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# A REPORT ON THE CORRUPT ḲĀḌĪS UNDER BAYEZID II

It appears that the report was written by one of the rivals of Mawlānā Wildān, evidently shortly after his death in 1488.[1] There is a reference in the report to a Sultan's accession to the throne, who cannot be other than Bayezid II (1481–1512, see line 3–5). In the first years of his sultanate, challenged by his brother Djem[2], Bayezid had to adopt a lenient policy in general so that "persons of base origin found way" to high places in all branches of the administration. The ḳāḍī ʿasker Wildān, the reporter also claims, was responsible for the continuance, or even worsening, of the situation as far as the juridical career line was concerned.

From the earliest times in Ottoman history malpractices at law courts, bribery and illegal charges in particular, became sources of widespread complaints by Ottoman subjects, which caused the government to introduce radical reforms through sultanic ḳānūns.[3] These laws regulated in detail the rates of dues for juridical services and documents as well as the hierarchy, services and promotions in the profession of ḳāḍī-ship.[4]

1 In a document issued by Wildān he calls himself "Meḥmed son of Beglik, known as Mawlānā Wildān". Supported by Grand Vizier Maḥmūd Pasha Wildān was promoted from the ḳāḍī-ship of Gallipoli to the office of the surrogate of the ḳāḍī ʿasker in Istanbul, apparently toward 873/1468. Cooperating closely with the Grand Vizier and other dignitaries and "winning by his intelligence and wisdom the favor of the Sultan" (Tashköprülü-zāde, Shaḳāʾiḳ al-Nuʿmāniyya, trans. Medjdī, İstanbul 1269 H., 215–7.) he was entrusted with important administrative responsibilities such as the survey of the province of Karaman (1468?) and that of Hersek (882/1477). The Ḳānūnnāme of Karaman in Wildān's survey book of Karaman (see Ö. L. Barkan, *XV ve XVI ıncı Asırlarda Osmanlı İmparatorluğunda Ziraî Ekonomi'nin Hukukî ve Malî Esasları*, I, 1943, 39–48) demonstrates his mastery of the priciples of the Ottoman law. The *ḳānūnnāme* is reproduced in the later law codes including the one attributed to Suleyman the Law-giver. Wildān must have been disfavored by Djem sultan, because in the *ḳānūnnāme* the ḳāḍī abolished many innovations and illegal acts introduced by Djem's men when he was the governor of the province. Appointed the head of the Madrasa of Murad II in March 1480 we find him being the ḳāḍī of Bursa, six months later (according to a court document, see *Belleten* 44, 70). Under Bayezid II Wildān was first promoted to the ḳāḍī-ship of Istanbul (see a court record dated Djumādā II, 891/1485: *Vakıflar Dergisi*, II, 306); then he succeeded Čandarlı Ibrāhīm in the office of ḳāḍīʿasker in 1486. Called one of the outstanding ulema of his time by İdrīs Bidlīsī (*Hasht Bihisht* at the end of Dastan IX) Wildān died in Rabīʿ II/March 1488.

2 See "Djem" (H. İnalcık) *Encyclopaedia of Islam*, 2nd edition (hereafter *EI*$^2$); also see Ş. Tekin, "Şüret-i Ḳānūnnāme of 1476 of Develü in the Province of Karaman", *Journal of Turkish Studies*, vol. 20 (1996), 276–282.

3 For "Ḳānūn" and "Ḳānūnnāme" see *EI*$^2$, IV, 556–66.

4 In particular see H. İnalcık "Adâletnâmeler", *Türk Tarih Belgeleri Dergisi*, II, 3–4 (1967), 75–79; *idem*, "The Rūznāmče Registers of the Kadiasker of Rumeli as preserved in the Istanbul *Müftülük* Archives", *Turcica*, XX (1988), 251–275.

