

# The Families Left Behind by Prisoners in the Ottoman Empire and The State's Approach to This Issue

Saadet Tekin\*

Department of Education Faculty, Ege University, Turkey

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## ABSTRACT

This study aims to examine the socio-economic hardships experienced by the families of individuals convicted under the Ottoman penal system, based on archival documents. It is particularly evident that when the head of the household was sentenced to long-term or distant punishments such as imprisonment, exile, or hard labor, the remaining family members—mostly women and children—faced serious economic uncertainty. During this process, the families' requests for assistance from the state focused on basic needs such as food, shelter, children's education, and placement in boarding schools. Another issue frequently encountered in the archival documents is requests for the salaries of convicted persons who were civil servants to be transferred to their families, along with the responses and actions taken by administrative authorities in response to these requests.

The study examines not only individual punishment but also its effects on family structures, as well as how the Ottoman state developed social policies in response to such circumstances. In cases of punishment such as exile and hard labor, petitions and official correspondences regarding requests for transportation and food assistance when family members wished to go to the place where the convict was located provide important clues about the social assistance understanding of the period. In this context, this study, conducted in light of Ottoman archival documents, demonstrates that punishment had a social impact rather than being merely an individual sanction. It also reveals the limited social support mechanisms developed by the state to mitigate this impact. The hardships faced by the families of prisoners in the Ottoman Empire have been evaluated at the intersection of the social welfare and justice systems of the period.

**Keywords:** Ottoman Empire, Prison, Prisoner, Family, Victimization.

## INTRODUCTION

From the second half of the 19th century onwards, centralization efforts in the Ottoman Empire, along with the legal and administrative reforms initiated with the Tanzimat, and ever-increasing political and social turmoil came to the forefront. During this period, punitive measures such as imprisonment, exile, and forced labor intensified in the name of protecting state authority and maintaining social order. Studies on the Ottoman justice system have generally focused on criminal law theory, court structures, and prison institutions. However, the socio-economic devastation and victimizations of innocent family members left behind by a convicted person, beyond the punishment itself, have often remained in the background.

The Ottoman legal system has two fundamental pillars: Islamic law and customary law. In Islamic criminal law, criminal law sanctions are grouped into three categories: penalties, security measures, and redress for harm caused by the crime (Avcı, 2016, p. 640). Penalties in civilized countries are imposed by the state on individuals who commit crimes as a consequence of their actions. In the Ottoman Empire, however, punishment methods were shaped according to the type of crime, the status of the offender, and the legal practices of the period. For example, penalties involving physical violence were replaced in later years by forms of punishment based on confinement. Imprisonment became a form of punishment in the Ottoman Empire after the 17th century. From the 19th century onwards, the Ottoman Empire sought to overcome the crisis it had fallen into and meet the needs of its people, while also accepting secular laws alongside its existing laws under the influence of Western pressure. These laws were adopted from Western states, translated, and put into practice. This led to new

structures within the judicial system. Prison sentences were generally imposed for crimes such as theft, rebellion, failure to pay debts, and similar offenses. Beginning in the 16th century, as the navy began to expand, the state, struggling to find rowers, used convicts to meet this need, thus giving rise to a form of punishment known as “oar punishment.” This punishment was also generally applied for serious crimes such as murder and banditry. Rowing punishment is the implementation of imprisonment in the Ottoman Empire by rowing (Kılınç, 2015, p.534). The duration of this punishment also varies. If the offender is sentenced to life imprisonment, the punishment continues until the prisoner dies, while if it is a fixed term, it ranges from 3 to 15 years. Generally, political offenders and rebels who are likely to escape are given “Kalabent punishment.” Kalebent punishment involves keeping the offender under guard in a castle (Altınöz, 2023, p. 2). The sultan is the sole authority in determining the penalties of exile and kalabent and in designating the locations (Baytimur, 2016, p. 832). The duration of the penalty may be fixed or lifelong. Exile was also imposed on individuals who caused unrest and disorder within society. Exile punishment is the banishment of the offender to another city or region. Although exile punishment is considered a severe punishment, it can be considered a lighter punishment compared to death, galley slavery, and imprisonment (Baytimur, 2016, p. 834). Exile periods may be temporary or lifelong. The exiled person is held in custody at their destination. This exile can cause psychological and economic problems for the family left behind.

The Ottoman social structure was multi-ethnic, multi-religious, and multi-layered. This structure, which encompassed different ethnic and religious groups within the vast empire, presented a complex picture. Groups such as Turks, Arabs, Armenians, Greeks, Serbs, Bulgarians, Jews, and many others, which were very different in terms of language, religion, and tradition, lived together for a long time under a tolerant system of governance.

Examining the family structure in the Ottoman Empire, we see characteristics based on traditional Turkish culture alongside the influences of Islamic law. The family is the cornerstone of society. The family structure is patriarchal (Ekinci, 2020, p.340). The father is the head of the family and is responsible for the family's livelihood, while the mother is responsible for the children's education and the household. In this case, one of the father's most important duties within the family is to provide for the family's sustenance. In this context, if the father who provides for the family commits a crime and goes to prison, it affects not only his personal situation but also his family and immediate social environment (Ergenç, 2006, Çadircı, 1991).

