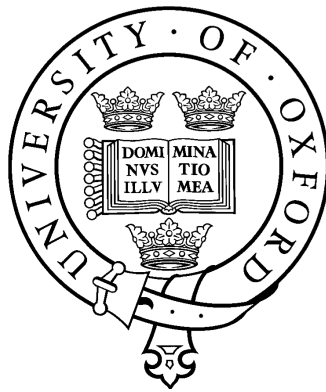


A FOREIGN COMMUNITY IN THE MAKING: IRANIANS IN THE LATE OTTOMAN EMPIRE



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Abstract

This dissertation is an examination of the transition of Iranian residents of the Ottoman Empire into a visible, foreign Iranian community in the nineteenth and early twentieth centuries. The Ottoman-resident Iranians, who in earlier centuries had been treated as Muslim subjects or, if non-Muslim, as dhimmis, were legally classified as foreigners and Iranian nationals in the late nineteenth century and came to constitute a visible Iranian community. This dissertation discusses this transition as a process of conflict and negotiation among various actors: the Ottoman and Iranian States and the Ottoman-resident Iranians themselves. Through a discussion of this transition, this dissertation simultaneously presents a legal and social history of these Iranians living in the Ottoman Empire. In doing so, this dissertation aims to engage Iranians in contemporary discussions about Ottoman communities.

In the first part, which consists of two chapters, this dissertation analyses the extent and ways in which Iranians living in the Ottoman Empire actively participated in and were influenced by the legal, intellectual and social changes of the Ottoman and Iranian States in the nineteenth and early twentieth centuries. This part suggests that Ottoman and Iranian modernisation and identity-defining efforts directly affected the Ottoman-resident Iranians constituting an Iranian community within the late Ottoman Empire. After the distinction of Muslim and non-Muslim subjects was replaced with the concepts of Ottoman nationals and foreigners, these Iranians demanded a change of their legal status. The change began with the Erzurum treaty (1823), but Iranians legally became classified as foreigners – a milestone in their transformation into a foreign Iranian community – in the context of Nasir al-Din Shah's visit to Istanbul in 1873. The Ottoman-resident Iranians were involved in discussions of the concepts of *tabe'iyat* (subjecthood), *vatan* (homeland) and *mellat* (nation) in Iranian legal and intellectual spheres, which made them feel an affinity for an 'imagined Iranian community.' The Iranian *Tazkereh* (1900) and *Tabe'iyat* (1894/1901)

Codes redefined the boundaries of the Iranian *tabe'iyat* and included Ottoman-resident Iranians as Iranian nationals.

In the second part, this dissertation discusses the consequences of the Iranians' being categorised as foreigners and Iranian nationals and feeling affinity to an 'imagined Iranian community' in the social sphere, as well. Their unique category of foreigner paved the way for conflicts between the Iranians and the Ottoman State on some issues: tax payment, their forcible conscription into the Ottoman army and the Ottoman State's intervention into their business. As they formed legal, intellectual and spiritual bonds with Iran, the Ottoman-resident Iranians asked for Iranian protection when they conflicted with the Ottoman State on those issues. By using the approaches of 'history from below', this part examines the extent as well as the ways that Iranians used the 'methods of resistance' to the Ottoman State and explores the ways in which they asked for Iranian protection. The second chapter of this part discusses the extent to, and ways in which becoming foreigners, being considered Iranian nationals, and feeling an affinity for an 'imagined Iranian community' led to a social transformation in which these Ottoman-resident Iranians actively participated. This included the process in which the Ottoman-resident Iranians established their communal institutions just as Europeans living within the Ottoman Empire and organised ceremonies where they manifested their Iranianness publicly. All these made Iranians visible within the Ottoman social sphere.

Notes on Transliteration

For Ottoman Turkish:

In the transliteration of texts from Arabic script to Latin script, I use the spellings in the original text, not contemporary Turkish spellings (*kitab* not *kitap*).

In order to keep transliteration to a minimum, I do not indicate dotted consonants. I use a circumflex accent ^ for long vowels (â, û and î to represent the Arabic letters اَ, وُ , يِ) and the ‘ sign for the *hamza* and *ayn*.

The *izafe* is written as -i or -ı after consonants and as -yi or -yı after vowels.

For Persian:

I adopt the transliteration scheme of the *Journal of the Association for Iranian Studies*.

<https://associationforiranianstudies.org/journal/transliteration>

a (as in *ashk*)

e (as in *fekr*)

o (as in *gol*)

a (as in *ab*)

i (as in *melil*)

u (as in *Tus*)

the ezafeh is written as -e (*mellat-e*)

the silent final h is written (*Ta'ziyeh*)

For words in common, I use Turkish orthography when the word is used in an Ottoman context (*millet*, *ta'biyet*, *han*, etc), and I use Persian orthography when the word is used in an Iranian context (*mellat*, *tabe'iyat*, *khan*, etc).

The definite article in Arabic appears as al- in Persian words (*Muzaffar al-Din*). It also appears as al- in the common concepts (*Dar al-Islam*).

Some well-known concepts such as Islamic concepts of dhimmi, ulama and majlis appears as they used in English and are not italicised.

Proper names in languages other than English are not italicised except the titles of books, journals and the like. See The Chicago Manual of Style Online, 11.4.

<https://www.chicagomanualofstyle.org/book/ed17/part2/ch11/psec004.html>

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Dedication

To the memory of Yavuz Selim Karakışla, Vangelis Kechriotis, Yavuz Sezer and all other young historians who passed away at their most productive age.

Introduction

‘My name is Seyyid Ahmed, my surname is Canpulad. I am the son of the late Seyyid Mehmed. My late mother was Şerife. According to the existing documents, my late grandfather Seyyid Hasan was a legitimate *seyyid* who was son of Fatimis and grandson of Haşimis. He moved to Azerbaijan in 1848/1849 from Mazandaran where he was living. My father, uncle and aunt were born in Tabriz...After staying in Tabriz for some time in his youth, my father came to Islambol (Istanbul) from Tabriz with my uncle Agha Mir Bakır to trade merchandise, and he settled there. Because the Iranians of Azarbeijan were not in a safe environment and did not have an opportunity to trade merchandise, they were immigrating to Turkey and Russia. So far, there were 40.000 Iranians in Istanbul and in the other cities of Turkey in the reign of Sultan Abdülhamid II. After staying in Istanbul for a short period of time my father went to Izmir, an important trade city in South Turkey, and he settled there. After his first wife died in 1897, he married my mother in Istanbul and went back to Izmir. My mother's parents were from Tabriz. My mother was an Iranian who was born in Bursa. My sister was born in 1897 and I was born in 1900. When I was five, my parents moved to Istanbul, the capital of the Ottoman Empire ... I attended *Dabistan-e Iraniyan* (Iranian Primary school). I was educated there for six years. I learned Persian in the Iranian Primary school’¹... ‘I attended Kuleli Military High School in 1915. We were in Çengelköy, near the Bosphorus, and wore our uniforms. Of course, our *ta’biyat* was protected. The state considers us as Iranian *tab’a* and contacted the Iranian Embassy (when needed)’²... (during the *Ta’ziyeh* ceremonies in Vâlîde Hanı in Istanbul) when *Kamazadans* were passing, Ottoman head Police Officer İbrahim Bey said to a policeman that ‘Iranians themselves martyred Hussein and now they show their regret by hitting themselves’. I objected to these claims of the two police who were charged to protect the city and warned them to stay away from such meaningless claims. I was not dressed in uniform. They shouted at me. I hit them and escaped with the help of the Iranians. Police officers were following me for 24 hours and trying to catch me.’³... ‘I asked the Iranian Embassy for a visa and received it from the consul, however I was not able to receive a travel permit from the Istanbul Police Station because the police were searching for me. I decided to go to Iran through Russia or Trabzon. It was not necessary to receive a travel permit to Ankara, but I made a new decision. I escaped from Istanbul and went to Anatolia via the Black Sea. I introduced myself to the National Army of the head commander Mustafa Kemal Paşa *Hazretleri* (highness) and went to Greek War Cephesi to serve for the Turkish National Army.’⁴

¹ Seyyid Ahmed Canpulad, *İstiklal Harbi’nde İranlı Bir Subay’ın Anıları* (Memoirs of an Iranian Military Officer in the National War), tr, Mehmet Çalıřkan, (İstanbul: Kronik Kitap, 2020), 17-19.

² Canpulad, 25-26.

³ Canpulad, 30-31.

⁴ Canpulad, 31-32

These lines are from the memoir of Seyyid Ahmed Canpulad, an Iranian who grew up in Istanbul. Seyyid Ahmed's mother, who was an Iranian, was born in Bursa, which gives the impression that there was an Iranian population in the city by the second half of the nineteenth century. His father lived in Izmir for a long time and Seyyid Ahmed and his sister were born there. This gives the impression that there was also an Iranian population in İzmir as well. He attended Dabistan-e Iraniyan (Iranian Primary School) in Istanbul, which shows that Iranians in Istanbul had already established their own school by 1906-7. His attendance at Ottoman Military School shows that the Ottoman State allowed Iranians to attend Ottoman schools, even the military ones. Seyyid Ahmed's claims that he held an Iranian passport and that his *ta'biyat* was protected by the Iranian Embassy and that the Ottoman State must discuss the issues about him with the embassy explicitly presents that the Iranians living within the Ottoman Empire were under the protection of the Iranian State by 1915, the year he attended Kuleli Military School. Seyyid Ahmed attended a Ta'ziyeh ceremony, a religious ceremony commemorating Hussein's martyrdom, which included national elements as well, presenting that the Iranians were able to organise such ceremonies publicly in Istanbul around the 1920s. All these claims present the existence of an Iranian community which had its communal institutions and which was protected by the Iranian State in the period between 1900 and 1920s in the Ottoman Empire.

How did the Iranians who in earlier centuries were designated as *Acems* or Shiites and treated as Muslim subjects – or, if non-Muslim, as dhimmis (non-Muslim living the Muslim country under the protection of Muslims) – become Iranian nationals who were protected by the Iranian State? How did they come to constitute a community which had its own institution, the Iranian school, and were able to organise a religious and nationalistic ceremony in public? This dissertation is the story of how that happened. It examines the

process in which the Iranians constituted a visible Iranian community⁵ in the nineteenth and early twentieth century Ottoman realm. This dissertation discusses this transition by focusing on its legal and social dimensions: the effects of nineteenth- and early twentieth-century Ottoman and Iranian modernisation and identity-defining efforts, the Ottoman-resident Iranians' active involvement in them, and their social consequences. It first discusses how the Iranians began to be legally classified as foreigners and Iranian nationals in legal terms and attached themselves to the newly emerged concept of 'imagined Iranian community'⁶ – to use Benedict Anderson's well-known concept. It then discusses the mutual interplay between these changes and social transformations that the Iranians went through by focusing on the conflicts that the Iranians had with the Ottoman State, their requests for Iranian protection, as well as the institutions, ceremonies and organisations they established.

⁵ When this dissertation claims that Iranians constituted a visible Iranian community, it means that the Iranians in the Ottoman realm began to be perceived as Iranians rather than as Muslim Ottoman subjects or dhimmis. The concept, *visibility*, has been used in different disciplines such as media, law and migration studies as well as art history, and it is interpreted in many different ways. For instance, in September 2016, a conference on law and culture named (In)visibility was organised at St Mary's University, Twickenham in London. Researchers discussed (in)visibility in relation to its use in law from different perspectives. <https://www.stmarys.ac.uk/events/2016/09/invisibility> Andrew John Goldsmith defined visibility as a 'critical component of how people appear to the public,' and Nilüfer Göle defined it as 'to appear and to seem to others'; thus, it brings perception, self-perception and representation into the discussion. Andrew John Goldsmith, 'Policing's New Visibility,' *The British Journal of Criminology* 50, no. 5 (September 2010), 914; Nilüfer Göle, 'The Public Visibility of Islam and European Politics of Resentment: The Minarets-Mosques Debate,' *Philosophy of Social Criticism* 37, no. 4 (2011): 390. Christophe Monnot's definition comes most closely to my own in this dissertation: 'visibility is characterised by the decisions of the representative associations to bring (someone/a group) out of obscurity'. Christophe Monnot, 'Visibility or Invisibility: The Dilemma of the Muslim Associations of Switzerland,' *Journal of Religion in Europe* 9 (2006), 44. The Iranians in the Ottoman Empire had been treated under the umbrellas of Muslim subjects and dhimmis and thus they were invisible as Iranians; when they were legally classified as 'foreigners', it brought them out of obscurity and made them visible. *Community* is a term referring to a social organization of culturally, politically, historically or ethnically defined groups. Various definitions of the term are made from perspectives such as those of the disciplines of sociology, anthropology, political science and history. For the sociologist, it refers to 'a particular form of social organisation based on small groups,' whereas, for anthropologists it could refer to 'culturally defined groups, such as minorities.' Gerard Delanty, *Community* (Oxon: Routledge, 2003), 11. This dissertation uses the term community to define the Ottoman-resident Iranians as an institutionally and politically organised foreign group living in the Ottoman realm. By using the term Iranian community, this dissertation highlights the fact that Iranians of the Ottoman Empire developed a national consciousness, established their own institutions, and became able to organise public events that manifested their Iranianness.

⁶ Anderson's concept is 'Imagined Community' as the title of his book promises. See Benedict R. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (London: Verso, 2006).

Who Were the Iranian Residents of the Ottoman Empire?

What makes this Iranian military officer, Seyyid Ahmed, an Iranian? Was it his and his parents' Iranian nationalities? Was it the Iranian school he attended? Was it his feeling of being Iranian? Coming from a geographical part of Iran but speaking Turkish, how were Azaris living in the Ottoman Empire considered and treated by the state? Because military service is strongly associated with the love and defence of the homeland, can we still assume Seyyid Ahmed as Iranian even though he attended Ottoman military school and then joined the Turkish national army? These questions, show the fluidity of the Iranian identity in the Ottoman Empire, and constitute the core of this dissertation. While examining the constitution of an Iranian community in the late Ottoman Empire, which emerged around the concept of Iranianness, within the changing legal, political and intellectual frameworks of the Ottoman Empire and Iran, this dissertation examines the changes in the understanding of being Iranian within the Ottoman realm at the same time.

The term Iranian has national, imperial, geographical and cultural connotations. It has been interpreted both as a geographical, national and imperial term. Matin Asgari takes attention to the geographical usage of the term, for him, 'all of the Iran's inhabitants at all times and without exception were called Iranian' in *Shahnameh* and during pre-Islamic times, and also after Islam.⁷ Yarshater writes that 'Iranian identity is clearly asserted in the inscription of Darius the Great, who as an Aryan and a Persian[...] [is] proud of his national identity.'⁸ According to Ashraf, Iran is an imperial term rather than national. He claims that 'pre-

⁷ Afshin Matin Asgari, 'The Academic debate on Iranian Identity: Nation and Empire Entangled,' in *Iran Facing Others*, eds. Abbas Amanat and Farzin Vejdani, (New York: Pelgrave Macmillan, 2012), 173.

⁸ Asgari, 174.

modern Iran and Iranian identity must be seen as analogous to notions such as Rome and Roman, China and Chinese, and Ottoman used as both imperial noun and adjectives.’⁹

The Ottomans adapted the geographical and imperial usage of the term Iranian into the term *Acem* (Ajam) for centuries. The word *Acem*, which literally means ‘the indistinct speakers,’ was first used in medieval Arabic literature to refer to non-Arabs, however, it was specifically used to refer to Persians.¹⁰ It was a pejorative term used by Arabs’ to underscore ‘their political and social superiority’, however, after ‘the Persians achieved a position of power in the Islamic world’, it became a ‘simple ethnic and geographical designation (Iraq-e Arab, Iraq-e Ajam)’.¹¹ The Ottomans used it as a more geographical term, rather than ethnic or cultural. It referred not only the Shiites who were coming from Iran, but also other ethnic and religious groups as well. For instance, the Ottoman registers listed many *Acem* merchants in Rumeli in the seventeenth and eighteenth century, which were Armenians coming from Iran.¹² Or, even in the nineteenth century, it was used as a geographical term regardless of ethnicity and religion. There are many documents at the Ottoman State Archives presenting cases in which the Ottoman State defined Jews, Greeks, Armenians or Azaris as *Acems*.¹³ The Ottoman State treated these *Acems* mostly as Shiites under the category of Muslim subjects – or, if non-Muslim, as dhimmis (non-Muslim living the Muslim country under the protection of Muslims). With the establishment of the concepts of Ottoman and foreigner in the nineteenth century, and the introduction of the Ottoman nationality to the Ottoman legal framework, nationality

⁹ Asgari, 183-184.

¹⁰ C. E. Bosworth, ‘Ajam’, *Encyclopædia Iranica*, I/7, pp. 700-701; an updated version is available online at <http://www.iranicaonline.org/articles/ajam> (accessed on 25 April 2014). Also see Adnan Karaismailoğlu, ‘*Acem*,’ in *İslam Ansiklopedisi*, vol. 1 (Istanbul: TDV, 1988), 321.

¹¹ Bosworth, ‘Ajam’.

¹² See Svetlana Ivanova, ‘The Empire’s Own Foreigners: Armenians and *Acem* Tüccar in Rumeli in the Seventeenth and Eighteenth Centuries’, *Oriente Moderno, Nuova serie*, Anno 22 (83), 3, *The Ottoman Capitulations: Text and Context* (2003), 681-703.

¹³ Examples: ‘*Acem tüccarından Yasef*’ BOA.AE.SAMD.III, 30 Zilkade 1233 (1 October 1818); ‘*Acem Dimitri’nin meyhanesi*’ BOA.YPRK.ZB.16.107, 28 Cemaziyülahir 1313 (16 December 1895).

became a criterion to define who were Iranians for the Ottomans. From the perspective of the state, religious or geographic definitions of being Iranian was replaced with the definition based on nationality. This becomes evident in the case of marriage prohibition between the Ottomans and Iranians, which will be discussed in detail in the first chapter of this dissertation. Although it even had sectarian motivations, the law prohibits the marriages of Ottoman and Iranian nationals, not of Sunnis and Shiites.¹⁴ For instance, an Ottoman national Shiite still could not marry a Shiite who was an Iranian national.

However, from the perspective of ordinary people, being Iranian was a much more complex issue than the definitions made by the law based on nationality. People did not always accept the limitations and categorisations brought by the law. For instance, they denied their Ottoman nationality and asserted that they were Iranians in many occasions. This was mostly the case when the Ottoman mother-Iranian father couple's sons were conscripted into the Ottoman army. They used their Iranian identity in order to be exempted from the military obligations, as will be discussed in the third chapter of this dissertation. The Ottoman-resident Iranians were gathered around this identity, the Iranianness, which found its roots in the love of homeland and feeling affinity to the 'imagined Iranian community/*mellat*'. The Iranians of the Ottoman Empire shaped this Iranianness in the intellectual arena and manifested it in the social sphere, as chapter two and four will discuss in detail.

Seyyid Ahmad Canpulad's claims that the Iranians of Azarbaijan were not in a safe environment and did not have an opportunity to trade merchandise reflects the political and economic situation of Iran and the Iranians in the nineteenth century, which gave way to

¹⁴ For the law, see BOA, Y.A.RES, 37-8, 25 Şaban 1291 (7 October 1874).

the immigration to the Ottoman Empire. Although many had been living in Ottoman territory for centuries, the large Iranian population was largely due to nineteenth-century immigration waves from Iran to the Ottoman Empire. The Iranian population of the Ottoman Empire rose in the nineteenth century with the effects of the social, political, and economic instability of Iran. The Russo-Iranian Wars (1804-13 and 1826-28) not only resulted in a large territorial loss but also caused a social and economic disaster for Iran. The Treaty of Golestan increased tariffs,¹⁵ and according to the Treaty of Turkmanchay, Iran had to pay 20,000,000 roubles as an indemnity.¹⁶ The treaty provided capitulations to Russians and many privileges to Russian merchants doing business in Iran.¹⁷ Iran became politically and economically unstable in the period following these treaties. This paved the way for emigration to foreign countries, including the Ottoman Empire. More than 300,000 Iranians escaped Iran and settled in Ottoman territories just after the war.¹⁸ This coincided with a period in which the Tabriz-Trabzon trade route became important for international trade. This trade route accounted for some two-fifths of Iran's total trade in the 1850s and 1860s.¹⁹ Goods were sent from Tabriz via Van, Erzurum, and Trabzon to Istanbul. If they were to be sent to Europe, they were either first sent to Izmir or sent directly from Istanbul. This made the Ottoman Empire an attractive destination for resettlement. For example, Mohammad Shafi Qazvini, a friend of the famous chief minister Amir Kabir (1807-52), stated in his 1853 treatise that an inquiry into Iranian emigration reported that 22,000 unemployed Iranians had left for Istanbul.²⁰ As a result of the commerce taking place along

¹⁵ Firuz Kazemzadeh, *Russia and Britain in Persia: Imperial Ambitions in Qajar Iran*, (London: I.B. Tauris, 2013), 5.

¹⁶ Kazemzadeh, 6.

¹⁷ Kazemzadeh, 6.

¹⁸ Marvin L. Entner, *Russo-Persian Commercial Relations 1828-1914* (Gainesville, FL.: 1964), cited in Homa Nategh, 'Mirza Aqa Khan, Sayyed Jamaladdin Et Malkam Khan A Istanbul,' in *Les Iraniens d'Istanbul*, eds. T. Zarcone and F. Zarinebaf-Shahr (Istanbul: IFEA/IFRI, 1993), 45-46.

¹⁹ Charles Issawi, 'The Tabriz-Trabzon Trade, 1830-1900, Rise and Decline of a Route,' *International Journal of Middle Eastern Studies* 1, no. 1 (January 1970): 24.

²⁰ M. Shafi' Qazvini, *Qanun-i Qazvini*, ed. Iraj Afshar (Tehran: 1370 AH/1991), 46, cited in Firoozeh Kashani-Sabet, 'Picturing the Homeland: Geography and National Identity in Late Nineteenth and Early

this route, many Iranian merchants established firms along the route, mostly in Trabzon and Istanbul.²¹ The merchants engaged in international trade were mostly Muslim Azeris and Armenians; there were also Europeans who were smaller in number.²² This led to an increase in the number of Iranians in and around the cities on the Tabriz-Trabzon-Istanbul-Europe route.

There is no information regarding the population of the Iranians before the nineteenth century mainly because the Ottomans did not use the category Iranian before the nineteenth century. The establishment of *shahbandars* (Iranian consuls) across the Ottoman Empire in the early nineteenth century and the regulation of the distribution of Iranian *tazkerehs*, provided the first numbers regarding the population of Iranians. Sources that will be discussed in detail in the following paragraphs indicate that there were approximately 40-50,000 Iranians living in the Ottoman Empire (16,000 in Istanbul, 10,800 in Anatolia, and 20-30,000 in Ottoman Iraq) in the 1880s and 1890s. This fits with Canpulad's claims that there were approximately 40,000 Iranians in the Ottoman Empire in the reign of Sultan Abdülhamid II.²³

This dissertation deals with Ottoman-resident Iranians' constitution of an Iranian community by separating them mainly into three groups according to where they lived:

Twentieth-Century Iran,' *Journal of Historical Geography* 24, no. 4 (1998): 420. This immigration to the Ottoman Empire was part of a larger nineteenth-century trend of emigration from Iran. Economic and social instability following military defeats in Iran at the beginning of the 19th century, famines and epidemics in the period between 1800 and 1905, and the country's political situation paved the way for large-scale emigration abroad, including to the Ottoman Empire, Russia, India and North and West Africa. See Touraj Atabaki, 'Disgruntled Guests: Iranian Subaltern on the Margins of the Tsarist Empire,' *International Review of Social History* 48 (2003): 401-407. Also see Ahmad Seyf, 'Iran and Cholera in the Nineteenth Century,' *Middle Eastern Studies* 38, no. 1 (January 2002): 169-178.

²¹ Fariba Zarinebaf-Shahr, 'The Iranian (Azeri) Merchant Community in the Ottoman Empire and the Constitutional Revolution,' *Les Iraniens d'Istanbul*, eds T. Zarcone and F. Zarinebaf-Shahr, 209.

²² Fariba Zarinebaf argues that the number of Muslim Azeri merchants had increased in the second half of the eighteenth century; thus, Azeri and Muslim merchants had replaced Armenian merchants in the trade between Iran and the Ottoman Empire. Zarinebaf-Shahr, 203.

²³ Canpulad, 18.

Istanbul, Anatolia and Ottoman Iraq.²⁴ Starting with Istanbul, there was a remarkable Iranian population in the city in this period. Muhammad Farahani, who passed through the Ottoman Empire in 1885, noted in his travelogue that there were around 16,000 Iranians living in Istanbul.²⁵ Khan Malik Sasani, who was the Iranian charge d'affaires in Istanbul in 1920, also confirmed that Iranians living in Istanbul numbered around 16,000 in the 1880s.²⁶ Kesnin Bey, who visited Istanbul in 1881, stated that the Iranians in Istanbul numbered between 10,000-12,000.²⁷ Muhammad Masum, who visited Istanbul on his way to Mecca in 1879, stated that there were around 3,000 Iranians in Istanbul.²⁸ However, Masum's account neither tallies with the numbers provided in other accounts nor does it seem realistic.

Iranians living in Istanbul were mostly merchants and guilds and Qajar-opposed intellectuals. There were many other Iranians who had factories, who worked as labourers, porters etc.²⁹ Iranian merchants based in Istanbul were generally engaged in the carpet,³⁰ tobacco and *tönbeki*, a special kind of tobacco, trades. Most of those Iranians were from

²⁴ The focus of this dissertation is on the Iranians living in Istanbul, Anatolian cities, mostly on or near the Tabriz-Trabzon-Istanbul-Europe trade route, and in Ottoman Iraq due to the high population. However, Iranians living in other regions such as Balkans, and today's Syria and Lebanon will also be examined in several contexts. This dissertation does not deal with borderland people living in borderlands that crossed the Ottoman-Iranian border from time to time. Sabri Ateş has already examined these border people in his book, Sabri Ateş, *The Ottoman-Iranian Borderlands: Making a Boundary, 1843-1914* (New York: Cambridge University Press, 2013). Since the sources I have examined do not mention that these Iranians contributed to the process of transforming Iranians into a community, nor do they express their Iranianness in a legal or social way, they will not be considered in this dissertation.

²⁵ Muhammad Husayn Husayni Farahani, *A Shi'ite Pilgrimage to Mecca (1885-1886): The Safarnâme of Mirzâ Moḥammad Ḥosayn Farâhâni*, ed Hafez F. Farmayan and Elton L. Daniel (Austin: University of Texas Press, 1990), 101.

²⁶ Han Melik Sasani, *Payitahtın Son Yıllarında Bir Sefir*, trans. Hakkı Uygur (Istanbul: Klasik Yayınları, 2006), 74.

²⁷ Kesnin Bey, *The Evil of the East, or Truths About Turkey*, (London: Vizetelly&Co, 1888), 144.

²⁸ Muhammad Masum, 'Safarnama-ye Makka', in Vahuman, *Safarnama-ye Hatti-ye Farsi*, c. II, 94-95 cited in Nurcan Altun, 'Kaçarlar Dönemine Ait 20 Seyahatnamede İstanbul' (unpublished MA thesis, University of Istanbul, 2015), 80.

²⁹ Although, merchant, guild and intellectual Iranian communities will be examined in detail, manufacturers and workers will only be mentioned roughly. This is because sources do not present very much about them.

³⁰ For Iranian merchants in the carpet trade in Istanbul, see Tsutomu Sakamoto, 'Istanbul and the Carpet Trade of Iran,' *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 213-231.

Azerbaijan.³¹ Most probably, most of them were Shiites, if we take their support in organising the Ta'ziyeh ceremonies in Istanbul into consideration.³² There were also many Iranian craftsmen who had shops. These Iranian merchants and *esnâfs* (craftsmen/guilds) were mostly settled in the old city around Sirkeci, Eminönü, Beyazıt, and Çemberlitaş in *hans* (lodges) such as the Tanburacı Hanı, Sünbüllü Han, Vezir Hanı and the most famous lodge, the Vâlide Hanı.

The Vâlide Hanı, constructed by Kösem Sultan (1590-1651) in the 17th century to finance the *Çinili* Mosque complex in Üsküdar, became the heart of the Istanbul-resident Iranians in the second half of the nineteenth century. The *han* consisted of three courtyards surrounded by two-storey buildings and had more than 200 rooms. These rooms were used for several purposes: some served as hostels while others were shops, publishing houses and coffeehouses; there was also a mosque in the *han* used by the Iranians.³³ The Vâlide Hanı became a cultural and ceremonial institution for the Iranians. The Ottoman-resident Iranians organised the Ta'ziyeh commemorations on the tenth of Muharram in the courtyard of the Vâlide Hanı every year. They also organised celebrations in the *han* for events like the birthdays of Iranian shahs, anniversaries of their accession to the throne and anniversaries of their visits to Istanbul in 1873 and 1900. Because some rooms were allocated for the use of the Persian-language newspaper, *Akhtar*, the Vâlide Hanı also acted as a cultural centre for the Iranians. *Akhtar* and many Persian books were published in the publishing house in the *han*, which became a place where Iranian intellectuals gathered and even organised political events during the constitutional period. All these will be discussed in detail throughout the dissertation.

³¹ Sasani, *Payitahtın Son Günlerinde*, 75.

³² These ceremonies will be discussed in detail in the final chapter of this dissertation.

³³ For details see Dıġıroġlu, 'Valide Han', 81-82.

The Ottoman Empire, mainly Istanbul, became a place of exile and self-exile for Iranian intellectuals who opposed the Qajar regime. These intellectuals began to come to the Ottoman Empire as early as the beginning of the second half of the nineteenth century; however, such migration reached its peak by the Iranian constitutional atmosphere of 1906. Iranian intellectuals including Malkam Khan (1833-1908),³⁴ Nariman Khan, Mirza Habib Esfahani (1835-92) and Aqa Muhammad Tahir (the owner of the journal *Akhtar*), Yahya Dawlatabadi (1863-1939) and Hassan Taqizadeh (1878-1970) were engaged in political and intellectual activities in Istanbul. Jamaladdin Afghani (1838-1897), well known for his pan-Islamic ideas, spent his last years in Istanbul, as well, as a special guest of the sultan. Afghani was in contact with some Iranian intellectuals and dissidents in Istanbul including Mirza Aga Khan Kirmani, the leading figure of *Akhtar*.³⁵ However, because Afghani fell into the disfavour of Sultan Abdülhamid II, he was unable to engage in politics in his final years.³⁶ Because of the constitutional atmosphere in both Iran and the Ottoman Empire, and because opponents of the Qajar regime were in contact with Ottoman constitutionalists in Istanbul, Iranian political activities in the Ottoman Empire and especially in Istanbul had increased by the turn of the twentieth century. Many Iranian organisations that were engaged in politics, including *anjomans*,³⁷ were established, and many Ottoman-resident Iranians were actively involved in them.

³⁴ Mirza Malkam Khan was expelled from Iran in 1861. He came to the Ottoman Empire, stayed first in Baghdad, then in Istanbul. He gained a position in the Iranian Embassy in Istanbul. However, he then had some problems with the embassy and Fuad Paşa provided Malkam Khan with Ottoman nationality in 1868. Malkam Khan was a Freemason and had close relationship with Ottoman masonic intellectuals in Istanbul. Hamid Algar, 'Iranian Diplomats in Masonic Lodges,' *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 37.

³⁵ Keddie, *Afgani*, 385. For Afghani's intellectual circle in Istanbul and his political ideas, see Keddie 381-428; also see Muhammed Mahzumi Paşa, *Cemaleddin Afgani'nin Hatıraları*, Suat Merdoğlu ed., (İstanbul: Klasik Yayınları, 2006).

³⁶ Keddie, 415.

³⁷ The *Anjomans* were political organisations and assemblies modelled on Iranian Majlis. They were established throughout Iran and even outside Iran following the creation of the majlis. They discussed the political and social situation of Iran and how to improve it. For the *Anjomans*, see Pardis Minuchehr, 'Homeland from Afar: The Iranian Diaspora and the Quest for Modernity (1908-1909): The Constitutional Movement within a Global Perspective' (PhD diss., Columbia University, 1998), 21-22.

There were some Iranians who worked as daily labourers as well as porters, in Istanbul. Sasani claims that almost all coachmen were Iranian.³⁸ Sources present little information about them when compared to other groups of Iranians. Some examples are: Seyyid bin Seyyid Ekber who was illegally gathering workers to work in the construction of a highway in Şile³⁹ and a porter, Yusuf in Beşiktaş.⁴⁰

There was a large Iranian population in many Anatolian cities, as well. As Sasani mentions, the Iranian population of Anatolia was around 10,800 between 1873 and 1890, broken down as follows:⁴¹ Izmir 955,⁴² Izmir's suburbs 200, Eskişehir 230, Ankara 350, Balıkesir 200, Adana 2714, Samsun 664, Trabzon 270,⁴³ Erzurum 721, Doğu Bayezid 96, Van 448, Aleppo 850,⁴⁴ Antep 66, Maraş 38, Antalya 175, Urfa 281, Adapazarı 194, Konya 112, and Mersin 129.⁴⁵ The Iranian population was mostly evident in cities along the overland trade route, such as Van, Erzurum, and Trabzon, and in port cities, such as Izmir and Samsun. Most of these Iranians were merchants and craftsmen. There were also many Iranian labourers working in the Ottoman Empire; for instance, 400 worked on the construction of the railway near Ankara.⁴⁶ There were also some Iranians working in the mine in Zonguldak, in the Black Sea region.⁴⁷ However, this later changed; in 1913, the Ottoman State did not permit Iranians to work there because foreigners were not allowed

³⁸ Sasani, *Payitahtın Son Günlerinde*, 75.

³⁹ BOA.DH.MKT.1666-27, 17 Safer 1307 (13 October 1889).

⁴⁰ BOA.İ.DA.15-605, 13 Şevval 1307 (2 June 1890).

⁴¹ Sasani, *Payitahtın Son Yıllarında*, 77.

⁴² The *Annuaire Oriental* of the year 1893 stated that there were 600 Iranians in Izmir. R. Cesar Cervati, *Annuaire Oriental du Commerce de l'Industrie, de l'Administration et de la Magistrature (1893)*, (Istanbul: The Annuaire Oriental and Printing Company Limited, 1893), 895.

⁴³ However, Farahani indicates that there were about 800 subjects in Trabzon and its environs. Farahani, *A Shi'ite Pilgrimage*, 100.

⁴⁴ I included Aleppo within the Anatolian cities. Although it is not part of Anatolia today, it was part of Antep vilayet in the late Ottoman Empire. There were also 322 Iranians in Damascus and 55 in Beirut in the 1880s. Sasani, *Payitahtın Son Yıllarında*, 77-78.

⁴⁵ Sasani, *Payitahtın Son Yıllarında*, 77-78.

⁴⁶ BOA.BEO.27.2001, 4 Zilhicce 1309 (30 June 1892).

⁴⁷ BOA.DH.MKT.2472.38, 24 Zilhicce 1318 (14 April 1901).

to work in Ottoman mines.⁴⁸ Documents indicated that there were Iranian villages (*Acem karyesi*) in Aksaray in Niğde,⁴⁹ and the Iranians living there probably worked in a nearby mine. There were also Iranian workers in Adana, working in *çiftlik*s.⁵⁰

In addition to those in Istanbul and Anatolian cities, there were many Iranians living in Ottoman Iraq. They mostly resided in the cities of Baghdad, Karbala, Najaf and Samarra and were merchants, workers⁵¹, religious teachers, ulama, and their students. The Iranian population in Baghdad was 2,126 in the year 1869.⁵² However, the Iranian population rose over the next thirty years, since the population of foreign nationals, most of which are very likely to have been Iranians, rose from 2,411 in 1869 to 33,270 in 1897.⁵³ In addition to the Iranians living in these cities, many Iranians came to Iraq to be educated by Shiite scholars who resided there and to settle in Shiite holy cities.⁵⁴ This growing population constituted a growing problem for the Ottoman State as it could bring Shiite dominance and Iranian hegemony to the region. Marriages between Iranians and Ottomans and their conscription into the Ottoman army constituted conflicts between these Iranians and the Ottoman and Iranian States.

This dissertation covers all these groups living in several regions of the Ottoman Empire. In the intellectual discussions, the Istanbulites Iranians will be in focus, while in the discussions on the national and religious ceremonies, Istanbulites and Iraqi Iranians will be covered. While examining the Iranians' institutional establishments, Istanbulite, Iraqi and

⁴⁸ BOA.DH.İD.107-48, 5 Cemaziyülahir 1330 (22 May 1912).

⁴⁹ BOA.DH.MKT.1507.63, 28 Şaban 1308 (8 April 1891); DH.MKT 1442.109, 6 Zilhicce 1304 (26 August 1887); DHMKT 1552.115, 4 Safer 1306 (10 October 1888).

⁵⁰ BOA.DH.MKT.2370.4, 10 Rebiülevvel 1318 (8 July 1900).

⁵¹ BOA.HR.TH.377.24, 7 Cemaziyülahir 1327 (26 June 1909).

⁵² Ebubekir Ceylan, *The Ottoman Origins of Modern Iraq: Political Reform, Modernization and Development in the Nineteenth-century Middle East*, (London: I.B. Tauris, 2011), 34.

⁵³ Ceylan, 34-36.

⁵⁴ Gökhan Çetinsaya, *The Ottoman Administration in Iraq* (London: Routledge, 2006), 99-100.

Anatolian Iranians will be the focus of the discussions. The discussion of the Iranians' legal status change includes all the Iranians living all the regions of the Ottoman Empire. Although these Iranians differ in demography and social groups according to the region, their concerns were similar. The main concerns of the Iranians and the conflicts they had with the Ottoman State were about the Ottoman State interventions with their business, the collection of *temettü* (profits) taxes and their conscription into the Ottoman Army in every region that the Iranians were living. The Iranians, regardless of the region they live, showed similar attitudes towards these issues, conflicted with the Ottoman State and asked for Iranian protection on several occasions. This dissertation examines such conflicts that the Iranians had with the Ottoman State in Istanbul, in the Anatolian city and Ottoman Iraq.

Contribution to the Field and a Brief Literature Review

Content

There has been a growing academic interest in the groups and communities of the late Ottoman Empire in the last decades. Ottoman non-Muslim communities such as Greeks, Armenians and Jews, as well as Muslim and non-Muslim immigrants who came to the Ottoman Empire from the Balkans and Caucasus, have been covered in depth by the current literature. For instance, Ayşe Ozil and Merih Erol examine Ottoman Greek Music in the nineteenth century Ottoman Empire, while Michelle Campos and Julia Philipps Cohen show how Ottoman Jews were part of Ottoman society under the concepts of Ottoman brotherhood and Ottomanness.⁵⁵ Arab and Albanian communities of the Ottoman

⁵⁵ Ayşe. Ozil, *Orthodox Christians in the Late Ottoman Empire: A Study of Communal Relations in Anatolia*, (SOAS/Routledge Studies on the Middle East; London; New York: Routledge, 2013). Merih Erol, *Greek Orthodox Music in Ottoman Istanbul: Nation and Community in the Era of Reform*, Bloomington; Indianapolis, 2015. Ethnomusicology Multimedia. Julia Philipps Cohen, *Becoming Ottomans, Sephardi Jews and Imperial Citizenship in the Modern Era* (New York: Oxford University Press, 2014). Michelle

Empire have been of academic concern, as well. Bruce Master's book on the Ottoman Arabs discusses the social and cultural histories of the Arabs of the Ottoman Empire from its early centuries to the end of the empire.⁵⁶ George W. Gawrych's book on the Ottoman Albanians would be another example which examines a community in the Ottoman Empire.⁵⁷ In addition to the history of Ottoman Muslim and non-Muslim communities, some works on immigrant groups have also been published. Lale Can's article on the Afghan and Bukharian residents of the Ottoman Empire, for example, discusses why and in what contexts the Ottoman State considered those resident Muslim subjects to be under the protection of the caliph.⁵⁸ Selim Deringil's article on the legal status of Russian Muslims living in the Ottoman realm in the late nineteenth century analyses the political context behind the Ottoman State's classification of those Muslims as foreigners.⁵⁹ James Meyer's article on the legal situation of Ottoman-resident Russian Muslims is another example.⁶⁰ Not comparable with the works on above mentioned groups in number, there

Campos, *Ottoman Brothers: Muslims, Christians, and Jews in Early Twentieth-century Palestine*, Stanford, Calif.: Stanford UP, 2011. There are many other works on these communities. Some of these are: Dimitri Gondicas, and Charles Philip Issawi. *Ottoman Greeks in the Age of Nationalism: Politics, Economy, and Society in the Nineteenth Century*. Princeton, N.J.: Darwin Press, 1999. Tansuğ, Feryal. 'The Greek Community of İzmir/Smyrna in an Age of Transition: The Relationship between Ottoman Centre-Local Governance and the İzmir/Smyrna Greeks, 1840-1866', *British Journal of Middle Eastern Studies* 38, no. 1 (2011): 41-72. Johann Strauss, 'The Millets and the Ottoman Language: The Contribution of Ottoman Greeks to Ottoman Letters (19th-20th Centuries)', *Die Welt Des Islams* 35, no. 2 (1995): 189-249. Fujinami, Nobuyoshi. "The Patriarchal Crisis of 1910 and Constitutional Logic: Ottoman Greeks' Dual Role in the Second Constitutional Politics." *Journal of Modern Greek Studies* 27, no. 1 (2009): 1-30. Edhem Eldem. 'Greece and the Greeks in Ottoman History and Turkish Historiography', *The Historical Review* 6 (2010): 27-40. Feroz Ahmad's book *The Young Turks and the Ottoman Nationalities* examines the Ottoman communities of Armenians, Greeks, Albanians, Jews and Arabs from the constitution until World War One. Tufan Gündüz, *Alahimanet Bosna: Boşnakların Osmanlı Topraklarına Göçü, 1879-1912*. 1. Baskı. ed. Yeditepe Yayınevi; 169. İstanbul: Yeditepe, 2012.

⁵⁶ Bruce Alan Masters, *The Arabs of the Ottoman Empire, 1516-1918: A Social and Cultural History*, (Cambridge: Cambridge University Press, 2013).

⁵⁷ George W. Gawrych, *The Crescent and the Eagle: Ottoman Rule, Islam and the Albanians, 1874-1913*, London; New York, 2006.

⁵⁸ Lale Can, 'The Protection Question: Central Asians and Extraterritoriality in the late Ottoman Empire,' *International Journal of Middle East Studies* 48 (2016), 679-699.

⁵⁹ Selim Deringil, 'The Ottoman Empire and Russian Muslims: Brothers or Rivals?' *Central Asian Survey* 13, no. 3 (1994): 409-416.

⁶⁰ James Meyer, 'Immigration, Return, and the Politics of Citizenship: Russian Muslims in the Ottoman Empire, 1860-1914,' *International Journal of Middle East Studies* 39, no. 1 (February 2007): 15-32.

were some works on the Europeans and Americans living within the Ottoman Empire, as well.⁶¹

In this portrayal of a nineteenth- and early twentieth-century multicultural and multireligious Ottoman Empire, an Iranian community is absent. Despite the interest in various communities of the Ottoman Empire, the Iranians of the late Ottoman Empire have generally been ignored. First, the Ottoman-resident Iranians have been generally omitted from studies of Ottoman political and social history. Even seminal surveys, such as those by Donald Quatert,⁶² Carter Findley,⁶³ and İlber Ortaylı,⁶⁴ refer to Muslim groups of the Ottoman Empire, but they do not specifically mention the Iranians living in the empire. This is probably related to the tendency to consider Muslims as a homogenous group encompassing all Muslims living in the nineteenth-century Ottoman realm. These books use the term ‘Muslims’ or ‘Muslim subjects’ as an umbrella to include all Muslim groups living in the Ottoman realm, thus obscuring their plurality. The Iranians are even omitted from discussions regarding foreigners in the Ottoman Empire. İbrahim Serbestoğlu’s book *Osmanlı Kimdir? Osmanlı Devleti’nde Tabiiyet Sorunu (Who is Ottoman: The problem of subjecthood/nationality in the Ottoman Empire)* is an example.⁶⁵ Serbestoğlu deals with the change from Ottoman subjecthood to citizenship and discusses the legal situations of

⁶¹ Şamil Mutlu, *Osmanlı Devleti’nde Misyoner Okulları* (İstanbul: Gökkuşbu Yayınları, 2005); Sezen Kılıç, *Türkiye’deki Alman Okulları*, unpublished MA thesis submitted to the Yıldız Teknik Üniversitesi Sosyal Bilimler Enstitüsü, (İstanbul: 2004); Seren Akyoldaş, ‘Instrumentalization of Music in the Ottoman Empire, The Case of Teutonia’, unpublished MA thesis submitted to Boğaziçi University Institute for Social Sciences, (İstanbul, 2010); İlber Ortaylı, *Osmanlı İmparatorluğunda Alman Nüfuzu*, (İstanbul: Kaynak Yayınları, 1983). However, analysis on these groups living in the late Ottoman Empire is still needed.

⁶² Donald Quatert, *The Ottoman Empire, 1700-1922* (New York: Cambridge University Press, 2000).

⁶³ Carter Findley, *Turkey, Islam, Nationalism and Modernity: A History, 1789-2007*, (New Haven: Yale University Press, 2011).

⁶⁴ İlber Ortaylı, *İmparatorluğun En Uzun Yüzyılı* (The long century of the empire), (İstanbul: Timaş Yayınları, 2008).

⁶⁵ See İbrahim Serbestoğlu, *Osmanlı Kimdir? Osmanlı Devleti’nde Tabiiyet Sorunu*, (İstanbul: Yeditepe Yayınları, 2014).

many Muslim and non-Muslim groups. Although it examines even small groups such as refugees from Africa, his work does not discuss the Iranians living in the Ottoman realm.

The existing works on the Ottoman-resident Iranians are mostly intellectual and economic activities of the Iranians, the ones on social and legal histories are mainly cases studies. They do not present a comprehensive examination of the Ottoman-resident Iranians as a community. One of the earliest works on the Ottoman-resident Iranians, *Iraniens d'Istanbul* (Iranians of Istanbul), edited by Thierry Zarcone and Fariba Zarinebaf-Shahr, included articles mainly on the political, intellectual, and economic history with few others on religious history.⁶⁶ Inspired by this pioneering work, some new articles, books and dissertations have been published. However, most, if not all, of them are on the intellectual activities of these Iranians.⁶⁷ Tanya Lawrence's book on *Akhtar* is a detailed study on the Persian-language newspaper *Akhtar* (1876-1896), which was published in Istanbul.⁶⁸ The book gives brief information regarding the Iranian community of the Ottoman Empire, however, it does not draw a connection between transformations that the Ottoman-resident-Iranians underwent and the establishment of the Persian language newspaper. Fariba Zarinebaf's article 'From Istanbul to Tabriz: Modernity and Constitutionalism in the Ottoman Empire and Iran' as well discusses the intellectual and political activities of the Iranians in the Ottoman Empire within the Iranian and Ottoman constitutional context.⁶⁹ Lawrence's dissertation on the Istanbul-based Iranian intellectuals Muhammad Reza

⁶⁶ *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, IFEA/IFRI, (Istanbul: 1993).

⁶⁷ See Filiz Dıġıroġlu, *Dersaadet'te Bir Acem Kitapçı: Kitap-Fürüş Hacı Hüseyin Ağa* (Istanbul: Turkuaz Yayınları, 2014). Güllü Yıldız, 'İstanbul'da Bir Acem Matbası: Kitapçı Tahir ve Ahter,' *Osmanlı Araştırmaları/Journal of Ottoman Studies* (2017): 175-218; Güllü Yıldız, 'İranlı Hacıların Gözüyle İstanbul'u Temaşa,' *Marmara Üniversitesi İlahiyat Fakültesi Dergisi* 51 (December 2016): 135-160; Filiz Dıġıroġlu, 'XIX. Yüzyıl Osmanlı Başkentinde Entelektüel Bir Acem: Mirza Habib İsfehani ve Terekesi', *Osmanlı Araştırmaları*, (2017), 293-341.

⁶⁸ Tanya Lawrence, *Akhtar: A Persian Language Newspaper Published in Istanbul and the Iranian Community of the Ottoman Empire in the Late Nineteenth Century*, (Istanbul: Libra Kitapçılık ve Yayıncılık, 2015).

⁶⁹ Fariba Zarinebaf, 'From Istanbul to Tabriz: Modernity and Constitutionalism in the Ottoman Empire and Iran', *Comparative Studies of South Asia, Africa and the Middle East* 28, no. 1 (2008): 154-169.

Tabrizi, Mirza Habib Isfahani, Akhundzadeh, Malkom Khan and Hüseyin Daniş is a comprehensive work on Iranian intellectual history.⁷⁰ However, again, the work is on the intellectual lives of these emigrés; it does not present a portrait of the Iranian community of the Ottoman Empire.

Although intellectual history of the Ottoman-resident Iranians has been examined to a larger extent, the legal and social history of these Iranians has not been covered in full length. There are only few short articles. Bruce Masters' article 'The Treaties of Erzurum (1823 and 1848) and the Changing Status of Iranians in the Ottoman Empire', one of another earliest work on the Ottoman-resident Iranians discussed how the legal situation of the Iranians of the late Ottoman Empire changed via the Erzurum treaties.⁷¹ It is an inspiring work with a comprehensive discussion of the subject; however, it only deals with the Erzurum treaties, hardly goes beyond that. Zekeriya Kurşun's article on the Iranian cemetery in Üsküdar is a short, descriptive and useful work on Ottoman-resident Iranians.⁷² Serhan Afacan's article on Mashadi Ali presents an interesting case study of an Iranian who burned himself in front of Sultan Abdülhamid II when his application for Ottoman nationality was not accepted.⁷³ Filiz Dıġıroġlu's article on Vâlide Hanı and its Iranian connection examines how the *han* became an economic and intellectual centre of the Iranians of Istanbul.⁷⁴ These articles mostly present case studies, and thus give us limited information and analysis on the history of the Ottoman-resident Iranians. The Ottoman-resident Iranians of the Ottoman Empire have not been studied yet from a legal

⁷⁰ Tanya, Lawrence, 'An Age of Trans-Imperial Vernacularisms: The Iranian Dissident Community of the Late Ottoman Empire', unpublished dissertation submitted to the University of Yale, 2018.

⁷¹ Bruce Masters, 'The Treaties of Erzurum (1823 and 1848) and the Changing Status of Iranians in the Ottoman Empire,' *Iranian Studies* 24, no: 1/4 (1991): 4-15.

⁷² Zekeriya Kurşun, 'Üsküdar'da İranlılar ve İran Mezarlığı', *Üsküdar Sempozyumu IV*, 195-212.

⁷³ Serhan Afacan, 'İranîlikten Osmanîliğe: Sultan Abdülhamid II Devrinde Bir Vatandaşlık Deġiştirme Sergüzeşti,' *Sultan Abdülhamid II Han ve Dönemi*, eds. Fahrettin Gün and Halil İbrahim Erbay (İstanbul: TBMM Milli Saraylar, 2017), 665-673.

⁷⁴ Filiz Dıġıroġlu, 'İstanbul-Tebriz Ticaret Hattında Validehan (XIX-XX. Yüzyıl)', *Türk Kültürü İncelemeleri Dergisi* 31, İstanbul 2014, 69-112.

and social perspective as a community which was part of the multinational, multiethnic and multireligious late Ottoman Empire.

The idea of writing this dissertation on the history of Iranian community in the late Ottoman Empire emerged from this gap in the literature. This dissertation aims to fill the absence of the Iranians in the portrayal of a nineteenth- and early twentieth-century multicultural, multiethnic and multireligious Ottoman Empire, by examining the process in which the Ottoman-resident Iranians constituted a visible Iranian community. It presents the Iranians, most of whom were Muslims, as foreigners, which contributes to the understanding of the plurality of the Muslims living within the nineteenth-century Ottoman realm. In doing so, this dissertation presents a legal and social history of the Ottoman-resident Iranians which has not been covered comprehensively before. This dissertation goes beyond the recent literature's consideration of Ottoman-resident Iranians as a 'dissident Iranian intellectual community' and presents them as a community of different groups living within different Ottoman regions. My aim is not to underestimate the studies on the intellectual and political activities of the Iranian dissidents living in Istanbul in this period. This dissertation, as well, elaborates on the Iranians' intellectual discussions and political activities to an extent. However, it aims to evaluate the Ottoman-resident Iranians from a comprehensive perspective as a community which consists of different social and ethnic groups that have established communal institutions as well as national and religious ceremonies and political organisations, as other Ottoman communities had also done. In doing these, this dissertation aims to bring the Iranians into contemporary discussions of plural nineteenth-century Ottoman society by representing Iranians, who had long been considered as Muslim subjects, or *zimmi*s if non-Muslims as a community of foreigners, adding to an increasing number of studies devoted to various Ottoman communities.

In presenting an Iranian community of the Ottoman Empire, this dissertation contributes to the study of Iranian communities living outside Iran in the nineteenth and early twentieth centuries which haven't been covered in full length, as well. A few works deal with these Iranian communities. Pardis Minuchehr's unpublished dissertation, 'Homeland from Afar,' is one example of work on Iranian communities outside Iran.⁷⁵ Minuchehr's work is a detailed, descriptive study of the political activities of Iranians living in the Ottoman Empire, the Caucasus, and Europe. However, this work is limited to intellectual history. Touraj Atabaki's article 'Disgruntled Guests: Iranian Subaltern on the Margins of the Tsarist Empire' is another example.⁷⁶ In this article, Atabaki examines Iranian immigrants who migrated to Russia in the nineteenth century. These Iranians were high in number and mostly worked in factories. Atabaki's article was a labour history rather than a legal or political one. Although there were Iranian communities in Egypt and India in this period, especially during the years of the constitutional revolution, since they were publishing the newspapers *Sorayya* (Cairo) and *Habl al-Matin* (Calcutta), there are no comprehensive studies of these communities. This dissertation contributes to the understanding of the Iranians living outside Iran in this period and intends to inspire future studies on the issue.

Methodology and Sources

This dissertation examines the Ottoman-resident Iranians as a community in the making. The phrase 'in the making' refers to the dynamic and continuing process of the Iranians' constitution of a visible Iranian community in which both the Ottoman-resident Iranians and the Ottoman and the Iranian State were active. In examining the Iranian community in

⁷⁵ Pardis Minuchehr, 'Homeland from Afar: The Iranian Diaspora and the Quest for Modernity (1908-1909): The Constitutional Movement within a Global Perspective,' (unpublished PhD dissertation, Columbia University, 1998).

⁷⁶ Touraj Atabaki, 'Disgruntled Guests,' 401-26.

the making in the nineteenth and early twentieth century Ottoman Empire, this dissertation presents a legal and social history of Ottoman-resident Iranians. It puts the Ottoman and Iranian State and laws and the Ottoman-resident Iranians at the centre of discussion. It discusses how the political and intellectual environment of the two countries and the state, both the Ottoman and Qajar states, shaped political and legal concepts, enacted laws and constructed legal categories, and how these concepts, laws and categories shaped and affected a society, namely the Ottoman-resident Iranians. It also examines how this society reacted to these concepts, legal categories and laws and actively contributed to their transformations. In other words, this dissertation examines not only the changes from above, but also actions and reactions from below.

As part of the ‘history from above’ approach which can be defined as ‘history of the state, or of state elites, of policy... makers,’⁷⁷ this dissertation discusses the modernisation and identity- defining efforts of the Ottoman and Qajar States. It examines the legal reforms of these which included the construction of new legal categories. It then discusses how these identity-defining and modernisation – especially legal modernisation – processes of the Ottoman and Qajar States affected society, namely Ottoman-resident Iranians. Works on the legal situation of various Ottoman groups use this ‘history from above’ approach, mostly focusing on how the Ottoman State classified that group under the law. Can, Masters, Meyer and Deringil, in their previously mentioned works, focus solely on how the Ottoman State classified various groups. However, they do not discuss how their legal classification transformed those groups. This dissertation fills this gap by discussing how the changing legal status of Ottoman-resident Iranians transformed them legally and socially.

⁷⁷ Donald Quataert, ‘History from Below and the Writing of Ottoman History,’ *Comparative Studies of South Asia, Africa and the Middle East* 34, no. 1 (2014): 129.

As Touraj Atabaki states, modernisation has been examined in several works; however, ‘what is still absent from these studies is how the society reacted to these reforms and changes originating from above’.⁷⁸ This thesis aims to fill this gap, as well. It presents a legal and social history of Ottoman-resident Iranians not only from above but from below, as well. This dissertation uses this ‘history from below’ approach, which can be defined as the history of ‘ordinary’ or ‘common people’⁷⁹, as the ‘study of non-elites, or of the popular classes or of popular culture’⁸⁰, and as a way of history writing that demonstrates that ‘social change is a dynamic process that is connected to broader changes’.⁸¹ It discusses the Ottoman-resident Iranians’ transition into a visible Iranian community by taking the society’s reactions and actions under consideration. It elaborates on how one society reacted to laws that the state had enacted and tried to eliminate or bypass them by clashing and negotiating with the state. In addition to that, this dissertation goes beyond reactions and examines the active contributions of Ottoman-resident Iranians to their transition into a visible Iranian community, as well. For that purpose, it examines the process by which the Ottoman-resident Iranians established Iranian social institutions, political organisations, and public ceremonies.

Using these approaches became possible only within the limits of the sources. Official documents, correspondence, telegrams, reports written and sent by state officials, ambassadors etc, as well as laws, edicts, orders, and newspapers are the materials that make writing a history from above possible. On the other hand, presenting a history from

⁷⁸ Touraj Atabaki, introduction to *The State and the Subaltern: Modernization, Society and the State in Turkey and Iran*, ed. Touraj Atabaki (London: I.B. Tauris, 2007), xiv.

⁷⁹ Eric Hobsbawm, *On History* (London: Weidenfeld & Nicolson, 1997) cited in Atabaki, introduction to *State and Subaltern*, xiii.

⁸⁰ Quatert, ‘History from Below,’ 133.

⁸¹ Quatert, 133.

below is a bit more challenging. Hearing the ‘voice of silent masses’⁸², to use Alexander Würgler’s definition, becomes possible only with very limited sources. Memoirs, travelogues and petitions are of such sources.

Works on Iran, with few exceptions, do not include references to the Ottoman State Archives as well as to the Iranian archives. This is mainly related to language and travel restrictions. One must have a qualification of Turkish and an ability to read Ottoman script and understand the language of the documents to work in the Prime Ministry Ottoman Archives.⁸³ Researching in the Iranian archives can be challenging for travel and language reasons, as well as not having enough information about how to use the archives or not being able to receive permission to do research in the archives. For these reasons, most Iranian historians use other archives such as the British National Archives, and other sources such as newspapers and memoirs. On the other hand, historians of the late Ottoman Empire ignore Iran as a neighbouring country. In other words, Iran has been generally ignored in the historiography of the late Ottoman Empire. Historians of late Ottoman Empire generally do not use Iranian archives and even Persian language newspapers.

This thesis aims to fill these gaps by using all above-mentioned sources with an eye for the history of Ottoman-resident Iranians. This dissertation relies on official documents from the the Ottoman State Archives⁸⁴, the Library, Museum and Document Center of the

⁸² Andreas Würgler, ‘Voices from Among the ‘Silent Masses’: Humble Petitions and Social Conflicts in Early Modern Central Europe’, *International Review of Social History* 46, *Supplement 9 Petitions in Social History* (2001), 11-34.

⁸³ Sabri Ateş and Karen Kern are some of those exceptions who used Prime Ministry Ottoman Archives in their works extensively. See Ateş, *Making A Boundary*; Karen Kern, *Imperial Citizen. Marriage and Citizenship in the Ottoman Frontier Provinces of Iraq*, (New York: Syracuse University Press, 2011).

⁸⁴ Formally the *Başbakanlık Devlet Arşivleri/Osmanlı Arşivi* (Prime Ministry State Archives/Ottoman Archives, the name of the archives was changed to *Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri*

Iranian Parliament⁸⁵, the archives of the Iranian Ministry of Foreign Affairs,⁸⁶ the National Archives of Britain; Persian and Ottoman language newspapers; personal accounts including memoirs and travelogues; photographs; and commercial year books. Existing works on the Ottoman-resident Iranians are not based on diverse sources.⁸⁷ This dissertation, for the first time, brings together various sources on the Ottoman-resident Iranians from different archives and libraries. This dissertation contributes to the existing literature by bringing these sources, most of which have not been used before, together. In doing so, it aims to offer a new perspective on the legal and social history of the Ottoman-resident Iranians.

Starting with the official documents, the Ottoman State archives include a great variety of documents regarding the Ottoman-resident Iranians' legal issues, economic and social activities, and the institutions they established as well as the visits of Iranian rulers Nasir al-Din and Muzaffar al-Din Shah to Istanbul in 1873 and 1900, respectively. These include legal codes, agreements, petitions, orders, and correspondence. The letters and telegrams sent by the Ottoman Foreign Minister and other officials to the British Foreign Secretary and to Ottoman Ambassadors in London and Paris in 1873 constituted the starting point for this dissertation. The telegrams provide the political context of Nasir al-Din Shah's visit to Istanbul and the discussions regarding the problem of the legal status of the Ottoman-resident Iranians. To understand the legal status change of the Ottoman-resident Iranians, this dissertation examines agreements regarding their legal status signed in the context of Nasir al-Din Shah's visit, which are in the Ottoman State archives, as well. In addition to

in 2018 due to changes in Turkish political rule. However, the abbreviation 'BOA' is still in use, and I will use BOA throughout this dissertation, as well.

⁸⁵ Majlis-i Shūrā-yi Islāmī. Kitābkhānah, Mūzih va Markaz-i Asnād

⁸⁶ Vazarat-e Omur-e Kharejiyeh Asnadi Siyasi-ye Khareji

⁸⁷ For example, Karen Kern's book is mainly based on official documents in the Ottoman state archives; newspapers and Iranian sources are not examined. The articles in *Les Iraniens d'Istanbul*, edited by Thierry Zarcone and Fariba Zarinebaf-Shahr, mostly use materials from European archives and European-language memoirs and newspapers.

these, many documents regarding the economic and social lives of the Ottoman-resident Iranians at the Ottoman State Archives are examined. These included documents regarding the Iranian institutions such as schools, hospitals, cemeteries, and ceremonies organised by the Iranians, as well as the conflicts over tax payments and conscription into the Ottoman army. These documents constituted the core of my dissertation and shaped the structure to a large extent.

I found the copies of Iranian *Tazkereh* (1900) and *Tabe'iyat* codes (1901), in the Ottoman State Archives and also published by the Persian language newspaper, *Habl al-Matin*. The existing literature mentions the citizenship law that came into effect in the Pahlavi era, but does not focus on the *Tazkereh* code and the *Qanunnameh-ye Tabe'iyat-e Iran* that were legislated in the Qajar era. For example, Hadi Enayat's book on Iranian legal history, *Law, State and Society in Modern Iran*,⁸⁸ does not even mention these two codes. The only exception is Firoozeh Kashani Sabet's inspiring book, *Frontier Fictions*.⁸⁹ It is the only work that has examined these codes. This dissertation goes a step further and brings these codes into the discussion of Ottoman-resident Iranians' being considered Iranian nationals and attaching themselves to the 'imagined Iranian community', thus makes an additional contribution to the field.

This dissertation also examines the files of the Foreign Office in the National Archives at Kew Gardens in London. During my research, I saw that the Foreign Office files included

⁸⁸ Hadi Enayat, *Law, State and Society in Modern Iran: Constitutionalism, Autocracy and Legal Reform*, (US: Pelgrave Macmillan, 2013).

⁸⁹ Firoozeh Kashani Sabet, *Frontier Fictions, Shaping the Iranian Nation, 1804-1946*, (Princeton: Princeton University Press, 1999). This book is Kashani Sabet's doctoral dissertation. Firoozeh Kashani-Sabet, 'Frontier Fictions: Land, Culture, and Shaping the Iranian Nation, 1804-1946', a dissertation submitted to the Faculty of the Graduate School of Yale University, May, 1997. There is not much difference between the book and the dissertation version. In this dissertation I generally use the dissertation version, but I refer to the book in some places. It appears as 'Frontier Fictions' when I refer to the dissertation, while it appears as *Frontier Fictions* when I refer to the book.

some documents on the conflicts regarding the problem of the Iranians' legal status, and many regarding the Ottoman-Iranian border issue and Ottoman-Qajar rivalry over Iraq; however, there are not many documents on the social lives of the Iranians. I made use of the documents regarding the discussion on the Iranians' legal status. These included telegrams and reports like those sent from the British ambassador in Istanbul to the British Foreign Secretary and others written in the British Foreign Office. These documents provide discussions on the legal status change of the Ottoman-resident Iranians in the context of Nasir al-Din Shah's visit to Istanbul. These documents fill in the missing piece of the story told by documents in the Ottoman State Archives regarding the problem of the legal status of Iranians in the Ottoman realm. The Ottoman-Iranian conflicts in and about Ottoman Iraq have already been covered by Gökhan Çetinsaya and Yitzhak Nakash with references to the British National Archives in a large extent. I confined myself to give references to the above-mentioned works. I decided to re-visit the archives to research the social lives of the Ottoman-resident Iranians, in the final stages of writing process. When I decided to do so, the coronavirus pandemic emerged. Due to the pandemic, the archives stayed closed for a long time, and when they finally did open, the visiting times and capacities were extremely limited. Due to the lack of access to the archives and travel restrictions, I was not able to do final research at the National Archives. I only went through the digitalised files; however, these files are not of the time period and topic I am working on. I have used a reprinted volume which published many documents from the National Archives where I found documents regarding the marriage prohibition between the Ottomans and Iranians.⁹⁰

⁹⁰ David Gillard (ed.), *British Documents on Foreign Affairs: Reports and Papers from the Foreign Office Confidential Print, Part I: From the Mid-Nineteenth Century to the First World War, Series B: The Near and Middle East, 1856-1914, Vol. 6: The Ottoman Empire in Asia, 1860-1880* (Frederick, Md.: University Publications of America, 1984).

This dissertation also examines documents at the Iranian Ministry of Foreign Affairs and Majlis Archives of Iran in Tehran. These include the documents of the Iranian Embassy in Istanbul as well as correspondence among the Iranian Embassy in Istanbul, other Iranian consulates in the Ottoman Empire, and the Iranian Ministry of Foreign Affairs in Tehran. These documents include the Ottoman-resident Iranians' complaints and requests, the Iranian authorities' responses to them, and the orders and requests of Iranian bureaucratic institutions of each other. These documents show the extent to which the Iranian State was involved in conflicts between the Ottoman-resident Iranians and the Ottoman State and acted as their protector.

This dissertation also examines petitions sent by the Ottoman-resident Iranians to the Iranian Majlis (parliament) after the opening of the majlis in 1906, which presents the 'history from below' side of this dissertation. These petitions included the Ottoman-resident Iranians' complaints, mostly regarding conflicts with the Ottoman State on the issues of *temettü* tax payments, conscription into the Ottoman army and Ottoman State intervention over the Iranians' business. The petitions, most of which are now at the Majlis Archives of Iran, show the extent to which the Ottoman-resident Iranians felt a sense of belonging to the Iranian State and to which the Iranian State acted as the protector of the Ottoman-resident Iranians. Not only are the Ottoman-resident Iranians' objections and requests for protection present in these documents, but also their perception of conflicts among the Ottoman and Iranian States and themselves that took place in the context of their transition into a foreign Iranian community.

While discussing the social history of the Ottoman-resident Iranians, this dissertation only touches on the daily and social lives of the Iranians. It presents some case studies of the

Iranians, however, it does not account for the daily lives of Iranians. Nor does it present a biography of any Iranian living within the Ottoman Empire. This fact was related to the nature of the available sources. Official documents provide information on Ottoman-resident Iranians only when there was a conflict, complaint or request. They do not provide information regarding the Iranians' daily lives. Newspapers and photographs present some limited information in this regard.

This dissertation examines Persian and Ottoman language newspapers, as well. The Persian language newspapers include the ones published outside Iran, such as *Habl al-Matin* in Calcutta, *Sorayya* in Cairo and *Akhtar* and *Shams* published in Istanbul. These newspapers provide details of the shahs' visits to Istanbul, Iranian legal codes, the Ottoman-resident Iranians' understanding of *vatan* and *mellat*, as well as Ottoman-resident Iranians' daily lives. *Akhtar* and *Shams* are of special significance to this dissertation since they were run by Ottoman-resident Iranians. Although I went through all issues of *Shams*, I examined issues of *Akhtar* selectively. Examining all the issues of a newspaper that was published for 20 years is beyond the scope of this dissertation. I have examined its early issues (1876-1883) which presented articles mostly on the changing concepts of *vatan*, *mellat*, Iranianness and love of homeland for the discussions on Iranian identity-defining. I went through the issues published on specific dates and time periods. For example, I have examined the issues which were published in Muharram to find information on Ta'ziyeh. I also went through the issues published in the period that Iranian institutions were established and conflicts in the Ottoman Iraq were taking place. A comprehensive, detailed examination of the Persian language newspaper *Akhtar* could be a topic of further research.

Ottoman language newspapers include early ones such as *Rûznâme-i Cerîde-i Havâdis, La Turquie* and *Basîret* as well as those that were founded in the late Hamidian era (1880s and 90s) such as *Tercümân-ı Hakikât, İkdâm and Sabâh*. These newspapers not only provide information regarding Nasir al-Din and Muzaffar al-Din Shah's visits to Istanbul but also the daily life of the Ottoman-resident Iranians, mostly with respect to the Nawruz and Ta'ziyeh ceremonies they organised.

I have examined the memoirs and travelogues from Iranian shahs Nasir al-Din and Muzaffar al-Din, hajjis such as Hajji Muhammad Ali Pirzadeh, Muhammad Farahani and Muhammad Masum who were travelling from Tehran to Makka, as well as bureaucrats and intellectuals such as Khan Malek Sasani, who was *charge d'affairs* in Istanbul in the 1910s, and the constitutionalists such as Yahya Dawlatabadi and Hassan Taqizadeh who stayed within the Ottoman Empire for short periods of time. In addition to them, I have used many travelouges written by the European travellers such as Max Müller, Kesnin Bey and Vital Cuinet who were going through the Ottoman Empire. Memoirs written by Western travellers provide us with some details of the Iranians' social lives, mostly on the Muharram and Ta'ziyeh ceremonies. Travelogue of Iranian hajjs who were passing through the Ottoman Empire mostly presented their impressions about the empire, whereas memoirs of Iranian politicians who spent some period of their life, mostly in the constitutional years, in Istanbul presented information mostly regarding the political and intellectual activities of the Iranians. These memoirs offer limited information regarding the daily lives of the Ottoman-resident Iranians. The memoir of Seyyid Ahmed Canpulad was the only one written by an ordinary Iranian which provides some knowledge about daily life as an Iranian. I hope that memoirs of ordinary Ottoman-resident Iranians surface in the future.

This dissertation uses some other sources in a much smaller extent compared to the above-mentioned ones. For instance, this dissertation also uses some photographs. Some of these photographs are from Muzaffar al-Din Shah's visit to Istanbul which took place in 1900. These photographs are from the Gigord Collection at the Getty Museum in California and show the Istanbulite Iranians who welcomed the shah and attended ceremonies celebrating his arrival in the city. These photographs visually show the extent to which Istanbul-resident Iranians were able to manifest their Iranianness in public. Two of other photographs are from National Library in Ankara and showing the Ta'ziyeh ceremonies of the Iranians in Istanbul. I also use some Ottoman law books written by the Ottoman legalists and works of Ottoman intellectuals such as Namık Kemal and Cevdet Paşa. I went through the *Annuaire Orientals*, the French commercial yearbooks at Salt Galata Library in Istanbul, as well. These yearbooks give the population of the provinces and cities of the Ottoman Empire, detail the ethnic and religious makeup of the population, and list the schools, hospitals, and shops of those cities as well as the goods that were imported and exported to or from those cities for each year. These yearbooks provide details regarding the population, institutions and economic activities of the Ottoman-resident Iranians.

Focus and Outline of the Study

This dissertation discusses the different dimensions of the Ottoman-resident Iranians' transition into a visible foreign-Iranian community in the nineteenth century Ottoman Empire, namely the effects of Ottoman and Iranian modernisation and identity-defining efforts and their social consequences. It consists of two parts. The first part discusses to what extent and in which ways political, legal and intellectual changes and discussions that took place in the Ottoman Empire and Qajar Iran affected the Ottoman-resident Iranians

and how the Iranians were involved in them: The Iranians being categorised as foreigners, Iranian nationals and feeling affinity to the ‘imagined Iranian community’. The second part discusses the social consequences of that process: The conflicts between the Ottoman-resident Iranians and the Ottoman State deriving from their legal status. Their communal institutions and identity manifestations in the public.

Chapter one discusses the process of Ottoman-resident Iranians’ becoming legally foreigners, which was a milestone in their transition into a visible Iranian community. It focuses on the designation and transformation of the category by the Ottoman State and its laws together with the reactions of the Iranian State and the Ottoman-resident Iranians in the context of Ottoman modernisation and identity-defining efforts. It begins with a discussion on the Ottoman identity-defining and modernisation process. It then discusses how this process and changes to the understanding of Ottoman *tâb’iyet* (subjecthood) brought the necessity of a redefinition of the legal situation of Iranians living within the Ottoman territory. It further discusses how this motivated the Iranians and Nasir al-Din Shah (r.1848-96) to ask for a change in their legal situation and capitulatory privileges in the context of Nasir al-Din Shah’s Istanbul visit in 1873. This chapter then examines how the Ottoman State together with the responses of the Iranian State and the Ottoman resident Iranians created a foreigner category unique to the Iranians. This chapter analyses Iranians’ classification as foreigners not just as a singular legal act but rather as a process. It suggests that this new category of foreigner was not merely a product of the Ottoman State and its laws. In addition to these, the Ottoman-resident Iranians themselves, in tandem with the Iranian State, transformed their own foreigner status. The transformation of the category affected those actors in return, as well.

Chapter two discusses the extent as well as the means by which the Ottoman-resident Iranians were involved in the Iranian identity-defining and modernisation process and how they were affected by it before and after the Iranian Constitution of 1906. It scrutinises how the Ottoman-resident Iranians began to feel affinity for the ‘imagined Iranian community’ and became Iranian nationals within the context of Iranian identity-defining and modernisation process. By the second half of the nineteenth century, discussions around the concepts *vatan* (homeland), *mellat* (nation), *qanun* (law), and *tabe’iyat* (subjecthood/nationality) began to take place in Iranian intellectual and legal spheres. This chapter discusses how the Ottoman-resident Iranians were actively involved in these discussions mainly via the articles published in the Istanbul-based newspapers *Akhtar* (1876-1896). This chapter then discusses how the Ottoman-resident Iranians’ were involved in the Iranian constitution. It discusses the process in which the Iranians published articles on issues such as love for the Iranian homeland, the necessity of law, and the need for a constitution in *Shams* (1908-1909), and established political organisations, the *anjomans*.