In the popular *Anonymous Chronicles*, originally compiled in the time of Bayezid II (1481–1512)[5], there are stories dating back to the reign of Bayezid I (1389–1402) in which we find exactly the same criticisms against the members of the ulema class as those in the report: "The ulema", the Anonymous points out[6], were not corrupt under ʿOs̱mān, Orkhan and the Ghāzī Khudāvendigār as the ulema in our time are ... Anyone with the knowledge of the religious science did not care for money at that time ... In our time to get a ḳāḍī-ship people, in fierce competition, may perhaps kill each other. Men not qualified for the position obtain ḳāḍī-ship just by approaching someone [of high place] and serve him for some time ... They find intercessors (*dilekd̲ji*) who go to solicit a position for them, they visit in crowds the homes of *begs* and ḳāḍī ʿaskers, humiliate themselves [by demanding position] instead of being present at the company of the great scholars (*mülāzemet*) ... Under Bāyezīd I ʿAlī Pasha [of the Čandarlı family] was responsible for the increase in the number of danishmends. Frequenting the homes of *beg*s these danishmends, in an effort to please the *beg*s, gave them counsels just as the *beg*s expected, forgetting the precepts of God and of the Prophet ... When ḳāḍīs' corruption began to become apparent and Bāyezīd khan learned about it he ordered that they were all to be arrested and put in custody in a house at Yenişehir. Then, he ordered that the house be set on fire with the ḳāḍīs [numbering forty or fifty] in it ..." To rescue them Grand Vizir ʿAlī Pasha explained that though well trained in religious sciences [they had to take bribe] since they had no income to live on. Then, it was decided that ḳāḍīs were authorized to take 20 akče from every thousand akče worth properties of a deceased person at the time of ḳāḍī's arrangement of the inheritance and two akče from each document issued from the law court.

In 884 (1479) Mehmed II introduced a new ḳānūn regulating the rates of dues, which was intended to prevent ḳāḍīs from increasing them exceedingly.[7]

Complaints against the ḳāḍīs never ended. The sixteenth century state papers enumerate all kinds of malpractices committed by the ḳāḍīs including illegally increasing the court dues, the principal complaint against them, sale of the offices of *nāʾib*, illegal charges during the tours for inspection of criminals, and additions for their own pocket to the taxes at the time of tax collection.[8] Historians and memorialists of the end of the sixteenth century and the first half of the seventeenth including Selānīkī, Aḫbiṣārī, Muṣṭafā ʿĀlī, the author of *Kitāb-i Mustaṭāb* and Ḳoči

5 See H. İnalcık "The Rise of Ottoman Historiography", *Historians of the Middle East*, eds. B. Lewis and P. M. Holt, London 1962, 152–167.

6 Die altosmanischen Chroniken *Tevārīḫ-i Âl-i ʿOs̱mān*, ed. F. Giese, Breslau 1922, pp. 15–19.

7 See H. İnalcık, "Fatih Sultan Mehmed'in Fermanları", *Belleten*, no. 44, p. 700, Document no. 10. For lists of law court dues declared in the years 884, 928 and 1054 of Hegira see "Adâletnâmeler", 78.

8 see "Adâletnâmeler", 77–78.



Bey accuse ḳāḍīs of all ranks of malpractices.[9] Actually, fierce competition among the ḳāḍīs for appointment, search for an intercessor, bribery, and pressure on the government to make *ḳānūns* regulating appointments and promotions in a strict fashion all stem from the fact that there were too many candidates for a limited number of ḳāḍī-ship in the empire. This situation was aggravated by the fact that unqualified people obtained ḳāḍī-ship by bribery and favoritism.

The deficiencies which make a ḳāḍī unqualified are listed in the report as not having attended a regular madrasa to acquire *ʿilm*, knowledge of the religious law, or not having sufficient knowledge and experience for a certain level of ḳāḍī-ship or simply behaving against the basic precepts of the religion such as drinking wine. The report claims that those who do not please the *beg*s by bribe or otherwise have little chance of being appointed to ḳāḍī-ships – no matter how qualified they are for the position. Here the ever-present rivalry in the administration between "the men of religion" or *ʿilmiyye* and "the men of sword" or *seyfiyye* surfaces once again. During the classical age, 1300–1600, those bearing the title of *beg* who represented the executive power of the sultan had actual supremacy over the ulema whereas the latter calling themselves "Heir to the Prophets" claimed to be higher in rank than *beg*s. Ulema's authority, they argued, originated from, and relied on, the knowledge acquired through the study of God's commands, not from the ruler who himself had to submit to the same commands. This conflicting view was also implicit in the dichotomy between the sharīʿa and ḳānūn.[10]

* The document is preserved at the Topkapı Museum Archive. There was no code number at the time when we made a copy of it.

