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ARTICLE

A Tale of a "Gypsy" Couple: Contested Ottoman Identity, Property Rights and the State

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Abstract

This article provides a microhistorical case study centered on a Roma couple residing in Istanbul's renowned Romani settlement, Sulukule. It sheds light on three significant historical processes related to modernity that influenced the interactions of the individuals involved: land commodification, the 1881 census reform, and the rise of both inclusive and conservative Orientalist discourses within the Ottoman ruling elite. At the heart of the narrative are Sadık and Züleyha, who aimed to purchase waqf land subdivided and offered for sale by Mehmed Efendi in Yenibahçe. Their goal was to escape the spatial segregation they experienced. They leveraged the new census policy, which eliminated the classification of Muslim "Gypsy" from official records, allowing them to present themselves as Muslim refugees from Bulgaria. However, upon discovering the couple's Roma identity from Sulukule, their new neighbors initiated a legal dispute, resulting in the Internal Affairs Section of the Council of State voting to annul the transaction. The differing opinions among council members highlighted the competing inclusive and conservative Orientalist discourses. The article first reconstructs the case and examines the associated historical processes using extensive primary and secondary sources.

Keywords: land commodification; Orientalist discourses; Ottoman Empire; Roma; Tanzimat reforms

In 1889, Sadık and Züleyha, a Roma Muslim couple, sought to purchase waqf land in the Yenibahçe meadow in Istanbul. To avoid resistance from local residents, they disguised themselves as refugees from Bulgaria, because the 1881 census reform had removed the Muslim "Gypsy" (Ḳıbṭī) category from census sheets and identity cards.[1] However, neighbors

[1] In this paper, "Roma" refers to how Romani speakers and their descendants identify themselves; see Yaron Matras, "The Role of Language in Mystifying and Demystifying Gypsy Identity," in *The Role of Romanies: Images and Counter-Images of 'Gypsies': Romanies in European Cultures*, ed. N. Saul and S. Tebbutt (Liverpool, UK: Liverpool University Press, 2004), 53; and Ian Hancock, "*Gypsies, Gadže, Languages and Labels*," in *Danger Educated Gypsy*, ed. Ian Hancock (Hertfordshire, UK: University of Hertfordshire Press, 2021), 95–96. The word Ḳıbṭī is an exonym for the legal and social classification of nonpastoral nomads, including the Roma people and other peripatetic groups, as perceived by outsiders. In its original Arabic context, Qıbṭī also relates to Copts. The Ottomans utilized the term in both of these senses. I use "Gypsy" as the English translation of Ḳıbṭī, adhering to well-established conventions in Romani studies. I place it in quotation marks to acknowledge its derogatory connotations when used by outsiders. See Alexander G. Paspati, "Turkish Gypsies," *Journal of the Gypsy Lore Society* 1, no. 1 (1888): 4; Leo Lucassen, "'Harmful Tramps': Police Professionalization and Gypsies in Germany, 1700–1945," in *Gypsies and Other Itinerant Groups: A Socio-Historical Approach*, ed. L. Lucassen, W. Willems, and A. Cottaar (London: Macmillan Press, 1998), 74–76, 81–82, 86; Judith Okely, *The Traveller Gypsies* (Cambridge, UK: Cambridge University Press, 1998), 3–5, 30, 53–54, 59; and

discovered their true identity and initiated a legal proceeding to cancel the transaction. The authorities faced a difficult decision, because they sought collective representation of Muslims from various ethnicities in this era. After an extended bureaucratic process, a majority of the Internal Affairs Section of the Council of State (Şura-yı Devlet Dahiliyye Da'iresi) members chose to cancel the Roma couple's land transaction. In contrast, the minority members viewed this as an opportunity to integrate the Muslim "Gypsies" into the dominant cultural framework. They supported Sadık and Züleyha's settlement in the Yenibahçe neighborhood (*maḥalle*).[2]

This article offers a microhistorical case study.[3] It investigates the sociohistorical processes related to Ottoman modernity that prepared the ground for the actors in this case. Key themes include land commodification, the 1881 census reform, and the diverse discursive forms of Ottoman Orientalism utilized by members of the Internal Affairs Section of the Council of State.

This paper is inspired by recent discussions on modernity, approaching the studied empirical materials from a nuanced perspective. Modernity has never been homogenous, consistent, or linear; it is a conflictual, multifaceted, and "glocal" process. The waves of modernization that originated in Europe brought distinctive patterns of thought, expression, representation, management, agency, production, and consumption. These waves resonated with various localities worldwide, in which local actors interacted with them selectively and creatively, leading to a diversity of modernization trajectories.[4] Furthermore, non-state actors

Elena Marushiakova and Vesselin Popov, *Gypsies in the Ottoman Empire* (Hertfordshire, UK: University of Hertfordshire, 2001), 26.

[2] The *maḥalle* served as a legal spatial unit in the Ottoman administrative system, characterized by its dynamic and negotiable nature in interactions between state authorities and civil actors. Official recognition of a *maḥalle* was typically linked to the establishment of religious structures such as mosques, churches, or synagogues and required an imperial decree. However, 19th-century urban regulations began to redefine the *maḥalle* in a more stringent and standardized manner. Conversely, settlements of various sizes, regardless of their official recognition by the state, also might be referred to as *maḥalle* in everyday language. See Nora Lafi, "From Europe to Tripoli in Barbary via Istanbul: The Municipality and Reforms in an Outpost of the Ottoman Empire (1868–1911)," in *Urbanism: Imported or Exported? Native Aspirations and Foreign Plans*, ed. Joe Nasr and Mercedes Volait (Chichester, UK: Wiley–Academy, 2003), 188; Hülya Canbakal, "Some Questions on the Legal Identity of Neighborhoods in the Ottoman Empire," *Anatolia Moderna Yeni Anadolu*, no. 10 (2004): 131–38; Mehmet Bayartan, "Osmanlı Şehrinde Bir İdari Birim Mahalle," *Journal of Geography*, no. 13 (2005): 93–107; and Adalet Alada, *Osmanlı Şehrinde Mahalle* (Istanbul: Sümer, 2008).

[3] This study draws upon diverse schools of social theory, with a particular emphasis on the extended case analysis approach pioneered by the Manchester School. The epistemological foundation of the extended case method posits that by observing social situations as "the raw material of the anthropologist," one can derive insights into "social structure, relationships, and institutions." See Max Gluckman, "Introduction," in *The Craft of Social Anthropology*, ed. A. L. Epstein, (Oxford, UK: Pergamon Press, 2011), xviii. Similarly, many orientations of social theory acknowledge the interconnectedness of microactors and macroprocesses, employing scale reduction to investigate the interplay between global or macrodevelopments and microsocial dynamics. For examples, see Jean and John Comaroff, *Of Revelation and Revolution-Christianity, Colonialism, and Consciousness in South Africa*, vol. 1 (London: University of Chicago Press, 1991), 6; Carlo Ginzburg, "Microhistory: Two or Three Things That I Know about It," *Critical Inquiry* 20, no. 1 (1993): 22; Giovanni Levi, "On Microhistory," in *New Perspectives on Historical Writing*, ed. Peter Burke (State College, PA: Pennsylvania State University Press, 2001), 99–101; Matti Peltonen, "Clues, Margins, and Monads: The Micro-Macro Link in Historical Research," *History and Theory: Studies in the Philosophy of History* 40, no. 3 (2002): 349; Don Handelman, "Microhistorical Anthropology: Toward a Prospective Perspective," in *Critical Junctions Anthropology and History beyond the Cultural Turn*, ed. Don Kalb and Herman Tak (New York: Berghahn Books, 2005), 31; Michael Burawoy, *The Extended Case Method* (Berkeley, CA: University of California Press, 2009), xiv; and Christian G. De Vito, "History without Scale: The Micro-Spatial Perspective," *Past and Present* 242, supp. 14 (2019): 349, 353.

[4] Roland Robertson, "Glocalization: Time-Space and Homogenity-Heterogenity," in *Global Modernities*, ed.Mike Featherstone, Scott Lash, and Roland Robertson (London: Sage, 1997), 30, 66; James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 9–11, 25, 36, 45–46, 52–55; Shmuel N. Eisenstadt, "Multiple Modernities," *Daedalus* 129, no. 1 (2000): 2–3, 5, 14; Timothy Mitchell, "The Stage of Modernity," in *Questions of Modernity*, ed. Timothy Mitchell (Minneapolis, MN: University of Minnesota

and subaltern groups participated in this process by resisting, appropriating, or absorbing global flows.[5]

The state side of Ottoman modernity was marked by various reforms to address the challenges of a rapidly transforming world. During the Tanzimat era (1839–76), bureaucrats implemented legal, administrative, and educational reforms designed to centralize the economy and the political structure. A new state discourse emerged, known as Ottomanism, which sought to protect subjects—initially focusing on non-Muslim Ottomans—from nationalist ideologies and strengthen the state's internal structure against external threats. Although traditional discourse emphasized the superiority of Muslims, it also recognized the protected status and nonterritorial autonomy of non-Muslim communities.[6] Ottomanism, embodying a form of Ottoman patriotism, sought to establish a new social compact based on loyalty to the dynasty as the foundation of citizenship.[7]

The concept of equality put forth by the discourse of Ottomanism was limited in scope; it did not take women into account and primarily aimed at diminishing separatist tendencies rather than addressing everyday inequalities.[8] Many members of the ruling elite and intellectuals continued to uphold the legitimacy of Muslim privileges. Recently, a new form of ethnic consciousness had emerged, positioning Turks as the ruling nation and relegating non-Turkish Muslims to a subordinate status.[9] Despite this, the Tanzimat reforms sparked discontent among Muslims who were dissatisfied with the rhetoric surrounding religious equality.[10] In the late 19th century, the discourse of Ottomanism began to decline alongside the loss of European territories, and the ruling elite shifted their focus toward the concept of Ottoman Muslim unity, or Islamism, which sought to curb the rise of nationalism among Ottoman Muslims, especially during the Hamidian era (c. 1878–1908).[11]

Press, 2000), 26–27; Arjun Appadurai, *Modernity at Large* (Minneapolis, MN: University of Minnesota Press, 2005), 17; Raymond L. M. Lee, "Modernity, Modernities and Modernization: Tradition Reappraised," *Social Science Information* 52, no. 3 (2013): 11; Avi Rubin, "Modernity as a Code: The Ottoman Empire and the Global Movement of Codification," *Journal of the Economic and Social History of the Orient* 59, no. 5 (2016): 844–45.

[5] Hans Peter Hahn, "Diffusion, Appropriation, and Globalization: Some Remarks on Current Debates in Anthropology," *Anthropos* 103, no. 1 (2008): 191–202; Sanjay Joshi, "Thinking about Modernity from the Margins," in *The Making of Middle Class*, ed. A. Ricardo Lopez and Barbara Weinstein (Durham, NC: Duke University Press, 2012), 29–44; Babak Rahimi, "Subaltern Modernities: The Case of the Arab Iranian Community of Bushehr," in *Social Theory and Regional Studies in the Global Age*, ed. Said Amir Arjomand (Albany, NY: State University of New York Press, 2014), 390, 392; K. Ravi Raman, "Subaltern Modernity: Kerala, the Eastern Theatre of Resistance in the Global South," *Sociology* 51, no. 1 (2017): 91–110.

[6] Kemal Karpat, "Nation and Nationalism in the Late Ottoman Empire," in *Studies on Ottoman Social and Political History*, ed. Kemal Karpat (Leiden: Brill, 2002), 544–46; Karen Barkey and George Gavrilis, "The Ottoman Millet System," *Ethnopolitics* 15, no. 1 (2016): 24–42.

[7] Benjamin Braude and Bernard Lewis, "Introduction," in *Christians and Jews in the Ottoman Empire*, ed. Benjamin Braude and Bernard Lewis (New York: Holmes and Meier, 1982), 3–6; Bruce Masters, "The Ottoman Citizen between Millet and Nation," in *Routledge Handbook of Citizenship in the Middle East and North Africa*, ed. Roel Meijer, James N. Sater, and Zahra R. Babar (London: Routledge, 2021), 33, 38.

[8] Donald Quataert, *The Ottoman Empire 1700–1922* (Cambridge, UK: Cambridge University Press, 2005), 66; Murat Arpacı, "Modernleşen Türkiye'de Beden ve Nüfus Politikaları" (PhD diss., Mimar Sinan Fine Arts University, 2015), 86–87; Ussama Makdisi, *Age of Coexistence: The Ecumenical Frame and the Making of the Modern Arab World* (Berkeley, CA: University of California Press, 2019), 73–77, 90–93.

[9] Karpat, "Nation," 550; Selim Deringil, "'They Live in a State of Nomadism and Savagery': The Late Ottoman Empire and Post-Colonial Debate," *Comparative Studies in Society and History* 45, no. 2 (2003): 328; Makdisi, *Age*, 120–26.