The aim of this study is to analyze, within the context of archival documents, the administrative and humanitarian approach adopted by the Ottoman Empire in response to the poverty, helplessness, and educational problems faced by the families of prisoners. The state's response to the social problems created by a penal system reveals the limits and scope of the social welfare state concept of that period. The numerous injustices experienced by prisoners' families are frequently mentioned in the documents of the period.

This qualitative research, based on documents from the Prime Ministry Ottoman Archives, examined the requests made directly to the state by the spouses, children, and elderly parents of prisoners, such as financial assistance, salary allocations, pardons, and the accommodation and placement of children in boarding schools. Subsequently, the focus shifted to the effects of imprisonment on children and the state's educational interventions.

## MATERIAL AND METHOD

The study is based on original archival documents held by the Ottoman Archives (BOA) of the Prime Ministry of the Republic of Turkey. The documents cited in the article are classified under various sub-files of the Supreme Court (Divan-ı Ahkam-ı Adliye/A. DVN), the Office of the Grand Vizier (Sadaret Mektubî Kalemî/A. MKT), the Council (İrade-i Meclis-i Vükela/MV), the Grand Vizier's Office of Documents (Bâb-ı Âlî Evrak Odası/BOE), the Council of State (Şûrâ-yı Devlet/ŞD), and the Ministry of Internal Affairs (Dahiliye Nezareti/DH) classifications. Document scans were conducted using keywords such as assistance for prisoners and exiled families, pardons, salary allocations, residence changes, and child protection. Therefore, document analysis was used as the data collection method in this study.

Document analysis, also known as documentary research, involves examining existing records and documents to obtain data. Document analysis encompasses the processes of finding, reading, taking notes, and evaluating

sources for a specific purpose. In other words, document analysis is a series of processes that occur during the examination and evaluation of printed and electronic (computer-based and internet-accessible) materials (Sak et al., 2021, p. 230).

## FINDINGS AND DISCUSSION

In this study 34 Ottoman Archive documents from the Tanzimat period to the period following the Armistice of Mudros (1839-1922) were examined. The findings show that the approaches towards the prisoners' families were far removed from today's social policy practices, relying on individual applications and the initiative of local authorities. However, it should also be noted that the Ottoman bureaucracy took solution-oriented steps even during periods of crisis and turmoil (the 31 March Incident, after the Armistice of Mudros). The provision of support to prisoners' families through indirect means from special budget items is indicative of this approach. Efforts to protect the family as a social unit, albeit limited, reflect the emerging concept of the welfare state. Archival documents again show that a conviction not only affects the convicted individual, but also leaves family members dependent on the prisoner's income facing serious socio-economic hardship. The countless appeals made by prisoners' families to the administration reveal the financial hardship and destitution arising from abandonment. The punishment of offenders and the subsequent events have made it imperative to perceive imprisonment as a public issue. The findings show that there is no distinction between common criminals (murderers) and political prisoners (the March 31 Incident). The state has taken certain steps to resolve the problems that have arisen through compensation mechanisms and legal interventions. Prisoners' families have been supported with daily allowances, salary allocations, and assistance from extra-budgetary sources within the framework of the "needy arrangement" in terms of financial support.

Certain arrangements were made for the accommodation of orphaned children, their placement in boarding schools, and the provision of their basic livelihood needs. It was intended to protect children from criminal environments through Darülaceze and boarding schools. These steps can be considered an extension of the social responsibility awareness that began to emerge after the Tanzimat.

Detailed findings related to the documents used below are provided.

### The Difficulties Faced by Surviving Spouses and Children and the State's Approach to This Issue

Ottoman archival documents show that not only the punishment of convicts but also the hardships faced by the families left behind were brought to the attention of the state. Economic activity in Ottoman society was largely carried out by men. We see that women had a limited economic role. In this context, the imprisonment of the male head of the family means the immediate collapse of the family economy. Consequently, this situation has been raised in many documents, and support has been requested from the relevant state authorities.

The petition of Şibliü'l Urban dated 3 Rabi al-Awwal 1263 (March 10, 1847) is noteworthy. In this petition, Şibliü'l Urban, who had been imprisoned for four years, requested release on bail, stating that his family was "in a miserable state" (A.} DVN. 23-15). This application is not only an individual request for freedom, but also a text that clearly expresses the economic and social problems within the family to the relevant state authority. Delioğlu Ahmet, who lived in the district of Ağlasun under the Hamid Sanjak, was convicted in a case involving a woman known as Çakır Ayşe. His two young children were left behind in poverty. Delioğlu Ahmet subsequently filed a similar request for release (A.} MKT. UM. 511-79).