*The Document*

Huw al-ʿAlīm al-Ḥakīm
Ümmiddir dewletlü k̲hudāwendigār bu warak̲ı āk̲hirine-dek naẓar eyliye

Āsitāni-i d̲jihān-penāh d̲jānibine ʿarż olunan budur: Pādis̱hāh-i ʿālem-ārāy madda ẓilluhu ʿalā kaffat al-anām | dewletle serīr-i salṭanata d̲julūs ettigi eṣnāda muḳtażāyi zamāna göre her ṭāyifeye bī-aṣl | kimesneler k̲halṭ olunup ṣoñra tedārik olunub ik̲hrād̲j olundu. Ammā ehl-i ʿilm faḳīrlerden | ḳuḍāt üftādelere k̲halṭ olunan bi-

9 See H. İnalcık "Süleyman the Magnificent: The Man and the Statesman", *Soliman Le Magnifique et son temps, Actes du Colloque de Paris, Galeries Nationales du Grand Palais, 7–10 Mars 1990*; for an edition of some of the pamphlets exposing the ills in the administration with the advice to prevent them see Yaşar Yücel, *Osmanlı Devlet Teşkilâtına Dair Kaynaklar*, Ankara 1988, also note 10 in H. İnalcık, "The Rūznāmče Register", 256.

10 See "Ḳānūn" and "Ḳānūnnāme", stated above note 3.

wadjhin min al-wudjūh ṭarīḳ-i taḥṣīl-i ʿilme sālik olmamısh ḳāḍī | nāyiblerinden we ednā djihetten maʿzūl olanlardan we ednā djihet ṭalebine gelenlerden | ki shefīʿ wāsıṭasıyla khilāf-i wāḳiʿ terbiyyet ile ḳāḍī olmushlar idi; ikhrādj olunmayub | yawman fe-yawmā mutezāyid olmushdur. Merḥūm Mawlānā Wildān[11] khôd tekmīl etmishdir; bir mertebeye varmıshdır ki, ʿilme ḥidmet edib mewālī-i ʿiẓāma yetişüb ʿilm ṭarīḳinde zaḥmet čeküb kūshish | edenler dhikr olunan ṭāyife arasında siyāh renk içinde beyāż noḳṭaya döndü. Ekseriyā | iʿtibār ve ʿizzet ıssı nā-ehl olub dhillet we haḳāret içinde olan ehl-i ʿilm bī-čāreler | oldu. Iʿtibar olunur bir manṣib maḥlūl olsa, hezār yerden shefīʿ bulunub nā-ehillerden | birine wāḳiʿ olur; meger iẓhār olunmayub ehil olanlardan biri terahhum oluna, bu ghāyet eḳall-i | ḳalīldir; weyākhud ehil olana shefīʿ buluna. El- ḥāṣil ehil eger we nā-ehl, shol kimesnenin ki, | shefīʿi vardır, aña iḥsān-i shāhī müyesserdir; we shol kimse ki shefīʿi yoḳdur, mubtedhel | ṭūl-u-dirāz mülāzemette[12] sürünür; ākhir bir ednā manṣib[13] gösterirler, eger nā-ehl ise, | ṭāliʿimde geldi, deyüb ḳabūl eder; eger ehil olursa nā-ehle ḳadr verildigin görüb | ḳabülde tekellüf gösterir; baʿzısı muẓṭarr olub ḳabūl eder, we baʿzı ghayret čeküb | ʿadem-i kabülde muṣirr oldughıyle ghażab ettirirler. We bir nā-ehl maʿzūl olur olsa, | hezār djerīmesi var iken, hezār tekellüf ile maʿzūl olub mülāzemette görülmeden teraḳḳī birle ber-murād olur;| ehil olan ekseriyā bilā-sebeb ya ednā cüzʾiyle maʿzūl olub ṭūl-u-dirāz mülāzemet | ile muʿāteb olur. Bu ṭarīḳ ile menāṣib ḳadri yıḳıldı ve ʿilme ve ehline raghbet ḳalmayub | fīʾl-djümle ʿilme dukhūl eden ṭālib-i ʿilmlerin ekseri dakhi bir ṭarīḳ ile manṣib ḥuṣūlünün | muḳaddemātın taḥṣīl etmeye shurūʿ etmishdir. Eger shāh-i ʿālem-ārāy ḳibelinden himmet yetishmeye, ehl-i ʿilm | üftādelerin ḥāli khôd kharāb olmushdur. Biʾlkülliye bu ṭāyife mürtefīʿ olub sharʿe ḥalel mütewedjdjih | olur, Naʿūdh biʾillāh min hādh | al-sharr. Pādishāh-i Süleymān-zamāna bu dakhi khayfdır ki, fī-ḥaddi dhātihi ʿadl-i | tām ve diyānet-i kāmile ile muttaṣif olub ve idjrāʾ-i sharʿ-i Muḥammedī ḳaṣdinde naẓīr [i] gelmemish | ola, dakhi nā-ehle shefīʿ olanlar mebāligh-i keşīre djemʿinde olub we eyü atlar we sāyir ḥaywānāt akhdhinde olub nā-ehli terbiyyet we terbiyyet ettirmek sebebiyle ʿadl-ü-diyānet nefs-i emrinin | aṣān ẓāhir olmaya, pādishāhlara

