

Hungaro-Turcica. Studies in Honour
of Julius Németh

The Conscription of *Müsellem* and *Yaya* Corps in 1540

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Numerous studies have been released by those who inquire into the history of the Ottoman Empire on the janissaries, on the timar system, that is on the organization of the regular army, what has however, greatly overshadowed the understanding of the one-time role of the Turkish irregular corps and auxiliary troops respectively.¹ Without the assistance of the auxiliary troops, as it is, the combative force of even the best army could be paralyzed by bad roads and by difficulties arising from mastering troubles in reinforcement. We mention here only one example from the beginning of the 16th century: in 1522 Henry VIII and his army got only as far as Doullens, 70 miles from Calais, next year he started again with new forces, but still he could not push further forward but to Nesle, only 90 miles from Calais, because in both cases the bad roads and the shortfall of reinforcement made them retreat before it could have come to a battle.²

The Turks formed their auxiliary troops for the help of military operations relatively early. As it is known, the first regular Turkish army was organized by Orhan (1326–1362), in calling the *yaya*-corps on foot and the mounted *müsellem*-corps into existence.³ Their role in the military operations, however, had completely changed by the second half of the 15th century, one generation after the formation of janissary troops.⁴ At this time those were reorganized into auxiliary

1 On the Turkish regular military organization see L. F. Marsigli, *L'Etat Militaire de l'Empire Ottoman*, Las Haye and Amsterdam 1732; Cevad Paşa, *Tarih-i Asker-i Osmani*, İstanbul 1297/1880; N. Weissmann, *Les Janissaires. Étude d'organisation militaire des Ottomans*, Paris 1938; İ. H. Uzunçarşılı, *Osmanlı Devleti teşkilâtından kapukulu ocakları*, I–II, Ankara 1943–1944; P. A. von Tischendorf, *Das Lehenwesen in den moslemischen Staaten insbesondere im osmanischen Reiche*, Leipzig 1872; H. Gibb–H. Bowen, *Islamic Society and the West*, Vol. I./1, London 1950; Ö. L. Barkan, *Timar, İslâm Ansiklopedisi*, XII (İstanbul 1972) 286–333. On the organisation of the Turkish irregular corps no special greater summarizing work has as yet been prepared, and the above mentioned works do not enrich our knowledge in this respect. Of pioneering value, however, is M. T. Gökbilgin, *Rumili'de Yürükler, Tatarlar ve Evlâd-ı Fâtihân* İstanbul 1957, just as C. Orhonlu, *Osmanlı İmparatorluğunda Derbend Teşkilâtı*, İstanbul 1967.

2 C. S. L. Davies, *Provisions for Armies, 1509–60; A Study in the Effectiveness of Early Tudor Government*, *The Economic History Review* XVII (1964) p. 243–44.

3 İ. H. Uzunçarşılı, *op. cit.*, I. p. 1–2.

4 To this refer data from as early as 1432, see H. İnalçık, *Hicri 835 tarihli sûret-i defter-i sancak-i Arvanid*, Ankara 1954, p. 74 and p. 78.

troops, with the addition of the nomad *yürüks* migrating to Rumelia.⁵ The task of the mounted *müsellems* was to be a few days ahead of the proceeding army and to mend the roads and bridges, while the *yayas* were helping with the traction of cannons and the transportation of reserves. Besides, both corps quite often happened to be detailed, even in peace time, to works in mines and at buildings.

After the reorganization 30 *müsellems* or 30 *yayas* each constituted one unit (Turk. *ocak*). Out of the 30 men there were only five campaigners, called *eşkınci* in Turkish, but these never went on a campaign simultaneously, alternately only those who were on active service (*nöbetli*). The other 25 men were *yamaks*, "helpers" in the maintenance of the *eşkıncis* going on campaign; every one of them was compelled to give 50 *akçe* to the *eşkınci*, for which in return the treasury exempted them from paying the *avâriz-i divaniye*-tax (the meaning of the word *müselleme*, as it is known is "exempt from"). The obligation of paying 50 *akçe* was in force under the reign of Mehmed II in such a way, that it had to be given every year, whether there was any campaign or not, but Bajezid II came to make it obligatory only for the year of the campaign.⁶ The maintenance of the joining up *eşkınci* was further promoted so that every *ocak* was given a piece of ground, a *çiftlik* for cultivation, without the obligation of giving tithe to anybody from the corn grown on it.⁷