The second part of this dissertation discusses the social consequences of the Iranian’s being recognised as foreigners and Iranian national processes as discussed in the first and second chapters. Chapter three discusses the contradictions, conflicts derived from the agreements between the two states and the Ottoman-resident Iranians’ reactions and responses to them. According to the agreements that made the Iranians foreigners, they would be treated as Ottoman subjects when they involved in business within the Ottoman empire. That is to say, the Ottoman State would intervene in the Iranians’ business and the Iranians would pay *temettü* (profits/income) taxes. Sons of Ottoman woman-Iranian man couples would be considered as Iranians and would be liable to the Ottoman army. All

these created conflicts between the Ottoman State and the Ottoman-resident Iranians. This chapter analyses these conflicts, the Iranians' reactions to them and the Ottoman State's attitude towards them. It then discusses the extent as well as the ways that the Ottoman-resident Iranians perceived the Iranian State as their protector and asked for protection and help. The Ottoman-resident Iranians had been sending their complaints and requests to the Iranian consuls and the embassy in Istanbul since the establishment of these institutions in early nineteenth century. However, being considered as Iranian national and feeling affinity to an 'imagined Iranian community' gave rise to the numbers of such inquiries. The Ottoman-resident Iranians perceived the Iranian State as their protector and sent their complaints and requests to the Iranian State mechanisms including not only the Iranian consuls within the Ottoman Empire and the Iranian Embassy in Istanbul, but also the Iranian Majlis, which was established in 1906 after the Constitutional Revolution of Iran. Sending petitions to these Iranian State institutions implicitly manifested the Ottoman-resident Iranians' Iranian-ness and their loyalty to Iran and its ruler. This chapter analyses the relationship between the Ottoman-resident Iranian nationals and the Ottoman and the Iranian States via the petitions that Iranian nationals sent to Iranian State institutions, and it considers how the Iranian State responded to their complaints.

The Iranians' becoming foreigners and Iranian nationals as well as their feeling of affinity to an imagined Iranian community gave way to an emergence of a visible Iranian community within the Ottoman social realm. Chapter four discusses to what extent and in what ways becoming foreigners, being considered Iranian nationals, and feeling an affinity for an 'imagined Iranian community' gave way to a social transformation in which these Ottoman-resident Iranians were actively involved. After becoming foreigner, the Ottoman-resident Iranians began to establish their communal institutions just as other Europeans

living within the Ottoman Empire. They founded Iranian schools, hospitals, cemeteries and cultural as well as economic centres, which made them visible in the institutional sphere. They also publicly manifested their Iranianness and showed their loyalty to the ruler of Iran via *ta'ziyeh* ceremonies and several celebrations organised to honour Iranian shahs. This chapter discusses how becoming foreigners and Iranian nationals enabled the Iranians to organise public ceremonies in which they manifested their Iranianness and loyalty to Iran and its ruler, and to what extent and in which ways these ceremonies awakened a national consciousness among the Ottoman-resident Iranians.

PART ONE

Chapter One: Changing Legal Status of the Iranians within the Changing Ottoman Political and Legal Framework

This chapter is an examination of Iranians' being categorised as foreigners in the nineteenth century which was a milestone marking the transition of the Ottoman-resident Iranians into a visible Iranian community. It discusses how nineteenth-century Ottoman identity-defining and modernisation attempts triggered the Iranians' desire to legally be classified as foreigner in the Ottoman realm and how this legal category was reshaped by the Ottoman State as well as the responses and reactions of the Iranian State and the Iranians living in the Ottoman Empire. This chapter suggests that the Ottoman State designated a special category of foreigner that applied only to Iranians.

This chapter is based on two assertions: First, law and all legal categories are constructions, and the boundaries of these constructed legal categories are blurred. The blurred boundaries of legal categories lead to their reshaping, reconstruction and reproduction. The legal classification of foreigners is a construction, like all other legal categories, and such constructed categories can change and produce new meanings.⁹¹ Secondly, the process of constructing a legal category is not merely a designation of law, it is a process of conflict and negotiation among different actors. 'Legal fictions do (not) always correspond to social reality, and society does (not) always operate within the limits

⁹¹ Construction refers to the fabricated and fictive nature of law. Alain Pottage uses the term 'fabrication' to define the fictive and constructed nature of law. See Alain Pottage, 'Introduction: The Fabrication of Persons and Things' in *Law, Anthropology, and the Constitution of the Social Making Persons and Things*, eds. Alain Pottage, Martha Mundy (Cambridge: Cambridge University Press, 2004), 1-39.

of law'⁹²; that is, the legal text does not always reflect what actually happens.⁹³ The text of the Law of Ottoman Nationality (1869) introduced the category of *ecnebi*⁹⁴ (foreigner) into the Ottoman legal framework and defined the circumstances in which a person was classified as a foreigner; however, it did not define the individual rights and responsibilities deriving from that status. This dissertation goes beyond the text of the law and examines the transformation of the category of foreigner from the perspective of the Ottoman State and its laws, but also as a result of conflicts and negotiations among the Ottoman State, the Ottoman-resident Iranians, and the Iranian State. It suggests that the Ottoman State constructed a unique status of foreigner for the Iranians in the negotiations with the Iranian State in the context of Nasir al-Din Shah's visit to Istanbul (1873). Iranians becoming foreigners was not a singular act, but rather a process. Conflicts over the growing Iranian population and dominance in Ottoman Iraq and the prohibition of marriage between Ottomans and Iranians that came onto the Ottoman agenda as a solution to this problem, as well as the conflicts and negotiations over the legal status of the sons of Ottoman women and Iranian men, shaped the foreigner status of Iranians throughout the nineteenth century.

This chapter consists of three parts. The first part focuses on the Ottoman identity-defining and modernisation process in which Islamic distinctions of Muslim and non-Muslim subjects were replaced by *teb'a-i Osmânîye* (Ottoman subjects) and *ecnebi* (foreigners). It

⁹² E. Attila Aytekin 'Agrarian Relations, Property and Law: An Analysis of the Land Code of 1858 in the Ottoman Empire,' *Middle Eastern Studies* 45, no. 6 (2009): 936.

⁹³ For a discussion and a case study on this issue, see Aytekin, 'Agrarian Relations, Property and Law.'

⁹⁴ The word '*ecnebi*' comes from the Arabic '*ajnaḥ*,' which generally means 'extraneous' was also used as to mean 'from another country'. Olivier Bouquet, 'Non-Muslim citizens as foreigners within: how *Ecnebi* became *Yabancı* from the Ottoman Empire to the Turkish Republic,' *Middle Eastern Studies* 53, no. 3 (2017): 489. *Ecnebi* was generally used to refer to European non-Muslims. However, as Bouquet states, by the end of the eighteenth century, it began to be used to refer to Iranians; for example, Persian tobaccos were called *ecnebi tönbekileri*. Bouquet, 490. However, the term was introduced to the Ottoman legal framework in the second half of the nineteenth century via the Law of Ottoman Nationality (1869). It then began to be used for both Muslims and non-Muslims who were not Ottoman nationals.

further discusses how this separated Ottoman Muslim subjects, including Iranians, into two distinct categories – Ottoman subjects and foreigners –, which motivated the Iranians to demand capitulatory privileges. The second part of this chapter describes the discussions between the Ottoman and Iranian States in the context of Nasir al-Din Shah's Istanbul visit in 1873 regarding the changing legal situation of the Iranians. The third part discusses the construction of a foreigner category unique to the Iranians. It examines to what extent and in what ways the agreement signed by the Ottoman and Iranian States during the shah's visit to Istanbul defined the rights and responsibilities of the Iranians and how these were shaped by the conflicts and negotiations over the problem of the growing Iranian population in the Ottoman Iraq, the prohibition of marriage between the Ottomans and Iranians and their conscription into the Ottoman army. The construction of this legal category, foreigners, made Iranians legally visible in the Ottoman legal framework.⁹⁵

The Context of Iranians' Legal Status Change: Ottoman Attempts to Define Ottoman Nationals and Foreigners in the Nineteenth Century Ottoman Empire

'How can we go back to our good old days?'. This was the question that was on the Ottoman political agenda in the nineteenth and early twentieth centuries. Tanzîmât decree which was announced in 1839 begins with the claim that the Ottoman State has been ruled by Quranic and shar'i law from its beginning, thus, its power and prosperity reached highness. However, this turned into powerlessness and poverty, and the empire is in decline for 150 years because of the problems that it faced in this period and because it has not

⁹⁵ For this chapter's purposes, legal visibility means that Iranians began to be recognised as 'Iranians' rather than as Muslim subjects or dhimmis by Ottoman state institutions and laws. Sabina Donati's work on Italian citizenship uses the term visibility similarly. In the second chapter of her book, she discusses the process by which Italian women became visible by gaining equal citizenship rights with men. See Sabina Donati, *A Political History of National Citizenship and Identity in Italy, 1861-1950*, (California: Stanford University Press, 2013), 37.

been ruled by sharia and beneficial laws.⁹⁶ This claim was a manifestation of the idea that the Ottomans were in decline and should regain their political and economic power. This idea shaped the political, legal and intellectual atmosphere of the nineteenth and early twentieth century Ottoman Empire.⁹⁷ Ottoman identity-defining efforts, modernising reforms and attempts to abolish capitulations, which will be discussed in detail in this chapter, were all part of the goal of regaining Ottoman political and economic power. Some of these efforts began with Selim III's (1789-1807) *Nizâm-ı Cedid* (New Order), inspired by the *Nouvel Ordre* of the French Revolution, and continued in the reign of Mahmud II and in Tanzîmât and Hamidian eras.⁹⁸ This part discusses how these efforts paved the way for the emergence of the new Ottoman concepts of Ottoman nationals and foreigners, as well as a foreigner category unique to the Iranians. The Ottoman identity-defining process, which was marked by discussions around the concepts of *vatan*, *millet*,

⁹⁶ Cümleye ma'lûm olduğu üzere Devlet-i Âlîyyemiz'in bidâyet-i zuhûrundan beri ahkâm celîle-i Kur'âniyye ve kavânîn-i şer'iyyeye kemâliyle riâyet olunduğundan saltanat-ı seniyyemizin kuvvet ve miknet ve bi'lcümle teb'asının refâh u ma'mûriyeti rûtbe-i gâyeteye vâsıl olmuş iken yüz elli sene vardır ki, gavâ'il-i müte'âkibe ve esbâb-ı mütenevvîâyâ mebnî ne şer-i şerîfe ve ne kavânîn-i münifeye inkıyâd ü imtisâl olunmamak hasebiyle evvelki kuvvet ve ma'mûriyet bilakîs za'f u fakra mübeddel olmuş... For the Tanzimat Decree, see BOA.MFB.48.

⁹⁷ The idea that the Ottoman Empire was in decline and should go back to the good old days had its roots in late sixteenth and seventeenth century pamphlets such as the one of Koçi Bey. See Ali Kemal Aksüt, *Koçi Bey Risalesi*, (İstanbul: Vakıf, 1939). After a significant loss of imperial power, including a series of territorial losses and former subjects declaring independence like the Greeks, Bulgars and Serbs, references to Ottoman and Islamic golden ages and attempts to glorify their early decades, began to be seen in literature, art, architecture and even in ceremonial structures. See Mardin, *The Genesis of Young Ottoman Thought*, 203; also see Selim Deringil, *İktidarın Sembolleri ve İdeoloji*, (İstanbul: YKY, 2002), 42. The idea that the Ottoman Empire was in decline and should revive the Islamic and Turkic golden ages not only shaped nineteenth century intellectual, cultural and political environment but also later Ottoman historiography. 'The Ottoman decline paradigm' has been used by some historians whereas it later challenged and criticised by many others. See Alan Palmer, *The Decline and the Fall of the Ottoman Empire*. (London: John Murray, 1993). For the works challenging the Decline Paradigm, see Cemal Kafadar, 'The Question of Ottoman Decline,' *Harvard Middle Eastern and Islamic Review* 4 (1997-8); Caroline Finkel, 'The Treacherous Cleverness of Hindsight': Myths of Ottoman Decay,' in *Re-Orienting the Renaissance: Cultural Exchange with the East*, ed Gerald M. Maclean, (New York: Palgrave Macmillan, 2005), 148-174; M. Fatih Çalışır, 'Decline of A "Myth": Perspectives On The Ottoman "Decline"', *The History School*, January-April 2011, IX, 37-60.

⁹⁸ For the reforms of Selim III and Mahmud II, see Stanford Shaw, 'The Origins of Ottoman Military Reform: The *Nizâm-ı Cedid* Army of Sultan Selim III', *The Journal of Modern History*, Sept 1965, v. 37, 291-306. Avigdor Levy, 'Military Reform and the Problem of Centralization in the Ottoman Empire in the Eighteenth Century', *Middle Eastern Studies*, Jul 1982, v.18 no:3, 240. Gültekin Yıldız, *Neferin Adı Yok*, (İstanbul: Kitabevi, 2009.); Abdülkadir Özcan, 'Asâkir-i Mansûre-i Muhammediye', *İslam Ansiklopedisi*, c.3 (İstanbul: Diyanet Vakfı Yayınları), 457.

<http://www.islamansiklopedisi.info/dia/ayrmetin.php?idno=030457&idno2=c030297#1> accessed on 15.03.2017.

tâb'iyet and ideologies such as Ottomanism, together with the military, tax and legal reforms *de-facto* established the categories of Ottoman and foreigner.⁹⁹ Discussions around the above-mentioned concepts created a definition of Ottomannes and Ottoman subjects based on love for the homeland and nation. The new laws regarding conscription, taxes, land, jurisdiction, passport etc made a distinction between Ottoman subjects and foreigners. The categories of Ottoman subjects and foreigners were legally defined when the Ottoman State failed to abolish the capitulations and instead legislated Law of Ottoman Nationality (1869) in order to prevent the Ottoman subjects' abuse of the capitulations by asking *protégé* status. This divided the Muslims into two categories as Ottomans and foreigners, thus, ironically opened a channel for Iranians to ask for foreigner status and capitulatory privileges.

The Ottoman State's consideration and treatment of its subjects was mainly based on Islamic concepts and distinctions. The Ottoman Empire had adopted the Islamic distinctions of *Dâr al-Islâm* (the abode of Islam) and *Dâr al-Harb* (the abode of war). *Dâr al-Islâm* referred to lands in which Islamic law was in force, whereas *Dâr-al Harb* referred to territories in which Islamic law did not prevail.¹⁰⁰ The Ottomans considered its Muslim subjects as part of larger ummah, the worldwide Islamic community, and its non-Muslim subjects as dhimmis, non-Muslim people living in the *Dâr al-Islâm* who are protected by the Muslims. It considered the subjects of *Dâr al-Harb* who entered Ottoman territory with the Ottoman State's permission, such as merchants and travellers, as *musta'mins* – that is,

⁹⁹ In a similar light, Kemal Karpat states that the Ottoman nationality was an already established concept before the Law of Ottoman Nationality. Kemal Karpat, 'Millet and Nationality: The Roots of Incongruity of Nation and State in the Post-Ottoman Era', *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, eds. Benjamin Braude and Bernard Lewis, (New York: Holmes & Meier, 1982) 141-169, 162.

¹⁰⁰ For a broader discussion on the issue, see Mustafa Özel, *Darüislam-Darülharb, İslam Hukukunda Ülke Kavramı*, (İstanbul: İz Yayıncılık, 2014).

trusted people.¹⁰¹ All Ottoman subjects were bound to the sultan via subjecthood. However, the relationship between the state and its subjects was based on affinity for a community and its recognition. For instance, the Ottoman *millet* system, which enabled different religious groups, communities or institutions to rule themselves with limited autonomy, bound people to their *community*, not directly to their state.¹⁰²

After territorial losses and separatist movements by the empire's former subjects – Egyptians, Greeks and Serbs – to hold the empire's subjects together, the formation of an inclusive Ottoman identity, Ottomanness, came into the Ottoman political agenda in the nineteenth century. The idea of Ottomanness aimed to create a common Ottoman membership/subjecthood regardless of religious and ethnic differences which would directly bind Ottoman subjects to the state.¹⁰³ By creating such an identity, the Ottoman State 'hoped to prevent the spread of new nationalist ideologies among non-Muslim subject populations as well as to neutralise European interventions on their behalf', as Michelle Campos stated.¹⁰⁴ The early manifestation of Ottomanness was reflected in the claims attributed to Mahmud II: 'A person might be Christian in the church or Muslim in the mosque but outside these places everyone is my subject.'¹⁰⁵ The idea of uniting the empire's subjects under an inclusive Ottoman identity and the transformation of the

¹⁰¹For details, see Ahmet Özel, 'Müste'men', *TDV, İslam Ansiklopedisi*, <https://islamansiklopedisi.org.tr/mustemen>, accessed on 01.04.2019.

¹⁰² Some recent studies suggest that the autonomy of the *millet* system have been exaggerated in the literature such as Zürcher claims. Zürcher, *Modernleşen Türkiye'nin Tarihi*, 27. For further discussion on the *millet* system, see İlber Ortaylı, 'Millet (Osmanlılar'da Millet Sistemi)', *TDV İslam Ansiklopedisi*, v. 30, 66-70, (İstanbul: Türkiye Diyanet Vakfı, 2005.); also see Charless Issawi, 'The Millets as Agents of Change in the Nineteenth Century Ottoman Empire', *Christian and Jews in the Ottoman Empire*, ed. Benjamin Braude, (Boulder, Colorado: Lynne Rienner Publishers, 2013.)

¹⁰³ For discussions on Ottomanism, see Şerif Mardin, *The Genesis of the Young Ottoman Thought*, (USA: Princeton University Press, 1962); Şerif Mardin, 'Yeni Osmanlılar ve Siyasi Fikirleri', in *Tanzimât'tan Cumhuriyet'e Türkiye Ansiklopedisi*, ed. Murat Belge, vol. 6 (İstanbul: İletişim Yayınları, 1985); Selçuk Akşin Somel, 'Osmanlı Reform Çağında Osmanlıcılık Düşüncesi (1839-1913)', in *Modern Türkiye'de Siyasi Düşünce*, ed. Mehmet Ö. Alkan, v.1 (İstanbul: İletişim Yayınları, 2002), 91-92.

¹⁰⁴ Michelle Campos, *Ottoman Brothers, Muslims, Christians and Jews in early twentieth Century Palestine*, (Stanford, California, Standford University Press, 2011), 61.

¹⁰⁵ Kemal H Karpat, *Osmanlı'dan Günümüze Kimlik ve İdeoloji*, (İstanbul: Timaş, 2009), 22.

concepts of *vatan*, *millet*, and *Osmanlı* (Ottoman) flourished in the intellectual milieu of the Tanzîmât era (1839-1871), however.¹⁰⁶

Many scholars interpreted Tanzîmât as a secularisation and modernisation attempt which took place under the impact of the West. Roderick Davison perceived Tanzîmât edict as a product of the pressure that the French and especially British put on the Ottoman State regarding the privileges of non-Muslims during and after Crimean War.¹⁰⁷ Niyazi Berkes stated that Tanzîmât decree was rooted in the memorandum that Mustafa Reşid Paşa gave to Lord Palmerston, British Foreign Minister, in relation with the British support for Ottoman territorial integrity.¹⁰⁸ Stanford and Ezel Kural Shaw interpreted Tanzîmât as a modernisation attempt of the Ottoman Empire and Mustafa Reşid Paşa as the father of the decree.¹⁰⁹ In a similar vein, Eric Zürcher drew attention to the fact that the Tanzîmât was the result of continuous Western pressure on the Ottoman State to better the situation of non-Muslims living in the Ottoman Empire.¹¹⁰ He stated that the Ottoman reformers believed that providing equal rights to Muslim and non-Muslim subjects would curtail nationalist and separatist movements among non-Muslim Ottomans and prevent the intervention of the European countries.¹¹¹ On the other hand, Butrus Abu-Manneh and Frederick F. Anscombe criticised the current historiography of exaggerating the Western

¹⁰⁶ There is a general tendency to end the Tanzîmât era with Abdülhamid II's accession to the throne and the abolishment of the *meclîs*. However, many historians, such as Eric Zürcher, claim that it is also possible to say that Tanzîmât ended in 1871 with the death of the paşas of the Tanzîmât. Eric Zürcher, *Modernleşen Türkiye'nin Tarihi*, (İstanbul: İletişim Yayıncılık, 2008), 83; 121-142. Zürcher and Shaw perceived the Hamidian era as a continuation of the Tanzîmât in terms of its modernizing reforms, which included the establishment of telegraph lines and railways and the foundation of modern schools, hospitals, orphanages and factories. Zürcher explains this by the fact that the main theme of the Tanzîmât reforms was centralisation, which was only achieved during Abdülhamid's reign with improvements in communications. See Zürcher *Modernleşen Türkiye*, 122. Also see Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet: Siyaset, İktidar ve Meşruiyet* (1876-1914), (İstanbul, İletişim Yayıncılık: 2008).

¹⁰⁷ Roderick Davison, *Reform in the Ottoman Empire, 1856-1876*, (Princeton: Princeton University Press, 1963), 52-54.

¹⁰⁸ Niyazi Berkes, *Türkiye'de Çağdaşlaşma*, (İstanbul: Yapı Kredi Yayınları, 2002), 213-214.

¹⁰⁹ Stanford Shaw and Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey, Volume II: The Rise of Modern Turkey 1808-1975*, (Cambridge: Cambridge University Press, 1977), 57-61.

¹¹⁰ Zürcher, *Modernleşen Türkiye'nin Tarihi*, 85.

¹¹¹ Zürcher, 85.

aspect of the Tanzîmât decree and ignoring its Islamic elements and motivations. Abu-Manneh found roots of the decree in Islam, for instance, he drew parallels between the Tanzîmât decree and traditional Islamic books such as Ghazali's *Nasihat al-Muluk* mainly on their focus on justice.¹¹² In a similar vein, Anscombe stated that 'Islam pervades the Gülhane text from beginning to end' by focusing on the decree's emphasis on the protection of life, honour and property.¹¹³ Whether or not the decree was a product of Western ideas or had Islamic roots and motivations, and whether or not the Tanzîmât was a modernisation attempt of the Ottoman Empire, the Tanzîmât era, which began with the legislation of Gülhâne Rescript in 1839, brought changes to the Ottoman State's categorisation of its subjects and its relations to its subjects as well as to the understanding of the concepts such as *vatan*, *millat* and *tâb'iyet*. It also brought many changes to the Ottoman military, tax and legal systems.

In the Tanzîmât era, the Ottoman State understood Ottomanism as a mindset that viewed Ottoman society as a whole regardless of religious and ethnic distinctions, promised equality for all its subjects, and sought to create loyalty to the state in return.¹¹⁴ While Tanzîmât decree emphasised the notions of 'love of homeland' and 'loyalty to the state',

¹¹² Butrus Abu-Manneh, 'The Islamic Roots of the Gulhane Rescript', *Die Welt des Islam*, 34 (2), (1994):196-198.

¹¹³ Frederick Anscombe, 'Islam and the Age of Ottoman Reform', *Past and Present* 208(1), (2010):184.

¹¹⁴ Although it flourished in the Tanzîmât period, the idea of an inclusive Ottoman identity regardless of ethnicity and religion was in the Ottoman agenda until the end of the empire. The Law of Ottoman Nationality (1869) which will be discussed in detail in the coming parts of this chapter would define this common Ottoman identity in the Ottoman legal framework. The Ottoman constitution of 1876 as well would define Ottoman citizenship with the Ottomanist mindset. In the Hamidian era, an Islamic aspect would be added to the idea of Ottomanism, whereas in the CUP period, national aspect would be incorporated to it. Hasan Kayalı defines Hamidian Islamism as 'Ottomanism equipped with ideological embellishment deriving from Islam'. Hasan Kayalı, *Arabs and Young Turks: Ottomanism, Arabism, and Islamism in the Ottoman Empire, 1908-1918*, (Berkeley: University of California Press, 1997), 31. Because this chapter deals with the Ottoman identity- defining efforts in Tanzîmât era, I will not discuss the understanding of Ottomanism in Hamidian and CUP in detail. For further discussions regarding Ottomanism in those periods, see Kayalı, *Arabs and Young Turks* and Michelle Campos, *Ottoman Brothers*. For the changes and different interpretations of Ottomanism in Hamidian and CUP periods, also see Kerem Tınaz, 'An Imperial Ideology and Its Legacy: Ottomanism in a Comparative Perspective, 1894-1928' an unpublished Phd dissertation submitted to the University of Oxford, 2018.

the declaration of Islahat Edict in 1856 brought equal discourse among subjects of the Ottoman Empire.¹¹⁵ According to Akşin Somel, Ottomanism during this period pursued three main goals: ‘to create loyal subjects by ascribing a sanctity to the state and the sultan, to create the love of homeland in the hearts of those subjects by ascribing a sanctity to that homeland, and lastly, to create a secular society without ethnic or religious differences’.¹¹⁶

The concept of *Dâr al-Islâm* and the ummah was transformed into *vatan* and *millet*¹¹⁷ in this period.¹¹⁸ The Tanzîmât rescript used the word *vatan* within the term *muhafaza-i vatan* (defense of the homeland) while referring to the conscription issue.¹¹⁹ It referred to birthplace or living environment; it was not used as an equivalent of the French *patrie*. In a similar light, in *Maruzat*, Ahmet Cevdet Paşa reflected this understanding in his claims that ‘if we talk about *vatan*, our soldiers would remember squares in their villages’.¹²⁰ The term *millet* was also used within the Tanzîmât decree as subject and people. It did not have any connotation with the word nation.¹²¹ It was the Young Ottomans, especially Namık Kemal (1840-1888), who turned these terms into patriotic ones. Young Ottomans supported the idea of an Ottoman identity that included both Islamic and Turkic elements as well as the

¹¹⁵ Campos, *Ottoman Brothers*, 61.

¹¹⁶ Selçuk Akşin Somel, ‘Osmanlı Reform Çağında Osmanlılık Düşüncesi (1839-1913)’, in *Modern Türkiye’de Siyasi Düşünce*, ed. Mehmet Ö. Alkan, v.1 (İstanbul: İletişim Yayınları, 2002).

¹¹⁷ The Ottomans used the term *millet* in pairings such as ‘Ermeni *milleti*’ (Armenian *millet*) or ‘İslam *milleti*’ (Millet of Islam) to refer to religious groups. However, by the nineteenth century the term came to have national connotations, as well. By the end of the century, *millet* had become the equivalent of the term nation. For the use of *millet*, see Recep Şentürk, ‘Millet’, *TDV, İslam Ansiklopedisi*, <https://islamansiklopedisi.org.tr/millet#1> accessed on 07.10.2019.

¹¹⁸ Behlül Özkan suggests that the impending transformation came evident by the end of eighteenth century, however. He claims that Ottoman bureaucrats and diplomats of the eighteenth century, especially those with established connections to Europe, began to adopt the concept *patrie* and used the term *vatan* as its equivalent. Özkan states that Ebubekir Ratib Efendi, the Ottoman ambassador to Vienna (1793) used the words *vatan* and *millet* in his writings. Behlül Özkan, *From the Abode of Islam to the Turkish Vatan: The Making of a National Homeland in Turkey*, (New Haven: Yale University Press, 2012), 20-40.

¹¹⁹ For the Tanzîmât Decree, see BOA.MFB.48

¹²⁰ Ahmet Cevdet Paşa, *Maruzat*, Yusuf Halaçoğlu, (İstanbul: Çağrı Yayınları, 1980), 115.

¹²¹ emniyet-i mâl kazıyyesinin fıkdanı halinde ise herkes ne devlet ve ne milletine ısınamayub ve ne i’mar-ı mülke bakamayub dâima endişe ve ıztırabdan hâli olamadığı misillü aksi takdîrinde yâni emvâl ü emlâkinden emniyet-i kâmile olduğu halde dahi hemen kendi işiyle ve tevsî-i dâire-i taayyüşüyle uğraşub ve kendisinde gün-be-gün devlet ve millet gayreti ve vatan muhabbeti artıp ona göre hüsn-i harekete çalışacağı şübheden âzâdedir... BOA.MFB.48

idea of modernism.¹²² Thus, they used the concept *vatan* to mean patrie and *millet* to mean nation, but emphasise their Islamic references, as well, in order to offer a new understanding of the concept of *Osmanlı*. Namık Kemal's article '*Hubbü'l Vatan Mine'l İman*' (Love of homeland derives from love of faith) and his play *Vatan yahud Silistre* (Homeland or Silistre)¹²³ popularised the notion of *vatan*.¹²⁴ Namık Kemal used the concepts in a religious and patriotic sense. He used *vatan* not only as a geographical term but also as an 'emotional bond in which the memories of ancestors, the recollections of one's own youth and earliest experiences all had a place'.¹²⁵ For instance, in his famous article *Hubbü'l Vatan Mine'l İman*, he found the ancestors of *vatan* both in Islamic history and in Ottoman dynasty by saying that 'Is not our *vatan* the country in which Ömers and Süleymans declared their governments on the thrones?'¹²⁶ Kemal used the concept *millet* as both nation and religious community in line with its traditional Ottoman usage.¹²⁷ For instance, he defined Turks as a *millet* in the article *Hubbü'l Vatan Mine'l İman*.¹²⁸ In addition to the concepts of *vatan* and *millet*, Namık Kemal used the term *Osmanlı*, as well. He used it both to refer to Ottoman nationals of the empire based on an inclusive Ottoman identity.¹²⁹ This identity encompasses the past and present. For instance, Kemal both

¹²² Zürcher, *Modernleşen Türkiye'nin Tarihi*, 108-109. For the ideas of Young Turks, see Şerif Mardin, *Genesis of Young Ottoman Thoughts*.

¹²³ The article was published in the newspaper *Hürriyet* on 29 June 1868; the play was staged that same year. The name of the homeland was inspired by a hadith of the prophet. See Namık Kemal, *Vatan: Yahut, Silistre*. ed. Şemsettin Kutlu, (İstanbul: Remzi Kitabevi, 1998).

¹²⁴ The term had already been in use since the late eighteenth century; however, it was Namık Kemal who led to the term's widespread use and popularity, as Şerif Mardin argues Mardin, *Genesis of Young Ottoman Thoughts*, 326.

¹²⁵ Şerif Mardin, *Genesis of Young Ottoman Thoughts*, 327.

¹²⁶ '*Vatanımız o memleket değil midir ki tahtgahlarında Ömerler, Süleymanlar ila-yı hükümet eylemişlerdir?*', Namık Kemal, '*Hubbü'l Vatan Mine'l İman*', *Hürriyet*, 9 Rebiülevvel 1285, (29 June 1868), 1.

¹²⁷ Şerif Mardin, *Genesis of Young Ottoman Thoughts*, 328.

¹²⁸ '*Türkler o millet değildir midir ki medreselerinde Farabiler, İbni Sinalar, Gazaliler, Zemaşşeriler tevsi-i marifet eylemişdir.*' Namık Kemal, '*Hubbü'l Vatan Mine'l İman*', *Hürriyet*, 9 Rebiülevvel 1285 (29 June 1868), 1.

¹²⁹ Şerif Mardin, *Genesis of Young Ottoman Thoughts*, 328. However, Mardin claims that in his later life, Namık Kemal was faced with increasing Pan-Slavism in the Balkans which caused him to abandon the idea of an Ottoman identity comprised of several national and religious groups and turn his attention to the Muslims and a union of the Muslims, Mardin, 332.

mentioned about the ‘honour of the old Ottomans’ as well as the ‘dignity and strength’ of the present Ottomans in the article *Hubbül Vatan Mine’l İman*.¹³⁰

Tanzîmât reformers believed that modernising reforms were necessary in order to ‘save the empire and the imperial state,’ in Feroz Ahmad’s words.¹³¹ Many new laws and regulations were passed, and new bureaucratic and administrative institutions were founded in this period. Starting with the military reforms, since the Tanzîmât edict defined the military service as defence of the country/homeland, it became a duty of all members of *vatan* to defend it.¹³² Thus, ‘a five-year term of military service was established with a *fermân* (decree),’¹³³ and a *kur’â* (draft) that included both Muslims and non-Muslims was introduced in 1843.¹³⁴ On 14 May 1855, during the Crimean War (1854-1856), the poll tax (*cizye*)¹³⁵ was abolished and compulsory service for all non-Muslims was introduced. Non-Muslims stopped paying the *cizye* tax, and if they wanted to be exempted from military service, they had to pay an exemption tax (*hisse-i askerîye*), instead, which would be turned into the *bedel-i askerî* by the end of 1859.¹³⁶ Muslims could also pay *bedel-i askerî* in order to be exempted from military service. However, it was on a higher rate which prohibited the Muslims to choose paying taxes rather than attending the army.¹³⁷ The 1846 conscription law stated that all Muslims, except for those in places like Istanbul and *bilâd-ı selâse*, the whole Muslim population was obliged to perform military service.¹³⁸ This

¹³⁰ Namık Kemal, ‘Hubbül Vatan Mine’l İman’, *Hürriyet*, 9 Rebiülevvel 1285 (29 June 1868), 2.

¹³¹ Feroz Ahmad, *The Young Turks and the Ottoman Nationalities: Armenians, Greeks, Albanians, Jews, and Arabs, 1908-1918*, (Salt Lake City, Utah: The University of Utah Press, 2014), 4.

¹³² Mehmet Hacısalıhoğlu, ‘Inclusion and Exclusion: Conscription in the Ottoman Empire’, *Journal of Modern European History*, no.2 (2007): 264-286, 267.

¹³³ Hacısalıhoğlu, 268.

¹³⁴ Hacısalıhoğlu, 268.

¹³⁵ *Cizye* (Jizya) was a kind of poll tax that non-Muslims paid to the Ottoman state in return for living safely in the country. See Halil İnalcık, ‘*Cizye*’, *İslam Ansiklopedisi (Encyclopedia of Islam)*, (İstanbul: TDV), v.8, 45-48. <http://www.islamansiklopedisi.info/>

¹³⁶ Hacısalıhoğlu, ‘Inclusion’, 270-272.

¹³⁷ Cengiz Kırılı, ‘Tanzîmât: Düzen ve Kaos’, *Toplumsal Tarih*, no: 311, (Kasım 2019): 81.

¹³⁸ Eric Zürcher, ‘The Ottoman Conscription System, 1844-1914’, *International Review of Social History*, 43, (1998): 440-445.

would also be confirmed by the new conscription law (*kur'â kânûnnâmesi*) (1871), as well.¹³⁹

Tanzîmât attempted to bring major changes to the Ottoman tax system in which it was partially successful. The main aim of the early Tanzîmât tax reforms was to collect the taxes directly. This was a challenge to the Ottoman *iltizâm* system of eighteenth and early nineteenth century which was based on the *ayans* or *derebeys*' (landlords) collecting the tax.¹⁴⁰ From 1840, taxes were collected by the *muhasşîs* who were appointed by the state. In doing so, the Ottoman State had four main goals as Cengiz Kırılı describes: to curb the financial power of *mültezims*, and the *sarrafs* who were financing them, to end the cooperation between the *ayans* and indigenous elites, to make the indigenous elites who had previously been responsible for tax collection, tax payers, and finally, to transfer all the rural tax income directly to the centre.¹⁴¹ However, this lasted for only two years. In 1842, it was again the *mültezims* who collected the tax.¹⁴² In addition to the attempts to collect the taxes directly, Tanzîmât aimed to put the tax burden onto the urban economy

¹³⁹ Zürcher, 440-445.

¹⁴⁰ As Mehmet Genç claims, the *iltizâm* system was used from the fifteenth century, but evolved into a more developed method of tax collection in the sixteenth century. Genç defines the *iltizâm* method as 'the obligation of a person to collect any tax revenue from the state in exchange for a certain annual fee.' Mehmet Genç, 'İltizam', *TDV İslam Ansiklopedisi*, <https://islamansiklopedisi.org.tr/iltizam--vergi> (18.06.2022). For *iltizam* system, also see Linda T. Darling, *Revenue-raising and Legitimacy: Tax Collection and Finance Administration in the Ottoman Empire, 1560-1660*, (Leiden: E.J. Brill, 1996). By the seventeenth century, indigenous notables, mostly landlords, namely *ayans* and *derebeys* who had their own troops and established local administrations, began to collect the taxes in each province of the empire. These landlords became very powerful by the eighteenth century, almost gained a semi-autonomous position which turned them into a challenge to the Ottoman State authority. Ottoman-Russian War of 1768 and Napolionic invasion of Egypt in 1798 'increased the sultan's dependence on the warlords to fight and to provide troops and provisions'. Carter Findley, *Turkey, Islam, Nationalism and Modernity: A History, 1789-2007*, (USA: Yale University Press, 2011), 29. The Ottoman State was defeated by the Russians, lost Crimea and gave some capitulatory privileges to Russia via Küçük Kaynarca Treaty signed after the war in 1774. Kavalalı Mehmed Ali Paşa, an Ottoman *ayan* of the Balkans who went to Egypt to defend the lands for the French, declared his sovereignty against the Ottoman State. All these triggered an Ottoman desire to re-gain the political power via centralising and military reforms. Selim III's *Nizâm-ı Cedîd*, which included administrative and military reforms, began in 1794 and continued until 1807. This was followed by the reforms of Mahmud II. See Shaw, 'The Origins of Ottoman Military Reform' and Gültekin Yıldız, *Neferin Adı Yok*, (İstanbul: Kitabevi, 2009.)

¹⁴¹ Cengiz Kırılı, 'Tanzimat', 83-84.

¹⁴² Kırılı, 85.

and calculate the taxes on the basis of individual income.¹⁴³ To this end, it formulated some new taxes such as *temettüât*, *müsakkafât-eylak* and *akar* taxes which were based on *tahrîr* (census) and included urban economy.¹⁴⁴ *Temettü Vergisi* (profits tax) was a new Ottoman tax on individual wealth and profits which was first formulated in 1839, but not enacted until 1860.¹⁴⁵ ‘In place of market tax and urban excise taxes which were abolished after Tanzîmât, merchants and artisans were subjected to a profits tax (*temettü or temettüât vergisi*) according to the ability to pay.’¹⁴⁶ It was 3% of the one’s income in 1860, however, it increased to 4% in 1876.¹⁴⁷ *Temettü* was applied only to the Ottoman subjects, not to the foreigners. However, there were some exemptions including Greek, Serb, Monte-Negro and Iranian subjects.¹⁴⁸

Tanzîmât brought changes in the Ottoman legal sphere, as well. The traditional Ottoman legal system was based on Islamic as well as sultanic law. On the cases which had ‘specific issues not covered by sharia’,¹⁴⁹ *kanûns* (laws) were formulated. These were mainly regarding the criminal issues, land tenure as well as taxation.¹⁵⁰ Cases of Muslims were adjudicated according to the Islamic *shari’a* by *kadıs*; however, non-Muslim Ottoman subjects could bring some specific cases up to their own courts within the *millet* system, and non-Muslim foreigners could take some cases to courts run by consuls.¹⁵¹ This began to change by the establishment of the *Nizâmiye* court system. The *Nizâmiye* court

¹⁴³ See Nadir Özbek, ‘Osmanlı İmparatorluğunda Gelir Vergisi: 1903-1907 Tarihli Vergi-i Şahsi Uygulaması’, *Tarih ve Toplum Yeni Yaklaşımlar*, 10, Bahar 2010, 49.

¹⁴⁴ Özbek, ‘Gelir Vergisi’, 51.

¹⁴⁵ Coşkun Çakır, *Tanzimat Dönemi Osmanlı Maliyesi*, (İstanbul: Küre Yayınarı, 2001), 50; Abdüllatif Şener, *Tanzimat Dönemi Osmanlı Vergi Sistemi*, (İstanbul: İşaret, 1990), 108.

¹⁴⁶ Stanford Shaw, Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey*, v.2, (Cambridge: Cambridge University Press, 1977), 96.

¹⁴⁷ Çakır, *Tanzimat Dönemi Osmanlı Maliyesi*, 50.

¹⁴⁸ Şener, *Tanzimat Dönemi*, 109. Iranians’ being responsible to *temettü* has a significant importance for this dissertation. This issue will be discussed in the third chapter of this dissertation.

¹⁴⁹ Avi Rubin, *Ottoman Nizamiye Courts, Law and Modernity*, (New York: Palgrave Macmillan, 2011), 56.

¹⁵⁰ Rubin, 56.

¹⁵¹ Hanioglu, 31.

system differed from the *shari'a* courts, which were presided over by a single judge, the *kadı*, since its councils included Muslims, non-Muslims and foreign representatives.¹⁵² This was in line with the aim of Ottomanism to hold the different identities of the empire together as one. While this new system was formally founded in 1861, its first organs had been founded in the 1840s.¹⁵³ In 1840, one of what would later be called mixed courts¹⁵⁴ of commerce was founded, and some disputes between foreigners and Ottomans were settled there.¹⁵⁵ In 1847, another mixed court was founded. This court consisted of both Ottomans and foreigners and settled cases between traders of any nationality.¹⁵⁶ If the defendant was a foreigner, the consul or a dragoman had to be present.¹⁵⁷ In 1860, an additional law was passed giving the Istanbul Commercial Court the power to appoint commissions to settle commercial cases between Ottomans and foreigners.¹⁵⁸ In the beginning, these commissions worked on mixed cases two days a week; then, in 1870, one such commission began to work only on cases between Ottomans and foreigners.¹⁵⁹ However, *Nizâmiye* did not replace the Sharia courts. These two courts 'were entwined components of a single judicial system, converging in some aspects and departing in others'.¹⁶⁰

During this reform period, the Ottoman State enacted laws designating the rights and duties of a legal person¹⁶¹ within the Ottoman legal framework. In 1840, the first Ottoman

¹⁵² Rubin, *Nizamiye Courts*, 23-26.

¹⁵³ Rubin, 23-26.

¹⁵⁴ I borrow the term 'mixed courts' from Avi Rubin. It refers to courts in which the cases of both Ottomans and foreigners were judged. See Rubin, 26.

¹⁵⁵ Rubin, 23.

¹⁵⁶ Rubin, 26.

¹⁵⁷ Nevin Ünal Özkorkut, 'Kapitülasyonların Osmanlı Devleti'nin Yargı Yetkisine Getirdiği Kısıtlamalar', *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 2004, 53/2, 88-89, 91.

¹⁵⁸ Özkorkut, 90-91.

¹⁵⁹ Özkorkut, 90-91.

¹⁶⁰ Rubin, *Nizamiye Courts*, 15.

¹⁶¹ 'A legal personality is an entity, such as a corporation, that is recognised as having legal personality, i.e. it is capable of enjoying and being subject to legal rights and duties. It is contrasted with a human being, who is referred to as a natural person.' *Oxford Dictionary of Law*, eds. Jonathan Law and Elizabeth A. Martin, (Oxford: Oxford University Press, 2014). For a discussion of legal personality, see also Alain Pottage, 'Introduction', 11-14.

Penal Code came into effect, which set the precedent for all ensuing codes regulated by the Ottoman legal framework.¹⁶² Ruth Miller claims that this code gave the bureaucracy a central position in defining crime.¹⁶³ As Cengiz Kırılı discusses, this law turned the legitimate gift giving practice into a crime.¹⁶⁴ Since this law was not ‘comprehensive’, a new code including additions came into effect in 1851.¹⁶⁵ According to Kent Schull, ‘this new code better fulfilled the demands of the 1839 *Gülhâne* Decree by expanding its criminality to offences involving crimes against life, honor, and property, such as forgery, abduction of girls, and the making of indecent sexual advances to minors.’¹⁶⁶ In 1858, the 1851 Penal Code was replaced with the Imperial Ottoman Penal Code, which with additions would be used until the end of the empire.¹⁶⁷ Some of these additions were regarding ‘official transgression’ as well as abortion.¹⁶⁸ Following that, in 1858, the Ottoman Land Code was issued.¹⁶⁹ This law, which ‘defined the individual as the sole subject of land law’,¹⁷⁰ was one of the earliest comprehensive, universally accepted laws passed by the Ottoman State.¹⁷¹

This reform period also witnessed the Ottoman State’s attempt to document, define and control its subjects. Centralisation efforts brought the necessity to provide security. For

¹⁶² For a discussion on the Ottoman Penal Code, see Kent Schull, ‘Criminal Codes, Crimes, and the Transformation of Punishment in the Late Ottoman Empire’, in *Law and Legality in the Ottoman Empire and Republic of Turkey*, eds, Kent F. Schull, M. Safa Saraçoğlu, Robert F. Zens, (USA: Indiana University Press, 2016), 194-214; Cengiz Kırılı, *Yolsuzluğun İcadı: 1840 Ceza Kanunu, İktidar ve Bürokrasi* (İstanbul: Verita, 2015).

¹⁶³ Ruth A. Miller, *Fıkıhtan Faşizme: Osmanlı’dan Cumhuriyet’e Günah ve Suç* (İstanbul: Ufuk Yayınları: 2013), 51-74.

¹⁶⁴ Cengiz Kırılı, *Yolsuzluğun İcadı*.

¹⁶⁵ Kent F. Schull, ‘Criminal Codes’, 195.

¹⁶⁶ Schull, 195.

¹⁶⁷ Schull, 196.

¹⁶⁸ See Rubin, *Nizamiye Courts*, 114; Gülhan Balsoy, *Kahraman Doktor İhtiyar Acuzeye Karşı, Geç Osmanlı Doğum Politikaları*, (İstanbul: Can Yayınları, 2015), 129-131.

¹⁶⁹ For an analysis of the Ottoman Land Code of 1858, see E. Attila Aytekin ‘Agrarian Relations, Property and Law: An Analysis of the Land Code of 1858 in the Ottoman Empire’, *Middle Eastern Studies*, no:45/6, (2009): 935-951.

¹⁷⁰ Aytekin, 936.

¹⁷¹ Aytekin, 935.

that purpose, population censuses were taken, laws regarding identity cards, passports and subjecthood were legislated. The first population censuses were taken in 1829 in Istanbul and 1830-31 in all provinces of the empire.¹⁷² Another census which included the women and children, took place in 1850.¹⁷³ The Ottoman State began to systematise the travel control. *Men-i Mürûr Nizâmnâmesi* (Regulations for the Prohibition of Passage) was legislated in 1841. The regulations put an obligation to ask for a travel permit in the places where Tanzîmât was applied.¹⁷⁴ Travel permits were also necessary when travelling, already before 1841, however because the old system was corrupted, this regulation systematised the use and circulation of the certificates.¹⁷⁵ This new certificate, *mürur tezkiresi* included one's name, title, age, occupation, nationality, destination and issue of place.¹⁷⁶ Another regulation followed this regulation. The Passport Law, which systematised the distribution and use of the passports, was legislated in 1867.¹⁷⁷ The law consisted of 17 articles. The first article explicitly stated that anyone who wanted to enter or leave the Ottoman lands must show his/her passport to the Ottoman officers. Second article mentioned that anyone who were subjects of foreign states which were friends of the Ottoman State must obtain visa from their embassy or consuls within the Ottoman Empire or from the Ottoman Embassy or consuls within their home country. When travelling within the Ottoman territories one must hold *mürûr tezkiresi*, however, one must

¹⁷² Sedat Bingöl, 'Osmanlı Devleti'nde Tanzîmât'tan Sonra Kriminal Tespit Yöntemlerine Dair Notlar ve Belgeler', *Belleten*, no: 274, (Aralık 2011): 848.

¹⁷³ Merve İspahani, 'Building Sovereignty in the Late Ottoman World: Imperial Subjects, Consular Networks and Documentation of Individual Identities', unpublished doctoral dissertation submitted to the University of Colombia, (2018), 95.

¹⁷⁴ Musa Çadircı, 'Tanzîmât Doneminde Çıkarılan Men-i Mürur ve Pasaport Nizamnameleri', *Belgeler*, Türk Tarih Kurumu, 15:19, (1993): 155-156.

¹⁷⁵ Çadircı, 156.

¹⁷⁶ İspahani, 'Building Sovereignty', 123.

¹⁷⁷ For all articles of the law, see Çadircı, 'Men-i Mürur ve Pasaport Nizamnameleri', 168-172.

carry passport when travelling abroad.¹⁷⁸ Foreigners must have both travel permit and passport if they would like to travel within the Ottoman Empire.¹⁷⁹

All these reforms *de-facto* established concepts of Ottoman nationals and foreigners. The new laws regarding conscription, taxes, land, jurisdiction, passport etc made a distinction between Ottomans and foreigners; they did not use the religious concepts of Muslims, *zimmis* or *musta'mins*. For instance, the law regarding conscription mentioned a concept of 'Ottoman subjects' by claiming that all Ottoman subjects were responsible of military service. Regulations regarding taxes also drew a boundary between the Ottomans and foreigners. For instance, only Ottoman subjects were required to pay *temettü* taxes, foreigners were not responsible of it. *Nizâmiye* courts held the cases of foreigners on a special day. Passport Code explicitly used the concepts of foreigner as the ones who were not Ottoman subjects. That is to say, before the Law of Ottoman Nationality was issued, the concepts of Ottoman subject/national and foreigner existed, however it was the nationality law that systematically detailed the criterions to become Ottoman national and/or de-naturalise.¹⁸⁰

In the process of forming an imperial Ottoman identity, Ottomanness, and legal modernisation, the Ottoman State issued the *Tâb'iyet i Osmânîye Kanûnnâmesi* (Law of Ottoman Nationality) on 28 January 1869 in order to define who were 'Ottomans' and who were not. The law consisted of nine articles that defined under what circumstances one was considered an Ottoman subject or a foreigner and how one could be naturalised or

¹⁷⁸ Çadırcı, 167.

¹⁷⁹ Çadırcı, 169.

¹⁸⁰ This idea, to an extent, has been mentioned by Kemal Karpat. Karpat claims that Ottoman nationality was an already established concept before the Law of Ottoman Nationality. Kemal Karpat, 'Millet and Nationality,' in Benjamin Braude and Bernard Lewis ed, *Christian and Jews in the Ottoman Empire*, 1982, 162.

denaturalised.¹⁸¹ According to the Law of Ottoman Nationality, anyone born in Ottoman territory who had a father with Ottoman nationality could be considered an Ottoman national. Children born within the Ottoman Empire had the right to acquire Ottoman nationality within three years of reaching the age of majority, even if their parents were foreigners. If a woman married a foreigner she was no longer considered an Ottoman national unless her husband died (and even then, only if she applied to the Ottoman State within the three years of his death). In addition, adult foreigners could apply to the Ministry of Foreign Affairs to become Ottoman nationals if they had resided in Ottoman territory for five years or more. Children would remain Ottoman nationals even if their parents were denaturalised. People who changed their nationality were treated as foreigners. However, if this change took place without the consent of the Ottoman State, it was not recognised by the state and they were treated as Ottoman nationals. Ottoman nationals living in a foreign country could be denaturalised if they changed their nationality or joined the army. Children of denaturalised citizens would still be treated as Ottoman nationals.¹⁸²

The existing literature generally considers the Law of Ottoman Nationality as a reflection of the Tanzîmât's Ottomanist idea of equal rights irrespective of religion and evaluates the law as a tool that transforms subjects into citizens. Historians such as Michelle Campos and Selim Deringil read the *Tâb'iyet -i Osmânîye Kanûnnâmesi* as a citizenship law that formalised a secular concept of Ottoman by claiming that 'the Law of Ottoman Citizenship instituted the category of foreigner (*ecnebi*), which included all foreign nationals

¹⁸¹ BOA. İ. DUİT, 90/66, *Tâb'iyet -i Osmânîye Kanunu Hakkında Müt'alâ*, 9 June 1284/ 21 June 1868, cited in Serbestoğlu, *Osmanlı Kimdir*, 68-69.

¹⁸² BOA. İ. DUİT, 90/66; BOA. YEE 41/133 cited in Serbestoğlu, 68-69.

regardless of religion.’¹⁸³ In other words, they argue it was based on secular principles since ‘the primary differentiating criterion in a person’s citizenship status was no longer whether they were Muslim or Christian but whether or not they were Ottoman’.¹⁸⁴ Karen Kern claims that there is no conclusive definition of the concepts of nation and citizenship.¹⁸⁵ As the title of her book, ‘Imperial Citizenship’ promises, Kern uses the term citizenship to refer the concept that the law brought.¹⁸⁶ Faroz Ahmad calls the *tâb’îyet* law a ‘citizenship/nationality law’ and argues that it attempted to turn Ottoman subjects into citizens, but failed.¹⁸⁷

The word *tâb’îyet* had long been used in the Ottoman context to mean ‘belonging to the sultan’, a synonym of the English word subjecthood.¹⁸⁸ Even Tanzîmât decree used the word *teb’a* as a synonym to the word subjects.¹⁸⁹ Although it literally means subjecthood, the *tâb’îyet* in the original title of the Law of Ottoman Nationality, *Tâb’îyet -i Osmânîye Kanûnnâmesi*, refers to a relationship to the state/state membership in between subjecthood and citizenship, perhaps closer to the term nationality. For example, an Ottoman legalist Mahmud Fuad who published a booklet on the interpretation of the Law of Ottoman Nationality defined *tâb’îyet* as ‘all individual’s relationship to the state’.¹⁹⁰ In a similar light, opposing the interpretation of *Tâb’îyet -i Osmânîye Kanûnnâmesi* as a citizenship

¹⁸³ Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire*, (New York: Cambridge University Press, 2013), 182.

¹⁸⁴ Gülnihal Bozkurt, *Batı Hukuku’nun Türkiye’de Benimsenmesi*, (Ankara:1989), 23 cited in Deringil, *Conversion*, 182.

¹⁸⁵ Kern, 10-14.

¹⁸⁶ See Kern, 1-30.

¹⁸⁷ Ahmad, *The Young Turks*, 3–4.

¹⁸⁸ For a discussion on the terms subjecthood, citizenship and nationality in various languages see Donati, *National Citizenship*, 10.

¹⁸⁹ ...teb’a-i saltanât-ı senîyemizden olan ehl-i İslâm...bi’lcümle teb’asının refâh u ma’mûriyyeti...teb’anın vergisiyle...

¹⁹⁰ ‘Tabiiyet, her ferdin bir devlete karşı olan irtibatıdır’. Mahmud Fuad, *Tabiiyet*, ed. Cihan Osmanağaoğlu, (İstanbul: Derin Yayınları, 2006), 25.

law, Will Hanley claims that it was actually a nationality law.¹⁹¹ His concept of citizenship is a state membership in which one's rights and responsibilities deriving from that membership are defined; his definition of nationality, on the other hand, refers to a more neutral membership.¹⁹² Hanley suggests that because the Ottoman *Tâb'iyet* Law only defined the circumstances in which someone was considered an Ottoman *teb'a* or an *ecnebî*, it must be deemed a nationality law.¹⁹³ This fits very much with the Rogers Brubaker's theory of citizenship. In his book *Citizenship and Nationhood in France and Germany*, Brubaker discusses the notions of citizenship and nationality and their use in different countries and languages. Brubaker states that 'every state attaches certain rights and obligations to the status of citizenship'.¹⁹⁴ From that point of view, the Ottoman *Tâb'iyet* Law did not refer to the concept of citizenship since it does not state any rights or obligations deriving from Ottoman *tâb'iyet*.

The Ottoman *tâb'iyet*, which had been defined *de-facto* throughout the nineteenth century, was defined *de-jure* by the Law of Ottoman Nationality. The law formalised the boundaries between foreigners residing in the Ottoman Empire and Ottoman subjects.¹⁹⁵ The law legally replaced the Islamic distinctions of *Dâr al-Islâm* and *Dâr al-Harb* with the modern categories of *Osmanlı teb'ası* (Ottoman subjects) and *ecnebî* (foreigners)

¹⁹¹ Will Hanley, 'What Ottoman Nationality Was and Was Not', *Journal of the Ottoman and Turkish Studies Association*, no. 3,2, (November 2016): 278.

¹⁹² Hanley, 277-278. Hanley claims that 'citizenship is practiced by those whose full membership is most secure, while nationality is the concern of those whose membership is least certain. The Ottoman nationality law concerns these latter individuals: children and wives of foreigners, orphans, emigrants and immigrants.' Hanley, 278.

¹⁹³ Hanley, 278. Hanley does not deny the existence of the concept of citizenship in the late nineteenth-century Ottoman Empire but claims that this law did not concern that concept. The Ottoman citizenship would be defined by the *Kanûn-i Esâsî* (Ottoman Legal Code) in 1876. The eighth article of the *Kanûn-i Esâsî* states: 'All subjects of the Ottoman State, without distinction of any religious group and sect they belong to, are called Ottoman and its acquisition and lose would be according to the conditions determined by the law', Şeref Gözübüyük and Suna Kili, *Türk Anayasa Metinleri 1839-1980*, (Ankara: Ankara Üniversitesi Siyasal Bilgiler Fakültesi Yayınları No.496, 1982), 28. <https://anayasa.tbmm.gov.tr/docs/1876/1876ilkmetinler/1876-ilkhal-turkce.pdf>

¹⁹⁴ Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (London, Cambridge, Masshasucsett: Harvard University Press, 1992), 21.

¹⁹⁵ Michelle Campos, *Ottoman Brothers*, 62. Also see the second chapter of Kern, *Imperial Citizenship*.

irrespective of religion and ethnicity. In line with Ottomanism's aim to formulate an inclusive imperial Ottoman identity, this law legally formalised the concept of Ottoman as a category for the *teb'a*.

It was indeed a part of the Ottoman identity-defining and modernisation process, however, the main motivation behind the Law of Ottoman Nationality was practical. The law was legislated to regulate the status of the Ottoman subjects, mainly non-Muslims, who were asking for *berats* (certificates) or *protégé* status to enjoy the same capitulatory privileges as Europeans.¹⁹⁶ Capitulations were legal privileges granted by the Ottoman State to foreigners, especially Europeans and Russians. The Ottomans used the term *imtiyâzât-ı ecnebîye* (privileges for foreigners) or just *imtiyâzât* (privileges) to refer to the capitulations. They meant that 'all subjects of a foreign monarch/country are under the laws of their own king or republic once the capitulatory favor had been granted.'¹⁹⁷ In other words, both the subjects and *protégés* of a state that was granted capitulations enjoyed the legal privileges. These legal privileges included legal and economic ones such as extraterritorial jurisdiction and tax exemption. In the beginning, capitulations were unilateral grants given by Ottoman rulers to 'stimulate trade with West and to regulate the presence of communities of foreign merchants in the Ottoman domains.'¹⁹⁸ They were designated as *ahidnâmes* (letters of promises)¹⁹⁹ which could be re-shaped by additional laws and orders.²⁰⁰ The Ottoman ruler had the right to suspend these grants unilaterally.²⁰¹

¹⁹⁶ Donald Quataert, *The Ottoman Empire 1700-1922*, (Cambridge: Cambridge University Press, 2005), 77-79.

¹⁹⁷ Quataert, *The Ottoman Empire*, 77. For several articles on the issue of capitulations, see Maurits H. van den Boogert; Kate Fleet ed., *The Ottoman Capitulations: Text and Context*, (Italy: Istituto per l'Oriente; Skilliter Centre for Ottoman Studies; Roma: Istituto per l'Oriente C.mA. Nallino, 2003).

¹⁹⁸ Maurits H. Van Den Boogert, *The Capitulations and the Ottoman Legal System: Qadis, Consuls, and Beraths in the 18th Century*, (Leiden; Boston: Brill, 2005), 7.

¹⁹⁹ For *Ahidnames*, see Mübahat Kütükoğlu, 'Ahidname', TDV İslam Ansiklopedisi, <https://islamansiklopedisi.org.tr/ahidname#2-turk-tarihi> (06.10.2020)

²⁰⁰ Halil İnalcık, 'İmtiyazat', TDV İslam Ansiklopedisi, <https://islamansiklopedisi.org.tr/imtiyazat#2-osmanli-donemi> (06.10.2020).

Some forms of capitulations were considered as given to the Genoese and the Venetians in the fifteenth century after the conquest of Istanbul.²⁰² Later in the reign of Suleyman I, other privileges which were generally considered as the first capitulations, were given to the French.²⁰³ They were also given to the British in the same century and to the Dutch, and the Venetians in the seventeenth century.²⁰⁴ The content and form of these capitulations vary.²⁰⁵

However, by the eighteenth century these capitulations had become a problem for the Ottoman State. Because of changing power relationships between the Ottoman and European states, capitulations turned into bilateral agreements that were ‘used against the Ottoman Empire’ by the Europeans and Russia.²⁰⁶ Though only a small number of merchants had capitulatory rights, such as tax exemptions, in the sixteenth century, by the eighteenth century they had grown into a large group of Europeans.²⁰⁷ It was not only European merchants but also Ottoman subjects that began to receive capitulatory privileges via consular intervention.²⁰⁸ Foreign consuls first provided their dragomans and families with capitulatory privileges, they then gave same privileges to the Ottoman merchants,

²⁰¹ Van den Boogert, *Capitulations*, 29.

²⁰² Edhem Eldem, ‘Capitulations and Western Trade’ in *The Cambridge History of Turkey*, v. 3. (Cambridge: Cambridge University Press), 2006, 281-335, 289-290; Van den Boogert, *Capitulations*, 7. For the trade between the Ottomans and Genoese. See, Kate Fleet, *European and Islamic Trade in the Early Ottoman State: The Merchants of Genoa and Turkey*, (Cambridge&NewYork: Cambridge University Press, 1999).

²⁰³ Umut Özsu, ‘The Ottoman Empire, the Origins of Extraterritoriality, and International Legal Theory’, in *The Oxford Handbook of the Theory of International Law*, (Oxford University Press, 2016), 435. Eldem states that 1517 capitulation document ‘was never ratified, and it was only in 1569 that Claude du Bourg, treasurer of the king and ambassador to the porte, obtained the first capitulation of eighteen articles granted to the French state’. Eldem, ‘Capitulations’, 290.

²⁰⁴ Van den Boogert, *Capitulations*, 7; Eldem, ‘Capitulations’, 290-292.

²⁰⁵ For the contents of the capitulations given to Venice, France, England and Netherlands see Alexander H. De Groot, ‘The Historical Development of the Capitulatory Regime in the Ottoman Middle East From the Fifteenth to the Nineteenth Centuries’ in Maurits H. van den Boogert; Kate Fleet ed., *The Ottoman Capitulations: Text and Context*, 575-604.

²⁰⁶ Van den Boogert, *Capitulations*, 8.

²⁰⁷ Quataert, *The Ottoman Empire*, 78.

²⁰⁸ Feroz Ahmad, ‘Ottoman Perceptions of the Capitulations 1800-1914’, *Journal of Islamic Studies* 111 (2000), 3.

mainly the non-Muslims.²⁰⁹ This continued in the nineteenth century. Namık Kemal described the problems brought by the legal privileges given to foreigners in detail in the article he published in the newspaper *Hürriyet* soon after the legislation of the Law of Ottoman Nationality.²¹⁰ He stated that the privilege to have their dragoman and consuls in the court prevented the Ottoman courts and officers to run the cases according to the Ottoman law.²¹¹ He added that foreigners employed many people as dragomans and provided many Ottoman subjects with *mahmî* (protégé) status to enjoy the same privileges. Namık Kemal mentioned that he heard the fact that a Greek officer in Prince Islands in Istanbul distributed 4000 Greek passports only in a month.²¹²

The Ottomans intended to overcome the problems brought by capitulations in the nineteenth century. The Ottoman State brought them into the discussion at the Paris convention (1856). In doing this, the Ottoman State expected to join the European legal system and abolish the capitulations. Although they were successful in the former, the European countries decided to discuss the latter in an upcoming conference, which never happened.²¹³ The Ottoman State then passed a regulation regarding the status of *protégés* in 1863.²¹⁴ In April 1869, Âli Paşa circulated a memorandum to foreign powers: ‘the Ottoman State supports the individual freedom to choose nationality, but that the capitulations had perverted that freedom in the Ottoman domains. The privileges of foreigners led the Ottomans to seek foreign protection, and *protégés* came to outnumber foreigners themselves. The government had partially remedied this situation with the 1863

²⁰⁹ İncalcık, ‘İmtiyazat’, 250-251.

²¹⁰ Namık Kemal, ‘Tabi’yet-i Osmaniye’, *Hürriyet*, 8 Zilhicce 1285 (22 March 1869), 1-3.

²¹¹ Namık Kemal, ‘Tabi’yet-i Osmaniye’, *Hürriyet*, 8 Zilhicce 1285 (22 March 1869), 1-3.

²¹² Namık Kemal, ‘Tabi’yet-i Osmaniye’, 1-3.

²¹³ İncalcık, ‘İmtiyazat’, 251.

²¹⁴ Hanley, ‘The Ottoman Nationality’, 285; İncalcık, ‘İmtiyazat’, 251.

regulation, but our hope was not realised.’²¹⁵ The memorandum also referred to the Treaty of Paris (1856) which promised review to the capitulations that never happened.²¹⁶

When the Ottoman State failed to abolish the capitulations, it decided to pass the law of Ottoman Nationality to define who were Ottomans and who were not in order to differentiate the ones who were able to receive for protégé status and who were not. The 1869 law was merely a revision of the 1863 *protégé* regulation, not a citizenship law, according to Hanley.²¹⁷ The Ottoman State passed this law of 1869 to prevent Ottoman, mainly, non-Muslim merchants from purchasing *protégé* status from European embassies and consulates to enjoy the capitulations.²¹⁸ However, as Ahmad claims, ‘this was a meaningless exercise’ and the embassies of the Western countries continued to offer protection to Ottoman subjects despite the law.²¹⁹

In a similar light, in his article ‘Tâb’iyet-i Osmânîye’, Namık Kemal criticized the Law of Ottoman Nationality. His focus was the fact that the law was legislated in order to limit or at least control the privileges that the Europeans had. However, for him this was not successful. Namık Kemal pointed to the articles of the law which stated that a foreigner could apply for Ottoman nationality if s/he resided in the Ottoman Empire for 5 years, but the Ottoman State had the power to admit a foreigner to Ottoman nationality without this 5 year restriction. Namık Kemal implicitly pointed out that these articles contradicted the main purpose of the law, which was to prevent the abuse of capitulatory privileges, claiming ‘good, but, would French Embassy accept the case before the Ottoman Commercial Court if a Frenchman who had already become an Ottoman national

²¹⁵ Hanley, ‘Ottoman Nationality’, 285.

²¹⁶ Hanley, 285.

²¹⁷ Hanley, 278, 285.

²¹⁸ Ahmad, *The Young Turks and Ottoman Nationalities*, 5.

²¹⁹ Ahmad, ‘Capitulations’, 7.

exceptionally (without this 5 year limitation) had a conflict with another French national?’²²⁰ Namık Kemal stated that this protégé problem could not be solved simply by a law consisting of 4 articles. For him, firstly, regular courts must be established, justice must be done to people and people should love their *vatan* and consider changing nationality as a dishonourable act. Secondly, foreign interference in the courts must be abolished and there must be no privileges derived from being a foreigner. Thirdly, all subjects who have insisted on protégé status must return to their original nationality. He stated that otherwise, ‘..to write eight to ten columns and call it law, would that bring any benefit or (is it), just shame?’²²¹

By defining their legal status, the Law of Ottoman Nationality successfully prevented large groups of Ottomans from seeking *protégé* status to an extent – ‘to an extent’ because some groups subsequently asked for capitulatory rights not via *protégé* status but through their nationality. While designed to prevent non-Muslim Ottomans from asking for *protégé* status, the Law of Ottoman Nationality unexpectedly created an opening for Muslim groups to seek capitulatory rights. These Muslim groups, which had never asked for capitulatory privileges in *Dâr al-Islâm*, were seeking such privileges now that the Law of Ottoman Nationality had separated Ottoman Muslims and foreign Muslims into the categories of ‘Ottoman national’ and ‘foreigner’. For example, some Russian Muslims and East Asians living within Ottoman lands claimed that they were Russian or British citizens, respectively, and were thus due capitulatory rights.²²² The Ottoman State considered the

²²⁰ ‘Güzel amma acaba bir Fransız öyle bir istisna ile gitse de Osmanlı tabi’yetine girse ve ondan sonra da bir diğer Fransızla da davası zuhur etse sefaret hall-i niza’ın ticarethaneye havalesine kail olur mu?’, Namık Kemal, ‘Tabi’yet-i Osmaniye’, *Hürriyet*, 8 Zilhicce 1285 (22 March 1869), 1-3.

²²¹ ‘...sekiz on satır şey yazıp da adına kanun denilmiş, bunun rezaletden başka ne fa’idesi olur?’, Namık Kemal, ‘Tabi’yet-i Osmaniye’, 1-3.

²²² Lale Can, ‘The Protection Question: Central Asians and Extraterritoriality in the late Ottoman Empire’, *International Journal of Middle East Studies*, no. 48 (2016): 679–699.

Bukharians and Afghans to be Muslim subjects under the protection of the caliphate.²²³ The Bukharians and Afghans objected to this determination, so the Ottoman State again declared that although their lands had been invaded by the British and Russians, Ottoman-resident Bukharians and Afghans would be counted among Ottoman citizens.²²⁴ They would therefore have no right to foreign protection since they had left their countries before the invasions.²²⁵ However, the situation of Russian Muslims was complicated. The problem of their legal status had begun earlier, in the eighteenth century. Russian Muslims who had come to the Ottoman Empire in the late eighteenth century had wanted to enjoy the capitulatory rights of Russian subjects; however, this was not welcomed by the Ottoman State.²²⁶ They sent complaints to the Russian embassy in Istanbul, but in most cases the Ottoman State insisted on treating them as Muslim subjects.²²⁷ This became more complicated in the nineteenth century. Although in some cases the Ottoman State considered them to be ‘foreigners’²²⁸, in most cases the Ottoman State considered these Ottoman-resident Russian Muslims as its own subjects, as James Meyer shows.²²⁹ As Lale Can points out, ‘this had little to do with Muslim universalism or ethnic kinship; rather it was primarily a strategy to curtail the expansion of consular protections to people taking on borrowed nationalities’.²³⁰

In addition to the Russian Muslims, Afghans and Bukharians, the Iranians were among the Muslim groups asking for foreigner status and capitulatory privileges. The Iranians were

²²³ Can, 681.

²²⁴ Can, 685-686.

²²⁵ Can, 685-686.

²²⁶ Masters, ‘Changing Status of Iranians’, 11.

²²⁷ Masters, 11.

²²⁸ Selim Deringil, ‘The Ottoman Empire and Russian Muslims: Brothers or Rivals?’, *Central Asian Survey*, No. 13:3, (1994): 409-416, 413.

²²⁹ James Meyer states that in many cases both the Ottoman and Russian states regarded these Russian Muslims as their own citizens. James Meyer, ‘Immigration, Return, and the Politics of Citizenship: Russian Muslims in the Ottoman Empire, 1860-1914’, *International Journal of Middle East Studies*, Cambridge University Press, Vol. 39, No. 1 (Feb. 2007), 15-32, 24.

²³⁰ Can, ‘The Protection Question’, 681.

not only the largest group of Muslims asking for foreigner status and capitulatory privileges but also the only group the demands of which were supported by another Muslim state. In *Dâr al-Islâm* Iranian Muslims were treated as Muslim-Ottoman subjects, whereas non-Muslim Iranians were considered dhimmis.²³¹ This remained mostly unchanged until the nineteenth century. The change began with the first Treaty of Erzurum (1823), in which 'Iran was added to *Ecnebî Defterleri*, or the list of countries for which Ottoman bureaucrats maintained separate registers of cases pertaining to citizens [...] who could call upon the central government for redress of any violation of their individual rights under the treaty'.²³² With the second Treaty of Erzurum, signed in 1848, Iran was declared one of the 'friendly nations', joining the ranks of the European countries.²³³ The second Erzurum treaty enabled the Iranian State to have representatives in the Ottoman cities that worked in the interest of the Iranians.²³⁴ These representatives were called *shahbandars* and had the same rights and privileges as European consuls.²³⁵ However, this did not enable them to act as their European counterparts did. According to the treaty, all cases involving Iranians were to be tried according to Islamic law, thus, in the Ottoman courts.²³⁶ The *shahbandars* could only be present at the hearings.²³⁷ With the Erzurum treaties, Iran was 'allowed to join the ranks of European capitulatory states',²³⁸ but without any capitulatory or extraterritorial privileges.

²³¹ See Masters, 'Changing Status of Iranians', 5. This was despite the ongoing Sunni-Shiite conflicts between the Ottomans and the Iranians. For example, Abdurrahman Atçıl discusses that as early as the sixteenth century, the Ottoman perception of Shiites was not a homogenous one. To some, Shiites were Muslim. The Ottomans were trying to accommodate Shiites as Muslims within Ottoman lands even as the conflicts between the Ottoman state and the *Kızılbaş* were ongoing. Abdurrahman Atçıl, 'The Safavid Threat and Juristic Authority in the Ottoman Empire During the 16th Century', *International Journal of Middle East Studies*, (2017): 295-314.

²³² Masters, 'Changing Status of Iranians', 11.

²³³ Masters, 9.

²³⁴ Masters, 13-14.

²³⁵ Masters, 14.

²³⁶ Masters, 14.

²³⁷ Masters, 14.

²³⁸ Kern, *Imperial Citizen*, 56.

The Erzurum treaties were only the first step, however. During the Tanzîmât, especially after the issuance of the nationality law, the Iranians were dissatisfied with being treated as Muslim subjects and dhimmis when Ottoman non-Muslims were becoming Ottoman nationals and Ottoman Muslims were beginning to be regarded as Ottoman. As Masters states, ‘if Ottoman Jews and Christians were the newly established fellow citizens of Ottoman Muslims then Iranian Muslims and dhimmis could no longer rely on their membership in the larger *Dâr al-Islâm* to guarantee their rights in the Ottoman Empire.’²³⁹ The Iranians’ discomfort peaked in the 1870s and came to the forefront within the context of Nasir al-Din Shah’s Istanbul visit (1873).

The Problem of the Iranians’ Legal Status in the Context of Nasir al-Din Shah’s Visit to Istanbul (1873): Challenging for Capitulations

On 5 July 1873, when Nasir al-Din Shah was in London on his first European tour²⁴⁰, Raşid Paşa (1824-1876), the Ottoman minister of foreign affairs, sent a telegram to the Ottoman ambassador to London instructing him to ‘tell Hussein Khan (1828-1881), the Iranian grand-vizier, that we will solve the problem, and invite them to Istanbul’.²⁴¹ The previous year, the Iranian ambassador to Istanbul had informed Sultan Abdülaziz (1830-

²³⁹ Masters, ‘Changing Status of Iranians’, 9.

