

**Building the Ottoman Police through Honor: Dismissing policemen on the grounds of
marrying “unchaste” [*iffetsiz*] women in the late 19th and early 20th centuries**

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ABSTRACT

In this thesis, I focus on Ottoman policemen accused of dishonoring their profession for marrying unchaste women, and I question why marrying unchaste women was grounds for dismissal. To do so, I explore the course of honor in the 19th-century Ottoman Empire and its role in building the Ottoman Police. I argue that the dismissal of policemen on the grounds of their marriage to unchaste women was not intrinsically because of professional ethics that typically contribute to the upright institutionalization but rather because of the state's need for the honor to legitimize its violence. As the central state bypassed equality and invested in violence against the "dishonorable," honor became the pivotal value of internal security to justify the state's unlawful actions. Hence because of the state's investment in violence, especially by the late 19th century, the Police gained the privilege of impunity with the help of the honor, becoming an institution that could commit unlawful violence to protect the regime. Thus, the Police became dependent on honor, not law. As honourless meant more legitimacy loss than lawless for the Police, the Police became a ground for reproducing honor. Therefore, the principles of honor, not the law, dominated the discipline of the policemen. Consequently, the disciplinary relationship between the administration and the policemen reproduced masculine dignity measured by a man's capacity to protect and control his wife's chastity. Ultimately, a man's reputation became re-subject to the woman's virtue.

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CHAPTER 1

Introduction

This thesis explores how the Ottoman Police, through Ottoman honor *topos*, attempted to restore their professional dignity and how they built themselves up as a regime apparatus from the late 19th to early 20th centuries. This thesis also scrutinizes the implications that this had on the construction of the gender order and Ottoman masculinities. It focuses on the dismissal processes of two middle-level Ottoman police officers serving in Istanbul & Yozgat and what these cases reveal about the Ottoman Police, the primary institution adopting the mission of protecting and representing the social and moral order. By examining the disciplinary proceeding records of two police officers dismissed due to marrying unchaste women, the thesis examines the role of honor in constructing the Ottoman Police force. Correspondingly, it looks at how the Ottoman Police constructed masculinities based upon the chastity of police wives, which is an overlooked topic in the historiography of the Ottoman Police.

It is well-known that twentieth-century anthropologists reified the concept of honor in Mediterranean societies. Some of their discussions of honor turned it into a timeless image that reduced manhood across the region to an “always-ready-to-act-violently-on-honor Mediterranean male.”¹ Thus, the twentieth-century anthropologists and social scientists adopting the Mediterranean-male cliché made the possibilities of masculinities impossible in the Mediterranean. Consequently, the relationship between masculinity and violence in the Mediterranean has been stereotyped in the ahistorical context of Mediterranean culture and religion. This ahistorical trope concomitantly framed political agendas of “northern” European

¹ Tolga Uğur Esmer, “The Precarious Intimacy of Honor in Late Ottoman Accounts of Para-Militarism and Banditry,” *European Journal of Turkish Studies*, no. 18 (March 2014): p. 2, <https://doi.org/10.4000/ejts.4873>.

countries vis-à-vis their more backward, southern compatriots.² In addition, I think that this ahistorical metaphor framed the political agendas of the countries, not only in Europe but also in the Mediterranean too. The cultural stereotypes of the Mediterranean male facilitate patriarchal ideologues in Mediterranean countries to present their “real manhood” as the sole owner of the tradition. Moreover, these falsifications help their political agenda to depict heterosexuality and controlling women as the essence of the so-called traditional masculinity.

As for gender studies, gender studies scholars – having academic backgrounds in political science, psychology, or sociology – accepted that the gender order (or patriarchy in feminist term) and honor as an integral part of it primarily emerge in *between*-genders institutions such as family. Therefore, they neglected the archive-based historical course of *within*-genders institutions such as the Police until the advent of masculinities studies. For example, Deniz Kandiyoti, a prominent academic in Islam and gender studies, said in 1994, “I remained partially oblivious to dynamics among men because of my implicit belief that patriarchy reproduces itself primarily in the relations *between* rather than *within* genders: this also led me to privilege some institutions (kinship and the family) over others (such as state and the army).”³ However, after Sociology Professor Raewyn Connell presented masculinity studies, Kandiyoti stated that although she still believed that “patriarchy finds its starkest expression in relation to the subordination of women,”⁴ she remarked that “an adequate explanation of the reproduction of patriarchal relations requires much closer attention to those institutions (institutions *within*-genders, state and army), which are crucially responsible for

² For a more detailed assessment, see the introduction of Tolga Esmer’s article above. In this part, Esmer elaborately criticizes the handling of masculinities in Mediterranean anthropology and its relation to ideology.

³ Deniz Kandiyoti, “The Paradoxes of Masculinity Some Thoughts on Segregated Societies,” in *Dislocating Masculinity: Comparative Ethnographies*, ed. Andrea Cornwall and Nancy Lindisfarne (London u.a.: Routledge, 1994), p. 199.

⁴ Ibid., Kandiyoti, 1994, p. 199.

the production of masculine identities.”⁵ Nevertheless, gender scholars have mostly neglected to explain the centrality of the state and armed-men institutions in the formation of the gender order, the centrality of honor in the state, and the honor’s functionalities outside the private sphere within the context of a particular time and space.

On the other hand, in the Ottoman historiography, although a few Ottoman historians and academics recently tried to overcome the two problems mentioned earlier (the ahistorical approach towards Mediterranean masculinity and the omittance of *within*-men institutions on honor studies),⁶ historians generally handled honor as a cultural aspect of the private sphere between men and women, i.e., family. The statist modernist discourses and historiographies have significantly shaped this manner since they place ordinary people’s ethnic, cultural, and religious identities at the center of honor issues. Thus, they omit the delinquency of the exclusionary central state investing in police violence through honor.

In contrast to the above-mentioned mainstream approaches to honor, this thesis situates the negotiation of honor and morality among late-nineteenth- and early-twentieth-century

⁵ Ibid., Kandiyoti, 1994, p. 199.

⁶ Please see below for mentioned rare approaches. Başak Tuğ, “Gendered Subjects in Ottoman Constitutional Agreements, Ca. 1740-1860,” *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 1-22, <https://doi.org/10.4000/ejts.4860>. – Ibid., Esmer. – Isa Blumi, “An Honorable Break from Besa: Reorienting Violence in the Late Ottoman Mediterranean,” *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 1-23, <https://doi.org/10.4000/ejts.4857>. – Leslie Peirce, “Honor, Reputation, and Reciprocity,” *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 1-13, <https://doi.org/10.4000/ejts.4850>. – Nükhet Sirman, “Contextualizing Honour,” *European Journal of Turkish Studies*, no. 18 (March 2014), <https://doi.org/10.4000/ejts.4871>. – Noémi Lévy-Aksu, “Building Professional and Political Communities: The Value of Honor in the Self-Representation of Ottoman Police During the Second Constitutional Period,” *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 1-21, <https://doi.org/10.4000/ejts.4895>. – Lévy-Aksu Noémi, “Institutional Cooperation and Substitution: The Ottoman Police and Justice System at the Turn of the 19th and 20th Centuries,” in *Order and Compromise: Government Practices in Turkey from the Late Ottoman Empire to the Early 21st Century*, ed. Marc Aymes, Benjamin Gourisse, and Elise Massicard, vol. 113 (Leiden: Brill, 2015), pp. 146-168. – Lévy-Aksu Noémi, *Osmanlı İstanbulu’nda Asayiş 1879 - 1909*, 1st ed. (İstanbul: İletişim Yayınları, 2017). – Noémi Lévy-Aksu, “The State and the City, the State in the City: Another Look at Citadinité,” in *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, ed. Angelos Dalachanis and Vincent Lemir, vol. 1 (Brill, 2018), pp. 143-160. – Nükhet Sirman, “Contextualizing Honour,” *European Journal of Turkish Studies*, no. 18 (March 2014), <https://doi.org/10.4000/ejts.4871>.

police organizations into the larger context of more immense power struggles in the Empire. It argues that regardless of the root causes concerning why modern Ottoman police institutions emerged, they proved helpful for the imperial government because of its capacity to mold discourses on honor to engage in unlawful violence and illegal affairs. While the principality of accountability after the Tanzimat bound state officials tightly, the regimes invested in this capacity of the Ottoman Police, which was the capacity to misuse authority and engage in unlawful violence through honor. Hence, the Ottoman Police turned into an imperial apparatus that could bypass the law with the help of ambivalent concepts such as chastity and honor rather than become a relatively independent public institution. Eventually, it became the representative and protector of honor⁷ to legitimize its profitable corruption. More precisely, the Ottoman Police had to trumpet honor loudly and publicly on the pretext of maintaining the “common good.” Moreover, as Tolga Esmer argues, “violence and terror were also essential aspects of the Ottoman imperial model for upholding a ‘common good’ and achieving order, not only in the nineteenth century but in other periods as well.”⁸ Hence, in fact, the Police became the instrument of already-existed violence in the name of a “common good” by the 19th century.

This thesis historicizes banning marriage with unchaste women following the theoretical and historical context above. It first objects to the masculinity claim of mainstream twentieth-century Mediterranean anthropology. Thus, the thesis argues that the relationship between violence, women’s chastity, and the approved masculine dignity is not ahistorical and homogeneous but differs according to the given time and space in the Mediterranean –

⁷ Noémi Lévy-Aksu, “Building Professional and Political Communities: The Value of Honor in the Self-Representation of Ottoman Police During the Second Constitutional Period,” *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 9-11, <https://doi.org/10.4000/ejts.4895>.

⁸ Tolga Uğur Esmer, “Economies of Violence, Banditry and Governance in the Ottoman Empire Around 1800,” *Past & Present* 224, no. 1 (August 24, 2014): p. 173, <https://doi.org/10.1093/pastj/gtu013>.

masculinities are as well. Accordingly, the thesis asserts that Ottoman masculinities were diverse and complex in the late 19th and early 20th centuries, even in institutions such as the Ottoman police force that claimed to represent the ideal social values of the era.

Secondly, my thesis argues that the dismissal of policemen on the grounds of their marriage to unchaste women was not intrinsically because of professional ethics or dignity. More clearly, the primary function of these dismissals was not to contribute to the upright institutionalization for public safety and security. Rather, those dismissals were vital to provide the Police with impunity. Because the honor as a justification paradigm could bypass the Tanzimat's rule of law to some extent, maintaining the identification between the Police and the honor became of paramount importance for the attempted legitimization of violence and corruption of the state. Hence, disciplinary relations between policemen and executive power aimed to protect the institution from "dishonor" and make honor a central value because honor was the Police's most significant source of legitimacy whilst inflicting unlawful violence. Subsequently, over time, the profitable relationship between regimes and the Police made the Ottoman Police dependent on the Ottoman honor *topos* rather than the law. This process, in turn, restricted the freedom of individual police officers and disciplined them with ambiguous concepts such as professional dignity. However, the disciplinary relations in question could not control the diversity of masculinities within the Police. Rather, these disciplinary relations reminded some policemen that they had a separate identity and dignity from the professional one. Hence, the disciplinary law turned into grounds where masculinities diversify and fight for their variety against the exclusionary institution.

1.1 Literature Review

The present thesis is theoretically appertaining to masculinity studies, a part of gender studies. As for historiography, it stands at the intersection of Ottoman Police historiography and honor historiography in Ottoman society. Therefore, it draws on the literature of three fields, one theoretical and two historiographical. Accepting the difficulty of separating historiography from theory, I first review the literature on the Police and honor historiographies in Ottoman studies. I try to contribute to the literature from where Noémi Lévy intersects Ottoman Police historiography with honor. Needless to say, Lévy's works, and approaches are central to the formation of this thesis. Secondly, in the part, *Theory and Approach*, I will present my theoretical approach to the historiography regarding gender and masculinity.

Historian Nadir Özbek states that it is possible to trace the studies on security institutions until the 1940s-50s and says that these early studies show mainly the chronological development of legislations on the Police institution.⁹ For instance, as a reference source in this field, Halim Alyot's work, *Türkiye'de Zabıta* [the *Police in Turkey*] (1947), reveals the institutional developments regarding the security organization and compiles the relevant legislation. Derviş Okçabol's book, *Zabıta Tarihi* [the *History of Police*], and Hikmet Tongur's study, *Türkiye'de Genel Kolluk* [General Law Enforcement in Turkey], published in the 1940s, have similar historiographical approaches.¹⁰ After the 1950s, by the 1960s and 1970s, studies in the field of internal security remained limited, as economic historiography dominated the field.¹¹

⁹ Nadir Özbek, "Tarih yazıcılığında Güvenlik Kurum Ve Pratiklerine İlişkin Bir Değerlendirme [An Evaluation of Security Institutions and Practices in Historiography]," in *Jandarma Ve Polis: Fransız Ve Osmanlı Tarihçiliğine Çapraz Bakışlar* [The Gendarmerie and the Police: A Cross-Look at French and Ottoman Historiography], ed. Noemi Levy, Nadir Özbek, and Alexandre Toumarkine (İstanbul: Tarih Vakfı Yurt Yayınları, 2009), p. 1.

¹⁰ Nadir Özbek, "Osmanlı İmparatorluğu'nda İç Güvenlik, Siyaset Ve Devlet, 1876-1909 [Internal Security, Politics and the State in the Ottoman Empire, 1876-1909]," *Türklük Araştırmaları Dergisi* [Journal of Turkish Studies], no. 16 (2004): p. 62.

¹¹ Ibid., Özbek, 2009, p. 1.

All in all, until recently, the history of policing has been treated as normative and descriptive in Ottoman historiography. Indeed, historians studying the history of the Ottoman police agree with Özbek's statement. Nurçin İleri shares the following biography as an example of the afore-said type of police historiography.¹² Süheyla Nil Mustafa shares similar views in her recent doctoral thesis on the Ottoman policemen between 1876 and 1918.¹³ On the other hand, critical historiographies that problematize the social and cultural dimension of the history of policing have also started to emerge recently. İleri offers a comprehensive bibliography of critical historiographies on Police studies.¹⁴

After the 1970s, few innovative police historiography examples touched on prostitution and similar issues in this period, says Özbek, and he cites the social history works of Zafer Toprak as an example,¹⁵ published in the 80s and 90s. It is interesting – and not so – that the

¹² “Halim Alyot, *Türkiye’de Zabıta: Tarihi, Gelişimi ve Bugünkü Durumu* (Ankara: Kanaat Basımevi, 1947); Hikmet Tongur, *Türkiye’de İlk Zabtiyeler: Kolluk Tarihimizden Vesikalar* (Ankara: Güney Matbaacılık ve Gazetecilik T.A.O., 1948); Derviş Okçabol, *Türk Zabıta Tarihi ve Teşkilat Tarihçesi* (Ankara: Ankara Polis Enstitüsü, 1940); İlhan Akbulut, *Polis Teşkilatının 150. Kuruluş Yıldönümünde Türk Polis Tarihi*, (İstanbul: Cem Ofset, 1995); Ali Sönmez, “Zabtiye Teşkilatının Kuruluşu ve Gelişimi,” (Ankara: Ankara Üniversitesi, 2005).” In Nurçin İleri, “Noémi Lévy-Aksu, Osmanlı İstanbul’unda Asayiş 1879-1909. İstanbul: İletişim Yayınları, 2017. 431 sayfa, 18 şekil, 3 tablo. ISBN: 9789750521270.” *YILLIK: Annual of Istanbul Studies* no. 1 (2019), pp. 211-212.

¹³ Süheyla Nil Mustafa, “Making of the Ottoman Policemen (1876-1918),” *Süheyla Nil Mustafa. “Making of the Ottoman Policemen (1876-1918).” PhD Dissertation, Boğaziçi University, 2018.* (dissertation, Acedemia, 2018), pp. 12-18, https://www.academia.edu/49443024/Süheyla_Nil_Mustafa_Making_of_the_Ottoman_Policemen_1876_1918_PhD_Dissertation_Boğaziçi_University_2018.

¹⁴ “Khaled Fahmy, “The Police and the People in the 19th Century Egypt,” *Die Welt des Islams* 39 (1999): 340-377; Cengiz Kırılı, “Kahvehaneler ve Hafiyeler: 19. Yüzyıl Ortalarında Osmanlı’da Sosyal Kontrol,” *Toplum ve Bilim* 83 (2000): 58-79; Nadir Özbek, “Osmanlı İmparatorluğu’nda İç Güvenlik, Siyaset ve Devlet, 1876-1909,” *Türklük Araştırmaları Dergisi*, 16 (2004): 59-95; Ferda Ergut, *Modern Devlet ve Polis: Osmanlı’dan Cumhuriyet’e Toplumsal Denetimin Diyalektiği* (İstanbul: İletişim, 2004); Omri Paz, “Crime, Criminals, and the Ottoman State: Anatolia between the Late 1830s and the Late 1860s” (doctoral dissertation, Tel Aviv University, 2010); Roger A. Deal, *Crimes of Honor, Drunken Brawls and Murder. Violence in Istanbul under Abdülhamid II* (İstanbul: Libra, 2010); Kent Schull, *Prisons in the Late Ottoman Empire: Microcosms of Modernity* (Edinburgh: Edinburgh University Press, 2014); İlkay Yılmaz, *Serseri, Anarşist ve Fesadın Peşinde* (İstanbul: Tarih Vakfı Yayınları, 2014); Nurçin İleri, “Rule, Misconduct, and Dysfunction: The Police Forces and Theory in Practice in Fin-de-siècle Istanbul,” *Comparative Studies of South Asia, Africa, and the Middle East* 34, no. 1 (2014): 147–159; Ebru Aykut, “Devr-i Hürriyette İstibdat Hayaleti: 1908 Çırçır Yangını’nın Ardından İstanbul’da Kundakçılık, Söylentiler ve Asayiş,” *Toplum ve Bilim* 136 (2016): 5-39” In Ibid., p. 212.

¹⁵ Ibid., Özbek, 2009, p. 1.

historiography of the police, which ceased the chronological arrangement of the regulations, began with topics such as prostitution in the 1980s. It is not surprising because, as one might expect, the police archive is filled with not only regulations and legal documents but documents about people involved in “crime.” However, it is still interesting because academics had not used the police archive until the end of the 1970s, which is one of the archives for the history of the others, to understand the course of social power relations. Alongside the archival problems concerning its accessibility for academics, the factor, which the historian Pierre Albertini calls “the sociology of academics,” is essential as a reason for the mentioned delay.¹⁶ Until recently, the history of lewd women and sex work was not a legitimate topic in the discipline of history, just like homosexuality.¹⁷ According to Albertini, the exaggerated nationalism of the post-war 20th century and the conservative-mindedness of academics with middle-class morality played a large part in this. The shyness or hostility of academics towards these issues has long left the field to amateur “historians” who lack an understanding of the history of gender order.¹⁸

Yet, with the transformation in Europe after the 1970s, there has been an explosion in the history of gender. This historiography, which began, albeit belatedly, as Albertini said, should not be reduced to the history of oppression and exclusion of those who were attributed as sexually “immoral.”¹⁹ Through this history, we can discover what is legitimate and what is lewd are always historically reconstructed unstable phenomena. More importantly, historical construction is not just a cultural phenomenon independent of the central state and police violence.

¹⁶ Pierre Albertini, “Tarih [History],” in *Homofobi Sözlüğü [The Dictionary of Homophobia: A Global History of Gay & Lesbian Experience]*, ed. Louis Georges Tin, trans. Tezkan Melis and Okan Urun, 1st ed. (İstanbul: Sel Yayıncılık, 2011), p. 377.

