

NEW EUROPE COLLEGE



Social Behaviour and Family Strategies in
the Balkans (16th – 20th Centuries)

Comportements sociaux et stratégies
familiales dans les Balkans
(XVIe-XXe siècles)

Actes du colloque international
9-10, juin 2006
New Europe College Bucarest

Volume coordonné par
Ionela BĂLUȚĂ
Constanța VINTILĂ-GHIȚULESCU
Mihai-Răzvan UNGUREANU

Editor: Irina VAINOVSKI-MIHAI

La publication de ce volume a été rendue possible par l'appui accordé au NEC par l'Agence Universitaire de la Francophonie.

Copyright © 2008 – New Europe College

ISBN 978-973-88304-2-4

New Europe College

Str. Plantelor 21

023971 Bucharest

Romania

www.nec.ro; e-mail: nec@nec.ro

tel: (+40-21) 327.00.35; fax: (+40-21) 327.07.74

Family, State and Blurring of the Public and Private; Ottoman State and The Emergence of “Marriage Proper” in the Second Half of the Nineteenth Century

Tuba DEMIRCI

With the proclamation of the Reform Edict of *Tanzimat*, also known as *Gülhâne Hatt-i Hümayunu*, in 1839, Ottoman Empire formally went into an institutionalized process of modernization, which would be finalized by the Kemalist Reforms later in the twentieth century. The period between 1839 and 1908 was characterized by such “purposive modernizations” through which basic institutions could be reformed in Ottoman society.

The modernizing reforms initiated by the nineteenth century Ottoman administration were chiefly centered on the critique and transformation of the key institutions firstly in the state apparatus; however, institutions in wider social surrounding, in which socialization of individuals takes place were included to the scope of modernizing reforms with the advent of time. Regarding the fact that modernizing reforms of the Ottoman polity increasingly attained social locus in time, it is not surprising that the “Ottoman Muslim family” and its reform became one of the most essential components of this contemporary reform project. Beginning from the Tanzimat

period onwards (1840s-1900s), a modern discourse on family, which also included the critical appraisal of marriage, intra-family relations, gender relationships, procreation, morality, hygiene and purity, was formed.

Ottoman modern discourse, which aimed to reform and rehabilitate the way(s) Muslim families function, actually had an appeal to the individual, and the reasons stimulated Ottoman administration and intellectuals to constitute such an eager agenda should also be deliberated. First of all, the nineteenth century political and economic conditions were crucial for this respect; Ottoman Empire was a shrinking one which had already surpassed its golden age that social decline was at stake in the wake of constant military defeats due to Russian and Austrian onslaughts¹, internal revolts injuring human potential,² and technological, economic and political superiority of the West³ that provided the most undefeatable competent. Thus, it would not be misleading to identify firstly Ottoman military, later administrative, and finally social reforms as crucial means to withstand great powers.⁴

Following the commencement of Tanzimat period, a new conception of social ground arose to denote the domain to which bureaucratic state could legitimately intervene on the one hand, and from which the state based its own legitimacy on the other.⁵ Accordingly, the welfare, health, outfit and contentment of Ottoman peoples were regarded as prerequisites to be accomplished and adjoined into the reform agenda for perfecting all the productive forces of the country for the sake, prolongation, and advance of the Ottoman State. The related policy formulations and institutional structuring attempts can be taken as the indicator of an intentional and scheduled project for a kind of “early welfare” and “modern- interventionist” state to appear.

In short, Ottoman administration during the Tanzimat Period took certain institutional steps and performed ideological and paradigmatic shifts, which were in accordance, later in divergence, and / or finally in hybrid forms with the “modern criteria” that put the families at large and Ottoman Muslim family in particular to the embrace of the reform question. Basically, the Tanzimat administration produced an institutional agenda and discourse by which Ottoman social ground, and social institutions were addressed to be reformed, then reformed. No matter there was a perfect correspondence between what were planned and desired, and what were achieved in real terms, all constitutive, economic, social elements of the Ottoman Muslim familial ground together with its surrounding ideology became objectified through the formation of reform policy, reformist regulation and reformatory discourse. Tanzimat era was the age of regulation, both in terms of producing regulatory narratives on hundreds of respects⁶, but at the same time bringing in the advent of “centralizing” and “universalizing” regulations that give the modern regulation its distinct character. At this resort, one can recognize the fashion, content, scope, means and ends of the familial reform by excavating in to the grand narrative of reformist-regulatory-disciplining discourse at large. In other words, Ottoman administrative, economic, political, and institutional reforms produced individual and area-specific medical, moral, and educational regulations, and the depiction of Ottoman family and discourses concomitantly appeared therein will provide the mental map of family reform in a way facilitating “genealogy” of both family and the reform question in the late-Ottoman polity.

This paper intends to examine reform debates and subsequent policies addressing Ottoman Muslim families in

the second half of the nineteenth century in order to reveal the re-defined relationship between state and family, and emergence of a modern discourse over family through the reappraisal of issues pertaining marriage. A particular attention will be paid to divulge how the Ottoman state appeared to construct itself for reforming and rehabilitating Ottoman families in a way creating a new form of power-repression axis, and a new economy of power and discipline in the medium of marriage institution.

Regulating Marriage

It is argued in the initial part of this paper that Ottoman familial domain and its reform became an essential constituent for the modernization of Ottoman society, and inclusion of family reform to the general reform agenda aimed to strengthen the empire under military, ethnic and population crisis. Tanzimat period was the age of regulation that hundreds of regulations were produced to standardize and rehabilitate Ottoman course of life. A remarkable part of these regulations directly and indirectly pertained to transform and replace the customs, principles, beliefs and the ideology of marriage.

Throughout its history, Ottoman State had a Sunni Islamic identity by which many respects of the course of everyday life were shaped according to Islamic doctrines. Though social order was built through a hybrid system of enforcement based on the simultaneous existence of Islamic and *örfi* [customary] law, matters regarding family, i.e., constitution, dissolution, inheritance, child custody, spousal responsibilities, and whole private domain were left to the supervision of the former.⁷ Therefore, until the age of reform, Ottoman state did not zealously aspire to interfere into familial matters through its customary statutes if not related to tax paying and military

respects.⁸ Beginning from the initial years of Tanzimat, Ottoman state appeared to regulate marriage institution, especially the way it functions, and its constitution and dissolution with respect to a new criterion, still not violating the Islamic margin. From now on, this study will try to reveal how “the marriage proper” was constituted in the context of the late nineteenth century Ottoman regulations, and memorandums which y aimed to shape the marriage institution in the capital and in provincial areas.

Ottoman Empire was a multi ethnic, multi – confessional one that expanded into a vast territoriality comprising Balkans, Anatolia, and the Middle East. Slightly before and during the Tanzimat Period, costly local customs, and “erroneously interpreted” religious orders regarding marriage and matrimonial ceremony were the most prominent issues Ottoman central administration handled. Unlike the Christian matrimonies, which are seen celestial and ratifying the spousal membership in church community, Islamic marriage is actually a plain worldly contract⁹ which is based on the pre-arrangement of inheritance, marital and post marital economic assurance. It does not even require the attendance of a religious functionary, but the presence of two Muslim males or two Muslim females per a Muslim male as witnesses are seen adequate.¹⁰ However, the function and importance of matrimony in terms of ascribing legitimacy to the spouses in the eyes of society and religious community caused it to be conventionally performed in the presence of religious functionaries and recorded to the Islamic Court Registers (*şer’iyye sicills*) beginning from the early days of Islam, and Ottoman society in general.¹¹

According to Islamic Family Law, a prospective husband should pay an amount of money, or hand over an estate or any kind of property convertible to money under the heading *mehr* prior to the consummation of marriag. Regarding Islamic

tradition and juristic comments, mehr is given to honor women, make divorce uneasy and provide economic assurance for women in case of divorce or widowhood.¹² It is conventionally paid in two parts and recorded to the marriage certificate as *mehr-i muaccel* [*mehr* paid immediately after matrimony] and *mehr-i müeccel* [*mehr* to be paid out of the inheritance of a deceased or a divorcing husband]. It can be concluded that mehr is given to be solely appropriated by woman for preparing herself to her new life, i.e., for clothes, home utensils or *cihaz* (dower), or for economic insecurity following divorce or widowhood, with an interest rate if necessary. Divorce without consummation, which means not performing *halvet-i sahiha* [proper conjugal sex], does not require husband to pay mehr-i müeccel.¹³ In a religious system of belief where divorce was acceptable and easier comparing Christian marriages and church's sanction over separation of couples, and in patriarchal cultures that patrilocality was the norm¹⁴, mehr was an agreeable rule, and a sort of economic reward for women in Islamic societies. Ottoman society was no exception in the case of applying mehr, but Ottoman administration faced with crucial provincial complaints concerning the appliance of Islamic mehr in the Tanzimat period.

