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MUSTAFA:
A NAIB IN ACTION IN THE KAZA OF COS
IN THE FIRST HALF OF THE EIGHTEENTH CENTURY

Following up from the broad and exhaustive account by Nicolas Vatin about the activities of *naibs* from the island of Kos during the sixteenth and seventeenth centuries I will now be able to follow in his footsteps by focusing on one particular *naib* from that island who defies Nicola's definition of his *naibs* being "des musulmans locaux." In fact, I will outline, as has done Elias Kolovos in his presentation, the emergence in the Aegean archipelago of the occasional *naib* "d'origine grecque". Yet even before I venture into any detail I have to say that nothing definite can be said about the origins of "my" *naib*; it is only through circumstantial evidence that it is possible to suggest that he is of Greek origin, but impossible to specify as to which island he originates from. He is first recorded in his capacity as *naib* of Kos in 1714; and in a document from 1722 issued by Mehmed (?), *naib* of Kos, he appears to be given the honorific title of "Molla" Mustafa (a title he seems to have added to his "signature" on a Greek monastic document dated 16 September 1709).

In my paper I will look into the activity of this single *naib* from the Aegean world of the early to mid-eighteenth century, the age of advancement of the Greek "bourgeois" lay community across the Islands. According to his distinctive seal, his name is Mustafa, son of Yusuf. Entrusted with the role of deputy Cadi of Kos (*el-müvellâ bi-medîne/cezîre İstânköy hilâfeten*), he evidently was charged by successive Cadis of Kos with looking after the island of Patmos (*el-müvellâ hilâfeten [bi-]*

Bâdînôs) for over 30 years. More than half a dozen *hüccets* of which some show his own “signature,” distinctive handwriting and seal imprint, all from the Ottoman holdings of St John monastery on Patmos, will form the basis of my investigation, complemented by a number of documents composed in Greek from the main files of St John monastery which,¹ despite showing his seal mark, were clearly issued by the monastic authorities themselves. Thus, our documentary base comprises documents in both Ottoman and Greek dating from between 1709 and 1746. In approximate chronological order, these are:

[1] A Greek document (*notariko gramma*) in the Archive of St John monastery, “*Episima Monis*” File 2 (1701-1750), No. 24, issued Patmos, 5 September 1709 (jul.) [16 September 1709] by *hegoumenos* Kallinikos Papayiorgas [Florentis, *Katalogos igoumenon*, sub anno 1706-1710] and authenticated by “our” Mustafa (with his “signature” and a seal mark identical with that in 30 – 48, below) alongside a certain Mehmed who clearly refers to himself as a *naib* of Kos. The sales contract in Greek certifies that Eirini, daughter of Nikitas from Patmos, sold her *magazin* situated in Skala to Nicholas, son of Yanis, for five piasters.

[2] 7 – 29, dated 1714, 14 May: *Hüccet* issued by (according to the seal) Mehmed, *el-naib* in the town of Kos, and Mustafa, *el-müvellâ hilâfeten [bi-] İstanköy*, which certifies that Eirini, daughter of Nikitas from Patmos, sold to Nicholas, son of Yanis, a warehouse situated in Skala near a warehouse for brocades for five piasters (the essence of [1]).

[3] 33 – 12, dated 1719, 14-23 December: *Hüccet* issued by Mustafa, *naib* of Kos (*el-müvellâ hilâfeten [bi-]İstânköy*) in tandem with “our” Mustafa (his seal identical with that in 30 – 48, below; *el-müvellâ hilâfeten [bi-] İstanköy*), which certifies the sale by Eirini Limolinas, from Leros village, of her several houses, her vineyard and fields with several fruit trees to the “big” monastery (*büyük manastır*) of Patmos.

[4] A “*hüccet*” drawn up by Mustafa *el-müvellâ hilâfeten [bi-] Bâdînôz* on the top left margin of Patmos Monastery “*Episima Monis*” File 2, 1701-1750, No. 4 dated Patmos, 25 July 1720 (jul.), the so-called

1. Most of these Greek language documents in the Patmos “*Episima Monis*” main files were issued by some monastic authority, but others clearly constitute documents drawn up by Ottoman officials in the Greek language, including documents issued by the Ottoman judiciary. Apart from entire series of bi-lingual *buyruldus* of the Kapudan pashas spanning the period 1719-1820, and again 1837-1868, many Greek-language Ottoman documents can also be found in the various regional files of the archive, such as those for Kalymnos, Samos and Santorini.

“Partition Agreement,” with seal of identical shape as in document 30-48, below).

[5] 30 – 48, dated 1720, 7-16 July: *Hüccet* issued by Mustafa, deputy Cadi of, or for, Badinoz (“*el-müvellâ hilâfeten [bi-]Bâdînôz*”), confirming the sale, by Makarios, son of Pavlos from Apokalypse monastery (Patmos), of his several books to Yerassimos, son of Vassilis.

[6] 23 – 22, dated 1721, 23 September – 21 October: *Hüccet* issued by Mustafa, *el- müvellâ hilâfeten [bi-]Bâdînôz* (but with lense-shaped, indistinct seal [!] with no obvious name of its bearer) in tandem with Ömer, *naib* of Kos, confirming the mutual agreement reached between the siblings Michalis and Kyriaki and their brother Nikola (all from Patmos) concerning the share of their inheritance following their sister Kyrana’s death.

[7] 24 – 9, dated 1721, 12 October: *Hüccet* issued by Mustafa, *el-müvellâ hilâfeten [bi-]Bâdînôz* (but with lense-shaped, indistinct seal [!] with no obvious name of its bearer) in tandem with Ömer, *naib* of Kos, confirming on the evidence of extra witnesses from Patmos that a field claimed as his inheritance by Michalis, brother of the deceased Kyrana from Patmos, was lawfully transferred to Maria before Kyrana’s death.