The *müselleme* and *yaya* corps all had their own commanders, namely the *müselleme sancakbeği* and the *yaya sancakbeği* respectively, and further on the *çeribaşı* and the *yayabaşı*, who were given a regular pay, that is a timar-fief. The *müsellems* and the *yayas* themselves though were no regularly payed mercenary troops, but irregular corps, who were, just because of their loose organization hard to keep under discipline; they repeatedly moved from their dwelling place or ran away, and in time of campaign they could not be called up. Thus from time to time their conscription had been made necessary, not only by migrations and departures but also by superannuation and death, with the aim of drafting new ones in their place. The ways and circumstances of conscripting the *müsellems* and the *yayas* could perhaps best be understood from the registration order, especially if it does not contain orders how to carry it out, but describes, on the basis of previous distortions, how it may not be conducted. In the following we present the translation of the text of such a registration order:⁸

The order of the noble, the famous Sultan sign (*nişan*), of the magnificent, the world-conquering monarchic monogram (*tuğra*) —that the mercy of the Almighty, the help of Allah should enforce— is the following: Lately in the Vilayet of Anadolu the *müsellems* and *yayas* have partly dispersed, and few *müsellems* and *yayas* have remained in their *ocaks*; those who have stayed,

5. See T. Gökbilgin, *op. cit.*

6. Ö. L. Barkan, *XV ve XVI ıncı asırlarda osmanlı imparatorluğunda zirai ekonominin hukuki ve mali esasları*. İstanbul 1943, p. 259.

7. The dimensions of a *çiftlik* was defined with the measurement *dönüm*, 1 dönüm = 939 m². On the organization of the *müsellems* and *yayas* we find valuable informations, besides in Süleyman's *kanunname* also in one of the manuscripts of Celalzade Mustafa, see İstanbul, Süleymaniye Kütüphanesi, Aşir Efendi kitapları No. 1004.

8. Its original see İstanbul, Süleymaniye Kütüphanesi, Veliyyüddin Ef. No. 1970.

as there are no or few *yamaks*, are unable to perform the duties. Flying away they have gone away, in their place only few have stayed, and for sultanic services in time of campaign their power is not sufficient any more. The mentioned two corps are indeed weak and poor; their service is hard. Out of pity towards the case of the two corps, revealing Sultanic mercy and monarchic protection I have ordered, that the *müsellems* and the *yayas* be registered; those having no *yamak*, be endowed some *yamaks*, for those who might have few only, it be completed. From among the *sipahi oğlans* at my Threshold of Felicity I have Mustafa, the ideal of his equals and his comparables —his authority may increase—, him whose reliability and religiosity is worthy of credit, nominated an *emin* (commissioner) for the registrations of the *canbazes*, *azabs*, and *uzans* in the Vilayets of Karahisar, Kütahya, Hamid, Biga, Karasi and Anadolu, and in Rumili from among the timar-holders I have Ali, the pride of the truthful —his authority may increase— nominated a clerk. The *müselleme* and *yaya defter* (registers) of the named *livas* to be found at the Threshold of the Asylum of the Universe to the mentioned were given under my seal and into their hands I gave this command, that attracts the attention of the world, and I decreed: visiting those *sancaks* they remind the *müselleme* and *yaya sancakbeği*, cadis and sipahis to call up the *müselleme sancakbeği* and *yaya sancakbeği*, cadis and sipahis and all those who have remained of the *müsellems* and *yayas* in those *sancaks*. The *müsellems* and *yayabeği* themselves appear before them. In case they personally may not be present, clever and trusted men be appointed, and sitting down with the *müselleme* and *yaya* census-takers, and not going away, have without fail all of them registered. According to the now valid defter the number of *müsellems* now on duty (*nöbetli*) in the Sancak of Karahisar is 98, of *yayas* 685, in the Sancak of Kütahya the number of *müsellems* on duty is 273, of *yayas* 641, in the Sancak of Hamid the number of *müsellems* on duty is 305, of *yayas* 473, in the Sancak of Biga the number of *müsellems* now on duty is 50, of *yayas* 283, in the Sancak of Karasi the number of *yayas* on duty is 300 and in the Vilayet of Anadolu there are 104 units (*ocaks*) of *canbazes*, *azabs* and *uzans*.