¹⁷ Ibid., Albertini, 2011.

¹⁸ Ibid., Albertini, 2011, pp. 377-378.

¹⁹ Ibid., Albertini, 2011, p. 379.

It is no coincidence that archive-based police historiography has also increased after the 1970s and began to reach academic maturity since that day. Especially after well-known police historian Clive Emsley criticized Marxist or Whig police historiography,²⁰ academics try to understand the changing side of micro and macro phenomena according to time and space rather than adopting monotonous interpretations. In Ottoman historiography, with some delay, police historiography has also expanded and developed since the 1980s.

In this thesis, the literature that has opened different avenues in the Ottoman police historiography in the last period has been used. Firstly, Nadir Özbek, in his works, criticizes the modernist historiography of the Ottoman Police and focuses on internal security policy in the provinces. Özbek shows the complex power relations between the provincial Police and central headquarters. He also shows there was no unidirectional chain of command from the center to the provinces and how complex the internal security policy was by looking at real historical actors.²¹ On the one hand, the Ottoman elites tried to involve provincial politics through the Police. On the other hand, “individual experiences of gendarmes indicate that they were more than a tool.”²² Another Ottoman police historian, Ferdan Ergut, emphasizes the role of society in the formation of the Police. He argues that although the Police is the institution most identified with the state, it is also the state institution most affected by their social

²⁰ Ibid., Mustafa, 2018, p. 3.

²¹ Nadir Özbek, “Osmanlı Taşrasında Denetim: Son Dönem Osmanlı İmparatorluğu’nda Jandarma (1876-1908) [Control in the Ottoman Province: Gendarmerie in the Late Ottoman Empire (1876-1908)],” in *Tarihsel Perspektiften Türkiye’de Güvenlik Siyaseti, Ordu Ve Devlet [Security Politics, Army and State in Turkey from Historical Perspective]*, ed. İsmet Akça and Evren Balta (İstanbul: İstanbul Bilgi Üniversitesi Yayınları [Bilgi University Press], 2010), pp. 47-78. – Nadir Özbek, “Osmanlı İmparatorluğu’nda İç Güvenlik, Siyaset Ve Devlet, 1876-1909 [Internal Security, Politics and the State in the Ottoman Empire, 1876-1909],” *Türklük Araştırmaları Dergisi [Journal of Turkish Studies]*, no. 16 (2004): pp. 59-95. – Nadir Özbek, “Tarihçiliğinde Güvenlik Kurum Ve Pratiklerine İlişkin Bir Değerlendirme [An Evaluation of Security Institutions and Practices in Historiography],” in *Jandarma Ve Polis: Fransız Ve Osmanlı Tarihçiliğine Çapraz Bakışlar [The Gendarmerie and the Police: A Cross-Look at French and Ottoman Historiography]*, ed. Noemi Levy, Nadir Özbek, and Alexandre Toumarkine (İstanbul: Tarih Vakfı Yurt Yayınları, 2009), pp. 1-19.

²² Ibid., Mustafa, 2018, p. 15.

environment.²³ Nurçin İleri, looking at the newly opened archive documents on Ottoman policemen, showed that the Ottoman policemen participated in crime at a high rate in the 19th-century Ottoman Empire and discussed its reasons.²⁴

Nevertheless, until Noémi Lévy, historians did not look at the issues of honor-based security, the mechanisms of inclusion-exclusion through the Police, and policing through honor in such detail. Lévy studies the relationship between public safety, the social integration of policemen, and collective stigmatization in the Ottoman Empire in the 19th century.²⁵ In addition, in her book, *Osmanlı İstanbul'unda Asayiş 1879-1909*, she explains the historical background of the state policy about public security [*asayiş*] and the continuity of this policy despite regime changes.²⁶ Lévy's most significant contribution to this thesis is her historiography of the Ottoman Police, which puts honor at the institution's center.²⁷

1.2 Theory and Approach

Here I will explain first Jeanne Boydston's criticism of Joan Scott and *Scottian* gender studies.²⁸ Through this, I reveal my approach to dealing with gender in history. Then, I will present Ben Griffin's criticisms of Raewyn Connell's theoretical approach to masculinity

²³ Ferdan Ergut, "Polis Çalışmaları İçin Kavramsal Bir Çerçeve [A Conceptual Framework for Police Studies]," *Amme İdaresi Dergisi [Journal of Public Administration]* 34, no. 1 (2001): p. 64.

²⁴ Nurçin İleri, "Rule, Misconduct, and Dysfunction The Police Forces in Theory and Practice in Fin-De-Siècle Istanbul," *Comparative Studies of South Asia, Africa and the Middle East* 34, no. 1 (January 2014): pp. 147-159, <https://doi.org/10.1215/1089201x-2648632>.

²⁵ Lévy-Aksu, Noémi. "The State and the City, the State in the City: Another Look at Citadinité." In *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, edited by Dalachanis Angelos and Lemire Vincent, 143-60. LEIDEN; BOSTON: Brill, 2018.

²⁶ Noémi Lévy-Aksu. *Osmanlı İstanbul'unda Asayiş 1879-1909*. İstanbul: İletişim Yayınları, 2017.

²⁷ Ibid., Lévy.

²⁸ Jeanne Boydston, "Gender as a Question of Historical Analysis," *Gender & History* 20, no. 3 (2008): pp. 558-583, <https://doi.org/10.1111/j.1468-0424.2008.00537.x>.

studies.²⁹ Later I will show the eclectic theory adopted by this thesis while dealing with the masculinities of Ottoman Police in the late 19th and early 20th centuries.

According to Connell's historical model of masculinities in 1987, reformulated in 2005 with James Messerschmidt, there are four types of masculinities.³⁰ In the continuation of the narrative, three masculinities enter relationships with the fourth one, i.e., hegemonic masculinity, to determine the inequalities between men and women. In other words, she claims that the social organization of masculinities forms the basis of the subordination of women. With a political attitude inherited from scholars on patriarchy and Scott³¹ – as Jeanne Boydston says, its roots go back to the school of Michel Foucault, and the Frankfurt³² – the subordination in Connell's theory is ahistorical and based on a binary oppositional power relationship between the sexes: Men are collectively marked as both the current and historical perpetrators of the patriarchy. Women are collectively the victims of gender order. Hence, men collectively and a-historically subjugate women.

However, the reality of power relations may be much more complex, and primer non-gender agencies could be in operation in the past. As Boydston says, “within this category, it is difficult to imagine distinctions between males and females that are not invidious to one or the other group, and thus correspondingly difficult to conceive distinctions that do not register as primary axes for allocating authority. (What game theorists call a ‘Pareto improvement,’ a

²⁹ Ben Griffin, “Hegemonic Masculinity as a Historical Problem,” *Gender & History* 30, no. 2 (2018): pp. 377-400, <https://doi.org/10.1111/1468-0424.12363>.

³⁰ R. W. Connell and James W. Messerschmidt, “Hegemonic Masculinity: Rethinking the Concept,” *Gender & Society* 19, no. 6 (December 2005): pp. 829-859, <https://doi.org/10.1177/0891243205278639>.

³¹ Joan Scott, “Gender: A Useful Category of Historical Analysis,” *The American Historical Review* 91, no. 5 (December 1986): pp. 1053-1075, <https://doi.org/10.2307/1864376>.

³² *Ibid.*, Boydston, 2008, p. 563.

deployment of power that benefits one site without disadvantaging others, is largely unthinkable within this framework.).”³³

Inspired by the above theoretical approach, this thesis does not attach credence to the idea of an omnipresent and inevitable subordination in the relationship between women and masculinities. Further, if a distinction between male and female is not necessary for social relationships in certain times and places, the concept of *between-genders* may not even have existed there.³⁴ More, the thesis does not acknowledge any category of analysis as the fundamental category of historiography. As Boydston argues, “the moment we invest any particular category of analysis with the authority of permanence and universality, we cease to be historians and become propagandists of a particular epistemological order.”³⁵ Therefore, even though the pre-prepared masculinity categories and analysis formulation indoctrinate us to historicize the masculinities in a certain way, those categories and analysis formulation may not coincide with the empirical data presented by the archive. For instance, while Connell speaks superficially of “punished” men, *subordinated masculinities*, she does not mention masculinities that resist this punishment. However, some men in the Ottoman policing insisted on marrying women stigmatized as unchaste at the expense of being fired. Although the central state advised them to divorce in exchange for not firing them, the policemen refused to divorce and chose to resist the punishment. Hence, all three masculinity categories of Connell do not satisfy the empirical findings of the thesis as to these policemen.

Moreover, Connell’s model was silent about a single man’s dual or multiple positions. For example, one of the fired police officers, whose colleague reported him for marrying an

³³ Ibid., Boydston, 2008, pp. 563-564.

³⁴ Ibid., Boydston, 2008, p. 578.

³⁵ Ibid., Boydston, 2008, p 560.

unchaste woman, said in his petition of objection that even if his wife were unchaste, he would be innocent unless specified in the law that it was a crime. Nevertheless, on the other hand, he reported his colleague, who denounced him for marrying an unchaste woman, for same-sex anal intercourse [*livata*] without reference to any legal article. Connell's theory is not efficient enough for such contradictory and fluid positions in the same masculinity.

On the other hand, Ben Griffin's model and critiques allowed the thesis to solve some theoretical problems mentioned above. Firstly, Griffin says, "it may be misleading to explain hierarchies amongst masculinities simply in terms of the functional imperative to maintain the subjection of women: other principles may be at work."³⁶ Secondly, Griffin reported that Mimi Schippers argues, "to maintain the dominance of a 'hegemonic femininity,' other forms of femininity have to be policed."³⁷ With the help of this objection, the thesis can better analyze the agency of the elite and "chaste" members of society regardless of their genders in the production of the "chaste" and "unchaste" woman dichotomy. The thesis considers the segregation of women based on sexual morality as an analysis tool to understand the gender order in late 19th century Ottoman societies. The law regarding men in *within*-men institutions that segregated women based on their sexual moralities has been one of the primary institutions where gender order was reconstructed, fixed, and de-historicized. Newly invented social power relations have been presented as if they had existed from time immemorial.

³⁶ Ibid., Griffin, 2018, p. 380.

³⁷ Ibid., Griffin, 2018, p. 381.

"Practices and characteristics that are stigmatized and sanctioned if embodied by women include having sexual desire for other women, being promiscuous, 'frigid', or sexually inaccessible, and being aggressive. These are characteristics that, when embodied by women, constitute a refusal to complement hegemonic masculinity in a relation of subordination and therefore are threatening to male dominance. For this reason, they must be contained." (Schippers, 'Recovering the Feminine Other', p. 95.) Quoted from *ibid.*, Griffin, 2018, p. 381.

Another criticism of Connell's model comes from Alexandra Shepard. She says, "complicity, marginality, and subordination, in short, do not exhaust the range of possible positions that masculinities might occupy relative to a normative model: active resistance must be added to the list."³⁸ I think Shepard's critique is valuable for my thesis since the acts of men who wrote petitions of objection to their dismissals and insisted on their marriage with unchaste women could be considered acts of active resistance. Shepard also says, "one man might conform to more than one category not only over the course of a lifetime but also over the course of a single day."³⁹ It is how the thesis can make sense of the contradictory positions of these fired policemen, who said there was no specific article to ban marrying unchaste women but denounced their colleagues for sodomy without reference to any article.

As for theoretical problems about how masculinity operated, to solve these problems, Griffin suggests a four-fold operation for the history of masculinities: "cultural contestation of ideal types; individual attempts to identify with those cultural types; processes by which those attempts are accorded recognition by others; and processes by which individuals are positioned in relation to institutional practices, rewards, and sanctions."⁴⁰ He puts the socialization thesis, which he conceptualizes as *communication communities*, at the center of his analysis. This complex model is more amenable to historical complexity in that it engages the audience and makes socialization decisive yet still leaves room for contention. The individual, defined by a particular form of masculinity, is then repositioned according to institutional practices, rewards, and sanctions. The role of the state is reassigned in the center of gender order at this point, which opens historians up an opportunity to consider honor out of private space. Nevertheless, as Griffin quotes Catherine MacKinnon, "the state should be seen as a series of

³⁸ Ibid., Griffin, 2018, p. 382.

³⁹ Ibid., Griffin, 2018, p. 384.

⁴⁰ Ibid., Griffin, 2018, p. 394.

sites in which gendered interests are both constructed and contested, rather than a monolithic entity which represents ‘male’ interests.”⁴¹ The thesis found much more opportunity in this complex approach for its topic, where the thesis tries to analyze men being punished by the state and other men being informed by disciplinary technologies.

1.3 Methodology

The scope of secondary literature used in this study to understand the building of the Ottoman Police based on honor in the late 19th and early 20th centuries are works written in English and Turkish. On the other hand, the primary source of this study is two disciplinary files recorded in Ottoman Turkish, in 1894-95⁴² and 1909.⁴³ These files were formerly not studied in the Ottoman Police historiography, except in Nurçin İleri’s recent work.⁴⁴ The files represent the side of both police officers (petitions) and the neighborhood residents (interrogation protocols, [*istintak-name*]). They were written in 19th-century Rika calligraphy.

For the second chapter of the thesis, I also used the Republic of Turkey archive written in modern Turkish as to the dismissed military men for marrying unchaste women.⁴⁵ However, these documents are a provision rather than a petition. They do not include statements from the

⁴¹ Ibid., Griffin, 2018, p. 391.

⁴² Cumhurbaşkanlığı Osmanlı Arşivi [Presidency Ottoman Archives, hereafter COA], İstanbul, Zaptiye Nezareti Belgeleri [Ministry of Police Documents, hereafter ZB], 61–79, 17/Ks/1310 (28 January 1895).

⁴³ COA, İstanbul, Dahiliye Nezareti Emniyet-i Umumiye Müdüriyeti Muhasebe Kalemi Evrakı [Ministry of Internal Affairs General Directorate of Security Accounting Registry Documents, hereafter DH.EUM.MH], 263–29. – COA, İstanbul, Dahiliye Nezareti Emniyet-i Umumiye Müdüriyeti Tahrirat Kalemi Evrakı [Ministry of Internal Affairs General Directorate of Security Correspondence Registry Documents, hereafter DH.EUM.THR], 7–8.

⁴⁴ The following study briefly included the file in 1895. Nurçin İleri, “Rule, Misconduct, and Dysfunction The Police Forces in Theory and Practice in Fin-De-Siècle Istanbul,” *Comparative Studies of South Asia, Africa and the Middle East* 34, no. 1 (January 2014): p. 154 <https://doi.org/10.1215/1089201x-2648632>.

⁴⁵ Cumhurbaşkanlığı Cumhuriyet Arşivi [Presidential Republic Archive, hereafter CCA], İstanbul, 30-11-1-0, 117/39/7. – CCA, İstanbul, 30-11-1-0, 124/32/16. – CCA, İstanbul, 30-11-1-0, 148/21/7. – CCA, İstanbul, 30-11-1-0, 191/12/14. – CCA, İstanbul, 30-11-1-0, 193/23/5. – CCA, İstanbul, 30-11-1-0, 194/27/7. – CCA, İstanbul, 30-11-1-0, 204/10/1. – CCA, İstanbul, 30-11-1-0, 237/10/4. – CCA, İstanbul, 30-11-1-0, 273/32/3. – CCA, İstanbul, 30-11-1-0, 216/27/11. – CCA, İstanbul, 30-11-1-0, 251/20/17. – CCA, İstanbul, 30-11-1-0, 349/44/4.

accused military officers. They cover the final decisions signed by top government officials. In addition, to understand the attempts of the state to legitimize these decisions, I read the reasoned the decisions of the Constitutional Court of the Republic of Turkey for the second part of the thesis and used them as an archival document in the mentioned chapter.⁴⁶ Nevertheless, the central source of this thesis is the archive document containing the petitions and interrogation documents I mentioned above.

Regarding court records and petitions, the social history of people from below immediately comes to historians' minds. If considering gender, Natalie Zemon Davis comes first among these historians who make *history from below* hand in hand with gender history. In *the Return of Martin Guerre*, she used sixteenth-century court records to construct her narrative in the sense of gender by looking at “fictional” aspects of these records.⁴⁷ As Başak Tuğ reminds us, Natalie Zemon Davis summons us the fact that just looking at the “fictional” aspects of these records is not a “quest for fraud” or “forgery.”⁴⁸ Thus, this thesis explicitly puts police officers, not the truth of the incident, at the center of petitions and looks at how police officers manipulate the truth in petitions. Hence, the thesis deals with fiction to understand the truth, if possible. According to Başak Tuğ, rhetorical strategies in these kinds of petitions can give us important clues about the moral sensibilities of Ottoman subjects.⁴⁹ Hence, the essential aspect of these documents is that they allow the thesis to observe the defense strategies of the policemen accused of acting against their professional dignity. The

⁴⁶ *Anayasa Mahkemesi Kararlar Dergisi [Journal of Constitutional Court Decisions]*, no. 25 (2001): pp. 3-24, https://www.anayasa.gov.tr/files/pdf/kararlar_derisi/kd_25.pdf.

⁴⁷ Natalie Zemon Davis, *The Return of Martin Guerre* (Cambridge, MA: Harvard University Press, 2007).

⁴⁸ Başak Tuğ, “Petitioning and Intervention: A Question of Power,” *Politics of Honor in Ottoman Anatolia* 62 (January 2017): p. 111, https://doi.org/10.1163/9789004338654_004.

⁴⁹ Başak Tuğ, “Gendered Subjects in Ottoman Constitutional Agreements, Ca. 1740-1860,” *European Journal of Turkish Studies*, no. 18 (March 2014): p. 7, <https://doi.org/10.4000/ejts.4860>.

thesis will examine how a member of an institution that attempts to be the most assertive protector and representative of honor defends himself when accused of being dishonorable.

Secondly, the words of the neighborhood residents were recorded directly in the interrogation records when they were asked whether a woman was chaste or “unchaste,” “*verbatim* accounts,” unlike the other Ottoman legal sources.⁵⁰ As Nurçin İleri says about the interrogation document, although they do “not represent a complete picture of events, it is significant in revealing the ways in which various actors justified their actions.”⁵¹ and “the historian is able to see how this new language of interrogation was used and speculate on the dynamic of the criminal case.”⁵² Through the examination of interrogation documents, I want to understand how the honor strategies worked in the absence of written legal norms (laws were silent about marriage with a “lewd” woman and had ambiguous expressions such as professional dignity). In this context, interrogation documents were texts in which accusers, accused ones, and witnesses constructed their discourse strategies in a time of uncertainty.

1.4 Structure

In the first chapter, which covers this part of the thesis, I elucidate the general content of my master’s thesis, literature review, theoretical approach, methodology, and structure.

In the second chapter, I discuss the continuities and discontinuities in the Republic of Turkey regarding the marriage ban with unchaste women for military men. I argue that the equality of men and women in modern Turkey has always been arranged between men and

⁵⁰ Milen V. Petrov, “Everyday Forms of Compliance: Subaltern Commentaries on Ottoman Reform, 1864–1868,” *Comparative Studies in Society and History* 46, no. 4 (2004): p. 735, <https://doi.org/10.1017/s0010417504000349>.

⁵¹ Ibid., İleri, 2014, p. 154.

⁵² Ibid., İleri, 2014, p. 154.

chaste women. In other words, secular Turkish nationalism saw no problem equating chaste women with men on a textual level but did not equate unchaste women with chaste women, mainly through Military Penal Codes. I interpret it as a continuity of the Ottoman citizenship law, constructed not just by law but also by the root-paradigm honor.

