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Exploring Marginality in the Ottoman Empire:
Gypsies or People of Malice (Ehl-i Fesad) as Viewed
by the Ottomans

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Abstract

The main premise of this study is to demonstrate how the Gypsies, (Roma) - both Muslim and non-Muslim, both settled and nomadic - were marginalized by the Ottoman State and society in Rumelia (*Rumili*) and İstanbul during the 'Classical Age' of this tri-continental Islamic Empire. The Ottoman state and the society's attitudes towards this marginal group are analyzed through the examination of the *Mühimme* Registers of the second half the sixteenth century and four major *Kanunnames* concerning the Gypsies issued in the fifteenth and sixteenth centuries. Travellers' accounts and Turkish oral traditions have also been used to explore the social status of the Gypsies in Ottoman society, as well as their image in Ottoman popular culture. The history of people who were marginal and voiceless in their societies is not just important for its own sake but for what it reveals about the nature of the societies in which they lived. Thus, this present work not only sheds light upon the history of the Gypsies but also attempts to open new grounds for further discussions on the functioning of the 'Plural Society' of the Ottoman Empire.

Keywords

Ottoman Empire, Marginality, Gypsies, Roma people

Introduction

The Ottoman State was established as a frontier principality on the edge of the Byzantine Empire at the beginning of the fourteenth century. By relying on the spirit of *gaza* (holy war on behalf of Islam) it gradually absorbed Byzantine lands in Anatolia and the Balkans. Then it marched towards the East. With the conquest of Mamluk Egypt in 1517, the Ottomans emerged as one of the most powerful states in the history of the Islamic world. During the reign of Sultan Süleyman I (1520-1566), the Ottoman State reached its peak not only in terms of territorial expansion but also in terms of state and societal structure, both of which evolved gradually through the combination of old Turkish traditions with Islamic principles as well as Byzantine practices.

Within an approximately three hundred year period, which is usually regarded as the ‘Classical Period’¹ of Ottoman history, the obligations and the rights of the ruler and the ruled were clearly defined. For the sake of peace and order, the borders (*hadd*) within which each individual or group could function were determined by different parameters. As a result, the Sultans’ subjects from different ethnic and religious backgrounds lived side by side with a minimum of conflict and friction in this tri-continental Islamic Empire for almost half a millennium. People from different ethnic backgrounds shared power with the Ottoman ruling class, albeit with certain provisions. Christians and Jews were considered autonomous but dependent communities.² So long as non-Muslims accepted the primacy of Islam and the supremacy of the Muslims, they were allowed to practice their religion as well as manage their internal affairs according to their own legal codes. Consequently, the multi-cultural, multi-ethnic and multi-religious reality of the Ottoman domain was sustained until the dissolution of the Empire in the early twentieth century.

In an attempt to open new avenues of inquiry into the functioning of this ‘Plural Society’ of the Ottoman Empire, the present study focuses on the Gypsies (Roma),³ one of the most under-researched communities of all Ottoman religious and ethnic groups. The first and foremost intention of this study is to determine how the Gypsies—both Muslim and non-Muslim, settled and nomadic—were legally

* Some parts of this paper will appear in *Studies in Contemporary Islam*.

* This study is based on my M.A thesis submitted to McGill University and supervised by Professor A. Üner Turgay to whom I owe a special debt of gratitude for his academic and moral support. I am also indebted to Professor Wael B. Hallaq, Michelle L. Hartman and Donald P. Little of the Institute of Islamic Studies for their valuable suggestions and persistent encouragement. Finally, I owe special thanks to Professor Dana Sajdi of Concordia University for her supportive enthusiasm along with helpful criticism.

1 The classical period stretches from 1300 to 1600 and represents the era marked by ‘an autocratic centralistic government and a command economy’. Halil İnalcık and Donald Quataert, ‘Introduction’, *An Economic and Social History of the Ottoman Empire (1300-1914)*, eds. Halil İnalcık and Donald Quataert (New York: Cambridge University Press, 1994), 1. Özer Ergenç defines the period as a process within which ‘the establishment of state institutions, creation of its fundamental systems, and production of its appropriate policies for the generated institutions’, emerged. Özer Ergenç, ‘Some Remarks on the Ottoman Classical System’, *The Great Ottoman Turkish Civilization*, Vol. V, ed. Kemal Çiçek (İstanbul: Yeni Türkiye), 313.

2 Ira M. Lapidus, *History of Islamic Societies* (Cambridge: Cambridge University Press, 1990), 332.

3 Since the term ‘Gypsy’ (a rendered form of ‘Egyptian’) and its derivatives have derogatory connotations, many Gypsies prefer to be identified as *Roma*, which means ‘men’ in the Romani language. The singular of the word is *Rom* and the adjective is *Romani*. However, there are some who would rather be called ‘Gypsies’ in the official language of their country of residence. See Zoltan Barany, *The East European Gypsies: Regime Change, Marginality, Ethnopolitics* (Cambridge: Cambridge University Press, 2002), 1; and David M. Crowe ‘Roma: The Gypsies’ *Encyclopedia of European Social History: From 1350-2000*, Vol. V, 449. In Modern Turkey, most Gypsies identify themselves as *Roman* because *Çingene* the most common word used to designate them has pejorative implications. See for instance Nazım Alpman, *Başka Dünyanın İnsanları Çingeneler* (İstanbul: Ozan Yayıncılık, 1997), 53-56. In the Ottoman texts, they are referred to as *Çingene* or *Kıpti* (‘Copt’, native Egyptian). Thus, in accordance with my sources, both primary and secondary, I generally use ‘Gypsies’ rather than ‘Roma’.

and socially marginalized due to their distinct culture. As will be shown, their marginalization was achieved through different mechanisms such as segregation, expulsion, and stigmatization.⁴ The study of marginal groups is not only important for its own sake but also for what it reveals about ‘the aspirations, fears, and conditions of the mainstream or dominant groups of society’.⁵ In this vein, study of the Gypsies in the Ottoman Empire would not only shed light on one of the most obscure phases of Gypsy history but also offer insights into the social and moral values of the Ottoman bureaucracy and Ottoman society in general.

