

REGISTERED FEMALE PROSTITUTION IN THE OTTOMAN EMPIRE
(1876-1909)

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ABSTRACT

REGISTERED FEMALE PROSTITUTION IN THE OTTOMAN EMPIRE
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The main purpose of this dissertation is to analyse the practice of prostitution in Ottoman Empire during the reign of Abdulhamid II. In this regard, the effects of the modernization and bureaucratization process of this certain era vis-a-vis the act of prostitution will be revealed under the light of relative precedent European regulations. Furthermore, a thorough study focusing on the dynamics of conflict between state authorities and local powers on the issue of prostitution will be presented. This study has shown that; although the initial reaction of the Ottoman Empire was reluctant, later the state had to legitimize the prostitution. Moreover, the study showed that this shifting role of the state from an executioner to a supervisor position was actually related to the inevitability of the spread of epidemic diseases.

Keywords: Prostitution, Modernization, Brothels, Abdulhamid II, Bureaucratization.

ÖZ

OSMANLI IMPARATORLUĐU'NDA KAYITLI KADIN FUHUŐU (1876- 1909)

BELLİ, BURCU

DOKTORA, TARİH BÖLÜMÜ

TEZ YÖNETİCİSİ: Doç. Dr. Nesim Őeker

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Bu tezin temel amacı II. Abdulhamid döneminde Osmanlı Devleti'ni fuhuş ile ilgili uygulamalar yapmaya götüren süreci takip etmektir. Bunun için emsal teşkil eden Avrupa'daki düzenlemeler incelenmiş böylece Osmanlı Devleti'nin modernleşme ve bürokratikleşmesi fuhuş meselesi üzerinden incelenmeye çalışılmıştır. Özellikle de salgın hastalıkların önüne geçilmez bir duruma geldiđi noktada, Osmanlı Devleti istemese de fuhuş meşrulaştırmış ve artık cezalandırıcı değil, denetleyici bir pozisyon almıştır. Ayrıca bu tez, devletin fuhuş konusunda yerel güçlerle olan çatışmasına da yer vermektedir.

Anahtar Kelimeler: Fuhuş, Modernleşme, Genelevler, II. Abdulhamid, Bürokratikleşme

To Mor,

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LIST OF ABBREVIATIONS

COA İ.DH.	: Presidency Ottoman Archive İrade/ Dahiliye
COA Y.PRK. ZB.	: Presidency Ottoman Archive Yıldız / Zaptiye Nezareti Maruzatı
COA. A. DVNSMHM.d.	: Presidency Ottoman Archive Bab-ı Asafi/ Mühimme Defterleri
COA. DH. MKT.	: Presidency Ottoman Archive Dahiliye/ Mektubi Kalemî
COA. DH.EUM.THR.	: Presidency Ottoman Archive Dahiliye/ Emniyet-i Umumi Tahrirat Kalemî
COA. DH.HMŞ.	: Presidency Ottoman Archive Dahiliye / Hukuk Müşavirliği
COA. HR. HMŞ.İŞO.	: Presidency Ottoman Archive Hariciye/ İstişare Odası
COA. HR.TO.	: Presidency Ottoman Archive Hariciye/ Tercüme Odası
COA. ŞD.	: Presidency Ottoman Archive İrade-i Şura-yı Devlet
COA. ŞFR.	: Presidency Ottoman Archive Şifre Evrakı
COA. TRF.I.KV.	: Presidency Ottoman Archive Teftişat-ı Rumeli Evrakı / Kosova Evrakı
COA. TRF.I.MN.	: Presidency Ottoman Archive Teftişat-ı Rumeli Evrakı / Manastır Evrakı
COA. ZB.	: Presidency Ottoman Archive Zaptiye Evrakı
COA.BEO.	: Presidency Ottoman Archive Bab-ı Ali Evrak Odası
COA.HR. SYS.	: Presidency Ottoman Archive Hariciye/ Siyasi
COA.İ.DH.	: Presidency Ottoman Archive İdare/ Dahiliye
COA.I.ŞD.	: Presidency Ottoman Archive İrade/ İrade-i Şura-yı Devlet

CHAPTER I

INTRODUCTION

The first stereotype that comes to mind when someone mentions prostitution is that the act of prostitution is the oldest profession of the human being in the world. Ones who argue that prostitution is one of the oldest professions ignore the witchcraft and professional murders were invented before the act of prostitution. The meaning and the target of prostitution have always changed. Thus, there is no single description of prostitution or of being a prostitute, because it is not a single and a simple phenomenon. The meaning of it depends on the culture that surrounds it.

While some societies believe that it is a divine duty, others argue it is a criminal act; thus, prostitutes should be judged. Therefore, when it is defined or explained, the time and place should always be in mind. In other words; in order to define prostitution, it is better to define the society, state, the authorities, law and orders, regulations, and even the religion. As a result, all issues were associated with male or female prostitution in history; these details should be kept in mind. Put it differently; in order to define prostitution, it is better to define the society, state, the authorities, law and orders, regulations, and even religion first. The points determining women as prostitutes depend on the cultural values.

Furthermore, even if it is not known what prostitution is or who the prostitute is, it is known, at least, what it is not: prostitution has been nonexclusive, irrespective, illegitimate and undeserving the protection. However, still, the definition and the features of prostitution depend on the culture. For example, in Islamic culture and

some sub-culture of Christianity having physical contact with a male stranger is prohibited, and a woman who contacts a man who is not from the family would be punished based on *Zina*¹. However, in the modern western state or culture, the approach is different. In other words, what determines the prostitution is not the action; it is the society. Even though prostitution has been a unisex action, it is often associated with the female body. Basically, in the pre-modern and modern societies, the act of prostitution is a commercial activity in which there are service providers who are women, and customers who are men. This relationship is read, followed, and organized based on the female body. Moreover, according to the states, prostitution has been the main reason for several serious difficulties. For instance, the social order might get damaged; the long-lasting diseases that killed many people might spread suddenly. As a result, according to the states and governments, prostitutes and prostitution have been the main reason for these undesirable results. It is easier to understand the anger towards women, given that prostitution is only associated with women. Besides, prostitution is read as a feminine activity regardless of male or female participants.

The Ottomans could understand the importance of the relationship between prostitution regulation and public health in the second half of the 19th century. According to the government, prostitution was related to modernization, social state affairs, and gender issues. In this way, the regulation of brothels has more meaning than other regulations.

The primary subject of this research is to understand the reasons that allow the Ottoman state to decide about prostitution between 1876 and 1909. This dissertation does not focus on Abdulhamid II; instead, it concentrates on the mechanisms during his reign. In other words, the subject here is not the Sultan, but

¹ This determination will be explained in detail in the next parts.

prostitutes and other forces involved in this system. Moreover, this thesis also targets to provide a launching point for further comparative examinations of legislation concerning prostitution. It should be pointed out that studying registered female prostitution in the late Ottoman Empire is much more than studying women's issues in society. It refers to study about the femininity in the Ottoman society, the patriarchal order, the relationship among men, and the bugs of the system. The regulation system included the modernization movements, health tasks, and women's and men's body politics of the government. This is also very much related to the state's redefinition itself in the late 19th century. Besides, studying with registered female prostitution is also highly relevant to the international arena. Many health-related issues were common, especially in countries that are geographically close to each other. Moreover, it will become clear where the state saw itself in such a problematic issue in the international atmosphere in the second half of the 19th century. Meanwhile, the situation of European states will be given albeit limited.

The issue of the regulation of prostitution must be read more than a moral issue, and it should be evaluated as a part of an international struggle against the venereal diseases in Europe and the Middle East. These kinds of diseases are pandemic, so it is wrong to think of them as a local or national issue. This issue of regulation is only a link in a chain of practices covering the bodies of women all over the world. However, this thesis does not cover the whole world. It aims to understand the limits and objectives of the practice in the Ottoman state. With the regulations in 1879 and 1884, it is aimed to understand the Ottoman government's view of the female body. This thesis tries to understand where the prostitutes were and what they mean in the 19th century. One of the main concerns of this thesis is to understand whether prostitutes were subjects that could protect people from massive pandemics or factors that caused these diseases. In this framework, this thesis reevaluates the female body with these concerns in the 19th century.

One of the main problems of this dissertation is to understand the motives, content and the aim of the regulations done by the Ottomans. Another problem is about to understand similarities and differences between the Europeans and the Ottomans in terms of prostitution regulations. In this respect, the question of whether the 19th century Ottoman Empire was a modern or a contemporary state can be asked. Next critical question is to understand how the Ottoman state codified prostitutes. This thesis also tries to explore where women stood placed in society; the relationships between the society and prostitutes.

Furthermore, this thesis has several other questions. How was the legislation on prostitution in the Ottoman Empire translated into state narratives on public health, national duty, and a national enemy? Why did the state want to be involved in this process suddenly? What roles did discourses on prostitution play significantly in the issue of modernization? What was the approach of society to prostitution until the 19th century, and why did this approach change? How did not the Ottoman State read this issue in terms of religion? Who did reject the regulation process? What were their alternatives to the issue of prostitution and venereal diseases? How did the Ottoman state evaluate this issue on a health basis? How did the government persuade people to accept the regulations? What were the expectations of scientists from these processes? Did women resist state policies and the obligations on prostitution as prostitutes themselves?

The literature on prostitution has developed and the issue has been evaluated in the social sciences. In the early times, it was read as victim stories in which the adverse effects of the male domination in societies were highlighted while the stories, effects, role, and points of women were ignored.² At the same time, social

² Aslı Zengin, *İktidarın Mahremiyeti: İstanbul'da Hayat Kadınları, Sex işçiliği ve Şiddet*, (İstanbul: Metis Yayınları, 2016), p 17.

scientists like Kathleren Barry, made such general definitions that women were rarely involved as a subject in these theories and explanations.³ These studies point that prostitutes were just slaves losing control over their bodies. Some argue that these women were sex slaves rather than workers. As a result, it may be unintentional, and they accepted the legitimacy of male hegemony over women's bodies and their lives.⁴ In addition to this view, there is also another group claiming that women have to be sex workers because of the socio-economic conjuncture, not because of their preference. The problematic view of this side is to ignore the existence of the role of women. Moreover, and the third wing advocates argue that prostitutes can be just sex workers, and prostitution is just a professional job. Prostitutes or sex workers are only people, not victims or fallen women or men. This side discusses the correlation between capitalism and feminist labor. According to this perspective, prostitution is a broad topic; it should be evaluated among international economic dynamics, social values, gender relationships, and political developments. In parallel with their ideas, the point should be the value of the labor of these women, not their so-called victim stories. As a result, a sex worker definition was born.⁵ Nevertheless, there are some problems with this last view, because the conditions mentioned above may not be suitable for all women. In other words, women whose conditions are trying to be improved may not wish to stay in these positions. Briefly, in the theoretical prostitution discussions, all these dynamics should be noted. Also, every single case should be evaluated differently.

³ Kathleren Barry, *Female Sexual Slavery: The Problems, Policies and Cause for Feminist Action*, (New Jersey: Prentice-Hall,1979),pp 280-296.

⁴ Zengin, *İktidarın Mahremiyeti*, p 17.

⁵ Kathleren Barry, *Female Sexual Slavery: The Problems, Policies and Cause for Feminist Action*, (New Jersey: Prentice-Hall,1979), pp. 280-296.

Recent decades have witnessed an increased scholarly interest in marginal agencies. For example, prostitution and brothels in European states were studied in detail.⁶ The conditions of female prostitution in Ottoman geography have been studied by different countries and societies from different perspectives. These studies are an extension and continuation of European studies. Because even if there are local differences, prostitution and its consequences are global realities. In other words, it is useful to see all the studies as parts of the big picture.

Nevertheless, issues related to sexuality in Turkish and Ottoman historiography have always been a bit problematic. Even if the desired quantity has not been reached in quantity, very successful studies have been carried out in terms of quality. This process starts with Başak Tuğ's short but effective study, and she presented her paper related to prostitution in the 2007 MESA conference.⁷ Then, Malte Fuhrmann studied 19th-century prostitution in Galata between 1870 and

⁶ James A. Brundage, *Prostitution in the Medieval Canon Law*, (Chicago: Chicago Press, 1976).

Marjorie Ratcliffe, "Adulteresses, Mistresses and Prostitutes: Extramarital Relationships in Medieval Castile", *Hispania* 67, no. 3 (1984), pp. 346-350.

Ruth Mazo Karras, "The Regulation of Brothels in Later Medieval England". *Signs* 14, no. 2 (1989), pp. 399-433.

Randolph Trumbach, "Sex, Gender, and Sexual Identity in Modern Culture: Male Sodomy and Female Prostitution in Enlightenment London", *Journal of the History of Sexuality* 2, no. 2 (1991), pp. 186-203.

Diane Yvonne Ghirardo, "The Topography of Prostitution in Renaissance Ferrara", *Journal of the Society of Architectural Historians* 60, no. 4 (2001), pp. 402-431.

⁷ Başak Tuğ, *Politics of Honor in Ottoman Anatolia: Sexual Violence and Socio-Legal Surveillance in the Eighteenth Century*, (Leiden: Brill Publish House, 2017).

1915.⁸ This study is very significant because the first regulations were organized in 1879 and 1884, then the CUP made a more comprehensive regulation about the issue of prostitution in 1915. Deborah Bernstein's account is very significant about prostitution in the Ottoman territories as well.⁹ Francesca Bianca presented The Hierarchy of Modern Prostitution in Colonial Cairo 1882- 1952 in MESA in 2007.¹⁰ Although eastern prostitution looks a trend, there are also accounts on the west. For example, Olga Todorova focused on Prostitution in Bulgaria in the early times.¹¹ Fariba Zarinebaf presented details of prostitution in the 18th century Ottoman Empire in the Crime and Punishment Book.¹² Moreover, Osman Köse published an article about the daily life and prostitution issue; his article's name is The Prohibition of Alcohol and Prostitution in the 18th century in Istanbul.¹³ Zafer Toprak presented an article its name is "İstanbul'da Fuhuş ve Zührevi Hastalıklar: 1914-

⁸ Malte Fuhrmann, *History and Anthropology*, "Western Perversions, at the Threshold of Felicity the European Prostitutes of Galata-Pera" (1870-1915), (London: Routledge Publisher, 2010) pp. 159-172.

⁹ Deborah Bernstein, "Gender, Nationalism and Colonial Policy: Prostitution in the Jewish settlement of Mandate Palestine, 1918–1948", *Women's History Review*, vol. 21, (2012), pp. 62-85.

¹⁰ <https://globalurbanhistory.com/2016/09/09/sex-work-regulation-and-the-colonial-order-in-late-nineteenth-century-cairo/>

¹¹ Olga Popović-Obradović, "Pravni položaj žene prema Srpskom građanskom zakoniku (1844- 1946) [Legal status of women according to the first Serbian civil code (1844-1946)]", in *Srbija u modernizacijskim procesima 19. i 20. veka. 2. Položaj žene kao merilo modernizacije. Način skup [Serbia in the 19th and 20th century modernizing processes. 2. Women's position as the measure of modernization. Conference]* (Beograd: Institut za noviju istoriju Srbije, 1988), pp. 11-24.

¹² Fariba Zarinebaf, *Crime and Punishment in Istanbul: 1700- 1800*, (California: University of California Press, 2011).

¹³ Osman Köse, "The Prohibition Of Alcohol and Prostitution In Istanbul: An 18th Century Practice During The Ottoman, Russia and Austrian Wars", *Journal of Turkish Studies*, Vol. II, (2007).

1933".¹⁴ Müge Özbek focused on the poor women in Istanbul in her doctoral thesis. Her study is significant for those studying poor women at the end of the 19th century.¹⁵ Serkan Şavk concentrated on private life in the late Ottoman Empire.¹⁶ His study is beneficial for those who prefer to interest in the private zones in the Ottoman society. Thus, his account is very significant for this dissertation. Cem Doğan published his thesis about the sexuality of the late Ottoman Empire recently. He also focused on the prostitution issue in the late 19th century.¹⁷ Furthermore, Rifat Bali studied about the Jews and prostitution in the Ottoman lands. This account is also very crucial to image the conditions of prostitution.¹⁸

Although the studies on this subject seem to be new, there are some basic and comprehensive studies. Giovanni Scognamillo, who was one of the essential intellectual names of the early Republican era, published a book about the prostitution in Beyoğlu. His study provides basic knowledge about prostitution in the early Ottoman Empire.¹⁹ Marinos Sariyannis who wrote about prostitution in Istanbul between the 16th and 18th centuries talks about the same details as

¹⁴ Zafer Toprak, "İstanbul'da Fuhuş ve Zührevi Hastalıklar 1914-1933", *Tarih ve Toplum*, Vol. 39, (Mart 1987), pp. 31-40.

¹⁵ Müge Özbek, *Single, Poor Women in Istanbul, 1850-1915: Prostitution Sexuality and Female Labor*, (Unpublished Ph.D.Thesis), Boğaziçi University.

¹⁶ Serkan Şavk, *Kapılar, Mahremiyet ve Kamusalık Erken Modern Dönemde İstanbul'un Modern Yapısını Yeniden Düşünmek*, (Unpublished Ph.D.Thesis), Hacettepe University.

¹⁷ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019).

¹⁸ Rifat Bali, *The Jews and Prostitution in Constantinople: 1854-1922*, (İstanbul: Isis Press, 2008).

¹⁹ Giovanni Scognamillo, *Beyoğlu'nda Fuhuş*, (İstanbul: Altın Kitaplar, 1994).

Giovanni Scognamillo.²⁰ Another name who focused on the entertainment life of the Ottomans, especially Istanbul, was Ahmet Refik. He published a book about the nights of Istanbul. His account is also a primary source for the ones who study about prostitution and some other things related to nights.²¹ Ahmet Rasim is another significant name; his notes about the daily life of the late Ottoman Empire sheds light on the past. For example, his personal experiences with old prostitution are essential for this study.²²

Besides, some critical studies help to understand the period, conditions, and Abdulhamid's policies, even if they do not directly mention prostitution. Here it is also necessary to mention them. For example, Selim Deringil's study is about Abdulhamid II's policy.²³ This is very important for the ones who focus on the era of Abdulhamid II. He changed the polarized attitude to Abdulhamid. Moreover, Nadir Özbek is another historian who altered the perspectives about Abdulhamid II in his account.²⁴ Furthermore, François Georgeon and Orhan Koloğlu focused on

²⁰ Marinos Sariyannis, "Prostitution in Ottoman Istanbul, Late Sixteenth-Early Eighteenth Century", *Turcica vol. 40*, (Jan, 2018).

Giovanni Scognamillo, *Beyoğlu'nda Fuhuş*, (İstanbul: Altın Kitaplar Yayınevi, 1994), pp. 10-15.

Walter G. Andrews, Mehmet Kalpaklı, *Age of Beloveds: Love and the Beloved in Early-Modern Ottoman and European Culture and Society*, (US: Duke University Press, 2005).

²¹ Ahmet Refik Altınay, *İstanbul Nasıl Eğleniyordu?*, (İstanbul: İletişim Yayıncılık, 1988).

²² Ahmet Rasim, *Fuhuş-i Atik*, (İstanbul: Arba Yayınları, 1922).

²³ Selim Deringil, *The Well-Protected Domains: Ideology and the Legitimation of Power in the Ottoman Empire, 1876–1909*. (London: I. B. Tauris, 1998).

²⁴ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, (İstanbul: İletişim Yayınları, 2002).

Abdülhamid II and their perspectives affected the discussions about him and his reign.²⁵

According to the state, the family was the opposite of prostitution in the late Ottoman Empire. Thus, the studies about the family are also meaningful for this dissertation, Cem Behar and Alan Duben published a precious study about the society of the Ottoman life.²⁶ Pınar Öztamur studied about the women and children in the early Turkish Republic in her graduate thesis.²⁷ Her thesis is significant in terms of the medicalization process of the early Turkish Republic.

Health concerns raised the issue of prostitution in the 19th century. Therefore, what is written about epidemics is also very important for this thesis. The number of scientists studying this subject is minimal in Turkey. Nuran Yıldırım, who has worked on almost every subject related to the history of Turkish and Ottoman medicine, also has very successful studies in this regard.²⁸ Another name that makes the most comprehensive researches and determinations about the history of Ottoman medicine is Nil Sarı.²⁹ Even though from a different point of view, Fatih Artvinli

²⁵ François Georgeon, *Sultan Abdülhamid*, (İstanbul: İletişim Yayınları, 2018).

Orhan Koloğlu, *Abdülhamid Gerçeği*, (İstanbul: Pozitif Yayıncılık, 2015).

²⁶ Cem Behar and Alan Duben, *Istanbul Households: Marriage, Family, and Fertility, 1880-1940*, (Cambridge [England]; New York: Cambridge University Press 1991).

²⁷ <http://doczz.biz.tr/doc/59256/defining-a-population--women-and-children-in>

²⁸ Nuran Yıldırım, "Kurumlar Cüzzamnamesi/Miskinler Tekkesi", IN *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2014).

²⁹ Nil Sarı, *Tıp Tarihi Araştırmaları*, (İstanbul: Sandoz Ürünleri A.Ş. Yayınları, 2000).

prepared a doctoral dissertation, which is very important in understanding the motifs of health organizations in the 19th century Ottoman Empire.³⁰

Before coming to the theory part, mentioning some points that this thesis distinguishes from other studies is found meaningful in evaluating next the chapters. The first main difference between this study and the others is related to the main focus area. This study prefers to concentrate on the period shortly before the 1884 or 1879 Regulations. In other words, this thesis tries to understand the primary motivation that forces the Ottoman government to be part of the prostitution issue. On the contrary, many other studies prefer to focus on the articles and results of the 1884 Regulation. Moreover, many of them ignore the 1879 Regulation and some other researches about prostitution before the 1884 Regulation announcement.

Furthermore, this thesis evaluates the issue of female prostitution as a gender-related topic. It is evident that women, no matter prostitute or not, suffered from the male hegemony in the classical Ottoman society more than males. However, it does not mean that males did not experience any difficulties because of this male-oriented society. Significantly, many other studies ignore this nuance, as well. Most probably, they avoid this male issue since they demand to present the poor conditions of females.

In order for the male-dominated society to maintain its power, men had to do some routines. Of these, sexuality was a priority. In the 19th century, when heterosexual sexuality was emphasized, adolescent men often had to experience their first sexuality in brothels. Adult men volunteering from the family or neighborhood were leading this process. This situation was passed down from generation to generation. The social status of the man was somewhat dependent on his performance in these

³⁰ Fatih Artvinli, *Delilik, Siyaset ve Toplum: Toptaşı Bimarhanesi (1873-1927)*, (İstanbul: Boğaziçi Üniversitesi Yayınları, 2013).

houses. This did not only cover sexuality. At the same time, they had to prove their drinking capacity, their social role, and financial power to their peers and these leaders. Depending on their performances here, they would be accepted and respected as male or not. This thesis admits this process not as an issue enjoyed by men, but rather as a ceremony that causes young men to experience traumatic movements about sexuality. However, as was said from the beginning, this approach does not mean that the existing suffering of women is underestimated or disappeared.

Another point in which this thesis distinguishes itself from its peers is related to the religion of prostitutes. It is also possible to read it like a kind of nationalism. According to many studies focusing on or only mentioning prostitution in the Ottoman Empire, the majority of prostitute women were non-Muslim subjects. However, there is not any source or official record approving this theory. The main reason for this approach is the visibility of non-Muslim prostitutes in society. In other words, even it stated just in theory, the Ottoman Empire was a Muslim state, so the existence and visibility of Muslim prostitutes were not accepted. As a result, their existence was ignored, and the majority of the non-Muslim prostitute was highlighted. However, this thesis claims that this is a myth. Moreover, due to the inability to prove it, this thesis prefers to keep silent in this issue.

Another issue in which this thesis argues for a different claim concerns the content of the regulations. Many other studies criticize the content of the 1884 Regulation quite harshly. This study discusses this in all the topics it covers and evaluates it in two different ways. The first perspective is that the originality of the 1884 and 1879 Regulations should be criticized. Both Regulations are translated copies. Notably, the 1884 Regulation was inspired by a French simple. The issue of prostitution is read as a local issue, whereas this study advocates evaluating a multi-angle issue like prostitution within international dynamics. The 19th century was the period

when western European states needed human resources, so the issue of healthy people was current. Thinking this independently of various epidemics and ignoring Western states' influence is a point that leaves them lacking for studies.

As a result, prostitution in the late Ottoman Empire and the attempts about it should be evaluated in the global dynamics. In other words, regulations were not a decision that the Ottoman government made alone. In short, the effects and enforcements done by European powers should be kept in mind.

Secondly, the 1884 Regulation is criticized because of its limited and narrow intervene capacity by many other studies. However, these studies do not mention the real capacity of the state. In other words, in the late 19th century, the capability of the state was already limited. As a result, on the contrary, when the state acted hesitantly, it made the right decision. Since it was the first time the state preferred to be part of such a different and challenging topic, the state's real capacity was limited in theory and practically. For example, the state could employ very few health professionals or security powers in this area. That is why even the name of the 1884 Regulation is not specified. It refers to some private houses. The exact number or exact addresses of these houses are unknown. The main determining power here is not the state but the process itself.

Another missing point seen in other studies connected with the above mentioned is the state's intention. Contrary to other points, it is possible to talk about too much western influence in this area. Many social scientists who study about prostitution and women's issues argue that the Ottoman government targeted women directly. Especially with the Foucauldian approach, they make the state look like a successful misogynist. However, as this study tries to show, such a move needs acute infrastructural powers. However, the Ottoman Empire in the late 19th century was deprived of these infrastructures. Furthermore, its limitation in the Regulations was related to the awareness of this reality.

This thesis prefers to follow a historical pattern in the issue of prostitution in the late Ottoman Empire. The main reason for this is the close relationship between political developments and failures and prostitution. Politics affects the economy, and the economy affects political developments. The main reason behind the issue of prostitution in the world is the economy; thus, the economy and politics are very significant for prostitution-oriented studies. However, many dissertations or thesis do not agree with this idea and they do not mention the role of these two dynamics in their studies. This dissertation thinks the opposite; thus, there is a considerable chapter, including the political and financial developments in the Ottoman and world conjunctures. Furthermore, this chapter shows the relationship between the importance of Abdülhamid II's era and Regulation trends.

Another issue that is not mentioned in other studies, but is one of the backbones of this study is related to the existence of local powers in the issue of prostitution. Many studies imply that prostitution develops only between women and the abstract concept called the state, and they ignore the long-term and highly effective sanctioning capacities of the local powers in between these two. However, this thesis is aware of the powers of these forces. Therefore, a separate chapter is written for them. Until the centralization movements at the end of the 19th century, the determining actors in prostitution were the local forces in between. Therefore, ignoring the sanctions of these forces means leaving one of the most critical points of the prostitution issue empty. It should be remembered that one of the main subjects of this thesis is the conflicts in the transition of prostitution control from these local powers to the central power.

I.I. Theoretical Framework

Michael Mann's terms of conceptualization of state as a despotic and infrastructural ones is one of the most significant approaches of this thesis.³¹ According to this dissertation, the era of Abdülhamid II can be read as a transformation process from indirect state affairs to direct state. In other words, the era and the topic being studied by this thesis focuses on the long-lasting transformation process between the traditional and the modern ones in terms of prostitution. At this point, the place of fear and consent is replaced. Unlike the era of the pre-modern times, the keywords of the western world including the Ottoman Empire became the information and storing them. It is not a simple coincidence that the science of statistics was born and developed in the 19th century. The modern states of this century benefitted from the statistics information and data about their populations. Its reflections on the Ottoman Empire are felt in the second half of the 19th century. For example, thanks to the 1879 Prostitution Regulation, the general knowledge in the Empire, at least in the capital began to be collected. According to Michel Foucault, statistics is the science of the modern state.³² Thanks to the reports and other data about the societies, the governments could control and manipulate their people easier. This is the indirect way of control or surveillance. As much as the data, using them is significant. For instance, Abdülhamid II had detailed information about their people in a paranoiac and pathological way. However, he could not benefit from them as much as he wished or planned since the lack of infrastructural

³¹ Michael Mann, "The Autonomous Power of the State: Its Origin, Mechanism and Results", *European Journal Of Sociology*, vol. 25, (November, 1984), p. 189.

Michael Mann, *States, War and Capitalism*, (Oxford: Cambridge Publication, 1982), pp. 5-15.

³² Michel Foucault, "Governmentality", Colin Gordon and Peter Miller, *The Foucault Effect Studies in Governmentality*, (Chicago: University of Chicago Press, 1991), p. 96.

forces of the state. It should be asked that the 1879 or 1884 Regulations in prostitution were whether an example of direct or indirect control? The one of the main aims of this dissertation work is to figure out this answer, as well.

One of the most critical casts of this thesis is population, and this topic is evaluated from the Foucauldian governmentality perspective.³³ This theory stays behind the discussions and explanations about the population throughout the dissertation. Then, why is the term of the population that is repeated and discussed from different angles again and again by this dissertation, in the eye of the 19th century modern states significant? This thesis argues that the population is the primarily tool for the legitimacy of the state in the 19th-century conjuncture. According to Foucault, the main aim is to discipline society.³⁴ What is the main purpose of the state to discipline the society? This thesis looks for this answer in the issue of prostitution.

Parallel to Foucault, Antony Giddens focuses on the disciplinary power of the modern state. According to his theory, disciplinary power was the internal pacification consisting of collecting and keeping reports and statistics about population, and using them to surveillance practices in everyday life.³⁵ Shortly, the 19th century modern states used and manipulated their populations by disciplining

³³ Michel Foucault, *Security, Territory, Population: Lectures at the College de France 1977-1978*, Translated by Graham Burchell, (Basingstoke: New York Palgrave Macmillian, 2007), p. 144-145.

³⁴ Foucault, "Governmentality", p. 100-101.

Selçuk Dursun, "Procreation, Family and Progress: Administrative and Economic Process of in the 19th Century", *the History of Family*, No 16, (2011), pp. 160-172.

³⁵ Antony Giddens, *The Nation State and Violence, vol II, A Contemporary Critique of Historical Materialism*, (Berkeley: University Of California Press, 1985), pp. 187-191.

them. This thesis takes one step further and tries to figure out the main motive behind the demand of disciplined population. According to this dissertation, both European states and the Ottoman Empire in the 19th century, wished to manipulate their population in order to survive in this new world order. The existence of the state depended on the existence of the society or populations. This situation was linked to maintain of the public order. Thus, the most important keywords of this century are the public, order and public order. This dissertation argues that a “conservative” sultan, Abdülhamid II had to accept the legitimacy of prostitution to protect and maintain the public order and the existence of the state.

When it comes to another keyword of this century, force, it can be claimed that the Ottoman Empire re-shaped its meaning based on the necessities of the new world order. Even though the state did not volunteer to intervene in prostitution since it thought that this was a local issue, it used to forces when it needed. But, this state changed its force instruments and discourses in the late 19th century. The state did not call itself a discipliner power, and instead, it tried to become the controller in the late 19th century. This can be read as a total and direct modern state movement. One step further, the state tried to decrease the local power’s capacity in the issue of prostitution and made police officers and medical professionals responsible ones in many places and cases.³⁶

Then, in the late 19th century, when the state re-coded itself, how it or the society did call or code prostitutes and prostitution? Were they still considered as criminals or sinners? Or were they one of the anomie groups of the late 19th century? On the other hand, how did these women call themselves in this new world order? The relationship between the concept of anomie and prostitutes based on Gidden’s

³⁶ A.R. Gillis, “Crime and State Surveillance in the 19th Century France”, *American Journal of Sociology*, vol. 95, (September, 1989), pp. 300-310.

anomie theory should be thought.³⁷ Giddens is the first name who used this terms in suicide issue. According to his attitude, the idea of anomie is related to the dangerous phobia that was born in the late 18th and early 19th centuries in the capitalist states. These dangerous people were the immigrants coming from the peripheries to the city centers³⁸ As a result, the direct relationship in the mind of the elites and the governments between the being immigrants and criminal is clear. This dissertation argues that this elite or middle-class phobia reflected the Ottoman Empire in the late 19th century. Thus, poor women coming from the peripheries were accepted as (potential) prostitutes.

The economy determines the kinds and intensity of the punishment practices. When it comes to the relationship economy and prostitution, during difficult times like wars or famines, prostitution becomes visible in the societies. Alternatively, the number of prostitutes increases when people become more miserable. The attitude of society can explain this situation, they could ignore prostitution during financial crises. Moreover, this dissertation argues that in the Ottoman and European societies, prostitutes were ignored by people because of their financial benefits from this market. For example, the boats chamberlains earned money when they rent their boats to single women and men, furthermore, crafts close to the houses also took the economic advantage of prostitution, and used to sell fruits and drinks to these women and their clients. However, the role of politics should not be overlooked. Since, this dissertation has a particular room for economy and politics in the world and the Ottoman Empire until 1876 when Abdülhamid II came to his throne.

³⁷ Antony Giddens, *Sociology*, (Oxford: Polity Press, 1984), pp. 175-17

³⁸ Clive Emsey, *Crime, Police and Penal Policies: European Experiences 1750-1940*, (England: Exford University Press, 2013), p. 5.

Another state-related and prostitution-oriented topic in the 19th century is the public and the private spheres and their borders. Pre-modern years people did not wish to have private spheres, but this changed the capitalism. The demand for private sphere belonged to the elites in the modern states. This issue spread over the Ottoman Empire in the late 19th century, even if it was not one of the core states of capitalist system.³⁹ The state felt itself a protector of the private spheres, at least the documents show that the state tried to protect the private sphere of the state officers or Ottoman upper class.

Even though almost all crimes were updated in the 19th century, prostitution has a unique place. Unlike many other crimes, the regulation issue became serious in the 19th century. The last and most comprehensive versions of the regulations were published and announced in this century. On the other hand, regulation can be read as an alternative to the punishment system. Thus, modern states could use less despotic or punisher sides against their population. Being punisher was not a proper title for the modern states in the 19th century. Then, it should be looked for that what kind of state did choose to be controller instated of punisher? Moreover, was regulation a direct or indirect force? Based on the 19th-century applications in both European states and the Ottoman Empire, it can be said that regulation is an indirect force of the states; in other words, it was a tool of a modern state. However, the regulation of the process and the results in the Ottoman Empire were not as expected. Contrary to many European states, the Ottoman Empire suffered from prostitution regulation because of the lack of infrastructural forces.

In sum, in the 19th-century western world conjuncture, the meaning of crime and criminals were re-shaped based on the needs of the time. However, the registered prostitution was not a crime anymore, thanks to the regulation process committing

³⁹ Robert Reiner, *The Politics of the Police*, (New York: Harvester Wheatsheaf, 1992), p. 27.

prostitution was not a criminal act. On the contrary, committing prostitution or illicit sex in the unregistered places became a new crime.

With the regulation process, the position of the prostitution was re-named. It was different from robbery or murder in the modern world. It began to be read as a medical issue rather than a criminal or moral one. In the pre-modern times, people could not have illicit sex wherever they wished; in other words, people did not have private spheres even in their houses. Society could intervene in this process; with capitalism this perspective began to change, and people, especially the upper class, wished to have their private sphere. This situation makes the local forces very critical for this thesis.

The elites demanded from the modern government to be protected their private areas. One of the topics that are affected by this new attempt is prostitution. This situation could not reflect the Ottoman Empire and society; even the state wished to provide the private spheres. This thesis asks the main reason for this stability; the main answer is the new order and habits of capitalism. Thus, this dissertation highlighted the effects of capitalism in Europe and the Ottoman Empire. Therefore, the differences became more visible.

Thus, should prostitution be considered entirely different from other crimes? This dissertation does not prefer to compare prostitution with the other crimes, but it should be kept in mind that prostitution in the late 19th century, especially in the Ottoman Empire, is neither wholly independent nor intimately related to other crimes. In other words, this thesis' main goal is not to evaluate the position of prostitution among other crimes. It prefers to focus on the medicalization process of this issue.

This thesis evaluates and enquires main differences between the European states and the Ottoman Empire in the issue of prostitution with the theory of Mann, Giddens, and some other social scientists.

The meaning of legislation on regulated female prostitution is to separate the centers into the zones of virtuous spheres and zones of state-sanctioned extramarital sex. This is done by constructing separate buildings for brothels or isolated women from the rest of the city or places. The brothels that the state accepted formally after 1879 and 1884 were also an indication of how the state classified people. The state made this distinction mainly between the genders. The state also distinguished women as those who were chaste and not. From this point of view, the officialization of prostitution means the officialization of different zones in Ottoman society. Like areas where men can enter but women cannot, and areas where some women can enter, but some women cannot. One of the main objectives of this thesis is to be able to understand what the state is trying to do in these "fields." On the other hand, zone issues had always been a very fragile topic in Ottoman society. The main issue of this thesis is to understand the prostitution flexibility in this permeable zone.

The biggest reason for registered female prostitution to be legitimate in the second half of the 19th century in the Ottoman Empire was the self-determination of the state. Regardless of the background, how to use state devices should be considered account when studying a versatile issue such as prostitution. On the process of becoming a modern and social state, political power accepted or had to accept the points that contradicted itself. The state was a follower of this process. As a result, the issue of prostitution should be evaluated from a broad perspective.

Prostitution has always been associated with urban or centers. For example, M. David Wyers, studying prostitution in the early republican era, advocates that

prostitution was an urban problem.⁴⁰ According to his magnificent account, when it is carelessly read, it can be concluded that prostitution was not committed to the periphery. However, the city is a region with relatively higher job opportunities than in the periphery of the Empire. Furthermore, women might have been able to find alternative ways to make money, albeit limited. On the contrary, because of the limited work opportunities in the villages or small places women could not have found proper positions to earn money. As a result, the main reason why prostitution in the centers was visible is the high number of cases recorded.

In the second half of the 19th century, the state completely changed its view of prostitution. Of course, it did not voluntarily do this. Because of the domestic and international atmosphere, the state had to accept the existence of prostitution officially. It was evident that until the second first half of the 19th century, the Ottoman government acted as there was no prostitution in the Ottoman territories, or the government behaved as prostitution was the area that foreign people or non-Muslims were involved. At least, this issue was not on the government's agenda, and instead, the state pretended as this issue was a local problem that the local forces had to deal with. However, the studies revealed that this was not the case at all. There was prostitution, and Muslim women were also doing this work regularly or temporarily, especially in places considered sacred to Muslims. What makes the Ottoman state the most modern in this sense is the displacement of sin and deficiency. The state did not judge the women or men because of the issue of prostitution, and the state began to check the conditions and standards in the houses. The primary motivation behind this was the obsession with the hygiene of

⁴⁰ Mark Dawis Wyers, *“Wicked” Istanbul: The Regulation of Prostitution in the Early Turkish Republic*, (Istanbul: Libra Publish House, 2012).

the state. The central motif of the state in legitimizing prostitution was a matter of health.

The most fundamental theoretical approach of this dissertation is that prostitution was a local issue, no matter in the peripheries or the centers. Moreover, it was not a private action since almost everyone in the same neighborhood was aware of happening. In other words, prostitution was not an action among the clients, women, and panders. The neighbors and crafts used to know the event.

A state with concerns about hygiene, population, family, and healthy generations had no choice but to justify female prostitution as legitimate in the second half of the 19th century. Even if women did not struggle directly in this process, here, no taxation without the representation occurred spontaneously. The state expected to convince the public with statements of health. However, that did not happen. People did not care about the health issue so much. Thus, the state had to create other stories and tales about the diseases; many of them were related to national feelings and masculinity. The state's most advanced discourse was that sex was a basic need for men, and delaying it would be problematic in many ways for the society. Nevertheless, it was the best thing for them and their nation to do this in safety areas and with healthy women. This was the discourse that the state used to try to convince the people to prefer to the registered houses.

Protecting public health was actually up to the choice of people. The state did not have much authority here. However, at least it tried to show a robust regulatory and supervisory position. For nationalist and religion- oriented reasons, at least, the state did not allow Muslim women to officially prostitute. As a result, nationalism, family issues, and modernity should be thought from the same perspective in the issue of prostitution.

The main sources of this dissertation are the documents in the Ottoman Archive. Even though in the late 19th century, the issue of prostitution is begun to be read as a medical problem, the documents in the Health Ministry is not available now. Thus, it makes other sources more valuable. For instance, the documents recorded by Zaptiye Ministry is benefitted from. The issue of prostitution in the late Ottoman Empire is an international process; this is not the global market of the prostitution. The capitulations played a role in this issue; thus, documents of the Foreign Ministry are used. Furthermore, the documents in Yıldız collection is also presented. Moreover, the Ministry of Interior and some other offices under this ministry like security are used. The Rumeli documents recorded in Manastır and Kosova are also mentioned and benefitted.

I.II. Structure

A note needs to be made regarding the structure of this dissertation. This thesis starts with the introduction part, then theoretical knowledge about the law system in the Ottoman Empire is given. In this chapter, the position of prostitution or illicit sex in Islam, traditional law, and secular law in the 19th century will be mentioned. At the end of this part, the Tanzimat effect on the Ottoman Empire's law system is presented. The second main part of the first chapter gives general practices in daily life in terms of prostitution until the second half of the 19th century. However, it should be pointed out that the main target of this thesis is not to give a history of prostitution in the Ottoman Empire but practices, punishments and case by case solution until the 19th century is discussed in this second part. The main aim of this dissertation is to show the bureaucratic developments in terms of prostitution. The third chapter provides details about the local forces because of their powers and capacities in prostitution. Furthermore, the struggle with these forces and states after 1876 is also given. At the end of this chapter, the fragile zones and borders will

be shown. Thus, the transition between the private and public zones will be meaningful.

The fourth chapter presents the financial and political background of the world conjuncture until the end of the 19th century. Therefore, it will be easier to follow the process towards 1879 and 1884 Regulations. In the last part of this chapter, the main reason for choosing this era will be explained and exemplified. The fifth chapter is one of the main parts of this thesis, and it is about the regulation process in both European states and the Ottoman Empire. The European state's regulation process will be mentioned because the Ottomans followed their steps. Then, the 1879 and 1884 Regulations will come. The 1884 Regulation is the most significant because it is an updated and more complete version than the first one. In the second part of this chapter, the importance of this Regulation will be clarified. Then, the reaction and attitudes of the people about this Regulation and legislation of prostitution will be shown. Thus, the people's idea about the registration of prostitution will be more transparent. Being a modern state will be discussed in this section as well. The obsession with the hygiene of the state and the meaning of the body in the 19th-century conditions will be presented in this part. Until so far, the meaning of prostitution and registration process will be explained from political, social, and financial perspectives. The last main chapter focuses on this issue from a different perspective.

The second half of this chapter is about the sexually transmitted diseases that the main motives of the regulations. This is the chapter that diseases like syphilis and other epidemics will be presented. Thus, the hygiene phobia of the Ottoman government will be more meaningful. Furthermore, the good intention of the state toward the epidemics will be sanctioned. The last chapter is the conclusion part.

The main sources of this dissertation are the documents in the Presidency Ottoman Archive. It should be noted that only a tiny part of the events are accessible

documents. Even though the issue of prostitution was coded as a medical issue after the second half of the 19th century, this area remains empty because the medical documents are not available today. This is an institutional problem, and it makes this and other thesis or studies focusing on medical issues in the late Ottoman Empire lack of very significant perspective. This is a point that will always make these studies a little uneasy. In addition to the primary sources, the records, personal notes, analyses are the second-hand sources of this dissertation. The primary method is the materialist history.

CHAPTER II

OTTOMAN LAWS ON PROSTITUTION and PROSTITUTION IN THE OTTOMAN WORLD UNTIL THE 19TH CENTURY

II.I. Ottoman Laws On Prostitution

To discuss almost all issues in the Ottoman Empire, a long durée historical method is required. Sex-related topics are one of them. The Ottoman Empire survived between the end of the 13th century and 1922 in Anatolia, Balkans and North Africa. According to Elyse Semerdjian, the Ottomans viewed themselves as the protector of Muslim tradition.⁴¹ Although it was a multi-ethnic state, theoretically it was a Muslim state. As a result, it was established based on Shari'a laws.

Orfi law was invented due to the lack of some notions, or for exceptional cases in Shari'a. It was the Orfi law used in practical life mostly. In this part, the Islamic World and its attitude toward prostitution and sexuality are to be shown in order to make prostitution-related points clear at least in theory. After that, in order to understand the daily life in the Ottoman Empire, the codes of both Shari'a and Orfi are to be presented shortly. Thus, the theoretical and practical applications in Islamic World are to become more apparent. Another reason for starting with and focusing on the law is that prostitution is perceived as a legal issue.

⁴¹ Elijah Semerdjian, *Off The Strait Path: Illicit sex, Law, and Community in Ottoman Aleppo*, (Syracuse, N.Y.: Syracuse University Press, 2008), p. 29.

When the geopolitical route of Islam is analyzed, the effects of Sumerian, Egypt, Greek, Rome, Persian, Syria, even China, and India are noticed. All these heritages come together with the Islamic explanations, overlap, and then create a new tradition that is called Islamic tradition. Thus, some of the Greek and Persian details can be found in this culture in everyday life. Between the 8th and 20th centuries, the Islamic World represented and was involved in each ancient culture's value and knowledge. As a subtopic, when it comes to sexuality in Islam, theoretically, Islam supports sexuality; for instance, it advocates polygamy, which means a man can get married to more than one woman legally. The religion itself determines the specific conditions of this issue. In addition to more legal wives, *cariyes* are female slaves having to serve their master. In other words, in contrast to Christianity, Islam supports the legitimized sexual relationships between men and women. Like the cultures earlier, Islam also divides women into two essential groups. The first one is the untouchable ladies, while the second one is "the others." Islam prohibits prostitution, and it can be said that it has the most painful punishments compared to the other religions and cultures. It judges both men and women on the act of prostitution, and if they are not single, they should be killed. This crime is called Zina; yet, the corporal punishments were not practiced even by the Prophet.⁴² The extension of these general rules in Islam in the Ottoman Empire is to be analyzed in detail later.

In the second half of this chapter, the prostitution habits of the society and the state's reactions against prostitution until the 19th century are stressed in order to get the connection between the pre-modern times and the 19th-century conditions in the Ottoman World. Besides, the historical background helps understand the missing points in the issue of prostitution in the 19th century-Ottoman Empire. This

⁴² Osman Keskinoglu, *Fıkıh Tarihi ve İslam Hukuku*, (İstanbul: Ayyıldız Yayınevi, 1969), p. 260.

chapter starts with the etymological explanation of prostitution, then; the terms related to prostitution in Ottoman documents are presented. After that, based on the primary sources, these are the documents from the Presidential Ottoman Archive, and secondary sources, the historical background and developments and discussions of prostitution in the Ottoman Empire from the 16th century to the beginning of the 19th century are mentioned. It should be pointed out that a dual system is followed, the prostitution process is explained shortly, at the same time, the patriarch approach of the state is highlighted. The latter one can be named as the long-lasting potential negative results of the social habits. In the second half of this part, the slavery system in the Ottoman state is clarified, and the relationship between slavery and prostitution traffic in the Ottoman World is stressed shortly.

First, the position of the prostitutes in the state's and society's eye is explained. During the pre-modern years in the Ottoman Empire, the state did not present itself as a social state like many other pre-modern states. The social state is used to mean the state that meets the social needs of its people, for example health, education and many other social rights.

Except for some significant events, the state did not serve people regularly until the second half of the 19th century. The state or the sultan had the habit of supporting the ones who were in need; however, there is a significant nuance here. This habit was different from the 19th century's state habits. In the Ottoman society, people in need were classified as the ones who deserved help and the ones who did not. While there were some changes in these definitions from the 16th century to the 19th century, prostitutes were the ones who did not deserve help and support. Like prostitutes, some beggars and vagrants were also deprived of the state's support.⁴³

⁴³ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, (İstanbul: İletişim Yayınları, 2002), pp. 51-52.

This situation, to be explained later, was almost the same as the 16th century, the era of Abdulhamid II. The Ottoman documents consist of many words used for those who needed help. These people varied: the ones suffering from poverty, women who lost their father or husband, orphans, widowers, martyrs' relatives, and some others. These people were the ones who deserved help, but the first group did not deserve it.⁴⁴ Victimization is the decisive factor for this distinction. It was generally accepted that prostitutes chose their jobs with their consent. As a result, they were not accepted as victims in many cases because their conditions were not unexpected. Instead, they chose it. Therefore, they did not deserve the state's or the society's support.

II.I.I.Shari'a Law

Shari'a is the law based on the Quran and Hadith. In Shari'a law, crimes are separated into two forms; the first one is the crime against the individual, while the second one is the crime against God.⁴⁵ The crime against the person is killing, injuring, abortion, and different versions of these acts. When it comes to the crime against God, it consists of seven titles: adultery, robbery, seizure, telling a lie about adultery, drinking alcohol, tergiversation, and insurgency.⁴⁶ The punishment that is called *ukûbât* in Shari'a law is separated into two forms; the first one is *hadd* that is determined by Qur'an, *ta'zir* meaning the decision about the crime depends on the judge, while the last one *kisâs* refers to the punishments equal to the crime. The

⁴⁴ Ibid., pp. 50-51.

⁴⁵ Mustafa Avcı, *Osmanlı Hukukunda Suçlar ve Cezalar*, (İstanbul: Gökkuşbu Yayınları, 2004), pp. 161-170.

⁴⁶ Ahmed Akgündüz, *Introduction to Islamic Law: Islamic Law in Theory and Practice*, (Rotterdam: IUR Press, 2010), p. 241.

Islamic scholars are still arguing which one should be accepted as hadd crime and which one should not. Some claim that drinking is not a hadd crime while others tell that rebellion is not. However, the conditions of adultery are stable; in other words, it is accepted as a crime against God unanimously.

Death penalty is not mentioned in Qur'an; it has been discussed by scholars based on the Prophet's hadiths, for example, Umar ibn Al- Khattab (634-644) advocated death penalty after the death of the Prophet.⁴⁷ According to Semerdjian, the Prophet did not advocate death penalty as always, rather than he told about the lashing.⁴⁸ In short, there is no rajam in Qur'an. The Prophet recommended the scholar who advocated this punishment.

In the Islamic idea, prostitution is a subtopic of adultery, zina, but it should be remembered that each act of adultery does not refer to prostitution. Adultery is mentioned fifteen times in Qur'an while the prostitution is named five times.⁴⁹

The punishments were determined by Islamic authorities and sects based on Qur'an, and *sunnets*. El- Hakebî gives us a determination based on the Islamic rules; he says that if adult man and woman who are sane and are not any officially married, get vaginal sexual intercourse commit adultery.⁵⁰ The responsibility of crime is equal between a man and a woman in Islamic rules; woman is called *zâniye*,

⁴⁷ It has been mentioned by Semerdjian, in *Off The Strait Path*, intro XVII

⁴⁸ Semerdjian, *Off The Strait Path*, p. 4.

⁴⁹ Qur'an, 24:3,4,5,6,7,8,9.
33:30, 60:23, 65:1.

⁵⁰ İbrahim Halebi, *Mevkûfât Mültekâ Tercümesi, Simplified by Ahmet Davutoğlu Vol. II*, (İstanbul: Sağlam Yayınevi, 2002), p. 367.

man is called *zâni*.⁵¹ Others who explain adultery based on Islamic law determine it in the same way.⁵² Briefly, when an unmarried man and woman get sexual contact, they commit adultery. It is vital that there are significant points about adultery. The first one is that agents must be adults, and they must do this with their consent. If one of the agencies is forced to do it, this action is not accepted as adultery. The forced one is assumed as the innocent one. The third rule is about the sexuality of the sides; in other words, sexual intercourse should happen between a man and a woman. The next rule is about the official connection between sides; there must be no marriage contract between man and woman. The other point is that women should not be slaves of men; there must be no master and slave relationship between them. The sixth rule is that people should be sure that there is not a formal contract between the two. The last rule is about the kind of sexual intercourse; it must be vaginal sex. Just like other determined rules, there are discussions and disagreements about these rules. However, as it has been mentioned, the official sect of the Ottoman Empire was Hanafi; thus, the rules accepted by Abu Hanafî who was a Sunni Muslim theologian born in Kufa, lived between 699 and 767, and established one of the most prestigious schools of Sunni Islam, and are put on the center within this thesis.

The details of these rules are also another discussion topic; one of the most important details about the adultery is penetration title. Islamic authorities also determine the size of penetration. It is crucial because if the penetration is less than the determined measure, the punishment changes. Another point that affects the punishment is the marital status of man and woman. As it has been shown above, if the man or woman is single, they are scourged 100 times; however, as it has been

⁵¹ Cihan Osmanlođlu, "Klasik Dönem Osmanlı Hukukunda Zina Suçu ve Cezası", İstanbul Üniversitesi Hukuk Fakültesi Mecmuası, Vol. 66. (2008), p. 114.

⁵² Ibid., p. 114.

shown above, it is not mentioned in Qur'an, some scholars explained this punishment based on the Prophet's hadiths. In addition to the scourge, there were some other physical punishments like to be put in a sack and thrown into the sea; however, this kind of punishment and punishments that left permanent damage were not frequent. In addition to the physical punishments, there were insulting punishments, for instance, painting his or her face black. Fikret Yılmaz claims that the main reason for the differences in the punishments was related to the political conjecture; in other words, when political difficulties emerged, the punishments became harsher.⁵³

II.I.I.I.Demonstration of the Crime-Sübut ⁵⁴

In order to demonstrate the adultery, there must be four free and innocent male witnesses who have seen the penetration. Significantly, other crimes just need two witnesses, while adultery needs more. These four men should come to the courts and state the same thing in the same way. The court may request discontinuance, when the number of witnesses decreases. Moreover, if it is understood that one of the witnesses lied at the time, he would be punished with 80 scourges.⁵⁵ All these details are significant to understand the local dynamics organizing the raids against the prostitution in neighborhoods. As it has been implied, judgment of prostitution was a social activity, it involved the society as much as the ones who did the prostitution.

⁵³ Fikret Yılmaz, "Fahişe Subaşı'ya Karşı", *Toplumsal Tarih*, 220, (1994), p. 27.

⁵⁴ Means *evidence*

⁵⁵ Qur'an 4:4

It can be understood that it is not so easy to find four innocent men who have not judged before showing the action as it is defined. Furthermore, authorities do not wish to speak loudly on adultery cases so much. It can be claimed that, due to the difficulty of this witness issue, adultery cases are transferred to the Orf'i law from the Shari'a one in order to be solved more practically. In order to prove the adultery, men and women have to confess what happened four times in four courts.⁵⁶

There are questions the judge must ask the witnesses in the courts.

Is the penetration real? All contact does not refer to adultery.

Was one of the sides forced to do this?

Who did commit adultery?

Where did it happen? It is crucial, because if it happened outside of the Islamic lands, it is not called adultery.

When did it happen? If it happened a long time ago, the punishment would change unless people confess it by themselves.