Certain arrangements may be made regarding individuals convicted by the Divan-ı Harb-i Örfî courts and their surviving families. In this context, a document shows us that the practices regarding the social rights of convicted individuals demonstrate that the principle of social responsibility is also taken into account alongside the criminal justice mechanism. In this regard, while it is not possible to directly allocate a salary to convicted persons, the payment of their previous disability and retirement pensions has continued. It has been requested that, in cases where the families left behind are in need, the Treasury provide cash assistance under the "muhtaciyet tertibi" (relief for the needy) program and that school-age children be provided with free education by applying to the Ministry of Education (MV. 132-14). The state felt the need to make legal arrangements to address such difficulties, and the correspondence indicates that certain steps were taken to prevent the victimization of

prisoners' families. Indeed, studies were conducted to amend certain laws for the purpose of providing salaries to the children of those sentenced to Kalebent, oar punishment, and Neft (exile) by the Divan-ı Harbi Örfi (Military Court of Appeals), and the draft laws prepared for this purpose were sent to the Meclis-i Mebusan (Parliament) for approval (MV. 137-114). In this regard, three articles of the draft law prepared to protect the children of prisoners sentenced to the penalties specified by the decision of the Divan-ı Harb-i Örfi from suffering were also ratified by the Assembly of Deputies (BEO. 3720-278927). As seen, while steps were taken to assist the families of prisoners removed from the capital for security reasons, it was requested that the marriages of women whose husbands had been executed or sentenced to death be annulled and that their children be enrolled in boarding schools free of charge (MV. 130-26). The issue of the children's schooling was addressed in numerous correspondences. Since it was not possible to allocate salaries to individuals sentenced to severe penalties by the Divan-ı Harb-i Örfi and their families, it was stipulated that these prisoners should be provided for their living expenses from the prison budget (allocation) at the penal centers where they were held, and that their children should be enrolled and admitted free of charge to boarding schools (mekatib-i leyliye) (MF. MKT. 1144-50). Although salaries could not be paid directly to the families, indirect support was provided from the location where the convict was held. In addition, the state made efforts to integrate the children into society through education by enrolling them in boarding schools free of charge.

In another document, Fatma Hanım, the wife of Ahmet Efendi, who was imprisoned for theft, found herself in financial difficulty and appealed to the judge, stating that she could not provide for her two young children. Following this, the court, as a result of its assessment, issued a legal ruling ordering that 20 kuruş per week be paid to Ahmet Efendi's children from the confiscated property belonging to him (Şer'iye Register, Istanbul 1301/17). This legal ruling shows us that the property belonging to the offender can be used not only for the benefit of the state but also for the benefit of children in need.

Another document illustrating the social and economic vulnerability faced by the families left behind by prisoners in the Ottoman Empire concerns the family left behind by Aslan bin Muhlis, who was sentenced to one year in prison for theft. Aslan bin Muhlis states that his family is in a difficult situation due to his imprisonment and requests assistance on behalf of his family (ZB. 477-99). Undoubtedly, the hardship referred to here is basic needs such as shelter, food, drink, and health. This document again proves that the Ottoman administration or local authorities did not ignore such grievances and that by reflecting the prisoner's family's situation in official records, they paved the way for them to receive foundation aid, soup kitchen services, cash support, and assistance from local charities. Another feature of the document is that although Aslan bin Muhlis was convicted of theft, a shameful crime, his family was not ostracized because of this crime but instead received help. This reflects the principle of the individual nature of crime in Ottoman society.

The document dated May 30, 1880 contains requests for assistance stating that the family members left behind by two prisoners sent to the Lesbos Kalebent were living in difficult conditions. These requests were verified by the local administration, the Vilayet of Cezayir-i Bahr-i Sefid, and the correspondence prepared on the matter, along with its attachments, was sent to the Ministry of Justice (DH. MKT. 1329-27). The document mentions two incidents. In the first incident, it is stated that Ethem Efendi, the former clerk of Rüşumat (Customs and Tax Office), was in Midilli Kalebentliği, while his wife and two children were experiencing financial difficulties. For this reason, it was requested that the family be granted a daily allowance, that is, regular daily financial assistance. The second case involved a request for the two children left behind by Eyüplü Berber Mehmet, who was sentenced to 15 years in prison for murdering his wife, to be provided with an allowance and to be settled somewhere, that is, to be provided with shelter. Despite the severity of the crime committed by Eyüplü Mehmet, the protection of his children by the state is another clear demonstration of the importance the Ottoman Empire attached to the principle of the individual nature of crime. Eyüplü Mehmet's request for housing for his children demonstrates that the state aims not only to meet their basic needs but also to integrate these children into society. The request for placement is important not only for the protection of children but also for their integration into the social order and moral structure.