In the *ocaks* of the *müselleme* and *yaya sancaks*, if really that many campaigners (*eşkınci*) came to enter the campaign, but there were not enough *yamaks* their number be completed with the conscription of grown-up sons of the *müsellems* and *yayas*. If those were not enough, they be completed with conscripting the liberated (*mut'ak*) of the *müsellems* and *yayas*, and if even those were not enough yet, it be made up with those of the nomad (*haymane*) people living in the area, who had not been registered anywhere and are not disputed by anyone.

If the *müsellems* and the *yayas* are old and feeble, and are unable to personally join Sultanic campaigns, though substitution of *müsellems* is actually not allowed, when the old and the feeble are not in the least capable to join up, in case the *müselleme* is well-to-do and was registered "on command is to send a deputy", it is allowed. Among them those persons, who are well-to-do and wealthy, and might be in position of keeping a substitute, whether they are *müsellems* or *yayas*, or whichever *ocak* they belong to, recorded by their names along with their distinctive features, they be entered clearly into the *defter* with "he is to keep a substitute". Those persons who are actually old and poor, and are not possibly

capable to keep a substitute, they be not registered inmutably, but separately they be listed with the description of their dwelling-place, home and characteristics.

The *defter* being finished, appearing before my Exalted Court, all the *defters* being brought to my Threshold of Felicity, those will here be read through, so that the conditions and position of the registered be known, and that at the end those written old, be registered old, and those to be listed definitively, be registered so.

From among the mentioned *müsellems* and *yayas* who have left their *ocaks*, the missing be also properly looked for and searched for, where they have gone and in which place they have now settled down. They should let it know, how many days walk the emigrants are. Those missing really from among the *müsellems* and *yayas*, they recommend to the attention of the *müsellems* and *yaya sancakbeğis*, *çeribaşıs* and *yayabaşıs*; sending a letter and a man, such *müsellems* and *yayas* be asked back from the *sancakbeğis* and cadis of those places where they have run away to. Removing the run-away *müsellems* and *yayas* from there, they be taken to the *ocaks* where they had once been registered and be settled there. This be not performed in reluctantly saying, the begs, *çeribaşıs* and *yayabaşıs* of the *müsellems* and *yaya sancaks* were not to be found. Every *çeribaşı* and *yayabaşı* knows, where the *müsellems* and the *yaya* has left for and where he has settled down.

In all those *sancaks* where *yayas* or *müsellems* have been registered also their *çiftlik*s be re-examined. For every *ocak* one *çiftlik* is necessary. According to the law one whole *çiftlik* in a good place is 70 to 80 *dönüms*, in a medium place 100 and in a bad place 130 to 150 *dönüms*. These being visited, the places of the *müsellems* and *yayas* being measured, as much as rightful by law be given or fixed for him. If the *çiftlik*s described in the *defter*—calculating one *çiftlik* for every *ocak*—were enough to the *müsellems* and *yayas*, they be recorded, but surplus and want be also checked, and as to what is tolerable, it be registered and fixed. If, however, the *çiftlik* in the *defter* was not enough for such an amount and more would be needed, taking it from the *çiftlik* the *müsellems* and *yayas* left behind (*mevkuf*), they should be completed and registered. If even this were not enough, from the lots of the timar-fiefs unutilized and left waste—from those which as income to the sipahi are not registered, or in the possession of the sipahi not cultivated—it be taken away and registered.