The provincial complaints about mehr were actually caused by the violation and exacerbated appliance of it among provincial and rural communities. In Anatolia and Balkans, the families of prospective brides were also demanding extra amount of money, or property in addition to Islamic mehr. We know from the Şer'iyye Court Registers and contemporaneous writings that *başlık* [bride wealth], *bedel-i cihaz* [trousseau payment] were common practices besides mehr, and these practices were frequently referred as "*âdet-i belde*" [local customs].¹⁵ Moreover, regarding the improvement of

bureaucratic communication and establishment of modern provincial administration, provincial complaint cases about families, who were reported to organize costly and conspicuous wedding ceremonies, also increased.¹⁶ Beginning from the year 1825 onwards, Ottoman administration had to issue memorandums to provinces by means of provincial governors that families of bride and bride groom must be modest about marriage expenditures, and “conspicuous expenditures regarding marriage must be totally banned” that people would not retreat from getting married”.¹⁷ In the year 1844, an imperial decree announced that unmarried or widowed (Muslim) women could get married with their free will despite their families’ counter attempts to arrange marriages for them.¹⁸ While banning bride wealth payments, this decree also recommended that local magistrates must assist women at the age of discretion as long as they choose “appropriate husbands” in terms of financial and religious criteria.¹⁹ For example, in March 1845, a memorandum sequentially addressed to the *Mutasarrıf* [Governor] and *Mâl Müdirî* [Head of the Finance Office] of Ankara district, and regents in that region that Muslim families were classified into five groups with respect to their financial status, and the amount of *mehr-i muaccel* and *mehr-i müeccel* were fixed with respect to this criterion. Together with the classification of *mehr-i müeccel*, ceremonial expenditures to which families of the brides contributing were also determined that “conspicuous spending for marriage will not cause first males and females, who reached the puberty, to stay unmarried, and secondly population stagnation.²⁰ The same memorandum also points out that on the day of marriage, families of all five classes must restrict their ceremonial meal with rice and saffron sweet together with *güğey ta’amı* [bridegroom supper] which is served on the wedding night.²¹

The order revealed in this memorandum was previously deliberated and accepted in *Meclis-i Vâlâ-yı Ahkâm-ı Adliyye* [Supreme Council of Judicial Ordinances] and sent to other districts and corresponding offices there²² to be registered and strictly applied.²³ The same order was sent to Bolu district, and it clearly stated that “the ones who spend extravagantly will be liable to official sanctions”.²⁴

Provincial complaints were not limited to extravagant ceremonial spending. From the Council of Canik, it is reported to the Council of Judicial Ordinances on 13 January 1850 that especially the fathers, if fathers were deceased, prospective brides’ male kin were demanding high amount of funds under the title *başlık* [bride wealth], and “they legitimized such demands treating *başlık* as *mehr-i muaccel*”.²⁵ Having referred to the difficulties faced by people who were not able to pay such excessive sums, it was also stated that “practice of abduction became crucially common instead of getting married customarily”.²⁶ The same document also points out that “these excessive *başlık* payments were not of help to prospective brides, but solely serving the pure interest of their male kin, therefore all *başlık* payments should be outlawed, and *mehr-i muaccel* should be applied in order to prevent people from the economic destruction”.²⁷ The decree continues to refer similar accounts of provincial complaints regarding “extreme *başlık* payments or household furnishings from all over Ottomandom”, and it actually condemned these demands “by being a sort of bribery, which, in turn, renders marriage and reproduction of population as well as causing kidnaps”.²⁸ Finally, Sublime Council of Judicial Ordinances deliberated and decided that “additional orders should be sent to provinces that people who demanded such unreasonable payments other than *mehr-i muaccel* would be liable to official sanctions, and provincial administrators were responsible to apply such terms fastidiously”.²⁹

These orders might have been of no help that the District Council of Sivas sent a petition to the capital on 16 March 1856, and complained about an unresolved divorce case due to repercussions of the intertwined local customs and erroneous interpretation of *mehr-i muaccel* and *mehr-i müeccel*. According to this document, two notable families from Ergiri province were in enmity about the repayment of *bedel-i cihaz*, - a name given to *mehr* payments in Ergiri -, since their children had a divorce.³⁰ The problem between these two notable families, referred as “dynasty of Licuh”, and “one of the olden dynasties of [Ergiri] as groom’s and bride’s family respectively, was significant for the local council in terms of “producing a precedent and incentive to divorce”³¹, since it was about the conflict over the repayment of *bedel-i cihaz* for an unconsummated marriage. Actually there were two conflicts inherent in this case; the first one was caused by the confusion of local customs and Islamic practices; the husband had already paid a whole lot sum, 100.000 guruş, under the title “*bedel-i cihaz*” which was difficult to be distinguished either as *müeccel* or *muaccel*. If the paid sum was a *muaccel*, it should not have been demanded to be returned since *muaccel* payments were paid in advance and never refundable according to Islamic Law. If we regard the husband’s payment as *müeccel*, it was erroneous from the beginning that it should have been in-due payment instead of an already paid one. Generally speaking, in order for a woman to be paid *mehr-i müeccel* in the course of divorce from an unconsummated marriage, her husband must be the deceased or a defective one, an impotent, unruly behaving, or absentee, etcetera. For a husband to demand exception from paying *mehr-i müeccel*, the wife must demand the divorce and renounce her claim to *müeccel* for the sake of her divorce. However, the document gives no clue revealing either husband as a faulted one or wife as the instigator of

divorce through renouncement. Instead of making an assumption over the already paid sum as *muaccel* or *müeccel*, *bedel-i cihaz* will be accepted as a trouble some practice which defies both Islamic *mehr* practices and Ottoman state's strong concern over the prolongation of the marriages.

In the consecutive parts of the correspondence, the town council made certain remarks by which we can conclude that Ergiri people paid a formidable sum under the title *bedel-i cihaz* both for *muaccel* and *müeccel* at once, and actually this was the source from which the conflict between the said couple derived as well as a potential danger for the others. The town council was well aware of the townspeople's perspective, and they reported that the local people knew the fact that if they resort to keep the sum, *bedel-i cihaz*, subsequent to the consummation of marriage, it would seem as a "deal", and for not creating any resemblance with this "trade", Ergiri people might resort into keeping *bedel-i cihaz* prior to the consummation, which was the case between the notable couple.³² Under the trepidation that divorce would increase among people with regard to the case of these two big families, the town council demanded an approval from the central administration underlining that payments like *bedel-i cihaz* were actually "contractual" and there was "a need to provide official and binding sanctions to treat those payments' return in case of such kind of divorce" in a way surpassing both local customs and religious sanctions.³³ Having said that the familial matters were left to the treatment of Islamic sanctions and law, this case can be an example that Ottoman provincial bureaucracy sought solutions more secular in stance for maintaining marriage, and preventing divorce even as a possibility at the time of matrimony.

Referred as a side effect of extreme bride wealth demands, kidnapping of women was another crucial issue with which

Ottoman administration had to deal during the Tanzimat Period. Whether a coping strategy with excessive bride wealth and mehr customs on the part of prospective couples, or merely the violation of personal integrity of women, Ottoman administration perceived kidnaps decisively as the violation of public order, a clearly outlawed deed both by Islamic and customary laws, and an offence against honor³⁴, which was conceptualized absolutely as public matter. Dated 28 June 1846, a decree from The Council of Ministers accounted that kidnaps were actually on increase in the Rumelian provinces of the empire due to "deficient and scarce police forces, which were automatically in charge to investigate and correct such offences [kidnapping women] as their professional duty".³⁵ While specifying the penalty for abducting women as six-month imprisonment, the report warns the local police forces and other staff responsible for public order to be careful to not to let such cases happen, and additionally cautions magistrates and judges across the empire to not to carry out the matrimony of kidnapped women, either Muslim or non-Muslim, since it was habitually the case that offenders brought abducted women outside of their hometown or village to realize the matrimony without being subject to official commotion.³⁶

After admonishing police forces and judges, Ottoman administration resorted to punish religious functionaries, who performed the matrimony of offenders and kidnapped women, and people acting witnesses at the marriages, in order to combat with the kidnaps, and for not being obliged to deal with the problems in the aftermath of such marriages. For most of the case, the families of kidnapped girls demanded from state to defy the marriages performed without their approval. Islamic Law also required the defying of marriages especially for the girls under the age of consent; according to Islam, the age of consent is fifteen for women³⁷, and the validity of marriages

with underage women necessitates their legal guardian's approval.³⁸ Legally, a person, who abducted an underage woman and brought her out to the province she was living in, required to be punished by six-month penal servitude at the military shipyards.³⁹ With the amendments of the Penal Code of 1858, abducting underage women necessitated temporary penal servitude, and defloration entailed from three months to a year imprisonment.⁴⁰ Ottoman administration especially had to deal with kidnap cases of underage non-Muslim women frequently in the course of the end of the nineteenth century under the strain produced by ethnic and religious conflict. In certain cases, ethnic conflict and provincial disorders stimulated by kidnaps.⁴¹ In addition to the rise of nationalist movements and ethno-religious conflict, the age of consent was another issue making kidnap cases more problematical for two respects; firstly, the age of consent was higher in canon laws of other confessions, and kidnap of non-Muslim women by Muslim males either ended up with conversion to Islam. Secondly, while the validity of marriage was possible with the Islamic conception of the age of consent, it was not acceptable for other religious groups.⁴² Depending upon the archival data, it can also be claimed that kidnapping and conversion of underage non-Muslim women intensified ethnic conflicts which were already woken up, and caused conflict between non-Muslim communities and Ottoman administration.⁴³ For instance, the escape of a young Christian woman with a Muslim man and her conversion to Islam was treated with respect to the Austrian Civil Code that age of consent was determined as 24, and it was decided that she could not change her subject status even if she changed her religion, which was acceptable regarding the age of consent as fifteen for Islamic Law.⁴⁴ In the eyes of Western powers, i.e., Britain, France, Russia and Austria, whose protection for non-Muslim groups strengthened

especially after late 1850s, the kidnaps and subsequent conversion of young non-Muslim women in to Islam created concerns that they expressed their dislike through international press quite often.⁴⁵