As is well known, the punishment of Kalebent involves convicts serving their sentences in a castle far from their families. Consequently, the families of prisoners sentenced to this type of punishment have faced difficulties in visiting the place where the prisoner is held. One such case is the hardship faced by the family of a prisoner sentenced to 10 years of imprisonment and exiled to Rhodes. The prisoner's wife and three children were left in



a desperate situation. It has been stated that the families of prisoners who have been exiled to distant neighborhoods, whose wives are unable to cover the expenses of traveling to be with their husbands and children, should have these needs met either by the municipality (Şehremaneti) or by allocating additional funds from the Zaptiye Nezareti budget for this purpose and immediately granting permission for the expenditure (ZB. 333-98). The document is important in that it shows that various state institutions were involved in resolving the issues. Another document shows that Selim bin Said from Pürzerrin (Prizren), who had been sentenced to 15 years by the Bulgarian emirate, requested that his family be brought to him so that he could see them more easily. Following an investigation, the prisoner's request was deemed inappropriate (HR. ŞFR. 04, 824-2). In fact, this request demonstrates the prisoner's desire to maintain ties with his family. However, the investigation concluded that this request was not appropriate, indicating that maintaining family unity was not a priority for the state within the Ottoman penal system. It is likely that the state prioritized security over the prisoner's social and emotional needs.

In addition to requests for financial support or for their families to be brought to their location, prisoners serving their sentences far from their families are seen to have submitted petitions to the administration requesting the pardon of their sentences. For example, a letter sent from the province of Sivas to the Ministry of the Interior in 1897 reported that Nuri Efendi, a reserve army sergeant, had been sentenced to 15 years of hard labor for a murder case, but that his wife had died, leaving his four children and elderly mother destitute. On the grounds of the social injustice created by this situation, it was requested that the aforementioned prisoner be granted the *af-ı âlîye* "pardon by the sultan," that is, benefit from the sultan's pardon (BOE. 987-74019). Another request for pardon came from Kamile Hanım, a resident of Filibe. There are numerous examples in Ottoman archival documents of women petitioning for pardons on behalf of their husbands. In a petition written to the Court Administration, Kamile Hanım, a resident of the Hacı Hasan neighborhood in Filibe, stated that her husband had been sentenced to three years of hard labor for showing a weapon to a Bulgarian and had been in prison for 22 months. Kamile Hanım stated that she was experiencing extreme hardship and poverty and requested that her husband's remaining sentence be pardoned (HR. ŞFR. 04, 510-41). Here, it is important that the woman contacted the state directly on behalf of her family, using her hardship and the situation of her children as grounds for pardon.

A similar situation occurred in Amasya prison. In a letter written to the Ministry of Justice, it was stated that Ali Bey, a Circassian refugee living in Mecidözü district, who was sentenced to 13 years in Amasya prison for bribery, had three children left orphaned after his wife committed suicide. Due to this situation, it was requested that Ali Bey's remaining sentence be pardoned so that he could take care of his children (DH. MTK. 439-42). Ali Bey's wife's suicide also provides us with information about the period. The woman may have committed suicide after falling into despair due to her husband's prison sentence. It shows the helplessness she fell into and also the socio-economic dependence of women of that period. Furthermore, the state's intervention in the case, feeling a social responsibility towards the children's situation and moving towards a pardon, gives us clues about the welfare state.

Another request for pardon came from female prisoners named Hemvendli Ayşe, Amine, Kalinhane, Saliha, and Piruze, who were sentenced to exile in Rhodes. They stated that they were left alone with their orphaned children and requested permission to return to their homeland with their children. They also requested that four or five guards accompany them to ensure their safety if this request was granted. These requests were deemed appropriate by the administration, and it was stated that there was no objection to five soldiers accompanying them on their journey to ensure the safe return of the women and children to their homeland (DH. MKT. 817-58). Firstly, we see that the administration took the situation of the children into consideration and aimed to ensure the safety of the women and children and prevent any reactions that might arise in society by providing military escorts for their journey. At the same time, the state's compassion and desire to maintain order are also evident.

The request for assistance for the family of a prisoner from Yozgat is also noteworthy. Margosveled-i Karebent was detained in Yozgat for a period of time before being sent to Rhodes, where he was sentenced to five years of imprisonment. During this time, his family fell into severe economic hardship. Margosveled-i Karabent requested financial assistance for his family and also asked to be pardoned (DH. TMIK. M. 103-69). As can be

understood from the document, while the prisoner sought pardon on the one hand, he also tried to inform the relevant state authorities about the financial difficulties his family was facing.

Another example concerning the situation of prisoners' relatives and the state's assistance policy is found in an application document regarding the family of Yusuf oğlu Halid Efendi, who was sentenced to 10 years of *kalebent* for forging military documents and sent to Mardin Castle. The document states the following: It was stated that the prisoner's 61-year-old father, Yusuf Ağa, residing at No. 4 Dere Street in Feri Village, his daughter-in-law Fatma Hanım, who had no income, and her 2-year-old child had no salaries or income from any source, were in a very difficult situation, and were living in poverty in need of assistance. In this context, it was requested that Fatma Hanım, the wife of Halid Efendi, be granted "an appropriate amount of salary" (DH. EUM. 1. Şb. 4-23).

