study of the 1763 court register of Üsküdar shows that two of sixty-four violence cases occurred in taverns.[271] In 1520 also, certain Kara Ahmed for instance, was wounded by Ebri in a tavern in Üsküdar. Similarly, in a tavern in Edirne two butchers stabbed each other with knives in 1612.[272] In 1633, on the other hand, Ak Mehmed was killed in a tavern in Galata.[273]At the same time, tavern frequenters were accused occasionally for busting bathhouses and harassing women. It is recorded that once a drunken busted a bathhouse and raped a woman that the other women in the bathhouse were not able to save her and the woman was only rescued by the help of a big group of people. Besides the violent incidents that occurred in taverns, some cases of robbery by riffraff also occurred, though more rarely. For instance, in 1748 a tavern, which was situated by the sea in Küçükçekmece, was raided by riffraff who arrived at the tavern both by sea and overland and they raided the district on account of a tavern. (*karye-i mezbureyi meyhane-i mezkure sebebiyle basub nehb ügaret*

[271] Işık Tamdoğan, Atı Alan Üsküdar'ı Geçti ya da 18. Yüzyılda Üsküdar'da Şiddet ve Hareketlilik İlişkisi, in *Osmanlı'da Asayiş, Suç ve Ceza, 18. ve 20. Yüzyıllar*, (ed.) Noémi Lévy and Alexandre Toumarkine, (İstanbul: Türkiye Ekonomik ve Toplumsal Tarih Vakfı, 2007), p. 83.

[272] Selma Akyazıcı Özkoçak, "Two Urban Districts in Early Modern Istanbul: Edirnekapı and Yedikule", *Urban History*, 30, (2003), p. 34.

[273] Galata Mahkemesi 90 Numaralı Sicil, Case No: 452.

etmeleriyle…).[274] In addition, robbery cases were also recorded in the court registers. In 1663, Hüseyin Beşe for example, was assaulted and got robbed in a tavern in Galata.[275] The French traveler Thévenot notes in the mid seventeenth century that it could be very dangerous to come across drunkards in Galata.[276] Therefore, it was a serious problem for the state to maintain law and order by preventing people from getting intoxicated and congregating in places of public entertainment. The state's concern with maintaining order became even more evident during the religious festivals. In 1665, the *subaşı* of Eyüp was commanded not to let women go to the marketplace and the swings (*nisvan ta'ifesi çarşı ve pazar ve salıncak önlerinde varmayıp*), to close down the taverns and prevent brawling and fights (*meyhaneler kapanıp ve mühürlenip ol tarafları gereği gibi kavga ve fetreti def' ve men' eyleyesin*) from the eve of the festival until the end of the fourth day.[277]

While mischief in taverns was a significant factor to ban these places, the state also tried to produce a solution to this without closing them down. In 1579, the state ordered tavern and *bozahane* keepers that they should not allow the riffraff (*eşkiya ve feseka*) to gather in their places.[278] Like taverns, *bozahanes* as in this case were also associated with criminal acts and subjected to a similar enforcement by the state.[279] Second, a night patrol called *pasban* was charged of policing taverns for such

[274] Ahkam Defterleri I, p. 290.

[275] Galata Mahkemesi 90 Numaralı Sicil, Case No: 479.

[276] Thévenot, p. 56.

[277] Eyüp Mahkemesi 61 Numaralı Sicil, Case No: 347.

[278] Altınay, "İstanbul Hayatı 1553-1591", p. 145.

[279] Selçuk, p. 44.

criminal cases.[280] The state aimed with these measures to keep the taverns open and collect the tax on the one hand, and prevent the wrongdoings and complaints of neighbors on the other. It should be noted here that the complaints of neighbors must have resulted from a genuine disturbance, which did not only stem from the transgressions occurring in these places. The fact that non-Muslims were also occasionally going to court with their Muslim neighbors to complain about taverns shows that it was more than a religious concern.[281] All these cases showing the criminal activities occurring in taverns were indeed a serious problem.

