

Making a Revenue of Unclaimed Property: The Law and Function of the Beytülmal in the Sixteenth Century

Ayşegül Çimen

This paper focuses on the types of unclaimed property in the Ottoman context and the commercialization of its collecting through beytülmal mukataas. It portrays beytülmal as a government institution authorized to manage claims and revenue related to escheats and abandoned, lost, or other unclaimed property. It examines the formation of the Ottoman methods that aim at assessing, settling, and managing claims regarding heirless and unclaimed properties or goods in the name of "beytülmal". Beytülmal thus emerges as a revenue item and an office with set responsibilities and procedures in time. Theoretically, the responsibility was to protect individual property rights and collect revenue to help needy subjects and provide other public services. Jurisprudential works (fıkıh), legal opinions (fetvas), and imperial regulations (kânûn) provide the basis of the beytülmal's complex organization. Beytülmalcis (as escheators of sorts) were authorized government officials who pursued, safeguarded, and converted to revenue the unclaimed properties of absent and missing individuals (gâib and mefkûd), and deserted (metrûk) and heirless properties. These properties might range from a piece of fava bean to a well-adorned mansion.

The Ottomans paid a considerable attention for controlling unclaimed properties in their realm. The potential public properties of different types were claimed in a considerably well-organized system which prevailed in almost all the corners, and almost in the course of the empire. Being an integral part of the central and provincial administrations, the beytülmal carried out key roles in providing justice and meeting specific legal responsibilities regarding individual claims. Beytülmal practices enabled the Ottoman government to increase its material interest and to acquire financial benefits to address particular public expenditures.