[8] Another Greek language document in the archive of St John monastery, File 66 Kalymnos, No. 12 dated 1 July 1722 (jul.) [12 July 1722] bears his distinctive seal (identical with that in 30 – 48, above) alongside the octagonal seal of a certain Mehmed (?), but without any “signatures.” Here, the *naibs* merely authenticate a Greek document concerning the sale of a house in Kalymnos. The document appears to have been issued in Kos, not Kalymnos.

[9] 21bis – 14, dated 17 September 1722: *Hüccet* issued by Mehemmed, deputy Cadi of the Imperial fleet (*el-müvellâ-hilâfeten bi-donma-yi hümâyûn*) in conjunction with “our” Mustafa bin Yusuf, *el-müvellâ-hilâfeten [bi-] cezîre-i Bâdnôs*: Süleyman Ağa, acting lieutenant of the Imperial fleet who, while installing cannon (*leşker-endaz*) in the port of Patmos (at Skala), held a court session about a dispute between (the Patmians?) Nikitas, son of Stamatakis, and the daughters of Papa Nikola by the names of Theologou and Kyrana which was witnessed by various high-ranking Muslim officers of the Fleet as well as two Christians from Patmos.

[10] 28 – 9, dated 1746: Ill-composed document with many instances of non-standard orthography, issued in the form of a *hüccet* by a certain Mustafa (*bende el-müvellâ hilâfeten Mustafâ*), granting the two sisters

Kyriaki and Maria the right to take into possession the estate of their late brother Theodoros, son of Gumelis, consisting of some shirtmaker's equipment on the island of Patmos before settling their brother's debts with his three Patmian creditors.

It is obvious from several of his involvements in Patmian affairs that Mustafa was an important figure at a time when the local *gerontia* (the influential and wealthy body of Patmian lay elders) strove to have their position vis-à-vis the monastic authorities strengthened. In many of the major events during that period on the island of Patmos it was he who got involved (in one instance even alongside a *naib* of the Imperial fleet), be this in major sales for the benefit of Patmian institutions, inheritance questions involving Patmians, or even internal Patmian affairs of almost "constitutional" proportions. For a long time the Ottoman treasury had not distinguished between the monks and the lay inhabitants of Patmos; only from the second half of the seventeenth century onwards was such a distinction progressively made,² which must have given rise to a degree of tension between both sides. But on 22 March 1720 [11 March 1720 (jul.)], both sides agreed on a "Tax Splitting Settlement" (by means of a *symfoniatikon gramma*): While the Monastery was to pay an annual sum of 125 piastres, Chora's (or the lay Patmians') share would amount to 250 piastres *per annum*; on occasion of a new Kapudan pasha taking office, the Monastery was to remit to his treasury 12,400 *akçe*, with Chora's share on such occasions amounting to 31,000 *akçe*.³ While there is – untypically perhaps – no visible involvement of "our" Mustafa on this occasion, a few months later, after a *ferman* had been received (29 – 2) issued between 29 May and 7 June 1720 in reply to the complaints of the inhabitants of Patmos about the monks of the Monastery "not being satisfied with the lands and trees which they held at the time of conquest" and requiring an investigation by a Sharia court, he is very much in evidence: Composed in Greek on 5 August 1720 [25 July 1720 (jul.)] and authenticated – for the first time (and for the first time in his name only) – by Mustafa bin Yusuf, *naib* of, or for, Badinoz (Patmos) – i.e. no longer as deputy Cadi of Kos –, the *gerontia* of Patmos extracted from the Monastery the so-called "Partition Agreement" by forcing the latter to identify the extent of its landed possessions on the island of Patmos. This document is the first of its kind (apart from the marginally

2. Vatin, "Les Patmiotes," p. 126-130.

3. Archive of St John monastery, "Episima Monis" File 2 (1701-1750), No. 12.

earlier “Tax-Splitting Settlement” just mentioned) where the body of lay elders, the *gerontia* of Patmos, is shown as having been accorded full negotiating powers vis-à-vis the monastic authorities in drawing up the “Partition Agreement” by means of a formal written act (*notariko gramma*).

The wording of Mustafa’s rudimentary *hüccet*, drawn up in the left upper margin of this Greek document,⁴ runs as follows: “*sebeb-i tahrîr-i harf-i hüccet budır ki hâlâ môtânâz-dî-r tâ-râ-fî-nda-n ta-fe-te-a-t* [?tefferu “a being subdivided”] *kılın-d-ı kırk senesinde-n berü gerek tarla ve gerek dağı ve gerek kır y-e-ri-ri ve gerek mâd[n]dir[a] ye-ri-ri vilâyet tarâ-fî-nda-n ve râyâ-mezkûrâsı tara-f-fî-nda-n bir kimesne men’ olmamağı için işbu hurûf ketb olındı şahha*” (note Mustafa’s disjointed orthography!). – In English: “The reason for writing down the *hüccet* is this: A separation (?) from the side of the Monastery was now undertaken, so that as from the year forty (=from time immemorial) neither field nor mountain, neither open nor enclosed lands [owned by the Monastery] are to be interfered with, not from the side of any government official nor from the side of any of the aforementioned *reaya*. Therefore this note was written down. [Such is the] correct [account].”

