

Women's Quest for Justice against "Domestic Violence" in Early Modern Istanbul

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Years of research on the Ottoman court records have demonstrated that women from various religious and social backgrounds approached the sharia court for diverse reasons including but not limited to resolving any issues regarding inheritance, to make donations, to administer their property, to engage in artisanal, financial and mercantile transactions and even to negotiate terms of their marriage contract and divorce settlements. Domestic violence including sexual brutality in marriage seems to be yet another significant reason that made women frequent the court. Despite the fact that the Ottoman sharia court records from various periods offer myriad examples related to women's recourse to the court against their abusive husbands, contemporary Ottomanists with the few exception of have yet to read these cases closely. Through presenting various cases found in the sixteenth century court records of Istanbul, this study looks at how women from various denominations expressed themselves at the court against domestic violence. As I shall demonstrate in this study, there are various cases in which the scribes whether willingly (as argued by some scholars) or unwillingly (perhaps due to the limitations put forward by legal discourse to express emotions) reported words and expressions of women who came to the court against their abusive husbands rather "faithfully." What emerges from these cases is that, while narrating the violence that they experienced, these battered women made sure that their "voice" was heard by employing a very personal rhetorical script. In addition to employing a very personal discourse, most of these women who sued their husbands at the court argued that the violence that they experienced was against the law and hence attempted to demonstrate their knowledge of legal practice. In most cases the court punished the abusive husbands and provided various means of shelter for battered women.