[10] Charles Issawi, "The Transformation of the Economic Position of the Millets in the Nineteenth Century," in Braude and Lewis, *Christians*, 262; Burak Onaran, *Padişahı Devirmek Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)* (Istanbul: İletişim, 2018), 362, 371–72.

[11] Masami Arai, "An Imagined Nation: The Idea of the Ottoman Nation as a Key to Modern Ottoman History," *Orient* 27 (1991): 3–5; Julia Philips Cohen, "Between Civic and Islamic Ottomanism: Jewish Imperial Citizenship in the Hamidian Era," *International Journal of Middle East Studies* 44, no. 2 (2012): 238; Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire* (Cambridge, UK: Cambridge University Press, 2012), 23.

Recent scholarship has challenged the idea that Ottoman modernity was exclusively a top-down initiative orchestrated by the ruling elite.[12] Non-state actors were not merely passive recipients of state policies but actively engaged with and sought to benefit from these changes. They closely monitored the 19th-century reforms introduced by the Ottoman state, which included the establishment of new governing institutions as well as innovative practices in military conscription and tax collection. These groups endeavored to leverage these transformations to improve their livelihoods.[13] Similarly, Roma and other peripatetic groups were part of this dynamic. Although they have been disproportionately underrepresented in the growing literature on grassroots modernization, they, too, actively experienced the impacts of modernity.

Peripatetic groups, such as the Roma, Tebers, Dom, and Loms, mobile populations subsisting on trades of crafts and services and often collectively referred to as "Gypsies," held a distinct status within the Ottoman Empire.[14] Ottoman society was traditionally stratified by two main classes: the tax-exempt military class (*`askerī*) and the class of taxpayers (*re`āyā*), which included privileged Muslim taxpayers and non-Muslims.[15] "Gypsies" primarily belonged to the taxpaying class, although a small minority participated in auxiliary military units and paid a poll tax commonly known as *cizye* (Arabic, *jizya*), because levying typical land or herd taxes on them was impractical due to their minimal possessions.[16] The classification of this tax as *cizye* was contentious, because it was traditionally imposed on non-Muslims as a marker of their subordinate status in Muslim-ruled territories.[17] Notably, peripatetic individuals liable for *cizye* could not evade this tax even if

[12] For leading publications that examine the top-down aspects of Ottoman modernity, see Roderic H. Davison, *Reform in the Ottoman Empire 1856–1876* (Princeton, NJ: Princeton University Press, 1963), 406–8; and Kemal Karpat, "The Ottoman Rule in Europe from the Perspective of 1994," in *Studies on Ottoman Social and Political History*, ed. Kemal Karpat (Leiden: Brill, 2002), 504.

[13] For example, see Victor Roudometof, "From Rum *Millet* to Greek Nation: Enlightenment, Secularization, and National Identity in Ottoman Balkan Society, 1453–1821," *Journal of Modern Greek Studies* 16, no. 1 (1998): 11–48; Milen V. Petrov, "Everyday Forms of Compliance: Subaltern Commentaries on Ottoman Reform, 1864–1868," *Comparative Studies in Society and History* 46, no. 4 (2004): 759; Hamit Bozarslan, "The Ottomanism of Non-Turkish Groups: The Arabs and the Kurds after 1908," *Die Welt Des Islams* 56 (2016): 320; Yonca Köksal, *The Ottoman Empire in the Tanzimat Era: Provincial Perspectives from Ankara to Edirne* (New York: Routledge, 2019), 5; Richard Antaramian, "Confessionalism, Centralism, Armenians, and Ottoman Imperial Governance in the 18th and 19th Centuries," *International Journal of Middle East Studies* 54, no. 2 (2022), 319–37; and Masayuki Ueno, "In Pursuit of Laicized Urban Administration: The Muhtar System in Istanbul and Ottoman Attitudes toward Non-Muslim Religious Authorities in the Nineteenth Century," *International Journal of Middle East Studies* 54, no. 2 (2022): 306.

[14] On the peripatetic groups in the Ottoman Empire, see Aparna Rao, "The Concept of Peripatetics," in *The Other Nomads*, ed. Aparna Rao (Köln: Böhlau, 1987), 1–34; Başak Akgül, "Being a Forestry Labourer in the Late Ottoman Empire: Debt Bondage, Migration, and Sedenterization," *International Review of Social History* 67, no. 3 (2022): 476–86; and Egemen Yılgür, "The 1858 Tax Reform and the 'Other Nomads' in Ottoman Asia," *Middle Eastern Studies* 60, no. 2 (2024): 161–80.

[15] Halil İnalcık, "The Ottoman State: Economy and Society, 1300–1600," in *An Economic and Social History of the Ottoman Empire*, vol. 1, ed. Halil İnalcık and Donald Quataert (Cambridge, UK: Cambridge University Press, 1997), 16.

[16] İsmail Altınöz, "Osmanlı Toplumunda Çingeneler" (PhD diss., Istanbul University, 2005), 63; Emine Dingeç, "XVI. Yüzyılda Osmanlı Ordusunda Çingeneler," *SDÜ Fen Edebiyat Fakültesi Sosyal Bilimler Dergisi* 20 (2009): 33–45; Faika Çelik, "'Community in Motion': Gypsies in Ottoman; Imperial State Policy, Public Morality and at the Sharia Court of Üskudar (1530s–1585s)" (PhD diss., McGill University, 2013), 370–83; Yılgür, "1858 Tax Reform," 162–63, 165.

[17] Noel J. Coulson, *A History of Islamic Law* (Edinburgh: Edinburgh University Press, 1964), 23–27; Joseph Schacht, *An Introduction to Islamic Law* (Oxford, UK: Oxford University Press, 1982), 130–33; Claude Cahen, Halil İnalcık, and Peter Hardy, "Djizya," in *The Encyclopedia of Islam*, ed. Peri. J. Bearman, T. Bianquis, Clifford Edmund Bosworth, Emeri Van Donzel, and W. P. Heinrichs (Leiden: Brill Online, 2012), 559–62; İlber Ortaylı, "Osmanlılarda Millet Sistemi," *TDV İslam Ansiklopedisi* 20, 2020, https://islamansiklopedisi.org.tr/millet#2-osmanlilarda-millet-sistemi.

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they converted to Islam, because Muslim "Gypsies" also were subject to it.[18] However, the state did grant exemptions from *cizye* for individuals or households that distanced themselves from their communities, adopted a sedentary lifestyle in Muslim-majority neighborhoods, and gained recognition from their neighbors as sincere Muslims paying ordinary taxes.[19] Records indicate instances of evicted "Gypsy" settlements during the 17th and 18th centuries; however, evidence of land restrictions barring "Gypsy" individuals and households from settling in Muslim neighborhoods is lacking.[20] The case of Sadık and Züleyha and other examples from the 19th century seem to reflect a new context shaped by land commodification.

The 19th century marked a gradual development of private land ownership and increased commercial land divisions. The steady influx of population driven by the integration of empires into the global economy, coupled with land losses, heightened the demand for land. In response, usufruct owners often subdivided agricultural waqf lands to sell to third parties for residential development, creating new neighborhoods. This process played a significant role in the urbanization of Istanbul during the 19th century. Under these circumstances, the presence of lower-status groups—including those referred to as "Gypsies"—was perceived as detrimental to the dignity of land, mainly because it was seen as undermining the interests of investors by diminishing the land's exchange value.

The 19th-century reforms significantly influenced the relationship between the Ottoman state and peripatetic groups. The *cizye* tax, which was imposed on non-Muslims and those classified as "Gypsies" became linked to their exemption from military service as the Ottoman army gradually instituted a system of generalized conscription in the late 18th and early 19th centuries.[21] In 1856, the *cizye* was rebranded as the military tax (*bedel-i `askerī*) when part of the reforms aimed at altering the legal norms that treated Muslims and non-Muslims unequally. Non-Muslim "Gypsies" were required to pay this military tax, whereas Muslims continued to pay *mal-i maktu`* (a fixed tax, equivalent to the *cizye* for Muslim "Gypsies"). In 1866, the Ottoman state consolidated these revenues into a general "Gypsy" tax.[22] Subsequently, in 1873, the Ottoman government abolished the exemption for Muslim "Gypsies" from military service to bolster the army's human resources. This change also meant that they were no longer liable for the "Gypsy" tax, which had historically underpinned their separate registration for centuries.[23]

The 1881 census was a significant step forward in the Ottoman Empire's registration efforts. Previous censuses in 1831 and 1849 had focused primarily on calculating the human

[18] Eyal Ginio, "Neither Muslims nor Zimmis: The Gypsies (Roma) in the Ottoman State," *Romani Studies* 14, no. 2 (2004): 117–45; Adrian Marsh, "Ottoman Gypsies and Taxation," in *Gypsies and the Problem of Identities*, ed. Adrian Marsh and Elin Strand (Istanbul: Swedish Research Institute, 2006), 171–74; Çelik, "Community," 370; Yılgür, "1858 Tax Reform."

[19] Altınöz, "Osmanlı," 212–13; Faika Çelik, "The Many Faces of the 'Gypsy' in Early Modern Ottoman Discourse," in *Disliking Others*, ed. Hakan T., Karateke, H. Erdem Çıpa, and Helga Anetshofer (Boston: Kryon, 2018), 227–30.

[20] Directorate of State Archives, Ottoman Archives (hereafter DAB), Cevdet Internal Affairs Documents (hereafter C.DH).334.16658.1.1, 1762; DAB.Topkapı Palace Archive Museum Documents (hereafter TS.MA.e).790.35.1.1, 1764; Eremya Çelebi Kömürciyan, *XVII. Asırda Istanbul* (Istanbul: Eren, 1988), 3–4.

[21] Erik Jan Zürcher, "The Ottoman Conscription System, 1844–1914," *International Review of Social History* 43, no. 3 (1998): 437–45; Ufuk Gülsoy, *Osmanlı Gayrımüslimlerinin Askerlik Serüveni* (Istanbul: Simurg, 2000), 35.

[22] DAB.Grand Vezirate Corresponding Secretary, Provincial Documents (hereafter A}MKT.UM).322.2.1.1.row_2, 1858; DAB.Supreme Council Documents (hereafter MVL), 797.92.1.1.rows_1–2, 1866.For use of specific terms for *cizye* collected from Muslim "Gypsies" in public documents, see Fahd Kasumović, "The Changing Face of Fiscal Policy in the Periphery of the World of Islam: The Gypsy Poll Tax in Ottoman Bosnis, c. 1690s–1856," *Journal of the Faculty of Philosophy in Sarajevo* 7, no. 2 (2020): 109. For the 1866 regulation, see DAB.MVL.797.92.1.1, rows_1–16, 1866; Ceyda Yüksel, "Buçuk Millet: The Ottoman Gypsies in the Reign of Sultan Abdulhamid II" (MA thesis, Boğaziçi University, 2009), 84.

[23] Deringil, "State of Nomadism," 311; İpek K. Yosmaoğlu, "Counting Boudies, Shaping Souls: The 1903 Census and National Identity in Ottoman Macedonia," *International Journal of Middle East Studies* 38, no. 1 (2008): 56; Ömer Ulusoy, "Tanzimat Sonrası Osmanlı Arşiv Belgeleri Temelinde Balkanlarda Çingene/Roman Algısı," *paper presented at the First Bulgarian Turkish Colloquium* (Plovdiv, Bulgaria: Plovdiv University Press–Paisii Hilendarski, 2011), 131–32.

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resources available for military service and tax contributions, with classifications—Muslims, Christians, Jews, and "Gypsies"—inherited from earlier state records that documented taxpaying units and their taxable assets. In contrast, the 1881 census included women and employed modern counting techniques. The new census terminology reflected the Hamidian era's policy trends, which strongly emphasized Muslim unity. Non-Muslims were categorized in subgroups, whereas Muslims were treated as a collective entity. The decision to remove the designation of "Gypsy" from the Muslim category aligned with the discourse of Muslim unity, as there was no longer a need for separate registration because Muslim "Gypsies" were no longer subject to a distinct tax. Leveraging this new census policy, Sadık and Züleyha sought alternative housing opportunities within the neighboring Muslim community by concealing their origins. However, they could not prevent their case from being brought before the authorities by dissenting neighbors.

The Internal Affairs Section of the Council of State convened to address the ongoing conflict. A majority of the members advocated for cancellation of the transaction, citing the dissatisfaction among residents of the Emin-i Cev neighborhood and the prolonged separation of "Gypsies" in distinct areas. Conversely, a minority proposed the idea of gradually integrating Muslim "Gypsies" into Muslim-majority neighborhoods, viewing this as a means to helping them assimilate mainstream values. The different factions employed varied discursive strategies, which can be categorized as inclusive and conservative Orientalist. These approaches were not spontaneously developed but rather drawn from the established discursive framework of the council.