What was the reason for him (and for him alone) to draw up his *hüccet* onto this important “constitutional” document (it is certainly treated as such today)?⁵ By doing so he endorsed the principal instruction underlying the “Partition Agreement,” i.e. to prevent future violation of the Settlement, which figures prominently in the *dispositio* of his own *hüccet* (*vilâyet tarafından ve reaya-i mezkûre tarafından bir kimesne men’ olmamağıçün*). The firman of Sultan Ahmed III from the spring of 1720 (29 – 2)⁶ had demanded an investigation by a Sharia court, and “our” Mustafa appears to have been the *naib* charged with this task. He seems to have drawn up his *hüccet* upon the document in question while being present on the island of Patmos. Or had he even been firmly installed on the Island from this date? Let me remind you: For the first time his “signature” boasted the phrase “*el-müvellâ hilâfeten [bi-] Bâdînôz*” (installed as deputy Cadi [in] Patmos). So perhaps he was not merely spending a brief spell on what Nicolas calls “une délégation temporaire

4. Archive of St John monastery, “*Episima Monis*” File 2 (1701-1750), No. 4.

5. According to Manolis Grillis of Skala, Patmos, who holds a higher position in the municipality of Patmos, the *notariko gramma* is on public display as a “founding” document of Patmos municipality. Verbal communication, 7 June 2018.

6. See Appendix.

in loco,”⁷ but acting as a *naib* who was installed on Patmos for a somewhat longer period.

The other *hüccets* issued by Mustafa need to be read in the light of this possibility. Because if he were seen to be acting as a *naib* “installed” on Patmos (if only temporarily), he would be the first Ottoman official of the judiciary known to have done so.

During 7 – 16 July 1720 (three to four weeks prior to the date of the “Partition Agreement”) Mustafa (on his own!) had already issued a *hüccet* – and this in his capacity as *naib* of, or for, Badinoz –, in which he confirmed the sale “of the books, great and small, on music (*musika*) as well as in Latin (*latinika*), Greek (*ellinika*) and Italian (*dalika*)” of the famous Patmian *hierodiakonos* Makarios, son of Pavlos, to Yerassimos, son of Vassilis,⁸ for a total of 755 piastres. All five court witnesses he listed towards the bottom of this *hüccet* were distinguished Patmos office holders: Papa Iakovos,⁹ Papa Anastasis,¹⁰ Manolis,¹¹ Diako Yanis¹² and Methodios Vrakomenos [= *proigoumenos*].¹³ This *hüccet* (30 – 48) carries Mustafa’s handwriting in more than one sense, so I shall give it below in its full glory:

(1) *sebeb-i tahrîr-i kitâb-i şîhhat-muşâb budır ke* (2) *Bâdnôz maḥallâtından Abô-ḳâle-b-çe nâm mônâzdırda* (3) *sâkin olan Diye-rô-diyâkô Mâkâryôz veled-i Bâdolô* (4) *nâm kimesne maḥfîl-i ḳaz[â]da işbu ḥâftizü’-l-kîtâb [sic] Ye-râsî-mô* (5) *veled-i Vasîlî nâm kimesne maḥşarında [sic] ikrâyir-i tâmm [sic] ve ta’krîr-i kelâm [sic] ed* (6) *edüb ve kîtâblarım gerek Mûsî-ḳâ ve gerek Lâ-ḫî-nî-ḳâ ve* (7) *gerek Ellî-nî-ḳâ ve gerek Dalî-ḳâ ve gerek ke-bir ve gerek şâḡir bu* (8) *buṭun [sic] alay ile yediyüz elli beş ḡuruş [sic] bey’-i ḳaṭ’î birle bey’* (9) *ve teslîm eyledim ol daḫi aḫz*

7. Nicolas Vatin has rightly pleaded caution when inquiring into the whereabouts of a *naib* acting on a particular case which may or may not have caused his “déplacement,” if only temporarily. In other words: Is the *naib* merely dealing with such an “away from home” case through his office in Kos, or was he actually dispatched across the water to see for himself?

8. For Makarios and Yerassimos Byzantios see *Brabeion*, p. 55f., n. 1. For the identification of the court witnesses, cf. Tsoulkanakis, *Άγιος Μακάριος*, p. 433f.

9. Papa Iakovos (son of Elias) is recorded as *kathegoumenos* of St John monastery for November 1732: Vatin, Veinstein, Zachariadou, *Catalogue I*, p. 624. He is identical with Iakovos Anastassiou, a student of Makarios.

10. Son of Symeon.

11. Probably the later Papa (diakos) Manolis: Cf. 35 – 20 (1749).

12. He is identical with deacon Ioannis Kounelis.

13. He can be identified with Methodios Kalogeras, a former abbot of St John monastery.

ve kabz ve kabûl ve tesellüm etdi (10) kde[n]şoñra şemeni [sic] olan yediyüz elli beş gûruş [sic] mezfûr [sic] Yerâ (11) sî-mô yedinden tamâmen alub kabz eyledim ba'de'l-yevm zîkr (12) olunan kîtâb-ları [sic] mezfûr Ye-râ-sî-mô-ya mülk-i müşterâ (13) sîdur [...] (30 – 48).¹⁴

Considering the exclusively Christian, and solidly Patmian, body of court witnesses, it is highly likely (even by Nicolas' strict criteria) that the document was issued in Patmos. What is more: the fact that Mustafa is again the sole promulgator of his *hüccet* suggests that it was he who supervised the sale, and then singlehandedly drew up the sales contract while (perhaps still?) in Patmos. But above all this too is a document headed by Mustafa's "signature" in which he asserts to be acting as the "deputy Cadi of, or for, Patmos," suggesting, like before, an ever-closer connection with that island.