Though Islamic Law did not require a non-Muslim woman's conversion to Islam so that her marriage with a Muslim man would be an authentic one⁴⁶, Tanzimat administration developed a critical outlook about non-Muslim women's marriage with Muslim males due to the international as well as internal political criticism. For example, another case that received special investigation was about a young Armenian woman kidnapped and taken to the province of Erzurum by two Muslim men that central imperial administration had to monitor even the movement of military detachments charged to catch the offenders in March 1895.⁴⁷ In addition to the supervision of the investigation, Ottoman central administration ordered a public and press announcement that Armenian woman called Meryem was found and the offenders were caught to be punished.⁴⁸ This special decree, however, also points out that the local investigators should also question whether the kidnapped women consented "to be kidnapped" or not, in a way, a kind of strategy to surpass the repercussions of the issue of differential conception of the age of consent, ethno-religious conflict and foreign press representation.⁴⁹

In August 1895, the Provincial Council of *Girid* [Crete] demanded a clear legal advice to handle kidnap cases and necessary penal measures, since they believed that increasing kidnap cases were actually caused by inadequate provisions in the Penal Code. They also asked central administration's opinion whether it was possible to amend the articles, which were in force for the correction of the offenders in the Penal Code with that of French and Greek Penal Codes. The Council of Ministers stated that "penal measures were already clarified

by the Penal Code of 1858, and French and Greek penal codes' provisions over kidnappings were really "harsh", and moreover, it was most of the time found out that women consented to escape instead of being kidnapped".⁵⁰ It is discussed before that costly local customs like bride wealth and trousseau payments were probable causes behind kidnaps, and they were condemned by Ottoman administration to stimulate kidnaps that prospective couples resorted to get married. In a multi-ethnic and multi confessional society, where Islam was the predominant confession over the course of life, people of different confessions were probably triggered to escape and get married when their romantic affairs could not be resolved. With respect to Islamic Law, women believers of different confessions could legitimately get married to Muslim men; theoretically speaking, non-Muslim women, if they belonged to a salvation religion, did not even need to convert into Islam. These women's confession did not jeopardize the validity of marriage and the religious status of their offspring that the husbands' confession determines the status of both. However, the strain between different confessional groups and demarcated practice of living through clearly defined ethno-religious borderlines caused Ottoman administration not to ignore kidnap of non-Muslim women beginning from the nineteenth century onwards. Though Islamic Law still provided the legitimacy of intermarriages between non-Muslim women and Muslim men, the official and codified autonomy that Ottoman Empire announced to guarantee⁵¹ for different communities by the Rescript of Reform [*Islahat Fermanı*] on 18 February 1856 required the state to investigate the offences against individual and community, i.e. kidnap cases, carefully.

As revealed from the correspondences, Ottoman administration had troubles to handle kidnap cases due to differential conception of the age of consent with respect to

different confessions, and related application of protective states' Civil Codes in a multi-ethnic and multi confessional Empire. Ottoman central administration was not in the position to ignore religious and legal principles concerning the age of discretion other than Islamic and Ottoman laws since Ottoman society was a multi-ethnic and religious one that non-Muslim groups would feel distrust and injured if the Islamic principles arbitrarily applied. In addition to this, formidable number of people living in the Ottoman society had received foreign protection and they had endowed with the subject status of countries such as Austria, France, Britain, Greece, and finally Russia. Therefore, Ottoman central administration chose to condemn kidnaps that it curtailed the authority of legal guardians of underage women in the case of marriage, as well as causing other kind of illegitimacies, such as rape⁵², illegitimate sex, that is, sex out of wedlock⁵³, and trafficking of women for prostitution⁵⁴ at first. From time to time, men in arms and paramilitary groups in the provinces kidnapped married and unmarried women, and rape complaints were made to the centre to organize the trial of these offenders.⁵⁵ In time, it was realized that as well as issuing orders and decrees regarding the punishment of offenders, it was actually necessary to penalize the religious functionaries and witnesses, who contributed to the validation of marriages, therefore causing irreversible developments, i.e. defloration, consummation of marriage especially in the case of inter-confessional marriages. The central administration sent special decrees to provinces that especially religious functionaries of Islam, "hocas and imams, and witnesses were actually performing and assisting these disapproved marriages in return for financial gains", and "they should be corrected" since the frequency of such troublesome intermarriages, which could hardly be resolved due to the conflicting conception of age of discretion with

respect to different religions, were exacerbated by these individuals' negligent behavior.⁵⁶ It was also ordered by these decrees that matrimonial registrations and the names of religious functionaries and witnesses who assisted the kidnapped women's marriage with their offenders had to be reported to the capital to be severely corrected given that it was nearly impossible to annul the marriages once they were performed.⁵⁷ To sum up, under the pressure posited by multi-confessional society and difficulties regarding deflored and raped women, Ottoman administration preferred to put religious functionaries under scrutiny as well as forewarning its provincial administrators about kidnaps and subsequent marriages. Consequently, another warning had to with the families of young woman that the male kin of prospective brides should not demand excessive başlık or mehr payments, or they should not be so unsympathetic when they choose husbands for their daughters, because it was reported again from the provinces that women were either kidnapped due to excessive financial demands or cruel attitude serving to usurp women's domestic labor on the part of women's male kin.⁵⁸

Families of women, women's themselves, disgraceful and malicious men and greedy religious functionaries were pointed as the accountable ones for the kidnap cases by the Ottoman administration, however ethnic conflict and uprisings even caused the notable and well-known powerful provincial elite to kidnap and sequester especially non-Muslim women. A complaint written from the Armenian Patriarchate of İstanbul reported that during the turbulence/ deportation caused by Turco-Armenian conflict of 1894-6⁵⁹, "Armenian women in Anatolian provinces had been kidnapped and converted to Islam by force, and only some of these women could return to their families and their original confession with the decree issued on 16 January 1897 by the Ministry of Justice and

Religious Denominations".⁶⁰ The patriarchate stated that "an outstanding number of women, who were especially under the seizure and control of powerful *beğs* and *ağas* were still remained to return their families and original confession due to imperfect local administration failing to enact the provisions ordered by the imperial bureaucracy".⁶¹ Quite interestingly, this complaint divulges that despite the centralizing and disciplinary attempts of the central administration for handling kidnap issues, local administration was ineffective to apply these measures that the former had to resort into other means to prevent kidnaps and bring a lawful and legitimate outlook to the constitution of marriage institution.

The Ottoman "marriage proper" was first of all the one which was performed after a perfect investigation, and a fully registered one. All marriages, regardless of ethno- religious difference, were required to be registered when *Sicill-i Nüfus Nizamnâmesi* [Regulation of Population Registry] of 1881 came into force.⁶² With respect to this regulation, it was necessitated that matrimony of all subjects must be performed at courts and in the presence of religious functionaries; for Muslim marriages Şer'iyeye Courts, and for non-Muslim groups their respective religious leaders would bestow official license and these functionaries would report the marriage to the population registry official afterwards.⁶³ Later, a report from the Council of Ministers dated 27 April 1887 took one step further on account that investigation should be done prior to the matrimony. According to this report, "marriage is a delicate issue about which a faultless investigation required by religious as well as customary laws, and a regulation regarding matrimony should be prepared almost immediately".⁶⁴ It was decided in the same session that a special committee would be constituted under the direction of *İstanbul Kazılığ* [Governership of İstanbul] to arrange a regulation, and execute

the necessary investigations thereon.⁶⁵ Though this document did not give us any detail about the nature and contents of the investigation, and the civil arrangements of the Decree of Family Law of 1917 was still in due, Islamic Law regarding family, *el-ahvalüŝ-ŝahsiyye* [law of civil statuses] provides clues on this respect. The most important conditions were *kefaet* [propriety] and blood relationships. Kefaet principle worked differentially for men and women that Muslim women could not get married with non-Muslim men, or ex-non-Muslims converted to Islam who had non-Muslim fathers and grandfathers, though the vice versa was allowed for Muslim males.⁶⁶ As for the financial and material propriety, it worked again differentially; Islamic Law allowed local customs concerning similarity and equality in terms of honor, wealth, status, and occupation to be taken into consideration when choosing husbands.⁶⁷ For example, Osman Beğ, the father of a prominent Şeşbeşzâde family from Thessalonica rejected a servant of him as a son in law on account that they were a well-known and wealthy family while the person, who had already kidnapped and deflored his daughter, did not have *küfûv* [equality in rank and social status].⁶⁸ For the Şeşbeşzâde case, there is one more significant dimension; this family was a Jewish convert family [*avdeti*] to Islam, and until the first decades of twentieth century, Jewish converts of Thessalonica were predominantly endogamous. Generally speaking, *avdetis* of Thessalonica were highly educated, commercial wealthy urban elite who also served Ottoman State for variety of tasks. Osman Beğ, who fervently resisted his daughter's marriage to an ordinary servant, and most importantly an Albanian, was actually was resisting to kidnap-marriage case due to his status-class and religious orientation which had never been jeopardized up to that time.⁶⁹ He petitioned to the Chief Mûfti in İstanbul that since they were *avdetis*, there was no *küfûv*

between his daughter and the kidnapper. Then he petitioned Grand Vizier, and sent his son in law to the capital as well as asking the help of prominent administrative elite so that his daughter would be returned to him; however, his daughter rejected to return, the Office of Chief Mûfti validated her claim to get married with Feyzullah the Albanian that it was legitimate since both she and her prospective husband were Muslims. In addition to these, it is significant that Ottoman provincial elite in Thessalonica, and central administration assisted this marriage; the treasurer of Thessalonica, Mustafa Nail Bey, let the lovers to stay at his home, and central administration, the Council of Ministers, ordered the couple's leave from Thessalonica so that there would not be any incident in the city since avdetis had not been intermarrying with other Muslims. Rabia, Osman Beğ's daughter, claimed that she would not return on account that she was not a minor, at the same time defaming his family of being not proper Muslims⁷⁰, and this must have stimulated Ottoman central administration to resolve the problem in favor of the lovers.