11 For Mawlānā Wildān see note 1 above.

12 *Mülāzemet* (*mulāzama*), attendance; in the Ottoman *ʿilmiyye* career as a term it means to attend in Istanbul the audience of a great molla. The graduates of the madrasa (*dānishmend*) or the ḳāḍīs at the end of their term of ḳāḍī-ship becoming *maʿzūl*s (dismissed) had to come and attend the audience of an established *molla* in Istanbul for a certan period of time to be eligible to a higher assignment of ḳāḍī: see H. İnalcık, "The Rūznāmče ...", 257–261.

13 *Manṣib*, plural *manāṣib*, is a term for higher positions in the religious services such as those of madrasa and ḳāḍī-ship who are called *ehl-i manāṣib* excluding minor religious services such as those of *imām* or *muʾadhdhin* (*müezzin*) who are categorized under the term of *ehl-i djihāt*. *Ehl-i manāṣib* and *ehl-i djihāt* together make up *arbāb-i ʿamāʾim*, or "those who bear turbans", see, "The Rūznāmče ..." 256–257.



bundan ulu kuşūr yoḳdur ki, Sharʿe gerek | olan umūrda tekāsül ede[14]; we emr ettigi yerine varır mı varmaz mı, naẓar eylemiye; | bir nidje rüshwet-hôrun ya bidhdhat ya wasıṭayla dedikleri ile ʿamel oluna. | Maʿlūm ola ki, shimdiki erkān ve khawāṣṣ ḳatında dāne-i khardāl miḳdārı tuhfe erdjahdır | bir ʿālim-i kāmilden; ve shimdiki zamānın ḳāḍī ʿaskerleri shöyle oldu ki, her ne ta ʿallum olursa | anı ilḳāʾ ederler; djānları yoḳdur ki, dherre miḳdārı tedjāwüz edeler; čil himmetleri ile anların bāṭil | hawāların itmāmda olmushlardır, belki herbiri ḳāḍī ʿasker olmaḳda ghilāz ve shidād | birle mukhālefet wāḳiʿ olmaya deyü efwāh-i nāsda meshhürdur. Ḥāl-i ʿālem böylecedir; | Her ne ki denilmishdir, wāḳiʿdir, belki idjmāl olunmushdur. Ümmiddir, baʿd et-tenbīh | tedjessüs olunub defʿine himmet oluna, her kim ki bunu tekdhibe meshghūl ola | sharʿ djānibin hedm etmek isteyenün biri oldur. Eger Pādishāh-i ʿālem-muṭāʿ | bu ḳadar mütenebbih olduḳdan şoñra bu umūra muḳayyed olmaya, yārın Allāh dergāhında | bu khuṣūṣiyyātin daʿwādjısı ḥażret-i Rasūl imām al-saḳalayn wa hammām al-kawnayn Muḥammed Muṣṭafādır, | ṣalʿam (ṣallallāhu aleyh wa sallam), ol maḳāmda djewābı verile; Sehl taṣawwur olunmaya; Islāmda ewwel gerek olan budur. | We baʿżı ḳāḍīlar shurb-i khamrla meshhürlardır ve baʿżı irtishāʾ ve djehl ve ʿadem-i iʿtaḳād birle | meshhūrdur. Bu dhikr olunan ṭawāyifden tenbīh mikdārı dhikr olunmushdur. |