Not so in the case of some earlier pieces of evidence. The first of these is a document issued by Kallinikos Papayiorgas, the then *hegoumenos* of the Monastery of St John, on 16 September 1709 (5 September 1709 jul.), confirming the sale by Eirini, daughter of Nikitas Fokianos from Patmos, of her property (including a workshop located in Skala) to the son of Nikolas Pourezis for five piastres. It seems that this is an example of a *naib*'s "signature" and seal being applied to an existing sales contract *post facto* (such may be the meaning of the phrase *ke-mâ zukire fihi yuvaqqa'u el-hâdir*: "It was now executed what was mentioned in it"), likely to have been scrutinized and authenticated in the *mahkeme* of Kos. If so, this monastic document would be the earliest evidence for "our" Mustafa to be officiating, as a *naib* of Kos, together with his colleague Mehmed, another *naib* of Kos. But I repeat: The date of the document in Greek only gives an *ante qua non* date for Mustafa's and Mehmed's intervention, not (necessarily) the date of its authentication.

The earliest dated *hüccet* issued by a certain Mehmed, *naib* of Kos, in tandem with "our" Mustafa (who also still "signs" here as "*el-müvellâ hîlâfeten bi-İstânköy*"), is 7 – 29 dated 14 May 1714. This *hüccet*, like the transaction in Greek issued Patmos, 16 September 1709, concerns the Patmian lady by the name of Eirini, daughter of Nikitas from Patmos who

14. Because the document purports to attest to the sale, and not the donation, of the books of the famous Didaskalos Makarios to the library of the Patmos Gymnasium, Vassilis Demetriades considers this *hüccet* to be a (compromising) forgery. See Tsoulkanakis, *Άγιος Μακάριος*, p. 433f.

sells her workshop or warehouse (*magaza*) situated in Skala, the port of Patmos, to Nikolas, son of Yanis (1709: the son of Nikolas Pourezis), for five piasters – evidently the same sale that was recorded, by the Monastery, five years previously.

The second earliest document (co-)issued by “our” Mustafa as *naib* of Kos (*el-müvellâ hilâfeten [bi-]İstânköy*) is 33 – 12 dated 14-23 December 1719. Again a *hüccet*, it marks the beginning of a long-drawn dispute between a well-to-do Greek lady, this time from Leros, but also by the name of Eirini, daughter of an important Leros figure, and Papa Kallinikos, *hegoumenos* of the “big” Patmos monastery. – Below can be found my summaries of the documents which demonstrate the unfolding legal contest between a female layperson from Leros and the highest monastic authority in Patmos, and its final resolution by Mehmed, Mustafa’s *naib* colleague from Kos:

(33 – 12:) *hüccet*, dated first decade Safer 1132H/ 14 – 23 December 1719. Issuing authority: Mustafa, deputy Cadi of Kos (= “our” Mustafa), and another Mustafa, deputy Cadi of Kos

Summary: The document specifies that Eirini Limolinas [for Lemonia? Verso text in Greek has “Mitsomatas” instead of “Limolinas”], daughter of the *protos* (*tou [pro]protou*) Yioryis and resident of Leros village, irrevocably sold through her representative Pothitos, son of Yanis, her several houses, her vineyard and fields together with all olive, fig and harob trees situated on Leros to the “big” monastery (*büyük manastır*) of Patmos for a total of 24,000 *akçe* “current denomination.” – All seven court witnesses listed bear Christian names.

(27 – 35:) *hüccet*, dated second decade Cumadiyülevvel 1134H/ 27 February – 8 March 1722 [verso in Greek gives 29 January 1722 (jul.)]. Issuing authority: Mehmed, deputy Cadi of Kos

Summary: Marina, daughter of Yiorgis from Kos, claimed before the court in front of Papa Kallinikos, son of Manolis and head of the monastery of Patmos, that for twenty years he had taken control of some of the property of her late mother Lemonia and her sister Eirini, situated on the island of Leros and consisting of two dwellings, a field, an orchard as well as several fruit trees, valuables and household items, thereby causing her injustice. On questioning, Papa Kallinikos repudiated the claim, insisting that during her lifetime Eirini had bought the two dwellings, nine carob trees, the field, the orchard, 20 olive trees and 18 fig trees from her husband, only to sell these properties to the monastery for 200 piastres. When in the situation of claim and counter-claim Papa

Kallinikos was eventually invited to make an oath to back up his statement, he delivered an oath on the New Testament in the presence of two witnesses (one Muslim, one Christian), thereby deciding the case in his favour. – Among the names of the nine court witnesses, five are Muslim, four Christian.

(33 – 8:) *hüccet*, dated second decade Cumadiyülevvel 1134H/ 27 February – 8 March 1722. Issuing authority: Mehmed, deputy Cadi of Kos

Summary: *Hüccet* resolving the dispute between Papa Kallinikos, son of Manolis, head monk of the Patmos monastery and Marina, daughter of Yioryis, who resides in the town of Kos as a visitor: She claims in front of the court that Papa Kallinikos unlawfully took possession of her mother Lemonia's and her sister Eirini's estate and effects situated on the island of Leros when they died twenty years ago, consisting of two houses, fields, vineyards, 20 olive, 18 fig and nine harob trees as well as a number of valuables and effects in the house, demanding that Papa Kallinikos be questioned. When he was asked by the judge, he rejected her claim by arguing that during the lifetime of Marina (erroneously for Eirini?) he had bought the real estate in question for the patrons (*ashab*) of the monastery from Marina's husband for 200 piastres, therefore constituting a lawful acquisition for the monastery. When asked to confirm their statements by oath, Marina felt unable to do so, but Papa Kallinikos gave an oath on the Bible, and Molla Mustafa and Antonios confirmed by their witness that the real estate in question had in fact been bought for the monastery from the husband of Marina (=Eirini?) for 200 piastres. – Three of the seven witnesses bear Christian names.