Within Ottoman historiography, many studies utilize scale reduction as an analytical tool to examine broad sociohistorical phenomena by honing in on microsocial fabrics.[24] This study serves as another example of this literature. It illuminates the impact of land commodification, new census procedures, and the evolving Orientalist discourses among Ottoman bureaucrats. The study begins by reconstructing a historical case, providing a detailed account of the interactions and encounters among various actors. Following this, it contextualizes the macroprocesses that laid the groundwork for the encounters between these actors, effectively expanding the case.

I encountered the case during a random research session using the keyword "Ḳibṭī" in the digital database of the state archives in Istanbul (Directorate of State Archives, Ottoman Archives). The summary of a folder from the Council of State documents (ŞD.753.27) prompted further investigation. The efforts of Sadık and Züleyha to relocate from Sulukule and the subsequent cancellation of transactions following the revelation of their identities appeared particularly noteworthy. The folder contained several key documents, including a petition signed by the residents, mukhtars, and imams of the Emin-i Cev neighborhood; a vizierial note from the Grand Vizier Mehmed Kamil Pasha; an identity memorandum for Sadık and Züleyha issued by the imam of the Neslişah Sultan neighborhood that encompassed Sulukule; a report from the first inspector of the third municipal district, al-Hacc Mahmud; and the deputy mayor's response to the vizierial note.

[24] For example, seeÖmer Turan, "Localizing Modernity in the Eastern Black Sea Region of Turkey: Historical Anthropology Perspectives," *Focaal European Journal of Anthropology* 48 (2006): 152–57; Cemal Kafadar, "How Dark Is the History of Night, How Black the Story of the Coffee," in *Medieval and Early Modern Performance in the East Mediterranean*, ed. Arzu Öztürkmen (Turnhout, Belgium: Brepols, 2014), 243–69; Ebru Aykut, "Toxic Murder, Female Poisoners, and the Question of Agency at the Late Ottoman Law Courts, 1840–1908," *Journal of Women's History* 28, no. 3 (2016): 113–37; Ali Sipahi, "Deception and Violence in the Ottoman Empire: The People's Theory of Crowd Behavior during the Hamidian Massacres of 1895," *Comparative Studies in Society and History* 62, no. 4 (2020): 810–35; Omri Paz, *Who Killed Panayot? Reforming Ottoman Legal Culture in the 19th Century* (New York: Routledge, 2021), 6, 12; and Chris Gratien, *The Unsettled Plain: An Environmental History of the Late Ottoman Frontier* (Stanford, CA: Stanford University Press, 2022).

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The documents in the main folder were inadequate for a complete reconstruction of the case; consequently, supplementary documents were essential. The correspondence between the Ministry of Internal Affairs and the municipality, as recorded in the corresponding secretary of internal affairs documents (DH.MKT.1677.77), reveals the implementation following the Council of State decision. The official report from the Internal Affairs Section of the Council of State, found in the Grand Vezirate's Council of State Documents (A_}MKT.ŞD.92.37.1.1), provides insights into both minority and majority views. The folders within the Council of State documents (ŞD.15.13) and in the imperial decrees, Council of State documents (İ.ŞD.54.3023) offer extensive information regarding the investments of landowner Mehmed Efendi. Furthermore, the waqf registries (EV.d.18417), court registries, Ottoman-era and republican-era newspapers, and testimonies from contemporary Ottoman and foreign observers furnish essential background information illustrating the conditions in Sulukule during the 19th century.

The second level of historical reconstruction involves revealing the broader macroprocesses at play in the case of Sadık and Züleyha. Numerous recent studies have examined land commodification and the evolution of private property in the late Ottoman Empire. This article establishes the relevant context primarily through these secondary sources. Additionally, files obtained from the Council of State documents in the Ottoman Archives (ŞD.726.1.3.1-ŞD.2931.40.1.1) present a valuable case involving another Roma family that sought permission for housing in a non-Roma settlement, only to have their request denied for reasons similar to those faced by Sadık and Züleyha.

The documents from the Yıldız Palace Grand Vezirate (Y.PRK.8.78) and the Grand Vezirate Divan Office Regulations (A}DVN.MKL.20.35) provide valuable insights into the characteristics of the 1881 census reform. Additionally, materials from the Council of State (ŞD.2501.19) and the corresponding secretary of internal affairs (DH.MKT.632.19), along with a summary of the relevant decision by the Reform Legislation Section of the Council of State in the Sublime Port ministries incoming and outgoing documents (BEONGG.d.610), detail the process behind the registration of Muslim "Gypsies" alongside Muslims in 1886.

The section concerning Ottoman Orientalism and the Council of State references various documents. Notable are the consecutive decisions made by the Internal Affairs Section in 1872 (Council of State Documents of the Grand Vezirate-A}MKT.ŞD.11.57.2.1) and in 1873 (Imperial Decrees, Special Council Documents-I.MMS.47.2005.1.3), which address the exemption of "Gypsies" from military service and exemplify earlier instances of both conservative and inclusive Orientalist discourses. State yearbooks proved helpful in identifying the exact roster of section members across various periods. Biographies of bureaucrats were compiled from the *Sicill-i Osmani* by Mehmed Süreyya Bey, along with officer records from the internal affairs (DH.SAID.d) and the Council of State documents (ŞD.SAID.d).

The Case

Sadık and Züleyha were a Roma couple. Sadık was born and raised in Sulukule in H. 1265 (1848/49), one of two sons of Ahmed Cihan. Züleyha, the daughter of Mehmed, was born in Kırklareli in H. 1275 (1858/59) and lived with her husband in their home at number 108 on Sulukule Street.[25] Sulukule had a unique reputation; although often associated with negative

[25] DAB.Population Records (hereafter NFS.d).214, p. 13, nr. 153, 1844/45; DAB.NFS.d.474, p. 68, nr. 38–41, 1856/1857; DAB.Council of State (hereafter ŞD).753.27.1.1, 1889.

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stereotypes of the "Gypsy" culture as dangerous, immoral, and criminal, it also was known as a vibrant hub for music and entertainment.[26]

Historical sources from the 19th and 20th centuries depict Sulukule as a settlement primarily inhabited by the Roma community in Istanbul.[27] It was a street adjacent to the Byzantine city walls, situated at the western edge of the Yenibahçe meadow. The area derives its name from the Sulukule archway, positioned between Edirnekapı (the Gate of Charisius) and Topkapı (the Gate of St. Romanus), and administratively falls within the Neslişahsultan neighborhood (Fig. 1).[28] Legal ownership of the houses on Sulukule Street belonged to the waqf of Ḳulle-i Zemīn (the land left over from the dilapidated city walls), associated with the waqf of Mehmed II (r. 1444–46, 1451–81). This waqf rented out the houses to Roma families.[29] Waqf registries refer to this location as the "Gypsy" quarter in Sulukule, indicating that there were fifty-six houses there in 1863.[30] According to the 19th-century census records, which accounted solely for males, these houses accommodated 153 males in 1845 and 183 males in 1857.[31]

Sadık's father, Ahmed Cihan, was a nail-maker, one of the two primary professions in Sulukule according to population records from 1844/45 (H. 1260) and 1856/57 (H. 1273), the other being basketmaking.[32] Nail-makers were more prominent in the community, and a French traveler from that era described the residents of Sulukule as a tribe of blacksmiths.[33] Subsequent notes recorded by officers updating the population records indicate a gradual transformation in occupational roles. For example, in 1862, Edhem, the son of nail-maker `Abdi, became a musician, and Mehmed, the son of nail-maker `Ali, followed suit in 1868.[34] Tahir, the son of basketmaker Ibiş, was noted as a nail-maker in 1845, and Süleyman, the son of Hüseyin, a basketmaker in 1845, transitioned to nail-making in 1857.[35] Osman, the son of

[26] During the 2000s, the Fatih municipality implemented an urban renewal project in Sulukule that sparked controversy. In response, emerging Roma NGOs and city and human rights organizations launched a vigorous campaign against the initiative. Despite gaining international attention from scholars and media coverage, these efforts could not halt execution of the municipality's plan, see Semra Somersan and Süheyla Kırca-Schroeder, "Resisting Eviction: Sulukule Roma in Search of Right to Space and Place," *Anthropology of East Europe Review* 25, no. 2 (2007): 96–107; Sevgi Uçan Çubukçu, "Mekanın İzdüşümünde 'Toplumsal Cinsiyet': Sulukule Mahallesi ve Romanlar," *İ. Ü. Siyasal Bilgiler Fakültesi Dergisi*, no. 44 (2011): 83–106; and Albeniz Ezme, *Advocacy Planning in Urban Renewal: Sulukule Platform As the First Advocacy Planning Experience of Turkey* (Saarbrücken, Germany: Lambert Academic, 2014).

[27] DAB.NFS.d.214, p. 6–13, 1844/45; DAB.NFS.d.474, p. 66–75, 1856/57; DAB.Corresponding Secretary of Internal Affairs Documents (hereafter DH.MKT).2053.32.1.1, 1893; Alexandre G. Paspati, *Études sur les Tchinghianés ou Bohémiens De L'empire Ottoman* (Istanbul: Antoine Koromela, 1870), 11; Léon Rousset, *De Paris à Constantinople* (Paris: Libraire Hachette, 1892), 159; William R. Halliday, "Some Notes upon the Gypsies of Turkey," *Journal of the Gypsy Lore Society* 2, no. 1 (1922): 179–80. It is essential to note that the historical Sulukule mentioned in these sources is not the same as the one in the 2000s. The administration demolished the old Sulukule in 1966; see "Sulukule Dün Tarihe Karıştı," *Milliyet*, 26 April 1966, 3; and İlhan Tekeli, "Gecekondu," *Dünden Bugüne İstanbul Ansiklopedisi* 3 (1994): 38.

[28] Sarkis Sarraf Hovhannesyan, *Payitaht İstanbul'un Tarihçesi* (Istanbul: Tarih Vakfı, [1800] 1996), 29; Alexander van Milligen, *Byzantine Constantinople: The Walls of the City and Adjoining Historical Sites* (London: John Murray, 1899), 79–81; Kömürciyan, *İstanbul*, 21–22; Stefen Turnbull, *The Walls of Constantinople, AD 324–1453* (Oxford, UK: Osprey, 2004), 6; Istanbul Court Registries, Imperial Waqf Trial, Registry 673, Volume 100, Verdict 142 [94-1], 1884.

[29] Istanbul Court Registries, Imperial Waqf Trial, Registry 673, Volume 100, Verdict 142 [94-1], 1884.

[30] DAB.Waqf Registries (hereafter EV.d).18417, 3–4, 1863.

[31] DAB.NFS.d.214, p. 13, 1844/45; DAB.NFS.d.474, p. 75, 1856/57.

[32] DAB.NFS.d.214, pp. 6–13, 1844/45; DAB.NFS.d.474, pp. 66–75, 1856/57. The following studies used the data set in the population records: Ahmet Cihan, "XIX. Yüzyılda İstanbul ve Üsküdar Çingenelerinde Meslek," *Uluslararası Üsküdar Sempozyumu* 7, 2–4 November 2012; Şerafettin Sevgili, "*Lonca Mahallesi Sosyo-Mekânsal Değişim ve Gündelik Hayat*" (PhD diss., Aydın Adnan Menderes University, 2023).

[33] Rousset, *De Paris*, 159.

[34] DAB.NFS.d.474, p. 72, nr. 117–18,and 125–26, 1856/57.

[35] DAB.NFS.d.214, 6, nr. 8–9; DAB.NFS.d.214, 6, nr. 16, 1844/45; DAB.NFS.d.474, 67, nr. 21, 1856/57.