In the third chapter, I examine what honor meant, how it changed in the 19th-century Ottoman Empire and its role in the formation and course of the Ottoman Police. In doing so, I benefit from Nükhet Sirman's conceptualization of honor⁵³ and Şerif Mardin's Ottoman implicit contract thesis.⁵⁴ I argue that honor did not disappear in Ottoman power relationships after the annihilation of the old contract by the Auspicious Incident⁵⁵ and the Tanzimat but turned into a root paradigm⁵⁶ more embraced than before in Turkish Muslim society. Thus, I also argue that besides Tanzimat principles, honor preserved, even increased, its power for the legitimacy of political actions through the 19th century.⁵⁷ Nevertheless, the central state did not radically centralize the aforesaid public paradigm until the 1870s. However, this became impossible due to wars, the state's investment in violence, and a radical shift from Tanzimat citizenship to inegalitarian ideologies after the 1870s. At this point, the police force became

⁵³ Nükhet Sirman, "Contextualizing Honour," *European Journal of Turkish Studies*, no. 18 (March 2014), <https://doi.org/10.4000/ejts.4871>.

⁵⁴ Mardin Şerif, "2. Osmanlı 'Zımnî' Sözleşmesi [2. Ottoman 'Implicit' Contract]," in *Türk Modernleşmesi Makaleler 4 [Turkish Modernization Articles 4]*, 1st ed. (İstanbul: İletişim Yayınları, 1991), pp. 108-122.

⁵⁵ "In the early 19th century, the Janissaries resisted the adoption of European reforms by the Ottoman army. Their end came in June 1826 in the so-called Auspicious Incident." Please see below.

T. Editors of Encyclopaedia Britannica, "Janissary," in *Encyclopedia Britannica*, accessed June 10, 2022, <https://www.britannica.com/topic/Janissary>.

⁵⁶ Şerif Mardin (1989) takes the term from Victor Turner (1977), and it means "'clusters of meaning which serve as cultural 'maps' for individuals' that 'enable persons to find a path in their own culture' (...) when 'customs and rules' have lost their legitimacy and no longer serve as guides for behavior (Mardin 1991:3)."

"Mardin, Şerif (1989) *Religion and Social Change in Modern Turkey: The Case of Bediüzzaman Said Nursi*, Albany, State University of New York Press. – Mardin, Şerif (1991) 'The Just and the Unjust,' *Daedalus* 120 (3), pp. 113-129. – Turner, Victor (1977) *The Ritual Process: Structure and Anti-Structure*, Ithaca NY, Cornell University Press," as cited in *ibid.*, p. 4.

⁵⁷ Following Şerif Mardin and Victor Turner, Sirman argues that "honour as a root paradigm that allows a doing, that is, a performative act, can be and is used to change and/or give a particular direction to existing social relations." *Ibid.*, Sirman, 2014, p. 5.

vital for the regime's survival and found its "legitimacy" not in law but in honor, and honor as a root paradigm turned into honor as a justification paradigm.

In the fourth chapter, I focus on afore-said policemen's discipline files in detail. I discuss the meaning(s) of professional honor in the Police. I attempt to show, especially after the 1870s, that the state's investment in violence made the Ottoman Police dependent on honor rather than the law. For the Police, unchastity meant more loss of legitimacy than being illegal. Honor inevitably became imperative for the ideal police officer. The control of the Police's relationships with women occurred in this historicity. Consequently, the man's reputation became re-subject to the woman's chastity. Thus, I argue that the dismissal of policemen who married unchaste women was intrinsically not because of professional honor for the upright institutionalization. It was related to the attempted legitimization of violence against the political opponents and the ethnoreligious "others" of the Ottoman Empire, especially in the late 19th century.

CHAPTER 2

Equality and Chastity in Turkey: A brief overview (1923 – Until Today)

The measurement units in modern Turkey for equality before the law have been predominantly religion, ethnicity, and gender because disparities based on these statuses have been clear and distinct in the written norms; hence, their historical transformation could also be clearly and distinctly observable, especially by the official ideology and historiography based on written legal texts. Moreover, the equality between non-Muslims and Muslims since the Tanzimat, Turks, and non-Turks since the nation-state formation, and women and men since the modernization and secularization have been the most notable focus of internal and external power relations of the state. Accordingly, the analyses of the difference in status between a Sunni Muslim, Turkish man, and others have maintained their importance until today. In other words, whether the legal citizenship statutes of non-Muslims or Alevis, Kurds, and women have been synced up with the status of a Sunni Muslim Turkish man has always been significant to measure the accomplishment level of each promised egalitarian “new” regime.

Despite the perennial symptoms indicating that “equal” citizens have been subjected to an inegalitarian regime due to their sexual or ethnoreligious differences, until today, official ideology and mainstream history have insisted that the promise of absolute equality has always been fulfilled, at least at the textual level. Unlike the inegalitarian Ottoman state, the Republic of Turkey can more easily exculpate itself from inequality blames, at least on the theoretical level. The legislation became ostensibly ethnoreligiously indiscriminating and gender-neutral, especially after it had a religion-less and nationalist enactment process between the abolition of the Caliphate in 1924 and the introduction of secularism into the constitution in 1937.⁵⁸ The

⁵⁸ Although the Article 69 of the 1924 Turkish Constitution already said, “Turks are equal in the sight of the law,” the Constitution was not textually irreligious until the amendment in Article 2 made on April 10, 1928, by which

abolition of the Caliphate after the proclamation of the Republic and the equality clause in the 1924 Constitution was considered not only by national actors but also by some Westerners as indicators that Turks gave up hegemony over non-Turks and turned “revolutionary” towards an egalitarian, democratic regime. Historian Edward Mead Earle, who probably prepared and published the first English translation of the 1924 Constitution, says in the article, *The New Constitution of Turkey*, he wrote in 1925 as follows, the following.

*“There are certain distinctive differences, however, between the present republican reform in Turkey and former halfhearted reforms in the Ottoman Empire. The revolt of Mustapha Kemal against the Allies was not, like the shifty maneuvers of Abdul Hamid or the precipitate acts of the Young Turks, designed to maintain Turkish hegemony in non-Turkish territory (...) under Mustapha Kemal the most significant revolutionary changes-namely, establishment of the republic, abolition of the Caliphate, and adoption of a democratic constitution-came after (...) when foreign intervention was little to be feared.”*⁵⁹

*“By the Treaty of Lausanne, the promise contained in the National Pact was redeemed, for Turkey extends certain guarantees to all its nationals “without distinction of birth, nationality, language, race or religion” (...). These guarantees seem to be amply provided for in the new constitution.”*⁶⁰

As can be seen in the quote above, the promise that secular Turkish nationalism would not be based on religious or ethnic discrimination was found to be convincing in the international arena due to concrete steps to abolish the Caliphate. Indeed, when one looks at important founding laws such as the constitution, it may be convincing at first glance that textual equality had been established. Thus, while official ideology and history continued to insist on the claim of textual equality, both national and international consensus also construed Turkish nationalism as “progressive,” at least at the textual level. On the one hand, ideologists

the phrase “The religion of the Turkish State is Islam” was abolished. After this amendment, there was no direct reference to the equality between men and women in the wording of the laws but indirect equality between men and women since the criteria for being elected as a member of parliament became gender neutral. Yet the Constitution had become textually genderless.

⁵⁹ Earle mentions in his article that Hussein Bey Effendi (Hüseyin Pektaş), a language professor at Robert College, provided him with a French translation of the 1924 Constitution. Edward Mead Earle, “The New Constitution of Turkey,” *Political Science Quarterly* 40, no. 1 (1925): pp. 89 and 73-74, <https://doi.org/10.2307/2142408>.

⁶⁰ Ibid., Earle, 1925, p. 82-83.

strengthened their idealism of Turkish nationalism, and academics who wanted to understand the origins of discrimination and deviations from the rule of law began to look at extra-legal structures rather than legal texts from 1923 until today.

According to the early official ideology of the Turkish Republic, i.e., Kemalism, the Turkish nation attained a nation-state and was freed from being a subject through citizenship, thus establishing the sovereignty of the people whose members were all “equal” and “same” both legally and ideally. Hence, differences were denied and ignored by alleging that these differences had already “disappeared” because everyone was “equal” before the law regardless of religion, race, or sex, thanks to the political-territorial secular Atatürk nationalism. The main goal of this flexible ideology was to replace religion with secularism and nationalism. Therefore, rather than a coherent and all-encompassing ideology, it was a body of convictions whose door was open to everyone who believed in it and whose foundation consisted of Turkish nationalism integrated with the controlled religion, Sunni Islam. Its source was the party program prepared by the Republican People’s Party [*Cumhuriyet Halk Fırkası*] in 1931. The principles are known today as the Six Arrows, which were first outlined at this party congress; thus, the CHF had a party program for the first time. Later, the Six Arrows was defined in much more detail at the congress in 1935; nevertheless, it could not turn into an actual ideology that could go beyond blessing a single person due to the lack of political principles, consistency, and emotional appeal.⁶¹

The exaltation of the person was also reflected in the indoctrination process in the society of the single party-state. The ideologues performed their duty faithfully to the leader,

⁶¹ Zürcher Erik Jan, *Modernleşen Türkiye'nin Tarihi [Turkey, A Modern History]* (İstanbul: İletişim Yayınları, 2010), pp. 264-266.

and nationalistic theories such as the Turkish History Thesis, the Sun Language Theory, and the map of migration routes were invented by them.⁶² For Kemalist historiography during this indoctrination period, as if the past were the antithesis of the “new” regime, demonstrating how the past before the nation-state “jumped” towards the rule of law and the egalitarian regime was essential to reveal the new regime’s “revolutionary” difference from the previous “bad” one and indoctrinate why the “new” regime was the best to reach the level of contemporary civilization. Hence, when the imperial past, especially in the late 19th and early 20th centuries, was handled by official Kemalist historiography, the progress and civilizing claim for all Turkish citizens hand in hand with “non-ethnic but political” Atatürkist nationalism was an essential tool to legitimate the overthrow of the “Islamic” imperial legacy.

After Kemalists, the official ideology, Kemalist or not, that is, Turkish nationalism continued their assertions of absolute “equality” in which the differences were allegedly erased, at least in theory, citing the language of legal texts as evidence. More interestingly, even academics out of official ideology, who looked at inequalities, have argued that inequalities are not political or legal anymore, but in practice, culture, and social norms based on extra-legal power relations and systems such as ethnic nationalism or patriarchy. In other words, they were implicitly convinced that Turkish nationalism, which replaced the Millet System, brought leastways political and legal equality. For example, Nalan Soyarık Şentürk argues, “the actual practices deviate from the abstract definition of Turkish citizenship (...) while the legal definition was inclusive, the policies implemented towards the minorities were exclusionary,” and Kemal Kirişçi, moreover, writes, “against such a formal definition of citizenship and national identity that emphasizes territoriality rather than ethnicity, actual state practice has been very different. (...) As the modernist project confronted growing challenges, the

⁶² Ibid., Zürcher, 2010, pp. 262-264.

government increasingly resorted to policies emphasizing a preference for Turkish ethnicity and language. The initial civic or territorial conceptualization of Turkish national identity and citizenship became eroded.”⁶³ Bülent Tanör, constitutional legist and distinguished academic for his human rights works, argues, “Turkishness was defined in terms of geographical and political parameters rather than racial parameters,” based on a formal reading of constitutional texts.⁶⁴ In other words, the scholars above implicitly and sincerely argued that there is not openly and explicitly racial segregation between ethnic Turks and other citizens in the wording of written law. However, according to them, extra-legal racism or ethnic discrimination could still be possible in ethnic-nationalist practices.

Mesut Yeğen, on the other hand, argues that the ethnic idea of Turkish citizenship and the vagueness of Turkishness between a political and ethnic definition are primarily textual issues.⁶⁵ The article he wrote in 2004 is essential and highly idiosyncratic for its contribution to the literature. Yeğen opens the equality postulate for discussions not by looking at the practice of the law or the culture but by the law’s wording. Moreover, he puts the legal texts, and therefore the elite statesmen who constructed them, at the center of ethnoreligious inequalities rather than the practices of people or culture.

Yeğen shows us that the ethnic supremacy of Turks still topped the citizenship order since the foundation of the Republic of Turkey, regardless of the promises of constitutional equality, not only in practice but also in the very wording of the Constitution. For instance, the wording of Article 88 of the 1924 Constitution, which identified who is a Turkish citizen, was

⁶³ As cited in Mesut Yeğen, “Citizenship and Ethnicity in Turkey,” *Middle Eastern Studies* 40, no. 6 (2004): p. 64, <https://doi.org/10.1080/0026320042000282874>.

⁶⁴ As cited in *ibid.*, Yeğen, 2004, p. 64.

⁶⁵ *Ibid.*, Yeğen, 2004, p. 55.

different from the version introduced by the Commission of Constitution in 1924.⁶⁶ Commission presented a definition of citizenship for the parliamentary debates for the 1924 Constitution, stating that “The people of Turkey, regardless of their religion or race, would be called Turkish.”⁶⁷ Deputy Hamdullah Suphi, one of the leading figures of the Turkish movement, objected to the Commission’s proposal as follows.

*“We say: the subjects of the state, of the Republic of Turkey, are all Turkish. Yet, on the other side, the government strives to fire the Greeks and the Armenians working in the organizations established by the foreigners. When we intend to fire these people because they are Greeks or Armenians, how would you reply if you were told ‘no, according to the law enacted by your Assembly, these are Turkish.’”*⁶⁸

Afterward, Suphi proposed his own definition of Turkish citizenship as follows. “The people of Turkey, regardless of their religion and race, would be called Turkish *in terms of citizenship*.”⁶⁹ This “minor” amendment was accepted and adopted by the Assembly.⁷⁰ Moreover, the relevant Article is still the same in the current Constitution of the Republic of Turkey in force.⁷¹

I consider Yeğen’s article also as an objection to the progressive understanding of top-down modernization history, in which we assume that the law is one step “ahead” of culture. According to this understanding of history, the rule of law can subjugate culture and practice as long as the state can maintain a monopoly of legitimate violence. Moreover, culture and practices may not rapidly transform even if laws are amended by top-down intervention in a short time. Therefore, when it comes to deviation from the rule of law and equality, let us say

⁶⁶ Ibid., Yeğen, 2004, p. 59.

⁶⁷ Ibid., Yeğen, 2004, p. 59.

⁶⁸ “A.Ş. Gözübüyük, Z. Sezgin 1924 Anayasası Hakkındaki Meclis Görüşmeleri [Records of Assembly on 1924 Constitution], (Ankara: AUSBİF İdari İlimler Enstitüsü, 1957), p. 437,” as cited in ibid., Yeğen, 2004, p. 60.

⁶⁹ Ibid., Yeğen, 2004, p. 61.

⁷⁰ Ibid., Yeğen, 2004, pp. 58-59.

⁷¹ “Everyone bound to the Turkish State through the bond of citizenship is a Turk.” “Constitution of the Republic of Turkey,” Constitutional Court of the Republic of Türkiye, accessed June 13, 2022, <https://www.anayasa.gov.tr/en/legislation/turkish-constitution/>.

corruption and unlawfulness, the main reasons cannot be the written law but unrestrained culture or practices. The state has failed to consolidate its monopoly of legitimate violence against “local deviations” or “centrifugal forces;” eventually, the state could not be subjugate to practice or culture, not because of its malicious legislation but because it did not have the power to implement its rightminded laws over its territory. In this modernist statist historiography, the state’s innocence in deviations from “civilization” becomes unquestionable, and its violence for “civilization” is justified. The central state and its elite statesmen are cleared of the deviations they are responsible for and their abuses of the monopoly of violence by instrumentalizing those deviations. Instead of emphasizing the state’s weakness, one should focus on the strength consistently revealed in legalizing discrimination, which confirms my previous conviction that historians rarely confront the textual realities of legal culture and writing. Rather, the culture of corruption reveals the contradictory, hidden power relations.

Like Yeğen, other scholars have argued that laws were based on an ethnoreligious nationalism rather than a political-territorial nationalism not in practice but at the textual level as well. For instance, in addition to the Constitution, Turkey’s current legislation also has a Turkishness based on the supremacy of a particular race and religion by using empty signifiers to maintain a hierarchy outside the law. For example, phrases such as *Türk soyundan kişiler* [people who are of Turkish Descent], *Türk soyundan olanlar* [those who are from Turkish Descent], and *Türk soylu yabancılar* [aliens who are of Turkish Descent] have been mentioned in the wording of the corpus of Turkish law.⁷² However, the body of current Turkish law neither

⁷² “For example; Settlement Law (RG: 21.6.1934-2733) (art. 3), Turkish Citizenship Law (RG: 22.2.1964-11638) (art. 7/c); Settlement Exemptions Regulation (RG: 5.10.1935-2898) (art. 3),” in Mustafa Cin, “Türk Soylu Yabancıların Türkiye’de Çalışma Özgürlüğü [Freedom of Turkish Origin Foreigns to Work in Turkey],” as cited in Mustafa Cin, “Türk Soylu Yabancıların Türkiye’de Çalışma Özgürlüğü [Freedom of Work for Foreigners of Turkish Descendants in Turkey],” *Mevzuat Dergisi [Journal of Legislation]*, April 2005, <https://www.mevzuatdergisi.com/2005/04a/06.htm>.

defines nor identifies what Turkish Descent is; moreover, it does not specify what determines how one's deriving from Turkish Descent is officially determined.⁷³ It uses strategically empty phrases to maintain a hierarchical citizenship order based on a particular race and religious order. More recently, other historians have touched on the importance of the statements establishing this “small” but concrete regime of citizenship. They emphasized that ethnic and religious discrimination is not in deviations but in founding texts. For example, Lerna Ekmekcioğlu stated that real Turks had been differentiated from Turks by citizenship through the textual language of the Constitution, referring to Yeğen's article.⁷⁴

Although the textual language of the laws on religious and ethnic nationalism has been studied a little, as we have seen above; however, apartheid textual language in-laws have not yet been adequately studied regarding gender. Sexist and gendered nationalism was conceived by researchers primarily as inequality between men and women. Later, it has been claimed that even if these inequalities end at the level of legal and political rights, they continue in traditions, customs, culture, and patriarchal practices. Until the 1990s, the debates on gender inequality in the literature have not questioned whether rights were equally given to women in Turkey. Instead, debates assumed they were already given equally to women revolved around two main arguments. The first argument, the incomplete liberation of Anatolian women argument, argued that although Turkish women were equally given legal rights to men, these rights were never fully implemented for Anatolian women.⁷⁵ The second argument, the emancipated but not liberated Turkish women argument, formulated by Binnaz Toprak in 1982, went against the prevailing Kemalist view. Turkish women, that is, were liberated when the republic gave

⁷³ Ibid., Cin, 2005.

⁷⁴ Lerna Ekmekcioğlu, *Recovering Armenia the Limits of Belonging in Post-Genocide Turkey* (Stanford, Calif: Stanford University Press, 2016), p. 105.

⁷⁵ Fatma Fulya Tepe and Per Bauhn, “Two Arguments About Women's Rights in the Türk Kadını Magazine 1966-1974,” *İleti-ş-im, Galatasaray University Journal of Communication* 27, (2017): p. 138.

them equal legal rights. Toprak argued that although Turkish women were emancipated since they were given equal legal rights, they were still far from being emancipated in making their own choices.⁷⁶ Although there were some revisionist views against these two arguments, there was no doubt until the 1990s that the textual structure of the laws was almost egalitarian. For instance, Yeşim Arat says, “while women were given civil and political rights equal to men in the 1920s and 1930s, they remained confined by communal norms and customs.”⁷⁷

However, we cannot measure the legal equality between men and women by only checking whether the laws between women and men are regulated equally. One of the founding legal elements of the legal inequality between women and men is the unequal legal order between women and women. Indeed, the laws were arranged differently between not just men and women but also women and women when it came to “sexual immorality.” Prostitute women, unchaste women, or adulterous women have been systematically differentiated from other citizens from the proclamation of the republic until today. In other words, gender equality has not yet been established even legally due to the legal status of unchaste women.