(33 – 17:) *fermān*, dated first decade Ramazan 1136H/ 24 May – 2 June 1724. Issuing authority: Sultan Ahmed III (1703-1730)

Summary: Papa Kallinikos, son of Manolis, one of the monks of the Patmos monastery and bearer of the firman, had sent a petition to the Sublime Porte, stating that a woman by the name of Marina, despite a *hüccet* to the effect that she was unable to prove her case according to Sharia law, had made allegations against him [by claiming back] the property belonging to her mother Lemonia and sister Eirini who died twenty years ago, consisting of two houses, several fields, vineyards, 20 olive, 18 fig and nine harob trees as well as a number of valuables and effects in the house, all situated on Leros, which he had in his possession ever since those years. Because she continued opposing the *hüccet* in question, he asked for an Imperial firman demanding an investigation by a Sharia court and the cessation of her unlawful acts.

(33 – 15:) *fermān*, dated third decade Ramazan 1136H/ 13 – 22 June 1724. Issuing authority: Sultan Ahmed III (1703-1730)

Summary: Firman in response to a petition by Kallinikos, *hegoumenos* of the “big” Patmos monastery, in which he stated that twenty to thirty years ago while they were still alive and in full possession of their mental faculties, Lemonia and Eirini from Leros sold their two houses, several fields, vineyards, 20 olive, 18 fig and nine harob trees as well as a number of valuables and effects in the house, all situated on the island of Leros, to himself (Kallinikos), who made this purchase, accompanied by a legal *hüccet*, for the benefit of the poor of the monastery. But Carna [mis-spelt for Marina], presently a resident of Leros, demanded the purchase to be annulled, saying that she wanted to take possession of the items which he (Kallinikos) had bought from her late mother and sister. Despite the fact that her claim would amount to a mere abrogation [of a legally binding court decision, *lagv-i mahz*], upon which a *hüccet* had been issued, she would dispute this *hüccet*, which is why he (Kallinikos) asked for an Imperial firman to stop her from acting against Sharia law and contrary to the *hüccet*. The firman now issued demanded to take into account the relevant *hüccet*, and if found as stated in the *ilam*, immediate action as required by law and in accordance with the *hüccet* was deemed necessary.

The reader will have noticed that “our” Mustafa is present with his “signature” and seal only on the first document dated December 1719. He is conspicuously absent from the later *hüccets* dealing with this case.

References [6] and [7] are considered here because it can reasonably be assumed that they, too, refer to Mustafa ibn Yusuf, despite the fact that the seal employed is clearly not of the shape used before or after. Nor is his co-*naib* the former Mustafa, nor Mehmed, but a certain Ömer. But significantly, Mustafa “signs” with the phrase *el-müvellâ hilâfeten [bi]Bâdînôz* – just like he did from the spring of 1720. Both *hüccets* date from 1721, with the date of the second to fall within the date bracket of the former, so that the internal evidence alone can establish the sequence of their issue. The following (24 – 9) must be the earlier of the two:

Summary: The Patmian Michalis, son of Antonis, states in court in front of Maria, daughter of Yanis, that his late sister Kyrana, daughter of Antonis, owned a field in the location known as Lefke, which he should have inherited on her death, but that Maria unlawfully took hold of it. Upon questioning, Maria admitted that the field in question had been the property of the deceased, but that she was given the field as a lawful

present by its owner to whom she had rendered services for three years. When, however, Michalis continued claiming the field contrary to the defendant's statement, the village elder (*kocabası*) Yioryis and Papa Yakomos, both competent and disinterested people, were summoned before the court as additional witnesses. They confirmed that the late sister of the claimant transferred the field to Maria in writing as a lawful gift five days before the date of the transfer deed while she was still alive and in full command of her senses, as the equivalent of three years of services. After they gave testimony one by one in accordance with the Sharia, Michalis was warned to resist from challenging the outcome of the case through a Sharia court. – The nine court witnesses named are: Pothitos Simos, Chatzi Anastassios, Papa Lulu (?), Papa Kostantinos, Pothitos Antonios, Manolakis the Scribe (*yazıcı*), Papa Yanis, Paisios, Kostantis Margaritis.

The second *hüccet* (23 – 22), following up from the first, can be summarized as follows:

The Zimmi siblings Michalis, son of Antonis, and his sister Kyriaki, daughter of the same (who are, together with Nikolas, her husband, the confirmed sole heirs to their deceased sister Kyrana, daughter of Antonis, an inhabitant of Patmos), appeared before the Muslim judge(s) and stated in front of Nikolas, the former husband of the deceased, that he (Nikolas) took possession of their sister's house worth 80 piastres, her field near the monastery valued at ten piastres, and another field in Lefke worth five piastres. When Nikolas was questioned, he asked to be given his rightful share, with the remainder to be shared between the siblings, arguing that 60 days before his former wife's death he had her certify before the persons certifying this document that she owed him 60 piastres, and that during her illness, again in front of the same witnesses, he sold her house worth 80 piastres to the Christian woman Eirini, daughter of Avesti (Sevastis?), to settle his claim against her, spending the remaining 20 piastres on his wife's sickbed and taking nothing for himself. After Nikolas' testimony was confirmed by the aforementioned witnesses, Michalis and Kyriaki made their statement, with Michalis offering to make a vow that his inheritance was no more than the field worth five piastres, whereupon Nikolas then admitted that he owed him another 15 piastres (for the field in question and the other one in Lefke worth ten piastres), totalling 20 piastres. After this amount had been split in two equal halves, one for Nikolas and the other to be shared between Michalis and Kyriaki, Michalis declared that he had no further demands, while

Nikolas vowed on the Holy Scriptures that he too had no further claims against the siblings. – The witnesses indicated at the bottom of the document are Pothitos Yanis, Papa Yakomos, Papa Yanis, Pothitos Angelos, Diakos Yioryis *kocabaşı*, Chatzi Athanassios Paolo, Kostantis Margaritis, Papa Yakomos, Papa Kostantis and Vestiarios, son of the man from Kos (*veled-i Istanköylü*).