If all witnesses give the same answers, then adultery is accepted. If a man argues that he has committed adultery with a woman and the woman is not present in the court at the moment, the result does not change. He would still be judged by committing adultery. The same situation and results are valid when a woman confesses the same incident. If one side accepts the adultery while the other side doesn't, then the punishment is not applied. However, this is another point that Islamic lawyers discuss, Abu Hanîfa accepts this rule while İmameyn⁵⁷, who was

⁵⁶ Yılmaz, "Fahişe Subaşı'ya Karşı", p. 27

⁵⁷ <http://www.islamansiklopedisi.info/dia/maddesnc.php?MaddeAdi=imameyn>
Ebû Yusuf b.731- d.798, İmam Muhammed b.749-d.805

another significant name of Sunni Islam theology and lived between 749 and 805 in Kufa, claims that the one who accepts the adultery should be punished.⁵⁸ Based on the Shari'a law, if participants are single, they get only 100 scourges, and if they are married, they need to be killed. There are conditions for the scourge and death penalty: for scourge, people should not be insane, they should be adults, and the same single situations are valid for the death penalty except for being single. In addition to the psychical punishment of committing adultery, people can be exiled, and it depends on the authority's decision. Furthermore, hard labor was another punishment; Mehmet İpşirli shows us details of hard labor.⁵⁹ It seems like a pragmatic solution, because after Mehmed II (b.1432, r.1444-1446, 1451-d. 1481), the Ottoman navy became stronger, and its requirements increased. One of the privations was human labor, with hard labor, this issue was solved. People who commit adultery were punished, and at the same time, these people were used for the navy. Scourge cannot be applied to the death penalty. Osmanoğlu gives detail about the application of scourge.⁶⁰ Another way to prove the adultery is the pregnancy of a single woman that is called as *karine*. However, women can claim that she was forced. Thus, the court is canceled.⁶¹

⁵⁸ Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 120.

⁵⁹ Mehmet İpşirli, "XVI. Asrın İkinci Yarısında Kürek Cezası ile İlgili Hükümler", *İstanbul Üniversitesi Edebiyat Fakültesi Tarih Enstitüsü Dergisi*, (1982), pp. 206-211.

⁶⁰ Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 123.

⁶¹ Yılmaz, "*Fahişe Subaşı'ya Karşı*", p. 26.

⁶¹ *Ibid.*, p. 27.

II.I.II. Orf'i Law

According to Abdülkadir Özcan, the Orf'i law was there even before the 11th century.⁶² Some argue that Orf'i and Shari'a laws support each other, while other Islamic lawyers claim the opposite. The second wing presents that there was a distance between the Orf'i and Shari'a laws starting from the 11th century. For example, Tursun Bey, in his study *Tarih-i Ebu'l Feth*, shows different points.⁶³ The regulations in the Ottoman Empire began with Mehmet II. According to Halil İnalçık, the sultan made a law about the topics that were not mentioned in Shari'a law, in order to give his community a better life.⁶⁴ According to İnalçık's studies, *tore* goes back to Orhan's times (b.1281 r.1326 -d.1362). Orf'i laws were more common than Shari'a during his era. During Murad I (b.1354 r.1362-d.1403), it is almost apparent that Orf'i law was the only one. During Bayezid I (b.1354 r.1389 –d.1403), the sultan had the right of organizing laws. İnalçık says that like Mehmed II, Bayezid also organized comprehensive regulations that damaged the power of *ulema*.⁶⁵ During interregnum times between 1402 and 1413, the Orf'i law lost its position, and the effects of religion increased in everyday life.⁶⁶ The applications organized by Beyazid and his followers were destroyed before his reign. However, this process ended when Murad II came to the reign (b.1404 r.1422-d.1451). He increased the sultan's power, and Shari'a law was left behind again.

⁶² Abdülkadir Özcan, *Kanunname-i Al-i Osman: Tahlil ve Karşılaştırmalı Metin*, (İstanbul: Kitapevi, 2003), p. 21.

⁶³ <http://www.islamansiklopedisi.info/dia/ayrmetin.php?idno=100007>

⁶⁴ Halil İnalçık, "Osmanlı Hukukuna Giriş: Örfi - Sultani Hukuk ve Fatih' in Kanunları", Ankara Üniversitesi Siyasal Bilgiler Fakültesi Dergisi, vol. 13, (1958), p. 103.

⁶⁵ Ibid., p. 109.

⁶⁶ Ibid., p. 110.

The importance of Mehmed II is that he brought all the laws together and organized them as a law book called *Kanunname*. According to İnalcık's studies, Mehmed II's regulation was a turning point for the Ottoman Empire. He also adds that Mehmed II imitated Byzantium's regulations. As it has been mentioned above, this is not an Islamic tradition, but a Turk-Mogul tradition. When Mehmed II took Istanbul, he not only legitimized his power on the Empire, but also put an end to the polarization of religion codes and Orf'i laws. Lawbook of Mehmed II, *Kanunname-i Fatih*, consists of two books. The first book is about the state organization, and the second one is about the regulation, crimes, and tax issues. These books were well organized and simplified. Unfortunately, today there is no copy written during the time of Mehmed II, the only existent copy is the one that was recorded during the reign of Bayezid II.

Another law book was written during the reign of Selim I (b.1470 r. 1512- d.1520), and after him, Süleyman (b.1494 r.1520 d.1566) re-organized and re-shaped the traditional laws. According to the law book of Süleyman, if someone steals money, horse, or something like that, s/he would pay 200 akçes, or his/her hand would be cut off. If s/he does it again, this time, he/she would be dead. These codes are significant to understand the mentality of the state during the 16th century.⁶⁷

Moreover, according to the same book, if people living in the same neighborhood complain about women or men being wicked, they could dismiss her from the neighborhood.⁶⁸ All these law books were re-organized, re-thought, and re-written

⁶⁷ Leslie P. Peirce, *Morality Tales: Law and Gender in the Ottoman Court of Aintab*, (Berkeley, CA: University of California Press, 2003), pp. 85-100.

⁶⁸ Mentioned by Peirce, *Morality Tales*, p. 34.

based on the law book of Mehmed II. The law book of Mehmed II starts with adultery and its conditions. There are 12 articles on this issue:

The first article is about the punishment of adultery, and it says that if adultery is apparent, and the man or woman are married and earn equal or more than 1000 silver money akçes per year, they had to pay 300 akçes as a punishment.⁶⁹ The middle-class people that made 600 akçes per year had to pay 200, the lower class people making 100 akçes had to pay 50 akçes, and people earning less than 100 akçes had to pay 40 akçes as a punishment of adultery.

The second article is about teenagers who commit adultery, and it states that if they do commit adultery, then the teenager had to pay 10% of his/her income.

The third article is about married women who commit adultery. If a woman commits adultery, then the husband of the woman is obliged to pay their wife's punishment.

The next article is about the same rule that is applied to married women. Husbands of the women, who are called *köftehor*, must pay 100 akçes if they are wealthy, and 50 akçes if they are not.

The reason for this penalty was that his wife was a threat to the public order, and he did not prevent her from damaging it. However, if they divorce before the zina, he would get an easier punishment because he did not have to control his wife anymore.

If a single woman decides to give up prostitution, the society could accept her again. However, it was not easy for the society to forgive a married woman who committed adultery. Most probably, the main reason for this difference was about the protection of the family; in other words, children whose father is not known

⁶⁹ Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 121.

could be a threat to the public order. Moreover, it might be more than just prostitution, or cheating on the husband. In Islamic law, man promise to make two different payments to his wife, the first one is called as *mehr-i muaccele*, it is paid soon after the marriage, while the second one is *mehr-i muaccel*, that one is paid when a wife and husband get a divorce. The first one is paid in return for the sexual organ of the woman. In other words, it can be read as ownership. Thus, when someone else has sexual contact with a married woman, he penetrates the official husband's property. As a result of these two main reasons, the punishment of prostitution or adultery is heavier to married people than single ones. On the other hand, there are some people, for example, Ebu Hanifa, who argues that *mehir* and *müta* are the same thing, so prostitution is not such a big crime or sin.⁷⁰

The fifth rule is about women who are pimps. If these women are caught as they sell women, then they are judged based on ta'zir and have to pay one akçe per whip.

If a woman is a virgin and is accused of adultery, then she is judged as a teenager.

If one enters another's house for adultery, then they need to pay the same amount as a married man's punishment, and teenagers must pay 10% of their annual income.

If a slave commits adultery, then the slave must pay the half of the punishment of free people.

If someone attacks someone else's wife, then he is judged based on ta'zir and must give one akçe per whip.

⁷⁰ Ibid., p. 30.

The tenth rule states that if a woman accepts adultery while a man doesn't, then they are not judged and they have to pay 1 akçe per whip.

The next one refers to a different situation. If such a condition occurs when the woman needs to swear that adultery has not occurred and the man needs to pay one akçe per whip.

The twelfth rule is about the ones who don't talk about the adultery even though they know it has occurred. These people are not judged or punished. On the other hand, when the same case occurs for robbery, then the person who denies talking about the robbery is severely punished. Here it can be seen that the main reason for this difference is the authority's approach towards adultery.

It is essential to understand what the prices of these punishments correspond to nowadays. According to Şevket Pamuk, a construction worker in the capital used to earn four akçes per day during the reign of Mehmed II (1432-1481).⁷¹ Assuming that this worker used to work ten days per month, he earned 480 akçes per year ($4 \times 10 = 40$, $40 \times 12 = 480$). In order to pay his punishment, a worker needed to pay 30 % of his income. Therefore, he had to pay approximately 144 akçes ($480 / 100 \times 30 = 144$) for his punishment. In other words, to pay for his punishment, he had to work for 36 days ($144 / 4 = 36$).

On the other hand, someone who earns just as much who is a member between the middle and lower class had to work 36 days to pay the punishment of prostitution or adultery. Another example that could be given to understand the numbers paid

⁷¹ Şevket Pamuk, *Osmanlı İmparatorluğunda Paranın Tarihi*, (İstanbul: İş Bankası Yayınları, 2017), p. 63.

for punishment is to understand the prices of lambs. Six hundred forty grams of lamb was one akçe, and today, 640 grams of lamb is about 22.464 Turkish liras.⁷²

The law book of Bayezid II is similar to Mehmed II's as it is an extended version of the first book of Mehmed II's. The only visible difference between these two is the issues and the situation of non-Muslims. In the law book of Bayezid II, it is stated that if a non-Muslim commits the same crime as a Muslim, s/he is punished with the half of what the Muslim pays. The condition of widows has also been mentioned. If these women commit a crime, then they are accepted as teenagers, and are punished the same way. Pimps are obliged to be stigmatized.⁷³ It is seen that contrary to the other crimes, pimps are punished physically. In 1493 *Aydın- Eli Siyasetnamesi* says that the government used to cut the noses and mouths of pimps and humiliated them in public.⁷⁴ The same punishment is also found in the law book of Selim I and Süleyman. Monetary penalties increased during the reign of Selim I. Before him, 30% of the annual income of the criminals was taken as a punishment by the state, but Selim increased this punishment to 40% of the annual income.

Ebu- Suud Efendi, who was a Hanafi Ottoman jurist, lived between 1490 and 1574, argued that prostitutes must be killed as a punishment.⁷⁵ As far as it is known, apart from one or a few extreme cases, death penalties were not common in the

⁷² Ibid., p. 63.

⁷³ Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 133.
"Pezevenklik edenin alınına dağ edeler, kız ya da erkek çeken kişinin ve bir kötülük için bir yabancıнын evine giren kişinin içmeği (cinsel organı) kesile", Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 133.

⁷⁴ "Pezevenklik adeti ve sanatı olanın burnu kesile ve illa eşeğe bindürölüp teşhir oluna". Osmanoğlu, *Osmanlı Hukukunda Zina*, p. 134.

⁷⁵ Ibid., p. 161.

Ottoman Empire. Frequently, the prostitutes were forced to sell or leave their houses, and they were exiled.⁷⁶ In the 16th century, five women were killed because of being prostitutes, and a janissary who stayed with these women was also murdered. In addition to this unexpected case, in 1597 a woman was killed based on Islamic rules due to having an illicit relationship with a Jew. The Jewish man was also killed one night before. The death penalty of the women was turned into a show in which Murat III demonstrated his people his power.

II.I.III. The Tanzimat Era 1839-1876

It can be claimed that the traditional law system mentioned above could survive until the Tanzimat Edict in 1839. It can be argued that the declaration of *Gülhane Khnatt-ı Humayûnu* (Imperial Edict), which is also known as the Tanzimat Edict, was a new page in Ottoman history. The Tanzimat Edict was declared by Sultan Abdülmecid (b.1823, r.1839, d.1861) in Gülhane Park in 1839. Moreover, it can be said that the declaration of Tanzimat Edict was a part of the westernization process that began with Selim III (b.1761, r.1789, d.1808) that has continued with Mahmud II. (b. 1785, r. 1808, d.1839). According to the Edict, some new codes must be introduced in the law, so that the Ottoman State can be governed in the best way possible. These codes are to be legislated particularly in the fields of security of lives, property, and chastity, tax law and army.⁷⁷ It is essential to mention that unlike Orf'i or Shari'a laws, there are no absolute rules about adultery or prostitution in the new order, in other words, penal codes for such issues after 1839. In contrast to the *kanunnames*, penal codes in 1840, 1851, and 1858 did not have an article referring directly to prostitution. In 1859, an order was issued,

⁷⁶ Ibid., p. 162.

⁷⁷ Gülhane Hatt-ı Hümanyûn, Düstûr 1. Tartip, vol 1- pp. 4-7.

according to which prostitutes and their procurers are to be sentenced from 48 hours and three months of prison or to be exiled for three to six months.⁷⁸

According to the documents in the archive, it can be said that people in the Empire were not satisfied with this light sentence, for example in Burdur in 1903, some young people stayed with prostitutes and made them dance. The authority of Burdur asked the center; according to the order numbered 281 and issued on 5 August 318, these people would be kept under lock from 24 hours to a month. Moreover, he adds that if there is not any decision or a new decision about this issue, he would keep these people in prison for a define time.⁷⁹ It is understood that the authority is not satisfied with these punishments. He has to do this because there is not any other option.

It should be questioned why adultery or prostitution was not mentioned in the new orders. It can be argued that the main answer to this question is that the state had not accepted the legitimacy of prostitutes yet, or prostitution was not the first concern of the state in the middle of the 19th century. The understanding of prostitution was changed, but not determined during the Tanzimat years, until 1879, there was not a regulation in the issue of prostitution. Cases were evaluated separately, and solutions or enforcements were applied case by case.

With the Tanzimat Edict, a dual court system was born in the Ottoman Empire in the 19th century, adding to the Shari'a courts, Nizamiye courts that were secular became common. The differences between these two were what they focus on, in other words, Shari'a courts deal with the personal status, namely, marriage and

⁷⁸ Müge Özbek, *Single, Poor Women in Istanbul, 1850-1915*, p. 18.

⁷⁹ COA.DH.MKT.749/4 (14.05.1321/ 08.08.1903)

divorce. Nizamiye courts were interested in criminal cases. Furthermore, foreign people in the Empire had their special courts. Also, there were trade courts.

It should be pointed out that all developments were not the same around the whole Empire; it means that the content and responsibilities of the courts might be different in different parts of the Empire. This was not only a court-specific situation, but there could also be differences in other institutions. For example, in Istanbul, the zaptiye was established for criminal cases. However, it was not a typical organization around the Empire.⁸⁰ As a result, there was not one and a standardized system in the Ottoman Empire after the Tanzimat Edict. When the related judgment issues are studied, these nuances should be kept in mind.

II.II. Prostitution In The Ottoman World Until The 19th Century

In this part of this chapter, the traditional prostitution until the 19th century in the Ottoman world is given. The main reason for this section is not to give a prostitution history of the Ottomans; contrary, the primary purpose of this part is to present the similarities and differences between the pre-19th century and the second half of the 19th century in the Ottoman Empire in the issue of the prostitution. As a result, the Ottoman government's main aim and failures in the second half of the 19th century becomes more transparent.

II.II.I. Prostitution In the Ottoman Empire

Prostitution in Ottoman Turkish means *fuhuş* الفحش, it comes from Arabic and refers to crossing the limits, being extreme.⁸¹ A prostitute refers to a woman who has a

⁸⁰ Semerdjian, *Off The Strait Path*, p. 70.

⁸¹ <https://islamansiklopedisi.org.tr/arama/?q=fuhuş&p=m>

sexual relationship without being married, *fahişe* in Arabic, and Ottoman Turkish. In the Ottoman context, there was not a determined difference between *zina*, adultery, and *fuhuş*, prostitution. In other words, these terms could be replaced with each other, for example, in 1906, Hilmi Effendi who was the governor of Aluca was caught with the wife of gendarmerie Osman. This relationship most probably was not an act of prostitution. Instead, it was an illicit sex or adultery. However, in the documents, it was called an act of prostitution.⁸² As a result, one should be careful as reading the documents, since these two different words and terms could be used for each other. Like these, *fahşa*, *fevahiş*, are used to describe prostitution and other crimes like fornication, sodomy.⁸³ Even though prostitute or *fahişe* is a unisex term, when the prostitute is used, female prostitutes come to mind. In order to refer a male one, the gender should be emphasized first. Even this can be considered as an example of the social approach.

There is another word referring to the same meaning, *orospu*, whore which is Persian and meaning the same thing. According to Sevan Nişanyan, this word has been used since the 14th century.⁸⁴ Furthermore, in the documents in the 19th-century, the word *ruspik* was used, as well.⁸⁵ That word comes from *ruspu* or *ruspi* رسیپی, due to the pronunciation difficulties, Turks added an 'o' before the 'r'.

⁸² İcra-, fuhuşyan ettiği mezbure...

COA. ŞFR.362/69 (30.01.1322/ 12.04.1906)

⁸³ Eugenia Kermeli, *Sin and Sinner Folles Femme in Ottoman Crete*, https://www.researchgate.net/publication/315664336_Sin_and_the_Sinner_Folles_Femmes_in_Ottoman_Crete, p. 86.

⁸⁴ <https://www.nisanyansozluk.com/?k=orospu>

⁸⁵ COA. ZB.707/19 (07.08.1317/20.10.1901)

According to Marinos Sariyannis, based on the legal frame, prostitution seems to be governed by a general vagueness.⁸⁶ According to Giovanni Scognamillo, Constantinople always played an essential role in the Mediterranean World and that it is crucial for the North side of the world in terms of sex traffic. This statement by Scognamillo, whose family was an Italian Levantine and his father was the manager of a movie theater in Beyoğlu, is significant as his memories and research about the capital and the places in the capital present a sharp image. He talks about women who were well known in the 16th century, such as Giritli Nefise, Arap Fati, Atlı Ases, Kamer, Balatlı Ayni, and Narin. Based on his notes, it can be argued that these women were powerful and had the strength to fight against the state. As a result, Arap Fati, who was one of these women, was exiled in 1565.⁸⁷ Arap Fati, who looks like madam or procuress, is described as the wife of a janissary. Most probably, she was dealing with her profession when her husband was on the campaign.⁸⁸ Scognamillo implies that prostitution or other sexual intercourses were not hidden in the Empire during the 16th century; and European, Syrian, Persian and Turk prostitutes worked in the Empire.

Ahmet Refik Altınay, who was one of the intellectuals of late Ottoman and early Republican period, and a writer and historian lived between 1881 and 1937 also

⁸⁶ Marinos Sariyannis, *Prostitution in Ottoman Istanbul, Late Sixteenth-Early Eighteenth Century*, *Turcica* vol. 40, (Jan, 2018), pp. 37-65.

⁸⁷ Giovanni Scognamillo, *Beyoğlu'nda Fuhuş*, (İstanbul: Altın Kitaplar Yayınevi, 1994), pp. 10-15.

Walter G. Andrews, Mehmet Kalpaklı, *Age of Beloveds: Love and the Beloved in Early-Modern Ottoman and European Culture and Society*, (US: Duke University Press, 2005), p 188.

⁸⁸ Andrews, Kalpaklı, *The Age of the Beloved*, p. 189.

talks about the same names.⁸⁹ Furthermore, there are documents in the Ottoman Archive that reflect the cases of these women.⁹⁰ According to Sariyannis, the working organization of the prostitution in the Ottoman Empire was individual, not a network.⁹¹ Therefore, the state had to take care of prostitutes one by one. That made it even harder to follow this already secret and organized process. The most severe punishment that the state could impose was fine and exile. It is essential that the exile policy was not limited to prostitutes. In the pre-modern centuries, the state used to exile the ones who were dangerous, or undesired by the society. For example, it is mentioned at the beginning of the 16th century, in Bayezid II's law book. Based on the 64th article of this law book, lepers were exiled from the cities. Law books written by Süleyman included the same topic, and lepers were forbidden to be in the cities. These people were ignored, during Selim II's reign, lepers were accepted as they were dead, and the state seized their properties.⁹² In the Ottoman Empire, there was a quite early practice of confinement to those who suffered from epidemic diseases. Leprosy patients were sent to places called *miskinler tekkesi*.⁹³

⁸⁹ Ahmet Refik Altınay, *İstanbul Hayatı: İstanbul'un Düşünsel, Sosyal, Ekonomik ve Tecimsel Ahvalile Evkaf, Uray, Beslev ve Gümrük İşlerine Dair Türk Arşivinin Basılmamış Belgeleri*, (İstanbul: Devlet Basımevi, 1935), pp. 55-60.

⁹⁰ COA. A. DVNSMHM.d. 5/281. (01.03.973/ 27.10.1565)

⁹¹ Sariyannis, *Prostitution in Ottoman Istanbul*, p. 63.

⁹² Cited by Nuran Yıldırım, *Kurumlar Cüzzamnamesi/Miskinler Tekkesi*, p. 393.

⁹³ Nuran Yıldırım, *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar* "Kurumlar Cüzzamnamesi/Miskinler Tekkesi" (İstanbul: Tarih Vakfı Yurt Yayınları, 2014), p. 395.

According to Sema Nilgün Erdoğan, the registration of prostitution began with the judgment of these five women in Istanbul, Haliç in 1565.⁹⁴ However, it is thought to read this case as a registration process since it was not a regulation, but only a punishment. There is no agreed or standardized application, and instead of any bureaucratic movement, there was only judgment. In other words, this was a case-based practice, like many others. Moreover, every single punishment should be read as a regulation, and it would mean that there were regulation processes between the 16th and 19th centuries. In short, these were case-based applications, not standardized regulations or codes. Thus, regulation was not addressed yet.

In 1567, there is another document saying that the judges, who were called kadıs, had to do a research about the prostitutes in the capital, and then they had to find and arrest them. On the other hand, according to Sariyannis, in the 16th century in the Ottoman Empire, jurists concluded that prostitution was legal in itself, while pandering was a criminal act.⁹⁵ Furthermore, according to the writer, prostitution became illegal, and it was prohibited only during Ramadan.⁹⁶ As much as the judges, imams and other local leaders were also responsible for the public order in the capital.⁹⁷

It was declared in 1567 that people should be warned about prostitution, gambling, chess, and drinking. It can be seen from this declaration that imams and muezzins,

⁹⁴ Sema Nilgün Erdoğan, *Sexual Life in the Ottoman Society*, (İstanbul: Dönence Yayınları, 2001), p. 33.

⁹⁵ Sariyannis, *Prostitution in Ottoman Istanbul*, p. 40.

⁹⁶ *Ibid.*, p 41.

⁹⁷ COA. A.DVNSMHM.d. 7/130. (22.02.975/ 28.10.1567)

who are presented in the next parts, were the authorities in local issues.⁹⁸ Judging by the tone in this document, it can be thought that prostitution was one of the objectionable acts like gambling.

Prostitution is a sex-oriented so, it is a private action. However, it is judged and evaluated as a public one. Thus, showing the position of women in private and public lives is found significant for this study. This way, the meaning of spheres in terms of women's issues in the Ottoman Empire becomes clearer. Given that there is a close connection between people's conditions and living spheres, it can be understood that women's conditions in the Ottoman state are minimal. The opportunities and spheres that women had were limited in the public sphere and everyday life, and were determined by male figures in the Ottoman society. In other words, women in urban or rural areas were stuck in places where men were not interested in, for instance, in laundries and cream maker shops.⁹⁹ Laundries were places where poor women and single men used to come together formally for their daily needs. However, the authorities did not let this connection last; and shortly after these relationships became visible, order referring to this issue was announced in 1571. This order states that women should get no more work in laundries.¹⁰⁰ According to the report, it was thought that women working for cream maker's shops were prostitutes or had illicit sexual intercourses with male customers.¹⁰¹ For example, the judge of Eyüp was warned about these shops. Here,

⁹⁸ COA. A. DVNSMHH.d. 7/155. (29.06.975/31.12.1567)

⁹⁹ Andrews, Kalpaklı, *The Age of the Beloved*, pp. 280-283.

¹⁰⁰ COA. A. DVNSMHH.d 10/543. (01.01.979/26.05.1571)

¹⁰¹ Işıl Çokuğraş, "Osmanlı İstanbulu'nda Bekar Odaları", *Mimarist*, (May-2013 vol. 47), pp. 29-36.

the addressee of the document, the state, is the *kadis*, not the women. This approach and tone will continue in the 1879 and 1884 Regulations. The issue of prostitution is left entirely to local powers.

According to this document no one would allow to rent their shops to these women. Even though it was not emphasized, there is an important nuance here, and this warning is about the financial benefit of people around the prostitutes or houses. Such points or details are quite essential to see and figure out the link between prostitution and society's tolerance. This is a crucial point, and it shows that people around the brothels financially benefitted from these houses and their customers. As it is explained in the following parts, in the Ottoman society, it was almost impossible to have a secret in the neighborhoods. In other words, if people around the houses did not prefer to ignore prostitution, it was almost impossible to hide this action. In the next chapters, it is shown that this kind financial benefit was common in European states, as well.

It should be mentioned that Eyüp became one of the centers of the capital after the taking of Istanbul, and it was rebuilt as a conservative place; its relationship with prostitution is exciting and questionable. The answer to this puzzle might be that even though it was a conservative place, which is our approach today, Eyüp was still a center. It means it was a crowded and fresh place. Therefore, sex traffic is very reasonable in such a place. One of the main reasons for this was that women were able to access these holy places. Eyüp was a center, so there was a mosque, shops, hammams. As a result, people could quickly get to contact. It is not valid for male-dominated prostitution; it is also a center associated with the sex of women with their consent. Given that visits to these holy places or baths were regular, it seems possible to have a long life in all kinds of relations here.

The state tried to take the stable places that were disclosed in some way under its control. Thus, it can be seen that having contact in a stable place became difficult

and dangerous, but people found a solution to this issue. The solution was to mobilize places. Therefore, the shops might have been controlled, and houses might have been watched; however, the ferries, which were called *pereme*¹⁰² in Ottoman Turkish, were neither controlled nor watched. Women and men began to come together in peremes, and as a consequence, pereme traffic started to form in Istanbul in a short time. As a result of this, the government announced another order about these mobilized places in 1581. The related document says that women and men should not use the same ferry. However, this did not solve the problem, and another order was declared with an exception.¹⁰³ The main reason for this obtained situation might be the same as the other points; the financial benefit of the users. This financial benefit of people can explain the existence of sex traffic and tolerance in ferries, like the stable places. It is significant that in these documents, women were not the addressee. The state's addressee was the peremes' controllers.

In the Ottoman society, being or accused of being a prostitute was a problematic situation. Women might lose their reputation, house, and even in limited rare cases, their lives; however, being a prostitute did not mean losing all rights in the Ottoman world. It was not the rules that were decisive here, but the conditions. This is related to the flexibility of the society that is explained in the next chapter. In the 16th century, female prostitutes could get married or get divorced. However, they

¹⁰² Pereme means heavy two- bared ,Sir James Redhouse, *Turkish / Ottoman–English Dictionary*, (İstanbul: Sev Matbaacılık, 1997), p. 927.

¹⁰³ COA. A. DVNSMHM.d 19/ 652. (09.04.980/ 10.08.1572)

COA. A. DVNSMHM.d 42/1015. (23.12.988/ 29.01.1581)

Andrews, Kalpaklı, *The Age of the Beloved*, p. 189.

had to move to somewhere else when they get married. Ebu- Suud issues that “a man could not reject to pay his wife’s *mehir* because of being a prostitute before.”¹⁰⁴

This fatwa is vital due to two reasons; the first one is that it proves the official marriage right of prostitutes, and secondly, women did not have to give up their rights because of being prostitutes before. Another document dating back to 1567 shows that men who were married to a prostitute were forced to move to another place and if they refused, they would be arrested.¹⁰⁵ The priority of the state in this issue is the exile of women from where the prostitution was committed. The point of the state was prostitution rather than the marital status of women. However, it is unknown whether these rules were practiced regularly or not.

According to Evliya Çelebi (1611-1682), who was an Ottoman traveler and known with his travel notes that is called *Seyehatname*, there was 1000 prostitutes in Istanbul in the 17th century. Also Çelebi talks about *esnaf-ı gidiyan*¹⁰⁶. He gives the number and says that there were 500 panders in the Empire.¹⁰⁷ According to Reşat Ekrem Koçu, who was a Turkish writer and historian, best known for his unfinished Istanbul Encyclopedia, who lived between 1905 and 1975, during 17th-century, women had their sexual freedom regardless of their class.¹⁰⁸ It should be kept in

¹⁰⁴ Eugenia Karmeli, *Sin and Sinner Folles Femme in Ottoman Crete*, p. 91.

¹⁰⁵ COA. A. DVNSMHM.d. 7/623. (29.06.975/31.12.1567)

¹⁰⁶ Gidi means pander, Sir James Redhouse, *Turkish / Ottoman –English Dictionary*, (İstanbul: Sev Matbaacılık, 1997), p. 40.

¹⁰⁷ Evliya Çelebi, *Evliyâ Çelebi Seyâhatnâmesi*, (İstanbul:Yapı Kredi Yayınları, 2020), p 215.

¹⁰⁸ Reşat Ekrem Koçu, *Binbirdirek Batakhanesi Cevahirli Hanımsultan*, (İstanbul: Doğan Yayıncılık, 2003), pp. 1-50.

mind that sexual freedom does not refer to prostitution, as a step further; prostitution does not refer to the sexuality of the one who sells her or his body. Furthermore, it should be discussed whether commercial sex refers to healthy sexual habits or not.

The enforcement dealing with prostitutes or women in the Empire was not standardized as Yılmaz says.¹⁰⁹ While some sultans did not care about sexuality or prostitution in the Empire, some of them emphasized this issue. In other words, the movements against the women or prostitutes in the Empire depended on many dynamics such as the perception of the state or benefit of the society. It was related to the difficulties of the conjecture. Thus, some sultans wished to show people the power of the state. To do so, they applied punishments harshly. For instance, Murad IV (b.1612, r.1632, d. 1640) took measures against prostitution. Women who were prostitutes or were thought to be prostitutes were exiled during his reign. On the contrary, during the reign of Sultan Ibrahim (b.1615, r.1640, d. 1648), women were more independent about sexuality.¹¹⁰ In addition to these personal movements, there are different approaches to prostitution in some extraordinary situations. Especially during war times, the visibility of prostitution increased. For example, the number of prostitutes increased during the Siege of Vienne in 1683.¹¹¹ There are two main reasons for this situation, the first is that the janissaries who are also interested in public order went on a campaign. The second is the impoverished women left by the soldiers who went on a campaign.

¹⁰⁹ Fikret Yılmaz, "Fahişe Subaşı'ya Karşı", *Toplumsal Tarih*, 220, (1994) p. 27.

¹¹⁰ Scognamillo, *Beyoğlu'nda Fuhuş*, pp. 10-15.

¹¹¹ Reşat Ekrem Koçu, *Tarihimizde Garip Vakalar*, (İstanbul: Varlık Yayınevi, 1952), p. 54.

So far, it can be concluded that until end of the 19th century in the Ottoman Empire, the authorities did not act consistently about the issue of prostitution, it means that while prostitution was a crime in the many other cities and periphery in the Empire, in some cities prostitution was accepted as a normal behavior. For example, the governor of Damascus, As'ad Pasha al 'Azm, collected tax from prostitutes in the 18th century. According to Khaled Fahmy, between the 16th and 18th centuries, the state was aware of prostitution; it means that prostitution was a sort of legitimized action during these years. Moreover, the state used to collect the tax from prostitutes. As Fahmy states, at the end of the 18th century, the governor of Egypt used to keep records about the prostitutes.¹¹² It was an acceptable action in Egypt as well, and Mehmet Ali Pasha (b.1769 - d.1849) until the 1834 collected tax from prostitutes. According to the records, Pasha used to collect tax from public dancers, entertainments, magicians, and musicians, as well. When the annual income was 240.000 pounds, 300 pounds were collected from the entertainment market in 1821. This income increased two years later, and it became 60.000 francs. The record and tax system was standard in Syria, as well.¹¹³

When it comes to the middle of the 19th century, the act of prostitution was banned in Egypt. The question is why such support was cut suddenly in 1834 from the treasure. At first glance, the real motive behind this decision looks like morality prompted.¹¹⁴ It can be called public opinion. However, it is vital that the health

¹¹² Khaled Fahmy, "Prostitution in Egypt in the Nineteenth Century", in *Outside In: On the Margins of the Modern Middle East*.

https://www.academia.edu/6733772/_Prostitution_in_nineteenth-century_Egypt_in_Outside_In_On_the_Margins_of_the_Modern_Middle_East_ed._Eugene_Rogan._London_I.B._Tauris_2002, p. 78.

¹¹³ *Ibid.*, pp. 78-82.

¹¹⁴ *Ibid.*, p. 80.

reports in 1831 shaped the final decision made in 1834. Based on the medical reports of the Egyptian authorities, the vast number of soldiers in the Egyptian army, in 1831 had already syphilis. In addition to syphilis, many other epidemics were common in the south eastern Ottoman lands. Lots of people used to die due to epidemics. Furthermore, it should be pointed out that the long-lasting and specific reasons were not clear, and treatment methods were not so valid in the Empire. Therefore, the authorities accused women of being the main reason for the epidemics. Thus, aggressive movements began against women.

The first reaction to this situation was banning the relationship and contact between soldiers and women. However, this ban was valid only for Cairo. Women kept working outside of Cairo. If women tried to work in Cairo, the punishment was 50 lashes or a year of hard labor. Although there were punishments and so-called strict applications, women were working in particular places in Cairo, like in Parisian quarters. The reason for this flexibility should be the authorities' financial interests, who used to control the return of women. In conclusion, the main motive behind forbidding the prostitution in Cairo in the middle of the 19th century was the adverse effects on the military like epidemics, indiscipline, and public disorder. The details about the disease and epidemics are presented, and then discussed in the last chapter.

Like in all other societies, as the examples have proved, prostitution was a shared act in the Empire. It was forbidden based on the Shari'a and Orf'i laws, but in practice, there was no death penalty or some other physical punishments except some rare cases. Rather, women used to be exiled from the places where they lived and worked. After a while, they came back. Moreover, this happened in rare cases when issues could not be resolved with local powers.

III.II.II. Slavery and Prostitution

Prostitution is one of the biggest slave markets in the world; however, in this dissertation, this topic is evaluated from a different perspective. Prostitutes and slaves in markets are defined as two separated topics. This dissertation does not prefer to call prostitutes sex slaves or sex workers. In this part, female slaves who were used to be sold in official bazaars as official slaves, and its relationship with the issue of prostitution are explained.

Table 1: Differences Between Slave and Prostitute

Prostitute	Slave
In houses, or at streets, Unofficial, female	In bazaars, Official, female, male, children

Prostitution, has been the subtitle of slavery and it may be the darkest point of prostitution throughout history. According to Shari'a law, slavery was a legitimize action. In the Ottoman Empire, slave bazaars and slavery were typical until the end of the 19th century. Slavery, which refers to selling people in markets, was never abolished in the Ottoman Empire practically. Yavuz Selim Karakışla argues that with the Tanzimat Edict, only the name of the slavery system changed in the Ottoman Empire.¹¹⁵ People began to call these people adoptions. It can be said that there were not specific differences between the domestic servants and slaves in the Ottoman society. Despite having a servant in the house became a reputation and privilege issue, even middle-class people could have servants in their houses at the

¹¹⁵ Yavuz Selim Karakışla, *Osmanlı Hanımları ve Hizmetçi Kadınlar*, (İstanbul: Akıl Fikir Yayınları, 2009), p. 13.

beginning of the 20th century.¹¹⁶ The examples of this trend can be followed in novels. For instance, Hüseyin Rahmi wrote *Mürebbiye* in 1899. Furthermore, Ahmet Rifki published his novel called *Hizmetçi Belası* in 1911. The transition from slavery to the servant is a discursive result of modernity. It is essential that the servants in these novels and others were dangerous and terrible women who tried to have a relationship with the wealthy owners of the houses. They were a threat to the family order. This is significant because this is related to how the middle class perceived the lower class women, and many of these women had to become prostitutes later because of these kinds of prejudices. In these novels, women were active, black-hearted potential prostitutes. Significantly, many of these women carried sexually transmitted diseases, and it means that they were a threat to the health of the families and the public. The fact that the state pointed out these women as the main and only reason for illnesses caused such serotypes among the public. Furthermore, the issue of the servants made the elites busy and concerned for a while.¹¹⁷ It is significant that according to Müge Özbek's thesis, women working as domestic servants might become prostitutes after a while. The critical point in this part is the process of this issue. In other words, it should be asked if the women had to be prostitutes because of this shared belief or the opposite of it.

According to Hakan Erdem, the laws against slavery in the 19th century- Ottoman Empire were not related to its abolishment totally; instead, it was the abolishment of the slave trade. There were markets where slaves were sold, for example, one of them in the capital lasted until 1846. Slaves were accepted as items rather than humans. They could escape from their masters. However, they needed to prove

¹¹⁶ Ibid., p. 15.

¹¹⁷ Ibid, p 41.

that they were free people; if these slaves could not do this, they were kept under the control of kadi. He used to wait for their masters three months, if the masters did not come to take back her/ him, kadi could sell her/ him to the slave market. Also, it was almost impossible for a slave to survive in the Ottoman society where everyone knew each other.¹¹⁸

Slave girls most probably were a part of the sex trade in the Ottoman Empire. *Dellals* used to sell women and girls to the bazaars, dellals presented men the girls, but after 1 -2 days or a short time, after spending a day with women or children, the man returned them due to dissatisfaction. In Sharia law, this type of transaction was not an illegal action. Thus, the authorities had to use specific codes prohibiting the slavery, in the theoretical framework.¹¹⁹

The reason why these markets closed was not explained with inhumanity, and they were shut down because of the international reputation of the Empire. According to Erdem, the result of closing these bazaars in the capital made the position of slaves worse, because after 1846, slavery got totally out of control. In other words, the conditions and people in the market were not followed due to the black markets in the capital.¹²⁰ Most probably, the conditions of slaves were the same in the other parts of the Empire, as well. In 1857, black people slavery was abolished. However, Caucasians were still sold in not only official markets, but also in black markets in

¹¹⁸ Hakan Erdem, *Slavery in the Ottoman Empire and its Demise 1800-1909*, (London: Palgrave Macmillan Publish House, 1996), pp. 120-125.

¹¹⁹ Ze'evi Dror, *Producing Desire: Changing Sexual Discourse in the Ottoman Middle East, 1500-1900*, (Berkeley: University of California Press, 2006), p. 147.

¹²⁰ Hakan Erdem, *Slavery in the Ottoman Empire and its Demise 1800-1909*, (London: Palgrave Macmillan Publish House, 1996), p. 125.

the specific quarters of the capital. The developments and rules against slavery did not come from the Ottoman intellectuals; rather, the offers came from the British. According to Erdem's account, the intellectuals of the Empire did not mention slavery. They tried to change the slave trade issue in the Ottoman, and they discussed this in 1857 and 1889 in Brussel Conference. When it comes to the era of Abdulhamid II, as Erdem states, the intellectuals of this reign did not focus on the ordinary people slavery, yet they concentrated on the sultan's harem. Finally, in theory, in 1889, the rule against slavery in the Ottoman Empire was accepted. After 31st March of 1909, the slaves in Abdulhamid's harem were released, but the intellectuals still did not release their slaves from their houses. The regulations against slavery referred to the sultan only, and it was a favor the Circassian. In short, the intellectuals did not care about the issue of slavery so much, except the sultan's slaves.¹²¹ Even though the slavery fact was abolished theoretically at the end of the 19th and beginning of the 20th centuries, the issue continued with different titles like adopting children, nanny or wet nurses. Even though the name of slaves was changed, the abuse of labor continued, these women used to earn little money or nothing. Moreover, these hard and challenging conditions forced them to be prostitutes. The state could understand the seriousness of the issue, and then a servant institution was established in 1908 (*Hizmetçi İdaresi*).¹²² The reason of establishing such an institution might be to prevent the increasing number of prostitutes who were formerly domestic servants. According to Karakışla, this institution worked like the slave bazaar, and these places were open to the abuse of women and children like the slave market in the beginning.¹²³ In 1885, in the

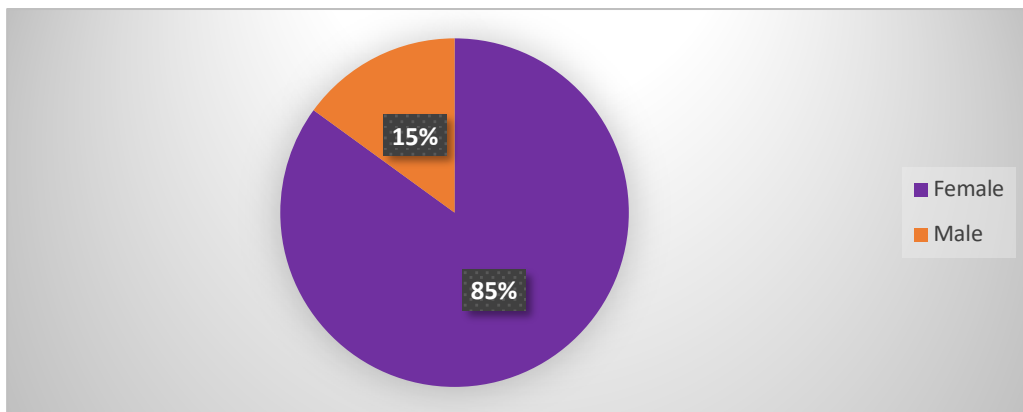
¹²¹ Ibid., p. 186.

¹²² Ibid, p. 52.

¹²³ Ibid p. 53.

capital, 85% of the servants were female, and 70% of them were younger than 30. In 1907, the rate of the female servants decreased to 80%. 60% of them were younger than 30. This is important to follow the relation between the servants and prostitutes in the capital.¹²⁴

Figure 2: Gender of Servants in Istanbul in 1885



Caravanserais were also places for sexual intercourse. There were again slave girls here, people who wished spent time with the girls dancing, singing for the money.¹²⁵ Gypsy girls were accepted to be related to prostitution. They were mobilized people, and it is obvious that surveillance, monitoring, and keeping them under control were more complicated than stable ones.

¹²⁴ Cem Behar and Alan Duben, *Istanbul Households : Marriage, Family, and Fertility, 1880-1940*, (Cambridge, New York: Cambridge University Press 1991), p. 72.

¹²⁵ Eugenia Kermeli, *Sin and Sinner Folles Femme in Ottoman Crete*, p. 89.

CHAPTER III

THE NEIGHBORHOODS, BUREAUCRACY AND LOCAL FORCES

This chapter is one of the core parts of this dissertation. Neighborhoods and the local forces living there are one of the main topics of this section. The districts are significant to this study because these small places were where prostitution was named and shaped. Moreover, the local forces are critical for this thesis since they allow or do not allow the existence of prostitution in the Ottoman society. In other words, if they preferred to ignore the happens, the prostitution never existed, contrary, if they decided not to allow the prostitution, they intervened in the happens, then the prostitution was admitted. Furthermore, these local people are important because, in the second half of the 19th century, the state tried to take their power back in terms of prostitution.

It is significant to understand the meaning of local values in the neighborhoods for making the prostitution issue apparent in the Ottoman society. It is not right to evaluate prostitution independently of spheres and the local actors. Until the end of the 19th century, the issue of prostitution was under the control of local leaders and neighborhood relationships mostly, due to the lack of infrastructural dynamics of the state. In order to figure out the changes during the 19th century in the issue of prostitution in the Ottoman Empire, differences in the local values, and the meaning of the neighborhood are explained.

Özer Ergenç has a study about neighborhoods and their function in the Ottoman Empire. According to him, local administrative places are very critical and

valuable.¹²⁶ Moreover, Serkan Şavk studied the private zones in the Ottoman Empire in his doctoral thesis as has been mentioned above.¹²⁷ According to these social scientists, the neighborhood in the Ottoman Empire was the smallest administrative part of the society. Besides, these places were centers where people tried to solve their problems themselves. There were some local taxes and other costs that forced people to stay together and keep solidarity and cooperation. In addition to the regular local taxes, Leslie Pierces gives other examples that forced neighbors to stay closer to one another.¹²⁸ She mentions, if a criminal could not be found in a neighborhood, the place where the crime was committed had to pay an individual tax. Fikret Yılmaz discusses the borders of the private zones in the Ottoman Empire. His perspective is important to this thesis.¹²⁹ Furthermore, according to İlber Ortaylı's study on Istanbul, protecting the ones in need were responsibilities of the quarters.¹³⁰ Moreover, based on Ferdan Ergut's doctoral thesis, this was not only in the Ottoman Empire. Thanks to his account, the development of police is more transparent in this study.¹³¹

¹²⁶ Özer Ergenç, "Osmanlı Şehrinde Mahallenin İşlev ve Nitelikleri Üzerine", *The Journal Of Ottoman Studies IV*, (Istanbul: 1984).

¹²⁷ Serkan Şavk, *Kapılar, Mahremiyet ve Kamusalık Erken Modern Dönemde İstanbul'un Modern Yapısını Yeniden Düşünmek*.

¹²⁸ Leslie Peirce, P. *Morality Tales: Law and Gender in the Ottoman Court of Aintab*, (Berkeley, CA: University of California Press, 2003), pp. 85-100.

¹²⁹ Fikret Yılmaz, "Fahişe Subaşı'ya Karşı", *Toplumsal Tarih*, 220 (1994).

¹³⁰ İlber Ortaylı, *Türkiye teşkilat ve İdare Tarihi*, (Ankara: Cedit Neşriyat, 2008).

¹³¹ Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyet'e Toplumsal Denetimin Diyalektiği*, (İstanbul: İletişim Yayınları, 2004).

This dissertation argues that the Ottoman Empire suffered from infrastructural forces that brought the society together with the state. Thus, there was a distance between the state and the society. This situation was not only an Ottoman case. In the pre-capitalist period, such practices were standard in almost all states. Infrastructural power is a term that has been used by Michael Mann in 1984. According to his theory, it is the opposite of authoritarian states. The former one is the state that has a close relationship with the citizens, and it has its forces that help follow the steps of the citizens. Thus, these kinds of states do not need to punish, and show their despotic side to their people. However, authoritarian states always show their aggressive side to their citizens, because under those threats, they could control the citizens. There is a dialectic relationship between these two, while the infrastructural states look less strong than the despotic ones; they are more powerful when it comes to controlling the citizens.¹³² The decisive factor here was capitalism, and European states were able to establish this link directly with society. According to Michel Foucault's perspective, centralization refers to the surveillance capacity of the state.¹³³ Since the Ottoman state was not a core capitalist state, it did not need to develop such infrastructures until the 19th century. However, it became too late when it began to feel its deficiency. Therefore, the Ottoman Empire failed to achieve this in many areas. It should be pointed out that this section provides a perspective from above. How the state saw and coded the neighborhood and influential people living here is shown.

¹³² Mann, Michael "The Autonomous Power of the State : Its Origins, Mechanisms and Results", *European Journal of / Archives Européennes de Sociologie / Europäisches Archiv für Soziologie*. (1984-01-01). 25 -2, pp. 185–213.

¹³³ Michel Foucault, *The Birth of Clinic: An Archeology of Medical Perception*, (New York: Vintage Books, 1994).

In order to understand and follow the changes in the issue of the prostitution in the districts in the second half of the 19th century, the general idea of a standard neighborhood in the Ottoman world should be determined first. Like many other traditional states, the centers were established around the religious place like a mosque or church in the Ottoman Empire. As a result, religious activity was the determinant point of daily life. For example, in the Muslim world of the Ottoman Empire, people used to organize their daily routines based on *namaz*, pray times. The pray is not only a religious activity; it is also the source of collective responsibility in society. The time issue of daily life is the topic of Avner Wishnitzer's account, *Reading Clocks*.¹³⁴ In his study, it is debated that people used to organize their schedule based on prayer times in a day in the Ottoman society. There is a proverb that expresses it; *he is standing his hands on his ear*. It means that *ezan* is recited soon. Shorty, it was evident that religion is more than a holy issue.

There are many advantages and disadvantages of being a member of a society. Leslie Pierce discusses this collective responsibility issue in her masterpiece in *Morality Tales*.¹³⁵ Like her, Elijah Semerdjian states neighborhood's habits in daily life in her study. All these treasured sources do not refer to the second half of the 19th century directly, but they are instrumental in understanding the atmosphere.¹³⁶

The collective responsibilities are beneficial during hard times like famines or war. A dialectical reading can be improved on this subject, as well as in all other topics. In

¹³⁴ Avner Wishnitzer, *Reading Clocks: Ala Turca, Time and Society in the Late Ottoman Empire*, (London: The University of Chicago Press, 2015).

¹³⁵ Leslie Pierce, *Ahlâk Oyunları: 1540-1541 Osmanlı'da Ayıntab Mahkemesi ve Tolumsal Cinsiyet*, (İstanbul: Tarih Vakfı, 2005).

¹³⁶ Elijah Semerdjian, *Off The Strait Path: Illicit Sex, Law, and Community in Ottoman Aleppo*, (Syracuse, N.Y.: Syracuse University Press, 2008).

other words, there are disadvantages of being a member of the society. Especially, marginal subjects who did not volunteer to be a member of the society suffered to stay closer. Women, for example, were watched and monitored by the neighbors due to the sake of society. Who is the marginal in the eye of the state or the society in pre-modern times? What are decisive here are those who do not do what the society does. In other words, they are those who refuse to be a part of social surveillance mechanisms and put the state in an awkward position for this reason. Married women and men were easily followed and controlled by the society. However, single ones were not. As a result, single women and men were the dangerous parts of the society. It turned to a struggle from time to time. Thus, the casts of these contacts should be examined one by one.

Imam, muhtar, security forces, kabadayis and külhanbeyis are the one of the fundamental casts of this dissertation. They were the so-called protectors of the society and the state. Until the second half of the 19th century, the state did not have any serious struggle with these representative forces, but with the centralization movements in the second half of the 19th century, the attitude of the state towards these subjects changed in some places and times. Shortly, this dissertation argues that the second half of the 19th century was the time the state tried to take its control back from these people. This was not a regular or standard action, as many other movements; however, it can be argued that it was the general idea of the modernizing state. But still, they were not abolished; rather, in some cases their responsibilities grew up. For example, muhtar became the head of the health committees in peripheries. It means that even though he did not have medical education, he had a superior position in a medical team. It can be said that muhtar was also the power that the state still used and partially trusted in areas where it did not feel competent and capable.

Imam was the religious leader for Muslims, and he was appointed by the Sultan. At the same time, he was the representative of *kadı* in peripheries and places far from city centers. According to Betül Başaran's brilliant account about the social control and policing Istanbul, the imam was the guarantor of the inhabitants in the neighborhoods.¹³⁷ Then, muhtar comes as a bureaucratic representative of the state, and he found a place himself in the 19th century. He was the official authority, and he cooperated with imam in a short time. Thus, these two positions tried to focus on the sake of the society.

The next force is the security powers of the Ottoman Empire. Before 1826, security was controlled by Janissaries in the centers, but it is significant that the general attitude of the Janissaries toward the people was not peaceful. Instead, there used to be more problems. They were aggressive soldiers, and they were not educated for local security or public problems. Shortly, they were not suitable forces for a modern state. This situation changed after 1826, and with the abolishment of Janissaries. It was understood that professional police was significant in order to protect the public order and solve the problems smoothly. However, this case could not be solved until 1846. Between these years, the public order was controlled by local forces. Then Zaptiye was established. They continued until 1879. The steps and evolution of these processes are told by Ergut, according to his account, the modern and successful police organization was established step by step.¹³⁸ When it came to the end of the 19th century, the modern police officers of the Ottoman Empire came to power. The responsibility and job of these police were reorganized. In other words, at the end of the 19th century, criminals and the meaning of crime

¹³⁷ Betül Başaran, *Selim III, Social Control and Policing in Istanbul at the End of the Eighteenth Century: Between Crisis and Order*, (Boston: Brill 2014).

¹³⁸ Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyet'e Toplumsal Denetimin Diyalektiği*, (İstanbul: İletişim Yayınları, 2004).

were recharged. The main target of the police was to protect the public order in the capital. The main issue at this point was to arrest criminals. These attitudes made the issue of police controversial; because the police could intervene in crime, people who did not commit crimes could also intervene. Lastly, the establishment of a professional police force refers to the replacement of the military by police officers. In other words, the security powers were civil officers anymore. It can be called as one of the civilianization steps of the Ottoman Empire. This was an essential step in terms of being a well-organized and a modern state.

Another problematic subject in the issue of prostitution and neighborhoods are kabadayis and külhanbeyis. This thesis calls the relationship between women and these aggressive men puzzling because of their two-sided attitude. Kabadayis and külhanbeyis were the next generations of Janissaries in the Ottoman society. There is a limited study about these aggressive men in the Ottoman world. Roger Deal studies one of them; he focuses on the era of Abdulhamid II.¹³⁹ He suggests that these guys announced themselves as the protectors of the neighborhoods. This was not an official duty, but no one could reject them. These men were known for their fighting abilities. According to Ahmet Rasim, who is the writer of old and new trends in terms of prostitution in the late Ottoman Empire, these men were an integral part of the problem of prostitution in the Ottoman society.¹⁴⁰ Kabadayis and külhanbeyis had problematic relationships with prostitutes in the society. They saw themselves as the protector of society from immoral activities, but they got sexual or emotional relationship with women in brothels. Having a regular relationship with women in brothels was a matter of prestige for these men in the Ottoman

¹³⁹ Roger Deal, *Crimes of Honor, Drunken Brawls and Murder - Violence in Istanbul Under Abdulhamid II*, (İstanbul: Libra Publish House, 2010).

¹⁴⁰ Ahmet Rasim, *Fuhuş-u Atik*, (İstanbul: Avrupa Yakası Yayınları, 2007).

society. In general, the relationship of these subjects with prostitution, registered or not, was problematic in the Ottoman world.

