

BOOK REVIEWS

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Başak Tuğ. *Politics of Honor in Ottoman Anatolia: Sexual Violence and Socio-Legal Surveillance in the Eighteenth Century.* Leiden and Boston: Brill, 2017, x + 290 pages.

In the last couple of decades, the paradigm portraying the history of the seventeenth- and eighteenth-century Ottoman Empire as a period of “decline” has been challenged by various studies operating from different perspectives. Başak Tuğ’s study contributes to this literature by discussing how the central government regulated moral and sexual order in the empire’s Anatolian provinces in the mid-eighteenth century through institutional and legal mechanisms. It specifically brings together central government and local figures, including *kadıs* (judges) and Ottoman subjects, within the framework of centripetal surveillance aimed at the maintenance of honor, justice, and the gender order in Ottoman Anatolia.

In addition to a wide range of secondary sources, the book relies on various primary sources: petitions of Ottoman subjects to the imperial council, the Ottoman imperial council registers for Anatolia (*Anadolu ahkam defterleri*), the *kadı* court records of Ankara and Bursa along with three major fatwa collections, and the fortress registers (*kal’abend defterleri*) of the imperial council. These sources provide a wealth of information about the rhetorical language of the petitions, the interactions between the central and provincial governments, local administrative dynamics, judicial and public order, the jurisprudential perspective on the connection between the theory and practice of Islamic law, and penal provisions like imprisonment and banishment. The author highlights how the petition registers and court records were products of the institutional setting, which brought together “the legal language, institutions, and actors, as well as the normative legal forces, such as *shari’a* and *kanun* [imperial law]” (p. 9). This setting contributed to the reconceptualization of Islamic law through redefinitions of what “sexual crimes” were and the utilization of terms, both ambiguous and euphemistic, demarcating the “illicit” from the “licit” in the eighteenth century. Consequently, examination of such documents is a fruitful way to explore how “the ambiguities of normative Islamic law reinforced the judicial and punitive discretionary authority of the imperial political power over

both the local courts and sexual and public order in eighteenth-century Anatolia" (p. 12). Further clarifications on the primary sources in question and the objective of the study—namely, exploration of the motives behind imperial surveillance over sexuality and its practices—are successfully outlined in the book's introduction, which is then followed by five chapters.

In Chapter 1, Tuğ presents the historical context of the social, political, and legal order in the eighteenth century, with a special focus on the transformation of the relationships between the imperial center and the provinces as a result of new redistributive economic policies, as well as dealing with the influence of the *kanun* in the legal system. By adopting a revisionist perspective against premises based on the superiority of Islamic law over the *kanun*, the author emphasizes that "the *kanun* was still a prevalent legal force that was diffused into politico-legal culture rather than being fixed and codified into a uniform law book" (p. 56). In this sense, the dynamism of *kanun* went hand in hand with "the economic and administrative reconfiguration of Ottoman power toward the oligarchic rule of the notables" (p. 56).

Chapter 2 focuses on the petitioning phenomenon in mid-eighteenth-century Anatolia as a way of examining the motivations of Ottoman subjects and the central government. Here, Tuğ demonstrates that petitioning was used by the former to strengthen their hand via a stronger litigation process in the local or higher courts (p. 104). That is, subjects "maneuvered and engaged in social and political power struggles in their locality through a variety of legal means" (p. 73). On the other hand, the central government utilized petitioning as a surveillance technique aimed at maintaining public order and monitoring the legal mechanisms of the socially and economically fragmented empire. Furthermore, the author denominates how petitioning was a dialogic and collaborative process insofar as petitioners initiated the process, which was then continued with the involvement of "semi-official and official actors, such as petition writers, the chief mufti (*şeyhülislam*), local *kadıs*, and governors" (p. 73). In sum, Tuğ approaches the petitioning process "as a site of intervention and inscription of power [by the central government], as well as a site of contestation wherein Ottoman subjects encountered, embodied, and resisted these inscriptions" (p. 93).