In the case when the *müsellems* and the *yaya ocak* in breaking up falls apart, the *çiftlik* of the *müsellems* and *yayas* is further guaranteed in the new *defter*. If by my majestic order the original *müsellems* and *yaya çiftlik*, vineyard, garden and mill was endowed to a timar-holder or anybody else, so that its tithe be continual without a break, and be not lost, for which reason it was given to some persons, though by way of title-deed (*tapu ile*), such are not definitive; may the certificate of the titel-deed be produced, even then it cannot be accepted. Upon having made sure and evident, that the *çiftlik* described in the *defter* had [once] been turned into a *müsellems* and *yaya çiftlik*, it be registered as of a *müsellems* if it had belonged to a *müsellems*, and of a *yaya* if it had belonged to a *yaya*. Every *ocak* be made up to a whole *ocak*. A *müsellems* or a *yaya*, who had been an inhabitant of a certain *ocak*, be again registered, in the *ocak* he inhabited. They be not registered in outer, far-off *ocaks*, so that in time of their service it be not difficult for *yayabaşıs* or *müsellems çeribaşıs* to call up the *müsellems* and the *yaya*

to join the campaign and to join up; according to the demands they should again be conscripted in a near-by *ocak*.

The sons of the *müsellems* or the *yaya*, if they live together with their father, but in the old *defter* they had been registered to another *ocak*, by which they were forced to do great distances—be now not pestered with saying “You are registered in this or that *ocak*”. If in the *ocak*, where his father had been registered, or somewhere around, *yamaks* are needed, [the son] be registered to his father’s *ocak* or some near-by *ocak*. In the new *defter* the registered *ocak* be made up so that to it [according to the distance] the more suitable be entered. The *müsellems* and the *yaya ocaks* be fixed in such a way that upon the boundaries between the *müsellems* and *yaya* corps, and the sipahis and other *reayas* or between the ecclesiastic and secular estates (*evkaf ve emlak*) or on anything else there be no dispute or quarrel.

The *yayas* and *müsellems*, in whose possession beside their *çiftlik* registered in the *defter*, also lately broken plots of ground in places belonging to the timar-holder were cultivated, with title-deed or with the knowledge of the landowner (*sahib-i arz*)—if they also had places of such origin, that had been mixed with the places of the *müsellems* and *yayas*—and saying “this, too, is one of the plots of the *müsellems* and *yayas*”, with plots of such origin we must pay great care, when they happened to quarrel about the authenticity of the proprietary rights. If they say “they are in some way from the grounds of the *müsellems* and *yayas*”, one should restrain from entering it into the new *defter*, so as not to cause a loss to the timar-holder’s timar-fief. In such disputed places, perhaps marked also in the *defter*, admitting that the landowner was right, this be recorded, so that the *müsellems* and *yaya* corps might have no possibility to argue and quarrel against the law.

The *sancakbeğis* and *çeribaşıs* of the *müsellems* and *yayas* when collecting the incomes originating from fines (*rüsum-i cürm-i cinayet*) and from other casual incomes (*bad-i hava*) should know their exact sum, and registering them they should also clarify and fix them. The exemption money (*bedel akçesi*) of the *müsellems* and the *yaya* is recorded. They should not be kept in evidence, saying that it is imposed as to the plot of the run-away [*müsellems*]. What had been taken into account on the ground of the *müsellems* and *yaya*, all belong to the *müsellems* and *yaya sancakbeğis*, these be again calculated accordingly.

The *yaya-ocak* was ordered to give one Bursa *müdd* of corn, half of which be wheat and barley the other.⁹ In accordance with the old law this order has been confirmed. With regard to this it be not estimated in money.

My order is as follows: the *müsellems sancakbeğis*, the *yaya sancakbeğis*, the *çeribaşıs*, the *yayabaşıs* and from the previous *müsellems* corps all those who have remained, should appear before those mentioned above, and have those, who actually are *müsellems* or *yayas*, conscripted. With contrivance and partiality, those who are no *müsellems* or *yayas*, or those who cannot be distinguished by their single name, those be by no means entered in the *defter*. The *emins* be precautionous in the matter. If once in such a matter partiality or cunning happened against someone, and he put in a complaint, or if the above mentioned got to know their negligence, this be reported to my Threshold of Felicity; were he