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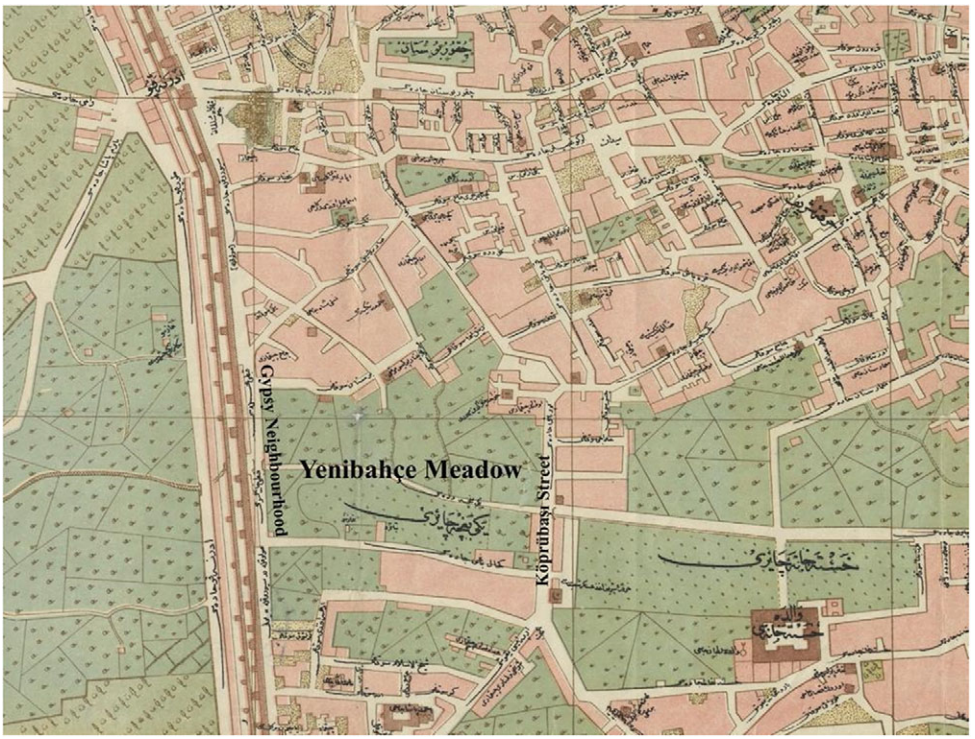

Figure 1. Yenibahçe meadow, Roma settlement in Sulukule, and Köprübaşı Street. Istanbul Municipality City Guide Maps, 1918; see Directorate of State Archives, Ottoman Archives, Maps, Map No. 86, p. 4.

Tahir, originally a basketmaker in 1845, worked as a boatman between 1845 and 1857.[36] Rıf'at, the son of Hasan, who was a nail-maker in 1857, later became a chair manufacturer and repairer in 1872.[37] The first half of the 20th century witnessed the emergence of mat production, chair manufacturing and repair, chicken-selling, and musicianship.[38]

Sadık conformed to the shifting landscape of occupational change. As the son of a nail-maker, he was working as a peddler in 1889 (in Istanbul, small wares and fabric peddlers were often called *çerçi*).[39] A contemporary observer, Paspati, describes peddling as a thriving trade and suggests that peddlers could accumulate significant savings by working on credit with buyers.[40] It appears that Sadık was good at his trade and aspired to relocate to a more favorable settlement, leveraging his earnings.

In the late 19th century, Sulukule had become a crowded settlement, with homes becoming increasingly cramped and dilapidated, necessitating new housing solutions.[41]

[36] DAB.NFS.d.214, 11, nr. 101, 1844/45; DAB.NFS.d.474, 71, nr. 111, 1856/57.

[37] DAB.NFS.d.474, 67, nr. 31, 1856/57.

[38] *Tercüman-ı Hakikat*, 17 March 1904, 3; Hikmet Feridun, "Çingenelerin Şişlisi: Sulukule," *Akşam*, 24 November 1929, 6; "Sulukulelilerin Dertleri," *Milliyet*, 17 August 1930, 8; Osman Cemal Kaygılı, "Sulukuledeki Oturanlara Neden Çingene Diyorlar?" *Yenigün*, 18 March 1931, 8; Hikmet Feridun, "Murat' Ayında Ethem Dede," *Akşam*, 6 December 1931, 7; Feridun K., "Kim Demiş ki Yeryüzünde Ebedi Saadet Yokmuş," *Yarım Ay*, 15 March 1937, 16.

[39] DAB.ŞD.753.27.1.1, 1889.

[40] Alexandros Paspatis, *İstanbul'un Ortodoks Esnafı 1833–1860* (Istanbul: Kitap, 2014), 74.

[41] Istanbul Court Registries, Imperial Waqf Trial, Registry 673, Volume 100, Verdict 142 [94-1], 1884.

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In 1893, the residents petitioned the Ministry of Internal Affairs to seek authorization for constructing new homes on vacant lots.[42] Before this, Sadık and Züleyha tried to enhance their living conditions by relocating to the neighboring Emin-i Cev neighborhood in Yenibahçe.

Meanwhile, the urban fabric around Sulukule had undergone significant changes as well. Most relevant to our story was the investment of one Mehmed Efendi. He had transformed a plot of land owned by the waqf of Sultan Bayezid II (r. 1481–1512) into a residential area. The imperial waqfs, established by sultans, dynasty members, and members of the higher bureaucracy, controlled vast resources that surpassed those of ordinary waqfs.[43] According to 16th-century records, agricultural lands surrounding Yenibahçe were the endowments of the waqf of Sultan Bayezid II in 1505. In the 1570s, the waqf leased thirteen market gardens to urban notables to produce crops.[44]

In 1878, Mehmed Efendi, the usufruct owner (*mutesarrif*) of Yenibahçe meadow, which was held by the waqf, proposed a modification to the status of a portion of his land. This change would enable the division of a lot without adversely affecting the meadow. He intended to sell these sections to individuals looking to build their homes on land that had formerly been a meadow adjacent to the city walls in Sulukule but had since become an empty field. Mehmed bolstered his request by noting that "some Ḳibṭī were occupying the land by erecting shacks." After a thorough evaluation to confirm that Mehmed Efendi satisfied all requirements, an imperial decree issued on 25 April 1881 established a new residential area and instructed the Ministry of Waqfs and the municipality to grant permits to Mehmed.[45]

After eight years, in August 1889, Sadık and Züleyha sought to purchase the usufruct (*mu`āmele-'i ferāğiyye*) of a 120.6-m² lot on Mehmed's property to construct a new dwelling.[46] Sulukule was a well-known Roma settlement whose inhabitants were not always warmly received as neighbors. Aware of this, they decided to conceal their origin, even though the Hamidian reform had removed the Muslim "Gypsy" designation from identity cards and census documents. Sadık masqueraded as a coachman from Stara Zagora, a common occupation among Muslim refugees displaced from Bulgaria and Romania after the 1877–78 Russo-Turkish War.[47]

Several days following the transaction, rumors surfaced within the vicinity that cast doubt on the legitimacy of the sale. Sadık and Züleyha were not refugees but "Gypsies," having resided in Sulukule for a considerable period.[48] On 29 August 1889, the imam, the first

[42] DAB.DH.MKT.2053.32.1, 1893.

[43] Kayhan Orbay, "Imperial Waqfs within the Ottoman Waqf System," *Endowment Studies* 1, no. 2 (2017): 136, 139; Fatma Öncel, "Imperial Landed Endowments (Vakıf Çiftliks) in the Nineteenth Century Ottoman Empire," *Journal of the Economic and Social History of the Orient* 65, no. 4 (2022): 648–73.

[44] Alexander Shopov, "When Istanbul Was a City of Bostāns Urban Agriculture and Agriculturists," in *A Companion to Early Modern Istanbul*, ed. Shirine Hamadeh and Çiğdem Kafesçioğlu (Leiden: Brill, 2022), 283–84, 288.

[45] DAB.ŞD.696.15.13.1, row_1, 1878; DAB.ŞD.696.15.12.1, rows_1–2, 1878; DAB.ŞD.696.15.14.1, rows_2; DAB. ŞD.696.15.11.1, rows_1–2, 1879; DAB.ŞD.696.15.10.1, row_1, 1879; DAB.Imperial Decrees, Council of State Documents (hereafter İ.ŞD).54.3023.1.1, rows_3–5, 1881; DAB.İ. ŞD.54.3023.2.1, rows_4–6, 1881; DAB.ŞD.753.27.2.1, rows_1–3, 1889.

[46] DAB.ŞD.753.27.2.1., row_4, 1889. 7 *arşun* (5.306 m) × 30 *arşun* (22.74 m) = 210 *arşun* (120.6 m²). *Arşun* or *arşın* is an Ottoman unit of length and area. See Mehmet Erkal, "Arşın," in *TDV İslam Ansiklopedisi* 3 (İstanbul: TDV, 1991), 411; Alpay Özdural, "Sinan's Arşin: A Survey of Ottoman Architectural Metrology," *Muqarnas* 15 (1998): 106; Ünal Taşkın, "*Osmanlı Devleti'nde Kullanılan Ölçü ve Tartı Birimleri*" (MA thesis, Fırat University, 2005), 142; and Sevim Yılmaz Önder, "14. Yüzyıldan Bugüne Türkiye Türkçesinde Toprak Ölçümü," *Acta Turcica* 4, no. 1 (2012): 65.

[47] Eski Zağra, or Stara Zagora, was a subprovince (*sancak*) within the Eastern Rumelia province between 1878 and 1908; Tahir Sezen, *Osmanlı Yer Adları* (Ankara: DAGM, 2017), 176.

[48] DAB.ŞD.753.27.2.1, rows_4–7, 1889.

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and second mukhtars, and ten inhabitants of Emin-i Cev neighborhood jointly submitted a petition to the grand vizier's office.[49] The discontent of the petitioners stemmed not only from the newcomers' dishonesty but also from their own bias, which fueled the belief that the presence of "Gypsies" in a Muslim neighborhood would have a negative impact:

> Those Gypsies are not *ehl-i perde*; they have been living by ramparts in Sulukule since the reign of heavenly Mehmed [II] the Conqueror. Their settling in our neighborhood with such tricks can bring about the spread of their bad traits and public murmurs and is also unacceptable according to the Islamic point of view.[50]

The clerks of the Grand Vezirate reviewed and classified the petition, subsequently presenting its summary to the grand vizier as part of their daily routine.[51] On September 1, 1889, two days after the arrival of the petition of the Emin-i Cev neighborhood inhabitants, Mehmet Kamil Pasha, the grand vizier, instructed the municipality to investigate the petitioner's request and take appropriate action.[52] The third municipal district conducted a local investigation into the claims made in the petition. The first step was to examine Sadık and Züleyha's identity cards for any indication of their "Gypsy" heritage, but there was no evidence confirming the claim. They then consulted Hidayet Efendi, the imam of the Neşlişah Sultan neighborhood, which included the Sulukule street.[53] Hidayet confirmed that the couple was of "Gypsy" origin and had been residing in Sulukule for an extended period. Interestingly, the imam also explained why there were no origin records on the identity cards, stating that the General Administration of Population Registration had instructed local authorities not to use the term "Gypsy" for Muslims who were previously registered as such.[54]

[49] For petition (*arż-ı hāl* [*arzuhal*]), see Suraiya Faroqhi, "Political Activity among Ottoman Taxpayers and the Problem of Sultanic Legitimation (1570–1650)," *Journal of Economic and Social History of the Orient* 35, no. 1 (1992): 1–39; Nora Lafi, "Petition and Accommodating Urban Change in the Ottoman Empire," in *Istanbul As Seen from a Distance: Centre and Provinces in the Ottoman Empire*, ed.Elisabeth Özdalga, Sait Özervarlı, and Feryal Tansuğ (Istanbul: Swedish Research Institute, 2011), 73–82; Yuval Ben Bassat, *Petitioning the Sultan: Protest and Justice in Late Ottoman Palestine, 1865–1908* (London: I. B. Tauris, 2013);Cengiz Kırlı, "Tyranny Illustrated," *New Perspectives on Turkey* 53 (2015): 3–36; and Henry Clements, "Documenting Community in the Late Ottoman Empire," *International. Journal of Middle East Studies* 51, no. 3 (2019): 427–28.

[50] DAB.ŞD.753.27.2.1, rows_7–9, 1889. The concept of *ehl-i perde* refers to women who comply with Islamic rules that regulate the daily separation of genders and veiling. See İlhan Ayverdi, *Kubbealtı Lugatı Misalli Büyük Türkçe Sözlük* (Istanbul: Kubbealtı, 2010), 328; Ebru Boyar, "An Imagined Moral Community," in *Ottoman Women in Public Space*, ed. Ebru Boyar and Kate Fleet (Leiden: Brill: 2016), 191; and Çelik, "Many Faces," 228. In the context of the Ottoman Empire, being *ehl-i perde* was a sign of female respectability. Tolerance to supposedly inadequate veiling and relatively higher public visibility of Ḳibṭī women was related to their recognized marginal status; see Boyar, "Moral Community," 191–98. The petitioners used the concept to justify the spatial segregation of "Gypsies," arguing they were not *ehl-i perde.*

[51] Ali Akyıldız, "Osmanlı Merkez Bürokrasisinde Reform (1836–1856)" (PhD diss., Marmara University, 1992), 13.

[52] Mehmet Kamil Pasha served as the grand vizier between 1885 and 1891; Sinan Kuneralp, *Son Dönem Osmanlı Erkan ve Ricali* (Istanbul: İSİS, 1999), 1.

[53] Imams were mainly responsible for leading prayers but also performed administrative duties. Following the Tanzimat reforms, they assisted with recording births, deaths, and migrations and assisted registration officials and mukhtars. See Stanford J. Shaw, "The Ottoman Census System and Population, 1831–1914," *International Journal of Middle East Studies* 9, no. 3 (1978): 331; and Kemal H. Karpat, "Ottoman Population Records and the Census of 1881/82–1893," *International Journal of Middle East Studies* 9, no. 2 (1978): 248.