If we go back to the issue of investigation prior to, and in the aftermath of matrimonies, we see that Ottoman administration tried to expand its influence and control with the advent of time through repetitive and complementary arrangements. Although all the performed matrimonies were required to be reported to the Population Registry Offices by the respective religious functionaries previously in 1881, the Council of Ministers had a discussion on 7 July 1890 about the issue of matrimonies, dower, drahoma, alimony and inheritance decisions of Christian groups in the empire that the pronouncements regarding these were not properly reported by the patriarchates to the Population Registry Offices and Department of Justice.⁷¹ The problems related to the informing of central administration about such civil matters were

significant for two reasons; one was regarding the extraction of taxes from these transactions, which were always the concern of the Ottoman administration from the early days of its imperial constitution. However, the second reason was more prominent in terms of creating an activity axis for Ottoman state over non-Muslim groups' marital affairs; it was the transfer of property through marriage.

The incessant correspondences and discussions in the Council of Ministers about regulating the marriage of Christian and Jewish female subjects were actually aimed to restrict these women's marriages with Christian and Jewish people who had subject status other than the Ottoman one. For example, in December 1849, it was reported that Jewish community of Thessalonica had been giving their daughters in marriage to the foreign subjects therefore causing the transfer of real estate and other types of property into foreigners.⁷² The decree prepared to ban the marriages between Jewish women and foreign subjects clearly warned firstly the fathers and brothers of Jewish women, then Jewish rabbis that "this deed was totally unacceptable since it had been causing foreigners to get hold of property in Ottomandom, though it was clearly prohibited by the sultanic orders".⁷³ When we came to the year 1887, the aforesaid prohibition must not have been effective or intermarriages between non-Muslim women and foreign subjects became an undeniable reality⁷⁴ that Ottoman administration had to review its regulations regarding the control of marriage between Ottoman women subjects and other nationals. First of all, Ottoman administration obliged all non-Muslim women to receive an imperial permission to get married with foreign subjects so that they could receive the citizenship of the respective state. Secondly, it was clearly announced that property of those women would not be transferred to their heirs; their children and husbands, since

the administration would assume that those women had received foreign subject status automatically in the course of marriage.⁷⁵

Another important development similar to the aforesaid intermarriage issue was about the marriages between Ottoman Muslim women and foreign Muslims that the regulation prohibiting marriages between Iranian men and Ottoman Muslim women was put into effect on 7 October 1874, and it aimed to make the military service compulsory for the children of such intermarriages.⁷⁶ However, both difficulties regarding to apply the measures of the regulation in the provinces, and strong objection of Persian Embassy to the provisions concerning military service caused Ottoman administration to modify it; and with respect to these amendments, male children born after 1874, and regulation's coming into force would perform military service for the Ottoman army.⁷⁷ The disagreement between Ottoman administration and Persian Embassy lasted nearly 20 years that many new arrangements had to be done. Because, in addition to the issue of military service, property rights of Muslim and non-Muslim women who got married to Persian males created problems with which Ottoman administration worked overtime.⁷⁸ Around the end of the year 1887, Ottoman administration claimed nothing for having produced the regulation prohibiting intermarriages between Persian males and Ottoman Muslim women apart from emphasizing the duties resulted from the residing of such mixed spouses in the Ottoman land. Beginning from the establishment of Ottoman imperial structure, orthodox Sunnî identity had been the formal one, while Persian had Shiite. The marriages between Imamate Shiites and Sunnîs were not welcomed, though neither Koran nor prophetic hadiths regarding küfv and kefaet provided any implementation over this issue. For preventing Persian male-Ottoman female intermarriages, Ottoman administration

wanted to create disincentives, i.e., compulsory military service for the offspring of Persian Muslim fathers⁷⁹, introducing laws which prohibited the transfer of property held by Ottoman females to their husbands and children who have foreign subject status⁸⁰ such as the case for Indian and Javan Muslim fathers and their offspring, expelling Persian males, who got married to Ottoman women, from Ottoman territories and using the compulsory military service for their male offspring as a threat if they return⁸¹, exiling of the religious functionaries, hocas and imams who performed the matrimony of Ottoman women and Persian males.⁸²

In March 1890, the Provincial Council of Basra posed an interesting question regarding Christian Ottoman female subjects. They basically wanted to know whether the marriage ban between Ottoman Muslim females and Persian Muslim males, and regulations regarding property disposal would be applicable to the marriages between Christian female Ottoman subjects and Persian males, and a positive answer was given accordingly.⁸³ With respect to this report, it was announced that Christian females must not get married to Persian males; otherwise Persian husbands and their male offspring would be subject to Ottoman taxes if they reside in Ottoman territories.⁸⁴ However, the prohibition regarding Christian females was repealed consequent to another inquiry written from Haleb province, at the same time revealing the real cause of marriage for Ottoman females and Persian males. Firstly, Ottoman provincial administration in Haleb asked the center whether it was possible to let Christian Ottoman women to get married with Persian Christian males.⁸⁵ Referring to the principle that only the Muslims were responsible for military service, Ottoman administration changed its previous decision and agreed that Persian Christian males could get married with Christian Ottoman females, and they would be treated differently except

for property disposal rights. In addition, the report divulges that the ban regarding Ottoman Muslim females and Persian Muslim males was introduced for prohibiting the rise of Shi'ism in Ottomandom.⁸⁶

In 1892 Ottoman administration had to clarify his position for enacting such a regulation; there must have been provincial reactions, and Ottoman-Persian marriages must still have been taking place despite the state's concern. A special memorandum from the Palace Secretariat to the Prime Ministry dated 21 June 1892 frankly stated that "the importance of marriage in terms of guaranteeing human reproduction is acknowledged by the Ottoman state as Şer'ia and other religions do, and the state is also aware of the fact that if stay single, young males and females will resort into illegitimacies, i.e. "illegitimate sex", prostitution, kidnaps, etc., but these do not change the internationally accepted principle regarding citizenship that when they get married, all women receive the citizenship of their husbands'; and the subject and citizenship status of a person is determined by his/her father's instead of his/her mother's"⁸⁷. With respect to this explanation, it can be claimed that Ottoman state was trying to clarify its laws regarding citizenship, at the same time exclusively determining its ideal subject/citizen whose parents were in close proximity in terms of religion and subject status. While referring to the international practices of citizenship and law of states, Ottoman administration conceptualized citizenship issue as a truly patriarchal one that only the father determined the one's subject status. The compulsory military service for the offspring of Persian-Ottoman couples actually resulted from the tradition that only the Muslims were responsible for such a duty. The compulsory military service for the male offspring born out of intermarriages between Persian male and Ottoman female couples residing in Ottoman territories was used as a deterrent to restrain the increase of

Shi'ism among Ottoman peoples in through the matrimony and birth of offspring since it was well acknowledged that Islamic Law recognizes the father's confession and religious denomination as the offspring's. By forcing Persian-Ottoman offspring for military service and other kind of tax and property disposal rights aimed to discourage Ottoman Sunni Muslims to choose Persian Muslim males as prospective sons in law and husbands. To sum up, it can be argued that proper husbands for Ottoman Muslim females were to be Ottoman Sunni Muslims otherwise the marriage between couples who belonged to different denominations in the same religion and marriage among couples who had the same confession but different subject status would be trouble-some due to Ottoman legislations regarding military service and property disposal rights.

Regarding the aforesaid regulations, it became a necessity to control marriages through the registration medium. As discussed before, religious functionaries were delegated to inform the Population Registry Administration about the matrimonyes they performed, and unless they notified the authorities, state could not properly know who got married to whom, which is discussed to be an important issue for the modernizing Ottoman administration. Therefore, it became logical to take other measures to enhance control over marriages in addition to prohibitions, and on 4 January 1891, the Council of Ministers decided to fine the religious functionaries who failed to inform the legal authorities about the matrimonial ceremonies, and other changes pertaining to families such as divorce, death, and birth.⁸⁸ It was also stated in the report concerning this fine that if these functionaries were not financially capable of paying these fines, they would be corrected by 24 four hour to three months imprisonment.⁸⁹

As for the proper marriages and proper spouses, couple of other things should be conveyed, and Ottoman archival sources are quite rich in this respect. Definitions regarding ethno-religious propriety as well as moral claims were generated to determine the spousal propriety issue at large. It has already been referred that certain groups of people, i.e., Persian, Indian and Javan Muslims, and foreign non-Muslims were not thought to be eligible husbands for Ottoman women even if they were in the same confession and intra-religion denominations, and certain mediums were used to discourage Ottoman women when choosing their husbands. Though religious functionaries were also put under scrutiny for smooth and universal execution of these mediums, Ottoman state attempted to control the marriage issues of state employees, and soldiers, who were in the closest proximity to the activity axis of the state. For instance, at the beginning of the year 1893, a memorandum penned from *Şûra-yı Devlet-i Tanzimat* [Council of State] requested the deliberation of the punishments for the persons intermediating the marriage and betrothal of women, who were either married or betrothed to the men serving in the Imperial Army, to the third persons.⁹⁰ It is reported in the memorandum that some males often failed to return their hometowns and villages timely due to difficulties regarding travel, or their own choice after they were discharged from the army, and the families of women, who were either married or betrothed to these men, gave their daughters in marriage to other candidates.⁹¹ Referring to the inappropriateness of marrying off such women with men other than their husbands and fiancés, who were under arms or absentee, in terms of religion and public order, the report firstly stated that religious functionaries and elderly in villages who performed such deeds would be liable to a year imprisonment with respect to the

premises of the article 99 in the Penal Code of 1858. It is also clarified in the report that women whose engagement with men under arms publicly announced at least must not be engaged to other persons until their fiancés officially discharged from army. In addition to this, it was stated that if a man under military service failed to return his hometown and fiancé after his official discharge from the army, then his fiancé and her family would be able to arrange another marriage.⁹² Up to here, the arrangements seem quite normal; however the Council Ministers claimed the enforcement of a previous criterion which urges the informing of males under arms in the Imperial Army about their fiancés if these women indulged in or were prone to “illicit sexual behavior” so that these soldiers would “avert” and “leave” them.⁹³ While recommending women to wait their fiancés serving in the army at least until the end of their service, the report ordered military administrators not to let young men, whose military service became definite, to get engaged by their own will or in their absence, by their families.⁹⁴ However, the Council Ministers reiterated the order which instructed provincial and military administrators, and governors to “inform young women who were engaged with men under arms, and their families to wait patiently at least until the time of their fiancés’ official discharge and a process of investigation for the absentee soldiers before deciding to get engaged and married with somebody else”.⁹⁵