When it comes to the issue of the relationship between these authorities and prostitutes, the imam and muhtar were the decision-makers. When someone argued that there was prostitution somewhere, these two would go check the place. Imam had more authority when it comes to entering houses. If he chose to approve, it meant that there was prostitution, but he could choose to ignore it. The muhtar stood a bit behind here, because the imam represented the kadi. Kadi was the judicial authority in the Ottoman World. In other words, muhtar had to support imam's decision in many cases. The place of police in this process began after imam proved the prostitution. During the unofficial prostitution or adultery, police did not have such a significant role, in contrast to imam and muhtar.

With the prostitution becoming official in the late 19th century, the roles of these subjects also changed. Imam and muhtar began to lose their moral protector image, while police became more potent in the issue of registered female prostitution. The kabadays were limited to become the protector of houses. Police were the controller of registered houses. They were the authorities who could check the standards and conditions of houses. As a result, police had the most authority in terms of registered prostitution. According to the official records, the police abused their authority in many ways. For instance, they had an affair with women, and they accepted bribe from the owners of houses. There are some examples of this in the Ottoman Archive.

All these were relatively important subjects who could control the society. Yet, some people were controlled by these authorities. These authorities could decide who would live where. This was a very significant power after the 16th century when the migration waves began in the Ottoman Empire. People living in peripheries began to move to the center in order to have better life conditions. This migration

waves continued until the end of the 19th century. Different ones began after that time. The balance during this process was essential to protect the public order. The government figured out that they could not stop the migration waves; at least they tried to control the social order. Precisely at this point, these decision-making powers made vital decisions about the newcomers. The primary and perhaps the most important was the surety system. It was a kind of a guarantor or a sponsor system. Newcomers could not settle down without this document or sponsors' testimony. The relationship between this document and prostitution is about the exile policy of the Ottoman Empire.

Prostitutes were exiled in some cases. After a while, these women might have the demand to come back. In order to get permission, they need a sponsor, a *kefil*. For example, in 1892, Fitnat and Bahriye, who were exiled because they committed adultery, asked to come back to Istanbul again. They said that they had a relative who could support them. Thanks to this relative, they could come back to the capital. This issue is about the reputation of the neighborhoods. The living place is very significant for identity. Thus, people could have intervened in the private life of others. As a result, the decision of imam, muezzin, or muhtar is very vital. Moreover, especially when a single woman demanded to settle down in a neighborhood, these influential agencies' decision had a significant effect.

Even though the government tried to protect the balance during the migration waves, it could not achieve this, the balance between the genders in the capital, for example, changed. When it came to 1885, the number of females in the capital increased. In other words, when it came to the end of the 19th century, the gender-based balance in the cities altered. As a result of these changes in the society, many females tried to make their own money and survive. They had to work, so they had to spend time in public places. As a result, these women, no matter single or not,

were associated with prostitution. These women were one of the dangerous parts of society now.

Another dangerous figure was single men. They were called as a vagrant; Nadir Özbek has an account about these people, vagrants were the ones who did not have a regular place to stay.¹⁴¹ They were a threat to the society. Thus, the government began to collect these people from the streets in the city centers, and put them in prison because they were unreliable. Moreover, they might have damaged the public order according to middle class people of the Ottoman Empire.

III.I. Changes in Areas and Concepts

As it has been mentioned above, at the end of the 19th century, the organic structure and balance of the cities began to change in the Ottoman Empire. As a result, the Ottoman government planned to reshape the public and private areas. It was related to the dynamics in Western European states in the 19th century as much as the domestic problems in the Ottoman Empire. In these western European countries, people began to have a capitalist lifestyle. As a result, their daily life routines changed. The meaning of family, private and public zones was recreated based on the needs of conjuncture. Like them, the Ottoman Empire had to focus on these sides because of many reasons. One of the most significant reasons for this is the population concern of the government. The family was influential in the 19th century in European states, because they saw the importance of the legal production process. These were the next generations. There was a need for healthy and controllable links. Thus, family was overemphasized in the 19th century. Like many other examples, the family trend and its positive results based on the governments were spread over the Ottoman society in the second half of the 19th century. Therefore, sexual habits were also reshaped and reorganized. All types of

¹⁴¹ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, (İstanbul: İletişim Yayınları, 2002), 25-76.

relationships, except legal marriages that would produce new generations, were cursed. Hanne Blank, who published a book about the extremely short story of heterosexuality, talks about the new meaning of heterosexuality in the mind of the people in the 19th century.¹⁴² She argues that the sexual habits of people were classified with the necessities of the capitalist order in the western European states. This was the opposite of the natural sexual orders of people.

In the Ottoman society, the borders between the zones were not clear. Private life was under the control of public life in the society. Theoretically, only family members, adult women and men could have private zones. However, it was apparent that private zones were not so private in the Ottoman world. These zones were related to sexuality, as well. Zafer Toprak talks about this nuance in his book, *Yeni Hayat*.¹⁴³ He argues that male sexuality was private, while female sexuality was public in the Ottoman World. It means that the sexuality of females can be discussed and criticized, while the male's sexual life is private. Thus, naturally, the continuation of the "normality" of the sexuality of men is emphasized, while the woman's was seen as a crime or a mental disease. Later, this discourse was used to defend the existence of legitimate brothels.

This is not a natural difference between the genders; it is the result of gender codes based on social structures. According to Feray Saygılıgil, staying home makes women female, while men should spend time in a public place.¹⁴⁴ Thus, they will be more masculine. Agreeing her, Heather Brown focuses on the division of genders

¹⁴² Hanne Blank, *Düzcinsel: Hetoreseksüelliğin Şaşırtıcı Derecede Kısa Tarihi*, (İstanbul: İletişim Publish House, 2019).

¹⁴³ Zafer Toprak, *Türkiye'ye Yeni Hayat- İnkılap ve Travma 1908-1928*, (İstanbul: Doğan kitap, 2017).

¹⁴⁴ Feray Saygılıgil, *Toplumsal Cinsiyet Tartışmaları "Giriş"* (Ankara: Dipnot Yayınları, 2016).

based on the social norms.¹⁴⁵ According to this account, all differences between females and males have been organized based on social structures. In short, it can be said that all divisions between the genders were created based on social needs, not the natural and biological differences. According to the classical approach, this division of gender is a class issue. In other words, women were a class lower than men, no matter what their financial or social background or position is. Moreover, from the same perspective, this class-based approach is related to private property in family order. As a result, women's issues can be called the class issue, no matter what the details are.

It is possible to read the division of genders in the 19th-century Ottoman society from this perspective. The Ottoman society was patriarchal, and women's space was limited to their houses mostly. All attempts against this order were accepted as the failure of the system. Furthermore, it was read as a threat to the social and family order. The basic discourse was that the order of the society and the family could be disrupted. Every point in which women were involved in public life meant that the ordinary order would be destroyed, and women would be accused of prostitution in the classical Ottoman society. However, there are opposite examples of this. For instance, in peripheries, women worked in local bazaars and markets, or according to Haim Gerber, women in Kayseri could participate in public life in the 17th century.¹⁴⁶

The main target of the state in the 19th century was to protect the family order in society. As a result, a new, western-oriented and utopic family expectation was created at the end of the 19th century in the Ottoman society. As it has been discussed above, according to western Europe, the optimum family should consist

¹⁴⁵ Heather Brown, *Marx'ta Toplumsal Cinsiyet ve Aile*, (Ankara: Dipnot Yayınları, 2016).

¹⁴⁶ Haim Gerber, *State and Society in the Ottoman Empire*, (Farnham: Ashgate Publishment, 2010), pp. 25-53.

of a heterosexual couple and male dominance order. Ottomans did not have difficulty imitating this order because the traditional Ottoman society and family were already built with these codes. As a result, the state believed that society and family order could be protected, and people would have more children. Therefore, the population problem would be solved easily according to Cem Behar and Alan Duben's study about family life in Istanbul, and this was the national project that saved the population.¹⁴⁷ From this point of view, prostitution meant the opposite. In some cases, it was reflected in discourses as a national problem.

In the 19th century, family and prostitution were positioned opposite each other. While family is a part of the private sphere, prostitution is a part of the public sphere. The borders between these two are very complicated in Ottoman society. Even though the state tried to oppose, it could not protect the family from the public perspective in some cases. Even the family coded as sacred could not go beyond the influence of public space. In other words, the secrets of families were followed by the people around them. Even in the 20th century, the state tried to protect the family from these public interventions. The collective responsibility was so active that the state could not protect its officers from this force. In the Ottoman society, people could have the power of making the private zone to a public festival area. Especially in prostitution issues, when people came together, they raided houses, and they turned this place a public one. This looks like the punishment show of Europe, before the 17th century, as Foucault mentions.¹⁴⁸

¹⁴⁷ Cem Behar and Alan Duben, *Istanbul Households : Marriage, Family, and Fertility, 1880-1940*, (Cambridge New York: Cambridge University Press 1991).

¹⁴⁸ Michel Foucault, *Hapishanenin Doğuşu*, (Ankara: İmge Publish House, 1975).

III.II.The Meaning of Neighborhood in the Ottoman World, Local Forces and Spheres in the Ottoman Society

In this part, the cooperation and its meaning in terms of neighborhood life in the 19th century Ottoman society are introduced. Although Durkheim's definition of mechanical solidarity would be entirely appropriate here, it is not preferred because it means to praise this social cooperation that ignores the subjects.¹⁴⁹ In such kind of societies the individual values are ignored, collective conscious is the most significant term. There is no any individual differences, people are criticized or judged based on the collective and shared habits.¹⁵⁰

In the next section of this chapter, the local authorities are presented. Finally, the link between the centralization and the existence of local powers are discussed. Thus, the importance of infrastructural dynamics in terms of centralization attempts of the Ottoman government is clarified. Then, male actors in neighborhoods and their conditions are explained.

According to Özer Ergenç, the neighborhood means the place that was shared by the society who stayed at the same religious place as it has been explained above.¹⁵¹ In the Ottoman Empire, the neighborhoods consisted of different ethnic and religious notions. On the contrary to the general belief, in the Ottoman neighborhoods, Muslims and Non-Muslims did not have certain borders, there were some places where Muslims and Non-Muslims lived together, at the same time,

¹⁴⁹ The mechanic solidarity is a term used by Emile Durkheim in his masterpiece the Division of Labor.

¹⁵⁰ Emile Durkheim, *The Divion of Labor in the Society*, (Glencoe: Free Press,1933).

¹⁵¹ Özer Ergenç, "Osmanlı Şehrinde Mahallenin İşlev ve Nitelikleri Üzerine", *The Journal Of Ottoman Studies IV*, (Istanbul: 1984), p. 69.

there were some neighborhoods where these were so homogeneous. However, at least, it can be said that people who were colleagues used to live close to each other.

III.II.I.The Meaning of Neighborhood in the Ottoman World

The smallest administrative part of the society was the quarters in the Empire. Moreover, the quarters were the communities that could solve the problems by themselves.¹⁵² This was related to the political, economic, cultural values and dynamics. For example, taxpayers were kept based on their quarters. As a result, there was an organic bond among the people there. There was some expense that people living in the same quarter had to pay together, for example, *tekalif-i örfiyye* and *avarız-ı divaniye*. The leader of the quarters, imam collected *avarız*.¹⁵³ In addition to the local expenses, the salary of the imam or the cost of the local schools, were paid by the local budget. Furthermore, in many times the local security was provided by inhabitants.¹⁵⁴ Thus, people living in the same quarter had to develop communications and close relationships among themselves in order to protect their rights and keep the continuity of the quarter. This might be called a kind of solidarity. They had to pay their local taxes regularly, and it was significant for the state. Because of its financial priority, the state supported the unification in the quarters. In addition to the regular taxes, Pierce shows that if a criminal could

¹⁵² İlber Ortaylı, *İstanbul'dan Sayfalar*, (İstanbul: İnkılap Yayınevi: 2016), p 25.

¹⁵³ Serkan Şavk, "*Kapılar, Mahremiyet ve Kamusalılık Erken Modern Dönemde İstanbul'un Modern Yapısını Yeniden Düşünmek*", p. 178.

¹⁵⁴ *Ibid.*, p. 178.

not be found, the ones living in the same place as the criminal must pay the debt.¹⁵⁵

It dates back to Süleyman's law book.¹⁵⁶

Furthermore, to extinguish, to set a watch, to protect the ones who were in need were the responsibilities of the quarters.¹⁵⁷ All these expenses and responsibilities created collective responsibility. According to Ergut, this situation did not occur only in the Ottoman Empire; almost every state had this kind of collective responsibility when they suffered from infrastructural powers or when they needed it.¹⁵⁸ The infrastructural powers grew up in Europe with capitalism and centralization process. During the pre-capitalist era, states did not prefer to and have the ability to have a relationship and link between themselves and the people. With the capitalization, industrialization, and centralization, all of which are related to each other, the European states preferred to make the minimize the collective responsibility mostly, and they announced the state as the only power.

On the contrary, in the Ottoman Empire, this was not accomplished ultimately, even though the state wished to achieve it in the second half of the 19th century. The

¹⁵⁵ Leslie Peirce, P. *Morality Tales: Law and Gender in the Ottoman Court of Aintab*, (Berkeley, CA: University of California Press, 2003),p 119.

¹⁵⁶ Fikret Yılmaz," Osmanlı Toplumunda Mahremiyetin Sınırlarına Dair", *Toplum ve Bilim*, vol. 83, (1999).

"eğer müettehem yok ise mahalle veya köy halkına tazmin ettireler" held individuals, urban neighborhoods, or whole villageli able for crimes committed on their property if they could not find guilty part."

¹⁵⁷ İlber Ortaylı, *İstanbul'dan Sayfalar*, (İstanbul: İnkılap Yayınevi: 2016), p. 2.

¹⁵⁸ Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyet'e Toplumsal Denetimin Diyalektiği*, (İstanbul: İletişim Yayınları, 2004), p. 49.

main reason for this issue is related to difficulties in the process of capitalization, industrialization, and centralization. What is described above shows in what atmosphere local forces should be evaluated in the late Ottoman state. After the conjuncture, solid or physical places are determined.

For the Muslim quarters, the mosque or prayer rooms were the center, like in other societies. As a result, religious activities were very significant, and they were more than just worship. It can be claimed that prayers called *namaz* were one of the most essential tools of local surveillance. The ones who do not perform *namaz* in the mosque reject the collective actions.¹⁵⁹ It is related to the concept of being a community. This local cooperation was not valid only in the Ottoman Empire; for example, there were similar cases in European states, for instance in France.¹⁶⁰

There are advantages and disadvantages of being a member of the community in the Ottoman context, for example, when someone was charged with a criminal action, if he was one of the active members of the community, people sharing the same mosque with him could be a witness and advocate him. The other members of the family were also evaluated according to the position of the male family leader. This could be a positive or negative outcome of being a member of society based on the perspective. For example, in the case of Ine, in the masterpiece of Pierce, the same situation has been monitored. Ine's father-in-law was a person the society trusted and advocated. As a result, he was not found guilty in the court.¹⁶¹

¹⁵⁹ Avner Wishnitzer, *Reading Clocks: Ala Turca, Time and Society in the Late Ottoman Empire*, (London: The University of Chicago Press, 2015), p. 25.

¹⁶⁰ Arlette Farge, *Fragile Lives: Violence, Power and Solidarity in Eighteenth-Century Paris*, (Cambridge : Harvard University Press, 1993), p. 12.

¹⁶¹ Leslie Peirce, P. *Morality Tales: Law and Gender in the Ottoman Court of Aintab*, (Berkeley, CA: University of California Press, 2003), pp. 163-177.

On the other hand, according to Semerdjian, this was a policing process; the quarter could protect themselves and their neighborhoods from immoral and criminal actions.¹⁶² Moreover, she adds one of the outcomes of this cooperation. The reason why local powers and neighborhoods were reliable and valid is their capability during the difficult times. The quarters could protect the women, children and elders during the war times when men went to fight for the quarters became vulnerable. Moreover, during the famine, the same solidarity was valid and affective.

As it is seen, the collectivity brings advantages, but also disadvantages. It should be remembered that the local authorities might have abused the idea of staying close to each other: women, mostly single, marginal or married ones, suffered from this solidarity or local cooperation for centuries, not only in centers, but also peripheries in the Empire. It has been the local authorities who punished, stigmatized or labeled women in the societies throughout history. Those who suffered the most from this situation were always marginal women. The meaning of marginal in the late Ottoman world should be discussed and determined first. According to the general attitude, marginal people are the ones who ignore the collective actions or are not accepted by the society because of their behaviors, their bodies, criminal backgrounds, sexualities, families or diseases they carry. However, they are not free riders, and these people could not benefit from any opportunities in society. Their so-called marginal activities do not have to be physical actions. For instance, if a woman rejects to get married when she is young, she would be called marginal, or if a man does not have a regular place to stay, he would be marginal in the classical Ottoman society. In other words, the insane, criminals, vagrants, single women, prostitutes, procurers, dancers, lesbians, gays, and other uncommon people can be classified as marginals in the late Ottoman Empire based on the new social codes born in the European capitalist states. The attitude of the state and the society

¹⁶² Semerdjian, *Off The Strait Path*, pp. 81-82.

toward these people was not standard in the Ottoman daily life. In some cases, prostitutes were hated by society, while in some cases; they were treated as victims waiting to be rescued. The same situation was valid for insane or homeless men. It was the social dynamics, the demands, and expectations of local forces that determined this point. Since the expectations of the social forces were not standardized, no particular attitude was taken against prostitutes. Approaches frequently varied. Because of the conditions mentioned above, local forces were vital in Ottoman neighborhoods. This makes their decisions very important. The change in their attitude can be explained by the conflicts between these forces and the state. As a result, these figures and the relationship between state and them are critical for this dissertation.

In the following part, some dominant and competent local authorities of the Ottoman society and their capacities are discussed. Thus, the relationship between these powers and prostitution are referred. Furthermore, the position of the state, and the cooperation and competition between the state and these local powers are clarified.

III.II.II. Local Leaders: Religious Leaders, Muhtar, Security Powers and Kabadayıs-Külhanbeys

Religious leaders like an imam, müezzin or priest, muhtar, security forces, guilds, and kabadayıs- külhanbeyis were the local official and unofficial authorities in the Ottoman society they had a significant role in the issue of prostitution in neighborhoods until the late 19th century. Moreover, there were many struggles between these forces and the government in terms of bureaucratization and centralization process in the second half of this century. For these fundamental reasons, a remarkable place is devoted to these subjects in this thesis.

III.II.II.I. Religious Figures

The religious place, mosque or church, was the center of this local control mechanism; as a result, *namaz*, ceremonies in church were a tool, as it has been mentioned above, for this collective order. As a result, the imam had critical authority for society, as well. Religious figures were valuable for the society not only due to their divine duties, but also their political and financial leader position and power over the society, as implied before. Additionally, this was not a rule valid for Muslims only, according to Fikret Yılmaz's study, people whose leader was a priest raided a house where a Christian couple stayed.¹⁶³

Until and even in the 19th century, the imam was not just a religious authority, at the same time, he used to cooperate with the judge, and he used to transmit the order of the *kadı*, the judge to people in Friday sermons. As Pierce claims, the imams in the quarters or peripheries could be negotiators during the struggle times.¹⁶⁴ According to İlber Ortaylı, imams were the representatives of *kadis*.¹⁶⁵ According to Başaran, imam was the guarantor of the inhabitants of the neighborhood.¹⁶⁶ In nomadic societies, older people had the same position. It shows that the religious leaders' role consisted of more than their religious duties. They organized prostitution raids, and made the final decision about the cases and

¹⁶³ Yılmaz, "Fahişe Subaşı'ya Karşı", p 104.

¹⁶⁴ Peirce, *Morality Tales* p. 163.

¹⁶⁵ İlber Ortaylı, *Türkiye teşkilat ve İdare Tarihi*, (Ankara: Cedit Neşriyat, 2008), pp. 305-301. pp. 412-415.

¹⁶⁶ Betül Başaran, *Selim III, Social Control and Policing in Istanbul at the End of the Eighteenth Century: Between Crisis and Order*, (Boston: Brill 2014), p. 37.

women. Furthermore, he had some other roles. For instance, during the epidemic times, he was the responsible one who checked the spouses' health.¹⁶⁷

III.II.II.II.Muhtar

In addition to the imam, the other significant local leader was *muhtar*, who was a secular one. This authority came to the districts after the 1830s. The bureaucracy is very significant for having infrastructural authority; it decreases the local authorities' power, and makes the state stronger and centralized. Appointment of muhtar to districts might have been planned in order to the state a more centralized institute. However, muhtars cooperated with the imam, and they established unifications in the neighborhoods. Thanks to the muhtars' existence, the local unifications became more a legitimized apparatus; the state was presented by the muhtars in the unification. He was the chief of the health committees in the places far away from the centers, and villages. Furthermore, he was the one who vouched for healthy people during the epidemic.¹⁶⁸

III.II.II.III.Security Forces

When it comes to the security power in the issue of the neighborhood and prostitution issue, its evolution should be mentioned first. Significantly, the establishment of the police forces in the Ottoman Empire is related to the centralization of the state. With the abolishment of the Janissaries in 1826, the local issues were solved by the local powers, but if they could not achieve this, the military forces intervened in this situation as the ones who are responsible for

¹⁶⁷ COA.DH.MKT.2502/56 (06.03.1319/23.06.1901)

¹⁶⁸ Kurt & Yaşayanlar, "Osmanlı Devleti'nde Kamu Sağlığının Kurumsallaşması", p. 21.

public order to solve the struggles. It can be said that the state had not been a volunteer to have contact with the local issues. When the army- the Janissaries- interfered in the troubles before the de-militarization process at the end of the second half of the 19th century, they acted harshly against people. Moreover, the fact that it is now a unique institution. These interventions were not a feature of a centralized state. The intention of the Janissaries was not to solve issues. The army did not represent the state' order, they were semi- independent powers in the 19th century. Thus, there had been a distance between the state and the society, unlike a centralized state.

At the same time, there were already local powers, and they used to solve the issues before the intervention of army. Until 1826, the security issues worked like that. After the abolishment of the Janissaries, the security issue became a complicated topic for a while. Between 1826 and 1846, it was controlled almost only by the local leaders. In 1845 a Police Regulation was announced. After a year, the *Zaptiye* was established, and security forces were kept together until 1879. According to Ergut, the period between 1846 and 1879 was called *Tevhid-i Zabita*, the unification of zabita. The state did not employ new people for this institution; the old *timar* owners were used as *zaptiye* officers. Thus, both breakpoint and continuity were provided. In 1869 another regulation that was called *Asakir-i Zaptiye Nizamnamesi* was ordered. Thanks to this one, the position of the *zaptiye* was highlighted. In other words, in contrary to the past, the security powers became non- military forces.¹⁶⁹ Considering the example of Britain and the United States, it is understood that the Ottomans were not far behind in terms of the

¹⁶⁹ Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyet'e Toplumsal Denetimin Diyalektiği*, (İstanbul: İletişim Yayınları, 2004), p. 113.

organization of police. Police was founded in Britain in 1839; after a short time, in 1845, it was established in New York.

According to Ergut's study, the primary concern of the police or zaptiye in the early times was not to deal with severe criminal actions. Instead, they focused on the public order in the capital first.¹⁷⁰ In 1890s, there were 15 zabıta centers in there. In 1896 another regulation about the issue of police and zaptiye called *Dersaadet Asayiş Vazifesiyle Mükellef Olan Nizamiye ve Jandarma Asakiri Şahanesiyle Polis Memurlarının Sureti Hareketlerine Dair Talimatname* was ordered. This order is significant to see the state's intention about the issue of public order. According to this regulation, public security and order must be controlled by the police, not people. If they intervened in the problems, they would be punished.¹⁷¹

The relationship between the police and prostitutes was complicated. The main cause for this situation is to have authority over women. This was a simple reason for the abuse of women by security powers as much as kabadayıs or külhanbeyis in the Ottoman Empire. Women had relationships with police officers in order to benefit from their powers. It is known that security powers abused women and brothels throughout history. For example, in 1894, commissar Şemsi and another commissar Ahmet drank in a brothel in Bülbülderesi, Beyoğlu. It was understood that according to the authorities, these guys needed to be punished because they were against the order coming from the sultan.¹⁷² In 1897, a police officer from Taksim named Raib Effendi drank in Beyoğlu, then disturbed a brothel in Macar (Street?). As a result, he was captured and sent to the center. It was written that

¹⁷⁰ Ferdan Ergut, *Modern Devlet ve Polis*, p. 124.

¹⁷¹ *Ibid.*, pp. 142 - 143.

¹⁷² COA. ZB. 70/ 18 (R. 28.09.1310/10.12.1894)

such an undisciplined guy cannot be a police officer anymore. Thus, he was dismissed from his duty.¹⁷³ Despite the harsh measures and punishments, the relationship police officers and prostitutes or brothels and abuse of women by these officers never ended even if time passed. Police officers who spend time in brothels were fired from their jobs. However, that was not deterring enough. In 1905, Mehmet Sıtkı Effendi who was a police officer in Beyoğlu and people hanging out with him were captured in a brothel in Çiçekçi Street. He was drunk when he was captured. He was dismissed from his position because he was accepted as irresponsible by his authorities.¹⁷⁴ There is another abuse done by police; it was bribe. Police used to accept money, or they did not pay their costs when they visited the brothels. In July 1895, the police officers Hayri Effendi and Salahattin Effendi accepted a bribe from Iros, the house owner. The authorities learned that then these police officers were sent to the court.¹⁷⁵

III.II.II.III.I.New Crime and Criminals

The definition of crime and criminals changed in the 19th century like many other things based on the new world conjuncture. Being a criminal was related to the definition, not the action.¹⁷⁶ That was a flexible point; thus, the security powers got rights that they could behave independently based on their mood. As Ergut claims, in the 19th century, according to the new world order, new crimes were not invented. The crimes that already existed were re-thought and re-evaluated.

¹⁷³ COA.ZB. 70/ 53 (R. 12.05.1313/ 24.07.1897)

¹⁷⁴ COA.ZB. 71/ 41 (R. 11.08.1321/ 24.10.1905)

¹⁷⁵ COA. ŞD. 2571/ 16 (08.02.1313/ 23.07.1895)

¹⁷⁶ *Ibid.*, p.71.

Moreover, some other actions were coded as new criminal acts. Thus, when it comes to the 19th century, criminals and crimes were re-shaped based on the conjunctures. The new security power of the state found its role in this process.¹⁷⁷ The more important point for this dissertation is the new concerns of the state in the second half of the 19th century. The state began to focus on the new areas, unlike before. This is about re-shaping the state itself. Relatively, even in the narrowest topics like prostitution, both global and local dynamics should be kept in mind to see the whole picture. In order to understand the issue of prostitution, the dynamics and new perspectives of the state should be focused on. One of the most apparent concerns of the state was related to the public order and its sustainability. The threats for the public order were also re-named; re-defining prostitution is one of them. As mentioned above, public order was one of the most significant concerns of the 19th-century Ottoman Empire. Therefore, in order to understand the security power and their new conditions and performance in society, the concerns of the state should be discussed and thought first.

It can be said that the issue of prostitution had always been accepted as the moral and criminal issue in Ottoman history rather than a health risk until the end of the 19th century. This explains why imams or police and neighborhood had the right to control prostitution more than the healthcare professionals. Even at the end of the 19th century, imams and muhtars, especially *mukhtars*, had extraordinary power in the issue of health committees. In other words, after the establishment of the police, its extended power is related to the centralization process in the same respects. The meaning and the role of the local unity- imam, muhtar, and others- changed in time. For a while, the police were a part of this already existing unification.

¹⁷⁷ Ibid., p.72.

The main purpose and the primary intention of the state were to make the police independent and the only local power even in the local issues. It became the representative figure of the state, in theory. It is expected that while police' power and capacity increased, the other local leaders' capability would decrease. In other words, the state tried to make itself the only legitimize power in the eye of the society in some cases. However, the position of the state was not stable in this issue either, due to the lack of infrastructural forces. For example, the state could not provide enough police force. Besides, the police did not become an authority figure dealing with multifaceted jobs such as muhtars. Also, even if police had already been there, the muhtar's position was always privileged. Moreover, the police could not achieve their aim entirely, and it did not take all the control from the local powers. From this perspective the regulation of prostitution in 1884 makes more sense, because it was organized based on this process. In other words, thanks to the 1884 Regulation, the state tried to take the prostitutes from the control of the local forces. Then, this regulation aimed to make police officers and healthcare professionals only power in the issue of prostitution.

Prostitution in the second half of the 19th century became a public issue that the state had to deal with, unlike before. All these centralization movements needed well-organized bureaucratization moves. It is significant that Abdulhamid II's era cannot be thought of without the bureaucratization process. He was a dominant and patriarchal sultan, but it does not mean that there was no bureaucratization in his time.

III.II.II.IV.Guilds

As it has been mentioned in the beginning part, the economic dynamics in local issues should be kept in mind in order to understand prostitution. It can be said that an economically active person or group was the most crucial subject in the issues. Semerdjiyan talks about the guild power on social life. Because they used to control

the market; in other words, they were the financial powers, as a result, they were dominant in the issue of local cases. They had the right to advocate and blame someone in the society. Significantly, guilds were so effective that they could charge or get someone innocent, as well.¹⁷⁸ Piece argues the same idea, because of the financial concerns, people living in the same quarters had to be careful since they were watched and they watched others, “one’s neighbors’ business was one’s own.” That can be named as horizontal or quarter responsibility that was an organic order.¹⁷⁹

III.II.II.VI.Kabadayıs and Külhanbey(i)s

The final agencies of this part are the most complicated ones; *kabadayıs* and *külhanbeyıs*. This dissertation finds them puzzling because of their relationships with both the other local leaders and their “enemies,” prostitutes in their neighborhoods. According to Deal’s account, *kabadayıs* were next generation of the late Janissary culture, and the *külhanbeyıs* were homeless men.¹⁸⁰ Until the beginning of the 19th century, Janissaries were powerful and active figures in society, *kabadayıs* were the continuation of this tradition. These were “respectable” subjects in their neighborhood. As expected, *Kabadayıs* were both Muslim and Christian.¹⁸¹ Their power did not come from the state or any other official authority, but it came from the social system. People in society had to accept their authority,

¹⁷⁸ Metin Coşgel, *The Economics of Ottoman Justice: Settlement and Trial in the Sharia Courts*, (New York: Cambridge University Press, 2016), p. 72.

¹⁷⁹ Semerdjian, *Off The Strait Path*, p. 60.

¹⁸⁰ Deal, *Crimes of Honor*, p. 75.

¹⁸¹ COA.DH.ŞFR.188/57(R. 18.12.1311/01.03.1896)

because they were able to enforce their will on the people. The source of their authority was their fighting abilities, of course. While people in the neighborhood respected some of them, many other people hated them because violence was the majority of their lives. They were organized men, many of whom were craftsmen, beggars, and extortionists at the same time. During Abdulhamid II's era, they were known for being loud, aggressive, and abhorrent. Ahmet Rasim also mentions these people in his book about the old prostitution features in the capital; he talks about kabadayıs as,

“They are the strongest and violence kabadayıs of İstanbul!.. One of them is called an Arab. Also, there is one more.. People call him as Kahraman Bey. Last year he punched someone on the back street, his head was swollen.”

No one could report them to the zaptiye or the any authority because people were afraid of them.¹⁸² Kabadayıs and külhanbeyis used to have a place in society when the state was not so strong to control it. They began to lose their position when the state got stronger and could interfere in the local issues. In other words, when the state became a more centralized one, they had to give up their positions. However, still, brothel keepers needed to have a relationship with these figures even in the beginning of the 20th century. This is why they are called complicated by this dissertation. Interestingly, the kabadayıs and külhanbeyis were the ones who used to protect the neighborhood's security and honor; at the same time, they used to protect the brothels and women in there. This is problematic and a double point. According to Deal, kabadayıs and külhanbeyis were the figures coming after the imam in the local issues in the neighborhoods.¹⁸³

¹⁸² Ahmet Rasim, *Fuhş-i Atik*, p. 69.

¹⁸³ Deal, *Crimes of Honor*, p. 78.

In contrary to this “holy unification,” at the same time, they had a close relationship with the prostitutes. Their companies, mostly, worked for brothels in their neighborhoods. It is called *dost*¹⁸⁴ relationship. There were different forms of it; for instance, the relation could be regular and permanent between the *kabadayıs* or *külhanbeyis* and a prostitute working for the house that was protected by him. Furthermore, men would rent an apartment for women. On the other hand, women in the houses needed someone to protect and support them. Regardless of the forms, the relationship and contact between these guys and brothels were close and secure. Even though the culture of *kabadayı* or *külhanbeyi* was common around the Empire, they were dominant in Istanbul and particular districts in the capital like Galata.¹⁸⁵ Moreover, they were common in Aksaray and Eyüp. These were both conservative and crowded places, and prostitution was common here. It should be pointed out that prostitutes in Eyüp and Aksaray were mostly Muslim in contrary to Galata. In there, non-Muslim prostitutes were common. In Eyüp there were Muslim and non-Muslim women who were accused of disturbing the peace of the society and vicinity of Eyüp Mosque. Their disturbing and immoral acts were playing music, dancing, and having contact with men who were not their husbands or relatives.¹⁸⁶

The existence of local leaders and their power can be explained with the lack of centralization in the Ottoman Empire.¹⁸⁷ When the state was inadequate, local powers or leaders emerged. Until the second half of the 19th century, the state

¹⁸⁴ Dost means close friend.

¹⁸⁵ Ahmet Rasim, *Fuhş-i Atik*, p. 109.

¹⁸⁶ Andrews, Kalpaklı, *The Age of the Beloved*, p. 189.

¹⁸⁷ Semerdjian, *Off The Strait Path*, p. 81.

supported these local leaders regardless of their position. As it has been shown before, the state benefitted from these people. They provided local security and financial responsibility. However, when it comes to the second half of the 19th century, in other words, when the state wish to be a centralized power, these subjects became undesirable and unnecessary. The state developed its apparatus that could replace with the local powers. There were struggles between the old local unifications and the state's apparatus in the second half of the 19th century.

III.III.The "Others" And The Capacity Of The Neighborhoods

The neighborhoods where the places of prostitution and many other crimes were determined, named and shaped, also punished or tolerated. Neighbors were the ones who came across with the prostitutes and their customers first. According to the neighbors' and the unification of imam, muhtar, security power, and kabadayis' attitude, the position of the prostitutes and costumers were predestined.¹⁸⁸

According to Ortaylı, the quarters were the most potent places that could approve or exclude the people.¹⁸⁹ If they wished to move people from their quarters, they did; however, if they preferred to ignore what happened, no one did anything to these people. It can be said that the main reason and motive behind this distinction were the economic benefits. The society could dismiss the subjects, and then they could re-accept them. It is crucial that re-accepting the subjects back to society was not so difficult. The society had a harmony in itself, so whatever the reason that damaged this harmony would bring some undesirable consequences. Therefore, the society tried to protect the balance in itself; for example, in the courts, all details of the adultery or the prostitution were not told or recorded. There was a euphemism in the courts. The main reason for this different language was to protect the

¹⁸⁸ Ahmet Rasim, *Fuhş-i Atik*, pp. 154-155.

¹⁸⁹ İlber Ortaylı, *İstanbul'dan Sayfalar*, p. 23.

dynamics of society.¹⁹⁰ Especially men were re-accepted by the society more easily and quickly than women. There are basic reasons for this; first of all, the lack of effective roles of men in public life would become more noticeable. Secondly, in moral matters women would suffer more long-lasting damages than men.

In order to be a part of the society, the subjects must cooperate with it. In some cases, people volunteered to expose their privacy to the public. Yılmaz gives some examples of this, according to Islamic law, a woman has to prove that she is not pregnant after she gets a divorce and if she wishes to get married to someone else after a short time. In such a case, a woman has to share her menstruation cycle with the court.¹⁹¹ As it has been explained, in the Ottoman society, the private life was not so private, people, voluntarily or not, had to share their details to be a member of the society and take advantage of it as a member.

When it comes to the prostitution issue, actually prostitution or illicit sex was private actions. However, they were evaluated and judged as a public affair. Because of the notions and dynamics mentioned above, local leaders had the right to intervene in the relations in the private spheres. Imam, muhtar, police officers, kabadayis were the unification and the authority in local issues like prostitution. In the following part, living in a neighborhood, and its meaning are explained in terms of guardianship in the Ottoman society based on the cases reflected in the documents. The capacity of this system is to be mentioned. Then, the other male

¹⁹⁰ Semerdjian, *Off The Strait Path*, p. 97.

Peirce, *Morality Tales* p. 179.

¹⁹¹ Yılmaz, "Fahişe Subaşı'ya Karşı" p. 98.

figures in the Ottoman society and their living conditions are presented. These male figures were the potential clients of the brothels in the capital.

So far, the figures mentioned above in the settled life and how things went in a settled place in the traditional Ottoman society have been explained. After the 16th century, there were migrations in the Ottoman Empire, from the peripheries to the city centers. These migration waves altered the dynamics and conditions of the Ottoman society. On the other hand, the state tried to protect the public order in the quarters, especially in the capital. As a result, it was not so easy to move out of the house and settle down in the cities in the 19th century. There were different rules and necessities. These immigrants are vital for this dissertation because they were the actors of prostitution in the late Ottoman Empire. In other words, the male figures were the customers of the houses, while females were the ones who worked for the brothels. In the following part, this process and the conditions are explained. After this part, the details of the migration are presented. The ones coming to the city had to have at least one trustworthy person to be a sponsor or guarantor which is called *kefalet* system in Ottoman Turkish.¹⁹² To be accepted by the society and being a member of it are significant. As a result, one could benefit from the mentioned advantage of a member of the society in the Ottoman Empire. In other words, people could be guarantors of guilty ones or criminals, even if they were related to the prostitution issue. According to a document dated in 1892, two women whose names were Fitnat and Bahriye were accused due to being brothel keepers. Then, they were exiled to Bursa. After a while, they demanded to come back to the capital and asked the authorities. They informed the authorities that they had relatives in Beykoz- Akbaba, and said that these relatives would be their sponsor, *kefil*. As a result, research was made, and it was accepted that they acted

¹⁹² Başaran, *Selim III*, p. 36.

appropriately in Bursa, and they were innocent now. Thus, they could come back to the capital under their sponsor's surveillance.¹⁹³ This system was used in different areas like getting released from mental hospitals, or prison. Regardless of the area, the main reason of this system was to protect the social order.

According to Serkan Şavk, the neighborhoods had an identity that determined the inhabitants' reputation.¹⁹⁴ Places, where people lived, were so important that in the official records the place comes after the name, in some papers it comes before the names. It was related to identity directly. *Sakin* or *sakine* were used to determine the full name. Alternatively, *ikamet* was also used. However, *beytute etmek* means to spend the night, and these did not have a place to stay regularly. Being an inhabitant of a neighborhood is very significant and necessary to survive in terms of many ways.

Imams or muezzins, muhtars and guilds were the figures protecting the quarters; in other words, they were accepted as the reliable ones. Staying in a neighborhood was depended on the testimony of them; people could be exiled from their district because they were undesirable people like criminals or prostitutes. These undesirable people were mostly women and they were singles, widows, and single mothers. The content of the quarter is significant and meaningful to understand the conditions of prostitution in the late Ottoman Empire. The documents mentioned above show us that the sponsorships were very significant and useful to be free in the Ottoman society; also, it demonstrates that the society recovers itself in a short time and people could take back their position in the society again if they had their sponsorships.

¹⁹³ COA.Y.A.HUS 257/ 63 (13.08.1309/ 13.03.1892)

¹⁹⁴ Şavk, *Kapılar*, p .176.

So far, the primary and central relationship between prostitution and neighborhood has been stated. Also, effective and strong actors in these neighborhoods have been shown. Moreover, the actors' power and ability over prostitutes and prostitution-related topics have been explained. In the following part, other actors in this process are mentioned.

There were economic, social, and political depressions after the 16th century in the Ottoman Empire. The reasons and solutions of these problems had been discussed; however, specific, effective, and long-lasting answers could not be found by the authorities until the end of the 18th century. Because of these difficulties, people in both urban and rural areas suffered from many troubles. As a result of long-lasting wars, people had to leave their homes and begin to live somewhere else. Many of them had to come to the city centers. Because of the lost territories, also the long-lasting financial problems, people had to change their residences. Thus, overpopulation and unbalanced population problems were born in the centers. The next part of this chapter focuses on this population problem and its results in terms of prostitution. By the way, other actors living in the neighborhoods are presented. Besides, the discomfort of the state, the disorder in the public sphere can be followed thanks to this part.

III.IV.The Migrations To The Centers

According to Doğan, people in the peripheries were not satisfied with their living conditions after the 17th century. The state allowed only the state officials, or people had professionals that forced them to live in the centers. Others were not allowed to stay in the centers due to the overcrowded cities. Over the years, the Empire tried to stop, or at least, take migration under its control, but it could not achieve this. In the urban areas, population increase noticeably began in the second half of the 18th century. Still, in the second half of the 19th century, there were

dramatic movements toward the centers.¹⁹⁵ In other words, there was an uncontrollable population problem when it comes to the second half of the 19th century. Before the 1850s, the Muslim population decreased because of the stressful life conditions and diseases, unlike Non-Muslims. The population of Non-Muslims until 1850 increased thanks to the benefits of the conditions. Until the second half of the 19th century, Muslim men had to join the army when they were young so they could not have a regular family and children. In addition to this, due to the miserable life standards, they suffered from transmitted diseases more.

However, after the 1850s, the situation changed, and the Muslim population started to rise thanks to the natural living conditions; for instance, there were not long-lasting wars.¹⁹⁶ Especially after the 1880s, the living standards got better; for example, medical schools and hospitals were established around the Empire, there were many new and western-oriented hospitals in the capital. Thus, the negative results of the diseases decreased as much as possible and the numbers of birth increased at least in the capital.

Furthermore, thanks to the stable economic conditions, there were new enterprises in the capital. Thus, some people worked for these places. Moreover, the bureaucracy grew up after 1839. Therefore, when it came to the end of the 19th century, many middle-class people worked for the state as bureaucrats in several areas. These people earned their money from the state regularly. Also, they spent money in the capital; thus, many items' prices increased especially food, clothing, and housing.¹⁹⁷ Besides, almost 5 million Muslims came from Russia and Balkans to

¹⁹⁵ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), p. 26.

¹⁹⁶ Kemal Karpat, *Osmanlı Nüfusu 1830-1914*, (İstanbul: Timaş Yayınevi, 2010), p. 48-49.

¹⁹⁷ *Ibid.*, p. 187.

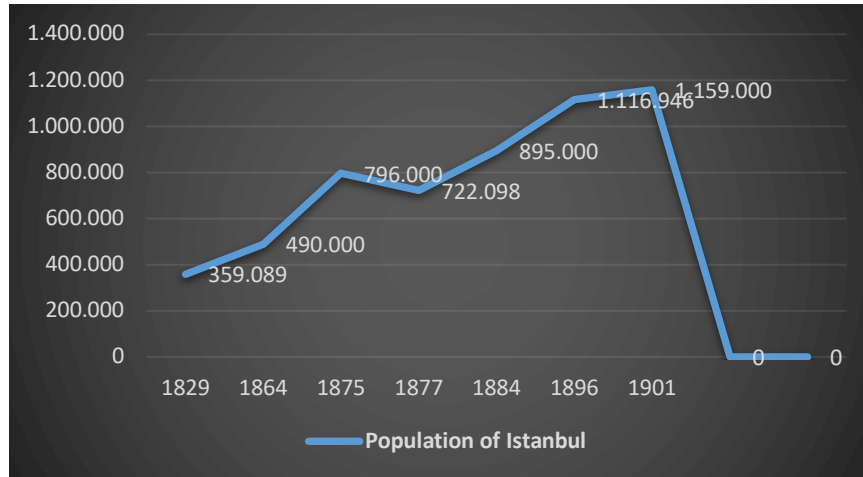
the centers after the 1850s.¹⁹⁸ These are the reasons for the increasing population in the centers; at the same time, there were negative causes of this increase. For example, because of the miserable living conditions in the peripheries starting at the beginning of the 18th century, a migration process had begun. Therefore, this migration process from the peripheries to the centers continued during the 19th century. And the state could not handle it. People suffering from poverty in the peripheries planned to come and benefit from the richness in the centers. All these dynamics changed the demographic balance in the centers, especially in the capital during the 19th century.

According to Karpat, between 1844 and 1880, more than half of the population was non-Muslim in the capital. When it came to 1885, the 54% of the population became Muslim, and in 1900 the 70% of the population of the capital was Muslim.¹⁹⁹ As a result, it is obvious that most of the immigrants were Muslim.

¹⁹⁸ Ibid, p. 50.

¹⁹⁹ Ibid., p. 166.

Figure 3: Population of Istanbul



Kemal Karpat, *Osmanlı Nüfusu 1830- 1914*, (İstanbul: Timaş Yayınevi),p 214.

As it has been said before, there were two reasons for this increase; the first one is the ones coming from Russia and Balkans. The second one is domestic immigrants coming from the peripheries. Regardless of where they came from, this uncontrollable population changed the natural structure of the capital.

According to Karpat, due to the gender-based census, the real number of the people in the Empire or the capital is unknown. However, he gives us the approximate numbers.

Figure 4: The Number of Female

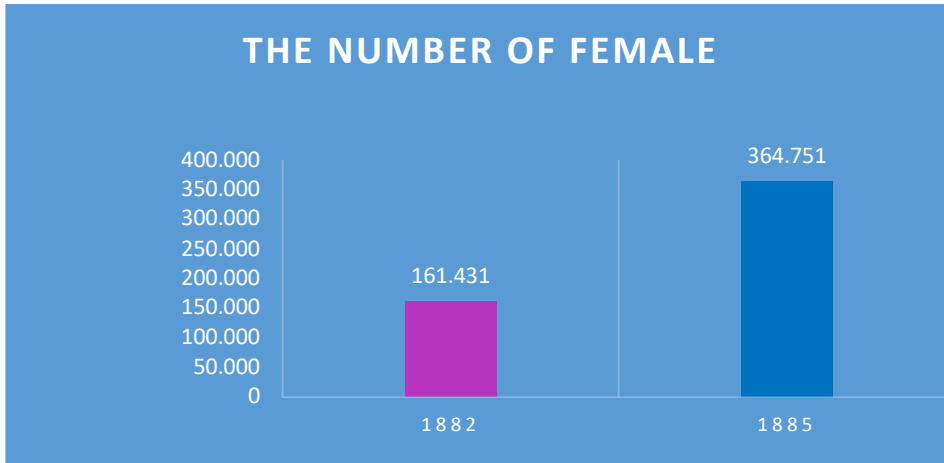
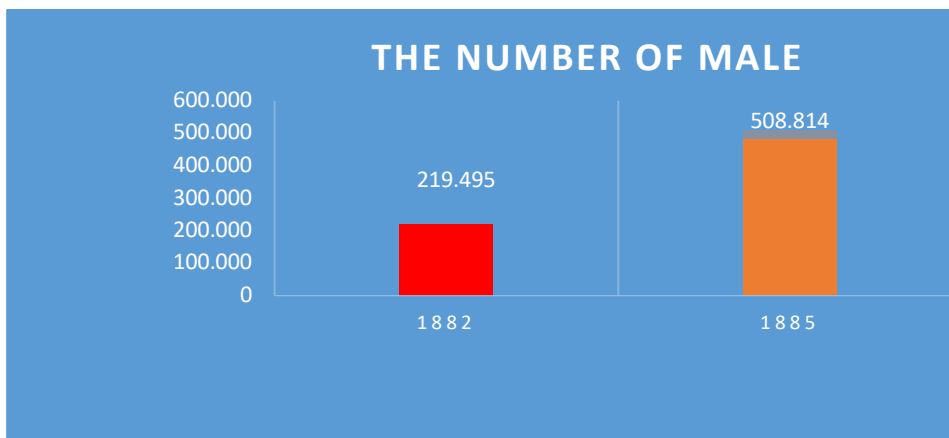


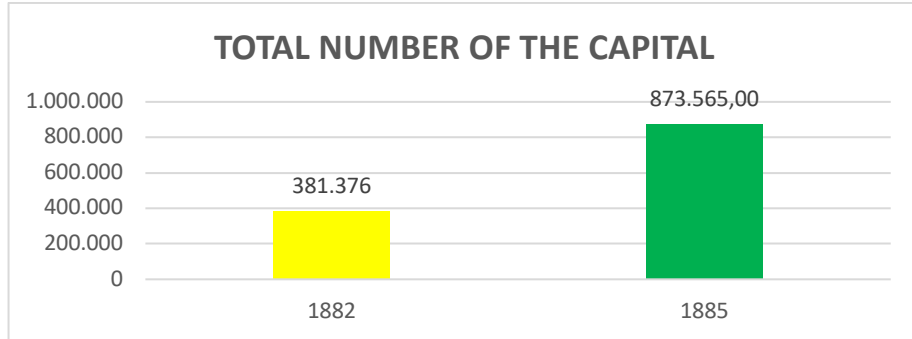
Figure 5: The Number of Male



As it has been presented by the chart, the (estimated) number of women in the capital in 1882 is 161.431. When it came to 1885, this number increased to 364.751. The number of men in the capital in 1882 is 219.495, after 3 years it became 508.814.²⁰⁰ Although the number of female immigrants in each case is less than males, the rates of increase seem to be equal in both genders.

²⁰⁰ Kemal Karpat, *Osmanlı Nüfusu 1830- 1914*, (İstanbul: Timaş Yayınevi), p. 214.

Figure 6: The Number of The Capital



Kemal Karpat, *Osmanlı Nüfusu* p. 214.

Figure 7: Numbers of Born and Not Born in İstanbul based on 1885 Census

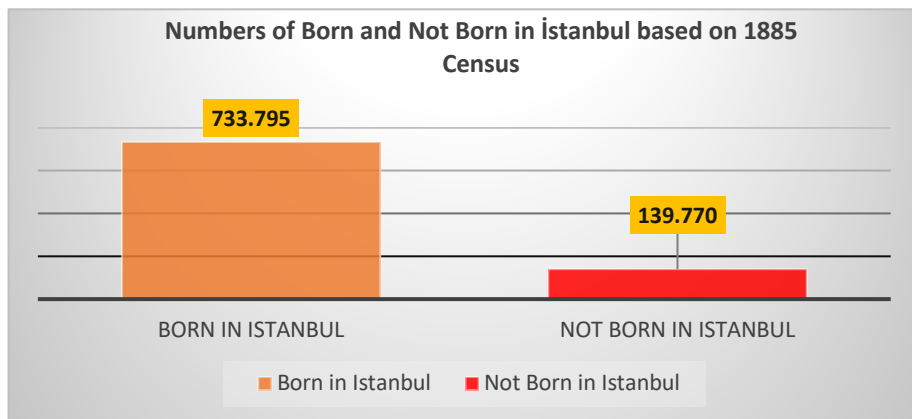
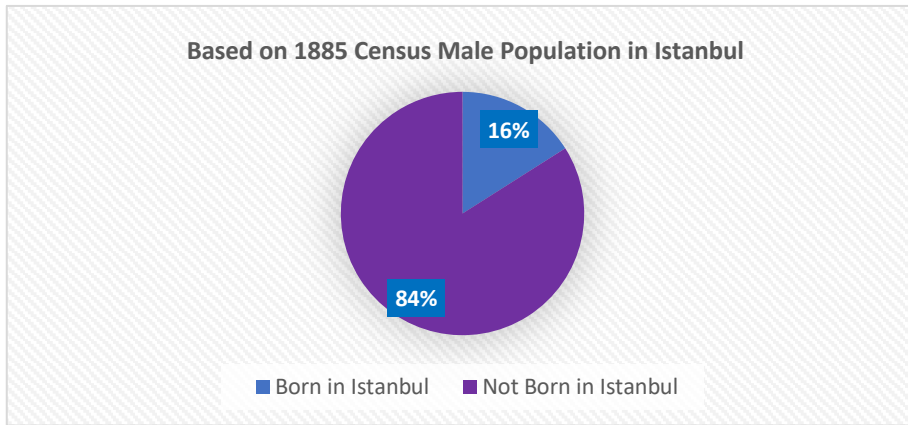


Figure 8: Based on 1885 Census Male Population in Istanbul



According to the population census in 1885, 16% of the male population was not born in Istanbul.²⁰¹ In 1907, 21% of the population lived without the other gender in the capital.

In this male population, there were reliable and unreliable men. The unreliable ones were *bekars*, this word means bachelor. *Be-kâr* in the Ottoman Turkish comes from Persian, in modern Turkish it refers to the marital status, single; however, in the Ottoman context, *bi-kâr* refers to the unemployed, idle, not busy. Bekâr was a man who comes to the city and does not guarantee a job yet even though he had a wife and family.²⁰² These guys could not live in the neighborhoods even though they had a family. After protests between the 18th and 19th centuries, these bekâr men were accepted as the main reason for the problems more than women in the centers. In conclusion, when it came to the second half of the 19th century, the unemployed men were accepted as the one of the difficulties of the states, especially in the capital.

²⁰¹ Alan Duben& Cem Behar, *İstanbul Haneleri*, (Istanbul: Boğaziçi Üniversitesi Yayınları, 2014), p. 78.

²⁰² Reşat Ekrem Koçu, *Tarihte İstanbul Esnafı*, (Istanbul: Doğan Publish House, 2010), pp. 161-185.

Another dangerous and unreliable male was the vagrants. Those who did not have a place to live and stay regularly were called *serseri*, in the Ottoman context. It is not possible to account for the number of vagrants in the capital or the whole Empire. The difference between *bekars* and the vagrants is not very clear, it should be pointed out that the definition of vagrancy became more comprehensive at the time in the Ottoman word. The issue of vagrancy was always a big problem throughout the Empire, but the capital stressed on it, according to Deal's research, vagrants in Istanbul were sent back to where they came from in 1879.²⁰³ In 1885, only one year after the Regulation of prostitution was issued, the vagrancy laws were codified, people who were accepted as vagrants could be sentenced to a term in prison.²⁰⁴ It can be concluded that one of the main concerns of the state at the end of the 19th century was to protect the public order. The bachelors and vagrants were accepted as potential criminals and a threat to the public order. That was one of the most sensitive sides of the state in the second half of the 19th century just like before. These "unreliable" people were the potential clients of the brothels, or they were panders. The crucial point here is that the state tried to provide the public order directly after the 19th century, although it had previously procured it with local powers.

²⁰³ Deal, *Crimes of Honor, Drunken Brawls and Murder: Violence in Istanbul Under Abdulhamid II*, p. 58.

²⁰⁴ *Ibid.*, 58.

Table 9: Different Casts of the Society

The Local Unification	The Dangerous One
Imam, muezzin	Bekars
Muhtar	Vagrants
Security powers (Police, Zaptiye)	Immigrants
Kabadayıs, Külhanbeys	Kabadayıs, Külhanbeys
Neighbors	

So far, the important actors of the neighborhood system in the Ottoman society and the opposite casting have been presented. As a result, the “holy unification” and the dangerous side have been classified. Moreover, the “other” actors in the neighborhoods and their meaning in the eye of the state have been discussed. While imam, muhtar, police officers, and kabadayıs were “order provider” agencies of the society, the vagrants and other immigrants including both men and women who did not have a regular job and address or family (for women) were the “dangerous” part of the society in the eye of the authorities.