In this way the dispute ends by means of some kind of arbitration, apparently in Patmos given the identity of the court witnesses, and orchestrated by Mustafa who, in all likelihood, is identical with “our” Mustafa, deputy Cadi of, or for, Patmos.

An unusual *hüccet* emanating from the office of the Cadi of the Fleet dates from 17 September 1722: It was issued by Mehemed, deputy Cadi of the Imperial fleet (*el-müvellâ-hilâfeten bi-donma-yi hümayûn*) in conjunction with “our” Mustafa bin Yusuf, “entrusted with the island of Patmos as deputy Cadi” (*el-müvellâ-hilâfeten [bi-] cezîre-i Bâdnôş*): Süleyman Ağa, acting lieutenant of the Imperial fleet under the authority of Kapudan pasha Mustafa Paşa and commanding the ship of Salih Paşa as well as other vessels of the Sultan, after casting anchor (*lenker-endaz*) in the port of Patmos (at Skala), convened a regular court session (*akd-i meclis-i şer’-i kavîm*) about a dispute between (the Patmians?) Nikitas, son of Stamatakis, and the daughters of Papa Nikola.

Summary: Theologou and Kyrana, whose brother Yanis had borrowed from Nikitas 572 ½ piastres he inherited from his father while he was still a minor under the guardianship of his mother Eirini twelve years previously, but Yanis died before having returned the money. This he (Nikitas) now claimed back from Yanis’ two sisters, yet the court dismissed his claim since the sisters had not yet received any share of the inheritance because, at the time of Yanis’ death, it was considered insignificant. – The proceedings were witnessed by various high-ranking Muslim officers of the Fleet as well as two Christians from Patmos: Salih Paşa, *emirü’l-ümera’i’l-kiram*, Hasan *kethüda* bin Abdullah, Hüseyin Halife (?) bin Abdullah, Abdülkerim bin Mehmed Halife as well as Yakomo *veled-i Yorgi* and Yani *veled-i Pothito*.

The last available evidence in this corpus for his operating (again on his own!) is an ill-composed *hüccet* (28 – 9) sporting his new seal (which is a re-modelling of his earliest one) and a somewhat defective “signature” indicating his deputyship, but not his place of responsibility) in which he entitles the two sisters Kyriaki and Maria to take into possession the estate of their late brother Timotheos, son of Gumelis, consisting

of some shirtmaker's equipment on the island of Patmos as well as a rifle (?) before settling their brother's debts with his five Patmian creditors. The document does not give away the day and month of its date of composition, merely the year 1159H is recorded, corresponding to 1746 (my transliteration of this garbled document is still far from complete). Instead, I ask the reader to accept a summary of this document:

Defectively dated document (*huruf*) with garbled syntax and many instances of non-standard orthography which in parts renders the text virtually illegible, issued in the form of a *hüccet* by a certain Mustafa, deputy Cadi of (or for) Patmos, allowing the two sisters Kyriaki and Maria to take into possession the estate of their late brother Timotheos, son of Gumelis, consisting of some shirtmaker's equipment on the island of Patmos as well as a rifle before settling their brother's debts with his three Patmian creditors. – The case was concluded in the presence of six named witnesses, all Christians.

[Transliteration of 28 – 9 (fragmentary hence provisional):]

bende el-fakir müvellâ hilâ[feten] Muştafâ

(1) *vech-i tahrîr-i hurûf budur ki* (2) *cezîre-i Baḩnôz sakinlerinden* [?] *Timôdor veled-i Gumeli nâm zimmî ve Kirâle* [?] (3) *ve re'is* [?] *Ṭôdorî ve Koşanḩ Reis* [?] *mürd[d]en temessüḩi olmaḩla* (4) *budan aḩdem mürd olması sebebinden* [?] *zimmîden altı ğuruş bir zaloti* [?] (5) *altamış* [!] *ğuruş mezbûrûnumuz kız kardeşleri Mâriyâ ve Kiryâkî* (7) *nâm kimesneler tarafîlarından* [!] *Papa Miḩelî Dîğânî deyü su'âl* [?] (8) *olub meclis-i şer'de geliüb taḩrîr-i kelâm eyledi ki* (9) *budan aḩdem mürd ola[n] zimmînüñ cezîre-i mezbûrda vâḩî* (10) *bir tarla on ğurûş ve bir gömleki furunu ve bir* (11) *düfük ve bir sedukçuk ev sobada[n] ğâyri* [!] *olmayub* (12) *ve bu zîkr olunan cemâ-yekûn seksen altı ğuruş* (13) *kıymet olub mezbûr Kiryâkî ve Mâriyâ nâm naşraniye* (14) *-ler taraf-i şer'd[en] altı ğuruşluk ve altmış ğurûş tereke* [?] (15) *-leri mezbûr furunu ve tarla ve düfek mezbûr Kiryâkî* (16) *ve Mâriyâ kâbz* [!] *edmağı işbu hurûf verildi sene 1159* (17) *şühûdu'l-hâl Papa Miḩelî Vedka* [?]; *ḩacci Yôrgî İzmirlî; Ṭôdorî Niḩôlâ; Boḩodoz Koşanḩ; ḩacci Mânôlî; Yânî Miḩelî Merluta* [?] *ve ğayrihim*.¹⁵

We have now seen Mustafa ibn Yusuf officiating for more than 30 years, initially always in tandem with another *naib* installed in Kos, but soon on his own. Between the summer of 1720 and the autumn of

15. This reading has greatly benefitted from the valuable suggestions offered generously by my colleagues Elias Kolovos and Nicolas Vatin.