As previously discussed, Ottoman administration was sensitive about the spousal proximity in terms of religion, and especially it was prohibited for women to get married with people who were not of the same confession and denomination. A petition submitted to the sultan on 22 December 1890 reveals further concerns of Ottomans regarding marriages. Beginning from the 1890s onwards, ethnic conflicts were gradually at rise that the initial steps to form a nationalist orientation through

public policies and state's paradigm can be detected. Though not clearly comprehensible in the policies and legislations, state became sensitive to the further ethno-nationalist uprisings⁹⁶ that especially under the Hamidian rule provincial lower order officials and secret police organization worked overtime. Having accepted the fact that it can be an over paranoid cautiousness of an officious member of a Municipality Council of İstanbul who was looking for a reward from the despotic surveillance of the Hamidian administration, the aforesaid petition claimed that Armenians were committing more serious deeds which had been causing further harm over Ottoman society as compared to their riots and rallies against the Ottoman administration. Referring them as "ticks who did not give one minute peace to the state due to their separatist claims to establish an independent Armenia", member of municipal council complained about the fact that Armenians had not been preserving their original names as other non-Muslims did, though Ottoman State did not have any corresponding policy for such a deed.⁹⁷ Ahmed Hûlûsi, the petitioner, argues that "Armenians, who changed their traditional names, i.e., *Karabet*, *Vartan*, *Kirkor* and *Bedros* into Muslim names such as *Sıdkı*, *Naim*, *Sezai* and *Sırrı*, for getting a civil service post in the provinces, and when they were given such positions in the provinces, they got married with women who were the daughters of Muslims that were mistaken by such Muslim names".⁹⁸ While calling the state's attention to the degree of "treason and ingratitude which had even reached to the level of mixing up Ottoman generations with the Armenian blood", the petition continues that these Armenians "leave these [Muslim] women, with whom they got married, behind after having one or two children".⁹⁹ Ahmed Hûlûsi Bey went on to urge the state to monitor such Armenian state employees in the provinces immediately after they were appointed to those

posts, and the official correspondences should be carefully designed to include the real names of such Armenians so that they would not be given Muslim wives, and then they would not be able to leave them destitute with children".¹⁰⁰ He also emphasized that orders related to the monitoring of this issue and reporting of the real names of such state employees must be confidentially done as a matter of national interests.¹⁰¹

It is really hard to determine whether Armenians were really committing such deeds especially for staining the Muslim blood, or Ahmed Hûlûsi's urging was part of an official discrimination policy targeting Armenians. Even these claims are hard to be proven; it is for sure that Ottoman administration became responsive enough to the Armenian issue as early as 1890s to be reported such cases, pseudo or not, for individual favor or for the sake of national interest. Secondly, marriage issue was at the heart of the discussion that both state and state officials were concerned to determine and control who was getting married with whom in a way penetrating into the private course of life for the sake of a mighty and pure society and state, however in an empire which was truly complicated and multi-cultural. Thirdly, the said Armenians could be Armenian converts to Islam therefore they were using Muslim names, because it was really hard to think of Armenians who were using Muslim names to be overlooked in a society where ethno-religious matters were administered quite fastidiously not only by the Ottoman administration but also by the respective religious community leaders and members.

Other criterion pertaining to the question of proper marriage and proper partner was regarding the moral fame of the spouses. Ottoman administration increasingly involved in monitoring the marital spouses of its employees that two cases from 1890s exemplify such an effort interestingly. In 1897, "a police officer called İbrahim Edhem of Divriği, employed in the Fourth

Division of İstanbul Police Directorate was dismissed since he got married with a woman of “inappropriate kind”, who is the daughter of Acem Abdo, without receiving official permission from [his institution]”.¹⁰² It is also revealed in the correspondence that the said officer was dismissed since his marriage to this woman would raise questions about “his moral appropriateness both for his employment, and for his colleagues that he would harm the moral standards of the police force”.¹⁰³ Regarding what she was doing or what she had previously done, nothing was divulged about İbrahim Edhem’s wife except the definition “inappropriate kind”, and familial information that she was the daughter of Acem [Persian] Abdo. Acem Abdo could be a person who ran illegitimate kind of business such as brothel keeping, or worked as a bouncer or intermediary for brothels and entertainment business, and therefore curtailed both his daughters marriage and his son-in law’s job. More interesting is the issue of “taking permission from the authorities before getting married” for İbrahim Edhem’s case that it must be a specific superimposition regarding police force that police officers could not get married with women of “loose morality” and “defame”, which is still applicable in present day Turkey for the police force.

The second case was again about a police officer named Nazif Efendi from the Third Division of Beyoğlu Police Directorate that Nazif’s wife, named Rukiye, had quarreled with two artisans, an event which was big enough to be immediately reported to the directorate.¹⁰⁴ The directorate started an investigation that found out Rukiye was also one of the “inappropriate kind”, whose home was attacked by the mob for several times due to her loose morality and unchaste deeds”.¹⁰⁵ During the investigation, it was reported that police officer Nazif was well aware of his wife’s deeds, yet declared to be contented with her. Later on, Rukiye had another quarrel with a police officer and injured

him with an umbrella that the police administration's patience came to an end. "Since Nazif Efendi did not divorce her, and his moral outlook would be curtailed through the marriage with such a woman, and this would in turn surely harm the reputation of the police force", correspondence closed with the request from the Ministry of Police the necessary arrangements which would put an end to Nazif's employment in the police force.¹⁰⁶ This case is important again for revealing what kind of wives were acceptable for the persons in close proximity to the state, however, more crucial than this, while the said Rukiye was only liable for her quarrelsome nature and street violence, Ottoman administration utilized the gossip and mob behavior to decide over her chastity, which long lastingly affected her husband's position.

Having reviewed last two cases, and previous cases for kidnaps and matrimonies, it can be claimed that Ottoman state determined the margins for suitable partners in marriage through regulations and specific decrees beginning from the Tanzimat onwards. Though it is conventionally assumed that Ottoman state did not intervene into the family institution at large and marriage issue in specific due to have left the private matters to the realm of different canon laws, it can be argued depending on the archival material that Ottoman state increasingly involved in questions regarding marriage irrespective of ethno-religious criteria. The deliberation took place in the Council of Ministers on 4 August 1895 discussed the issue of polygamy, cohabitation and adultery among Orthodox Christians about which the Patriarchate asked formal opinion.¹⁰⁷ The Council of Ministers replied that "though monitoring of marital matters conventionally left to the Chief rabbis and patriarchs and their respective councils, the marriage of an already married Christian man with another woman is totally unacceptable for socially acceptable codes, and illegal

due to canonical reasons, therefore it requires the state's assistance so that there will be a trial in law courts" [...].¹⁰⁸ However, Ottoman administration did not want to interfere into the issue of extra-marital relationships and cohabitation issue among Christians since "monitoring and investigation over adultery and cohabitation will mean to interfere into the private lives of people".¹⁰⁹

Conclusion

While re-organizing and transforming its own entity, Ottoman state simultaneously reviewed, tried to increase its potential to interfere into many different domains in Ottoman social life during the nineteenth century. Certain autonomous and partially controlled domains of life became truly monitored areas in which Ottoman bureaucratic state reworked and redefined its role and activity. Marriage also became a public issue about which Ottoman Tanzimat administration increasingly concerned and interfered into crosscutting ethno-religious boundary of its *millets* in variety of ways and strategies. First of all, Ottoman central bureaucracy had to handle problems regarding the constitution of marriages; financial aspects regarding the ceremonial expenditures, kidnap cases and local customs were addressed to be "problem related matters". Though traditional, local customs about bride wealth, *bedel-i cihaz*, and wrongly interpreted religious practices such as *mehr* were repetitively examined to prevent the decline of marriage among Ottoman Muslim masses, and provincial administrators were charged to monitor marriage-related transactions. Kidnap cases, similarly, were handled and they became the agenda of the central administration for creating disorder, impairing the Ottoman state's media representation and exacerbating conflict among different confessional groups.