Ottoman taverns were not actually experiencing a particular case. European drinking establishments had great deal in common in terms of their practices and state regulations on them. As it is stated above, especially in the second half of the sixteenth century, the major population growth in Europe brought about an increase in the number of drinking establishments like alehouses, taverns and inns, and thus more serious attempts to police these places.[282] For the authorities, such places and drunkenness of their clients resulted in criminal activities and disorder that were tried to be controlled in many ways. For instance in 1552, the English Parliament passed an act on alehouses. The concerns in that act were very similar to the concerns of the Ottoman state: to prevent disorder. The act stated that "Forasmuch as intolerable hurts and troubles to the common wealth of this realm doth daily grow and increase through such abuses and disorders as are had and used in common ale-houses and

[280] The official is mentioned in Osmanlılarda Divan-Bürokrasi-Ahkam: II. Bayezid Dönemine Ait 1501 tarihli Ahkam Defteri, (ed.) İlhan Şahin, (İstanbul: Türk Dünyası Araştırmaları Vakfı, 1994), p. 88 as well as in Evliya Çelebi, p. 184.

[281] Hasköy Mahkemesi 5 Numaralı Sicil, Case No: 150, Yılmaz, "Boş Vaktiniz Var mı?", p. 34.

[282] Hailwood, p. 4.

other houses called tippling houses…"[283] The parliament wanted to restrain those places and bring them under the jurisdiction of the justices of the peace.[284] Besides the concerns of preventing public disorder, authorities were also disturbed by the alehouse conversation, which were on "taxation, the royal succession, ecclesiastical policy and the relationship between crown and the church".[285] The disturbance of the authorities on the alehouse conversations were reflected on various proclamations of the English Parliament with the attempt of limiting alehouse socialization. Act of 1604 for instance, stated that the clients should not stay more than one hour in alehouses at dinner time and in 1619 it was acknowledged that "tippling or drinking in alehouses after nine o'clock in the night time" was not permitted. Also, unlawful games like dice and cards were banned to be played in alehouses.[286]

Moralists on the other hand, believed that the married men who were frequenting the alehouses were spending their time and wasting their money in these places. Alehouses were seen by them as places of seditious thoughts against the church.[287] The Puritans, the Protestant reformists in the late sixteenth and seventeenth centuries, who attempted to impose a new form of social discipline, also waged war against drunkenness, together with sexual immorality, swearing, idleness and religious laxity.[288] Basically, they denounced the communal drinking at the

[283] Tudor Constitutional Documents, ed. J. R. Tanner, (Cambridge University Press, 1922), p. 501.

[284] Judith Hunter, English Inns, Taverns, Alehouses and Brandy Shops: The Legislative Framework 1495-1797, in *The World of Tavern: Public Houses in Early Modern Europe*, (ed.) Beat Kümin and B. Ann Tlusty, (Aldershot, Hants, England; Burlington, VT: Ashgate, 2002), p. 66.

[285] Hailwood, p. 68.

[286] Hailwood, p. 24-25.

[287] Martin, p. 15.

[288] Martin Ingram, From Reformation to Toleration: Popular Religious Cultures in England, 1540-1690, in *Popular Culture in England c. 1500-1850*, (ed.) Tim Harris, (St. Martin's Press, 1995), p. 2.

church yard, but at the same time they led a campaign against alehouses. Besides the drunkenness, the alehouse conversation disturbed the Puritans too that they believed people in alehouses became "a controller of the state and a murmurer of even the best established government".[289]