## Der Wilāyet-i Anadolu

Tafṣīl
Ḳāḍī nāyiblerinden ṭarīḳ-i taḥṣīlde olmayub niyābetten ḳāḍī olanların baʿżı bunlardır ki, dhikr olunur:
Seydi-gazi ḳāḍīsi
Bilecik ḳāḍīsi
Bozdoğan ḳāḍīsi
Bözöyük ḳāḍīsi, hem medhkūr ḳāḍī edjhel-i nās olduḳdan şoñra defter-i shāhīde | Istanbul evidir, idjāzetle dakhi gitmemishdir, baʿżı khawāṣṣ we erkān [ḳa]pısında meshghūldür.
Tuzla Ḳāḍīsi.
Kestel ḳāḍīsi: Medhkūr Kestel ḳāḍīsi bir şüretle | Gedik Aḥmed'in[15] mülkleri üzerine emīn olmaḳ şüretiyle | maʿnā ʿāmil oldughıyla dukhūl edüb bir ednā yere ḳāḍī | olub şoñra nā-maḥal deyü ʿazl olunub Wildān ketkhudāsı | Ḥādjī Yūsuf tezvīriyle Mazin ḳāḍīlighı, ki on besh aḳča yazar, | ana ḳāḍī olub bī-nihāye müteshekkīleri

14 Ḳāḍīs administer the *Sharīʿa* as delegates in the name of the Imam-Sultan who is the sole person responsible for their acts before God. The reporter reminds the Sultan of this basic rule in administering the religious law.

15 Obviously Gedik Aḥmed Pasha who was executed by Sultan Bayezid II in 1482, see "Aḥmed Pasha, Gedik", (H. İnalcık), *EI*$^2$, I, 292.

oldughıyla sābiḳā | Kestel'e ḳāḍī olana altı biñ aḳča verüb medhkūr Ḥādjī Yūsuf telbīsiyle Kestel ḳāḍīlighı, ki otuz aḳča yazar, anunla istibdāl olunub | Kestel'e ḳāḍī olmushdur. Bu ḳażiyyeyi djemīᶜ-i ᶜālem bilür ve baᶜżı zamānda | kallāblıgha dakhi müttehem olub habs olunmushdur. El-ān bu waṣfla meshhūrdur | setre ḳābil degildir, meger tewedjdjüh olunmaya.

Tafṣīl
Ednā djihetten[16] maᶜzūl olub ya ednā djihet ṭalebine gelüb shefīᶜ ile
ḳāḍī | olanın baᶜżı bunlardır ki, dhikr olunur.
Aladag ḳāḍīsi
Gürele ḳāḍīsi
Yalakova ḳāḍīsi
Bolavadin ḳāḍīsi
| Bilviran ḳāḍīsi
Bursa tābiᶜi olan Göl ḳāḍīsi
Gönen ḳāḍīsi |
Akhisār ḳāḍīsi tābiᶜ-i Bursa
Kördek ḳāḍisi
Arac ḳāḍīsi|
Çaga ḳāḍīsi
Balya ḳāḍīsi
Mengen ḳāḍīsi
Kalkanlu ḳāḍīsi |
Mut ḳāḍīsi
Pırnar ḳāḍīsi
Kargu ḳāḍīsi
Milan ḳāḍīsi |
Laz-Bulundusu ḳāḍīsi
Ünye ḳāḍīsi
Aram ḳāḍīsi
Engürinün Ulu-Yörük ḳāḍīsi
Murtad-ova ḳāḍīsi
Koçhisar-i Karaman ḳāḍīsi
Bu djinsden ḳāḍī olanın nihāyeti yoḳdur we ḳāḍī olub maᶜzūl olub
mülāzemetde | yürür bu djinsden kishiler čoḳdur.

We shurb-i khamrle meshhūr olan bunlardır, ki dhikr olunur:|
Magnisa ḳāḍīsi we
Antalya ḳāḍīsi, we

16 As a term *djihet* stands for salary for *ehl-i djihāt*, see note 13 above.



Tarhanyat ḳāḍīsi |
ve Irtıshāʾ ve djehl ve ᶜadem-i iᶜtaḳād ile meshhūr olan
On sekiz-oghlu | Güzel-Hisar | ḳāḍīsi

Dhikr olunan ḳażāyādan birisinde kidhb yoḳdur; el-ḥāṣil bu zamānede ne ḳadar nā-ehl var ise, | anın rewādjı vardır. Irtishāʾ zamānı oldu, | kimin ki wāfir dünyāsı vardır, iᶜtibārı vardır; | kimin ki dünyāsı yoḳdur ne ḳadar mülāzemet edersе, | birgün ḥālin nedir demezler. | Kim ki bu waraḳı bula, Khudāvendigār-i djihānārāya vermeye, | ketm eyleye, Allāh'ın ve rasūlünün we djemīᶜ ümmet-i Muḥammed'in laᶜneti anın | üzerine ola; we hem olur eger ketm eyliye ; zīrā ketm eyliyen sharᶜ yıḳılmasın | ṭaleb edendir, ve hem ketm eyliyene enᶜām dakhi oḳunmushdur.[17]

*English Version of the Document*

God is the Omniscient, the All-Wise.
It is hoped that the Sultan, the Most Excellent, reads this paper to the end.