Intermarriages were also treated, however, through a time-specifically changing approach. The way Ottoman state handled intermarriage of different confessional and denominational groups stimulated by concerns regarding property transfer, military issues and expansion of specific beliefs and sect behaviors, but meanwhile creating a narrative over “proper marital spouse” and conception of citizenship. The emergence of the modern administration of population first of all served to provide information about different ethno-religious groups’ marital behavior so that Ottoman Empire could easily have an upper hand to manage marriage issues. The complain cases from provinces and decrees formed to regulate local dynamics of marriage nevertheless strengthen the modern outlook of Ottoman central administration; it became more responsive to local dynamics, and tried to up-date its interference mechanisms while creating a hybrid form of governing which was neither fully traditional nor fully secular in outlook. The moral orientation and everyday behavior of the prospective and marital partners of its employees and men under arms also became an important issue with which Ottoman state daringly controlled. Pragmatically, sometimes referring to canon laws, and from time to time surpassing them with modern regulations, Ottoman central administration created a discourse and activity ground by which it monitored and put marriage institution under scrutiny more than ever.

NOTES

- ¹ See MANTRAN, R., "Şark Meselesinin Başlangıçları" (1774-1839)", in *Osmanlı İmparatorluğu Tarihi II*, Adam Yayınları, İstanbul, 1995, pp. 7-57 for the military defeats and political-and extra-territorial claims of Britain, France, Austria-Hungary, and Russia over Ottoman Empire.
- ² See DUMONT, P., "Tanzimat Dönemi (1839-1878)" *ibid.* pp. 109-143 for ethno-religious and nationalist uprisings.
- ³ See GEORGEON, F., "Son Canlanış (1878-1908)", *ibid.*, pp. 145-186 for the political impact of West.
- ⁴ See DAVISON, R., *Reform in the Ottoman Empire, 1856-1876*, Princeton University Press, Princeton- New Jersey, 1973; DAVISON, R., *Essays in Ottoman and Turkish History, 1774-1923: The Impact of the West*, University of Texas Press, Austin, 1990; DAVISON, R., *Nineteen Century Ottoman Diplomacy and Reforms*, Isis Press, İstanbul, 1999; MANTRAN, R., *Osmanlı İmparatorluğu Tarihi Vol.II;* Mardin, Ş, *Makaleler, Vol. I-VI*, İletişim, İstanbul, 1991; ORTAYLI, İ., *İmparatorluğun En Uzun Yüzyılı*, İletişim Yayınları, İstanbul, 2002; FINDLEY, C.V, *Bureaucratic Reform in the Ottoman Empire. The Sublime Porte, 1789-1922*, Princeton University Press, Princeton-New Jersey, 1980; FINDLEY, C.V., *Ottoman Civil Officialdom. A Social History*, Princeton University Press, Princeton-New Jersey, 1989; AKYILDIZ, A., *Osmanlı Bürokrasisi ve Modernleşme*, İstanbul, İletişim Yayınları, 2004 for detailed analysis of Ottoman bureaucratic, economic and social reform.
- ⁵ ÖZBEK, N, *Osmanlı İmparatorluğu'nda Sosyal Devlet; Siyaset, İktidar ve Meşruiyet 1876-1914*, İletişim Yayınları, İstanbul, 2002, p. 47.
- ⁶ For example, 43 different regulations solely concerning public health were produced between 1836 and 1868, see ÜNVER, S.A, "Osmanlı Tababeti ve Tanzimat Hakkında Yeni Notlar", *Tanzimat 2*, MEB Yayınları, İstanbul, 1999, pp. 933-968 for details. For other legislations, i.e. land laws, penal codes and laws regarding international affairs and commerce see VELDET, H., "Kanunlaştırma Hareketleri ve Tanzimat", pp. 139-209; BELGESAY, M.R, "Tanzimat ve Adliye Teşkilatı", pp. 211-220; TANER, T., "Tanzimat Devrinde Ceza Hukuku", pp. 221-232; TENGİRŞENK, Y.K, "Tanzimat Devrinde Osmanlı Devletinin Harici Ticaret Siyaseti", pp. 289-320; BARKAN, Ö.L, "Türk Toprak Hukuku Tarihinde Tanzimat ve 1274 (1858) Tarihli Arazi Kanunnamesi," pp. 321-421, in *Tanzimat I*, MEB Yayınları, İstanbul, 1999 and BİLSEL, C., "Tanzimatın Harici Siyaseti",

- pp. 661-722, in *Tanzimat II*, MEB Yayınları, İstanbul, 1999. See also ERGIN, O.N., *Mecelle-i Umur-i Belediye Vol.1-8*, İstanbul Büyükşehir Belediyesi Kültür İşleri Daire Başkanlığı yayınları, İstanbul, 1995.
- ⁷ AKGÜNDÜZ, A., *Mukayeseli İslam ve Osmanlı Hukuku Külliyyatı*, Dicle Üniversitesi Hukuk Fakültesi Yayınları, Diyarbakır, 1986.
- ⁸ Actually the predominance of Islamic Law in the realm of family is also arguable; the researches performed solely on court records and legal texts will not reflect the actual course of everyday life and local practices profoundly. In addition to the analysis of sultanic-örfi law as well as Islamic one while conceptualizing Ottoman family in general and marriage issue in particular should include local practices which were shaped by local customs and traditions because Ottoman Empire was a multi-ethnic, multi-confessional and multi-denominational one that expanded into a vast territoriality. For a detail analysis of this respect, see PEIRCE, L.P, *Morality Tales; Law and Gender in the Ottoman Court of Aintab*, University of California Press, Berkeley CA, 2003; ORTAYLI, İ., “Anadolu’da XVI. Yüzyılda Evlilik İlişkileri Üzerine Bazı Gözlemler”, in *Osmanlı Araştırmaları*, 1, 1980.
- ⁹ See ARAZ, Y., “Marriage Contracts as a Bargaining, Control and Persuasion Tool in Interrelations between People in Ottoman Society in the 16th and 17th Centuries”, in *Tarih ve Toplum. Yeni Yaklaşımlar*, 2, Güz, 2005, pp. 25-26 for how Islamic marriage can be thought as a contract.
- ¹⁰ AYDIN, M.A., “Osmanlılarda Aile Hukukunun Tarihi Tekâmülü”, in *Sosyo-Kültürel Değişme Sürecinde Türk Ailesi*, Ülker Yayın Haber Tic. LTD. ŞTİ., Ankara, 1993, p. 437.
- ¹¹ Ibid., see also IMBER, C., *Ebu’s Su’ud : The Islamic Legal Tradition*, Edinburgh University Press, Edinburgh, 1997; ORTAYLI, İ., “Family in the Ottoman Society”, in *Family in Turkish Society; Sociological and Legal Studies*, Turkish Social Science Association-Maya Publishing and Printing Ltd., Ankara, 1985, p. 97; IŞIK, E., “İslam’da Kadın”, in *Kadın Ansiklopedisi*, Vol. 2, Tercüman Yayınları, İstanbul, 1984, p. 465.
- ¹² KARAMAN, H., “İslamın Getirdiği Aile Anlayışı”, in *Sosyo-Kültürel Değişme Sürecinde Türk Ailesi*, Ülker Yayın Haber Tic. LTD. ŞTİ., Ankara, 1993, p. 391.
- ¹³ AKGÜNDÜZ, pp. 165-168; see also IMBER, C., “Women, Marriage, and Property: Mahr in the Behcetü’l Feteva of Yenisehirli Abdullah”, in *Women in the Ottoman Empire; Middle Eastern Women in the Early Modern Era*, Madeline C. Zilfi ed., Brill, Leiden, New York, 1997.

- ¹⁴ Since women reach the capability of using their labor power relatively earlier than males, and for societies whose dependence to women's labor was significant, i.e., tributary agrarian ones, practices such as mehr, dowry bride wealth or bride price were common to compensate the labor loss brought in by marriage and patrilocality. For details see ORTAYLI, İ, *Osmanlı Toplumunda Aile*, Pan Yayıncılık, Ankara 2001, p. 65, also see KIRAY, M. B, "Toplumsal Konum ve Çeyiz," in *Toplu Eserleri 2; Kentleşme Yazıları*, Bağlam Yayınları, İstanbul.
- ¹⁵ See Ahmed Cevdet Paşa, *Tezâkir*, V.3, TTK Yayınları, Ankara, 1986, pp. 43-48 for this point. Ahmed Cevdet Paşa, one the most well-known statesman of Tanzimat period, talks about hazardous customs, i.e. high rates of bride wealth as a disincentive for marriage, and causing late age marriages in Bosnia. In one of his official visits to Bosnia, he interfered into the organization of a marital ceremony, and prevented the bride's family to demand bride wealth with a threat that families who asked for such a payment would be paying double land tax.
- ¹⁶ BOA-A.MKT.UM 397/40 1276 T a decree dated 1859 reports that marriage expenditures and the rates of bride wealth were really exacerbated in Bursa, and families were having difficulties while organizing marriages for their children.
- ¹⁷ As excerpted from *ibid*. This correspondence addressed from Sublime Council for Judicial Ordinances to the provinces reveals that by means of a decree previously sent from the capital on 24 January 1845, any kind of wasteful expenditure regarding marriage has already been totally outlawed, and provincial bureaucracy is responsible to execute related orders completely since people must not be abstained from marriage.
- ¹⁸ See TURAN, Ş., "Tanzimat Devrinde Evlenme", *İşve Düşünce Dergisi*, 12/182, 1956, pp.14-15.
- ¹⁹ *Ibid*.
- ²⁰ BOA-Cevdet Dahiliye 11586- 29 S 1261-memorandum dated 29 March 1845 ordered as follows [...] "as it is previously reported [...] an excessive amount of expenditure has been taking place for the matrimonial ceremonies and this has been causing [by preventing youngsters from getting married] population scarcity, and since finding a fair solution for this problem is required by an imperial rescript, expenditures for marital ceremony are classified into five groups in all the provinces and towns comprised by the said district [district of Ankara], and the notables, who are richest in the region regarded as the first class that the expenditure of a prospective husband and wife

from this class is limited to 8000 and 4000 guruş respectively together with the amount of 1251 guruş as mehr-i müeccel, and the expenditure of a second class prospective husband and wife is restricted to 4000 and 2000 guruş respectively with the amount of 750 guruş as mehr-i müeccel, and the third class prospective husband and wife's expenditures are restricted to 2900 and 900 guruş respectively with the amount of 400 guruş as mehr-i müeccel, and the fourth class of husband and wife's expenditures are limited to 1050 and 280 guruş correspondingly with the amount of 250 guruş as mehr-i müeccel, and the fifth class of husband and wife's expenditures are limited to 500 and 170 guruş respectively with the amount of 150 guruş as mehr-i müeccel", [...]