While incidents of crime were much less witnessed in coffeehouses, together with *bozahanes* they were occasionally also accused of selling wine to customers. As mentioned in the second chapter, the archival records contain cases about coffeehouses and *bozahanes* that served wine upon request. Therefore, they could be subjected to some regulations like taverns. For instance, in 1764 the governor of Aleppo ordered that coffeehouses should be closed after sundown to prevent the wine drinking and prostitution in these institutions.[290] Such acts as drinking and selling wine, and even smoking and playing dice, were perceived as "immoral" acts. In the early modern Ottoman context "wrongdoings" (*fisk u fücur*) were mostly associated with acts against religion.[291] Failure to observe the Ramadan fast and to perform the five daily prayers was also regarded as *fisk u fücur*, and those who habitually neglected these canonical acts of worship could be subjected to neighborhood pressure as well, just like people who drank wine and who involved in prostitution. As mentioned above, the fact that prostitution commonly occurred in taverns, coffeehouses and *bozahanes* might have made these places particularly odious in the eyes of the state. When in 1791 the state banned once again the sale of wine, the order also included wine drinking, prostitution and other intoxicating

[289] Martin, p. 32.

[290] Marcus, p. 23.

[291] Leslie Peirce, *Morality tales: Law and gender in the Ottoman court of Aintab*, (Berkeley, CA: University of California Press, 2003), p. 235, Sariyannis, "Law and Morality", p. 177-178.

substances.[292] Moreover, in Bursa in 1559[293] and in Eyüp in 1567[294], drinking wine, prostitution and playing dice were banned by the same order. The state's campaign against "wrongdoings" however, should not be seen as a consistent one as we know that those acts were controlled less strictly, and that the bans were relaxed whenever the stated needed to collect more tax.[295]

All the above-mentioned points such as coffeehouse conversation, mischiefs and wrongdoings of the frequenters were more or less effective for the state's campaign against public places. Nevertheless, it is hard to detect or assure which one of these reasons counted more by the state. There were at least three orders which comprise all taverns, coffeehouses and *bozahanes*, in 1567, 1583 and 1633, but they all might have been arisen from different factors. This is mostly because the orders themselves do not suggest much about the background of these reactions. In the firman of Selim II from 1567 for instance, we are only informed that the removal of all taverns, coffeehouses and *bozahanes* had been ordered before, which suggest actually the 1567 order was not the first one, and wrongdoings occur in these places (*kemakan meyhaneler ve kahvehaneler işleyüb ve Tatar bozası satılub fisk-ı fücur olduğu istima olundu*).[296] The order of Murad III from 1583 however, did not include *bozahanes* and concerns only taverns and coffeehouses. The order focused mostly on drinking wine and arrack openly. It stated that there should no longer be any houses serving as taverns (*min- ba'd meyhane namına evler olmayıb*), no licences should be

[292] Hadika-i Vekayi, p. 194.

[293] 3 Numaralı Mühimme Defteri, Case No:358.

[294] Sariyannis, "Prostitution", p. 20.

[295] Boyar and Fleet, p. 186, Sariyannis, "Prostitution", p. 20.

[296] Ahmet Refik *Altınay, Onuncu Asr-ı Hicride İstanbul Hayatı*, (Ankara: Kültür ve Turizm Bakanlığı Yayınları, 1987), p. 207.

granted to open new coffeehouses (*min-ba'd kahvehane olmağa ruhsat vermeyib*), and existing coffeehouses should be demolished (*bi'l külliye kahvehaneleri ref' eyleyip*) and the condition of taverns should be regulated as it was in the time of Suleyman I (*meyhaneler hususu dahi firdevs-mekan-cennet aşiyan merhum Sultan Süleyman Han zaman-ı şeriflerinde ne vechile olmuş ise…*).[297]

Murad IV's order to ban all coffeehouses, and the sale of tobacco and wine in 1633 and 1635 coincided with the preacher-led Kadızadeli movement's influential campaign against all kinds of innovation (*bid'at*) such as coffee, tobacco, opium, and practices like singing, chanting, whirling etc.[298] Murad IV's relation with the movement and its agents was rather pragmatic in that he made use of their ideas and popularity in order to implement his regulations to maintain the public order.[299] By abolishing coffeehouses and banning tobacco, he could also maintain his disciplining action against janissaries.[300] When Naima talks about the order of Murad he focuses on the gossips and mischiefs occurring in coffeehouses. He states that "occasionally gossips were circulated and mischiefs were increased that tired the public" (*yer yer güftu-gu peyda olup ihrakın perişanlığı halka melal verip kahvehanelerde mevavi çoğalıp kıl u kal kesetine bais olmuştu*).[301]

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[297] Ibid. p. 216-17.