[54] DAB.ŞD.753.27.3.1, rows_3–7, 1889; DAB.ŞD.753.27.5.1, rows_5–6, 7–11, 1889; DAB.ŞD.753.27.1.1, 1889. The General Administration of Population Registration (Sicil-i Nufus Idare-i Umumiyyesi) was one of the modern bureaucratic agencies within the scope of the Ministry of Interior; see Shaw, "Census System," 330; and Carter V. Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte, 1789–1922* (Princeton, NJ: Princeton University Press, 1980), 253–54.

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The initial inspector of the third municipal district, el-Hacc Mahmud, submitted the investigation findings to the municipality. Subsequently, the deputy mayor, Mehmed, provided a detailed report to the grand vizier, Mehmed Kamil Pasha.[55] On October 17, 1889, the vizier assigned the Council of State to assess the matter.[56]

The Tanzimat reformers, following the abolition of the Supreme Council of Judicial Ordinances in 1868, established the Council of State and the Council of Judicial Ordinances. The Council of State was intended to serve as the central authority for administrative decision-making.[57] Its formation held symbolic significance, because the founders sought to ensure a balanced representation of both Muslims and non-Muslims and key figures from both the central bureaucracy and provincial notables.[58] The internal regulations of the council, established in 1869, outlined the responsibilities of the Internal Affairs Section. This section was tasked with reviewing regulation drafts from various state bodies, providing opinions on matters assigned by the ministries of internal affairs and education, and making decisions regarding the appointment and removal of administrative officials.[59]

The Internal Affairs Section of the Council of State convened with five members absent to deliberate on the case involving Sadık and Züleyha. They issued their official report on November 5, 1889. A predominantly conservative perspective prevailed, drawing on the widely held belief that "Gypsies" had historically *(mine'l-ḳadīm)* lived in isolated communities and that Muslim neighbors were often resistant to coexistence with them. The majority viewed the dissatisfaction expressed by the hosts as significant, leading to the decision to terminate the usufruct transfer.[60]

The members who advocated for the majority view included several notable figures from families connected to the central bureaucracy, among them Ahmed İzzeddin Bey, the second head of the section and son of `Abdulhamid Ferid Pasha, the marshal of the palace secretariat; `Ali Rıza Bey, the son of Seyda Bey, the important affairs director at the Imperial Divan; Bekir Sıddık, the son of `Ali Şahab Efendi, the secretary of internal affairs; and `Abdurrahman Sami, the son of the former trade minister, Subhi Pasha.[61] Additionally, Şerif `Abdullah Pasha, hailing from Mecca's ruling family, and Mehmed Faik, the son of Ibrahim Pasha—nephew to Egypt's governor Mehmet `Ali Pasha—represented notable provincial origins.[62] Finally, Halil `Akif Efendi, a seasoned bureaucrat, had served as the undersecretary of the Ministry of Finance before becoming a member of the Council of State in 1889.[63]

Four attendees presented a counterview to the seven members mentioned above during the meeting. The minority expressed their support for merging Muslim "Gypsies" with other Muslims under specific conditions:

[55] DAB.ŞD.753.27.3.1, 1889; DAB.ŞD.753.27.5.1, rows_1–6, 1889.

[56] DAB.Grand Vezirate, Council of State Documents (hereafter A_}MKT.ŞD).92.37.1.1, row_5, 1889.

[57] Stanford J. Shaw, "The Central Legislative Councils in the Nineteenth Century Ottoman Reform Movement before 1876," *International Journal of Middle East Studies* 1, no. 1 (1970): 75–76; Findley, *Bureaucratic Reform*, 175; Zeki Eraslan, "Şûrâ-yı Devletten Danıştaya Yapısal ve Fonksiyonel Dönüşüm" (PhD diss., Hacettepe University, 2018), 42; Olcay Kahraman, "Osmanlı İdari Modernleşmesinde Şura-yı Devlet" (PhD diss., Ankara Haci Bayram Veli University, 2020), 79.

[58] Davison, *Reform*, 239–40.

[59] Kahraman, "Osmanlı," 80, 84.

[60] DAB.A_}MKT.ŞD.92.37.1.1, rows_5, 11–16, 1889.

[61] DAB.Council of State Documents, Officer Records (hereafter ŞD.SAİD.7.3.1.1); DAB.Internal Affairs, Officer Records (hereafter DH.SAİDd).3.146; DAB.ŞD.SAİD.23.10.3.1; DAB.ŞD.SAİD.23.10.4.1; DAB.ŞD.SAİD.5.8.2.1; DAB.ŞD.SAİD.13.3.1.1.

[62] William Ochsenwald, *Religion, Society, and the State in Arabia: The Hijaz under Ottoman Control* (Columbus, OH: Ohio State University Press, 1984), 214, 216; DAB.Imperial Decrees, Internal Affairs Documents (hereafter İ.DH).649.45117, 1872; DAB.İ.DH.876.69894.1.1, 1883; DAB.İ.DH.958.75736.3.1, 1885; DAB.ŞD.SAİD.32.5.12.1.

[63] DAB.DH.SAİD.113.149.

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> Four voters argued that there was no harm in accepting scattered Gypsies honored by the honor of Islam, into Muslim neighborhoods, provided they did not contradict national morality (*ahlāḳ-ı milliyye*) and Islamic observances (*adāb-ı İslāmiyye*). It was also possible that they could gradually improve their situation and morality by adapting to Islamic observances. Therefore, [they] approved [the couple's] settlement in the above-mentioned place.[64]

The advocates of the minority perspective came from relatively modest family backgrounds, including the declining Tanzimat elite and provincial notables. Ahmed Lütfi Efendi, the son of a slipper-maker, advanced through various ranks after receiving a traditional education, ultimately becoming the state chronicler in 1866.[65] Mehmed Aziz Bey was the son of the former Hijaz governor Vecihi Mehmed Paşa, who had held gubernatorial positions in several provinces, including Aleppo and Baghdad.[66] Mehmed Nureddin Bey was the grandson of Tanzimat reformer Mustafa Reşid Pasha and the son of Salih Mehmed Rauf Bey, a member of the Supreme Council.[67] The youngest of this minority group, Mehmed Sa`id Halim Pasha, was just twenty-five years old, the son of Halim Pasha and the grandson of Egypt's governor Mehmed `Ali Pasha. He would later establish a prominent career in the early 20th century. Following the 1908 revolution, he emerged as a significant figure in the second constitutional era and was appointed grand vizier in 1913. Sa`id Halim Pasha sought to balance the secular Turkish nationalist tendencies within the Committee of Union and Progress with Islamist-modernist perspectives.[68]

Despite the arguments presented by the proponents of the minority view, the majority ultimately voted to cancel the transaction. By standard procedure, the official report from the Internal Affairs Section was submitted to the Ministry of the Interior (Dāḫīliyye Neẓāret-i Celīlesi), accompanied by an order for execution (*bā-buyuruldı-ʻı `ālī*).[69] The Ministry of the Interior then instructed the municipality to carry out the necessary tasks accordingly.[70]

The available sources do not provide further details about subsequent Sadık and Züleyha events. However, the previously mentioned encounters among various individuals offer sufficient insight to broaden the discussion, including the macroprocesses that shaped the environment in which the actors met and interacted.

Land Commodification in the Late Ottoman Empire

A growing body of literature has addressed the transition from traditional Ottoman land use patterns to private property during the 19th century. This process marked a gradual introduction of individual property rights into the Ottoman legal system.[71] The case of Sadık and

[64] DAB.A_}MKT.ŞD.92.37.1.1, rows_10–14, 1889.

[65] Münir Aktepe, "Ahmed Lutfi Efendi," *TDV İslam Ansiklopedisi* 2 (1989): 97–98; DAB.DH.SAID.3.282.

[66] DAB.ŞD.SAİD.7.12.2.1; Mehmed Süreyya, *Sicill-i Osmanî* 5 (Istanbul: Tarih Vakfı, [1899] 1996), 1655.

[67] DAB.ŞD.SAİD.33.2.6.1; Süreyya, *Sicill-i Osmanî* 5, 1384–85, 1470–71.

[68] DAB.DH.SAİD.d.25.121; DAB.ŞD.SAİD.19.17.1.1; Mehmed Said Halim Pasha, *Islāmlaşmaḳ* (Istanbul: Hukuk, 1337/1918–19), 17; M. Hanefi Bostan, *Bir İslamci Düşünür* (Istanbul: Irfan, 1992), 24, 26, 107–8; Ahmed Seyhun, *Said Halim Pasha: Ottoman Statesman and Islamist Thinker, 1865–1921* (Istanbul: Isis Press, 2010), 12, 39, 46, 129, 142. .

[69] DAB.A_]MKT.ŞD.92.37.1.2, rows_13–14, 1889.

[70] DAB.DH.MKT.1677.27.1.1, rows_17–16, 1889.

[71] Martha Mundy, "Ownership or Office? A Debate in Islamic Hanafite Jurisprudence over the Nature of the Military 'Fief,' from the Mamluks to the Ottomans," in *Law, Anthropology, and the Constitution of the Social: Making Persons and Things*, ed. Alain Pottage and Martha Mundy (Cambridge, UK: Cambridge University Press, 2004), 144; Yücel Terzibaşoğlu, "'A Very Important Requirement of Social Life': Privatisation of Land, Criminalisation of Custom, and Land Disputes in Nineteenth Century Anatolia," in *Les Acteurs de Transformations Fonci éres Autour de la Méditerranée au XIXe Siècle*, ed. Vanessa Guéno and Didier Guignard (Paris: Karthala, 2013), 29–30.

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Züleyha exemplifies the social dynamics driven by this transformation, particularly the commodification of waqf lands, and this analysis contributes to ongoing discussions surrounding this topic.[72]

Long-term leasing through *icāreteyn* (double rent) and *muḳāṭa`a* were common land uses of waqf lands for centuries.[73] Renters would make a down payment (*mu`accele*) and pay a monthly or yearly fee (*mu'eccele*). Although renters had unlimited access to buildings and plants on the land in the *muḳāṭa`a* system and could claim ownership, waqfs retained ownership of buildings, plants, and the land in the *icāreteyn*.[74] For centuries, the transfer of waqf properties relied on the principle of *ferāġ*, which allowed usufruct holders to sell their rights to third parties if trustees approved and there were no violations of endowment interests. Usufructuary right owners could divide (*ifrāz*) waqf properties and sell each share.[75] In addition, if they met specific criteria, usufruct owners could convert agricultural or empty lands into residential areas by division. The transformation of waqf territories into residential areas through land division began at the request of right-holders or local authorities, and a sultanic decree was required.[76]

During the 19th century, usufruct transfers became increasingly popular, leading lawmakers to revise legislation to address the complexities of land disputes. As usufruct owners sought to divide and sell their land in state-monitored and extra-state markets, land and land access rights became commodified.[77] This shift was primarily driven by the population growth experienced in Ottoman cities and fueled by various modernity-related factors, such as Muslim refugees from territories that had become independent nation–states and foreigners seeking investment opportunities and employment in

[72] Timur Kuran, "The Provision of Public Goods under Islamic Law: Origins, Impact, and Limitations of the Waqf System," *Law and Society Review* 35, no. 4 (2001): 841, 898; Huri İslamoğlu, "Property As a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858," in *New Perspectives on Property and Land in the Middle East*, ed. Roger Owen (Cambridge, MA: Harvard University Press, 2001), 19; Martha Mundy, "Village Authority and the Legal Order of Property: The Southern Hawran, 1876–1922," in *New Perspectives on Property and Land in the Middle East*, ed. Roger Owen (Cambridge, MA: Harvard University Press, 2001), 63–92.

[73] Ronald C. Jennings, "Pious Foundations in the Society and Economy of Ottoman Trabzon, 1565–1640," *Journal of the Economic and Social History of the Orient* 33, no. 3 (1990): 314, 317; Murat Beyaztaş, "İslam Hukuk Vakıf Gayri Menkullerinin Kiraya Verilmesi Usulleri ve İcareteyn" (MA thesis, Marmara University, 2001), 11; Eda Güçlü, "Transformation of Waqf Property in the Nineteenth Century Ottoman Empire" (MA thesis, Sabancı University, 2009), 2, 26; Roger Owen, *The Middle East in the World Economy, 1800–1914* (London: I. B. Tauris, 2009), 34.

[74] Bülent Köprülü, "Evvelki Hukukumuzda Vakıf Nev'iyetleri ve İcareteynli Vakıflar," *Journal of Istanbul University Law Faculty* 18, no. 1/2 (1952): 216; Muhammed Emin Durmuş, "Osmanlı Vakıf Hukukunda Mukâtaa" (PhD diss., Sakarya University, 2020), 46.