1722, he officiated on his own (four times) – on Patmos and as “deputy Cadi of, or for, Patmos,” which would suggest that during these three years he was active on the island of Patmos on an annual basis – during July/August 1720, September/October 1721 and again in September 1722. In September 1722, he meets – in Skala, Patmos – the deputy Cadi of the Imperial fleet. If he was not firmly installed in Patmos during those three consecutive years (which remains a possibility despite the evidence in [8]), he must have visited the island regularly enough during the summer period to justify the grand title of “seasonal” deputy Cadi *in* Patmos.

But if he indeed was permanently present in Patmos during those 36 months or so, would he qualify to be considered the first known Muslim official firmly established on Patmos before the advent of the Tanzimat and the establishment of the Muslim *müdirlik* in Skala during the 1850s?¹⁶ It is not clear where he was and what he did for the rest of the year during the early 1720, and it remains far from clear what happened to him between October 1721 and 1746 when his seal appeared for the last time (as far as our documentation goes), this time without any reference to Patmos. Had he been ordered back to Kos? Mustafa’s

16. For the date of introduction of the *müdirlik* see my “Corpus,” p. 294 ff. The *müdirlik* proved to be the most stable office in the entire provincial hierarchy, despite being renamed repeatedly. According to Section IV of the official instructions (*talimat*) detailing the duties of the *valis*, *mutasarrifs*, *kaymakams* and *müdirs* dated 13 Safer 1275H/ 22 September 1858, the *müdir* was to oversee all administrative, fiscal and policing matters in his district; he was responsible in particular for the maintenance of public order, for assuring equity in judicial hearings, for remitting to the treasury the taxes due from his district as well as for ensuring equal treatment of all subjects. He would be answerable to the *vali* if his district fell within the central district of the *eyalet*, otherwise to the *kaymakam*. Other responsibilities include the transfer of criminals, together with the interrogation protocols, to the *liva* authorities and to have them kept under close guard during transport; enacting the prohibition of inadmissible demands towards the population from the side of the police and other officials; employment of suitable gendarmes and enforcement of the ban on their use as servants; to ensure an effective curb on bandits and to make an immediate report if the available gendarmes and army detachments are not sufficient; further the protection of state property; ensuring payment of taxes without delay; rejection of unjustifiable tax demands; remittance of cash amounts to the *liva* authorities; promotion of agriculture and trade; ensuring participation of the district councils and to allow direct inquiries to be made at *sancak* level. In addition, the *müdir* was responsible for the administration of the travel permits or *mürur tezkereleri*, in which capacity the *müdirs* of Patmos were repeatedly reprimanded by the *sancak* administration for having been reluctant to return to Rhodes the proceeds from the sale of the permits and/or what remained of un-used copies (38-2; 38-42) or, worse still, for having employed handwritten versions instead of the official printed versions (38-3). On the regulations for the *müdirlik* cf. Kornrumpf, *Territorialverwaltung 1864-78*, p. 65f.

involvements in the intricacies of the internal “balance of power” in Patmos during the early 1720s suggest that he was a (local?) player of some importance during those years, possibly because of his insider knowledge as a “regional specialist” who was able to build up useful connections over time. As (possibly) a Greek convert to Islam (whose father may have been called Iossif but styled “Yusuf” in his son’s seal) or more likely a Greco-phone Muslim from the (wider) Aegean region (for instance from Crete), his intimate knowledge of local society and the Greek language (but did he ever write in Greek?) paired with an official position in the Ottoman judicial system as a *naib* made him a man the contending parties in Patmos, and indeed the deputy Cadi of the Imperial fleet setting foot on Patmian soil, evidently could not always do without. As the *müvellâ hilâfeten [bi-]Bâdînôz*, he was unrivalled from the summer of 1720, as no other *naib* from Kos (the relevant judicial centre) has so far come to light for the subsequent period who would boast this label. It may be no coincidence that he was able to develop this role for himself during the first half of the eighteenth century at a time of accelerated tension between the monastic and lay sections of Greek society, going hand-in-hand with the establishment – often enough in the face of monastic opposition – of lay forms of civic administration by Greek *gerontes* in Patmos and elsewhere.

APPENDIX

The Appendix lists three documents (in chronological order) from the Ottoman holdings of St John monastery on Patmos which appear to relate to the circumstances described above. Some of them have already been mentioned in the text. The documents are given below as they appear in my forthcoming *Catalogue of the Ottoman Holdings of St John’s Monastery in Patmos*, Part Two: Dossiers 21-38. Below, the number of the archival dossier is indicated first, followed (in *Italics*) by the serial number of the document within.

35 – 3

Type: *fermân*

Date: Second decade Receb 1132H/ 19 – 28 May 1720

Issuing authority: Sultan Ahmed III (1703-1730)

Place of issue: Istanbul

Addressee: The (unnamed) *naib* of Kos
Signatures and seals: Tughra of Ahmed III; on verso °Ümdetī and two flourishes
Dimensions: 26.6 × 76 cm
Summary: Firman in response to a petition by the *reaya* of Patmos who complain about the *naib* of Kos: Despite the fact that, if there is no legal breach of trust (*gadr-i şer'i*), it is forbidden to hear a case involving taxes (*hukuk*) after the passing of 15 years, he sent a *naib* to Patmos who, solely to enrich himself, accepted the case, thereby provoking some people. Since they asked for a firman to stop him, a decree was issued demanding not only an end to such a transgression of the law, but also a strong cautioning of the *naib*.