²⁴⁰ During his first European tour, Nasir al-Din Shah went first to Russia, then to Prussia, Germany, Belgium, England, France, Switzerland, Austria and Italy from which he went to Istanbul. In his travel diary, he presented two primary reasons for his 1873 European tour. The first was to meet with rulers of Europe and to ‘convey to them good intentions and excellent relations, so that their cooperation and friendship would lead to good results for his state and people’. The second reason was ‘to gain complete knowledge about many other kings, the industries, customs, good traditions, laws and military reforms, so that it would benefit the state and nation of Iran’. The shah mentioned that he achieved the first goal but could not achieve the second because of ‘continuous invitations from the exalted kings, which were accepted happily and with pleasure’. See *Ruznamah-i Khatirat-i Nasir al-Din Shah Dar Safar-i Sivvum-i Farangistan*, 3 vols., ed. Muhammad Isma‘il Rizvani and Fatimah Qaziha (Tehran: Mu’assasah-i Khadamat-i Farhang-i Rasa, 1369–1373/1990–1994), 12, cited in Naghmeleh Sohrabi, *Taken for Wonders: Nineteenth-Century Travel Accounts from Iran to Europe*, (New York: Oxford University Press, 2012), 88.

²⁴¹ BOA.HR.SFR (4), 239/11 Copie no: 35340/120 Telegram from Istanbul, to the Ottoman ambassador to London. Some of these telegrams took my attention while writing my M.A thesis in Boğaziçi University in Istanbul. Başak Kilerci, *Ottoman-Qajar Relations through Photography: Mozaffar al-Din Shah’s Istanbul Visit (1900)*, unpublished M.A thesis submitted to Boğaziçi University, 2013, 75-76.

1876) that the shah would visit in the coming year. The sultan had sent a letter to the shah stating that ‘it would be an honor to host you’.²⁴² However, according to Raşid Paşa, the shah was on the verge of cancelling this visit because of the problem.²⁴³ Another telegram sent by the Ottoman ambassador to London to Raşid Paşa makes clear that the problem concerned a new civil law regarding Ottoman-resident Iranians that the Ottoman State had instituted and communicated to all courts within the empire.²⁴⁴ According to this law, cases between Iranian subjects and cases between Ottoman and Iranian subjects as well as actions against the Ottoman State or against any subjects of either state would be adjudicated in Ottoman courts.²⁴⁵ The Iranian State asserted that they had already had capitulatory privileges, including judicial privileges, from past treaties and that the Ottoman State must repeal this recent law since it classified Iranians as Ottoman subjects with respect to the judicial domain.²⁴⁶ A report sent by Sir Henry Elliot,²⁴⁷ who was British ambassador to Istanbul between 1867 and 1877, to the British Foreign Secretary, Lord Granville (1815-1891), said that the Iranian grand vizier Hussein Khan mentioned two existing treaties ‘regulating the position of Persian subjects residing in Turkey’ and that he was ready to ‘submit these treaties to any commissions or arbitrations for their opinion as to whether they constituted an international engagement between the two states on the question at issue.’²⁴⁸ Hussein Khan added that one was signed by Farruh Khan Amin al-Dawla (1812-71) and Âli Paşa (1815-1871) and the other was signed by Âli Paşa and

²⁴²BOA.HR.SFR (4), 239/11, Telegram dated to 5 July 1873. No number is mentioned.

²⁴³ BOA.HR.SFR (4), 239/11, Telegram dated to 5 July 1873. No number is mentioned.

²⁴⁴BOA.HR.SFR (4), 239/11, LIT A, No: 35201/99.

²⁴⁵ This must refer to the law which described new rules for how Iranian subjects would be tried in court, within the letter of instructions published by the Ottoman newspaper *Rûznâme-i Cerîde-i Havâdis*, quoting from *Cerîde-i Mehâkim*, the publishing organ of the Ottoman Ministry of Justice *Rûznâme-i Cerîde-i Havâdis*, 4 Receb 1290 (28 August 1873), 3.

²⁴⁶ The National Archives FO 248/286, No:218 28 May 1873 This law was also mentioned by Khan Malik Sasani, who would become *charge d'affairs* in Istanbul in the early twentieth century. Sasani claimed that on 9 March 1873, when Nasir al-Din Shah left Iran on his European tour, the Ottoman Minister of Foreign Affairs, Halil Paşa, declared that Iranians within Ottoman lands would be treated as Ottoman subjects. Sasani, 197.

²⁴⁷For Sir Henry Elliot’s time in Istanbul, see his memoir Henry Elliot, *Some Revolutions and Other Diplomatic Experiences*, (London, 1922).

²⁴⁸ The National Archives FO 248/286, No:218 28 May 1873.

himself. The agreements to which Hussein Khan was referring must be the Erzurum treaties of 1823 and 1848, which were already mentioned in this chapter. In reply, the Ottoman State clearly stated that the agreements signed by the Ottoman and Iranian states did not provide the Iranians with privileges given to 'external powers.' Raşid Paşa mentioned that there was 'a material difference between the case of the subjects of external powers and those of Persia.... treaties existed between the port and external powers by which extra-territorial jurisdiction was sanctioned... but no treaties existed between Turkey and Persia which warranted a claim on the part of the latter to such exceptional treatment.'²⁴⁹

The Ottoman ambassador to London stated in a telegram sent to Raşid Paşa that Iranians residing in Istanbul had objected to the law and that Nasir al-Din Shah had cancelled his scheduled visit to Istanbul because of the law and ensuing protests.²⁵⁰ In order to solve this crisis, the Ottoman and Iranian foreign ministries worked together with the Iranian and Ottoman embassies in London. The Ottoman ambassador to London wrote to Raşid Paşa that the Iranian grand vizier and the Iranian ambassador to London had visited the Ottoman Embassy.²⁵¹ The ambassador wrote that they had had a long conversation about the law in question and that in the end the Iranian side had proposed that one of the 'great powers' act as a referee in the dispute, which he rejected.²⁵² In his reports, Granville wrote that he had had a conversation with the Ottoman ambassador about the problem that was preventing the shah from visiting Istanbul.²⁵³ According to Granville, the Ottoman State had not treated the Iranians as equal to Ottoman subjects in the past, but that it later began to do so by asserting that there were no treaties that gave extraterritorial privileges to the Iranians.

²⁴⁹ FO 248/286, No.220 12 June 1873.

²⁵⁰ BOA.HR.SFR (4), 239/11, LİT A, No: 35201/99.

²⁵¹ BOA.HR.SFR (4), 239/11, Lit D, No 5179/133.

²⁵² BOA.HR.SFR (4), 239/11, Lit D, No 5179/133.

²⁵³ FO 248/286, Copie 139, 25 June 1873.

As Granville wrote, the Ottoman ambassador stated that ‘although they (the Iranians) have not been generally treated in an equality with Turkish subjects,...the exceptional treatment has not been continuous’,²⁵⁴ Granville told the Ottoman ambassador that irrespective of whether the Ottoman State treated Iranians as equal to Ottoman subjects, whether that treatment had been continuous, and whether there was an agreement regarding the issue, there was a problem. And Nasir al-Din Shah’s visit would be the perfect occasion to resolve it. Granville stated that he had said the same thing to the Iranian ambassador in London, as well.²⁵⁵

The Ottoman ambassador to London claimed that Hussein Khan, the Iranian grand vizier, had explained that the shah intended to come to Istanbul but would have been humiliated before his people if he visited while the legal situation of the Iranians in the Ottoman empire remained unresolved.²⁵⁶ Hussein Khan stated that the shah might go to Istanbul in order to resolve and sign an agreement on the issue.²⁵⁷ The Ottoman ambassador to London added that Hussein Khan proposed a plan to solve the problem.²⁵⁸ This plan was detailed in a draft treaty consisting of seventeen articles.²⁵⁹ The fourth and twelfth articles stated explicitly that differences that may arise between Ottoman and Iranian subjects would be tried in Ottoman courts, whereas those between Iranian subjects would be tried by Iranian consuls.²⁶⁰ These articles were refused by Raşid Paşa.²⁶¹ Sir Elliot sent a telegram to Raşid Paşa asking him to forward Hussein Khan’s offer to Sultan Abdülaziz. Elliot claimed in his report that ‘we hope the sultan may take a more feasible view than his

²⁵⁴ FO 248/286, Copie 139, 25 June 1873.

²⁵⁵ FO 248/286, Copie 139, 25 June 1873.

²⁵⁶ BOA.HR.SFR (4), 239/11, Lit H, No 3786/140.

²⁵⁷ BOA.HR.SFR (4), 239/11, Lit H, No 3786/140.

²⁵⁸ BOA.HR.SFR (4), 239/11, Lit H, No 3786/140.

²⁵⁹ FO 248/286, Copie 141. 30 June 1873.

²⁶⁰ FO 248/286, Copie 141. 30 June 1873.

²⁶¹ FO 248/286, Copie 32, 7 July 1873 (Dispatches to Granville) Telegram dated 4 July 1873.

minister of Persian proposal.²⁶² However, a telegram from Sir Elliot stated that the sultan refused the proposal, as well.²⁶³ Elliot added, however, that the sultan invited the shah to Istanbul to work on another draft together and sign an agreement.²⁶⁴ Raşid Paşa claimed that the Ottoman State would resolve the legal issue by no longer treating Iranians in the empire as *indigènes*, a term meaning indigenous people.²⁶⁵

The telegrams do not indicate Nasir al-Din Shah's final decision about his visit; nevertheless, the shah was on his way to Istanbul, a month later. The shah arrived in Istanbul on 18 August 1873, and stayed eight days. He was first received by Ottoman grand vizier Mehmed Rüşdü Paşa (1828-1874) in Çanakkale, then by Sultan Abdülaziz at the port of Beylerbeyi Palace, which was allocated to the shah for his time in Istanbul.²⁶⁶ As the shah noted, 'about three thousand Persian subjects who were residents of Istanbul had embarked on five large steamers' to get close to the shah.²⁶⁷ That same day, the shah visited the sultan in Dolmabahçe Palace,²⁶⁸ and a reception was given at Beylerbeyi Palace in honour of the shah.²⁶⁹ The next day, on 19 August, Ottoman ministers and members of the diplomatic corps based in Istanbul arrived for audiences with the shah.²⁷⁰ The Iranian ambassador Mirza Mohsen Khan was also present at the ceremony, and introduced the embassy staff to the shah.²⁷¹ The shah breakfasted at Çırağan Palace on Wednesday,

²⁶² FO 248/286, Copie 32, 7 July 1873 (Dispatches to Granville) Telegram dated 5 July 1873.

²⁶³ FO 248/286, Copie 32, 7 July 1873 (Dispatches to Granville) Telegram dated 6 July 1873.

²⁶⁴ FO 248/286, Copie 32, 7 July 1873 (Dispatches to Granville) Telegram dated 6 July 1873. Another report sent to Granville stated that the sultan mentioned that 'if the shah comes to Constantinople (Istanbul), he would be ready to enter into a permanent engagement upon the question of jurisdiction'. FO 248/286, Copie 32, 7 July 1873 (Dispatches to Granville) Telegram dated 7 July 1873.

²⁶⁵ BOA.HR.SFR (4), 239/11, Copie No 35338/119. Telegram no 140.

²⁶⁶ *The Diary of H.M The shah of Persia during His Tour Through Europe in A.D. 1873*, translated by J.W. Redhouse, (London: John Murray, Albemarle Street, 1874), 364; *La Turquie*, 19 August 1873, 1.

²⁶⁷ Nasir al-Din Shah, 367.

²⁶⁸ *La Turquie*, 20 August 1873, 1.

²⁶⁹ Nasir al-Din Shah, *The Diary*, 372.

²⁷⁰ Nasir al-Din Shah, 372.

²⁷¹ Nasir al-Din Shah, 372.; *La Turquie*, 20 August 1873, 1.

August 20, where he had private conversations with both the sultan²⁷² and the Ottoman grand vizier, Mehmed Rüşdü Paşa.²⁷³ Indeed, the shah and the sultan had private conversations on several occasions.²⁷⁴ These confidential meetings were on the topic of the law in question.²⁷⁵ The shah and sultan also met with the Ottoman and Iranian grand viziers and the Russian and English ambassadors.²⁷⁶ During his time in Istanbul the shah also met *Şehzade* (prince) Yusuf İzzeddin (1857-1916) and the Ottoman minister for foreign affairs, Raşid Paşa.²⁷⁷ Nasir al-Din Shah met with the Iranian *shahbandars* of Haleb (Aleppo), Izmir, Suriye (Syria), and Trabzon who had been invited by the shah to the Ottoman capital, as well.²⁷⁸ It is probable that the shah wanted to talk with the Iranian *shahbandars* in the Ottoman Empire to discuss the law, which had created a diplomatic crisis between the Ottoman and Qajar states, before signing an agreement on the issue. Finally, on the last day of the shah's visit, Sultan Abdülaziz and Nasir al-Din Shah, together with Raşid Paşa, Mirza Mohsen Khan, the Iranian ambassador to Istanbul, and Malkam Khan (1833-1908) signed an agreement dealing with the controversial law aboard the shah's ship before it left the Bosphorus.²⁷⁹ After staying in Istanbul for eight days, the shah returned to Iran via Georgia.²⁸⁰

As a result of the Iranians' protests against the new civil law passed by the Ottoman State and Nasir al-Din Shah's request to reopen the issue, the Ottoman and Iranian States

²⁷² Nasir al-Din Shah, *The Diary*, 379; *La Turquie*, 22 August 1873, 1.

²⁷³ *La Turquie*, 22 August 1873, 1.

²⁷⁴ Before leaving the city on Monday, the shah along with the Iranian grand vizier, Mirza Malkam Khan (an Iranian diplomat) and Ali Bey (who was responsible for the protocol) went to Dolmabahçe Palace to visit the sultan. The sultan and the shah had a long conversation in the presence of the two grand viziers. Then the sultan went to visit the shah and they had another conversation there. Nasir al-Din Shah, *The Diary*, 395.

²⁷⁵ *La Turquie*, 23 August 1873, 1-2. The newspaper *La Turquie* added that the two grand viziers also discussed problems between the two states.

²⁷⁶ *La Turquie*, 23 August 1873, 1; Nasir al-Din Shah, *The Diary*, 385-386.

²⁷⁷ *Basîret*, 10 Ağustos 1289 (22 August 1873), 1; Nasir al-Din Shah, 382-394; *Rûznâme-i Ceride-i Havâdis*, 30 Cemaziyülevvel 1290 (26 July 1873), 1.

²⁷⁸ *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 2.

²⁷⁹ *La Turquie*, 23 August 1873, 1-2.

²⁸⁰ Nasir al-Din Shah, *The Diary*, 401.

negotiated the legal status of Iranians in the Ottoman Empire. Thus, the shah and sultan together with the grand viziers signed an agreement in this regard. This agreement, the original copy of which I was unable to locate in the Ottoman Prime Ministry Archives, was based on a preliminary understanding upon which the two states had agreed before the shah came to Istanbul. On 14 August 1873, four days before the shah came to Istanbul, *Ceride-i Mehâkim*²⁸¹, the publication of the Ottoman Ministry of Justice published a letter of instruction ‘confirming the agreements between the two states that were recently made and paraphrasing the imperial decree regarding the problems between the two states which was issued on 12 August 1873.’²⁸² The Iranian and Ottoman States had likely made an initial agreement regarding the Iranians’ legal status and capitulatory privileges, and the shah confirmed his visit to Istanbul only after the Ottoman State issued an imperial decree clarifying the Iranians’ legal status and their rights deriving from that status. The instructions published in the *Ruzname-i Ceride-i Mehâkim*, which paraphrased the imperial decree, noted that the Ottoman State had decided to review and clarify the decisions that had previously been made and conveyed to the Ottoman courts.²⁸³ It added that this review would clarify the legal situation of the Iranian *shahbandars* and the Iranian subjects’ rights arising from their foreigner status as well as to stop Ottoman mistreatment of them.²⁸⁴ It

²⁸¹ In 1873, the Ottoman Ministry of Justice established an official periodical, *Ceride-i Mehâkim* (Journal of the Courts), to assist the *Nizâmîye* courts. This fifteen-page journal was published weekly and included reports on civil and criminal court cases from around the Ottoman Empire. See Avi Rubin, 9. The newspaper *Rûznâme-i Ceride-i Havâdis* published these instructions quoting from *Ceride-i Mehâkim*. *Rûznâme-i Ceride-i Havâdis*, 4 Receb 1290 (28 August 1873), 2-3. In this chapter I use the *Rûznâme-i Ceride-i Havâdis* version.

²⁸² *Rûznâme-i Ceride-i Havâdis*, 4 Receb 1290, 2. ‘Fi 19 Cemâziye’lâhir sene 90 ve fi 31 Temmuz sene 89 Devlet-i ‘Aliye ile İran devleti beyninde münakîd olan mu’âhedât ahkâmını teyide ve geçenlerde şeref-efzâyı sünûh olan irâde-i seniye-i hazret-i padişâhî mücebince devâ’ir-i ‘âliyye ve vilâyâta tasdîr buyurulan tahrîrât-ı sâmiye âhkâm-ı münîfesini tefsîre kaleme alınan ta’lîmâtıdır’.

²⁸³ *Rûznâme-i Ceride-i Havâdis*, 4 Receb 1290, 2-3.

²⁸⁴ teb’a’-i İranîye’nin bilâ-vâsita mehâkim ve me’mûrin-i Devlet-i ‘Aliyye tabi’ olmaları lazım geldiğini beyândan ‘ibâret bulunmuş ise de Memâlik-i Mahrûsede bulunan İran Devleti şehbender ve me’mûrları hakkında âhkâm-ı ‘ahdiye icâbınca olunacak mu’âmelenin ve teb’a’-i İranîye’nin ecnebilik sıfatına te’âllük eden bazı husûsâtın dahi kayd-ı iştibâhtan vareste olmak ve noksânı îzâhât ve mu’âmelât-ı kâfiyeden nâşi hükûmât-ı seniyyenin onlarla olan mu’âmelâtınca zuhûra gelmiş olan bazı güne yanlışlıkların tekerrür ve devâmına mahal kalmamak üzere..... binâen’aleyh günâgûn sadâ’ ve müşkilâtın önü alınmak

included an article that explicitly stated that the Iranians would be classified as foreigners. Although the imperial decree that the instructions were paraphrasing and the original copy of the agreement which the Ottoman and Iranian rulers signed in Istanbul does not appear at the Ottoman State Archives, three documents regarding this issue dated 1874 and 1875 are available. All three are almost identical to what was published in *Cerîde-i Mehâkim*. They must be copies or confirmations of the agreement signed by the Ottoman and Iranian States when Nasir al-Din Shah was in Istanbul. 1874 dated document includes orders that were given to the commission that would work on the issue of the Iranians' nationality.²⁸⁵ The original copy of the 1875 agreement which included the seals of the Ottoman and Iranian grandviziers exists at the Ottoman State Archives.²⁸⁶ There is also an unsealed copy of this agreement.²⁸⁷ This 1875 agreement includes roughly the same articles listed in the agreement published by *Cerîde-i Mehâkim* before the shah's visit.²⁸⁸ In addition to these Ottoman documents, one from the Iranian Foreign Ministry includes some articles of these agreements and refers to a copy of these agreements maintained by Iranian

için ta'limât-ı mezkûre münderecâtından bazılarının dahî ber-vech-i zîr bir mertebe daha tevzîh ve teksîrine mübâderet olunmuştur. *Rûznâme-i Cerîde-i Havâdis*, 4 Receb 1290 (28 August 1873), 2-3.

²⁸⁵ BOA.A.DVN.NMH, 21/9. 22 Receb 1291 (4 September 1874).

²⁸⁶ BOA.A.DVN.NMH 22/4. 21 Safer 1292 (29 March 1875).

²⁸⁷ BOA. A.DVN NMH, 43/2. 12 Zilkade 1292 (10 December 1875).

²⁸⁸ Another agreement regarding the economic issues between the two states was signed on the same day in 1875. This agreement included regulations regarding import, export, custom fees etc BOA. A.DVNSNMH.d.13-91. 21 Safer 1292 (29 March 1875) This agreement was kept in a booklet consists of 230 pages. Since economic relations between the two states are not the focus of this study, I am not getting into this agreement. Fariba Zarinebaf mentions an agreement signed by the Ottoman and Iranian States which included articles regarding the import of tobacco and salt from Iran, in 1874. Zarinebaf, 'The Iranian Merchant Community', 207. This article could be the one mentioned by Zarinebaf. When Nasir al-Din Shah was in Istanbul, the newspaper *La Turquie* published an article 'Iran and Turkey'. *La Turquie*, 23 August 1873, 1. The emphasis of the article was that Nasir al-Din Shah's Istanbul visit would be a turning point in terms of Ottoman-Qajar relations, which has been getting better in the reigns of Sultan Abdülaziz and Nasir al-Din Shah, and the two states would overcome the problems that they already had and enhance collaboration. It said that the most important outcome of this visit would be on the issue of border security and commercial affairs. It added that the Ottoman Sultan had already exempted Iranians from the tax, which they used to pay to export customs from Iran to Europe through Trabzon and Erzurum within the Ottoman lands; and hopefully in the future the two states would enhance their trade relation. Drawing from these, the agreement on commercial issues signed in 1875 was probably based on the discussions that the two states had when the shah was in Istanbul in 1873.

authorities.²⁸⁹ This may have been in the Iranian Foreign Ministry archives, but I was not able to locate it. All these documents present that an initial agreement was made when the shah was in Istanbul and the commissions selected by the Ottoman and Iranian states worked on this issue from this initial agreement until 29 March 1875. On this day, the two states signed the final version of the agreement regarding the Iranians' legal status within the Ottoman realm. The shah's visit was the diplomatic background of all these conventions and agreements; thus, the instructions published by *Cerîde-i Mehâkim* constituted their core.

The existing literature touches on Iran's becoming a foreign, capitulatory state in the Ottoman legal sphere to an extent; however, it does not even mention Nasir al-Din Shah's Istanbul visit. Bruce Masters, Yithzak Nakash and Karen Kern referred to an agreement signed by the Ottoman and Iranian States regarding the Iranians' legal status and capitulatory privileges dated 1875, but they do not mention the political context in which that agreement was signed.²⁹⁰ All three scholars' narratives of Iranians' becoming foreigners and gaining capitulatory privileges follow the same main path: Iran first joined the ranks of capitulatory foreign countries with the Erzurum treaties and received capitulatory privileges in the 1875 agreement. Masters claims that the 1875 agreement provided Iranians with the same legal exemptions as other European foreigners, whereas Nakash and Kern state that the 1875 agreement provided Iranians with fuller capitulatory rights.²⁹¹ These scholars miss the political discussions, conflicts and negotiations between the Iranian and Ottoman States that took place within the context of Nasir al-Din Shah's

²⁸⁹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye* GH 1328-K11-P1-68).

²⁹⁰ Kern, *Imperial Citizen*, 99; Masters, 'Changing Status of Iranians', 15; Yithzak Nakash, *The Shii'tes of Iraq*, (Princeton: Princeton University Press, 1994), 17-18.

²⁹¹ Kern, *Imperial Citizen*, 99; Masters, 'Changing Status of Iranians', 15; Nakash, *The Shii'tes of Iraq*, (Princeton: Princeton University Press, 1994), 17-18.

Istanbul visit. Although Iran was added to the *Ecnebi Defterleri* via the first Erzurum treaty, the Iranians' legal status and their rights and responsibilities deriving from that status were clarified within the context of Nasir al-Din Shah's visit to Istanbul in 1873. Iranians became legally foreigners in 1873 via the agreement signed by the Ottoman and Iranian State when Nasir al-Din Shah was in Istanbul; the 1875 agreement was just a copy or confirmation of the 1873 agreement.

A Legal Construct: Foreigner Category Unique to the Iranians

In the agreements mentioned above, the Ottoman and Iranian States negotiated a legal construct, foreigners, for the Iranians. I use the word construct deliberately because the Law of Ottoman Nationality (1869), which introduced the category of foreigner into the Ottoman legal framework, only defined the category and stated under what circumstances a person would be considered a foreigner. It did not state the rights and responsibilities deriving from that status. It was the process that the Ottoman and Iranian States signed agreements in the context of Nasir al-Din Shah's Istanbul visit which designated the Iranians' rights and responsibilities deriving from their foreigner status. These mainly included the situation of shahbandars within the Ottoman Empire, Iranians' naturalisation and de-naturalisation processes, judicial processes, issue of conscription, marriage, tax payment and the obligations for making business. Although some of the regulations on these issues were similar to the ones applied to the European foreigners, there were some others specially designated for the Iranians. Thus, the Ottoman State, conflicting and negotiating with the Iranian State and the Ottoman-resident Iranians on these issues, created a foreigner category unique to the Iranians.

Starting with the clarification of the naturalisation process, according to the Law of Ottoman Nationality, a change of nationality was only possible with the approval of the Ottoman State. Any change of national status without state approval would not be recognised; the person would continue to be treated as an Ottoman national.²⁹² The Ottoman Foreign Ministry (*Hâriciye Nezâreti*) was responsible for cases concerning the acquisition or loss of nationality.²⁹³ Persons who wanted to acquire or renounce Ottoman nationality had to apply to the Ministry of Foreign Affairs and were considered Ottoman subjects by the state during the procedure.²⁹⁴ In cases where persons claimed to have changed their nationality before the enactment of the Law of Ottoman Nationality, the Foreign Ministry would ask if an *irâde-i seniye* (imperial decree) had been given in order to decide whether they were Ottomans or foreigners.²⁹⁵ For this purpose, a commission, the *tâb'iyet kalemi* (office for nationality) was set up within Foreign Ministry consisting of a chairman and four members.²⁹⁶ Persons who were classified as foreigners by the office received certificates confirming this recognition.²⁹⁷ According to the agreements signed by the Ottoman and Qajar states and to orders given by the Ottoman State to the commission working on Iranians' nationality changes, Iranians who wanted to change their nationality status had to go through the same procedure as other foreigners.²⁹⁸ The agreements also stated that the Iranians coming to the Ottoman lands were supervised and protected by the

²⁹² Serbestoğlu, *Osmanlı Kimdir?*, 72-75.

²⁹³ Serbestoğlu, 72-75.

²⁹⁴ Unat, *Türk Vatandaşlık Hukuku*, 11-13 cited in Serbestoğlu, *Osmanlı Kimdir?*, 72-73.

²⁹⁵ Serbestoğlu, *Osmanlı Kimdir?*, 75.

²⁹⁶ Serbestoğlu, 74. This commission met once a week to discuss controversial cases about citizenship and send reports to the Ottoman Foreign Ministry. Foreign embassies were allowed to send a representative to the meetings. Serbestoğlu, 75.

²⁹⁷ Serbestoğlu, 75. The Ottoman state also decided to establish a commission for the same purpose in every city. These commissions sent reports to the Foreign Ministry which made final decisions on the issue. Fraşerli Mehdi, *İmtiyâzât-ı Ecnebîye*, 25-26 cited in Serbestoğlu 75; BOA MV 37/14 (31 October 1888) cited in Serbestoğlu, 77. Local administrators were not allowed to denaturalise Ottoman citizens; however, they were allowed to prevent illegal citizenship changes. See Serbestoğlu, 77.

²⁹⁸ Hâdi Aş'er: Teb'a-i İrâniye'den biri Devlet-i Âliyye Tâb'iyetine girmek ister ise b'il-cümle teb'a-i ecnebîyyeye şumûlü olan nizâm-ı mâhsûsuna tatbikân iktîza-i icrâ olunacak ve bu usûlün hâricinde olarak teb'a-i merkûmeden hiçbirisi hilâf-ı nizâm Devlet-i Âliyye tâb'iyetine kabul olunmayacaktır. *Rûznâme-i Cerîde-i Havâdis*, 28 August 1873, 3.

Iranian shahbandars during the naturalisation process. The Iranian shahbandars would have a right to send the Iranians back to Iran where necessary. Because the Iranians were foreigners, they were subject to the Ottoman passport and *mürûr tezkiresi* (transit pass) and *karantina nizâmâtı* (quarantine regulations).²⁹⁹

An article of the agreements concerned the conscription of Iranians into the Ottoman army.³⁰⁰ The Ottoman modernisation and identity-defining process and the foreigner status of Iranians had an impact on their conscription into the army. After compulsory military service came into effect with a decree and a draft was introduced in 1843 to include both the Muslim and non-Muslim Ottomans, Iranians were subjected to conscription as they were considered Muslim subjects of the Ottoman Empire.³⁰¹ However, after they were granted foreigner status, this situation changed; as foreigners they were exempted from military service. The agreements indicate that Iranians, like other foreigners, did not have to perform military service or pay the *bedel-i askerî*, a tax that non-Muslim Ottoman subjects once paid for exemption from military service.³⁰²

Becoming an *ecnebî* state did not imply an automatic grant of capitulatory privileges. Capitulations, which included judicial and economical privileges, were as already mentioned, bilateral agreements.³⁰³ However, because European foreigners had had capitulatory privileges for centuries, becoming *ecnebî* meant becoming a capitulatory state in the eyes of the Iranians. European countries had become foreigners before Iran, and the treatment of their nationals was interpreted as a model for Iran in its endeavor to become a

²⁹⁹ See the fourth article of 1875 agreement.

³⁰⁰ *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 3; also see the agreement dated 1874, BOA. A.DVN.NMH 22/4.

³⁰¹ Hacısalihoglu, 'Inclusion and Exclusion', 268.

³⁰² For *bedel-i askerî* tax, see Stanford Shaw, The Nineteenth-Century Ottoman Tax Reforms and Revenue System, *Int. J. Middle East Stud.*, no. 6, (1975): 421-459, 431.

³⁰³ Quatert, *The Ottoman Empire*, 79.

foreign state. Iran's desire for capitulations took place in an environment where large groups of Europeans enjoyed capitulatory rights and the Ottoman State was overwhelmed by its own subjects vying for *protégé* status. In the nineteenth century, the capitulations were perceived as 'a symbol of Ottoman inferiority vis-a-vis Europe'.³⁰⁴ Nineteenth century Ottoman intellectuals and legal experts saw the capitulations as a tool for Western penetration and believed that the capitulations should be abolished.³⁰⁵ For instance, a nineteenth-century legalist Fraşerli Mehdi defined the capitulations as *imtiyâzât-ı muzır* (harmful privileges) and *ecanibin bize takmış oldukları zincîr-i kuyudât* (the chains that foreigners put around our necks).³⁰⁶ Ahmet Cevdet Paşa criticised the capitulations by stating that while one's own nationals were the privileged ones in every state, in the Ottoman Empire foreigners received privileges that were denied to Ottoman nationals.³⁰⁷ Namık Kemal explicitly pointed out the need to abolish the capitulations: 'it is not worth renovating the commercial courts if there is a possibility to abolish the capitulations'.³⁰⁸ In such an environment, the Ottomans was reluctant to give such privileges to the Iranians given that it was trying to abolish the capitulations of the Europeans, which were turning out to be economically and socially disadvantageous to the Ottoman State. The Ottoman State showed this reluctance to the Iranian State in one of the aforementioned telegrams sent by the Ottoman ambassador to the Ottoman Foreign Ministry. The ambassador claimed to have told the Iranian grand vizier and ambassador that 'it is impossible to consider the agreements that we (the Ottomans) have signed (in the sixteenth century) with

³⁰⁴ Ahmad, 'Capitulations', 6.

³⁰⁵ For discussions on how nineteenth century legal experts interpreted and categorised capitulations see Ali Adem Yörük, 'Kapitülasyonların Kaldırılması Sürecine Dair Bibliyografik Bir Deneme: 1909-1927 Yılları Arasında Yazılmış Kapitülasyon Kitapları', *Türk Hukuk Tarihi Araştırmaları*, 5, 2008, 97-130.

³⁰⁶ Mehdi Fraşerli, *Osmanlı Devleti'nde Kapitülasyonların Uygulanışı (İmtiyazat-ı Ecnebiyyenin Tatbikat-ı Hazırası)*, yayına hazırlayan, Fahrettin Tızlak, (İstanbul: Fakülte Kitabevi), 8.

³⁰⁷ 'Küçük büyük her devletin tab'ası ecnebilere nisbetle cihâd-ı adîdece mümtâz iken memalik-i Devlet-i Aliyye'de ecnebiler mümtâz olub tebâ'nın ol imtiyâzlardan mahrum oldukları cihetle....' Ahmet Cevdet Paşa, *Maruzat*, 196.

³⁰⁸ 'imtiyazat-ı ecnebiyyenin ilgasına imkan var iken mehakim-ı ticaretin ıslahıyla uğraşmak çekilecek emeklere değmez'. Namık Kemal, *Osmanlı Modernleşmesinin Meseleleri, Bütün Makaleleri 1*, eds. Nergis Yılmaz Aydoğdu, İsmail Kara, (İstanbul: Dergah Yayınları, 2005), 263.

the Christian powers in the age of darkness as equivalent to the one that we signed with a Muslim state in the nineteenth century.’³⁰⁹ By using the phrase ‘Christian powers in the age of darkness’ and by using the words ‘Christians’ and ‘Europeans’ interchangeably, the Ottoman ambassador was highlighting that ‘in the dark ages’ such privileges could only be granted to Christians by the superior Muslim-Ottomans. Iranians were Muslims, so it was impossible to grant capitulatory rights to Muslim equals in the nineteenth century. In using this ‘golden age’ discourse, which was convenient with the *zeitgeist* of Tanzîmât and the Ottomans’ desire to return to their golden ages in order to regain their political and economic power, discussed earlier in this chapter, the Ottomans demonstrated that the changes wrought by the Tanzîmât were not yet internalised, as they still appealed to the pre-Tanzîmât distinctions of *Dâr al-Islâm* and *Dâr al-Harb*. They regarded Europeans – Christians – as part of the *Dâr al-Harb* and regarded Iranians as Muslims.

In the end, the agreements that made the Iranians foreigners simultaneously provided them with few capitulatory privileges. Challenging Karen Kern’s and Yitzhak Nakash’s claims that the 1875 agreement provided Iranians with fuller capitulatory rights, I argue that the agreements provided only limited extraterritorial judicial privileges.³¹⁰ First articles of both agreements concerned judicial procedures for the Iranians: ‘Because Iranians were accepted as foreigners, the *shahbandars* were affirmed to have the same rights and

³⁰⁹BOA.HR.SFR (4), 239/11, Lit D, No 5179/133.

³¹⁰ Extraterritoriality can be simply defined as one state’s ‘exclusive jurisdiction over its citizens in another state.’ Turan Kayaoğlu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China*, (Cambridge: Cambridge University Press: 2010), 2. Kayaoğlu claims that with respect to nineteenth-century extraterritorial courts in the Ottoman Empire, China and Japan, he deliberately employs the word extraterritoriality rather than capitulations because he wishes ‘to differentiate the legal authority of foreign merchant communities and merchantile companies (a form of legal self-rule) from state’s jurisdiction over their citizens beyond state boundaries (a form of extraterritorial jurisdiction).’ Kayaoğlu, 104. He discusses Western extraterritoriality in the Ottoman Empire as a nineteenth-century instrument of legal imperialism and Western colonialism – just as was the case in contemporaneous Japan and China – rather than a continuation of the capitulation system. However, in this chapter I use the term extraterritoriality as the judicial capitulatory privileges that the Iranians were asking.

privileges as their European counterparts.’³¹¹ Civil and criminal cases between Iranians and Ottomans would be heard in Ottoman mixed tribunals³¹², as were cases between Ottomans and other foreigners. *Shahbandars* or their representatives could provide protection and assistance and be present in the judicial proceedings.³¹³

Commercial cases between Ottomans and Iranians were held in Ottoman courts, but only if Iranian dragomanes were present.³¹⁴ Dragomanes were the interpreters who translated the Ottoman language into the language of a foreign capitulatory state and vice versa and could also advise foreign states on Ottoman protocol and disputes.³¹⁵ As Van Den Boogert discusses in detail, recruiting Ottoman subjects as dragoman was one of the privileges possessed by capitulatory foreign states.³¹⁶

The 1875 agreement also stated that Ottoman courts were to rule on the commercial cases between Ottomans and Iranians, but their decisions were to be executed by the Iranian Embassy or consulates. If they were unable to do so, then the Ottoman State could assume responsibility and enforce the rulings.³¹⁷ All cases between Iranians themselves would be determined by the Iranian *shahbandars*, but the investigations would be conducted by the Ottoman State. If criminals caught by the Ottoman State were Iranian, they would be sent to the Iranian consulates.³¹⁸ In addition, the Ottoman State bore no responsibility for

³¹¹ ‘Evvelen: Memâlik-i Mahrûse-i Osmanîye’de bulunup.....İran Devleti şehbenderleri ve şehbender vekilleri sâir düvel-i müntehâbe konsolos ve konsolos vekillerinin nâil oldukları imtiyâzât ve mûafiyât ve müsâ’dâta nâil olacaklar’. *Rûznâme-i Cerîde-i Havâdis*, 28 August 1873, 2. (1873 agreement)

³¹² I borrow the term ‘mixed courts’ from Avi Rubin and use it to refer to courts in which cases of both the Ottomans and foreigners were judged. See Rubin, *Nizamiye Courts*, 23-26.

³¹³ BOA.DVN.NMH.22/4 (1875 agreement).

³¹⁴ BOA.DVN.NMH.22/4 (1875 agreement).

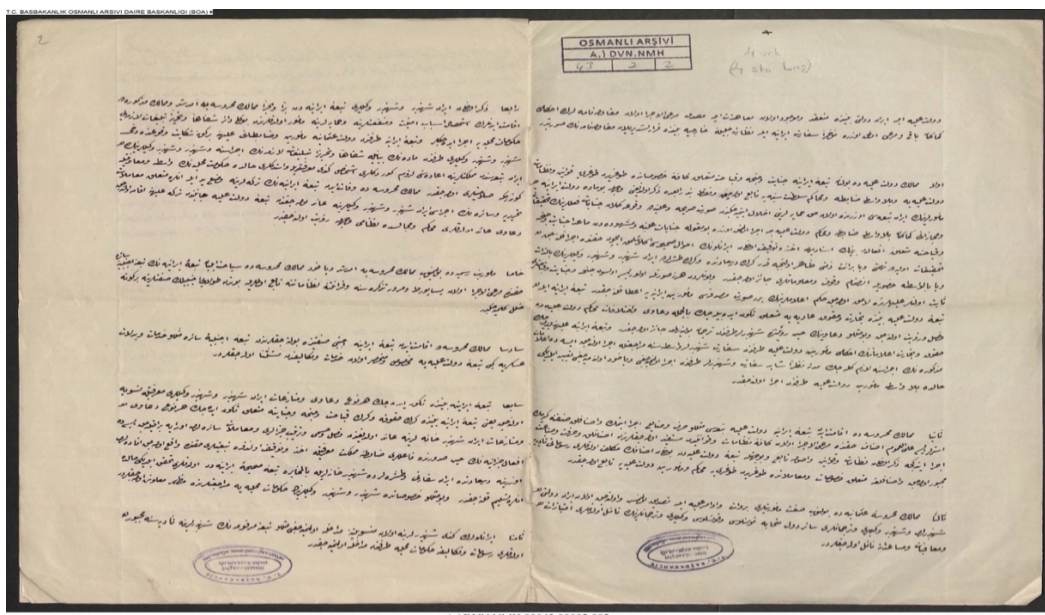
³¹⁵ Van den Boogert, *Capitulations*, 8.

³¹⁶ Van den Boogert, 8, 64. For the judicial privileges given to foreigners, also see Yasemin Saner Gönen, *Osmanlı İmparatorluğu’nda Yabancıların Adli Ayrıcalıkları*, (Unpublished Phd dissertation), İstanbul: 1998.

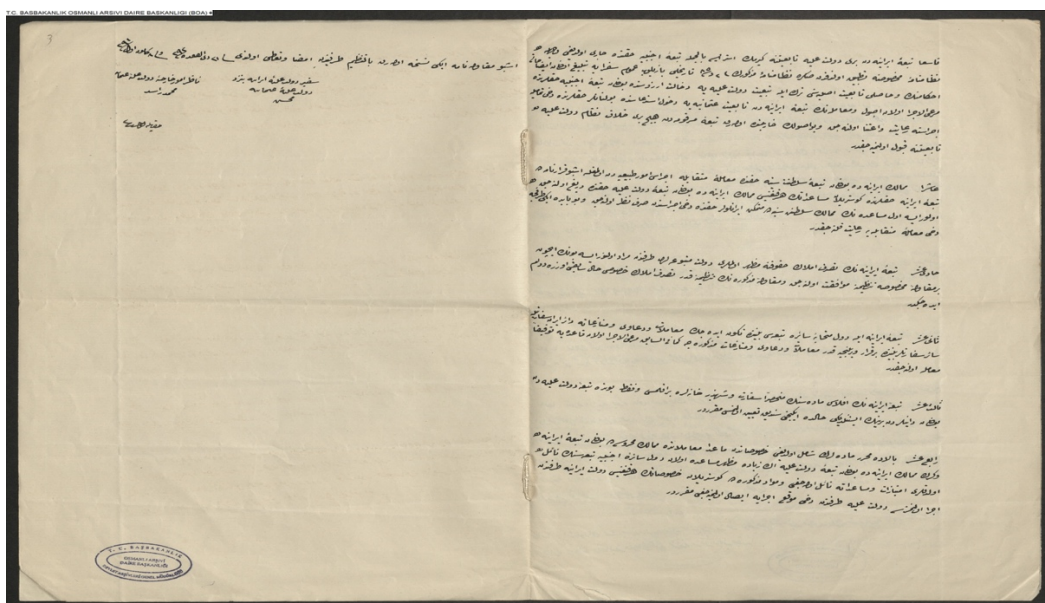
³¹⁷ BOA.DVN.NMH.22/4 (1875 agreement) Reciprocal procedures concerning Ottoman citizens living in Iran would also be carried out.

³¹⁸ BOA.DVN.NMH.22/4 (1875 agreement).

problems between the Iranian subjects and Iranian *shahbandars*.³¹⁹ *Shahbandars* were responsible for Iranian bankruptcies.³²⁰ This was a similar capitulatory privilege already given to the Europeans. As Van Den Boogert states, the consul had jurisdiction when subjects of a European state bankrupted.³²¹ *Shahbandars* also had the right to protect Iranians who were coming to or leaving Ottoman territories. They could provide protection to the Iranians by applying to local authorities.³²²



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³¹⁹ *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 3.

³²⁰ *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 3.

³²¹ Van den Boogert, *Capitulations*, 226.

³²² *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 3.

Figure 1: A copy of the agreements signed by the Ottoman and Qajar States within the context of Nasir al-Din Shah's Istanbul visit at the Prime Ministry Ottoman Archives.

BOA.A.DVN.NMH.43/2

Iran became a capitulatory foreign state, but the extent of its capitulatory privileges did not compare to those of most European countries, such as France, England and Holland.³²³ The Iranians did not gain fuller capitulatory rights including legal privileges regarding economic activities such as tax exemption; there is no mention of them. Foreigners who were granted capitulatory privileges had been enjoying tax exemption. As Van Den Boogert claims, tax exemption was a determining factor in the legal status of foreigners.³²⁴ However, foreign Iranians were not granted tax exemption. The fifth article of the signed agreements stated that Iranians engaged in trade or a craft would be treated as Ottoman subjects and pay the same taxes as Ottoman subjects.³²⁵ This was a reference to the Ottoman State regulation over the Iranians' business and the collection of the *temettü* (profits/income) tax.³²⁶ Nationals of foreign states were exempt from paying *temettü* to the Ottoman State if they practised a craft or trade within the Ottoman Empire.³²⁷ However, the Ottoman State explicitly stated that the Iranians would pay the profits tax even though

³²³ See Suraiya Faruqi, *The Ottoman Empire and the World Around It*, (London&NewYork: I.b. Tauris, 2004), 144-150.

³²⁴ Van den Boogert, *Capitulations*, 33.

³²⁵ Hamisen: memâlik-i mahrûsede ikâmet eden teb'a-yı İranîye devlet-i âliye teb'ası misillü hıref ve sanayi icra etmek ve esnâflık sıfatına girmek isterler ise ale'l-umûm esnâf hakkında mer'ıyyü'l-icra olan kaffe-i nizâmât ve kavâninden müstefid olacaklarından esnâflık ve hırfet ve sanat icrâ ettikçe teb'a-i devlet-i âliye misillü zıkr olunan nizâmât ve kavânin ve usûle tâbi ve bu cihetle teb'a-i devlet-i âlîyenin mükellef oldukları rûsûmâtı te'diye mecbûr olacak ve esnâflığa müteâllik husûsât ve muamelâtta doğrudan doğruya mehâkîm ve mecâlîs ve memûrîn-i devlet-i âliye indinde mesûl bulunacaklar ve binâenaleyh doğrudan doğruya mehâkîm ve mecâlîs ve memûrîn-i mahalliyyeye müracaât edeceklerdir. Fifth article of the agreement published by *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 3.

³²⁶ The existing literature does not distinguish between *temettü* and *esnâf* taxes; However, a document from the Ottoman State collected was taken from Anatolian residents was called *temettü* tax, whereas the same tax that was collected from Istanbul residents was called *esnâf* tax. BOA.HR.HMŞ.İŞO.186.94, 23 Zilhicce 1316 (4 May 1899).

³²⁷ Stanford Shaw, 'The Nineteenth-Century Ottoman Tax Reforms and Revenue System', *International Journal of Middle East Studies*, no.6, 1975:421-459, 428.

they were foreigners.³²⁸ The Ottoman State was reluctant to grant such an exemption to the Iranians not only because it did not want to lose tax revenues – because most Iranians working in the Ottoman Empire were *tüccâr* (merchants) and *esnâf* (craftsmen/shopkeepers) –, but also because they wanted to continue to apply the pre-Tanzîmât understanding of *Dâr al-Islâm* to Iranians, as the aforementioned telegram sent by the Ottoman ambassador to London to the Ottoman Foreign Ministry which defines capitulations as the privileges given to the ‘Christian powers in the age of darkness’ showed.³²⁹

In his previously mentioned article on the Law of Ottoman Nationality, Namık Kemal posed a question criticising the law: ‘Although many people of Islam in Baghdad and many other places asked for Iranian protection, why were they excluded (from the obligations that the nationality law brought)?’.³³⁰ This question criticised the Law of Ottoman Nationality in preventing the rising number *protégés*, which was the main motivation of the law’s legislation. Namık Kemal implied that the nationality law which drew a boundary between the Ottomans and foreigners, had no affect on the Ottoman Muslim subjects, most probably the Shiites, who asked for Iranian protection or claimed they were Iranians. This was because the Iranian State was not classified as a foreign state. The point raised by Namık Kemal could be one of the motivations behind the Ottoman

³²⁸ This regulation was also applied to Greeks. After the Greeks gained independence, many Greeks of the Ottoman Empire went to and became subjects of Greece. However, many others stayed within the Ottoman Empire. Since they were former Ottoman subjects, the Ottoman State was reluctant to consider them as foreigners. Some documents from the Ottoman State Archives show that Greeks and Iranians were the only foreigners that were treated as Ottoman subjects in terms of paying some taxes. See Serbestoğlu, 235-256; 325-327. BOA A.MKT.MHM 478.4 15 Muharrem 1292 (21 February 1875). *Îrân ve Yunân devletleri teb’aları haricinde ecnebî teb’adan temettü vergisinin alınmaması*.

³²⁹ The collection of taxes on profits from the Iranians became problematic. The Iranian merchants and craftsmen conflicted with the Ottoman State and asked for Iranian State protection on several occasions. This issue will be examined in the third chapter of this dissertation.

³³⁰ ‘Halbuki Bağdad’da vesâir yerlerde nice bin ehl-i İslâm Îrân mahmîyyeti iddiâsında bulunuyor. Onlar neden istisnâ olunmuş?’ Namık Kemal, ‘Tabî’yet-i Osmaniye’, *Hürriyet*, 8 Zilhicce 1285 (22 March 1869), 1-3.

State's accepting the Iranian State's requests to become foreigners and receive capitulatory privileges. The Ottoman state wanted the 1873 agreement to make up for what the Ottoman nationality law had failed to do. The Ottoman State must have seen the occasion that the Iranian State asked for foreigner status as an opportunity to control the demography of Ottoman Iraq. The Ottoman desire to curb the rising Iranian population and dominance in Ottoman Iraq must have triggered the Ottoman State's decision to re-shape the legal status of Iranians.

During the nineteenth century, there was a rising Iranian population in Ottoman Iraq and the Ottoman and Qajar states were involved in a power struggle over the region. Many Iranians in this period came to Iraq to be educated by Shiite scholars who resided there as well as to settle in Shiite holy cities.³³¹ Many Iranian subjects travelled to the Atabat, the Shiite holy sites in Iraq, namely Karbala, Najaf, Qazimayn and Samarra.³³² In addition, many Iranians attempted to bury their dead in Iraq.³³³ The Ottoman State was not only anxious with regard to the increasing Iranian population but also the expansion of Shiism in Iraq. A document from the Ottoman Prime Ministry Archives presented that the Ottoman State charged an Ottoman officer to differentiate the Ottoman and Iranian subjects in 1860. It said that 'the great majority of the people on this area is from Shia sect and Iran accepted them as its subject under different pretexts'³³⁴ and since most of the

³³¹Gökhan Çetinsaya, *The Ottoman Administration in Iraq*, 99-100.

³³² Mohammed Reza Nasiri, *Nasireddin Şah Zamanında Osmanlı-İran Münasebetleri (1848-1896)*, (Tokyo: Institute for the Study of Languages and Cultures of Asia and Africa, 1991), 96-100. These visits generally resulted in turmoil; many died and many others were injured.

³³³ Nasiri, 96-100. Vital Cuinet described such visits and burials taking place not in this period but later in 1890s in detail. Cuinet stated that many Iranians who came to visit Shiite holy cities brought their deads to bury in those cities which became a concern for the local peoples' health. These deads were washed in those cities before the burial. For that reason, the Ottoman State established 13 health offices in Baghdad, Hanakin, Pendjuin, Rayat, Basra, Qarbala and Najaf. The Ottoman governorates were requesting taxes from these Iranians as well as the Shiites who were Ottoman subjects for the health services. The deads were carried via mules in caravans. People were shouting and singing religious songs and elegies for Ali, Hassan and Huseyn. Cuinet, *La Turquie d'Asie*, v.2 11-15.

³³⁴ '...o taraf ahâlîsinin ekserisi Şiâ el mezheb olup birer bahâne ile Devlet-i İrânîye bahîs-i tâb'iyet ve cem'âtine alınmakta olmasıyla.' BOA. MVL.755-43, 10 Zilkade 1276 (30 May 1860).

houses, shops and estates were owned by the Iranians which is against the traditional rules and will cause problems in the future.³³⁵ The document presents the complaints from the region as many estates and lands fell into the hands of the Shiites who later became Iranian *teb'a* for some reason. It stated that it became very difficult to distinguish Iranian *teb'a* from Ottoman *teb'a* and asked the government to solve this problem.³³⁶ The confusion between the Ottoman and Iranian subjects included non-Muslims as well. It was not only Ottoman Shiite subjects who asserted that they were not Ottoman but Iranian subjects. For instance, in 1848, eighty-four Jews asserted that they were not Ottoman but Iranian subjects and claimed that they were not required to pay *jizya* and asked to return the taxes that they already paid.³³⁷ After the investigation, the Ottoman State accepted that those Jewish subjects were Iranian *teb'a* and decided not to collect *jizya* from them.³³⁸

It is possible to trace the rising Iranian population and dominance as well as the Ottoman subjects who became Iranian subjects in the letters of officers stationed in Iraq during that period. Osman Hamdi Bey³³⁹, who was in charge of foreign relations in Baghdad between 1869 and 1872, wrote to his father that 'when Hussein Khan (1828-1881) (Mirza Hussein Khan Mushir al-Dawleh), the Iranian ambassador to Istanbul, came to Baghdad, all the Iranians and Ottomans who had converted to Shiism and become Iranian subjects plotted in the streets. People were shouting, women were ululating, the water carriers were wetting the ground before Hussein Khan and sheep were sacrificed.'³⁴⁰

³³⁵ BOA. MVL.755-43, 10 Zilkade 1276 (30 May 1860).

³³⁶ BOA. MVL.755-43, 10 Zilkade 1276 (30 May 1860).

³³⁷ BOA.İ.HR.46-2205, 18 Şaban 1264 (20 July 1848).

³³⁸ BOA.MVL.60-6 5 Şaban 1264 (7 July 1848).

³³⁹ Osman Hamdi Bey (1842-1910), the foreign relations officer in Baghdad, was the famous Ottoman painter Osman Hamdi Bey.

³⁴⁰ Edhem Eldem, *Osman Hamdi Bey Sözlüğü*, (The Dictionary for Osman Hamdi Bey) (Ankara: Kültür ve Turizm Bakanlığı Yayınları, 2010), 77. Translation is mine.

The Ottoman State took measures to curb the increasing Iranian and Shiite populations and dominance. The Ottoman State restricted the number of Iranians allowed to be buried in Iraq, tried to limit visits by Iranians to Shiite holy places in Ottoman territories, and made it difficult for Iranian subjects to obtain permission to repair their houses and upgrade their estates, thereby forcing them to leave Iraq.³⁴¹ In 1849, the Ottoman State forbidded the possession of a real estate by a foreigner and to sell their real-estates within three months.³⁴² However, the state ordered ‘not to do any action against those [Iranians], who became Ottoman subjects and those who presented a voucher to become one.’³⁴³ This meant that those who were already Ottoman subjects and others who made a formal claim that they would become Ottoman subjects and showed an Ottoman subject as a guarantor for this, would not be included.³⁴⁴ In addition to these, the Ottoman State rejected most of the Iranians’ and Shiites’ requests to establish Shiite madrasas in the region, in the Tanzîmât period. This was related with the fact that rising number of the Iranians who had acquired land in the Iraq province alarmed the Ottoman local government and the Tanzîmât’s efforts of educational modernisation, as Ceylan argues.³⁴⁵ Because Ottoman waqf, (institutions for endowment),³⁴⁶ incomes began to be taken directly by the Ottoman State as a result of the centralizing Tanzîmât reforms, the Sunni madrasas and ulama were no longer financially supported by waqf incomes which gave way to the weakening of

³⁴¹ Nasiri, *Nasireddin Şah Zamanında*, 92; 100-104.

³⁴² BOA.İ.MSM. 34.965, 1 Zilkade 1264 (29 October 1849) This order was written officially to British and Persian consuls in Baghdad on 29 October 1849.

³⁴³ BOA. A.MKT 179 – 12, 11 Rebiülahir 1265 (6 March 1849).

³⁴⁴ This voucher system was used in the Ottoman Empire in different centuries. It can be a ‘kefalet’ (guarantee) for a person or a person’s debt. The *kefil* (voucher/guarantor) should be a respectful person and by becoming a *kefil*, he guarantees to take responsibility for another person or his debts. See, H. Yunus Apaydın, ‘Kefalet’, TCV İslam Ansiklopedisi, <https://islamansiklopedisi.org.tr/kefalet> (24.06.2022). Being a ‘kefil’ for a person can be part of social control or a necessity when someone makes a legal request to the state. See Yunus Uğur; Beyza Topuz Demir, ‘Mahalle: Bir Mensubiyet ve Mesuliyet ilişkisi Olarak Osmanlı Şehirleri ve Kefalet Sistemi Örneği’, *Kent ve Maneviyat*, eds Seyfettin Erşahin, Zehra Erşahin, (Ankara: İdealkent Yayınları), 2020, 461-484.

³⁴⁵ Ebubekir Ceylan, *Ottoman Origins of Modern Iraq*, 213.

³⁴⁶ For an analysis of waqf in Muslim societies see Amy Singer, *Charity in Islamic Societies, Themes in Islamic History*, (Cambridge: Cambridge University Press, 2008).

Sunni institutions and education in Ottoman Iraq.³⁴⁷ On the other hand, Shiite *mujtahids* (interpreters of Islamic law) in Ottoman Iraq were receiving funds and donations from Iran and India and distributing that money to students and the poor, which provided them power and prestige, thus, enabled them to expand Shiism in local tribes.³⁴⁸ In addition, many Indian Shiites visited the Atabat or lived there.³⁴⁹ The bequests given by India, which was under British rule, opened the door to British influence, as well.³⁵⁰ Starting from Tanzîmât era and during the Hamidian period, the Ottoman State supported the opening of Sunni institutions in the region in response to the expansion of Shiism in Iraq. The Ottoman State aimed to establish modern schools of Sunni curriculum, provided financial support to Sunni madrasas and ulama in the region and aimed at 'Hanefisation' of the region's population.³⁵¹

In such an atmosphere, the Ottoman State's agreement to a treaty on the legal status and capitulatory privileges of the Iranians may have stemmed from a desire to regulate the growing number of Iranian subjects in Ottoman Iraq. In other words, the Iranian State's request to sign an agreement on the legal status of Iranians probably served the Ottoman State's purpose of defining who were Ottoman subjects and who were Iranian subjects in the region in order to prevent the increasing number of Ottoman subjects asking for Iranian protection. This would also serve to prevent increasing Iranian dominance in the region. The Ottoman and Iranian States agreed to make a settlement for the legal status of the Iranians, but their expectations of such a settlement were completely different. The Iranians and the Iranian State wanted to be treated similarly to the subjects of the European

³⁴⁷ Gökhan Çetinsaya, 'The Caliph and Mujtahids: Ottoman Policy towards the Shiite Community of Iraq in the Late Nineteenth Century', *Middle Eastern Studies*, v.41, no.4, (July 2005): 561-574, 562.

³⁴⁸ Çetinsaya, 562.

³⁴⁹ Çetinsaya, 562.

³⁵⁰ Çetinsaya, 562.

³⁵¹ Ebubekir Ceylan, *Ottoman Origins of Modern Iraq*, 213; Çetinsaya, 'The Caliph and Mujtahids', 562.

capitulatory states. However, the Ottoman State was not prepared to grant such privileges. Instead, it tried to designate a special foreigner category for the Iranians.

By providing the Iranians with the foreigner status the Ottoman State drew a boundary between the Ottomans and Iranians hoping to prevent Ottoman subjects, mainly Shiites, from claiming Iranian protection or subjecthood. However, this foreigner status would allow the Iranian population to ascend through marriages. The Law of Ottoman Nationality (1869) decreed that an Ottoman woman who married a foreign man immediately assumed her husband's nationality.³⁵² Ottoman women who married Iranians, who were defined as foreigners by 1873, were also considered Iranians, increasing the Iranian population. If an Ottoman Sunni Muslim became an Iranian national via marriage, there was a possibility that he would convert to Shiism. The Iranians' attainment of foreigner status fuelled Ottoman fears of Iranian political hegemony in Iraq. Thus, a marriage prohibition between the Ottomans and Iranians came to the Ottoman agenda as a solution to this problem.³⁵³

Marriage prohibition between Ottoman nationals and Iranians was first mentioned in the introduction part of the instructions of 1873.³⁵⁴ The text only referred to the prohibition of marriages between the Ottoman woman and Iranian men by stating *...kız almaları...*

³⁵² Serbestoğlu, *Osmanlı Kimdir?*, 72. Serbestoğlu argues that the law's construe will of marriage was similar to European counterparts. According to the French Law of Citizenship, passed on 21 March 1804, a foreign woman married to a French man became a French national. Similar laws were also passed in Austria (1832), England and Germany (1870), Belgium (1881), Spain (1889) and Russia (1896). See Rona Akbay, *Kadının Uyraklığı Üzerinde Evlenmenin Tesiri*, Ankara 1980, 3-8, cited in Serbestoğlu, 71. In all these citizenship laws, the woman had a 'dependant' citizenship deriving from the nationality of her husband. See Sabina Donati, 38. The Law of Ottoman Nationality did not specify how foreign women married to Ottoman men would be treated. Since it stated that women adopt their husbands' citizenship, it is generally accepted that these women were no longer foreigners but Ottoman citizens. France and Italy ignored the Ottoman state's attitude on the issue and continued to consider these women to be their citizens. Serbestoğlu, 72. To solve this problem, the Ottoman state passed a new law stating that if a foreign woman married an Ottoman man, she would become Ottoman citizen. The state then sent word of this law to all cities of the empire. Serbestoğlu 72-73.

³⁵³ Marriage prohibition between the Ottomans and Iranians has been largely discussed by Karen Kern in her book *Imperial Citizen*.

³⁵⁴ *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 2.

memnû olduğundan (taking a girl was forbidden).³⁵⁵ The law prohibiting such marriages was passed in 1874, a year after the shah's visit.³⁵⁶ This law not only contradicted the Law of Ottoman Nationality, which allowed Ottoman nationals to marry foreigners, but also restricted the Iranians' rights arising from their foreigner status. Although other 'foreigners' were allowed to marry Ottoman nationals,³⁵⁷ the Ottoman State prohibited Iranians from marrying Ottomans. The law contained three articles:

- 1) 'Marriages between Ottoman and Iranian citizens, as in older times, are strongly prohibited.
- 2) Those authorised to perform marriages who act against the prohibition will be held responsible.
- 3) If a woman who is an Ottoman citizen marries an Iranian citizen against the prohibition, both the woman and her children will be considered Ottoman citizens and liable for conscription, military tax and all other financial obligations.'³⁵⁸

This marriage prohibition had several dimensions, one of which was the sectarian dimension. The claim that the law prohibits such marriages 'as in older times' refers to the old marriage prohibitions between Sunnis and *Kızılbaş* and/or Shiites. During the reign of the Ottoman Sultan Selim I in the sixteenth century, many *fetvâs* were issued prohibiting marriage between Sunnis and the *Kızılbaş* in response to *Kızılbaş*³⁵⁹ uprisings that took

³⁵⁵ *Rûznâme-i Cerîde-i Havâdis*, 28 August 1873, 2.

³⁵⁶ BOA, Y.A.RES, 37-8, 25 Şaban 1291 (7 October 1874).

³⁵⁷ BOA.DH.SN.THR. 11 27, 16 Şubat 1328 (1 March 1913) *Teb'a-yı İrânîye*'den başka *teb'a-yı ecnebîyenin teb'a-yı Osmanîye ile izdivâc edebileceklerine dair*, cited also in Kern, 108. Kern mentions a document dated 1881 in which the Ottoman State claimed that there was no marriage prohibition on any other of the state's subjects except the Iranians. She added that however, the Greeks' legal situation constituted a problem for the Ottoman State, just as the Iranians' did. She also states, however, legal advisors did not find it necessary to prohibit the marriages between the Ottomans and Greeks. Kern, *Imperial Citizen*, 94-95.

³⁵⁸ BOA, Y.A.RES, 37-8, 25 Şaban 1291 (7 October 1874) cited in Kern, *Imperial Citizen*, 90. Translation is Kern's.

³⁵⁹ The word *Kızılbaş* is generally used to define 'a wide variety of so-called extremist Shi'i sects, which flourished in eastern Anatolia from the late 7th/13th century onwards, including such groups as the Alevis.' See Savory, R.M., 'Kizil-Bash', *Encyclopaedia of Islam*, 2nd edition, eds, P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, and W.P. Heinrichs, Brill Online, 2015.

place in Eastern Anatolia.³⁶⁰ Karen Kern extends a line from these sixteenth-century Sunni-*Kızılbaş* marriage prohibitions through to a 1822 edict in which the Ottoman sultan Mahmud II prohibited marriages between Ottomans and Iranians and ‘persons of unknown lineage who are inclined to Shi’ism and Rafizi *mezhebs*’ as well as to the 1874 marriage prohibition. Kern says that ‘the original basis of the prohibition—the Shi’i-Sunni religious difference—was continually invoked to support the continuation of the prohibition’.³⁶¹ The Ottoman State explicitly stated this in a document dated 1895: ‘The goal of the prohibition was the prevention of the spread of Shiism in the Ottoman State, whose increase would result in conflicts between *mezheps*’.³⁶²

Another indication showing the laws’s sectarian concerns was the prohibition’s extension to the Shiite Indians. In a report sent by the British consul in Baghdad, Colonel Herbert, to Mehmed Redif Paşa, the Ottoman governor of Baghdad, it is stated that a British Indian subject wanted to marry a girl from Baghdad, however the Ottoman kadı did not perform the marriage because the Ottoman slaves were not permitted to marry foreigners.³⁶³ The British consul asked the Ottoman governor if this was really the case or not. However, the governor replied that the reason was that the Ottoman women were not permitted to marry foreigners.³⁶⁴ The British Ambassador for Istanbul asked the Ottoman State to clarify this point because they were not aware of any law regarding this and British subjects married

http://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/k-i-zi-l-ba-s-h-SIM_4415 accessed on 26 January 2015.

³⁶⁰ See Fariba Zarinebaf Shahr, ‘Kızılbaş ‘Heresy’ and Rebellion in Ottoman Anatolia During the Sixteenth Century’, in *Anatolia Moderna*, 7, (1997): 1-15.

³⁶¹ Karen Kern, *Imperial Citizen*, 96.

³⁶² BOA, M.V. 81–67, 26 Receb 1312 (23 January 1895) cited in Kern, 109.

³⁶³ FO 3060/2 (i) Reprinted in David Gillard (ed.), *British Documents on Foreign Affairs: Reports and Papers from the Foreign Office Confidential Print, Part I: From the Mid-Nineteenth Century to the First World War, Series B: The Near and Middle East, 1856-1914, Vol. 6: The Ottoman Empire in Asia, 1860-1880* (Frederick, Md.: University Publications of America, 1984), 193. From Colonel Herbert to Redif Paşa (Baghdad) 23 May 1874.

³⁶⁴ FO 3060/2 (i) *Reports and Papers from the Foreign Office Confidential Print*, 193. From Redif Pasha to Colonel Herbert, 24 May 1874.

the Ottomans for a long time.³⁶⁵ As a reply, the Ottoman State claimed that this was a sectarian prohibition.³⁶⁶ The same point was indicated in another report. It stated that the Ottoman State claimed that this prohibition was a sectarian one which was first applied to the Iranians and then to Indian Shiites.³⁶⁷ However, if a person proved that he was based in Baghdad and adopted Ottoman nationality, the law would not be applied to them.³⁶⁸

Sectarian anxieties were indeed on the Ottoman agenda; however, this does not mean that the marriage prohibition was based on them. Evaluating this nineteenth-century marriage prohibition between Ottomans and Iranians in the context of Shiite-Sunni conflicts fails to account for changes in the idea of nationality. The possibility of marriage between an Ottoman Sunni and an Ottoman Shiite is itself evidence that the basis of legal identification was shifting from being a subject of *Dâr al-Islâm* to nationality. Likewise, marriage between Ottoman Sunnis and Iranian Sunnis was also banned, clearly showing that the marriage ban was not based on sectarian divisions rather on changing notions of subjecthood and nationality.³⁶⁹ It is likely that the law was passed in part to assuage Ottoman anxiety regarding the growing Iranian population and their cultural dominance over Ottoman Iraq. By prohibiting marriages between Ottomans and Iranians, the Ottoman State intended not only to control Shiite domination but also to curb the growing Iranian

³⁶⁵ FO 3060/2 (i), *Reports and Papers from the Foreign Office Confidential Print*, 193. 27 June 1874 Sir Elliot to Aarifi Pasha.

³⁶⁶ FO 3060/2 (i), *Reports and Papers from the Foreign Office Confidential Print*, 193. Aarif Pasha to Sir Elliot, 30 August 1874.

³⁶⁷ FO 3060/2 (i), *Reports and Papers from the Foreign Office Confidential Print*, 194. Sir Elliot to Aarifi Pasha, 7 October 1874.

³⁶⁸ FO 3060/2 (i), *Reports and Papers from the Foreign Office Confidential Print*, 194. Sir Elliot to Aarifi Pasha, 7 October 1874.

³⁶⁹ This point is also mentioned by Abdurrahman Atçıl in his book review of Karen Kern's book. Abdurrahman Atçıl, 'Karen M. Kern, The Prohibition of Sunni-Shi'i Marriages in the Ottoman Empire: A Study of Ideologies', *Türkiye Araştırmaları Literatür Dergisi*, c. 3, no. 5, 2005: 849-854, 852.

population and maintain Ottoman power in Iraq.³⁷⁰ This intention was also reflected in the report Sir Elliot sent to the Earl of Derby.³⁷¹ A year after the legislation of the marriage prohibition, Elliot wrote that the Ottoman State finally admitted that this prohibition was not a religious one, it was legislated to curb the rising number of the people who had territorial jurisdiction. He added that, the intended population was not Indian British but Iranians.³⁷²

Although the first article of the law stated that marriages between Ottoman and Iranian nationals were prohibited, the third specified how Ottoman women and their children were to be classified if they married Iranian men. This was because the purpose of the prohibition was to curb the rising Iranian population and dominance in Ottoman Iraq. The Ottoman State's concern was thus with the nationality of the women and the children and not with the act of marriage itself. This third article of the law suggests that even the Ottoman State, the lawmaker, foresaw that such marriages would take place despite the prohibition. It implicitly admits the legality of those marriages; indeed, documents in the Ottoman State Archives present cases in which Ottoman women and Iranian men were married and that the marriage was accepted by the Ottoman State. The Ottoman State showed tolerance to the marriages of Iranian men and Ottoman women and accepted them as legal if they did not declare Iranian nationality. For example, in 1868, Iranian shahbandar in Adana asked Ottoman governote in Adana about the marriages of Iranian man and Ottoman woman and the situation of their children.³⁷³ The Porte wrote Adana that the children from such marriages would be considered as Ottoman and if the couple would

³⁷⁰ This issue is discussed by Karen Kern who states that 'the demographic aspect of marriage was important to Ottoman frontier policies because women and their choice of husbands were intimately linked to Ottoman domestic and geopolitical policies'. See Kern, *Imperial Citizen*, 25.

³⁷¹ FO. 3060/5, *Reports and Papers from the Foreign Office Confidential Print*, 194, 27 May 1875.

³⁷² FO. 3060/5, *Reports and Papers from the Foreign Office Confidential Print*, 194, 27 May 1875.

³⁷³ BOA.HR.MKT.603-28, 26 Şevval 1284 (20 February 1868).

not claim Iranian nationality after marriage, they could marry. Another example is from Ünye, Samsun. An Iranian merchant, Ahmet Aga, from Canik wanted to marry an Ottoman woman from Ünye.³⁷⁴ However, the Ottoman local officers did not allow that marriage. Upon Ahmed Aga's objection, the Ottoman State concluded that because both man and woman wanted to marry and there was no religious prohibition against them marrying each other, they could marry each other if they guaranteed that they would not later claim Iranian nationality. Their children would be considered as Ottoman.³⁷⁵

However, this does not mean that the Ottoman State applied no sanction or overlooked the violations of the ban. The Ottoman State's attitude towards these marriages was to punish the Iranian man and the *hoca* (Muslim cleric) or *kadı* (Muslim judge) who had performed the marriage. For example, a document from 1882 describes a case that an Ottoman girl Zehra married an Iranian man Sadık despite the prohibition.³⁷⁶ The marriage was performed by an Iranian *akhund*. The Ottoman State ordered this *akhund* to be punished to prevent other *akhunds* from performing such marriages. Another example: in 1906 an Iranian man, Fıstıkçı İbrahim, and an Ottoman woman, Safinaz from Asitane, were married despite the ban. The Ottoman State did not punish Safinaz but sent İbrahim and Hoca Ali, who had performed the marriage, to Iran.³⁷⁷ The Ottoman State not only punished the man and hoca or *akhund* who had performed the marriages, but also warned its governates to prevent the marriages which were performed with the permission of the Iranian shahbandars. In 1887, an Ottoman woman Tuti Hatun in Karataş in Adana married an Iranian man named Abdullah despite the prohibition.³⁷⁸ The Ottoman State wrote the

³⁷⁴ BOA.HR.MKT.464-57, 13 Receb 1280 (24 December 1863).

³⁷⁵ BOA.HR.MKT.464-57, 13 Receb 1280 (24 December 1863).

³⁷⁶ BOA.HR.UHM.228-78, 25 Ramazan 1299 (10 August 1882).

³⁷⁷ BOA.ZB.63.98, 29 Kanunusani 1321 (11 February 1906).

³⁷⁸ BOA.DH.MKT.1467-95, 18 Rebiülevvel 1305 (4 December 1887).

governor to prevent such marriages which were taking place in many other cities across the empire with the permission of Iranian shahbandars.

Although the Ottoman State punished Iranian men who married Ottoman women in violation of the ban, it did not punish them if the husband became an Ottoman national before or even after the marriage took place. For example, *Tönbekici* (tobacco seller) Rıza, who was an Iranian subject, married an Ottoman woman and became Ottoman national.³⁷⁹ The Ottoman State did not punish him and considered the marriage to be legal.³⁸⁰ The increasing number of Iranian men who changed their nationality to marry Ottoman women eventually alarmed the Iranian State. The Iranian State discouraged such marriages. Muin al-Mulk, the Iranian ambassador to Istanbul between 1873 and 1890, stated in one of his reports that the Iranian State advised Ottoman-resident Iranians not to marry Ottoman women and directed the *imams* not to perform such marriages.³⁸¹ In a report dated 17 November 1902, the Iranian State stated that many Iranian men had disavowed their Iranian nationality because they fell in love with Ottoman women.³⁸² It added that this was because, according to current law, Iranians were not allowed to marry Ottomans. The report stated that a discussion of this law was being conducted between the Iranian and Ottoman States. It added that it was inappropriate to impose such a prohibition between the nationals of two Islamic countries and that to revoke the ban on marriages between Ottomans and Iranians would contribute to better relations between the Ottoman and

³⁷⁹ BOA.DH.MKT.335.13, 23 Receb 1312 (20 January 1895).

³⁸⁰ BOA.DH.MKT.335.13, 23 Receb 1312 (20 January 1895).

³⁸¹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 41, 2 Zilhijja 1305, (10 August 1888).

³⁸² Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), GH1320- K14- P7- 12, 15 Şaban 1320 (17 November 1902).

