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Sexual Crimes and Punishments in the Ottoman Empire and Examples from the Bursa Shari'a Court Records of 17th Century

(Abstract)

Since the histories of the Ottoman Empire and medieval European states have been intertwined in many respects through interactive contacts and contested targets, the representation of sexual morality in one of them seems to be deeply influenced by the evaluation of the other. In the case of Ottoman Empire, sexuality embellishes the representations of the East in fictions of Orientalism and travel literature. However, such representations often turn into misrepresentations since Orientalists and travelers frequently attached greater value to exoticism, excitement, flamboyance and exaggeration than to truth or objectivity. Their misrepresentations have come as perfectly compatible with the political fear felt against Ottoman Empire and religious dislike exerted toward Islam in Europe. However, the truth concerning sexual morality in the Ottoman society was quite different from Orientalist reflections. As the documents in our sample show, Ottoman society adhered to rigid sexual norms and imposed heavy sanctions on those who strayed from these norms, if this be deemed a virtue. The major internal dynamics of Ottoman society, such as Islam, cultural traditions, legal and political aspirations, have shaped sexual behavior as well as public and private morality just as the internal dynamics of European countries shaped their own ways. It is more difficult to research sexual crimes in the past while the sexuality is evaluated as taboo even in contemporary societies. Although sexual

crimes are committed to both sexes, the women are usually aggrieved. Therefore, this research has focused on the women.