[75] Güçlü, "Transformation," 7, 36, 38–39, 53; Lorans İsabel Baruh, "The Transformation of the 'Modern' Axis of Nineteenth Century Istanbul: Property, Investments, and Elites from Taksim Square to Sirkeci Station" (PhD diss., Boğaziçi University, 2009), 47; Sabrina Joseph, *Islamic Law on Peasant Usufruct in Ottoman Syria, 17th to Early 19th Century* (Leiden: Brill, 2012), 113.

[76] Durmuş, "Osmanlı," 86–87; Burcu Arıkan, "A Mode of Space Production in the Nineteenth Century: Icadiye Neighborhood as a Case of İfraz" (MA thesis, Boğaziçi University, 2021), 35.

[77] Nora Barakat, "Regulating Land Rights in Late Nineteenth Century Salt," *Journal of the Ottoman and Turkish Studies Association* 2, no. 1 (2015): 114; Mehmet Polatel, "Armenians and the Land Question in the Ottoman Empire, 1870–1913" (PhD diss., Boğaziçi University, 2017), 212–13; Sarine Artine Agopian, "Urban Modernization in Plural Ottoman Districts" (MA thesis, American University of Beirut, 2021), 125; Ümit Fırat Açıkgöz, "Capitalistic Urbanization in Late Ottoman Istanbul: Armenian Agencies," *Yıllık Annual of Istanbul Studies* 5 (2023): 15; Yaşar Tolga Cora, "The Failed Housing Cooperative Project of the Oriental Savings Association: Housing and Urban Rent in Istanbul in the 1880s and 1890s," *Yıllık Annual of Istanbul Studies* 5 (2023): 47–65.

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Ottoman cities.[78] The new state regulations created a more favorable legal framework for this process.[79]

The increase in land transactions and the commodification of waqf lands transformed usufruct owners' perception of land value. Investors expressed significant concerns that unforeseen incidents could jeopardize their interests. In this context, local inhabitants grew increasingly wary of newcomers from less privileged segments of society, such as the Roma people. Historically, the state and Muslim neighbors were more accepting of families previously designated as "Gypsy," provided they adhered to Islamic practices, including prayers, dress codes, and social separation of the sexes, while also fulfilling their tax obligations and distancing themselves from their group affiliations.[80] However, cases from the 19th century suggest that these sociocultural shifts no longer elicited the same acceptance from Muslim neighbors, who feared that the "Gypsy" heritage of newcomers could negatively impact their neighborhood's status and land values. In this regard, the situation of Şakir, a Roma blacksmith, closely resembles that of Sadık and Züleyha.

Şakir had previously acquired the usufruct rights to a parcel of land on Behram Street in Bakırköy (Makri) and sought to construct a building there, contingent upon the approval of relevant legal authorities. This former Greek village was on the verge of becoming an urban center, with planned divisions and the sale of waqf lands predominantly used for agricultural purposes. Upon applying to the district municipality, Şakir encountered strong opposition from neighbors who openly voiced their concerns: "The neighbors petitioned for action, signed by eight people, stating that allowing [Şakir] to build a house would diminish the neighborhood's honor."[81]

The concept of honor (*şeref*) referenced by the petitioners above was multifaceted, encompassing both moral values and the monetary worth of the land. According to Eda Güçlü, usufruct owners frequently employed this terminology when voicing their grievances or discussing changes in the value of their real estate holdings. In a similar vein, the Ottoman state imposed a specific tax known as *şerefiyye* on landowners whenever there was an increase in land value due to improvements in infrastructure, street layout, or residential opportunities.[82] The primary motivation for rallying the neighbors against Şakir's investment stemmed from their concerns about property values.

The Internal Affairs Section of the Council of State announced its decision regarding the case in an official report dated July 7, 1887. The report stated, "It is imperative to prevent the Gypsy group from settling in other neighborhoods, as they have historically resided in separate areas."[83] Conceding the rationale behind this decision, Şakir submitted a petition to

[78] Zeynep Çelik, *The Remaking of Istanbul* (Berkeley, CA: University of California Press, 1993), 37–38; Florian Riedler, "Armenian Labour Migration to Istanbul and the Migration Crisis of the 1890s," in *The City in the Ottoman Empire: Migration and the Making of Urban Modernity*, ed. Ulrike Freitag, Malte Fuhrman, Nora Lafi, and Florian Riedler (London: Routledge, 2011), 163; Ulrike Freitag, "The City and the Stranger," in Freitag et al, *The City*, 220; Malte Fuhrman, "'I Would Rather Be in the Orient': European Lower Class Immigrants into the Ottoman Lands," in Freitag et al, *The City*, 228–241.

[79] Keiko Kiyotaki, "Ottoman Land Policies in the Province of Baghdad, 1831–1881" (PhD diss., University of Wisconsin, 1997), 31; Martha Mundy, "The State of Property: Late Ottoman Southern Syria, the Kazâ of 'Ajlun (1875–1918)," in *Constituting Modernity Private Property in the East and West*, ed. Huri İslamoğlu (London: I. B. Tauris, 2004), 220–21.

[80] For example, see Istanbul Court Registries, Registry 3, Volume 13, Verdict 744 [94b-2], 1618; Istanbul Court Registries, Registry 12, Volume 16, Verdict 1113[114b-2], 1663/64; Istanbul Court Registries, Registry 12, Volume 16, Verdict 1114[114b-3], 1663/64.

[81] DAB.ŞD.726.1.3, rows_1–12, 1887.

[82] Eda Güçlü, "Urban Tânzîmât, Morality, and Property in Nineteenth Century Istanbul" (PhD diss., Central European University, 2018), 6–7, 11, 72, 73, 99, 105, 192, 202; Melih Ersoy, "Bir Kentsel Rant Vergisi Olarak Değerlenme/Şerefiye," İdealkent 13, no. 37 (2022–23): 1082–1104.

[83] DAB.ŞD.2931.40.1.1, rows_4–5, 1887.

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the Ministry of Internal Affairs proposing an alternative solution: he would construct a house but not occupy it himself, instead renting it out to a third party for income.[84] The Internal Affairs Section reviewed the case again and deemed this proposal acceptable, provided that Sadık signed a deed affirming he would not reside there.[85]

The case of Şakir underscores a common sensitivity among state officials and neighbors, who aimed to prevent any decrease in land values within their communities. This concern primarily arose from land commodification during the late Ottoman Empire. Understanding this context, Sadık and Züleyha attempted to pose as refugees. The census reform of 1881 facilitated this effort because the designation of Muslim "Gypsy" was removed from registries and identity cards.

The New Census Terminology and Muslim "Gypsies"

The Ottoman state relied on registries to resolve disputes over conflicting identity claims. For centuries, referees would refer to state records of "Gypsy" households to settle disagreements between tax farmers and those subjected to the "Gypsy" tax. However, in the 1881 census, the Ottoman state discontinued the separate registration of "Gypsies" until it was reintroduced in a different form during the 1905 census.

The Ottomans had a longstanding registration tradition.[86] However, there were procedural differences between premodern registration systems and modern censuses. Previous Ottoman registers (*tahrīr*) had primarily focused on taxpayers and their resources rather than the entire population. With the empire's implementation of a general conscription system in the late 18th and 19th centuries, knowing the male population of each family who could serve in the army became imperative. Therefore the earliest 19th-century censuses counted Ottoman males. During the Tanzimat era, the state took a more active role in delivering services such as education, health care, and sanitation, necessitating a more accurate understanding of the population for effective resource allocation.[87] As a result, the Ottoman state adopted modern census procedures, establishing institutions inspired by Western data collection methods, counting the female population, and revising census terminology in response to the evolving international political landscape.[88]

In the 19th century, the terminology used in censuses, particularly regarding religious and ethnic categories, acquired significant importance. Religious affiliation began to play a

[84] DAB.ŞD.2923.41.1.1, rows_7–8, 1887.

[85] DAB.ŞD.2931.40.2.1, rows_4–7, 1887.

[86] For the premodern, early modern, and colonial registration cases, see Arjun Appadurai, "Number in the Colonial Imagination," in *Orientalism and the Postcolonial Predicament: Perspectives on South Asia*, ed. Carol A. Breckenridge and Peter van der Veer (Philadelphia: University of Pennsylvania Press, 1993), 326, 329–30; and Simon Szreter and Keith Breckenridge, "Editors' Introduction: Recognition and Registration; The Infrastructure of Personhood in World History," in *Registration and Recognition: Documenting the Person in World History*, ed. Keith Breckenridge and Simon Szreter (Oxford, UK: Oxford University Press, 2012), 24.

[87] Kemal Karpat, "The Ottoman Adoption of Statistics from the West in the 19th Century," in *Studies on Ottoman Social and Political History*, ed. Kemal Karpat (Leiden: Brill, 2002), 137.

[88] Fatma Müge Göcek and Şükrü Hanioğlu, "Western Knowledge, Imperial Control, and the Use of Statistics in the Ottoman Empire," Working Paper Series (Centre for Research on Social Organization, 1993), 9; Musa Şaşmaz, "The Ottoman Censuses and the Registration Systems in the Nineteenth and Early Twentieth Centuries," *OTAM* 6 (1995): 290, 292, 294; Şükrü Aslan, Sibel Yardımcı, Murat Arpacı, and Öykü Gürpınar, *Tükiye'nin Etnik Coğrafyası 1927–1965 Ana Dil Haritaları* (Istanbul: MSGSÜ Yayınları, 2015), 43–44; Nilay Özok-Gündoğan, "Counting the Population and the Wealth in an 'Unruly' Land: Census Making As a Social Process in Ottoman Kurdistan, 1830–50," *Journal of Social History* (2020), 2, 6, 8, doi: 10.1093/jsh/shy097; Fuat Dündar, "From Listing Religions to Tabulating Nationalities: Ottoman Identity Policies and Enumeration Practices," *Middle Eastern Studies* 60, no. 1 (2024): 16–32, doi: 10.1080/00263206.2023.2187784.

pivotal role in the formation of emerging national identities during this period.[89] The Ottoman state grew concerned about maintaining the demographic balance of Muslims within the population. This anxiety intensified as global powers and nationalist movements positioned themselves as protectors of non-Muslim Ottomans, using population statistics to assert territorial claims. The Treaties of San Stefano and Berlin in 1878, which followed the Russo-Turkish War of 1877–78, were particularly significant; they prompted new reforms in predominantly Christian regions and required a determination of demographic data regarding the proportions of Muslims and non-Muslims in contentious areas.[90] Under these historical circumstances, during the Abdulhamid era, the administration's approach to the census shifted in 1881. For the first time, census designers included women and introduced ethnic categories to represent non-Muslims' linguistic and cultural diversity. In contrast, Muslims were categorized under a single designation, irrespective of their ethnic diversity, and the term "Muslim Gypsies" was excluded from the census terminology.[91]

The removal of the term "Muslim Gypsy" from census classifications was influenced both by the aforementioned census policy and by developments in the 19th century regarding the relationship between peripatetic communities and the Ottoman state. In the early 19th century, censuses generally featured traditional religious categories such as Muslims, Orthodox Christians, Armenians, and Jews, with the "Gypsy" category standing as an exception.[92] Ottoman officials separately registered "Gypsies," whereas ethnic references to the division of creeds were infrequent in both pre-19th-century and early 19th-century censuses.[93] This unique registration practice stemmed from the state's taxation of "Gypsies" as *cizye* payers, regardless of their faith. However, with the series of reforms enacted during the 19th century, Muslim "Gypsies" were allowed to serve in the Ottoman army and were subsequently exempt from paying *cizye* or military taxes. As a result, the separate registration of peripatetic groups registered as "Gypsies" became impractical.

The "Gypsy" agency played a role in shaping the state's approach to incorporating Muslim "Gypsies" within the larger Muslim community. The 1881 census regulations were apparent in the separate registration of Muslims and non-Muslims, with the latter being further divided into ethnic and confessional groups.[94] As a result, the non-Muslim "Gypsy" category was still present in the census records and final tallies.[95] However, earlier documents did not provide clear guidance on accounting for Muslim "Gypsies" in previous censuses, leading to confusion among census officials.

In certain instances, law enforcement officers insisted on labeling Muslim individuals as "Gypsies," which sparked a response from the affected community, whose members

[89] As a result, both the state and congregations viewed events like conversion as a potential threat to their nationality; see Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire* (Cambridge, UK: Cambridge University Press, 2012), 4, 13.

[90] Fuat Dündar, "Empire of Taxonomy: Ethnic and Religious Identities in the Ottoman Surveys and Censuses," *Middle Eastern Studies* 51, no. 1 (2015): 149–50; Vladimir Hamed-Troyansky, *Empire of Refugees: North Caucasian Muslims and the Late Ottoman State* (Stanford, CA: Stanford University Press, 2024), 80.