Iranian States. The report also stated that, on the other hand, it could result in Iranian men leaving their Iranian wives to marry Ottoman women.³⁸³

The third article of the marriage prohibition law, concerning the fact that Ottoman women married to Iranian men and any children resulting from such a marriage would be considered to be Ottoman gave way to conflicts regarding the inheritance of property and the conscription of sons resulting from such marriages into the Ottoman army. Because the children of Iranian men and Ottoman women were considered to be Ottoman nationals, the Ottoman State gave these children the right to inherit their mother's property by applying to the *Bâb-ı Fetvâ* (office for fetvas).³⁸⁴ This would allow land in Iraq to fall into the hands of the Iranians which would be against the purpose of the law. To prevent this, the Ottoman State declared that the Iranian Embassy could be involved in the execution of estates only if the deceased was an Iranian national.³⁸⁵ The Iranian Embassy only had the right to register and divide movable goods, not immovable ones.³⁸⁶ The Ottoman State would divide the immovable property only among Ottoman nationals.³⁸⁷

The most conflicting part of the law was regarding the conscription of the sons of Iranian man-Ottoman woman couples into the Ottoman army. It was clearly stated in the previously mentioned agreements that since they had become foreigners, Iranians did not have to perform compulsory military service. Because children assumed their fathers' nationality according to the Law of Ottoman Nationality, the sons of an Iranian man and an

³⁸³ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), GH1320- K14- P7- 12, 15 Şaban 1320 (17 November 1902).

³⁸⁴ BOA.YPRK. MŞ 5 33 29 Cemaziyülevvel 1311 (8 December 1893). *Bâb-ı Fetvâ*, also known as *Bâb-ı Meşihat* or *Fetvâhâne*, is the name of the Ottoman Şeyhülislam's house used to work through legal issues. This house later essentially became a legal institution. See Mehmet İpşirli, 'Bâb-ı Meşihat', *İslam Ansiklopedisi*, (Encyclopedia of Islam), c.4, (İstanbul: TDV, 1991), 362-363.

³⁸⁵ Kern, *Imperial Citizen*, 136.

³⁸⁶ Kern, 136.

³⁸⁷ BOA, M.V. 40-46, 26 Cemaziyülahir 1306 (27 February 1889) and M.V. 61-12, 15 Cemaziyülevvel 1308 (27 December 1890) cited in Kern, 136.

Ottoman woman should be considered Iranian and thus exempt from Ottoman military service. However, after the marriage prohibition edict, which classified the sons of such couples as Ottoman, the Ottoman State and its resident Iranians debated whether these children were subject to compulsory military service or not. The *Ahz-ı Âsker Nizâmnâmesi* (Regulations on Conscription) enacted on 25 October 1886, included an article stating that with the exception of Iranian nationals, the sons of foreign nationals residing within the Ottoman territories were exempt from military service.³⁸⁸ This did not imply that all sons of Iranians living within the Ottoman territories would be conscripted, however; the regulation mainly concerned the sons of Ottoman women and Iranian fathers who could be conscripted into the Ottoman army because they were Ottoman subjects.³⁸⁹ This resulted in conflicts between the Ottoman and Iranian States, and the Iranian State protected its Ottoman-resident subjects by opposing and negotiating with the Ottoman State which will be discussed in the third chapter of this dissertation.

Conclusion

The Ottoman State wanted to clarify the legal status of Iranians and disseminated an edict to courts across the empire stating that all cases involving Iranians would take place in Ottoman courts. This was in accord with the Erzurum treaties which stated that all cases involving Iranians were to be tried according to Islamic law, thus, in Ottoman courts.³⁹⁰ However, the Iranian State perceived this as a limitation of privileges granted by the Erzurum treaties. Or, more precisely, the Iranian State found it to be the perfect occasion to

³⁸⁸ 'Düvel-i ecnebîye tebaasından olup memalik-i şahânenin mükellefiyeti askeriye tahtında bir mahalline nakil ile tavattun ve tehhül edenlerin tebaai iraniyeden maadasının evlâdı tabiiyeti ecnebîyede bulundukça hizmeti askeriyeden müstesnadır.' *Düstur*, 1. Tertip, 5. Cilt, (Ankara: Başvekalet Matbaası, 1937), 664. (Edict enacted on 25 October 1886).

³⁸⁹ BOA.A.MKT.MHM.492.58 (20 Safer 1304) (27 November 1886) İran teb'asının tekâlif-i askeriye ile mükellef olmadıkları halde İranlılarla izdivâc eden Osmanlı kadınlarının çocuklarının, askerlikle mükellef olacağı.

³⁹⁰ Masters, 'Changing Status of Iranians', 14.

pressure the Ottoman State to grant capitulatory privileges. The Iranian State used Nasir al-Din Shah's planned visit to the Ottoman capital as an occasion to reopen the issue of their legal status and capitulatory privileges. The Ottoman State, in considering the Iranian State's and the Iranians' requests and reactions, essentially created a new legal foreigner category for the Iranians. Although the Iranians wanted the capitulatory privileges granted to the foreign nationals of European states such as France, Holland and England, the Ottoman State created a special foreigner category unique to the Iranians. The state gave only limited extraterritorial rights to the Iranians and reconstructed their foreigner status via new laws and regulations, limiting the rights and privileges that had been granted in agreements between the Ottoman and Qajar States. As a result, the Iranians did not have the same rights and privileges deriving from their legal status as Europeans. Iranians were treated as Ottoman subjects when they were involved in trade and paid *temettü* taxes to the Ottoman State and they were prohibited from marrying Ottomans, and if married, their children would be considered as Ottoman.

The Ottoman foreigner category, which was introduced into the Ottoman legal framework via the Law of Ottoman Nationality (1869), though without reference to foreigners' rights and duties, was constructed for the Iranians within the context of Nasir al-Din Shah's Istanbul visit in 1873. This foreigner category classified Iranians as a separate entity, like the French, British and Russians. They were no longer regarded as Muslim subjects or *dhimmis*, but as foreigner-Iranians. Becoming legally foreigner made the Ottoman-resident Iranians visible in the Ottoman legal framework, which was the first phase of their transition into a visible foreign Iranian community. Becoming foreigner provided a legal platform for other legal, social, and intellectual transformations. It enabled Ottoman-

resident Iranians to establish legal bonds with the Iranian State and to found social and political institutions, which will be discussed in the coming chapters of this dissertation.

Chapter Two: The Ottoman-Resident Iranians' Attachment to the Newly Emerged Concepts of 'Imagined Iranian Community' and Iranian Nationality in the Context of Iranian Modernisation and Identity-Defining

For the Ottoman-resident Iranians, being legally classified as foreigners meant not being considered as Muslim subjects, but rather to be classified as Iranians. Thus, as a matter of course, after becoming foreigners the Ottoman-resident Iranians began to discover Iranianness and Iranian identity. This coincided with a time when Iranian identity was going through a process of re-definition and the Qajar State was undertaking modernising reforms. The nineteenth- and early twentieth-century Iranian identity-defining process began with early nineteenth-century military defeats that paved the way to a military modernisation and re-shaping of the understanding of Iranian homeland, it continued in the second half of the century with modernising reforms and intellectual discussions on concepts such as *vatan*, *mellat*, *tabe'iyat* and *qanun*, and reached its peak in the context of the constitutional revolution of Iran from 1905-1909. Iranian identity assumed a 'national' aspect during this revolution, thus foreshadowing the Pahlavi implementation of modernism and nationalism. This chapter discusses the nineteenth- and early twentieth-century Iranian identity-defining and modernisation process, the extent and ways that the Ottoman-resident Iranians were involved in that process, and how they were affected by it in a chronological and thematic order.

The first part discusses the nineteenth- and early twentieth-century Iranian identity-defining and modernisation process, the extent and ways that the Ottoman-resident Iranians were involved in that process, and how they were affected by it by focusing on the period before the constitutional revolution. This part suggests that Qajar modernising reforms went hand in hand with the intellectual discussions regarding the concepts such as *vatan*, *mellat*, *qanun* and *tabe'iyat*; both provided a social and legal background to the other. Thus, Iranian modernisation and identity-defining efforts as a whole are discussed together. The Ottoman-resident Iranians played an active role in shaping the nineteenth- and early twentieth-century Iranian identity-defining and modernisation processes, especially by discussing the aforementioned concepts in the Istanbul-based Persian language newspapers that they had founded, *Akhtar* and *Shams*. Through articles published in these newspapers, this chapter discusses how the aforementioned concepts were extended to the Ottoman-resident Iranians who began to feel part of the 'imagined Iranian community'³⁹¹ – to use Anderson's concept. The part of this chapter then elaborates on how Qajar educational, communicational, military and legal reforms towards modernisation affected the Ottoman-resident Iranians and connected them to the Iranian State and the 'imagined Iranian community'. It then discusses how the Iranian State redefined the category of Iranian *taba'eh* (subject/national), which included the Ottoman-resident Iranians, via the *Tazkereh* and *Tabe'iyat* Codes legislated in 1900 and 1901, respectively.

The second part of this chapter examines how the above-mentioned concepts evolved, and assumed a national aspect in the constitutional context, as well as the Ottoman-resident Iranians' contributions to that. It then discusses how the concept of Iranianness that the

³⁹¹ Benedict R. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Rev. ed. ACLS Humanities, (London; New York: Verso, 2006).

Ottoman-resident Iranians were gathering around gained a constitutionalist aspect. This part examines the political activities of the Iranians who founded *anjomans* in the Ottoman Empire, which were linked to other *anjomans* in Iran. These Iranians supported the Iranian constitution, and attached themselves, this time, to the ‘imagined Iranian constitution’. By using the phrase ‘imagined Iranian constitution’, I am claiming that the Iranian constitution was a collective achievement in the eyes of Iranians, especially in the eyes of those who lived in Istanbul and included intellectuals and politicians who came from Iran. To this end, Iranians inside and outside Iran were connected and worked for the constitution.

From the Early Qajar Era to the Constitutional Revolution

The nineteenth- and early twentieth-century Iranian identity-defining process began with the military defeats of the early nineteenth-century military which led to the modernisation of the military and a change in the understanding of the Iranian homeland and its historical as well as territorial boundaries.³⁹² During the reign of Fath Ali Shah, Iran was defeated twice by the Russians and had to make concessions in treaties that were very traumatic. The first war began in 1804 and ended in 1813 with the Golestan Treaty. The second war was in 1826 and lasted until 1828 with the Turkmanchay Treaty.³⁹³ With these treaties, Iran was forced to pay 20,000,000 roubles to Russia as a war indemnity, and to cede large parts of its Caucasian and Azerbaijani lands to Russia.³⁹⁴ In response to military defeats and territorial losses, religious and historical discourses in the Iranian intellectual and

³⁹² Although these wars and the fact that they triggered a modernisation effort in the military has been discussed by many historians of Iran, the changing notion of Iranian homeland and its historical and territorial boundaries have been discussed by few, including Firoozeh Kashani Sabet and Muhammad Tavakoli-Targhi. See Kashani Sabet, *Frontier Fictions* and Mohamad Tavakoli-Targhi, ‘From Patriotism to Matriotism: A Topological Study of Iranian Nationalism, 1870-1909’, *International Journal of Middle East Studies*, Vol. 34, No. 2, (May, 2002).

³⁹³ Peter Avery, Gavin Hambly, and Charles Melville, eds., *The Cambridge History of Iran*, vol. 7, (Cambridge: Cambridge University Press, 1991), 334-335.

³⁹⁴ Homa Katouzian, *The Persians: Ancient, Mediaeval and Modern Iran*, (New Haven: Yale University Press, 2010), 143-145.

political spheres arose which reshaped the territorial, geographical and historical boundaries and definitions of the Iranian homeland.³⁹⁵ To cope with the trauma of these territorial losses, the Qajars hearkened Iran's halcyon days, thus, creating a discourse of a golden age.³⁹⁶ Iranian intellectuals made references to ancient Iran especially when defining Qajar Iran geographically. For example, in Hajji Zayn al-Abidin Shirvani's work dated 1813, the geographical boundaries of Iran were the same as depicted in older Persian texts.³⁹⁷ In this work, Iran extended from the Euphrates to the Jayhun and from Darband to Oman, just as ancient Iran had.³⁹⁸ In a similar vein, Mirza Mahdi Khan Mumtahn al-Dawleh, an Iranian diplomat, depicted Iran as the fount of civilisation and stated that one must know Iran's geography to re-establish this fount of civilisation as it was in the halcyon days.³⁹⁹

Geographic references to ancient Iran were made in the political arena as well. During conventions with the British regarding the Iranian border and the province of Sistan, the Iranian Foreign Minister referred to the borders of ancient Iran to argue that Sistan must remain Iranian territory.⁴⁰⁰ On one occasion, while talking with the British Ambassador, the Iranian foreign minister claimed that 'Sistan is an inseparable part of the soil of Iran. From the beginning of history.... The history of Iran is filled with the name of Sistan.'⁴⁰¹ In addition to geographic references Iranian mythology was also used during the conventions. During negotiations, the Iranian delegation claimed that 'Jamshid married the

³⁹⁵ See Kashani Sabet, 'Frontier Fictions', 32-54, 111-117.

³⁹⁶ This was also the tendency of the Ottomans after their territorial losses in the early nineteenth century, as discussed in the first chapter.

³⁹⁷ Hajji Zayn al-'Abidin Shirvani, *Rivaz al-Sivahah*. Asghar Hamid Rabbani ed, (Tehran, 1339/1960), 19 cited in Kashani Sabet, 'Frontier Fictions', 92.

³⁹⁸ Kashani Sabet, 92.

³⁹⁹ Firoozeh Kashani Sabet, 'Picturing the homeland: geography and national identity in late nineteenth -and early twentieth-century Iran' *Journal of Historical Geography*, 24, 4 (1998), 415.

⁴⁰⁰ Kashani-Sabet, 'Frontier Fictions', 64.

⁴⁰¹ Kashani-Sabet, 64.

daughter of the prince of Sistan... and Sistan is claimed to be the scene of the battle between Kai Khusru and Afrasiab'.⁴⁰²

Early nineteenth-century territorial losses gave way to a redefinition of the territorial boundaries of Iran, as well. Iran's territorial boundaries, which had been fluid, became more apparent following the loss of Caucasian and Azerbaijani lands, the Erzurum conventions of 1823 and 1848, by which the Ottoman-Iranian border was reshaped, and the discussions with the British over Sistan.⁴⁰³ It no longer 'extended from the Euphrates to the edges of the Jayhun and its width extended from the port of Darband to the edges of the coast of Oman'⁴⁰⁴ – to use Shirvani's description –, as it had in ancient times and as it existed in the imaginations of early nineteenth-century Iranian geographers. Its borders were now clearly defined by treaties signed between the Iranian State and its neighbours. This process constituted the Iranian transition from *molk* to *mellat* – to use Kashani Sabet definitions –,⁴⁰⁵ as well as the transition from *mamalik* to *mamlakat* – as Tavakoli Targhi mentions.⁴⁰⁶ This *mamlakat* was not 'just a mulk belonging to the king',⁴⁰⁷ but a 'unified *vatan*'⁴⁰⁸ with its *mellat*. That is to say, geographical and territorial redefinitions of Iran gave way to a transformation of the understanding of the concepts of *vatan* and *mellat*. As Tavakoli Targhi states, 'the displacement of plural *mamalik-i Iran* with singular *mamlakat-i*

⁴⁰² Kashani-Sabet, 66-67. This interest in defining Iran geographically continued throughout the century. 'Emerging from a need to police the frontiers and to learn about the landscape of the homeland (*vatan*)' the interest in geography shaped the intellectual and political arenas in the late nineteenth century, as well. Kashani Sabet, 'Picturing', 414. For instance, in 1897, the newspaper *Tarbiyat* published articles about Iran's mythological-historical borders and Qajar attempts to 're-establish the ancient borders as a new geopolitical reality'. These articles were taken from the treaties of an Istanbul-based Iranian teacher. Kashani Sabet, 417.

⁴⁰³ See Kashani Sabet, 'Frontier Fictions', 23-86. Also see Tavakoli-Targhi, 'From Patriotism', 218. For the Ottoman-Iranian boundary after the Erzurum convention, see Sabri Ateş, *Making of a Boundary*, 54-57.

⁴⁰⁴ Hajji Zayn al-'Abidin Shirvani, Rivaz al-Sivahah. Asghar Hamid Rabbani ed, (Tehran, 1339/1960), 19 cited in Kashani Sabet, 'Frontier Fictions', 92.

⁴⁰⁵ Kashani Sabet, 31, also see 23-86.

⁴⁰⁶ Tavakoli-Targhi, 'From Patriotism', 218.

⁴⁰⁷ Kashani Sabet, 'Frontier Fictions', 86.

⁴⁰⁸ Tavakoli Targhi uses this term to define the nineteenth century Iranian homeland. Tavakoli Targhi, 'From Patriotism', 218.

Iran marked the transition from an empire to a modern nation state.’⁴⁰⁹ However, the foundation of a modern nation state was to become possible only later, in the Pahlavi era.

The earliest discussions of the concepts on *vatan* and *mellat* in the Iranian context took place in the Istanbul-based Persian-language newspaper *Akhtar* (1876-1896), which provided a platform for the political and intellectual activities of Iranians in Istanbul.⁴¹⁰ The newspaper was founded in 1876, just three years after Iranians residing in the Ottoman Empire were legally classified as foreigners, with the efforts of Hussein Khan, the Iranian ambassador to Istanbul. Hussein Khan wrote to the Iranian State that establishing a Persian language newspaper in Istanbul would make it possible to influence Ottoman-resident Iranians.⁴¹¹ This idea would have been appreciated by Nasir al-Din Shah and the Qajar State because it offered an opportunity to strengthen the cultural and political ties between Iran and Ottoman-resident Iranians. As a result, *Akhtar* began to be published in a publishing house owned by Aqa Muhammad Tahir in the Vâlîde Hanı in Sirkeci. It was sponsored by the Qajar State for its first sixty issues;⁴¹² sometime after its foundation, *Akhtar* was shut down for financial reasons.⁴¹³ To survive in the era when Sultan Abdülhamid II controlled the press in many ways, *Akhtar* had to negotiate with the palace, as did most other newspapers in the Ottoman Empire. Sultan Abdülhamid II’s relationship

⁴⁰⁹ Tavakoli-Targhi, ‘From Patriotism’, 218.

⁴¹⁰ The aim of this dissertation is not a comprehensive, detailed examination of the Persian language newspaper *Akhtar*. Indeed, examining all the issues of a newspaper that was published for 20 years is beyond the scope of this dissertation. This chapter only examines the extent to which the intellectual activities of the Ottoman-resident Iranians contributed to their transition into a foreign-Iranian community. The intellectual activities of the Ottoman-resident Iranians have been examined in the current literature but could be the subject of still further research. This would bring additional insight into the Ottoman-resident Iranians’ cultural, intellectual and social lives. See Tanya Lawrence, *Akhtar*, a master thesis submitted to the Institute for Social Sciences, Boğaziçi University, 2012, 42-43. This thesis is also published: Tanya Lawrence, *Akhtar: A Persian Language Newspaper Published in Istanbul and the Iranian Community of the Ottoman Empire in the Late Nineteenth Century*, (Istanbul: Libra Kitap, 2015) In this dissertation, I use thesis version.

⁴¹¹ Lawrence, *Akhtar*, 35-36.

⁴¹² Lawrence, 1-30.

⁴¹³ Lawrence, 35.

with the press has been generally described as strict censorship.⁴¹⁴ Censorship offices read all the newspapers that were being published in the empire and made changes and corrections before it went to publication.⁴¹⁵ The main motivation behind this censorship was not a ban, but to control the press for the benefit of his regime. As Ebru Boyar claims, ‘the sultan needed the press as much as the press needed the palace for its survival’.⁴¹⁶ In this ‘mutually-beneficial arrangement’⁴¹⁷, if the newspapers ‘chose to play by his rules’⁴¹⁸, the sultan supported them by providing monthly stipends, occasional grants, and sending them medals, as well as exempting them from fees and taxes etc.⁴¹⁹ For example, newspapers such as *Sabah*, *Tercümân-i Hakîkât* were receiving the sultan’s direct support. *Sabah* was receiving 1000 kuruş which increased to 3000 kuruş in 1893, whereas *Tercümân-i Hakîkât* was receiving 10000 kuruş in 1907.⁴²⁰ In such an environment it seems like *Akhtar* chose to operate within the rules of the Hamidian regime. *Akhtar* was reopened with the support of Sultan Abdülhamid II, who personally ordered 55 copies of each issue.⁴²¹ The Ottoman sultan also began to finance the newspaper by sending money to the editor of *Akhtar*.⁴²² In return, *Akhtar* adopted an anti-Russian stance in the context of the 1877-78 Russo-Ottoman War despite the fact that Iran had declared its neutrality.⁴²³ It later adopted a pro-Ottoman stance during the Urabi Revolt in Egypt, began to promote Abdülhamid’s pan-Islamist agenda and his idea of Islamic unity, and did not mention the

⁴¹⁴ For Hamidian censorship of the press, see Alpay Kabacalı, *Başlangıçtan Günümüze Türkiye’de Basın Sansürü*, (İstanbul: Gazeteciler Cemiyeti Yayınları, 1990); also see, Ahmet Emin Yalman, *The Development of Modern Turkey as Measured by Its Press*, (New York: AMS Press, 1968).

⁴¹⁵ Ebru Boyar, ‘The Press and the Palace: The Two-way Relationship between Abdülhamid II and the Press’, *Bulletin of the School of Oriental and African Studies* 69, no. 3 (2006): 422.

⁴¹⁶ Boyar, 425.

⁴¹⁷ Boyar, 425.

⁴¹⁸ Erol A. F. Baykal, *The Ottoman Press, 1908-1923*, (Leiden; Boston: Brill, 2019), 41.

⁴¹⁹ Baykal, 41; Boyar, ‘The Press’, 429.

⁴²⁰ Boyar, ‘The Press’, 429-430.

⁴²¹ Lawrence, ‘*Akhtar*’, 36.

⁴²² Lawrence, 36.

⁴²³ Lawrence, 42.

Armenian rebellions of 1894-96.⁴²⁴ Instead of serving the Iranian State's interest, *Akhtar* chose a pro-Hamidian stance and survived for 20 years.

Despite its political stance, mainly its soft and implicit criticism of the Iranian regime, *Akhtar* created an Iranian intellectual environment in Istanbul and enhanced the spiritual and national bonds of the Ottoman-resident Iranians to Iran mainly via love of homeland.⁴²⁵ After its inception in 1876, *Akhtar* began to publish articles regarding the concepts of *vatan*, *mellat* and *tabe'iyat*. An article in *Akhtar* stated that the main motivation behind its establishment was to gather Iranian people under the umbrella of *hubb al-vatan* and to unify their ideas.⁴²⁶ Highlighting the importance of the concept, the writer created a spiritual connection between the Ottoman-resident Iranians and their homeland. The article '*Bâz Az Vatan Bâyed Goft*' (Let's Talk About *Vatan* Once More) gave this definition of *vatan*: It was not just soil or a place consisting of villages and cities where people were living, it was a concept which had its own soul and spirit.⁴²⁷ Most articles regarding the concept of *vatan* defined the concept based on love of homeland and Islam. An article in *Akhtar* stated that because piety derives from the love of homeland, one must know their homeland.⁴²⁸ It stated that a lack of love of the homeland showed a failure in piety. Another article stated that people had two *vatans*, one of which was the physical one, the soil on which they lived, and the other was the permanent one, Islam.⁴²⁹

⁴²⁴ Lawrence, 36, 42; Fariba Zarinebaf, 'From Istanbul to Tabriz: Modernity and Constitutionalism in the Ottoman Empire and Iran', *Comparative Studies of South Asia, Africa and the Middle East* 28, no. 1 (2008): 164. For how *Akhtar* presented Urabi revolt of Egypt, see Tanya Elal Lawrence, 'The Iranian Community of the Late Ottoman Empire and the Egyptian "Crisis" through the Persian Looking Glass: The Documentation of the 'Urabi Revolt in Istanbul's *Akhtar*', *Iranian Studies*, 51:2, (2018): 245-267.

⁴²⁵ *Akhtar* was founded in 1876, only three years after the Ottoman-resident Iranians gained the new legal status of foreigner. The 1873 agreement and other ensuing agreements created a legal connection between the Ottoman-resident Iranians and the Iranian State, which would then be supported by spiritual and intellectual connections. The discussions on the above-mentioned concepts would provide such connections.

⁴²⁶ *Akhtar*, 17 Zilhijja 1292 (17 January 1876), 1.

⁴²⁷ *Akhtar*, 21 Safar 1294, (7 March 1877), 1.

⁴²⁸ *Akhtar*, 'Diyanat az khubb al-vatan amad dorost. Pas Vatan Beshinas Ay Khaca Nohost', 24 Safar 1294 (10 March 1877), 49.

⁴²⁹ *Akhtar*, 3 Ramadan 1294 (12 September 1877), 1.

The newspaper defined other concepts such as *dawlat* and *mellat* based on *vatan*. It described *dawlat* as the soul of *vatan*, and *mellat* as its body, in an article titled ‘*Rastkari ve Nikbakhti*’ (Trueness and happiness).⁴³⁰ The term *mellat*, which originally meant religious community, began to be associated with the common identity of a people who share the same *vatan* or who have a love for the same *vatan*. The article stated that people living in the same area should unify and become friends despite cultural, sectarian and religious differences.⁴³¹ It defines the state as the soul of *vatan* whereas it defines *mellat* as the body of *vatan*.⁴³² These articles published in *Akhtar* played a crucial role in shaping the Iranian understanding of *vatan*.⁴³³ *Akhtar*’s geographic and spiritual definitions of *vatan* contributed to the transformation of the concepts of *vatan* and *mellat*, which constituted the core of the nineteenth- and early twentieth-century Iranian identity-defining process.

The evolution of the concepts of *vatan* and *mellat* together with others such as *qanun* and *tabe’iyat* from geographical concepts into national and spiritual ones went hand in hand with Qajar modernising reforms in the military, educational, communications and legal spheres. All these reforms took place in the context of the discussions of the aforementioned concepts, which also played a role in shaping them. Military reforms were designed to defend the *vatan*. The telegraph system connected the *mellat* to each other and also to the *dawlat*. Legal reforms were conceptualised in the terms *qanun*, *tabe’iyat* and Iranian *taba’eh*. All these modernisation and identity-defining efforts directly and

⁴³⁰ *Akhtar*, 25 Zilhijja 1292 (22 January 1876), 1.

⁴³¹ *Akhtar*, 25 Zilhijja 1292 (22 January 1876), 1.

⁴³² *Akhtar*, 25 Zilhijja 1292 (22 January 1876), 1.

⁴³³ The leading actors in discussions of the concepts *vatan*, *mellat* and *qanun* were newspapers proposing the Qajar which were established by the Iranian diaspora. These included *Qanun* in London, *Habl al-matin* in Calcutta, *Sorayya* in Cairo and *Akhtar* and *Shams* in Istanbul. Although other newspapers were published within the context of the Iranian constitution of 1906, *Qanun* and *Akhtar* published articles regarding the terms *vatan*, *mellat* and even *qanun* as early as the 1870s.

indirectly affected the Ottoman-resident Iranians, their understanding of *vatan* and *mellat*, and their efforts to become part of that Iranian *mellat*.

Early nineteenth-century Iranian military defeats gave way to Qajar military modernisation, as well. Although neither comparable to the systematic nationalisation and modernisation programme implemented by Pahlavi State nor to the centralizing Ottoman Tanzîmât reforms in extent and efficiency, some modernising reforms took place in nineteenth-century Qajar Iran. Iranian modernisation efforts began with the import of military techniques from Europe and continued throughout the nineteenth and twentieth centuries.⁴³⁴ Just as in the Ottoman Empire, Abbas Mirza, (1789-1833) launched reforms in the early nineteenth century called *Nizam-e Jadid*.⁴³⁵ Especially after the first defeat to the Russians, Abbas Mirza, the prince regent, tried to Europeanise the army ‘in order to reduce and finally eliminate his dependence on tribal and provincial chiefs and notables for the raising of military forces.’⁴³⁶ He also introduced a European-style military uniform.⁴³⁷ Later, in the early years of Nasir al-Din Shah’s reign, Mirza Taqi Khan Amir Kabir, during his tenure between 1848 and 1852 launched a reform program inspired by the Ottoman Tanzîmât, which included military reforms.⁴³⁸ Amir Kabir reformed the existing *nizam* units and established 16 new regiments.⁴³⁹

⁴³⁴ Reza Zia Ebrahimi considers the ‘context of two wars against Russia in 1804-1813 and 1826-1828 when the elites encountered European military might for the first time’ as the emergence of Iranian modernity. Reza Zia-Ebrahimi, *The Emergence of Iranian Nationalism: Race and the Politics of Dislocation*, (New York: 2016), 17.

⁴³⁵ Kashani-Sabet, ‘Frontier Fictions’, 107; also see Katouzian, *The Persians*, 144.

⁴³⁶ Stephanie Cronin, ‘Importing Modernity: European Military Missions to Qajar Iran’ in *Comparative Studies in Society and History* 50, no.1 (2008): 197-226, 204.

⁴³⁷ Abbas Amanat, ‘Qajar Iran: A Historical Overview’ in *Royal Persian Paintings*, edited by Layla S. Diba and Maryam D. Ekhtiar, (London&New York: I.B. Tauris, 1998,) 22.

⁴³⁸ Cronin, ‘Importing Modernity’, 209. Also see Keddie, *Modern Iran*, 49.

⁴³⁹ Stephanie Cronin, ‘Building a new Army: Military Reform in Qajar Iran’, in *War and Peace in Qajar Persia: Implications Past and Present*, Roxane Farmanfarmaian ed, (Oxon: Routledge, 2008), 47-88, 61.

Early military modernisation attempts included the systematisation of conscription, as well. The creation of a modern, standing army became possible with the Pahlavi reforms in the 1920s and especially after a conscription law was passed in the Iranian Majlis in June 1925.⁴⁴⁰ However, the first attempts to systematise conscription began earlier, in the nineteenth century. Abbas Mirza established a conscription system based on revenue assessment called *bunichah*.⁴⁴¹ This system, ‘defined liability for military service on the basis of a calculation of the number of ploughs required to keep village land under cultivation, one man per plough deemed liable’.⁴⁴² Later, in 1848, Amir Kabir tried to expand this system to the whole country;⁴⁴³ however, because general administrative reforms and a census were lacking, the *bunichah* system remained to be based on villages rather than individuals.⁴⁴⁴ Attempts to create a modern army were not particularly successful, ‘tribal and clan-based re-cruiting’ remained.⁴⁴⁵

The conscription issue continued to be on the Iranian agenda throughout the nineteenth and early twentieth century even before the Pahlavi military reforms of the 1920s. For instance, in 1882, the newspaper *Farhang* published articles regarding military service in Iran.⁴⁴⁶ It once said that the duty of military service is ‘to protect religion, ...the state, the homeland and the nation’.⁴⁴⁷ Later, in 1901, the *Tabe’iyat* code, which defined Iranian subjecthood or nationality, created a link between compulsory military service and this Iranian nationality. Although it did not list an Iranian national’s responsibilities as a national, its eight articles stated that if a man wished to denaturalise, he must have already

⁴⁴⁰ Stephanie Cronin, ‘Conscription and Popular Resistance in Iran (1925-1941)’ in *Arming the State*, Eric Zürcher ed, (London: Tauris, 1999), 146.

⁴⁴¹ Cronin, 146; also see Ann K. S Lambton, *Qajar Persia: Eleven Studies*, (London, 1987), 72.

⁴⁴² Stephanie Cronin, *Armies and State Building in the Modern Middle East*, (London: Tauris, 2014), 60. Also see, Cronin, ‘Building a New Army’, 65.

⁴⁴³ Cronin, ‘Importing Modernity’, 209; Katouzian, *The Persians*, 154.

⁴⁴⁴ Cronin, ‘Conscription’, 146.

⁴⁴⁵ Cronin, ‘Building a New Army’, 65.

⁴⁴⁶ Kashani-Sabet, ‘Frontier Fictions’, 105.

⁴⁴⁷ *Farhang*, 28 Dhul-qa’da 1299 (12 October 1882), 1, cited in Kashani-Sabet, ‘Frontier Fictions’, 105.

performed his military service.⁴⁴⁸ This clearly shows that compulsory military service had become a duty for the Iranian *taba'eh*.⁴⁴⁹

In addition to these, Dar al-Funun, a technical and military college, was established in 1851.⁴⁵⁰ Military officers were trained by mostly foreign instructors in Dar al-Funun.⁴⁵¹ It was not only a military school but also a place where students studied science, languages, art and photography.⁴⁵² For instance, many Western books were translated into Persian under the sponsorship of Dar al-Funun.⁴⁵³ There were very few modern schools in nineteenth century Iran.⁴⁵⁴ The shah himself was apathetic about establishing Western-style schools, but the main reason was probably a desire to avoid confrontation with the ulama.⁴⁵⁵ But as Amanat claims, the ulama did not react negatively to Nasir al-Din Shah's reforms, which had included the establishment of the telegraph, the application of Western-style military uniforms, and European tours 'as long as he avoided intruding into their jealously guarded domain'.⁴⁵⁶ Western-style education was within this guarded domain. It would only be during Muzaffar al-Din Shah's reign that modern Ottoman-system high schools, which had already been established in Tabriz, would also be established in Tehran.⁴⁵⁷

⁴⁴⁸ *Taba'iyat* Code, article eight, *Habl al matin*, 2 Muharram 1319 (22 April 1901), 3.

⁴⁴⁹ Further research is needed on the Iranian compulsory service in the late nineteenth and early twentieth century.

⁴⁵⁰ Cronin, 'Importing Modernity', 209.

⁴⁵¹ Lambton, *Qajar Persia*, 23.

⁴⁵² Maryam D. Ekhtiar, 'The Dar al-funun: Educational Reform and Cultural Development in Qajar Iran', an unpublished Phd dissertation submitted to the Department of Near Eastern Languages and Literatures, (New York University: 1994), 210-284; Lambton, *Qajar Persia*, 98.

⁴⁵³ Nikki R. Keddie, *Modern Iran, Roots and Results of Revolution*, (New Haven&London: Yale University Press, 2003), 49.

⁴⁵⁴ Lambton, *Qajar Persia*, 29.

⁴⁵⁵ Amanat, *Pivot*, 414.

⁴⁵⁶ Amanat, 414.

⁴⁵⁷ Nikkie Keddie, *Modern Iran*, 64-65.

Nasir al-Din Shah supported the further education of many graduates of Dar al-Funun in Europe early in his reign.⁴⁵⁸ Some of these students would be influential in shaping the political and intellectual environment of Iran. For instance, Muhammad Hasan Itimad al-Saltaneh, went to Paris after graduating from Dar al-Funun, became the chief court interpreter in 1867, and then became minister of publications in 1882.⁴⁵⁹ He founded two newspapers, *Ruznameh-ye Iran* and *Ruznameh-ye Mellat*, which helped shape the Qajar political and intellectual atmosphere in the era leading up to the constitution.⁴⁶⁰ Nasir al-Din Shah later cut support for students wanting to go to Europe for further education because he began to perceive Dar al-Funun and Western education as threats to his rule.⁴⁶¹

In that period, the Ottoman Empire was seen as an alternative to the European countries by the Iranian ruler. As we learn from *Akhtar*, Muhsin Khan, the Iranian ambassador to Istanbul, asked the Ottoman sultan if he would accept Iranian students to Ottoman schools.⁴⁶² Muhsin Khan mentioned that Iranian students were sent to Europe for ongoing education before. However, because orderly schools were established under the shadow of the sultan in the capital of Sunni sultanate, Iranian students could be educated in those schools. He asked the sultan that if he would accept Iranian students were to be sent Istanbul instead of Europe to have higher education at Ottoman Schools. The article mentioned that these requests were accepted by the sultan.⁴⁶³

⁴⁵⁸ See Ekhtiar, 'The Dar al-funun', 179-182; 188-200.

⁴⁵⁹ Ekhtiar, 181.

⁴⁶⁰ Ekhtiar, 181.

⁴⁶¹ Ekhtiar, 205-207. Muzaffar al-Din Shah would later support this student sponsoring activity. Ekhtiar states that the period between 1900-1921 was a 'revival of government-sponsored educational missions to European countries'. Ekhtiar, 291. In 1911, thirty students were sent abroad, a number that rose to five hundred by 1918. Ekhtiar, 291.

⁴⁶² *Akhtar*, 16 Shavval 1294 (24 October 1877), 1.

⁴⁶³ *Akhtar*, 16 Shavval 1294 (24 October 1877), 1.

Few Western-style schools existed in Iran, so the Ottoman Empire acted as a transmitter of modernity to these Iranian students. Houchang Shahabi argues that many Iranian elites sent their children to Beirut for further education.⁴⁶⁴ Iranian students attended both Ottoman and foreign schools in Ottoman Lebanon. Most of these educated Iranians returned to their country.⁴⁶⁵ One prominent figure in Iran, Mirza Hasan Tabrizi (1851-1944), was educated in Beirut at one of these schools and later founded Iran's first elementary school in Tabriz in 1888.⁴⁶⁶ He adopted the word *roshdiyeh* (*rüşdiye*), which means 'middle school' in Turkish, as a surname.⁴⁶⁷ This surname referenced both the Ottoman schools he had attended, which were a source of inspiration, and his efforts to establish modern schools in Iran.

Despite Mohsen Khan's request in 1877, it was the reign of Muzaffar al-Din Shah when many Iranian students were educated in the Ottoman schools. Nasir al-Din Shah, later in his reign, began to perceive Dar al-Funun and Western education as threats to his rule and cut support for students wanting to go to Europe for further education.⁴⁶⁸ However, this began to change when his successor, Muzaffar al-Din Shah, acceded the throne.⁴⁶⁹ Ekhtiar states that the period between 1900-1921 was a 'revival of government-sponsored educational missions to European countries'.⁴⁷⁰ Many students were sent to the Ottoman Empire in this period, as well. The article '*Devlet-i Aliyye-i Kacariyye*', published in the Ottoman language *Sabah*, indicated that Muzaffar al-Din Shah had sent Iranian students to Ottoman schools such as Harbiyye-i Şahâne (Imperial Military School), Mühendishâne-i

⁴⁶⁴ See H.E. Chehabi, 'The Paris of the Middle East: Iranians in Cosmopolitan Beirut', in *Iran and The Middle East*, Houchang Chehabi, Peyman Jafari and Maral Jafroudi eds., (London&New York: I.B. Tauris), 120-137,

⁴⁶⁵ Chehabi, 124.

⁴⁶⁶ Chehabi, 124.

⁴⁶⁷ Chehabi, 124.

⁴⁶⁸ Ekhtiar, 'The Dar al-funun', 205-207.

⁴⁶⁹ Ekhtiar, 288-291.

⁴⁷⁰ Ekhtiar, 291.

Berri Hümayun (Imperial Engineering School) and Mekteb-i Sultaniyye (Imperial High School) for their education.⁴⁷¹ Official documents from the Prime Ministry Ottoman Archives confirm this. A document dated 1904 states that some students who were relatives of the Iranian shah had been educated in Ottoman schools.⁴⁷² In addition, another document describes how six Iranian students wishing to attend the *Mülkîye*, *Sultânî* and *Hukuk Mektepleri* would be funded. The Iranian Embassy had sent a memorandum to *Meclis-i Vükelâ* (cabinet ministers) saying that the fathers of these six students were foreigners and that the school had not accepted the students because the school did not have adequate financial resources.⁴⁷³ The cabinet asked the school to accept the students and said that the Ottoman Ministry of Finance would fund them.⁴⁷⁴ In 1909, ten Iranian students were accepted to the *Polis Mektebi* (police academy) would be funded by the school itself.⁴⁷⁵ Furthermore, another document dated 1909 mentions that some students were sent from Iran to Istanbul to attend the police academy and that the Iranian government would fund them.⁴⁷⁶ Another document confirms that twelve Iranian students graduated from the Ottoman *Polis Mektebi* in 1910.⁴⁷⁷ The Ottoman State supported the education of these Iranian students in Ottoman schools; however, it did not allow them to practice their profession. Although they attended the Ottoman *Polis Mektebi*, Iranians were

⁴⁷¹ *Sabah*, 30 September 1900, 1.

⁴⁷² BOA.Y.PRK.UM. 70 4, 15 Cemaziyülahir 1322 (27 August 1904).

⁴⁷³ BOA. MV.132.20, 13 Şaban 1327 (30 August 1909).

⁴⁷⁴ BOA. MV.132.20, 13 Şaban 1327 (30 August 1909).

⁴⁷⁵ BOA.DH.MUİ. 8-1 46, 27 Şaban 1327 (13 September 1909).

⁴⁷⁶ BOA.MV.132/20, 13 Şaban 1327 (30 August 1909) Talebe-i mümâileyhimin ber-vech-i iltimâs mekâtib-i mezkûreye kabul edilmeleri muvafık-I hikmet ve maslahat olamayacağından bunların mekteb ücretlerinin maliyece mesârif-i gayr-ı melhûza tertibinden tesviyesiyle meccâcen kayd ve kabulleri hususunun nezâret-i müşârunileyhaya tebliği ve Maliye Nezareti'ne de malumat itâsı tezekkür ve tensib kılındı.; BOA.DH.İD.27/7, 27 Receb 1329 (24 July 1911).

⁴⁷⁷ BOA.DH.MUİ.58.1.28, 9 Kanun-ı Sani 1325 (22 January 1910) Dahiliye Nezâret-i Aliyyesi'ne. Dersaadet Polis Mektebi'ne kabul olunub bu kere ikmâl-i tahsil ile şهادetnâme ahzına kesb-i istihkâk eden İran Devleti tebaasından on iki efendiye aid olarak tanzim kılınan on iki kıt'a şهادetname devlet-i müşârunileyhâ seferathânesi marifetiyle kendilerine tevdi' ettirilmek üzere leffen takdim kılınmış ve mümâileyhimden alıyyü'l-ala derecede isbât-ı ehliyet etmiş olan Muhammed Naki ve Seyyid Muhammed ve Mirza Ahmed ve Muhammed Kulu Han efendilerin emr-i tahsil ve taallümdeki sa'y ve gayretleri mekteb-i mezkûr heyet-i talimiyesince şâyân-ı takdir görülmüş olduğu mâ'rûzdur. Emniyet-i Umumiye Müdürü Vekili İstanbul Polis Müdürü.

not allowed to become police in the Ottoman Empire; only Ottoman nationals were permitted to be police.⁴⁷⁸ Hajj Pirzadeh noted in his travelogue that there were six Iranian students at the Ottoman Military school who had been sent and sponsored by the shah.⁴⁷⁹ Mozaffar al-Din Shah indicated in his travelogue that Ala al-Molk, the Iranian ambassador to Istanbul, sent three Iranian students to the Yıldız Çini Fabrika-i Hümayûn (Yıldız Imperial Ceramic Factory) to improve their skills.⁴⁸⁰

The Iranian postal system, *chapar-khaneh*, which had collapsed in the time of Nadir Shah (r.1736-47), began to be re-established during the reign of Fath Ali Shah (r.1769-1834).⁴⁸¹ Floor suggests that due to the insecure situation of the country, the *chapar* system broke down again in 1836 but began to function again in 1840.⁴⁸² In the late 1850s an international telegraph line was established followed soon afterwards by a domestic line.⁴⁸³ The domestic line began to work in 1865 and enabled the Qajar court maintain 'direct, rapid contact with the provinces'.⁴⁸⁴ These lines enabled the shah and his courtiers to rapidly communicate with neighbouring and European countries for political reasons.⁴⁸⁵ An agreement to establish a postal route connecting Iran and the Ottoman Empire was

⁴⁷⁸ BOA.DH.MUİ.71, 53 2 Ramazan 1328 (7 September 1910).

⁴⁷⁹ These students were Mohanmmad Hamid Khan, Muhib Ali Khan, Abbas Quli Khan, Jafar Quli Khan, Shaykh Bahai and Muhammad Khan. See Hajj Muhammad Ali Pirzadeh, *Safarnameh-yi Hajji Muhammad Ali Pirzadeh*, ed. Hafez Farman-Famaian, v. 2 (Tehran: University of Tehran Publications, 1963), 111.

⁴⁸⁰ Mozaffar al-Din Shah, *Safarnameh*, 225.

⁴⁸¹ Willem Floor, 'The Chapar-Khana System in Qajar Iran', *Journal of Persian Studies*, vol 39, (2001), 257-291, 258.

⁴⁸² Floor, 259.

⁴⁸³ Keddie, *Modern Iran*, 54.

⁴⁸⁴ Amanat, *Pivot*, 404.

⁴⁸⁵ For Amanat, the telegraph system 'revolutionised the method of command and surveillance.' Amanat, *Pivot*, 404. In addition to military reforms and the establishment of the telegraph, the Qajars were also interested in constructing railways. Nasir al-Din was particularly interested in establishing a railroad, which he interpreted 'as a means of progress'. For the shah, railroad would bring about the possibility of 'controlling provincial governments and economies.' In the early 1860s, the shah's interest in this project was welcomed by reformers in the Qajar court; however, it was not appreciated by the British and Russians. The British thought that establishment of a railroad in Iran would expose British interests in the region to Russia. Russians thought that the establishment of a railroad in Iran would increase British domination of the region. As a result, Nasir al-Din Shah later lost interest in the railroad. Amanat, *Pivot*, 428. Only a five-mile line connecting Tehran to the town of Shah 'Abd al-'Azim was constructed by the end of Nasiri era. Amanat, 429.

signed by the Qajar and Ottoman governments in 1883-84.⁴⁸⁶ A post line from Ottoman Bayazid to Iranian Khoy was established following this agreement.⁴⁸⁷

In addition to integrating the periphery with the centre and enabling the shah and his courtiers to communicate with other countries, the telegraph system, as well as the postal route, helped the Iranian *mellat*, including the Ottoman-resident Iranians, establish legal and spiritual bonds with each other and the *dawlat*. Especially after the establishment of the Iranian Majlis in 1906, petitions from various corners of Iran were sent to the majlis via the telegraph line and postal route. As will be discussed in a following chapter of this dissertation, the Ottoman-resident Iranians, also began to send petitions to the Iranian Majlis, which allowed them to manifest themselves as part of the Iranian *mellat* and to ask for Iranian State protection. The postal route and telegraph service enabled Ottoman-resident Iranians to learn about the situation in their country, as well. For instance, the Istanbul-based Persian language newspapers *Akhtar* and *Shams* frequently published telegrams and letters coming from Iran, especially during the constitutional revolution when *Shams* published letters and telegrams that gave information regarding the revolutionaries.⁴⁸⁸

In 1890, Nasir al-Din Shah granted a fifty-year concession on the sale, export and production of Iran's tobacco to Gerald Talbot, a British subject.⁴⁸⁹ This led to a wide-scale boycott in Iran which started in the cities of Jahrom and Shiraz in the province of Fars,

⁴⁸⁶ BOA.İ.MMS, 77/3398. 16 Zilhicce 1300 (18 October 1883)-25 Ramadan 1301 (25 January 1884).

⁴⁸⁷ BOA.İ.MMS, 77/3398. 16 Zilhicce 1300 (18 October 1883)-25 Ramadan 1301 (25 January 1884).

⁴⁸⁸ For instance, letters and telegrams from Tabriz were published in *Shams* on 17 February 1909. *Shams*, 26 Muharram 1327 (17 February 1909), 3-4.

⁴⁸⁹ Ranin Kazemi, 'The Tobacco Protest in Nineteenth-Century Iran: The View from a Provincial Town', *Journal of Persianate Studies*, 7, Brill, (2014), 252.

where there were large groups of tobacco producers.⁴⁹⁰ Protests followed in Tehran and in other major metropolitan centres of Iran.⁴⁹¹ It mobilised tobacco producers and merchants and resulted in an alliance of different social groups: merchants, reformers, discontented groups and the ulama.⁴⁹² Katouzian argues that this ‘unprecedented event’ was the first occasion in Iranian history that the ‘public had revolted peacefully, and for a clear and well-defined purpose.’⁴⁹³ It was also the first time that the ‘arbitrary state had given into a public demand rather than either suppressing it or being overthrown violently.’⁴⁹⁴ Protesters employed nationalist and anti-foreigner slogans. For example, merchants in Jahrom claimed that by granting a monopoly to a British company, the Iranian government was ‘selling’ its people to foreigners.⁴⁹⁵ Many clandestine placards circulated around Jahrom⁴⁹⁶ stating that ‘tobacco belongs to Iranians; the customers and consumers are Iranians; for what reason is its sale and purchase restricted to foreigners?’⁴⁹⁷

The Ottoman-resident Iranians were involved in the tobacco protests via *Akhtar*. When the concession was issued, only Qajar officials, diplomats, and foreign representatives knew about it; the public was largely unaware until *Akhtar* made it public.⁴⁹⁸ In its 11 November 1890 issue, *Akhtar* wrote that the Qajar State had given privileges and the resources of Iran to a foreign company, which was not in the country’s economic interests.⁴⁹⁹ Another article

⁴⁹⁰ Kazemi, 261-272.

⁴⁹¹ Kazemi, 261-279.

⁴⁹² See Katouzian, *The Persians*, 163-166; also see Ervand Abrahamian, *A History of Modern Iran*, (Cambridge, UK; New York: Cambridge University Press, 2008), 41-45.

⁴⁹³ Katouzian, *The Persians*, 164.

⁴⁹⁴ Katouzian, 165.

⁴⁹⁵ Kazemi, ‘Tobacco’, 261.

⁴⁹⁶ Kazemi, 262.

⁴⁹⁷ Hajj Mohammad ‘Ali Sayyah Mahallati, *Khāterāt-e Hajj Sayyah: Ya dawra-ye khawf va vahshat*, ed. S. A. Golkar and H. Sayyah, Tehran, 1980, 329 cited in Kazemi, 262. This protest was the first successful mass boycott in Iran. It is generally understood as a precursor to the constitutional revolution of 1906. Nikki Keddie and L.W Adamec state that it ‘presents in microcosm many of the features which were to reappear in the Persian Constitutional Revolution of 1905-11’. L.W Adamec; Nikki R. Keddie, *Religion and Rebellion in Iran: The Iranian Tobacco Protest of 1891-92*, 1.

⁴⁹⁸ See Kazemi, ‘Tobacco’, 215.

⁴⁹⁹ ‘*Enhesar-e tutun dar Iran*’, *Akhtar*, 11 November 1890 cited in Kazemi, 215.

was published in *Akhtar* on the same subject on 13 January 1891 and stated that the government was ‘selling the rights of the public’.⁵⁰⁰ Saying, ‘we hope that our officials will do their best for the improvement of our country’,⁵⁰¹ the writers of *Akhtar* aligned themselves with their envisioned readers, which included the Ottoman-resident Iranians as part of an ‘imagined Iranian *mellat*’ and *vatan*. As a result of *Akhtar*’s solidarity with the tobacco protestors, Nasir al-Din Shah banned *Akhtar* from being disseminated in Iran.⁵⁰² However, despite the prohibition, *Akhtar* was still circulating in Iran after the protests in 1892.⁵⁰³

It was only after 1906 that the Iranian government, ‘for the first time in Iranian history, was “conditioned” (*mashrut*) to set of fundamental laws which defined the limits of executive power, and detailed the rights and obligations of the state and society’.⁵⁰⁴ However, it is possible to see the baby steps towards Iranian legal modernisation before the constitution of 1906. Changes to the Iranian judicial system began early in the nineteenth century. Abbas Mirza founded a new *diwankhaneh* in Tabriz where he was the prince-governor.⁵⁰⁵ This *diwankhaneh* supervised *qadis* that worked in other towns in Azerbaijan.⁵⁰⁶ Mirza Abu’l Qasim Qa’im-Maqam, chief minister of Muhammad Shah (1834-48), also attempted to bureaucratic reforms like establishing a *diwan-e adalat* (court of justice); however, these did not constitute a structural reform of the Iranian judicial

⁵⁰⁰ *Akhtar*, 13 January 1891, cited in Lawrence, *Akhtar*, 42-43.

⁵⁰¹ Lawrence, 43.

⁵⁰² Lawrence, 44-45; Anja Pistor-Hatam, ‘Akhtar as a Transmitter of Political Ideas’, *Les Iraniens d’Istanbul*, edited by Thierry Zarcone and Fariba Zarinebaf-Shahr, 142.

⁵⁰³ Lawrence, *Akhtar*, 8.

⁵⁰⁴ Homa Katouzian, ‘The Revolution for Law: A Chronographic Analysis of the Constitutional Revolution of Iran’, *Middle Eastern Studies*, vol 47, no.5, 757-777, September 2011, 757.

⁵⁰⁵ Willem Floor, ‘Changes and Developments in the Judicial System of Qajar Iran (1800-1925),’ in Clifford E. Bosworth and Carole Hillenbrand, eds., *Qajar Iran: Political, Social and Cultural Change*, Costa Mesa, (California USA: Mazda Publisher), 1992, 113-147, 118.

⁵⁰⁶ Floor, 118.

system.⁵⁰⁷ It was Mirza Taqi Khan Amir Kabir, the chief minister of Nasir al-Din Shah, who first attempted to structurally reform the system as a whole.⁵⁰⁸ He tried to extend state control over the courts of both *shar* and *urf*, and also to make some changes to their structure.⁵⁰⁹ He opened *divankhanehs* in the provinces and gave them the authority to hold cases between individuals, both Iranian and foreign, and the state.⁵¹⁰ However, Amir Kabir died in 1852 and most of his reforms fell apart.

Early Qajar modernisers focused on adopting modern techniques and military organisation in Iran; however, Katouzian claims that from the mid-1870s onwards, the reformers turned their attention ‘to the necessity of law -of *qanun* as the pillar for the reform of government, and the panacea for modernisation, or – as they described it at the time – “civilisation”’.⁵¹¹ For example, although Mostashar al-Dawleh earlier stated that the establishment of a railway was ‘the key to Iranian development’⁵¹², he later emphasised the need for law and ‘came to the belief that law was the most necessary requirement’ for Iranian modernisation.⁵¹³ Malkam Khan was also an advisor on European legal systems and bureaucracy. He sought to persuade Nasir al-Din Shah to make bureaucratic reforms based on the Ottoman Tanzîmât model.⁵¹⁴ After serving as ambassador in England, he began to criticise the political environment in Iran in his London-based newspaper *Qanun* (Law).⁵¹⁵ From then on, he criticised the shah or being unable to counter Western hegemony over Iran and presented law as an instrument to counter that hegemony.⁵¹⁶

⁵⁰⁷ Floor, 118-119.

⁵⁰⁸ Floor, 119.

⁵⁰⁹ Floor, 119.

⁵¹⁰ Hadi Enayat, *Law, State and Society*, 39.

⁵¹¹ Katouzian, ‘The Revolution for Law’, 758.

⁵¹² Katouzian, 758.

⁵¹³ Katouzian, 758.

⁵¹⁴ Farzin Vahdat, ‘Iran’s Early Intellectual Encounter with Modernity’ in *Society and Culture in Qajar Iran*, Elton L. Daniel ed, (California: Mazda, 2002), 99-145, 104.

⁵¹⁵ Vahdat, 104.

⁵¹⁶ Vahdat, 107.

Malkam was eager to persuade the shah to create a *Majles-e Tanzimat* (Organisational Assembly) to make laws.⁵¹⁷

The Ottoman-resident Iranians were actively involved in the legal modernisation and establishment of a *qanun* in Iran. *Akhtar* published excerpts from *Yak Kalimah*, an influential work written by Mirza Yusuf Khan, Mustashar al-Dawla, underscoring the necessity of law in 1870.⁵¹⁸ Referring to this source, *Akhtar* wrote that *qanun* was derived from Islam and that readers should adopt *qanun* given their religion and beliefs.⁵¹⁹ In another article, it was stated that the *qanun* that they referred to was not European law which was against Islam.⁵²⁰ In an article published on 8 February 1876, *Akhtar* stated the reasons for the necessity of *qanun* that it acts as a guarantor of the public's honour, safety and happiness.⁵²¹ The article mentioned that it was people's duty to ask for goodness in order to protect *qanun* and Islamic rules, which was an obligation that Islam has already brought.⁵²² Another article published in *Akhtar* underscored the importance of *azadi* (freedom), *musavat* (equality) and *adalat* (justice) for *qanun*.⁵²³ Discussions regarding Ottoman constitutional law in the Ottoman majlis were also published in *Akhtar*.⁵²⁴ It also translated the Ottoman constitutional law into Persian and published it on 7 February 1877.⁵²⁵ Drawing from these, we could say that the Ottoman-resident Iranians were not only involved in the discussions regarding *qanun* but also promoted *qanun* to *Akhtar*'s readers.

⁵¹⁷ Vahdat, 107-108.

⁵¹⁸ *Akhtar*, 'Ilm-e Seyasat-e Madan', 12 April 1876, 1-2. See Mirza Yusuf Khan, Mustashar al-Dawleh, *Yak Kalimah*, Sadiq Sajjadi ed. (Tehran: 1364/1985).

⁵¹⁹ *Akhtar*, 'Ilm-e Seyasat-e Madan', 12 April 1876, 1-2.

⁵²⁰ *Akhtar*, 'Rasti ve Azadi', 14 Muharram 1293 (10 February 1876), 1.

⁵²¹ *Akhtar*, '*Qanunha va Sharaitha*,' 12 Muharram 1293 (8 February 1876), 1.

⁵²² *Akhtar*, '*Qanunha va Sharaitha*,' 12 Muharram 1293 (8 February 1876), 1.

⁵²³ *Akhtar*, 'Rasti ve Azadi', 14 Muharram 1293 (10 February 1876), 1.

⁵²⁴ *Akhtar*, 15 Jamaazialahir 1294 (27 June 1877).

⁵²⁵ *Akhtar*, 23 Muharram 1294 (7 February 1877), 1-8.

Unlike Ottoman modernisers, Nasir al-Din Shah was reluctant to make legal and judicial reforms. To an extent, this was because the shah sought to avoid getting involved in the *ulama*'s sphere; the *ulama* tolerated the shah's other reforms and innovations, in return.⁵²⁶ Amanat notes that 'the boundaries between customary law (*'urf*) and religious law (*shar'*) thus remained deliberately unmarked so as to allow the government ample room in which to introduce minuscule legal reforms.'⁵²⁷ The foundation of provincial courts can be counted among such minuscule legal reforms. After returning from his first trip to Europe, Nasir al-Din Shah ordered the establishment of provincial courts and declared that the judges would be appointed by the Ministry of Justice.⁵²⁸ In addition, Hussein Khan, Mushir al-Dawleh, revitalised the consultative assembly, which met from time to time until the end of the Nasiri period, despite the shah's 'resistance to bureaucratic consistency'.⁵²⁹ While Nasir al-Din Shah perhaps saw the necessity and benefits of an 'organised and orderly administration'⁵³⁰, Katouzian states that he 'recognised the implications of responsible government for his own position and role in the country.'⁵³¹ Although the assembly's original function was to 'codify the secular practices (*'urf*) into an administrative body of law (*qanun*),' it acted only as an organ advising the shah on domestic and foreign policy.⁵³² Hussein Khan was also eager to implement an administrative code and establish regulations for judicial processes and courts on the model of the Ottoman Empire; however, he was not successful.⁵³³ No legal codification took place in the Nasiri period, claims Katouzian.⁵³⁴

⁵²⁶ Amanat, *Pivot*, 414.

⁵²⁷ Amanat, 414.

⁵²⁸ Willem Floor, 'The Judicial System', 123.

⁵²⁹ Amanat, *Pivot*, 410.

⁵³⁰ Homa Katouzian, *State and Society in Iran, The Eclipse of the Qajars and the Emergence of the Pahlavis*, (London&New York, I.B. Tauris, 2000), 27.

⁵³¹ Katouzian, 27.

⁵³² Katouzian, 27.

⁵³³ Katouzian, 415.

⁵³⁴ Katouzian, 415.

It was only four years after Nasir al-Din Shah's death, during the reign of Muzaffar al-Din Shah, when the *Qanunnameh-ye Tazkereh-ye Dowlat-e 'Aliyye* (*Tazkereh* Code) of 1900, which regulated the use of *tazkerehs* that functioned as passports and identity cards, was legislated.⁵³⁵ The nineteenth- and early twentieth-century Iranian identity-defining process was marked not only by the transition from *mamalik* to a unified *vatan* but also by the transition from subjecthood to nationality. Since the early nineteenth century, Iranians immigrating to or visiting other countries made their dissatisfaction known to the Iranian government that Iran had neither systematic passport control nor use. For example, Riza Quli Mirza, who travelled to Europe between 1834-36, noted in his travelogue that passports were used in Europe and their lack in Iran presented a problem for the Qajar State.⁵³⁶ In order to eliminate this problem, the Iranian State legislated the *Tazkereh* Code to regulate the distribution and use of *tazkerehs*.⁵³⁷ The introduction to the law said this was necessary 'because Iranian *tazkerehs* were not of the same standard as foreign states' passports and thus were not recognised by those states in most cases'.⁵³⁸ The code determined the circumstances under which Iranians would be given *tazkerehs*, their rights and responsibilities deriving from them, and how the Iranian State would regulate their use. The *Tazkereh* Code defined Iranian *tabe'iyat*, as its first article explicitly states that the *tazkereh* is to identify one's *tabe'iyat*. In other words, the *tazkereh* was a certificate to be given to Iranian nationals to prove their *tabe'iyat* as Iranian. Its second article states that all Iranian nationals were to carry their *tazkerehs* with them when leaving the country to visit or stay in a foreign country. The code stated that the main purpose was to let Iranian

⁵³⁵ In this dissertation I have used the copy of the *Tazkireh* code that is in the Ottoman State Archives. BOA.HR.HMŞ.İŞO.8.3, 22 Mart 1317 (4 April 1901). This copy was first mentioned by Firoozeh Kashani Sabet. Firoozeh Kashani Sabet, *Frontier Fictions, Shaping the Iranian Nation, 1804-1946*, (Princeton: Princeton University Press, 1999), 243. (Book version)

⁵³⁶ Kashani-Sabet, 'Picturing', 420.

⁵³⁷ See Kashani Sabet, 'Frontier Fictions', 100-103.

⁵³⁸ BOA.HR.HMŞ.İŞO.8.3 22, Mart 1317 (4 April 1901) *Tazkireh* Code, 1.

officers eliminate possible issues that could prevent them from travelling around or staying in a foreign country.⁵³⁹

These *tazkerehs*, which began to be accepted by foreign states, including the Ottoman State, were distributed to Ottoman-resident Iranians as evidence of their Iranian nationality. They provided Ottoman-resident Iranians with self-confidence as Iranian nationals. The Ottoman-resident Iranians began to show their *tazkerehs* to prove their Iranian nationality in situations in which the Ottoman State treated them as Ottoman subjects. They also enabled them to contest the Ottoman State to prove their status as foreigners in order to demand the privileges deriving from that legal status, mainly with regard to the issues of conscription, marriage, payment of taxes and Ottoman State regulation over their businesses. These conflicts will be discussed in the second part of this dissertation.



⁵³⁹ *Tazkireh* code, article one.

Figure 2: The front page of the copy of the *Tazkereh* Code in the Prime Ministry Ottoman Archives

BOA.HR.HMŞ.İŞO.8/3

A year after the *Tazkereh* Code was enacted, the *Qanunnameh-ye Tabe'iyat-e Iran* was issued, which defined Iranian *tabe'iyat*.⁵⁴⁰ The definition of *tabe'iyat* in the code encapsulated the Iranian transition from subjecthood to citizenship similar to the transition to Ottoman *tâb'iyet* discussed in the previous chapter of this dissertation. The word *tabe'iyat* had been used as a synonym for the English word subjecthood. Although it literally means subjecthood, I argue that in the *Tazkereh* and *Tabe'iyat* Codes, it refers to a state membership that lies somewhere between the concepts of subjecthood and citizenship. The *qanunnameh* defined the circumstances in which one would be considered an Iranian *taba'eh* and how one could be the naturalised or denaturalised. It did not state consequent rights and responsibilities.

This code not only defined Iranian *tabe'iyat* but also described the circumstances under which one could acquire or lose it. The *qanunnameh* consisted of fifteen articles that defined the criteria for an Iranian national. The *qanunnameh* defined Iranian *tabe'iyat* on

⁵⁴⁰ This code was published by the Persian-language newspaper *Habl al-Matin*, which opposed the Qajar regime, on 22 April 1901. *Habl al matin*, no 28, 2 Muharram 1319 (22 April 1901), 3. See Kashani Sabet, *Frontier Fictions*, 243. (Book version) An Ottoman translation of this code is in the Ottoman State Archives BOA.HR.HMŞ.İŞO.8.3. In this dissertation I have used the *Habl al-Matin* version. The Ottoman version is dated 1901 as *Habl al-Matin* version. However, Will Hanley claims that the Law of Iranian Nationality was passed on 8 August 1894. One source he used is James Brown Scott, David Jayne Hill, and Gaillard Hunt, 'Citizenship of the United States, Expatriation, and Protection Abroad,' [59th Cong., 2nd sess., HR Doc. 326] (Washington DC: State Department, 1906), 484–86. This is a dispatch from Mr Pearson, the minister to Persia, dated 17 November 1906, which includes a translation of the Law of Iranian Nationality. The law detailed in the dispatch included almost the same articles as the law published by *Habl al-Matin* and as the Turkish translation in the Prime Ministry Ottoman Archives. The existing literature does not mention anything about a law dated 1894. I was not able to find any version of this 1894 law during my research. Based on documents I discovered, and Katouzian's and Amanat's claims regarding Nasir al-Din Shah's attitude towards legal modernisation attempts, I assume – as does Firoozeh Kashani-Sabet – that the law was passed in 1901. Kashani-Sabet, 'Frontier Fictions', 100-104. However, more research is needed on this issue. Whether in 1894 or 1901, this law defined Iranian subjecthood or nationality in the late Qajar era.

the basis of territoriality. It also included allowances for dependants: the first article of the code stated that anyone born in Iranian territory, except those with *ajnabi* (foreign) father, is considered Iranian nationals. The second, third, fourth and fifth articles also described how a foreigner could acquire Iranian nationality and how Iranian nationals could renounce their nationality. The *qanunnameh* decreed that individuals' nationality was dependent on their fathers and husbands. Anyone who had a foreign father or married a foreign man would legally be classified as a foreigner. The sixth, seventh, eleventh and twelfth articles described the situation of Iranian women who married foreigners and stated that these women would take their husband's nationality. They were allowed to apply to be an Iranian national only with their husbands' permission and only if they met the necessary requirements. The eighth, ninth and tenth articles detailed the conditions under which one could change one's citizenship. The thirteenth and fourteenth articles stated that those asserting that they are not Iranian nationals must prove their nationality, otherwise they would be considered as Iranian nationals.⁵⁴¹ The *qanunnameh* not only defined Iranian *tabe'iyat* but also instituted the category of foreigner, which included all foreign nationals regardless of religion, as was the case in Ottoman *tâb'iyet* law. The criterion that defined one's nationality was not religion but being or not being *Irani* (Iranian). The *qanunnameh* drew the boundaries of these concepts and created interdependent definitions of Iranian *taba'eh* and foreigner. In other words, the *qanunnameh* defined being Iranian *taba'eh* as not being a foreigner.

Clarification of the boundaries of the Iranian *tabe'iyat* affected legal and social conflicts among the Ottoman and Iranian States and Ottoman-resident Iranians. The Ottoman State had already enacted its nationality law in 1869, which clarified the categories of Ottoman

⁵⁴¹ *Habl al matn*, 2 Muharram 1319 (22 April 1901), 3.

nationals and foreigners. Because there was not yet any codification of the issue on the part of Iran, cases regarding the nationalities of Ottoman-resident Iranians were examined in relation to Ottoman law. The Law of Iranian Nationality clarified what people would be counted as Iranian nationals from the Iranian point of view. From then on, especially in cases of marriage between Ottoman and Iranian nationals, conscription of the sons of Ottoman mother-Iranian father couples and changes to Iranians' nationality, the attitude of the Iranian Embassy was relied on the Law of Iranian Nationality. For instance, the sixth article of the code stated that if an Iranian man married a foreign woman, the woman would acquire Iranian nationality. She could denaturalise and reassume her former nationality if her husband died or they divorced. This article was an additional basis for the Iranians' objections to the article of the Ottoman marriage prohibition which stated that the son of an Ottoman woman who married an Iranian man was liable for conscription into the Ottoman army.

Iranian shahbandars, which were established across the Ottoman Empire after Erzurum treaties, had the right to issue Iranians with passports/identity cards. After the Iranian passports became universally accepted, they became an alternative, especially in the Hamidian era, for the Ottoman groups who wanted to travel without the permission of the Ottoman State. Armenians constituted the majority of groups applying for Iranian passports.⁵⁴² This was mainly related to the struggles among Turks, Kurds and Armenians that were taking place in Eastern Anatolia and the conflicts which were later extended to

⁵⁴² The extent as well as the ways that Armenians adopting Iranian nationality and travelling with Iranian passports together with the illegal activities in which they were involved in could be a subject for a further study. In this part, this issue will be presented and discussed only as one of the consequences of the fact that Iranian shahbandars became able to provide Iranians with Iranian passport/identity cards and that Iranian passports' becoming universally acceptable.

the Ottoman capital.⁵⁴³ Armenian rebellions first started in Sason in Bitlis region in 1894. The rebellions' extensions to many other cities in the Eastern and Northeastern Anatolia, and the Ottoman State's harsh reaction towards them resulted in deaths of thousands of people including Turks, Kurds and mostly Armenians. As a result of these tragic events, many Armenians converted to Islam to escape death, and many left Anatolia for Russia, European countries, the United States and Iran.⁵⁴⁴ A decree announced on January 29th, 1894 shows the extent to which that Armenian immigrants gave rise to nationality changes. This memorandum from Yıldız Palace indicated 'it is not permissible for anyone to leave Ottoman citizenship without obtaining an imperial decree permitting to do so', and, 'the misunderstandings on this issue which have been particularly exploited by the Armenians should be cleared up.'⁵⁴⁵ Having Iranian nationality would enable them to travel without having permission from the Ottoman State. Ohannes, who was originally from Tokat, would be an example of the Armenians who asked for Iranian nationality. Ohannes wanted to go to Russia with his family in the aftermath of these events. He had renounced Ottoman nationality and applied to the Iranian consul for an Iranian passport. His application was successful; the Iranian consul provided him with an Iranian passport.⁵⁴⁶

⁵⁴³ This issue has been covered by the current literature in depth. See Selim Deringil, 'The Armenian Question Is Finally Closed': Mass Conversions of Armenians in Anatolia during the Hamidian Massacres of 1895–1897', *Comparative Studies in Society and History*; 51(2) (2009), 344–371, 348–349; François Georgeon, *Sultan Abdülhamid*, (İstanbul: Homer Yayınevi, 2006), 324–358; Ümit Kurt, 'Reform and Violence in the Hamidian Era: The Political Context of the 1895 Armenian Massacres in Aintab', *Holocaust and Genocide Studies* 32, no. 3 (2018): 404–23, 409; Deborah Mayersen, 'The 1895–1896 Armenian Massacres in Harput: Eyewitness Account', *Études Arméniennes Contemporaines* 10, no. 10 (2018): 161–83; Ali Sipahi, 'Deception and Violence in the Ottoman Empire: The People's Theory of Crowd Behavior during the Hamidian Massacres of 1895', *Comparative Studies In Society And History* 62, no. 4 (2020): 810–835; Edip Gölbaşı, 'The Official Conceptualization of the Anti-Armenian Riots of 1895–1897', *Études Arméniennes Contemporaines* 10, no. 10 (2018): 33–62.

⁵⁴⁴ For mass conversions, see Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire*. (Cambridge: Cambridge University Press, 2012).

⁵⁴⁵ BOA.IH.56, 21 Receb 1311, (29 January 1894), Yıldız Palace Imperial Secretariat, signed by Imperial Secretary Süreyya Paşa; cited in Deringil, *Conversion*, 189.

⁵⁴⁶ BOA.A.MKT.MHM.662.28, 3 Receb 1315 (28 November 1897).

On September 30th, 1895, Armenians gathered in the Kumkapı and Kadirga neighborhoods of Istanbul and marched towards the *Bâb-ı Âlî* (Sublime Porte).⁵⁴⁷ Civilian mobs together with Ottoman soldiers stopped the Armenians on their way, and many died as a result of the armed conflicts.⁵⁴⁸ A year later, in August 1896, *Daşnak* Armenians bombed the Ottoman Bank.⁵⁴⁹ The final decades of the reign of Sultan Abdülhamid II was the period in which the Ottoman State was establishing systematic control over the identity cards, passports and even hotel registrations to monitor the outcasts. That is, the state wanted to monitor those who were involved or had the potential to be involved in the illegal activities.⁵⁵⁰ Given this atmosphere, the Ottoman State was suspicious about nationality changes as well as the activities of Armenians who were under the protection of foreign countries, including Iran.⁵⁵¹ The documents indicate that many Armenians engaged in activities posed by the Ottoman State had acquired Iranian protection and were traveling with Iranian passports. For example, an Armenian involved in the bombing of the Ottoman Bank in 1896 travelled from Marsil to Batum with an Iranian passport.⁵⁵² However, according to the Ottoman State, this man, Kalost Nalbantyan, son of Kirkor, was originally an Ottoman from the district of Sivas.⁵⁵³ Another Armenian who was an Iranian national,

⁵⁴⁷ Georgeon, *Abdülhamid*, 336-337.

⁵⁴⁸ Georgeon, 336-337.

⁵⁴⁹ See Edhem Eldem, '26 Ağustos 1896 'Banka Vakası' ve 1896 'Ermeni Olayları'', *İmparatorluğun Çöküş Döneminde Osmanlı Ermenileri, Bilimsel Sorumluluk ve Demokrasi Sorunları*, ed. Fahri Aral, (İstanbul: İstanbul Bilgi Üniv. Yayınları, 2011), 125-152. Also See, Georgeon, *Abdülhamid*, 336-337.

⁵⁵⁰ For a detailed discussion, see İlkay Yılmaz, *Serseri, Anarşist ve Fesadın Peşinde. II. Abdülhamid Dönemi Güvenlik Politikaları Ekseninde Mürur Tezkereleri, Pasaportlar ve Otel Kayıtları*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2014).

⁵⁵¹ The Ottoman State monitored the Armenians who travelled with Iranian passports with special care because it perceived the Iranian State as the protector of the Armenians during the conflicts in Eastern Anatolia and on the Ottoman-Iranian border. During these conflicts, the Ottoman State believed that the Iranian State was protecting, if not supporting, the Armenians, while the Ottoman State supporting the Kurds. This issue was the political background of Muzaffar al-Din Shah's visit to Istanbul in 1900. As we learn from Göyünç, the conversation between the Mehmed Rebiî Paşa, a member of the special delegation that was sent to Tehran in 1898 to discuss the conflicts between the Iranian and the Ottoman State regarding the conflicts between Armenians and Kurds and invite the shah to Istanbul to discuss this issue, the Ottoman State believed that the Armenian mobs were gathering in the Iranian lands to attack the Ottomans. Nejat Göyünç, 'Muzaferüddin Şah ve II. Abdulhamid Devrinde Türk-İran Dostluk Tezahürleri', in *İran Şehinşahlığı'nın 2500. Kuruluş Dönemine Armağan*, (İstanbul: Milli Eğitim Basımevi, 1971), 158-162.