III.V.Private Sphere, Public Sphere, Family And The Struggle

In this part, the private and public spheres of the society are presented. The private sphere is the personal space and family or home. In this dissertation, private sphere

refers to the family and the private life. The public sphere means to opposite the private one, and it is the place open to the people.

The traditional and “proper gender” roles are determined under these spheres. Public sphere involved in a private one in the Ottoman society. After details of private spheres, as a subtitle of it, the family order is given. By the 19th century, the world order changed; at the end of the 19th century, the family was re-thought and re-created based on male-dominant social order as mentioned above. Thus, it was also re-coded based on the conjecture in the second half of the 19th century. As a result, the issue of family became significant for this dissertation. Then, the public sphere that is a broader sphere is presented. The official documents supporting the power and capacity of the public area are discussed. After this part, the relationship between the public sphere and women bodies is highlighted.

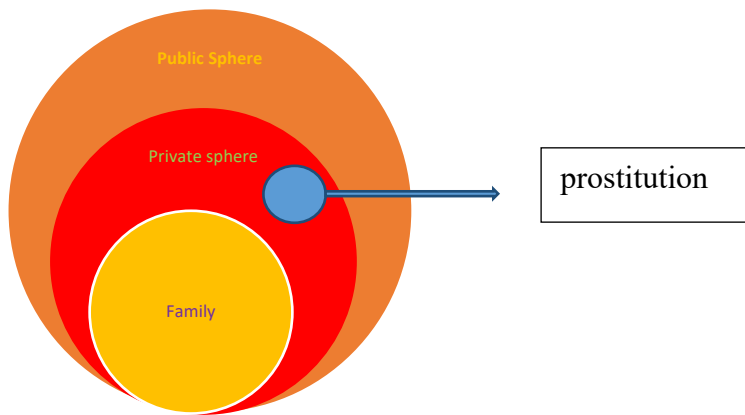
III.V.I.Private Sphere

Private meant *mahrem* in Ottoman Turkish. According to Şavk’s study, the right of their own sphere refers to the right of the decision- making authority people participate in the public sphere or not. Private life in the Ottoman society was a subtitle of the public one.²⁰⁵ Moreover, the border between these two was not so clear, when the majority of the society or powerful figures of it wished they could get beyond the limits, and they could intervene in private life even in the houses. In order to have a private sphere in Ottoman society, people needed to get married. Single men or women did not have a private sphere; even married people did not have it totally, either. The traditional and accepted family in understanding in the Ottoman society was a patriarchal order. Thus, the roles and responsibilities were undoubtedly determined based on this point. According to Zafer Toprak, the

²⁰⁵ Serkan Şavk, *Kapılar*, p. 12.

sexuality of the male was private sphere while all activities and movements of the female were accepted as the public area.²⁰⁶ According to Feray Saygılıgil, it is accepted that women should stay at home or private spheres, while men should spend their time in the public sphere.²⁰⁷ Staying home makes women more feminine while spending time in public places makes men more masculine.

Figure 10: Place of Prostitution



Division of labor between the genders, according to Heather Brown, is born with the principal and fundamental differences between the genders, for example, between giving birth or not. Then, it grows up based on the conditions.²⁰⁸ At first glance, this division looks like a pure and natural phenomenon. However, the conditions, contents, and borders of the nature are depended on society's structures. In other words, the division of labor was created according to social needs and necessities standing on individual factors. As a result, in a general view,

²⁰⁶ Zafer Toprak, *Türkiye'ye Yeni Hayat- İnkılap ve Travma 1908-1928*, (İstanbul: Doğan kitap, 2017), p. 308.

²⁰⁷ Feray Saygılıgil, *Toplumsal Cinsiyet Tartışmaları "Giriş"* (Ankara: Dipnot Yayınları, 2016), p. 11.

²⁰⁸ Heather Brown, *Marx'ta Toplumsal Cinsiyet ve Aile*, (Ankara: Dipnot Yayınları, 2016), p. 64.

the division of genders is not natural orders. The prerequisites in this division do not depend on the fundamental biological differences between females and males, and they are the factors that the biological notions are shaped by society.²⁰⁹

Moreover, this division of gender is unfair. According to the classical theorists, the divisions of labor in the family causes suppress and dominance on the female and the children. This is related to the private property rights of a male in the family. One who has the property shows the domineering role.²¹⁰ According to the general approach, if the private property is abolished, the dominance of men over children and women would disappear.²¹¹ Parallel to this approach, it can be thought that in the Ottoman Empire, the concept of private property was born quite late, so males and females should have had equal rights in the society. Although, in theory, the concept of private property did not exist in the Ottoman Empire, as in Europe, there was, in fact, a similar patriarchal structure in the Ottoman society.

Home and everything and everybody in it used to belong to the male figure of the family. In capitalist states, in the working class, who do not have private property, the male figures are dominant.²¹² From the same perspective, it can be said that, the genders are not defined based on biological or social needs, but it is determined by domination males over females. So, it can be concluded that man has a different class from women.

²⁰⁹ *Ibid.*, p 65.

²¹⁰ *Ibid.*, p 67.

²¹¹ Cited by Heather Brown, *in Marx'ta Toplumsal Cinsiyet ve Aile*, pp. 60-70.

²¹² Heather Brown, *Marx'ta Toplumsal Cinsiyet ve Aile*, (Ankara: Dipnot Yayınları, 2016), p. 84.

Until the 19th century, in other words, until capitalism extended in Europe, the family order and roles were the same in European states and the Ottoman Empire. It can be said that the change started with capitalism in family order. Before the capitalism, men usually worked to make money and control the family based on their financial power in the European peripheries or centers. However, this situation changed with the capitalist process in western European states. Capitalism abused the labor of children and women. In some conditions, they were chosen consciously because of having a cheaper labor force. Furthermore, employers chose moms who have children, consciously because they know that these women could not reject the minimum salaries, and they could not participate in the rebellions against the low conditions. In short, they had to accept all rules in order to feed their children.

In the capitalist system, almost everybody in the family began or had to begin working. Thus, the male figure could not control the time of the family members anymore. As a result, this partly saved women and children from male hegemony. On the contrary, the capitalism in Western Europe did not make women free individuals. Moreover, the male in the family ignore this new role of the woman; thus, they did not change their expectations from the female in houses. As a result, women's workload doubled. Nevertheless, at the end of very long-lasting and challenging struggles, women could have the right of absolute equality in western European states and the United States of America. In shortly, with the capitalism "family" women could participate the public sphere in the west.

However, unlike the European states, the Ottoman Empire did not become one of the core states in the capitalist order, and it could not become an industrialized state. Thus, apart from some extreme cases, women did not participate the economic life. The controller of the family was still the male figures in the family. Furthermore, the work opportunities in the Ottoman Empire were less than European states. Moreover, women could not work without the permission of their

husbands.²¹³ In other words, contrary to the Western world, women could not participate the public sphere, or women spending her time in the public places were still suspicious ones in the society' eye.

It should be added that the primary difference between males and females was the body. Women are accepted as weaker than men. So, men can have a place in the public sphere while women cannot. This is the basic principle of patriarchy. Also, it is related to the monotheistic religions like Judaism, Christianity and Islam.²¹⁴ According to Saygılıgil, Judaism and Christianity acted as enemies to the female body.²¹⁵ For example, under the witch-hunt tale in Europe during the middle age, an unknown number of women were killed and tortured just because of having a female body. According to her, it continued by the modern medicine discourse in Europe from the 19th century.²¹⁶

Any small change of this casting could be the reason of gender chaos in the Ottoman society. The main reason of the chaos was the positioning of women in public life regardless of that they were prostitutes or not. Due to the financial difficulties, women in the 19th century had to work to survive out of their homes and even out of their towns. When they began to go out of their homes, they were labeled as prostitutes, and people approached them as if these women were prostitutes even if they worked for laundry or housework in both urban and rural areas. In the eye of the state, the prostitutes were females who had a certificate

²¹³ This situation lasted until the end of the 20th century in Turkish Republic.

²¹⁴ Feray Saygılıgil, *Toplumsal Cinsiyet Tartışmaları*, p. 12.

²¹⁵ *Ibid.*, pp .12-13.

²¹⁶ *Ibid.*, p. 13.

after 1884, but in the eye of society, prostitutes or potential prostitutes were women who were a part of the public sphere.

As it has been stressed above, the Ottoman society was a patriarchal society and the woman's space was limited to her house. As a result, all attempts against this stereotype were read as a failure of the patriarchal order. In order to protect this traditional line, women's act was accepted as a threat to society. It is significant that, according to the states' perspective, the prostitutes were a threat to public health, while the society saw these women as a threat to their family or moral order.

In the next section, when the epidemic-oriented numbers are given, the population-oriented anxiety of the state makes more sense. Moreover, the documents show that sexually transmitted diseases in the Ottoman society were not cared about much. Therefore, the state might warn or support this tendency by moral norms for those who do not care about the medical aspect. In the 19th century, the issue of prostitution was read quite differently than before. This is very significant that the changed point was not moral, but it was medical explanations and connections between epidemics and prostitution. As it has been mentioned above, all these make more sense in the following part.

III.V.II.Public Sphere

In short, prostitution was in a contrast with the traditional social order mentioned above. Women could not participate in public life, in contrary to the men, to be respectable in the eye of the society. According to Ahmet Rasim's record, women had to use different streets than men. In other words, he says that in his teenage years (referring to the late 19th century), women could not use the centers for transportation; they had to prefer the back streets.²¹⁷ Furthermore, he adds that

²¹⁷ Ahmet Rasim, *Fuḥṣ-i Atik*, p. 19.

women had to speak quietly in the streets.²¹⁸ In the same book, he shows the close relationship between women and men, opposite of the theory.

There were different examples; for instance, according to Haim Gerber, women in the 17th century Kayseri could participate in public life. Based on his study, women could sue and have properties. These facts shed much light on the position of women in Ottoman society. However, it should be kept in mind; even if they could rent shops in markets, their slaves used to work there, mostly. In other words, women in daily life were represented by their slaves, sons or other male relatives, not by themselves. The fact that women were not represented in public life does not mean women did not exist in the financial world. On the contrary, it means that women did not represent themselves in public life, so the theory mentioned above is still valid.²¹⁹ However, when they committed prostitution, they broke the rules, and they became visible and accessible. Participating in the public rule was tolerated only during war times except for being a prostitute. However, according to the notes and records, women in Beyoğlu were always free to be visible in the streets.²²⁰ As a result, it can be argued that the problem was not being visible in public life in the late 19th century; the problem was being in the proper places based on the class or social background. It means that when it comes to the 19th century, the difference between a prostitute and not a prostitute was about where women spending time in the streets. This is the positive result of women issues. The main reason of this progress was not the organized feminist projects, and rather women

²¹⁸ Ibid., p. 22.

²¹⁹ Haim Gerber, *State and Society in the Ottoman Empire*, (Farnham: Ashgate Publishment, 2010), p 234.

²²⁰ Francis Marion Crawford, "Constantinople", *Scribner's Magazines* 15,1 (1984): pp. 3-22.

became freer to participate in public life because of the miserable living conditions. On the other hand, the issue of being accused of prostitution was not left; women who had to work in the streets, shops, or other work areas were still under the threat of accusation even in the difficult times.²²¹ The determinant point was the places where women spent their time now. According to Müge Özbek, theaters, public gardens, and shopping streets accepted as proper places for the middle class, not a lower one. When lower class women came to these places, they were turned into the places of improper activities and illicit sex places in the eye of the society.²²² Moreover, they were judged by not only males but also females.

As it has been mentioned before, the main aim of the state was to protect the health and existence of family in private life. In the next part, the new utopic family expectation of the state is discussed in the context of the 19th century. According to Tuğba Demirci's claim the European states created modernity, and then they used their hegemony over other cultures. More importantly, the economic hegemony of the West forcing other states to accept the modernization was the most effective solution for all problems over the world.²²³ Like many other states, the Ottoman Empire followed the European movements in education, military, and cultural life. This is exactly the point that takes the Ottoman away from contemporary but makes it modern. After the 18th century, a capitalist and market-oriented economic and social life became the reality of the state's apparatus. Reforms in different areas were issued due to this idea. The Tanzimat reforms (1839-1876) were the

²²¹ Özbek, in *Single, Poor Women in Istanbul*, p 42.

²²² *Ibid.*, p. 43.

²²³ Tuğba Demirci., "Body, Disease And Late Ottoman Literature: Debates On Ottoman Müslım Family in The Tanzimat Period (1839-1908)", Bilkent University, Unpublished Ph.D. Thesis, 2008. pp. 1-25.

tools of the intention of being western or modern. One of the main target of the reforms was related to family, as well.

Before starting to this part, why the family was the keyword and tool for the Ottoman State in the 19th century should be thought. The main aim of this part is to find the most effective answers that would be satisfactory in expressing the intention of the state. Thus, the perception of the society in the eye of the state is more transparent, especially in the second half of the 19th century.

III.V.III.Family and the Struggle

The family was accepted as the smallest part of the society. Thus, if the Ottomans could shape or re-shape family, they believed that they could manipulate the society based on the government' necessities. In other words, the primary purpose of the state was to make the society a controllable population. If the state could create a modern family, it would create a "modern society" that could be more manageable, as well. What it means to be modern and the meaning of the modern family should be discussed first. It does not refer to the freedom rather it meant the family its borders are determined.

The first concern of the state referring to the family was the decrease in population that began at the end of the 18th century. The main reasons for decrease in population were the long lasting wars, military duties, epidemics, famines, abortion, and some other reasons as mentioned before. According to the modern scientists and modern medicine in the west, the leading solution to this serious problem was biological and material production.²²⁴ The Ottomans agreed with this idea. However, the Ottoman family and newborns should legitimate one. The dominant figure of this family was still the male, the economic and some other duties were his responsibility, while a woman was locked at home, and she must take care of the

²²⁴ Ibid.

children. According to the articles published in newspapers and magazines, everyone has to have a family.²²⁵ Based on the government's project, the family could be regulated, disciplined, monitored, and watched for the sake of the state. In the 1870s, nationalism began to affect society; in having a strong nation, family played a significant role. In other words, the family was the beginning part of the nationalism in the Empire. In the late 19th century, contrary to the western states, the concept of the family in the Ottoman society did not change, only the discourse was updated with the new keywords of this century. Moreover, the state defined itself as a protector of family in the society.

As a result, the divorce, marriage, inheritance, abortion, production, sexuality became the factors on the agenda of the Empire in the 19th century in the issue of family. According to the state's perspective, the issue of the family order was an official national project and ruling elites were concerned about the content and the notions of the family. In other words, the potential and future dangers of foreign nannies to the children were discussed. They might damage the national features of the families and children. Thus, in 1901, an order was issued about the foreign nannies.²²⁶ Abdulhamid II warned people about the foreign wet-nurse women, and he explained their prohibition, illegitimacies committed by foreign women, who were hired either for wet-nursing or attending Muslim children, especially Muslim girls for their upbringing and discipline." These non-Muslim women caused young Muslim girls to grow up away from Islamic codes. In short, the family project was evaluated from many perspectives. In other words, the family was tried to be protected from different angles.

²²⁵ As cited by Cem Behar and Alan Duben, *Istanbul Households: Marriage, Family, and Fertility, 1880-1940*, (Cambridge, New York: Cambridge University Press 1991), pp. 100-160.

²²⁶ COA. HI. 36 (22.04.1319/ 09.07.1901)

Prostitution was the opposite of this utopic target due to many reasons. The first one is that prostitutes were out of the control of the state apparatus. These women did not have regular places, they used to move frequently. For example, they did not have a regular family; also, it would be hard to monitor them. Their existence was ignored by the authorities, or they were taken off the system, so these women did not collaborate with the authorities. As soon as the state accepted the legitimacy of the prostitution, the government had to deal with many problems. For instance, prostitutes and their relationship styles were a threat to society's order and health. They were complicated agencies due to not having a legitimized sexual life and children. According to the state's mind, the new products should be a member of the legitimized relationships. However, children of prostitutes were a complicated topic because of the national difficulties. The determination of the father of the child could be a challenge for the national sake.

Therefore, because of these main concerns of the state, the opposite of the family was accepted as prostitution at the end of the 19th and beginning of the 20th century. In other words, for women, being a respectable woman depended on what prostitutes did not do. The first rule of being a respectable woman was not to have sexual desire, then "family" women should not spend time in the public areas.

When it comes to the public sphere in the Ottoman Empire, as has been before, it should be explained what the public sphere was in the Ottoman context. It was the place where everyone could enter. The public sphere was where social life began, and private life came to an end. The public sphere was often religious places in the Ottoman society. Mosques, tombs, even baths or hammams had spiritual meanings. Only, coffeehouses did not have any religious aim in society, these places became common in the 19th century. After that, the brothels used to come. With the 1879 and 1884 Regulations, the position of registered brothels became one of the fragile points of the Ottoman society. Brothels had a social meaning, even if they were not

religious. These places were complicated because they were public places even though they looked like private. This is the point where the concepts of the states became complicated. The legitimated brothels were new places where the state had to deal with and to protect officially; these places were both private and public. All these nuances put to limit the intervention of the state over these places. As a result, it can be argued that it is not clear how the state actually positioned these places. It is also unknown how the state determined the women who were working for these houses; in other words, according to the state, the meaning of prostitution and prostitute was not clear. One of the main reasons for this confusion is that prostitution is not the topic that the Ottomans realized themselves and, it did not concentrate on this topic for a while contrary to the European states. Thus, the challenging position of prostitution between private and public continued for many years.

The issue of boundaries between the private and public sphere is not limited to the brothels. In the Ottoman society the borders between the private and public areas was fragile topic as well. The state wished to put some distance between the society and the family, in other words, between the public and private spheres. It warned people that if they watched the private life, they would be punished. However, it can be said that people living in the same quarters did not stay away from the private sphere of the others in the Ottoman society. According to Ottomans, the private one is a part of the public one. Still, the state tried to protect the privacy of the family in the 19th century based on the modernization or westernization movements. In other words, this is about the post- Tanzimat period. According to the state's issue, no one could enter the house without the permission of the judge or court.²²⁷ In 1906, at night, Zeki Bey's house which was in Sapanca District was attacked by the people around because of staying with a prostitute in his house. The government's concern was dual; firstly, these aggressive people

²²⁷ Yılmaz, "Fahişe Subaşı'ya Karşı", p.

would be punished because their behavior was against the private sphere rules that the state promised. Secondly, an investigation would be carried immediately about Zeki Bey, and this case would be checked.²²⁸ Like this case, in 1908, a state official Cemal Efendi's house was attacked by a group because he stayed with a prostitute. The main concern of this case is the police officer's behavior about the attack. In other words, Kamil, who was the police officer, encouraged the people to attack Cemal Efendi's house. As a result, the state focused on this uncontrollable action.

According to the documents, it can be concluded that the state was not satisfied with this collective action anymore. Therefore, the primary concern of this paper was the investigation and punishment of Cemal Efendi.²²⁹ This situation can also be evaluated in this respect; the state was not miserable as much as before in terms of infrastructural sense. When it became a more centralized power, it tried to replace the local forces among itself. Thus, as these two examples mentioned above, the state tried to gain the local power back. It also wanted to be the only decision-making power. However, the state's intervention in the local issues was so new that it can be said that opposition to the general expectations, the position of the state was not legitimated yet in these areas.

Accordingly, when the state tried to protect the private sphere at least of the state officers, at the same time, staying with a prostitute was still a crime.²³⁰ As it has been seen in this case, staying with a prostitute was a crime, and the state officer was fired from his position. The following case also proves this, Ali Rıza Effendi's house, who was the district governor of Osmancık, was attacked by people, like Zeki

²²⁸ COA.DH.MKT.1103/65 (06.06.1324/28.07.190

²²⁹ COA.TFR.I.KV.201/20945 (11.09.1326/ 07.10.1908)

²³⁰ COA. DH. MKT. 1103/ 65 (06.06.1324/ 28 .07.1906)

Bey, since he stayed with a prostitute. In addition to this fault, Ali Rıza Effendi was not found a successful governor. As a result of the investigation, it was verified, and Ali Rıza Effendi was dismissed from his duty, Atıf Effendi who was the governor of Urgüp replaced with him.²³¹

Based on these cases, it can be claimed that regardless of the high ranks, the state could not protect the private sphere in the issue of prostitution. The local powers and balances were strong and long-lasting, so defeating them was not so easy for a bureaucratizing state. As a result, at least, the state had to protect its image and authority. Even though they were state officials when they acted against the public order or morality, they were dismissed, as well.

In the Ottoman society no matter Muslim or not, when the neighbors suspected a woman or a house, a unity was established consisting of religious leaders including imam, muezzin, or priest, kabadayı or külhanbeyi, (after the 19th century) police officers and neighbors. They organized a raid on the house they suspected. It can be said that it was the routine in prostitution cases; they used, to begin with, this ceremony. This dissertation prefers to call it a ceremony because of its value and meaning for the people. This process was quite violent. People used to beat and humiliate both women and men.²³² This is a routine and punishment on behalf of the state regardless of the state demanding it or not. In other words, the state became an invisible power behind the local unification. This was the advantage of the state in some cases, while it might turn into an undesirable action like it has been understood from the documents above. Significantly, the points behind the decision that made people organize the raid had several and many dynamics.

²³¹ COA. DH. MKT. 1101/78 (27.05.1324/19.07.190

²³² Ahmet Rasim, *Fuhş-i Atik*, p. 137.

However, the best known dynamics are financial concerns or personal relationships. As explained above, these people allowed the women to work and exist in the house or in their neighborhoods for a while. This process was not applied only by the Ottomans. People had the same reaction in England until the end of World War I.²³³

The raids were the point that the private sphere came to an end and the public area was created and started. The understanding of private and public sphere was so abstract that people could demolish and re-create them when they needed in the Ottoman context. As result, the issue of private-public areas and their limits were determined by the society itself one by one. There were agencies or groups of people who could control the process, but they were not the only ones who shaped what happens. In order to testify the prostitution, the society had to break down the private spheres and present it to the public. This was the point where the private sphere was melted and a public sphere was created. Most probably, the authorities made the calumny a big crime and the testification of abolition difficult in order to protect the structure of the societies and to take the society under its control. This hegemony of the society on spheres was another challenging point of the state. It can be argued that this was the main obstacle to the bureaucratization and centralization process of the government in terms of prostitution. The main aim of the state was to make itself the only leader of this process. It tried to achieve its target as fast as possible; there are cases that present the state's new attitude. For example, in October 1876, people in Zeytun attacked a prostitute's house. As a result of this, a couple of people were arrested.

²³³ Hanne Blank, *Düzcinsel: Heteroseksüelliğin Şaşırtıcı Derecede Kısa Tarihi*, (İstanbul: İletişim Publish House, 2019), p. 40.

Additionally, 45 people were called by the court; during the struggle between security forces and people, many officers were injured.

Furthermore, one of these people, Serkis was found dangerous. It can be concluded that in contrary to the past, the state did not allow the public attack; instead, the authorities tried to prevent this collective action as much as possible. Based on the document, these people who acted independently from the state would be punished. As it seems, the state did not prefer to benefit from the independency of local powers anymore. It tried to be the only authority in the cases.²³⁴

In other words, at the end of the 1890s, for the raids against the prostitutes' houses, police, imam and muhtar needed to come together. However, in 1898, Cerrahpaşa in the capital, a police officer whose name was Ibrahim from Diyarbakır and Hakkı Efendi attacked a house without the imam and muhtar. Furthermore, according to the paper, there was not an act of prostitution in the house; in fact, the owner of the house Aşçı Mustafa was not inside. These officers arrested the owner's son and assaulted him. As a result, the owner of the house complained to these officers.²³⁵ The second document can be read from the domain of police officers. In other words, if Officer Hakkı Effendi had not had a personal problem with the householders, the police might not have been a volunteer for the cooperation with local leaders in the issue of prostitution anymore. However, based on the tone of the document, it can be concluded that the state was not satisfied with this new issue, either. In conclusion, it can be said that the state tried to abolish the independence of the local forces.

²³⁴ COA.BEO.667/50015 (19.02.1313/ 18.01.1896)

²³⁵ COA.DH.MKT.2147/ 106 (29.07.1316/ 13.12.1898)

Moreover, public-private struggle can be read from the gender based approach. In other words, the results of the conflict between the public and private areas in terms of the issue of prostitution were the quarters' or local leaders' dominance over the body of the women. At least, women suffered more than men in the same situation. The unification of neighborhood highlighted the action that was related to the women's body. Thus, the demonstration of prostitution in raids was to present and disclose the woman's body. In other words, converting to a public place from a private sphere makes woman's body a public issue, as well. By doing so, both area's and woman's privacy are taken by these people. Furthermore, woman's body is also converted to a public sphere. The places where women worked were also accepted as public places. Furthermore, this was not limited to the raids. The issue of prostitution both in the Ottoman Empire and other European states was a part of taking the privacy of women by the society or the state. The point reflecting this situation is the word in Turkish, brothel, *umumhane* meaning general house. The places where prostitution happened were not accepted as private places anymore, according to the society, these were general places and the women in these places were also general subjects, their rights and conditions were totally determined by the authorities, state or society. However, in the late 19th century- Ottoman world, society had more active role in this matter than the state. The nuance in these raids is the motivation that makes people complain about the house or women.

CHAPTER IV

POLITICAL AND ECONOMIC DEVELOPMENTS BEFORE 1876 & IMPORTANCE OF ERA OF ABDULHAMID (1876-1909)

This thesis aims to focus on registered female prostitution in the era of Abdulhamid II (1876-1909); however, in order to reach more comprehensive knowledge about this topic, the political and economic conditions before 1876 should be explained. Thus, the political and economic developments that affect daily life should be discussed shortly. As a result, the continuities and breakdowns become clearer. Moreover, another main aim of this chapter is to demonstrate why this dissertation chooses the era of this sultan.

Furthermore, regardless of the topic, every single social study needs a political and an economic explanation. As mentioned above, as much as political dynamics, the economy played a significant role in understanding the conditions of prostitutes and prostitution in the Ottoman Empire and the western world. Therefore, it could be concluded that one of the main reasons of the emergence of prostitution is financial difficulties. In other words, in order to evaluate and figure out prostitution in the Empire and in the European states, the financial conditions and difficulties should be explained. Prostitution has always been one of the most visible results of financial and political crises around the World. Due to this nuance, the political dynamics of the Empire until the second half of the 19th century; it is summarized in this part. Moreover, this part begins with political developments starting with the new era called *Nizam-ı Cedid* movements in 1789, ending with Abdulhamid II's

coming to the throne in 1876. As a result, thanks to this knowledge-oriented chapter, the beginning point of both women and the sultan becomes meaningful.

Before starting, it should be remembered that prostitution exists in every circumstance; however, during the financial and political crises, the visibility of prostitution and the number of prostitute increase.

IV.I.Political And Financial Conditions Until 1876

After the 16th century, the physical expansion of the Ottoman Empire stopped; however, it survived till the beginning of the 20th century thanks to the bureaucratic and social developments, as well as economic adaptations to the comprehensive system. In order to understand these contradictions, domestic and international dynamics should be carefully discussed. In the 17th century, the Ottoman Empire was dominant in Anatolia, Thrace, Bulgaria, Serbia, Romania, Albania, Montenegro, Greece, Caucasus, Iraq, Syria, Palestine, Hedjaz, Yemen, Egypt, Libya, and Algeria. When it comes to seas, the Ottomans dominated Mediterranean and Aegean Seas; Cretan and Cyprus were still under their control. When Europeans began to exploit human labor and raw materials during the 16th century in America and Africa, the economic and social balance started to change all around the world, and besides, alternative trade routes were found. Because there were alternative routes now, the geographical advantage of the Ottoman Empire was altered; its leader position was shaken. Finally, the Ottomans lost their controller role on the trade ways. Thus, the economic, political, and social life start to change. With the 17th century, the Ottomans wished to be as reliable and effective as they had been before. In order to achieve this, they began to update and adapt to new political and economic developments. Therefore; education, military and health issues, formal affairs were re-thought and re-organized. From this perspective, it can be said that the first well organized bureaucratic movements were began with Selim III. As a result, Selim III (b. 1761, r.1789,d.1807) organized an order which was called *Nizam-ı Cedid*, a new

order in 1789.²³⁶ He wished to re-organize military, education, financial order and daily life based on the European standards, but he was killed before achieving his aims. It should be pointed out that, in this process the role of the ones who would lose their power with the bureaucratic movements cannot be ignored. However, the new order project did not come to an end. In other words, Mahmud II (b.1785, r.1808, d.1838), who came to the throne after Selim III, tried to re-establish and fix bureaucratic and military systems.

It is possible to say that Mahmud II was successful in the issue of the Ottoman bureaucratization. The reign of him can be separated into two different time zones; the first one is until 1826 when the janissaries were abolished and the second one is the until 1838 when he died. In short, it can be said that he re-shaped many areas based on the requirements of the time. As a result, the progressive and European oriented side of the Empire was officially born. After Mahmud II died, Abdülmecid (b.1823, r.1839, d.1861) inherited his attempts. He declared Tanzimat Edict in 1839. After his reign, Abdülaziz (b.1830, r. 1861, d. 1876) became the sultan. Abdülmecid and Abdülaziz kept continuing westernized developments around the Empire. Especially, Sultan Aziz looked like a western-oriented sultan. He tried to follow European states carefully, and even he went to visit Europe. Relatively, it can be argued that he was the leader name of many reforms in the Empire. For example, when he came to throne, he announced that the European-oriented government would keep working. Moreover, he highlighted equality among different religions and nations in the Empire. He promised that he would keep focusing on the Tanzimat developments. He went to Egypt; this is an essential point for the new sultan image that had begun with Mahmud II and would be completed by Abdülhamid II. Abdülaziz focused on military issues. He built many buildings for the

²³⁶ Stanford. J. Shaw, *Eski ve Yeni Arasında Sultan III. Selim Yönetiminde Osmanlı İmparatorluğu (1789, 1807)*, (İstanbul: Kapı Yayıncılık, 2008).

new military sections and made a considerable investment for the navy. However, Ottoman intellectuals and the international powers were not satisfied with these developments. They demanded more than these reforms, they planned to have a constitution, but Abdülaziz did not accept their proposal.

With a coup d'état, he was dethroned. Then, Murad V (b. 1840, r. 1876, d.1904) came to the throne promising that he would open the parliament. But he had some mental problems associated with alcohol. Due to Murad V's mental disorders, he was dethroned 93 days later he became the sultan.²³⁷ Even though physicians insisted that only three months would be enough to treat Murad V, the Young Turks did not accept this offer. They asked Abdulhamid (b.1842, r.1876, dethrone 1909, d. 1918) to come to the throne, he accepted, and he became the new Sultan of the Ottoman Empire. Then, he announced the constitution as he had promised before. Thus, the first constitutional period of the Empire began. After a short time, the modern, progressive side was disappointed, as the financial and political problems could not be solved with the constitution. However, because of the 1877-1878 Russia War, Ottomans were in a crisis and they lost the war. Since the defeat, the sultan was accused. As a result, the sultan decided to prorogue the parliament due to the political conflicts in the parliament.

Therefore, one of the most controversial periods of Ottoman historiography began. The "official" struggle was between the conservative wings which were supporters of the sultan and traditional values; and the progressive side who were opponents of the sultan and his despotic rule. This struggle lasted 32 years, and this period was quite complicated and problematic in terms of political, financial, and daily life

²³⁷ Niyazi Berkes, *Türkiye'de Çağdaşlaşma*, (İstanbul: Yapı Kredi Yayınları, 2002), pp. 309-335.

dynamics. At the end of this battle, CUP won and the parliament was reopened by the Sultan in 1908.

However, this long-lasting process is still discussed. There is a polarization about this process. According to conservative people who advocate Abdulhamid, Sultan was a hero who protected the Empire, while the nationalist and western-oriented people of the Ottoman Empire and the Turkish Republic accused him of being a despotic sultan. Nevertheless, the main argument of this dissertation is not these discussions; this thesis focuses on the mechanisms during Abdulhamid II's era in terms of prostitution. In order to understand the general conditions of that time, the economy and other dynamics should be concentrated on.

It should be pointed out that economic history is crucial for a well-organized historical study. Economic history is not only related to prices, but is also related to the real values of society.²³⁸ According to Şevket Pamuk, in the classical periodization of the Ottoman Empire, the economic classification consists of four main periods; the end of the 15th century, the end of the 16th century, between the 16th and the 19th centuries and the end of the 19th century, and World War I. According to his claim, the financial crisis of the Ottoman Empire goes back to the end of the 16th century. The main aim of this thesis is to understand the financial conditions of the 19th and 20th centuries; however, in order to figure out the connections, this part starts with the economic conditions in 16th century.

Like many other pre-modern states, the Ottoman Empire's economy was depended on agriculture. At the end of the 16th century, 90% of the population lived in the peripheries of the Empire.²³⁹ The rest of the population who were craftsmen and

²³⁸ Ibid., p. 14.

²³⁹ Ibid., p. 32.

other professionals stayed in the centers. The majority of people were nomads. There were connections between the nomads and people living in urban areas. Nomadic people sold their products in the markets in order to pay their taxes to the state. People living in centers visited these markets. These markets were significant for both economic relationships and mobilized prostitution as the fairs in these bazaars in Balkans or Anatolia were suitable for prostitution. However, it is almost impossible to follow prostitution in these bazaars. This is the darkest area where prostitution also associated with the slavery system in the Empire.

The Ottomans could not see the importance of geographic discoveries, so they could not be one of the core states of the new capitalist system in the western Europe. Immanuel Wallerstein does this kind of analysis; he focuses on the economic order in the Ottoman Empire in the new economic and capitalist order.²⁴⁰ Although Ottomans could not win war after the 16th century, and they began to lose their lands and taxes, the Empire did not collapse until the 20th century. Wallerstein explains the main reason for this process; it adopted itself to this new system as a periphery state.

Cem Behar and Alan Duben give some points about the economic conditions of the 19th century, as well. Based on their study and their sources, 1-kilogram flour in the capital was one kuruş while meat was two kuruş. A farm laborer near the capital used to earn 6-7 kuruş in a day. When it comes to the 1870s, a textile worker used to make 4 or 5 kuruş in a day. In 1889 this textile worker used to earn more than ten kuruş in a day. When it comes to the 1900s, he made 475 kuruş in a month. At the end of the 1890s, an artisan earned 7 or 13 kuruş in a day, when it comes 1906, he used to get 9-18 kuruş in a day. A male textile worker used to make 9-13 kuruş in

²⁴⁰ Immanuel Wallerstein, *Dünya-Sistemleri Analizi: Bir Giriş, Dünya-Sistemleri Analizi: Bir giriş*, (İstanbul: Aram Yayıncılık, 2004).

a week while a female textile worker used to have just 3-5 kuruş. In the 1900s a family needs 540 kuruş for a month.²⁴¹ As a result, it was almost impossible to survive for women in the 1900s. Firstly, as it has been discussed and mentioned many times, there were limited work areas for women. Secondly, whatever women did for making money, they did not earn enough to survive. As it has been mentioned above, the system forced women to be prostitutes temporarily or permanently under these severe conditions.

According to Behar and Duben's study, in 1886, 11.4% of the male population used to work for state affairs, and they made money more than average and regular salaries. Furthermore, 40% of men living in the capital had monthly or daily salaries, including state officers. 31.4% of them were civil-military officers, 8% of them were others.²⁴² The number of state officers increased from 150.000 between 1895 and 1896 to 180.000 between 1909 and 1910. It demonstrates another reality; this high number of officers can be read as the growing of bureaucratization in the Ottoman Empire in the late 19th century. As it has been shown before, Abdulhamid II improved his bureaucratic staff. In 1907, male householders in the capital were half of the male population in the city. 38.4% of the male were civil and military officers, 10% of them were wage-labor.²⁴³ As a result, it can be said that the general financial conditions of the capital were not terrible, so the registered or unregistered houses must have hosted these men who had regular salaries.

²⁴¹ Behar and Duben, *Istanbul Households*, p. 52.

²⁴² *Ibid.*, p. 50.

²⁴³ *Ibid.*, p. 50.

In short, between the 16th and 17th centuries, the prices increased five times, and when it comes to the 19th century, the prices increased 12 times.²⁴⁴ Till the 19th century, according to Pamuk, a contraction worker used to earn the same amount of money as his counterparts in European states and with the 19th century, this situation changed and the purchasing power of an Ottoman worker became lower than the purchasing power of his counterparts in Europe. At the end of the 19th century, he used to make double money when compared to the 1850s. The prices in peripheries of the Empire were 20% cheaper than the capital. A captain in the military used to make 666 kuruş, and an inspector used to make 2500 kuruş between 1890 and 1900s. The Treaty of Balta Limanı or Anglo- Ottoman Treaty in 1838 and The Ottoman Public Dept Administration found in 1881 changed the economic conditions in the Empire. Based on Pamuk's view during the 19th century, parallel to trade around the World, the economy of the Empire also developed. This is important for this thesis as it shows that people indeed had the money to spend on brothels in the Empire. However, it should be pointed out that people who earn money were the middle-class of the Empire or had regular jobs. In order to be both, they needed to be reliable ones. Thus, it was very difficult for newcomers to live in the centers.

As a result, even though the whole picture looks depressive, the general economic conditions at the end of the 19th and early 20th century were not as terrible as expected. Therefore, living conditions were not that inferior. However, due to the traditional codes, women could not be a part of these public and work areas. Thus, she could not have her legal, economic sources, unlike men. In other words, the main reason for the economic problems that forced women to be prostitutes was not the only financial crises or difficulties. Instead, the main reason was the unfair allocation of the resources based on the gender politics of the Empire that has been

²⁴⁴ Pamuk, *Paranın Tarihi*, p. 187.

discussed specifically. All these economic details have been explained and as it has been mentioned in the beginning, in order to clearly understand the conditions of women in the 19th century, it is essential to show that there were limited work opportunities for women, at the same time the clients of the brothels might have been the state officials and middle-class people. The documents and points related to the state officials are exemplified later.

During Abdulhamid II's era, relatively the economy was not terrible, based on the price diagram by Cem Behar and Alan Duben.²⁴⁵ The income of ordinary workers was not low, so that they could survive for a while. As a result, even though the whole picture seemed depressive, some people could adapt themselves to this new capitalist financial order, and they could improve their conditions between 1850 and 1900s. All of this is important to understand the financial strength of the customers of brothels. During this period, those who financially adapted to the system were customers of brothels. On the other hand, the fact that the system was this caused those who could not adapt to this system to become poor. In other words, these financial conditions lead women to prostitution.

In the Ottoman Empire, the land belonged to the sultan and private property was not common, peasants only cultivated. This kind of economy was standardized, and it lasted until the Tanzimat Edict in 1839. One of the talented groups of the Ottoman Empire was guilds; they controlled the economic movements and developments in the Empire for a long time as it has been discussed in the last part. Unlike the Ottoman Empire, traders in the European states could escape the enforcement of the guilds, and as a result, they re-organized and created the ways

²⁴⁵ Cem Behar and Alan Duben, *Istanbul Households: Marriage, Family, and Fertility, 1880-1940*, (Cambridge; New York : Cambridge University Press 1991).

leading to the industrial revolution.²⁴⁶ In the Ottoman Empire, the state supported the guilds rather than the traders.

According to Pamuk, unlike the Ottoman Empire, the first capitalist steps were in the peripheries of the European states. They could find alternative solutions against the states' enforcement. Therefore, piecework production became a standard method in the rural parts of the European states. In the 17th century, the dynamics in Europe changed. For example, the dynamic between Venice and England was re-shaped, and Ottoman Empire stayed out of this re-arrangement. During the 17th and 18th centuries, England, France, and the Netherlands created a new trade method that was called mercantilism, and this trading method depended on capital and on more export than import. Even though the Porte lost most of its political capability around the Empire in the 18th century, the local traders could not economically benefit from it.

Moreover, the Porte preferred import taxes, and as a result, the state did not support local traders who wished to be a part of this new economic order. On the contrary, traders in European states gained their political power along with their economic capacity. It should be mentioned that capitalism was not always progressive in Europe; the economy underwent a great depression before it turned into a capitalist victory in the 18th and 19th centuries. In Europe, alternative productions were organized, and the idea of private property was born. Finally, traders could have an accumulation of capital to invest. When it came to the 18th century, France, England, and the Netherlands established their capitalist networks, and the Ottoman Empire could only adapt itself in the capitalist system as a periphery state. It should be asked whether the idea of private property affected the legitimacy of brothels in European states or not. The Ottoman Empire did not

²⁴⁶ Ibid., p. 57.

allow traders to have their capital and their economic plans. Thus, it can be concluded that this is why the Ottoman Empire could not directly enter the capitalist world order.²⁴⁷

Because of the adaptation problems, the value of money began to decrease at the end of the 16th century in the Ottoman Empire. Thus, the purchasing power of money went down, and as a result, soldiers who received their salaries from the state started rebelling against the state. As a consequence, both political and economic depressions in the Empire started at the end of the 16th century. Under these circumstances, it was tough to have a public order around the Empire. Accordingly, it was very difficult to control the unregistered prostitution during these turbulent times, and it was very difficult for the security powers who were statesmen to receive their salaries from the state. Until the 19th century, the Ottomans suffered from long-lasting and endless wars, the military forces at the same time, they were security forces, had to be out of the towns or centers because of their military responsibilities.

In other words, till the 19th century, the control of public order depended on local leaders. At the end of the 16th century, the revolutionary movements called *Celali İsyancıları* became common around the Empire, and these movements cultivated the chaotic atmosphere. Before and during these movements, men used to go to the centers to survive or to fight while women had to stay behind alone. Women had to find new solutions in order to survive, so they also went to the centers to survive. There were not so many ways to earn money, and prostitution was one of the few ways to survive for women left alone in the urban or the rural areas. In the 17th and 18th century, it can be said that the chaotic atmosphere did not change and the

²⁴⁷ Immanuel Wallerstein, *Dünya Sistemleri Analizi: Bir Giriş*, (İstanbul: bgst Yayınları, 2014), pp. 15-130.

local authorities fought against the Porte as the Porte was losing its authority over the Empire. These political and economic developments are found necessary by this dissertation because these details present the process that forced women to become prostitutes in the centers or where they lived.

As a result, until the 18th century, it can be claimed that there was no regular control mechanism for prostitution because of other concerns of the state. Due to economic depressions, the number of economic agreements between the Ottoman Empire and European states increased. Capitulations caused the Ottomans to give economic and social concessions in some cases. For example, some places were out of the control of the Ottoman security powers because residents living in such places had European passports. These uncontrollable places were the first registered brothels of the Empire; they were established after the Tanzimat Edict in 1839. According to Toprak's note, after the Crimean War (1854-1856), Europeans settled down in the capital, and the first brothels were established. This issue is also related to the non-Muslim traders of the Empire. Non-Muslim traders had foreign passports. Therefore, they could trade more easily than their Muslim colleagues. This also explains why many brothels owners in the Ottoman documents were non-Muslims. Whether these people were Ottoman citizens or foreign is unknown since the documents provide limited information about these names. Regardless of the result, this issue put limit to the intervention of the state over these houses. For example, the regular health control was found necessary by the government and the municipalities; however, because of the limits of the capitulations and private sphere's rules, the regular health check project did not work.²⁴⁸

²⁴⁸ Zafer Toprak, *Türkiye'ye Yeni Hayat- İnkılap ve Travma 1908-1928*, (İstanbul: Doğan Kitap, 2017), p. 318.

IV.II.The Importance Of The Late Of The 19th Century

The main objective of this chapter is to show why Abdulhamid II's era is chosen as the period. One of the most controversial topics of Ottoman and Turkish history writing is the era of Abdulhamid II. He was chosen as a political symbol by "the conservative side" of the society when the secularism and modernization obsessed minds accused him of being a dictator. In history writing, the discussions and studies focused on these polarized political differences. According to conservatives, Abdulhamid was a hero; thus, his attempts were not wrong, while the seculars argued that he prorogued the assembly. Thus, he was a dictator and an enemy of constitution. As a result, he was the cause of the depressions and lost territories in the Empire. However, a new perspective between these two stays at the opposite of these attitudes. The third wing tried to show several processes during Abdulhamid II. Selim Deringil and Nadir Özbek are pioneers of this new perspective.

According to Nadir Özbek, *modernist* wing thought the fact that Abdulhamid's Islamic rhetoric and enlightenment aims were a conflicting approach.²⁴⁹ In addition to this point, many other topics reflected Abdulhamid's incoherent movements, for example, he was the Sultan who emphasized the issue of education, at the same time, he burned books. According to the same idea, Sultan Hamid constructed modern hospitals around the Empire; however, at the same time, he had a technological phobia. He could understand the benefits of the telegraph and he founded telegraph lines as soon as possible around the Empire. However, he did not like the telephone. Electric arrived in the Empire short after it was invented, but after a short time, it was forbidden by the Sultan. Thus, for example, the cinema and some medical areas were affected negatively by this. On the other hand, Sultan Hamid liked photography. He collected photographs and categorized them based on

²⁴⁹ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, pp. 29.

the people or the places. All these look like incoherent and lame movements and developments or prohibitions, however, it can be said that each of them has an explanation in the Sultan's mind.

All these and many others do make Abdulhamid neither an absolute modern nor totally a despotic sultan. On the contrary, according to Marshall Berman, it is the direct explanation of the 19th-century modernization. Unlike the 20th-century's definition, the 19th-century modernization referred to and included opposite ideologies at the same time.²⁵⁰ This is the conventional notion of the 19th-century modernization among the European and non-European states. Based on this theory, the monarchical forms of power were basic notions of the Ottoman modernization. The general idea finds that the monarchy and modernization were contrary to each other. However, there was a connection between the modernization and monarchy in Russia, Japan, and west European states. From this perspective, the same connection can be observed in the Ottoman modernization process during Abdulhamid II's era.

It may be necessary to say a few more things about the concept of modernity in terms of the 1884 Regulation of the Ottoman Empire. According to Andrew Davison, there is an essential difference between being modern and understanding the dynamics and importance of modernity.²⁵¹ At the same time, the concept of modernism is a controversial topic, since there is no single modern or non-modern definition on which everyone agrees.²⁵² The basis of this dispute is not only about language, but also historical and political dynamics constituting an obstacle to

²⁵⁰ Marshall Berman, *Katı olan Her Şey Buharlaşıyor*, (İstanbul: İletişim Yayınları, 1994), p. 15-66.

²⁵¹ Andrew Davison, *Türkiye'de Sekülerizm ve Modernlik*, (İstanbul: Publish House, 2012), pp. 50-53.

²⁵² *Ibid.*, pp. 50-53.

making a standard definition.²⁵³ Everything that is called modern or non-modern depends on the context. Being contemporary is about belonging to today as its origin. It indicates a temporal distinction from what belongs to yesterday. Roughly, it may be possible to define it as an age change. What is not clear here is about what change means. Does it mean that everything belonging to yesterday has disappeared when it comes to today, or does it belong to yesterday in its existence today?²⁵⁴ According to Jülgen Habermas, it is not a rupture of the old, but it is a reworking of the new.²⁵⁵ Thus, the question of reinterpretation comes up here. In order to talk about modernity, linear time perception is required. It is not possible to distinguish the new from the old one in a circular perception of time. This is a tradition of Christianity; according to this idea, the first modern person was Jesus.²⁵⁶ From temporal perception, it is possible to say that the concept of modernity is a western European invention. The idea of enlightenment made westerners arrogant. The western people thought that the past is not enough. It is inadequate and underestimated.²⁵⁷

In the 19th century, the idea of time was re-evaluated, and the states or cultures were re-positioned based on the new timeline idea. The reference point was quite simple and clear: it was a modern society if it was benefiting from the science brought by age. It was not modern if it could not benefit from science. All societies

²⁵³ Ibid., pp. 50-53.

²⁵⁴ Ibid., p. 54.

²⁵⁵ Jürhen Habermas, *On the Logic of the Social Sciences*, (Cambridge: The MIT Press, 1998), p. 42.

²⁵⁶ Andrew Davison, *Türkiye’de Sekülerizm ve Modernlik*, (İstanbul: Publish House,2012), p. 56.

²⁵⁷ Ibid., p. 57.

outside the new science were ignorant and were in static life. The question to be asked here is the position of science. How much should one trust science? Furthermore, by whom was science produced? Could it be manipulated?

If modernity is read with the science of the age, then all the cultures and beliefs before the enlightenment were ignorant. That the world had a dark period until the European enlightenment process came. However, it was Europe that saved the world from this darkness. It is quite clear that western Europe created a myth of heroism here, and science was used to prove it as an instrument. If this perception of modernity is examined in a legal or political framework from a Weberian perspective, the ideal types that social scientists frequently use are considered. According to Weber, hierarchical relations were polarized as those in the traditional and modern context. In traditional relationships, the relationships were subjective, far from standard structures and practices, whereas in the modern one, the hierarchical relations were completely non-personal relationships and depended on standard sanctions.²⁵⁸

In fact, it would not be wrong to read modernization, especially the 19th century modernization as the old and the new being used together.²⁵⁹ Instead, it is necessary to think of it as an infinite change where the old fused with the new. Moreover, these "new" formations are unique. The applications with similar content become different in different societies, resulting in very different concepts of modernity. The main reason for this is that each change is unique. According to Davison, being contemporary is to be aware of the transition and to accept the change.²⁶⁰ These transitions and changes can have inevitable consequences of

²⁵⁸ Cited by Andrew Davison, in *Türkiye'de Sekülerizm ve Modernlik*, p. 63.

²⁵⁹ Ibid, p. 58.

²⁶⁰ Ibid, p. 63

context or may have preferred results of context. If someone looks at the prostitution issue in the Ottoman Empire, it is possible to see the changes and transformations occurring as imperatives created by the context due to epidemics. The attempt for modernity does not have to be an absolute victory. It can bring conflicts, mismatches, and reactive consequences. Judging by the 1884 Regulation, there is an investment imposed by the context, but it is wrong to say that this is applied in the same way every time and everywhere in the Empire's territories.

This dissertation argues that Abdulhamid did not break down the bureaucracy of Tanzimat tradition. When the monarchy became stronger, the power of bureaucracy did not decrease. The notable bureaucratic developments had been since Mahmud II. In other words, Abdülhamid was born into this “new tradition.” The already existing bureaucracy and monarchy fed each other from different areas. For instance, after the 1890s when the constitutionalist opposition became stronger, the form of the relationship between the people and the sultan changed. In other words, the sultan had to emphasize his protector and patriarchal sultan image, based on the necessities of the time.²⁶¹ The determinant point in this process is the sultan himself. All these developments, progress and plans were done by Abdulhamid II, not by just an Ottoman sultan. He was still a modern leader. He was not a contemporary sultan, he was a modern one. Unlike other sultans, he used contemporary tools in order to serve his people based on the conjecture, but many times he imitated the Western states. Or it can be said that he used contemporary tools to become a monarch. For example, almost all Ottoman sultans used to be a sponsor in circumcision ceremonies for poor children in the Empire. Moreover, thanks to the developed communication items, these kinds of movements were announced in different places of the Empire in a short time. As a result, in other

²⁶¹ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, p. 31.

words, with every single charitable movement, Abdulhamid legitimized and highlighted his sultan image. According to Selim Deringil, he stayed behind the walls of Yıldız Palace but monitored the Empire.²⁶² In conclusion, the point that made Abdulhamid II a different sultan was that he used the modern techniques in modern hospitals established by him to show his mercy. This combination made Abdulhamid II a unique sultan.²⁶³ Furthermore, he personalized all social and charitable movements.²⁶⁴

Furthermore, he personalized all social and charitable movements.²⁶⁵ Additionally, after the 1887-88 War with Russia, there was not another war in the Empire until 1897 the Ottoman- Greek War. As it has been explained above, people could make money, the middle- class and the intelligentsia of the Empire became financially stronger than before. Thus, during this period, the living conditions got better. According to the statistics results of Alan Duben and Cem Behar, the increase in living conditions was not high, but it was detected.

²⁶² Selim Deringil, *The Well-Protected Domains: Ideology and the Legitimation of Power in the Ottoman Empire, 1876–1909*. (London: I. B. Tauris, 1998), p. 18.

²⁶³ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet* p. 35.

²⁶⁴ *Ibid.*, p. 127.

²⁶⁵ *Ibid.*, p. 127.

Figure 11: Women living alone older 15 %

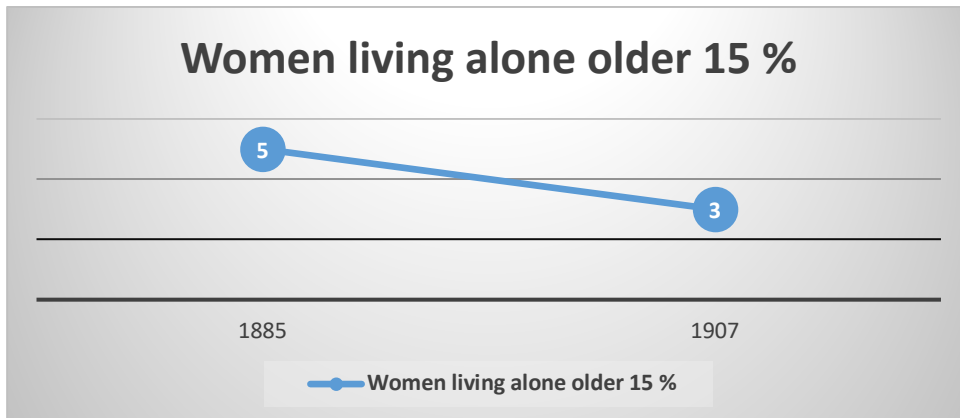
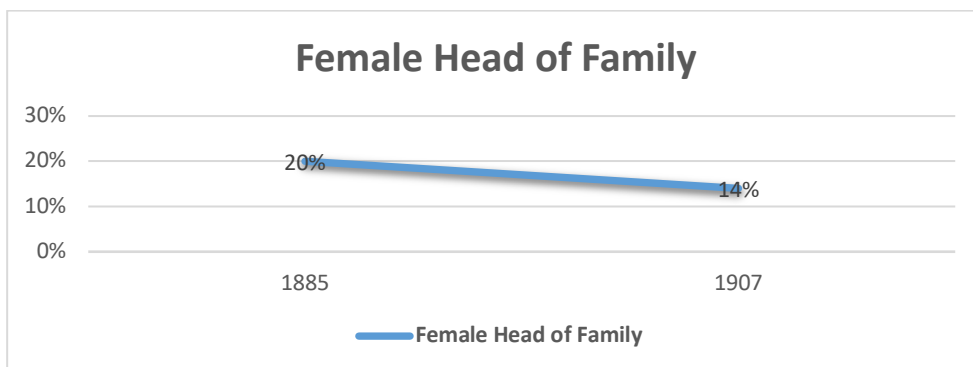


Figure 12: Female Head of Family



For example, as it has been presented above, in 1885 short after the several crises in the Empire, 20% of families were controlled by female members, while this rate decreased to 14% in 1907. This does not mean that women lost their economic power. It refers to male members of the family stayed at home. They did not leave their homes because of war or other difficulties. Furthermore, the proportion of women living alone and older than 15 years old was 5% in 1885, and it dropped to 3% in 1907. The second chart presents that women did not have to leave their

homes to work; they had their family to stay together. The decrease rate was not tremendous. However, scientists could notice it.²⁶⁶

Foucault says that the mechanisms of authorities are not sufficiently studied. Instead, authorities or names are studied and discussed. The main purpose of this thesis is to study the mechanisms of Abdulhamid period, not to focus on Abdulhamid or his power. In other words, this thesis is not to focus on history of prostitution in the late Ottoman period. Rather, the main purpose of the thesis is to follow the process leading to the prostitution regulations. In addition, especially the motives of the 1879 and 1884 Regulations are to be questioned, and the place of prostitutes and women in society are to be studied. This section also explains why the 19th century is important in terms of prostitution. As a result, why Abdulhamid was chosen makes more sense.