A letter written to the province of Tripoli again draws attention to the economic difficulties faced by the prisoner's family and their requests for assistance. At the beginning of the 1900s, two prisoners who were tried for an incident that took place in Muş and sentenced to imprisonment were sent to Tripoli, where their sentence was converted to hard labor due to the insecurity of the prison. This situation affected not only the prisoners but also their families, plunging their children into misery. Misakveled-i Altram and Murat bin Bozo from Muş wrote a petition to the authorities requesting that they be transferred to another castle that was safer and accessible to their families instead of serving their sentence of hard labor (DH. TMK. M. 110-41). This was done so that the prisoners' families could also go to Tripoli or the newly assigned fortress, allowing the families to be reunited.

While the families of prisoners faced difficulties, some female prisoners who had no one to care for them were forced to keep their children with them in prison. There were problems with caring for these children in prison and feeding them. Hatice, a woman sentenced to 15 years in the Karahisar-i Sahip district, had no one to care for her outside, so she was forced to keep her 4-year-old daughter with her in prison. This situation is noteworthy in that it shows how children and family members were indirectly affected by the prisoner's sentence in the Ottoman prison system. Hatice, a woman in prison, requested that the prison administration provide a loaf of bread for her daughter because the food she was given was insufficient (DH. MKT. 2560-14). Undoubtedly, the administrators tried to do what was necessary in line with these legitimate demands. As can be understood from the document, the prisoner's family, especially young children, were not directly under state protection. The state could reach the child through the mother.

We have noted that in the Ottoman Empire, the fact that female prisoners had to live directly with their children in prison, as well as the family members they left behind, raised an important social issue. The question of where pregnant prisoners would give birth and what would happen afterwards came to the fore. These issues necessitated certain arrangements for female prisoners giving birth and childcare in the Ottoman Empire. In a letter written to the Ministry of the Interior, it was stated that pregnant women imprisoned and detained in Nisa prison due to criminal cases were sent to Nisa hospital to give birth, It was emphasized that these pregnant women should be sent to the Gureba Hospital to give birth, that they should be able to return to prison with their children after giving birth, and that prisoners who were required to stay with their children were being provided with food on their behalf, but that regulations should be established regarding these matters and that action should be taken in accordance with these regulations (MKT. 1273-21). As can be seen, the eating and drinking habits of young children who are incarcerated with their mothers and are not provided with separate meals have been the subject of numerous documents. This document clearly shows that female prisoners are forced to live with the conditions of prison life while fulfilling their maternal duties, and that their children also suffer within this system.

The state, while applying criminal sanctions to remedy these injustices, has taken care to ensure that women and children are not victimized, with the aim of protecting social justice. One concrete example of this approach is that, according to Article 15 of the Civil Registry Regulations, a newborn child must be registered in the population registry within the same year. Those who fail to provide information about the birth are subject to a fine ranging from 1 to 5 *mecidiye*. However, certain exceptional circumstances have necessitated a review of this general rule. For example, in a letter written from Kastamonu to the Ministry of the Interior, it was asked what would happen to children whose fathers had died and who remained with their mothers, as well as children

whose fathers had been convicted of murder and were in prison, regarding whether there was any indication or decision as to whether they would pay this fine, and whether the fine could be collected from a father in prison. And it was asked what would happen to these children until their fathers were released. In the decision taken by the Council of State upon this request, the principle of social justice was emphasized. It was stressed that the fines should not be collected from children left with their widowed mothers and from children of prisoners detained for murder. Furthermore, it was stated that these children should be registered directly by the General Directorate of Civil Registration without waiting for their fathers' release (ŞD. 1664-19).

Particularly in the case of children, the prisoners' situations were reviewed, and if anything could be done, the administration attempted to resolve the issue. For example, it was reported that Hatice, a resident of Sheikh Ferhat Neighborhood, and Fatma Hatun, a resident of Cellad Çeşmesi, who were imprisoned in Nisa Prison for the crime of strangulation, were left in misery because no one was with their daughters. In order to save the children from misery, it was requested that the prisoners serve their sentences near their children, Fatma in the district of Erdek and Hatice in Geyve, İzmir Sancağı (A.) MKT. MVL. 72-99). Similar requests appear in many correspondence. Prisoners serving part of their sentences away from their families requested to be transferred to prisons in the areas where their children lived so they could see them, as the children were struggling to survive under difficult conditions. In another correspondence, Kemal, known as Celil, who was sentenced to 15 years and is serving his sentence in Mosul, stated that he has not seen his children for nine years. He sent a petition to the relevant authority stating that he wanted to serve the remainder of his sentence in the prison in Kirkuk, where his children live (DH. MKT. 335-42). Keeping prisoners away from their families is undoubtedly not only a security issue, but also causes social deprivation and psychological distress. The prisoner's desire to be close to his children, whom he has not seen for nine years, can be seen as a demand for human sensitivity and the preservation of family ties. It should also be noted that the prisoner's desire to connect with his family demonstrates that the importance placed on family unity in the social structure of the time is also reflected in the penal system.