In this chapter, I argue that the legal equality between men and women in modern Turkey has always been arranged as the legal equality between chaste women and men. I also assert that the discriminatory legal regulation in Military and Police law for unchaste women creates legal niches that deprive all women of legal equality to men. In other words, secular Turkish nationalism saw no problem equating chaste women with men on a textual level but did not equate unchaste women with chaste women, mainly through Military Penal Codes. According to the Military Penal Code No. 2891/5 dated 22.12.1934, it was a crime for a soldier

⁷⁶ Ibid., p. 138.

⁷⁷ Yeşim Arat, “From Emancipation to Liberation: The Changing Role of Women in Turkey’s Public Realm,” *Journal of International Affairs* 54, no. 1 (2000): p. 107, <http://www.jstor.org/stable/24357691>.

to marry an unchaste woman. When a soldier performed this action, he not only infringed the honor of his profession but also committed a crime according to the Penal Code mentioned above.⁷⁸ Unlike in the late nineteenth-century Ottoman Empire,⁷⁹ marrying a lewd woman to a policeman or soldier was not only a disciplinary offense but also a crime. The remarkable point is that the male soldier is free to go to the brothel if he is not in official uniform.⁸⁰ A military man can go to a brothel as a civilian without uniform. Hence, just as a military man is not prohibited from having sex with an “unchaste” woman, sexual intercourse does not make him unchaste.

Moreover, the headline of this crime in the penal code was *the crimes harming military honor and its punishments*. In other words, the element that damages the honor of the military profession is not to have a relationship with an unchaste woman but to treat an unchaste woman as a chaste woman, that is, to marry her. Therefore, male soldiers who did not have a relationship with lewd women as “deserved” by lewd women but treated them as chaste women and married them. They were punished for not recognizing the state’s unequal citizenship regime between chaste women and lewd women.

The importance of military service in terms of the citizenship regime of the Republic of Turkey should also be mentioned here. The notion of ideal Turkishness and citizenship has always been military-masculine based, not civilian, especially since the Balkan Wars.⁸¹ As

⁷⁸ Gökhan Yaşar Duran, “Askeri Ceza Hukukunda İffetsiz Bir Kimse İle Evlenmek Veya Böyle Bir Kimse İle Yaşamak Suçu (Asker M.153) [The Crime of Marrying with Lewd Person or Living with Such a Person in the Military Criminal Law (Military Criminal Code: 153th Article),” *Ceza Hukuku Dergisi [Journal of Criminal Law]*, April 2016, pp. 1-28 (online version), <https://jurix.com.tr/article/5320>.

⁷⁹ The legal situation in the Ottoman Empire will be discussed in more detail in next chapters.

⁸⁰ Ibid., Duran, 2016, p. 2 (online version).

⁸¹ Yaşar Tolga Cora, “Asker-Vatandaşlar ve Kahraman Erkekler: Balkan Savaşları ve Birinci Dünya Savaşı Dönemlerinde Beden Terbiyesi Aracılığıyla İdeal Erkekliğin Kurgulanması [Citizen-Soldiers and Heroic Men: Construction of Ideal Masculinity during the Balkan Wars and World War I],” in *Erkek Millet-Asker Millet: Türkiye’de Militarizm, Milliyetçilik, Erkek(lik)ler [Manly Nation-Nation of Soldiers: Militarism, Nationalism and Masculinity in Turkey]*, ed. by Nurseli Yeşim Sünbuloğlu (Istanbul: İletişim Yayınları), (2013) pp. 45-74.

Fatma Oya Aktaş says, “Militaries had turned into schools for male citizens, mostly from the rural areas, to construct ‘ideal citizens.’ Gender was one of the most important components of this ideal citizen in the Late Ottoman and Early Republican eras. Military service makes the gendered relationship between the state and its citizens obvious.”⁸² Although the above-mentioned Military Penal Code regulates the behavior of men, it is related to the citizenship status of women. It constructs under what circumstances women will be treated as second-class citizens by controlling the choices of men. Most women were not economically independent in this military-bureaucratic society, especially in the early Republic. Men disproportionately occupied most governmental positions, so disciplining women and controlling men’s marriage choices were more efficient than controlling women themselves. Article 150 of the same law also made it a crime to knowingly accompany people who were seen as wrong in the eyes of the public. The Military Court of Cassation upheld the decision in 1987 that a non-commissioned officer at the Gendarmerie Station in Adana’s Kadirli district was sentenced on the ground of Article 150 since the officer had dinner with a prostitute. Interestingly, if the petty officer had not eaten and only had sexual intercourse in the private area, he could not have been punished for the crime in Article 150. According to a decision of the Military Court of Cassation in 1948, having sexual intercourse with an unchaste woman did not constitute the crime of knowingly accompanying an unchaste woman.⁸³

In the archives of the Presidency of the Republic of Turkey, we can see that soldiers who married lewd women were consistently punished regardless of regime change. In 1937 and 1938, with Atatürk’s signature, Lieutenant Hilmi Kaya⁸⁴ and Regimental Medical Officer

⁸² Fatma Oya Aktaş, “Türkiye’de Erkekliğin Kurgulanışında Askerliğin Yeri [The Place of Military Service in the Construction of Masculinity in Turkey],” MA diss., (Istanbul University, 2010), p. ii, <http://nek.istanbul.edu.tr:4444/ekos/TEZ/45951.pdf>.

⁸³ Ibid., Duran, p. 20 (online version).

⁸⁴ CCA, İstanbul, 30-11-1-0, 117/39/7.

Major Galip Arkan⁸⁵ were expelled from the army for marrying unchaste women. In 1941, 1947, and 1949, respectively, with the signature of President İsmet İnönü, Pharmacist Captain Sadettin Altunkök,⁸⁶ Captain Cemil Şenocak,⁸⁷ account officer Ali Demirata,⁸⁸ Captain Naci Hatipoğlu,⁸⁹ Captain İbrahim Arıkan⁹⁰ was dismissed from the army because they insisted on marrying unchaste women. Under the signature of President Celal Bayar, in 1950, 1953, and 1958, First Lieutenant Bülent Samyeli,⁹¹ tank Lieutenant Fehmi Koç,⁹² and Infantry Major Enis Otman⁹³ were dismissed from the army for the same crime. In 1955, with the signature of Prime Minister Adnan Menderes, Senior Infantry Captain Fethi Yalkan was expelled from the army for the crime of continuing the marriage bond with an unchaste woman.⁹⁴ In 1969, with the signature of Prime Minister Süleyman Demirel, Lieutenant Şinasi Oğuztek's reserve officer right was abolished due to the related crime.⁹⁵

Conclusion

It is unknown how many of these marriages were real marriages and how many were deliberate marriages to be discharged from the military. Still, the important category of unchaste womanhood existed in the law. Moreover, the Military Penal Code did not consider it a crime against professional honor for soldiers to have sexual intercourse with an unchaste woman. Still, it made it a crime against professional dignity to marry an unchaste woman. Moreover, this category does not only control the marital relationship. Military laws sometimes

⁸⁵ CCA, İstanbul, 30-11-1-0, 124/32/16.

⁸⁶ CCA, İstanbul, 30-11-1-0, 148/21/7.

⁸⁷ CCA, İstanbul, 30-11-1-0, 191/12/14.

⁸⁸ CCA, İstanbul, 30-11-1-0, 193/23/5.

⁸⁹ CCA, İstanbul, 30-11-1-0, 194/27/7.

⁹⁰ CCA, İstanbul, 30-11-1-0, 204/10/1.

⁹¹ CCA, İstanbul, 30-11-1-0, 237/10/4.

⁹² CCA, İstanbul, 30-11-1-0, 273/32/3.

⁹³ CCA, İstanbul, 30-11-1-0, 216/27/11.

⁹⁴ CCA, İstanbul, 30-11-1-0, 251/20/17.

⁹⁵ CCA, İstanbul, 30-11-1-0, 349/44/4.

oversaw all public relations of a soldier with publicly condemned people. For example, a petty officer was punished for having dinner with a lewd woman in a restaurant as mentioned above.⁹⁶

Gökhan Yaşar Duran, a Naval Academy graduate, and professor of military discipline law, claims that unchastity is associated with prostitution.⁹⁷ While this is true for some cases, it is not quite true for others. Although, as Duran says, lewd womanhood is related to sex work,⁹⁸ it is much more in effect. It is a highly flexible category. For instance, female first lieutenant Nazlıgül Daştanoğlu underwent an investigation involving questions such as why she met with civilian men and why she divorced her husband. After that, she was dismissed from the Turkish Armed Forces on the grounds of unchastity. Then, she committed suicide the day she was discharged from the military.⁹⁹ Therefore, this category is not always directly related to real sex work and sex workers, even though it feeds on prejudice, hatred, and stigma against them. Rather, it is a category backed by double standards between men and women in gendered sexual morality to sustain the *Femina grata* citizenship order and exclude *Femina non grata* citizens.

In another example, the Turkish High Council of Judges and Prosecutors [*Hakimler ve Savcılar Yüksek Kurulu*, hereafter HSYK] dismissed a female judge, Arzu Özpınar, from her position because she wore a miniskirt and too much makeup, she spent time with a male lawyer in his room in the courthouse, established close relations with a mayor, a member of the city council, and the gendarmerie, and met with these people outside of working hours, and she

⁹⁶ Ibid., Duran, 2016, p. 20 (online version).

⁹⁷ Ibid., Duran, 2016, pp. 6-7 (online version).

⁹⁸ Ibid., Duran, 2016.

⁹⁹ “Üsteğmenin Faili İffetsizlik Maddesi [The Article on Chastity Is the Perpetrator of Lieutenant Lieutenant],” *Bianet*, December 21, 2012, <https://m.bianet.org/bianet/print/143012-ustegmenin-faili-iffetsizlik-maddesi>.

argued with his mother.¹⁰⁰ HSYK claimed that she had harmed the dignity and honor of the judge through her inappropriate tendencies.¹⁰¹ Then, Judge Özpınar applied to the European Court of Human Rights after exhausting domestic remedies. However, as Nisan Kuyucu said, it is unfortunate that this investigation process, which is openly based on gender discrimination, could not be examined by the ECtHR in the context of the prohibition of discrimination since it did not meet the admissibility criteria.¹⁰²

Regarding the distinction between chaste and unchaste women, it does indeed have historical continuity with the issue of discrimination. One of the first legal achievements of the Turkish Feminist movement after the 1980s was to remove the distinction between chaste and unchaste women, at least from the article on the rape of the Turkish Penal Code.¹⁰³ In 1986, a Turkish woman was abducted and raped by four Turkish men in Antalya. Then, Antalya Police Department informed the court that the woman mentioned earlier was unchaste. Thereupon, it became obligatory to reduce the prescribed penalty to 2/3 as per Article 438 of the Turkish Penal Code.

However, Antalya Penal Judge applied to the Constitutional Court for the annulment of Article 438. The application was rejected by the Constitutional Court, which consisted of only men, on 12.1.1989. The Constitutional Court declared that the State could not treat an unchaste woman equally as a chaste woman. One of the court judges who rejected the application was former President Ahmet Necdet Sezer, who would later become famous for his “secularism.”¹⁰⁴

¹⁰⁰ Nisan Kuyucu, “Muhafazakarlığın Hedefinde Bir Kadın Yargıç: AİHM’nin Özpınar Kararı [A Female Judge Targeted by Conservatism: EctHR’s Decision of Özpınar],” *Ankara Barosu Dergisi [Ankara Bar Association Magazine]*, 2014, pp. 294-297.

¹⁰¹ Ibid., Kuyucu, 2014, pp. 295-298.

¹⁰² Ibid., Kuyucu, 2014, p. 297.

¹⁰³ İlk Yasal Kazanım [First Legal Acquisition],” *Bianet*, April 9, 2003, <https://m.bianet.org/kadin/print/66-ilk-yasal-kazanim>.

¹⁰⁴ Filiz Karakuş, “18 Şubat 1990: ‘Bütün Kadınlar 438’e Karşı’ [February 18, 1990: ‘All Women against 438],” *Çatlak Zemin*, February 18, 2022, <https://catlakzemin.com/18-subat-1990-butun-kadinlar-438e->

Women protesting the mentioned decision of the Constitutional Court, “Men and their laws cannot divide us between chaste and unchaste. For them, ‘chaste woman’ means the woman at her husband’s feet. Moreover, when we are raped, we must prove whether we are chaste women. So, we are told to stay home. The justification for ‘protecting the chaste woman is a colossal male lie.”¹⁰⁵ After the decision of the Constitutional Court, because of the unending reaction in the society, the issue came to the agenda of the Parliament. About a year later, the Parliament annulled Article 438 of the TCK.¹⁰⁶

However, the distinction between chaste women and unchaste women continues in Turkish law. The struggle of the feminist movement against the chaste and unchaste distinction is one of the most important struggles for gender equality. In addition to this, the historical course of chastity beyond its current meanings, its meanings according to its particular time and space, which operations it entered in the power relations, and its poly-meaningful dimensions need to be revealed. The following chapters will discuss the course of honor in the 19th century and its role in the construction of police. Thus, the historical construction of unchastity would be understood better.

karsi/#:~:text=Antalya%20A%C4%9F%C4%B1r%20Ceza%20Hakimi%20TCK,gerek%C3%A7esiyle%2012.1.1989%20tarihinde%20reddedildi.

¹⁰⁵ Ibid., Bianet, 2003.

¹⁰⁶ Ibid., Bianet, 2003.

CHAPTER 3

Building Police through Honor

Before the disbandment of the Janissary corps in 1826, honor was the constituent element of the implicit contract between the Sultan and his Turkish Muslim subjects through the Janissary.¹⁰⁷ After the Auspicious Incident¹⁰⁸ in 1826, the center lifted the main barrier to reforms, and the Turkish Muslim people became devoid of the force supporting their demands against the central state.¹⁰⁹ Thus began a rapid reform process, which aroused general apprehension in Turkish Muslim society. A new contract based on the modern principle of equal citizenship emerged in the center following the Tanzimat. Hence, honor lost its former constituent power with the advent of the new contract between the state and its citizens. However, honor did not disappear from the Ottoman world; it gradually became a root paradigm¹¹⁰ more embraced than before in Turkish Muslim society. It also preserved, even increased, its power for the legitimacy of political actions through the 19th century.¹¹¹

After that, wars, uprisings, and defeats caused the abovementioned apprehension to evolve into humiliation and abasement for the Muslim Turkish public. Consequently, war defeats paved for the Muslim people, who had already returned to honor, to perceive reforms

¹⁰⁷ Mardin Şerif, “2. Osmanlı ‘Zımnî’ Sözleşmesi [2. Ottoman ‘Implicit’ Contract],” in *Türk Modernleşmesi Makaleler 4 [Turkish Modernization Articles 4]*, 1st ed. (İstanbul: İletişim Yayınları, 1991), pp. 114-116.

¹⁰⁸ “In the early 19th century, the Janissaries resisted the adoption of European reforms by the Ottoman army. Their end came in June 1826 in the so-called Auspicious Incident.” Please see below. T. Editors of Encyclopaedia Britannica, “Janissary,” in *Encyclopedia Britannica*, accessed June 10, 2022, <https://www.britannica.com/topic/Janissary>.

¹⁰⁹ Ibid., Mardin, 1991, p. 116.

¹¹⁰ Şerif Mardin (1989) takes the term from Victor Turner (1977), and it means “‘clusters of meaning which serve as cultural ‘maps’ for individuals’ that ‘enable persons to find a path in their own culture’ (...) when ‘customs and rules’ have lost their legitimacy and no longer serve as guides for behavior (Mardin 1991:3),” “Mardin, Şerif (1989) *Religion and Social Change in Modern Turkey: The Case of Bediüzzaman Said Nursi*, Albany, State University of New York Press. – Mardin, Şerif (1991) ‘The Just and the Unjust,’ *Daedalus* 120 (3), pp. 113-129. – Turner, Victor (1977) *The Ritual Process: Structure and Anti-Structure*, Ithaca NY, Cornell University Press,” as cited in Nükhet Sirman, “Contextualizing Honour,” *European Journal of Turkish Studies*, no. 18 (March 2014): p. 4, <https://doi.org/10.4000/ejts.4871>.

¹¹¹ Following Şerif Mardin and Victor Turner, Sirman argues that “honour as a root paradigm that allows a doing, that is, a performative act, can be and is used to change and/or give a particular direction to existing social relations.” Ibid., Sirman, 2014, p. 5.

as a sign of total Western hegemony, especially after the 1870s. Gradually, Turkish Muslim society profoundly clung to honor as a root paradigm to resist this change. Nevertheless, the Tanzimat, with all its principle, already touched society as much as an honor paradigm.

With Abdülhamit's accession to the throne in 1876 and consolidation of his power, the state invested more in violence. As the state deviated from egalitarian Tanzimat citizenship to inegalitarian ones, it gravitated to honor as a legitimator. After that, the state centralized the people's root paradigm for its interest. At this point, the police violence became vital for the regime's survival and found its legitimacy not in law but honor. Thus, honor, the founding element of the contract before 1826, continued its course by first becoming the people's root paradigm and then the central state's legitimator by the late 19th century.

3.1 Transformation, Humiliation and Reforms: A return to honor as a root paradigm

"It is contrary to the professional honor for the policeman in question, married to an unchaste woman, to serve in the Police."

Istanbul Chief of Police, 1895¹¹²

"The possibility of romantic love between Kalyopi and her benefactor, Ahmet Efendi, a respectable Muslim man, is discounted in the novel. Such a joining could not lead to happiness, given the inappropriate disparities between the two parties."

Holly Shissler's comment on

Henüz On Yedi Yaşında (A Tanzimat Novel by Ahmet Midhat, 1881)¹¹³

This thesis is admittedly not about an Ottoman Tanzimat novel but about the policemen who married unchaste women and their relations with the Ottoman authorities in the late 19th

¹¹² COA, İstanbul, ZB, 61–79, 17/Ks/1310 (28 January 1895).

¹¹³ A. Holly Shissler, "The Harem as the Seat of Middle-Class Industry and Morality: The Fiction of Ahmet Midhat Efendi," in *Harem Histories: Envisioning Places and Living Spaces*, ed. Marilyn Booth (Durham NC: Duke University Press, 2010), p. 331.

century. However, it is difficult to say that there was no parallelism between the Tanzimat novelists, intellectuals, and the 19th-century Ottoman authorities in their receptions for honorable Turkish Muslim men who had relationships with unchaste women.