[298] Madeline Zilfi, "The Kadızadelis: Discordant Revivalism in Seventeenth-Century Istanbul", *Journal of Near Eastern Studies*, 45/4 (1986), p. 254.

[299] Marinos Sariyannis, The Kadızadeli Movement as a Social and Political Phenomenon: The Rire of a 'Mercantile Ethic'? in *Political Initiatives 'From the Bottom Up' in the Ottoman Empire: Halcydon Days in Crete VII A Symposium Held in Rethimno, 9-11 January 2009*, (ed.) Antonis Anastasopoulos, (Rethymno: Crete University Press, 2012), p. 264, Zilfi, "Kadızadelis", p. 257.

[300] Cemal Kafadar, "Janissaries and other riffraff of Ottoman Istanbul: Rebels without a cause?." *Identity and Identity Formation in the Ottoman World: A Volume of Essays* (2007), p. 121, Derin Terzioğlu, "Sunna-Minded Sufi Preachers in Service of the Ottoman State: The *Nasihatname* of Hasan Addressed to Murad IV", *Archivum* Ottomanicum 27, (2010), p. 257.

[301] Naima II, p. 755-56.

The regulations on public places, which began around the mid sixteenth century continued in the seventeenth century. However, during the eighteenth century we do not see such common reactions against public places. This was the case at least for coffeehouses: in the eighteenth century the state tended more towards exemplary punishment, rather than the wholesale closings. At the end of the eighteenth century in 1798, the state still felt discomfort with the coffeehouse conversation and debauchery in these places, but preferred to close down just a few notorious coffeehouses so as to be a warning for all the others.[302] This change in state's attitude could be partially explained by the state's realization that the bans on these places were never effectively implemented and were far from being deterrent. This necessitated a new form of relationship between the state and these public houses of entertainment. This new relationship would culminate in the early nineteenth century in a new policy of surveillance with the state paying a vast network of spies to report about overheard political conversation in public places such as coffeehouses.[303]

Wine and taverns continued to be subjected to random orders of removal and regulation in the eighteenth century, but to our knowledge, even they were ordered to be closed only once at the end of the eighteenth century in 1791.[304] The main concern at that time was again "wrongdoings" as the order banned wine, prostitution, taverns and other illicit acts (*hamr zina ve sair münkirat*) all together.[305] But more generally, the fact that the eighteenth century witnessed the enhancement of public

[302] Kırlı, p. 64-65.

[303] Ibid. p. 245.

[304] Hadika-i Vekayi, p. 194.

[305] Ibid. p. 194.

gardens and spaces of recreation as alternative open-air public places had an influence on the changing policies of state towards public places. However, this does not mean that the state stopped regarding such places as a "threat" for the public order; rather, it employed new forms of control on them. Assigning the chief gardener as police forces in public gardens and spaces of recreation shows this attempt of the state.[306] Grehan also shows that in eighteenth-century Damascus, public drinking was more tolerated and that non-Muslims could drink wine openly in gardens and orchards.[307]