Why the brothels' regulations were issued during Abdulhamid II' era is an important question. This question has various answers when it is analyzed from different angles. For this dissertation, some of them have been accepted as the highlighted answers. The first one is related to the global dynamics that the Ottomans tried to adapt themselves to; in other words, to attempt to become a modern state in the European conjecture. This movement consisted of having modern institutes like the army, hospitals, and schools inspired by West- European states. The pace of these changes quickened.

The second answer is domestic issues. The importance of the population and the necessities of the centralization movements of the context, especially after Tanzimat Edict in 1839, forced the state to re-shape itself in many areas. Moreover, the state had new concerns; the public order and public health were the significant

²⁶⁶ Cem Behar and Alan Duben, *Istanbul Households: Marriage, Family, and Fertility, 1880-1940*, (Cambridge [England]; New York: Cambridge University Press 1991), p. 78.

ones of them. Additionally, the social order was also a motive of Abdulhamid II's era. The less visibility of the "dangerous part of the society" was a trend in Europe in the second half of the 19th century. The regulation of the brothels can be read from this perspective during his reign.

Thirdly, the primary concern of the state was not related to the issue of prostitution in the Empire. Everyone in the Empire was already aware of prostitution for centuries. However, the epidemics or pandemics were a new and challenging issue that the Ottoman Empire had to handle. The permanent treatments of many of them were not found. Even the main reasons for many of them were unknown in the 19th century. As it is shown in the following chapter, one of the most effective ways to be protected from the epidemics was related to the control of sex. This was experienced by the Europeans for centuries. In order to have a healthy population, the state had to take the issue of prostitution on its agenda finally. The state did not want to intervene in the prostitution issue because of many challenging reasons. Until the final stage, the authorities chose to ignore the issue of prostitution, and the government acted as if this was a local problem that the local forces handled. However, in the 19th century, they figured out that they would not do this anymore. It was aware that all prostitution could not be ended, but at least the state had to take responsibility in this issue. So, regulations, organizations, and measures were planned urgently one by one. As mentioned above, the priority of the state was not the prostitutes or the moral issues of the society, it was the population. Although the first explanation is about international developments, its internal reflections should be kept in mind, too. This is also valid for the second answer. To separate these notions as internal and external is very difficult because they are so close to each other.

The main motive behind the first answer is to be a modern state like the European ones. In order to understand the differences between the western European states

and the Ottoman Empire, the historical background of this process is discussed. The steps leading Europe to the modern state understanding are explained economically. Thus, the differences between the Ottoman Empire and Europe are highlighted. Until the 19th century, the missing points of the Ottoman Empire for being a modern, capitalist, and market-oriented order are clarified.

In the 16th century, West Europe was worried about the domain of the Ottoman Empire. At the end of the 16th century, a new West was born; however, the Ottomans did not realize this reality until it became too late. According to Niyazi Berkes, until the end of the 17th century, the influence of western Europe had not been understood in terms of intellectual area in the Ottoman Empire. The new position of Europe had not been felt in any area by the Ottomans. In the 17th century, the financial effect of western Europe had been experienced, but, the Ottoman had not seen the relationship between the western domain and the financial crises in the Empire. It was accepted, finally, in the 18th century. The Ottomans had trusted themselves so much that they had not seen the harmful effects of the capitulations, and they had kept giving the economic and social privileges to Europeans. The problems of the bureaucracy of the Empire had been felt in the second half of the 17th century; however, the main reason of this puzzle had not been found yet. According to them, the solution would be the traditional values that had been forgotten already. The return to the past had been considered as the first and only solution until the 18th century. The idea of contemporary²⁶⁷, alternatively, innovation had not positioned in the Ottomans' agenda. Besides, the effects of the West had spread over the places being under control of the Ottoman Empire. Thus, the Karlowitz Treaty in 1699 and the Passarowitz Treaty in 1718 had symbolized the decline of the Empire. After these treaties, it was inevitably

²⁶⁷ Niyazi Berkes Uses Çağdaşlaşma, *Türkiye'de Çağdaşlaşma*, (İstanbul: Yapı Kredi Press,2002), p. 39.

understood that the West had already become stronger than the Ottomans; as a result, finally, the Ottomans accepted the superiority of West.²⁶⁸

In the 17th century, Europe had domestic and international struggles. However, when it comes to the end of the century, they could overcome these puzzles, and the newly found trade ways and bringing valuable metals to Europe changed the dynamics. The price revolution in Europe broke out the feudal order. This price revolution changed the traditional culture and religious life. At the beginning of the 18th century, it was understood that the traditional methods were not helpful to solve the problems. After 1720 Europe had started to enter a new area that the Ottomans had tried to follow until the first decades of the 20th century. During the Tanzimat years (1839-1876), Ottomans lost themselves in this new order. In other words, according to Berkes, the Ottomans lost control over the movements or expectations. In short, when it comes to the 19th century, the Ottomans had experienced to return to the traditions, and they had failed. As a result, they had to follow the western patterns and their modernization motto in order to survive in the new political and economic conjecture in the world.

The second answer to the question is related to the internal dynamics mostly. It should be pointed out that this does not mean that the second explanation is independent of the global dynamics, just the opposite. One of the main concerns of the state under the control of Abdulhamid II was the decreasing population and the issue of centralization and its negative results to the Empire. At the end of the 18th century, the European states had recognized the importance of the population. According to Elif Ekin Akşit, the population became very important.²⁶⁹ The world

²⁶⁸ Ibid., pp. 1-40.

²⁶⁹ Elif Ekin Akşit, "Geç Osmanlı ve Erken Cumhuriyet Dönemlerinde Nüfus Kontrolü Yaklaşımları", *Toplum ve Bilim*, 2010.

order had begun to change; states could not occupy their enemies as easily as before. Furthermore, in order to survive in the new world atmosphere, the states needed more human labor than before. As a result, western states understood the importance of population, as it has been said above; every state needed the national population that grows by the state itself. Thus, the modernization process was organized based on the theory needing human labor; in order to use people's effort, the states had to control and regulate and discipline their people.

Secondly, people, in Europe in the 18th century, began to come to the centers from the peripheries because of the new financial conjecture after the decline of feudalism.²⁷⁰ They came to cities and began to establish well-organized centers. The public opinion was found as well, thanks to the newspapers and magazines. One of the most critical obstacles in the issue of centralization of the Ottoman Empire might be that the public opinion was absent until the 19th century. Peasants and farmers began to leave their territories in the peripheries after the 17th century in the Ottoman Empire; however, when it is compared to Europe, it cannot be said that these people could establish well organized cities because of the economic and social difficulties. Unlike Europe, these people did not go to the centers regularly; their journey was illegal. In Europe, peasants could adapt themselves to the capitalist order in the centers. On the contrary, in the Ottoman Empire, many peasants suffered from terrible financial conditions in the peripheries, but they did not have a well-organized plan for surviving in the cities. Furthermore, the state did not support them, nor the state could give these people another chance to make them stay in their villages. Thus, a more complicated situation was born in the cities; many of these refugees could not adapt themselves to city life in the 19th century in the Ottoman Empire.

²⁷⁰ Eugen Weber, *Köylülerden Fransızlara*, (İstanbul: Heretik Yayınları, 2017).

Moreover, due to the absence of public opinion, the Ottoman cities could not be a part of the centralization movements until the second half of the 19th century. Also, different from the capitalist states in Europe, the state in the Ottoman Empire, did not have the infrastructural tools making it a centralized state. The answer of the last explanation is given in the epidemics chapter in detail. The tools of the modernization and centralization in the Ottoman Empire were not prevalent until the 19th century. Until this time, the local news and developments were carried and transmitted by the local subjects like packer women in the districts. In the 19th century, finally, public opinion began to be established. Moreover, the coffeehouses were also places where people used to come together and discuss and criticize politics and authority. The other centralization movements in the Empire, like municipality services, building roads, especially railroads were very significant for Abdulhamid II, bringing people to the centers, communication tools, for instance telegraph, were used after the second half of the 19th century. Thanks to railroads, both goods and information or data were carried to the centers.²⁷¹ All these developments made people closer to the centers. Thus, the relationship between the people and the authorities changed, as well. As a result, all these dynamics made the state a more centralized and bureaucratic one. Thus, a centralized state had to serve its people in return for their citizen duties. For example, according to Nadir Özbek's study, Abdulhamid spent 7% of charitable expenses for public works like building a bridge or roads. These attempts show the importance of a new form of the relationship between the people and the sultan. In other words, Abdulhamid wished to keep his people under his control and touch them. As a result, he had to rethink and reshaped the state apparatus. The prostitution issue is just one of them. At the same time, these movements were read as a gift from Abdulhamid II, although they were the responsibility of the state.²⁷² In addition to these, the

²⁷¹ Yavuz Selim Karakışla, *Eski Zamanlar Eski İnsanlar*, (İstanbul: Doğan Kitap, 2015), p. 30.

²⁷² Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, p. 168.

economy was not terrible during Abdulhamid's era. On the contrary, people felt better economically.²⁷³ Moreover, thanks to the social services like the modern hospitals and education levels, people felt more comfortable; thus, they could find time, money and energy for entertainment like drinking, going to the theatre, and other popular social events.²⁷⁴ Prostitution should be evaluated under these conditions, as well. According to Karakışla, Abdulhamid was a despotic sultan in political life. However, he supported the social activities in the Empire.²⁷⁵ In domestic politics, Abdulhamid focused on the Muslim population as a result of the lost territories, while he preferred to balance things in foreign policy.²⁷⁶ The last point is significant for this dissertation because the 1884 Regulation did not refer to Muslim women in the issue of prostitution. Sultan Hamid had a more conservative plan for Muslims.

Although the political, economic, and cultural dynamics looked different from one another, there were some shared features between the Ottomans and Europeans for protecting the common benefits. Many concepts and stigmatization in Europe spread over from there, while many of them were born naturally in the Ottoman Empire. When the capitalist and market-oriented economy became prevalent,

²⁷³ Şevket Pamuk, *Osmanlı İmparatorluğu'nda Paranın Tarihi*, (İstanbul: Türkiye İş Bankası Yayınları, 2017), p. 14.

²⁷³ Immanuel Wallerstein, *Dünya-Sistemleri Analizi: Bir Giriş, Dünya-Sistemleri Analizi: Bir giriş*, (İstanbul: Aram Yayıncılık, 2004).

²⁷⁴ Karakışla, *Eski Zamanlar Eski İnsanlar*, p. 31-32.

²⁷⁵ *Ibid.*, p. 31.

²⁷⁶ *Ibid.*, p. 31.

people in the society started to group in Europe. People were labeled as producers and non-producers in there. These non-producers were the uncontrollable people at the same time in the eye of the state or the capitalist order. In other words, they were out of control of the authorities. At the same time, it was the first time in history that cities began to develop suddenly, and many new towns were established fast. People were both curious and afraid of these new constructions. According to many people living in peripheries, the cities were full of immorality and prostitution.²⁷⁷ All these new actions were found related to the lower class and working-class people because they were the new residents of the cities. Moreover, the lower class or the working class could find some weak points, and thanks to that, they could escape from the authority of the states. This is called the lower class phobia of the European elites. This phobia spread over the Ottoman Empire in the second half of the 19th century, although the existence and influence of the working class in the Empire was not felt. It has been unknown whether the Ottomans imitated the European in the issue of the dangerous parts or not. It has been known and explained above that the Ottomans were sensitive about the regular and controllable life in the quarters. The already existing sensitivity might have been affected by the trend in Europe and increased by doing so. When it came to the 19th century, the dangerous or marginal obsessed phobia was apparent in the Ottoman society.

According to Doğan, the prostitutes and some other marginal people created a subculture belonging to themselves.²⁷⁸ The marginal people, for example, the prostitutes and panders, developed their culture that threatened the upper and

²⁷⁷ Hanne Blank, *Düzcinsel: Heteroseksüelliğin Şaşırtıcı Derecede Kısa Tarihi*, (İstanbul: İletişim Yayınevi, 2019), p. 40.

²⁷⁸ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), pp. 1-11.

middle-class elites because of their “unreliability”. The main motive of staying behind the lower class phobia might be associated with this unknown culture. The criminals, vagrants, insane, prostitutes, and ones who did not have a regular address were identified as the dangerous ones. The expectation of the middle class from the state was less visibility of these groups. Elites wished to send these people away from the centers or take them under stricter control.

So far, when Abdulhamid II came to the throne in 1876, the general picture of the Empire is explained from different angles. There were limited ways to solve problems, and Abdulhamid was born in the Tanzimat era, it can be said that he was also one of the Tanzimat sultans. He kept constructing modern and western style establishments, and he also was aware of the necessity of the population. First of all, like many other sultans, he aimed to stop the loss of territory. The only solution to this issue was to have a contemporary and robust army. In order to have such an army, there must be healthy military officers and soldiers. In order to have them, the population must be protected. Also, the newborns were significant for having a strong army and society. Ottomans had been analyzing the western armies that had not lost wars against them for almost more than a century. The Ottomans could understand that, in order not to lose the wars, they had to have the same standards in army and education with European states when they compared themselves to Europe. In addition to these technical movements, the health of these soldiers and future soldiers must be protected from the epidemics. Thus, the health organizations, campaigns, developments, and medical schools were priorities on the agenda of the sultan.

In addition to this, the era of Abdulhamid should be evaluated with Foucault’s biopolitics theory. The biopolitics is the intersectional field between human biology and politics. People lost their identity, and they became only a part of the population. This term was created by Rudolf Kjellen, who was a political scientist

and used the term of geopolitics.²⁷⁹ From 1975 to 1976, the term of the biopolitics was developed by Foucault in College de France. According to his attitude, biopolitics is the extension of state power over human physical and political bodies.²⁸⁰

In addition to this, with the hospitalization process, the state's domain was extended based on this process.²⁸¹ In addition to these answers, another relationship between the end of the 19th century-Ottoman Empire and the prostitution issue is about women's position in the eye of the state. According to Akşit, the researches, articles, and discussions about the relationship between bodies, family, and nationalism got stronger in the 19th century. Thus, women were highlighted as they shaped this process. Moreover, each class of women was subject to re-examination by the state.²⁸²

The prostitution matter is also related to population and army. In other words, the venereal diseases were prevalent among the soldiers and even among the high ranked officers. In some cases, officers or soldiers got infected consciously so they would not fight in the wars. Epidemics were the main problem for the state that planned to have a healthy army and a healthy population in general in the 19th century. When military duty became mandatory, the population and its health became a national problem based on the Darwinist perspective. The population of

²⁷⁹ Roberto Esposito, *Bios: Biopolitics and Philosophy*, (Minesota: Minnesota Press, 2008) p. 16.

²⁸⁰ Michel Foucault, *History of Sexuality: The Will of Knowledge*, (New York: Vintage Books, 1985).

²⁸¹ Elif Ekin Akşit, "Geç Osmanlı ve Erken Cumhuriyet Dönemlerinde Nüfus Kontrolü Yaklaşımları", *Toplum ve Bilim*, 2010, p. 180.

²⁸² Akşit, "Geç Osmanlı ve Erken Cumhuriyet", p. 181.

the enemies was the biggest threat to states. The national birth rate decreased when the international struggles among the nations began at the beginning of the 19th century. As a result, a population-oriented century started. Furthermore, the idea of public health was born this way in the Ottoman Empire. Protecting public health was also called social engineering.²⁸³ In the last chapter, this point is discussed in detail.

²⁸³ Cem Dođan, *Cinselliđin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), p. 20.

CHAPTER V

REGULATIONS ON PROSTITUTION IN EUROPE AND THE OTTOMAN EMPIRE

In this chapter, the prostitute and brothel regulations in both European states and the Ottoman Empire are explained. In the first part of this chapter, the European regulations and their motives are discussed. At the same time, the conditions of prostitutes and prostitution are introduced. European regulations are significant to understand the Ottoman control system, because the Ottomans were inspired from Europeans in many ways in terms of regulation and taking measures against the epidemics.

In the second part of this chapter, the 1884 Ottoman Prostitution Regulation is discussed. Before giving the articles and content of the Regulation, the process that lead to the regulation are explained. In the last part of this chapter, the post-Regulation process is shown. As a result of this, the reaction of people is apparent. In the last part of this chapter, the reaction of people against the brothels and women who lived close them are explained. Thus, the mentality and complaints of people toward the issue of legitimated prostitution become clear.

If Europe is to be mentioned, it is necessary to talk about the influence of Christianity over people. Even though in the first centuries women were respected in Christianity in contrary to ancient Greece and the Roman world, this changed in a short time. Furthermore, the Church began to see women as the main reason for sins. Jews were accused of being the cause for disasters in Europe in the Middle Age. After them, the second main reason for disasters was women being unwelcomed by the society. The most obvious evidence of this attitude of the Middle Age world is the handbook written by Heinrich Kramer and Jacob Stranger.

This book is called *Mallucus Maleficarum*.²⁸⁴ It is about witchcraft in Europe. This book is one of the examples of misogyny in Europe during the Middle Age. According to this book, female witches could be determined based on the rules. Even though the effect of this book suddenly disappeared after many massacres, the meaningless discussions continued until the end of the 18th century. For example, it was disused if women had a soul or not based on Plato's perspective in the 18th-century European world. When Church began to lose its power because of scientific developments, the position of women also changed. The pure, asexual, childish woman image that was created by Church was shaken. Moreover, women's image was created by the literature world at this time. According to John Cleland, De Sade, Jack London, and some other writers, 19th-century women were extremely fond of sex. This can be compared to the Ottoman writers' accounts about the slaves or servants. Their female characters also focused on their sexual habits.²⁸⁵

In real life, the capitalist system changed all the balance in western European centers. With the serial production process, women lost their job opportunities in their homes. They had to work for factories, they earned less money than their male colleagues, and they worked under harder conditions. Many women could not survive with the money they made, and many of them could not find job opportunities. Thus, they had to be prostitutes permanently or temporarily in the 19th century Europe.

In addition to these poor conditions, the 19th-century intellectuals like Arthur Schopenhauer and Friedrich Nietzsche criticized women.²⁸⁶ According to these

²⁸⁴ Heinrich Kramer and Jacob Stranger, *Mallucus Maleficarum*, (Orkos Press, 2015).

²⁸⁵ John Cleland, *Fanny Hill or Memoirs Of A Woman Of Ple*, (London: Penguin Books, 1985).

²⁸⁶ Nietzsche Fiedrich Wilhem, *Thus Spoke Zarathustra: A Book For Everyone And No One*, (New York: Penguin Books, 2003).

"brilliant" minds, women should only be the mothers, and they should serve their men. First-wave feminists began their struggle at this time, but their first aim was to have political rights. Since in this period, everything was about political existence. Still, their movements are significant for women's history.

Europeans had disease phobia after the 16th century when Christopher Columbus brought syphilis to Europe. With the 19th century, the Europeans faced population problems. They understood that having a healthy and young population was a natural weapon against their enemies. Then, they began to fight against the diseases that damaged this order. When new diseases were forced, Europeans drafted regulations on them. It was figured out that the main reason for transmitted diseases was sexuality. Then it was determined that uncontrolled sexuality was a threat to society. Thus, prostitutes were accused of being the cause of these diseases. The role of men during this process was mostly ignored. After epidemics, regulations were drafted in European states. The position and responsibilities of prostitutes in Europe were determined step by step in these regulations.

When it came to the 19th century, these women were accepted as taxpayers in France. The general rules were about the medical examination times of women and their taxes to the physicians and the state. In order to prevent sexually transmitted diseases, regulations were drafted one after another. Women were the subjects of these rules, and they had to follow stringent rules in order to work for a legal brothel, while men were ignored. They were not accepted as the reason for sexually transmitted diseases in Europe. Women suffered from strict applications and

challenging rules. The general discourse of the states during the 19th century was about the family order.

It should be asked why European states accepted the existence of brothels and prostitution in the 19th century conditions. The first answer is that it was understood that prohibition was not a solution for the diseases. When prostitution was prohibited by the states or authorities, people began to have sex illegally; thus, controlling diseases became harder. Then, the heterosexual relationship was invented, so Europeans believed that prostitutes protected their males from homosexuality. Therefore, these men would get married in the future and they healthy children for the sake of the states. Moreover, these regulations were created in order to protect the male figures who would produce future generations.

It is vital to keep in mind that there were no condoms or antibiotics in this world; controlled sexuality was important as there were no condoms or antibiotics, and it was very important to prevent diseases. However, women and men had the same risks, so the regular checks should have been applied to the two genders in order to prevent sexually transmitted diseases. Moreover, physicians and other authorities deliberately mistreated women in brothels.

Ottomans imitated the regulations in Europe about prostitution. It should be remembered that before the 19th century, prostitution was not a legal activity, and prostitutes and men who slept with these women were punished based on the society' demands. However, this situation changed in the 19th century in not only European states, but also Ottoman Empire. With the second half of the 19th century, it was understood that in order to prevent the society from the sexual diseases, the state had to accept and regulate prostitution.

V.I.Regulations In European Countries

In this part, the regulations in the European states are mentioned chronologically. The regulations in European states are found necessary by this dissertation, because the Ottoman Empire followed their paths mostly. Thus, the main motive and process in European states make more sense for this thesis. Before the regulations in the west, the roots of the misogyny should be touched upon first because of the fact that women were main actors of this dissertation. This thesis argues that misogyny was the main reason of women issues at least in Europe and the Ottoman Empire.

V.I.I.Before the Regulations in Europe

Due to the geography that both the Europeans and the Ottomans lived in, Christianity's attitude toward the women issue is significant. Before that, the position of women in the Ancient Greek and Rome should be mentioned; they had been entirely worthless. Mainly, Plato's and Aristoteles' arguments about women reflected the ancient times' perspective. Their long lasting theories affected western people between the 17th century and the 19th century in Europe. Moreover, the Jews' "main sin" argument affected western people, as well.

At the early times of Christianity, women were valued, so they supported this religion for a while. After three centuries, the conditions changed, and women were humiliated by men, especially by the religious powers again. In time, sexuality was accepted as the original sin. So, the main aim of the sex referred to having children only. According to this side, ones who do not have children should not have sex; if they do, they are accepted as sinners. Like that, all actions that may damage the population were accepted as sins. Therefore, Church intervened in the abortion issue as well; it was forbidden. Regarding this theory, homosexuality and

masturbation and other “marginal” actions and relationships were cursed by the Church.

Based on Foucault, confession was created at the beginning of the 13th century in order to take sexuality under the Church’s control.²⁸⁷ However, the issue of female prostitutes and marginals was complicated. They did not have a regular life, and they did not join confession regularly. Moreover, marginal women rejected the Church’s activities. As a result, to control them was harder than ordinary family women in addition to the other reasons. So they were declared guilty or potentially guilty. At the same time, from the beginning, the Church accepted the tax coming from the prostitutes and brothels. The Church discussed this. Some of them thought that these women were sinners. Thus, their money should not be accepted by the holy Church, while the rest of them claimed that these women made money as entrepreneurs; as a result, they also needed to pay their tax to the Church. They kept collecting tax from prostitutes. For example, the priests of the church in Florencia supported the establishment of three official brothels financially in 1415.²⁸⁸

Women were accepted as guilty because they remind of sexuality. If women wished to be valued in the eye of the Church, they should be virgins or untouchable like Mary. If they were married, they should have sex only with their husbands in order to have a baby. Sexual pleasure was a sin for women. When it comes to the Middle Age, the female body turned into an image of purity. In the 14th century, Mary was accepted as a holy person, not as a woman. She was the second person, after Jesus,

²⁸⁷ Michel Foucault, *History of Sexuality*, translated from the French by Robert Hurley, (London: Penguin Books, 1979), pp. 9-67.

²⁸⁸ Prepared by Alain Corbin, Jean-Jacques Courtine, Georges Vigarello; translated by Saadet Özen, Orçun Türkay; edited by Korkut E. Erdur, *Bedenin Tarihi*, (İstanbul: Yapı Kredi Yayınları, 2007), p. 161.

who did not have a sin including sex. In the 17th century, the feminine side of Mary was erased; she became only a tool who carried Jesus. According to the Church, Mary was a mother, an image of pureness, and she was obedient to authority. Thus, Mary was the stereotype of women in the Catholic Christian world. Women needed to be mothers, and they needed to serve their fathers or husbands. Otherwise, they would be sinners. In order to be like Mary, women should not spend time in public places. They needed to stay in their houses. All monotheistic religions share same idea; women should not spent time out of her house.

Jews were accused of being the reason for the disasters in Europe in the Middle Age, after them, women were accused of being the main reason for the diseases, earthquakes, and other disasters. Some scholars tried to explain the paranoiac attempts of the Church with the disasters. In the Middle Age, Heinrich Kramer and Jacob Stranger wrote one of the handbooks of witchcraft, this is called *Mallcus Maleficarum*. This is the only one of these kinds of books or notes. The main target of this handbook was women. This is interesting that there is a relationship or link between the witch hunt and the political struggles; in other words, in Germany for example, the places where women were hunted were the places domestic wars happened. From this perspective, the misogyny in Europe can be evaluated as a political situation. Even though Europe re-organized and focused on scientific developments, women issues were out of these movements in the Renaissance years. In the 18th century, Plato's ideas were still being discussed; if women had souls or not.

As a result of the scientific developments, for example, Copernic's theories, the position of the Church was shaken. It was understood that the Catholic Church might have made a mistake. Thus, women related ideas and theories began to change. The pure, asexual, mother image of women broke down; however, this time, the literature world created the absolute opposite of this role. John Cleland,

De Sade, Jack London, and many other writers and philosophers focused on the “new woman image”. This created image did not satisfy the first-wave feminists. These new women looked forward to only sexual pleasure. As a result, they were accepted as prostitutes, but still, these women were supported by “innocent” women in the society.

When it comes to the beginning of the 19th century, the link between the increasing number of female prostitutes and capitalism began to be questioned. Women used to work in their homes in the pre-capitalist era. When capitalism expanded, these women lost their work opportunities as mentioned in the previous chapter. Even if they began to work in factories, they earned less money than the past and their male colleagues. As a result, these poor young girls or women had to be prostitutes in the capitalist order in Europe. In London, for instance, in 1842 there were 2 million people, 50.000 of them were female prostitutes. The worst part is that the majority of these women were infected. Many of these women stayed on the streets. In the Victorian era, the Queen tried to organize some charitable events for these women; however, many of them were unsuccessful attempts.²⁸⁹

During the Victorian Era, it was accepted that wives were not for sexual pleasure, but the prostitutes and working-class women were. Moral and clear wives were holy mothers. Sexual pleasure made women immoral and insane. During the Victorian Era, sexual pleasure was accepted as a hysteria attack. This might be the reason of the close explanation between the women and hysteria in the 19th century- psychiatry discipline. This is the continuity of the Middle Age women determination. Moral women were accepted as children. Thanks to this long durée child-woman image, men saw themselves as an influential figure. In addition to this child-woman image, another image was created; women should sacrifice

²⁸⁹ Cited by Jack Holland, *Kadından Nefretin Evrensel Tarihi*, (Ankara: İmge Yayınevi, 2016), p. 1-55.

themselves for their husbands during the Victorian Era. The examples of this new trend can be followed in the literature world again in Britain, Emily Bronte and George Eliot focused on this new fashion. In these novels, women were separated as moral and immoral ones. Thus, the eroticism was directly related to immorality and prostitution. There were strong movements against this traditional old perspective. However, they were cut by the “God’s order” and “natural order” mottos in the 19th century in North America and Western Europe.

Herbert Spencer (1820- 1903) claimed that educated women could not give birth. Moreover, Charles Darwin (1809-1882) argued that women had a smaller head, and they menstruated. Thus, they were not as healthy as men. Romantics like Emanuel Kant (1724-1841) acted against women issues. According to him, women were the symbol of beauty and weakness only. They must serve males. Furthermore, Arthur Schopenhauer (1788-1860) described women as adult children.²⁹⁰ According to some, this idea can go hand in hand with pedophile. Moreover, they were objects, not human beings. Friedrich Nietzsche (1788-1824) argued that women were crueler than men. According to his philosophy, the male was the only reality. Women could be only mothers, and they must serve their men. While addressing the public in places covering men, he uses a separate address in its critiques of women in *Thus Spoke Zarathustra*.²⁹¹ Sigmund Freud (1856-1939) explains that when girls understand that they do not have a penis, they feel hysteria and it is a jealous crisis.²⁹² However, women did not give up their rights. There were new attempts in the issue of women rights. But poor women were out of these new

²⁹⁰ Cited by Jack Holland, *Kadından Nefretin Evrensel Tarihi*, (Ankara: İmge Yayınevi, 2016), p. 1-55.

²⁹¹ Nietzsche, *Thus Spoke Zarathustra*.

²⁹² Sigmund Freud, *Cinsellik Üzerine Üç Deneme*, (İstanbul: Gece Kitaplığı, 2017).

developments. It is possible to make a critique about the first-wave feminists in Europe, because in the 19th century, the main objective of feminist women was to have the right to vote. They did not think much about the conditions of lower-class and working-class women.

V.I.II.Making the Regulations

Until here the first criticisms about women and the first reactions against them in Europe has been presented shortly to make more sense. Also, it has been discussed to follow the continuity in the issue of prostitution. The rest of the part focuses on the regulations in Europe. Regulations about brothels, prostitution, and prostitutes were declared in Europe in order to control the sexuality and to suppress the epidemics. Before the diseases anxiety in the 16th century, there were regulation attempts; the intention was to protect public order and moral codes and to keep these women under the control of the authority.

Furthermore, another primary motivation behind the first regulations was to “protect the honor of ladies.” In other words, men used to refer to sex with prostitutes in brothels. Thus, “respectable women’s honor” was protected this way. Moreover, prostitutes were isolated because they should not be taken as an example by ladies since these women dressed flashy and made their own money.

With the epidemics, the meaning of sexuality and prostitution was re-thought in the 16th century in Europe. The most obvious reason for this re-evolution was the growing epidemics of syphilis as the disease spread Europe after the visit of Christopher Columbus to America. Syphilis is a sexually transmitted disease.²⁹³ Columbus and his crew carried the disease and made it existent in Europe based on

²⁹³ Şennur Şenel, “XIX. Yüzyılda Kastomunu Vilayetinde Frengi Hastalığı ile Mücadele”, <http://dergipark.ulakbim.gov.tr/cbayarsos/article/view/5000112584>, p. 258.

the accepted theory. According to Andrew Nikiforuk, the first epidemic of syphilis was seen in 1493 in Barcelona.²⁹⁴ After 1493, epidemics around Europe followed one another. Each European state blamed the other one for the spread of the disease and started naming this disease with their enemies. For example, English named it a French disease, while French named it as Italian disease; Japan named it as the Chinese disease. Ottomans named the disease *Frenji* referring to the disease coming from the west.

In the 18th century, the European states noticed that sexual connections were the leading cause of epidemics. After this realization, the states and the authorities tried to take uncontrolled sexuality under control to prevent the epidemics. They already controlled the family members; thus, their new target was single women and prostitutes. Single women and prostitutes were called marginal because they were out of control. Although this might have not been used as a word, it was like that in meaning. This approach automatically turned into labeling and anger towards marginal women.

To do so, prostitution was banned, single women and prostitutes were stigmatized, brothels were closed down, and people who had sexual diseases were punished, like in France in the 1560s.²⁹⁵ In France, prostitutes were called “habitudes scandaleuse.” The strict rules were applied in France for a very long time. In addition to the corporal punishments, the penalty fines also began. However, it was understood that prohibiting prostitution did not solve the health problems. Instead, it increased the number of patients in the state. Since the ban hardened, people

²⁹⁴ Andrew Nikiforuk, *The Fourth Horseman: A Short History of Plagues, Scourges and Emerging Viruses*, (Toronto: Penguin Books, 1996), pp. 100-150.

²⁹⁵ William Action, *Prostitution, Considered in Its Moral, Social and Sanitary Aspects in London and Other Large Cities and Garrison Towns*, (London: Class, 1972), p. 101.

began to do it even more and in the underground which made it hard to control the process. Then, prostitution started to become a legal action in Europe.

New regulations for this process were published. These social developments do not make sense without considering the dynamics of the states in which they occurred, and even the history of war. As shown below, social changes usually started in France. One of the main reasons for this situation is related to the general attitude of it, at the same time, the effects of the Revolution in 1789. As a result, France has been one of the most sensitive states in terms of social dynamics. In Europe, the regulation varied from place to place. Even in some states, the positions of the cities could be changed; for instance, in German Federation, Stuttgart, and Hamburg the brothels were registered places, while in Berlin and Munich, these places were forbidden. The main determining points behind the decisions were about the objects and targets of the states. Like this, in the 19th century, the meaning and content of the prostitution also changed from state to state or place to place.

In the 19th century, the existence of prostitution was accepted by all states; in other words, there was no prohibition. This is a shared idea among the European states. Moreover, prostitution was accepted as a legitimized action in order to protect the superiority of masculinity. According to the shared European attitude, women's prostitution was necessary to the equilibrium of society. The female prostitution was a response to the men's sexual needs. The main reason behind this masculinity ordered attitude can be the homosexuality phobia of the modern production-oriented states.

Moreover, the transmitted venereal diseases were also significant in the issue of prostitution even though this was a patriarch approach. In Russia, the issue of prostitution was controlled by the Medical Department of the Ministry of Interior Affairs. Like this, the regulation process was called The Contagious Diseases Act in

England.²⁹⁶ While prostitution was accepted as a legitimate action in Europe in the 19th century, the prostitutes were outcast from these societies. It is essential that even though prostitution was unisex, and it was a gender-based topic, it was read as related to only men and their mental and physical needs. In European countries, the needs of women were totally ignored. All regulations were organized based on straight heterosexual relations.

V.I.III.I.Prostitution in Revolution and Other European States

In 1778, the first well-organized regulation about prostitution was declared in France.²⁹⁷ After a short time and the 1789 Revolution, this regulation was re-evaluated and discussed. Moreover, the meaning of prostitution and the position of prostitutes were also re-coded by the new government. In 1802, the toleration of prostitution was accepted.²⁹⁸ In 1810, Netherlands introduced a system of regulation; it ended in 1813 when the French withdrew. Then in 1851, another regulation was ordered to take measures against the venereal diseases.²⁹⁹ After the first well-organized regulation about prostitution was declared in France in 1828, the prostitutes began to be accepted as taxpayers. The discussions about taxation

²⁹⁶ *Encyclopédie pour une histoire nouvelle de l'Europe* [online], ISSN 2677-6588, 2016, (September, 2016).

<http://ehne.fr/en/node/788>

²⁹⁷ *Ibid.*, p.2.

²⁹⁸ Kristibe Luker, in Ph.D thesis, "Sex, Social Hygiene, and the State: The Double-Edged Sword of Social Reform," *Theory and Society*, (October, 1998).

²⁹⁹ Johannes C.J. Boutellier, "Prostitution, Criminal Law and Morality in the Netherlands," *Crime, Law and Social Change*, (May 1991).

for prostitution began in 1834 in Hamburg. In German Federation, in 1869, a committee was established to make research about the relation between the venereal diseases and prostitution. It is important to note that the law did not allow prostitution. However, the state “tolerated” prostitution.³⁰⁰ The primary motivation of this “elegance” is, of course, to protect public health. This detail is significant to understand the position of prostitutes and prostitution in the eye of the state; it reflects the relationship between the state and prostitutes. In 1864, the Contagious disease Act was announced by England. After a short time in 1866, the second regulation was published. In 1869, the third one was accepted. The second and third ones were the extended versions of the first one. The main difference between them is that they realized the necessities. According to the regulation, police could arrest the prostitutes in ports and armies. Also, they could bring women to hospitals or clinics to have their medical examinations taken. When their results tested positive, the hospitalization process started until they were treated.³⁰¹ In United States of America, the regulation about the prostitution was announced in 1857.³⁰² In 1900, Japan passed the regulation about licensed prostitutes. In the same year, the Administrative Enforcement Law (Gyosei Shikkoho) gave the police extraordinary rights and powers over women. For example, they could arrest unlicensed prostitutes and then they could bring them to medical examination.³⁰³

³⁰⁰ Ibid., p.136.

³⁰¹ Trevor Fisher, *Prostitution and the Victorians*, (Chicago: University of Northwestern Publish, 1997).

³⁰² <https://prostitution.procon.org/sourcefiles/PageAct.pdf>

³⁰³ The World's Oldest Debate? Prostitution and the State in Imperial Japan, 1900-1945," *The American Historical Review*, vol.98, number 3, (Jun, 1993), pp. 710-792.

V.III.I.II.The Content of the Regulations: The Main Issues

According to the regulations, women had to visit clinics twice a week and pay 6 or 8 marks per month to the government. The rules regarding female prostitutes in Europe were rigorous thanks to the capacity and capability of infrastructures of European governments. When it comes to the rules against male customers of brothels, it can be said that it was less strict than female prostitutes. The only rule targeting men was about the marital status in order to visit the official brothels; they had to be single in some brothels in some European states. The main motive of this rule is to protect the family health, in other words, the society, but it is unknown whether it was practiced or not. However, it should be noted that there were no rules against men in a similar situation in the Ottoman Empire even though one of the first concerns of the state was to protect the family.

It should be remembered that there were no condoms or antibiotics to protect the health of people until the beginning of the 20th century from the sexually transmitted diseases. Therefore, the only way to be protected from venereal diseases was regular health controls. However, the best way to be protected from the diseases was the medical examination of the two genders in equal standards.

V.I.III.II.I.Protecting the Masculinity

As mentioned above, the European states could understand the relationship between commercial sex and venereal diseases, and organized regular health controls and examinations for women when it came to the second half of the 19th century. Furthermore, there was one more reason to tolerate prostitution in Europe; they planned to protect their males from homosexual relationships.³⁰⁴ The

³⁰⁴ Prepared by Alain Corbin, Jean-Jacques Courtine, Georges Vigarello; translated by Saadet Özen, Orçun Türkay; edited by Korkut E. Erdur, *Bedenin Tarihi*, (İstanbul: Yapı Kredi Yayınları, 2007), p. 162.

European states needed a strong army, and according to military perspective, men in these states should not have to lose their masculinity in order to fight. Moreover, it meant to protect the order of the society.

V.I.III.II.II.The Houses and The Dreams

The general conditions of brothels and prostitutes in European countries are shown and compared. The similarities and differences become apparent. This makes the women and brothels, as mentioned earlier, more meaningful.

Just like in the Ottoman Empire, there were different classes of brothels in Europe. In England, houses were classified and named based on the economic power and income of the women living and working in it. For example, “lodge” was the name given to the place where one or two women stayed, and “resorts” were night houses where food and beverages were served, which included dance and music. Moreover, there were places called lodges, where more than one woman used to rent these places where they could work and stay. The police were aware of these places. There were resort night places with numerous women who looked like night clubs. Furthermore, women worked on the streets, and in contrary to the general belief, the police knew who these women were and where they worked. Until 1904, these conditions, rules, and regulations were the same in almost every European state, including the Ottoman Empire.

In the European brothels, in the 19th century, women had to pay their daily expenses to the owner of the house. According to Mustafa Galib, there were two forms of prostitution, in the first one, the brothel keepers used to pay to prostitution. In the second one, the keepers used to take money from prostitutes that were the same in Europe and the Ottoman Empire. Prostitutes lived where

they worked.³⁰⁵ In addition to the brothels, some hotels had reserved rooms for prostitutes when women found clients in the streets or in the entertainment places; they used to bring men to these hotels.³⁰⁶ Women used to dream having their brothels in Europe and in the Ottoman Empire.

Besides, there were many fairytales and stories regarding marriage between a prostitute and a rich guy. The young women were inspired by these tales. These kinds of stories kept women in the brothels; they motivated women emotionally.

V.I.III.II.III.The Numbers in Europe

In the 19th century, the rate of registered and unregistered prostitution increased, or became more visible, meaning that there were more uncontrollable sexual relationships and venereal diseases in Europe. In the 1860s, there were more than 30.000 prostitutes in Paris, but it should be noted that this is the formal number, the real number of prostitutes in the brothels and streets is around 120.000.³⁰⁷ According to Action, there were about 6.371 prostitutes in London in 1841, and after a short time this number rose to 9.409. In the same years, in Vienna, there were more than 20.000 prostitutes. This number is equal to the number of prostitutes in New York at the time.

In the 19th century, there were many wars in Europe, and men had to leave their homes having to leave women alone. Women could not survive under these

³⁰⁵ Mustafa Galib, *Fahişeler Hayatı ve Redayet-i Ahlâkiye*, (İstanbul: Mahmud Bey Matbaası, 1338), pp. 13-14.

³⁰⁶ *Ibid.*, pp. 13-14.

³⁰⁷ Tannahill, *Tarihte Cinsellik*, p. 304.

miserable conditions as they could not work.³⁰⁸ These women had to become prostitutes in order to have some income to survive. According to the researches, half of the prostitutes tried to work in other areas before becoming prostitutes.³⁰⁹ Another reason might be related to capitalism in Western Europe. As it has been mentioned above, women lost their work opportunities in their home with the capitalism and establishments of the factories. However, to find a job and to work in this challenging atmosphere was not so easy for many women.

Furthermore, public morality was also one of the main reasons of prostitution in Europe. According to the tradition, until the end of the 19th century, women should not have a sexual relationship, unlike man. If they had a sexual contact and it was noticed by the society, they were dismissed from the society, and their family, and then they stayed alone. All these conditions were the same in the Ottoman Empire. The distinction point between the Ottomans and European societies was the capitalism and its long-lasting results for the societies beginning in the 19th century.

V.I.III.III.People Around the Houses

Prostitution has been related to financial issues. People close to the brothels or prostitutes benefitted from this market, as well. Their rooms or houses were rented by these women and their clients; people bought things such as wine, bread, fruit, or dessert for customers and women in brothels. The consumption in pubs and *hammams* increased. The state or local people and leaders tolerated or ignored the prostitution around them because of to their economic advantage.³¹⁰ Prostitution

³⁰⁸ Ibid., pp. 1-10.

³⁰⁹ Ibid., p. 305.

³¹⁰ Prepared by Alain Corbin, Jean-Jacques Courtine, Georges Vigarello; translated by Saadet Özen, Orçun Türkay; edited by Korkut E. Erdur, *Bedenin Tarihi*, (İstanbul: Yapı Kredi Yayınları, 2007), p. 166.

has been related to financial issues, and it supported many other markets for centuries. Prostitutes were not the only ones in trouble. At the same time, businesses around the brothels had financial difficulties. The survival of those working there was related to the continued employment of these women.

In Europe, pronatalism was also related to the issue of women. Moreover, the social health or social medicine was created in 1840s in England and then it was turned to an issue of public health in other European states. Based on this discourse, the states could intervene in the women issues and their birth politics. Even though this politics looks like social state movements, the main motive was to control the population effectively. It spread over the Ottoman Empire in a short time. Its effect on the Ottoman society is discussed in the next part.

V.II.1884 Regulation Of The Ottoman Empire

In the second half of the 19th century, many perspectives had to change both in the Ottoman Empire and western world. For instance, the meaning of crime in terms of prostitution altered. With the 1884 *Altıncı Daire-i Belediye Dahilinde Bulunan Ba'zı Hususi Hanelerin Hıdemat-i Sıhhiyesine Dair Ta'limatname*, Ordinance for the Sanitary Inspection of Some Private Houses within the control of the Border of the Municipality of the Sixth District in Beyoğlu prostitution was not a crime anymore, and it was prohibited where the state did not allow. Furthermore, people were judged because of this. Like that, the meaning of prostitutes in the eye of the state changed. The state had to meet women individually before that they had been a member of a group. From this point of view, it can be said that the 1884 Regulation was a small success paper of prostitutes. It is crucial that women did not fight for this kind of regulation or practice. This is an unexpected positive result of

something spontaneous. During this process, the main motives of the state were to protect the family order and save the future of the state.

The Ottoman government decided to announce a regulation about some private houses that were under the control of the Ministry of Beyoğlu in 1884. With this regulation, a new area in the Ottoman Empire started. However, this is not the first one. This thesis claims that the process of modernity of the Ottoman Empire began with these regulations, because even though prostitution was against the moral and religious codes in the Ottoman world, the state had to accept its legitimization. This was probably one of the most challenging regulations that the state had to accept. However, it is significant that this thesis calls this movements as a modern one not a contemporary. No matter contemporary or modern, this may seem like a turning point for the Ottoman society, but an already existing situation was only legitimized. However, the publication of such a regulation, during the era of Abdulhamid II, who emphasized himself with Islamic codes, was revolutionary for the state.

The primary concern of these regulations is health checks of women like in many other European states in that period. Even though the Ottoman Empire was criticized for many perspectives because of staying behind the European states, in the issue of prostitution, this idea cannot be advocated. For example, England announced a comprehensive regulation about prostitution in 1864; after a short time, Ottomans did the same thing. The draft of the 1884 Regulation was announced in 1879.

V.II.I.The Main Motive of the Regulations

With the 1884 Regulation, the substantial discussions about the prostitution began in the Ottoman Empire. There was a polarization about this point; some intellectuals, especially physicians, were defending the regulation; other people did

not support this regulation and legitimacy of the prostitution in the Empire. The first wing won the struggle.

This side argued that throughout the history no one forbid the prostitution, illegal prostitution is more dangerous. If they could legitimate it, they could protect the society's health. The regulation of prostitution can be read as public health measure. One step further, it can be argued that this regulation is a part of serial health-oriented regulations. In other words, between 1830 and 1890, 43 regulations about public health were announced. Many westernized medical schools and hospitals were established, the quarantine administration started to work. Different health councils were established one after another. As a result, it might be thought that the 1879 and 1884 Regulation are one of them.

Moreover, it is significant that these regulations should be evaluated from one more perspective; these regulations should be thought of as a population oriented movement of Abdulhamid II. Like founding kinder gardens, these regulations is about the next generations from the opposite side. In fact, in this context, the issue of women in this period can be said to be re-coded in many respects. Like prostitutes' areas and responsibilities, "family women's" areas and responsibilities were determined by authorities at this time. As a result, the 1879 and 1884 Regulations can be evaluated in this context. Family women's regular and permanent place which was their home was determined. They had to deal with domestic hygiene. They were the protector of their family's health. Based on the state's perspective, this was a national duty. While the prostitutes were opposite of them.

V.II.II.The Dangerous Phobia in the Ottoman Empire

Although both the 1879 and 1884 Regulations are very valuable for prostitution in the late Ottoman Empire, this dissertation admits that the 1884 Regulation is the

updated version. Thus, it is mentioned mostly. The 1884 Regulation is crucial to understand the state's position in terms of prostitution. In other words, with the 1884 Regulation, the state had to accept the existence of prostitution was ignored until that time, and then it began to organize its borders and content. After these, the state re-defined its position as a social state from this point of view.

In order to understand the position and intention of the state at the end of the 19th century, the general attitude of society should be pointed out. Since the 18th century, there had been a lower class-phobia in European states, and this situation is associated with capitalism. Workers began to come to city centers for the first time, and the middle and upper-class people did not welcome these people. Moreover, they were uncontrollable, free people according to the middle and upper class; all these made them dangerous people in the elites' eye.

This dangerous class phobia spread over the Ottoman Empire in the 19th century, even though there was not a capitalist order, unlike western European states. According to Müge Özbek's Ph.D. thesis, it turned to lower class women phobia in the Ottoman capital in a short time. These women used to work for middle-class people's houses as domestic servants, and they were accepted as potentially dangerous for their families and the society.³¹¹

Furthermore, as it has been mentioned before, the intellectuals and literature world supported this idea. Although the position of prostitutes was highlighted, beggars, and vagrants, poor children were unwanted subjects of the capital, too. The state tried to make these poor subjects less visible in the streets. There are official writings among the Ottoman ministries about the placement of prostitutes. These correspondences can be read as charitable attempts, as well. Previously, these

³¹¹ Müge Özbek, *Single, Poor Women in Istanbul*.

people were exiled directly; however, during Abdulhamid II's era, more permanent and effective solutions were searched. For example, it was asked if it is possible for some prostitutes to stay in Darülaceze. At the end of the correspondences, this offer was not accepted, but still, the placement of these women was discussing. In other words, the state began to see the problems of women.

According to Müge Özbek, there was a poor woman who had anxiety in the capital, and it was related to the new urban dynamics.³¹² This attitude can be read as it is related to the dangerous class phobia that had been born in Europe in the 18th century, however; it is not enough to explain the main reason behind the new attitude against prostitutes or about the issue of prostitution in the 19th century in the Ottoman Empire. The dangerous class phobia started to spread in Paris and London in the 18th century, and elites felt themselves under their threat. According to Başaran, it was the first time the poor entered the cities in Western history. Thus, the elites were shocked.³¹³ As a result, they called these people dangerous ones.

From this point of view, it can be said that elites' dangerous class phobia re-constructed social life in Istanbul. Müge Özbek examines Istanbul in the second half of the 19th century in her dissertation, and she claims that single and poor women who were associated with the domestic works in the middle or upper-class people's house were read as the potential prostitutes.

Thus, it can be stated that it was the first legal approval of the existence of female prostitutes in the capital in 1884. The new dynamics that were shaped in the second half of the 19th century, life-organizing or re-organizing the security or public order in Istanbul made these women visible. In other words, participating women in public areas as prostitutes were not the only concern of the capital, because of the

³¹² Özbek, *Single, Poor Women in Istanbul*, pp. 12-25.

³¹³ Başaran, *Selim III*, p. 36.

same and some other reasons, prostitutes became visible in the rural areas, as well. Therefore, the issue of prostitutes or potential prostitutes in the Ottoman Empire in the 19th century was not just a dangerous class phobia; it was more than this general attitude. Rather than a lower-class or single women phobia belonging to the middle or upper class, it was a phobia directed to women who were forced to stay or choose to stay in the margins or who acted differently from the perception of women stereotype shaped by the society. As a result, the source of this phobia was not only the middle or upper class; it was also the lower class because of their closer relationship and their shared benefits with these women. Women fed these rumors by talking behind one another.³¹⁴ As a result, it can be said that until the second constitutional era (1908), it is hard to talk about women's cooperation. Women tried to protect themselves individually. In other words, marginal women were accepted as potential prostitutes or as a threat by the lower class women, too. They thought that these women were dangerous for their family, for their father, husband, or sons. Moreover, there was a marginal women phobia rather than a poor and single women phobia in the society regardless of the class differences. In deep, it was easier to be ostracized by the lower class because they were closer to these women than the elites. Furthermore, they were neighbors of these women, so they were the organic witnesses of the issues. As a result, their testification was more effective.

Women's newspapers and magazines were published based on the middle and upper class' needs. The literature world did not account for the lower class women. Moreover, in these newspapers and magazines, there was a remarkable difference between the women in different classes, in other words, middle and upper-class women were accepted as "ladies" while the lower class women were called

³¹⁴ Ahmet Rasim, *Fuhş-i Atik*, p. 142.

“women.”³¹⁵ Furthermore, according to Karakışla, the difference was not limited to the class issue; the target of the literary world was the middle and upper-class Muslim women. The literature world is found significant by this dissertation because it shows the ignorance of “other” women like illiterate and non-Muslim women. As it has been mentioned before, according to Müge Özbek, these single, poor and illiterate women were accepted as prostitutes or at least potential prostitutes by the middle and upper class in the Ottoman Empire.³¹⁶ As mentioned above, these women were the ones who were accused of a threat to family and public order in bestsellers at the time. Even though this attitude was correct, it seems there is a lack of one more notion, these single and poor women were accepted as potential prostitutes by not only the middle class, but also the lower class, and not only by men they were accepted as a threat to the moral order, but also by the women.

It should be pointed out that the marital status did not solve the concerns, in other words, married women could be read as a threat to the society as well, according to the records, there were married prostitutes or married marginal women. Moreover, to be accepted as a dangerous one, a woman did not have to be a prostitute or accused of being a prostitute. Young female beggars were accepted as potential prostitutes in the mind of the state and society. According to the authorities, these young girls concealed their crimes by begging.³¹⁷

³¹⁵ Fatma Kılıç Denman, *II. Meşrutiyet Döneminde Bir Jön Türk Dergisi: Kadın*, (İstanbul: Libra Yayınevi, 2010).

Zafer Toprak, *Türkiye’de Kadın Özgürlüğü ve Feminizm*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2015).

³¹⁶ Özbek, *Single, Poor Women in Istanbul*, p 1.

*Kadın, this phrase is used for those who work for domestic services, even today

³¹⁷ Nadir Özbek, *Osmanlı İmparatorluğu’nda Sosyal Devlet*, p. 84.

V.II.III.Meaning of Beyoğlu

Before the content of the 1884 Regulation, it should be pointed out what the importance of Beyoğlu, the Sixth District, was in the eye of the Ottomans in this period. In the Ottoman world, Beyoğlu had been the center of the trade and daily routines. It consisted of Galata, Pera, Tophane, Kasımpaşa; after a while Şişli, Tatavla were also added. It had a particular position throughout history from Genoese to Byzantium and Ottoman Empire. The port was the center of this area. In this way, it helped improve trade.

At the end of the 19th century, Galata or Beyoğlu became a puzzling image. It was the center of trade and western shopping, because many of the residents of this place were Non-Muslim subjects of the Empire. As a result, a westernized lifestyle was common in this place. Beyoğlu and Pera have been the center of the market-oriented economic life. When the capitalist order became visible in the capital, it affected the entertainment sector, and it was reshaped based on the new economic order.