- ²¹ "And all of them [five different classes of families] must be contended to serve a meal composed of rice and saffron sweet together with a bridegroom supper at the wedding night [...]" as excerpted from *ibid.*
- ²² [...] "To the Governor of Bolu district Mehmet Tayyar Paşa and the Head of the Finance Office of Bolu" [...] as excerpted from *ibid.*
- ²³ "[the aforesaid measures] were previously deliberated and judged to be fit and proper in the Supreme Court of Judicial Ordinances, and imperial approval thereon provided to be strictly and continually applied, through encoding [this order] to the Registries of the Regular Courts" as excerpted from *ibid.*
- ²⁴ *Ibid.*
- ²⁵ BOA-İrade Meclis-i Vâlâ 4733 28 Safer 1266. A report sent from council of Canik on 13 January 1850.
- ²⁶ *Ibid.*
- ²⁷ *Ibid.*
- ²⁸ *Ibid.*
- ²⁹ *Ibid.*
- ³⁰ "Though bedel-i cihaz, which is a sum given out during matrimony to provide harmony and disincentive for divorce in the town and provinces of Ergiri, has been returned with its interest unless it is previously expended to clothing in case of a divorce either before or after consummation of marriage as an older local custom, Adem Beğ, who divorced his wife of six years, the daughter of eminent Ahmet Beğ without consummation of marriage, was not returned the amount of 100.000 guruş with its interest that he [Adem Beğ] had previously paid" [...] as excerpted from BOA- A.DVN 112/ 13 9B 1272.

- 31 “And since it is obvious that this [opposition to return the sum paid by Adem Beğ at the matrimony] encourages divorce, which is a loathsome [deed], especially among masses in case of disharmony between couples by positing an exemplar” [...] as excerpted from *ibid.*
- 32 “[since] the divorce which takes place subsequent to the consummation of marriage is regarded as a sort of deal among masses, the interest obtained from the aforesaid sum [bedel-i cihaz] in case of a divorce occurs prior to the consummation would completely be got hold of and would not be seemed like a deal, [the opposition to return bedel-i cihaz with its interest] will increase divorce and cause confusion among the masses” [...] as excerpted from *ibid.*
- 33 *Ibid.*
- 34 [...] “as one of the *off limit misdemeanors*, kidnapping of women [...] is outlawed both by Şer’ia and customary law” [...] as excerpted from BOA-İrade Meclis-i Vâlâ 1535 24 B 1262- a report from the Sublime Council for Judicial Ordinances dated 28 June 1846. Emphasis is mine.
- 35 As excerpted from *ibid.*
- 36 *Ibid.*
- 37 Akgündüz, p. 318.
- 38 *Ibid.*, p. 179.
- 39 BOA-İrade Meclis-i Vâlâ 4758 24 Muharrem 1266- Decree dated 10 December 1849 from Council of Judicial Ordinances.
- 40 Articles no. 202 and 206 of the Penal Code of 1858 [*1858 Tarihli Ceza Kanunu*] as transcribed and cited in Akgündüz, pp. 866-867.
- 41 Armenian uprisings started as early as 1890s show that especially provincial events like kidnapping of Armenian women by powerful provincial elite and dynasties fuelled the protests in İstanbul. For example the kidnap of an Armenian girl by one of the begs of powerful provincial families in Erzurum, Mirza Bey, gave to provincial unrest around Sason as well as urban protests. On 15 July 1890, in Kumkapı, Armenians, organized by the Hınçak Committee, got together to protest these provincial events. See PAMUKCUYAN, K., “Ermeniler” in *Dünden Bugüne İstanbul Ansiklopedisi*, Vol. 3, TETTV Yayınları, İstanbul, p. 193.
- 42 For instance, a report dated 24 June 1894 from the Council of Ministers talks about a -seventeen year- old Christian woman under Austrian protection, who had escaped and converted to Islam to get married with a young Muslim man as cited in BOA MV80/62 1311 Z 20.

Another case related to the differential conception of the age of consent was about Furunya, a Greek-Orthodox woman who had escaped with a Muslim student to get married, in İstanbul in August 1908. When the police administration took the case, her matrimony had already been performed on account of her claim to have reached the age of discretion. However, parallel investigations performed by the Consulate of Greece and the Ministry of Police revealed that she had applied to the Directorate of Religious Denominations under the supervision of the Ministry of Justice and Religious Denominations for changing her confession into Islam, and her application was denied on account that she was actually a minor. Apart from claiming that she had reached the age of discretion, Furunya could not provide an official document revealing she had even passed the fifteen years of age, therefore the Ministry of Police and the Directorate of Religious Denominations decided to get the opinion of a scientific medical committee, which would be made up of a physician and midwife, to determine whether she was a minor or not as cited from BOA ZB 15/44 1324 T 27.

- ⁴³ See ORTAYLI, İ, *Osmanlı İmparatorluğu'nda İktisadi ve Sosyal Değişim; Makaleler I*, Turhan Kitabevi, Ankara, 2004, pp. 317-318 for a case dated 20 May 1880 reveals the crisis between Orthodox Greek patriarchate and Ottoman administration subsequent to a Christian girl's escape from Bursa to İstanbul with a muslim male, and her conversion to Islam.
- ⁴⁴ It is revealed in the report dated 24 June 1894 that "the said Christian woman's conversion to Islam is not problematic if the Islamic age of consent is taken as a reference, however with respect to the Austrian Civil Code, the age of consent is 24 and her escape is actually a kidnap and her conversion to Islam is questionable that she cannot change her religion and subject status without her parents' approval as cited in BOA-MV 80/62 1311 Z 20.
- ⁴⁵ See BOA -Hususi İrade 36 1312 N 13- special decree penned from Yıldız Palace Chief Secretariat on 10 March 1895 reports that the negative comments regarding the investigation of kidnap cases were quite often represented in the Western media to impair Ottoman administration's approach to non-Muslims.
- ⁴⁶ See AKGÜNDÜZ, pp.175-177 for this respect.
- ⁴⁷ BOA-Hususi İrade 36 1312 N 13.
- ⁴⁸ *Ibid.*
- ⁴⁹ *Ibid.*

- ⁵⁰ As excerpted from BOA MV 85/42 1313 Safer 9- a report of the Council of Ministers dated 1 August 1895.
- ⁵¹ “The guarantees promised on our part by the Hatt-ı Hümayun of Gülhane, and in conformity with the Tanzimat, to all the subjects of my Empire, without distinction of classes or of religion, for the security of their persons and property and the preservation of their honor, are today confirmed and consolidated, and efficacious measures shall be taken in order that they may have their full and entire effect. All the privileges and spiritual immunities granted by my ancestors *ab antiquo*, and at subsequent dates, to all Christian communities or other non-Muslim persuasions established in my empire under my protection, shall be confirmed and maintained.[...] Every distinction or designation tending to make any class whatever of the subjects of my Empire inferior to another class, on account of their religion, language, or race, shall be for ever effaced from the Administrative Protocol. The laws shall be put in force against the use of any injurious or offensive term, either among private individuals or on the part of the authorities. As all forms of religion are and shall be freely professed in my dominions, no subject of my Empire shall be hindered in the exercise of the religion that he professes, nor shall be in any way annoyed on this account. No one shall be compelled to change their religion.[...] Penal, correctional, and commercial laws, and rules of procedure for the mixed tribunals shall be drawn up as soon as possible, and formed into a Code. Translation of them shall be published in all the languages current in the Empire.[...] Infractions of the law in this particular shall be severely repressed, and shall, besides, entail, as of right, the punishment, in conformity with the Civil Code, of the authorities who may order and of the agents who may commit them. [...] The organization of the police in the capital, in the provincial towns and in the rural districts shall be revised in such a manner as to give to all the peaceable subjects of my empire the strongest guarantees for the safety both of their person and property” the provisions of Reform Rescript of 1856 as cited from <http://www.anayasa.gen.tr>
- ⁵² [...] “Kidnapping women actually performed for two reasons that one is regarding the abduction of women to other provinces to get married, and the other one is abduction for raping them and impairing their honor” from a decree dated 3 December 1849 as excerpted from BOA-İrade Meclis-i Vâlâ 5470-17 Muharrem 1266.