The financial hardship experienced by the families left behind by prisoners who had been sentenced to severe punishments (such as life imprisonment and oar punishment) was also addressed by the social assistance mechanisms of the period. One such case occurred at the Sinop General Prison. It has been reported that some prisoners who were released from Sinop Prison after serving life sentences, got married, and had children were subsequently re-arrested and returned to prison, leaving their families in poverty and hardship. As these families were unable to provide for themselves, an assessment was requested from the state on how this situation should be resolved (DH. MKT. 2059-110). The families fell into financial hardship when the prisoners were re-arrested. It is understood that the state intervened in the matter to alleviate the families' hardship.

One concrete example illustrating the Ottoman Empire's approach to prisoner families in the context of social assistance is found in an archival document dating back to the early 20th century (Hijri 21.02.1321). In the document in question, Haşımzade Nabi Bey, a soap merchant in Kandiye, was tried on charges of firing a rifle during an incident at his soap factory and was sentenced to life imprisonment by the Ecnebi Divan-ı Harb-i Muhtalati (mixed international war court). Following his imprisonment, records indicate that Nabi Bey's mother and his family of six suffered financial hardship and were left in a state of near destitution. In response to this situation, the state assessed the family under the "needy persons scheme" and decided to grant them 250 kurush in aid (BOE. 2071-155296). The phrase "by way of compensation" in the document refers to the allocation of funds from the state treasury or the relevant fund for the assistance or payment to be made, meaning that the necessary money for this purpose was found and set aside.

Another example found in Ottoman archival documents reveals the assistance provided to the family of a prisoner named Kör Ali Haydar, who was sentenced to life imprisonment in Sinop Prison. The document states that Ali Haydar's mother and family were experiencing financial hardship and, in response to this situation, the state decided to allocate an "suitable daily allowance" for the purpose of "providing sustenance" (DH. MUİ. 7-30). The term "temin-i iâşe" used here refers to the provision of food and basic necessities for the family. "Münasip miktar yevmiye" indicates that a certain amount of financial assistance is provided on a daily basis. Such assistance is generally provided under the "muhtaçlar tertibi" (needy persons' arrangement) and indicates that the prisoner's family receives direct support from the state. One of the documents showing the Ottoman Empire's sensitivity towards prisoners' families concerns the case of Kolonyalı Mustafa, who was sentenced to

three years in prison by the Görice Criminal Court for assault. According to the document, Mustafa had been in prison for about a year and a half, and during this time his family had been left in destitution. Taking this situation into account, the relevant authorities requested that Mustafa's case be investigated as a matter of “the demands of justice” (DH. MKT. 166-8). The phrase “the demands of justice” here reflects an understanding that aims to ensure a fair outcome by re-examining the prisoner's situation due to his family's destitution, doing whatever justice requires, and evaluating not only the legal but also the social and moral aspects of the case. It is understood that the state intervenes in the case based on the idea that even if the prisoner's guilt is established, his family should not be victimized independently of the punishment. However, it should also be noted that an investigation is conducted before direct assistance is provided, demonstrating that such assistance is not arbitrary but is based on a process of examination and verification.

Sometimes, having both parents in prison creates greater difficulties for the children left behind. In such cases, the state's responsibility to ensure the safety and education of these children has come to the fore. Established in 1895 by order of Sultan Abdülhamid II, Darülaceze stands out as an important institution. Its goal was to meet the housing needs of people who were homeless and in need. It served people of different religions within the Empire, such as Muslims, Christians, and Jews. The institution is supported by donations. Not only the elderly are accepted here, but also children who have been left without guardians and are in need of protection. The state has extended its protective hand, particularly to ensure that these children do not end up on the streets, are not drawn into crime, and have their educational and housing needs met (Gümrükçüoğlu, 2025, p.516). Families also entrusted their children to these places when they found themselves in difficult circumstances. Ali Rıza Efendi, who was sentenced to 91 days in prison along with his wife Hasibe Hanım due to debt issues and was imprisoned in the General Prison, requested that his two children, 11-year-old İbrahim Hakkı and 9-year-old Hasan Sami, who were living in extreme poverty, be provided with food and clothing and be admitted to the Darülaceze during the period they were in prison. According to the correspondence, in response to this legitimate request, it was deemed necessary to keep the children at the Darülaceze, and it was decided that they would be registered and admitted (DH. MB. HPS. 83-73).

As can be seen, the most significant problems faced by children whose parents are in prison are financial hardship, education, and housing. Whether children are in prison with their mothers or remain outside, they need state support to meet their basic needs, primarily nutrition. The state has protected and cared for children left behind by offenders by occasionally appointing guardians for them, enabling them to grow up with other families (Yılmaz, 2021, p.38).

The Ottoman Empire sought to avoid victimizing the families of individuals who opposed the state order while punishing those individuals. In this context, following the 31 March Incident, it was accepted that the families of political opponents involved in the events, individuals considered a threat to the throne, and prisoners and defendants punished or tried by the Military Court should be supported and assisted, and that women whose husbands had been executed or sentenced to death should be considered divorced. Thus, women were granted social and legal status. Close attention was also paid to the situation of orphaned children, and a decision was made to place these children in boarding schools and have their education expenses covered by the state (MV. 130-26). As can be seen, while the state tried, executed, and exiled individuals involved in the events in the capital city, which was experiencing political turmoil in 1909, it tried not to victimize the families left behind by these individuals and supported them with a number of humanitarian and administrative measures.