⁹ The mounted *müsellems* were not obliged to deliver corn, see Ö. L. Barkan, *op. cit.*, p. 241

from among the *sancakbeğis*, he will be removed. Those causing great trouble, may they be *çeribaşıs*, *yayabaşıs* or their chiefs, should beware of punishment according to this. In these matters the acknowledgement or complainings by the said *emin* are known as pure and affective. It is necessary, however, that the mentioned also beware, in a just way, of cheating. Be it anyone they register, they should observe him not by the intermediation of others, but themselves, and through getting informed about the veracity of the situation they register him. Those not present be not registered. After the registration no alteration be made. Be it anyone they register, his own name, his mother's name, his sobriquet, if there is any —this latter along with his village or town— be entered. Great heed be taken of common names that often give ground for argument. Ambiguous cases be described in greater detail and clearly. In obscurity nothing be left, and then have them checked as the plaintiff comes and lodges a complaint. If against the order anything inadequate is found, the named persons be also punished.

According to old custom [the census-takers] for the cost of their living should collect two *akçe* from every [registered] person, of which one is for the *emin* and one for the clerk. Beyond the *akçe* due per house, neither themselves nor others, who are engaged in the matter, should against my order accept neither presents nor anything else, they may not collect even one *akçe* from anybody and against my order they should not do anything. Thus you take notice of this, and give credit to the noble sign.

Written in the well-guarded seat of Constantinople in the middle decade of the month of the merciful *şevval* in the year 946.¹⁰

This conscription order, besides instructively elucidating several questions of one or the other detail, draws our attention in the first place to the fact that under the reign of Suleyman the organisation of the Turkish auxiliary corps, that had so effectively aided the Persian, Syrian and Egyptian campaigns of Selim I, got in such disorder, that they could not help the operation as required. It is well exemplified by the Campaign to Vienna in 1529, from where, just because of troubles in transportation, the Sultan returned home as if his army had suffered decisive defeat.¹¹ For this reason in the course of the new registration the attempt was made possibly to register the rich peasants as *müsellem*s or *yayas*, because by their riches, they could better be pressed to send others in their place, provided they did not want to meet the call-up personally.

These efforts however brought only temporary solutions, so much so that in 1582 the *müsellem* and *yaya* corps had to be dissolved.¹² Although next year,

10 i.e. between 19th and 29th Febr. 1540. After this registration the number of *ocaks* has in general not changed. In 1521, the number of *müsellem ocaks* in Anatolia was 2584, that of the *yaya ocaks* 7668 (Istanbul, Veliyyüddin Ef. Ktp. No. 1969; as for 1544 see: Istanbul, Topkapı Sarayı Müzesi Arşivi No. D. 12321). In Rumélie, the number of *yaya* or *yürük ocaks* was 1377 in 1552 and that of the *müsellem ocaks* 810 (Istanbul, Topkapı Sarayı Müzesi Arşivi, Koğuşlar K. 888 f. 21; as for 1565 see: Başbakanlık Arşivi, Mühimme defterleri No. V., p. 21).

11 With reference to this see Suleimans Angriff auf Europa, *Acta Orient. Hung.* XXVIII (1974) p. 180–181.

12 The related order was published by A. Refik, *Anadolu'da türk aşiretleri (966–1200)*, Istanbul 1930, p. 45–46.

when the Persian campaign was launched their conscription was ordered again,¹³ but shortly afterwards—as put by Ayni Ali in 1609—the *müsellem* and *yaya* corps of Anadolu (26,500 men, among them 6,900 *eşkincis*) were finally disbanded, their *çifilik*s being given to timar-holders, themselves taken into files as *reayas* paying full tax.¹⁴

Thus the *müsellem* and *yaya* corps during Suleyman's campaigns did actually not promote the success of the operations, but only added to the mass of the advancing troops, along with others not handling the weapons, so that the enormous quantity itself was enough to frighten Western Europe.

13 For the text of the order see *op. cit.*, p. 46–47.

14 H. Tuncer, (*Kanunname-i Âl-i Osman*) *Osmanlı Devleti arazi kanunları*, Ankara 1962, p. 101–102.