- ⁵³ “Münife, the wife of Ali Ağa of Hacı Paşa neighborhood [of İstanbul], was raped, and taken away together with some of her belongings by a tailor called Yorgi” [...] as excerpted from BOA- İrade Meclis-i Vâlâ 3158- 15 Muharrem 1264- a special decree issued from the Sublime Council for Judicial Ordinances dated 23 December 1847.
- ⁵⁴ “Angeliko, who resides in Hacı Ahmed neighborhood in Tatavla district [of İstanbul], kidnapped fourteen year old Maria and brought her [...] to a brothel run by Mariana on Bağçeli Hamam street around the Mosque of Ağa in Beyoğlu district eight days ago, and he raped, then sold her [Maria] to the said Mariana for 20 liras” [...] as excerpted from BOA Y.PRK. ŞH 2/61 1304 R 24, a report addressed from the Metropolitan Municipality of İstanbul to Yıldız Palace on 20 January 1887; and a complaint written from the Office of the Chief Rabbi in İstanbul on 12 September 1907 reveals as follows “Jewish women from Russia, Romania and other neighboring countries has been habitually deceived and abducted by a bunch of disgraceful either for getting married or to be employed in a decent place, however they ended up to be sold into brothels”[...] as excerpted from BOA-DH. EUM.THR 1/34 4 § 1325.
- ⁵⁵ The correspondences from the Sublime Council for Judicial Ordinances dated May 1850 reveals that “some males doing their military service and irregular paramilitary groups[*başbozuk*] in the province of Tokad kidnapped respectable women from their home by force and brought them to a brothel, then raped them” as excerpted from BOA- İrade Meclis-i Vâlâ 8 Receb 1266.
- ⁵⁶ A decree dated 10 December 1849 as excerpted from BOA İrade Meclis-i Vâlâ 4758 24 Muharrem 1266.
- ⁵⁷ *Ibid.*
- ⁵⁸ *Ibid.*
- ⁵⁹ The events of 1894-1896 which comprised the Armenian uprisings in Eastern Anatolia, and the use of military force as a reaction to those uprisings fuelled both rural unrest as well as conflict in the capital. See MANTRAN, p. 194-199.
- ⁶⁰ As excerpted from BOA- Y.PRK.AZN 20/34 1316- a complaint addressed to the Ministry of Justice and Religious Denominations dated 1898.
- ⁶¹ As excerpted from *ibid.*
- ⁶² This regulation was put into effect on 2 September 1881 as cited from Aydın, p. 440.

- 63 *Ibid.*
- 64 As excerpted from BOA-MV 19/55 1304 § 3.
- 65 *Ibid.*
- 66 See Akgündüz, pp. 161-162.
- 67 *Ibid.*, p. 162.
- 68 Correspondences from the Office of the Chief Muftî dated 30 January 1892 which is also accounting the kidnapped girl's father petition reports as follows; "one of the impoverished, and a servant of our mansion, called Feyzullah the Albanian , kidnapped and raped my daughter Rabia to get married, [...] as coming from a 400 year-olden dynasty I will never accept to give my daughter , who is not even capable of regarding what she has been doing, in marriage with a vagabond about whom one knows nothing" [...] as excerpted from BOA-Y.PRK.MŞ 3/54 1309 Cemâziyyü'l âhir 29 .
- 69 I would like to thank Selçuk Akşin Somel for providing me these insights to analyze this case.
- 70 BOA-Y.PRK.MŞ 3/54 1309. Cemâziyyül âhir 29.
- 71 BOA- MV 61/30 23 Cemâziyyü'l- evvel 1308.
- 72 BOA-İrade Meclis-i Vâlâ 5129 14 Safer 1266.
- 73 *Ibid.*
- 74 Correspondences between provinces and center and integration of Ottoman prominent cities into the modern international system as well as increase of foreign protection and rise of foreign citizenship among Ottoman non-Muslims beginning from the 1860s were clear indicators of those developments.
- 75 "the official report prepared by the Council of Ministers decided upon that Ottoman women subjects who get married to foreign men will be counted as the subjects of the state to which their husbands belong as a requirement of the nature of spousal bond , [...] therefore getting married to foreign men and receiving other states' subject status cannot not necessarily assure the indemnity of [their property in Ottomandom], their relatives, husbands and children who had foreign subject status could not transfer any of their [those women's] property" [...] as excerpted from *ibid.*
- 76 This regulation was cited in BOA- MV 25/75 1305 Safer 20, a report from the Council of Ministers dated 7 November 1887.
- 77 BOA-MV 15/18 1304.Rebiyyü'l-evvel 25- a report from the Council of ministers dated 22 December 1886.

- ⁷⁸ See documents BOA-MV 18/1 1304 Cemâziyyü'l evvel 13; MV26/62 1305 Rebiyyü'l evvel 19; MV 27/49 1305 Rebiyyü'l ahir 24; MV 27/70 1305 Cemâziyyü'l evvel 5; MV 39/13 1306 Cemâziyyü'l evvel 11; MV 47/35 1307 Muharrem 15; Mv 52/3 1307 Receb 13; Y.PRK.BŞK 1309 Zilhicce 25; MV 81/67 1312 Rebiyyü'l evvel 26.
- ⁷⁹ BOA-MV 25/75 1305 Safer 20- a report dated 7 November 1887 from the Council of Ministers accounts as follows “marriage between Ottoman women subjects and Persian male subjects are banned, and if somebody fails to act accordingly, and has children with a Persian husband after the enactment of the regulation dated 22 December 1886, the male offspring residing in Ottomandom will be required to perform military service”.
- ⁸⁰ “The real estate belong to the women who get married to foreign subjects [of Javan and Indian states] will immediately be confiscated for behalf of the state, and if these women do not receive the subject status of the country their husbands belong, and preserve their original subject status they can still hold their rights of property disposal, however when they [these women] die, their property and real estate will not be transferred either to their husbands or their children, and since this regulation does not allow such women to hold property and real estate, they will be allowed to sell their property to Ottoman subjects in three months following their marriage in order to prevent bitter complaints concerning immediate confiscation”, [...] as excerpted from BOA MV 42/12 1306 Şaban 2, the report from the discussions in the Council of Ministers dated 3 April 1889. Another report dated 11 September 1889 discusses whether Ottoman subjects who are the relatives of Ottoman women married with foreign citizens would be eligible to hold these women’s property as cited in BOA-MV 47/35 1307 Muharrem 15.
- ⁸¹ As cited in BOA-MV 27/49 1305 Rebiyyü'l ahir 24 - report dated 9 January 1888 from the Council of Ministers.
- ⁸² See “[...] Since putting a stop to Persian male-Ottoman female marriages performed oppositely to the Ottoman laws is an absolute necessity, hocas and imams who are licensed to perform matrimones will be punished by exile if they fail to act in accordance with this regulation” as excerpted from BOA-MV 26/62 1305 Rebiyyü'l evvel 19, a report from the Council of Ministers dated 5 December 1887, and a report from the council of Ministers dated 19 January 1888 repeated the same idea as cited in BOA-MV 27/70 1305 Cemâziyyü'l-evvel 5.

- 83 As cited from BOA-MV 52/3 1307 Receb 13, the deliberation regarding Basra Provincial Council's inquiry in the Council of Ministers dated 5 March 1890.
- 84 *Ibid.*
- 85 BOA-MV 81/67 1312 Rebiyyü'levvel 26- the inquiry from the province of Haleb referred in the deliberation took place in the Council of Ministers in 27 September 1894.
- 86 "actually the prohibition [over marriage between ottoman females and Persian males] was enacted to prevent the rise of Shi'ism in the Ottoman lands" as excerpted from *ibid.*
- 87 As excerpted from BOA-Y.PRK.BŞK 1309. Zillhicce 25- correspondences from The Office of Chief Mûfti and Yıldız Palace dated 10-21 June 1892.
- 88 BOA-MV.61/30 1308 Cemâziyyü'l-evvel 23.
- 89 *Ibid.*
- 90 BOA-MV 73/70 1310 Receb 17- discussions took place in the Council of Ministers on 4 February 1893 regarding the memorandum written from the Council of State.
- 91 *Ibid.*
- 92 *Ibid.*
- 93 This criterion was introduced empire wide with a memorandum from the Office of the Chief Vizier dated 13 April 1871 as cited from *ibid.*
- 94 It was a common custom among Ottoman Muslims to betroth their children in their absence and by default. The practice of betrothing young males by default was banned on 23 August 1882 and this decision was reported to all field marshals in the Imperial Army as cited from *ibid.*
- 95 As excerpted from *ibid.*
- 96 See endnote 44. Armenian uprisings of early 1890s were fuelled by kidnap of Armenian women firstly in provinces, then in the capital. For example, the kidnap of an Armenian girl by Mirza Bey, stemming from a powerful provincial family in Erzurum, led to provincial unrest as well as urban protests. On 15 July 1890, in Kumkapı, Armenians, organized by the Hınçak Committee got together to protest these provincial events. In turn, the political elite and the sultan became really anxious to further uprisings, or the slightest possibility of revolt.
- 97 As excerpted from Y.PRK. ŞH 3/55 1308 Cemâziyyü'l-evvel 9- a petition sent by Ahmed Hülûsi Bey, one of the members of Municipality Council of İstanbul, to the sultan.

⁹⁸ As excerpted from *ibid.*

⁹⁹ As excerpted from *ibid.*

¹⁰⁰ As excerpted from *ibid.*

¹⁰¹ As excerpted from *ibid.*

¹⁰² As excerpted from BOA-ZB 62/2 1312 Mayıs 2- correspondence from İstanbul Police Directorate to the Ministry of Police dated 15 May 1896.

¹⁰³ As excerpted from *ibid.*

¹⁰⁴ BOA- ZB 62/55 1313 Kânun-i Sâni 31- a correspondence written from the directorate to the Ministry of Police dated 13 February 1897.

¹⁰⁵ As excerpted from *ibid.*

¹⁰⁶ As excerpted from *ibid.*

¹⁰⁷ See BOA-MV 85/46 1313 Safer 12.

¹⁰⁸ As excerpted from *ibid.*

¹⁰⁹ As excerpted from *ibid.*