The population of Galata consisted of the Greek, Armenian, Russian, French, Austrian, Jews, Muslims, and other different ethnicities and religions. In terms of this population, Beyoğlu had a unique position in the eye of the state. It had been a progressive and productive trade center. At the same time, foreign people like diplomats or traders preferred to stay here. These people had European passports, and they could benefit from privileges given to European states as capitulations. It means that the police could not enter the some private zones in Beyoğlu; it was a complicated topic for Ottomans as mentioned above. Thus, brothel owners who had foreign passports also preferred to establish their houses in Beyoğlu.

On the contrary, the reason of puzzling is the lower class people also preferred to live in Beyoğlu, since it is close to the middle and upper-class people. Another main reason is the old exile tradition, Beyoğlu had already become the “isolated area” for the those who were not accepted by the other parts of the capital. In short, before the Ottoman Empire, there had been a well-established entertainment sector due to its geographical privilege, as well. It also had a dynamic and balance in itself. It was easier to maintain control over the existing area than to build a new area from scratch. Moreover, it is significant that Beyoğlu had the experience of having a municipality and regular taxes starting from 1857. The municipality of Beyoğlu which was the first municipality was established in that time. Its name was Municipality of Sixth District, inspired from French example *Sixieme Arrondissement* in Paris.³¹⁸ In 1868 the Municipality of Istanbul (*Şehremaneti*) was established because of founding new municipal models and expanding the idea of urban modernization like Beyoğlu.

Also, it had dynamic social relationships. It was the place where Western and foreign elites used to spend most of their time. Thus, a special and unique taste was created in Beyoğlu. Beyoğlu was an attractive place for the elites.³¹⁹ Toward the 19th century, Beyazid or Grand Bazaar lost their importance. In the second half of the 19th century, Galata became the main commercial, administrative and financial center, while at the same time, it was an upper-class residential. It can be said that the heart of the Ottoman Empire in the second half of the 19th century became Galata, Beyoğlu, and Pera. Abdülhamid II made these places famous where were close to the Yıldız Palace. According to Kemal Karpat, it became an independent city

³¹⁸ Osman Nuri Ergin, *Mecelle-i Umur-u Belediyye*, 9 vols vol.3 (İstanbul: İstanbul Büyükşehir Belediyesi Kültür İşleri Daire Başkanlığı Yayınları, 1995). p. 1326.

³¹⁹ Ahmet Rasim, *Fuğuş-u Atik*, (İstanbul: Avrupa Yakası Yayınları, 2007).

in the 19th century.³²⁰ With the increasing influence of Europe, it became a popular neighborhood. There were 16 diplomatic envoys in Pera in the 19th century. There were shops, hotels, pubs, hammams, and brothels. The lingo Franca in Pera was French. According to Karpat, there were few French people living in Pera, but the French superiority was protected. In 1849, the number of French people in Pera was approximately 1.000, at the time the total population of this place was between 28.000 and 30.000. There were 6000 Greek people, 1000 people coming from Malta, 1600 Austrians, and 1000 Russians. The rest of it was Armenians, the English, Sardinians, Americans, and Persians. It was not easy to live in Pera in the 19th century because of its reputation; the rents were so high.³²¹ For example, the rent of a single room here was more expensive than the suites of the most luxurious hotels in Paris. In the second half of the 19th century, Galata took the place of Pera. The European heritage of Pera was transferred to Galata. Armenians, Greeks, and Jews used to work there. And they made money and developed business relationships there. The importance of French culture was replaced by Greeks in Galata. The main reason for this replacement is about the negative attitude of the French against Turks and, English traders who supported the liberal economy encouraged Greek traders. However, the power of these Non-Muslim traders used to come from the Western states. Thus, it can be said that Pera or Galata looked like an economic colony of West European countries like in Africa or South America.

There were Muslim customers in Pera and Galata. These were a new bureaucratic class of the Ottoman Empire. And these people had a European vision and perspective. At least, they pretended to have it. These high-ranked officers and their relatives used to come to Pera and Galata to shop. As a result, Pera, Galata,

³²⁰ Cited by Özbek, in *Single, Poor Women in Istanbul*, p. 31.

³²¹ *Ibid.*, p. 31.

and Beyoğlu became a symbol of being European, modern, and western for Muslim people. The Muslim population became 125.000 in 1886 while it was 66.700 in 1848, the non-Muslim population rose to 190.000 from 70.700. Furthermore, the number of foreigners in Beyoğlu in 1848 was 66.000, it became 122.202 in 1878.³²²

As it has been presented, Beyoğlu was a place that upper and lower class people lived together. The poor male figures used to stay in bachelor's rooms. (Bekar Odaları)³²³ These men did not have regular places to stay; this situation proved the dangerous people's image in the mind of the elites. When it came to the female, their positions were more complicated. Having a place or not having a regular place in there was read from the same perspective. No matter their professionals, the existence of poor women in Beyoğlu referred to the same meaning; according to the elite' perspective these were immoral and potential prostitutes.

On the other hand, from the view of poor it was a chance for the lower class people, because they could find wealthy costumers, while the upper and middle-class people, especially women, did not like this situation. These people thought that the lower class was dangerous for their family and everyday life order. As a result, a phobia toward these people was born; different scholars call this phobia various names, such as lower class phobia, poor and single and poor women phobia. According to Müge Özbek's study, the elites living in Beyoğlu asked the authorities for a regulation against these "dangerous subjects". According to Betül Başaran, its roots date back to the 18th-century's common phobia toward working-class people in western European centers.³²⁴ Furthermore, the disorder phobia was

³²² Cited by Özbek, in *Single, Poor Women in Istanbul*, p. 31.

³²³ Çokuğraş, "Osmanlı istanbulun'da Bekar Odaları"

³²⁴ Betül Başaran, *Selim III, Social Control and Policing in Istanbul at the End of the Eighteenth Century: Between Crisis and Order*, (Boston: Brill 2014).

not born in the 19th century, according to her, crime, disorder, and chaos phobia was born after the Patrona Halil Rebellion in the 1730s. In other words, to understand the sensitiveness of people or the authority about disorders, the historical background of the issues should be kept in mind.

Just like other European states, the Ottoman Empire emphasized the issue of prostitution at the end of the 1870s in terms of a health issue . As it has been mentioned, before these regulations were organized for the Municipality of the Sixth District of Beyoğlu, the municipality employed a medical commission for the regular medical control in the brothels in Beyoğlu. After a decade, on the 14th of January 1884, a regulation paper that was called the Ordinance of the Sanitary Inspection of Some Private Houses in Beyoğlu, *Altıncı Daire-i Belediye Dahilinde Bulunan Ba'zı Hususi Hanelerin Hıdemat-ı Sıhhiyesine Dair Ta'limatname* was issued. Beyoğlu has been the most famous place known for prostitution throughout its history.³²⁵

When it comes to the relationship between Beyoğlu and prostitution, Galata was known for prostitutes and brothels which were both legal and illegal. The coffeehouses and beerhouses were typical, non-Muslim men and women used to spend time together in these shops. This dissertation argues that Beyoğlu was the most suitable place for the regulation based on Western examples due to the reasons mentioned above. Beyoğlu was the place where elites and the poor were so close to each other. According to Doğan, living together with the elites with the lower-income group was the choice of the municipality. In other words, the municipality did not exile the lower class people from the city centers, unlike London or Paris.³²⁶ It can be said that the elites were not satisfied with this close

³²⁵ İlber Ortaylı, *İstanbul'dan Sayfalar*, p. 110.

³²⁶ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), p. 38.

relationship between them and the poor. However, it could not be the only reason behind the regulation regarding prostitution. According to the common belief, there were too many prostitutes in the streets of Beyoğlu, Thus, this place was chosen by the authority. However, these women could work in the streets of Beyoğlu due to its dynamics.

Furthermore, it is essential that the prostitution issue was not limited to the streets; it included pubs or clubs, as well. As a result, the main motives behind the issue of prostitution in Beyoğlu should be evaluated from different and various perspectives. Moreover, as it has been shown, Beyoğlu was known for prostitution, it was unnecessary to establish somewhere else for the same topic.

V.II.IV.I.The Concern of the Regulation

The main concern and target of the 1884 Regulation are taking medical measures against the sexually transmitted diseases. So, many records and surveillance system practices were applied. The main aim of the government or the committee was not to monitor these women or houses. On the other hand, in order to control these women medically, they had to develop a monitoring process. It was not easy for the Ottoman Empire, because prostitution was a vast market, and its infrastructural forces were not enough to control all areas. Hence, it should be read from this point of view.

Furthermore, as the opposite of Foucauldian perspective, the target was not to thoroughly monitor these women or end the prostitution. One of the most potent sources supporting this idea is the location of the application. Even only in the capital, prostitution was common in Eyüp, Pera, Galata, Aksaray, and Üsküdar. There were other houses in the peripheries of the capital of course. However, the Regulation takes the responsibility of “some houses” in Beyoğlu. In other words, the

state did not attempt to control the all prostitution market; rather, it tried to provide a healthy sex opportunity with its people. This fact has not been discussed or pointed out by other significant studies and accounts about the prostitution of the late Ottoman Empire.

V.II.IV.II.The Main Changes With The Regulation

This Regulation should be read from two different perspectives, maybe three. The first one is about the position of women. Before the 1884 Regulation, the rules and the content of prostitution from the women's perspective had not been explained and determined. When a woman committed prostitution, she would be judged. However, with the 1884 Regulation, this changed, and judgment was not the threat anymore, women would have been blamed for not following the rules. The rules were related mostly to the pathological process. The Regulation also determined the other details; for example, Muslim women could not be registered even if they were sent to the medical examination. Women had to carry special notebooks about themselves, and they had to follow and participate in regular medical examinations. Unless they could follow these basic rules, they would be blamed.

On the other hand, when it comes to the other side, it is related to the male customers. Before 1884 Regulation, men had been blamed because of having illicit sex; however, after the 1884 Regulation, men were judged only if they had sex where the government did not allow.

Finally, the Regulation should be analyzed from the state's perspective. Before the 1884 Regulation, the state was the authority that directly authorized the judiciary. Nevertheless, after that, the state changed its position; the state was not the judgment authority anymore; it became the controlling power with the 1884 Regulation. The main goal in 1884 was to offer sex controlled in a healthy area, as in the European States. There are many examples in which this happened or it did not.

While some examples show very western practices, in some cases, the old approach was still valid.

There was another decision-maker besides the state, and it was the community. It is interesting that even though the Ottoman society, no matter what the religious differences are, was conservative; there is not any objection against the 1884 Regulation. There were protests but not against the legitimization of prostitution, the protests were about the localization of the legal or illegal prostitution. In other words, people complained about prostitution and brothels at close range. There are many official documents about the same topic written at different times. As a result, it is possible to read the time after 1884 as a transition period.

In this part, the prostitution Regulation in 1884 is presented in the Ottoman Empire. Before the articles and content of the paper, the general conditions of prostitution are shown. The positions of prostitutes in the eye of the state and its change in the 19th century are given. The patriarch approach of the state in the issue of prostitution is discussed. After this, health obsession of the Ottomans and its meaning are mentioned. Thus, the anxieties toward the poor are shown. Then, the 1884 regulation comes, and its content and applications in daily life are presented. Moreover, the advantages and disadvantages of regulation are compared. Furthermore, the post-regulation process in the Ottoman everyday life is introduced based on documents. The conditions of prostitution and reflections of people on it until the 19th century have been explained.

According to Toprak's study, after the Crimean War (1854-1856), the government ignored the issue of prostitution for a while.³²⁷ With the venereal diseases rising, the authorities had to take measures against the diseases. Even if an official

³²⁷ Toprak, *Türkiye'ye Yeni Hayat- İnkılap ve Travma*, p. 318.

document has not approved yet, it can be estimated that western states struggling against the sexually transmitted diseases for centuries played a role in this process. Europe saw the negative results when prostitution was forbidden, or prostitutes were oppressed. For example, the number of diseases, homosexuality and rape increased; additionally, the honor of ladies was in danger.³²⁸ (According to feminist scholars, it should be highlighted that if these women stop rape, some other women are raped instead of these ladies.³²⁹)

Before starting the prostitution regulation in the Ottoman Empire, the issue of the sources should be discussed shortly. As it has been mentioned many times, the Ottoman Empire was a dominant male state, and patriarchal order was highlighted during Abdulhamid II' era. Thus, the documents and the secondary sources used by this dissertation were recorded and created by male figures. In other words, the official documents or the memories written by contemporary or old-fashioned writers had a patriarch-oriented perspective. As a result, the male perspective reflected in the documents. So, these documents should be evaluated carefully, and it should be asked whether it is possible that while the documents were kept by male officers of the state and the general attitude of the state was also patriarchal order, the objective data or knowledge can be achieved in the issue of female prostitution in the Ottoman Empire.

Before the second half of the 19th century, the main aim of the state was not to regulate the issue of the prostitute. Instead, the authorities tried to punish the prostitutes, and women had been exiled mostly. As it has been discussed above, the

³²⁸ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), p. 15.

³²⁹ Wells Jess, *Kadın Gözüyle Batı Avrupa'da Fahişeliğin Tarihi*, (İstanbul: Pencere Yayınları, 1997), p. 93.

state could not punish all female prostitutes or men who spent time with these women. The most effective solution had been to force the women to move out of where they had lived or worked. It had not been a permanent solution; after a while, women could come back to their home or town. In other words, the authority could only solve the prostitution issue locally and temporary. The main reason for this is that the local forces had been handling this matter, the state was inability to know how to deal with this.

As it has been seen, exile had not been the solution, and it had not given any opportunity for women to survive or take care of themselves. Besides, exile did not aim to make women to give up prostitution. It targeted to change the place of prostitution for a while. What would the state offer to women to earn a living if it compelled them to quit prostitution? There was a limited area that women could make money in the Ottoman society; the position of women in economic life was more limited in the rural areas. The state could not create alternative work opportunities for women. Thus, it could only forbid prostitution in a specific place for a particular time. There were some attempts to encourage women to become tailors. These initiatives were published in the news and magazines. However, the limited number of women could read in the Empire. As a result, a few women heard about this opportunity. So this good intended attempt could not be successful.³³⁰

V.II.IV.III.She Was a Subject Now

Prostitutes and other marginal subjects were not a threat to the state when they were alone in public life. However, when they were categorized and called a group of people, they turned out to be a threat to the authorities because they became

³³⁰ Yavuz Selim Karakışla, *Osmanlı Hanımları ve Kadın Terziler 1869-1923*, (İstanbul: Akıl Fikir Yayınları, 2015), pp. 50-75.

visible. Moreover, they reflect the state's inability and economic failure.³³¹ In other words, the state used to ignore a prostitute in the streets or brothels; however, a brothel was dangerous for the legitimacy of the state.³³² The attitude of the state against these marginal groups involving prostitutes, criminals, insane, beggars, and others presents how the state determines itself. As it has been mentioned above, at the beginning, the state exiled women from centers. However, with the 1884 Regulation, the state started to get in contact with the women individually. She was a subject now, not a member of a group only. Although it was a tool of surveillance and monitoring process at the same time, the notebooks given by the authority could be analyzed from this perspective, as well. It shows that every single woman was recorded individually. In other words, the identity and existence of women were accepted by the state with the 1884 Regulation. Thus, even though women did not fight for their rights and the Regulation did not address their conditions directly, the 1884 Regulation can be called the victory of prostitutes in the Empire, at least in the capital. The issue of prostitution turned to be issue of prostitutes. Being in touch with women directly was a Tanzimat practice.³³³ It should be kept in mind that it is unknown whether women preferred to be visible or not.

V.II.IV.IV.From Being a Healing Power to Building a Hospital

On January 14th, 1884, the Ottoman council of state issued a regulation, 20 years after England.³³⁴ *Altıncı Daire-i Belediye Dahilinde Bulunan Ba'zı Hususi Hanelerin*

³³¹ Cem Doğan, *Cinselliğin Saklı Kıyısı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2019), p. 76.

³³² *Ibid.*, p. 76.

³³³ Cited by Elif Akşit, "Geç Osmanlı ve Erken Cumhuriyet", p. 185.

³³⁴ Jess, *Fahişeliğin Tarihi*, p. 66.

Hidemat-ı Sıhhiyesine Dair Ta'limatname Ordinance for the Sanitary Inspection of Some Private Houses within the control of the Border of the Municipality of the Sixth District in Beyoğlu under the authority of *Mösyö* Black who was the mayor of Sixth District. With this Regulation, discussions about the legitimacy of prostitution in the Empire began. According to the ones who advocate the Regulation, prostitution should not be forbidden or avoided, because making it a legitimate action might help the medical control regularly. Additionally, this way, the negative result of the uncontrolled prostitution would drop to minimum. As a result, public health could be protected. Like many other points, the understanding and expectations of modernization affected the issue of public health. Before the 19th century, there had been a social complex consisting of small clinics in the districts. There had been a few numbers of public hospitals that belonged to the state both in the capital and the rest of the Empire. Like many other steps, the Ottomans imitated the Europeans in the issue of public health. Selim III was the first sultan who tried to control the public health. After him, Mahmud II established medical schools; there were the first hospitals that contagious diseases like plague, cholera, fever, and venereal diseases were treated.

Establishment of the hospitals was related to the population concern of the state, as well. The quarantine administration was introduced in 1836. Two years later, the final shape of this regulation was organized; the *Meclis-i Thaffuz-ı Ula* the High Council of Quarantine was established. Then the institution was transformed into *Meclis-i Umur-u Sıhhiye* the Council of the Health Issues. Another attempt was vaccination. In 1882, the vaccination institution and the school of vaccination were established. Between 1892 and 1897, 600.000 children were vaccinated by the state. Based on the public health issue, the state began to keep and collect the birth and death records. It should be pointed out that the records of the women in both

the capital and the peripheries were limited.³³⁵ These were good intentions to prevent the epidemics and the main target of these attempts was to protect the population. Forty-three public health-oriented- regulations were issued between the 1830s and 1880s.³³⁶

Another point of view can be adopted here. Healing his citizens was of great importance to a leader from the very beginning. Healing has been an extraordinary sign of power, at least since Jesus. For example, since the 16th century, healing in the British and French monarchy was an important indicator of strength.³³⁷

According to this approach, it can be said that the healing leader became a leader who built a healing institution in the positivist 19th century, the leader founded modern healing institutions rather than addressing himself as the healer.

When it came to the 19th century, the elites and middle-class people had both medical and order oriented concerns. Thus, prostitution stayed between these. Therefore, the medicalization process of prostitution had to be born.

The medicalization process started with Doctor Michel's offer, who was the physician of Edward Blaque, the mayor of Beyoğlu. In 1878, Michel suggested organizing a medical examination process for prostitutes in brothels in Beyoğlu, and the reform-oriented mayor accepted it. Then, Agop Handanyan, who was a professor and member of the Civil Medical Association, joined this medical

³³⁵ Demirci, "Body, Disease and the Late Ottoman Literature: Debates on Ottoman Muslim family in the Tanzimat Period", p. 30.

³³⁶ Ibid., p. 117.

³³⁷ Marc Bloch, *The Royal Touch : Sacred Monarchy and Scrofula in England and France*, (London:Taylor & Francis Ltd, 2015).

committee. They became responsible for the health conditions of the brothels in Beyoğlu, and they planned to establish a hospital for infected prostitutes.³³⁸

V.II.IV.The Plans About the Regulations

In 1880, two years after the draft announced, thanks to Michel's petition, a medical committee was established under the Sixth District. The committee began to register the brothels in Beyoğlu and appoint doctors who would work for these brothels. In 1883, the committee organized an ordinance for the regulation of medicalization process and suggested it to Council of the State. After a discussion, in the second meeting, further information about the issue was demanded from Doctor Hüsnü Paşa and Doctor Agop Handanyan.³³⁹ In addition to these significant names, physician Düring Pasha was invited by the Ottoman Empire. According to Müge Özbek, the first and dominant concern of Doctor Hüsnü Paşa and Handanyan was to protect the public health. However, the primary concern of the state was the legitimization of vice. The doctors of the committee claimed that these brothels were established a long time ago, no one could abolish prostitution, and the only reasonable solution to protect the public health was to check these brothels regularly. If they had not done this, the spread of syphilis and other venereal diseases could not be stopped. Moreover, they emphasized the medical examinations' periods. According to them, in order for it to be effective, women would be examined regularly, and the ones who infected would not work before getting cured. The committee's other concern was the fees. Who would pay, and

³³⁸ Özbek, in *Single, Poor Women in Istanbul*, p. 52.

Nuri Ergin, *Mecelle-i Umur-u Beleddiyye*, p. 3297.

³³⁹ *Ibid.*, p. 3298.

who would pay how much fee? How would they determine the fee? The answer to Doctor Hüsnü and Handanyan was that the expense of medical examination would be priced based on the conditions of the houses where women worked. The poor women in need would not pay the fees.

According to their suggestion, the expense of the medical examination would decrease; in the following years, when they collected the money they would spend on the construction of the hospital. The next problem was the attitude of women against the medical examination, and the committee claimed that women would not volunteer for examination and would not pay for it. In opposition to this argument, Handanyan and Hüsnü Pasha did not expect resistance. On the contrary, they thought that contaminated women would volunteer to get treated to have a healthy life. Still, the worst case scenarios survived, and they accepted that women who did not volunteer for the hospitalization process would be forced to a medical examination in order to protect the public health. When it comes to the unregistered brothels, these doctors advocated that the unregistered houses would be medicalized and women who worked for them would also get treated. They needed the address of these places, and they would solve the issue. After short discussions, the committee accepted the offers, and the first venereal disease ordinance of the Ottoman Empire was approved in 1884, which was named Ordinance for Sanitary Control of Some Private Houses within the Sixth District. The Ordinance consisted of 28 articles and 5 main sections. Like many other regulations in the Empire, it was adapted from the European examples. So far, serious and strong objection or support about the 1884 Regulation has not been found in the records. As it has been mentioned above, the issue of prostitution was not one of the main concerns of the middle class or elites. It can be said that this issue was between the authorities and the prostitutes.

V.II.V.The Content of the 1884 Regulation

The 1884 Regulation consists of five main chapters and 28 articles. According to the first article of Ordinance for Sanitary Control of Some Private Houses within the Sixth District, Municipality of the Sixth District had to establish a medical committee. They needed to call women once a week for a medical examination and take the precautions against the venereal diseases. In the second article, it is issued that the committee would keep women's names in the houses. In addition to the committee's records, the keepers of the houses would keep records of the women working for the house. According to the next article, the committee needed to keep the address of brothels and they had to follow address changes. There would be notebooks in which the names of brothels, the name of women, their nicknames, birth dates, their nationalities, physical appearances, addresses of women and keepers of houses and other details would be kept like in Europe.³⁴⁰ As noted in the fourth article, there would be another notebook to be given to women. These notebooks were also licenses to work. These records show that the state gave the exile politics up and the state began to be related with the prostitutes one by one, not with prostitution. Besides, these notebooks were the legitimacy tools of the state over the women. Recording the result of the exams was related to the state's capability. It shows that the distance between the women and the state was not so much. Women were still under the control of the state. In this notebook, the medical results of the women would be kept, and there would be a photograph on its cover. Interestingly, the photograph issue is another place that created a work opportunity for the society. Women had to pay considerable money in order to have these photographs.

³⁴⁰ Wells, *Fahişeliğin Tarihi*, p. 70.

When it comes to the salaries of the doctors, their income would be expensed by the fee of examination taken from women. The price of the medical examination would be, as Doctor Michel and Handanyan issued, determined based on the number of women in the house and the conditions of it. The next chapter is about the method of the medical examination, and it is the title of this chapter at the same time. It stresses the rules about the examination process of the prostitutes. Based on the documents, it is understood that the expenses of the hospitals would charge the brothels not only in the capital. In other words, a document dated in 1890 about Izmir, shows that there were many infected women; thus, a particular hospital for syphilis needed to be established. The expenses of this future hospital were paid by the brothels that were constructed in a segregated place.³⁴¹

According to the sixth article of this chapter, the doctors would visit prostitutes once a week. The doctors needed to write down the results of the examinations on both women's and their notebooks. In the next article, it is stressed that the keepers of houses would be examined if the doctors found it necessary. The next article issues that doctors were not allowed to take money from the keepers or prostitutes in houses. This article might have been issued because of the corruptions in Europe in the same years.³⁴² Doctors were also banned to cure women in the houses; they had to send contaminated women to the hospital. The title of third chapter is The Sanitary Controls of the Houses. The houses were separated into five classes based on the number of women working for them and the geographical position of them. A doctor and necessary number of staff were appointed for each class of houses. Every single of doctors had to examine the women under his control area once a week. The infected women would be sent to

³⁴¹ COA. DH. MKP. 1689/ 118

³⁴² Wells, *Fahişeliğin Tarihi*, p. 70.

the hospital immediately, and the doctor would prevent the spread of the illness. In the hospital, women would be treated gently. When women did not cooperate with the doctors or staff, the municipality director would be informed. Physicians were responsible for the conditions of the brothels; they had to present reports once a month. The doctors would change every six months. The first two clinics would be founded in Beyoğlu and Galata, when the number of registered houses increased, new clinics would be established, as well. Significantly, these clinics were medical examination places only; the treatments were not allowed here. The geographical positions of the clinics were different in the Ottoman Empire from the European states.

According to Wells, hospitals or clinics in Europe were away from the city centers. Women were kept in there for such a long time that when they came back to their homes, many of them could not find their family.³⁴³ Furthermore, the hospitals in Europe in the 19th century did not aim to heal the diseases; instead, they focused on moral rehabilitation. Besides, these places were the monitoring and surveillance places for women. Their letters were checked. Women were kept under lock until they got better. In other words, they did not have any private sphere, and their stuff was controlled and taken by the authorities.³⁴⁴ On the other hand, even though records criticized the system in itself like Celal Muhtar's notes, there are not any records that show the same rigid applications were performed in the Ottoman Empire. The details of the latter are discussed in the next chapter thoroughly. It is evident that the conditions of the hospitals and women here were poor; however, because of the lack of the infrastructures the Ottomans could not have a monitoring or disciplining process over the women in the clinics or venereal

³⁴³ Ibid., pp. 70-73.

³⁴⁴ Ibid., p. 73.

diseases in the hospitals.³⁴⁵ The next chapter mentions the duties of medical inspectors. Shortly, they were responsible for checking the reports of doctors and the notebooks of prostitutes. Moreover, they would visit the brothels unexpectedly to control the hygiene conditions.³⁴⁶

However, there are many unclear points in this Regulation. Firstly, the record system is not explained, even though it was emphasized many times. In other words, the section is not crystallized whether the state would register the brothels or the houses would apply for the registration process. Furthermore, the age of women in the houses is not explained, according to the Regulation, the state wishes to know their age, but there is not any rule about the young girls in these houses.

V.II.VI. The Targets of the 1884 Regulation

The general goal of the 1884 Regulation was to take commercial sexuality under the control of the state. However, like the other states, the Regulation was the theoretical aim; in practice, applying all these rules was painful. The attitude of women and the other conditions or dynamics were not predictable. The clinics, medical staff, and the treatment processes were not as expected. Moreover, corruption among police officers and doctors were prevalent. The regulation focused on Beyoğlu only. Thus, women could change their location, and they could get away from the Regulation and its enforcement. Although at first glance, the geographical capacity of the 1884 Regulation seems inadequate, the state was pragmatic in terms of prostitution. As it has been mentioned above, in the capital,

³⁴⁵ COA.DH.MKT.1577/24 (18.04.1306/22.12.1888)

COA.DH.MKT.1642/90 (27.11.1306/25.07.1889)

³⁴⁶ Nuri Ergin, *Mecelle-i Umur-u Beleddiyye* p.3298

prostitution was prevalent in Eyüp, Üsküdar, Galata, Beyoğlu, and Aksaray at least.³⁴⁷ Based on documents in the archive, in addition to the capital, prostitution was not a rare action in the peripheries. However, it is interesting that the regulation focuses on only Beyoğlu. It was not the main target of the 1884 Regulation to finish unregistered prostitution in the Empire. If had been, the numbers of the documents about the unregistered prostitution would have been more in the Ottoman Archive. However, a remarkable change in the records has not been noticed yet.

The geographical limit of the Regulation was related to the intellectual capacity of the state. In fact, after the 1870s, it is understood that the main priority of the state was marriage. In other words, the demand of the state was the relationships which were regular, controllable, and producing new generations between men and women. In other words, commercial sex was not approved by the state during Abdulhamid II's reign. However, due to the reasons mentioned and explained above, the state had to accept the existence of prostitution as a modern state. In addition, the state had to protect the population from the epidemics for its interests mentioned before. Thus, the state had to establish a place that was controlled by the state itself. In other words, because the municipality serves some other infrastructure advantages, Beyoğlu was the most proper place for registered prostitution in the Empire. When the Regulation determined the borders of the applications, the state accepted its limits of the capacity, as well. Besides, it meant that the state could control this narrow area, and its capacity was limited to the determined numbers of doctors, medical personals, clinics, hospitals, and security forces. The state took only Beyoğlu's responsibility. Out of this place, the authorities did not take any responsibility as a modern state. In other words, if someone

³⁴⁷ Ahmet Rasim, *Fuhş-i Atik*, p. 49.

preferred to have sexual intercourse in the place out of the state's control, he would endure the circumstances of this relationship. He could get infected, arrested, and get involved in crime. Furthermore, the addressee of the Regulation was the society, especially men, who desired to have sexual contact with prostitutes. In addition to them, other addressees of the Regulation were the authorities like doctors, inspectors, and householders, municipality officers, high ranked officers, however, there are a few rules aiming at women directly. The 1884 Regulation has been accepted as the paper that forced the state to accept the legitimacy of prostitutes individually; on the other hand, the direct addressee of the state was not only women. The most important consequence of this is that prostitution is considered legitimate for practical reasons, although it is not religiously and morally appropriate. Therefore, from this point of view, Ottoman Empire can be called a modern state. As a result of this action, no one would be punished or be arrested as long as they followed the rules.

According to the 1884 Regulation, Muslim women were prohibited from working in brothels. As a result, they kept on working for unregistered houses, and they were out of the control areas. This is the only point that the state tries to protect its legitimacy in the issue of prostitution. Sexually transmitted diseases were not the only and most significant concern of the Ottoman state in the 19th century. It was only one of the health and population concerns. One of the reasonable causes of this issue was the population concern of the state. The state tried to have a more crowded and healthy Muslim population. However, when Muslim women became prostitutes, the authorities could not follow the customers coming to the brothels. As a result, non-Muslim men could have a sexual relationship with Muslim women, and this was forbidden based on the religious and moral codes; also, it made the imagined healthy Muslim population complicated. In the 19th century, children did not belong to their parents only, and they were children of the state now. However, as expected, sexual relationships among Muslims, Christians, and Jews in Istanbul

and elsewhere in the Mediterranean were not a rare issue. Furthermore, the nationalist movements behind this project should not be ignored. In other words, the differences among the ethnic populations was also called a nationalist movement.³⁴⁸

Moreover, when the articles are analyzed, it is seen that the state did not prefer to intervene in the process of prostitution that was already existing. The state's primary expectation and demand are to be informed regularly about what is happening in these houses

V.II.VII.The Practices of the Regulation

Even though the regulation referred to Beyoğlu in the capital, the effects of this order were noticeable around the Empire. For example, only six years after the Regulation, the brothels began to be established in a segregated place in Izmir. According to the document dated in 1890, the unregistered and "secret" brothels in Kordon and Hacı Bey Hanı and some other places were shut down and were moved to Sakızlar (Mahallesi) Neighborhood. In other words, after a short time after the 1884 Regulation, the legitimacy of registered prostitution was accepted in Izmir.³⁴⁹ However, this legitimacy and acceptance were limited to the determined places. In other words, the state did not tolerate the existence of brothels or pubs outside of the places that were allowed by it. A document testifies this issue, according to the paper, there were brothels and pubs against the Islamic rules in Karagümrük in the capital. As a result, they had to be shut down immediately.³⁵⁰ However, the

³⁴⁸ Akşit, "*Geç Osmanlı ve Erken Cumhuriyet*", p. 181.

³⁴⁹ COA.DH.MKT.1689/118 (22.05.1307/14.01.1890)

³⁵⁰ COA.İ.DH.1202/94110 (10.04.1308/ 23.11.1890)

authorities could not solve the problems in Karagümrük. Thus, another paper was issued after a year. According to the paper, the brothels and pubs still existed there. Thus, these brothels were asked to shut down.³⁵¹

After a short time, an order was declared about the detail of the hospitalization process in June of 1884. According to this command, infected women should be sent to the prison close to Taş Konak in the capital. Moreover, another place should be rented for the same reason in the same where else. Furthermore, women coming from the periphery need to be sent back to their home towns. Lastly, the Health Ministry was supposed to focus on these projects, as well. In the rest of the document, there is an offer about the new building and its cost.³⁵² Even though from the beginning of the dissertation the patriarch and subjective perspective of the state against the women is mentioned repeatedly, it should be pointed out that sending and keeping infected women in prisons are not new and directly related to the hostile attitude of the state against prostitutes. It can be said that the social state habits were new for the Ottoman Empire in the 19th century; thus, the conditions and vision of the state were limited. It refers that there were not suitable and available places to keep people together. As in the issue of the insane, when the state needed a place to keep people for a while, they used prisons. For instance, Sultanahmet Prison was used as an asylum for a while.³⁵³ As it reflected the documents on various topics, one of the long lasting and unsolved problems of the state was to find suitable and proper places for those who were in need. As it has been mentioned above, to find a place and keep people there was a 19th-century

³⁵¹ COA.DH.MKT. 1802/73 (13.06.1308/ 24.01.1891)

³⁵² COA.I.ŞD. 68/ 4043 (13.08.1301/ 08.06.1884)

³⁵³ Burcu Belli, *Insanity During Abdülhamit II (1876-1909)*, (Istanbul: Libra Publish House, 2015).

trend, because of the poor financial conditions, new buildings could not be constructed even though it was planned. Thus, prisons were the most easily found and controlled places by the state. As a result, the state's temporary use of prisons as hospitals or nursing house was not the same as the evil-minded practices against women in Western Europe. Sending back women to where they came from is about the room crises, too.

Additionally, it is related to the public order of the capital of the Empire. In fact, there is a cause and effect relationship between these two. There was not enough room to keep everyone in the same buildings. Thus, some of them could be out of the state's control. In order to protect the public order in the capital, the state needed to take prostitutes under its control; however, because of the reasons mentioned here, the state could not control all prostitutes. As a result, some of them had to be sent to their hometowns. This is not a permanent solution; most probably the state was aware of this, as well. For instance, Zeynep, who was caught by the police in Üsküdar, in Istanbul was decided to be sent back to Tripoli which was her hometown.³⁵⁴ Keeping the order did not consist of only prostitutes; at the same time, the householders were also subject to the same rule. In 1902, Mami who had a brothel in Şişli was sent to Andros Island in Greece which was her home town.³⁵⁵ It should be kept in mind that protecting the public order can refer to an old exile tradition, as well. Even though the state tried to implement more modern practices, if the conditions were insufficient, old ones would revive in time.

When it came to the beginning of the 20th century, the state could change its position and role, and it began to check the Regulations. In other words, for

³⁵⁴ COA. BEO. 1383/ 103686 (03.06.1317/ 09.10.1899)

³⁵⁵ COA. Y.PRK. ZB. 32/ 16 (14.11.1319/ 22.02.1902)

example, Miço who was an owner of a brothel in Beyoğlu claimed that he had a license for the registration. The authorities asked if his words were right or not.³⁵⁶ As it has been said above, the state's concerns changed, as well. It began to check the necessities of the Regulation. People kept complaining about the brothels; however, after the 1884 Regulation, the state focused on the regulation rules. Houses were shut down if they were illegal; if they were legal, no one did anything against the houses.³⁵⁷

V.II.VIII. Medical Efforts of the Ottoman Empire After the Announcement of the 1884 Regulation

It was planned to establish a hospital for venereal diseases. A building was rented in Yüksekaldırım by the Municipality of Sixth District as the name of Municipality of Sixth District Women's Hospital *Altıncı Daire- i Belediye Nisa Hastanesi*, it was a two-story wooden building. The first store was designed as a small hospital where there were limited numbers of beds, and it was the place where contaminated women would be sent, it was called *Emraz-ı Zühreviye Heyet-i Teftişiyesi*. The state or the municipality did not cover the expenses of the hospital, salaries of physicians, and staff. Brothels used to pay money based on their class that was determined by the authorities. According to Müge Özbek, there were seven doctors in the hospital, and 50 beds, the chief of the hospital was Doctor Hasan Bey.³⁵⁸ However, it can be concluded that the conditions of the hospital were poor, and the authorities did not take the necessary measures. In 1902, Doctor Celal Muhtar Bey working for the Municipality of the Sixth District was sent to Paris to take dermatology education in

³⁵⁶ COA. ZB 375/66 (R. 23.10.1322/ 05.01.1907)

³⁵⁷ COA. ZB. 472/ 42 (R. 21.09.1322/ 04.12.1906)

³⁵⁸ Özbek, in *Single, Poor Women in Istanbul*, p. 59.

1889³⁵⁹, claimed that the ordinance was not applied properly.³⁶⁰ Upon being asked for a report, he wrote down his observations in detail in 1902. The general conditions of the venereal diseases hospital were so terrible that even healthy people could get sick there. There was corruption in this hospital. According to the report, the hospital that was managed by Doctor Morinio suffered from many difficulties. Despite the good intentions, the hospital became a threat to public health, and it turned out to be the source of venereal diseases. After the report, it was decided that the hospital should be shut down and the Municipality of Sixth District would establish a new and decent one.³⁶¹ According to the reports, it can be concluded that the western and hygiene-obsessed attitude of the state in terms of prostitution failed. The idea of monitoring women and policing the issue was not a successful attempt. On the contrary, these measurements did not solve problems; yet, they became the reason of new difficulties. The authorities took Celal Muhtar Bey's report seriously, and they began to take measures based on his advice. For instance, even though the commission had decided that prostitutes would visit the doctor once a week, in his report, Celal Bey advised that the medical examination should be twice a week. As a result, the registered prostitutes began to visit doctors twice a week officially.³⁶²

³⁵⁹ COA.DH.MKT.1577/24 (18.04.1306/22.12.1888)

COA.DH.MKT.1642/90 (27.11.1306/25.07.1889)

³⁶⁰ COA DH. MKT. 577/16 (08.06.1320/12.09.1902)

³⁶¹ COA. DH.MKT. 577/16 (08.06.1320/04.09.1902)

³⁶² COA.DH.MKT. 577/16/02 (08.08.1320/11.09.1

V.II.IX. Brothels in the Ottoman Empire

As it has been mentioned before, there are different classes of brothels in the Ottoman Empire like the Europeans. The upper-class brothels were for elite clients. Their appearance was more modernized, and well, there were exclusive extras such as food and drink, music, and gambling. According to Müge Özbek, elite clients could have exceptional service in private rooms and saloons. The number of upper-class brothels was not so many.

Europeans managed these upper-class brothels mostly in the Ottoman Empire. These were registered houses, and women working for them were also registered. These houses used to pay for their medical examinations regularly. They benefited from the capitulations; they were free of legal interventions of the state and various forms of surveillance practices. In order to have these privileges, one needed to have a foreign passport, in this point of view, it was an easier enterprise for foreign passport owners to have brothels in the Ottoman Empire. It was so easy for foreign passport holders that many of them had more than one brothel. The Ottoman police officers could not intervene in houses, and they could not create problems in order to take a bribe or visit the houses for free. The police officers needed to apply to the Ministry of Foreign Affairs in order to make a complaint about the places which were managed by foreign passport holders.³⁶³ For instance, Sofsmann, who is a German man, has two houses in Haydarpaşa, Kadıköy. It is known that these houses have been used as brothels. However, it is understood from the document that this guy and his houses have been ignored because of the reasons mentioned above.³⁶⁴

³⁶³ COA. ZB. 339/ 125 (29.05 1909)

³⁶⁴ COA. ZB. 339/109 (R.29.10.1324/ 1.01.1909)

The housekeepers in the capital were mostly female. The houses were named with their owners' names like Eleni's house, or Katina's house.³⁶⁵ These women also worked for the brothels when they were young when they got older, they quit prostitution, and some of them became the boss of the brothels. In order to be keepers of a house, they needed to have monetary funds or power. In some cases, a couple of prostitutes came together and established a house where they could work.³⁶⁶ However, a limited number of prostitutes could get a higher position, established, or rented a house. Prostitution is a dead-end job; many of them could not improve their living conditions or change their positions. The dynamics among the housekeepers, prostitutes, and the clients and security forces were very fragile.³⁶⁷

When it comes to the relationship between the houses or housekeepers and the security forces, it can be said that it was complicated. Many police officers abused women both emotionally and financially.³⁶⁸ According to the documents, police officers used to visit registered and unregistered brothels for free. Also, they used to take bribes from housekeepers of the unregistered houses, and the unregistered prostitutes in the brothels had to have a good relationship with these guys in order to protect themselves and the houses. The bribes and the visits of officers were accepted as a routine procedure by the prostitutes and the housekeepers.

³⁶⁵ COA Y.PRK. ZB. 32/16 (14.11.1319/22.02.1902)

COA.ZB. 71/77 (R.11.08.1318/24.10.1902)

³⁶⁶ Özbek, in *Single, Poor Women in Istanbul*, p 73.

³⁶⁷ COA. ZB. 70/18 (28.09.1310/10.12.1894)

³⁶⁸ COA. ZB. 70/18 (28.09.1310/10.12.1894)

However, when the authorities noticed this, the housekeepers used to refuse bribes and reject the visits of officers to their houses.³⁶⁹ In 1894, chief inspector Aydın took a bribe of 5 liras weekly in return for allowing gambling in the houses close to the state buildings. Furthermore, he took 100 mecdiyes monthly as a bribe for allowing the brothels that had been closed down by the state order in the same place.³⁷⁰

V.III.Protest Against Women or Brothels

The state accepted the legality and legitimacy of prostitution, but that does not mean that society reacted in the same way, especially people living close to brothels. There was a process that needed to be followed when people felt disturbed by the brothels or prostitutes. When inhabitants of a neighborhood complained about a woman and accused her to be prostitute, they wrote a petition to the authorities. It can be said that there were many reasons for these complaints; for instance, people were concerned about their public and family order. Moreover, according to the general belief, the registered or unregistered brothels and houses where prostitutes lived and worked were dangerous and risky places. Customers or visitors were drunk and troublemakers; thus, most of the time, there were improper actions around these houses. The religious leaders and other local leaders such as kabadayis or külhanbeyis had to support local neighborhood unity, so they went to the court. They demanded to have these “immoral” women banished from their quarters. In some cases, the women were presented by their

³⁶⁹ COA. ZB. 388/ 6 (15.10. 1906)

COA. DH. EUM. THR. 53/6 (23 10.1910)

COA. DH. EUM.THR. 98/92 (13.11. 1910)

³⁷⁰ COA.BEO.340.25441 (01.07.1311/08.01.1894)

agents. Both sides advocated themselves in the court; mostly, the case was closed with an agreement, the undesirable woman promised that she would move out of the district. Because of threats to the order of society, people did not wish to stay in the same neighborhoods with prostitutes.

Furthermore, women used to stay where they worked for, and they called out men as they passed by in the streets.³⁷¹ Prostitutes used to spend time in front of the window to get close clients, but their neighbors were complaining about the issue, of course. Prostitutes used to find their clients in the entertainment places that were the new version of old festivals such as public parks, theaters, beerhouses, and pubs. When women became visible in these areas, people could complain about these women.

There were actions around the brothels resulting in death or injury, showing that customers and prostitutes were in danger. Based on the case dated in 1894 in Tripoli, Siddik Bernaz was killed in a brothel, the point of this case is about someone who was accused of killing him, but he did not accept this claim. Regardless of the state's point in this paper, the murders were not rare cases around the brothels.³⁷²

According to a document dated in 1903, Gorozov who was Bulgarian and most probably a registered prostitute was found dead in the street in Pirlepe, Macedonia. She was stabbed in front of her house. However, the suspect was found and sent to the court immediately.³⁷³ In another case in 1906 in Çorava, Bosnia, Mehmet from Izmir and Tefik who was a barber in Çorava, entered the house of Ismanit Aliye

³⁷¹ Özbek, in *Single, Poor Women in Istanbul*, p. 70.

³⁷² COA. 340/25494 (02.07.1311/09.01.1894)

³⁷³ COA. TRF.I.MN. 14/ 1395 (20.05.1321/ 14.08.1903)

who was a prostitute and they assaulted her. The police officers caught them on the run from the authorities, and they were sent to the court.³⁷⁴ According to another document dated in 1895, in Tripoli, another murder was committed in the brothels of Rebol Baptisyan Viktorin Virjin from France. According to the paper, people complained about this house not because of its existence, but they argued that these women accepted some improper and dangerous men to the house and they were a threat to the society, one of the implications of which was the murder of an Italian a short time ago. Therefore, she was dismissed from there. However, she got married to someone, so the authorities would be careful about her return to Tripoli.³⁷⁵

The brothels were associated with other illegal actions. For example, according to the document dated in 1903 in Galata Yüksekaldırım, Mişel, who was from Austria was accused of keeping illegal guns in his house. The accusations had to be checked as quickly as possible, and if it was proved to be accurate, this illegal action had to be stopped. After a short time, the authorities checked this house more carefully than it was demanded; however, there were not any dangerous papers or guns in the house.³⁷⁶ Like this situation, another document refers to the same point; the brothels are related to illegal actions. In 1908, according to the complaints, Mamik's brothel in Şişli was shut down. Because of the order coming from the Porte last year, there were dynamites in this place. Thus, this must be checked immediately.³⁷⁷

³⁷⁴ COA. TRF.I.KV. 120/11979 (26.02.1906/22.03.1906)

³⁷⁵ COA. HR. HMŞ.İŞO. 183/ 13 (15.05.1313/ 05.10.1895)

³⁷⁶ COA. DH.MKT. 772/ 11 (09.07.1321/ 22.10.1903)

³⁷⁷ COA. ZB. 709/ 50 (R.31.11.1323/ 1

In these conditions, they protested the houses or prostitutes based on their collective rights. When it comes to the protest against the brothels being registered or not, it can be said that the same process mentioned above was practiced. The registered brothels were established in separated places. Thanks to these separate areas, medical inspections and surveillance became easier. At the same time, the state would protect the public order by keeping these women away from the public areas. However, the 1884 Regulation could not achieve this; in other words, prostitutes were not isolated from the public and daily life. Although women were kept in houses and hostels, they were not isolated from the public. In other words, the state could not isolate prostitutes from public life. For example, shortly after the 1884 Regulation, in 1889, people living around Beyoğlu complained about the brothels there. They said that these houses damaged the order in Beyoğlu. Thus, they stated that if these houses were moved to another place, it would be better for these people.³⁷⁸ However, according to the documents, it is understood that this situation could not be solved when it came to 1907. Based on the document, people living in Beyoğlu had applied to the Municipality before, and they had demanded these houses needed to be moved to a more appropriate place. Because people living in the same streets did not approve of these houses, they applied the Municipality again. They said that these houses had been here for 5 or 10 years and they asked if they should be moved to somewhere else.³⁷⁹ It is essential that there is not any comment or point about the moral codes and the position of the brothels against the public order. There is not an excuse about the houses, either. Furthermore, there is not any humiliation or complaint about the prostitutes in

³⁷⁸ COA.DH.MKT. 1621/85 (06.09.1306/ 06.05.1889)

³⁷⁹ COA. ZB. 73/55 (R. 11.07.1323/ 24.09.1907)

brothels here. This is important it shows that in time, the discourse of the people changed. The rational demands replaced the moral or other complaints.

Another document dated in 1910 also shows an unsuccessful attempt. According to the report, it had been discussed in 1907 that the brothels in Beyoğlu and Üsküdar would be moved to a remote place. People living in these quarters were complainant about them because they were a threat to community and public order. However, as it is seen, when it comes to 1910, there was not any change, and these brothels were still in Beyoğlu and Üsküdar, and people were still unsatisfied due to these brothels.³⁸⁰ This document proves that there was not a surveillance practice in the issue of prostitution in contrary to the intention, or at least the attempts of surveillance were not successful as much as in other European states. The main reason for this result might be the ineffective tools and lack of capacity of the state.

With the well- organized police force, it is expected that the capacity of the local leaders would come to an end. However, it did not happen in the Ottoman Empire, even in the 19th century. The state could not interfere with local issues. However, local leaders became less active than before. Thus, a dual approach was born.

In some cases, women were banished from their house due to being prostitutes, while in some cases, the police could not enter the houses. There were several reasons that the police could not send women to exile from their settlements. For example, the regulation issued in 1884 was not comprehensive enough to assist a thorough action. The Regulation involved Beyoğlu. As a result, even in the capital, women or houses were moved from Beyoğlu to get free enforcement. The police could not apply the rules of the Regulation in the other parts of the Empire; in these

³⁸⁰ COA.DH.EUM.THR.46/25 (10.08.1328/17.08.1910)

areas, the residents used to fight against prostitution with the tools of collective responsibility. In the capital, police could not shut down the brothels as long as they fulfilled the rules. Secondly, based on the capitulations, brothels whose keepers had a foreign passport could not be interfered with by the Ottoman authorities as mentioned before. Although the authorities could not close the brothels due to arbitrary reasons, in some cases, people could complain about the brothels. For instance, in 1888, people living close to the Linardi Street (In Beyoğlu) complained about the brothels here, they gave the gate numbers of the eight houses that were determined. Moreover, they politely demanded to move these houses somewhere else.³⁸¹ According to another document dated in 1894, people living around Galata, Tramway Street complained about a hotel, some women disturbed these people. It was understood that this hotel was used as a brothel. The main reason for the ignorance of the state is written at the end of the document. The owner of the hotel is French. Thus, the security powers could not intervene in what happened. Still, people tried their chance, and they added a letter in French about the hotel in order to be given to the French Embassy.³⁸² Like this situation, in June of 1906, another house in Kadıköy was ignored by the authorities due to the same reasons. This time, the house owner was protected by the Austrian Embassy. People living around this house complained about it before, they claimed that this brothel looked like a house; however, many women and men came and went. They asked for this issue to be solved. The state waited for the answer of the Austria Embassy.³⁸³

³⁸¹ COA. HR.TO.532.10

³⁸² COA. A. MKT.MHM. 532/11 (07.09.1311/ 14.03.1894)

³⁸³ COA. ZB. 483/98 (R. 05.04.1324/ 18.06.1906)

Furthermore, people abused the capitulations; in other words, people were aware of the advantages of having a foreign passport. Thus, even though they were not foreign, they acted as if they were. Based on the document dated in July of 1906, Ahmet pretended to be a Greek man Yani, and he worked for a brothel in Beyoğlu. However, his lie was found out by the authorities when they checked the papers. He was not Yani; he was Ahmet living in Konya. As a result, he must send back to his hometown, Konya.³⁸⁴ According to another document dated in 1909, Josef, who was Pril's son, was an Ottoman citizen; he got an American passport by going to America and staying there for a while. Then he established a brothel in Galata Karaoğlan Street in 1907. However, he tried to keep it as a foreign owner using his American passport. This situation was noticed, so the American Embassy in Istanbul demanded an investigation.³⁸⁵

As it has been discussed, after 1884, people could complain about the brothels without an accepted or legitimized reason, or they advocated that the brothels damaged the public order and security. However, before 1884, some cases show people using more sensitive reasons for complaining about the brothels around. For instance, in 1872, Murat Effendi who was most probably an ordinary person presented a document to the center arguing that there was a brothel in Beyoğlu, Balıkçı street, which was kept by a woman called Boushos, an Ottoman citizen. According to Murat Effendi's paper, women staying around this house were affected by it, and they got used to spending time here. More importantly, this house could affect the children's morals and he asked the authorities to take the necessary measures.³⁸⁶ It can be said that after the 1884 Regulation, people did not

³⁸⁴ COA.ZB.441/28 (R.22.04.1322/ 05.07.1906)

³⁸⁵ COA. DH.EUM.THR.14/32 (19.11.1327/ 02.12.1909)

³⁸⁶ COA.HR. SYS.1956/ 28 (23.11.1872)

prefer to deny the existence of the brothels, and they were dissatisfied because of the existence of these houses. The society needed to hide their thoughts of dissatisfaction behind more sensitive topics like children's morality.

CHAPTER VI

MEDICALIZATION PROCESS AND SEXUALLY TRANSMITTED DISEASES IN THE LATE OTTOMAN EMPIRE

This chapter is separated into three main parts; each part involves different sections. In the first part, the general condition of health issues in the Ottoman Empire is presented. The lack of health institutions and developments are mentioned in short. At the end of this chapter, the medical discourse and women issue is presented from a different perspective. The main point of this part is about the motives of the Ottoman government in terms of health issues. Then, the main reason for the hygiene obsession of the Ottoman is explained. In the second main part of this chapter, the epidemics like malaria, plague or smallpox are given. They and their results are explained and exemplified to make the measures and applications for sexually transmitted diseases more meaningful. The last main section of this chapter is about syphilis. Its arrival and expansion to European states are mentioned in the first part of this section. After that, the syphilis outbreaks in the Ottoman Empire is explained and discussed based on the official document. Some unique cities like Kastamonu and the relationship between them and syphilis are also presented. At the end of this chapter, the good intention of the state makes sense and becomes visible.

The steps of the western states in terms of medicine are explained. Their positivist and human-oriented medical attitude and its result are presented. The Ottoman Empire took as a model the Europeans in terms of health issues, as it has been

mentioned many times, the modern buildings were established in order to have modern institutions like Europeans, for instance, Darülaceze and Irzahane. Their meanings are understood based on the 19th century perspective.

In western European states, there was a labeling and stigmatization process after the 16th century against women especially prostitutes. As expected, the results of this idea spread over the Ottoman Empire, and although the motives were different, the results looked the same. However, Ottomans could not be so successful because of their lack of infrastructural powers, and all these points are explained based on the market-oriented capitalist order in the second half of the 19th century. The meaning of the sterilization century is explained based on this perspective. Ottomans tried to catch up with the Europeans in terms of health issues, because they could understand the importance of population in the 19th century. As a result, they began to establish modern hospitals.

The medical evolution of Ottomans in the 19th century is mentioned in this part. The new position of the *vakıfs* is questioned. Thus, the centralization movements are seen in terms of health issues, as well. Then, there was unification in Western European states between political and medical authorities. The results of this collaboration are discussed both in Europe and the Ottoman Empire. The regulations about severe medical organizations come later. The main objective of the medical committee and their members is presented in this part.

The Ottoman Empire tried to follow these steps even though their methods were different. In other words, Ottomans believed that in order to become a westernized state, they needed to imitate the steps of the European states. The 19th century was the practical process of this idea; medical schools and hospitals were established; moreover, great and significant medical attempts were done one after the other. The roles of the medical authorities were re-charged. The charitable and social role of the Ottoman Empire was seen in these areas. For example, physicians should not

accept money from the poor. The state would pay the poor's expense.