It would be misleading to look for this parallelism in their moral attitude since they had morally diverse approaches towards the mentioned relationships. For instance, while the Istanbul Police Department [*İstanbul Polis Müdüriyeti*] urgently wanted to dismiss a policeman who married an unchaste woman, the Ministry of Police preferred to give him another chance and told him to divorce his unchaste wife in exchange for not dismissing him.¹¹⁴ The Tanzimat novelist Ahmet Midhat Effendi, on the other hand, transcended Ottoman honor *topos* in his novel, *Henüz On Yedi Yaşında*. As Nüket Esen highlights, Midhat put humanitarian ethics regarding prostitute women at the center of his aforesaid didactic book.¹¹⁵ Nevertheless, he depicted the relationship between Kalyopi and Ahmet Effendi as pure fraternal/parental love.¹¹⁶ Holly Shissler states, which I agree with, that Ahmed Midhat canceled the possibility of romantic love between these two.¹¹⁷ As for Namık Kemal, another famous Tanzimat novelist, and intellectual, he was adamant about the relationship of an honorable Muslim man with an unchaste woman. In his who-live-by-the-unchaste-woman-shall-die-by-the-unchaste-woman type novel, *İntibah*, he symbolically “executed” Ali Bey because Ali Bey was head over heels in love with a genuinely lewd woman, Mahpeyker. It is quite possible to multiply examples, and as I said above, it is hard to argue for a moral union of “strait-laced” Ottoman men. Their moral attitudes have always been diverse, complex, and open to multiple readings.

¹¹⁴ Ibid., COA, ZB, 1895.

¹¹⁵ Esen Nüket, *Modern türk Edebiyatı Üzerine Okumalar [Readings on Modern Turkish Literature]* (İstanbul: İletişim Yayınları, 2006), p. 13.

¹¹⁶ On the other hand, rumors say that Ahmed Midhat himself married a former sex worker in real life. Ibid., Esen, 2006, p.13.

¹¹⁷ Ibid., Shissler, 2010, p. 331.

They had shared, however, the apprehension and unease resulting from being stuck between the “foreign” modern ideals and “local” traditional values in the era of rapid change from traditional to modern. Although their worldviews and social origins were not similar, they all tried to synthesize conservatism and pragmatic reformism.¹¹⁸ While making this synthesis, they had quite a difficulty and vulnerability in the issues of non-Muslims and women because “local” traditional values were founded on the absolute unequal treatment of these two groups; in contrast, “foreign” modern ideals dictated the opposite.

Indeed, after the abolition of Janissaries and following Tanzimat, the new order destroyed the old order and “subverted” the status of women and non-Muslims. The shift from “traditional” towards “rational-legal” authority, as Carter Findley said, “the Weberian shift” of the Ottoman State, began by “systematizing spirit [*esprit de système*]” at the end of the 18th century and accelerated following the Tanzimat bringing equality and accountability before the law.¹¹⁹ Moreover, contemporary observers such as George Young thought so too.¹²⁰ Indeed, the Tanzimat was the legislative attempt at the rule of law, which meant that the rule of the old order disappeared gradually.

The Ottoman implicit contract theory, adapted by Şerif Mardin from Edmund Burke III, is instrumental in understanding the old order.¹²¹ The implicit contract was that the Sultan must abide by a divine order to protect his throne; otherwise, the Janissaries would overthrow him following a rebellion initiated by the Sunni Muslim male public.¹²² The Sultan’s theoretical

¹¹⁸ İlber Ortaylı, “Tanzimat Adamı Ve Tanzimat Toplumu [Tanzimat Man and Tanzimat Society],” in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu [Tanzimat: The Ottoman Empire in the Process of Change]*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu, 1st ed. (İstanbul: Phoenix Yayınevi, 2006), p. 283.

¹¹⁹ Carter Vaughn Findley, “The Tanzimat,” in *The Cambridge History of Turkey*, ed. Kasaba Reşat, vol. 4 (Cambridge: Cambridge University Press, 2009), p. 12.

¹²⁰ Ibid., Ortaylı, 2006, p. 283.

¹²¹ Ibid., Mardin, 1991, p. 113.

¹²² Ibid., Mardin, 1991, p. 113.

duty was to enjoin *good* and forbid *evil*. *Evil* meant, in theory, the transgression of the rules set by Islam. To avoid transgression, the guarder of order, the *İhtisap Ağası*,¹²³ the *muhtasib*, was responsible for the security of internal trade under the Qadi in every major city.

Most importantly, he used to oversee divine order, controlling and checking “public morals, the attitudes of women and non-Muslims, religious obligations, and professional honor.”¹²⁴ Unlike the qadi, the *muhtasib* had the authority to intervene by force to eliminate the sinner,¹²⁵ i.e., transgressing hierarchies. Monitoring the attitudes of women and non-Muslims meant checking their life concerning the existing hierarchy. Edhem Eldem calls this phenomenon the “culture of knowing your place [*haddini bilmek*].”¹²⁶

Divine order was based on “justice” (hierarchy), adopting the dhimmi millet system alongside the theocratic gender order. In other words, it was an inegalitarian order adopting the idea of providential hierarchical equilibrium. This equilibrium was based on religious and sexual differences in the cycle of Sharia, taxation, army, and sultanate.¹²⁷ Sunni Muslim male supremacy always mattered. The durability of this superiority and the conservation of differences between Sunni men and others were also essential for chaste life—unchaste meant transgressing the borders of the providential order based on a non-egalitarian hierarchical

¹²³ “Holder of the office of al-hisbah, in classical Islamic administrations an executive falling roughly between the offices of judge (qadi) and court magistrate.” Please see below.

“Muhtasib,” Oxford Reference (Oxford University Press), accessed June 10, 2022, <https://www.oxfordreference.com/view/10.1093/oi/authority.20110803100214762>.

¹²⁴ “Claude Cahen, “Economy, Society and Institutions“, The Cambridge History of Islâm, vol. 213, Islamic Society and Civilization, ed. P.M.Hold, vd., (Cambridge, Cambridge University Press, 1977), s. 529,” as cited in *ibid.*, Mardin, 1991, pp. 114-115

¹²⁵ Cengiz Kallek, “HİSBE [Islamic-Ottoman Office for Public Regularity],” in *TDV İslâm Ansiklopedisi [Encyclopedia of Islam]* (TDV İslâm Araştırmaları Merkezi [Center for Islamic Studies]), accessed June 11, 2022, <https://islamansiklopedisi.org.tr/hisbe>.

¹²⁶ In Professor Edhem Eldem’s Ottoman Cultural History course at Boğaziçi University, I learned a lot about the justice system, the dhimmi system, and the differences between equality and justice. While writing this thesis, I also benefited from this course’s notes. I would like to thank my classmate İmran Gökçe Şahin for her notes.

¹²⁷ Ahmet Karaman, “Ahlâk-ı ALÂÎ ,” in *TDV İslâm Ansiklopedisi [Encyclopedia of Islam]* (TDV İslâm Araştırmaları Merkezi [Center for Islamic Studies]), accessed June 11, 2022, <https://islamansiklopedisi.org.tr/ahlak-i-alai>.

equilibrium between Muslim men and others since the hierarchy was justice itself. Therefore, dishonor or unchastity was, in a central sense, a highly relative position that could arise anytime when the divine hierarchical inequality between women, non-Muslims, and Muslim men were disturbed and the differences blurred.

Therefore, unchaste woman as an operational category could be used as a common metaphor whenever the hierarchical social distinctions based on gender and religion become blurred. The category was always flexible, indefinite, and relative. It arose in situations of conflict of interest, as in the case that Sunni Muslim Cevdet Pasha said that Fuat Pasha's family was unchaste since Fuat Pasha's father-in-law was Nusayri.¹²⁸

Nevertheless, the category of unchastity took its basis from sexual power relations, especially the marriage order. For instance, in theory, Muslim men could marry any non-Muslim woman. Still, non-Muslim men could not marry Muslim women, exposing religio-gender superiority that "your women cannot be shared with other groups, they belong to you."¹²⁹ Therefore, the equality of Muslim women and Muslim men before the law, in that case, a Muslim woman could marry a non-Muslim man, would also mean that the Muslim man would lose his superiority over the non-Muslim man. In short, justice and the "rule of divine law" in the old contract completely contrast with the modern one. Therefore, any hierarchical relationship between Sunni Muslim men and non-Muslims and women was not a matter of honor but a fact of theory in force before the modernization.

¹²⁸ Ibid., Ortaylı, p. 292.

¹²⁹ A marriage rule and its interpretation, which Eldem focused on in the lessons I mentioned above.

Before the abolition of Janissaries, when the people thought that the order was disturbed, they used to first gossip about the sultan and his officials. Then, in the sermons given in the mosques, the general expression of the social decadence was expressed to the public. Finally, the Janissaries would step in, and they could expand the rebellion together with the Ulema.¹³⁰ The basis of this implicit contract depended on the existence of the armed force, the Janissaries. However, the abolition of Janissaries in 1826 radically changed all power relations and left the Muslim people powerless against the center, as Şerif Mardin said.¹³¹

This weakness and silence lasted for years. It was the period of the liberal rule when the Muslim people desiring the old order were passive to conduct their will by force against equality. Namık Kemal describes this situation as follows.

*“The sight of the rotting corpses of thousands of janissaries in the Golden Horn kept people from expressing their thoughts since The Auspicious Incident. Because the janissaries were a counterforce to the oppression of the statesmen...”*¹³²

After the abolition of the Janissary, Tanzimat rapidly nullified the aforesaid implicit contract and replaced the principle of justice before Sharia with equality before the law. Thus, the centrality of honor ceased to be the constitutive element of the law, becoming a peripheral value. However, the Weberian shift in a state does not always mean that its society would undergo this shift and that the old social implicit contract would be re-established following the modern rule of law.¹³³ As Sirman points out, when traditional rules lose their own legitimacy, society may also turn to root paradigms to find their way.¹³⁴ Through the honor paradigm, devoid of Janissaries, the Sunni Muslim population resisted the center’s egalitarian

¹³⁰ Ibid., Mardin, 1991, p. 115.

¹³¹ Ibid., Mardin, 1991, p. 116.

¹³² “Namık Kemal, ‘Usûl-ı Meşveret Hakkında Mektuplar’, Hürriyet, 14 Eylül 1868, s.6,” as cited in ibid., Mardin, 1991, p. 117.

¹³³ This possibility might have been possible, but it was not so in the 19th-century Ottoman Empire. I will explain why this is not possible in the next section.

¹³⁴ Ibid., Sirman, 2014, p. 5.

order in various ways. The delegitimization by instrumentalizing women's chastity preserved its power in displacing rival ideologies.

Since the early days of modernization in the Western sense in the Ottoman Empire, the public visibility of and changes in women had already attracted the attention of critics and opponents. They had instrumentalized female visibility and change to criticize statesmen, especially statesmen who preferred diplomacy. Şemdanizade Süleyman Effendi's comments around 1773 to 1775 on the Vizier of the "Tulip Era" (1718-1730), Nevşehirli Damat İbrahim Pasha (b.1660-d.1730) is a typical example of this rhetorical strategy. Süleyman Effendi criticized the amusement parks that Nevşehirli established as follows. "The statesmen and women were mixed there, and the half-wit women-class was exposing their private parts on the swings." Süleyman Effendi, right after, said, "He gave the lands conquered by the martyrdom of thousands of Muslims to Qizilbash and demanded peace."¹³⁵

Nearly a hundred years after Nevşehirli Damat İbrahim Pasha, in the Tanzimat era, Mehmet Emin Ali Pasha, who conducted diplomacy instead of war on Crete, was also accused of "giving" Crete to "infidel." At the same time, he was labeled as "European style [*alafranga*]."¹³⁶ Since effective modernization and reform developed together with peace diplomacy, the criticism of "decadence" came to the fore as a rhetorical strategy from the very early days of Westernization. In addition, just as Semdanizade Süleyman Effendi

¹³⁵ "Şem'dânî-Zâde Fındıklılı Süleyman Efendi Târihi Mür'i't-Tevârih. 1, 1. Cilt," ed. Münir Aktepe, Internet Archive (Edebiyat Fak. Matbaası, 1976, July 13, 2017), <https://archive.org/details/Emddn-ZdeFdndFklnlSleymanEfendiTRihiMRit-TevrihiI/mode/2up>.

The authenticity notice: Münir Aktepe's book relies on the manuscript conserved at the Bayezit State Library. However, this manuscript is not the original one but the copy. The copyist and copy date are unknown. For detailed academic discussion, please see Öksüz, Mustafa, "Şem'dânîzâde Fındıklılı Süleyman Efendi'nin Mür'i't-Tevârih Adlı Eserinin (180B-345A) Tahlil ve Tenkidi Metni [Analysis and Criticism of Şem'dânîzâde Fındıklılı Süleyman Efendi's Mür'i't-Tevârih (180B-345A)]," Master's thesis, T.R. Mimar Sinan University, Institute of Social Sciences, The Department of History, Medieval History Program, 2009, 20056162, pp. xvii-xxxv.

¹³⁶ Ibid., Ortaylı, 2006, p. 292.

instrumentalized sexual immorality to delegitimize Damat İbrahim Pasha in the 18th century, Cevdet Pasha in the 19th century did the same to Fuat Pasha by talking of the chastity of Fuat Pasha's family to delegitimize him.¹³⁷

Nevertheless, in the Tanzimat, gendered reactions had increased more than in the previous century, and the central state always took positions according to this reaction. Although the rapid change took place in every economic, social, and legal field and went far beyond identity issues, the changes in women and non-Muslims turned into the actual measurement units of the "foreign-oriented" change. Since it showed the change was able to infiltrate into the family, the most conserved space of men, the change, especially in the women, has been perceived as an unmistakable sign of how the transformation was powerful.¹³⁸ Therefore, supporting women's freedom and the equality of non-Muslims came with the risk of being accused of "bringing the foreign enemy home."

There are many more surveillance and discipline documents concerning Ottoman Muslim women in the Ottoman archive, including the Sultan's *Hatt*, which regulated gendered public issues, from whether Muslim women could get on the ferry to their clothes and whether they could go out during Ramadan. Moreover, there are also documents on Muslim women's relations with Western and Iranian men and non-Muslim women. The primary reason for the inflation in disciplining Muslim women was their increased public visibility. This visibility was because of changes in traditional family structure, technology, communication, media, and the relations of production.¹³⁹ This situation inevitably created a general apprehension in

¹³⁷ Ibid., Ortaylı, 2006, p. 286.

¹³⁸ Feroz Ahmad et al., *TARİH 1839-1939 [History 1829-1939]*, ed. Ahmet Kuyaş (İstanbul: TÜSİAD, 206AD), p. 146.

¹³⁹ Ibid., Ortaylı, 2006, p. 298.

society. In particular, the center, which wanted to modernize the traditional family order on the one hand, and try to balance, on the other hand, maneuvered according to this concern.

The news on media about women worried the center from time to time. For instance, *Vakit* (a newspaper) made the news that women would be counted in the general census. Then, the center immediately wrote a notification and warning letter to relevant persons and institutions on February 11, 1881, stating that since it would not be permissible under Shariah to outspokenly record the physical properties and other features of Muslim women in the register, it was more appropriate to carry out this count with the imams of the neighborhood when necessary.¹⁴⁰ In another example, when a news report in the *Saadet* (a newspaper published in Istanbul) talked about the inappropriate behavior of Muslim women in Beirut, the center said on September 4, 1892, that if the news was accurate, necessary measures should be taken immediately.¹⁴¹ Nevertheless, intellectuals and administrative officers were able to neighbor modernization despite the public's return to honor, particularly until the Russo-Turkish War (1877–1878). Moreover, the radical turn to honor as a root paradigm by Muslims in India or Russia was still absent in the Ottoman Empire. The relative independence of the Ottoman Empire played a large part in this regard.¹⁴²

However, wars, uprisings, and defeats caused the anxiety mentioned above to evolve into a violent humiliation and abasement for the Ottoman Muslim Turkish public. War defeats paved for the public, who had already turned into honor, to perceive reforms as a sign of humiliation and total Western hegemony. The Greek War of Independence (1821-1829), the

¹⁴⁰ COA, İstanbul, Mabeyn-i Hümayun Evrakı İradeleri [Imperial Chamberlain Office Documents Decree, hereafter, MB.İ], 71–8, 17/RB/1298 (11 February 1881).

¹⁴¹ COA, İstanbul, Dahiliye Nezareti Mektubi Kalemi Evrakı [Ministry of Internal Affairs Correspondence Office Documents, hereafter DH.MKT], 1996 – 47, 17/SF/1310 (4 September 1892).

¹⁴² Ibid., Ortaylı, 2006, p. 297.

Herzegovina and Bulgarian uprisings (1875–1877), Russo-Turkish War of 1877-1878 brought various treaties and reforms resulting in economic, legal, and social changes. The Hatt-i Sharif of Gülhane [*Gülhane Hatt-ı Hümayunu*] on 3 November 1838, the Royal Edict of Reform [*Islahat Hatt-ı Hümayunu*] on 18 February 1856, the edicts by Sultan Abdülaziz in 1860, Treaty of Berlin on 13 July 1878, and the declaration of the Constitution of the Ottoman Empire [*Kanun-i Esasi*] on 23 December 1876 were reforms and treaties of a period of military weakness and defeat.

These reforms and agreements promised and ruled shift in the security service, the expansion of the sub-district organization, regulations in the justice system, tax reform,¹⁴³ the principle of accountability, and equality before the law. They attempted to flatten society's previous hierarchy of dignity and honor. Moreover, between 1826 and 1876, the internal security services, which initially came to the fore within the framework of the needs of daily life,¹⁴⁴ became a tool for implementing reforms and extending modern legal norms to the countryside. On the other hand, Sunni Turkish Ottoman Muslims profoundly clung to honor as a root paradigm to resist this change.

For the Ottomans, the nineteenth and early twentieth centuries were the eras of *masculinized humiliation*.¹⁴⁵ War defeats in the “motherland” were the other honor dynamic in this period. By the late 19th century and after, the defeat of an army in a battle yielded all-out

¹⁴³ Nadir Özbek, “Osmanlı İmparatorluğu’nda İç Güvenlik, Siyaset Ve Devlet, 1876-1909 [Internal Security, Politics and the State in the Ottoman Empire, 1876-1909],” *Türklük Araştırmaları Dergisi [Journal of Turkish Studies]*, no. 16 (2004): p. 73.

¹⁴⁴ Nadir Özbek, “Osmanlı Taşrasında Denetim: Son Dönem Osmanlı İmparatorluğu’nda Jandarma (1876-1908) [Control in the Ottoman Province: Gendarmerie in the Late Ottoman Empire (1876-1908)],” in *Tarihsel Perspektiften Türkiye’de Güvenlik Siyaseti, Ordu Ve Devlet [Security Politics, Army and State in Turkey from Historical Perspective]*, ed. İsmet Akça and Evren Balta (İstanbul: İstanbul Bilgi Üniversitesi Yayınları [Bilgi University Press], 2010), p. 47.

¹⁴⁵ Anne McClintock, “Family Feuds: Gender, Nationalism and the Family,” *Feminist Review*, no. 44 (1993): p. 62, <https://doi.org/10.2307/1395196>.

humiliation and hope that could spread to the lowest strata of society.¹⁴⁶ As a result of the change in the relations between the structure of the army and the ordinary people, mutually inclusive emotional bonds began to form between military achievements and the collective honor and shame of everyday people. The army had been so decisive on the honor and hope of the ordinary people, who were excluded previously from the monarchical imperial army. The ordinary people could also be so decisive in the construction of the army.

“After the first comprehensive nationwide (conscription) system instituted by the French Republic in the wars following the French Revolution and was institutionalized by Napoleon after he became emperor in 1803,”¹⁴⁷ people began to seize the privilege of carrying a weapon and joining the army (as high-ranking officials) just as they seized political power. The “democratization” of armies and law enforcement agencies in the 19th century meant that the seizure of political power by the people and military power by people were complementary parts of the same world history.

Consequently, it was no longer the armies of the monarchs that fought but the men of the peoples. Thus, the collective shame of people due to war defeat was the new form of *masculinized humiliation*. Thus, reforms were perceived as the damage cost of the defeats and the show of force of Western dominance. Hence, regardless of whether the reforms were genuine of Western hegemony, the reforms’ historical circumstances resulted in their acceptance as such.