⁵⁵² BOA.ZB.318.7, 16 Ağustos 1322 (29 August 1906).

⁵⁵³ BOA.ZB.318.7, 16 Ağustos 1322 (29 August 1906).

Danyal Yusuf, was arrested for ‘harmful actions’ and sent to Iran.⁵⁵⁴ The Ottoman State did not want these Armenians traveling under the protection of the Iranian consuls even though they were Ottoman nationals and notified the police about them.⁵⁵⁵

After the clashes extended to Istanbul and the *Daşnaks* bombed the Ottoman Bank, the Ottoman State decided to exile all unemployed Armenians from Istanbul which was followed by the arrest of employed Armenians who were suspected of having ties to the separatist Armenian *Hınçaks*⁵⁵⁶ and their being sent away from Istanbul.⁵⁵⁷ Even merchant and shopkeeper/craftsmen Armenians were seeking the protection of foreign countries, including Iran, in order not to be banished from Istanbul. Some asserted that they were originally Iranian, not Ottoman, but the Ottoman State’s verdict in those cases was not what the Armenians hoped. After an investigation, the Ottoman State came to the conclusion in most cases that such Armenians were Ottoman nationals. For example, an Armenian dentist, Aleksan Deldehparşun Elmekciyan, claimed to be an Iranian national, but the Ottoman State investigated and determined that he was not Iranian and was therefore an Ottoman national.⁵⁵⁸ Another document indicates that another man who had asserted that he was Iranian, draper Kirkor Fizikyan, was also Ottoman and would be treated as such.⁵⁵⁹ Another Armenian who lived in the Sarıyer neighbourhood of Istanbul

⁵⁵⁴ BOA.Y.PRK.UM.43.82, (24 September 1898).

⁵⁵⁵ BOA.ZB.619.43, 15 Haziran 1324 (28 June 1908).

⁵⁵⁶ The revolutionary *Hınçak* party was established in August 1887 (Armenian Social Democratic Hentchakist Party). *Hınçaks* were generally thought to be fighting for an independent Armenian State, while another Armenian party, *Daşnaksutyun* was asking for reforms for the Armenians living within Ottoman territories. For detailed information on the party, see Hagop Turabian, ‘The Armenian Social-Democratic Hentchakist Party’, *Ararat*, Vol.3 No.34, April 1916, No 35, May 1916, No.37 July 1916. http://www.hunchak.org.au/aboutus/historical_turabian.html accessed on 12 March 2017.

⁵⁵⁷ Florian Riedler, ‘Armenian Labour Migration to Istanbul’, *The City in the Ottoman Empire: Migration and the Making of Urban Modernity*, eds. Ulrike Freitag, Malte Fuhrmann, Nora Lafi, Florian Riedler, (USA&Canada: Routledge, 2011), 170.

⁵⁵⁸ BOA.ZB.338.108, 7 Haziran 1322 (20 June 1906).

⁵⁵⁹ BOA.ZB.597.86, 4 Ağustos 1323 (17 August 1907).

held an Iranian passport; however, as a document on the case states, it became clear after an investigation that he was an Ottoman national.⁵⁶⁰

Within the Iranian Constitutional Context

The Iranian Constitutional Revolution (1905-1909) was a turning point in the Iranian identity-defining and shaping process. A constitution became inevitable given a variety of circumstances: the erosion of authority in the country after the death of Nasir al-Din Shah, the rivalry between Ain al-Dawleh and Amin al-Sultan, public anger regarding the chief customs officer, Juseph Naus, the rivalry among members of the ulama and the public interpretation of the Russian defeat of Japan as a victory of a constitutionalist regime over a despotic regime, and the economic problems that Iran faced as a result of this war.⁵⁶¹ The event that triggered the protests in 1905 was regarding the latter: the governor of Tehran's involvement in the punishment of merchants responsible for a sugar shortage. The governor, Ahmad Ala al-Dawleh, asked merchants a reduction in the price of sugar. However, the merchants did not accept this, claiming that this was the result of the sugar shortages and the increased prices following the Russian-Japan war and Russian revolution. The governor ordered these merchants to be bastinadoed, which gave way to a protest of a large group of people including merchants, guilds as well as ulama members including the prominent figures such as Sayyid Mohammad Tabatabai and Sayyid Abdullah Bihbihani and their students.⁵⁶² The protestors went to the shrine of 'Abd al-Azim. After the shah accepted the protesters' demands of dismissal of the governor, Naus and an establishment of an *adalatkhaneh* (house of justice), the protests at the shrine ended

⁵⁶⁰ BOA.ZB.338.54, 12 Şubat 1321 (25 February 1906).

⁵⁶¹ Katouzian, *State and Society*, 33-34.

⁵⁶² Katouzian, 34; Afary, *Constitutional Revolution*, 51-52.

a month later, and the protestors returned to Tehran.⁵⁶³ They were welcomed by crowds shouting: ‘Long live the nation of Iran,’⁵⁶⁴ which according to Nazem al-Islam was the first time that such national slogans had been heard on the streets of Iran.⁵⁶⁵ However, because the shah did not call on the House of Justice to convene and dismiss Naus, conflicts and clashes continued.⁵⁶⁶ The arrest of dissidents including a local cleric who had criticised the government led to bloody clashes.⁵⁶⁷ As a result, clerics left for Qum and more than 14,000 people including merchants, craftsmen, intellectuals and students took sanctuary at the British Legation.⁵⁶⁸ Three weeks later, Muzaffar al-Din Shah declared that he would convene a national assembly, thus ending the revolution.⁵⁶⁹

The Iranian Majlis was opened in October 1906 and Muzaffar al-Din Shah signed the Fundamental Laws of 30 December 1906.⁵⁷⁰ These laws defined the majlis as ‘the representative of the whole Iranian nation’ in its second article.⁵⁷¹ The laws defined the majlis and described the institution's duties, rights and limitations. After Muzaffar al-Din Shah’s death, Muhammad Ali Shah acceded the throne in January 1907.⁵⁷² The deputies prepared the Supplementary Fundamental Laws based largely on the Belgian constitution.⁵⁷³ Muhammad Ali Shah refused to sign them because they redefined his status as shah of Iran and limited his rights as ruler.⁵⁷⁴ For instance, Article 36 defined Iran as ‘a

⁵⁶³ Afary, 52; Nader Sohrabi, *Revolution and Constitutionalism in the Ottoman Empire and Iran* (New York: Cambridge University Press, 2011), 341.

⁵⁶⁴ Nazim al-Islam, *Tarikh-i Bidari*, Vol. I, 364 cited in Sohrabi, 341 and also in Ervand Abrahamian, *Iran between Two Revolutions*, (Princeton: Princeton University Press, 1982), 82.

⁵⁶⁵ Nazim al-Islam, *Tarikh-i Bidari*, Vol. I, 364 cited in Sohrabi, *Revolution*, 341 and also in Abrahamian, *Iran Between Two Revolutions*, 82.

⁵⁶⁶ Abrahamian, *Iran Between Two Revolutions*, 82.

⁵⁶⁷ Abrahamian, 83.

⁵⁶⁸ Sohrabi, *Revolution*, 343-347.

⁵⁶⁹ Abrahamian, *Iran Between Two Revolutions*, 85.

⁵⁷⁰ Abrahamian, 68, 89.

⁵⁷¹ See Iranian Fundamental Law of 1906, <http://irandataportal.syr.edu/wp-content/uploads/iran1906.pdf>

⁵⁷² Katouzian, *State and Society*, 35.

⁵⁷³ Abrahamian, *Iran Between Two Revolutions*, 90.

⁵⁷⁴ Abrahamian, 90.

limited monarchy'.⁵⁷⁵ Article 43 indicated that 'the sovereign cannot, without the approval and sanction of the National Assembly and the senate, interfere in the affairs of another country,' and Article 44 stated that 'the sovereign is absolved from all responsibility. The Ministers of the State are responsible in all matters,' which shows the extent to which the rights and responsibilities of the shah had been limited.⁵⁷⁶ The shah initially refused to sign the law, but after countrywide protests and the assassination of his prime minister, Amin Al-Sultan, he signed the laws on 17 October 1907.⁵⁷⁷

The Supplementary Fundamental Laws defined the rights and in some cases the responsibilities of the Iranian *mellat*, the members of the majlis and the shah. This brought about a change to the concept of *tabe'iyat*. The eighth article of the laws stated that 'the people of Iran enjoy equality of rights before the civil law,' and the ninth article stated that 'the life, property, domicile and honour of every individual is secured and guaranteed from every kind of injury'.⁵⁷⁸ That is to say, the laws stated that the rights of Iranian nationals arose from their legal status as Iranian *taba'eh*. However, although it detailed the extent to which the state was responsible for protecting its subjects, the laws did not list the responsibilities of Iranian nationals themselves. Only later in the Pahlavi period would the term *tabe'iyat* become equal to the English word citizenship as 'the legal, political, and social status of every person who 'belongs' to a state, that is, is subject to its authority and may in return seek its protection.'⁵⁷⁹

⁵⁷⁵ Iranian Additional Law of 1907, <http://irandataportal.syr.edu/wp-content/uploads/iran1907.pdf> accessed on 25 May 2019

⁵⁷⁶ Iranian Additional Law of 1907, <http://irandataportal.syr.edu/wp-content/uploads/iran1907.pdf> accessed on 25 May 2019

⁵⁷⁷ Abrahamian, *Iran Between Two Revolutions*, 90-91.

⁵⁷⁸ Iranian Additional Law of 1907, <http://irandataportal.syr.edu/wp-content/uploads/iran1907.pdf>

⁵⁷⁹ Naser Yeganeh, 'Citizenship, Qajar and Pahlavi Periods', *Encyclopedia Iranica*, Originally Published: December 15, 1991, accessed on 05.02.2017.

Not only the term *tabe'iyat* but also the concepts of *vatan* and *mellat* underwent a change during the constitutional period. These concepts became nationalised in the Iranian constitutional atmosphere, which brought a new definition of Iranianness. During the revolutionary protests at Qum, in addition to slogans such as 'long live Islam', the slogan 'long live the nation of Iran' began to be heard.⁵⁸⁰ For Afary, this new slogan 'not only superseded the regional and ethnic identities but also competed with the hitherto primary identity and allegiance of the majority'.⁵⁸¹ The term *mellat* went beyond ethnicity and religion, and thus referred an idea of the Iranian nation. Katouzian dates the emergence of the concept of an Iranian nation to the constitution, stating that 'there was no nation in Iran before the constitutional revolution'⁵⁸² although 'there was a sense of Iranian community and culture, largely centered on the Persian language and literature, and a sense of what most of that community held in common, including religious beliefs and passions.'⁵⁸³ Apart from this, as Zia-Ebrahimi and Katouzian mention, there was a notion of nation and nationalism in the discussions of Qajar elites that went hand in hand with Qajar modernisation attempts. Zia-Ebrahimi claimed that the dislocative nationalism that had no 'antecedent before the late nineteenth century'⁵⁸⁴ 'emerged sometime between the 1860s and 1890s and was later integrated into the official ideology of the Pahlavi state.'⁵⁸⁵ In his discussion of dislocative nationalism, Zia-Ebrahimi mainly examines the writings of Iranian elites such as Akhundzadah (1812-78) and Kermani (1854-1897). This is consistent with Katouzian's assertion that before the constitutional revolution, 'there was no sense of Iranian nationalism... except among a small intellectual and educated elite who, under the

⁵⁸⁰ Janet Afary, *The Iranian Constitutional Revolution, 1906-1911, Grassroots Democracy and the Origins of Feminism*, New York: Columbia University Press, 1996, 54.

⁵⁸¹ Afary, 54.

⁵⁸² Katouzian, *State and Society*, 76.

⁵⁸³ Katouzian, 76-77.

⁵⁸⁴ Ebrahimi, *Iranian Nationalism*, 3.

⁵⁸⁵ Ebrahimi, 3.

direct influence of Europe, had begun to build and promote it.’⁵⁸⁶ That is to say, both Zia-Ebrahimi and Katouzian portray the understanding of nationalism in nineteenth-century Iran as a discussion among elites and date the emergence of the Iranian nation to the constitutional revolution.

Vatan was generally defined as one's birthplace and the territory where one lived for a long time. However, this understanding began to change by the second half of nineteenth century; *vatan* began to be understood not only as a birthplace but also as a homeland for the Iranians.⁵⁸⁷ As Afsaneh Najmabadi states, ‘*vatan* coincided with a shift in meaning of *mellat* from a religiously defined to a nationally imagined community’ referring to the Anderson’s concept.⁵⁸⁸ The newspapers published in the constitutional years provide many examples of this change. For instance, an article titled ‘*Maqalah-e Makhsusah*’⁵⁸⁹ (Special article) published in *Shahanshahi* in 1906 presaged Benedict Anderson’s idea of nation eighty years before he published *Imagined Communities*. Anderson defines nation as an imagined community consisting of individuals who would probably never know each other, never meet, but who are connected to one other by a fraternity and a shared identity.⁵⁹⁰ The article in *Shahanshahi* stated that ‘one should not consider the city in which one was born as his particular *vatan*. For instance, the person who was born in Isfahan should not consider Isfahan his *vatan* and the other provinces of Iran as foreign. The Isfahan-born person is a brother to people of other provinces of Iran, and must regard

⁵⁸⁶ Katouzian, *State and Society*, 77.

⁵⁸⁷ For further discussions, see Tavakoli-Targhi, ‘From Patriotism’, 218-219.

⁵⁸⁸ Afsaneh Najmabadi, *Women with Moustaches Men without Beards, Gender and Sexual Anxieties of Iranian Modernity*, (Berkeley: University of California Press, 2005), 102.

⁵⁸⁹ ‘Maqalah-e Makhsusah’, *Shahanshahi* 1, 25 17 July 1906, 4, cited in Najmabadi, *Women with Moustaches* 99.

⁵⁹⁰ Benedict R. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Rev. ed. ACLS Humanities, (London; New York: Verso, 2006), 4-8.

them like his own real and full brothers, loving them and wishing for their welfare.’⁵⁹¹ The writer’s definition went beyond the understanding of *vatan* as a birthplace, suggesting instead a broader definition of not only *vatan* but also *mellat* by highlighting the aspect of brotherhood. This fits with Anderson’s conceptualization of ‘fraternity’ among the individuals of a nation. However, the fraternity or brotherhood of the Iranian nation was comprised of something absent from Anderson’s definition: *hubb al-vatan*. The article argued that ‘the love of *vatan* was second only to the love of God’.⁵⁹² This definition is deeply rooted in Islam; there were many references to the *hadith* ‘*hubb al-vatan min al-iman*’ (the love of *vatan* derives from faith), as already mentioned in this chapter.

Another article published by *Habl al-Matin* suggested that *Iranigari* (Iranianism) included Muslims, Zoroastrians, Jews and Armenians, and that Iranians should ‘do away with such labels as Shirazi, Isfahani, Kirmani, Tehrani, Baluchi, Bakhtiari, Luri, Kurdi and even Iraqi and Azarbayjani.’⁵⁹³ They must ‘all become Irani and *vatani* brothers.’⁵⁹⁴ This article explicitly stated that the brotherhood and common identity of the *mellat* transcended religion, ethnicity and even geography. The article not only included Iranians living in the Iranian cities of Shiraz, Kirman and Tehran but even considered the Iranians living in Ottoman Iraq to be part of the Iranian *vatani* brotherhood. The Iranian brotherhood included Iranians living in the Ottoman Empire, as well, according to the definitions in the articles ‘*Maqalah-e Makhsusah*’ and ‘*Iran va Iraniyan*’ (Iran and Iranians). As Anderson’s concept of ‘imagined communities’ suggests, the members of the Iranian *mellat* did not

⁵⁹¹ ‘Maqalah-e Makhsusah’, *Shahanshahi* 1, 25 17 July 1906, 4, cited in Najmabadi, *Women with Moustaches* 99. (possibly the court historian ‘Abd al-Husayn Lisan al-Saltanah Malik al-Muvarrikhin was the writer says Najmabadi.)

⁵⁹² Najmabadi, 99.

⁵⁹³ ‘Iran va Iraniyan’, *Habl al-matin*, 14, 46 15 July 1907 1-8, cited in Najmabadi, *Women with Moustaches*, 99-100.

⁵⁹⁴ Najmabadi, 99-100.

need to know each other – it was fraternity, a shared identity, and the love of their homeland that made them part of an Iranian *mellat*.

After *Akhtar* began to be published in the Vâlîde Hanı, the economic centre of the Iranian community, the *han* became a centre for opposition to the Iranian regime – a place where Persian-speaking residents of Istanbul and Iranian travellers passing through the Ottoman Empire could meet. Many Iranian intellectuals, mostly opponents of the Qajar regime exiled from Iran, came to Istanbul. Iranian intellectuals including Malkam Khan, Nariman Khan and Hüseyin Daniş engaged in political and intellectual activities around *Akhtar*.⁵⁹⁵ From the 1870s to the 1890s, these Iranian intellectuals displayed a ‘soft’ opposition to the Qajar state by writing articles criticising Iran, as mentioned. Iranians, mostly Istanbul-based ones, developed an interest in opposition politics in the context of the Iranian constitutional revolution.

The Ottoman-resident Iranians were engaged in the discussions regarding *vatan* and *mellat* within the constitutional context of 1905-1909. Although Sayyid Hasan Shams, who ran a library in Istanbul, had intended to establish another Persian-language newspaper in Istanbul when *Akhtar* was shut down in 1896,⁵⁹⁶ he was only able to do so twelve years later. *Akhtar*’s mission was later taken up by another Persian-language newspaper, *Shams*. The first issue was published on 5 September 1908 following the bombardment of the Iranian Majlis on 23 July 1908 after which many Iranian constitutionalists came Istanbul to work for the reestablishment of the constitution in Iran. The newspaper followed the footsteps of *Akhtar* and highlighted the concepts of *tamaddon* (civilisation), *azadi* (freedom), *vatan* and *mellat*, which had come to the fore during the constitutional

⁵⁹⁵ Lawrence, 1-23.

⁵⁹⁶ BOA.A.MTZ (04).39.63., 26 Cemaziyülahir 1314 (2 December 1896).

revolution of Iran. While the articles in *Akhtar* mostly concerned the love of homeland and the necessity of law, which only evoked notions of Iranianness, and Iranian homeland and an ‘imagined Iranian community’, the articles in *Shams* presented a more national, constitutionalist discourse. *Shams* published many articles defining Iran as *vatan*, Iranians as *mellat* in national sense and Ottoman-resident Iranians as part of that *mellat*. In an article ‘*Maqala ast hitab be ahl-e vatan*’, (The article to the address the people of the homeland) published on 17 December 1908, the anonymous author used phrases such as *hamvatanan and awlad-e Iran* (fellow countrymen and children of Iran) when referring to its intended readers, who were mainly the Ottoman-resident Iranians.⁵⁹⁷ It asks Iranians if they were not children of Iran, and criticised them for not working for Iran as much as their ancestors.⁵⁹⁸ The newspaper supported the constitution and published many articles promoting the constitution as a solution to save and develop the *vatan*, Iran.⁵⁹⁹ In its second issue, *vatan* was described as being in need of being saved from despotism.⁶⁰⁰ In another issue, a writer advised the Iranian *mellat* to chose true, wise leaders in order to be saved from despotism.⁶⁰¹ In another issue published on 14 May 1909, an article claimed that because of the revolution, the Iranians in Istanbul were quite in chaos.⁶⁰² It criticised the Iranians of Istanbul for presenting themselves as constitutionalists, patriots and freedom fighters, but of doing nothing for the *vatan* other than publishing articles, which was not enough in the author’s view.⁶⁰³

The Ottoman-resident Iranians felt as though they were a part of an ‘imagined’ Iranian *mellat*, but now supported a constitution to create freedom for the *vatan*. In other words,

⁵⁹⁷ *Shams*, ‘*Maqala est hitab be ahl-e vatan*’, 23 Zilkade 1326 (17 December 1908), 10, 6-7.

⁵⁹⁸ *Shams*, ‘*Maqala est hitab be ahl-e vatan*’, 23 Zilkade 1326 (17 December 1908), 10, 6-7.

⁵⁹⁹ *Shams*, 23 Rabiylahir 1327 (14 May 1909), 14.

⁶⁰⁰ *Shams*, 14 Shaban 1326 (11 September 1908), 4.

⁶⁰¹ *Shams*, 7 Jamaziyalavval 1327 (10 May 1909), 7.

⁶⁰² *Shams*, 23 Rabiylahir 1327 (14 May 1909), 14.

⁶⁰³ *Shams*, 23 Rabiylahir 1327 (14 May 1909), 14.

the Ottoman-resident Iranians felt themselves as part of the ‘imagined Iranian constitution’ in this period. Remembering Anderson’s concept of ‘imagined communities’, although members of the ‘imagined community’ do not necessarily know each other but can connect each other via fraternity, Ottoman-resident Iranians established a fraternity with other constitutionalists and supported them in every possible way. The phrase ‘imagined Iranian constitution’ does not imply that the constitution was not a fact; it rather meant that the constitution had an aspect which connected all the constitutionalists in or outside Iran to each other under the idea to save the *vatan* from despotism, as above-mentioned article in *Shams* argues.

The Ottoman-resident Iranians became involved in the constitution far from their homeland not only by publishing articles, but also by establishing political organisations, organising protests in support of the constitution and raising money for the constitution. Iranians established *anjomans* in the Ottoman Empire to engage in politics and support the constitutionalists in Iran, and many Iranians living in the Ottoman Empire were involved in them. The *anjomans* were political organisations and assemblies modelled on the Iranians majlis, which were established in every corner of Iran after the inauguration of the majlis. They acted like small assemblies in which the political and social situation of Iran was discussed along with ways to modernise and improve Iran.⁶⁰⁴ There were more than 200 *anjomans* in Tehran alone, and both official and unofficial *anjomans* could be found in other Iranian towns, as well.⁶⁰⁵ The most famous *anjoman* to appear in the Ottoman Empire, in Istanbul, was the Anjoman-e Sa'adat-e Iranian (Felicity Society of Iranians), which was established in 1907 ‘to prevent the dissection of Iran into Russian and British

⁶⁰⁴ Minucheher, ‘Homeland From Afar’, 21-22.

⁶⁰⁵ Minucheher, 22. Official *anjomans* were *ayalati* (provincial) and *velayeti* (district). *Anjomans* and their role and functions were laid out in the Motammam-e Qanun-e Asasi (Amendment to the Constitution) of 7 October 1907. Minucheher, 22-23.

spheres as agreed by those two countries in the 1907 treaty.⁶⁰⁶ The Anjoman-e Sa'adat was eager to maintain links with other centres in and out of Iran that supported the Iranian constitution by sending telegrams and representatives to these centres.⁶⁰⁷ The Anjoman-e Sa'adat was also in close contact with the *mojtaheds* of Najaf, such as Shaikh Abdullah Mazandarani and Molla Mohammad Kazem Khorasani, who supported the constitution.⁶⁰⁸ For instance, the Anjoman-e Sa'adat was informed of the siege of Tabriz via telegram and relayed the news not only to the Ottoman-resident Iranians but also to the Shiite ulama in Najaf and Karbalâ.⁶⁰⁹ The *anjoman* also printed and distributed *fatwas* supporting the constitution that the *mojtaheds* had issued.⁶¹⁰ Another Iranian organisation supporting the constitution was the Anjoman-e Baradaran-e Irani (Iranian Brothers Society). This *anjoman* was established as a secret organisation in Istanbul⁶¹¹ and organised performances of plays that promoted the idea of a constitution to the public in Istanbul.⁶¹² Another organisation, established mainly by Iranian women in Istanbul, was the Komiteh-ye Neswan-e Irani-ye Muqimin-e Istanbul (committee of Iranian women residing in Istanbul). The committee raised charitable funds on behalf of Iranians in Iran for a variety of causes.⁶¹³

Political tensions, conflicts and clashes between constitutionalists and supporters of the shah in Iran shaped the activities of Iranian political organisations in Istanbul. The conflicts and confrontations among Muhammad Ali Shah, the majlis and other organs

⁶⁰⁶ Minucheher, 65.

⁶⁰⁷ Minucheher, 65-66.

⁶⁰⁸ Hamid Algar, *Anjoman-i Sa'adat*, *Encyclopedia Iranica*, December 15, 1985 Vol. II, Fasc. 1, 89. <http://www.iranicaonline.org/articles/anjoman-e-saadat> accessed on 5 April 2018.

⁶⁰⁹ *Anjoman* (Tabriz), 2 (Şevval AH 1326/October 1908), (Tehran, AH 1376/1997) cited in Fariba Zarinebaf, 'From Tabriz to Istanbul', 166.

⁶¹⁰ Hamid Algar, *Anjoman-i Sa'adat*, *Encyclopedia Iranica*, December 15, 1985 Vol. II, Fasc. 1, p. 89. <http://www.iranicaonline.org/articles/anjoman-e-saadat> accessed on 5 April 2018.

⁶¹¹ Minucheher, 'Homeland from Afar', 75.

⁶¹² Minucheher, 76.

⁶¹³ Minucheher, 68. For the committee see Biancamaria Scarcia Amoretti, 'Dames Persanes De Constantinople' in *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 91-93.

supporting the constitution such as the *anjomans* resulted in the shah's bombardment of the majlis in June 1908 and the arrest of constitutionalists.⁶¹⁴ Many constitutionalists were arrested or killed, while others escaped from Tehran. Opposition politicians and intellectuals, including Yahya Dawlatabadi (1863-1939), Hasan Taqizadeh and Ali Akbar Dehkhoda (1879-1956) came Istanbul in these days. They chose to flee to Istanbul because the Ottoman constitution was being established and they were welcomed by members of the Ottoman İttihat ve Terakki Cemiyeti (Committee of Union and Progress).⁶¹⁵ Dehkhoda described this atmosphere as follows:

'Especially after the bombardment of the holy national majlis, in recent months, when the pioneers of Iranian freedom-seekers were dispersed to various parts of the world, they have inclined to gather in Istanbul after the dawn of freedom's arrow in the Ottoman land. The Ottoman leaders have welcomed them with open bosoms, and once again made the hearts of appreciative Iranians full of gratitude for this warm reception.'⁶¹⁶

The Iranian constitutionalists were in contact with the Ottoman constitutionalists during their time in Istanbul. The Iranian constitutionalists already had established good relationships with the members of the Committee of Union and Progress before arriving in Istanbul. Taqizadeh mentioned in his memoirs that he met Ahmed Rıza, a leading figure of the Committee of Union and Progress, in London and then in Istanbul.⁶¹⁷ Yahya Dawlatabadi, an Iranian constitutionalist who was in Istanbul those days, mentions in his memoirs on 16 November 1908 that Anjoman-e Sa'adat had organised a meeting in

⁶¹⁴ For a detailed examination of this period, see Abrahamyan, *Constitutional Revolution*, 92-101; also see Sohrabi, *Revolution*, 398-406.

⁶¹⁵ The Committee of Union and Progress was established in the last years of the reign of Sultan Abdülhamid II. It was active in 1906-1908 in establishing a constitution in the Ottoman Empire. The sultan finally announced the constitution on 23 July 1908, and the CUP played a great role in removing him from the throne in 1909. Reşad became the new sultan, and the CUP began to rule the country. CUP maintained power until the end of World War I. There are many works on the CUP and the period that they were in power in the existing literature. See Faroz Ahmad, *The Young Turks: The Committee of Union and Progress in Turkish Politics, 1908-1914*, (USA: Columbia University Press, 2010); Faroz Ahmad, *The Young Turks and the Ottoman Nationalities: Armenians, Greeks, Albanians, Jews and Arabs*, (USA: University of Utah Press, 2014); Şükrü Hanioglu, *The Young Turks in Opposition*, (Oxford: Oxford University Press, 1995).

⁶¹⁶ *Surush*, 30 June 1909, no 1, 1, cited in Minuchehr, 'Homeland from Afar', 59.

⁶¹⁷ Hasan Taqizadeh, *Zandagi-i Tufani: Khatirat-i Sayyid Hasan Taqizadah*, (Tehran: Gancineh-i Iran ve Iraniyan, 1989), 158-159.

Beyoğlu.⁶¹⁸ As Dawlatabadi stated, many Iranians holding Ottoman and Iranian flags marched from Vâlide Hanı to the Odeon cinema building in Beyoğlu where the meeting took place.⁶¹⁹ The president of the meeting was Sultan Abdülhamid II's nephew, Prince Sabahaddin (1877-1948) who was a famous Ottoman constitutionalist.⁶²⁰ Sabahaddin had tutorials with famous Iranian intellectual Hüseyin Daniş ⁶²¹ early in his youth⁶²² which may have given way to close contact with the Iranians of Istanbul long before the constitution years. Sabahaddin gave opening and closing speeches expressing his wish that the Iranians would gain their freedom.⁶²³ The Ottoman constitution was ratified on 23 July 1908, only four months before this meeting, and in addition to the Iranian constitutionalists, members of the Ottoman İttihat ve Terakki Cemiyeti, were present at the meeting.⁶²⁴

The shah's bombardment of the Iranian Majlis was followed by a counter coup. The counter coup began in cities like Tabriz, Isfahan, Gilan, Rasht and Mashad where the constitutionalists were led by local figures such as Sattar Khan and Baqer Khan in Tabriz,

⁶¹⁸ Yahya Dawlatabadi, *Hayat-e Yahya*, v.3, (Tih-rân: Chapkhanah-i Chihr, 1948), 38-50.

⁶¹⁹ Dawlatabadi, 38-50.

⁶²⁰ Sabahaddin was the son of Seniha Sultan, the sister of Sultan Abdülhamid II, and Mahmud Paşa. Because only his mother was a member of the royal family, he was not a *şehzade*. Instead, he used the title 'prince' as equivalent to the Turkish '*sultan-zade*'. He was one of the leading figures of the CUP early on after its establishment. He fled to Europe in 1899 with his father and brother and joined the Jön Türkler (young Turks) in Europe. He returned to Istanbul after the dethronement of Sultan Abdülhamid II in 1909. Sabahaddin had opposed Abdülhamid II; then he became an opponent of the CUP. Because he was to be arrested, he fled to Europe once more in 1913 and later returned to Istanbul in 1919 during the allied occupation after World War I. He had close connections to the national struggle led by Mustafa Kemal in Anatolia; however, he did not join them. After a law deporting all members of the Ottoman royal family out of Turkey was enacted by the Turkish Republican government in 1924, he went to Europe. He died in Switzerland in 1948. See Abdullah Uçman, 'Prens Sabahaddin', TDV İslam Ansiklopedisi, <https://islamansiklopedisi.org.tr/prens-sabahaddin>, (accessed on 17.12.2018).

⁶²¹ Hüseyin Daniş (Hussein Dânish) was born in Istanbul in 1870. His father was an Iranian merchant from Isfahan who came to Istanbul in around 1854. Daniş worked at the Ottoman *Rüşdiye* (middle school) and then at the *Mekteb-i Ali-yi Mülkiye* (school of civil administration), the French schools Charrel and Astier (Institution Française) in Pera, and at Dabistan-e Iraniyan. John Gurney, 'E.G. Browne,' *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 154. Daniş was the private teacher of Mahmud Paşa's two sons, Sabahaddin and Lütfullah, for six years. He was with them on their journey through Egypt, Italy, Switzerland, France, and England. After his return, he began to work in the Ottoman Public Debt Administration. Gurney, 154-155.

⁶²² John Gurney, 'E.G. Browne and the Iranian Community in Istanbul' *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, (İstanbul-Tehran: IFEA/IFRI, 1993), 154.

⁶²³ Dawlatabadi, *Hayat-e Yahya*, v.3, 38-50.

⁶²⁴ Dawlatabadi, 38-50.

Yepprem Khan in Rasht and Samsam al-Saltaneh in Esfahan.⁶²⁵ Especially the resistance in Tabriz ‘played a decisive role in encouraging resistance in the capital and elsewhere, which ended in the capture of Tehran by constitutionalists armies.’⁶²⁶ During this Iranian civil war of 1908-1909, the Ottoman-resident Iranians together with the constitutionalist who escaped Iran and came to the Ottoman Empire, mainly to Istanbul, showed their solidarity with the constitutionalists in Iran. For instance, the Iranian constitutionalists, who must have been impressed by Sabahaddin in the meeting in Beyoğlu, staged a play entitled *Sabah-ı Hürriyet* (Dawn of freedom) at the Tepebaşı theatre in Beyoğlu that presented the story of Sabahaddin and his father Mahmud Paşa (1855-1903), who was a famous constitutionalist as well.⁶²⁷ All proceeds went to poor Iranians and constitutionalists in Tabriz.⁶²⁸ Although there is no information about the audience, such plays promoted the idea of a constitution to both the Ottoman and Iranian public.

In addition to these, the Anjoman-e Sa’adat organised demonstrations including two in Istanbul in October 1908. Ottoman-resident Iranians took part and many Iranians closed shop, gathered in the Vâlîde Hanı. They were shouting as ‘Yaşasun İran!’ (long live Iran!), ‘Gebersün hainler!’ (down with traitors!) and ‘Yere girsün müstebidler!’ (down with despots!).⁶²⁹ The second demonstration that took place that same month was to show solidarity with the Tabrizis. Iranians gathered and marched to the Bab-ı Ali.⁶³⁰ This demonstration was triggered by false news that the Anjoman-e Sa’adat had received from the *Anjoman-e* Tabriz regarding the entry of Russian military into Azerbaijani territory.⁶³¹

⁶²⁵ Abrahamyan, *Constitutional Revolution*, 97, 99.

⁶²⁶ Katouzian, *State and Society*, 35.

⁶²⁷ Minuchehr, ‘Homeland from Afar’, 71.

⁶²⁸ Minuchehr, 71.

⁶²⁹ Minuchehr, ‘Homeland from Afar’, 67.

⁶³⁰ Minuchehr, 68.

⁶³¹ Minuchehr, 68.

The Anjoman-e Sa'adat had close connections with the Persian language newspapers *Shams* and *Surush* established in Istanbul.⁶³² Many important Iranian merchants such as Aqa Mirza Ali Isfahani, Hajji Rıza Quli Khurasani and Haj Zayn al-Abidin Aqa Maraghha'i⁶³³ wrote articles in *Shams*; there were also many articles signed by the Anjoman-e Sa'adat-e Iraniyan.⁶³⁴ *Shams*, in collaboration with the anjoman, called upon Ottoman-resident Iranians to provide financial support to constitutionalists in Iran.⁶³⁵ *Shams* published articles in an issue dated 25 September 1908 arguing that it was a national and religious duty to support the constitutionalists in Tabriz who were being repressed by the Qajar government.⁶³⁶ The newspaper stated in the next issue that Izmir-resident Iranians had agreed to send money to an Istanbul-based charity that was established to help the Tabrizi constitutionalists.⁶³⁷ In the fifth issue of *Shams*, the newspaper called upon Istanbulite Iranians to gather in the Vâlîde Hanı to raise money to send to the *mujahedun* of Tabriz.⁶³⁸ The next issue discloses that they gathered in the *han* and collected a substantial sum.⁶³⁹

The newspaper not only asked for public support for the constitution but also connected constitutionalists in Istanbul with those in Iran. It published letters, telegrams (mainly those sent from Iran to the Anjoman-e Saadat in Istanbul) and news of the resistance taking

⁶³² This dissertation examines these newspapers with respect to their role in the legal and social transformation of the Ottoman-resident Iranians. Further analysis of *Shams* and *Surush* is needed, which would bring about a new understanding of the political and intellectual activities of Iranian intellectuals in Istanbul in the period known as *Istibdad-i Sagir* – the era between the bombardment and reopening of the majlis.

⁶³³ He is the author of a famous work of fiction, *Safarnameh-ye Ebrahim Bey*, that criticised Iran and promoted modernity to its readers. Zayn Al-Ābidīn Marāghahī, and James D. Clark, *The Travel Diary of Ebrahim Beg*, Bibliotheca Iranica, Persian Fiction in Translation Series; No. 6. (Costa Mesa, Calif.: Mazda, 2006).

⁶³⁴ Fariba Zarinebaf-Shahr, 'The Iranian Merchant Community', *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, (İstanbul-Tehran: IFEA/IFRI, 1993), 210.

⁶³⁵ *Shams*, 4, 28 Shaban 1326 (25 September 1908), 6 cited in Zarinebaf-Shahr, 'The Iranian Merchant Community', 211.

⁶³⁶ *Shams*, 4, 28 Shaban 1326, 6 cited in Zarinebaf-Shahr, 'The Iranian Merchant Community', 211.

⁶³⁷ Fariba Zarinebaf-Shahr, 'The Iranian Merchant Community', 211.

⁶³⁸ *Shams*, Ramadan 1326, cited in Fariba Zarinebaf-Shahr, 'The Iranian Merchant Community', 211.

⁶³⁹ Fariba Zarinebaf-Shahr, 'The Iranian Merchant Community', 211.

place in cities such as Tabriz, Mashad and Esfahan. For instance, in its twenty-fourth issue, *Shams* published a letter from Tabriz and telegrams sent by Sattar Khan and Baqer Khan to the Anjoman-e Sa'adat in Istanbul.⁶⁴⁰ The same issue included news from Tehran and Shiraz, as well.⁶⁴¹ *Shams* also published news of the constitutionalists in Mashad in its sixteenth issue.⁶⁴² Published in another issue of the newspaper was an anonymous letter sent from Esfahan⁶⁴³ as well as telegrams sent to and from Esfahan and cities in Azerbaijan to the Anjoman-e Saadat.⁶⁴⁴

Shams also propagated the constitution in visual ways.⁶⁴⁵ It published the photographs of the 'heros' of the constitutional resistance on the front page of almost every issue. For instance, in its third issue a photograph of Sattar Khan was published.⁶⁴⁶ In its twenty-fourth issue, a photograph depicting Sattar Khan and Baqer Khan holding guns together with other constitutionalists of Tabriz was published, as well.⁶⁴⁷ *Shams* also published a community portrait of the constitutionalists in Tabriz in its seventh issue⁶⁴⁸ and photographs of Abdullah al-Mazandarani, Mirza Hussein Tehrani and Mahmud Qazim Khorasani in issues 22-23.⁶⁴⁹ The thirty-seventh issue included a photograph showing the *mujahedun-e* (holy warriors of) Rasht.⁶⁵⁰ The ensuing issue included a photograph of *mujahedun-e* Gilan, as well.⁶⁵¹ The photograph depicted a large group of armed soldiers posing with their guns. These photographs enhanced the effectiveness of the letters and telegrams coming from the constitutionalists. Letters, telegrams and photographs together

⁶⁴⁰ *Shams*, 26 Muharram 1327 (17 February 1909), 3-4.

⁶⁴¹ *Shams*, 26 Muharram 1327 (17 February 1909), 5.

⁶⁴² *Shams*, 1 Zilhijja 1326 (25 December 1908), 6.

⁶⁴³ *Shams*, 19 Muharram 1327 (10 February 1909), 10-11.

⁶⁴⁴ *Shams*, 19 Muharram 1327, (10 February 1909), 16.

⁶⁴⁵ *Shams* offers a large amount of photographic material on the Iranian constitutional revolution. However, an analysis of this material is beyond the scope of this dissertation and is a topic for future research. I only give a brief survey of some of those photographs.

⁶⁴⁶ *Shams*, 21 Shaban 1326 (18 September 1908), 1.

⁶⁴⁷ *Shams*, 26 Muharram 1327, (17 February 1909), 1.

⁶⁴⁸ *Shams*, 26 Ramazan 1326 (22 October 1908), 1.

⁶⁴⁹ *Shams*, 19 Muharram 1327, (10 February 1909), 1.

⁶⁵⁰ *Shams*, 23 Rabiylahir 1327 (14 May 1909), 1.

⁶⁵¹ *Shams*, 7 Jamazi al-Avval 1327, (27 May 1909), 1.

with poems and articles regarding *vatan*, *mellat* and the need for constitution for their survival not only exhibited the newspaper's solidarity with constitutionalism but also propagated the idea of a constitution to readers.



Figure 3: *Shams*, 26 Muharram 1327 (17 February 1909), 1.

Photograph depicting Sattar Khan and Baqer Khan holding guns together with other constitutionalists of Tabriz

The owner of *Shams*, Sasani noted, did not have good relationships with embassy staff, which played a role in its abolition.⁶⁵² Soon after *Shams* was closed, another Persian language newspaper, *Surush*, which had close links with the *Anjoman-e Sa'adat*, was founded in Istanbul. The famous Iranian intellectual Ali Akbar Dehkhuda was the founder

⁶⁵² Sasani claimed that Hassan Shams had slandered him, and they quarrelled. Sasani noted that after this quarrel, *Shams* published a special issue about Sasani which was full of lies. Sasani could not accept such a disrespectful act and abolished the newspaper. Sasani, 158.

and editor-in-chief.⁶⁵³ He summarised the mission of the newspaper as ‘to translate the ideas of freedom seekers.’⁶⁵⁴ The newspaper was published for only six months.

In addition to promoting the constitution to the public at large, the Ottoman-resident Iranians also promoted it to the rulers of other countries. The Komiteh-ye Neswan-e Irani-ye Moqimin-e Istanbul (committee of Iranian women residing in Istanbul) tried to bring the attention of the world to the situation of Iranian women.⁶⁵⁵ The president, Aliyye Khanum, sent letters to European queens to ask them to support an independent Iran.⁶⁵⁶ The Queen of England answered, saying that the British and Russian governments would return stability to Iran and would not inhibit Iran's independence.⁶⁵⁷ The German ambassador to Istanbul also sent a letter to Aliye Khanum on behalf of the German empress mentioning that they would work to prevent the misery of Iranian women.⁶⁵⁸

Interestingly, the same Ottoman-resident Iranians in Istanbul who welcomed Muzaffar al-Din Shah with shouts of ‘long live the *shahinshah* of our homeland,’ ‘estimation point’ nine years earlier, shouted ‘down with despots!’ in the demonstrations in 1909.⁶⁵⁹ There could have been many opponents of the shah if not outright constitutionalists when Muzaffar al-Din Shah visited Istanbul, and there could also have been supporters of the shah in the constitutional years. However, my point is that the constitutional atmosphere of Iran and the Ottoman Empire of 1905-1909 dominated the political and cultural atmosphere for the Iranians, particularly those in Istanbul. It was probably the same Iranian *esnâfs* who

⁶⁵³ See Thierry Zarcone, ‘Ali Akbar Dihkhuda Et Le Journal Surush d’Istanbul’, in *Les Iraniens d’Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 243-251.

⁶⁵⁴ *Surush*, 30 June 1909, 1 cited in Minuchehr, ‘Homeland from Afar’, 77.

⁶⁵⁵ Minuchehr, 68.

⁶⁵⁶ Biancamaria Scarcia-Amoretti, ‘Dames Persanes De Constantinople’, in Fariba Zarinebaf-Shahr & Thierry Zarcone ed, 91-94; also see Minuchehr, ‘Homeland from Afar’, 68.

⁶⁵⁷ Minuchehr, 68.

⁶⁵⁸ *Shams*, 16 Zi’alkada 1326, (10 December 1908), 8.

⁶⁵⁹ The welcoming ceremonies organised for the arrival of Muzaffar al-Din Shah to Istanbul will be examined in the fourth chapter of this dissertation.

welcomed the shah and organised celebrations for his arrival in 1900 who closed their shops to gather in the Vâlîde Hanı and shout ‘down with despots!’ They were the same Iranians who organised celebrations in the Vâlîde Hanı in 1909 for the reestablishment of the constitution.⁶⁶⁰ The changing political atmosphere of Iran changed the political environment in which the Ottoman-resident Iranians were living and affected their political acts.

Conclusion

The Ottoman resident-Iranians, who had already become legally classified as foreigners, began to discover their Iranian identity as it was shaped by the events of the nineteenth century. They were feeling affinity to a shared Iranian identity which transformed from an ‘imagined Iranian community’ to having an ‘imagined Iranian constitution’ within the Iranian Constitutional context. The Ottoman-resident Iranians were actively involved in the Iranian identity-defining and modernisation process –elaborating on concepts such as *vatan*, *mellat* and *qanun* and becoming involved in Iranian political discussions. Combined with the legislation of the *Tazkereh* and *Tabe’iyat* Codes and the supplementary fundamental laws of 1907, which defined the Iranian *taba’eh*, the Ottoman-resident Iranians began to be accepted by the Iranian and Ottoman States not as Iranian subjects but rather as Iranian nationals (unless they changed their nationality or married a foreign man). The Ottoman-resident Iranians’ gathering around the concept of Iranianness, which they were very active in creating, provided them with a national consciousness, and a confidence which enabled them ask for Iranian protection on the occasions that they

⁶⁶⁰ BOA.DH.MKT.2881/77, 3 Receb 1327, (21 July 1909) Dahiliye Nezâret-i Celîlesi Cânib-i Âlisi’ne. Memâlik-i İraniye’de tebeddül-i saltanat vuku’u ve meşrutîyetin teessüsü ve ilanı münasebetiyle teb’a-yı İraniye’nin Temmuz’un sekizinci Çarşamba gününden itibaren üç gece gerek seferethâne gerek Vâlîde Hanı’yla teb’a-yı İraniye’nin ikamet edtikleri hâne ve dekkâinde ikâd-ı kanâdil ile şehriyân icrâ kılınacağı ve Cuma günü dahi Devlet-i Aliyye’nin yevm-i celîl-i millisine iştirak edileceği beyanıyla keyfiyetin icab edenlere tebliği ve eyyâm-ı mezkûre için iki askerî bando musikasının biri sefarethâneye diğeri Vâlîde Hanı’na gönderilmesi...

conflicted with the Ottoman State. They were also able to establish their communal institutions and manifest their Iranian identity in public. These issues will be discussed in the coming chapters of this dissertation.

PART TWO

Chapter Three: Conflicts, Complaints and Petitions: Ottoman-Resident Iranian Nationals Asking for Iranian Protection

‘Problems are created by problem-solving, new areas of chaos are generated by ordering activity’, says Zygmunt Bauman.⁶⁶¹ The agreements signed by the Ottoman and Iranian States within the context of Nasir al-Din Shah’s visit to Istanbul ended a political crisis between the Ottoman and Iranian States regarding the legal situation of Iranians within the Ottoman Empire; however, they created new areas of conflict and crisis. The agreements made the Iranians legally foreigners but left some problems behind: the Ottoman State’s regulation of the Iranians’ businesses, the collection of *temettü* and *esnaf* taxes, and the involuntary conscription of the Iranians residing in the Ottoman Empire into the Ottoman army, as mentioned in the first chapter of this dissertation. An article of the agreements stated that the Iranians would be under supervision of the Ottoman State and pay *temettü* (income) tax as Ottoman subjects if they were engaged in crafts or trade. Considering that majority of the Ottoman-resident Iranians were merchants and craftsmen, this was not welcomed by Iranians. Another article stated that since Iranians were foreigners, they should be exempted from the compulsory military service. However, because the marriage prohibition law considered the sons of Ottoman mother-Iranian father couples as Ottoman, the issue became problematic. Later, the Ottoman State issued *Ahz-ı Asker Nizâmnâmesi*

⁶⁶¹ Zygmunt Bauman, *Modernity and Ambivalence*, (Cambridge: Polity Press, 1991), 14. Cengiz Kırılı has quoted this in his article ‘Tanzîmât: Düzen ve Kaos’ which inspired me. Cengiz Kırılı, ‘Tanzîmât: Düzen ve Kaos,’ *Toplumsal Tarih*, no: 311, Kasım 2019, 80-85.

which declared that the sons of Iranian men and Ottoman women were considered as Ottoman, and should therefore be subject to the army. All these created conflicts between the Ottoman State and the Ottoman-resident Iranians.

The Iranians began to send their complaints, requests and objections to the Iranian State and to ask for protection via the Iranian Embassy in Istanbul and the Iranian *shahbandars* who were stationed all over the Ottoman Empire after the second Erzurum treaty which was signed in 1847. According to the seventh article of the second Erzurum Treaty, the Ottoman State would recognise the Iranian *shahbandars* who were charged by the Iranian State. They were to have a similar position to the European consuls.⁶⁶² Documents show that in 1847, shortly after the treaty, the establishment of *shahbandars* began. In 1847, for example, there were Iranian *shahbandars* in Erzurum and İzmir.⁶⁶³ From then on, *shahbandars* were stationed in the cities where Iranians had settled. These included cities across Anatolia including Bursa, İzmir, Trabzon, Van, Erzurum, Ankara, Adana etc, but also Aleppo, Beyrut, Baghdad, Qarbala etc.⁶⁶⁴ These *shahbandars* were responsible for the interests of the Iranians. They interfered in the conflicts between the Ottoman-resident Iranians and the Ottoman State and in most cases, conveyed the Iranians' complaints and requests to the Iranian Embassy in Istanbul. Such appeals gained a momentum at the end of the nineteenth century when the Ottoman-resident Iranians' began to feel an affinity to the 'imagined Iranian community' and loyalty to the Iranian State which began to define them as Iranian nationals via the *Tazkereh* and *Tabe'iyat* Codes. These complaints and requests peaked in the early twentieth century. The constitution, one of the milestones in Iranian history, ushered in a new era of relations between the Ottoman-resident Iranians

⁶⁶² *Muâhedât Mecmuâsı*, c: III, (Türk Tarih Kurumu, Ankara 2008), 1-3.

⁶⁶³ BOA.A.MKT.67.86, 4 Rebiülevvel 1263 (20 Şubat 1847); BOA.MVL.20.26, 29, Zilhicce 1263 (8 December 1847).

⁶⁶⁴ Ottoman and French yearbooks give names of each *shahbandars* in each city. For instance, for Iranian *shahbandar* in İzmir in 1885 see *Annuaire Oriental* 1885, 446.

and the Iranian State. After the opening of the Iranian Majlis in 1906, the Ottoman-resident Iranians began to send petitions directly to the Iranian parliament in Tehran. The Ottoman-resident Iranians underscored that they belonged to the Iranian State, and in their petitions, they reminded the state that it was its duty to protect them. In response to these petitions, complaints and requests, the Iranian State acted as the protector of its Ottoman-resident subjects, even clashing and negotiating with the Ottoman State. On many occasions, the Iranian Embassy, representing the Iranian State, which was the protector of the Ottoman-resident Iranians, became involved in these conflicts. It sent memoranda or representatives to the Ottoman State or send representatives to the locations where the conflicts were taking place.

The disputes concerned the Ottoman-resident Iranians' daily lives; thus, they clashed and negotiated with the Ottoman State, and asked Iranian State to confront and negotiate with the Ottoman State, in order to protect their rights and in order to reshape their foreigner status 'to their minimum disadvantage'⁶⁶⁵ in their daily lives. In doing so, Ottoman-resident Iranians demonstrated a subaltern reflex. This is quite interesting because these Iranians were not 'marginal and excluded' groups; they did not belong to 'the urban poor or working class, or the peasantry or sociologically salient groups such as slum dwellers and the unemployed', the groups which Stephanie Cronin referred as subalterns in the introduction to the book *Subalterns and Social Protest: History from Below in the Middle East and North Africa*.⁶⁶⁶ These Iranians were mostly merchants and craftsmen. On several occasions, these Ottoman-resident Iranians reacted to both the Ottoman and Iranian States

⁶⁶⁵ This phrase has been used by Eric Hobsbawm. Eric Hobsbawm, 'Peasants and Politics,' *Journal of Peasant Studies* 1 (1973): 13, cited in Serhan Afacan, 'State, Society and Labour in Iran, 1906-1941: A Social History of Iranian Industrialisation and labour with Reference to the Textile Industry', an unpublished PHD dissertation submitted to University of Leiden, 2015, 88.

⁶⁶⁶ Stephanie Cronin ed., *Subalterns and Social Protest: History from Below in the Middle East and North Africa*, (London: Routledge, 2008), 4.

with the ‘weapons of the weak,’ to use James Scott’s words.⁶⁶⁷ In his book *Weapons of the Weak: Everyday Forms of Peasant Resistance*, Scott asserts that ‘relatively powerless groups’ used ‘foot dragging, dissimulation, desertion, false compliance, pilfering, feigned ignorance, slander, arson, sabotage and so on’ as ‘ordinary weapons’ to resist.⁶⁶⁸ The Ottoman-resident Iranians used some of these strategies against both the Ottoman and Iranian States. Although the articles in signed agreements clearly specified that the Iranians had to pay *temettü* and the subject to Ottoman State regulation of their businesses, and although the 1886 conscription regulations clearly stated that the son of an Iranian man and an Ottoman woman could be conscripted into the Ottoman army, the Ottoman-resident Iranians resisted by claiming that they were exempt from these obligations because they were foreigners. Their resistance suggests two possibilities: these Iranians were not aware of the articles and decrees that made them responsible for the *temettü*, military service and Ottoman regulation over their businesses, or alternatively, they pretended not to be aware. Even if some Iranians had not heard about the original articles, the Ottoman State declared on several occasions that the Iranians were responsible for them before and after various conflicts emerged. Thus, they must have pretended not to know about the articles, resorting to the ‘dissimulation’ and ‘foot dragging’ methods described by Scott on many occasions.⁶⁶⁹

This chapter has two chronologically ordered parts and examines the conflicts between the Iranians and the Ottoman State and Iranians’ requests for Iranian State protection, as well as the Iranian State’s responses to them. The first part covers from 1873, when Iranians began to be considered as foreigners, to 1906 when Iranian Majlis was opened. It focuses

⁶⁶⁷ James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance*. (Central. New Haven: Yale University Press, 1985).

⁶⁶⁸ Scott, xvi.

⁶⁶⁹ Scott, xvi.

on the conflicts, complaints and negotiations with the Ottoman State's supervision and intervention in the Iranians' businesses, payments of *temettü* taxes and the Ottoman-resident Iranians' conscription into the Ottoman army. The second part of this chapter examines the petitions sent by the Ottoman-resident Iranians to the Iranian Majlis in Tehran after the opening of the majlis in 1906. These petitions were mainly about the issues on the payment of *temettü* and the Ottoman-resident Iranians's forcibly conscription into the Ottoman army. During my research, I haven't come across any complaints or petitions sent directly to Nasir al-Din and Muzaffar al-Din Shah, but there were many sent to the Iranian Majlis. This does not necessarily mean that the Ottoman-resident Iranians never sent their petitions directly to the Iranian rulers. It is also possible that even if such petitions were sent to the rulers, they were not kept at the archives. However, in any case, after the opening of the Iranian Majlis, Ottoman-resident Iranians sent many petitions to the majlis, and the majlis gave special attention to them. Thus, opening of the Iranian Majlis constituted a milestone in the Ottoman-resident Iranians' story of requesting Iranian State protection.

These conflicts, complaints and requests for Iranian protection were from several regions across the Ottoman Empire including Istanbul, Anatolian cities such as Ankara, Trabzon, Erzurum etc as well as Ottoman Iraq. Although demography and social structure of these regions differ, the problems between the Ottoman State and the Iranians and the Iranians' reactions to those problems and the Ottoman State's attitude towards them were similar. While the conflicts and Iranians' request were coming from several parts of the Ottoman Empire, their petitions which they sent directly to the Iranian Majlis in Tehran were from Istanbul and mainly Ottoman Iraq. This could be related with the fact that Iranians constituted remarkable population in each city and were politically more organised in

Istanbul and in Ottoman Iraq in the constitutional years, as discussed in the previous chapter. The Ottoman State defended its stance that the Iranians were responsible for the obligations deriving from the agreements, whereas the Iranian State, as a result of its Ottoman-resident subjects' complaints, objected to these obligations in every possible way regardless of the region that the conflicts took place.

From 1873 to 1906: Complaints to the Shahbandars and the Iranian Embassy in Istanbul

One of the main conflicts between the Ottoman-resident Iranians and the Ottoman State was regarding the Ottoman State's involvement in the Iranians' businesses and the collection of taxes. According to agreements signed in the context of Nasir al-Din Shah's Istanbul visit in 1873, the Ottoman-resident Iranians legally became foreigners but were still treated as Ottoman subjects with respect to doing business in the Ottoman Empire. An article of the signed agreements stated that if the Iranians were involved in trade or craft they would be treated as Ottoman subjects and would be due to the taxes that the Ottoman subjects were required to pay. There was a large Iranian merchant and *esnâf* community across the empire including Istanbul, Anatolian cities as well as cities within Ottoman Iraq, so this caused a huge problem. Before getting into the conflicts that took place between the Iranian merchants and guilds and the Ottoman State, I would like to give a brief overview of the Iranian merchant and guild community of the Ottoman Empire.

After the British discovered that transporting goods from Trabzon was cheaper than the route through Bushire, the Tabriz-Trabzon road became popular.⁶⁷⁰ The route kept its

⁶⁷⁰ Charles Issawi, *The Economic History of Iran*, 93. In the nineteenth century, Iran exported and imported goods only via three trade routes. For the Persian trade and its integration to global markets in the nineteenth century, see Charles Issawi, *The Economic History of Iran: 1800-1914*, (Chicago, Ill.; London: University of

popularity until the opening of Suez Channel in 1869. The western goods were shipped from Istanbul to Trabzon by steamships. Then, this cargo was forwarded first to Erzurum, where customs were stationed, and finally to Tabriz. Exports from Iran to the western markets followed a similar route. The structure of the trade route and its networks had an impact on the demographics of the Iranian merchants and guilds that settled in the Ottoman Empire. After the rise of Tabriz-Trabzon route in the 1830s, the number of Iranian merchants and guilds settling and doing business within the Ottoman Empire increased.⁶⁷¹ The Iranian merchants and guilds began to settle mainly in the towns on or near this trade route.

Trabzon was the most important mid-station, facilitating communication, shipping transport and also caravan trade to Tabriz. Farahani claimed that Trabzon was home to 800 Iranians who were merchants and tradesmen.⁶⁷² Many Iranian merchants who were engaged in international business had representative offices in Trabzon. Hafiz Agha, Sayyid Murtaza and Rahm Agha were some of these Iranians who had forwarding agencies in Trabzon.⁶⁷³ Iranians also maintained agencies in Erzurum to take care of customs and

Chicago Press, 1971). Charles Issawi, 'European Economic Penetration' in *Cambridge History of Iran*, v. 7, *From Nadir Shah to the Islamic Republic*, eds. Peter Avery, Gavin Hambly and C. P. Melville, (Cambridge: Cambridge University Press, 2008), 590-607; Charles Issawi, 'The Tabriz-Trabzon Trade, 1830-1900: Rise and Decline of a Route', *International Journal of Middle East Studies* 1, no. 1 (1970): 18-27; Marvin L. Entner, *Russo-Persian Commercial Relations*, (Gainesville: University of Florida Press, 1965). First, the trade route from South Iran passed from Persian Gulf, reached to Indian Ocean connecting Iran to eastern markets. This route was extended and gained importance, when Suez Channel was opened in 1869. Issawi, *The Economic History of Iran: 1800-1914*, 137, 240. The goods were sent easily from South Iran to Mediterranean Sea by passing Persian Gulf, Red Sea and finally Suez Channel. Issawi, 'The Tabriz-Trabzon Trade, 1830-1900', 22. Two alternative routes connecting North Iran with the western markets existed as well. The first was the Tabriz-Poti route passing through Russian lands. This route was first opened via the Turkmenchay Treaty (1828) and provided Russian subjects with the privileges to do business in the Iranian markets. Issawi, *The Economic History of Iran: 1800-1914*, 107. However, until the construction of the Transcaucasian railway in 1870s, this route was not quite popular. Charles Issawi, 'The Tabriz-Trabzon Trade', 23-25.

⁶⁷¹ Issawi, 'Tabriz-Trabzon Trade', 23-25.

⁶⁷² Farahani, *A Shiite Pilgrimage*, 100.

⁶⁷³ Issawi, *The Economic History of Iran*, 100. Farahani listed the names of the famous Iranian merchants of Trabzon as follows: Hajji Sayyed Ali Aqa, Hajji Molla Ali Khoi, Hajji Ali Asgar Khoi, Molla Abu Taleb Khoi, Aqa Muhammad Ali Khaoi, Aqajan Khoi, Karbalai Kazem Tabriizi and Aqa Mahmud Salmasi, Farahani, *A Shiite Pilgrimage*, 101.

control cargo.⁶⁷⁴ A document from 1851 shows that Iranian merchants in Erzurum were high in number and settled in a lodge, Pervizoğlu Hanı.⁶⁷⁵

In addition to Trabzon, some other Ottoman ports and cities were also important for delivery of the goods sent from/to Tabriz: Samsun for exporting to inner Anatolia, İzmir for western Anatolia, İskenderiye and Aleppo for Syria. These commercial centers remained an extension of the main trade route of Istanbul-Trabzon-Erzurum-Tabriz, and they also provided local goods to Iran.⁶⁷⁶ This attracted many Iranian merchants and guilds to settle in the extension of this route, especially in İzmir and Samsun. In İzmir, there were many Iranian merchants and guilds who were selling carpets, sugar and cotton such as İsfahanlı Hacı Muhsin Efendi, or tobacco, such as Pahmen Aga.⁶⁷⁷ There was an *Acem* Lodge, where Iranians were settled, within the İzmir School of Industry.⁶⁷⁸ Muhammad Farahani claimed that the han where the Iranians were settled in was the han of Hüseyin Paşa.⁶⁷⁹ Farahani stated that the Iranian goods that were traded in İzmir were: shawls, indigo, tobacco, gallnuts, silk, carpets and a little opium exported to Europe.⁶⁸⁰

In Samsun there was a community of Iranians as well. Farahani claimed that there were 300 Iranians there, most of whom were merchants and tradesmen.⁶⁸¹ Iranian merchants in the city probably had some connections with other merchants on the Tabriz-Trabzon route. For instance, a document reveals that Ali Asker Ağa who was involved in shawl

⁶⁷⁴ Issawi, *The Economic History of Iran*, 102.

⁶⁷⁵ BOA.HR.MKT.38.85. 8 Muharrem 1268 (3 November 1851).

⁶⁷⁶ Issawi, *The Economic History of Iran* 92-100.

⁶⁷⁷ *Annuaire des Commerçants de Smyrne*, 240, 255, 323.

⁶⁷⁸ BOA.ZB.402.63. 1322 (1905).

⁶⁷⁹ Farahani, *A Shiite Pilgrimage*, 151. Farahani gives a list of Iranian merchant and guilds based in İzmir as follows: Hajj Abd al Karim Salmasi, Hajj Mirza Ali Salmasi, Hajj Hadi Salamasi, Mirza Hasan Esfahani, Aqa Muhammad Baqer Esfahani and Hajj Muhsen Esfahani. Farahani, 151.

⁶⁸⁰ Farahani, 151.

⁶⁸¹ Farahani, 105-106.

merchandise sent shawls to his business partner in Samsun.⁶⁸² Iranian hajj traveller Muhammed Masum who visited the city claims that many of the guilds in Samsun were Azaris.⁶⁸³ Herb seller Hüseyin bin Mehmed, coffee seller Acem Mehmed, grocer Acem Hüseyin, dressers Tekez and Hamparsum were some of the other Iranian guilds settled in Samsun.⁶⁸⁴

The merchants in Istanbul organised the finance of the delivery of the goods sent from/to western ports to Trabzon and Tabriz.⁶⁸⁵ Hajj Akbar, Hajj Sayyid Husayn, Hajj Mahmud Nur were some of Iranian merchants who had agencies in Istanbul in 1849.⁶⁸⁶ A document regarding the Iranians in Istanbul stated that there were 243 merchants living in Istanbul in 1851.⁶⁸⁷ These merchants probably constituted the core of the rising number of the Iranian merchant and guild community in Istanbul, which would increase in number in the second half of the nineteenth century. Iranian merchants based in Istanbul were generally engaged in the carpet,⁶⁸⁸ tobacco and *tönbeki*, a special kind of tobacco, trades. Most of those Iranians were Azeris.⁶⁸⁹ Azeris from Tabriz controlled the trade of carpet, paper, and stationeries, while Azeris from Shirvan controlled the commerce of carpets, textiles, calico, and towels, by the end of nineteenth century.⁶⁹⁰ There were also many Iranian craftsmen who had shops. This group included *tönbeki* and carpet merchants, tea and coffee

⁶⁸² BOA.HR.MKT.280.96. 11 Şaban 1275 (16 March 1859).

⁶⁸³ Muhammad Masum, *Safarnameh-i Makka* in Vehûmen, *Safarnâmahâ-yi Hatti-yi Farsî*, C. II, 94-95.

⁶⁸⁴ DH.MKT.346-14, 23 Şaban 1312 (19 February 1895); see Filiz Dıġıroġlu, 'XIX. Yüzyıl Osmanlı Devleti'nde İranlı Olmak: Samsun'daki Acem Topluluġu' in *Osmanlı'da Şehir, Vakıf ve Sosyal Hayat* eds. Kerim İlker Bulunur, Fatih Bozkurt, Mahmut Cihat İzgi, (İstanbul: Mahya Yayıncılık, 2017), 278.

⁶⁸⁵ Issawi, *The Economic History of Iran: 1800-1914*, 100.

⁶⁸⁶ Issawi, 100.

⁶⁸⁷ BOA, İ.HR, 74/3603, 11 Rebiülevvel 1267 (14 January 1851) cited in Zekeriya Kuşun, 'Üsküdar'da İranlılar ve İran Mezarlığı,' *Üsküdar Sempozyumu IV Bildiriler*, (İstanbul: Üsküdar Belediyesi, 2006), 196; and also in Filiz Dıġıroġlu, 'İstanbul Tebriz Ticaret Hattında Valide Han XIX XX Yüzyıl,' *Türk Kültürü İncelemeleri Dergisi* 69 (Fall 2014): 87.

⁶⁸⁸ For Iranian merchants in the carpet trade in Istanbul, see Tsutomu Sakamoto, 'İstanbul and the Carpet Trade of Iran,' *Les Iraniens d'Istanbul*, eds T. Zarcone, F. Zarinebaf-Shahr, 213-231.

⁶⁸⁹ Sasani, *Payitahtın Son Yıllarında*, 75.

⁶⁹⁰ Reşat Ekrem Koçu, 'Azerbeycanlılar (İstanbulda),' in *İstanbul Ansiklopedisi* (İstanbul: Koçu Yayınları, 1963), 1687.

sellers,⁶⁹¹ booksellers, jewellers,⁶⁹² tavern owners,⁶⁹³ and butchers.⁶⁹⁴ These Iranian merchants and *esnâfs* (craftsmen/shopkeepers) were mostly settled in the old city around Sirkeci, Eminönü, Beyazıt, and Çemberlitaş in *hans* (lodges) such as the *Tanburacı Hanı*, *Sünbüllü Han*, *Vezir Hanı* and the most famous lodge, the Vâlide Hanı. A document showing an official count of *esnâfs* of Istanbul in 1851 listed the names of fifty-nine Iranians who were settled in the Vâlide Hanı.⁶⁹⁵ In addition, Sinan Kuneralp states that most Iranian tobacco and carpet merchants had settled in the Tamburacı Hanı in the first half of the nineteenth century, but in 1873, a quarrel took place among the Iranians living there and the owner evicted them.⁶⁹⁶ These Iranians then moved to the Vâlide Hanı.⁶⁹⁷ It was after this that the Vâlide Hanı became a centre of the Iranian community. Kesnin Bey,

⁶⁹¹ Sasani, 75.

⁶⁹² Kuyumcu Babayan Karabet Ağa, BOA. BEO 2119 158877, 23 Rebiülahir 1321 (19 July 1903).

⁶⁹³ Meyhâneci Acem Dimitri, BOA.YPRK.ZB.16.112, 28 Cemaziyülahir 1313 (16 December 1895).

⁶⁹⁴ Kasap Ali Rıza who was living in Tuzla district BOA. ZB.475.88. The coffeehouses and taverns caused conflicts among the shop owners, other Iranians and the Ottoman State, on some occasions. For instance, In 1861, the Iranians within the mosque complex in the Vâlide Hanı were evicted and the Ottoman State stated that it would not allow the Iranians to run establishments like coffeehouses that were not in line with Islamic principles. BOA.HR.MKT.353.46, 12 Ramazan 1277, (24 March 1861). A later document dated 1900 indicated that the Iranians had established a tavern on the second floor of the Vâlide Hanı next to the mosque. BOA.DH.MKT.2416.88, 25 Cemaziyülevvel 1318, (20 September 1900). The Ottoman State closed it and asked the owner to rent it to for some purpose other than a tavern. BOA.DH.MKT.2538.31, 17 Cemaziyülevvel 1319 (1 September 1901); BOA.DH.MKT.2556.97, 3 Şaban 1319 (15 November 1901); BOA.DH.MKT.2569.114, 8 Nisan 1319 (21 April 1903). In the Ottoman Empire, coffeehouses were sometimes located next to the mosque and served as a place to wait for prayers and talk to each other. *Doğu'da Kahve ve Kahvehaneler*, eds. Helene Desmet-Gregoire, François Georgeon, (İstanbul: Yapı Kredi Kültür Sanat Yayıncılık, 1999) 46. However, the problem in Vâlide Hanı was most probably the fact that the Iranians was selling or serving *müskirat* (alcohol), as it was the case in the closing of the tavern. Selling alcohol was only possible if the coffeehouse was 100 *arşın* (an Ottoman unit of measurement) far from mosques, tombs and religious schools. If the population in the region was less than 5% of the total, again, selling alcohol was prohibited. Uğur Akbulut, 'Tanzîmât ve Meşrutiyet Dönemlerinde Kahvehanelerden Kaynaklanan Sosyal Sorunlara Dair Bazı Tespitler', *A.Ü. Türkiyat Araştırmaları Enstitüsü Dergisi*, 54, Erzurum, 2015, 576-578. Most probably because the coffeehouse in Vâlide Hanı was very close to the mosque within the Han and because it was in the district of Beyazıt, mostly of Muslim resident, the Ottoman State did not permit it. Similar cases took place other places as well. For instance, a document shows that an Iranian coffeehouse in Galata was shut down by the Ottoman State because *esrar* (marijuana) and *müskirat* (spirits) were sold there. It would have been allowed to reopen only if they agreed not to sell marijuana anymore. BOA.ZB.389.165, 17 Zilhicce 1322 (22 February 1905). The Ottoman State had already prohibited coffeehouses selling marijuana on 7 September 1863. See Akbulut, 578. This issue will not be discussed in detail because this dissertation, particularly, this chapter, discusses the conflicting issues between the Ottoman-resident Iranians and the Ottoman State deriving from their legal status change as well as their feeling affinity to the 'imagined Iranian community'. This coffeehouse and tavern issue does not have any connection with the Iranians' foreigner or Iranian national status. It could be of a topic of additional case studies.

⁶⁹⁵ BOA.İHR, 74/3603, 11 Rebiülevvel 1267 (14 January 1851) cited in Dıġıroġlu, 'Valide Han', 85.

⁶⁹⁶ Kuneralp 'Tahtakale' in Fariba Zarinebaf-Shahr&Thierry Zarcone ed., 253-254.

⁶⁹⁷ Kuneralp, 253-254.

who visited Istanbul in 1881, wrote that 5,000 to 6,000 Iranians were settled in the Vâlide Hanı.⁶⁹⁸ Remembering that the Iranian population in Istanbul was around 16,000 in the 1880s, according to a note in the travelogue of Muhammad Farahani,⁶⁹⁹ Kesnin Bey's argument would mean that almost one third of Istanbulite Iranians were settled within the Vâlide Hanı. *Annuaire Oriental* of 1885 listed the names 43 Iranians who had shops within Vâlide Hanı.⁷⁰⁰ This list shows that the Iranians who had shops within Vâlide Hanı included manufacturers such as Cevat Agha, Mehmet Esen Agha as well as many *négociants* Mirza Ali Akbar Isfahani, Cafer Agha and Hajj Mirza İbrahim.⁷⁰¹

Persian transit trade attracted many major populations to engage to side sectors, thus, large Iranian communities were settled in the cities on and in the extension of the trade route; however, there were many other Iranian merchants and guilds settled in several other cities of the Ottoman Empire. Iranian *hans*, where Iranians were settled, conducted business and hosted Iranian passengers who were coming from Iran existed in many other cities across the Ottoman Empire. For example, there was an Iranian merchant and guild community who were based in an Iranian lodge and an *Acem* district in Van.⁷⁰² Van Province constituted the frontier for Ottoman Anatolia, and probably these Ottoman-resident Iranians dealt with short-distance trade between the Iran and the Ottoman Empire. There was also an Iranian lodge in Çankırı. As noted in a document dated 1896, sixty shops in an Iranian lodge in Çankırı near Ankara burned down, and there were plans to rebuild them.⁷⁰³

⁶⁹⁸ Kesnin Bey, *The Evil of the East or, Truths About Turkey* (London: 1888), 146.

⁶⁹⁹ Farahani, *A Shi'ite Pilgrimage*, 101.

⁷⁰⁰ *Annuaire Oriental*, 1885, 401.

⁷⁰¹ *Annuaire Oriental*, 1885, 401.

⁷⁰² BOA.DH.MKT.1636.7 (1306) BOA.DH.MKT.1064.12 (1324); Vital Cuinet, *La Turquie d'Asie; Géographie Administrative, Statistique, Descriptive et Raisonnée de Chaque Province de l'Asie-Mineure*, v 1. (Paris: E. Leroux, 1890), 694.

⁷⁰³ BOA.İML.17.64, 2, Zilkade 1313 (15 April 1896).

There was a remarkable Iranian merchant and guild community in Ottoman Iraq, as well. The economic activities of this Iraqi-Iranian communities are under-studied, and primary sources do not present much information regarding this. One of the few sources mentioning about these Iranians' economic activities is Vital Cuinet's work. Cuinet mentioned that Iranian craftsmen and guilds in Qazimiyye were very famous for goods made with ivory, ebony, tortoiseshell and mother of pearl.⁷⁰⁴

Starting with conflicts concerning Ottoman State regulation of the Ottoman-resident Iranians' businesses, despite the signed agreements, the Iranians sought capitulatory privileges in economic terms and wanted to be treated as other capitulatory foreigners. Most Iranian shop owners stated that the Ottoman State could neither regulate their businesses nor inspect their shops because they were foreigners. In many cases they accused the Ottoman State of ignoring the rights of Iranian merchants and *esnâfs* arising from their foreigner status. One of such Iranian *esnâf* community was Iranian booksellers. Looking through at the Ottoman Prime Ministry Archives with an eye for these conflicts shows that these cases were taking place mostly in Istanbul where a large group of Iranian booksellers were staying; however, appeals were coming from the Iranians living within the cities across the empire as well.