Nevertheless, the meaning of the poor was not defined. "Poor" had a complicated meaning in the second half of the 19th century.

In the last part of this chapter, the meaning of the hygiene century is discussed under the light of the knowledge mentioned in the previous part. This chapter is the one of the fundamental points of this dissertation, because it shows the main reason for the health movements and developments in the 19th century related with the prostitution. It present that the main reason behind the negative stance of people against prostitution both in Europe and Ottoman was not religion or morality but the risk of diseases.

Furthermore, the responsibilities of the physicians were changed in the late 19th century Ottoman Empire. They had to deal with the epidemics and diseases out of the hospitals. If they suspected of any epidemic, they had to report this; it means that the physicians' responsibility was not only treatment anymore. The Ottoman health institution became a new foundation step by step. As a result, hygiene obsession was born in the Ottoman society. The state began to check public places like bathrooms or coffeehouses. According to the report about them, these places were not sterile. Furthermore, people could get infected in these places. As a result, many committees were established, and their target was to check these places' hygiene standards. On the other hand, the state had some responsibilities about the outdoor life; for example, the cities should be afforested. The municipality should control the height of buildings. The center should protect the hygiene of public places. After that comes personal hygiene. Personal hygiene was associated with women's issues. Women had to deal with domestic hygiene in their homes. They had to take care of their family members. This was their primary duty; at the same time, this personal hygiene was read as a national duty. To do so, the necessary medical knowledge was given by magazines and newspapers.

In the next section of this part, how these points were reported to society is mentioned in detail. Moreover, the women issue in terms of all these hygiene concerns is presented based on Ottoman intelligentsia's discourses. For example, Şemsettin Sami's argumentation about this point is shown. The content of family women is explained in the eye of the state and the intelligentsia. Therefore the difference between the family women and "others" becomes clear.

VI.I. Medicalization Process Of The Ottoman Empire In The 19th Century

As it was mentioned above, the curative knowledge of the Ottoman world was eclectic. It can be said that until 16th century, the medical services were given as a form of healing, not professional ways in the Empire. In Europe, medicalization rose in the 18th century. The main cause behind the changes in Europe was the discovery of the New World. As a result, unknown diseases came to Europe. The European physicians had to deal with these new diseases, they had to understand, and then solve these new puzzles. From the ancient times, humoral medicine was valid both in Europe and Ottoman world. However, with the 15th century this began to change in Europe, and experimental medicine took the place of the old school medicine. The pioneer of this movement was Swiss physician Paracelsus (1493-1541).³⁸⁷ In the 18th century, in Italy especially in Torino, hospital reforms were organized by the authorities.³⁸⁸ When it comes to the 19th century, the medicine and health organizations in positivism and scientific mentality became the symbol of being modern and progressive. While the developments and changes shook Europe, the

³⁸⁷ Ze'evi Dror, *Producing Desire : Changing Sexual Discourse in the Ottoman Middle East, 1500-1900*, (Berkeley: University of California Press, 2006), p. 19.

³⁸⁸ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, (İstanbul: İletişim Yayınları, 2002), p. 27.

Ottomans believed in and insisted on their superiority of knowledge; thus, they ignored the developments of their contemporaries.³⁸⁹

As result, the traditional medicine was paramount until the 19th century. In other words, until the 19th century, the basic principles of Ibni Sina's tradition survived in the Ottoman world. However, in the 19th century, the importance of hospitals with European experiences became a significant notion. They were the most compelling symbol of being westernized. In other words, hospitals' mission was to break down the traditional medicine, and they had to show modern façade of the Empire to the world.³⁹⁰ This rhetoric consisted of science and improvement. The modern hospitals can be read as a typical Abdulhamid step. The state helped people not only with mercy, but also with most modernized techniques of the time. Another main reason behind these charitable organizations in the Empire in the 19th century was the increasing poverty around the Empire. The social problems related to the poverty rose in the 19th century, due to the populations came from Balkans and Crimea. After the 1877-1878 War, the migrant Muslim population increased. Almost all these people suffered from poverty. As a result, supporting these people became expected and visible movements. The image of Abdulhamid was designed according to these needs. It should be remembered that in this thesis being a modern is defined as different from being contemporary as mentioned before. His discourse consisted of paternalist power that had a modern and positivist perspective. The most significant examples of this idea were the care centers for children and others who were in need of help. Care house for those who were in need *Darülaceze*, kinder garden *Irzahane* and hospitals were established with this western and mercy

³⁸⁹ Ze'evi Dror, *Producing Desire : Changing Sexual Discourse in the Ottoman Middle East, 1500-1900*, (Berkeley : University of California Press, 2006), p. 19.

³⁹⁰ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet*, (İstanbul: İletişim Yayınları, 2002), p. 199.

oriented idea.³⁹¹ Of course, all these were not long-term and effective methods in the issue of sexually transmitted diseases and other epidemics. Fighting outbreaks required a long term process. For instance, European states had dealt with these epidemics since the 16th century. It was not easy for the Ottomans to fight for 50 to 60 years with what the Europeans had been fighting for three hundred years. However, the Ottomans tried hard to close this gap. In order to understand these struggles, the epidemics and their background should be determined first. Andrew Nikiforuk and his account are found significant to figure out the epidemics in European history.³⁹²

VI.I.I.The Body Age

In the 19th century, the primary power that states wanted to have was human resources. They needed healthy human bodies. The states needed both workers to work in the factories of the capitalist system and soldiers to fight in the armies that would sacrifice their lives for their nationalist values. From this perspective of view the 19th century can be named the *body age*. This is related to the nationalist idea. Reading modernity through the body was a 19th-century invention. The idea that makes the body healthier and beautiful also a perception of existence through the body was the 19th -century tradition as well. The human body should be active and creative. It is not a coincidence that the body and nationalism became a trend in the same century. The states created the perception that physically and mentally healthy people were the most precious and reliable ones. The positivist and scientific medicine in this century decided who was healthy and who was not. This is important that there is a direct connection between the national-building process

³⁹¹ Ibid., p.

³⁹² Andrew Nikiforuk, *The Fourth Horseman: A Short History of Plagues, Scourges and Emerging Viruses*, (Toronto: PenguinBooks, 1996).

and the hospitalization of Western Europe in the 19th century. The state tried to protect the health of men who were brave, patriotic, and potential soldiers and women who would give birth to these men. Even though health issue seems to be a social and charitable topic, it was quite pragmatic for the states in the 19th century conjectures.

VI.I.II. The Understanding of the New Life

The idea of survival and making human body stronger was the inspiration of the 19th- century medicine in both Europeans states and the Ottoman Empire. This scientific approach made life linear. Modern medicine offered people the option of not dying. Dying was not an alternative to life now. After the Renaissance, dying became the end of life, not vice versa in Europe. Before modern medicine in Europe, when people got sick, they could not find a treatment, and they had to accept death as a natural result. However, with the 19th century's modern medicine discourse, people did not have to accept this result. They could visit modern physicians and ask them for a treatment to survive. As a result, in the 19th century, medicine became an institution cooperating with the state. In return, the state became a medical authority, as well. It can be said that the 19th-century human was just a biological being in the eye of the authorities. Illnesses were traces of various evils in the body. One of the signs of prostitution was syphilis.

VI.I.III. The Institutionalization of Public Health

There is a particular link between the institutionalization of public health and epidemics and other diseases in world history in the 19th century.³⁹³ Two motives

³⁹³ Burcu Kurt & İsmail Yaşayanlar, *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar ve Kamu Sağlığı, "Osmanlı Doğu Sınırında Kamu Sağlığı ve Siyaset: XIX.Yüzyıl Bağdadı'nda Hastaneler,"* (İstanbul: Tarih Vakfı Yurt Yayınları 2017), p. 145.

were crucial for the states, especially after the industrial revolution; labor and military force.

The form of competition among the states became different in the 19th century. Therefore, healthy and dynamic people became more significant than before. The states had to protect their people's lives to become the victor of the battles in the 19th century.³⁹⁴ The healthiest population was the winner of the wars. As a result, the 19th century was the time the states organized regulations one after another to protect their population. It is argued that another reason for states' protective policies towards public health was taxation. The states needed a healthy and ready-to-work human body to have regular taxes. In addition to all these, for the Ottomans, the outbreaks and diseases disrupted the public order that was the landmark of the era of Abdulhamid II and caused chaos. The main aim of the Ottomans was not to protect the capitalist order. In short, it is almost impossible to know which motivation affected which authority, but it is possible to say that some of the reasons for health-related initiatives in the 19th century Ottoman and European states are mentioned above. The public measures were taken by European states firstly. After a short time, it spread over the Ottoman Empire. Alternatively, the Ottomans imitated them in order to be a modern. Besides, public health movements like clean water, public hygiene, and sewer system were established in the second half of the 19th century in Europe and the Ottoman Empire because of this protection idea. Therefore, shaping the cities was organized based on these kinds of movements in the Ottoman Empire, as well. Public hygiene also included individual hygiene. By using personal hygiene as an excuse, modern medicine was able to intervene in every aspect of human life. This way, the intervention of modern medicine became a legitimated discipline that cooperated

³⁹⁴ Ibid., p. 2.

with the legal authorities. The state planned to have a healthy and controllable population. These movements were coded as a national duty. The Ottomans followed this trend in a short time.

VI.I.IV.The Sterile Century

Furthermore, the 19th century can be named the *sterile century*, as well. Although the hospitalization process looked like a liberal and charitable state policy, the states, in other words, the politics and economy began to make the decision of who was healthy and who was not. In many cases, states abused their healing powers. In other words, people who did not participate in the production or standard life determined by the authorities were announced as not healthy. They could be mentally or psychically ill.³⁹⁵ These unhealthy people damaged the sterilization of community in the eye of the states. The establishment of the hospitals in Europe and the fact that these hospitals and other institutions related to health issues were the pride of the states was one of the results of capitalism in Europe. Therefore, the ones who were not found healthy enough suffered from long-lasting treatments or isolation from society. As a result, the rest must be only ready-to-work, healthy, and ready-to-fight.

VI.I.V.Developments of Public Health Politics

After the Tanzimat Era (1839-1876), the Ottomans were influenced discipline-oriented perception of the Western European States. In other words, the relation between the people and the state was reshaped based on this new perception, and it turned to a relationship between a social and charitable state and citizenship. After 1839, there were services that the state had to provide its citizens with, and in return, there were taxes that the citizens had to pay and armies that people had to

³⁹⁵ Thomas Szasz, *Yalanlar Bilimi Psikiyatri*, (İstanbul: Aylak Kitap, 2017).

join. Therefore, interventions or exclusions within the health discourse was legitimized and glorified. The most visible and concrete examples of public health politics were the hospitals.³⁹⁶ Even if these tasks are pointless today to consecrate a portion of the still ongoing in modern Turkey, for example, military service, which is still a mandatory duty, is coded as a sacred responsibility.

During the pre-modern times, like many other states, the health issue did not belong to the state in the Ottoman Empire. There were charity foundations called *vakıfs*, and these institutions used to establish hospitals for the poor, these were called *bimarhane* or *tımarhane*, *darüşşifahane*.³⁹⁷ In general, wealthy people did not visit the doctors, and doctors used to come to their homes. In other words, buildings were for the poor only. The number of these buildings was not many. Also, limited numbers of people could access these places. The states had not intervened in the health issue. In other words, the state had not taken the responsibility of its people's health before the 19th century. However, all these began to change in the 19th century, in other words, the meaning of the state changed in this century in Europe. This trend spread over Ottoman Empire, as well.

In 1827 the medical department was founded in the Ottoman Empire. It was called *Tıbbhane-i Amire*. In 1850, this institution was abolished, and a more comprehensive one was founded. In the Ottoman Empire in 1827 the first medical school called *Mekteb-i Tıbbiye* was established. Fields and armies were empty not only in Europe, but also in the Ottoman Empire. So, the lack of healthy people was seen; thus, it was realized that the numbers and capacity of the military medical schools were not enough to make the imagined healthy society real. Therefore, the

³⁹⁶ Kurt & Yaşayanlar, *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar*, "Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar: Osmanlı Devleti'nde Kamu Sağlığının Kurumsallaşması", p. 143.

³⁹⁷ İlber Ortaylı, *Türkiye Teşkilat ve İdare Tarihi*, (Ankara: Cedit Neşriyat, 2008), pp. 314-315.

civil medical hospitals were founded one after another. In 1867, the first civil medical school was founded in the Ottoman Empire.

The charitable organizations, vakıfs were not as strong before the 19th century due to the centralization movements. As a result, the state took vakıfs' position at that time. However, it is significant that there were not health-related topics or articles constitutions. However, in the 1894 penal code, there was an article saying that people who did not accept the rules of quarantine would be sent to prison.

Health-related topics made the state more effective in the issue of public life. The first official intervention of the state in the health issue was the quarantine against the epidemics. However, in a short time, it was figured that this attempt was not enough to protect the population's health. Thus, other micro-interventions were created.

In 1849, an instruction, *Talimat-ı Tıbbiye* that was related to physicians' duties, extent, and responsibilities was announced. For example, when a doctor was asked for treatment, he would not focus on the identity of the patients; he just had to do his job. He should not accept money from the poor, and their costs should be paid by the state. According to this instruction, the responsibility of the physicians was not limited with the treatments. They had to focus on the epidemics, and they had to share the outbreaks with the state. The physicians must explain the measures to authorities.³⁹⁸ The state aimed to take the doctors out of the hospitals and to make them social inspectors, as well. In other words, the duty of the doctors was not limited to the patient; instead, he should be responsible for houses, streets, in

³⁹⁸ Kurt & Yaşayanlar, *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar, "Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar: Osmanlı Devleti'nde Kamu Sağlığının Kurumsallaşması"*, p. 143.

short, public life. This is an example of the cooperation of medicine and political authority.

According to the regulations, physicians, pharmacists, and surgeons needed an official certificate to work in the Empire. Their movements were controlled and followed by other authorities. There were some certain rules, for instance, abortion was forbidden. There were severe alarms about this topic. Since all these movements were organized to protect the population and abortion was a move against the state. Physicians were not the only ones who were warned by the state; the pharmacists were also warned about the drugs that help miscarriage in 1861. It should be remembered that during this period, drugs were not produced industrially, and pharmacists made almost all the drugs themselves. Finally, in addition to the pharmacists, midwives were also warned. In the same year, the physicians were warned again, according to *Tababet-i Belediye İcrasına Dair Nizamname*, their certificates should be recorded in the system and the physicians were warned again. In this paper, the details of birth were told again and again.³⁹⁹ As it has been seen, the primary concern of the Ottoman Empire was related to the next generation and population. The recording system was significant to see the number of total physicians in the Empire. Thus, new physicians could be sent to places where there were no physicians. In other words, the state tried to expand the medical service to the Empire in the 19th century. This also meant that there was no place outside the control area of the state, at least, theoretically. Moreover, the state tried to make public health a shared national duty. Medical school students took public health lectures, and the newspapers published news and articles about public health and its importance.

³⁹⁹ Ibid., p. 143.

The state never gave up the health issue during the 19th century. In 1869, a more comprehensive organization that was called *Nezaret-i Umur-u Tıbbiye-I Mülkiye ve Sıhhiye-i Umumiye* was established. This commission used to deal with not only the military, but also civil medical issues. Moreover, public health was also under its responsibility. It took responsibility during the epidemics. Another organization that was called *Cemiyet-i Tıbbiye- i Mülkiye* was also established to control the civil physicians and pharmacists. Some other smaller commissions and committees tried to check medical issues.⁴⁰⁰ The duties of the commissions were to check the medical certificates of physicians. Moreover, they needed to follow the source of epidemics around the Empire and the quality and standards of food and water.⁴⁰¹ Inspectors also checked these committees and commissions. Everyone in the commissions and committees had to keep a report about their duties, and they used to present them to the authorities at least twice a week. Moreover, in the peripheries muhtars were also head of these committees.⁴⁰²

VI.II.Hygiene Obsession Of The Ottomans And Women's Position

According to authorities, most of the complaints were about public places like public bathrooms, coffeehouses and restaurants.⁴⁰³ Based on reports, these places suffered from standard hygiene rules regardless of the state's efforts. The plans did not work well. The public areas were not clean, and they were under the average standards of the hygiene rules. The dishes were not washed well in restaurants, or

⁴⁰⁰ COA.DHÇMKT.1367/47 (24.12.1303/23.10.1886)

⁴⁰¹ Osman Nuri Ergin, *Düstur*, I.Vol, II. Part, (İstanbul: Matbaa -i Amire: 1289), pp. 803-807.

⁴⁰² Kurt & Yaşayanlar, *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar," Osmanlı Devleti'nde Kamu Sağlığının Kurumsallaşması"*, p. 21.

⁴⁰³ *Ibid.*, p. 9.

the public bathrooms were not cleaned after being used, even though the customers suffered from diseases like syphilis.⁴⁰⁴ For example, according to the document written in 1900, research should be done for cooks, pastry cooks, candy sellers or lemonade maker or seller. They must be examined if there were contaminated sellers or makers. The government should evaluate them. The healthy ones should have a certificate. If they do not have this certificate, they must not serve at the shops.⁴⁰⁵

Apart from these places, the committees checked the outdoor standards, as well. According to them, the streets should be afforested. Buildings should not be built high enough to block the sun. No matter how much effort the state made, the idea of public or public health was not created in the eye of society. In addition to the public sphere, the authorities tried to explain the significance of personal hygiene to people. Houses should be kept clean, and personal health and care should not be ignored. The duty of the inspectors was to give information about patient care. The details of this point were explained, for instance, the patients should stay in another room, and they needed to be isolated. Their personal items should not be shared, and their clothes should be disinfected. Water was another critical topic. It should absolutely be clean regardless that it was for bathroom or food. All these were more than a particular issue; they were a national duty. Furthermore, some critical duties and responsibilities should be completed by the state and other authorities like municipalities. For example, garbage should be collected regularly. Sewer systems should be established around the cities. The state had to send physicians to

⁴⁰⁴ Ibid., p. 10.

Besim Ömer, *Nevsâl-i Afiyet/ Sâlnâme-i Tıbbî*, (İstanbul Alem Publish House, 1316), pp. 345-347.

⁴⁰⁵ COA.DH.MKT.2370/66 (10.03.1318/ 08.07.1900)

the peripheries. All these attempts were standard health movements after the Tanzimat Era.

Personal hygiene was a subheading of the public sphere. The ones chosen as responsible for personal hygiene were women. One of the essential tasks of the women in the family was to protect their families inside. The aim of this thesis is not to focus on women in the family, of course, but some studies on this expectation are included here so as to recognize the standard and ideal woman in the eye of the state in the 19th century. According to Şemsettin Sami, the family was a microform of the state in the eye of the state. Also, women were in the center of the family.⁴⁰⁶ According to the articles written during Abdulhamid II's era, women should stay with their family. They were the domestic protector of their family, in contrary to the men. This approach was similar not only in the Ottoman Empire, but also in Europe, which felt that it had developed through enlightenment. This family-oriented women's approach in Europe could be solved in the mid-20th century, along with a severe and stable feminist struggle.⁴⁰⁷ Women should know how they could protect their family. Based on the same writer's anecdotes, women should take on the responsibilities of cleaning the house, and they were responsible for the peace of their house. Moreover, they should have knowledge about the epidemics, other illness, and uncritical injuries. Before a doctor, a mother should treat the diseases in her house. As a result, the basic medical information was published by the news, books, and women articles.⁴⁰⁸ Almost all intelligentsia writing about the

⁴⁰⁶ Burcu Kurt & İsmail Yaşayanlar, *Osmanlı'dan Cumhuriyete Salgın Hastalıklar ve Kamu Sağlığı, "Devr-i Hamid'de Aile, Kadın ve Sıhhat"*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2017), p. 41.

⁴⁰⁷ Josephine Donovan, *Feminist Teori*, İstanbul: İletişim Yayınevi, 2016), pp. 7-98.

⁴⁰⁸ Kurt & Yaşayanlar, *Osmanlı'dan Cumhuriyete Salgın Hastalıklar ve Kamu Sağlığı, "Devr-i Hamid'de Aile, Kadın ve Sıhhat"*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2017), p. 45.

duties of women did not talk about the women's position out of the house. According to their "intellectual perspective," it was best for a woman to stay at her house. Although this thesis focuses on the lower class women, the ordinary women were not able to go beyond an individual approach. Therefore, the Ottoman intellectuals did not only have a lower-class phobia. At the same time, they did not allow middle-class women to leave their position for hundreds of years. In short, the link between women and health issues in the 19th century Ottoman Empire was both male dominant and nationalist.

Moreover, it is possible to say that they made a definition of women; good women kept the country healthy, while bad women spread diseases. Also, bad ones were the absolute reason of the epidemics in the state. In conclusion, the perception created by the state and the male intellectuals about hygiene were as if it had been an extraordinary total war.

VI.III. Plague, Cholera And Some Other Epidemics In The Ottoman Empire

In this part, primary outbreaks in the Ottoman world are presented, so the state's measures for sexually transmitted diseases will be more meaningful. The damage of these diseases to the economy, daily life, and the state's plans were quite significant and felt. The primary outbreaks given below are not randomly selected. These were outbreaks; their effects were felt in the long term. Moreover, it was the main outbreaks in which the most comprehensive studies were conducted. Furthermore, their long- lasted results and huge effects to the society makes the measures and applications toward the sexually transmitted diseases meaningful.

VI.III.I.The Plague Outbreaks

There were many epidemics in the Ottoman world in the 19th century that affected the daily life negatively. One of them is plague; in the second half of the 19th century, significant outbreaks followed each other in Egypt. However, the majority

of the dead were in westernized cities because rules were not so strict there. The outbreaks lasted from one to three years.⁴⁰⁹ The main reason for such a high number of dead people is that the biological identification of plague was not discovered until the end of the 20th century. In 1894, Alexandre Yersin determined the basil of plague, and named it *Yersinia pestis*. Until these times and after that, almost every year, a plague epidemic happened in the Empire. With the industrial revolution, people began to be more mobilized. Like them, the diseases spread faster than in the past. According to Panzac's reports, the approximate population of Egypt was 5 million in the 1830s, and the plague killed 8-10% of this number.⁴¹⁰ Based on the same reports, there were 250.000 people in Cairo in 1835. 75.000 people died because of the plague. This number refers to the 30% of the population in Cairo.⁴¹¹ These high numbers explain the sensitiveness of Mehmet Ali Pasha for Egypt which was mentioned in the first chapters. Then, he organized strict health regulations in order to protect the people, especially soldiers. The measures were not limited to Egypt. In 1850, health organizations were established in Mosul, Bagdad, and Basra. After a short time, other organizations were found on the borderlines. The plague was one of the most deadly diseases in the Ottoman Empire in the 18th and 19th centuries in the Ottoman Empire.⁴¹² The efforts and measures worked, so the epidemics of the plague came to an end after 1844. By the

⁴⁰⁹ Daniel Panzac, *Osmanlı İmparatorluğu'nda Veba: 1700-1850*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2011), p. 102.

⁴¹⁰ *Ibid.*, p. 180.

⁴¹¹ *Ibid.*, p. 184.

⁴¹² *Ibid.*, p. 199.

1850s, the Ottoman Empire was checked by a permanent and regular health system.⁴¹³

VI.III.II.The Cholera Outbreaks

The other epidemic that made Europeans and Ottoman panic was cholera. According to the authorities, cholera spreads with foods and water. It enters the stomach, and then it goes to the bowels. This virus grows in moist places. It kills people within a few hours or days.⁴¹⁴ The first outbreaks in the 19th century began in India, and then it spread over the whole world with English colonists. Visiting the British ships various parts of the world caused the spread of the disease in a short time. This illness scared people in the first quarter of the 19th century because it killed many people in a short time. According to Mesut Ayar's study, cholera entered the Ottoman Empire from Hijaz. Then it came to Istanbul in 1831. In the same year, in Paris, the population consisted of 945.000 people, 18.402 people died because of cholera. According to the same reports in France, more than 100.000 people passed away due to the epidemics.⁴¹⁵ There were at least six cholera epidemics in the 19th century. In 1840, this disease arrived in Canada, America, even in China. The main reason for this speed and route was the ships visiting all parts of the world.⁴¹⁶

⁴¹³ Ibid., p. 230.

⁴¹⁴ Mesut Ayar, *Osmanlı Devleti'nde Kolera*, (İstanbul: Kitap Yayınevi, 2008), p. 4-5.

⁴¹⁵ Ibid., p. 11.

⁴¹⁶ Kurt & Yaşayanlar, *Osmanlı'dan Cumhuriyete Salgın Hastalıklar ve Kamu Sağlığı*, "Osmanlı Doğu Sınırında Kamu Sağlığı ve Siyaset: XIX.Yüzyıl Bağdad'ında Hastaneler," (İstanbul: Tarih Vakfı Yurt Yayınları, 2017), p. 145.

The 1851 outbreak of the cholera epidemics started in India, then killed people in Iran, Russia, Poland, Germany, Austria, Denmark, Sweden, England, and France. In these epidemics, 140.000 people died only in France. Ottoman soldiers who fought against Russia with British soldiers were infected, and then they carried the virus to the Ottoman lands. Therefore, the first international health conference was organized in 1851 in France. The standard decisions were discussed there. In 1866, another conference was organized in Istanbul. It was conducted in Galatasaray High School; thus, it is known as Galatasaray Conference. Because of the Muslim hajis coming from Hijaz, the epidemics never ended in the Ottoman Empire. There was a severe epidemic in Hijaz between 1881 and 1896, and it killed many people in the Ottoman land. Finally, the government had to take regular measures against cholera.

Moreover, regular health checks began in Hijaz, thanks to a medical team there. The medical teams worked hard all around the Empire; the physicians and pharmacists were sent to the place where the epidemics started. Medical equipment was bought.⁴¹⁷ Small hospitals were rented by the government for the poor. Interestingly, single men and workers were dismissed from the city centers. In the second half of the 19th century, in the capital, almost 1000 people died because of cholera. As a result, new places in cemeteries were built. Only the fire could stop the epidemics in Istanbul. After the great fire, the numbers of dead decreased to 100. Although the rates vary, the number of deaths due to cholera in the European states and the Ottoman Empire was at least a thousand per year. Several numbers of quarantine stations were established in the Empire, for example, in Sinop, Hopa and Polatlı. At the end of the 19th century, there were at least 250.000 dead people because of cholera in Europe. In addition to them, at least 50.000 people were dead

⁴¹⁷ COA.İ.DH.1326/41 (H.04.04.1313/ 24.09.1895)

in the Ottoman Empire in the same years.⁴¹⁸ Fortunately, the end of the 19th century, the harmful effects of cholera came to an end in Europe and the Ottoman Empire. The majority of victims of cholera were soldiers, like other diseases.

People in the Ottoman land did not volunteer to use modern treatment instruments. For example, the source of cholera was India, and Hijaz is close to it. Muslim hajis were in danger in there. At the same time, they carried the disease, so they put other people's lives in danger, as well. Before the disinfectors were established, people began to create stories about them. According to one of them, the state would put people naked in the machine, and people would walk around the streets of Mecca. People believed this story, and thus, in 1894, a few number of female haji candidates went to Macca. However, the rejections were not limited to this kind of story; Bedouins announced that if the Ottoman government kept insisting on these machines, they would rebel against the Empire. They treated the authorities and assaulted the physicians. Some bureaucrats were killed during these struggles.⁴¹⁹ On the contrary, people in Anatolia were more relaxed about the treatment instruments. People volunteered for treatments. In some cholera epidemics, even houses were burned by the state. No one opposed the government.⁴²⁰ According to the documents, on 6th of November 1894 in Anatolia, 296 houses were disinfected, while only 11 did not let the authority enter their

⁴¹⁸ Gülden Sarıyıldız, "XIX. Yüzyılda Osmanlı İmparatorluğu'nda Kolera Salgını", *Tarih Boyunca Anadolu'da Doğal Afetler ve Deprem Semineri*, (İstanbul, 2002), p. 316.

⁴¹⁹ Nuran Yıldırım, *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar,*" Karantina İstemezük Osmanlı Coğrafyasında Karantina Uygulamalarına İsyân", (İstanbul: Tarih Vakfı Yurt Yayınları, 2014), p 86.

⁴²⁰ COA.Y.MTV.87/190 (26.05.1311/04.12.893)

house because of the private spheres.⁴²¹ On the other hand, there were some struggles between the government and the people. For example, people did not allow the physicians to perform an autopsy over the female bodies because it was not proper according to Sharia. According to some, the issue of quarantine opposed to Sharia. Moreover, people did not like the quarantine and other practices since the market was damaged. Moreover, people lost money. At the same time, because of the quarantine, famines began around the Empire. According to Yıldırım, these kinds of rejections were common in other European states and America, as well.⁴²² In 1832, in England, the government began to perform autopsy on people who died because of cholera. People, especially the working class, did not support this movement, and they organized meetings against the state. These meetings turned into events against the hospitals. Furthermore, in the same year in Paris, because of the cholera epidemics, the state made some announcements about alcohol and some kinds of food. As a result, people rebelled, and they claimed that the state invented these kinds of diseases. After that, when garbage was collected by cars, people attacked these cars so as not to lose their jobs. In general, poor people died because of cholera. Thus, people thought that the state poisoned and killed these people. Therefore, the poor began to attack the state officials, and lots of people were killed by this angry crowd.⁴²³ In Russia in the same years, peasants suffered from famine because of the quarantine and other practices, they rebelled and killed lots of physicians.⁴²⁴ In the Ottoman Empire, people living in Kuşadası, Amasya,

⁴²¹ Nuran Yıldırım, *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar*," p. 87.

⁴²² *Ibid.*, p. 87.

⁴²³ Richard J.Evans: *Death in Hamburg, Society and Politics in Cholera Years 1830-1910*, (USA: Oxford University Press, 2005, pp. 242-245.

⁴²⁴ *Ibid.*, pp. 242-245.

Adana, Antep, Macca, and Jeddah rose up. These people were not close to one another, and their cultural codes and even their religions were different than one another. As a result, this shows that people were against the quarantine because of its shared negative results.⁴²⁵ Practicing quarantine lasted longer in the Ottoman Empire than in Europe. However, people founded a way to get rid of it.

VI.IV.Syphilis In The Western World And In The Ottoman Empire

VI.IV.I.New World Dream and New Diseases

According to some researches, before the “discovery of America,” there had not been syphilis in Europe. Moreover, this wing advocated that any mark related to syphilis in Europe was not observed on the bodies dead before the 1490s. According to Andrew Nikiforuk, Christopher Columbus and his crew brought syphilis to Europe from America. For Native Americans, this disease was an ordinary skin disease while for the crew of Columbus, it was deadly. Columbus and his crew carried this new disease in their bodies when they came back to Spain in 1493. According to Nikiforuk, Columbus and his crew got this disease from Espanola Island or Haiti. The first symptoms began on the road; they suffered from headaches and cankers. Since they did not have any idea about this new disease, they did not figure out what happened. They thought that these were simple marks of sails. Finally, a few numbers of survivors of his crew, Columbus and newcomers arrived in Barcelona. People welcomed them, and parties were thrown where they visited. Uncontrolled sex with the female newcomers was a part of these parties. The Europeans pretended that if they had sex with these women, they would have sex with the *New World*.⁴²⁶ As expected, the first epidemics began in Barcelona, the

⁴²⁵ Ibid., pp. 242-245.

⁴²⁶ Andrew Nikiforuk, *Mahşerin Dördüncü Atlısı*, (İstanbul: İletişim Yayınları, 2007), p. 123.

first name that identified this new disease was Ruy Diaz de Isla. According to his observation, the outbreaks followed Columbus. Isla called this disease a snake disease because it damaged the human body like a snake.⁴²⁷ Isla was a very successful in observation, he determined the three stages of the disease, and he told people to stay away from sexual intercourse. Furthermore, he said people needed to be clean, also to eat well. Moreover, it was discovered that malaria was the most effective solution for syphilis outbreaks. However, it was also a dangerous and risky process.

When it came to the middle of the 16th century in Europe, at least ten people suffered from syphilis, even in the smallest villages where not more than 100 people lived in Europe. When the name of the diseases given by different states is analyzed, it can be said that the first nationalist struggles were realized thanks to syphilis in Europe. Thanks to syphilis European wore a wig, had to meet condoms and antibiotics. According to Nikiforuk, the sexual behavior and the sexual behavior map of Europe changed after syphilis.⁴²⁸

Despite the various national names, the last name was given by Hieronymus Francastorius. He wrote a poem about an unlucky shepherd in 1530. Thus, the name of the disease was determined this way. This poem tells all notions and stages of the disease, even its sudden beginning, and disappearing. According to the poem, this shepherd was the first one who got infected because he complained about the hot weather; thus, the gods sent him this disease as a punishment.

America was hot, and the treponema, which is the microbe reasons to syphilis could find suitable places for itself to survive. On the contrary, Europe was cold, and it

⁴²⁷ Ibid., p. 124.

⁴²⁸ Ibid., p. 122.

became harder for the disease to find a warm place to stay alive. As a result, the disease had to choose sexual organs and mouths of Europeans wearing heavy clothes to survive. According to the records, the first symptoms began in the sexual organs and mouths. The first symptoms were red scars, arthralgia, and big tumors on the body. During the disease, people might lose their organs. Syphilis develops slowly in this century; however, in the 16th century, it progressed so fast. In the 16th century, people suffering from syphilis looked like a leper, and it killed people in a year.⁴²⁹ Europeans panicked, this new illness spread in a short time and killed high numbers of people. People got infected when they kissed each other, and using the same items was also dangerous. In Deutschland and Switzerland, syphilitics were not welcomed in public spheres. At the end of the 15th century, according to Emperor Maximilian, God punished syphilitics, so syphilitic children were beaten.⁴³⁰

In the same years, in France, syphilitics banned from leaving their house. The Scotch isolated syphilitics away from the centers or punished them. On the contrary, in Frankfurt, syphilitics were protected, and they were treated for free. According to Nikiforuk, the sensitiveness of the last people might be upper-class people who got infected. In Medieval times, people suffered from mange. This became the reason for the open wounds on the bodies of Europeans. As a result, they infected syphilis this way.

Furthermore, uncontrolled brothels were another suitable place for syphilis in Europe in the 16th century and then. Another suitable place for venereal diseases was public bathrooms. Using these places was a traditional Roman heritage, in the 13th century it became popular again in Europe, then people began to use public

⁴²⁹ Nikiforuk, *Mahşerin Dördüncü Atlısı*, p. 127.

⁴³⁰ *ibid.*, p. 128.

bathrooms where uncontrolled sexual intercourses were also widespread. When it came to the 16th century, these public places were converted to the treatment centers for syphilitics. During the Mediaeval times, it was accepted that the main reason for this new epidemic was immoral life standards. According to the conservatives, if people had a moral life, syphilis would come to an end.

VI.IV.I.II.The Issue of Mercury

Since the professional physicians did not focus on venereal diseases, and they did not prefer to get in contact with these people carrying venereal diseases, other agencies took control. In other words, people had to use “alternative ways.” For example, public places were used as cure centers by lower-class people in Europe. However, it can be said that neither the alternative treatment methods like mercury nor bathroom therapies was useful and helped people get better. Mercury poisoned and killed a high number of people during those times. *Five minutes with Venus meant a lifetime with mercury.*⁴³¹ In the same years, the stages of the disease were understood medically. But still, until the pharmaceutical system was developed, people used such things, and they tried their chances.

Almost every class of people got infected with syphilis in Europe, according to the records, even papas suffered from it. In daily life, people cursed each other saying, *get syphilis!* Mercury treatment became a heroic story for people. It became an upper-class cure in time and a difficult one. As a result, the ones who could stay alive after the long-lasting and painful so-called treatment were treated as a hero.

With the epidemics of syphilis, people began to suspect from sexual intercourse. Thus, the prostitutes were blamed. Although women and men were equal potentials to carry the diseases, only women were charged. Therefore, the struggles

⁴³¹ Nikiforuk, *Mahşerin Dördüncü Atlısı*, p. 135.

between the authorities and the people who tried to protect their tax revenue began. The conservatives who believed the link between the disease and the immoral life tried to dismiss women from the cities because of syphilis. However, the politicians rejected this decision since they needed the income coming from the brothels and prostitutes.⁴³² The French government passed the law in 1635, which expelled prostitutes from the city, whipped them, and approved different physical punishments. When it came to the 18th century, as it has been discussed and explained in the first chapters, security forces began collecting prostitutes from the streets and forced them to visit the doctors or hospitals regularly. However, the doctors or nurses did not protect themselves from the diseases. As a result, they got infected, as well. Therefore, these women were beaten by these authorities. It is possible to deduce that 19th-century modern medicine treated the patient not as a case, but as an enemy. This contradicts the “very modern” approach which was advocated. On the contrary, men did not come across such a practice or blame. So, the modern medicine of the west was patriarch.

In Europe in the 15th century, people began to lose their hair and eyelashes, not due to syphilis, but mercury cure. These were very remarkable marks. Thus, sex and emotional relations got worse. As a result, people started to wear wigs. Thus, it became a trend many people followed. Wearing a wig became an aristocratic sign in France until the French Revolution. Moreover, condoms became the standard in the beginning of the 18th century.⁴³³ The syphilitics were dismissed from society; thus, people preferred to hide their diseases. As a result, the diseases spread over faster.⁴³⁴

⁴³² *ibid.*, p. 138.

⁴³³ Nikiforuk, *Mahşerin Dördüncü Atlısı*, p. 140.

⁴³⁴ Fatma Bulut, “Osmanlı’dan Cumhuriyet’e Tehlikeli Bir Miras: Frengi”, (Tarih Okulu, Spring, 2009), p.

The states began to worry about syphilis since it was widespread among mobilized people, like soldiers and prostitutes. These two groups of people used to spend a lot of time together. The states' main concern was about the syphilitic soldiers who lost their fighting ability. As a result, in the eye of the states, syphilis was a biological gun that damaged armies. In the 18th century, in Europe, the wars turned into another form. Soldiers did not fight against their enemies, and they fought against syphilis in order to survive and not to lose the country. In the 1860s, 37% of British army suffered from syphilis, 585 soldiers had to leave the front lines and go to the hospitals every day. Every single soldier cost 100 Pounds for the treatment. All these were the adventure and evolution of syphilis in Europe until the 19th century.⁴³⁵

VI.IV.II. Syphilis in the Ottoman Lands

Ottomans named syphilis French mange, *frenk uyuzu* and French trouble, *frenk zahmeti* at the beginning. Then, they used different names like *illet-i efrenciye*, *maraz-i efrenciye*, *daülefrenc*, *cüzzam-i efrenc*, *cüzzam-ı cimai*, *cüzaam-ı nefsanî*, *veba'ül- efrenc*, *marazü'l- halik*, *marazü'l haceleveilletü'z zina*. In colloquial, it was known as *şankr*.⁴³⁶ The mercury treatment was used by the Ottomans, as well. In addition to mercury, sulfur was also used as a cure. The first syphilis outbreaks were seen after the 1877-1878 Russian wars in the 19th century. After the wars, the disease spread over the Empire with the mobilization movements and the ships.⁴³⁷

⁴³⁵ Nikiforuk, *Mahşerin Dördüncü Atlısı*, p. 122.

⁴³⁶ Nuran Yıldırım, 14. *Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar*, "Alâ'im-i Cerrahîn'de Frengi", p. 41-42.

⁴³⁷ Necati Çavdar & Erol Karcı, "19. Yüzyılın sonunda 20. Yüzyılın Başında Osmanlı Devleti'nde Frengi ile Mücadele Kapsamında Yapılan Yasal Düzenleme", *Sosyal Bilimler Araştırmaları Dergisi* 11 (2016), p. 160.

According to the Ottomans, the main reason of syphilis was not sexual intercourse, and they used to believe that the leading cause was other reasons, like inborn and using the items that belonged to syphilitic ones before. On the other hand, in the beginning, it was tough to identify syphilis because sexually transmitted diseases are a lot like one another. The highlighting this distinction is very important

In the Ottoman Empire, the center of the fight against syphilis was Kastamonu and other cities close to it.⁴³⁸ It was one of the biggest provinces in the Ottoman Empire which was close to the sea and had a port, the fight against syphilis began earlier, approximately in the 1860s, in Kastamonu. Another reason for this high number was its position again. In Kastamonu, some workers migrated from Russia to Istanbul. People got infected in this direction easily. Other cities close to Kastamonu were in danger, as well. Like other states, in the Ottoman Empire, the diseases spread from the coast to the inner regions.⁴³⁹ Therefore, the disease spread rapidly in the inner regions close to Kastamonu. For example, syphilis was a big trouble in Bilecik, Kütahya, and İnegöl. According to a mobilized physician Ömer Nuri Effendi, the numbers of the syphilitic patients increased in Bursa (Hüdavendigâr). There were 510 patients in this place in 1902. The physician offered that the medical costs should be paid by the state as early as possible. Thus, the other people could be protected from the diseases.⁴⁴⁰ At the end of the 19th century, there were many other demands from different parts of the Empire. Although syphilis threatened the

⁴³⁸ COA.DH.MKT.1410/112 (13.07.1304/07.04.1887)

COA.DH.MKT.1684/48 (29.04.1307/23.12.1889)

⁴³⁹ Şennur Şenel, "19.Yüzyılda Kastamonu Vilayetinde Frengi Hastalığıyla Mücadele", Celal Bayar Üniversitesi Sosyal Bilimler Dergisi, 13, (2005), p. 257.

⁴⁴⁰ COA. DH.MKT.527/83 (16.03.1320/23.06.1902)

ports, it was common inside of Anatolia, as well. For instance, according to the document written in Konya, many people suffered from syphilis because of prostitutes. As a result, a hospital should be established. However, because of the poor financial conditions, the authorities knew that it was not so easy. So for now, two mobilized physicians were enough to solve the problem in Konya. The state paid the salaries and their transportation expenses.⁴⁴¹ The difficulties of the atmosphere were accepted in time; this is reflected in the documents. In other words, according to a document dated in January 1894, a new hospital for syphilitics was necessary for Gaza, but the authorities were aware of the financial challenges. So they gave up demanding financial support in order to construct the hospital. And then, they demanded from the center to find an alternative solution for syphilis in the city at least.⁴⁴²

Furthermore, in the capital in 1869, the Sixth Municipality established a committee to fight against syphilis. The head of this committee was chief of Mekteb-i Tibbiye, Physician Serviçyan Effendi. His real name is Serofle Viçenyanyan. He got his medical education in Paris. Moreover, Physician Michel and Agop Handanyan came together, and they began to fight against syphilis in Anatolia in 1879. The pioneer of the 1884 Regulation was the regulation ordered on 6th February 1879, and it was named *Emraz-ı Sariye Nizamnamesi*, transmitted diseases regulation.

In 1879, the leading physicians began to keep reports about syphilis. It was the first time these names mentioned the control of the brothels. And they wrote a report about the measure advices. According to Rya Kılıç, the origin of this report has not been found yet. Based on her notes, in this report, the position of syphilis in human

⁴⁴¹ COA.DH. MKT. 161/ (1.04.1311/01.11.1893)

⁴⁴² COA.DH. MKT. 59/ 36 (01.07.1311/08.01.1894)

life and the duties and responsibilities of the state, the standard health rules, and conditions were explained. Furthermore, the brothels in Beyoğlu and Galata should be checked regularly.⁴⁴³

On the 6th of February 1879, the regulation named *Emraz-ı Sariye Nizamnamesi* was announced. According to this regulation, the physicians were charged for controlling the women in brothels. In addition to the physicians, other staff was also announced. There must be two physicians, and these physicians should examine contaminated women. This paper was used until the 1884 Regulation.⁴⁴⁴ Between 1879 and 1884, there were two clinics in Galata and Beyoğlu. These places were used for prostitutes. In addition to these clinics, there was Nisa Hastanesi under the control of the 6th District Municipality in Yüksekaldırım. There were 30 or 40 beds in this hospital, but the patients were more than this numbers. Thus, this hospital was insufficient. In addition to this, the medical conditions and laboratory were also poor.

Physician Ernest von Düring (1858-1944) is another essential name for the battle against the transmitted diseases, especially syphilis and lepra in the Ottoman Empire. He was a German physician, his major was dermatology. Baron von der Goltz advised him. Then, he was invited by the government. He came to the Ottoman Empire and became dermatology and syphilis physician in Medical Medicine School, and here placed with Kehhal İlyas Pasha in this school on 22nd April of 1889. He stayed in the Ottoman Empire between 1889 and 1902.⁴⁴⁵ He left the

⁴⁴³ Rüya Kılıç, "Türkiye'de Frenginin Tarihi", *Kebikeç*, 38 (2014), p. 113.

⁴⁴⁴ Osman Nuri Ergin, *Düstur*, I.Vol, VI. Part, (İstanbul: Matbaa -i Amire: 1289), pp. 3296/3306.

⁴⁴⁵ COA.DH.MKT. 615/ 20 (14.08.1320/16.11.1902)

Ottoman Empire in 1902, his successor was physician Kaymakam Rifat Bey.⁴⁴⁶ In the year he came to the Ottoman Empire, the research began about Kastamonu. For example, after 8 months he started to work for the Ottomans, an observation and an opinion were demand from the city. The conditions of the syphilitic people were asked.⁴⁴⁷

He founded a team including 16 physicians like Mehmet Reşit, Hulki, Fahri, and Cevat Naki and other names, also two pharmacists.⁴⁴⁸ This team visited Anatolia 14 times and researched syphilis, lepra, and other transmitted diseases. They gave doctors workshops in Anatolia about the epidemics. On the other hand, the conditions in the Ottoman Empire were poor. Thus state's attempt was not enough to fight against transmitted diseases, so During Pasha managed some charitable organizations. For instance, in 1889, he launched stamp sales.⁴⁴⁹ Şennur Şenel cites the records of Pasha, and she says that During Pasha examined 250.000 people in Anatolia, and 80.000 of them carried syphilis.⁴⁵⁰ He stayed a while in Kastamonu, Samsun, Ankara, Sinop, Izmit, Bursa. The rest of his time he spent in the Ottoman Empire, he mobilized on Anatolia. He worried about syphilis in Anatolia, according to his records, the 70 or 80% of Kastamonu's people suffered from syphilis. He warned the authorities about the next generations' degeneration because of

⁴⁴⁶ COA.DH.442/24 (05.12.1319/15.03.1902)

⁴⁴⁷ COA.DK.MKT.1684/48 (20.04.1307/23.12.1889)

⁴⁴⁸ Şennur Şenel, "19.Yüzyılda Kastamonu Vilayetinde Frengi Hastalığıyla Mücadele", Celal Bayar Üniversitesi Sosyal Bilimler Dergisi, 13,(2005), p 263.

⁴⁴⁹ COA.BEO. 1937/145235 (17.07.1320/09.10.1899)

⁴⁵⁰ Şennur Şenel, "19.Yüzyılda Kastamonu Vilayetinde Frengi Hastalığıyla Mücadele", p. 263.

syphilis. According to his notes, in Anatolia, the main reason for syphilis was not sexual intercourse; it was called the innocent disease. The cause of the syphilis was the shared items between ill and healthy people. In Anatolia, people were so poor that they had to use the same items. People did not care about syphilis, and they did not finish their treatment process. As a result, the disease was never cured well. Even as late as 1907, people in the peripheries did not take syphilis seriously until they had scars on their face and nose. However, the state said that the physicians could cure the illness in 40 days. Furthermore, authorities kept announcing these people should be reported to the managers in the villages. Moreover, the muhtars and the chosen committees were responsible for this process.⁴⁵¹ Based on the same two reports, an explanation written easy to understand should be recorded and it should be published in *Beyan-ı Vilayet Newspaper*.

The other reason for this unsuccessful attempt was related to the physicians. Firstly, their quality and medical skills were not high, and the physicians did not have a better career plan. So, they did not wish to make an effort. Moreover, epidemics were mobilized problems, so doctors should visit different places. However, they did not agree to go somewhere else when they settled down once. In contrary to the ordinary people, Ottoman elites were so sensitive about the issue of syphilis. Hüsnü Effendi, who was the chief clerk of military office, killed himself with his revolver because of his syphilis at his home in Sultan Beyazıt. According to his testament, he never visited the places where this illness was common. For 20 years, Hüsnü Effendi almost never left his route between his home and the workplace. He got syphilis from his servant Ahmet. Hüsnü Effendi was sure about that since he knew that Ahmet suffered from syphilis for a while. Before his suicide, Ahmet went

⁴⁵¹ COA. DH.HMŞ.22/26 (H.07.02.1325/22.03.1907)

COA.DH.MKT.2611/110 (07.02.1325/22.03.1907)

to his hometown. Hüsnü Effendi killed himself due to embarrassment. Even though he explained the details of his situation in his testament, the police department focused on this case at least one month.⁴⁵² However, it does not mean that all officers acted like him. For instance, a police officer Hasan Effendi from Antalya suffered from syphilis. He was treated in the hospital, and then he does not have any mark on his body related to his disease. However, he must pay the expenses of the treatment.⁴⁵³ Although it is not correct to generalize the issue by looking at these two cases only, it can be still said that syphilis was normalized in time in the Ottoman society.

VI.IV.II.I.The Place of Kastamonu

When it comes to Kastamonu, there is an example showing the starting date as 1879, and was written by the national physician of Kastamonu, Kemal Efendi. According to his letter, the number of syphilitics began to increase there. Therefore, he gave advices about the general conditions of the city. According to him, there must be at least a physician and a pharmacist sent to Kastamonu. Already existed physicians and pharmacists were insufficient now because the population of this region was more than 20.000. Moreover, a hospital for the poor should be established for the ones who could not be treated in their homes. Also, the conditions of pharmacies should be improved.⁴⁵⁴ According to the documents, the need for physicians and pharmacists in Kastamonu never ended. The paper dated in 1886 announced the need of four physicians and four pharmacists; two of them are

⁴⁵² COA.Y.PRK.ZB.12/101 (21.08.1311/27.02.1894)

⁴⁵³ COA. ZB. 301/12 (R.24.11.1316/06.02.1901)

⁴⁵⁴ COA.I.ŞD.44/2385 (26.03.1296/20.03.1879)

now demanded, two of them would be sent later. Their salaries would be paid from the local budget.⁴⁵⁵

Despite the measures taken in Anatolia, especially in Kastamonu, because the number of patients with syphilis continued to increase, an order was declared about the disease. The authorities were worried about the infected soldiers; for example, 35 soldiers coming from the same village suffered from syphilis. As a result, the state had to announce a five article-order. According to this paper, the first article is about the soldiers, of course, the ones to be recruited should be examined; if they were already infected, they might be sent to the hospitals for treatments. According to the second article, a hospital should be established. The salaries of the physicians and pharmacists should be paid by military budget, and the fee of examination and medicines should be paid by the ministry of interior. In the third article, it was declared that infected people living in regions smaller than towns should be sent to the hospitals. Their examination must be a rule. Then the patients should not be sent back to their hometown without their treatment being over. In the last article, workers and crafts should be examined, and the ill ones must be forced to take medical treatment. Moreover, physicians had to keep 15 daily reports. In addition to them, the inspectors should visit the regions once in every three months.⁴⁵⁶

People here used traditional and ineffective treatment methods against syphilis. However, they did not work as expected. As a result, a committee was established by Düring Pasha in 1897 that was called *Kastamonu Vilayeti ve Bolu Sancağı Frengi Mücadelesi Sıhhiyesi*. The first regulation was announced by him, *Frengi İletinin*

⁴⁵⁵ COA.I.ŞD.79/4675 (19.04.1303/25.01.1886)

⁴⁵⁶ COA.I.DH.1328/1 (11.05.1313/30.10.1895)

men-i Sirayetiyle Tedavisine Mahsus Tebligat. This regulation was used until 1910, and the team survived until 1921.⁴⁵⁷ This regulation consists of 28 articles, and the first four are about the already existing hospitals. According to the first article, ineffective officials should be dismissed. In the second article, it is said that in Ereğli, Bartın, or other cities where there were a need for hospitals, new syphilis hospitals should be established.

In the fourth article, the medical physician should be sent to the hospital or other places where physicians were needed. In the next article, it is said that the government should have checked the families of infected people. The sixth article says that in the hospitals, the physicians should keep two notebooks about the syphilitics. The patients should be recorded alphabetically and based on their villages. Besides, the detail information about the patients should be written, like their nationality and their sects. It is possible to see that the record or notebook obsession was not only towards prostitutes. Rather, it can be claimed that the record obsession of the government spread over the prostitution issue, as well.

According to other articles, the ones hiding their illness should be forced to see doctors. In addition to them, those who did not take their medicine regularly were also forced to take it regularly. Moreover, the patients who escaped from the hospital should be sent back to the hospitals. As it has been seen, all these movements are related to the issue of hospitalization theory; the state tried to have surveillance practices over the patients.

Based on articles 11 and 12, imams and muhtars had to report the ones who carried or might carry syphilis to the centers. It should be pointed out that the authority of imam and muhtar is a critical issue. However, they were turned into representative

⁴⁵⁷ Çavdar & Karıcı, "19. Yüzyılın sonunda 20. Yüzyılın Başında Osmanlı Devleti'nde Frengi ile Mücadele Kapsamında Yapılan Yasal Düzenleme", *Sosyal Bilimler Araştırmaları Dergisi* 11 (2016), p. 163.

of the state now. They were not independent powers over people; they had to follow the instructions and orders of the state. This shows that how the state tried to spread its power on the local authorities. The next two articles said that imams needed to give a paper about the health conditions of people to get married. In other words, imams should not allow the ones who did not have this paper to get married. In addition to the regulation, this marry issue was pointed again independently after a while. In other words, when it came to 1901, the same mission of imams was repeated.⁴⁵⁸

This document is essential for another reason. In fact, this document is a continuation of a document published four months before it. Thus, the earlier one should be presented. According to the regulations, single people wishing to get married needed to have a permission paper given by specialists from hospitals. In addition to this specialists' examination, the district manager* should approve this permission paper, before this paper was published. People living in the sub-district* had to go to the center of the district. Moreover, they had to get their papers approved by the administrators. However, in time, it was figured out that it was not so easy to go to the center for those who lived in sub-district. In this paper, it is said that this application changed; people living in sub-district did not have to go to the district center anymore. The sub-district manager could approve the permissions now.⁴⁵⁹

⁴⁵⁸ COA.DH.MKT.2502/56 (06.03.1319/23.06.1901)

* kaza naibi

* nahiye

⁴⁵⁹ COA.DH.MKT.2502/56 (06.03.1319/23.06.1901)

According to this document published in October 1901, as it has been explained in the earlier document, people needed to have a permission paper when they wished to get married. The state tried to make this permission issue easier. It was announced that, they did not go the centers, the approval of the sub-district would be enough. However, it was understood that people could not see even the physicians, and then they could not get their reports approved by the sub-district managers. Thus, in order to protect the public health, it was announced in this paper that just muhtars' approval would be enough to get the permission for those young girls and women. In other words, single girls or women who lived at least 18 or 20 hours away from the hospitals did not have to take the marriage permission showing they did not carry syphilis. They can take this paper from muhtars who knew these women and their families. Nevertheless, the prostitutes and men were out of this exception.⁴⁶⁰ This document and the last two sentences of it were significant in terms of two important reasons. The first one was the state's perspective. It tried to make people's responsibilities easier in order to ensure the control over people as much as possible, the state decreased the capacity of its demand. Secondly, it was the first time state talked about men's obligations. They had to see physicians in contrary to females, of course, apart from prostitutes.