¹⁴⁶ Gerwarth, Robert, and Uğur Ümit Üngör. “The Collapse of the Ottoman and Habsburg Empires and the Brutalisation of the Successor States.” *Journal of Modern European History / Zeitschrift Für Moderne Europäische Geschichte / Revue D’histoire Européenne Contemporaine* 13, no. 2 (2015): 248. Accessed December 20, 2020. <https://www.jstor.org/stable/26266180>.

¹⁴⁷ T. Editors of Encyclopaedia Britannica, “Conscription,” in *Encyclopedia Britannica*, accessed June 7, 2022, <https://www.britannica.com/topic/conscription>.

I do not claim that the Tanzimat reforms resulted from the “pressure of the Western powers.” Moreover, I think this was not the case considering its historicity;¹⁴⁸ reforms were as domestic as they were Western and global as domestic.¹⁴⁹ However, I allude to how these reforms were received, especially by the male Turkish Muslim public. I refer to the taxman, money changers, statesmen, governors, gentlemen, aghas, and most importantly, the Turkish Muslim man in the street, who made the noise as follows. “Shari’a is going out of our hands; what is equality between Muslims and Christians supposed to mean? Is not the decline of the state always due to accepting Christian customs? Mustafa Reşit Pasha is an infidel, a traitor bought by unbelievers.”¹⁵⁰ As a result, the modernizing project - demolishing an unequal contract and replacing it with an egalitarian one - could not work well. The paradigm of honor that developed as a resistance to that project consolidated its power due to the wars. Hence, Ottoman society entered the end of the 19th century with its laws modernized, but the society clung to honor.

¹⁴⁸ Although the two eminent Ottoman historians, Halil İnalcık and Roderic Davison, differ on other issues about the Tanzimat, they agree that the Hatt-i Sharif of Gülhane did not originate at the suggestion of the British government and that Mustafa Reşid Pasha did not issue this Hatt to deceive and distract the world. Please see. Roderic H. Davison, *Reform in the Ottoman Empire, 1856-1876* (Princeton, NJ: Princeton University Press, 2015). – Halil İnalcık, “RODERIC H. DAVISON, Reform in the Ottoman Empire, 1856 - 1876, Princeton University Press, Princeton, N. J. 1963, XIII + 479.,” *Belleten* 28, no. 112 (October 1964): pp. 791-793, <https://belleten.gov.tr/tam-metin-pdf/3204/tur>.

¹⁴⁹ For one of the notable criticisms of the direct-impact-of-West thesis in Tanzimat historiography, please see. Butrus Abu-Manneh, “The Islamic Roots of the Gulhane Rescript,” *Die Welt Des Islams* 34, no. 2 (1994): pp. 173-203, <https://doi.org/10.2307/1570929>.

¹⁵⁰ Enver Ziya Karal, “Gülhane Hatt-i Hümayununda Batının Etkisi [The Effect of the West on the Imperial Edict of Gülhane],” *Belleten* 28, no. 112 (October 1964): p. 582, <https://belleten.gov.tr/tam-metin-pdf/3192/tur>.

3.2 Bypassing the Rule of Law, Equality, and Accountability: Honor as a justification

paradigm in the Ottoman policing by the late 19th century

*“The police force of Constantinople! (..) it is a barbaric farce. It promotes outrage and suppresses peace. It is the friend of the criminal and the enemy of the honest man. It oppresses the weak and is a parasite of the strong. Inhuman brutality is the foundation of its organization (...) During the recent slaughter of Armenians in Constantinople, the police force of that city played an important part. An effort in late years was made to organize it on the complicated lines of the Parisian police system, but it is a mere caricature of the latter. It is immediately under the control of the Sultan through his ministers.”*¹⁵¹

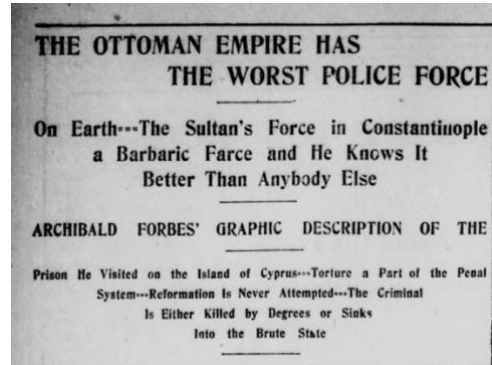


Figure 1. The Herald, Headline, The Herald, Los Angeles, 2 November 1895¹⁵²

The 1895 news quoted above consists of the observations of Westerners who visited the prisons in the Ottoman Empire. This long news about the Ottoman police in the Herald newspaper in Los Angeles mentioned the tortures against Armenians in the Ottoman prisons by the Police. The absolute authority of the Police over the prisons and the torture that took place in the prisons were mentioned at length in the news. Indeed, in the late 19th century, the Ottoman police had considerable power in prisons.

There are many Western-sourced observation reports and travel notes on torture in Ottoman prisons like the above-quoted news. For instance, “Vahan Cardashian claimed that, during Sultan Abdülhamid II’s reign, should severe beatings and brandings of Christian prisoners not produce the desired information regarding political secrets then their hair was shaved off, incision made, and vermin placed in the skull, adding that, thousands upon thousands of innocent men have undergone these fiendish tortures, in one or more forms.”¹⁵³

¹⁵¹ “The Ottoman Empire Has The Worst Police Force,” *The Herald*, November 3, 1895.

¹⁵² Ibid., Herald, 1895.

¹⁵³ Kent F. Schull, *Prisons in the Late Ottoman Empire Microcosms of Modernity* (Edinburgh University Press, 2014), p. 147.

Historian Kent Schull states, “Although the evidence is clear that many of the most salacious accounts are hyperbole (..) corruption, prisoner abuse regularly occurred in Ottoman prisons.”¹⁵⁴ Even if the allegations are exaggerated or false – and unlike Schull, I think most of them are true – what do they tell us historically? First, these allegations show that the world’s public opinion does not accept torture and violence. Because only in such a world of public



opinion would it be meaningful to complain about torture. Second, they dragged regimes into a crisis of legitimacy and forced them to account. “These claims are exaggerated.”: Even saying it is a form of accountability. I argue that in the 19th century, values such as accountability,¹⁵⁵ anti-torture¹⁵⁶, and equality settled in societies, more or less. On the other hand, regimes that invest in violence had to turn to the honor paradigm.

Figure 2. Representation of torture in the Ottoman prison
The Herald, Los Angeles, 1895¹⁵⁷

¹⁵⁴ Ibid., Schull, 2014, p. 147.

¹⁵⁵ “From the beginning of the reform era known as the Tanzimat, the Ottoman state tried to introduce a new type of “social pact” into rural Ottoman life and generally succeeded in doing so.”

Omri Paz, “The Policeman and State Policy: Police Accountability, Civilian Entitlements, and Ottoman Modernism, 1840–1860s,” *Society, Law, and Culture in the Middle East*, 2015, p. 104, <https://doi.org/10.1515/9783110439755-009>.

¹⁵⁶ İbrahim Halil Kalkan, “Between Medicine and Honor: The Legal Ban on Torture in the Ottoman Empire, 1840–1858,” *Journal of the Ottoman and Turkish Studies Association* 4, no. 1 2017, p. 31, <https://doi.org/10.2979/jotturstuass.4.1.03>.

¹⁵⁷ Ibid., Herald, 1895.

The polysemic aspect of honor¹⁵⁸ as the root paradigm in the late 19th century appeared much more during this period. Honor became much more suitable for centralization when the central state needed much more ambiguous proxies of imperial violence to carry out its dirty security tasks after 1876-1877. Post-1876 regimes used the reactive honor performance of the populace to bypass the law. They consolidated their power through the moralization and centralization of honor. The period of policing for ensuring reform based on liberal citizenship ended. Eventually, the Ottoman Police, as the guardian of the supremacy of honor and justice, not law and equality, turned into a repression apparatus against the marginalized groups and regime opponents, regardless of government changeover.¹⁵⁹ The institution of honor-dependent policing for regimes' survival emerged as one of the biggest obstacles to transforming Ottoman subjects into equal citizens

In transformation processes, when it becomes unclear what is right and what is wrong, I said above that honor could emerge as the root paradigm performance of common people. In such processes, on the one hand, as Clive Emsley argues, the police and gendarmerie could serve the primary function in establishing adherence to new laws, as in the Habsburg Empire.¹⁶⁰ The gendarmerie could become one of the most important means of extending the new legal norms represented by the modern state to the countryside and ordinary people. Modern

¹⁵⁸ As a polysemic root paradigm, please see below. "The circumstances under which the term is put to use change its operation and scope. As a polysemic root paradigm, it seems from the reading of these texts that honour does lend itself to being centralized by the state." Nükhet Sirman, "Contextualizing Honour," *European Journal of Turkish Studies*, no. 18 (March 2014), p. 5, <https://doi.org/10.4000/ejts.4871>.

¹⁵⁹ In the last part of her essay, Noémi Lévy shows that the emphasis on the value of honor in the Police "was also a way to stigmatize and exclude certain groups or individuals, an aspect which, though less explicit than self-promotion, was equally central in the construction of a professional and political community in the narratives under study." Noémi Lévy-Aksu, "Building Professional and Political Communities: The Value of Honor in the Self-Representation of Ottoman Police During the Second Constitutional Period," *European Journal of Turkish Studies*, no. 18 (March 2014): pp. 1-21, <https://doi.org/10.4000/ejts.4895>.

¹⁶⁰ "Emsley, Gendarmes and the State, s. 234-35," in Nadir Özbek, "Osmanlı Taşrasında Denetim: Son Dönem Osmanlı İmparatorluğu'nda Jandarma (1876-1908) [Control in the Ottoman Province: Gendarmerie in the Late Ottoman Empire (1876-1908)]," in *Tarihsel Perspektiften Türkiye'de Güvenlik Siyaseti, Ordu Ve Devlet [Security Politics, Army and State in Turkey from Historical Perspective]*, ed. İsmet Akça and Evren Balta (İstanbul: İstanbul Bilgi Üniversitesi Yayınları [Bilgi University Press], 2010), p. 76.

management technologies could abolish the cultural lag, and the result Stephen Frank calls internal colonization could actualize.¹⁶¹

On the other hand, the same management technologies such as police and gendarmerie could help also keep the people's root paradigm in circulation during the uncertain transformation processes. The public's return to honor as the root paradigm could be centralized and instrumentalized by the central power to consolidate its power against opponents. It could become a legitimator tool that the central power could tip the scales in its favor by using unlawful police violence when all means are illicit and halal to nullify the democratic sharing of power. Police violence invested in by the central power to suppress opposition could, on the one hand, be squeezed by the principle of accountability of the law and, on the other hand, the Police could justify their illegal violence by using and doing the honor. This is the polysemic side of honor as a root paradigm. As Sirman says, "through various means, doing honor opens up a space for the intervention of more and more organized powers so that not only families but states, courts, the police may also do honor in situations of uncertainty." Hence, honor was not only a performance of the ordinary Muslim Turkish Ottoman people against the egalitarian Tanzimat in the 19th century. When Abdülhamit II suspended the First Turkish Parliament indefinitely on 14 February 1877, he needed more violence to suppress opposition and alternative legitimating points to bypass the law. In 1879, he converted the Police Marshalship [*Zaptiye Müşiriyeti*] into a ministry, the Ministry of Police [*Zaptiye Nezareti*]. As the constitutional ideals were suspended, honor was centralized by the state through a highly centralized Police.

¹⁶¹ Nadir Özbek, "Tarihyazıcılığında Güvenlik Kurum Ve Pratiklerine İlişkin Bir Değerlendirme [An Evaluation of Security Institutions and Practices in Historiography]," in *Jandarma Ve Polis: Fransız Ve Osmanlı Tarihçiliğine Çapraz Bakışlar [The Gendarmerie and the Police: A Cross-Look at French and Ottoman Historiography]*, ed. Noemi Levy, Nadir Özbek, and Alexandre Toumarkine (İstanbul: Tarih Vakfı Yurt Yayınları, 2009), p. 16.

By the late 19th and early 20th centuries, both the Hamidian and Young Turk regimes endeavored to vigorously cultivate police organizations to control Ottoman society and their political rivals. As a result of this investment, the police gained a powerful institutional presence between the Ottoman state and society.¹⁶² The state encouraged the police to use legitimate, “state” violence and accommodated them with enhanced surveillance and terror technologies at the local level. Moreover, the police monopolized and dominated the written legal knowledge in a society where the public was illiterate. The separation of powers that could check the powers of these organizations in other forms of civil society was, therefore, ineffective, and an independent judiciary could not quickly check the disproportionate use of violence and bring those responsible to justice. In other words, for the Ottoman regimes aiming to control their political opponents and society, the police had the unchecked capacity to wreak mischief.

Consequently, as the institution with the privilege of juridical knowledge and the ability to use legitimate violence on the local level, the Ottoman police became the state’s tool for implementing the regime’s will on the society in an unchecked manner, all under the guise of justice and legality while being a mediator between the regime and society. Thus, it became the most productive controlling apparatus Ottoman regimes had heretofore invented that, consequently, prevented constitutional ideals from germinating and coming to fruition in late Ottoman society. When the “old” authorities that used this apparatus to the fullest fell, the Police experienced a legitimacy crisis as both the most criticized and the most needed institution by the “new” regime built on the control and suppression of opposition.¹⁶³ Honor

¹⁶² Ibid., Lévy, March 2014, pp. 6-7.

¹⁶³ Ibid., Lévy, March 2014, p. 7.

became a central value for the Police to serve “two purposes, both marking the rupture with the turpitudes of the previous regime and simultaneously enhancing the legitimacy of the new institution, whose activities were to be shaped by the principles of the new regime.”¹⁶⁴

On the other hand, accountability, and political legitimation as a turning point for professionalization gained more importance in the 19th-century Ottoman Empire.¹⁶⁵ The notion of accountability evoked the idea that, at least in principle, every Ottoman deserved equal safety and security service by the police. The mission of equality based on horizontal Ottomanism made its claim through the egalitarian reforms and central law next to the previous vertical *topos* of Ottoman honor. Thus, the egalitarian legislation and reforms in the nineteenth-century Ottoman Empire may have undermined the traditional inegalitarian Ottoman honor *topos*. However, reactions from marginalized groups against horizontalizing society and enacting secular law might also have made honor more valuable in the eyes of the masses than the law. As Nükhet Sirman argues, using terms she borrowed from Şerif Mardin and Victor Turner when traditional rules lose their legitimacy, people may turn to “root paradigms” to find their way, and meanwhile, “honor as a root paradigm that allows a doing, that is, a performative act, can be and is used to give a particular direction to existing social relations.”¹⁶⁶ In other words, the reforming and legalizing phenomenon of the 19th century Ottoman may be misleading regarding the value of honor codes, and one may claim that the penetration of honor was ramping down during that period. However, at the same time, the nineteenth century in the Ottoman Empire was when the need for honor increased in the society since traditional rules lost their legitimacy. The police institution, which wanted to avoid accountability by turning this society’s need in its favor, legitimized all its actions through honor.

¹⁶⁴ Ibid., Lévy, March 2014, p. 4.

¹⁶⁵ Ibid., Lévy, March 2014, pp. 9-10.

¹⁶⁶ Ibid., Sirman, 2014, pp. 4-5.

As for the illegitimate violence that regimes needed to suppress their political opponents and control the society, legitimizing unlawful violence became a problem for the regimes concerned about power consolidation in the period of accountability. At the same time, as Noémi Lévy points out, “accountability was also a way for the police hierarchy to advocate and justify an increasing intervention.”¹⁶⁷ Moreover, as Esmer argues, violence was “an essential aspect of the Ottoman imperial model for upholding a ‘common good’ not only in the nineteenth century but in other periods as well.”¹⁶⁸ Hence, as in the case with Ottoman bandits discussed by Esmer, to legitimize violence against “dishonorable” for the sake of the “common good,” the regimes desiring to hold down margins (borders or political opponents) demanded institutions that had the high self-whitewashing capability. The state needed ambiguous proxies of imperial violence to carry out its dirty security tasks. In this sense, it used police that could legitimize its unlawful violence in the name of the common good of society. No matter how much unlawful violence the police used against political opponents and marginalized people and groups, bringing the police to book meant betraying the common good that protects and represents society’s honor. At the hand of the Ottoman Police, doing the necessary for the common good against “dishonorable” turned into a practical exclusion tool to perform violence against the marginalized groups.¹⁶⁹ Hence, by engaging in honor with the mission of protecting and representing the “common good,” the Ottoman Police gained value by presenting an ample whitewash-supply in response to the violence demand from the late 19th century to the early 20th century, regardless of a regime change. Thus, the boundaries between crime & violence and the institution that was supposed to prevent it became blurred.

¹⁶⁷ Ibid., Lévy, Marc 2014, p. 10.

¹⁶⁸ Tolga Ugur Esmer, “Economies of Violence, Banditry and Governance in the Ottoman Empire Around 1800,” *Past & Present* 224, no. 1 (August 24, 2014): p. 173, <https://doi.org/10.1093/pastj/gtu013>.

¹⁶⁹ Ibid., Lévy, March 2014, p. 10.

Indeed, the recent opening of the archives of the Ministry of Police enables historians to see that despite a lot of legal regulations to ensure professional discipline, the Ottoman Police were involved in many crimes.¹⁷⁰ Historians have pointed out how frail the dichotomy between criminal and police has stood up against the corrupt practices of Ottoman police found in the sources. They discussed why a police officer could quickly turn into a criminal in the late 19th Ottoman Empire. Nurçin İleri mentions some material causes, such as low wages and irregular payments.¹⁷¹ Halim Alyot, on the other hand, says that the reforms were often geared more towards deluding European powers than improving social relations and rights on the ground.¹⁷² I agree with them to a certain extent. However, explaining police involvement in crime through self-enclosed conditions such as poverty or failure to internalize the reforms brings one risk: we unconditionally accept the premise that the central authority endeavored to create policing institutions as a public institution to ensure the safety and security of the society. We belittle the possibility that the state could deliberately corrupt the police. We lose to chance to ask whether the state had always wanted to build the police as an upright institution.

As Noémi Lévy shows us, illegality and legality had a much broader and multi-actor causality. Just as the relations between legal persons and illegal persons were fluid, being legal or illegal for the same persons was also fluid and fragile. Lévy shows us how a former bully, *kabadayı*, turned into a cop and became a *kabadayı* again. Sarraf Niyazi Bey, the most famous *kabadayı* of the Hamidian and Young-Turk periods, was appointed as a police inspector on Büyükkada in 1909. Lévy claims that this person probably used Muslim gangs to fight against Greek gangs.¹⁷³ It would be difficult to say that a state that appointed a famous bully as a police

¹⁷⁰ Nurçin İleri, "Rule, Misconduct, and Dysfunction the Police Forces in Theory and Practice in Fin-De-Siècle Istanbul," *Comparative Studies of South Asia, Africa and the Middle East* 34, no. 1 (January 2014): p. 148, <https://doi.org/10.1215/1089201x-2648632>.

¹⁷¹ Ibid., İleri, 2014, p. 157.