The Iranian booksellers were settled in the old city around Beyazıt, Cağaloğlu and Vâlide Hanı in Istanbul, the places that were historically centres of bookselling. The earliest registration of booksellers was dated as 1519 in Grandbazaar and Bedesten in Beyazıt.⁷⁰⁵ The number of these booksellers increased by seventeenth and eighteenth centuries and reached its peak in the nineteenth century with the circulation of the rising number of

⁷⁰⁴ Vital Cuinet, *La Turquie d'Asie; Géographie Administrative, Statistique, Descriptive et Raisonnée de Chaque Province de l'Asie-Mineure*, v 2. (Paris: E. Leroux, 1890), 144.

⁷⁰⁵ İsmail Erünsal, *Osmanlı'da Sahhaflar ve Sahhaflık*, (İstanbul: Timaş Yayınları, 2013), 69-73.

published books. In the nineteenth century, many booksellers, mostly Muslims, were settled in Beyazıt and Cağaloğlu mainly around the hans near Grandbazaar, while many others, mostly non-Muslims were in Beyoğlu, Galata and Üsküdar.⁷⁰⁶

According to the law regarding publishing dated to 27 December 1839, anyone who pays the fees can publish books at *Tâbhâne-i Âmîre* (State Printing Office).⁷⁰⁷ However, the Ottoman State, mainly the Hamidian regime, was very sensitive about the publication of illegal books. In order to control publishing, the Hamidian State legislated the Regulation for Publishing Houses and Booksellers in 1894.⁷⁰⁸ According to this regulation, it was not permissible to publish books without having a permit from the Ministry for Education.⁷⁰⁹ The ministry was required to reply to such requests within three months.⁷¹⁰ The Ministry for the Interior and the Ministry for the Police were to inspect the publishing houses and bookshops.⁷¹¹ If the publishing house did not have a legal permit or had published obscene publications, it would be closed, but the owner would have the right to transfer the publishing house to someone else.⁷¹² Bookshops as well were inspected; the ones that sold illegal publications or publications of unknown publishing houses were charged.⁷¹³ The Ottoman State monitored the activities of all publishing houses and bookshops even if its owner was an Ottoman subject (Muslim and non-Muslim) or a foreigner.⁷¹⁴ For instance, in 1890s, a publishing house owned by an Italian subject Madam Zernaçi, Manukyan and Kaloci, Lefter and Zeliç in Beyoğlu and French subject Aramyan in Mahmutpaşa were

⁷⁰⁶ Erünsal, 84-89. For the booksellers in Üsküdar, see Ali Birinci, “Üsküdar’da Matbaalar ve Matbaacılar (1839-1908), Coşkun Yılmaz, Cengiz Tomar, Uğur Demir eds, *Uluslararası Üsküdar Sempozyumu VIII 21 - 23 Kasım 2014 Bildiriler*, v.1, (İstanbul: Üsküdar Belediyesi, 2015), 385-397.

⁷⁰⁷ Ali Birinci, ‘Osmanlı Devleti’nde Matbuat ve Neşriyat Yasakları ve Tarihine Medhal’, *Türkiye Araştırmaları Literatür Dergisi*, (2006): 295.

⁷⁰⁸ Fatmagül Demirel, *II. Abdülhamid Döneminde Sansür*, (İstanbul: Bağlam Yayıncılık, 2007), 89.

⁷⁰⁹ Demirel, 89.

⁷¹⁰ Demirel, 89.

⁷¹¹ Birinci, ‘Matbuat ve Neşriyat Tarihine Medhal’, 311.

⁷¹² Birinci, 311.

⁷¹³ Birinci, 313.

⁷¹⁴ See Birinci, 311-313.

shut down by the Ottoman State because they did not have a permit from the Ottoman State.⁷¹⁵

A look at the Ottoman State Archives with an eye for Ottoman State's intervention into booksellers' business and conflicts deriving from them reveals that Iranians' cases are the most visible ones. While there were few documents regarding the conflicts between the other booksellers and the Ottoman State, there are plenty of documents presenting such cases between the Iranians and the Ottoman State.⁷¹⁶ The Iranian booksellers famously published illegal books known as *muzırr neşriyât* (harmful publications). These illegal books published by the Iranians were mostly concerned religious issues, including ones propagating Shiism, and also political ideas brought from Europe.⁷¹⁷ In addition to such illegal books, Iranian booksellers also imported Qurans from Iran, an issue that alarmed the Hamidian regime. According to the regulation of 1889, all publishing houses were allowed to publish Qurans if they respected the state regulations on the issue.⁷¹⁸ The Ottoman State was very sensitive on this issue and established a committee to inspect the Qurans published in the publishing houses as well as the ones imported from foreign countries.⁷¹⁹

⁷¹⁵ Birinci, 311. For more cases in which the Ottoman State charged publishers and booksellers see Birinci. Although recent literature covers the Ottoman booksellers in the nineteenth century to an extent, it does not examine their relations with the Ottoman State including their objections to the state intervention to their business. Covering other booksellers' conflicts with the Ottoman State via primary sources is beyond the scope of this dissertation. However, a look at the Prime Ministry Ottoman Archives gives the impression that it was mostly the Iranian booksellers who conflicted with the Ottoman State by claiming that the fact that the Ottoman State cannot intervene in their business since they were foreigners.

⁷¹⁶ In his book on Ottoman booksellers, İsmail Erünsal makes a similar observation and draws attention to the existence of such archival documents. Erünsal, *Osmanlı'da Sahhaflar*, 80-91.

⁷¹⁷ Here I limit myself to focusing on the Iranian booksellers' conflicts with the Ottoman state regarding their foreign nationality and the rights deriving from that. I examine these conflicts as conflicts between a community of guilds and the Ottoman State. Discussing the intellectual activities of these booksellers, the content of the books published and sold by the Iranians is beyond the scope of this dissertation. These issues have been discussed by the recent literature. For the illegal publications of Iranian booksellers residing in Istanbul, see Güllü Yıldız, 'İstanbul'da Bir Acem Matbaası: Kitapçı Tahir ve Ahter', *Osmanlı Araştırmaları / The Journal of Ottoman Studies*, L (2017), 175-218; Filiz Dıñoğlu, Güllü Yıldız, 'Osmanlı Devleti'nin Şii Neşriyata Bakışı ve Acem Kitapçıları', *Müteferrika*, 4, 2018. Filiz Dıñoğlu, 'Abdülhamid Dönemi Matbuat Politikaları'; Ali Birinci, 'Osmanlı Devleti'nde Matbuat ve Neşriyat Yasakları ve Tarihine Yönelik Medhal'; Fatmagül Demirel, *II. Abdülhamid Döneminde Sansür*, (Cağaloğlu-İstanbul: Bağlam Yayıncılık, 2007).

⁷¹⁸ Filiz Dıñoğlu, 'Abdülhamid Dönemi Matbuat Politikaları', 646.

⁷¹⁹ Dıñoğlu, 646-647.

The Ottoman State already banned the sale of Qurans that were imported from Iran and did not allow foreigners to import Qurans into the empire.⁷²⁰ The foreigner Iranians also published new Qurans in Istanbul without the Ottoman State's permission.⁷²¹ They were also selling some religious booklets that included sections and verses from the Quran, which was also illegal. For example, on one occasion, in order to evade Ottoman State regulation, Iranians hid illegally-published *enams* (a small booklet consisting of some sections of the Quran) behind silk fabric in the *Büyük İpekçi* shop in Vezneciler.⁷²² In order to prevent the Iranians from publishing and selling Qurans illegally, the Ottoman State decided in June 1873 to publish 500,000 Qurans in the *Tâbhâne-i Âmîre*.⁷²³

These Iranians tried to make use of their foreigner status to cope with Ottoman State regulation of their business. To circumvent Ottoman State regulation, Iranian booksellers asserted on many occasions that the Ottoman State did not have a right to close their shops or punish them because they were foreigners. They tried to use their foreigner status to conceal their illegal publishing trade and avoid Ottoman State inspectors. That is to say, they used a method of dissimulation, as discussed by Scott,⁷²⁴ to cope with Ottoman State regulation of their business. They pretended as if they were not aware of the articles and decrees, that enabled the Ottoman State to regulate their business and inspect their shops. For example, the publisher Tahir, who was the owner of the publishing house of *Akhtar*, was audited many times by the Ottoman State because of its illegal publications. On one occasion, when the Ottoman State wanted to inspect his publishing house, Tahir tried to make use of his legal status and stated that he would not allow Ottoman inspectors in

⁷²⁰ BOA.A.MKT.MHM.50.36, 2 Safer 1269 (15 November 1852).

⁷²¹ BOA.AMKT.NZD.345.85, 28 Şaban, 1277 (11 March 1861).

⁷²² BOA.AMKT.NZD.354.9, 17 Zilkade 1277 (27 May 1861).

⁷²³ BOA.A.MKT.MHM.453.60, 4 Ramazan 1290 (1 June 1873).

⁷²⁴ Scott, *Weapons*, xvi.

except in the presence of an Iranian officer charged by the Iranian Embassy.⁷²⁵ Another example is that of Ağa Mir Kerim, who had a bookshop in *Vezir Hanı*. His bookshop was closed by the Ottoman State for selling illegal books.⁷²⁶ Kerim objected, accused the Ottoman State of taking an illegal action, and requested that his shop be reopened; however, the Ottoman State said that inspecting the shop and shutting it down were in accord with the signed agreements.⁷²⁷ In 1900, the publishing house of the Iranian bookseller and publisher Hüseyin Efendi was inspected by Ottoman officers and *müfettişs* (inspectors).⁷²⁸ However, the report written by Kamil Bey, the *Matbaalar ser-müfettişi* (head inspector of the imperial press), stated that Hüseyin Efendi did not allow officers to enter the shop, stating that this could only be done with an order of the Iranian Embassy. Kamil Bey noted that since the subjects of Iran, Greece, Serbia and Montenegro were treated as Ottoman subjects, the Ottoman State had the right to inspect the shops of those subjects. Kamil Bey also mentioned that even the subjects of *Düvel-i Mûazzâma* (great powers) did not cause trouble for Ottoman inspectors who checked on their publishing houses. Kamil Bey conveyed this issue to the Ottoman Ministry of Law and asked the ministry to punish Hüseyin Efendi since he had insulted the officers while they were performing their jobs.⁷²⁹ Another document dated 1902 ordered that Iranian booksellers

⁷²⁵ BOA. MF.MKT.145/10, 17 Zilhicce 1309 (13 July 1892), cited in Yıldız, 'Kitapçı Tahir ve Ahter', 191.

⁷²⁶ BOA.DH.MKT.2414.23, 18 Cemaziyülahir 1318 (13 September 1900).

⁷²⁷ BOA.DH.MKT.2437.21, 17 Şaban 1318 (10 December 1900).

⁷²⁸ BOA.DH.MDK.239/75 23 Zilhicce 1318 (13 April 1901) cited in Dıġıroġlu, Hacı Hüseyin Aġa, 100-101. İdare-i acizi matbaalar ser-müfettişi saadetlü Kamil Bey tarafından ita kılınan raporda evvelki gün Tarakçılarda kain İrani Hüseyin Efendi'nin matbaasına li-ecli't-teftiş azimet eylediğinde muma-ileyhin sefaretin emir olmadığı iddiasıyla matbaaya duhulü men edilmekle beraber hakkında bazı mertebe tahkirata cüret eylediği ifade kılınmıştır malum-ı ali-i nezaret-penahileri buyrulduğu üzere İran ve Yunan ve Sırp ve Karadağ tebaları hakkında teba-i Osmaniyye misüllü muamele icrası uhud-ı meriyye iktizasından olup bu cihetle teb-i merkumeden bulunan matbaacılar hakkında dahi mine'l-kadim o yolda muamele icra edilmiş ve matbaaların da teftiş ve taharrisi için hiçbir vakit mensub oldukları sefaretlerin rey-u muvafakatlerini istihsale lüzum görülmemiş ve hatta düvel-i muazzama tebasından olan matbaacılar tarafından bile matbaaları teftiş ve taharri emrinde bir güne müşkilat ika edilmemiş iken merkum Hüseyin Efendinin... (Transliteration is Dıġıroġlu's)

⁷²⁹ BOA.DH.MDK.239/75 23 Zilhicce 1318 (13 April 1901) cited in Dıġıroġlu, 100-101.

not be permitted to prevent Ottoman officers from injuring and inspecting their shops since the Iranian *esnâf* were to be treated as Ottoman *esnâf* according to the agreements.⁷³⁰

Since the documents regarding the Iranian booksellers' complaints and conflicts with the Ottoman State were coming from Istanbul, where a lot of these booksellers lived, sources present very few cases regarding the conflicts of the Iranian booksellers in other cities. For example, documents reveal that there was a group of Iranian booksellers in Ankara. A conflict took place regarding confiscation of the books in the shops of three Iranians. The Iranian shahbandar in Ankara got involved and asked for a payment from the Ottoman State, which was rejected.⁷³¹

One of another main conflicts between the Ottoman-resident Iranians and the Ottoman State was regarding the collection of taxes, mainly *temettü*. Because all foreigners were exempt from payment of the *temettü* and *esnâf* taxes, the Ottoman-resident Iranians resisted paying these taxes. They objected to the state, claiming that it was illegal for the state to collect *temettü* from Iranians because they were foreigners and are therefore exempt from the payment of these taxes.⁷³² On some other occasions when they agreed to pay the taxes, they asserted that the Ottoman State was collecting their taxes at a higher rate and asked the Iranian Embassy to protect their rights regarding the payment of these taxes. That is to say, in order not to pay the taxes, they pretended not to know about the

⁷³⁰ BOA.DH.MKT.2574.4. Antlaşma gereği İranlı esnâfı Osmanlı teb'ası esnâfı gibi kabul edildiğinden, İranlı kitapçılarda arama yapılmasına mani olunmamasının temini...

⁷³¹ BOA. MF.MKT.666.64.

⁷³² Greeks were also involved in such conflicts and objections to the collection of *temettü*. Greeks as well were required to pay *temettü* taxes even if they were not Ottoman Greeks but subjects of Greece. There are many documents presenting their objections to *temettü* payment and conflicts with the Ottoman State awaiting the researchers.

aforementioned article – a means of ‘dissimulation’ and ‘foot dragging’, which Scott describes as methods of resisting.⁷³³

Several documents reveal that objections to the collection of these taxes were received from Iranians living in Istanbul, Anatolia, Atabat and even in Balkan cities such as Selanik⁷³⁴. For example, an 1887 document indicates that Iranians in Istanbul claimed that the Ottoman State was illegally collecting *temettü* from the Iranians,⁷³⁵ and response to these Iranians, the Ottoman State maintained that the tax was being collected legally.⁷³⁶ The Iranian Embassy intervened on many occasions. For example, in 1889, the Iranian Embassy stated that the Ottoman government was collecting a higher *esnâf* tax from the Iranians and that the Ottoman State had taken the belongings and animals of some Iranians because they had not paid their debts to the state.⁷³⁷ The Ottoman State replied that it had not collected a higher *esnâf* tax and that the Iranian *esnâf* had been treated as if they were Ottoman *esnâf*. It added that their belongings and animals would be returned.⁷³⁸

In 1882, Iranians in Ankara objected to the collection of *temettü*, as well. They claimed that because it was not collected from other foreigners, they were not obliged to pay it.⁷³⁹ Later in 1891, Iranians in Ankara again objected to the compulsory collection of *temettü* taxes.⁷⁴⁰ In 1896, the same problem was still going on, the Iranians again objected to the

⁷³³ Scott, *Weapons*, xvi.

⁷³⁴ BOA.BEO. 2899. 217416, 09 Receb 1324 (29 August 1906).

⁷³⁵ BOA. DH.MKT.1512.35, 4 Şevval 1305 (14 June 1888).

⁷³⁶ BOA.DH.MKT. 1512.35, 4 Şevval 1305 (14 June 1888).

⁷³⁷ BOA.DH.MKT.1541.76, 4 Muharrem 1306 (10 September 1888).

⁷³⁸ BOA.DH.MKT.1541.76, 4 Muharrem 1306 (10 September 1888).

⁷³⁹ BOA.HR.HMŞ.İŞO.165-25, 29 Zilhicce 1299 (11 November 1882).

⁷⁴⁰ BOA.DH.MKT.1807.87, 29 Cemaziyülahir 1308, (9 February 1891).

excessive collection of *temettü*.⁷⁴¹ Such conflicts continued in 1898 and led to a negotiation between the Ottoman State and the Iranians.⁷⁴²

In Edirne, the Ottoman State attempted to collect 18 years' worth of *temettü* back taxes from two Iranian men, Ali and Şerif. However, Ali and Şerif objected to this and did not pay the taxes.⁷⁴³ Such complaints regarding the collection of *temettü* from the Iranians were coming from Van, as well.⁷⁴⁴ The Iranian merchant and guilds sent their complaints regarding that the Ottoman officials wanted to collect *temettü* from them, to the Iranian Embassy in Istanbul. Such conflicts regarding the payment of *temettü* was taking place in Aleppo and İskenderun as well. Iranian consuls in the region sent the Iranians complaints to the Iranian Embassy in Istanbul.⁷⁴⁵ The embassy discussed the issue with the Ottoman Ministry for the Interior. As the document present an order regarding the issue was sent to the governorate in the region.

The Ottoman-resident Iranians' objections to *temettü* began in earlier decades, however, it rose in the context of pre-revolutionary tax revolts in the Ottoman Empire. Objections to *temettü* and similar new invented taxes were obstacles that the Ottoman State faced in the final decades of the nineteenth and early decades of the twentieth century.⁷⁴⁶ Between the years 1905 and 1907, many objections and demonstrations against *temettü* and newly invented taxes such as *şahsî Vergi* (Personal tax) and *Hayvanât-ı Ehlîye Rûsûmu* took

⁷⁴¹ BOA.BEO.858-64334, 20 Cemaziyülevvel 1314, (27 October 1896).

⁷⁴² BOA.DH.MKT.2189-31, 1 Muharrem 1316 (2 June 1898).

⁷⁴³ BOA.BEO.631.47264, 02 Zilhicce 1312 (27 May 1895).

⁷⁴⁴ BOA.BEO.361-27020, 11 Şaban 1311 (17 February 1894).

⁷⁴⁵ BOA.BEO, 326 / 24431, 05 Cemaziyülahir 1311 (13 December 1893).

⁷⁴⁶ Objections and resistance to the tax collection was something that the Ottoman State was familiar with. Already in early Tanzîmât period, many revolts and rebellions for Tanzîmât, mainly for the applications regarding tax collection, took place in several parts of the Ottoman Empire. For an example to those revolts, see Ahmet Uzun, *Tanzîmât ve Sosyal Direnişler: Niş İsyanı Üzerine Ayrıntılı Bir İnceleme* (1841), (İstanbul: Eren Yayıncılık, 2002).

place across Anatolia.⁷⁴⁷ In 1905 many complaints regarding *temettü* were received in İzmir.⁷⁴⁸ In January 1906, 32 craftsmen sent a petition regarding *şahsî vergi* to the sultan.⁷⁴⁹ However because they did not receive a positive response from Istanbul, an uprising took place in Kastamonu. Protestors gathered in front of the government office, and occupied the telegraph office and sent telegrams to the sultan.⁷⁵⁰ This was followed by many other protests and uprisings in other cities including Sinop, Erzurum, Trabzon, Giresun, Sivas, Kayseri, Samsun and Bitlis.⁷⁵¹ Although it has not been examined in its all aspects yet, some historians such as Aykut Kansu and Nadir Özbek discuss these tax revolts across Anatolia within the context of the social background of the constitutional revolution of 1908.⁷⁵² Because of insufficient research on the issue, we do not know if the Iranian residents of the above-mentioned cities took part in those protests or not. However, it is worth noting that the ‘tax revolt’ atmosphere of the Ottoman empire on the eve of the constitutional revolution of the Ottoman empire may have given rise to the Iranian complaints and petitions regarding *temettü*.

In 1902, the Iranian Embassy informed the *Bab-ı Ali* (Sublime Porte) that officers sent by the Ottoman State had forced Iranian merchants in Samsun to pay the *temettü* tax for a

⁷⁴⁷ For the application of *Şahsî Vergi* and objections to them, see Nadir Özbek, ‘Osmanlı İmparatorluğunda Gelir Vergisi: 1903-1907 Tarihli Vergi-i Şahsî Uygulaması’, *Tarih ve Toplum Yeni Yaklaşımlar*, 10, Bahar 2010; Nadir Özbek, *İmparatorluğun Bedeli: Osmanlı’da Vergi, Siyaset Ve Toplumsal Adalet (1839-1908)*. (İstanbul, 2015). Aykut Kansu, *The Revolution of 1908 in Turkey*, (Leiden: Brill, 1997).

⁷⁴⁸ Kansu, *The Revolution*, 31.

⁷⁴⁹ Kansu, 32-33.

⁷⁵⁰ Kansu, 32-33.

⁷⁵¹ Kansu, 33-42.

⁷⁵² This observation is very important in the sense that while the constitutional revolution has been discussed from the perspective of intellectual and political perspective, its social dimension has been generally ignored. Some works touches on this issue: Zafer Kars, *Belgelerle 1908 Devrimi Öncesinde Anadolu* (İstanbul: Kaynak Yayınları, 1984); Zafer Kars, *1908 Devriminin Halk Dinamiği* (İstanbul: Kaynak Yayınları, 1997); Nadir Özbek, ‘Osmanlı İmparatorluğunda Gelir Vergisi: 1903-1907 Tarihli Vergi-i Şahsî Uygulaması’, *Tarih ve Toplum Yeni Yaklaşımlar*, 10, Bahar (2010). Kansu’s arguments are based on the documents from the British National Archives, mainly on the consular reports. There are dozens of documents on this issue at the Ottoman State Archives, an examination of them would provide new insights to the understanding of constitutional revolution and its social background.

couple years at one time.⁷⁵³ The Iranian Embassy asked for reimbursement if the Ottoman State officers had taken the tax forcibly. However, Iranians' and Iranian Embassy's objections were not accepted, and the Iranians paid the tax. Three months later, the Ministry of the Interior indicated that the Iranian Embassy's objections regarding the collection of *temettü* from the Iranians of Erzurum and Trabzon was erroneous.⁷⁵⁴ Another conflict took place in Erzurum. Iranians in Erzurum objected to the collection of *temettü* by claiming that since they were foreigners, they were not obliged to pay a tax that other foreigners did not pay.⁷⁵⁵ They conveyed their objections to the Iranian *Kârperdâz*. *Kârperdâz* discussed the issue with Ottoman governate in Erzurum. The governate asked this issue to the Ottoman Sublime Porte, which replied that although Iranians were foreigners, they were required to pay *temettü*. The Sublime Porte sent this decision to the Iranian Embassy in Istanbul as well. Such objections were taking place in Edirne in 1906, in the 'tax revolt' period before the constitutional revolution of 1908. Iranian Shahbandar in Edirne conveyed the complaints of the Iranians in the city to the Ottoman governorate.⁷⁵⁶ The shahbandar claimed that the Iranians were objecting to the situation that Ottoman State was collecting both *esnâf* and *temettü* taxes from the Iranians. As a reply, the Sublime Porte asked the governorate only to collect *temettü* taxes from the Iranians.

There were Iranian objections to Ottoman tax collection in Ottoman Iraq, in this period as well. In 1905 and 1906, the collection of a newly invented tax, the *şehrîye-i dekâkîn resmi* (tax on city shops) became problematic. The Iranians considered this tax to be an *esnâf* or *temettü* tax and sent complaints and objections to the Iranian Embassy since they were

⁷⁵³ BEO 1741 – 130520, 20 Receb 1319 (2 November 1901).

⁷⁵⁴ BOA.DH.MKT.2577-57, 10 Şevval 1319 (20 January 1902).

⁷⁵⁵ BOA.DH.TMIK.M.107-41

⁷⁵⁶ BOA, BEO, 2907 / 217996, 22 Receb 1324 (10 September 1906).

being taxed at a higher rate. In 1905, the Iranian Embassy sent a report to the governor of Baghdad stating that the Ottoman State collected higher taxes from Iranian *esnâfs* in Karbala and Baghdad.⁷⁵⁷ The Iranian Embassy asked the Ottoman State to treat Iranians like other foreigners and not to collect a higher tax.⁷⁵⁸ The Ottoman State's reply was that the tax that was being collecting was a *şehrîye-i dekâkîn resmi*, a newly invented tax, and that this tax was not applicable to foreigners, only to Ottoman subjects, implying that because Iranian *esnâfs* were to be treated as Ottoman *esnâfs* according to the signed agreements, Iranians were obliged to pay it.⁷⁵⁹ This extraordinary tax was not an *esnâf* tax as the Iranians suggested, but a temporary tax to provide for the needs of soldiers sent by the government to curtail the attacks of *eşqiyâ* (bandits) on Karbala.⁷⁶⁰ As the Ottoman State stated 'this tax already been collected from the Iranians and Ottomans by the treasury'.⁷⁶¹ Documents suggest that several tribes/bandits, which were operated by the chiefs Atiya Ebul-Kalal from Najaf and Rıza Bataca, began to attack settlements near Karbala in 1904.⁷⁶² A troop of Ottoman soliders, financed by an extraordinary tax collected from Karbala, was deployed on December 1904 to fight these bandits.⁷⁶³ Most probably, the tax had been collected from the region from 1904 on and gave way to the Iranians' objections.

⁷⁵⁷ BOA.BEO.2660-199435, 6 Receb 1323, (6 September 1905); BOA BEO 2709-203115, 26 Ramazan 1323 (24 November 1905).

⁷⁵⁸ BOA.BEO. 2729-204624, 1 Zilkade 1323 (28 December 1905).

⁷⁵⁹ BOA.BEO. 2729-204624, 1 Zilkade 1323 (28 December 1905); BOA.DH.MK.T.1129-70, 08 Ramazan 1324, (26 October 1906).

⁷⁶⁰ BOA.BEO.2941-220511, 21 Ramazan 1324 (8 November 1906); BEO.2949-221170, 8 Şevval 1324 (25 November 1906).

⁷⁶¹ 'öteden beri hazine-i celile hesabına mevzu' bulunduğ u ve bilcümle teba-ı devlet-i aliye ve iran esnafından alına geldiğ i' BEO 2729.204624, 1 Zilhicce 1323 (28 December 1905)

⁷⁶² These names are mentioned in another petition asking for pardon, DH.MKT 860 – 92, 28 Rebiülevvel 1322 (12 June 1904).

⁷⁶³ Y..PRK.UM.72.132, 29 Ramazan 1322 (7 December 1904); Y..PRK.UM.72.135, 03 Şevval1322 (11 Aralık 1904); Y.PRK.UM.72.147, 07 Zilkade 1322 (13 January 1905).

Conflicts about this extraordinary tax continued in 1906, as well. On 26 September 1906, a prominent local Iranian shopkeeper Seyyid Mehmed Bakır sent a telegraph to Iranian Embassy stating that *şehrîye-i dekâkîn resmi* was a provisional tax recently levied on shopkeepers, and the shopkeepers would act upon it if the tax was not abolished.⁷⁶⁴ The guilds in Karbala protested against the collection of this tax.⁷⁶⁵ On October 1906, the Iranian shopkeepers closed their shops and pitched their tents and pergolas to protest against the tax.⁷⁶⁶ The Iranians assaulted the Ottoman police and gendarmes who came to collect the tax.⁷⁶⁷ They claimed that they would only pay the tax if the Iranian *kârperdâz* confirmed the legality of the tax. The Ottoman State said that it would respond later.⁷⁶⁸

Another reason for Ottoman-resident Iranian appeals for Iranian protection was conflicts with the Ottoman State regarding their conscription into the Ottoman army. Although according to the agreements signed by the Ottoman and Qajar States in the context of Nasir al-Din Shah's Istanbul visit in 1873, the Iranians were foreigners and thus not subject to the Ottoman army, the Ottoman State later declared that Iranians born to Ottoman mothers would be considered Ottoman nationals and liable to the army, as discussed in the first chapter of this dissertation. This led to conflicts among the Ottoman-resident Iranians and the Ottoman and Iranian States. Complaints and objections came mainly from Ottoman Iraq. The Ottoman-resident Iranians' objections underscored two main points: First, they stated that the Ottoman State forcibly recruited Iranian nationals with an Ottoman or Iranian mother, which was an illegal act. Secondly, they stated that according to the signed agreements between the Ottoman and Qajar States, they were considered foreigners and

⁷⁶⁴ DH.MKT. 1129.70, 08 Ramazan 1324 (26 October 1906).

⁷⁶⁵ BOA, DH.ŞFR. 372 / 146. 6 Şevval 1324 (23 November 1906).

⁷⁶⁶ BOA DH.ŞFR.372-71 R19-08-1322; BOA.DH.ŞFR.372.44 R-14 Teşrinievvel 1322 (27 October 1906).

⁷⁶⁷ BOA, DH.ŞFR. 370 / 116, 12 Receb 1322 (22 September 1904).

⁷⁶⁸ BOA, DH.ŞFR.370 / 116, 12 Receb 1322 (22 September 1904).

thus exempt from military service. Nevertheless, the Ottoman Regulations for Conscription of 1886 counted them – namely the sons of Iranian man-Ottoman woman couples – as Ottoman nationals and thus liable to the army. They objected to the application of this regulation. The Ottoman-resident Iranians conveyed their objections to Iranian consuls and the embassy in Istanbul. In return, the Iranian State took an active role in protecting its subjects residing in the Ottoman Empire on several occasions.

As the protector of its Ottoman-resident subjects, the Iranian State objected to the Ottoman State's decision to count the sons of Iranian man-Ottoman woman couples as Ottoman and thus liable to the army. The Iranian State passed a similar law in 1886 stating that Ottoman men living in Iranian territory would be conscripted into the Iranian army.⁷⁶⁹ But the purpose of passing this law was to put pressure on the Ottoman State not to enforce its new law – that is to say, the purpose was to defend the new rights of its Ottoman-resident subjects that arose from their foreigner status. However, as Kern points out, this threat was 'fundamentally an impotent, ineffective attempt to influence Ottoman policy' because there was no systematic, universal conscription system in Iran at the time.⁷⁷⁰ In 1887, the Iranian Embassy sent a memorandum to the Ottoman State declaring that the 1874 prohibition of mixed marriages contradicted other public laws of the Ottoman State and that Iranians should receive the same rights as other foreigners, including the right to marry Ottoman nationals and exemption from military service.⁷⁷¹ The Ottoman State did not retreat and continued to classify Iranian sons of Ottoman mothers as Ottoman nationals. For instance, Mehmed Hüseyin, who was jailed by the Ottoman State, sent a telegram to the Iranian Embassy and argued that he could not be conscripted into the army because he

⁷⁶⁹ BOA.MV.14-16, 16 Safer 1304 (14 November 1886) cited in Kern, *Imperial Citizen*, 121.

⁷⁷⁰ Kern, *Imperial Citizen*, 122.

⁷⁷¹ Kern 121-123; BOA.IMM.411, 10 Cemaziyülahir 1304 (6 March 1887) cited in Kern, 123.

was Iranian.⁷⁷² However, a document of the Ottoman State dated 21 January 1888 indicates that the Ottoman State decided to treat Mehmed Hüseyin as an Ottoman subject since his mother was an Ottoman woman living in the district of Aydın – even though his father was Iranian.⁷⁷³

As the protector of the Ottoman-resident Iranians, the Iranian State continued to apply pressure on the Ottoman State regarding its decisions. In March 1888, the Iranian Embassy in Istanbul sent a letter to the Ottoman Foreign Ministry requesting not to conscript the Iranian sons of Ottoman women into the Ottoman army.⁷⁷⁴ The Ottoman State replied, stating that the son of an Iranian man and an Ottoman woman was liable for Ottoman military service. It added that if they did not perform their duties, a fine would be imposed on them. However, such men born before the regulation was issued were not liable to military service.⁷⁷⁵

On 4 May 1888, the Iranian ambassador to Istanbul wrote another letter to the Ottoman Prime Ministry on the issue.⁷⁷⁶ The ambassador stated that they had received the decisions regarding the marriage prohibition and conscription into the Ottoman army; however, many couples had married long before. The Iranian ambassador asked the Ottoman Prime Ministry not to conscript the sons of such couples who had married before the 1886 law.⁷⁷⁷ The Ottoman State finally amended their stance in response to the outcry and declared that the son of the Ottoman woman and Iranian man born before the *Âhz-ı Asker Nizâmnâmesi*

⁷⁷² BOA.DH. MKT.1487.23, 7 Cemaziyülevvel 1305 (21 January 1888).

⁷⁷³ BOA.DH. MKT.1487.23, 7 Cemaziyülevvel 1305 (21 January 1888).

⁷⁷⁴ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 39, 12 Receb 1305 (25 March 1888).

⁷⁷⁵ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 39, 12 Receb 1305 (25 March 1888).

⁷⁷⁶ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 30, 22 Şaban 1305 (4 May 1888).

⁷⁷⁷ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 30, 22 Şaban 1305 (4 May 1888).

(1886) was decreed was not liable for compulsory military service. Those born after the law was passed would still be conscripted.⁷⁷⁸ However, the Ottoman State declared that the sons of such couples could be conscripted even if their parents had been sent to Iran by the Ottoman State, and those men who left the Ottoman Empire with their parents would be conscripted if they returned.⁷⁷⁹ This decision was conveyed to the Iranian Foreign Ministry by the Iranian ambassador to Istanbul.⁷⁸⁰ The ambassador mentioned in his report that the Ottoman State had informed all the provinces that if such couples and their sons were sent to Iran by the Ottoman State later returned to the Ottoman Empire, the sons would be liable for military service by the age of 20.⁷⁸¹

⁷⁷⁸ BOA.DH.MKT.1596.62 (20 January 1889); BOA.DH.MKT.1602.14, 4 Recep, 1306 (6 Mart 1889). The Ottoman State insisted on conscripting males with Ottoman mothers and Iranian fathers. However, this became a concern for the Ottoman State. Çetinsaya claims that almost ninety percent of the Ottoman Sixth Army was Shiite, which made the Ottoman State suspicious about its loyalty. See Çetinsaya, *The Ottoman Iraq*, 101-106.

⁷⁷⁹ BOA.DH.MKT.1516.118, 18 Şevval 1305 (28 June 1888) İrân teb'asıyla evlenenlerin Memâlik-i Şâhâne'den uzaklaştırılmaları ve bunların Memâlik-i Şâhâne'de kalan çocuklarıyla daha sonra geri dönenlerin çocuklarının askerlik hizmetiyle mükellef tutulmaları kararının umûmen tebliği.

⁷⁸⁰ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 41, 2 Zilhicce 1305 (10 August 1888).

⁷⁸¹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Umur-e Kharijeye*), 41, 2 Zilhicce 1305 (10 August 1888).

[illegible]

Figure 4: A letter sent by Iranian ambassador to Istanbul to the Iranian Foreign Ministry Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejijeh*), 41, 2 Zilhicce 1305 (10 August 1888).

Despite this decision, the conscription of Ottoman-resident Iranians into the Ottoman army remained a problem between these Iranians and the Ottoman State, especially in the provinces of Ottoman Iraq in early twentieth century. On 22 April 1901, the Iranian consulate of Baghdad sent a letter to the Iranian Embassy in Istanbul relating the complaint of an Iranian national, Hajj Sayyid Ahmad, who had married an Ottoman woman 40 years earlier and had sons.⁷⁸² Hajj Ahmad told the Iranian consulate that Ottoman officers tried to forcibly conscript his sons into the Ottoman army. The Bagdad consulate asked the

⁷⁸² Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319- 5- 13-070, 3 Muharram 1319 (22 April 1901).

Iranian Embassy in Istanbul to work on the case.⁷⁸³ A report dated 19 October 1902 stated that the sons of Hajj Ahmad would be considered Iranian nationals if they were born before the 1886 Regulations.⁷⁸⁴

On 24 June 1901, the Iranian head consul in Basra sent a telegram to the Iranian Embassy in Istanbul stating that for 4 or 5 years, Ottoman officers in the region had been forcing Iranians to become Ottoman nationals in order to be subject to military service.⁷⁸⁵ In reply, the Iranian Embassy stated that it was already working on the case and had informed the Ottoman government that 15 people conscripted into the Ottoman army were Iranians, but the Ottoman State had not yet replied.⁷⁸⁶ In response to the Iranian Embassy's allegations, the Ottoman Ministry of the Interior sent an order on 25 September 1901 to the Ottoman city of Basra in Iraq to investigate whether the Iranians had been forcibly conscripted into the Ottoman army.⁷⁸⁷ Ten days later, the Ottoman State charged an Ottoman military officers, Vehbi, with investigating whether Ottoman officers in Basra were conscripting Iranians into the Ottoman army by force despite the Iranians' *tazkerehs* and the testimonies of *imams* and local authorities.⁷⁸⁸

The Iranian consuls in Baghdad and in Basra also sent letters and reports to the Iranian Foreign Ministry because, in their own words, they had not received positive results from those sent to the Iranian Embassy, which was unsuccessful in solving the problems. In a report sent from Qasr-e Shirin to Tehran, the consul explicitly stated that the Iranian

⁷⁸³ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejijeh*), 1319- 5- 13-070, 3 Muharram 1319 (22 April 1901).

⁷⁸⁴ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejijeh*), GH1320-K14-P7-1, 16 Receb 1320, (19 October 1902).

⁷⁸⁵ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejijeh*), 1319-5-13-0001, 7 Rebiülevvel 1319 (24 June 1901).

⁷⁸⁶ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejijeh*) 1319-5-13-0001, 7 Rebiülevvel 1319 (24 June 1901).

⁷⁸⁷ BOA. BEO. 1709 128148, 11 Cemaziyelevvel 1319 (25 September 1901).

⁷⁸⁸ BOA. BEO. 1719 128853, 28 Cemaziyelahir 1319 (6 October 1901) (Basra; 1281 42).

ambassador to Istanbul had been unsuccessful in solving the problem of the conscription of Iranians into the Ottoman army.⁷⁸⁹ On 25 September 1901, because they had received no positive response from the Iranian Embassy in Istanbul, the Iranian consulate in Baghdad sent a letter to the Iranian Foreign Ministry stating that the Ottoman State considered a son of an Ottoman woman and an Iranian man to be Ottoman nationals and therefore liable to the army despite the agreement signed by the Ottoman and Qajar states.⁷⁹⁰ It added that complaints were being receiving regarding this issue every day.⁷⁹¹ On 26 October 1901, the Iranian *Kârperdâzlığı* in Basra sent a report to the Iranian Foreign Ministry in Tehran stating that Iranian subjects living in the region were complaining about the actions of Ottoman officers with respect to conscription. They asked the Iranian Foreign Ministry to inform the Iranian ambassador to Istanbul, Mirza Reza Khan, Arfa' al- Dawleh (1846-1937) of this situation.⁷⁹² In response, the Iranian Foreign Ministry replied and stated that they would pursue the issue.⁷⁹³ On 27 November 1901, the Iranian consulate in Baghdad also sent a letter to the Iranian Foreign Ministry stating that the Iranian Embassy in Istanbul had discussed the issue of conscription with the Ottoman State; however, the Ottoman State still considered Iranians who were born as much as 50 years earlier to be Ottoman subjects.⁷⁹⁴ The consulate asked the ministry to charge Arfa' al- Dawleh with solving this issue.⁷⁹⁵ On 8 February 1909, the Iranian consulate of Baghdad sent a report to the Iranian Foreign Ministry stating that the Ottoman State considered the Iranian sons of

⁷⁸⁹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), GH1325-K6-P3-26, 1325 (1907/1908).

⁷⁹⁰ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-5-2-002, 11 Cemaziyelahir 1319 (25 September 1901).

⁷⁹¹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-5-2-002, 11 Cemaziyelahir 1319 (25 September 1901).

⁷⁹² Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-5-13-007, 15 Receb 1319 (28 Ekim 1901).

⁷⁹³ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-5-13-003, 22 Rajab 1319 (4 November 1901).

⁷⁹⁴ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-52-001, 15 Şaban 1319 (27 November 1901).

⁷⁹⁵ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*), 1319-52-001, 15 Şaban 1319 (27 November 1901).

Ottoman women born before 1886 – before the Ottoman regulations on conscription – to be Iranian nationals and exempt from military service.⁷⁹⁶ However, some Ottoman officers in the region continued to count these Iranians as Ottoman nationals and tried to conscript them into the Ottoman army. The consulate asked the Iranian Foreign Ministry to solve this problem.⁷⁹⁷

‘According to what I have heard, the oppression towards Iranians is much worse in Istanbul and in the other Ottoman lands.’⁷⁹⁸

Zayn Al-Abidin Maraghah'i, *The Travel Diary of Ebrahim Beg*

‘Vatan bir bi-vefa nazende-i tannaze dönmüş kim
Ayırmaz sadıkan-ı aşkını alâm-ı gurbetden’⁷⁹⁹

Namık Kemal- *Hürriyet Kasidesi*

After 1906: Petitioning to the Iranian Majlis

The Iranian constitution of 1906 and the opening of the first majlis that same year opened a new forum for these conflicts and a new phase of the Iranians appeals for the protection of the Iranian State. In addition to sending complaints and requests to the Iranian Embassy and Iranian consuls in the Ottoman Empire, the Ottoman-resident Iranians began to send petitions directly to the Iranian Majlis. In parallel with the period before the opening of majlis, these petitions also concerned the conflicts between the Ottoman State and the Ottoman-resident Iranians, including the payment of the *temettü* tax and conscription into the Ottoman army. These petitions were mostly from cities such as Baghdad, Najaf and

⁷⁹⁶ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1327-K11-P25-1, 17 Muharram 1327 (8 February 1909).

⁷⁹⁷ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1327-K11-P25-1, 17 Muharram 1327 (8 February 1909).

⁷⁹⁸ Zayn Al-Abidin Maraghah'i, *The Travel Diary of Ebrahim Beg*, ed. James D. Clark (Costa Mesa, California: Mazda, 2006), 28.

⁷⁹⁹ ‘Vatan turned into unfaithful bitter beloved. It does not save her loyal lovers from the misery of foreign country.’ Önder Göçgün, *Namık Kemal*, (Ankara: Kültür ve Turizm Bakanlığı, 1999), 8-10.

Qarbala which were part of Ottoman Iraq, and there were some petitions coming from Istanbul, as well. We do not have any petitions coming from Anatolian cities regarding these issues in this period. This does not show the non-existence of any conflicts regarding *temettü* or conscription, as there could have been some petitions sent from Anatolian cities that did not reach the present day.

It is also quite possible that such conflicts between the Ottoman State and the Iranians were much more common in Istanbul and especially in Ottoman Iraq. In addition to these, because Iranians in Istanbul and Ottoman Iraq were consisting of Qajar dissident intellectuals and ulama who supported the constitution, it is also possible that they felt themselves free to ask for protection from Iranian Majlis which they worked for its opening. In other words, these Iranians who supported and worked for the constitution, felt themselves as part of the 'imagined constitutionalists,' and believed that it was the Iranian Majlis' duty to protect them, as they explicitly mentioned in their petitions. The petitions were mostly dated between 1909-1911.

Petitions were written mostly from ordinary people (from below) to those with higher status (those above) demanding 'a favour or for the redressing of an injustice'.⁸⁰⁰ Given that most petitions were written to state authorities, they reflect the views of the petitioners as well as state-society relations. They constitute one of few sources that allow the 'voices from among the silent masses' in history to be heard, to use Andreas Würgler's words.⁸⁰¹ They are therefore invaluable sources for social historians. However, even though they originate from 'below', they do not represent or display it purely. Würgler states that

⁸⁰⁰ Lex Heerma Van Voss, 'Introduction', *International Review of Social History* 46, Supplement 9, *Petitions in Social History* (2001), 1-10, 1.

⁸⁰¹ Andreas Würgler, 'Voices from Among the 'Silent Masses': Humble Petitions and Social Conflicts in Early Modern Central Europe', *International Review of Social History* 46, Supplement 9 *Petitions in Social History* (2001), 11-34.

because they were written mostly by scribes for a particular purpose with a specific structure, they cannot be considered ‘pure ego-documents’.⁸⁰² In other words, the scribes or the petitioners themselves may have used censorship or self-censorship to get what they wanted. In addition, many, including those discussed in this chapter, were kept in state archives. Thus, in some way they reflect the point of view of the state. For instance, it is unknown if the petitions underwent a selection process in which the state chose to work on some and dispose of others.⁸⁰³ This was the case in Qajar Iran where petitions received by the state underwent a selection process in a special commission that then conveyed chosen petitions to other institutions.⁸⁰⁴

Petitioning has a long history. Sending petitions to the ruler or government is a practice that has taken place in several parts of the world from early centuries on. Natalie Zemon Davis’ work *Fiction in the Archives: Pardon Tales and Their Tellers in the Sixteenth Century France* shows the popularity of the petitioning practice in France in the sixteenth century by focusing on the petitions written to the rulers, which were usually requests for pardons.⁸⁰⁵ As recent literature shows, petitioning was a popular practice in European countries including Italy, British Empire, Germany and France, as well as in America from fourteenth century on.⁸⁰⁶ Würzler, refers to the recent literature’s attempts to categorise the petitions. These were supplications as private writings to the government, requests for

⁸⁰² Würzler, 32.

⁸⁰³ See Serhan Afacan, ‘Devletle Yazışmak: Türkiye ve İran Sosyal Tarihçiliğinde Dilekçeler’, *Türkiyat Mecmuası*, v.21/Bahar, 2011, 5.

⁸⁰⁴ Afacan, 5.

⁸⁰⁵ Natalie Z. Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in the Sixteenth- Century France* (Stanford, California: Stanford University Press: 1987).

⁸⁰⁶ See Würzler, ‘Voices’, 14. For discussions on petitioning practices in Europe and America see Marcia Schmidt Blaine, ‘The Power of Petitions: Women and the New Hampshire Provincial Government, 1695-1770’, *IRSH* 46 (2001): 57-77; Gilbert Shapiro, John Markoff, ‘Officially Solicited Petitions: The *Cahiers de Doleances* as a Historical Source’, *IRSH* 46 (2001): 79-106; Cecilia Nubola, ‘Supplications between Politics and Justice: The Northern and Central Italian States in the Early Modern Age’, *IRSH* 46 (2001), 35-56; Ken Lunn, Ann Day, ‘Deference and Defiance: The Changing Nature of Petitioning in British Naval Dockyards’, *IRSH* 46 (2001): 131-150; Carola Lipp, Lothar Krempel, ‘Petitions and the Social Context of Political Mobilization in the Revolution of 1848/49: A Microhistorical Actor-Centred Network Analysis’, *IRSH* 46 (2001):151-169.

material help, formal demands and complaints.⁸⁰⁷ However, in the Ottoman Empire and Iran, this practice was an umbrella term that encompasses these categories and goes beyond them. Petitioning practice was rooted in the Islamic understanding of *zulm* (oppression) and *adala* (justice), in these countries. In Islam, *zulm* is associated with polytheism and violating the rules of Allah as well as doing wrong and injustice.⁸⁰⁸ The *zulm* could be in any form, however, in the case of the Ottoman Empire and Iran, *zulm* was mainly perceived as the state's illegal tax collection, overtaxation, using force and forced conscription.⁸⁰⁹

A Muslim ruler was the source and guarantee of justice. The Islamic genre of Mirrors for Princes present advice to the rulers regarding how to be a just ruler. One of the most famous examples of this literature, *Nasihat al-Mulûk* of Gazali, stated that a ruler must avoid oppression and seek justice.⁸¹⁰ In a similar light, another important work, *Siyasatnameh* of Nizam al-Mulk, advised the rulers to listen to the oppressed and give justice.⁸¹¹ *Mazalim* courts and petitions served that purpose. The word *mazalim* means act of injustice, thus, *mazalim* courts were the place where justice would take place. This would be possible with the order of the ruler, who was the source and guarantor of justice. The development of *mazalim* courts is dated back to Abbasids. The Abbasids founded the *mazalim* system, 'an alternative judicial system based upon the authority of the political

⁸⁰⁷ Würbler, 'Voices', 15.

⁸⁰⁸ As Mustafa Çağrıçlı details, in the Quran, the term *zulm* and its equivalents has been used 269 times. It was used in the meaning of polytheism and violating Allah's rules more than 200 times; it was used in the meaning of being injustice and unfair to someone more than 20 times. Mustafa Çağrıçlı 'Zulüm', *TDV İslam Ansiklopedisi*, <https://islamansiklopedisi.org.tr/zulum#1> (22.06.2021)

⁸⁰⁹ Mumcu listed *zulm* crimes in the case of the Ottoman Empire as follows: illegal tax collecting and making illegal money, using force, forgery, collaborating with bandits, corruption and bribery. Mumcu, *Zulm*, 11-19. The *zulm* crimes were not enlisted in Sharia law nor the punishments for them. The Ottoman State treats these *zulm* crimes within the orfi law. The rulers decided punishments such as sending exile, imprisonment, and execution. However, there was not any systematised punishment until Tanzimât in the Ottoman Empire, as discussed in the first chapter of this dissertation. Ottoman Penal Codes defined each crime which has been defined as *zulm* and listed the punishments. See Mumcu, *Zulm*, 34-38.

⁸¹⁰ See F. R. C. Bagley, *Ghazālīs' Book of Counsel for Kings (Nasihat Al-mulūk)*, (London; New York: Oxford UP: University of Durham Publications 1964).

⁸¹¹ Nizâm al-Mulk, *The Book of Government or Rules for Kings. The Siyar al-Muluk or Siyasat-nameh of Nizam al-Mulk*, trans. Hubert Darke, (London and New York: Routledge, 2002), 13-14.

leader, to bolster the kadı hierarchy'.⁸¹² As it was the case in Byzantine and Sasanian Empires, these courts were ruled by the ruler, the *khalifa* in Abbasid case, or his representatives, including viziers and military officials as well as governors.⁸¹³ People who had experienced any oppression, mistreatment or injustice could directly apply to *mazalim* courts, thus bypassing the kadı. This enabled the ruler not only to remain the guarantor of justice, but also 'to regain control of justice without the qadis' involvement'.⁸¹⁴ The versions of *mazalim* courts were also seen in many other Islamic states including Mamluks and Ayyubis as 'jurisdiction parallel to the ordinary jurisdiction'.⁸¹⁵

In the Ottoman Empire, people sent their petitions, which were called *arz-ı hal*, to the sultan during Friday prayer, or on the occasions where he was out of palace for hunting, or on a campaign.⁸¹⁶ These petitions and the rulers' responses to them were kept within *şikâyet defterleri* (registers of complaint) and *ahkâm defterleri* (registers of sultanic commands) from the 17th century onwards.⁸¹⁷ This continued in the later centuries as well. Cengiz Kırılı's work on the petitions sent from Ottoman Vranje to the Sublime Porte in the context of objections and rebellions for *Tanzîmât* gives an example of this.⁸¹⁸ When people in Vranje did not receive any positive response from local officials regarding their

⁸¹² Ruth Miller, *Fıkıhtan Faşizme*, 20.

⁸¹³ Calder, Norman, Joseph A. Kéchichian, Farhat J. Ziadeh, Abdulaziz Sachedina, Jocelyn Hendrickson, Ann Elizabeth Mayer, Joseph A. Kéchichian, Intisar A. Rabb, and Intisar A. Rabb, 'Law', *The Oxford Encyclopedia of the Islamic World*, (Oxford: Oxford University Press, 2009). <https://ezproxy-prd.bodleian.ox.ac.uk:2460/view/10.1093/acref/9780195305135.001.0001/acref-9780195305135-e-0473>. (accessed 01-July-2020).

⁸¹⁴ Mathieu Tillier, "Qadis and the Political Use of Mazalim Jurisdiction under the Abbasids" in *Public Violence in Islamic Societies, Power, Discipline, and the Construction of the Public Sphere, 7th-19th Centuries CE*, eds Christian Lange, Maribel Fierro, Edinburgh: Edinburgh University Press, 42.

⁸¹⁵ Irene Schneider, *The Petitioning System in Iran: State, Society and Power Relations in the Late 19th Century*, (Wiesbaden: Harrassowitz verlag, 2006), 25-26. For Mamluks, see Nielsen, Jørgen S. *Secular Justice in an Islamic State: Mazālim under the Bahrī Mamlūks, 662/1264-789/1387*. Uitgaven Van Het Nederlands Historisch-Archaeologisch Instituut Te İstanbul; 55. (Leiden: Nederlands Historisch-Archaeologisch Instituut Te İstanbul, 1985).

⁸¹⁶ Halil İnalçık, 'Şikâyet Hakkı: 'Arz-ı Hal ve 'Arz-ı Mahzar'lar'. *Osmanlı Araştırmaları* 07-08 (1988): 33.

⁸¹⁷ İnalçık, 34.

⁸¹⁸ For such examples, see Ahmet Uzun, *Tanzîmât ve Sosyal Direnişler*, (İstanbul: Eren Yayınları, 2002); also see Cengiz Kırılı, 'Tyranny Illustrated: From Petition to Rebellion in Ottoman Vranje', *New Perspectives on Turkey*, v. 53, (2015): 3-36.

requests for protection from the oppression of the *ayan*, Hüseyin Paşa, they directly sent their petitions to Istanbul.⁸¹⁹ These petitions included illustrations of the oppressions drawn by the petitioners, which is very unusual. Even after Tanzîmât, in a period when the Ottoman State established a novel legal system with several types of courts that people could apply to, petitioning still acted as a mechanism of asking for justice.⁸²⁰ For instance, the sultan's procession to the Friday prayer provided an occasion for the people to convey their petitions directly to the sultan.⁸²¹

In Safavid Era, people were able to send their complaints directly to the ruler, as well. They sent their petitions to the ruler when he was out for riding, hunting or travel.⁸²² Qajars used this mechanism as well. As the source of justice, Nasir al-Din Shah sought to revive older *mazalim* (oppression) courts.⁸²³ The shah, as the shadow of god, was the source of justice.⁸²⁴ Qajar attempts to institutionalise petitioning began in Nasir al-Din Shah's reign; the shah spent Sundays dealing with the petitions of his subjects.⁸²⁵ Then, in 1874, a Box of Justice into which people could drop their petitions was established in the city centre of Tehran.⁸²⁶ A guard was opening it twice a week and sending all the petitions

⁸¹⁹ Cengiz Kırılı, 'Tyranny Illustrated', 25-30.

⁸²⁰ Collective petitions sent from Jerusalem are an example of the fact that petitioning was very common even after Tanzîmât. See Yasemin Avcı, Vincent Lemire and Ömür Yazıcı Özdemir, 'Collective Petitions (*arz-ı mahzar*) as a Reflective Archival Source for Jerusalem's Networks of *Citadinité* at the End of 19th Century' in Angelos Dalachanēs and Vincent Lemire, *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, (Leiden, Boston: Brill, 2018). For a comprehensive analysis on petitioning in the late Ottoman Empire, see Yuval Ben Bassat, *Petitioning the Sultan: Protests and Justice in the Late Ottoman Palestine*, (London: I.B. Tauris), 2013.

⁸²¹ Mehmet İpşirli, 'Osmanlılarda Cuma Selamlığı' in *Prof. Bekir Kütükoğlu'na Armağan*, (İstanbul: Edebiyat Fakültesi Basımevi, 1991), 459-71.

⁸²² Schneider, *Petitioning System*, 30.

⁸²³ Schneider, 34-35.

⁸²⁴ For further discussion, see Nader Sohrabi, 'Revolution and State Culture: The Circle of Justice and Constitutionalism in 1323/1906 Iran', in *State Culture and State-Formation After the Cultural Turn*, ed. George Steinmetz, Ithaca and London: (Cornell University Press, 1999), 253-288; and Schneider, *Petitioning System*, 30-34

⁸²⁵ Sohrabi, *Revolution*, 297. Also see Serhan Afacan, 'Foreign Goods, Native Consumption', in *Iran and the Middle East*, Houchang Chehabi, Peyman Jafari and Maral Jafroudi eds, (London&New York: I.B. Tauris, 2015), 144-145.

⁸²⁶ Sohrabi, *Revolution*, 297.

to the shah in sealed bags.⁸²⁷ In 1882 a Majlis-e Tahqiq-e Mazalem (Council for the Investigation of Grievances) was established to which petitions were sent.⁸²⁸ After the establishment of the Iranian constitution and the first majlis, dozens of petitions began to be received by the majlis. The majlis acted as an institution to deal with such petitions. To cope with these petitions which were arriving from inside and outside Iran, a special commission was established within the majlis to work on the petitions.⁸²⁹ This commission also worked on the petitions sent by the Ottoman-resident Iranians and informed and counselled the Iranian Foreign Ministry regarding the issues brought up in the petitions, as we understand from the notes on the documents and petitions sent by the Ottoman-resident Iranians.⁸³⁰ The Iranian State, in response to these petitions, often challenged the Ottoman State in order to protect the rights of the Ottoman-resident Iranian nationals.

Petitions were individual, detailing the request or complaint of a single person, or collective, signed by more than one person. Collective petitions were signed by many petitioners with similar requests or complaints.⁸³¹ Most petitions sent by the Ottoman-resident Iranians were collective and included the names and signatures of the petitioners. The main purpose behind writing collective instead of individual petitions must be the desire of the Ottoman-resident Iranians to present the plurality of the cases. Collective petitions showed that many Ottoman-resident Iranians suffered from the situations mentioned in the petitions. An undated petition sent from Baghdad and signed by 62

⁸²⁷ Sohrabi, 297.

⁸²⁸ Sohrabi, 298; Afacan, 'Foreign Goods', 145. For details, also see Schneider, *The Petitioning System*, 36.

⁸²⁹ Afacan, 'State, Labour and Society', 57. Also see, Ali Tatari, 'Bar rasi-ye Jayghah-e Arizehdar Pajuhashha-ye Asnadi', *Payam Baharestan* 2, no. 4 (2009): 465-476.

⁸³⁰ A petition sent from Istanbul to the majlis in Tehran is an example. Library Museum and Document Center of the Iran Parliament (LMDCIP), d2/k160/j29/p4/Khareje, 'From the Foreign Ministry to the Majles', 28 February 1911. This petition was first sent to the commission for petitions in the majlis. The commission then sent it to the Foreign Ministry that would work on the case.

⁸³¹ For a case study on collective petitions, see Avcı, Lemire, and Yazıcı Özdemir, 'Collective Petitions'.

Ottoman-resident Iranians is an example.⁸³² The petitioners stated that the Ottoman State was treating them as Ottoman nationals. They claimed that when the Ottoman State carried out a census in the region, they showed their *tazkerehs* to Ottoman officers and were thus counted as Iranian nationals. They added that in 1901,⁸³³ Ottoman officers tried to forcibly conscript them into the Ottoman army. The petitioners claimed that they refused and asked people in the region, even including rabbis, to testify on their behalf. They stated that they sent these affidavits to Istanbul, probably to the Ottoman Interior Ministry. The petitioners also stated that they refused to pay a military tax and once more declared they were Iranian nationals and thus exempt from this tax. However, Ottoman officers still treated them as Ottoman nationals. The petitioners indicated that Ottoman officers had attempted to collect the military tax, and when the Iranians refused to pay it, the officers evicted them from their homes and shops. In some cases, they put them in jail. They claimed that more than 500 Iranians were in the same situation.⁸³⁴

In another, undated collective petition, petitioners wrote that despite the fact that the Iranian Embassy in Istanbul was working on the complaints of Ottoman-resident Iranians regarding the *temettü* tax, Ottoman officers had evicted Iranians from their houses and shops and taken their belongings, asserting that the Iranians had not paid their *temettü* taxes.⁸³⁵ The petitioners stated that the embassy had not heard any response from the Ottoman State regarding the collection of the *temettü* tax and that the embassy had forwarded the issue to the Iranian Foreign Ministry. The petition was signed, and while the exact profile of the petitioners is unclear, some were *esnâfs* and merchants. Two signatures

⁸³² Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1323- K6-P7-22.1, 2. This petition was most probably written in 1910s.

⁸³³ The document states that it was the year 1318 which could be 1900 or 1901.

⁸³⁴ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1323- K6-P7-22.1, 2.

⁸³⁵ Library Museum and Document Center of the Iran Parliament (LMDCIP), d2/k160/j29/p4-Khareje, 'From the Iranian Merchants Living in Istanbul', 25 Muharram 1329 (26 January 1911).

included the petitioners' names in the Roman alphabet, as well, suggesting that they were merchants involved in international business.⁸³⁶

Another petition regarding the conscription of Ottoman-resident Iranians into the Ottoman army was written by Aga Mirza Muhsin living in *Qasr-e Shirin*.⁸³⁷ He stated that many Iranians living in the Ottoman Empire were alarmed by the Ottoman State's attempts to recruit Iranians. Mirza Muhsin added that many Ottoman newspapers wrote that while other foreigners were exempt from military service, the Iranians were not. He referred to agreements signed by the Ottoman and Qajar states in the context of Nasir al-Din Shah's Istanbul visit and stated that the agreements of 1874 and 1875 explicitly designated Iranians as foreigners and exempted them from military service and the military tax. He added that the names of 10 individuals requesting Iranian State protection with respect to this issue were listed in the petition.⁸³⁸

Another petition dated 28 February 1911 was also regarding the collection of the taxes. The petitioners claimed that the Ottoman State oppressed the Iranians regarding the payment of taxes.⁸³⁹ This letter was forwarded to the Iranian Foreign Ministry by the commission established to deal with petitions within the majlis. The Foreign Ministry later informed the majlis that it had already sent a report to the majlis regarding occasions on which Ottoman officers had oppressed Istanbul-resident Iranians. The Foreign Ministry stated that it had asked the Ottoman Embassy in Tehran about the issue, but the embassy

⁸³⁶ LMDVIP, d2/k160/j29/p4-Khareje, 'From the Iranian Merchants Living in Istanbul', 25 Muharram 1329 (26 January 1911).

⁸³⁷ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*) GH-1328- K11- P46-14, 1328 (1910).

⁸³⁸ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejīyeh*) GH-1328- K11- P46-14, 1328 (1910).

⁸³⁹ LMDVIP, d2/k160/j29/p4-Khareje, 'From the Foreign Ministry to the Majles', 28 Safar 1329 (28 February 1911).

claimed that the Ottoman State had existing agreements with other foreign states and that it would not be possible to exempt Iranians from paying taxes.⁸⁴⁰

The Ottoman-resident Iranians used an oppressor-oppressed discourse and asked for '*adala* (justice). Iranians perceived the articles which enabled Ottoman State regulation of their businesses and made sons of an Ottoman mother and Iranian father responsible for military service as evidence of the unequal treatment of foreigners in the Ottoman Empire, and they found the insistence of the Ottoman State on applying those articles oppressive. So the Ottoman-resident Iranians came together and sent their complaints to the Iranian State. Because they saw that they were not treated like other foreigners, they asserted that the Ottoman State was acting illegally. They accused the Ottoman State for oppressing them. An example is a petition sent to the Iranian Majlis dated 24 December 1910 which lays out the complaints of Iranians residing in Ottoman Iraq regarding the Ottoman State's conscription of Iranians with an Iranian father and Ottoman mother into the Ottoman army.⁸⁴¹ These Iraqi Iranians stated that they, including the ulama and merchants, had already sent complaints to the Iranian Embassy in Istanbul as well as to the majlis, but that the Iranian State had not defended the Iranians in a process that had lingered for four months. This petition, sent by Iranians living in Ottoman Iraq, demonstrated their feeling of belonging to Iran and their perception that the Iranian State was their protector: 'The Iranians of Iraq were the honour of the Iranian State'.⁸⁴² By making this claim, the petitioners were equating their situation and the prestige of the Iranian State, thereby reminding the Iranian State it was its duty to protect its Ottoman-resident subjects.

⁸⁴⁰ LMDICP, d2/k160/j29/p4/Khareje, 'From the Foreign Ministry to the Majles', 28 Safar 1329 (28 February 1911).

⁸⁴¹ LMDICP, d2/k160/j29/p4/Khareje, 'To the Majles', 21 Zilhicca 1328 (24 December 1910).

⁸⁴² LMDICP, d2/k160/j29/p4/Khareje, 'To the Majles', 21 Zilhicca 1328 (24 December 1910).

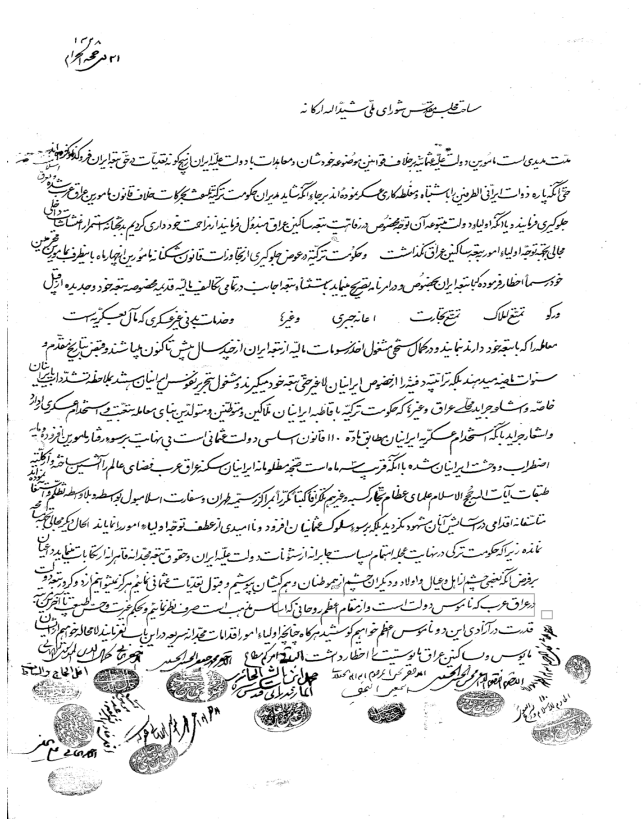


Figure 5: A petition sent by the Iraqi Iranians to the Iranian Majlis in Tehran

LMDCIP, d2/k160/j29/p4/Khareje, 'To the Majles', 21 Zilhicca 1328 (24 December 1910).

Some petitions of Ottoman-resident Iranians used dramatic language as a 'weapon' or strategy of 'the weak.' In so doing, petitioners hoped to receive *'adalat*, namely the help and protection of the Iranian State for which they were asking. For instance, in one petition, the Ottoman-resident Iranians claimed that although all other foreigners in the Ottoman Empire were treated with respect, Iranians were not.⁸⁴³ The petition started with the claim: 'we, the oppressed, who stay far from our homeland, the orphans... we have done no wrong, but our cry rising from the oppression of the Ottomans has been heard by no one.' The petitioners dramatised their situation by equating it with the Battle of

⁸⁴³ LMDCIP, d2/k160/j29/p4/Khareje, 'Copy of the Petition of the Iranians Living in Atabat', 18 Rajab 1328 (26 July 1910).

Karbala, a famous tragedy in Islamic history in which Hussein, the grandson of the prophet, was martyred. The petitioners claimed that the Ottomans oppressed them and that their situation was similar to what had happened in Karbala. They added that they had asked for help from the Iranian State many times but had not received any response. Moreover, the petitioners equated their situation and the prestige of the Iranian State in order to persuade the Iranian State to protect them and confront the Ottoman State. The petitioners stated that when an Iranian went to an Ottoman State institution and claimed to be subjects of Iran, Ottoman officials answered '*cha dawlat? Koca ast?*' (What state? Where is it?). They claimed that the Ottoman State insulted them by implying that the Ottomans did not accept the Iranian State as a state. They added that if the Iranians dared respond, the Ottomans put them in jail.⁸⁴⁴ With these claims, the petitioners implied not only that the Ottoman State oppressed the Ottoman-resident Iranians but that it also insulted the Iranian State. Thus, any effort of the Iranian State to protect its Ottoman-resident subjects would restore its prestige. In other words, by interpreting their situation in the Ottoman Empire as a reflection on the prestige of the Iranian State the Ottoman-resident Iranians reminded the Iranian State it was its duty to protect them. This oppressor-oppressed discourse of the Ottoman-resident Iranians, as a form of subaltern language, underlined legal and national bonds between the Ottoman-resident Iranians and the Iranian State. Being oppressed by the Ottoman State became a discourse that connected the Ottoman-resident Iranians to each other and to the Iranian State.

The Ottoman-resident Iranian-petitioners criticised Iranian officials and procedures, which is rather unusual. Because petitions were written for a specific purpose, petitioners were

⁸⁴⁴ LMDCIP, d2/k160/j29/p4/Khareje, 'Copy of the Petition of the Iranians Living in Atabat', 18 Rajab 1328 (26 July 1910).

generally careful about the language they used.⁸⁴⁵ They did not want to upset the ruler or the majlis or any other institution that could give them what they wanted.⁸⁴⁶ A letter from Anjoman-e Musavat-e Karbala (The Society of Equality of Karbala) to the Iranian Majlis on 19 November 1910 claimed that the Iranians in Karbala had forced the Iranian *kârperdâz* to discuss the issue of the *temettü* tax with Ottoman officials.⁸⁴⁷ In reply, Ottoman officials claimed that there was a *sanad-e mahfi* (secret agreement) dated 1873 in which the two Muslim states had agreed that Iranians would be regarded equal to Ottomans. This must refer to the agreements signed when Nasir-al Din Shah was in Istanbul. The Ottoman-resident Iranians wrote in the petition that this collection of the *temettü* was particular to Iranians; other foreigners, including Russians and British citizens, were exempt from paying *temettü*. The petition asked the Iranian State to save the Iranians of Atabat and Iranians living in the Ottoman Empire from the oppression of the Ottoman State. The Iranians asked the Iranian government to send a new consul to Baghdad to run the Iranian consulate. This was an implicit criticism of the consul in Baghdad for not defending the rights of Iranians. This petition also criticised the Iranian State by comparing it to the Ottoman State. The petitioners claimed that while both Iranians and Ottomans had constitutional governments as a result of revolutions, the Ottomans were more successful in establishing and developing state institutions; the newly established Iranian ministries and other institutions were in decline. They added that, while Iranian State was busy discussing the issues of Iranians, the Ottomans had gone a step further and were discussing how to treat foreigners.⁸⁴⁸

⁸⁴⁵ Afacan, 'Devletle Yazışmak', 6.

⁸⁴⁶ Afacan, 6.

⁸⁴⁷ LMDClP, d2/k160/j29/p4/Khareje, 'From the Society for the Equality of Iranian in Qarbala', 16 Zilkada 1328 (19 November 1910).

⁸⁴⁸ LMDClP, d2/k160/j29/p4/Khareje, 'From the Society for the Equality of Iranian in Qarbala', 16 Zilkada 1328 (19 November 1910).

The Ottoman-resident Iranians' oppressor-oppressed discourse and search for justice were closely related to their perception of the Iranian Majlis as a '*adalatkhaneh* (house of justice) that would secure justice for the people. As Sohrabi asserts, after the revolution and establishment of the majlis, the source of justice was no longer the shah but the majlis.⁸⁴⁹ Given that from the beginning the aim of the revolution was not a parliament but '*adalat* (justice), the majlis began to be perceived as a '*adalatkhaneh* that would have a similar function to the older *mazalim* courts.⁸⁵⁰ Petitions both from inside and outside the country were sent there in search of justice. The Ottoman-resident Iranians' oppressor-oppressed discourse fit with the function of the majlis as a '*adalatkhaneh*. The Ottoman-resident Iranians, after sending requests to the Iranian consuls and to Ottoman authorities and not getting the anticipated response, then sent their petitions to the Iranian Majlis, which was above all other authorities in terms of providing justice. These petitions listed the oppressions suffered by the Ottoman-resident Iranian nationals and asked for justice in the name of protection.

The Iranian State tried to solve the problems that were indicated in the petitions and to protect its Ottoman-resident subjects. Reports written by the commission and the Foreign Ministry indicate that the Iranian State sent officers to Ottoman authorities and ministries to ask about the issues mentioned in the petitions. A report written by the Iranian Embassy in Istanbul on 19 December 1910 stated that because of the 1888 Regulations for Conscription and the fact that the Iranian State had accepted it, the embassy could do nothing regarding the forcible conscription of Iranians into the Ottoman army.⁸⁵¹ The embassy asked the Iranian Foreign Ministry to abolish the agreement with respect to this

⁸⁴⁹ Sohrabi, *Revolution*, 425; Sohrabi, 'Revolution and State Culture', 265.

⁸⁵⁰ Sohrabi, 265; Schneider, *Petitioning System*, 32.

⁸⁵¹ Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1328-K11-P10-3, 14 Shavval 1328 (19 December 1910).

regulation.⁸⁵² In another report written by the Iranian Embassy in Istanbul, the ambassador stated that the Iranian *charge d' affaires* had been working on the *temettü* issue and had told Ottoman authorities that the collection of *temettü* from Iranians was illegal.⁸⁵³ The Iranian ambassador added that when he received news of Ottoman officers going to Iranian merchants' shops to collect taxes by force, he went to the Ottoman Foreign Ministry. He claimed to have discussed the issue with the Ottoman grand vizier and foreign minister and to have asked them to collect the *temettü* from other foreigners or otherwise not to collect it from Iranians. The ambassador to Istanbul added that he requested that the Ottoman Foreign minister appoint one of the European ambassadors to Istanbul as a referee. He proposed that this ambassador's conclusion after examining the 1873 agreement should be accepted by both the Ottoman and Iranian States, but this offer was rejected by the Ottoman Foreign Minister.⁸⁵⁴

All these discussions once again bring us back to the fabricated/constructed nature of law. Although the law specified the limits of the Iranians' foreigner status, the society did not accept these limitations. The Ottoman State expected the Ottoman-resident Iranians to agree to be treated as Ottoman subjects when involved in business within the Ottoman Empire and to be conscripted into the Ottoman army in circumstances defined by the Ottoman State. However, this did not take place without difficulties and resulted in a process of confrontation and negotiation among the Ottoman-resident Iranians and the Ottoman and Iranian States. The Ottoman-resident Iranians did not operate within the limits defined by the signed agreements. Although the agreements signed by the Ottoman

⁸⁵² Foreign Policy Documents at the Iranian Ministry of Foreign Affairs (*Vazarat-e Omur-e Kharejiyeh*), GH1328-K11-P10-3, 14 Shavval 1328 (19 December 1910).

⁸⁵³ LMMDCIP: d2/k160/j29/4-Khareje, 'A Copy of the Report by the Consulate General of Istanbul', 23 Muharram 1329 (24 January 1911).