It is true that the state was not very successful in its attempts to abolish either coffeehouses or taverns. Reiterated orders and the emphasis on the ineffectiveness of the previous bans clearly prove this. To give an example, when the coffeehouses were banned again in 1578, the order acknowledges that "although I enacted their abolishment before…" (*defoluna deyu ferman-ı alişanım sadır olmuşken*).[308] Nevertheless, although the orders for the abolishment of such places were quite random and inconsistent, I suggest that the state made a genuine effort to have these places closed down in times it was attempted. That is to say, although in some cases the state preferred tolerating taverns and getting the revenue from them, in others the concern for establishing public order and preventing transgression gained the upper hand. In one such time in 1601, Mehmed III stated that he dispensed with the benefit of wine tax (*hamr mukatasının menafi'inden geçtim*) and ordered the abolishment of all the wine-taverns and banned wine drinking.[309] For instance, a firman from 1663

[306] Hamadeh, "The City's Pleasures", p.115.

[307] Grehan, "Everyday life", p. 135.

[308] Dağlıoğlu, p. 87.

[309] Osmanlı Tarihine Aid Belgeler; Telhisler, 1597-1607, (ed.) Cengiz Orhonlu, (İstanbul: İ. Ü. Edebiyat Fakültesi, 1970), p. 27.

reveals that after all the taverns in Galata were ordered to be closed down, those taverns were inspected to make sure that they did not break the ban. Yet, during this inspection, it was revealed that the tavern owner Safar Mihal unsealed his shop and started to run it again and so he was brought before the court.[310] Similarly, the taverns between the masjids of Yeldeğirmeni neighborhood and Kurdağa neighborhood in Kasımpaşa were previously ordered to be abolished as they prevented Muslims from praying. But it was seen in 1630 that those taverns were reopened and state once again ordered their removal.[311] Moreover, Araboğlu Yanaki was banished to Sisam Island with his family as he violated the ban of 1791.[312] It is also clearly defined how the removal process after the orders should take place. Within ten days, the taverns should be discharged; the wine should be taken discreetly (*alenen olmayarak*) and poured into the sea. During the transportation, officers should be very careful not to let any Muslim to get even a drop from that wine. If a Muslim is found to be intoxicated hereupon, he and the one who sells him the wine should be punished. In place of those taverns, there should be other shops such as a coal dealer's shop.[313] All these demonstrate that the orders were taken seriously, the process was quite systematic and the state was chasing this process. It should be remembered here however, as in the examples of the two operating taverns in Hasköy just after three or four years of the abolishment order of Murad IV, such orders could have been bypassed even in the time the orders were given.

[310] Galata Mahkemesi 90 Numaralı Sicil, Case No: 170.

[311] 85 Numaralı Mühimme Defteri, Case No: 440.

[312] Zarinebaf, p. 44.

[313] Hadika-i Vekayi, p. 203.

Besides such violations, there were reasons for the overall ineffectiveness of the bans. First and foremost, as mentioned before, the state needed the income from the taverns so much so that it had to overturn the ban because of the serious loss in the treasury. In 1573 for instance, it is stated that although it was prohibited before to sell wine, non-Muslims continued to sell it without paying tax and because of the financial loss they had now it is legitimate to collect tax from wine (*Bundan akdem kefere taifesi şehirlere hamr getirmekten men' olunup resm-i hamrdan feragat olunmuş iken kefere giru hile ile hamr getirip resmi alınmamağa beyt'ül mala külli zarar ve noksan lazım gelmeğin…*). It was also acknowledged that it was by no means legitimate to bring wine openly to the cities where Friday prayer is performed and the sale should be made underhand.[314] Also, because of the cash need resulted by the military campaigns it was allowed once again in 1595.[315] Besides this financial aspect, bribery must have been an important reason as well that the state warns the officers that the ones who will license the taverns despite the ban will be punished.[316] The existence of illegal taverns and the ones inside homes probably made it even more difficult to detect the violators of the ban. Also, it should not be easy to abolish such public places, which were among rather limited number of places in the early modern period where one can socialize and which were a part of everyday life.

[314] Altınay, "İstanbul Hayatı", p. 59-60.

[315] Boyar and Fleet, p. 197.