This is a report submitted to the Sultan whose threshold is the refuge for the whole world:

At the time when the Sultan (Bayezid II), the adornment of the world, may God extend his shadow on the whole mankind, acceded to the throne, persons of base origin found way, as the conditions of the time required, into various groups of status. Subsequently, care was taken to get them out [of these groups]. However, those law court surrogates (nāʾib) of the ḳāḍīs, who had had no regular madrasa education, and those who were dismissed from a low salary ḳāḍī-ship or those who applied for a low salary, having mixed with the poor ḳāḍīs of good religious education were appointed ḳāḍī through intercessors who presented them with untrue qualifications; and their number increased continuously. The late Mawlānā Wildān [Muḥyī al-Dīn Meḥmed] was himself responsible to complete this process, which reached to such an extent that those men of true service to the religion, attaining to the presence of the great mollas and striving in the path of religious studies now appear like white spots on a black surface. Most of the time those who enjoyed esteem and dignity were unqualified ones while those who suffer in degradation and contempt were helpless men of knowledge. Whenever a ḳāḍī-ship of value becomes vacant it certainly goes to an unqualified man by the intercession of patrons wherever they could be found unless the position will not be announced and be as-

17 It is believed that reading of the Koranic chapter *enᶜām* with certain prayers helps achieve victory over an enemy or an oppressor, see Sayyid Suleiman al-Husaynī, *Kanza'l-Khawāṣṣ*, Istanbul 1332 H., 32–36, 89–92.

signed, by compassion or through an intercessor, to a qualified candidate. But the last case is extremely rare. Briefly speaking, a candidate, whether he is qualified or not, enjoys the Sultan's favor if he finds an intercessor. If he cannot find an intercessor, he lives in misery for a long time in *mülāzemet* [the waiting period in Istanbul without a position] and they eventually offer him a low-grade position. If the man is an unqualified candidate he accepts it saying that this is his lot. If he is a qualified one he shows disregard for the position seeing that unqualified ones are favored. Some, however, accept because of their pressing needs, but some insist in rejecting out of their zeal and cause wrath against themselves. When an unqualified kādī is to be dismissed from judgeship his dismissal is finalized only after all kinds of formalities, and he soon obtains a new appointment with promotion without completing his *mülāzemet* period despite the fact that he may be responsible for many illegal acts in the past. In contrast, a qualified ḳāḍī is often dismissed without any serious reason from office and is censured through waiting in *mülāzemet* for a long time. As a result of this sort of malpractices no esteem is left either for religious sciences or for the men of knowledge. Thus, most of those who begin a madrasa education in Islamic sciences are concerned above everything else to learn the preliminaries about how to obtain a post when graduated. If the Sultan, the adornment of the world, does not care to set things right, the situation of the poor, broken hearted disciples of the religion, is helpless, and this body of men may altogether disappear so that the Sharīʿa itself will suffer: "we take refuge with God from evil". Is it not also a pity for our Sultan, Solomon of the time, that despite the fact that he is endowed with complete justice and perfect piety and matchless in administering the Prophet Muḥammad's Sharīʿa the signs of justice and piety do not appear, because of those people who by securing favors for the unqualified amass big sums of money and buy horses of value and other kinds of animals? For a Muslim ruler there is no more serious fault than negligence in the matters of the Sharīʿa and his failure in seeing whether or not his orders were carried out and his taking action at the suggestion, either directly or indirectly, of bribe accepting people. It is to be known that with the dignitaries a smallest gift is preferable to a perfect man in religious sciences. It turned out that the present-day ḳāḍī ʿaskers suggest [to the sultan] what they learn through the power of money (čil); they do not have the courage to depart in the slightest [from what they were told to say]. They are instrumental in completing the false fancies of [the bribe accepting dignitaries]. There are widespread rumors that each of them is just careful not to cause a strong opposition in obtaining his position. Now this is the true situation in the country. Whatever we said in this report is true, perhaps many things are left out in this short description. It is hoped that after this warning the Sultan will investigate and take care [of eliminating the wrongs]. Whoever tries to contradict what is said above should be considered the one who strives to the destruction of the Sharīʿa. If the Sultan to whom everybody owes submission becomes aware of all these wrongs and is not concerned about them tomorrow the Prophet, God's Apostle to



the Two Peoples of the Earth and to the Two Worlds, may God commend and salute him, shall be the plaintiff for all these matters in the presence of God at the Resurrection Day; the answers then would have to be given at that high place. Do not think that that is an easy thing. What is the first most important thing in Islam is that.