⁸⁵⁴ LMMDCIP: d2/k160/j29/4-Khareje, 'A Copy of the Report by the Consulate General of Istanbul', 23 Muharram 1329 (24 January 1911).

and Qajar states regarding the Ottoman-resident Iranians' legal status clearly indicated that, unlike other foreigners, Iranian *tüccâr* and *esnâf* would be treated as Ottoman subjects, Iranians living in Istanbul, Anatolia and Ottoman Iraq frequently objected to this. Because the Ottoman State was sensitive about the capitulatory rights given to foreigners, which had become problematic by the eighteenth and nineteenth centuries, it took care to include the article limiting the Iranians' capitulatory rights. Thus, the Ottoman State continued to collect the *temettü* and *esnâf* taxes from the Iranians and to inspect and regulate their businesses. Although the Ottoman State declared that Iranians born to Ottoman mothers would be considered Ottoman nationals and liable to the army, the Ottoman-resident Iranians objected to the state's stance on the issue. As a result of the conflicts and the Ottoman-resident Iranians objections, the Ottoman State later declared that only those Iranians with an Ottoman mother who were born after the Regulations for Conscription was legislated would be conscripted. These conflicts and negotiations once again show that the Ottoman-resident Iranians' transition into a foreign Iranian community was not the result of a singular act, namely the agreements on the issue, but rather a dynamic process.

Conclusion

The signed agreements between the Ottoman and Iranian States regarding the Iranians' legal status within the Ottoman Empire ended the conflicts on the issue but left some new conflicts behind: Ottoman State supervision over the Iranian' business, payment of *temettü* taxes and the Ottoman-resident Iranian's conscription into the Ottoman army. Iranian identity-defining and modernisation efforts turned the Ottoman-resident Iranians into Iranian nationals and gave them an affinity for the larger 'imagined Iranian community'. This provided them with the confidence to ask for the help and protection of the Iranian

State when needed. The Ottoman-resident Iranians not only asked the Iranian Embassy and consuls in the Ottoman Empire for help and support but also sent petitions to the Iranian Majlis in which they claimed that they were being oppressed by the Ottomans. The Iranian State responded positively to such claims and broached the issues with the Ottoman State. That is to say, the Iranian State acted as a legal protector of the Ottoman-resident Iranians on several occasions.

The conflicts, objections and requests for Iranian protection were about the same issues but took place in different parts of the empire. That is to say, despite the regional differences and contexts, the same problems, mainly the ones on the Ottoman State's supervision over the Iranian' business, payment of *temettü* taxes and the Ottoman-resident Iranian's conscription into the Ottoman army, took place in Istanbul, in several Anatolian cities and Ottoman Iraq in the period from the 1873 to 1910s. In addition to that, we see similar responses to these conflicts and protection requests both from the Ottoman and Iranian States. Regardless of the region, in most cases, the Ottoman-resident Iranians as well as the Ottoman State insisted that Iranians were foreigners, and thus must be exempted from above-mentioned obligations, while the Ottoman State defended its stance and stated that these obligations were the exceptions as clearly mentioned in the articles that provided the Iranians with foreigner status.

Chapter Four: A Foreign Iranian Community within the Ottoman Social Realm

Ottoman Tanzîmât brought radical changes to the Ottoman State's definition and categorisation of its subjects, as well as its relationship with its subjects, as discussed in the first chapter of this dissertation. This included several groups of different religious and ethnic backgrounds. For instance, the Ottoman State began to categorise the Orthodox Christians of the empire as the Greek *millet*, Jews as Jewish *millet* and Armenians as Armenian *millet*, and recognised the community directly, not via their religious leaders. This brought new administrative regulations and organisations in the social lives of these communities. For instance, the Ottoman Greek community reorganised and reformed their schools, religious displays and intellectual societies.⁸⁵⁵ As a part of Ottoman society as *Rum milleti*, they received some new privileges, such as singing religious hymns and organising religious ceremonies for funerals in public.⁸⁵⁶ Jews and Armenians as well had their communal institutions and integrated into Ottoman society as Ottoman *millets*, but under the concepts of Ottomanism and Ottoman brotherhood.⁸⁵⁷ Western foreigners had already received capitulatory privileges in earlier centuries and established their communal institutions including schools, hospitals, charity institutions and intellectual societies within the empire. For example, the French, the Germans, the Italians and the Americans

⁸⁵⁵ See Merih Erol, *Greek-Orthodox Music in Ottoman Istanbul*, (Indiana: Indiana University Press, 2015), 25.

⁸⁵⁶ Erol, 36, 158-159.

⁸⁵⁷ See Campos, *Ottoman Brothers*; Julia Phillips Cohen, *Becoming Ottomans*.

as well had their own schools, hospitals, orphanages and cultural institutions within the Ottoman Empire by the nineteenth century.⁸⁵⁸

In such an environment, the Iranians, who began to be classified as foreigners by the Ottoman State and Iranian nationals by the Iranian State and attached themselves to the imagined Iranian community as discussed in the previous chapters, wanted to establish their own communal institutions and organise religious and national ceremonies publicly. In another words, being classified as foreigners and Iranian nationals and feeling an affinity for an ‘imagined Iranian community’ enabled and motivated Iranians to establish their own institutions and organisations as other foreigners and *millets* of the empire. This third chapter examines this process, namely the social consequences of becoming foreigners and Iranian nationals for the Ottoman-resident Iranians, and how these affected their constitution as an Iranian community in the Ottoman social sphere.

This chapter first examines institutional transformation. It discusses to what extent and in what ways the Ottoman-resident Iranians constituted an institutionalised Iranian community. The Ottoman-resident Iranians began to establish their own institutions, including schools, hospitals and cemeteries, after they legally became foreigners and Iranian nationals. Thus, the Ottoman-resident Iranians not only joined the ranks of European foreigners’ establishments socially, but also became visible within the Ottoman social sphere in institutional terms.

⁸⁵⁸ See Şamil Mutlu, *Osmanlı Devleti’nde Misyoner Okulları* (İstanbul: Gökkubbe Yayınları, 2005); Sezen Kılıç, *Türkiye’deki Alman Okulları*, unpublished MA thesis submitted to the Yıldız Teknik Üniversitesi Sosyal Bilimler Enstitüsü, (İstanbul: 2004), 99; İlknur Polat Haydaroğlu, *Osmanlı İmparatorluğunda Yabancı Okullar*, (Ankara: Kültür Bakanlığı, 1990), 132- 159; Seren Akyoldaş, ‘Instrumentalization of Music in the Ottoman Empire, The Case of Teutonia’, unpublished MA thesis submitted to Boğaziçi University Institute for Social Sciences, (İstanbul, 2010).

This chapter then discusses the extent to which and the ways in which the Ottoman-resident Iranians manifested their Iranianness and their loyalty to Iran and its ruler in the Ottoman public sphere. By the 1880s, the Ottoman-resident Iranians began to organise public ceremonies by which they publicly expressed their Iranianness. These ceremonies, which were welcomed by the Ottoman State, included Muharram ceremonies, mainly the *Ta'ziyeh*, a commemoration for Hussein's martyrdom; Nawruz celebrations, the beginning of Persian new year; anniversaries for the shahs' accession to the throne; the shahs' birthdays; and celebrations for the arrivals of Nasir al-Din and Muzaffar al-Din Shah in Istanbul in 1873 and 1900, respectively. By examining these ceremonies, this chapter not only presents the extent to which Ottoman-resident Iranians publicly manifested their Iranianness and loyalty to the Iranian ruler, but also the extent that they were transformed into a visible Iranian community, as well.

In discussing these, this chapter takes the regional differences and political context of the era, mainly Sultan Abdülhamid II's Islamism and his charity politics, into consideration. This chapter examines the Iranians' institution establishment and ceremony organising activities in Istanbul, in the Anatolian cities as well as in Ottoman Iraq, comparatively. It examines the motivations behind these establishments, the Ottoman State's attitudes towards them within the context of political, intellectual and social environment of the era and the region.

Establishing Institutions

Inspired by the situation of the European foreigners in the Ottoman Empire, the Iranians, understood becoming foreigners to mean receiving capitulatory privileges in legal and

economic terms, as previously discussed, as well as to have communal, national institutions in social terms. Europeans had already established institutions such as schools, hospitals, churches and cemeteries in the Ottoman Empire at the time the Iranians became legally foreigners. Thus, the Ottoman-resident Iranians modelled themselves on European foreigners and began to establish their own communal institutions in Istanbul, Anatolia and to an extent in Ottoman Iraq. The Ottoman and Qajar modernisation and institutionalisation attempts were not only inspirational, but also they provided motivation and support for the Ottoman-resident Iranians in this process. Especially, modernising reforms together with his Islamic policy and charity politics led Sultan Abdülhamid II to allow and even support the Ottoman-resident Iranians in the establishment of their own institutions.

Schools

The Iranians living in Istanbul established an Iranian primary school, Dabistan-e Iraniyan, in 1884.⁸⁵⁹ Classes were initially held at one of the lodges in Eminönü, most probably Yıldız Hanı or Vâlîde Hanı.⁸⁶⁰ A year later, in 1885, the school moved to Kadırga.⁸⁶¹ When student enrolment increased, the school moved to a large wooden house in Beyazıt that would later be damaged in a fire.⁸⁶² The school later moved to a building in Çemberlitaş and remained there until 1934.⁸⁶³

⁸⁵⁹ Sasani, *Payitahtın Son Yıllarında*, 81. The founders of the school were Hacı Mahmut Ağa, Hacı Ali Ağa, Hadi Bey, and Hacı Mirza Abdülkerim. Süleyman Büyükkarcı, 'Osmanlı Devleti'nde İran Okulları', *Selçuk Üniversitesi Türkiyat Araştırmaları Dergisi* (2000):11-48, 28-29.

⁸⁶⁰ Sasani claims that the school was first founded in Yıldız Hanı. Sasani, *Payitahtın Son Yıllarında*, 81. However, Süleyman Büyükkarcı refers to a document from the archives of the Turkish National Ministry of Education and says that this school was first established in two rooms in Vâlîde Hanı. Büyükkarcı, 27.

⁸⁶¹ Sasani, *Payitahtın Son Yıllarında*, 81.

⁸⁶² Emin Bey Mahallesi. İlknur Polat Haydaroglu, *Osmanlı İmparatorluğunda Yabancı Okullar*, (Ankara: Kültür Bakanlığı Yayınları, 1990), 166. Haydaroglu and Büyükkarcı state that there were only nine students when the school was established; however, Sasani indicated that there were initially 30 students at the school and that this number increased such that there were more than one hundred by the time the school moved to Çemberlitaş. Büyükkarcı, 26. Sasani, *Payitahtın Son Yıllarında*, 82.

⁸⁶³ Sasani, *Payitahtın Son Yıllarında* 82.

At its inception, the school's main purpose was to teach Persian to Iranian students; however, it later turned into a primary school with a well-organised curriculum. Famous Iranian intellectuals taught at Dabistan. Mirza Habib Isfahani, who was involved with *Akhtar*, and Ahmet Feyzi Efendi, who had taught Persian at the Ottoman high school, Mekteb-i Sultânîyye, in Istanbul were two of the best-known teachers at the Dabistan.⁸⁶⁴ Mirza Aqa Khan Kirmani, an Iranian intellectual reformer, also taught there.⁸⁶⁵ As Seyyid Ahmed Canpulad, an Iranian who was born in 1900 in Istanbul and lived in the Ottoman Empire until 1924 mentioned in his memoir that when he attended Dabistan, the school was supervised by Anjoman-e Iraniyan. He mentioned that the school consisted of six classes, three of which were like primary classes, whereas the other three classes were of middle grade classes. Canpulad claimed that the teachers were all Iranian constitutionalists including who taught Iranianness and love of one's homeland to the students.⁸⁶⁶

The Iranian residents of Anatolia asked the Ottoman State for permission to establish Iranian schools in various cities on several occasions. One such request came from Erzurum. The entreaty stated that the Iranians in Erzurum wanted to establish an Iranian school in the city, and the Ottoman State replied that since an Iranian school would be considered a foreign school, a royal decree was necessary to open it.⁸⁶⁷ A series of archival documents indicate that a man named Mirza Ali Akbar Khan intended to allocate his house in Erzurum to the education of Iranian children.⁸⁶⁸ He applied to the Erzurum *serkârperdâzlığı* (head council) for permission, which was granted by the Ottoman State

⁸⁶⁴ Sasani, 82.

⁸⁶⁵ John Gurney, 'E.G. Browne and the Iranian Community in Istanbul' in *Les Iraniens d'Istanbul*, eds T. Zarcone and F. Zarinebaf-Shahr, 155.

⁸⁶⁶ Canpulad, *İranlı Bir Subayın Anıları*, 19.

⁸⁶⁷ BOA.MF.MKT.334-65, 16 Rebiülahir 1314 (24 September 1896).

⁸⁶⁸ BOA.Y.PRK.EŞA.28-29 5 Şevval 1315, (27 February 1898); BOA. YA.A.RE.S..92-76, 16 Zilhicce 1315 (17 February 1898).

within five months. However, the school did not open that year since the Iranian ambassador had personally asked the Ottoman State for permission to open an Iranian school in Erzurum the following later.⁸⁶⁹ Another attempt to establish an Iranian school took place in Trabzon.⁸⁷⁰ The Iranian school existed until 1925, and we see this school was shut down after then.⁸⁷¹ There was also an Iranian school in Izmir.⁸⁷²

The Ottoman State welcomed and even supported the establishment of Iranian schools despite reports received by the Hamidian state that Iranian schools, even those in Istanbul, would be dangerous because they would promote Shiism.⁸⁷³ In 1904 with the *irade* (command) of the Ottoman State, Dabistan together with the Iranian cemetery in Üsküdar and the Iranian hospital were exempted from tax.⁸⁷⁴ The previously mentioned Iranian school in Izmir was also exempted from the tax by the Ottoman State.⁸⁷⁵ In addition to the tax exemption, Sultan Abdülhamid II personally donated money for a concert organised in 1892 by the Iranian Embassy for the sake of the Iranian school.⁸⁷⁶ The sultan donated fifty lira, and the Iranian Embassy forwarded the appreciation of the students and teachers to the sultan.⁸⁷⁷ This concert was one of the ones that Sasani indicated in his memoirs took place once or twice a year at the Iranian Embassy in Istanbul for the sake of the school.⁸⁷⁸ A

⁸⁶⁹ BOA.Y.PRK.EŞA.28-29, 5 Şevval 1315 (27 February 1898); BOA. YA.A.RE.S..92-76, 16 Zilhicce 1315 (17 February 1898).

⁸⁷⁰ Trabzon'da İran mektebi inşası BOA.İ.AZN.80.28, 22 Şaban 1326, (19 September 1908).

⁸⁷¹ BOA. HR.İM.166-49 29, 26 Rebiülahir 1344 (16 November 1925).

⁸⁷² BOA.DHMKT.1042-44, 22 Zilkade 1323 (18 January 1906).

⁸⁷³ BOA.Y.PRK.A.11.58, 4 Muharrem 1315 (5 June 1897).

⁸⁷⁴ Dersaadet'de bulunan İran Hastahânesi ve Mektebi ile Üsküdar'da ka'în İran Kabristanı'nın mezkûr hastahâne ve mekteb gibi vergiden affıyla mukataaya rabtı...BOA.İD.95-7. 2287-171498, 20 Zilhicce 1321 (8 March 1904).

⁸⁷⁵ BOA.DH.MKT.1042-44, 22 Zilkade 1323 (18 January 1906).

⁸⁷⁶ BOA.Y.PRK.TŞF 3 36, 2 Şaban 1309 (2 March 1892) Y.PRK.EŞA 15 57, 25 Şaban 1309 (25 March 1892).

⁸⁷⁷ BOA.Y.PRK.EŞA.15.57, 25 Şaban 1309 (25 Mart 1892).

⁸⁷⁸ Sasani, *Payitahtın Son Yıllarında*, 82.

ticket from one such concert given at the Iranian Embassy in Istanbul two years later, in February 1894, is present in the Ottoman State Archives.⁸⁷⁹

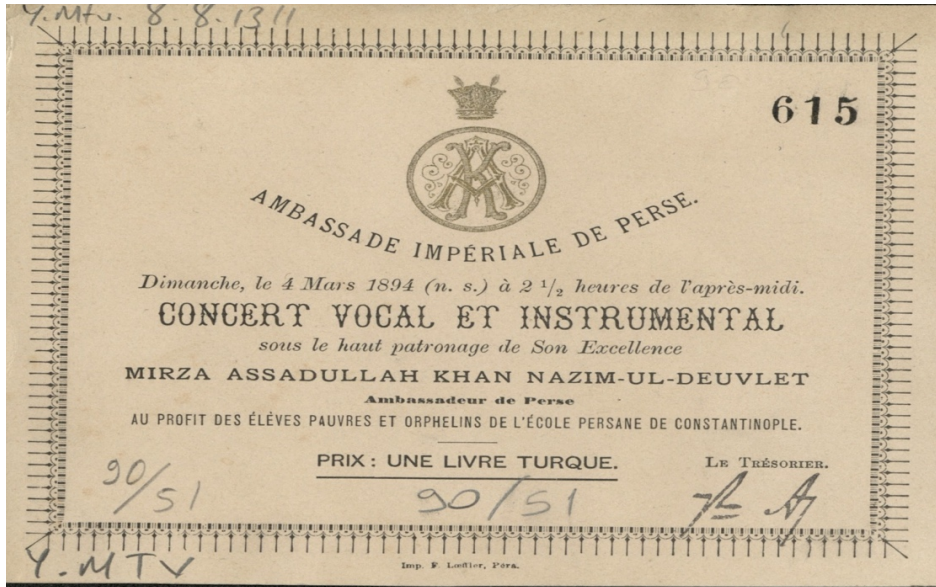


Figure 6: A ticket for a concert benefitting Persian children taking place at the Iranian Embassy.

Prime Ministry Ottoman Archives BOA.Y.MTV.90.51.1



Figure 7: A document showing that Sultan Abdülhamid II donated money for the concert organised for the sake of Iranian school Dabistan-e Iraniyan.

Prime Ministry Ottoman Archives BOA.ML.EEM.406.79.1

⁸⁷⁹ BOA.Y.MTV.90.51, Şaban 1311 (February 1894).

This donation of fifty liras was a tradition of Sultan Abdülhamid II as part of his charity politics. As Nadir Özbek discusses in detail, Sultan Abdülhamid II established a charity system centred around his personality that not only was a symbol of the sultan's political power and authority but also an effective way of legitimizing it.⁸⁸⁰ For that purpose, the sultan not only used traditional charity methods such as building mosques or mass circumcision, he also organised aid campaigns for the establishment of public institutions such as Dar ül-acîze, Hamidiye Etfâl Hastane-i Âlisi as well as for the poor and victims of the earthquakes.⁸⁸¹ Sultan Abdülhamid II also permitted and supported charity organisations and aid campaigns organised by Muslims and non-Muslims if he trusted the organisers.⁸⁸² Özbek states that on several occasions, the sultan not only permitted the organisation of charitable societies and aid campaigns but also supported such organisations by donating fifty liras; Beyn'el Nas Fukaraperver Uhûvveti (The Sisterhood of Poor Women) would be an example of that.⁸⁸³ The same was the case in the concert organised for the sake of Iranian children, as part of his support to charitable organisation, the sultan not only permitted the concert but also personally donated fifty liras.

In return for the Ottoman State's support, the students and editorial board of Dabistan were showing their loyalty to the Ottoman Sultan and their appreciation to him. As *Akhtar* noted, a ceremony of appraisal where gifts were given, foods and drinks were served to the students and staff of the embassy, was organised.⁸⁸⁴ Drawing from the fact that Iranian officials, members of the Iranian Embassy, Iranian merchants as well as Ottoman officials

⁸⁸⁰ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet, Siyaset, İktidar ve Meşrutiyet, 1876-1914* (İstanbul: İletişim Yayınları, 2016), 43.

⁸⁸¹ Özbek, 35, 216-275.

⁸⁸² Özbek, 263. This included concerts, ballots and even lotteries. For example, the sultan permitted the organisation of a lottery for the sake of a Jewish school and a concert organised for the sake of Yedikule Armenian hospital. Özbek, 258-260.

⁸⁸³ Özbek, 263.

⁸⁸⁴ *Akhtar*, 5 Muharram, 1307 (2 September 1889), 3.

including the Minister for Education, Münif Paşa was present at the ceremony, we could say that this ceremony was organised with the collaboration of the Ottoman and Iranian States. As *Akhtar* wrote, all students were united and prayed for the Ottoman sultan loudly during the ceremony. The editorial board of the *Dabistan* gave a speech in which they praised the sultan. As *Akhtar* noted, the editorial board claimed that both Sultan Abdülhamid II and Nasir al-Din Shah were the protectors of these Muslim children. They established schools in many cities of their countries.

The Ottoman-resident Iranians began to establish schools in several Ottoman cities in an environment in which the number of schools of Western foreigners was rising. The French had 76 schools in the Ottoman Empire in 1869 and this number rose in the ensuing decades.⁸⁸⁵ The Italians began to establish schools in the 1860s and had around twenty in the Ottoman Empire by 1910.⁸⁸⁶ The Americans established American schools in the 1860s,⁸⁸⁷ and there were already nine German schools established in the Ottoman Empire by 1871.⁸⁸⁸ This number would rise by the end of the nineteenth century.⁸⁸⁹ An 1894 report written by the Ottoman Minister for Education, Zühdü Paşa, indicates that there were 52 British schools in the Ottoman Empire, five of which were in Istanbul.⁸⁹⁰ The sultan was suspicious of these Western schools. Akşin Somel points out that the rising number of these schools accelerated the Hamidian educational reforms.⁸⁹¹ The Ottoman State began

⁸⁸⁵ Şamil Mutlu, *Osmanlı Devleti'nde Misyoner Okulları* (İstanbul: Gökkuşbu Yayınları, 2005), 139.

⁸⁸⁶ Haydaroglu, *Yabancı Okullar*, 148-159.

⁸⁸⁷ Haydaroglu, 128-147.

⁸⁸⁸ Sezen Kılıç, *Türkiye'deki Alman Okulları*, unpublished MA thesis submitted to the Yıldız Teknik Üniversitesi Sosyal Bilimler Enstitüsü, (İstanbul: 2004), 99. There were 14 German schools in Jerusalem, four each in Istanbul and Aydın, three in Beirut, two in Thessalonica, and one each in Edirne, Bursa, Aleppo, Elazığ and Maraş. Kılıç, 98-113.

⁸⁸⁹ Kılıç, 98-113.

⁸⁹⁰ Atilla Çetin, 'Maarif Nazırı Ahmed Zühdü Paşa'nın Osmanlı İmparatorluğu'ndaki Yabancı Okullar Hakkında Raporu', *Güney-Doğu Avrupa Araştırmaları Dergisi* 10-11, Edebiyat Fakültesi Basımevi, (1983):194.

⁸⁹¹ Selçuk Akşin Somel, *Osmanlı'da Eğitimin Modernleşmesi (1839-1908): İslamlaşma, Otokrasi ve Disiplin*, (İstanbul: İletişim Yayınları, 2010), 256.

to open schools in every corner of the empire in order to prevent Muslim subjects from attending foreign schools.⁸⁹² Fortna writes that besides building state schools, the Ottoman State took additional measures to curb the influence of foreign schools and lower the number of Ottoman subjects attending them: members of the ulama were sent to various cities to talk with locals about the dangers of these foreign schools and inspectors were charged with monitoring these schools.⁸⁹³ Regulating the curricula of foreign schools was one of the duties of the inspectors charged by the state. The 129th article of the *Maârif Nizâmnâmesi* (Educational Regulations) of 1869 stated that foreigners could open schools in the Ottoman Empire only if it is teachers were certified by the Ottoman Ministry for Education, if it received permission from the Ministry of Education and the provincial directorate of education or the governorate, and if it guaranteed not to give courses contrary to Ottoman State ideology.⁸⁹⁴ However, this guarantee was not enough for the Ottoman State; it wanted to monitor these schools via inspectors. Thus, Münif Paşa (1830-1910), the minister for education, recommended that Konstantinidi Paşa head the *Mekatib-i Gayr-ı Müslîme ve Ecnebîyye Müfettişliği* (Non-Muslim and foreign schools inspectorate).⁸⁹⁵ This institution monitored non-Muslim and foreign schools, their curricula, and the books read at these schools. For example, on occasion the Ottoman State recommended Serbian and Greek schools not to include some books that were against Ottoman political interests.⁸⁹⁶ The Ottoman State did not perceive the Iranian schools as a threat to the extent that it perceived the schools of European countries, but it strictly monitored them as was the case in both Ottoman and foreign schools. Despite the fact that the Ottoman State welcomed and even supported Iranian schools, it regulated their

⁸⁹² Benjamin Fortna, *Imperial Classroom*, (Oxford: Oxford University Press, 2002), 50-60.

⁸⁹³ Fortna, 91-99. Akşin Somel asserts that the increasing number of these schools accelerated the Hamidian educational reforms and forced the Ottoman state to modernise its schools in provinces across the empire. Somel, *Osmanlı'da Eğitim*, 256.

⁸⁹⁴ Fortna, *Imperial Classroom*, 92.

⁸⁹⁵ Fortna, 97.

⁸⁹⁶ Haydaroğlu, *Yabancı Okullar*, 173, 176.

curricula, as well. The students at Dabistan were educated with an Iranian curriculum, which disconcerted the Ottoman State.⁸⁹⁷ Thus, in 1893, when the Iranian Embassy applied to the Ottoman State for a *ruhsat tezkiresi*⁸⁹⁸ (permit) for renovations to the school building, the Ottoman State replied that it would be given only if the books in the curriculum were examined by the *Mekâtib-i Gayr-ı Müslîme ve Ecnebîyye Müfettişliği* of the Ottoman State.⁸⁹⁹

The sultan perceived foreign and missionary schools as a threat in all regions of the empire; however, the Iranian schools were of Ottoman State concern only in Ottoman Iraq. Although the Ottoman State, and especially the Hamidian regime, welcomed and even supported the foundation of Iranian schools in Anatolia and especially Istanbul, it did not promote the opening of Iranian schools in Ottoman Iraq, especially in places where the Shiite and Iranian populations were high. The rising Shiite population and dominance had been of the concern of the Ottoman State from 1850s on, as already discussed in the first chapter of this dissertation. Reports regarding a ‘Shii threat’ in Ottoman Iraq began to be received by Hamidian regime in the 1880s,⁹⁰⁰ and the Ottoman State decided to use education as a means to prevent the rise of Shiism in Iraq and create loyalty to the Ottoman State.⁹⁰¹ Shiite students were brought to Istanbul and educated in Ottoman schools.⁹⁰² In addition, Sunni teachers were sent to Ottoman Iraq, and the state supported Sunni madrasas

⁸⁹⁷ Sasani, *Payitahtın Son Yıllarında*, 82.

⁸⁹⁸ According to Ottoman rules, foreign schools had to obtain a licence (*ruhsat*) for any construction or renovation. To apply, one had to state who was the owner of the building or land, how he came to own it, the location and size of the land or building, information about the taxes, a detailed budget of the work, and the reason for the construction or renovation. Haydaroğlu, *Yabancı Okullar*, 49-53.

⁸⁹⁹ BOA.DH.MKT.58.38, 12 Muharrem 1311 (26 July 1893).

⁹⁰⁰ For these reports, see Gökhan Çetinsaya, *The Ottoman Administration in Iraq*, (London and New York: Routledge, 2006), 111. Also see, Fortna, *Imperial Classroom*, 62-63.

⁹⁰¹ Benjamin Fortna, *Mekteb-i Hümayun*, (İstanbul: İletişim Yayınları, 2002), 89.

⁹⁰² For example, twelve Shiite students from Bagdad were educated in *Fatih Külliyesi Veli Efendi Medresesi*. See Somel, *Osmanlı’da Eğitim*, 282.

in the region.⁹⁰³ Given this atmosphere, it is unsurprising that no Iranian school was established in Ottoman Iraq.⁹⁰⁴ Indeed, the earliest document regarding the establishment of an Iranian school in Ottoman Iraq in the Ottoman Prime Ministry Archives is dated 1912. In 1912, the *Îrân Encümen-i Müsavât Cemiyeti* (Iranian Anjoman Committee of Equality) asked the Ottoman State for a licence in order to establish a school called *Hüseynî* in Ottoman Iraq.⁹⁰⁵ The Ottoman State responded positively, giving permission to establish a school in Karbala.⁹⁰⁶ However, a year later another document signed by members of the *meclîs-i vükelâ* stated that a hospital was more urgently needed than a school.⁹⁰⁷ It is unknown if either was built.

The Ottoman-resident Iranians only founded primary schools in the Ottoman Empire, so they attended Ottoman schools for further education. Hajj Pirzadeh, an Iranian traveller who passed through the Ottoman Empire on his pilgrimage to Macca, noted in his *safarnameh* that Kemal Efendi, the son of Mirza Habib Isfahani, an editorial board member of *Akhtar*, was studying at the Mekteb-i Sultânî.⁹⁰⁸ Mirza Yusuf, the son of a servant in the Iranian Embassy, was accepted to the Mekteb-i Tıbbîye-i Şahâne (Imperial School of Medicine). Memduh Bey, the son of the Bursa İran Başkârperdâzı Mirza

⁹⁰³ Gökhan Çetinsaya, 'The Caliph and Muftahids: Ottoman Policy towards the Shiite Community of Iraq in the Late Nineteenth Century', *Middle Eastern Studies*, v.41, no.4, (July 2005): 561-574, 562; Somel, *Osmanlı'da Eğitim*, 283-284.

⁹⁰⁴ For instance, Vital Cuinet stated that no Shiite schools except madrasas, existed in Ottoman Iraq. Cuinet, *La Turquie d'Asie*, v.2, 19.

⁹⁰⁵ BOA.DH.MUİ.İ.24/41 5 Şaban 1328 (12 August 1910) Huzur-ı Sâmi-i Cenâb-ı Sadaret-penâhî'ye. Kerbela Sancağı'nda İran Encümen-i Müsavat Cemiyeti tarafından Hüseyini namıyla ibtidai ve rüşdi ve idadi sınıflarını muhtevi olmak üzere bir mekteb küşâdına ruhsat itâsı taleb ve istida edilmiş ve bi'l-muharebe Bağdad Vilayeti'nden alınan tahrirata melfuf fezleke-i tahkikâtda mekteb ittihaz olunacak binanın.....

⁹⁰⁶ BOA. DH.İ.D.117-80, 8 Zilhicce 1330 (18 November 1912).

⁹⁰⁷ BOA.MV.151-52 25 Rebiülahir 1329 (12 April 1911) Mezkûr tezkîrede merâkid-i mübâreke de bulunan ahcâr-ı kıymetdârın fûruht edilerek esmâniyle medrese ve hastahâne te'sisi için bi'l-istifta cevâz-ı şer'i istihsal kılınıp ancak merâkid-i mübâreke deki asâr ve eşyanın kısm-ı a'zamı Hindistan ve İran ahâlisi tarafından teberru' edilmiş olmasına nazaran şimdilik mekteb inşasından ise hastahâne te'sisi daha muvafık olduğundan bahs ile bedelleriyle menâfi'-i âmmeyi te'min etmek üzere Kerbela ve Necef'de birer hastahâne vücuda getirilmesi ve istihsal olunacak mebalîğ kifâyet ettiği takdirde diğer bir münâsib mahalde dahi bir hastahâne yapılması zımında satılmaları için Bağdad Vilayeti'nce suret-i mahremâne ve münasebde vesâit-i mü'temene ile ulemâ-yı Şia'nın ve sâir icab edenlerin fikirlerinin tenvir ve ihzarı münasib olacağı dermiyan kılınıştır.

⁹⁰⁸ Hajj Pirzadeh, *Safarname-yi Pirzadeh*, 96.

Caferkulu, was also accepted to the Mekteb-i Hukuk-i Şahâne (Imperial School of Law).⁹⁰⁹

In addition to the children (mainly sons) of the Ottoman-resident Iranians, other Iranian students were sent and sponsored by the Qajar State to attend Ottoman schools. These students sent by the Qajar government mainly to Istanbul, attended military, law, policing, engineering and art schools, as discussed in the second chapter of this dissertation.

Hospitals

The Istanbul-resident Iranians also established their own hospitals in the process of coming to identify as a community of foreigners in the Ottoman Empire. This took place in an environment where the number of health institutions, including medical schools and hospitals of the Western foreigners were increasing, and the Ottoman Empire as well as Qajar Iran were establishing health institutions and hospitals. All these must have been inspirational for the Ottoman-resident Iranians.

Starting with the Ottoman Empire, and triggered by the modernisation aims of the era and the epidemics of cholera, the Ottoman State began to open medical schools and hospitals, sent medical students to Europe and standardised the health services given to the public in the first half of the nineteenth century. In 1827, in the reign of Mahmud II, the modern medical schools Tıbhane-i Âmîre (The Imperial House of Medicine) and Cerrâhhâne-i Âmîre (The Imperial House of Surgeons) were founded.⁹¹⁰ These schools were turned into Mekteb-i Tıbbîye-i Adliyye-i Şâhâne (Imperial School of Medicine) in 1839.⁹¹¹ A

⁹⁰⁹ BOA.BEO.3171.237761, 14 Nisan 1325 (27 April 1909) İran Sefareti müstahdeminden Abdürrezak Bey'in mahdumu Mirza Yusuf'un Mekteb-i Şahâne'ye kayıd ve kabulü. Bursa İran Başkârperdâzı müteveffa Mirza Caferkulu Bey'in mahdumu Memduh Bey'in Mekteb-i Hukuk-ı Şahâne'ye kayıd ve kabulü.

⁹¹⁰ Ceren İlkan Rasimoğlu, 'The Foundation of a Professional Group: Physicians in the Nineteenth Century Modernizing Ottoman Empire (1839-1908)', an unpublished Phd Dissertation submitted to the Atatürk Institute for Modern Turkish History, Boğaziçi University, (İstanbul: 2012), 60.

⁹¹¹ Gülhan Erkaya Balsoy, *Kahraman Doktor, İhtiyar Acuzeye Karşı*, (İstanbul: Can Sanat Yayınları, 2015), 77; İlkan Rasimoğlu, 'The Foundation', 60.

midwife school where midwives can learn and practice their profession was opened in 1843, as well.⁹¹² In addition to these, the Ottoman State began to standardise, regulate and control the health services given to the public by issuing some regulations. The earliest ones were Regulation of the Practice of the Art of Pharmacy in 1860 and Regulation of the Civilian Practice of Medicine in the Provinces of the Empire in 1861.⁹¹³

In this period, many hospitals were established by foreign missions. French missions were highly active in providing health services to the public in this period. The old Pera French Hospital, which was first established in 1610, was allocated to the French sailors in 1840.⁹¹⁴ Beyoğlu Municipality Hospital was founded with the support of French in the 1860s.⁹¹⁵ A charity named Filles de la Charite (Charity Girls) established many hospitals and organised health services, mainly in Istanbul.⁹¹⁶ The Iranians, began to ask the Ottoman State to establish their own institutions in the 1860s. Although one document in the Ottoman State archives indicates that the Ottoman State gave permission to the Iranians to build a hospital building in Üsküdar in 1861 appears,⁹¹⁷ it is unknown if that hospital was established.

These establishments, as well as modernisation and standartisation efforts continued in the Hamidian era. On 31 March 1884, The Regulation of Infectious Diseases was passed, which acted as a guideline for the medical staff and the public.⁹¹⁸ Many hospitals for the service of Muslims and non-Muslims were founded not only in Istanbul but also in many

⁹¹² For a detailed analysis of education of Ottoman midwives, see Erkaya Balsoy, *Kahraman Doktor*, 77-90.

⁹¹³ İlikan Rasimoğlu, 'The Foundation', 69-71.

⁹¹⁴ Ceren İlikan Rasimoğlu, *Filles de la Charité* (Hayırseverlik Kızları İsmiyle Anılan Fransız Katolik Rahibeleri 1839-1918): 19 yüzyıl Osmanlı İmparatorluğu'nda Hayırseverlik ve Sağlık, an unpublished Phd Dissertation submitted to Istanbul University, (İstanbul: 2019), 104.

⁹¹⁵ İlikan Rasimoğlu, 131.

⁹¹⁶ For a detailed examination of the activities of this charity see İlikan Rasimoğlu, 'Hayırseverlik'.

⁹¹⁷ BOA.A.MKT.MVL 121.93, 17 Ramazan 1277 (29 March 1861).

⁹¹⁸ İlikan Rasimoğlu, 'The Foundation', 76.

cities across the empire.⁹¹⁹ For instance, Municipal Hospital was founded in Adana in 1895.⁹²⁰ In Selanik, Theageneion Greek Hospital was established in 1892.⁹²¹ Sultan Abdülhamid II's establishments of public health institutions had additional goals: charity, image-making and anti-Westernism. Abdülhamid II opened Dâr ül-Âcîze (poorhouse) in 1896, Hamîdiye Etfâl Hastahâne-i Âlîsi (Imperial Children's hospital) in 1899 and Dâr ül-Hayr-i Âlî (Imperial Orphanage) in 1902.⁹²² Dâr ül-Âcîze served not only as a poorhouse but also as a nursery and hospital where doctors were using new medical methods on the patients.⁹²³ Etfâl hospital was built by the order of Sultan Abdülhamid II after one of his daughters died from diphtheria and another died of fever.⁹²⁴ All these institutions were representing Ottoman modernity and the sultan's generosity to the Ottoman public and abroad. They symbolised the Ottoman State as a modern state that was able to take care of its subjects' health. We see this symbolism in the gift albums sent abroad. Certain photographic albums, known as Hamidian Albums, were sent as gifts to the Library of Congress in 1893 and the British Museum in 1894.⁹²⁵ These albums include photographs of hospitals, new schools, modern military units, and modern and historical buildings and highlight the orderly, modern character of the Ottoman Empire. Such gifts not only displayed the modern and Western Ottoman Empire, but also emphasised its historical heritage by presenting photographs of historical places, palaces, mosques, etc.

⁹¹⁹ For these cities, see Özbek, *Sosyal Devlet*, 196.

⁹²⁰ İlikan Rasimoğlu, 'The Foundation', 45.

⁹²¹ İlikan Rasimoğlu, 45.

⁹²² Özbek, *Sosyal Devlet*, 198.

⁹²³ Özbek, 209, 216.

⁹²⁴ Özbek, 218. The director of the hospital, İbrahim Paşa was graduated from *Tıbbiye-i Şahane* (Ottoman Imperial Medical School) in 1888 and studied nuerology, paediatrics and social hygiene in Germany in 1890s. He worked at the children's hospital founded by Kaiser Wilhelm for a while. Özbek, 225-227.

⁹²⁵ See *Imperial self-portrait: The Ottoman Empire as revealed in the Sultan Abdul-Hamid II's photographic albums, presented as gifts to the Library of Congress (1893) and the British Museum (1894): a pictorial selection with catalogue, concordance, indices, and brief essays*, eds by Carney E.S. Gavin and the Harvard Semitic Museum, (Harvard: Harvard University, Office of the University Publisher, 1988).

In addition to his charity politics and image-making desires, Sultan Abdülhamid II's eagerness to establish health institutions across the empire had an anti-missionary aspect. In the late nineteenth century, many hospitals and health schools were opened across the empire as a reaction to the rising number of the hospitals established by missionaries. A report dated to 1903 regarding the opening of a medical school in Damascus would be an example this.⁹²⁶ The Ottoman State underlined the necessity to establish a medical school in Damascus in order to make developments in science in the region which was the duty of the Ottomans not of the French and Americans.⁹²⁷ The purpose of this was to prevent missionary activities from taking place, especially in the American and French medical schools in Beirut and their influence over the region, argues Ekmeleddin İhsanoğlu.⁹²⁸ In such an environment, the Ottoman State permitted Iranians to establish hospitals. As was the case in the Iranian schools, the sultan probably did not perceive the Muslim Iranians to be as much of a threat as the Westerners. The Iranians were able to establish Iranian hospitals in Hamidian period mainly in the 1890's. A document dated 1891 indicated that one hospital, Serîriyyât-ı Cerrâhîye in Beyoğlu, began to be used by the Iranians.⁹²⁹ It added that another hospital building in Şişli was later given to the Iranians.⁹³⁰ Another document of the Ottoman Ministry of the Interior ordered that the hospital building moved to another place in 1892 because it was in such a central area in Beyoğlu.⁹³¹ When Mozaffar al-Din Shah visited Istanbul in 1900, he promised to sponsor the establishment of a new hospital for the Iranians in Istanbul.⁹³² The Persian language newspaper *Sorayyâ* reported that the shah gave 1000 toman to the school for the construction of a hospital for

⁹²⁶ BOA. İ.M., Muharrem 1321, 2 cited in Ekmeleddin İhsanoğlu, *Suriye'de Modern Osmanlı Sağlık Müesseseleri, Hastaneler ve Şam Tıp Fakültesi*, (Ankara: Türk Tarih Kurumu, 1999), 37.

⁹²⁷ İhsanoğlu, 37.

⁹²⁸ İhsanoğlu, 63.

⁹²⁹ BOA.DH.MKT.1824.52, 21 Şaban 1308 (1 April 1891).

⁹³⁰ BOA.DH.MKT.1824.52, 21 Şaban 1308 (1 April 1891).

⁹³¹ BOA.DH.MKT.1990.85, 29 Muharrem 1310, (23 August 1892) BOA.DH.MKT.1992.9, 1 Safer 1310, (25 August 1892).

⁹³² Sasani, *Payitahtın Son Yıllarında*, 83.

children.⁹³³ Sasani indicated in his memoir that the shah promised 500 tomans every year after which a hospital was founded in a building that had previously been allocated for the use of an Iranian school.⁹³⁴

Sources only provide information regarding the Iranian hospitals in Istanbul. I have not come across any document regarding an Iranian hospital in Anatolia. However, moving from the fact that small buildings in some Anatolian cities were allocated for the education of Iranian children, as discussed, it would not be a surprise if small Iranian hospitals existed in cities such as İzmir, Trabzon and Erzurum.

Health issues were of Ottoman concern in Ottoman Iraq, as well. As already mentioned, a large group of Iranians were visiting Shiite holy places in Ottoman Iraq and brought their dead from Iran to bury there. This brought health concerns. In order to enable these visits and funerals in a safe and healthy environment, the Ottoman State established many health offices in the region. These health offices were in Baghdad, Hanekin, Rayat, Basra, Karbala and Najaf.⁹³⁵ Sources do not mention a health institution established by the Iranians in the region. The earliest document on this issue is dated to 1911. This document shows the Ottoman Majlis' decision to discuss the issue of establishing a hospital for the use of Iranians in Qarbala and Najaf with the Iranian mujtahids in those cities.⁹³⁶ It is quite interesting that this request came from the Ottoman State, not from the Iranians. The document was signed by the members of the majlis and showed the Ottoman decision to build a hospital with the money which would be made via the gifts, most probably given by the Iranian visitors who visited Shiite holy places. It said that if there would be enough

⁹³³ *Sorayya*, 27 October 1900, 3.

⁹³⁴ Sasani, *Payitahtın Son Yıllarında*, 83. Sasani claimed that, however, the shah did not send money to the Iranian hospital in the following years.

⁹³⁵ Cuinet, *La Turquie d'Asie*, v.2, 11.

⁹³⁶ BOA.MV.151.52, 25 Rebiülahir 1329 (25 April 1911).

money, an additional hospital would be established in another city in the vicinity of Baghdad. However, it added that this would only be possible after discussing the issue with the Shiite ulama in the region.⁹³⁷

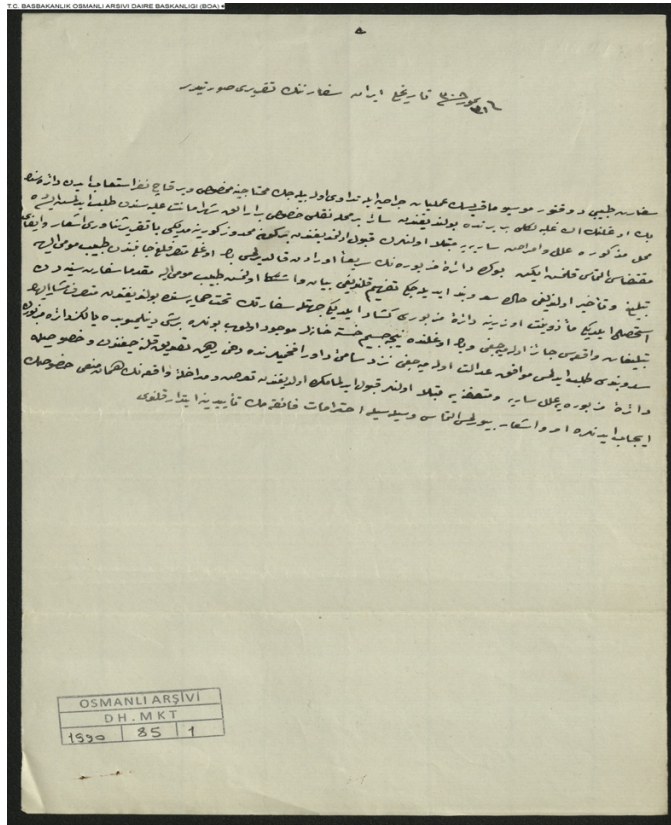


Figure 8: A document regarding the Iranian hospital in Beyoğlu.

BOA.DH.MKT.1990.85, 29 Muharrem 1310, (23 August 1892)

The Ottoman State had a positive attitude towards the Iranians' establishment of hospitals when compared with other foreigners. However, the Iranians had to live underneath strict state control when they performed their jobs as other foreigners. The Ottoman State strictly controlled the certificates of the foreign doctors, including the Iranians. For instance, in 1881, Ministry of Interior sent an order to the all governors, asking all doctors, pharmacists, surgeons and midwives who do not have a permit, to come to Istanbul and sit

⁹³⁷ BOA.MV.151.52, 25 Rebiülahir 1329 (25 April 1911).

an exam of the Imperial Medical School.⁹³⁸ This was because, according to the Regulation of the Practice of the Art of Pharmacy (1860) and Regulation of the Civilian Practice of Medicine in the Provinces of the Empire (1961), all doctors and pharmacists must have a permit given by the Imperial School of Medicine or approved by the school.⁹³⁹ Foreigners who wanted to work as pharmacists or doctors in the Ottoman Empire had to apply to the school and pass a qualification exam in order to get a *ruhsatname* (permit/certificate).⁹⁴⁰ This included the Iranians living within the Ottoman Empire as well. One example was Iranian Ophthalmologist Hasan Bey who was living and working in Istanbul. In 1881, after the order was sent to all governors across the empire, he was not allowed to work as an eye doctor anymore, since he did not have a permit given by the school of medicine. His office on Mercan Yokuşu was closed.⁹⁴¹

The Ottoman-resident Iranians' efforts to establish hospitals was not only related to the fact that they had become legally foreigners and modelled European foreigners in institutional terms, but also to the fact that public health was becoming an important notion in Iran and began to be associated with love of *vatan* and *mellat*.⁹⁴² After the wars with Russia in the early nineteenth century, which brought about epidemics and disease, an interest in humanism and hygiene arose in Iran.⁹⁴³ As Floor suggested, this interest in hygiene and health reforms had a military purpose, it would enable Iranian soldiers who would defend the country being physically capable of doing it.⁹⁴⁴ However, he added that this would change in the second half of the nineteenth century and turn into 'a broader

⁹³⁸ Balsoy, 'Kahraman Doktor', 87.

⁹³⁹ İlikan Rasimoğlu, 'The Foundation', 69.

⁹⁴⁰ İlikan Rasimoğlu, 69.

⁹⁴¹ BOA.DH.MKT. 519/52, 1 Rebiülevvel 1320 (7 June 1902) cited in İlikan Rasimoğlu, 115.

⁹⁴² The fact that hygiene and health began to be associated with love of the *vatan* is discussed by Firoozeh Kashani Sabet. Firoozeh Kashani-Sabet, 'Hallmarks of Humanism: Hygiene and Love of Homeland in Qajar Iran', *The American Historical Review* 105, no. 4 (2000): 1171-1203.

⁹⁴³ See Kashani-Sabet, 1189.

⁹⁴⁴ Willem Floor, *Public Health in Qajar Iran*, (Washington, DC: Mage Publishers, 2004), 234.

drive for modernisation'.⁹⁴⁵ Medical classes were founded within Dar al-Funun.⁹⁴⁶ The contention that healthy nationals were necessary for a healthy *vatan* became popular in Iran this period, and both the Iranian *dawlat* and *mellat* were working to improve the health of Iranian nationals. Some hospitals and health institutions established in Iran mostly by missionaries and by the Iranians with the help of the Europeans in this period.⁹⁴⁷ For instance a hospital was established in Tehran in 1869 with the support of the Germans.⁹⁴⁸ A Majlis-e Hafz al-Sihhat (sanitary council) and a quarantine service were established in the 1870s in Tehran.⁹⁴⁹ The Anjoman-e Pizishkan-e Isfahan (Society of Physicians of Isfahan) was established in Isfahan to highlight the importance of hygiene and to educate physicians.⁹⁵⁰ In the Muzaffari era, classes on hygiene and medicine were instituted in some schools.⁹⁵¹ The discourse of healthy nationals and a healthy *vatan* peaked in the constitutional atmosphere. For instance, an article in *Habl-al Matin* diagnosed Iran as sick.⁹⁵² The Jam'iyat-e Taraqqi Khahan-e Iran (Society of the Seekers of the Advancement of Iran) was established in this period, and one of its main goals was the establishment of hospitals.⁹⁵³ The emergence of hygiene as a public concern and the establishment of public health institutions were intended to make Iran a civilised, modern and healthy nation. As members of the Iranian *mellat*, the Ottoman-resident Iranians began to establish hospitals in the Ottoman Empire to treat their own Ottoman-resident nationals. This had a symbolic significance; it contributed to the healing of the Iranian nation. From this point of view, the founding Iranian hospitals by the Ottoman-resident Iranians not only fulfilled their needs but also worked in the service of their nation. Muzaffar al-Din Shah's

⁹⁴⁵ Floor, 234.

⁹⁴⁶ Lambton, *Qajar Iran*, 204.

⁹⁴⁷ Lambton, 204.

⁹⁴⁸ Lambton, 204.

⁹⁴⁹ Kashani-Sabet, 'Hallmarks', 1179.

⁹⁵⁰ Kashani-Sabet, 1180.

⁹⁵¹ Kashani-Sabet, 1184.

⁹⁵² *Habl al-Matin* (16 Rabi' al-Avval 1325/April 30, 1907, 1 cited in Kashani-Sabet, 'Hallmarks', 1193.

⁹⁵³ Kashani-Sabet, 1191.

sponsorship of an Iranian hospital in Istanbul was significant, as well. An Iranian hospital for the use of Ottoman-resident Iranians sponsored by the Iranian State created a sense of belonging among Ottoman-resident Iranians to both the Iranian *mellat* and *dawlat*. It further represented Iran as a scientifically-developed state that was able to open modern hospitals and take care of its nation, even beyond the borders of Iran.

Cemeteries

Iranian residents of the Ottoman Empire established cemeteries in Istanbul and Izmir. The Iranian cemetery near Karacaahmet in Üsküdar in Istanbul, which even today serves both Iranian and Turkish citizens, is the most famous among them. Although a few tombstones are dated in earlier centuries, the cemetery was established in the nineteenth century, so those tombstones were brought from elsewhere according to Zekeriya Kurşun.⁹⁵⁴ In 1853, 74 Iranian merchants of Istanbul asked the Ottoman government for permission to establish a *gasilhâne*, an Islamic ceremonial enclosure in which the bodies of the dead are washed before burial, within the Iranian cemetery.⁹⁵⁵ The request was approved by the sultan.⁹⁵⁶ Few years later, the Iranians asked for permission to establish a graveyard.⁹⁵⁷ The Ottoman State replied that establishing a graveyard was only possible if the property rights belong to the Ottoman State,⁹⁵⁸ which was related to the fact that foreigners were not allowed to acquire land in the Ottoman Empire at that time. The Ottoman Land Code, which came into effect in 1867, gave permission to foreigners to purchase land in Ottoman territory.⁹⁵⁹ Sasani mentioned that later, in 1873, the year that Nasir al-Din Shah visited

⁹⁵⁴ Zekeriya Kurşun, 'İran Mezarlığı', 198-200.

⁹⁵⁵ BOA.İHR.104/5103 (1853) cited in Zekeriya Kurşun, 'İran Mezarlığı', 198.

⁹⁵⁶ Kurşun, 198.

⁹⁵⁷ BOA.AMKT.NZD.167.55, 4 Safer 1272 (16 October 1855).

⁹⁵⁸ BOA.İHR.104/5103 cited in Zekeriya Kurşun, 'İran Mezarlığı', 198.

⁹⁵⁹ For details of the article that gave foreigners the right to buy land in the Ottoman Empire, see Mutlu, *Misyoner Okulları*, 19-21.

Istanbul, a plot was bought and a *gasilhâne* and cemetery were established.⁹⁶⁰ Because the Iranians' legal situation had been clarified by then and foreigners became able to purchase land, the Iranians managed to establish an Iranian cemetery. The *gasilhâne* was later turned into the mosque known as the Iranian Mosque of Üsküdar.⁹⁶¹ There was also an Iranian cemetery in Izmir, which can be inferred from document that stated that in 1906 an Iranian cemetery in Karakapı in Izmir would be exempted from tax together with the Iranian school.⁹⁶²

By establishing such institutions, the Ottoman-resident Iranians not only defined and manifested their Iranian identity in institutional terms, but also showed that they had joined the ranks of capitulatory states in the social sphere. They constructed their foreign-Iranian community in institutional terms in the Ottoman social sphere in the 1800s. Institutions established by the Ottoman-resident Iranians with the support of the Iranian State were welcomed by the Ottoman State, making it possible to organise public ceremonies such as the Ta'ziyeh, celebrations for the anniversaries of Iranian shahs' accession to the throne and visits to Istanbul – and their birthdays – and intellectual and political events, which will be discussed in the coming parts of this chapter.

Manifesting Identity with Ceremonies and Celebrations

In an environment in which the Ottoman-resident Iranians acquired a national consciousness and began to feel that they were part of an 'imagined Iranian community', they sought to attach themselves to that imagined community socially. In addition to founding Iranian institutions, the Ottoman-resident Iranians organised public ceremonies

⁹⁶⁰ Sasani, *Payitahtın Son Yıllarında*, 84.

⁹⁶¹ Zekerîya Kurşun, 'İran Mezarlığı', 202.

⁹⁶² BOA.DH.MKT.1042-44, 22 Zilkade 1323 (18 January 1906).

including Muharram ceremonies, namely the Ta'ziyeh, a commemoration for Hussein's martyrdom; celebrations for Nawruz, the beginning of the Persian new year; anniversaries of the shahs' accession to the throne; the shahs' birthdays; and celebrations for Nasir al-Din and Muzaffar al-Din Shah's visits to Istanbul in 1873 and 1900, respectively. Except for Muharram ceremonies which were taking place in several cities within Ottoman Iraq as well, these ceremonies were mainly taking place in Istanbul. The fact that the Qajar royal ceremonies became popular in the Qajar court in Tehran in this period constituted motivation and model for the Ottoman-resident Iranians. Sultan Abdülhamid II's control mechanism and his idea of Islamic unity were very influential in shaping these ceremonies. These ceremonies turned into occasions where the Ottoman-resident Iranians manifested their Iranian identity and their loyalty to Iran and Iranian rulers publicly within the limits of Ottoman, mainly, Hamidian policies.

Ta'ziyeh in Istanbul and Other Muharram Ceremonies in Ottoman Iraq

Muharram ceremonies had been taking place in Iran since the tenth century; however, the Ta'ziyeh, which literally means 'mourning,' became a form of commemoration of the Battle of Karbala in the late Safavid era and reached its fullest form in the Qajar era with the sponsorship of Qajar rulers, especially Nasir al-Din Shah.⁹⁶³ After the shah attended a concert in Royal Albert Hall in London during his first European tour in 1873, he ordered the construction of a huge royal theatre within the Golestan Palace complex, the royal home of the Qajar dynasty.⁹⁶⁴ Called Takiyeh Dawlat, it was especially for Ta'ziyeh performances. There was a platform on which the play took place was in the centre of the

⁹⁶³ Peter Chelkowski, 'The Ta'ziyeh: Indigenous Avant-Garde Theatre of Iran', in *The Ta'ziyeh: Ritual and Drama in Iran*, ed. Peter Chelkowski, (USA: New York University Press, 1979), 3.

⁹⁶⁴ See Samuel R. Peterson, 'The Ta'ziyeh and Related Arts', in *The Ta'ziyeh: Ritual and Drama in Iran*, ed. Peter Chelkowski, (USA: New York University Press, 1979), 69.

building surrounded by spaces for spectators.⁹⁶⁵ There was a large *minbar* in the building from which *rawza-khani*, a kind of mourning poem, were read.⁹⁶⁶ The building was decorated with tiles, candles and electric lights.⁹⁶⁷ By constructing Takiyeh Dawlat, Nasir al-Din Shah transformed the ten-day Ta'ziyeh ceremony into a two-month state-sponsored event in which the Iranian public participated.⁹⁶⁸ The construction of Takiyeh Dawlat was a manifestation of the state sponsorship of the Ta'ziyeh. By promoting the Ta'ziyeh as a court ceremony, the Qajars not only manifested their Shiite identity but also legitimised their dynastic power and authority with a reference to that identity. With the Ta'ziyeh, the Qajars outlined their royal lineage from Hussein, the grandson of the prophet who was martyred at Karbala in the seventh century, through the Safavid era (1501-1722) when the Ta'ziyeh ceremony was formulated, to their own time.

Walter Benjamin, an American traveller who stayed in Iran for two years, devoted a chapter to one of the Ta'ziyeh ceremonies, which took place in 1884.⁹⁶⁹ He stated that during the first ten days of Muharram, ceremonies were taking place both on the streets of Tehran and in the Takiyeh Dawlat. Benjamin noted that a group of 60 men who were striking their bare chests were marching through the streets. These men were wounding themselves, as well.⁹⁷⁰ Benjamin stated that he was invited to one of the ceremonies taking place in Takiyeh Dawlat on the fifth of Muharram, by Zahir al-Dawleh, a son-in-law of Nasir al-Din Shah.⁹⁷¹ Benjamin sat in the royal box of Zahir al-Dawleh and stated that all the spectators were sitting according to their ranks: higher-ups with the higher-ups on the

⁹⁶⁵ Afshin Marashi, *Nationalizing Iran, Culture, Power and the State, 1870-1940*, (USA: University of Washington Press, 2008), 41.

⁹⁶⁶ Peterson, 'The Ta'ziyeh', 69.

⁹⁶⁷ Peterson, 69.

⁹⁶⁸ Marashi, *Nationalizing Iran*, 41.

⁹⁶⁹ Samuel G. W. Benjamin, *Persia and the Persians*, (Boston: Ticknor and Co., 1887), 365-406. Marashi has used this account extensively. See Marashi, *Nationalizing Iran*.

⁹⁷⁰ Benjamin, 379-380.

⁹⁷¹ Benjamin, 381.

upper boxes, the low class people with the other low class people in the lower boxes.⁹⁷² The ceremony began with a series of processions. First, 200 bare-chested men in black marched in fledgling themselves followed by actors representing Yazid and his entourage.⁹⁷³ Benjamin added that all the groups stopped for a moment to salute the shah when they circled the stage.⁹⁷⁴ Then, Huseyin and his entourage, including children dressed in green, entered the hall.⁹⁷⁵ They marched and ascended the platform.⁹⁷⁶ Then the martyrs, including Hussein, saluted the shah ‘when the choreography had produced its most dramatic effect’, Marashi stated.⁹⁷⁷ Marashi interpreted this as the ‘symbolic equivalent of Hoseyn recognizing the shah’s political authority.’⁹⁷⁸ With such a scene, the shah and the Qajar dynasty relegitimise their authority with a reference to the authority of Hussein.

Though the Ta’ziyeh became a court ceremony in Iran in the 1870s, it was only ten years later that Ottoman-resident Iranians began to organise the Ta’ziyeh ceremonies of their own. The Ottoman-resident Iranians began to organise public Muharram commemorations including the Ta’ziyeh ceremonies in the 1880s in various parts of the Ottoman Empire. Sources present detailed information regarding the Ta’ziyeh ceremonies taking place in Istanbul and in the cities within Ottoman Iraq, mainly in Karbala. Although Farahani claimed that Iranians of İzmir held rawzakhani performances in the Iranian mosque built under the sponsorship of Iranian merchant Hajji Abd al Karim within the Hüseyn Paşa Hanı where Iranian merchants and guilds were settled,⁹⁷⁹ I have not come across any information detailing neither this performance nor other Muharram commemorations

⁹⁷² Benjamin, 382-383.

⁹⁷³ Benjamin, 388.

⁹⁷⁴ Benjamin, 388.

⁹⁷⁵ Benjamin, 389

⁹⁷⁶ Benjamin, 389

⁹⁷⁷ Marashi, *Nationalizing Iran*, 46.

⁹⁷⁸ Marashi, 46.

⁹⁷⁹ Farahani, *A Shiite Pilgrimage*, 151.

organised by the Iranians in other cities of Anatolia. However, this does not show that Muharram had not been commemorated in those cities; there could have been some form of commemoration in private places that left no record in the archives.

Starting with the Ta'ziyeh in Istanbul, Sasani indicated that before Mirza Hussein Khan's tenure as the Iranian ambassador to Istanbul (1858-1870), Iranians were not allowed to commemorate the Battle of Karbala in public.⁹⁸⁰ This correspondence to Colonel Charles White's 1844 account that mentioned that no public commemoration for Hussein's death existed and Sunnis were not allowed to commemorate the death of Hussein.⁹⁸¹ He added, however, that there were secret commemorations in the mosque and *takiyeh* of Koca Mustafa Paşa in Istanbul.⁹⁸² Erika Glassen claims that the earliest memoir mentioning a public Ta'ziyeh is dated 1881.⁹⁸³ In that account, Albert Renouard claims that the ceremony took place in a *han* – the Vâlîde Hanı – and attracted many tourists.⁹⁸⁴ Like Glassen, the earliest mention of the Ta'ziyeh in Istanbul that I came across was on 31 October 1884 in *Tercümân-ı Hakikât*.⁹⁸⁵ This gives the impression that the Ta'ziyeh had begun to be performed in public by 1880. From then on, the Ta'ziyeh began to be conducted in Vâlîde Hanı every year on the tenth night of Muharram.

⁹⁸⁰ Sasani, *Payitahtın Son Yıllarında*, 85.

⁹⁸¹ Charles White, *Three Years in Constantinople or Domestic Manners of the Turks in 1844*, v2, (London: Henry Colburn Publisher, 1845), 220-21. Also see Erka Glassen, 'Muharram-Ceremonies ('Azadari) in Istanbul at the end of the XIXth and the beginning of the XXth Century' in *Les Iraniens d'Istanbul*, eds. T. Zarcone and F. Zarinebaf-Shahr (Istanbul: IFEA/IFRI, 1993), 114.

⁹⁸² White, 220-221. Also see Glassen, 114.

⁹⁸³ Glassen, 'Muharram', 115.

⁹⁸⁴ Glassen, 116.

⁹⁸⁵ *Tercümân-ı Hakikat*, 11 Muharrem 1302 (31 October 1884), 1. Dünkü gün İmam Hüseyin Razullah Efendimiz Hazretlerinin... Şehâdeti.....İranîler Üsküdar'da kâin Seyyid Ahmed Deresi'nde giderek ber mûted ilân-ı tâ'ziye etmiş ve polis müdürü sâadetlu Ali Rıza Paşa hazretleri..... dikkat ve itâları..... There is no mention of a Ta'ziyeh in the Ottoman newspaper *Basiret* between 10 Muharram 1287 (12 April 1870) - 10 Muharram 1288 (1 April 1871). There is no mention of a Ta'ziyeh in the Ottoman newspaper *Ruzname-i Ceride-i Havadis* on 10-11 Muharram 1291 (28 February 1874). There is no mention of a Ta'ziyeh in the Ottoman newspaper *Tercümân-ı Hakikat* on 10-12 Muharram 1296 (4-6 January 1879).

Iranians were getting together, praying and singing elegies for Hasan and Hussein during the first ten days of Muharram in Vezir Hanı, Nasuh Ağa, Mahmut Paşa Kerevansarayı and Vâlîde Hanı.⁹⁸⁶ Members of the Iranian Embassy also attended these ceremonies during the days and nights.⁹⁸⁷ The most famous ceremony, the Ta'ziyeh, which attracted many people took place on the 10th of Muharram in Vâlîde Hanı as well as the other hans around it. The Iranian Ambassador was present in the ceremony every year.⁹⁸⁸ While describing the ceremony on 10th of Muharram in 1893, *Akhtar* stated that these Muharram ceremonies were sponsored by the Iranian merchants of Istanbul.⁹⁸⁹ The groups included the ones beating their bare breasts and the ones holding torches and marched from one han to another. *Akhtar* noted that these groups were not only commemorating Hussein's martyrdom but also praying for the two *padeshah-e Islam* (rulers of Islam), referring to Sultan Abdülhamid II and Nasir al-Din Shah, as well.⁹⁹⁰

These ceremonies attracted the interest of many including Iranians, Ottomans and even Europeans.⁹⁹¹ In one of the Ta'ziyeh ceremonies in Vâlîde Hanı there were about 20,000 spectators as Kesnin Bey noted.⁹⁹² The courtyard was full of chairs and divans were placed for the spectators.⁹⁹³ The upper gallery was allocated for the women including Iranians and Ottomans.⁹⁹⁴ Foreign women, mostly the wives of the foreign missionaries attended the ceremony with their husbands.⁹⁹⁵ Kesnin Bey describes these women as 'who for two

⁹⁸⁶ *Akhtar*, 12 Muharram 1306, (16 September 1888), 10.

⁹⁸⁷ *Akhtar*, 12 Muharram 1306, (16 September 1888), 10.

⁹⁸⁸ *Akhtar*, 12 Muharram 1306, (16 September 1888), 10.

⁹⁸⁹ *Akhtar*, 12 Muharram 1311 (26 July 1892), 1.

⁹⁹⁰ *Akhtar*, 12 Muharram 1311 (26 July 1892), 1.

⁹⁹¹ Ta'ziyeh ceremonies in Vâlîde Hanı had been described by the Western travellers who attended the ceremonies in detail. Most of the accounts I use here have already been used by Metin And and Erika Glassen in their discussions of Ta'ziyeh ceremonies, which inspired me to look at the accounts written by European travellers. See, Glassen, 'Muharram'; Metin And, 'Moharram Observances in Anatolian Turkey,' in *Tazyeh Ritual and Drama in Iran*, ed. Peter Chelkowski (New York: New York University Press, 1979).

⁹⁹² Kesnin Bey, *The Evils*, 147.

⁹⁹³ Kesnin Bey, 147.

⁹⁹⁴ Kesnin Bey, 146.

⁹⁹⁵ Kesnin Bey, 147.

nights could not sleep for thinking of the blood they should see flow' and 'who, so far from feeling shocked, stand on chairs and, with operaglasses, glut themselves upon the dreadful sight'.⁹⁹⁶ Kesnin Bey also mentioned that there was a large group of Ottomans including Ottoman officers as well as ulema members.⁹⁹⁷

As Sasani stated, inviting European ambassadors and high officials became a tradition; such officials themselves once called Sasani to ask for a good place from which to watch the ceremony.⁹⁹⁸ The Ottoman newspaper *İkdâm* as well noted that on 21 June 1896 the German and Swedish ambassadors and the French and Italian *charges d'affairs* were present at the Vâlide Hanı during the Ta'ziyeh ceremony.⁹⁹⁹ The Iranian ambassador to Istanbul sat together with European ambassadors and other high officials.¹⁰⁰⁰

As Kesnin Bey details, the ceremony started with the procession of a group of men who were mourning for Hasssan and Hussein.¹⁰⁰¹ They were followed by some men on horses. Then, another group were beating their naked breasts and shouting 'Hassan' and 'Hussein' marched.¹⁰⁰² They were followed by three other groups carrying swords and iron chains shouting, 'Vah Hassan, Vah Hussein.'¹⁰⁰³ Müller wrote that more than a thousand people including women and children were dressed in white and were marching in the courtyard.¹⁰⁰⁴ As we learn from Sasani those white dresses were *kefen*, burial robes.¹⁰⁰⁵ This indeed had symbolic significance making reference to the martyrdom of Hussein and

⁹⁹⁶ Kesnin Bey, 147.

⁹⁹⁷ Kesnin Bey, 147.

⁹⁹⁸ Sasani, *Payitahtın Son Yıllarında*, 87.

⁹⁹⁹ *İkdâm*, 10 Muharrem 1314 (21 June 1896), 1.

¹⁰⁰⁰ Glassen, 'Muharram', 119.

¹⁰⁰¹ Kesnin Bey, *The Evils*, 148.

¹⁰⁰² Kesnin Bey, *The Evils*, 148.

¹⁰⁰³ Max Müller, *Letters from Constantinople*, (London, 1897), 166; Sir Edwin Pears, *Turkey and Its People*, (London: Methuen&Co. Ltd; NewYork: George H. Duran Company, 1911), 297.

¹⁰⁰⁴ Müller, 'Letters', 165.

¹⁰⁰⁵ Sasani, *Payitahtın Son Yıllarında*, 85-86.

presenting their willingness to die as followers of Hussein. A man, who must have been the *rawza-khan*, was retelling the story of Hassan and Hussein.¹⁰⁰⁶ The part in which *kamazadans* were wounding their heads was described as the bloodiest part of the ceremony by many Western travellers who attended the ceremony. Kesnin Bey described this part as follows: ‘No pen can ever paint all the horror of this scene’.¹⁰⁰⁷ Müller said that the wounds on the participants’ heads made them look like they were wearing red fezzes.¹⁰⁰⁸ As we learn from Pears, one man was standing ‘outside the line with stout sticks to prevent them inflicting dangerous or even fatal wounds’.¹⁰⁰⁹

The Ta’ziyeh was a Shiite religious ritual which was transformed into a royal ceremony where Qajars legitimise their dynastic authority and created a lineage to Hussein via the Safavids, who first formulated Ta’ziyeh as a court ceremony to themselves. The Ottoman-resident Iranians turned this religious commemoration, which was already transformed into a religious-national ceremony by the royal Qajar court, into a way of manifesting Iranian identity and an attachment to ‘imagined Iranian community’. The Ta’ziyeh was considered a royal ceremony by the Qajar State, so by organising it, the Ottoman-resident Iranians showed their loyalty to the Iranian State and its ruler. The references that the ceremony in Vâlîde Hanı were not only to the battle of Karbala, but also to the Qajar royal authority and the shah. This happened in two ways. Firstly, the environment where ceremony was taking place was ‘Iranian’. The courtyard of the Vâlîde Hanı served as a space for the ceremony, just as the Takiyeh Dawlat in Gulistan Palace served as a space in Iran. Max Müller, who was visiting Istanbul in 1894, noted in her travelogue that they were invited by the Iranian

¹⁰⁰⁶ Müller, *Letters*, 166.

¹⁰⁰⁷ Kesnin Bey, *The Evils*, 148.

¹⁰⁰⁸ Müller, *Letters*, 167.

¹⁰⁰⁹ Pears, *Turkey*, 297.

ambassador to a *han* – the Vâlîde Hanı – to watch the performance.¹⁰¹⁰ Sir Edwin Pears, who attended one of those Ta'ziyeh ceremonies, defined Vâlîde Hanı as the Persian Han where he witnessed 'the most bloody and gruesome sights'.¹⁰¹¹ To create the proper atmosphere, the Vâlîde Hanı was decorated with portraits of Iranian shahs and Qajar emblems.¹⁰¹² Kesnin Bey, who visited Istanbul in 1886, as well stated in his account that the shah's portrait and the armed lion emblem of Persia, were also displayed in every part of the ceremony.¹⁰¹³ By displaying the shah's portrait and the Qajar emblem, the Ottoman-resident Iranians publicly manifested their loyalty to the shah and the Iranian State.

Secondly, the Muharram ceremonies in other parts of the empire were commemorations, but the ones in the Vâlîde Hanı in Istanbul resembled the Ta'ziyeh ceremonies of the Qajar court in their fullest form.¹⁰¹⁴ The ceremony in Vâlîde Hanı was modelled on the royal Qajar Ta'ziyeh ceremony that was taking place in Takiyeh Dawlat in Gulestan Palace, and the Iranian ambassador to Istanbul symbolised the Iranian shah in the ceremony taking place in the Vâlîde Hanı. The Iranian ambassador to Istanbul, who organised the ceremonies, represented himself as the leader of the Iranian community of Istanbul. He sat in his private loggia together with other ambassadors to Istanbul who he was hosting,¹⁰¹⁵ just as Qajar ruler Nasir al-Din Shah set in a box seat in the Takiyeh Dawlat.¹⁰¹⁶ After making three rounds of the courtyard in the Vâlîde Hanı, the procession went to other

¹⁰¹⁰ Müller, *Letters* 165. Metin And gave the date of publication as 1877, but the correct date was 1897 as Erika Glassen claimed. And, 'Muharram Observances', 239; Glassen, 'Muharram', 115.

¹⁰¹¹ Pears, *Turkey*, 297.

¹⁰¹² Müller, *Letters*, 165.

¹⁰¹³ Kesnin Bey, *The Evils*, 147.

¹⁰¹⁴ Recent scholarship suggests that although there were different forms of commemorating Qarbala in countries such as Lebanon and India, those were not the *Ta'ziyeh*, which takes the form of passion play. See Syed Husain Ali Jafari, 'Muharram Observances in India' in *Tazyeh Ritual and Drama in Iran*, ed. Peter Chelkowski, (NewYork: NewYork University Press, 1979), 22-227; see Michel M. Mazzaoui, 'Shi'ism and Ashura in South Lebanon' in, *Tazyeh Ritual and Drama in Iran*, ed. Peter Chelkowski, 228-237.

¹⁰¹⁵ Glassen, 'Muharram', 119.

¹⁰¹⁶ Marashi, *Nationalizing Iran*, 42.

hans.¹⁰¹⁷ Kesnin Bey wrote that the procession pointed their swords at the Iranian ambassador when they passed before him and asked for the release of prisoners, which was always granted.¹⁰¹⁸ In this respect, a reference to the aforementioned scene in which all the performers saluted the shah after their march to the Takiyeh Dawlat in Tehran was made. The ambassador's role as the ruler of the Iranian community of the Ottoman Empire was reinforced by the scene in which the performers asked for the pardon of some prisoners. By recreating a scene in the Takiyeh Dawlat in the Qajar court, the ambassador, performers and Iranian subjects attending the ceremony displayed a staged loyalty to the Iranian ruler.