[316] Hadika-i Vekayi, p. 221.

3.5 Conclusion

Closing taverns and prohibiting wine drinking is a multifaceted and complicated issue. It was also related to the fact that the relation between wine and taverns was not the same as that between coffee and coffeehouses. In the case of coffee, although when it first appeared in the sixteenth century the religious authorities disapproved it because of its carbonization, these discussions came to an end after some time and coffee was proven innocent while coffeehouses continued to be seen as a "threat". Yet, this was not the case for wine and taverns, as wine had no possibility to be approved by any kind of institution. Therefore, the state had to make a greater effort to deal with both the drink and the place.

On the other hand, together with coffeehouses and *bozahanes,* taverns were seen as places of social and moral transgression, brawl and breeding grounds of rebellion against the state. All these factors created a common reaction against these public places and a perpetual bad image in the eyes of the state. These factors were enough to threaten the social order and to necessitate attempts to crack down on these public houses of entertainment. On the other hand, the state was also reluctant to lose a generous source of income. Most of the time, the imperial bans were neither effective nor was the state able to leave that income.

CHAPTER 4

CONCLUSION

It is widely accepted that the emergence and rapid spread of coffeehouses in the second half of the sixteenth century brought about a more variegated and livelier social life in the Ottoman world. This in turn raises the question of how preexisting public places like wine-taverns and *bozahanes* were affected by this considerable transformation. For the case of *bozahanes* it is claimed that they gradually disappeared and left their place to coffeehouses during the seventeenth century.[317] The construction of two coffeehouses instead of a burned *bozahane* in Tahtakale around 1604 supports this argument.[318]

Alan Mikhail has made a similar claim for the establishments that sold wine.[319] However, it is very hard to trace such an inclination, if it ever existed. Moreover we do not know if the customer profile of coffeehouses and wine-houses were disparate, or wheter the same kinds of people were frequenting both places with different motivations. Since both places had some common functions as it has been shown in the second chapter, it would be interesting to know the motivations of people who were heading to one of these places and not to the other. Of course, the religiously prohibited nature of wine-drinking for Muslims would have been taken into account by someone desiring entertainment and friendly conversation. These places could have also served alternatively that while one visited a tavern on one occasion, he could well have visited a coffeehouse on another occasion. Whatever the practice

[317] Selçuk, p. 44.

[318] Akyazıcı, "Coffeehouses", p. 968.

[319] Mikhail, p. 164.

was, during the eighteenth century the state saw wine-taverns as places to be controlled, rather than banned completely, and they survived without an interruption until today just like coffeehouses, even if their form and function might changed over time.

This thesis is by no means a complete study. The tavern-keepers for instance do not appear throughout the thesis. We do not know who they were, what their reaction was to the state policies on their businesses and how they dealt with these inconsistent ordinances coming from the state. So, their relationship with the state is approached in a unilateral way; by discussing only from the perspective of the state. Moreover, since wine-taverns were adult-male places just like coffeehouses and *bozahanes*; women are missing in the picture. They take place only as prostitutes and therefore wine-taverns indeed are not taken in this study as a representative of the whole Ottoman society.

All in all, this thesis has suggested that wine-taverns, coffeehouses and *bozahanes* had great deal in common. They were all multi-functional places, they had similar kind of activities and a similar spatial distribution within the city and they substituted for each other when needed. This contradicts the current literature that takes wine-taverns as secondary places and sees coffeehouses as the only representative of the social life in the early modern period.

The thesis has also suggested that the state control imposed on them might have been partially liable for the inter-changeability among coffeehouses, *bozahanes* and wine-taverns. As it has tried to be demonstrated, the fact that all these places in times served as a “brothel”, served wine to their customers and created disorder, inclined the state to produce a common reaction towards them. Therefore, they did

not have “unique” experiences through the sixteenth and seventeenth centuries neither for their functions, nor for the state policy implemented on them.

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