[91] Kemal Karpat, *Ottoman Population, 1830–1914* (Madison, WI: University of Wisconsin Press, 1985), 4–5; Sinan Kuneralp, *Son Dönem Osmanlı Erkan ve Ricali*, (Istanbul: İSİS, 1999), 283–86; Yüksel, "Buçuk Millet," 164; Gülhan Balsoy, *The Politics of Reproduction in Ottoman Society, 1838–1900* (London: Routledge, 2013), 3; Bahtiyar Mermertaş, "'İlmin Baştan Çıkaran ve İnsanı Sarhoş Eden Sihri': Osmanlı'dan Cumhuriyet'e Kürtlük Hakikatinin Bilimsel İnşası" (PhD diss., MSGSU University, 2022), 299; DAB.Grand Vezirate Documents, Divan Office Regulations (hereafter A}DVN.MKL).20.35.2.1, row_4, 1880; DAB.Yıldız Official Reports (hereafter Y.A.RES).11.59.1.1, rows_1-2-3, 1881.

[92] The contemporary Danubian censuses contained more detailed categories, such as Turkish "Gypsies"; see Julieta Rotaru, "Considerations about the 'Turkish Gypsies' as Crypto-Muslims in Wallachia," in *Romani History and Culture: Festschrift in Honor of Prof. Dr. Vesselin Popov*, ed. Hristo Kyuchukov, Sofiya Zahova, and Ian Dumunica (Munich: Lincom, 2021), 79.

[93] Karpat, "Ottoman," 20–21, 110.

[94] DAB.A}DVN.MKL.20.35.2.1, row_4,1880; DAB.Yıldız Grand Vezirate Documents (hereafter Y.PRK.A).8.78.1.1, rows_1–2, 1893.

[95] DAB.Y.PRK.A.8.78.3.1–31, 1893.

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recognized the potential advantages of new regulations and demanded their prompt implementation. On January 7, 1886, the Administration of Population Registration (Sicil-i Nufūs İdāresi) solicited the advice of the Council of State regarding the status of Muslim "Gypsies" who refused to be classified as such on their identification cards.[96] The Reform Legislation Section (Tanẓīmāt Da´iresi) of the Council of State assessed the matter. It issued an official report (*mażbaṭa*) on January 28, 1886, which proposed that Muslim "Gypsies" no longer be registered as "Gypsies." The reform legislation department's resolution went even further and mandated the registration of non-Muslim "Gypsies" under the non-Muslim community to which they belonged.[97]

The individuals at the center of this case, Sadık and Züleyha, benefited from the decision made by the reform legislation department in 1886 to expand spatial boundaries.[98] However, they had to be cautious and adopt a camouflage strategy. Despite having no evidence of their "Gypsy" background on their identification cards, they could still face backlash from neighbors. To avoid this, they crafted a fake identity narrative and presented themselves as a Muslim refugee couple when they first applied to purchase the usufruct of the mentioned lot.

The portrayal of refugees as veteran victims has been an integral part of nation-building strategies, and the late Ottoman Empire was no exception.[99] Between 1850 and 1914, millions of Muslims migrated to Anatolia from Caucasia and the Balkans. The Ottoman state and its subjects compassionately responded to the refugees and organized extensive charitable initiatives. This response stemmed not only from Islamic principles but also from the strategic importance of these migrations in addressing demographic declines, revitalizing the economy, and reinforcing state control in various provinces through changes in demographic composition. The influx of refugees contributed to the establishment of Islamist discourse and practices, significantly altering the local demographics in favor of Muslims.[100]

How did Sadık and Züleyha convince land tenure sellers that they were refugees? What challenges made identifying the Roma couple from the neighboring Sulukule difficult, leading to the need for the imam's testimony? Initially, the Muslim refugees arriving in the Ottoman capital after the 1877–78 Russo-Turkish War were not exclusively of Turkic descent; instead, they represented a diverse mix, including Roma individuals. Reports from European war correspondents and Ottoman observers during the war and subsequent migration confirm the presence of "Gypsies" among the Muslim refugees.[101] In Istanbul, the primary reception point for these newcomers, census officers classified them as *muhājir*, an Islamic term referring to the earliest Muslims who emigrated from Mecca to Medina. This classification was independent of their origin and afforded them legal protection against discrimination targeting minority groups.[102]

[96] DAB.ŞD.2501.19.1.1, rows_1–3, 1885; DAB.ŞD.2501.19.2.1, rows_1–2, 1886.

[97] DAB.Sublime Port Ministries Incoming and Outgoing Documents (hereafter BEONGG.d).610, nr. 1516, 1886; DAB.General Administration of Population Registration Documents (hereafter DH.SN.M).160.54.2.1, 1902; DAB.DH.MKT.632.19.1.2, rows_2–6, 1903.

[98] For similar examples, see DAB.ŞD.2129.13.2.1, 1900; DAB.DH.MKT.521.25.2,1902; DAB.Sublime Port Documents (hereafter BEO).1998.149819.2.1, 1903.

[99] Isa Blumi, *Ottoman Refugees, 1878–1939: Migration in a Post-Imperial World* (London: Bloomsbury, 2013), 3.

[100] Kemal Karpat, "The Hijra from Russia and the Balkans," in *Studies on Ottoman Social and Political History*, ed. Kemal Karpat (Leiden: Brill, 2002), 689–91, 694, 697, 701; Hamed-Troyansky, *Empire*, 2, 58, 63–64, 69, 76, 80.

[101] Archibald Forbes Januarius A., MacGahan, Francis D. Millet, Edwin Pears, E., O'Donovan, J. E. Skinner, and V. Julius, *The War Correspondence of the "Daily News" 1877–78: Continued from the Fall of Kars to the Signature of the Preliminaries of Peace, with a Connecting Narrative Forming a Continuous History of the War between Russia and Turkey* (London: Macmillan, 1878), 516; Hüseyin Raci Efendi, *Tarihçe-i Vak'a-i Zağra* (Istanbul: Kervan Kitapçılık, 1975), 267.

[102] DAB.Y.A.RES.10.45.3.2, p. 2, rows_6–7, 1881; Egemen Yılgür, "Formation of Informal Settlements and the Development of the Idiom Teneke Mahalle in the Late Ottoman Istanbul," *Journal of Urban History* 48, no. 3 (2022): 612. For the *muhājir* concept, see Karpat, "Hijra," 691; and Hamed-Troyansky, *Empire*, 8, 50.

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The *muhājir* identity encompassed elements that overlapped with the cultural characteristics of Roma refugees. This development likely caused dissatisfaction among upper-class refugees, as evidenced by the testimony of the former mufti of Stara Zagora, Hüseyin Raci Efendi. He expressed concern that the actions of "Gypsies" classified as *muhājir*, such as burning wooden parts of the houses they temporarily settled in for warmth, brought shame to the *muhājirs*.[103] Despite this discontent, the local population initially viewed certain cultural traits of the Roma as peculiarities of some Muslim war veterans in the early stages of immigration. Sadık and Züleyha attempted to leverage this common ground to settle in the new community in Yenibahçe by presenting themselves as an established *muhājir* family. However, rumors soon shattered this illusion by revealing their origins, prompting a process that ultimately took their case to the Internal Affairs Section of the Council of State.

The Internal Affairs Section and Orientalist Discourses

Ottoman Orientalism represents a recent contribution to Ottoman historiography.[104] According to Ussama Makdisi, the Ottoman understanding of the Turkish nation as a leader in introducing modernity to premodern national or ethnic clusters exemplifies this form of Orientalism.[105] During the 19th century, many Ottoman intellectuals and policymakers embraced the ideals of civilization (*medeniyyet*) and progress. They reinterpreted these concepts through the lens of the Islamic value system, positing that civilization was a prerequisite for Islam. This viewpoint further contrasted the pairing of civilization and science with the opposing duo of nomadism and ignorance.[106] As the rulers of a modernizing empire dedicated to civilizing their subjects, Ottoman bureaucrats sought to transform their population structure from an open, flexible framework to a closed, fragmented one that necessitated sedentariness. Achieving this goal required the gradual subjugation of mobile populations.[107]

The influence of Western Orientalist thought on Ottoman elites became increasingly pronounced during the Hamidian and the Committee of Union and Progress periods. It shaped their discursive strategies toward provincial subjects and mobile groups, such as pastoralists and peripatetics, often depicting them as less civilized.[108] The Ottoman state's civilizing mission toward itinerant groups, referred to as "Gypsies," primarily focused on

[103] Hüseyin Raci Efendi, *Tarihçe-i*, 277.

[104] Selim Deringil, "'They Live in a State of Nomadism and Savagery': The Late Ottoman Empire and Post-Colonial Debate," *Comparative Studies in Society and History* 45, no. 2 (2003), 311–13, 316, 328; Ömer Ulusoy, "An Inquiry into the Ottoman's Knowledge and Perception of the Gypsies in the Late 19th Century," *OTAM* 34 (2013): 245–56; Faika Çelik, "'Civilizing Mission' in the Late Ottoman Discourse: The Case of Gypsies," *Orienta Moderno* 93 (2013): 555–97; Edhem Eldem, "The Ottoman Empire and Orientalism," in *After Orientalism: Critical Perspectives on Western Agency and Eastern Re-Appropriations*, ed. François Pouillon and Jean-Claude Vatin (Leiden: Brill, 2015), 97.

[105] Ussama Makdisi, "Ottoman Orientalism," *American Historical Review* 107, no. 3 (2002): 768–69.

[106] Gökhan Çetinsaya, "Kalemiye'den Mülkiye'ye Tanzimat Zihniyeti," in *Modern Türkiyede Siyasi Düşünce* 1, ed. Tanıl Bora and Murat Gültekingil (Istanbul: İletişim, 2001), 56–57.

[107] Deringil, "State of Nomadism," 317, 322; Reşat Kasaba, *A Moveable Empire* (Seattle, WA: University of Washington Press, 2009), 123; Çelik, "'Civilizing Mission,'" 582–83; Mermertaş, "'İlmin,'" 368, 371, 375, 378.

[108] Makdisi, "Ottoman Orientalism," 768–69; Deringil, "State of Nomadism," 311–13, 316; Thomas Kuehn, *Empire, Islam, and Politics of Difference: Ottoman Rule in Yemen, 1849–1919* (Leiden: Brill, 2011), 6, 11, 55; Çelik, "'Civilizing Mission," 555–97; Ulusoy, "Inquiry," 245–56; Mostafa Minawi, "Beyond Rhetoric: Reassessing Bedouin-Ottoman Relations along the Route of the Hijaz Telegraph Line at the End of the Nineteenth Century," *Journal of the Economic and Social History of the Orient* 58, no. 1/2 (2015): 78; Eldem, "Ottoman Empire," 97. The Ottoman ruling elite's employment of Orientalist discourses does not imply a strict adherence to conventional European colonial policies; their approach exhibited unique characteristics, distinct from typical colonial practices; see Kuehn, *Empire*, 11; Özgür Türesay, "The Ottoman Empire Seen through the Lens of Postcolonial Studies: A Recent Historiographical Turn" *Revue D'Histoire Moderne & Contemporaine* 60, no. 2 (2013), 127–45; and Minawi, "Beyond Rhetoric," 81.

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Islamization of their belief systems, improvement of their perceived moral inferiority, and clarification of their legal status. The ruling elite attributed the low status associated with "Gypsies" to ignorance linked to their nomadic lifestyle. Practical implementations of this vision included settlement policies, establishing schools, and assigning imams to areas inhabited by these groups.[109]

The decision of the Internal Affairs Section of the Council of State sheds light on the diverse Orientalist discourses embraced by Ottoman elites. The minority who voted to allow Sadık and Züleyha to reside in the Muslim neighborhood adopted an inclusive approach. They were eager to transform the spatial segregation and harness the assimilation potential of Sunni-Muslim and Turkish-speaking Ottomans to "civilize" those considered "other." In contrast, the majority were less inclined to extend the rhetoric of equality beyond the necessity of countering separatist tendencies. They saw no problem in maintaining distinct spaces for Muslim "Gypsies" and other Muslims, effectively preventing Sadık and Züleyha from crossing these boundaries, as they prioritized adherence to tradition and the preservation of peace within the Muslim majority.

Conservative and inclusive Orientalist discourses were present in the discursive repository of section members and were utilized for various occasions. These discourses can be traced in the decisions made by the section. Notably, two consecutive decisions regarding the exemption of Muslim "Gypsies" from conscription in 1872 and 1873 reveal the section's support for conflicting viewpoints, drawing from both conservative and inclusive Orientalist perspectives. These divergent stances were influenced by shifts in the section's membership composition and fluctuations in the broader political landscape.