Another ceremony took place in the morning of 11th of Muharram in Üsküdar, near the Iranian cemetery. A document from the Ottoman State Archives reveals that many people watched the ceremony near the Seyyid Ahmed Deresi in Üsküdar in 1889.¹⁰¹⁹ An account written by Carnoy and Nicolaides describes the ceremony in the cemetery and on the streets of Üsküdar. It noted that at the cemetery they prayed for the dead and tea, bread and cheese were served.¹⁰²⁰ Then, participants left the cemetery and marched through the streets of Üsküdar to the port. There were 30 Iranians marching in two groups who were followed by 150 others. All these groups were followed by three men on horses.¹⁰²¹ These groups sang elegies, beating their chests with metal whips. Some wore black, shouting as 'Ya Mazlum Hussein! Hussein the martyr!'.¹⁰²² The horses were carrying two bloodstained pigeons. When they arrived at the port, they led the two pigeons fly in memory of Hasan

¹⁰¹⁷ And, 'Moharram Observances', 242.

¹⁰¹⁸ Kesnin Bey, 'The Evils', 150.

¹⁰¹⁹ BOA. Y.PRK.ZB.5.108, 10 Muharrem 1307 (6 September 1889), Üsküdar'da Muharrem ayının onuncu günü matem icra eden İranlılar'ın emniyet içinde dağıldıkları hakkında zabtiyenin tahrirati.

¹⁰²⁰ Henry Carnoy, Jean Nicolaides, *Folklore de Constantinople*, (Paris, 1894), 198.

¹⁰²¹ Henry Carnoy and Jean Nicolaides, 199.

¹⁰²² Henry Carnoy and Jean Nicolaides, 199.

and Hussein.¹⁰²³ The Iranians were holding flags on which Ya Hasan and Ya Hussein were written.¹⁰²⁴ However, the writers noted that there were not any Iranian national flags,¹⁰²⁵ which gives the impression that unlike Vâlide Hanı, the Iranian Embassy was not involved in the ceremonies in Üsküdar. We could say that the ceremonies in Üsküdar were not national, and rather were religious ceremonies.

Iranian merchants and the Iranian Embassy sponsored the Ta'ziyeh ceremonies; however, providing security was the responsibility of the Ottoman State. The police demonstrated special care in securing the Ta'ziyeh ceremonies and processions taking place both around the Vâlide Hanı and in Üsküdar. The account in the newspaper *Tercümân-ı Hakikât*, while describing a ceremony taking place on 30 October 1884 (10 Muharram), stated that with the efforts of the police chief Ali Rıza Paşa, no conflicts or problems arose during the ceremony at Seyyid Ahmed Deresi in Üsküdar.¹⁰²⁶ The Ottoman language newspaper *İkdam* noted that municipal police provided security and no incidents occurred during the ceremony on 21 June 1896.¹⁰²⁷ The Ottoman language newspaper *Sabah* noted on 6 September 1889 that in order to provide security during the Ta'ziyeh ceremonies in the Vâlide Hanı and in Mahmutpaşa, Ottoman soldiers and gendarmes were present.¹⁰²⁸ In a document from the Ottoman State Archives, Üsküdar *başmutasarrıfı* (head governor of

¹⁰²³ Henry Carnoy and Jean Nicolaides, 201.

¹⁰²⁴ Henry Carnoy and Jean Nicolaides, 200.

¹⁰²⁵ Henry Carnoy and Jean Nicolaides, 200.

¹⁰²⁶ *Tercüman-ı Hakikat*, 11 Muharrem 1302 (31 October 1884), 1.

¹⁰²⁷ *İkdam*, 11 Muharrem 1314 (22 June 1896), 1.

Dünkü gün mâh-ı Muharrem el haramın isrâ oluna müsâdif bulunduğ cihetle şehrimizde mukîm teb'a-yı İranîyye ilmal merâsîm-i manem eylemek üzere Üsküdar'da kâin Seyyid Ahmed Deresine azimetle...icrâ-yı ayin hazihi etmişler ve kıraat-i adiye ve zıkr ve tekrar mirai dilsuz ile evkat güzâr olmuştur. Akşam üstüne geldikleri gibi deste deste ve kâfile kâfile ikametgah ve ama günlerine avdet eylemişlerdir. Mâ'mûrin-i zabıta cayından ittihaz olunan tedâbir nakid karane şemresi olarak mahâl-i asayiş hiçbir hal vuku bulmamış ve merasim manem kemal-i huzur ile ifa edilmiştir.

¹⁰²⁸ *Sabah*, 10 Muharrem 1307 (6 September 1889), 2.

Dün gece ısr-ı Muharrem el haram olmak münasebetiyle Dersaadette bulunan teb'a-yı İranîyân mû'tâd icrâ-yı matem etmek üzere Çakmakcılar'da kâin Vâlide hanile Mahmud Paşa başında vaki' handa merâsîm-i mahsusa icra kılınub bu sırada muhafaza-i emin ve inzibât için asâkir-i şâhâne ile jandarmalar te'mîn kılınmış ve merâsîm-i mezkûre kemal-i sükûn ile rehîn-i hitâm olmuştur.

Üsküdar) Süleyman Bahri noted that on 26 August 1890 (10 Muharram 1308), around 2,000 Iranians gathered in Üsküdar together with many non-Iranians who wanted to watch the ceremony.¹⁰²⁹ He added that he had organised the local police from the station in Üsküdar to provide security and that the ceremony took place in a safe environment.¹⁰³⁰ On the 12th of Muharram in 1892, *Akhtar* wrote that the Iranian Embassy and Ottoman Ministry for Police charged many officers with providing security for the Muharram ceremonies that took place in Istanbul two days prior, and no incidents occurred.¹⁰³¹ The Ta'ziyeh ceremonies in Istanbul took place in a safe environment without any conflicts and clashes.

Although it was Sultan Abdülhamid II's reign in which photography had its golden age, newspapers do not provide any photograph of these Ta'ziyeh ceremonies.¹⁰³² However, an album at the National Library in Ankara had two photographs showing scenes from these ceremonies.¹⁰³³ Neither the catalogue of the library nor the book *Cam Negatiflerde İstanbul* which published a series of photographs including these two shots, mentions any word about Iranians.¹⁰³⁴ The catalogue of the National Library defined one photograph as *Üsküdar'da bir gösteri yürüyüşü* (a demonstration march in Üsküdar), and the other as

¹⁰²⁹ BOA.Y.PRK.ZB.5.108, 10 Muharrem 1307 (6 September 1889).

¹⁰³⁰ BOA.Y.PRK.ZB.5.108, 10 Muharrem 1307 (6 September 1889).

¹⁰³¹ *Akhtar*, 12 Muharram 1311 (26 July 1892), 1. Although *Akhtar* stated that Iranian officers were also charged to provide security, there is no evidence to support this claim. This sounds quite impossible in the Hamidian era when the state was very sensitive to control its subjects and provide security.

¹⁰³² For photography in this era see, Bahattin Öztuncay, Umur Çelikyay, Tomas Terziyan, Hadiye Cangökçe, Özge Ertem, Alican Kutlay, Ebru Esra Satıcı, Buket Coşkun, and Şeyda Çetin, *Ottoman Arcadia: The Hamidian Expedition to the Land of Tribal Roots* (1886), (İstanbul, Ömer M. Koç Collection. 2021); Ahmet A Ersoy, 'Ottomans and the Kodak Galaxy: Archiving Everyday Life and Historical Space in Ottoman Illustrated Journals', *History of Photography* 40.3 (2016): 330-57. For the use of photography in this period see Bahaattin Öztuncay, *The Photographers of Constantinople: Pioneers, studios and Artists from 19th century*, (İstanbul: Aygaz, 2003); Bahattin Öztuncay, *Hatıra-i Uhuvvet: portre fotoğrafların cazibesi*, 1846-1950, (İstanbul: Aygaz, 2005); Bahattin Öztuncay, *Vassilaki Kargopoulo: Hazret-i Padişahın'nın Serfotoğrafi*, (İstanbul: BOS, 2000); Engin Özendes, *From Sabah & Joaillier to Foto Sabah: Orientalism in Photography*, (İstanbul: YKY, 1999).

¹⁰³³ Milli Kütüphane Arşivi, yer Numarası 2019, fotoğraf 89; yer numarası 2019, fotoğraf 244.

¹⁰³⁴ Ziya Kenan Bilici, *Cam Negatiflerde İstanbul'un İzleri, İmparatorluk'tan Cumhuriyete*, (Ankara: Kültür Turizm Bakanlığı, 2017). These photographs were first displayed in an exhibition curated by Ziya Kenan Bilici in Milli Kütüphane Başkanlığı Sergi Salonu in Ankara in 2017. I would like to thank Ziya Kenan Bilici for letting me know that these photographs are kept in Milli Kütüphane in Ankara.

Caferiler'in yürüyüşü (marching of Jafaris). In a similar light, the book defined the second photograph as a shot from Muharram ceremony and added that it was impossible to determine where the photograph was taken.¹⁰³⁵ These photographs were most probably from Sultan Abdülhamid II's enormous photograph collection known as the Yıldız Albums. As recent literature presents, the sultan's interest in photography was very much related with his desire to be informed with what was happening across the empire. For instance, the sultan himself ordered photographs of factories, railway as well as historical sites to be taken.¹⁰³⁶ We also know that the sultan charged photographers to take shots of the visits of royal guests including German Emperor Wilhelm (1898) and Iranian ruler Muzaffar al-Din Shah (1900). The photographers captured every move of Muzaffar al-Din Shah's in Istanbul and sent them to the sultan.¹⁰³⁷ Thus, the sultan was informed about his guest's every move within Istanbul. From that point of view, these shots from Muharram ceremonies could have been taken by the photographers charged by the sultan.

The photograph, which was captioned as a demonstration in Üsküdar, shows a crowd standing on the road in front of shops, and were carrying flags. We can see the bare chest of a man. Most probably, many others were present there. One of these flags were has *Mazlum* Hussein (Hussein the oppressed) written on it. The flag also has the date 1316 written on it, which is 1898 or 1898 in Gregorian Calendar. We see people including men, women and children looking out of their windows and watching the procession. All these give the impression that the photograph was taken on the morning of 11 Muharram 1316 (1 June 1898) during the ceremonies in Üsküdar. Most probably the scene shows one of the roads leading to Seyyid Ahmed Deresi where the ceremony would take place.

¹⁰³⁵ Bilici, 282.

¹⁰³⁶ These photographs are kept in Istanbul University Rare Collection.

¹⁰³⁷ Kilerci, 'Muzaffar al-Din Shah's Istanbul Visit', 30, 90.

Another photograph depicted as marching of Jafaris shows a large crowd including *zencir-zadans* who were holding chains, hitting their bodies. Thus, this scene resembles the Ta'ziyeh ceremonies in and around Vâlîde Hanı. From that point of view, the photograph could have been taken somewhere near Vâlîde Hanı, such as Mahmud Paşa, Sirkeci, Eminönü and Cağaloğlu. We also see police and soldiers holding their guns providing security.



Figure 9 Iranians in Ta'ziyeh Ceremonies around Vâlîde Hanı

National Library of Turkey, 2019-89.



Figure 10 Iranians in Muharram Ceremonies in Üsküdar

National Library of Turkey, 2019-244

The Ta'ziyeh, in its fullest form, was performed in Istanbul as discussed. Other commemorations of the Battle of Karbala and Hussein's martyrdom were organised by Iranians in other parts of the Ottoman Empire, especially in Ottoman Iraq. Vital Cuinet, a French geographer and orientalist, worked at *Dûyûn-u Umûmîye* (Ottoman Public Debt Administration), travelled through all over the empire, and wrote his observations together with the statistics he received from the Ottoman State. Cuinet gives a detailed account of the Muharram ceremonies taking place within Ottoman Iraq. He stated that in Qazemeyn during the first ten days of Muharram, Iranians organised ceremonies in the main mosque of the city.¹⁰³⁸ The ceremonies in Karbala were described in detail. Cuinet stated that in Karbala, Shiites organised 50-day mourning ceremonies for the Karbala incident.¹⁰³⁹ It started from the first of Moharram and ends on 20th of Safar. On the first nine days of

¹⁰³⁸ Vital Cuinet, *La Turquie d'Asie*, v.2 144.

¹⁰³⁹ Cuinet, 184.

Muharram, people gathered and read stories about the Qarbala incident. During these events, spectators were sighing, grousing, crying and even injuring themselves. After the ceremony, refreshments, pipes and coffees were served. Women, coming from different social statuses, both Shiites and Sunnites, also gathered, sat together and read the same Qarbala stories. They were reading poems for Hussein and Zaynab while hitting their chests.¹⁰⁴⁰ Cuinet stated that it was possible to hear the voices coming from their bodies. After they passed out, refreshments, pipes and coffee were served. On the tenth of Muharram, people, holding firebrands, were passing through the streets while crying and hitting their chests. A man, most probably rawzahani, read the part of Qarbala story in which the war took place and Hussein was martyred. First, women dressed in black and wearing muslins were marching in order to commemorate Zaynab. Then, a group of men coming from lower social status began to march barefooted and bareheaded. They were hitting their chests and shouting as ‘Vay Hussein’. Then a group of armed men were riding on horses with black harnesses. Following this group were a group of young boys riding on horses while other people were marching. These people were praising Hussein, and some of them were wounding their heads and whipping themselves. Then, people of higher status were marching together with women and children sitting on palanquins. These palanquins were decorated with shawls and fabrics. A group of women were shouting as well. These groups marched towards the mosque and stopped there. The palanquin entered the mosque while surrounded by people. While returning from the mosque, people were served a food called ‘herise’ made of meat and wheat.¹⁰⁴¹

Comparing this ceremony with the ones taking place in/around Vâlide Hanı and Üsküdar in Istanbul, we could say that this ceremony had a different form. The ceremony resembles

¹⁰⁴⁰ Cuinet, 184-185.

¹⁰⁴¹ Cuinet, 186-188.

and differs from the ceremonies taking place around Vâlide Hanı and Üsküdar in Istanbul and the court ceremonies taking place in Takiyeh Dawlat in Tehran, in some ways. Similar groups of people attended the ceremonies and were hitting their chests and wounding their heads in all of the ceremonies in Istanbul and Karbala. However, these performances took place on streets not on a stage or in a courtyard, as it was the case in Vâlide Hanı. We do not know if women organised another mourning ceremony separately in Istanbul, while we see this in Karbala. The commemoration was much longer in Karbala. It lasted for 50 days, while it was only 10 days in Istanbul. This was most probably because Karbala was the city where the incident had taken place. Another important point is that as the sources present, the ceremonies in Istanbul was organised by the Iranian ambassador, thus, it had some national aspects as discussed. We see the ambassador as a figure representing the Iranian shah and the ceremonial space was decorated with many symbols of Iraniannes including the shah's portrait, Iranian flags and Qajar emblem. However, Cuinet does not mention such decorations nor the presence of the Iranian consul. This gives the impression that the ceremony in Karbala was more a religious ceremony, while the ones in Istanbul has both religious and national aspects.

Although Ta'ziyeh was taking place in a safe environment without any conflicts in Istanbul, this was not the case in Ottoman Iraq. Documents from the Prime Ministry Ottoman Archives indicate that such commemorations were organised in cities within Ottoman Iraq which caused conflicts in many cases. The rising Shiite and Iranian populations triggered a power struggle between the Ottoman and Iranian States in the second half of the nineteenth century, as already discussed. In this atmosphere, it is unsurprising that a commemoration that referenced the roots of Shiism would create conflicts and clashes. A report written by Grand Vizier Kamil Paşa in 1890 recounts that

Ottoman authorities did not give permission to organise a Karbala commemoration in Najaf for security reasons.¹⁰⁴² The Iranians and Shiites protested, and a group of Iranian students went to the governorate to ask permission for their commemoration, but permission was denied. Many Iranians took to the streets and some attacked Ottoman soldiers. As a result, the governor of Najaf ordered soldiers to shoot; two people died and two were wounded. The grand vizier added that the Iranian Embassy had inflated the casualty count to six dead and six wounded.¹⁰⁴³ The grand vizier stated that it would be investigated whether the governor's prohibition of *ashura* commemorations had been ordered by the government and also whether the reported number of casualties was correct.¹⁰⁴⁴

This event almost created a crisis between the Ottoman and Qajar States. As protector of the Iranians, the Iranian ruler Nasir al-Din Shah sent a telegram to Sultan Abdülhamid II via Mirza Muhsin Khan, the Iranian ambassador to Istanbul.¹⁰⁴⁵ The shah stated that there had been 'unity' between Iran and the Ottoman Empire; however, conflicts such as the one in Najaf could damage this unity. The shah asked the sultan to punish the governor. He added that he felt sure the sultan would grant the same rights to Iranians as he had to many other religious groups and sects wishing to perform their prayers.¹⁰⁴⁶

Another conflict took place on 4 March 1905 (7 Muharram) in which the Ottoman governor in Baghdad informed the *Bâb-ı Âli* that a few days before 10 Muharram, Iranians were walking around the bazaars with torches and guns.¹⁰⁴⁷ The Baghdad governor also

¹⁰⁴² BOA.Y.PRK.A, 6/7 28, Safer 1308 (13 September 1890).

¹⁰⁴³ BOA.Y.PRK.A, 6/7 28, Safer 1308 (13 September 1890).

¹⁰⁴⁴ BOA.Y.PRK.A, 6/7 28, Safer 1308 (13 September 1890).

¹⁰⁴⁵ BOA.Y.PRK.A, 6/7 28, Safer 1308 (13 September 1890).

¹⁰⁴⁶ BOA.Y.PRK.A, 6/7 28, Safer 1308 (13 September 1890).

¹⁰⁴⁷ BOA.BEO. 2526 189398, 27 Zilhicce 1322 (4 March 1905).

mentioned that because Ottoman authorities had replaced the Iranian emblem hanging over the door of the Kazemiya mosque with an Ottoman tughra, a group of armed Iranians could conceivably create trouble.¹⁰⁴⁸ However, the next year on 10 March 1906 (14 Muharram) the Ottoman ministry of the interior declared that no conflict had arisen during commemorations in Baghdad, Karbala, Najaf and other cities of Ottoman Iraq in which Iranians lived.¹⁰⁴⁹

The ‘unity’ Nasir a-Din Shah wrote about in the telegram was the idea of Islamic unity, which shaped late nineteenth-century Ottoman-Qajar relations. This idea of establishing an Islamic unity between the Ottoman Empire and Qajar Iran was placed on the Ottoman agenda in the context of Sultan Abdülhamid II’s Islamic policy, which was the hallmark of the late nineteenth-century Ottoman political sphere. The Young Turks, especially Namık Kemal, put special emphasis on Islam while drafting an Ottoman identity, as discussed in the first chapter of this dissertation; however, such emphasis on Islam in domestic as well as foreign policy became significant in Hamidian era. Recent literature identified this with the rising Muslim population of the empire as a result of the territorial losses in the Balkans.¹⁰⁵⁰ The Ottoman State lost some Balkan lands, and some former subjects, including those in Bulgaria, Serbia and Romania, gained independence via the Ayestefanos and Berlin treaties which were signed after Russo-Turkish War of 1877-78. The Ottoman former Tuna Province was partited between these former subjects. Niş became a part of Serbia; Tulça was taken by Romania and Rusçuk; Vidin, Sofya, Tırnova and Varna

¹⁰⁴⁸ BOA.BEO. 2526 189398, 27 Zilhicce 1322 (4 March 1905).

¹⁰⁴⁹ BOA.DH.TMK. M. 218 23, 14 Muharrem 1324 (10 March 1906).

¹⁰⁵⁰ See Azmi Özcan, *Pan-İslamizm: Osmanlı Devleti, Hindistan Müslümanları ve İngiltere* (1877-1914), (İstanbul: İSAM, 1992), 66; Benjamin Fortna, ‘The Reign of Abdülhamid II’, *The Cambridge History of Turkey* v. 4, ed. Reşat Kasaba, (University of Cambridge Press, 2008), 47.

constituted Bulgaria.¹⁰⁵¹ These had an impact on the demography of the Ottoman Empire. The empire lost the majority of its Christian population. Kemal Karpat gives detailed analysis of such demographic changes in the Balkans following the war and treaties.¹⁰⁵² Karpat claims that around 250,000-300,000 Muslims died and approximately 1.5 million Muslims migrated to the other parts of the empire.¹⁰⁵³ With the loss of the Balkan lands where higher Christian populations were living, the Ottoman Empire turned into a Muslim majority country by population.¹⁰⁵⁴ This gave way to the adoption of Islam as a state ideology in the era of Sultan Abdülhamid II.¹⁰⁵⁵

Existing literature evaluates the sultan's Islamic policy from different perspectives. Hasan Kayalı interprets the sultan's Islamic policy as 'Ottomanism equipped with ideological embellishment deriving from Islam'.¹⁰⁵⁶ For him after the loss in the Balkans, the sultan began to 'emphasise the religious overtones of Ottomanism'.¹⁰⁵⁷ Yasamee viewed the sultan's Islamic policy as a 'decision to re-emphasise Islam' which was an 'aspect of his general conservatism' and 'his concern to stabilise the state by governing in accordance with the nature and characteristics of his subjects'.¹⁰⁵⁸ In other words, because the Ottoman empire was a Muslim majority empire, the state's policy would have an Islamic emphasis. Karpat perceived the sultan's Islamic policy as a legitimisation method. He claims that the

¹⁰⁵¹ Kemal H. Karpat, *Ottoman Population, 1830-1914: Demographic and Social Characteristics*, (Madison, Wisconsin: University of Wisconsin Press, 1985), 25.

¹⁰⁵² For instance, Turks, which would include other Muslims of different ethnicity as well, were 300,000 before the war and were 15,000 in 1878 just after the war in Filibe. Another example would be the Muslim population in Niş. They were 8,300 in 1876 and only 3000 were left in 1879. Karpat, *Ottoman Population*, 74-75.

¹⁰⁵³ Karpat, *Ottoman Population*, 75.

¹⁰⁵⁴ Fortna, 'The Reign of Abdülhamid II', 47; Karpat, *Ottoman Population*, 28.

¹⁰⁵⁵ Fortna, 'The Reign of Abdülhamid', 47-48.

¹⁰⁵⁶ Kayalı, *Arabs and Young Turks*, 31.

¹⁰⁵⁷ Kayalı, 31.

¹⁰⁵⁸ F. A. K. Yasamee, *Ottoman Diplomacy: Abdülhamid II and the Great Powers, 1878-1888*, (Istanbul: Isis Press, 1996), 25-26.

sultan's use of Islamism was also pragmatic; Abdülhamid II used the title of caliph to legitimise his reforms.¹⁰⁵⁹

Hamidian Islamic policy was applied both to the domestic and international politics and it included a significant emphasis on *İttihâd-ı İslâm* (Islamic Unity) and the sultan's position as a caliph. The sultan's Islamic policy was twofold, Mardin argues: to unite Muslim-Ottoman subjects under the umbrella of Islam and to gather Muslims outside the Ottoman Empire under his caliphate.¹⁰⁶⁰ Fortna mentions this two-sided aspect of the sultan's Islamic or Pan-Islamic policy, as well. He claims that the sultan's policy was designed 'to strengthen the cohesiveness of the empire's Islamic base'.¹⁰⁶¹ According to Fortna, there was also a threatening aspect: it was intended to intimidate European states like France and Britain by showing that the Ottoman sultan was the caliph that all Muslim subjects respected and followed.¹⁰⁶² He mentions that the sultan's policy was 'intended to remind the European powers, France and Great Britain in particular, that the Ottoman sultan-caliph held considerable sway over many millions of their overseas imperial subjects'.¹⁰⁶³

The sultan wanted to establish Islamic unity between the Ottoman and Iranian States.¹⁰⁶⁴ This received a positive response from Iranian rulers Nasir-al Din and Muzaffar al-Din Shah. For instance, the sultan wanted to send a special delegation to Tehran to attend the celebrations of the fiftieth anniversary of Nasir al-Din Shah's accession to the throne, to

¹⁰⁵⁹ Kemal Karpat, *The Politicization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State*, (New York: Oxford University Press: 2001), 15.

¹⁰⁶⁰ Şerif Mardin, '19. Yüzyılda Düşünce Akımları', *Tanzîmât'tan Cumhuriyet'e Türkiye Ansiklopedisi*, v.2, (İstanbul: İletişim Yayınları, 348).

¹⁰⁶¹ Fortna, 'The Reign of Abdülhamid II', 48.

¹⁰⁶² Fortna, 48.

¹⁰⁶³ Fortna, 48.

¹⁰⁶⁴ For further discussion and details, see Gökhan Çetinsaya, 'The Caliph and Muftahids: Ottoman Policy towards the Shiite Community of Iraq in the Late Nineteenth Century', *Middle Eastern Studies*, 41:4, 561-574, 566-571.

which the shah agreed.¹⁰⁶⁵ This special delegation's mission was to contribute to *İttihâd-ı İslâm* (Islamic unity), mentions Jacob Landau.¹⁰⁶⁶ The delegation went to Tehran but attended the shah's funeral, instead, as the shah was assassinated.¹⁰⁶⁷

In his quest for Islamic unity, the sultan even invited Jamaladdin Afghani, who was in exile in London after being sent out of Iran by Nasir al-Din Shah, to Istanbul.¹⁰⁶⁸ Afghani accepted the sultan's invitation and in 1892 came to Istanbul where he spent the last five years of his life as a special guest of Sultan Abdülhamid II. Early on in his time in Istanbul, the sultan asked Afghani to work on a program to establish Islamic unity between the Ottoman Empire and Iran.¹⁰⁶⁹ However, the sultan's intent to involve Afghani in his pan-Islamist policy changed when Afghani later became a dissident and a more controversial figure.¹⁰⁷⁰ Afghani was suspected of being involved in the murder of Nasir al-Din Shah because the murderer was one of Afghani's followers who visited Afghani in Istanbul only two months before the shah was assassinated.¹⁰⁷¹

This idea of Islamic unity between the Ottoman Empire and Qajar Iran was on the agendas of both states in the context of Muzaffar al-Din Shah's Istanbul visit in 1900, as well. Muzaffar al-Din Shah wrote in his travelogue that 'the sultan's eagerness to bring the Islamic world together under the same roof' left a positive impression.¹⁰⁷² *Sorayya*, a Persian language newspaper published in Cairo, described these two states as '*Do afetab-e*

¹⁰⁶⁵ Kate Fleet, 'Fickle deceivers: Iranians viewed from the Porte at the end of the 19th century', in Michele Bernardini and Natalia L. Tornesello (eds.), *Scritti in onore di Giovanni M. D'Erme*, 2 vols. (Series Minor 68) (Naples, 2005), vol. I, 427-40, 433.

¹⁰⁶⁶ Jacob M. Landau, *The Politics of Pan-Islam, Ideology and Organisation*, (Oxford, Clarendon Press, 1990), 44, cited in Fleet, 'Fickle Deceivers', 433.

¹⁰⁶⁷ Fleet, 'Fickle Deceivers', 433.

¹⁰⁶⁸ Keddie, *Afghani*, 378-380.

¹⁰⁶⁹ See Keddie, 145-157, 381-427.

¹⁰⁷⁰ See Keddie, 381-427.

¹⁰⁷¹ Keddie, 412-427.

¹⁰⁷² Muzaffar al-Din Shah, *Safarnama*, 221.

yek asuman, do nur-e yak iman’ (two suns in one sky; two lights of one faith).¹⁰⁷³ *Sorayya* mentioned that this meeting of the two rulers of two Islamic worlds – ‘two suns and two moons in one sky’ – hugged each other, showing their unity and brotherhood.¹⁰⁷⁴ The Persian language newspaper *Al-Kamal* wrote that the society of Islam would be protected in the shadow of these two rulers.¹⁰⁷⁵

This context of Islamic unity explains Sultan Abdülhamid II’s positive attitude towards the Ottoman-resident Iranians’ ceremonies in which they manifested their Iranianness and loyalty to the ruler of their homeland. Muharram ceremonies began to be organised in the 1880s and reached their peak in the 1890s and 1900s when Sultan Abdülhamid II’s pursuit of Islamic unity was on the Ottoman agenda. The sultan wanted a balanced policy on this issue: to both create Ottoman-Iranian unity and to manage the growing Shiite and Iranian populations at the same time. Thus, the sultan welcomed the Ta’ziyeh ceremonies, a ceremony which references the Shiite roots of a foreign community, in the heart of the Ottoman capital at a time when the increasing Shiite population was perceived as a threat on the Ottoman frontier. However, he restricted commemorations in Ottoman Iraq. This restriction did not mean a complete ban but rather the Ottoman State control over the ceremonies. In light of Nasir al-Din Shah’s letter to the sultan highlighting the ‘unity’ between the two states in the context of a conflict between Iranians and Ottoman soldiers, we can say that Islamic unity between the Ottoman and Qajar States not only shaped relations between them but also influenced the Ottoman resident-Iranians. The Iranian ruler tried to use the ‘Islamic unity’ card in order to protect his subjects in the Ottoman Iraq.

¹⁰⁷³ *Sorayyâ*, 17 October 1900, 6.

¹⁰⁷⁴ *Sorayyâ*, 27 October 1900, 7.

¹⁰⁷⁵ *Al-Kamal*, 4 November 1900, 3. ‘Mutemeni-ye Asitane kuds-e jalaled ki hayat-e jamia-ye Islam ra der saya-ye himayat-e in do shahanshah-e tacdar ez chasm-e bad-e ruzgar dar panah-e hod negah dared.’

Nawruz

The Ottoman-resident Iranians, mostly those living in Istanbul, organised other celebrations. Sasani mentioned that in 1887, Iranian Embassy members in Istanbul organised a celebration for Nawruz, for instance.¹⁰⁷⁶ All the Iranians living in Istanbul were invited; students from the Iranian school together with their teachers were also present. Hüseyin Daniş and Ebulkasım Han Lahuti Kirmanşahi, who would later establish the newspaper *Pars*, read poems.¹⁰⁷⁷ However, there is not much information about Nawruz ceremonies in the sources, which leads us to assume that these ceremonies were private occasions where Iranians came together and enjoyed the Nawruz. Nawruz was not celebrated in public with a large crowd, as was the case with other celebrations and ceremonies that the Iranians organised.

Celebrating and Welcoming the Iranian Rulers

In addition to the Ta'ziyeh and Nawruz, the Iranians also organised celebrations for the anniversaries of the shahs' accession to the throne, for their birthdays and their arrivals to the Ottoman capital. These were the occasions where Iranians manifested their Iranian identity and their loyalty to Iran and the Iranian ruler. Except the birthday celebrations of the shah, which took place within the Iranian consuls across the Ottoman Empire, these celebrations were mostly taking place in Istanbul. Starting in 1859, the Iranian Embassy began to organise a birthday celebration for the Iranian ruler.¹⁰⁷⁸ A document stated that the Iranian Embassy had invited a representative of the Ottoman sultan to the shah's

¹⁰⁷⁶ Sasani, *Payitahtın Son Yıllarında*, 115.

¹⁰⁷⁷ Sasani, 115-116.

¹⁰⁷⁸ BOA.İ.HR,170-9225, 7 Safer 1276 (5 September 1859). Atıfetu efendim hazretleri. İşbu gelecek pazartesi günü şehâmetlu İrân Şâhı Hazretlerinin rûz-ı velâdeti olduğundan sâir bazı devletler hakkında icra olunan merâsim Şâh-ı müşârunileyh hazretleri hakkında dahi icrâ buyurulduğu halde minnetdâr olacaklarına dair cânib-i sefaretten bazı ifadât...

birthday celebration at the Iranian Embassy.¹⁰⁷⁹ Ottoman officers stated before then, representatives attended only the birthday celebrations of the rulers of *düvel-i hamse* (five European countries)¹⁰⁸⁰ and no representative had attended the Iranian celebrations because the Iranians had not officially announced the birthday celebrations for their ruler. The document stated that from then on, Ottoman representatives would attend the shah's birthday celebrations if invited by the Iranian Embassy. The Ottoman State sent Emin Bey, a member of the *Mabeyn-i Hümayûn*, to the celebration.¹⁰⁸¹ This became a tradition and continued in the later period of the nineteenth century not only in Istanbul but also in some other cities in which Iranian consuls existed. *Akhtar* mentioned that a birthday celebration for Nasir al-Din Shah was organised in the Iranian Embassy in Istanbul in 1891.¹⁰⁸² A document indicates that a celebratory dinner was given at the embassy for the shah's birthday in 1895, as well.¹⁰⁸³ Another document shows that a celebration for the Iranian shah's birthday took place in Adana in 1906.¹⁰⁸⁴ In addition to birthday celebrations organised by the Iranian Embassy, the Istanbul-resident Iranians asked the Ottoman State for permission to organise public celebrations for the Iranian shah's birthday on several occasions. For example, the Ottoman State gave permission to the Istanbul-resident Iranians to organise celebrations for the Iranian shah's accession to the throne and his birthday in 1914.¹⁰⁸⁵ Such celebrations took place earlier as well. For example, in 1896, a celebration for the fiftieth anniversary of Nasir al-Din Shah's accession to the throne was

¹⁰⁷⁹ BOA.İ.HR,170-9225, 7 Safer 1276 (5 September 1859).

¹⁰⁸⁰ This phrase has long been used by the Ottomans referring to the European countries of England, France, Prussia, Russia and Austria. The Ottomans also used *Düvel-i Muazzama* (Great Powers) referring these countries as well.

¹⁰⁸¹ BOA.İ.HR,170-9225, 7 Safer 1276 (5 September 1859),...yevm-i mezkûrde Mabeyn-i Hümayun taraf-ı âlisinden İrân sefaretine izzetlü Emin bey irsâl buyrulacağından birlikde bulunmak üzere....

¹⁰⁸² The son of Muhammad Tahir, the owner of *Akhtar*, was a student at Iranian *Dabistan* and read a poem. *Akhtar*, 11 Safar 1309, (15 September 1891), 4, cited in Güllü Yıldız, 'İstanbul'da Bir Acem Matbaası: Kitapçı Tahir ve Ahter', *The Journal of Ottoman Studies*, L (2017), 175-218, 183.

¹⁰⁸³ BOA.Y.PRK.ZB.13.61, 5 Safer 1312 (8 August 1894) İran Sefareti'nde İran Şahı'nın doğumgünü münasebetiyle verilen ziyafet.

¹⁰⁸⁴ BOA.Y.MTV.289-190, 28 Cemaziyelahir 1324 (19 August 1906).

¹⁰⁸⁵ BOA.DH.KMS.25.34, 24 Şevval 1332 (15 Eylül 1914).

organised.¹⁰⁸⁶ In 1907, the Iranians put up lights in shops to celebrate Muhammad Ali Shah's accession to the throne.¹⁰⁸⁷ These ceremonies not only presented the Iranian community's loyalty to the Qajar state but also to the shah himself.

The Iranian community of Istanbul organised celebrations on the occasions of the visits of Iranian rulers Nasir al-Din and Muzaffar al-Din Shahs to Istanbul in 1873 and 1900, respectively.¹⁰⁸⁸ These two visits not only demonstrated the extent to which the Ottoman-resident Iranians publicly showed their Iranianness and loyalty to the shahs, but also the extent to which they had transformed into a foreign Iranian community with its own institutions. Although there was a large Iranian community in Istanbul in 1873, the Ottoman-resident Iranians were not visible as a community with institutions and national symbols. Because the transition of Ottoman-resident Iranians into a visible community began when they were legally designated as foreigners in the context of Nasir al-Din Shah's visit to Istanbul in 1873 and continued with the establishment of their own institutions in the 1880s, an institutionalised, foreign Iranian community was able to publicly show its loyalty to the Iranian shah and the state by the time Muzaffar al-Din Shah visited Istanbul in 1900 in the reign of Sultan Abdülhamid II. Thus, the literary and visual representations of Muzaffar al-Din Shah's Istanbul visit suggest a more visible Iranian community, including Iranian institutions and symbols manifesting its identity, compared to Nasir al-Din Shah's visit in 1873.¹⁰⁸⁹

¹⁰⁸⁶ BOA.BEO.772.57886, 16 Zilkade 1313 (29 April 1896). The celebration must have turned into a commemoration, as Nasir al-Din Shah was assassinated on the day he was to celebrate the fiftieth anniversary of his accession to the throne.

¹⁰⁸⁷ BEO 2992 224398, 28 Zilhicce 1324 (12 February 1907).

¹⁰⁸⁸ The political motivation behind Muzaffar al-din Shah's visit to Istanbul was to discuss the problems between the Ottoman and Qajar states – mainly conflicts between Kurds and Armenians in Eastern Anatolia near the Ottoman-Iranian border – and to build Ottoman-Qajar friendship. This friendship was based on the idea of Islamic unity, which as already mentioned in this chapter, was the hallmark of the late Hamidian era.

¹⁰⁸⁹ For a presentation of Muzaffar al-Din Shah's Istanbul visit via literary and visual sources, see Başak Kilerci, *Ottoman-Qajar Relations through Photography: Mozaffar al-Din Shah's Istanbul Visit (1900)*, unpublished M.A thesis submitted to Boğaziçi University, (İstanbul: 2013).

Both literary and visual sources presented a more visible Iranian community in ceremonies organised for Muzaffar al-Din Shah's arrival in Istanbul in 1900 compared to Nasir al-Din Shah's visit in 1873.¹⁰⁹⁰ Nasir al-Din Shah noted in his travel diary that they arrived in Istanbul on 18 August 1873, and when they could see the houses and factories of the city, they departed the ship Sultaniyye and boarded the Pertev Piyale.¹⁰⁹¹ He mentioned that many Iranians was there to welcome him with these words:

‘About three thousand Persian subjects, of whom there are great in Constantinople, had embarked in five large steamers, and come out to meet us. They brought their ships near to mine; and just at that moment our grand-Vazir, with the princes and others in a boat, was coming from that other ship to this one, when one of the vessels with the Persian subjects on board, turned on her steam and made way, so as to come nearer to our ship; and little did it lack that she did not strike against the boat of the Grand-Vazir and others, and drown them all. God showed mercy, and by some means they escaped, reached (our ship), and came up (on deck).’¹⁰⁹²

Although Nasir al-Din Shah noted that many Iranians welcomed him, there is no mention of them in the Ottoman newspapers *La Turquie* and *Basiret*, which discussed the shah's visit in detail.¹⁰⁹³ This gives the impression that only private groups of Istanbul-resident Iranians welcomed Nasir al-Din Shah, but when Muzaffar al-Din Shah visited Istanbul, members of Iranian institutions were in attendance including the teachers and students of the Iranian primary school and Iranian merchants who organised the celebrations. When Muzaffar al-Din Shah came to Makriköy (Bakırköy), where he boarded the royal boat İzzeddin, many Iranians were present to welcome the shah.¹⁰⁹⁴ Streets of Makriköy were

¹⁰⁹⁰ The numerous Ottoman newspapers and systematic use of photography had an impact on the representation of the Iranian community in the context of Muzaffar al-Din Shah's visit. In other words, because Sultan Abdülhamid II used photography as a source of information and part of his control mechanism, every action of Muzaffar al-Din Shah was photographed when he was in Istanbul. On the other hand, Nasir al-Din Shah only posed to camera on specific occasions when he was in Istanbul. See Nasir al-Din Shah, *The Diary*, 386. However, this was mainly because by 1900, Ottoman-resident Iranians were a visible Iranian community.

¹⁰⁹¹ Nasir al-Din Shah, *The Diary* 367.

¹⁰⁹² Nasir al-Din Shah, 367. Translation is Redhouse's.

¹⁰⁹³ See *La Turquie*, 19 August 1873, 1; *Basiret*, 21 August 1873, 1.

¹⁰⁹⁴ *İkdam*, 1 October 1900, 3.

full of people, and the sea was full of small ships.¹⁰⁹⁵ Iranian merchants and students from the Dabistan-e Iraniyan rented a Bosphorus ferry and came from Makriköy to welcome the shah.¹⁰⁹⁶ Other Iranians came on the ships *Olga* and *Istanbul* to welcome the shah as well, as a photograph from the Gigord collection depicts.¹⁰⁹⁷ While the shah was sailing to Ortaköy, the Istanbul-resident Iranians sailed after him in the small ships, reading poems and singing songs.¹⁰⁹⁸ In his diary, the shah claimed that the Iranians of Istanbul following him were shouting ‘*Padeshah-e Iran ve Shahinshah-e vatan-e ma salamat bashed!*’ (long live the shah of Iran and *shahinshah* of our homeland!).¹⁰⁹⁹ By saying these, the Istanbul-resident Iranians were demonstrating their Iranianness and loyalty to the Iranian ruler, publicly.



Figure 11: The Istanbul-resident Iranians in the ships *Olga* and *Istanbul*

Getty Museum Gigord Collection Box 38.

¹⁰⁹⁵ *İkdam*, 1 October 1900, 3.

¹⁰⁹⁶ *İkdam*, 1 October 1900, 2.

¹⁰⁹⁷ *İkdam*, 1 October 1900, 2. Gigord Collection box 38.

¹⁰⁹⁸ *İkdam*, 1 October 1900, 2.

¹⁰⁹⁹ Mozaffar al-Din Shah, *Safarnama*, 218. For more details on these welcoming ceremonies, see Kilerci, ‘Muzaffar al-Din Shah’, 92-99.

As Fariba Zarinebaf discusses, with the fall of Tabriz-Trabzon route by the end of the nineteenth century, the merchant community of Istanbul had financial losses when compared to earlier decades.¹¹⁰⁰ Hajj Pirzadeh visited Istanbul in 1889 and made a comment supporting Zarinebaf's argument. Pirzadeh claimed that during his visit he did not come across any rich Iranian merchant, which was not the case twenty years before.¹¹⁰¹ He added that there were many rich Iranian merchants in 1870s however, they had already left Istanbul.¹¹⁰² Although there was a larger and wealthier Iranian merchant community in the 1870s, they were not as active in the context of Nasir al-Din Shah's visit as in the context of Muzaffar al-Din Shah's arrival in Istanbul. Iranian merchants in the 1900s not only sponsored celebrations but also decorated their shops and *hans* with Iranian flags, carpets etc. When the shah arrived at the embassy, he was welcomed by embassy staff and important merchants of Iran.¹¹⁰³ The Vâlîde Hanı and its neighbourhoods were decorated with Iranian flags, carpets, and rugs and illuminated with lanterns, candles and glass lamps, and all the shops were at night.¹¹⁰⁴ Similarly, other hans in the neighbourhood were also decorated with carpets, and refreshments were served and music was played.¹¹⁰⁵ We do not have any information regarding such incidents taking place during Nasir al-Din Shah's days in Istanbul.

National emblems, flags and other symbols displayed in the ceremonies during Muzaffar al-Din Shah's Istanbul visit were also a manifestation of Iranian identity. While there was no mention of such symbols in 1873 when Nasir al-Din Shah visited Istanbul, Iranian flags and emblems were abundant on the ships that accompanied Muzaffar al-Din Shah. When

¹¹⁰⁰ Zarinebaf, 'Iranian Merchant Community', 210.

¹¹⁰¹ Pirzadeh, *Safarnama-yi Pirzadeh*, 86.

¹¹⁰² Pirzadeh, 86.

¹¹⁰³ *İkdam*, 2 October 1900, 1.

¹¹⁰⁴ *İkdam*, 1 September 1900, 3.

¹¹⁰⁵ *İkdam*, 1 September 1900, 3. For more details on the celebrations around Vâlîde Hanı, see Kilerci, 'Muzaffar al-Din Shah', 127-128.

Muzaffar al-Din approached the pier in Ortaköy, rowboats full of people and many small ships surrounded the shah's ship, as a photograph in the Gigord Collection depicts.¹¹⁰⁶ Another photograph from the same collection show that the Iranian subjects who greeted the shah at the pier carried Iranian flags and the sun-lion emblem.¹¹⁰⁷ By 1900, the Istanbul-resident Iranians had become a community of foreigners that publicly manifested its Iranianness and showed loyalty to the Iranian ruler by carrying Iranian flags.



Figure 12: Istanbul-resident Iranians welcoming Muzaffar al-Din Shah in Ortaköy when he visited Istanbul in 1900.

Getty Museum Gigord Collection Box 38.

¹¹⁰⁶ Gigord Collection Box 38.

¹¹⁰⁷ Gigord Collection Box 38.



Figure 13: Istanbul-resident Iranians welcoming Muzaffar al-Din Shah in Ortaköy when he visited Istanbul in 1900.

Getty Museum Gigord Collection Box 38.

We also see Iranian institutions in the accounts of Muzaffar al-Din Shah's visit, while there was no mention of them during Nasir al-Din Shah's visit to Istanbul. Both shahs visited the Hagia Sophia mosque during their visit to Istanbul. Muzaffar al-Din Shah was to visit Hagia Sofia and the Iranian Embassy in Cağaloğlu, as well. Iranians were waiting for the shah on the streets leading to the embassy.¹¹⁰⁸ Students from the Dabistan-e Iraniyan stood along the path to the door of the Iranian Embassy.¹¹⁰⁹ The shah received the Ottoman diplomatic corps and foreign ambassadors to Istanbul in the Iranian Embassy.¹¹¹⁰ However, on his visit to Hagia Sophia, Nasir al-Din Shah only noted that many Iranian subjects were

¹¹⁰⁸ *İkdam*, 2 October 1900, 1.

¹¹⁰⁹ *İkdam*, 2 October 1900, 1.

¹¹¹⁰ *İkdam*, 2 October 1900, 1. For details of Muzaffar al-Din Shah's visit to Hagia Sophia and the Iranian Embassy, see Kilerci, 'Muzaffar al-Din Shah', 99-102.

along the shore as well as aboard ships to welcome him when he and his retinue went to the dock in Sirkeci.¹¹¹¹ He added that the streets were full of people, including Iranians, Ottomans and Europeans.¹¹¹² Because Iranian institutions were not established at that time, there was no mention of them in sources regarding Nasir al-Din Shah's Istanbul visit. These two visits explicitly show the institutional establishments of the Iranian community of the late Ottoman Empire.

The Ta'ziyeh ceremonies, *nawruz* and anniversaries of the shah's birthdays and accession to the throne had already become court ceremonies in Iran by the time the Ottoman-resident Iranians began to organise such ceremonies in the Ottoman Empire. The Ottoman-resident Iranians themselves shaped these ceremonies, which were already established in Iran; as in the case of capitulatory privileges and the establishment of institutions, they did not follow in the footsteps of the Europeans. I make this claim, because organising public ceremonies to manifest their national bonds to their homeland and their loyalty to their rulers was not something that the Iranians borrowed from the Europeans. Did other foreign communities publicly manifest their identity and loyalty to their respective rulers? Did the Iranian community constitute a unique case? The existing literature on foreigners living in the nineteenth-century Ottoman Empire does not provide enough information and analysis to answer such questions. However, a limited comparison can be made to the German community living in Istanbul. Germans of Istanbul established a club for cultural events called Teutonia in Beyoğlu in 1847.¹¹¹³ Its first members were students and merchants, but later many other German residents of Istanbul joined.¹¹¹⁴ They gathered, watched theatre and made music. They also observed German cultural and national celebrations at

¹¹¹¹ Nasir al-Din Shah, *The Diary*, 383-84.

¹¹¹² Nasir al-Din Shah, 383-84.

¹¹¹³ For Teutonia, see Akyoldaş, 'Teutonia'.

¹¹¹⁴ Akyoldaş, 81.

Teutonia. These included a Christmas market, Fasching¹¹¹⁵ – a kind of carnival –, the Schulfest, the Kaiser's birthday and his arrival in Istanbul in 1896.¹¹¹⁶ With traditional *festivals* such as Christmas and Fasching, Istanbul-resident Germans maintained their Germanic traditions. In addition to that, Germans organised celebrations for Kaiser Wilhelm II's birthday in 1897, 1902 and 1905.¹¹¹⁷ At the 1897 celebration, Sultan Abdülhamid II deployed the Ottoman military band for the celebration.¹¹¹⁸ In 1902, 120 people were present, including embassy staff, students and teachers from the German school and some important members of the German community.¹¹¹⁹ The German ambassador was also present at the celebration that took place in 1905 where the German national anthem was also performed.¹¹²⁰ These celebrations are reminiscent of the Ta'ziyeh performances in that the ambassador was present and national elements such as the national anthem were heard. However, none of these ceremonies took place in public; the audience consisted only of German speakers who were allowed into Teutonia.

In addition, when Kaiser Wilhelm II visited Istanbul no public ceremony was organised by the Germans. Istanbul-resident Germans only organised a celebration at the club Teutonia for his arrival in 1896. Although the Kaiser visited the club during his visit to Istanbul,¹¹²¹ he did not attend the ceremony, however, the diplomatic corps was present.¹¹²² When the Kaiser visited the German Embassy in Beyoğlu, he waved to the Germans in the garden

¹¹¹⁵ See <https://germanculture.com.ua/library/weekly/fasching.html> accessed on 14 March 2019.

¹¹¹⁶ Akyoldaş, 'Teutonia', 105-120.

¹¹¹⁷ Akyoldaş, 102.

¹¹¹⁸ Akyoldaş, 133.

¹¹¹⁹ *The Levant Herald and Eastern Express*, 3 February 1902 cited in Akyoldaş, 119.

¹¹²⁰ *The Levant Herald and Eastern Express*, 3 February 1902 cited in Akyoldaş, 119.

¹¹²¹ Fatmagül Demirel, *Dolmabahçe ve Yıldız Saraylarında Son Ziyaretler, Son Ziyafetler*, (İstanbul: Doğan Kitap, 2007), 62.

¹¹²² Akyoldaş, 'Teutonia', 95.

from the balcony.¹¹²³ He was also greeted by the students in the garden of the German school in Beyoğlu when he visited it.¹¹²⁴

The existing literature has not examined the public life of other European foreigners in such detail precluding a determination of whether the Iranian case was an exception. There is no information about whether the Ottoman State allowed public celebrations organised by European foreigners. Considering his policy towards the European institutions in the Ottoman Empire, including schools and orphanages, Sultan Abdülhamid II would have been cautious. Although we cannot say that the Europeans were never allowed to organise public ceremonies in the Ottoman capital, we can assert that publicly manifesting one's identity via ceremonies organised in the predominantly Muslim old city and Üsküdar was an exception granted to the Iranians. It was only Iran, as a foreign state, that had an embassy and a cultural centre, the Vâlîde Hanı, in the old city of Istanbul, which enabled them to organise such national ceremonies. As was the case in legal sphere, Iranians were not perceived and treated like European foreigners by the Ottoman State in the social sphere, either. Because they were Muslim foreigners, the Ottoman State, namely the Hamidian regime, allowed them to manifest their national identity in public.

Conclusion

Being classified as foreigners and Iranian nationals and feeling an affinity for an 'imagined Iranian community', as discussed in the previous chapters, enabled and motivated the Iranians residing in the Ottoman Empire to establish their communal institutions and organise ceremonies as the European foreigners had done. Although Iranians did not receive the same legal privileges as Europeans, they had a privileged position in social

¹¹²³ Demirel, *Son Ziyaretler*, 61-62.

¹¹²⁴ Demirel, 61-62.

terms, mainly in Istanbul and in the Anatolian cities. They established their schools, hospitals and cemeteries in those cities. They were able to organise public ceremonies in which they manifested their Iranian identity, which was not possible for other Europeans. Both the Hamidian and constitutional regime welcomed the Ottoman-resident Iranians' public institutions, organisations and activities more so than for other foreigners. The Iranian State was the only state that had its embassy building in Cağaloğlu, in the old city of Istanbul, and Iranians were the only group of foreigners allowed to publicly perform religious and national ceremonies in the old city.

However, the Iranians living in Ottoman Iraq did not establish their own institutions and did not perform the Ta'ziyeh ceremonies to the full extent of those in Tahrān. Compared to the ones in Istanbul, the Muharram ceremonies in the region were more religious ceremonies that did not contain national elements. Considering the conflicts that took place in the region during these ceremonies, this must be related to the Ottoman fear of the growing political power of Iran in the region. These Iranians of the Ottoman Iraq were legally Iranian nationals, and in many cases asked for Iranian protection, as discussed in the previous chapters, but their Iranian-ness was not visible in the social sphere, as was the case in Istanbul and the Anatolian cities.

Conclusion

This was the story of an Iranian community of the Ottoman Empire in the making. Between the 1870s and 1910s, Iranians who had settled in different regions of the Ottoman Empire underwent a process of community formation triggered by being classified as foreigners and Iranian nationals by the Ottoman and Iranian States and being attached to an 'imagined Iranian community'. This study tracked both a legal and social history of the Iranians who were residing in the Ottoman realm in the second half of the nineteenth and early twentieth centuries. As a legal history, this dissertation discussed the changing legal situation of the Ottoman-resident Iranians within the context of Ottoman and Iranian identity-defining efforts. It examined how the Ottoman-resident Iranians first became legally foreigners and then became Iranian nationals and engaged in Iranian politics within the Ottoman and Iranian legal spheres. As a social history, this dissertation discussed how the changing legal status of the Ottoman-resident Iranians gave way to social transformation. The Ottoman-resident Iranian nationals themselves established Iranian institutions and organised public ceremonies. They became visible as Iranians in institutional, social and political areas. By discussing these establishments and organizations, this dissertation discussed the social lives of the Ottoman-resident Iranians to the extent possible given the sources.

The combined legal and social study presented in this dissertation used two approaches. It examined how the state's legislation and the application of laws affected society (history

from above) and how society reacted to those laws and regulations and how and to what extent society was actively involved in transforming them (history from below). This dissertation suggested that the legal and social transformation that the Ottoman-resident Iranians experienced was produced not only by the Ottoman and Qajar States and the law but also by the actions and reactions of the Ottoman-resident Iranians themselves. Legal categories are constructions; society does not necessarily act according to these constructions as the lawmaking state expect. Thus, the legal transformations that the Ottoman-resident Iranians went through took place in a context of conflict and negotiation among the Ottoman and Qajar States and the Ottoman-resident Iranians themselves. The Ottoman-resident Iranians used the rights and opportunities that the laws and regulations gave them to push at the limits of the law, coming into conflict with the state on many occasions. Those Iranians shaped this transformation by objecting to the Ottoman State and its laws and by sending their objections and petitions to the Iranian State and demanding its support.

As part of the legal history, this dissertation discussed the change to the Ottoman-resident Iranians' legal status. In earlier centuries, the Ottoman State treated Muslim Iranians as Muslim subjects – and non-Muslim Iranians as *dhimmis* – according to *Dâr al-Islâm*. However, with the advent of Ottoman modernisation and identity-defining efforts in the nineteenth century, this began to change. The Ottoman State was going through a legal modernisation process in which it adopted new legal categories and redefined its subjects via those categories. It had not yet turned into a modern state of law and struggled with the problems brought about by the process of transformation. In light of such a process, the legal status of the Iranians constituted a challenge for the Ottomans. Iran, as a Muslim state, was part of *Dar al-Islam*; thus, Iranians could not be of the same rank as European

Christians who were part of *Dar al-Harb*. On the other hand, they could not be placed in the newly-established category of Ottoman subjects. In this process of redefining what is Ottoman, the Ottoman State announced to its courts that cases between Iranians and cases between Iranians and Ottomans would be held in the Ottoman courts. Though this was already stated in the Erzurum treaties, the Iranian State perceived it as a limitation of its privileges granted by the treaties and used it as an opportunity to reopen the issue of their legal status and to pressure the Ottoman State to grant it some capitulatory privileges. This started a process of conflict and negotiation among the Ottoman and Iranian States and the Ottoman-resident Iranians regarding the legal status of Iranians in the empire. In the end, the Iranians became legally foreigners within the context of Nasir al-Din Shah's visit to Istanbul in 1873. The agreements signed within the context of this visit (in 1873 and 1875) created a category of foreigner that was particular to the Iranians. The agreements did not provide fuller capitulatory rights, only limited extraterritorial judicial privileges. They clarified the rights and responsibilities that derived from the Iranians' foreigner status – specifically, the judicial procedures for the Iranians, their eligibility for conscription into the Ottoman army, and the rules governing economic activities as well as their ability to own property and change their nationality. Because Iranians were accepted as foreigners, the *shahbandars* were affirmed to have the same rights and privileges as their European counterparts.¹¹²⁵ The Iranians were no longer under the umbrella of 'Muslim subjects' or dhimmis; their new foreigner status made them visible within the Ottoman legal framework. Becoming legally visible implies that the Iranians began to be recognised as 'Iranians' rather than Muslim subjects or dhimmis, by Ottoman State institutions and laws. The articles in the agreements and instructions used the word 'Iranians' rather than 'Iranian

¹¹²⁵ 'Evvelen: Memâlik-i Mahrûse-i Osmaniye'de bulunup.....İran Devleti şehbenderleri ve şehbender vekilleri sair düvel-i müntehâbe konsolos ve konsolos vekillerinin nâil oldukları imtiyâzât ve mûafiyât ve müsâ'dâta nail olacaklar'. *Rûznâme-i Ceride-i Havâdis*, 28 August 1873, 2.

Muslims' or '*Acems*'. They defined Iranians as a separate entity, like the French, British and Russians.

Iran's request to become a foreigner state was acceptable to the Ottoman State given that the Ottoman State was defining its identity and modernising its legal framework. However, the Ottoman State could not tolerate the consequences of the Iranians' exercise of their rights deriving from their foreigner status. Law of Ottoman Nationality states that an Ottoman woman who married a foreigner would assume her husband's nationality, as would their children. Because they were then legally classified as foreigners, the Iranian population in Iraq would increase via such marriages, which the Ottoman State looked upon with disfavour. Thus, it attempted to prohibit marriages between Ottoman nationals and Iranians. The law prohibiting such marriages was issued in 1874, a year after the shah's visit.¹¹²⁶ However, the Iranians did not heed the law. Iranian men married Ottoman women despite the prohibition, which created conflicts between the Ottoman State and the Ottoman-resident Iranians on several occasions.

As part of its legal history, this dissertation discussed the Ottoman-resident Iranians' becoming legally Iranian nationals and accepting the Iranian State as their protector, as well. It suggested that Qajar modernisation and identity-defining efforts were mingled, affecting the Ottoman-resident Iranians' legal status and their relations with the Iranian State. As a result of this processes, the Ottoman-resident Iranians not only became Iranian nationals, but also considered themselves to be part of an 'imagined Iranian community' that began to be shaped in the nineteenth century. By establishing legal, intellectual and spiritual bonds with their homeland, the Ottoman-resident Iranians, mainly the ones in

¹¹²⁶ BOA, Y.A.RES, 37-8, 25 Şaban 1291 (7 October 1874).

Istanbul, became interested in the political environment in Iran. This interest began with the founding of the Persian language newspaper *Akhtar* in Istanbul in 1873; however, it reached its peak within the constitutional context of 1906-1909. Especially after the bombardment of the Iranian Majlis, many constitutionalist Iranians came to the Ottoman Empire, mainly to Istanbul. They established organisations, engaged in politics and supported the constitutionalists in Iran, mainly the Anjomans. The activities of the Anjomans received public support from ordinary Ottoman-resident Iranians.

Although, the Iranian communities of Istanbul, Anatolian cities such as İzmir, Trabzon, Erzurum etc. and cities within Ottoman Iraq as well as of other cities such as Selanik differs in demography, and in their cultural, political and institutional activities, their concerns, and reactions to the Ottoman State's attitude's towards them were similar. In other words, different social and religious groups of Iranians were living in various parts of the empire and their establishment differ according to the region, the conflicts they had with the Ottoman State was mainly regarding the payment of *temettü* and conscription into the Ottoman army, in each region.

Deriving from the fact that Istanbul was the capital of the Ottoman Empire and one of the main stations of Persian Transit Trade, there existed a large Iranian community mostly consisting of merchants, guilds, embassy members, students, intellectuals and opponents of Qajar regime. After becoming legally foreigners and Iranian nationals, the Ottoman-resident Iranians began to establish Iranian institutions which was related to the fact that other European foreigners had already founded their own institutions in the Ottoman Empire. In the eyes of the Iranians, becoming foreigners meant receiving the same legal rights as Europeans, so they modelled their community on those of Western foreigners in

social terms by establishing similar institutions. This community had their schools, hospitals and cemetery. They transformed the old Ottoman lodge, Vâlide Hanı, into an Iranian trade and intellectual center where Iranian merchant, guilds and publishing houses were based and intellectuals gathered and travellers stayed. With these institutions, the Iranians not only showed that they had joined the ranks of European foreigners but also defined and manifested their Iranian identity in institutional terms. The Ottoman State mostly welcomed and even supported these establishments.

Iranian newspapers *Akhtar*, *Shams* and *Surush* which played important roles in promoting Iranian identity and constitutionalism to their readers, were established in Istanbul as well. Iranian intellectuals and politicians who fled from Iran to Istanbul were highly active during the constitutional years. Istanbul became a political center; many Iranian political institutions, namely the Anjomans, were established in Istanbul. The Ottoman-resident Iranians showed their Iranian identity and their loyalty to Iran and its rulers at ceremonies that they organised. Becoming foreigners and gaining a national consciousness motivated and enabled Ottoman-resident Iranians to organise public ceremonies, such as Muharram ceremonies: *ta'ziyeh*, a commemoration for Hussein's martyrdom; *nawruz*, the beginning of the Persian new year; anniversaries of the accession of the shahs to the throne; the shahs' birthdays; and celebrations for arrivals of Nasir al-Din and Muzaffar al-Din Shah in Istanbul in 1873 and 1900, respectively. The Ottoman-resident Iranians showed their Iranian identity and their loyalty to Iran and Iranian rulers via these ceremonies.

The Iranian communities in the cities across the Anatolia did not have such establishments, however. In most cities, such as Erzurum, Trabzon, İzmir Iranians had their schools. The Iranians were gathered within lodges, which turned into Iranian commercial centers in

many cities such as Van, Erzurum, İzmir and even small ones such as Çankırı, a small district which was part of Ankara vilayet. Sources presented an Iranian cemetery in İzmir, however, I have not come across any Iranian hospital in these cities. However, there could be rooms within the lodges or schools allocated for the health issues. Merchants and guilds constitute the majority of the Iranians living in these cities whereas there were Iranian workers in the cities such as Adana where there was an active agricultural production, or in Zonguldak where there were mines. We do not have much information about the public ceremonies in these Anatolian cities. For example, I haven't come across any information regarding the Ta'ziyeh ceremonies taking place in these cities. However, this does not mean that such commemoration did not take place. Considering that the documents in the state archives mostly describe incidents where problems occurred, there might be some ceremonies in private areas or in the lodges where Iranians were gathered, which do not find a place itself in the state archives.

The Iranians who settled in the cities within Ottoman Iraq were mostly religious teachers and students, members of the ulama as well as merchants and guilds. The Shiite holy cities of Karbala, Qazimayn, Najaf and Samarra, namely Atabat, were religiously important cities for Iranians, which is why many Iranians from Iran visited these places. Probably because they already had many madrasas in the region, Iranians did not try to establish a primary school in the region. The Ottoman State would have been very reluctant even if they had attempted to do so. Because the Ottoman State had established many health facilities for the Iranian visitors to the region, the Iranians probably did not see the need to have their own hospitals. So, compared to the Iranian community in Istanbul, these Iranians did not have communal facilities and institutions, but, as mentioned earlier, they

had their religious institutions. These Iranians organised Muharram ceremonies in a more religious form while the ceremonies in Istanbul had national characteristics.

Despite the demographic, institutional and organizational differences, the conflicts and concerns of the Iranians in each region were similar. Being categorised as Iranian nationals and attaching themselves to the ‘imagined Iranian community’ not only strengthened the legal connections between the Ottoman-resident Iranians and the Iranian State, but also gave these Iranians the confidence to ask for Iranian protection. Because they saw that other foreigners were treated differently in that the Iranians were forced to pay *temettü* taxes and could be conscripted into the Ottoman army, they asserted that the Ottoman State was acting illegally and even oppressing them. Thus, they began to send petitions to the Iranian consuls, the embassy in Istanbul and the Iranian parliament in Tehran. This allowed Ottoman-resident Iranians to manifest themselves as part of the Iranian *mellat* and accept the Iranian State and the shah as their protector. The Ottoman-resident Iranians pushed at the limits of the category of ‘Iranian national’ that had been constructed for them. They not only asked for the limited protection granted by the design of the legal framework but also asked to change those limits. For instance, despite the signed agreements, the Ottoman-resident Iranians forced the Iranian State to convince the Ottoman State not to collect *temettü* taxes from them and not to conscript the sons of couples consisting of an Ottoman mother and an Iranian father into the Ottoman army. The Iranian State responded positively and discussed the issues with the Ottoman State on several occasions. These petitions constituted the ‘history from below’ aspect of this dissertation, showing the conflict from the viewpoint of ordinary Iranians.

The Ottoman-resident Iranians' relationship with their protector – the Iranian State – is unique among Ottoman and foreign communities of the nineteenth century Ottoman Empire. European foreigners had for centuries been privileged in legal terms, and they did not have the types of conflicts with the Ottoman State that the Iranians had. The boundaries of their legal rights and their application were already drawn. Although the existing literature is limited regarding European foreigners living within the Ottoman Empire, those European countries were not going through the kind of dramatic modernization and identity-shaping transformation process that Iran was going through in this period. Their subjects were therefore not engaged in legal and social transformations to the extent of the Ottoman-resident Iranians. In addition, Ottoman Jews and Armenians had no protector state; they were merely Ottoman subjects. The situation of Ottoman Greeks was similar to that of the Iranians to an extent. A Greek State existed, but Ottoman Greeks were considered Ottoman subjects, not foreigners. The Greeks were required to pay *temettü* taxes like the Iranians. Their responses and complaints regarding this issue have not yet been analysed; the existing literature does not indicate the extent to which the Greek State was involved in the problems of Ottoman Greeks. However, because they were Ottoman subjects and not foreigners, as the Iranians were, the Greek State could not provide protection to Ottoman Greek subjects to the extent that the Iranian State provided its Ottoman-resident subjects.

As a result of these processes, a foreign Iranian community was established. In the eyes of the Ottoman State although they became foreigners, Iranians were still Muslims. Thus, they would be treated in that way. The Ottoman State was reluctant to give them capitulatory privileges since 'capitulations were the privileges given to the Christians by the superior Muslims in the age of darkness'. The Iranian community did not have the

same capitulatory privileges as the European foreigners had, but it was in a more privileged status in the Ottoman social sphere. Iranian schools were perceived as Muslim schools and supported by the Ottoman State. The Iranian public religious and national ceremonies were not perceived as a threat to the Ottoman political authority. As a Muslim community, the Iranians were allowed to organise public ceremonies where they manifested their Iranianness and loyalty to the Iranian ruler, in the centre of the Ottoman capital.

By the early 1910s, a large and legally, socially and even politically visible foreign-Iranian community existed in the Ottoman Empire consisting of Iranian Embassy members, students, teachers, ulama members and religious leaders, intellectuals, merchants, craftsmen, and workers and their families. This community had communal institutions and political organisations and was able to organise public ceremonies where they manifested their Iranianness and loyalty to their homeland and rulers. However, the Iranian population began to decrease following the outbreak of the World War I, and this foreign Iranian community began to dissolve. Sasani claimed in 1919 that there were only 2,115 Iranians in Istanbul and 1,843 Iranians in Anatolia and Syria.¹¹²⁷ He added that the situation of Iranian institutions was not good, either. Although there were more than 100 students in the *Dabistan-e Iraniyan* in 1911, he claimed, there were only 14 in 1919.¹¹²⁸ As Sasani claims, those students could not even speak Persian. In addition to this, the Iranian hospital had only 4 beds in 1919.¹¹²⁹

Although the Iranians decreased in number, they were still manifesting their Iranian identity and publicly showing their loyalty to their ruler during those years. A document

¹¹²⁷ Sasani, *Payitahtın Son Yıllarında*, 78-79.

¹¹²⁸ Sasani, 82.

¹¹²⁹ Sasani, 83.

dated 17 June 1917 mentioned that the Ottoman State gave permission to Iranians living in Istanbul to display the Iranian flag together with the Ottoman flag in their houses and shops to celebrate the coronation and birthday of the Iranian shah.¹¹³⁰ In addition, when Ahmad Shah visited Istanbul in 1919, many Iranians welcomed him aboard two ships hired by the Iranian Embassy.¹¹³¹ The Iranians were still organising *ta'ziyeh* ceremonies in the *Vâlîde Hanı* as late as 3 September 1922.¹¹³²

The marriage prohibition between Ottoman women and Iranian men continued during World War I despite some attempts to abolish it. In 1914, the Ottoman State proposed a new law legalising marriage between Ottoman women and Iranian men;¹¹³³ however, it did not consider these women to be Iranian and the sons of these couples could still be conscripted into the Ottoman army. The proposed law was not enacted, and in 1916, Ottoman officers confirmed that the marriage prohibition was still in effect in response to a request by the Iranian State to clarify the legal status of Iranians in Ottoman Iraq.¹¹³⁴ In 1920, discussions to abolish the law again came onto the agenda. Legal advisors suggested that because the prohibition was intended to prevent the increase of the Shiite population and because they did not know if the Shiite population was actually increasing in 1920, the prohibition law was useless.¹¹³⁵

However, the marriage prohibition was still in effect in 1923 just before news broke of the foundation of the Turkish Republic. In 1923, the newspaper *La Turquie* indicated that

¹¹³⁰ BOA.DH.EUM.5.Şb.38.39 26 Şaban 1335 (17 June 1917).

¹¹³¹ Sasani, *Payitahtın Son Yıllarında*, 41.

¹¹³² *Peyam-ı Sabah*, 4 September 1922, 1.

¹¹³³ Kern, *Imperial Citizen*, 139.

¹¹³⁴ Kern, 140-141.

¹¹³⁵ Kern, 139-142.

Iranians must renew their passports every year.¹¹³⁶ If they did not, they would be treated as Turkish subjects and would be subject to Turkish laws. They could also be deported.¹¹³⁷ The Iranian Embassy sent a memorandum to the *Türkiye Büyük Millet Meclisi* (Turkish Assembly) in Ankara asking if the assembly had legislated such regulations or it was just a rumour.¹¹³⁸ The Iranian ambassador attached a copy of *La Turquie* in which news on the issue had been published to the letter he sent to the *meclis*.¹¹³⁹ Letters sent on 14 March 1923 by the Iranian Embassy to Adnan Adıvar, the representative of the Turkish assembly of Ankara, indicate that other newspapers including *Akşam*, *Tevhîd-i Efkâr*, *Tanîn* and *İkdam* also wrote about the issue.¹¹⁴⁰ The newspapers wrote that the Iranian ambassador had protested decisions made by the Turkish Ministry of the Interior regarding the legal situation of the Turkey-resident Iranians.¹¹⁴¹ Adıvar, on behalf of the Turkish State, claimed that in order to be considered as Iranian *teb'a*, Iranians must definitively come from Iran and hold Iranian passports. As Adıvar noted, the Ottoman State argued that the decision was not a new one; Iranians had long been treated in this way. Adıvar added that the Iranian ambassador should have protested it since he had not examined former laws and regulations carefully.¹¹⁴² A column in *Tevhîd-i Efkâr* attached to the letter indicated that the main problem was not only the legal status of Iranians residing in Turkey but also the marriage prohibition between Turkish women and Iranian men. The letter stated that the Turkish government had not accepted the embassy's protest and that the issue on which the two states disagreed concerned the marriage prohibition between Turkish women and Iranian *tab'a*.¹¹⁴³

¹¹³⁶ BOA.HR.İM.68, 10 March 1923.

¹¹³⁷ BOA.HR.İM.68, 10 March 1923.

¹¹³⁸ BOA.HR.İM.68, 10 March 1923.

¹¹³⁹ BOA.HR.İM.68, 10 March 1923.

¹¹⁴⁰ BOA.HR.İM.68.91, 14 March 1923.

¹¹⁴¹ BOA.HR.İM.68.91. Via a newspaper column attached to the letter sent by the Iranian Embassy to Adnan Adıvar.

¹¹⁴² BOA.HR.İM.68.91. 14 March 1923.

¹¹⁴³ BOA.HR.İM.68.91. 14 March 1923.

The political and social context changed a great deal with the fall of the Ottoman Empire and Qajar rule as well as with the formation of the Turkish Republic and the Pahlavi State in the 1920s. The cities of Ottoman Iraq, including Baghdad, Karbala and Najaf, where the growing Iranian and Shiite population had been a problem for the Ottoman State, were no longer within the borders of the new Turkish Republic. After the fall of the Ottoman Empire, Ottoman Iraq was first invaded by the British and then became independent in 1923. Because it was no longer Ottoman or Turkish, the growing Shiite population was no longer a danger. Since the marriage prohibition between Ottoman women and Iranian men was a legal attempt to control Iranian or Shiite population increases in the Ottoman Empire, especially in Ottoman Iraq, it was no longer politically useful. The marriage prohibition was finally abolished on 26 April 1926¹¹⁴⁴ by a law that stated explicitly that all such marriages would be subject to Turkish public law.¹¹⁴⁵ The issue of citizenship would be decided by standing laws and regulations.¹¹⁴⁶

The rights and duties of Turkish citizens were clearly defined by the Turkish Citizenship Law in 1924.¹¹⁴⁷ In this period, the term *tâb'iyet* which has been discussed in detail in this dissertation, began to be replaced by *vatandaşlık*, which is the equivalent of the term citizenship. The term *ecnebî* was transformed into *yabancı* in the context of Turkish nationalism.¹¹⁴⁸ The legal situation of the Iranians changed once again as they became foreigners – *yabancı* – who were not Turkish citizens. Many reforms regarding the tax and

¹¹⁴⁴ Kern, *Imperial Citizen*, 143.

¹¹⁴⁵ Kern, 143.

¹¹⁴⁶ Kern, 143.

¹¹⁴⁷ For the basic law of 1924, see <https://www.anayasa.gov.tr/tr/mevzuat/oncelki-anayasalar/1924-anayasasi/> (accessed on 1 April 2019).

¹¹⁴⁸ See Olivier Bouquet, 'How Ecnebî Became Yabancı'.

conscription systems were made in 1920s with the passage of new laws and regulations.¹¹⁴⁹ The new Turkish Republic created a new legal, social and economic context, and the legal situation of the Turkey-resident Iranians and the impact of the Turkish Republic on their social lives could be the subject of further research. Such research could offer additional insight into the Turkish Republican and Pahlavi understandings of nationalism and modernising reforms.

¹¹⁴⁹ Zürcher, *Modernleşen Türkiye'nin Tarihi*, 287-291.

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