And some ḳāḍīs are known for drinking wine, others for bribery and ignorance and unfaithfulness. Here, of such ḳāḍīs, only a few are mentioned below just for warning.

## In the Province of Anadolu

In detail: Those *nāʾibs* in the service of the ḳāḍīs, who had not completed the regular studies at the medreses and became ḳāḍīs from the office of *nāʾib*: the ḳāḍī of Seydigazi and those of Bilecek and Bozdogan.

Among them is also the ḳāḍī of Bozöyük. In addition to the fact that he is the most ignorant of all the ḳāḍīs his residence is still in Istanbul as recorded in the Sultan's list of ḳāḍīs; not having gone to an outside ḳāḍī-ship through an official authorization he serves the high placed dignitaries in Istanbul.

The ḳāḍī of Tuzla [is also among those *nāʾibs* who were appointed ḳāḍīs]

The ḳāḍī of Kestel: At the beginning this ḳāḍī of Kestel had become somehow a steward (emīn) on the freehold properties of Gedik Aḥmed [Pasha], or a kind of revenue-collector (ʿāmil); then, having entered [the path of the ʿilmiyye] he was appointed to a ḳāḍī-ship of an inferior level. But, later on, he was dismissed on the grounds that he was found unqualified. Before long, through the false description of Ḥadjī Yūsuf, who was the steward (ketkhudā) of [the ḳāḍī ʿasker] Wildān [Efendi], he obtained the small ḳāḍī-ship of Mazin (Maçin?), the income of which is only fifteen *aḳča* in the official register. But, then, because of numerous people coming to complain against him he was transferred in substitution to the ḳāḍī-ship of Kestel of thirty *aḳča* daily income through the payment of a bribe of six thousand *aḳča* to the previous ḳāḍī of Kestel and through Ḥadjī Yūsuf's trickery. Everybody knows this story. What is more, once he was also accused of making counterfeit coins and was jailed. At the present time he is known everywhere as a counterfeiter. All this cannot be concealed unless no attention is paid.

In detail: Here are some who were dismissed from a low pay position (*ednā ḏjihet*) and came to solicit such a position, and obtained ḳāḍī-ship through an intercessor. Ḳāḍīs of: Aladag, Görele, Yalakova, Bolavadin, Bilwiran, Göl in the Bursa Sandjaḳ, Gönen, Akhisar in the Bursa Sandjaḳ, Kördek, Arac, Çaga, Balya, Mengen, Kalkanlu, Mut, Pırnar, Kargu, Milan, Laz-Bulundusu, Ünye, Aram, Ulu-Yörük of Ankara, Murtad-Ova, Koçhisar of Karaman.

There are numberless ḳāḍīs of this category and of those dismissed ones who wait in *mülāzemet* for a position.

Those ḳāḍīs who are known for drinking wine. Ḳāḍī of: Magnisa, Antalya and Tarhanyat.