According to the 15th article of the regulation, the single ones should be examined, and if they did not volunteer, they could not enter the capital or travel around the Empire. If these people carried syphilis, they would be sent back to their home town. Based on these articles, it is understood that the state tried to prevent illness from being passed on to the next generations and to keep syphilis under its control in the determined region. According to the 16th article, the muhtars and imams would be punished due to not doing their job. In the 18th article, it was argued that

⁴⁶⁰ COA.DH.MKT.2549/97 (17.07.1319/ 30.10.1901)

the crafts working for barbers, coffeehouses, public baths, and others should be examined once a month.

20th, 21st, 22nd, and 23rd articles were about prostitution. Prostitutes should be recorded by the municipalities where they worked. They needed to be examined twice a month. There must be papers with their names and their illnesses written on it. This can be read as a sketch of the 1884 Regulation.

Article number 25 and 27 talk about the responsibilities of the physicians. The physicians needed to have certificates. If they did not have these papers, they could not treat the patients.⁴⁶¹ According to Şenel, the long-lasting treatment process and the sexual explanation of the illness forced people to hide their diseases and prefer to accept the “alternative treatments.”

Having accepted the regulation, the hospitals became an issue and physician During began to check the hospitals and to keep reports about their conditions, capacities, and needs.⁴⁶²

The main aim of During Pasha was to establish mobilized physician teams that should check the villages and peripheries of the Ottoman Empire. In some cases, people were examined under the control of gendarme; some syphilitics were quarantined with their whole family, and some of them were forced to visit the hospitals.⁴⁶³ Moreover, During Pasha provided established syphilis hospitals, not only in towns, but also in smaller places.⁴⁶⁴ In 1902, when During Pasha was invited

⁴⁶¹ COA. İ.DH. 13366/56 (H.29.03.1317/07.08.1899)

⁴⁶² COA İ.DH. 1366

⁴⁶³ Şennur Şenel, “19.Yüzyılda Kastamonu Vilayetinde Frengi Hastalığıyla Mücadele”, p. 265.

⁴⁶⁴ Ibid., p. 263.

to Germany, he still tried to do something in the Ottoman Empire about syphilis. According to his notes, the costs of the syphilis hospital in Kastamonu were not paid yet. If this money was not paid, the measurements could not be taken, as a result, people could not be treated. Moreover, syphilis would spread over the other cities.⁴⁶⁵ However, it should be kept in mind that Kastamonu was not the only place where the syphilitic numbers were high, in addition, there were severe epidemics in Konya, Maraş, Aydın, Sivas, Bursa, Erzurum, Edirne, Smyrna, Jerusalem, Gaza, Yanya, Bagdad, and Thessalonica and Ahlat/ Bitlis.⁴⁶⁶

According to several documents, Erzurum was another center of syphilis. In other words, it suffered from physicians and pharmacists. And the authorities demanded doctors, pharmacists and medical equipment from the government to the regions periodically. For example, in 1886 the demand of Erzurum was at least 3 physicians, 3 pharmacists and a set of medical staff from the government. Moreover, at least 3 hospitals should be established in different positions of the city. Furthermore, a commission should be established to check the medical process in the city.⁴⁶⁷ However, the problems could not be solved until the next year, so another letter demand paper was written, according to this paper, three new syphilis hospital should be established because the numbers of patients in Erzurum in *Fırka-ı Askeriye Hastanesi*, in military hospital, increased. Thus, hospitals should be in Erzurum, Erzincan and Bayburt. The total cost of these hospitals was also added.⁴⁶⁸

⁴⁶⁵ COA.DH.MKT. 615/ 20 (14.08.1320/16.11.1902)

⁴⁶⁶ Şennur Şenel, "19.Yüzyılda Kastamonu Vilayetinde Frengi Hastalığıyla Mücadele", p. 258. COA.DH.MKT.663/61 (06.12.1320/06.03.19)

⁴⁶⁷ COA.DH.MKT.1367/147 (24.12.1303/23.10.1886)

⁴⁶⁸ COA.DH.MKT. 1424/60 (15.09.1303/ 17.06.1886)

Although one year passed, nothing changed in Erzurum in terms of hospitals and conditions of patients. As a result, the demands did not change either.⁴⁶⁹

Safranbolu, İnebolu, and Sinop were close to Kastamonu and also suffered from syphilis. Because of the close relationship with the capital, the state panicked.

The financial difficulties were one of the issues that the state always faced with. However, despite all difficulties, the state did its best for hospitals. The financial problems were always one of the long-lasting issues of the state. The government wished to decrease the budget of the hospitals because they suffered from the sources. However, the authorities in the hospitals did not allow this movement. Since the hospitals could not be managed with the decreased budget, it can be said that there was a tension between the government and the hospital directors, especially in Kastamonu. For instance, according to the document dated 1892, the budget of the Kastamonu Frengi ve Gureba Hospital was 2397 kuruş, but the state wished to decrease that to 1918 kuruş, it means 20% of the allowance should be done. However, the authorities did not accept this offer and they explained the reasons. Thus, the budget did not decrease. On the contrary, the budget of the hospital increased.⁴⁷⁰ Like this situation, after a short time, the same demands were repeated, but the result never changed, according to the document dated on 1895, the government asked to reduce the allowances of hospitals in Kastamonu by between 20% or 18%. In addition to this, the surgeons of the hospitals should be dismissed. However, the answer is the opposite. Hospital authority said that with

⁴⁶⁹ COA.DH.MKT. 1435/111 (11.11.1304/01.08.1887)

⁴⁷⁰ COA.İ.DH.1298/32 (21.03.1317/ 18.10.1882)

COA.DH.MKT.1367/147 (24.12.1303/23.10.1886)

the numbers of the patients rising, the allowances should not be reduced; instead, they should be increased. The authority explained that if the allowance decreased, the hospital could take care of only 15 patients, so another hospital in Taşköprü would be necessary. However, because of the financial difficulties, another hospital would not be established, so the number of patients in this city would increase. So the state should not cut from the hospital budgets. As a result, the state had to increase the allowance.⁴⁷¹

Kastamonu syphilis hospital was an example for the other cities in the Ottoman Empire. Other cities wished to have the same hospital with the same conditions. As it has been mentioned above, the hospital in Kastamonu suffered from many difficulties, but still, it was the most prominent and comprehensive hospital focusing on the syphilis in the Empire. Thus, authorities in other cities used this hospital as an example. For instance, in 1887, the city of Aydın demanded hospitals like in Kastamonu in several places of Aydın, firstly in Saruhan district. The rooms for males and females should be different, and the measures should be taken like in Kastamonu. The expense would be covered by the money collected for construction.⁴⁷²

⁴⁷¹ COA.İ.DH. 1326/6 (17.03.1313/ 07.09.1895)

⁴⁷² COA. DH.MKT. 1429/95 (14.10.1304/ 06.07.1887)

CHAPTER VII

CONCLUSION

This study is an attempt to understand the change of the prostitution issue during a highly controversial sultan's era. This thesis puts the state's struggle at its center to be the sole and absolute owner of bureaucracy and daily life. From this point of view, this thesis is the evaluation of reading the bureaucratization effort of the state through different subjects in the second half of the 19th century.

This dissertation's another primary problem is the main motivation of the Ottoman state that forces the government to intervene in the issue of female prostitution during the modernization years. Many questions have been asked to understand and present this motivation. Moreover, this dissertation has tried to figure out the differences in the state's mentality during of being a modern state. Many theoretical and practical sources have been scanned, including classical Ottoman legal texts, archival documents, and many secondary sources. The primary purpose of these studies process is to understand where the Ottoman Empire saw itself in the late 19th century. In connection with this, women and men, family order, and society have been examined. Their positions, roles, and effects have been analyzed. As a result of all these research process, some basic and critical answers have been reached.

As can be understood from the beginning chapter, this thesis has generally followed a chronological order. Many essential studies prefer the thematic method, especially in women's issues, but this dissertation has not preferred it. This thesis

emphasizes that the chronological order is vital in multi-angle issues such as prostitution. The primary motivation of prostitution is the economy, and the impressive power of the economy is political developments. These two dynamics always affect and feed each other. Therefore, a separate chapter has been written by this thesis. This dissertation's focus is the end of the 19th century, and this century is almost full of political developments in both the Ottoman Empire and European states. Thus, this thesis has not evaluated these two dynamics separately from prostitution. Moreover, it has been claimed that this deficiency affects the essential position of the thesis. Although it respects many other thematic studies, this thesis has tried to follow a chronological order as much as possible.

Although the first chapter coming after the introduction part does not directly answer the basic questions, it has been accepted as an essential part of this thesis. The main reason for this is to give background information about the Ottoman Empire, also the law system, and society. Moreover, the law system's general rules like Sharia and Örf' i laws have been discussed in this chapter. This chapter's main concern is to show the meaning of prostitution and prostitutes in the law system. Thus, it was tried to clarify what adultery or prostitution meant in classical Islamic society, albeit theoretically. It is significant that here, different sects' view of prostitution or adultery at different times was not studied separately. The main reason for this is that this chapter's primary concern is to give only theoretical knowledge. It should be pointed out that a religious discussion is not aimed at this first section.

Although this chapter constitutes one of the back bones of this study, it is understood in the following sections that the practical applications regarding prostitution have almost never coincided with theoretical knowledge. For example, as it has been given there is only one penal punishment example in the Ottoman history according to the documents reached yet. It has been concluded that even

the practical laws were not applied, and society created the most suitable practices for itself over time. However, this section is still important in terms of showing the difference between theoretical and actual practice in prostitution in the classical Ottoman society.

In the second half of the first chapter, examples of prostitution in practical life have been shown. This section required some historical narration. That part shows society's and the state's approaches to prostitution from the 16th century to the second half of the 19th century. Thus, these have become clear that organic developments and how prostitution has taken its place in society, in rural or urban areas. That is, the first chapter shows the general information and how they were not implemented.

It is significant that at the end of this chapter, the slave issue has been mentioned. Prostitution and slavery are realities that go hand in hand throughout human history. In this last part, this process has been studied in the Ottoman society, where slavery is a norm. However, this section is kept short, and there are two main reasons to keep this section short. The first is that slavery is still a very dark reality, so it is not possible to collect the documents about it. The second reason is that the link between slavery and prostitution is not a fundamental question for this thesis. Another reason for referring to this section is that although many studies have named prostitutes as slaves, this thesis has not preferred to use such a method. The main reason for this is that these two realities are handled as two different topics, even if they are intertwined. This thesis has not evaluated all prostitutes in slave status in order to avoid leading a confusion.

In the third chapter, the real actors in the issue of prostitution in the classical Ottoman society until the second half of the 19th century have been introduced. Prostitution was a reality happening in the neighborhoods in this community. In other words, it was a local issue that the state ignored for long time. Like many

other European states in pre-modern times, the Ottoman government did not prefer to become a part of this process due to rational reasons. The first reason is that prostitution was a very complicated topic. There were many actors in it. It was already the state that assigned these actors to local issues. For example, the imam was the representative of the *kadi*, or the state that cared about local people's expressions in neighborly relations like *kefalet* system. Secondly, it had more dynamics than a pre-modern state preferred to deal with. The government's prostitution intervention meant intervening in many social and economic dynamics. However, like most states before the 19th century, the Ottoman government did not feel compelled to do so. It was already deprived of the infrastructure to cover these changes. In other words, it was a system that states or governments approved in pre-modern times.

As stated in the introduction chapter, many prostitution or women oriented-studies explain the prostitution issue as a matter that occurs only between the state and women. Moreover, they create an image that the state directly targets women. However, the third chapter, where the local powers are placed in the center, has claimed the opposite, prostitution was an issue in the Ottoman agenda that the state did not want to admit its existence until the end of the 19th century. The local powers filled this gap, or vice versa, the state, which saw that this process continued with local powers, deliberately avoided from it. It is not possible to follow the cause and effect relationship here, and it is not an essential point for this thesis. The primary point for the thesis is the organic bond of local powers with prostitution.

Another main problem of this dissertation is the transition process of prostitution from these local powers to central power at the end of the 19th century. This dissertation has shown that there were some crises and struggles between the local powers and the centralizing state. It is possible to say that prostitution does not

mean anything for local powers. However, they did not want to lose their power at any point. Resistance to quarantine and medical treatments in the southern territories of the Ottoman Empire in the late 19th century can be read as an indicator of this struggle.

On the other hand, many other documents have shown that the state was aware that it could not fill these gaps. Hence, this thesis claims that the state tries to protect the balance between itself and the local powers. The main reason for this is the awareness of the state's capacity and lack of infrastructural powers. The state wanted to be centralized; at the same time, it did not wish to be deprived of the advantage of local powers. In this process, it is possible to conclude that the state used prostitution as an instrument.

In the next part of this chapter, the existing process of the unwanted subjects in the Ottoman communities has been explained. As a result, what was the utopic Ottoman community has been presented. They did not like males who did not have a regular job even if they had a family. At the same time, society did not welcome females who could not be monitored thanks to their family bond. The marginalization of some dangerous subjects and their leaving out of society were the result of both internal dynamics and western influence. Thus, the effect of western culture and discourses should not be ignored. Many other studies act as the Ottoman Empire made its decisions by itself. However, it is not a real perspective. The communities are organic structures, and they affect each other. With the Industrial Revolution and colonization movements, a new idea was born in western European states; according to this attitude, the newcomers were dangerous people.

One of the processes that affect the West is one of the geographical discoveries to justify the enslavement process of the people who moved to the West. The most radical example of this discourse is to claim that black people who were forcibly

brought from Africa to America were not exactly human. This approach included not only black people but also workers coming from rural to urban areas. All these newcomers were dangerous for the order of society. Thus, these people had to be kept away from society. Although the Ottoman state was not a central state in the new world system, it had adopted itself as a periphery state. Thus, this approach was reflected in the Ottoman state, and the newcomers were dangerous ones. They were people who had to be excluded from society; if this was not possible, they should be careful.

It was a new discourse and was fed directly from the western states; for this reason, this thesis emphasized western influence in social, economic, and political life. It has also had special rooms for the changes in the west itself, contrary to many other studies. Many studies have ignored the western states and Ottoman contact, especially the close relationships of the middle and upper classes, and they are satisfied with explaining this marginalization process with internal dynamics. However, this thesis has argued that western states influenced the Ottoman internal dynamics in the 19th century. Thus, the western states' approach has been taken as reference points for undesired subjects in the issue of internal migration.

The next topic is about places specific to the Ottoman community. The main argument of this section is again related to the capacity of local powers. Although the private area was a family-specific area in the Ottoman society, the community could convert the private sphere to the public area at any time. The main excuse for this flexibility was prostitution or adultery. Society legitimated this process as protecting itself.

This thesis has argued that the Ottoman state could not isolate prostitute women from society, contrary to many European countries. The decision-making subjects were the muhtar, imam, and other strong actors in the neighborhoods. The crowd supported these powers. It is not easy to estimate that whether the intervention

here was based entirely on volunteerism or social pressure compelled people to engage in these mass movements. However, the public sphere was more influential in almost every issue over the private sphere. One of the main reasons for this flexibility between society's borders is the self-healing power of the community. Because leading subjects could bring people back into society as well as expel people from it. Furthermore, these were purely subjective decisions. Leading subjects were so strong that the documents have presented that they could fight against the state in the late 19th century. This thesis examined the second half of the 19th century as a reflection of this struggle on prostitution. This issue of space is another issue that is often overlooked in such studies. Even if this issue is examined by many studies, European-oriented theories are dominant. These studies act as if the Ottoman state was able to isolate women from society with the 1884 Regulation. However, many documents used in this thesis have shown that people continue to complain about the location of the brothels after the 1884 Regulation. Besides, the state has never been able to move houses to something isolated. Precisely for these reasons, this thesis has found the issue of privacy and public life quite problematic and blurred in Ottoman society.

One of the backbones of this thesis is, of course, the 1884 Regulation. Almost all the studies focusing on the prostitution issue in the 19th-century Ottoman state begin with the 1884 Regulation. Moreover, their main emphasis is on the content of this Regulation. However, they do not touch the motivations of these substances. Contrary to them, this thesis has given its weight to the period before the 1884 Regulation. Studies focused on 1884 do not care much about the developments that forced the state to prepare such a Regulation.

On the contrary, this thesis has aimed to understand the motivation of the Regulations of 1879 and 1884 in the eyes of the state. The 1879 Regulation can be called as a draft of the 1884 Regulation, because 1884 paper is a more

comprehensive example. After the 1860s, according to the official documents, the state focused on sexually transmitted diseases and prostitution control, albeit slowly. The primary motivation is to provide a healthy sexual experience to men. Because of that reason, this dissertation has announced Abdülhamid II as a modern sultan.

Abdulhamid II introduced himself as an Islamic-oriented sultan for the economic and political reasons described in the previous chapter. Furthermore, traditional structures were highlighted by him. However, the Regulations of 1879 and especially 1884 are almost precisely opposite his image. Moreover, they could damage the image of the sultan. Nevertheless, the sultan allowed this regulations for society's health, and he was very sensitive about the diseases. Diseases and the issue of fighting against these diseases have been highlighted in the last chapter. Well-intentioned efforts of the state have presented in the light of documents.

Contrary to many studies, this thesis has argued that the late Ottoman Empire was sensitive to protecting public health. The state did its best on diseases both financially and socially. Although many of these initiatives were fruitless due to the previously described financial reasons, there were quite successful attempts, like During Pasha's researches of Anatolia with his team many times.

There is another point where this thesis is silent and has opposed; it is about the religions of prostitute women. Many studies claim that the number of non-Muslim prostitutes in the Ottoman state was more than Muslim prostitutes. However, there are no reliable and official sources to support or refute this claim. The main reason for this general approach is that non-Muslim prostitutes were more visible than Muslims. However, the number of Muslim prostitutes was not so low that estimated, especially in the city and religious centers that Muslims frequently visit. Eyüp, Üsküdar, and Aksaray were the leading ones. However, Muslim prostitutes would be less visible in the society like non-prostitute women. This issue was based

on a distinction between Muslim women and non-Muslim women, not their professions. The high number of non-Muslim prostitutes is a myth, and on the contrary, there are many reasons to think that the number of Muslim prostitutes is high may be higher than Non-Muslims.

Firstly, cooperation in minority communities is slightly more than the majority. From this point of view, the organizations within the non-Muslim communities in the Ottoman state were quite successful. This was a point that the state allowed and supported. Regarding the prostitution issue, it can be argued that non-Muslim communities could provide many opportunities for their women. Non-Muslim women were more fortunate than Muslim women in employment, and they could manage their shops or work for many workplaces, contrary to Muslim women. However, documents have presented that Muslim women were deprived of these opportunities. Secondly, the issue of military duty is a very critical in these women's issues. In other words, When her husband, father, or the man who cared for her went to war, Muslim women were too lonely. The state's support for these women depended on many criteria. Most women coming from the peripheries to the center were deprived of these criteria for at least a while. The decisive point here is not the position of women, but how the state defines itself.

In conclusion, this thesis has examined the motivation of the 1879 and 1884 Regulations with different questions and concerns from many other studies. Therefore, this dissertation has different results from many other studies.

This study has claimed that women, whether they were prostitutes or not, were exploited by patriarchal structures such as the state, bureaucratic forces, society, and family. This thesis has read the issue of prostitution as a gender issue, not a women's issue. Because this issue is closely related to the codes of masculinity created by men, society and women, this gender-oriented approach of the thesis does not change the conditions women are exposed to. Claiming that men also

experience many traumas does not reduce male pressure on women. This is a hierarchical result of the patriarchal order.

In traditional Ottoman society, adult men considered themselves obliged to teach young men sexuality. Adolescent boys used to go to brothels with these adult males. The other points and necessities of masculinity were taught, as well as sexuality in these places. These young men were regarded as or not regarded as men based on their performance. This performance was not only about sexuality, but also the ability to drink, and the rules of socialization. Many young men might not want to be involved in this brutal world, but their consent was not received. Since in the men's world, such vulnerability was unacceptable. Therefore, this thesis has argued that the prostitution world exploits men, albeit partially as well.

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C. TURKISH SUMMARY / TÜRKE ÖZET

Bu çalıřma oldukça tartıřmalı bir sultanın döneminde fuhuř konusundaki deęiřiklikleri anlamayı hedef edinmiřtir. Bu tez, devleti günlük yařamın ve bürokrasinin tek ve mutlak galibi gibi görmektedir. Bu açıdan, devletin bürokratikleřme çabasını on dokuzuncu yüzyılın ikinci yarısında farklı özneler üzerinden deęerlendirmektedir.

Bu tezin temel kaygılarından birisi, Osmanlı Devleti'nin modernleřme yıllarında marjinal kadınlarla olan iliřkisidir. Devletin marjinal denilen bu kadınlarla modernleřme yıllarında ne tür bir iliřkisi vardı? Bu soru, bu tezin en temel sorularından birisidir. Bu soru, çok sayıda farklı soru ile de desteklenmektedir. Fahıřeler, devlet tarafından uzun yıllar göz ardı edilmiřken, onları aniden devletin ajandasında yer aldırان dinamikler nelerdi? Peki devlet, yüzyıllar boyunca neden bu kadınları göz ardı etmeyi tercih etmiřti? Fuhuş meselesi, neden 19. yüzyılın ikinci yarısına kadar yerel güçlerin kontrolüne bırakılmıřtı? Sonra ne oldu da devlet aniden bu kontrolü geri almaya karar verdi? Bu çalıřma, tüm bu sorulara 19. yüzyılın ikinci yarısının sosyal ve siyasi atmosferi dahilinde yanıtlar bulmaya çalıřmıřtır. Aynı zamanda, fuhuş, kendisi sosyal ve modern göstermek isteyen devletin enstrümanlarından birisi haline de gelmiřtir. Doğrudan olmasa bile zaman zaman modern ve çağdař olma arasındaki fark vurgulanmıřtır. Osmanlı Devleti, özellikle de II. Abdülhamid, fuhuş düzenlemeleri açısından Avrupalı Devletleri doğrudan taklit etmeyi tercih ettięi için bu tez tarafından modern kabul edilmiřtir.

Birinci kısım, yukarıdaki sorulara doğrudan yanıt vermese de bu tez için oldukça önemli bir bölüm olarak kabul edilmektedir. Bunun temel sebebi, Osmanlı Devleti'nin ve toplumunun hukuk sistemine bakıřını ve uygulanıřını göstermesidir. Osmanlı Devleti'nin 19. yüzyılın ikinci yarısında sahip olduęu topraklar bu bölümde

verilmekte, Osmanlı Devleti bu kısımda tanıtılmaktadır. Ayrıca, hukuk sisteminin genel kuralları örneğin Şerri ve Örf'i hukuk bu bölümde tartışılmaktadır. Bu bölümün temel amacı, fuhşun ve fahişeliğin Osmanlı Hukuk sistemindeki yerini göstermektedir. Teorik olarak da olsa, fuhuş ile zina arasındaki fark bu bölümde ele alınmıştır. Farklı zamanlarda, farklı mezheplerin fuhşa ve zinaya bakışı merkeze konulmamıştır. Kısacası, bu bölümün temel kaygısı, teorik bilgi vermektir; şunu unutmamak lazım ki, dini tartışmalar bu bölümün ana konusu değildir.

Sonrasında, erken modern, geleneksel devlette fuhşun yeri 19. yüzyılın ikinci yarısı ile bağlantı kurabilmek için kronolojik bir sıra ile anlatılmıştır. Erken dönemlere değinilmeden de bu bölüm anlatılabilirdi, fakat o zaman 19. yüzyılın ikinci yarısında meydana gelen değişikliklerin yeterince belirgin olmayacağı düşünöldü. İlk kısımda, fuhuş kelimesinin etimolojik açıklaması verildi. Böylece, insanların içine doğdukları kültürlerde farkında olmadan sahip oldukları yaklaşım gösterilmeye çalışıldı. Ardından da Şerri hukuk ile Örf'i hukukun zina ile fuhuş arasında yaptığı ayrım gösterildi. Bu amaçla, kullanılan farklı kelimeler, Osmanlı Arşivlerindeki belgeler ışığında sunuldu.

Bir sonraki bölüm, neden 16. yüzyılda standart bir uygulamanın olmadığını açıklamayı hedeflemiştir. Bu bölümde, her olay için tek kullanımlık çözümler üretildiği gösterilmiştir. 19. yüzyılın ikinci yarısında Taalimatname yayınlanana kadar, her olay için farklı farklı yayınlanan yaptırım ve uyarılar ve bunların bir sonraki için emsal teşkil etmemesi tartışılmıştır. Bu bölümde, Osmanlı Dünyası'nda 16. yüzyıldan itibaren kısa bir fuhuş tarihi verilmiştir. Ardından da kadınların kamusal alandan geri çekilişi anlatılmıştır. Bu bölümde, devletin ve toplumun koydukları ya da uyguladıkları kurallarla kadınları hayatta kalabilmek için fahişe olmaya zorladıkları savunulmaktadır. Örneğin, kadınların kaymakçı dükkanlarında ya da çamaşırcılarda çalışması yasaklanmıştı ancak yerine farklı istihdam alanı sunulmamıştı. Fuhuş karşısında devlet tarafından bir hamle yapılmıştı ancak bu

yetersiz bir hamleydi, hatta kadınlar için zararlıydı. Burada, aslında devlet ve fahişeler arasında sessiz ve görünmeyen bir çatışma vardı. Devlet kadınları görmezden geliyor, doğrudan muhatap almıyordu, ancak hayatlarını daha da zorlaştıracak yaptırımlar yayımlıyordu. Kadınlar bu duruma kısa sürece cevap verdiler, ve kontrol edilebilir sabit yerlerin dışına kaçıp, peremeleri kullanmaları gibi, devletin menziline de kurtulmuş oldular. Bunun karşısında devlet bu kadınları tamamen ajandasından çıkarttı, bu oyundan geri çekilmek gibi de okunabilir. Ancak, öte yandan, Osmanlı Dünyası'nda fahişe olmak tüm haklarını kaybetmek anlamına gelmiyordu. Devlet her ne kadar kadınlara istihdam alanı yaratmıyorsa da onları topluma yeniden eklemeye de çalışıyordu.

17. yüzyıla gelindiğinde, bu dönemde yazarlar oldukça farklı bir başkent tasvir ederler. Bunların başında Evliya Çelebi gelir, seyyah Osmanlı Devleti'nin başkentte yaşayan fahişelerin sayısından haberdar olduğunu söyler. Onun aktardıklarına göre, devlet fahişelerin de pezevenklerin de varlığını resmen kabul etmektedir. 19. yüzyıla gelindiğinde, kaynaklar 17. yüzyıl İstanbul'una benzer bilgiler vermektedir. Özellikle de Mısır hazinesi eğlence kültüründen oldukça faydalanmıştır. Ancak, aniden bu önemli gelir hazine kesilmiş, bunun temel sebebi bu bölümün ana konusudur; hastalık, ordu ve fahişeler bu tezin temel sac ayaklarıdır.

Bu bölümün sonunda fuhuş ve kölelik meselesi arasındaki ilişkiye kısaca değinilmiştir. Kölelik kendi başına oldukça kapsamlı fakat takip etmesi zor bir konudur. Fuhuş ile kölelik arasındaki bağ oldukça yakın ve maalesef fuhuş, köleliğin en karanlık noktasıdır. Osmanlı Dünyası'nda kölelik kavramının nasıl değiştiği bu bölümde açıklanmıştır. Kölelik meselesi ve onun edebiyata yansısı erken 20. yüzyıl eserlerinde bulunmaktadır. Yeni ve fantezi ürünü bir kadın imajının detayları bu bölümde verilmiştir. Haliyle bu tez, Osmanlı Dünyası'nda yaygın olan köleliği ve seks köleliğini farklı açılardan incelemektedir. Böylece, bu tezin fahişelere neden seks kölesi demeyi tercih etmediği de açıklanmıştır.

Bu bölümde hizmetçilerle orta sınıf arasındaki ilişki sunulmuştur. Bu tez, hizmetçilerin aslında geçmişteki kölelerin yeni isimleri olduğunu Müge Özbek'in tezine de dayanarak savunmaktadır. Yavuz Selim Karakışla'nın çalışmaları da bu teoriyi doğrulamaktadır. Kölelik meselesinin politik yanları Hakan Erdem'in çalışmaları ışığında anlatılmıştır. Müge Özbek, Cem Behar ve Alan Duben çalışmalarında kadın ve erkek hizmetçi oranları arasındaki ciddi farkı göstermektedirler. Kadın hizmetçiler yüzde 85 iken erkek hizmetçiler yalnızca yüzde 15'tir. Bu büyük fark, entelektüellerin ve yazın dünyasının kadın hizmetçilere karşı beslediği ön yargının bir açıklaması olarak değerlendirilmiştir.

Ardından, üçüncü bölüm gelmektedir, bu tez, fuhşun ve fahişelerin devletin bürokratikleşmesinde, araçsallaştırıldıklarını savunmaktadır. Birçok, modern öncesi devlette olduğu gibi, Osmanlı Devleti de halkı ile dolaylı ilişki kurmuştur. Dolaylı iletişimden doğrudan kontrole geçilen süreçte fuhuş birçok açıdan etkilenen alanlardan olmuştur. Dolaylı idarenin ne olduğu önce açıklanmıştır; dolaylı idare devletin halkına dair birçok sorumluluğu almamasıdır, fakat bu durum doğrudan idare ile değişmiştir. Ardından, devletler insanların gündelik hayatlarına dair detaylara dahil ve vakıf olmaya başladılar. Bunu yapabilmek için de, kendisini temsil edecek yeni güçler istihdam etti ya da yarattı. Böylece devlet, görünmeyen, gizemli güç değil, insanların temas kurabildiği politik bir otorite anlamına geldi. Diğer bir deyişle, 19. Yüzyıl, devlet imajının yeniden yorumlandığı yüzyıldır. Bu durum, diğer birçok konuda olduğu gibi fuhuş meselesine de yansımıştır. Aynı zamanda burada, II. Abdülhamid'in kendine özgü imajı da bu konuya dahil edilerek anlatılmıştır.

Erken dönemde, toplumu kontrol eden güçler yerel güçlerdi haliyle yerel güçler önce tanıtıldı. Böylece merkezi gücün eksiklikleri belirgin kılındı. Bunlar, devletin doldurmak istediği boşluklardı. Bu plana paralel olarak, yerel güçler ve kitlesel hareketler bu bölümde vurgulandı. Bir cemaate dahil olmanın olumlu ve olumsuz sonuçları bu bölümde örneklendirildi. İlber Ortaylı ve Özer Ergenç'in çalışmaları

ışığında mahallenin ne olduğu açıklandı. Ergenç'in çalışması bu tezin mahalleyi anlamak için kullandığı en temel çalışmalardandır. Klasik Osmanlı mahalle yapısı bu bölümde anlatıldı. Mahalle toplumun en küçük idarî parçası olarak tanıtıldı. Bu bölümde, mahallî ilişkileri daha iyi anlatabilmek için Durkheim'in mekanik dayanışma teorisi ödünç alındı. Bu çerçevede bir cemaatin parçası olmak ve kitlesel eylemler açıklandı. Toplumsal eylemlerin olumlu sonuçları savaş, kıtlık gibi zor koşullardaki olumlu sonuçları ile açıklandı. Dinî liderler mahallenin merkezindeki güçlerdi, ardından muhtar geliyordu. Onların güçleri ve mahallelî üzerindeki yapabilirlikleri oldukça fazlaydı. Kısacası, rahip ya da imam ve muhtarın güçleri bu bölümün ana konusuydu.

Ardından da, bu tezin sorunlu bulduğu güçlerden birisi olan güvenlik güçleri anlatıldı. Zaptiyenin ya da polisin toplumla ilişkisi her zaman diyalektikti. Toplum üzerindeki güçlerini suiistimal edişleri fuhuş meselesi üzerinden anlatıldı. Bu bölüm, aynı zamanda, Osmanlı güvenlik güçlerinin sivilleşmesi ya da profesyonelleşmesiydi. Diğer bir deyişle, Osmanlı Devleti güvenlik güçleri, 19. yüzyılın ikinci yarısında, askerî olmayan, profesyonel güçlerdi. Ayrıca bu bölümde, yeni suç ve suçlu tanımlamaları da tartışıldı. Örneğin, artık fahişe olmak değil de kurallara uymamak suçtu. Bu durum, aslında devletin kendisini nasıl tanımladığı ile doğrudan ilişkilidir. Devlet, en azından fuhuş konusunda, artık ilkel cezalandırıcı bir devlet değil, denetleyici bir devlet rolü almıştı. Güvenlik güçlerinin ardından da bir diğer sorunlu özneler olan, kabadayı ve külhanbeyleri gelmektedir. Onların da mahallelî ile olan karmaşık ilişkisi fuhuş meselesi üzerinden anlatıldı.

Bir sonraki bölümde Osmanlı mahallelerinde yaşayan "diğer" özneler tanıtıldı; fahişelerin ve müşterilerinin kim olduğu bu bölümde açıklandı. 16. yüzyıldan sonra bir yere yerleşmenin zorlukları, bir mahallenin sakini olmak için yapılması gerekenler bu bölümde tartışıldı. Mahallelinin yeni komşular için neden bu denli çekingen olduğu Karpat'ın çalışmaları esas alınarak gösterildi. 19. yüzyıldaki nüfus depresyonu

bu bölümde, şehirlerin kalabalıklaşmasına paralel olarak anlatıldı. Dolayısıyla, kırsaldan kente doğru gelen göç ile hijyen saplantısı arasındaki fark, orta sınıf gözünden açıklandı ve daha anlamlı oldu.

Bu bölümün, son kısmında mekân meselesi üzerinde duruldu, ve bu mekânların fuhuş ile ilişkisi açıklandı. Özellikle de Serkan Şavk'ın çalışması bu kısım için oldukça değerlidir. Bu tez, Osmanlı toplumunda mekânları iki ana başlık altında inceledi, mahrem ve kamusal mekânlar. Koşullar ne olursa olsun, neredeyse her zaman mahrem olan kamusal olanın kontrolü ve gözlemi altındaydı. Bu durum, iki mekânı da problemlili hale getirmekteydi. Mahrem ve kamusal hayatın sınırlarının nerede başlayıp nerede bittiği bu bölümde detaylı şekilde tartışıldı. Bu bağlamda, 19. yüzyıl aile ve heteroseksüellik kavramları tartışıldı ve nasıl yeniden anlamlandırıldığı örneklerle izah edildi. Heteroseksüelliğin vurgulanması yeni bir akımdı ancak nüfus depresyonunu çözmek için bunun yapılması gerekli görülmüştü. Ailenin ve heteroseksüel ilişkinin temel amacı dünyaya çocuk getirmektir, haliyle bu ikisi de 19. yüzyılın en moda akımlarıydı. Evlenmeyenler, fahişe olanlar bu düzenin dışında yani sistemin karşısında yer alıyorlardı. Özellikle de kadın, aile kavramında oldukça vurgulanmaya başlamıştı. Aile kadınları fahişelerin tam tersiydi. Fahişeler topluma ne kadar zarar veriyorlarsa, bu kadınlar toplumun o denli kurtarıcı öğeleriydi. Aile kadınları mahrem hayatın temsilcisiyken, fahişeler kamusal mekânları temsil ediyorlardı, zaten genelevlerdeki genel tanımı da bunu işaret etmektedir.

Bir sonraki başlık, bu genellemelerin ya da ayrımların neden yapıldığının arka planını sunmak için hazırlanmıştır. Bu bölümün temel kaygısı, bu tezin neden dönem olarak II. Abdülhamid'i seçtiğini açıklamaktır. II. Abdülhamid'in iktidar yıllarına kadar olan koşullar ekonomik ve politik olarak açıklanmıştır. Böylece, II. Abdülhamid döneminin beklentileri ve hayal kırıklıkları anlamlı kılınmak istenmiştir. İkinci bölümde, II. Abdülhamid döneminin finansal boyutları Cem Behar ve Alan Duben'in çalışmaları temel alınarak gösterilmiştir. Böylece, yalnız bir kadının 19. yüzyılın ikinci yarısında

hayatta kalmak için ne kadar para kazanması gerektiği örneklendirilmiş ve yaklaşık olarak gösterilmiştir. Ayrıca, 19. yüzyılda meydana gelen düşük gelirli kadın tanımı yeniden yorumlanmıştır. Burada evlerde hizmetçilik yapan kadınlar ile fuhuş arasındaki bağ gösterilmiştir.

II. Abdülhamid'in kişiliği bu tezin doğrudan konusu değildir, ancak onun dönemini anlamak için modern/ çağdaş olmanın ne anlama geldiği Martin Berman'ın 19. yüzyıl modernlik kavramına dayanılarak açıklanmıştır. Berman, 19. yüzyılın tam da zıtlıklar yüzyılı olduğunu söylemektedir. Bu noktada, Abdülhamid'in nasıl bir lider olduğunu anlamak için Selim Deringil ve Nadir Özbek'in de çalışmalarından faydalanılmıştır. Bu bölümün sonunda, 19. yüzyılın ikinci yarısında yalnız ve yoksul bir kadın olmanın ne anlama geldiği açıklanmıştır. Bu bölüm, 19. yüzyılın sonundaki dinamikleri fuhuş meselesi üzerinden değerlendirmeye çalışmıştır.

Beşinci ve altıncı bölümler bu tezin en temel kısımlarıdır. Beşinci bölüm nizamname ya da talimatname de denilen düzenlemelerin anlatıldığı bölümdür. Öncelikle, Avrupa'daki düzenlemelere ve onların nedenlerine giden süreçler anlatıldı. Böylece, fuhuş ve düzenlemeler arasındaki bağ biraz daha billurlaşmış oldu. Bu kısım, 1884 uygulamasının önemini kavramak için oldukça kıymetli bir bölümdür. Avrupa'da özellikle de Batı Avrupa'da kadınlara nasıl bakıldığını anlamak için Hristiyanlık'tan itibaren Avrupalıların kadınlara genel bakışları gösterilmiştir. Hristiyan Avrupa'da erkek egemen dünya oldukça ağır basıyordu. Farklı coğrafyalarda farklı zamanlarda kadına yönelik düşmanca tavır bu bölümde detaylıca anlatıldı. Bu tez, batı Avrupa'da kadına yönelik düşmanlığın, fuhuş düzenlemelerindeki cinsiyet ayrımcı tavırla doğrudan ilişkisi olduğunu savunmaktadır. Neredeyse ikisi birbirinin devamı niteliğindedir. 19. Yüzyıla gelindiğinde kapitalizmin hızla yayılması ile birlikte kadınlar yeni bir zorlukla daha karşılaşmışlardır.

Salgın hastalık zamanlarında insanlar yoksul kadınları hedef almışlar ve sebep olarak bu kadınları göstermişlerdir. Cinsel yolla bulaşan hastalıklar bu teoriyi beslemiştir.

Kadınlar özellikle de fahişeler bu hastalıkların temel mikropları gibi kabul edilmişler ve bunun için cezalandırılmışlardır. Her bir salgında, fahişeler fiziksel cezalara maruz kalmış ve çoğu defa da yaşadıkları yerlerden sürülmüşlerdir. Ancak, kısa süre sonra bu uygulamaların hiçbir hastalığa iyi gelmediği anlaşılmıştır. Dolayısıyla, düzenleme süreci böylece başlamıştır. Düzenlemelerin ana hedefi elbette kadınlardı, erkeklerden şüphelenilmiyordu. Uygulamalar, düzenlemeler Avrupa'da devletten devlete değişiklik göstermiş olsa bile hakim olan Fransız uygulamalarıydı.

Farklı uygulamaların ilerleme süreci kronolojik bir sıra ile gösterilmiştir, her bir düzenleme bir sonrakinin basamağıydı. Bu nedenle her biri önemli bulunmuş, kısaca en temel noktaları açıklanmıştır. Hükümetlerin temel kaygısı toplumsal sağlığı korumak ve heteroseksüelliği vurgulamaktı. Uygulamaların içerikleri bazı farklılıklar barındırırsa da genellikle birbirine benzerdi. Düzenli tıbbi muayene her bir uygulama ya da düzenlemede temel meseleydi. Kondomun yaygın, antibiyotiğin ise hiç olmadığı 19. yüzyılda periyodik ve düzenli sıhhi muayeneler oldukça önemli ve en etkili yöntem olarak savunulabilir. Ancak, bu muayeneler ya da diğer yaptırımlar yalnızca kadınları yani fahişeleri kapsıyordu. Bu da ne olursa olsun uygulamaları tek taraflı ve aksak hale getirmekteydi. Uygulamalardan sonraki bölümde ise, 19. yüzyıl dünyasında sağlıklı nüfusa sahip olmanın ne almaya geldiği açıklanmıştır. Avrupalı Devletler ile Osmanlı Devleti'nin bazı durumlarda fuhşu neden görmezden geldiği, finansal sebeplerle bu bölümün sonunda açıklanmıştır.

Bu ana bölümün ikinci önemli kısmında 1884 *Altıncı Daire-i Belediye Dahilinde Bulunan Ba'zı Hususi Hanelerin Hıdemat-i Sıhhiyesine Dair Ta'limatname'si* sunulmuştur. Ancak, 1879'da yayınlanan bir diğer nizamname de önemli görülmüş zaman zaman onun da içeriği gösterilmiştir. 1884, 1879'un gelişmiş versiyonudur. 1884 Talimatnamesi aslında bir çeviri metindir, haliyle ilk olarak Avrupa'daki uygulamalarla benzerlik gösteren noktalar vurgulanmıştır. İkinin de ortak kaygısı, düzenli, sağlıklı toplum ve ordudur. Buna rağmen, 1884 Talimatnamesi yalnızca

sağlık konusuna odaklanmaz. Daha birçok uygulamadan da bahseder. Vergi meselesi de bu bölümde hem Beyoğlu'nun seçilmesi açısından hem de kadınlardan alınacak verginin kadınlara ne ifade ettiği açısından gösterilmiştir. Vergi almak artık o özneyi meşru olarak tanımaktır, yaptığı işi de resmîleştirmek anlamına gelmektedir. Dolayısıyla 1884 Talimatnamesinin anlamı bu açıklamalarla daha net olmaktadır. Bu tez, 1884 Talimatnamesi ile Osmanlı Devleti'nin modern bir devlet hamlesi yaptığını savunmaktadır. Çünkü aslında teorik olarak bile olsa hukuken günah olan bir tanımlamadan artık vazgeçilmiş ve toplumun iyiliği için devlet kendi yaklaşımından taviz vermiştir. Burada önemli olan Osmanlı Devleti'nin neden yeterince çağdaş bulunmadığıdır, Osmanlı Devleti zamanı yakalamaya çalışmamış, Avrupalı Devletlerin zamanını yakalamaya çalışmıştır, haliyle modern bir devletti ancak bu tez onu yeterince çağdaş bulmamaktadır.

Sonuç bölümünden önceki son ana bölümde ise sağlık meselesi fuhuş üzerinden vurgulanmıştır. Sağlık kurumlarının eksikliği Osmanlı Devleti'nin Avrupalı emsalleri karşısında en büyük boşluğu idi, ancak bunu kısa sürede kapatmaya çalıştı.

Osmanlı orta ve üst sınıfı ile entelektüelleri arasında hızla yayılan sağlık saplantısı bu bölümde oldukça farklı açılardan anlatılmıştır. Foucault'un hastaneleşme teorisi Avrupa örnekleri ile açıklandı, bu pratikler Osmanlı uygulamaları ile karşılaştırıldı, ve aradaki temel farklılıkların motifleri açıklandı. Osmanlı Devleti, Batı Avrupa Devletleri gibi kadınlar üzerinde tam bir hegemonya sağlayamamıştı, bu "başarısızlığın" temel sebebi de alt yapı yetersizliği idi. Bu tez, tüm çabanın ardında tek bir baskın motivasyon olduğunu savunmaktadır: o da sağlık kaygısıdır. Sağlıklı bir topluma sahip olmak, aile kadınlarının milli görevi gibi anlatılmıştır.

Bir sonraki alt başlıkta, vücut çağı'nın Osmanlı Dünyası'nda ne anlama geldiği açıklanmıştır. Modern tıp ve modern devlet aygıtları Foucault'nun temel teorileri ışığında eleştirilmiştir. Bu tez, modern tıbbın ve modern devlet aygıtlarının 19. yüzyılda devletin iyiliği için işbirliğine gittiğini savunmaktadır. Bu işbirliğinin temel

motivasyonu tam olarak insanın sađlıđı deđildi. Örneđin, tam da bu dönemde bađımsız bir disiplin haline gelip, gittikçe güçlenen psikiyatri ve bazı disiplinler insanlar üzerinde alternatif güçler olarak kendilerini kabul ettirmeye başladılar. Suçluluk kavramını kendi tıbbi güçleri ile suiistimal edebildiler. Örneđin, psikiyatriye göre, insanlar kapitalist sistemin gerekliliklerin, yerine getirmezlerse deli ya da suçlu kabul edilebiliyorlardı.

Psikiyatristler gibi, cinsel yolla bulaşan hastalıklarla ilgilenen doktorlar da devlet aygıtları ile işbirliğine gittiler. Bu sözde modern söylem, tam olarak kadın düşmanlığının bin yıldan fazla süren tarihinin modern kelimelerle ifade edilmesi idi. Üstelik, bu defa milliyetçilik fikri de işin içine katılmıştı. Fahişeler, milli değerlere zarar verdikleri için bir de vatana ihanet ile suçlanıyorlardı. Çünkü her millet, kendi varlığını devam ettirebilmek için en sađlıklı topluma sahip olmalıydı ve fahişeler bu teoriye zarar veriyorlardı. Modern tıp, zamanında akıl hastalarına yaptığını birçok anlamda fahişelere de yaptı, bunu Avrupa'da daha kapsamlı ve uzun süre yapabildi, ancak Osmanlı Devleti alt yapı yetersizliği nedeniyle bu konuda Avrupa'yı yakalayamamıştı.

Bu ana konunun, geri kalanı hastalıklara ayrılmıştır. Geniş cođrafi sınırları yüzünden Osmanlı neredeyse daima çok sayıda salgın hastalıkla aynı anda baş etmek zorunda kalmıştır. Böylece, hijyen saplantısı ve hastalık fobisi doğmuş ve beslenmiş oluyordu. En tehlikeli salgın hastalıklar, sıtma, veba ve koleraydı. Bu hastalıklarla ilgili olabildiğince detaylı bilgi verildi, böylece Osmanlı'nın cinsel yolla bulaşan hastalıklara karşı tepkisel tavrının daha anlamlı olması umuldu. Bu hastalıkların teşhisi ve tedavisi bu dönemde kolay deđildi. Haliyle, herhangi bir salgın için alınacak ve işe yarayacak her tedbir her devlet için kıymetliydi. Yukarıda sayılan hastalıklara ek olarak, hızla yayılmaya başlayan cinsel yolla bulaşan hastalıklar için fuhşun resmîleşip, uygulamalar hazırlanması işe yarayacaksa bu yapılmalıydı. Osmanlı'nın pragmatik olma geleneđi burada yeniden hayat bulmuştu. Bu bölümün sonunda en

yaygın cinsel yolla bulaşan hastalık olan (ya da bu şekildeki birçok hastalığa bu isim veriliyordu) frengiye odaklanılmıştır.

Hastalığın tanımı, sözde tedavi yöntemleri ve isimlendirilişi bu bölümde anlatılmıştır. Çok sayıda alternatif tedavi uygulansa bile bu tedavilerin çok işe yaramadığı gösterildi. Frengi meselesinde Kastamonu'nun özel bir yeri vardı. Sahip olduğu coğrafi durum nedeniyle, Kastamonu sık sık frengi salgınlarına maruz kalıyordu. Hastaneler kurmak, doktorlar istihdam etmek için bu bölgenin ileri gelen devlet adamları ile başkent arasında sıklıkla yazışmalar olmuştur. Çok sayıda yerel sağlık komitesi kurulmuş, bunların başına da genellikle bir geleneğin devamı olarak muhtarlar atanmıştır.

Her ne kadar yüzlerce yıllık bir süreçten bahsedilse bile, en az değişen kurum, fuhuştur. Kadın ya da erkek fark etmez, fahişeler her zaman suiistimal edilmiş, tecavüz edilmiş, öldürülmüş ve işkenceler görmüştür. Ancak gene de bunlara kadınların daha fazla maruz kaldığı söylenilebilir. Bugün bile, iki baskın fikir hayattadır, ilki devlet bu insanlardan nefret eder ve onları tamamen görmezden gelir. Buna bağlı olarak, görmezden geldiği bu öznelere yönelik şiddeti de görmezden gelir. Böylece, devlet bu kadınları ya da adamları korumak ve onlara zarar verenleri cezalandırmak zorunda değildir.

Son dönem Osmanlı toplumunda etiketlenmek yalnızca fahişe olmak ile sınırlı değildir. Toplumsal hareketlere müdahil olmayanlar genellikle azınlık olarak isimlendirilirler ve hayatta kalmak için çok zorluk çekerler. Toplum bu insanlarla yakınlaşırsa kendi kimliğini kaybedeceğinden korkar. Her ne kadar bu tez, belli bir zaman dilimindeki belli grup insana odaklanıyor olsa bile, bu etiketlenme ve hayatta kalmak için güçlüklerle karşılaşmak tüm azınlıklar ve marjinaler için benzer boyuttadır. Toplum fahişeyi yargılar ve dışlar ancak onu fahişe olmayan bir özne varsa, bu kişiyi fahişe kadar suçlamaz ya da yargılamazlar. Ayrıca, arz talep ilişkisi de asla sorgulanmaz. Erkekler seks satın alırken suçlanmazlar, kadınlar bunu tek taraflı

yapıyor gibi yargılanırlar. Seks satın alan erkekler toplum tarafından görünmez gibi algılanırlar, bu arzın talebi yok gibi görünür. Sonuç olarak, kadınlar fuhuş meselesinde erkeklerin daima önünde ve görünür noktadadırlar.

Öte yanda, bu bir çeşit hayatta kalma mücadelesi olsa bile toplumlar bu durumu asla böyle okumazlar. Örneğin, Osmanlı toplumunda bir kadın hayatta kalmak için fahişelik yapıyor olamaz gibi bir algı yaratılmıştır. Sanki isteyerek, çok zengin olmak için ya da sadece “kötü” kadın olduğu ve aileleri yıkmak için bu işi yaptığı düşünülür. Diğer taraftan bir de kader kurbanı kadınlar vardır ki, toplum bunlara acır bunun karşılığında da ellerinden birey olmak ve karar verme yetisini alır. Osmanlı toplumu birçok açıdan esnek olsa bile, fuhuş ya da farklı bir kadın olmak bir tabudur. Bu kadınlarla zaman geçirenler, yani Freud’un değimi ile, tabuya dokunanlar da tabulaşırlar.⁴⁷³ Bunun üzerine toplum, bu yeni tabularla ilişkilerini yeniden şekillendirmek zorunda kalır.

19. yüzyıl Osmanlı fuhşunu, Avrupa fuhşundan ayıran temel bazı noktalar vardır, bunlardan birisi de fuhşun yalnızca cinsel bir eylem olmamasıdır. Genelevler, *umumhaneler* Osmanlı toplumunda erkeklerin mektepleridir, burada evlenmeden evvel cinselliği öğrenirler. Aynı zamanda başka birçok şey daha öğrendiklerini düşünürler, farklı açılardan eğitildiklerine inanırlar. Örneğin, kadınlara nasıl davranacaklarını buralarda öğreneceklerine inanırlar. Müslümanlara yasak olan içkiyi nasıl içeceklerini de burada deneyimleme şansları olur. Ayrıca, bir evde zaman geçirmek, aslında masa kurmak denilen bir racondur. Erkekler genellikle yalnız gitmedikleri bu evlerde, finansal olarak güçlerini birbirlerine bu masaların hesaplarını öderken göstermektedirler. Buralar, erkeklerin sosyal güçlerini birbirlerine gösterdikleri yerlerdir. Özellikle alt sınıf evlerde böyle olmasa da, yani istisnalar var olsa da aslında Osmanlı’da fuhuş Avrupa’daki endüstriyel seksten

⁴⁷³ Sigmund Freud, *Totem ve Tabu*, (İzmir: Cem Publisher, 2019), pp 38-40.

farklıydı. 1884 Talimatnamesi bunu kırıp, fuhşu endüstriyel bir şekilde sokmaya çalışmıştır.

Fuhşun, modern devletler tarafından çözülebilecek bir sorun olduğuna inanılmış olsa bile, bunun böyle olmadığı bugün devam eden fuhş trafiğinden anlaşılmaktadır. Ayrıca, fahişeliğin ve fuhşun sistem tarafından yaratıldığı da vurgulanmalıdır.

Bu tezin içinde de olmayan, fuhş meselesi ile ilgili hâlâ yeterince çalışılmamış konular var. Örneğin, kadın fuhşunda, kadınların işbirliği ve dayanışma sınırları henüz bilinmiyor. Ayrıca, bir iki çalışma dışında kendilerini nasıl konumlandıklarını da bilinmezliğini koruyor. Vergi ödemelerine rağmen kendilerini meşru bir çalışan olarak görüp görmedikleri de sır.

Öte yandan, devleti ve toplumu nasıl okudukları da bilinmemekte. Neredeyse tüm çalışmalar, bu tez de dahil, bu kadınlara devletlerin ve toplumların nasıl baktığına odaklanmaktadır, aksine maalesef henüz erişilmemiştir. Bir de talimatnamelerin içerikleri ya da hedefleri oldukça enteresandır. Örneğin 1876 yılında yayınlanan Bimarhane Nizamnamesi ya da 1884'teki Talimatname, özneleri değil mekânları hedef ve muhatap almaktadır. Bunun temel motivasyonu ne olabilir? Bu sorunun cevabı maalesef bu tezde doğrudan yer almamaktadır. Bu tezin bir diğer zayıf noktası da, referans olarak Avrupalı devletleri almış olmasıdır. Bu çalışma, her ne kadar batı temelli çalışmaları eleştirse de, Osmanlı Devleti'nin coğrafi konumu nedeniyle, batı merkezli bir metot izlemiştir. Bu çalışmanın daha gelişmiş bir versiyonunda, farklı bir coğrafi bölgede bulunan, farklı ortak noktalarına sahip Avrupalı olmayan bir toplumla kıyaslama yapılabilir.

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