In 1913, during a period of intense political pressure when the Committee of Union and Progress was in power, Salih Sırrı Bey was sentenced to 10 years of imprisonment and sent to Bodrum Castle, likely because he fell out of favor with the government during a cabinet reshuffle. His wife, Afife Hanım, found herself in a difficult situation due to the lack of property and income. Consequently, Salih Efendi requested financial assistance from the state to cover the daily living expenses of his family in need. If this request is deemed appropriate, it will be settled from the “*masarif-i gayr-ı melhuz tertibinden tesviyesi* of the finance budget” meaning this payment will be covered from the finance budget's unforeseen expenses item (DH. EUM. MH. 67-6). This document also shows us that in the final years of the Ottoman Empire, the families of civil servants or officials who were punished for political reasons suffered hardship, and the state intervened in the situation to mitigate this hardship by implementing a support mechanism. At the same time, we can say that the concept of the welfare state began to develop, and that the burden was shared by the public, even if it meant using extra-budgetary resources.



We see that the Ottoman Empire provided social protection not only to ordinary prisoners but also to the families of state officials who were executed for committing crimes. A document addressed to the Directorate of Public Security states that the mother and three children left behind by Ömer, a police officer from Sivas who was hanged, were struggling to survive in poverty, and requests that they be allocated an appropriate amount of salary. As a result of the official investigation, it was determined that the family in question was indeed poor and in need of assistance (DH. EUM. THR. 12-12). The state provided the necessary support based on the innocence and neediness of Ömer Efendi's surviving mother and children. The state has endeavored to fulfill its responsibilities in terms of social responsibility, particularly the protection of the family institution. The effort to minimize the suffering of the surviving family members, even in cases of the most severe penalties such as execution, can be considered an important example reflecting the state's sensitivity in this regard.

During the final years of the Ottoman Empire, political and social unrest increased. Parallel to this increase, many people were tried and punished in courts with extraordinary powers, such as the Divan-ı Harb-i Umumi. For example, the families of individuals convicted by the Divan-ı Harb-i Umumi due to events that occurred in and around Istanbul and Antakya found themselves in difficult economic circumstances. The allocation of salaries to these families was brought to the agenda. However, it was not deemed possible to allocate salaries directly to these families. The same document proposes that this injustice be remedied by using the “cerâim-i aidiyye mahkûmîn-işulû hapishaneler tahsisatı” (allocation for prisoners serving long sentences). This item is a payment set aside for the sustenance and maintenance of prisoners who have received long sentences for criminal offenses. Thus, aid can be delivered to these families indirectly, rather than directly. In fact, this situation shows us how the Ottoman bureaucracy was able to produce pragmatic solutions when necessary. The document also includes an education policy for children. It was ordered that the children of prisoners' families be enrolled in mekâtib-i leyliye (boarding schools) free of charge (DH. MUİ. 7-4). This practice was in line with the social welfare state understanding of the period. Indeed, after the Tanzimat, significant steps were taken regarding the education of orphans, abandoned children, and children without guardians. Boarding schools were also part of this effort.

Although the Ottoman Empire continued to exist after the Armistice of Mudros, the Allied Powers began actual occupations in Anatolia and Thrace. Although Istanbul was officially occupied on March 16, 1920, the city had been under the control of the Allied Powers since 1919. British soldiers were active in Istanbul. Control of the city was left to these officers. At the same time, Greece's plans to advance in Western Anatolia were put into action, and Greek soldiers began patrolling Izmir and its surroundings, causing tensions in the region to escalate. An extraordinary process is unfolding in Istanbul, where the Allied forces are directly trying and punishing Ottoman citizens. In this context, the issue of providing assistance to the destitute families of Arif and Hamdi, who were exiled to Thessaloniki without trial by the General Headquarters of the Allied Forces in Constantinople on the grounds that they had fired on a Greek patrol and were also fined heavily (200 British pounds each), has come to the fore (DH. EUM. ECB. 23-19). This situation is an important example showing that even under the conditions of occupation, when the Ottoman Empire's sovereign power had weakened, it still made efforts to meet the needs of the relatives of prisoners.

On December 16, 1918, the first Military Court of Appeals was established in Istanbul by a decision of the Council of Ministers, and its members were appointed. The court's task was to try Ottoman war crimes and irregularities during the Armenian deportation. The first case heard by the court was the Yozgat deportation case, which began on February 6, 1919, and many people were tried on charges of deportation or massacre in connection with this case until 1922 (Ata 2005, pp. 521-544). The former commander of the Yozgat Gendarmerie, Tevfik Bey, was also tried in this court for the Armenian deportation and the deaths that occurred during this period. Tevfik Bey was not found guilty of the main crime, but was sentenced to 15 years of hard labor for being an accomplice to the crimes committed. In accordance with state practice, his family was not held responsible for the crime, and a salary of 1000 kurush was allocated from the “Bidemat-ı Vataniyye Tertibi” to prevent his two children and wife from suffering (Republic Archive, 4-40-13). Here, too, it can be seen that the state sought to strike a balance between punishment and social equilibrium.