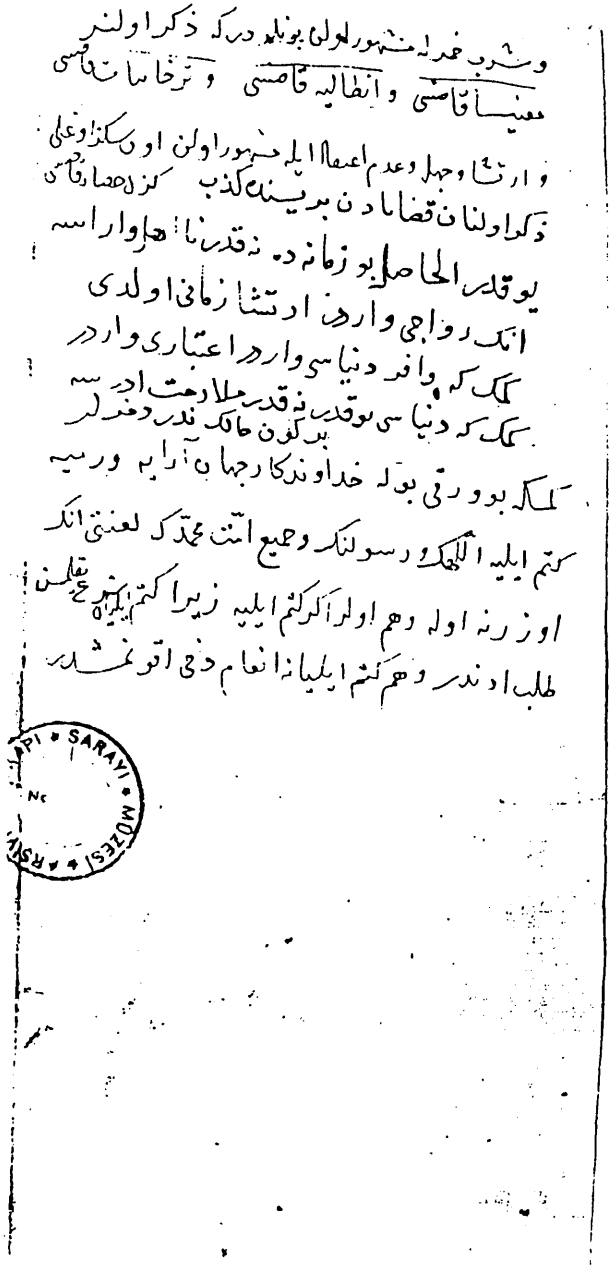
Lastly, the ḳāḍī of Güzel-Hisar Onsekiz-Oghlu who is known for his bribe-taking and unfaithfulness.

All of the cases mentioned above are true without any doubt. In sum, in our time all those unqualified ḳāḍīs enjoy favor. Our time is one of bribery. Whoever has abundant worldly possessions is highly respected; whoever has not, nobody ever asks how he is even if he is in much distress.

Whoever happens to find this report, and concealing he does not convey it to the Sultan, the adornment of the world, all the curses of God, of the Prophet and of the community of Muslims be upon him. This happens to him if he conceals it, because the one who conceals it is the one who means the destruction of the Sharī'a. And [be it known] that the Koranic chapter of *En'ām* is read.







Lars Johanson

# A GRAMMAR OF THE "LINGUA TURCICA AGEMICA"

## *1. The texts*

The Oghuz Turkic *koine* used in the Safavid state of the 17th century is documented in a few transcriptional texts. One of them is part of a manuscript written in Latin and preserved in the British Museum under the title "Raphaelis du Mans descriptio Persiæ communicata Dno. Engelberto Kaempfero, Ispahanae, 1684, cum grammatica Linguæ Turcicæ" (Sloane 2908; cf. Rieu 1888: 151). The manuscript comprises 16 folios, of which 1–11 are devoted to a description of Persia. The folios 12–16, measuring 14 inches by 9, contain a short grammar of what is called the "lingua turcica agemica id est persana" (p. 2). The grammar part bears the title "Theoria & praxis linguae turcicae" and comprises ten pages.

The whole manuscript was produced in 1684 and is obviously the autograph of the author, the famous Raphaël du Mans, head of the Capucine monastery of Isfahan, official representative of France and frequent interpreter at the Persian court. Father Raphaël was born in 1613 in Le Mans as Jaques Dutertre, arrived in Persia in 1644, and died in 1696. His eminent knowledge of Persia is documented in his comprehensive work "Estat de le Perse en 1660", published two centuries after his death (Raphaël du Mans 1890).

The manuscript is dedicated to Engelbert Kaempfer and was given to him in Isfahan. Kaempfer was attached, as a secretary, to a mission sent in 1682 by the king of Sweden to the Russian and Persian courts. The manuscript has the following subscription: "Hæcce in obsequium clarissimorum virorum celeberrimæ legationis Suediæ comitum calamo currenti scribebat die 20 Apr 1684 in Hispan humillimus servulus" (p. 10). Kaempfer mentions Raphaël du Mans in his book "Amoenitates exoticae" (preface p. 4 and p. 237), referring to him as "Interpres Regius, vir maximi candoris et eruditionis" (Kaempfer 1940; Meier-Lemgo 1937).

The grammar has obviously also served as the basis of a "Grammaire Turque", a short grammar of 19 pages in French, preserved in the university library of Uppsala (O. Sp. 26). It is said to have been compiled in Isfahan by the French nobleman Balthasar de Lauzière of Aix-en-Provence "sur les memoires du R.P. Raphael du Mans" (Johanson 1985a, 1995b). The text will soon be published together with a longer transcriptional text, an Azeri translation of the gospel according to St. Matthew and St. John (O. Sp. 39).