29 – 2

Type: *fermān*
Date: Third decade Receb 1132H/ 29 May – 7 June 1720
Issuing authority: Sultan Ahmed III (1703-1730)
Place of issue: Istanbul
Addressee: The *naib* of Kos
Signatures and seals: Tughra of Ahmed III; on verso: Edīb and two flourishes
Dimensions: 42.5 × 61 cm
Summary: Firman in response to a petition by the *reaya* of Patmos who ask for an Imperial decree as they complain about the monks of the monastery of St John, accusing them of not being satisfied with the lands and trees which they held at the time of conquest, but of interfering in their (the *reaya*'s) holdings of land and trees in violation of the *defter*. After the acting chief treasurer (*başdefterdar*) Hadji Ibrahim was consulted about the formulation of the decree, a firman is issued containing an extract of the detailed register (*defter-i mufassal*) kept in the Imperial archives, ordering a Sharia court investigation and forbidding the monks to interfere with the *reaya* holdings of land, trees and mills.

35 – 4

Type: *fermān*
Date: Second decade Şevval 1144H/ 7 – 16 March 1732
Issuing authority: Sultan Mahmud I (1730-1754)

Place of issue: Istanbul

Addressee: The (unnamed) *naib* of Kos

Signatures and seals: Tughra of Mahmud I; on verso ‘Izzī and one single flourish

Dimensions: 47.8 × 65.7 cm

Summary: Firman in response to a petition by the *reaya* of Patmos who complain about the *naibs* sent by the Cadis of Kos, who from of old are not residing in a *mahkeme*, but go round the land without invitation, accompanied by several mounted men and demanding provisions for their upkeep. In addition, they oppress the people by demanding excess fees for dividing up the estates of the deceased and for other legal services. The Patmians consequently ask for an Imperial decree to stop this unlawful practice. The resulting firman demands a stop to the transgressions, and lists numerous fees at authorized levels: from every 1,000 *akçe* of the net value of an inheritance an inheritance tax (*resm-i kismet*) of 15 *akçe* plus 5 *akçe* for dividing up the estate (*kassamiye*), 2.5 *akçe* for the scribe (*katibiye*) and 2.5 *akçe* for the usherers (*ihzariye*); 1 piastre for the scribe for setting a will down in writing (*hüccet-i vasiyet*) and 1/2 piastre for an alimony certificate (*hüccet-i nafaka*); for a marriage contract (*akd-i nikah*), in the case of a virgin, 20 *akçe* for the Cadi and 5 for the servants of the court (*huddamiye*), a total of 25 *akçe*; for a document issued upon the setting free of a slave (*itkname*) 66 *akçe* of which 50 go to the Cadi, 10 to the *naib* and 6 to the *emin* and *katib*; for recording a case in the court record book (*sicil*) 8 *akçe* as *resm-i sicil*; for issuing a *hüccet* or *arz* 25 *akçe*; for a signature 12 *akçe* and 6 *akçe* for a court note (*mürasele*).

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Michael Ursinus, *Mustafa: A Naib in Action in the Kaza of Cos in the First Half of the Eighteenth Century*

The *Naib* Mustafa was charged by successive Cadis of Kos with looking after the island of Patmos for more than 30 years, although he could possibly have acted on his own initiative in some instances. About half a dozen of *hüccets* sporting his “signature,” distinctive handwriting and seal imprint, all from the Ottoman holdings of St John monastery on Patmos, form the basis of the investigation, complemented by documents composed in Greek from some of the Greek *metochia* files (which now form part of the monastic archive of Patmos) which also show his seal mark, dating from between 1709 and 1746. Mustafa who, given his writing style and mode of expression, most probably was a Greek (convert), constitutes a hitherto little known example of a regional “specialist” *naib*, “officiating” on Patmos and, occasionally, on another island (such as Kalymnos) along the sea route from Kos to Patmos.

The involvements of Mustafa in the intricacies of the internal “balance of power” in the island of Patmos suggest that he was an important player because of his insider knowledge as a “regional specialist” practicing his skills over many decades, but particularly as a Greek convert to Islam whose intimate knowledge of local society and the Greek language paired with an official position in the Ottoman judicial system as a *naib* made him a man the contending parties in Patmos evidently could not do without.

Michael Ursinus, *Mustafa : un Naib à l’œuvre dans le Kaza de Cos dans la première moitié du xviii^e siècle*

Le *naib* Mustafa fut chargé par des cadis successifs à Cos de s’occuper de l’île de Patmos pendant plus de trente ans, encore qu’il ait pu agir de sa propre initiative dans certains cas. L’enquête est fondée sur une demi-douzaine de *hüccet* portant sa « signature », son écriture caractéristique et son sceau, toutes issues du fonds ottoman du monastère de Saint-Jean à Patmos, que viennent compléter des documents en grec venant de dossiers consacrés à des *metochia* aujourd’hui conservés aux archives monastiques de Patmos, documents datant de 1709 à 1746 qui portent aussi son sceau. Mustafa qui, à en juger par son style et sa façon de s’exprimer par écrit, était très probablement un Grec (converti), offre un exemple du type jusqu’à présent peu connu d’un *naib* « spécialiste » régional « officiant » à Pamos et, à l’occasion, dans d’autres îles (comme Kalymnos) sur la route maritime menant de Cos à Patmos.

L'implication de Mustafa (dans ce cas comme dans d'autres) dans la complexe pratique de l'« équilibre des pouvoirs » dans l'île de Patmos donne à penser qu'il jouait un rôle important, du fait de sa connaissance de l'intérieur comme « spécialiste régional » exerçant ses talents sur place depuis de nombreuses décennies, mais tout particulièrement parce qu'il était un Grec converti à l'islam dont la connaissance intime de la société locale et de la langue grecque allait de pair avec une position officielle de *naib* dans le système judiciaire ottoman, ce qui faisait de lui un homme dont les partis opposés à Patmos ne pouvaient pas se passer.