Throughout the 19th century, shifts in power dynamics within the Ottoman ruling elite sparked the reorganization of modern institutions, such as the Council of State. Until the death of Tanzimat reformer `Ali Pasha in 1871, elements of the civil bureaucracy that operated with relative autonomy had garnered significant influence, whereas those closely tied to the palace, often through kinship, were less effective. However, following the death of Sultan `Abdulaziz in 1876 and during the reign of `Abdulhamid II, a new era of power centralization around the palace emerged.[110]

Following the death of Tanzimat reformer `Ali Pasha, Mahmud Nedim Pasha took on the position of grand vizier and sought to reduce the influence of the bureaucrats appointed during the tenures of `Ali and Fuad Pashas. As a conservative, Mahmud Nedim Pasha attributed the late Ottoman state's inefficiencies to the diminishing authority of the sultan over the expanding bureaucracy. He believed that the sultan's intervention in state affairs was essential for a swift recovery.[111] Regarding the Council of State, his main objective was to eliminate bureaucrats appointed by the previous president of the council, Midhat Pasha, and curtail the council's role in state administration.[112]

The reorganization efforts altered the membership composition of the Internal Affairs Section. A comparison of the H. 1288 (1871/72) and H. 1289 (1872/73) State Yearbooks (Salname) reveals that nearly all members were newly appointed.[113] The H. 1288 section had a significant representation of provincial notables. However, Mahmud Nedim Pasha's

[109] Çelik, "'Civilizing Mission,'" 585, 588; Ulusoy, "Inquiry," 250.

[110] Ali Akyıldız, *Osmanlı Bürokrasisi ve Modernleşme* (Istanbul: İletişim, 2012), 167; Eraslan, Şûrâ-yı, 42.

[111] Madmud Nedim Pasha, *Ayine ve Hasb-I Hal* (Istanbul: Karabet, 1327/1909–10), 29; Butrus Abu-Manneh, "The Sultan and the Bureaucracy: The Anti-Tanzimat Concepts of Grand Vizier Mahmud Nedim Paşa," *International Journal of Middle East Studies* 22, no. 3 (1990): 257, 258, 262, 264; Mehmed Süreyya, *Sicill-i Osmanî* 3, 921; Süreyya, *Sicill-i* 4, 1246.

[112] Shaw, "Legislative Councils," 82; Kahraman, "Osmanlı," 76, 105, 125–126.

[113] *Salname* (1288/1871–72), 41; and *Salname* (1289/1872–73), 37.

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reorganization redistributed these individuals to various posts.[114] The new profile of assignees to the Internal Affairs Section in H. 1289 broadly aligned with Mahmud Nedim Pasha's expectations, as many of the members had established connections with the palace.[115]

The Internal Affairs Section, reorganized through the intervention of Mahmud Nedim Pasha, held a meeting regarding the conscription of Muslim "Gypsies" into the Ottoman army and subsequently prepared an official report dated May 1, 1872. Although the necessity of enhancing military human resources was evident, the section, influenced by the conservative grand vizier, ultimately decided against including Muslim "Gypsies" in the army. This decision was partly driven by financial concerns, as rescinding their military exemption would hinder the collection of the "Gypsy" tax.[116] Additionally, there existed a moral rationale citing the perceived inferiority of "Gypsies":

> Differentiating between individuals who genuinely possess Islamic moral values and those who merely follow traditional practices within the community can be challenging for various parties. The presence of disrespectful and immoral individuals among imperial soldiers may result in the spread of their negative behavior to other soldiers, ultimately tarnishing the military's honor.[117]

The report mentioned above reflects a conservative Orientalist discourse; however, an inclusive Orientalist perspective emerged in the Internal Affairs Section's 1873 decision to abolish the exemption following the removal of Mahmud Nedim Pasha in July 1872.[118] The opposition to Mahmud Nedim Pasha's policies led Sultan `Abdulaziz to dismiss him and appoint Midhat Pasha as the new grand vizier.[119] The composition of the Internal Affairs Section, which advocated for the abolition of the exemption, became more balanced, comprising both palace-affiliated bureaucrats and provincial notables.[120]

[114] Baghdad-born former mufti Mehmed Emin Efendi; Eleşkirt (Ağrı)–born Mehmed Pasha; Nikolaki Çanaka from Ioannina; Derviş Bey from Travnik (Bosnia and Herzegovina); Cabirizade Ali Efendi, a member of the Aleppo dynasty; see Süreyya, *Sicill-i* 1, 257; Süreyya, *Sicill-i* 2, 417, 464; Süreyya, *Sicill-i* 4, 1038; DAB.DH.SAID.d.26.293, row_26; DAB.Imperial Decress, File Method (hereafter I.DUIT).58.45.3.1; DAB.I.DUIT.58.45.5.1; Kahraman, "Osmanlı," 152.

[115] For instance, Mahmud Edhem Pasha, the son of Grand Vizier Mehmed Ali Pasha and the husband of Refia Sultan (daughter of Sultan Abdulmejid), succeeded Süreyya Mustafa Pasha as the second head, following Pasha's appointment as governor of Aleppo in June 1871; see *Salname* (1288/1871–72), 41; *Salname* (1289/1872–73), 37; Süreyya, *Sicill-i* 2, 442; Süreyya, *Sicill-i* 5, 1554–1555; and Ali Akyıldız, *Refia Sultan Mümin ve Müsrif Bir Padişah Kızı* (Istanbul: Tarih Vakfı, 2001). Kemal Ahmed Paşa had served as the Persian instructor for the princes and as the disbursement superintendent in the Imperial Harem since October 1859; see Süreyya, *Sicill-i* 3, 880. Ahmed Ziyaeddin Bey was a former defense ministry officer, the son of a palace bureaucrat, and a companion to Sultan Selim III, Said Mehmed Efendi; see Süreyya, *Sicill-i* 5, 1451, 1717.

[116] DAB.A}MKT.ŞD.11.57.2.1, rows_9–11, 1872.

[117] DAB.A}MKT.ŞD.11.57.2.1, rows_8–9, 1872.

[118] Kuneralp, *Son Dönem Osmanlı Erkan ve Ricali*, 1.

[119] Eraslan, *Şûrâ-yı*, 145; Kahraman, "Osmanlı," 128–29.

[120] For the members list, see *Salname* (1290/1873–74), 37; and *Salname* (1291/1874–75), 36. Mahmud Edhem Pasha and Said Mehmed Efendi retained their positions. Şerif Hüseyin Pasha came from a family that ruled over Mecca, and Hilmi Efendi had previously served as the first secretary of the palace secretariat; see Süreyya, *Sicill-i* 3, 726; and DAB.Imperial Decrees, Internal Affairs Documents (hereafter İ.DH).658.45782.2.1, 1872. `Ali Şefik Bey was from a well-established family originating in Livadia (Greece); see DAB.DH.SAIDd.2.290; Süreyya, *Sicill-i* 1, 303; Süreyya, *Sicill-i* 2, 647; Süreyya, *Sicill-i* 3, 816. Logofet Istavraki Aristaki Bey was of Logofet descent, a title given to mediating Orthodox notables; see Christine Philliou, "Worlds, Old and New: Phanariot Networks and the Remaking of Ottoman Governance in the First Half of the Nineteenth Century" (PhD diss., Princeton University, 2004), 32, 287, 315–16; and Feryal Tansuğ, "The Kocabaşıs as Intermediaries? The Local and Central Administration in Imvros/İmroz and Lemnos in the Early 19th Century," *Belleten* 78, no. 281 (2014): 232. Yaver Efendi (Tınkır-zade/Tıngıryan) came from a prominent Armenian Catholic family; see DAB.İ.DH.706.49467.1.1, 1875;

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The official report, dated November 1873, provides a comprehensive overview of the process that led the Internal Affairs Section to the verge of a new decision.[121] In the concluding section of the report, its members articulated that military service represented the foremost sacred duty of Muslim subjects and introduced a new position in response to the concerns raised in the previous decision:

> Even though the conscription of the Ḳibṭīs has been postponed until they fully embrace morality, it is evident that they will not abandon their ugly traditions as long as they are left to their own devices. Their population is small, so their harmful temperament and customs will not spread to the other soldiers if they are recruited in small quantities. Conversely, they will gradually inevitably embrace morality by seeing the proper actions and integrity of other soldiers.[122]

In 1889, the minority members of the Internal Affairs Section who chose to uphold the land transaction between Sadık and Züleyha embraced the discourse outlined above. In contrast, the majority favored a conservative Orientalist stance. These groups employed similar discursive tools as their predecessors, albeit within a new sociohistorical context, as Abdulhamid II continued to pursue the reformist agenda of the Tanzimat reformers across various domains, such as education, while simultaneously slowing the autonomous development of the Ottoman bureaucracy.[123]

Conclusion

The case of Sadık and Züleyha illuminates three macroprocesses associated with Ottoman modernization: land commodification, the reform in the census policy, and the emergence of inclusive and conservative Orientalist discourses among Ottoman elites. These processes formed the backdrop for the interaction between the figures mentioned above.

The surge in housing demand during the 19th century, spurred by population growth, resulted in an extraordinary level of land commodification. Usufruct owners began carving and transferring waqf lands to third parties for residential use, converting agricultural areas into residential zones. This transition accentuated the importance of land value for usufruct owners, particularly concerning accommodating low-status Ottomans on their properties. Within this context, the resettlement efforts of Roma families, who had distanced themselves from their traditional affiliations, were met with resistance from their new neighbors despite prior instances of greater tolerance toward such individuals or families. Sadık and Züleyha were acutely attuned to these dynamics. They chose to disguise themselves as refugees displaced by the 1877–78 war, taking advantage of the new census policy that had removed the designation "Muslim Gypsy" from identification cards.

The shift in the Ottoman census policy was closely tied to a series of reforms aimed at redefining the state's relationship with peripatetic groups. Traditionally, the Ottoman Empire levied a specific tax called *cizye* on peripatetics categorized as "Gypsy." In the 19th century, this tax was linked to the exemption of non-Muslims and "Gypsies" from

Ahmed Lütfî Efendi, *Vak'a-Nüvis Ahmed Lütfi Efendi Tarihi*, vol. 12 (Ankara: TTK, 1989), 22; Edhem Eldem, *135 Yıllık Bir Hazine Osmanlı Bankası Arşivinde Tarihten İzler* (İstanbul: Tarih Vakfı, 1997), 124.

[121] DAB.Imperial Decrees, Special Council Documents (hereafter I.MMS).47.2025.3.1, rows_1–7.

[122] DAB.I.MMS.47.2025.3.2, rows_4–7, para. 2).

[123] Benjamin C. Fortna, *Imperial Classroom* (Oxford, UK: Oxford University Press, 2002), 87–88; Nadir Özbek, "Philantropic Activity, Ottoman Patriotism, and the Hamidian Regime, 1876–1909," *International Journal of Middle East Studies* 37, no. 1 (2005): 59–81; François Georgeon, *Sultan Abdülhamid* (Istanbul: Homer, 2006), 60, 65, 69, 72, 81, 91–92, 133, 134, 177, 296.

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military service. However, as the Ottoman government sought to bolster its military by integrating Muslim "Gypsies" into its reserves in 1873, it abolished the separate "Gypsy" tax, rendering the distinct registration of Muslim "Gypsies" impractical. The 1881 census recognized the ethnic and confessional diversity among Christians while omitting ethnic classifications for Muslims, excluding the designation of "Muslim Gypsy." In light of this policy shift, Sadık and Züleyha saw an opportunity for themselves but could not dispel the rumors that brought their case to the Internal Affairs Section of the Council of State.

The members of the Internal Affairs Section of the Council of State split into two factions while deliberating the case of Sadık and Züleyha. Inclusive and conservative Orientalist discourses, adopted by minority and majority members, were already present in the section's discursive repository. For instance, in 1872, the Internal Affairs Section, which included members appointed by the conservative Grand Vizier Mahmud Nedim Pasha, chose not to revoke the exemption of "Gypsies" from military service. They cited concerns that the perceived moral inferiority of this group could negatively influence the soldiers and noted that collecting the "Gypsy" tax would be impractical if the exemption were lifted. However, the section, with a new composition achieved by reformist Midhat Pasha, reexamined this decision in 1873. They concluded that conscripting a small number of "Gypsies" would not be detrimental and that the influence of other soldiers might encourage them to assimilate mainstream values.

Those examining the case of Sadık and Züleyha drew on inclusive and conservative Orientalist discourses within the historical context of the Abdulhamid II era. The proponents of the majority viewpoint included several individuals from families connected to the central bureaucracy and provincial notables. In contrast, the advocates of the minority perspective emerged from relatively modest family backgrounds, including the waning Tanzimat elite and provincial figures. Whereas the majority emphasized the established spatial segregation of "Gypsies" from the broader Muslim community and prioritized the grievances of petitioners from the Emin-i Cev Neighborhood, the minority argued that coexistence with the Muslim majority could lead "Gypsies" to embrace the dominant values of the host society.

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