CHAPTER FIVE
REPRESENTATION AND DECISION-MAKING

“Agency/representation (vekâlet) means to protect (hîfz),” says Halebi; it is the “substitution of someone for oneself” in attending to one’s affairs/interests (maşâlih).2 ‘Honorable’ ‘Aytâbis frequently stood as substitutes for others, i.e. they acted as legal representatives (vekîl). Although vekâlet in Islamic law did not involve advocacy in the sense of defense,3 it is possible that the identity of the representative, like the identity of the witness, contributed towards the defense of the person being represented. Therefore, the patterns of legal agency paralleled the patterns of testimony by ‘udîl, the ‘righteous witnesses’. More than 80% (84/103) of the legal agents who appeared in court in 1689–93 also served as witnesses on other occasions.4 With a conservative estimate, at least sixty of these served as witnesses more than twice (58%), and assumed other public functions. In 49%–74% of the instances of agency, one cannot establish immediate kinship ties between the agent and the ‘client’.5 In nine cases, the agent served two different individuals, and three other agents served three different individuals. Thus, representing more than one person was not uncommon either.6 Considering how well-prepared some of the

---

1 “‘Aytâb is the envy of the gardens of Paradise/The edifices of ‘Aytâb are made up of strings of splendor.” Anonymous, Cönk (Private Collection of Abdullah Özer), 42.
4 There are fifty-three instances of agency involving Muslim men without patronymics and very few non-Muslims and women. These have not been included.
5 The wide range of uncertainty (49%–74%) here emerges from the fact that there are twenty-six cases where the ‘clients’ were women and the agents may have been their husbands or sons. Unless there are other identity markers, patronymics alone do not help establish kinship in such cases.
6 Compare R. Jennings, “The Office of the Vekîl (vekîl) in 17th Century Ottoman Shari’a Records,” Studia Islamica, 42 (1975), 166–68; also idem, Christians and Muslims
plaintiffs came to court, equipped with a fatwa and/or a royal order, it seems likely that the same men acted as unofficial advisors too.  

The role of the ‘honorable’ as vekîls was not limited to legal agency in individual cases. They stood in and acted for individuals on a more permanent basis, as in the guardianship of orphans or the mentally ill (vesâyet); for legal institutions, as in the trusteeship of pious endowments (tevliyet); and for collectivities, such as the neighborhoods or the town as a whole. More importantly, standing in for others meant more than spokespersonship: it involved a power over the represented through a transfer of rights, which included the right to decide on matters of direct relevance to the latter.

Running the endowments, handling their relationships with individuals or other institutions, acting on behalf of the townsmen in matters as diverse as moral conformity, security, tax allocation and collection, provisioning, fixing of weights and measures, and under specific circumstances, even the guardianship of orphans, were all aspects of urban administration. The involvement of the town elite in the execution of these and similar tasks, particularly during the eighteenth century, is well documented but it has rarely been explored in detail, and details can significantly modify our understanding of these functions and their political character.

This chapter looks into selected urban functions in order to explore the ways in which representation, decision-making and power were interwoven into the fabric of everyday life. The management of orphans’ money, endowed assets and the town’s collective affairs are examined as instances of resource management. All of these functions allowed the representative legitimate access to the resources of the represented, and the right to make decisions affecting them. That is why urban administration was a political function and predicated on power, which the term ‘urban administration’ itself implies only

---

in Ottoman Cyprus and the Ottoman Mediterranean World, 1571–1640 (New York and London: New York University Press, 1993), 82. In the latter work, Jennings also observed that plaintiffs who did not employ a relative as their agent “at least slightly” preferred to have as legal agents men who were of major local significance.

7 Some examples Reg.# 18/218/5; Reg.# 39/49/1, 50/2, 62/2, 117/2, 134/1, 159/2, 208/3, 220/1; Reg.# 40/104/1, 169/1, 179/1. On vekîls’ familiarity with law, Marcus, The Middle East on the Eve of Modernity, 107, 113. Marcus, however, maintains that agents were usually relatives and associates.