¹⁷² Ibid., İleri, 2014, p. 157

¹⁷³ Ibid., Lévy, March 2014, p. 14.

officer on an island inhabited by Greeks was interested in the reputation of the Police. Instead, this was both a message and an invitation to the public to show that the Police could be open to illegal methods and individuals. It was also a show of strength about the determination and dimensions of the regime's exclusionary policy against those outside the Muslim-Turkish identity.¹⁷⁴ The state was announcing that it could give total freedom to criminals regarding "public order." The non-autonomous Police, as the control apparatus of the state, also responded to this demand. Lévy also claims that the Police agency participated in infrajudiciary solutions in Ottoman cities.¹⁷⁵ According to her, the participation in infrajudiciary solutions might have legitimized the presence of the Police in the cities; moreover, it could enable the Police institution to establish a communication network for surveillance.¹⁷⁶ Depending on these analyses, the thesis can say that the populist image of the Police was essential for establishing authority and functionality in the locals. In other words, the demand for unlawful violence from the state and the honor-based affinities created by that demand were the main force that corrupted the Police.

This process of corruption in the Police was not a coincidence but a historically specific phenomenon. The need for control through violence, triggered by causes such as the Greek War of Independence 1821-29¹⁷⁷ and the loss of the Ottoman-Russian war 1877-78,¹⁷⁸ resulted in the employment in the Police of individuals capable of collaborating with Muslim gangs.

¹⁷⁴ Ibid., Lévy, March 2014, p.14.

"Indicative of a certain fluidity between these two spheres, Niyazi Bey's case also brings to the forefront the role which the ethnic factor played in the determination of the honorable and dishonorable categories."

¹⁷⁵ Lévy-Aksu Noémi, "Institutional Cooperation and Substitution: The Ottoman Police and Justice System at the Turn of the 19th and 20th Centuries," in *Order and Compromise: Government Practices in Turkey from the Late Ottoman Empire to the Early 21st Century*, ed. Marc Aymes, Benjamin Gourisse, and Elise Massicard, vol. 113 (Leiden: Brill, 2015), pp. 146-168.

¹⁷⁶ Ibid., Lévy, Leiden: Brill, 2015, p. 159.

¹⁷⁷ As in the case of Deli Mustafa. See.

Ibid., Esmer, August 24, 2014, p. 3.

¹⁷⁸ As quoted by Nurçin İleri, Halim Alyot argues that the loss of the Ottoman-Russian war played a crucial role in reorganizing the security forces.

Ibid., İleri, 2014, p. 152.

Thus, these quasi-criminal cops, whose capacity to engage in violence through honor demanded by regimes, firstly filled the institution with their networks. They saw impunity as a guarantee under all circumstances since they protected the “common good,” Any crime in the institution became normal, i.e., the bandit-ization of the Police. However, when the wars were over, these officers saw the rule of law as a betrayal. They became dangerous for the regimes, as bandits became agents of social disruption in peacetime or when their missions ended, Esmer shows.¹⁷⁹ They came into conflict with the law at these moments and resisted the law. Thus, they chose the more profitable criminality rather than obeying the law or being law enforcement officers.

According to Lévy, after the visit of an inspector who considered “illegal” methods to maintain order to be faulty, Niyazi Bey was immediately dismissed from his job. Niyazi Bey then physically attacked the inspector and returned to his old life as a bully. As Lévy says, this case suggests that the relations between the Police forces and city gangs are more complex than the official sources assume.¹⁸⁰ Moreover, Esmer says, “though the imperial war machine relied on these men to police and defend the Empire, imperial elites denied these men professional status and respect.”¹⁸¹ Thus, it may be fair to contextualize increased disciplinary regulation in the late 19th and early 20th centuries as an elite response to new military structures not having traditional status. Elite officers like İbrahim Feridun Effendi were disgusted with some middle-level officers involved in crime.¹⁸² As a result, intense regulations on disciplining the Police were triggered by the elite demand of the profession.

¹⁷⁹ Ibid., Esmer, p. 10.

¹⁸⁰ Ibid., Lévy, 2014, p. 14.

¹⁸¹ Tolga Uğur Esmer, “The Precarious Intimacy of Honor in Late Ottoman Accounts of Para-Militarism and Banditry,” *European Journal of Turkish Studies*, no. 18 (March 2014): p. 5, <https://doi.org/10.4000/ejts.4873>.

¹⁸² Ibid., İleri, 2014, p. 153.

Bandits and cops were akin to each other in their lack of status and being targets of Ottoman elite criticism despite being the backbone of Ottoman policing. Esmer draws similarities between the self-narrative of Deli Mustafa, an irregular warrior always on the verge of being labeled a bandit, and the self-narratives of police officers that Lévy examines. Esmer argues that honor was a central value by which they fashioned themselves since they lacked traditional military status even though they were the backbone of the Ottoman imperial war and policing machine. That is why “the reliance of imperial governance on violence resulted in a precarious intimacy of honor” between them and the state.¹⁸³ My thesis argues that the Police involvement in crime to such a degree in the late 19th century was the adverse impact of a precarious intimacy of honor, as with bandits. Reactions such as resisting the law, beating an inspector, disobeying the orders of his superiors, lying, aggression, and stubbornness were not only due to low wages or the inability to internalize the reforms but also were symptoms of the contradictions that emerged as a result of the state’s investment in violence.

¹⁸³ Ibid., Esmer, March 2014, p. 4.

CHAPTER 4

Building Honor through Police: How did the administrative relations make women's chastity vital for men?

This chapter focuses in detail on two late 19th-century Ottoman policemen who were dismissed from duty since they insisted on continuing their marriage with unchaste women. The state justified its decisions by claiming mentioned policemen's actions had damaged the professional honor. Nevertheless, especially after the 1870s, the state's investment in violence made the Ottoman Police dependent on honor rather than the law. For this reason, honor inevitably became imperative for the ideal police officer, and the control of the Police's relationships with women occurred in this historicity. In the old implicit contract, masculine dignity measured by a man's capacity to protect and control his wife's chastity was reproduced by the disciplinary relationship between the administration and the Police. Thus, the man's reputation became re-subject to the woman's chastity.

Moreover, the relations between women's chastity and men's dignity in the late Ottoman Empire were "something that was done."¹⁸⁴ In contrast with the determination of twentieth-century Mediterranean anthropology on so-called Mediterranean male honor, the relationship between women's chastity and male honor was not ahistorical and immutable. Ottoman masculinities adopted morally diverse positionalities for female unchastity. Some did not mind marrying unchaste women. However, in various ways, masculinities were controlled, regulated, homogenized, and reproduced by the center. I claim that binary oppositional valuation between chaste and unchaste women primarily emerged in the military-administrative relations with official men rather than domestic relations between men and

¹⁸⁴ "...honour as something that is done as opposed to something that is. In other words, honour does not refer to a rule that is applied but a concept that has many uses." Ibid., Sirman, 2014, p. 4.

women in the late 19th century. I also argue that culture, religion, and domestic factors were secondary, at least in the 19th century, and that the state's choices were central to constructing the above-cited honor.

Although the scope of this thesis is the marriage with unchaste women and thereupon the dismissal of policemen, it is worth mentioning that other cases in the Ottoman Archives show policemen were dismissed for having relationships with unchaste women even though they did not marry them. As Süheyla Nil Mustafa reported in her doctoral dissertation based on an excellent archival review, “going to brothels and having intercourse with prostitutes were the most common criminal offenses among policemen.”¹⁸⁵ For instance, policeman “Hayreddin Efendi was dismissed for drinking and making an indecent woman wear men's clothes and dance while in his police uniform.” Else, policemen İsmail Hakkı, Halil İbrahim, Mehmet Vehbi, and Hüseyin Hüsnü of Fatih Police Center in İstanbul were dismissed for tarnishing professional honor because they had relationships with unchaste women “[*haysiyet-i meslekiyeye münhal olarak bazı iffetsiz kadınlarla peyday-ı münasebet ve irtibat eylediklerinden*].”¹⁸⁶ Policemen Cemal and Osman Nuri Effendis from the Saruhan sanjak in Aydın Province were discharged after visiting a brothel because they committed a disgraceful offense.¹⁸⁷ In the same Province, Kemal, Hasan, Sami, and Rıfat, police officers were relieved of their duties because they went to a brothel and had relations with prostitutes.¹⁸⁸ In another case, a police sergeant accepted a brothel owner's New Year's Eve party invitation and drank with the prostitutes. According to the decision-maker, he lacked a sense of mission and

¹⁸⁵ Süheyla Nil Mustafa, “Making of the Ottoman Policemen (1876-1918),” *Süheyla Nil Mustafa. “Making of the Ottoman Policemen (1876-1918).” PhD Dissertation, Boğaziçi University, 2018.* (dissertation, Acedemia, 2018), p. 227, https://www.academia.edu/49443024/Süheyla_Nil_Mustafa_Making_of_the_Ottoman_Policemen_1876_1918_PhD_Dissertation_Boğaziçi_University_2018.

¹⁸⁶ Ibid., Mustafa, 2018, p. 227.

¹⁸⁷ Ibid., Mustafa, 2018, p. 227.

¹⁸⁸ Ibid., Mustafa, 2018, p. 227.

personal honor. Thereupon, he was also discharged from his office.¹⁸⁹ Police İsmail Effendi, because of his long-term relationship with a prostitute woman in Beirut, was once dismissed from the duty, although he was later reinstated in the profession.¹⁹⁰ A policeman named Hasan Basri was appended to record for holding hands and flirting with an unchaste woman.¹⁹¹

There are other documents in the archive about Ottoman soldiers or police officers who were dismissed for marrying lewd women. For example, first lieutenant Mustafa Alim Effendi was dismissed because he knowingly married an unchaste woman on September 7, 1915, and the Military Court of Appeal upheld the decision.¹⁹² However, the documents of the disciplinary file are not in bulk. Usually, the paperwork is messy in the Ottoman Archive. I could choose only two files below, which allowed systematic analysis. Other files at least need to be sorted for future work. As for the content of the archival material of this thesis, these petitions have the characteristics of the request of appeal designed by a provincial police officer towards the governorship, the central government's representative. Therefore, they are resultful and substantial resources to understand how an ordinary provincial police officer perceived the center in the late Ottoman Empire. In addition, interrogation documents also offer the opportunity for us to hear the voices of the neighborhood.

4.1 Petitions from Policemen to the Center & Investigation Orders from the Center to Policemen: Mahir Effendi

On 1 August 1909, the Administrative Council of the Vilayet of Ankara [*Meclis-i İdare-i Vilayet*] decided to dismiss an Ottoman police officer of Kırşehir Sanjak, Ahmed Mahir

¹⁸⁹ Ibid., Mustafa, 2018, p. 228.

¹⁹⁰ Ibid., Mustafa, 2018, p. 296.

¹⁹¹ Ibid., Mustafa, 2018, p. 235.

¹⁹² COA, İstanbul, Bab-ı Ali Evrak Odası Belgeler [Bab-i Ali Document Chamber], 4373-327920, 28/ŞV/1333 (8 September 1915)

Effendi. The Council addeemed that it was illicit [*gayr-i caiz*] to continue his duty for Ahmed Mahir because he was “busy with prostitution” [*fuḥṣiyat arkasında dolaştığı*]. Then, the Vilayet (hereafter the Province), on 3 August 1909, gave Ahmed Mahir a written notice [*emirname-i Vilayet-penahi*] announcing his dismissal because of his association with an unchaste woman, Ms. Enise Tahir from Yozgat Sanjak. After that, Ahmed Mahir went from Kırşehir to Ankara and submitted to Ankara Province [*Vilayet-penahiye*] three petitions [*istida* or *arzuhal*] of objection/appeal demanding re-investigation; dated 21 August, 1 September, and 5 September 1909. He claimed that the investigation sent to the Province by the Lieutenant Governor Office of Yozgat Sanjak [*Yozgat Sancağı Mutasarrıflığı*], which led to his dismissal from the duty, was malicious prosecution. He added that he was married to Ms. Enise, and everybody was sure of his wife’s chastity. The Province referred all his petitions to the Police Directorate [*Polis Müdürlüğü* or *Polis Müdüriyeti*], and it was issued an order to interrogate the notables in the Ms. Enise’s neighborhood about her chastity. Thuswise, the re-investigation process started concerning Ahmet Mahir, which proceeded through complex maneuvers and relations between Security General Directorate [*Emniyet-i Umumiye Müdüriyeti*], Ankara Province, Yozgat Sanjak, Kırşehir Sanjak, and local people.¹⁹³

Ahmed Mahir Effendi adopted an ambivalent strategy in his petitions. First, he flatly denied the accusations against him. He stated that some of his colleagues slandered him due to repeated hostility and competing interests among police officers. One could thus argue that he had admitted, albeit implicitly, that the charges against him were grounds for dismissal. On the other hand, he used the language of the time in his petitions in an exciting way. He said that even if what was said about him and his wife were true, it was not a crime by law, and if it was a crime, he demanded that the related article be shown to him, which banned the marriage with

¹⁹³ COA, İstanbul, DH.EUM.MH, 263–29. – COA, İstanbul, DH.EUM.THR, 7–8.

unchaste women. [*bununla beraber farz-i muhal sahih olsa bile kanunen bir cürüm teşkil edemeyeğinden başka hiç olmazsa taraf-i bendeganeme tebligat veya da bir istifsar-i madde olunması*] He not only used the slander card while stating why the dismissal done to him was an injustice. He also reminded the center of the principle of *Nullum crimen nulla poena sine lege* [No crime without law].

Ahmed Mahir was a police officer in the second declared constitutional monarchy. The effect of this is also seen in other ways in their petitions. In his petitions, he said that what happened to him was against “constitutionalism and the age of justice” Recent critical and revisionist studies show that the Tanzimat has reached the bottom. Milen Petrov’s article is one of them. Petrov speaks of “a modicum of respect for the requirements of Tanzimat speak”¹⁹⁴ in his work, where he examines court documents. Indeed, the late 19th century Ottoman was when non-elite people also spoke the “Tanzimat language” through petitions. Future studies will show how widespread this was, but Mahir was sure to speak this language in this example. Ahmed Mahir’s petitions are the microcosmos of an ordinary young male police officer after the Young Turk “Revolution” (1908), who was a policeman, an intermediate between the state and public, received the post-revolutionary “new” regime and its marketed ideals.

In all his three petitions, Ahmed Mahir asked for the decision to give back to his duty and repeated his request for reinstatement at length. He said the allegations against him were unfounded, and some of his colleagues, among whom they have bad blood, slandered him, that the allegations did not reflect the truth and that the woman in question was his married wife. More to the point, he enunciated that his wife was a chaste woman in his petitions. He presented

¹⁹⁴ Milen V. Petrov, “Everyday Forms of Compliance: Subaltern Commentaries on Ottoman Reform, 1864–1868,” *Comparative Studies in Society and History* 46, no. 4 (2004): p. 745, <https://doi.org/10.1017/s0010417504000349>.

the public reputation of his wife as “evidence” and precisely said the community already knew the chastity and honor of his wife. He produced his colleagues and notables of the neighborhood as witnesses who might testify that his wife was chaste and moral. Hereby, he paved the way for the governorship to question the locals in the Province to understand whether his wife was chaste.

Examining Ahmed Mahir’s petitions, the Province asked the Lieutenant Governor Office of Yozgat Sanjak for written information about the chastity of Enise Tahir Hanım, as they did not know whether Enise Tahir Hanım was chaste. Thereupon, a comprehensive interrogation began in the Nohudlu-yı Bala neighborhood, Enise Hanım’s neighborhood, in Yozgat. Administrative officials asked all the notable men in the neighborhood whether Enise Hanım was chaste and recorded these inquiries in writing. They first questioned the imam of Nohutlu Mahallesi on September 20, 1909. The questions were as follows. “Did Enise Hanım live in your neighborhood? If so, which house did she reside? How was her attitude? Did you see her inappropriate attitude? What did you hear? Where did you hear it? How did they tell you? Did police Mahir Effendi visit Ms. Enise? If so, when? And did you know if they got married or not? Didn’t you ask Mahir Effendi why he visited Enise Hanım, even though he was unmarried to her? Why didn’t you ask, although you knew they were not married? Can you certify your statements?” Hazine Yamağı Zade Ali Effendi, Hoca Veysel Effendi, Karazade Abdurrahman Effendi, Hacı Bekir Effendi were also questioned in following days.

The locals’ answers were highly based on hearsay. For example, when they asked the Imam of the neighborhood if he knew whether Enise was, the Imam said that he did not see with his own eyes, but in the neighborhood, it was said that she was bad. [*Reyelayn bir güne fenalığı görmedim. Lakin mahalle derununda bazı fenalığı söylenirdi.*] When the interrogator

asked what kind of badness this was, Imam replied: “In the neighborhood, they said that this woman behaved inappropriately, but I did not see it with my own eyes.” However, neither the Provincial Office nor Provincial Security Directorate had any definitions that ontologically explained what chastity and unchastity meant. Consequently, they did not examine whether a woman was chaste based on a predetermined definition of unchastity following the principle of legal certainty; in reality, they questioned whether a woman was recognized as chaste in her society.

Neither did they look at whether the woman committed certain elements based on a legally pre-definition of unchastity nor prosecute whether the witnesses were telling the truth through objective evidence; instead, they investigated how the public knew the woman. Therefore, the unchastity of a woman did not occur when she did something unchaste but when she was recognized as lewd, which made the concept of “unchaste woman” action-based but recognition-based. In other words, chastity or unchastity was just the articulated belief of the neighborhood that says she was, without the need to clarify what unchastity meant and prove how she was an unchaste woman according to that concept. (The related indiscipline in the legislation of the Republic of Turkey still says, “women or men are known for unchastity [*iffetsizlikle tanınan kadın ya da erkekler*],”¹⁹⁵ person whose unchastity has been understood [*iffetsizliği anlaşılmış olan bir kimse*],”¹⁹⁶ or “a person whose unchastity is known or

¹⁹⁵ “Emniyet Teşkilatı Disiplin Tüzüğü [Law Enforcement Agency Disciplinary Code, hereafter LEADC],” Cumhurbaşkanlığı Mevzuat Bilgi Sistemi [T.R. Presidential Legislation Information System] (T.C. Cumhurbaşkanlığı Külliyesi Hukuk ve Mevzuat Genel Müdürlüğü [T.R. Presidential Complex, General Directorate of Law and Legislation]), accessed June 3, 2022, <https://www.mevzuat.gov.tr/MevzuatMetin/2.5.717339.pdf>.

¹⁹⁶ “Askeri Ceza Kanunu [Military Penal Code, hereafter MPC],” T.C. Cumhurbaşkanlığı Mevzuat Bilgi Sistemi [T.R. Presidential Legislation Information System] (T.C. Cumhurbaşkanlığı Külliyesi Hukuk ve Mevzuat Genel Müdürlüğü [T.R. Presidential Complex, General Directorate of Law and Legislation]), accessed June 3, 2022, <https://www.mevzuat.gov.tr/MevzuatMetin/1.3.1632.pdf>. – “Türk Silahlı Kuvvetleri Disiplin Kanunu [Turkish Armed Forces Disciplinary Law, hereafter TAFDL],” T.C. Cumhurbaşkanlığı Resmi Gazete [T.R. Presidential Official Gazette] (T.C. Cumhurbaşkanlığı Külliyesi Hukuk ve Mevzuat Genel Müdürlüğü [T.R. Presidential Complex, General Directorate of Law and Legislation]), accessed June 3, 2022, <https://www.resmigazete.gov.tr/eskiler/2013/02/20130216-1.htm>.

understood [*iffetsizliği bilinen veya anlaşılmış*].”¹⁹⁷) Therefore, not to be as such but to be known as such has been the subject of prosecution. Public opinion has been a reference since this concept was invented in the administrative relations between officers and the State. Having the public acquire this conviction made a woman unchaste, but not a woman was an unchaste woman as she would be considered lewd according to a specific definition; in other words, the crime of marrying a woman who made the public think she was an unchaste woman. Thus, the concepts of a chaste and unchaste woman shifted radically from an ontological phenomenon to an epistemological perception and belief from day one.