## CONCLUSION

This study aims to analyze the socio-economic difficulties faced by the family members left behind by prisoners and the state's approach to these situations based on Ottoman archival documents. The documents clearly reveal that imprisonment was not merely a punitive measure but also caused serious economic and social hardship, particularly for family members. Particularly in families whose livelihood depends on the income of the incarcerated individual, significant impoverishment is observed following the sentence. This situation is reflected in numerous requests for assistance documented in archival records. These records clearly show that family members, primarily the spouses and children of prisoners, directly request financial support from the state due to financial hardship. Among these requests are periodic or ongoing assistance requests, as well as applications for the prisoner's family to receive a salary if the prisoner is a civil servant. Indeed, some examples show that these requests have been positively received and that the state can take on a protective role for the family under certain conditions.

Another noteworthy aspect of the study is the situation of children. During the process that began with the Tanzimat, the importance given to the education and protection of orphans and homeless children was extended to include the children of convicted families. Requests were frequently made for children who could not be cared for by their families due to the imprisonment of the head of the family or both parents to be placed in boarding schools, and the state was asked to provide education and accommodation. Institutions such as Darülaceze and boarding schools were put into operation. Moreover, the state continued to provide this humanitarian aid even in difficult circumstances created by political turmoil (the March 31 Incident) and even under occupation conditions (after the Armistice of Mudros) when its sovereign power was weakened. Therefore, this situation indicates that the state intervened in a limited but meaningful way for social risk groups. However, the approach towards prisoners' families in the Ottoman Empire was shaped more by individual appeals and often by the initiative of local authorities than by an institutionalized and systematic social policy approach. Nevertheless, the documents show that the state regarded the family as a social unit and activated social support mechanisms under certain conditions.

### Archival Documents

BOA. A.) DVN. Yer: 23-15, Tarih: 13.03.1263.

BOA. A.) MKT. UM. Yer: 511-79, Tarih: 25.04.1278.

BOA. MV. Yer: 132-14, Tarih: H.16.08.1327.

BOA. MV. Yer: 137-114, Tarih: H. 27.02.1328.

BOA. BEO. Yer: 3720-278927, Tarih: H. 05.03.1328.

BOA. MV. Yer: 130-26, Tarih: H.11.07.1327.

BOA. MF. MKT. Yer: 1144-50, Tarih: 21.11.1327.

BOA. Şer'îye Sicili, İstanbul 1301/17.

BOA: ZB. ,Yer: 477-99, Tarih: R. 15.05.1323.

BOA. DH. MKT. Yer: 1329-27, Tarih: H. 29.01.1297.

BOA. ZB. Yer: 333-98, Tarih: R- 31.03.1325.

BOA. DH. TMIK. M. Yer: 103-69, Tarih: H. 24.01.1319.

BOA. DH. TMK. M. Yer: 110-41, Tarih: H. 06.06.1319.

- BÖA. DH. MKT. Yer: 2560-14, Tarih: H. 12.08.1319.
- BOA. DH. MKT. Yer: 1273-21, Tarih: 29.06.1326.
- BOA. HR. ŞFR. Yer: 04, 824-2, Tarih: M. 11.04.1908.
- BOA. ŞD. Yer: 1664-19, Tarih: H. 21.10.1316.
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- BOA. DH. MTK. Yer: 439-42, Tarih: 18.08.1313.
- BOA. HR. ŞFR. 04, Yer: 510-41, Tarih: M. 01.07.1896.
- BOA. DH. MKT. Yer: 817-58, Tarih: H. 06.11.1321.
- BOA. A.(MKT. MVL. Yer: 72-99, Tarih: H. 18.09.1271.
- BOA. DH. MKT. Yer: 335-42, Tarih: H. 24.07.1312.
- BOA. DH. MKT. Yer: 2059-110, Tarih: H. 19.08.1310.
- BOA. BOE. Yer: 2071-155296, Tarih: H. 21.02.1321.
- BOA. DH. MUİ. Yer: 7-30, Tarih: 24.01.1328.
- BOA. DH. MKT. Yer: 166-8, Tarih: 29.11.1311.
- BOA. DH. MB. HPS. Yer: 83-73, Tarih: 20.11.1339.
- BOA. MV. Yer: 130-26, Tarih: H.11.07.1327.
- BOA. DH. EUM. MH. Yer:67-6, Tarih: H. 01.11.1331.
- BOA. DH. EUM. 1. Şb. Yer: 4-23, Tarih: 21.10.1334.
- BOA. DH. EUM. THR: Yer: 12-12, Tarih: H. 02.11.1327.
- BOA. DH. MUİ. Yer: 7-4, Tarih: H. 01. 06. 1328.
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