In Chapter 3, Tuğ provides a comprehensive analysis of the utilization of petitioning in the context of sexual violence in Ottoman Anatolia by specifically dealing with its relation to provincial violence and banditry. Her in-depth analysis of the term *hetk-i ırz* ("violation of honor") is quite remarkable in that it refers to the two-way interaction and strategic cooperation between Ottoman subjects and the central government: while the former wished to remain safe from attacks on the inviolability of space, body, and honor, the latter aimed to maintain sexual order and protect the "honor" of its subjects. In fact, the central

government's claim of protecting its subjects' honor was both a claim to defending its own honor against alternative sources of power, and a strategy that legitimized its efforts at the maintenance of public, social, and legal order in Anatolia (p. 143). One of the major political dynamics of the eighteenth century was the power struggle between the central government and central and provincial notables (*ayan*), which included viziers and religious scholars (*ulema*) who held tax-farms in perpetuity. In such a political atmosphere, the peasants and tax-paying subjects of Anatolia ended up suffering severely from excessive taxes and collective violence. Tuğ argues that the central government's interest in its subjects' petitions, especially those concerning sexual crimes, emanated from a desire to maintain its power against local notables in Anatolia.

Chapter 4 outlines a taxonomy of sexual offenses in Islamic jurisprudence as offenses against a person, against God, and against the public order, and also deals with how sexual offenses are reflected in legal documents, especially the court records of Bursa and Ankara. The primary focus of this section is an examination of the various terms used for sexual offenses (such as *fi'l-i şeni*' or "indecent act") in the *kanun*, Islamic jurisprudence, and fatwas, rather than focusing on strictly Sharia-driven expressions like *zina* ("fornication"). Using the court records, Tuğ demonstrates that in the mid-eighteenth century there was a tendency to use the term *fi'l-i şeni*' instead of *zina*. This "provided legal authorities the flexibility to punish different sexual crimes by using the principle of *ta'zir*, that is to say, discretionary punishment" (p. 158) in cases when it was extremely difficult to fulfill the stringent Sharia requirements for punishment of cases of *zina*, such as confession and witnessing.

The final chapter, Chapter 5, focuses on the penal structure of the eighteenth-century Ottoman legal system. The main obstacle for this attempt, as Tuğ emphasizes, is the rarity with which punishment appears in the court records. Despite this shortcoming, the author nevertheless attempts to understand how subjects were disciplined through sanctions by examining penal regulations in a broader context and juxtaposing court verdicts with imperial decrees and petitions. In fact, the judicial authority of provincial *kadıs* was not autonomous and limitless: rather, except in the case of minor discretionary punishments, they could only enforce punishments by obtaining approval from a higher authority, including the imperial council. This control exercised over the judges derived from the central government's concern to prevent the repetition of crimes, which would disrupt public order.

Overall, Tuğ's study makes a central contribution to the literature by juxtaposing a variety of legal documents: one variety of primary source is able to speak where other varieties are silent, thus adding the missing piece of the puzzle. This rich source pool helps readers to thoroughly understand centripetal surveillance in mid-eighteenth-century Ottoman Anatolia from

different perspectives. Moreover, the study opens the door for discussion on the reconceptualization of Islamic law by combining *kadı* court records with petitions and petitionary registers. As a result, Tuğ paints a nuanced picture of the sociolegal sphere of Ottoman Anatolia in the eighteenth century. Nonetheless, while the book does aim to bring together the “center” and the “province,” there is one aspect in which it might be taken a step further: although Tuğ discusses the interrelations between the central government and social, administrative, and legal actors in Anatolia in an attempt to understand sociolegal surveillance over the sexual sphere, it might be useful to apply this approach to the imperial capital as well. In this way, it would be possible to question whether the central government’s surveillance techniques were improved specifically to maintain order in the provinces, or whether it was a common policy implemented in the capital as well. Such a comparative perspective would more effectively outline the surveillance technique(s) of the Ottoman state in the eighteenth century.

In conclusion, this is a well-organized and well-researched book through which historians of all fields can study the interaction between the “center” and the “province,” as well as the “state” and “society,” in the specific context of sexual and moral order. It also offers sufficient background for those unfamiliar with how legal mechanisms operated through the interplay of a variety of institutions in eighteenth-century Ottoman Anatolia and how the imperial center positioned itself in terms of these mechanisms.

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Charles King. *Midnight at the Pera Palace: The Birth of Modern Istanbul*. New York: W.W. Norton, 2014, xiv + 476 pages.

Midnight at the Pera Palace: The Birth of Modern Istanbul brings together serious and multi-sited archival research with the moving style of popular history, resulting in an unconventional narrative of Istanbul’s global making. Expats, exiles, migrants, and refugees are given atypically close attention in the book, which explores the formation of several cultural trends and political developments in Istanbul as part of the global flow of people that passed through, stayed in, and shaped the city’s life and culture from late Ottoman to early