4.2 You Either Get Divorced or Fired: Salih Effendi

Fourteen years before the case mentioned above, on February 23, 1895, in exchange for not dismissing, the Police Administration Commission of the Ministry of Security offered an Ottoman policeman, Salih Effendi, to divorce his unchaste wife and then remarry his ex-chaste wife. However, how did the process get to this point? What flow of information and administrative relations had brought a police officer with the Department to this bargaining table? About four months before this bargain, Salih Effendi, on 22 October 1894, wrote a petition to the Istanbul Police Department [*İstanbul Polis Müdüriyeti*] requesting a permit for him to marry Dilber Muzaffer Hanım residing in Şehzadebaşı Fevziye Neighbourhood. The Istanbul Police Department, on 24 October 1894, referred his petition to the Police Council [*Polis Meclisi*], and the Council entrusted Şehzadebaşı Police Station [*Şehzadebaşı Polis Komiserliği*] to investigate Dilber Hanım to verify and certify whether she was an appropriate woman. Pursuant to this tasking order, Mehmed Hüsrev, the commissaire of the Şehzadebaşı

¹⁹⁷ “Genel Kolluk Disiplin Hükümleri Hakkında Kanun [Law on General Law Enforcement Disciplinary Provisions, hereafter LGLED],” T.C. Cumhurbaşkanlığı Mevzuat Bilgi Sistemi [T.R. Presidential Legislation Information System] (T.C. Cumhurbaşkanlığı Külliyesi Hukuk ve Mevzuat Genel Müdürlüğü [T.R. Presidential Complex, General Directorate of Law and Legislation]), accessed June 3, 2022, <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.7068.pdf>.

Police Station, conducted the investigation himself. The notables, Mehmet Tevfik bin Mustafa; Esseyid Mehmet Hamit, one of those with scholarly rank [*pâyelü*]; and Reşat, one of the correspondence clerks of the Second Municipality Office, testified under oath concerning whether Dilber Hanım had a chaste character of a female as follows.

“...Dilber Hanım is a widow; juxta hoc, this woman is one of the women who have a chaste character of a female, and she is one of the people whose behaviors are right and straight; besides this, up to this point in time, in any way we have not witnessed her bad address/attitude and act... [*Dilber Hanım seyyibe olup binaenaleyh ehl-i iffet ve müstakim ’ül-etvar olduğu gibi şimdiye kadar bir güne su-i hal ve hareketi tarafımızdan müşahade olunmadığı*]”¹⁹⁸

Then, the neighborhood imam İbrahim Edhem Effendi confirmed this testimony [*şehadetname*] and certificated [*ilmühaber*] that Dilber Hanım was a chaste woman. Moreover, Dilber Hanım and her mother even signed a deed as a supporting document promising never to distress Salih Effendi and always settle for less. Later, on 28 October 1894, the commissaire Mehmed Hüsrev sent the certificate approved by the imam and the deed signed by Dilber Hanım to the Police Council as an attached file to his investigation. He said, “(...) in the investigation that you got us to conduct, it was determined that the aforementioned woman is a clean-skirt¹⁹⁹ and of women who have a chaste character of a female, and she is a widow (...) [*icra ettirilen tahkikatta mezbure pak-damen ve ehl-i iffeten olduğu ve seyyibe bulunduğu tebeyyün eylemiş olmakla*].” After Mehmet Hüsrev sent his report to the Istanbul Police Department on 28 October 1894, Istanbul Police Department gave a license [*ruhsat*] to Hafez Edhem Effendi, the imam of the neighborhood, for Salih’s marriage. After that, Dilber Hanım and Salih Effendi married on 28 October 1894.

¹⁹⁸ Ibid., COA.

¹⁹⁹ A compound adjective. Being clean-skirt: Being moral, chaste, and innocent.

However, on 6 November 1894, Ali Rıza, a secret policeman, filed an investigation report [*jurnal*] to the Istanbul Police Department. Ali Rıza rendered that when Salih had been on duty based in Mercan before Tahtahale, Salih had regularly visited a pimp woman, Atiye, on Mercan Avenue, and he had started to date a well-known lewd woman, Pakize, who prostituted herself at Atiye's house. Moreover, the report informed the center that Salih Effendi had divorced his "chaste" wife wantonly and recently married Pakize. Well, was Dilber Hanım Pakize? Chasing the answer to this question, the center initiated an investigation that would last for months. Thus, a complex honor doing-and-redoing-honor process began, where Ottoman honor, masculinity, and police intersected via the relations between local people, imams, police, and the center.²⁰⁰

On 21 January 1895, the center could not understand whether the woman, namely Pakize, was Dilber and sent the document back to the local Police Station to ask whether she was chaste. After that, the local Police Station said, "although no information by the neighborhood about her bad or good attitude, we declare that she is an inappropriate woman based on the officers' knowledge." Therefore, the Office of the Istanbul Police Department offered a proposal for the dismissal of Salih Effendi to the Administrative Commission of the Istanbul Police Department. However, the Administrative Commission of the Istanbul Police Department gave an interesting response to this proposal. In exchange for his decision to give back to duty, the Office offered Salih Effendi to divorce his current unchaste wife and re-marry his former chaste wife.

Nevertheless, Salih Effendi did not divorce his unchaste wife. As a result, the Office dismissed him from duty because it harmed the policeman's professional dignity and honor

²⁰⁰ COA, İstanbul, ZB, 61–79, 17/Ks/1310 (28 January 1895).

and might set a bad example for other police officers. An important point here is that getting married was not a disciplinary offense; not getting divorced has become a disciplinary offense. Hence, not the marriage with an “unchaste” woman itself but considering this kind of marriage as usual turned into a form of indiscipline during those mentioned above two disciplinary proceedings.

In both cases, the administrative authorities were in a crisis of legitimacy to justify their decisions. In the second case, they tried to overcome this crisis through soft deterrence methods such as proposing a divorce to Salih Effendi. Moreover, the impact of the Young Turks Revolution of 1908 motivated Mahir Effendi to demand *nulla poena sine lege and the right to a fair trial*. None of them divorced nor provided adequate remorse, and they did not see their marriage but dismissal as a mistake. As a result, both were ostracized from their professions, and the given reason for their dismissal was not their marriage to an “unchaste” woman but their insistence on these marriages.

Moreover, the administrative authorities punished the abovementioned two officers for preventing themselves from the possibility of sending the message that such marriages were legitimate to other police officers. They were the civil servants, too, who had to render a judgment and were confused. On the one hand, they constantly demanded precise information from each other; on the other hand, they were afraid that these marriages to unchaste women in question would set an example for other policemen, and consequently, marriage with unchaste women could be normalized. For instance, when the Commission decided to dismiss Salih Effendi since Salih Effendi did not accept their divorce proposal, Commission claimed that “(...) if we shut our eyes to the marriage of Salih Effendi with the woman as mentioned

earlier, this would set a bad example for other police officers (...) [*mezbureyi tezvicine iğmaz-i ayn edildiği taktirde polisler için su-i misali mucib olacağı*].”

In Ben Griffin’s sense, adopted from Simon Szreter, police stations as both workplaces and homes for policemen were the means of *communication communities*. Communication communities “recognize the variegated and uneven dissemination of particular cultural norms and relate this to the historically specific mechanisms of socialization through which those norms were propagated.”²⁰¹ Hence, as in nineteenth-century Britain, when the male working-class’ experiences shaped their masculinity in dame schools in work environments,²⁰² the Ottoman police masculinities were also shaped in their social environment. Considering that the police stations were like their home since they usually slept there, this social environment was predominantly the police stations. Therefore, the Commission was aware of the power of police socialization to construct masculine morality about women’s chastity. He gave importance, not to the action of individuals but to the construction of the police. Therefore, disciplinary technologies existed in the 19th-century Ottoman police to control the social, not the professional, isolated from the society. Hence, administration within men’s institutions has played a significant role in the construction of ideal masculinity that takes care of the honor of women through disciplinary technologies that control the sociality of the police.

On the other hand, since there was no extra law protecting nor regulating the right to private life, there was no law to which the investigators could delegate the responsibility of their decision. Their position confirms Nükheth Sirman’s honor argument. According to Sirman, “honor is a way of dealing with relationships that are ambiguous, ill-defined and therefore

²⁰¹ Ben Griffin, “Hegemonic Masculinity as a Historical Problem,” *Gender & History* 30, no. 2 (2018): p. 385, <https://doi.org/10.1111/1468-0424.12363>.

²⁰² Ibid., Griffin, 2018, p. 385.

relations that produce anxiety.”²⁰³ They could easily resort to the honor *topos* because of uncertainty. Thus, preventing other police officers from not caring about chastity in terms of their marriage decisions became the engine power of these two disciplinary proceedings, rather than preserving the promised constitutional ideals of the period from honor.

Administrative authorities conveyed a message to other women not just by making a legal decision that legitimized honor beliefs but by turning the unrecorded acts of women into a recorded status as “unchaste women.” This pointed out what it could mean for a woman to marry an honorable Muslim man. Apart from the centralization and instrumentalization of her sexual morality, this was a recording process by the state. This happened to those women due to their daring or presumptions about the right to marry a male Ottoman officer as if they were chaste women. In other words, Dilber Muzaffer and Enise Tahir Hanım were not punished for being unchaste women but were redefined as unchaste women as punishment. These women’s sexually “immoral” acts did not come first, but their presumptions for the right to marry an honorable male Ottoman officer predated everything else. In brief, those above two administrative decisions were not about making those women unchaste. Therefore, they were not ontologically unchaste women since this category has never existed ontologically. Still, they were women who were constructed as unchaste by the state because they were known as lewd by the public. Ultimately, these investigations were a message through the disciplinary punishments in collaboration with honor.

²⁰³ Ibid., Sirman, 2014, p. 2.

CONCLUSION

Before I started to write my thesis, I assumed there were few sources in the Ottoman archive regarding the dismissed officers for marrying unchaste women in the late 19th and the early 20th century Ottoman Empire. Nevertheless, I could foresee the intensity of competition and the power of gossip among colleagues in the 19th century. I had no trouble guessing that the rumor about the dismissed police officers for marrying lewd women would spread throughout the organization; that gossip would have the power to discipline the police. Hence, I thought that even one or two disciplinary documents would be enough.

However, I asked myself, where could a historian find the historical material of gossip? For instance, I knew that the archive material of gossip in the coffeehouses came from informers' reports because plainclothes police went to coffeehouses to report to the Sultan what ordinary people had spoken there. These Journals (reports of informers) became the source of coffeehouse gossip for historians.²⁰⁴ Unlike ordinary people in the coffeehouses, there was no systematic record of what police officers gossiped about in police stations in the 19th-century Ottoman Empire. Thus, I searched more for mainstream documents regarding police officers' relationships with unchaste women. As I researched them, I realized that there are many documents in the archive about the relationship of the police with lewd women. These documents are still waiting for researchers to study. There are surprisingly many documents on chastity, honor, and women in the police archive. During my research, I also found many documents on the relations between the police and sex workers, although I did not include them in this thesis.

²⁰⁴ Cengiz Kırılı, "Coffeehouses: Public Opinion in the Nineteenth-Century Ottoman Empire," *Public Islam and the Common Good*, January 2004, pp. 75-97, https://doi.org/10.1163/9789047402824_007.

On the other hand, in the above context, the relationship between police violence, especially in Ottoman prisons, and honor is worth examining too. In this thesis, I focused not on prisons but on police violence in general and the state's investment in this violence. The main argument of my thesis was: In the late 19th and early 20th centuries, central regimes in the Ottoman Empire, regardless of their ideologies, needed police violence to circumvent egalitarian citizenship law and suppress opposition parties. On the other hand, by the late 19th century, the principles of the Tanzimat had already penetrated the lower strata of society, as far as honor permeated. Thus, when the central state wanted to suppress its opponents and exclude "second-class" citizens of society, the state experienced a crisis of legitimacy as it invested in police violence. The state's investment in police violence was always checked by the principles of the Tanzimat, i.e., the prohibition of torture, equality, and accountability. Thus, to justify violence, that is, to bypass the law, honor became the central value of the internal security tool. Police became dependent on honor *topos* to justify their unlawful violence. I called this process the bandit-ization of police. I claimed, and still do that, that the dismissal decisions on police officers who married lewd women emerged in these historical conditions in the late 19th century.

Some of my professors whose opinions I consulted for my thesis claim that the main reason for dismissing police who married unchaste women might be to prevent activities such as spying in internal security services. Others claimed that banning such intimacy between police and unchaste women for preventing police involvement in crime and bribery. I have weighed these possibilities exceptionally closely, but I no longer agree with either view. I think these views result from the retrospective projection by historians of the power of the mid-20th century foreign intelligence services. Another reason might be the optimistic reading of authority that the state is always willing to reform the police. However, when we look at the

real archive cases, we can see that instead of preventing bribery or spying activities, the institution that has become dependent on honor was trying to resolve its conflicts of interest with this paradigm.

In most cases, the process begins with a middle official who had previously had grudges on other matters, denouncing his colleague to the central government by instrumentalizing honor. For these denunciations, sodomy and unchastity claim was recurring pattern. In other words, the process was not initiated by the center, but; the mid-level officials pushed the center to conduct a disciplinary proceeding by instrumentalizing already abetted honor while they were fighting for their simple interests related to issues such as rank and salary. Therefore, rather than a central will to prevent spying and bribery and reform police in the province, the conflicts of interest that emerged by instrumentalizing the honor on the periphery were the main reason for the disciplinary proceedings on the police officers having relationships with unchaste women in the late 19th-century Ottoman Empire.

Moreover, the central administration never wanted to fire the accused police officers immediately. Although the center sometimes tried to fight against the culture of denouncement among colleagues, the center could not do so because it was the center that needed that culture. Also, it is an important detail that police officers were not dismissed because they had relationships with lewd women; however, the center dismissed them because they had relationships with unchaste women, as if these women were chaste. They ordered the officers to divorce their lewd wives and provided an opportunity for them to go on their duty. In other words, the center did not want to lose its officers; rather, it wished that a bad example would not be set for other police officers and that such marriages would not become normal. The aim of this moral hypocrisy policy was not to protect the officials from spies but rather to protect

the institution from the moral reaction of the society and make the Police do what it wanted in the name of morality with impunity.

If the police officer, Salih Effendi, had divorced his lewd wife, he would not have been dismissed from his duty. There was not yet a disciplinary clause in the legislation, such as prohibiting marriage with lewd women. The center did not know what to do. They invented a concept called “insistence in marriage” among themselves. It is how the historical construction of the disciplinary clauses controlling marriage with lewd women, which came into legislation much later, took place.

Therefore, I put gendered citizenship dynamics and equality at the center of my thesis. As a result, the corruption of the police, especially after the second half of the 19th century, was parallel to the fact that the state created exclusion mechanisms by violating its laws against those appointed as “dishonorable.” These phenomena have led to unequal citizenship dynamics through police and military technologies. Ultimately, women’s chastity re-became something the ideal man had to control due to these complex power relations at the state level.

In the first part of the thesis, besides mentioning other problems, I talked about two main challenges in the historiography of gender and honor in the Mediterranean. The first one is the Mediterranean masculinity, violence, and honor stereotypes of 20th-century Mediterranean anthropology. In fact, it is a set of stereotypes that also have ideological functions in cultural “conflicts” beyond anthropology. A radical departure from the archive, from the empirical consequences of cases on masculinity, dignity, and violence, risks creating a Mediterranean “essence.” Therefore, this “essence” becomes spaceless and timeless, as if it were free from historical change and construction. However, real historical cases and archives

can show that the patterns we know today as the “Mediterranean culture” and “Ottoman masculinity” are contemporary results of complex power relations of the conflicting and resisting genders. Hence, we may discover that we are not dealing with the continuity of an “essence” but rather the consequences of historical change. Hence the fact that what is normal, what is honorable, and what is dishonorable has changed until now can reveal complex history. Indeed, in my thesis, I said that I had obtained results showing that conflict, resistance, or negotiation going beyond the limits of gender and moral norms could occur in the Ottoman Empire, even in the Police, which represents honor. However, I still believe we need a lot of historical studies to show that such “exceptions” are not exceptions. We still need much more empirical work to trace the notion of “struggle for individual freedoms” with themes of gender, honor, and violence in the Ottoman Empire.

The second problem was about gender studies and honor. I said honor is not only the dynamic produced in the family and issues between men and women. However, it may be at the center of the state in the particular time and space. Moreover, I said that gender order might also be a central state policy constructed in male institutions, especially in the military and policing, which means a suggestion to rethink the state, rather than culture and family, in the center of the gender order. I also mentioned that the power relationship between women and masculinities might not be unidirectional and predictable at every given time and place. Thus, I state that we can look at the past as a potential that can accommodate different masculinity possibilities. In my thesis, I evaluated the Ottoman police officers within this diversity.

In the second part of the thesis, I discussed the ban on marriage with lewd women in the armed-men institutions from the Ottoman Empire to Turkey. One of my main arguments in this chapter is the continuity thesis. I have argued that this prohibition through the military and

police disciplinary law in Turkey is a continuum inherited by the Ottoman Empire. My second main argument is that legal equality has not been established at the textual level between men and women in Turkey. I showed the legal inequality between chaste women and unchaste women as the reason for this because the status of lewd womanhood is a potential status that can be applied to every woman in different contexts. Although the language of the law became gender neutral recently, the phrase of “unchaste woman” existed in the legal language for many years.

However, it should be said that the laws in Turkey have established the equality between men and women to a great extent. Nevertheless, contrary to the secularization and nationalization thesis, this was not through a complete break. Rather, it came true through laws that were open to manipulation and carried honor-based niches inherited from modern Ottoman laws. However, there are still many unanswered questions. How did inventing the distinction between the lewd woman and the virtuous woman affects all men and women? How did it spread beyond the layoffs to the periphery of society beyond the military and police? Reasoned decisions in the courts, the defense of the accused, the reaction of the media, and the reception of politicians in the parliament have been the dominant factors in the production of the unchaste woman. Yet there is not much academic work in this area, except for the studies of feminist women. In other words, it is an incomplete field in terms of secondary literature.

In the third and fourth chapters, I focused on the Ottoman Empire in the late 19th and 20th centuries. I argued that with the Tanzimat reforms implemented after the abolition of the Janissary, honor emerged from the Ottoman contract and thus turned into a root paradigm. However, I also argued that by the late 19th century, the state invested in police violence to circumvent its Tanzimat principles, and that honor became a paradigm of legitimation. One of

the significant deficiencies in this part is the lack of studies on the state's unlawful violence. Yet we know that violence has increased in this quarter of the 19th century. As for fired Ottoman policemen on the grounds of marrying unchaste women, my main research question was, why did the center consider marrying an unchaste woman a reason for dismissal? Again, as an area where secondary literature is lacking, police discipline law and the subject of honor in the Ottoman Empire make it impossible to give a definitive answer; however, it is still possible to bring an interpretation with case studies. Nevertheless, in summary, in this thesis, I wanted to reveal the historically specific conditions of the relationship between male dignity and female chastity. With archival documents, I wanted to emphasize the centrality of the state and the role of its relationship with violence in constructing the abovementioned categories. I wanted to show that at the center of the re-distinction between chaste and unchaste women was the state in the late 19th-century Ottoman Empire, which invested in police violence and made honor a central value.

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