Naturally, the question of the Gypsies in the Ottoman Empire is too broad to be treated comprehensively in a single work. Therefore, the limits of research are set in terms of time and space. The time span of this work falls into the fifteenth and the sixteenth centuries, the period during which the major laws pertaining to the Gypsies were issued. Sources from the later period have also been referred to in order to make the central questions of this study more explicit.

The geographical area under consideration consists of İstanbul and the province of Rumelia (*Rumili*), which comprised much of present-day Macedonia, Yugoslavia, Bulgaria, European Turkey and Northern Greece. In fact, the choice of Rumelia and İstanbul as the focus of this study is dictated by the availability and accessibility of the sources. Since the Gypsies had a strong presence in these areas during the fifteenth and the sixteenth centuries, there are more sources pertaining to them relative to other areas of the Empire. However, information pertaining to the Gypsies in Anatolia has also been referred to in order to provide the reader with a comparative perspective.

Sources

Historians of the Ottoman Empire have hitherto written extensively not only on the functioning of the polyethnic and multireligious nature of the Ottoman Empire but also on the specific ethnic and religious groups that made up this plural society. Yet although the Gypsies were a part of this society, they have not received sufficient academic attention from Ottoman scholars whether in Turkey or abroad.⁶ There in fact exists no comprehensive monograph on the Ottoman Gypsies written by the modern ‘Ottomanist historians’.⁷ However, the subject has received varying degrees of scholarly attention from anthropologists,⁸ linguists,⁹ political scientists,¹⁰ journalists,¹¹ historians of the

4 For further information on strategies of marginalization see for instance Robert Jütte in *Poverty and Deviance in Early Modern Europe* (Cambridge: Cambridge University Press, 1994), 159-177.

5 Robert Forster and Orest Ranum, ‘Introduction’, *Deviants and the Abandoned in French Society: Selections from the Annales*, Vol. IV, ed. R. Forster and O. Ranum (Maryland: The John Hopkins University Press, 1978), VIII.

6 For a detailed literature review on the subject see Faika Celik, ‘Gypsies in the Orbit of Islam: The Ottoman Experience (1450-1600)’ (M.A. Thesis, McGill University, 2003).

7 There are two monographs, however, which focus specifically on the Ottoman Gypsies. One is Alexandra Paspati’s, *Études Sur Les Tchinghianés ou Bohémiens de l’Empire Ottoman* (Constantinople: n.p. 1870). Since Paspati’s main argument was ‘la véritable histoire de la race Tchinghianée est dans l’étude de leur idiome’, he devoted most of his study to the language of the Gypsies. However, he also mentioned, albeit briefly, various aspects of Gypsy life, their religion, their settlements, their relation with the sedentary culture and the tensions between nomadic and sedentary Gypsies. The second monograph on the subject came out more than hundred years after Paspati’s work and was written by two Bulgarian scholars specialized on the Gypsies of Bulgaria and edited by a well-known scholar of Romani Studies. Elena Marushiakova and Vesselin Popov, *Gypsies in the Ottoman Empire: A Contribution to the History of the Balkans*, ed. Donald Kenrick, trans. Olga Apostolova (Hatfield, Hertfordshire: University of Hertfordshire Press; Paris: Centre de Recherches Tsiganes, 2000). The work of Marushiakova and Popov is indispensable not only for students of the Ottoman History but also for Romani studies as it presents the primary source material on the Gypsies living in the Balkan provinces of the Ottoman Empire and sheds light upon one of the obscure phase of the Gypsy history. However, translation mistakes that obscure the meaning of the original Ottoman archival sources, an elementary analysis of Ottoman society and especially the lack of footnotes detract from the value of the work.

8 See for instance Elena Marushiakova and Vesselin Popov, *Gypsies (Roma) in Bulgaria* (Frankfurt: Peter Lang, 1997), 18-26.

Balkans¹² and scholars of Romani studies.¹³ Though these works provide perspectives on the Ottoman Gypsies from comparative and multi-disciplinary angles, they treat the subject only briefly and in accordance with their specific disciplinary objectives.

Thus, while it takes into consideration the limited secondary source literature on the subject, this article is primarily based on published Ottoman archival documents, narrative sources and Turkish oral traditions. The four major *Kanunnames* that specifically concern the Gypsies represent one of the main primary sources that are used in this study. They are as follows: 1) *Rumeli Etrakinun Koyun Adeti Hukmi* (Decree on the Number of the Sheep of the Turks in Rumelia), promulgated during the reign of Mehmed II (1451-1481); 2) *Kanunname-i Cizye-i Cingenehan* (The Law of the Poll-Tax for the Gypsies), issued in 1497 during the time of Bayezid II (1481-1512); 3) *Kanunname-i Kiptiyan-i Vilayet-i Rumeli* (The Law of the Gypsies of Rumelia), enacted in 1530; and 4) *Cingane Yazmak İçün Tayin Olunan Emine ve Katibine Hüküm* (An Order to the Steward and his Scribe Appointed to Inscribe the Gypsies), endorsed in 1537 during the reign of Süleyman I (1520-1566).¹⁴ [See Appendix for the English translations of these laws.]

The most important question to be addressed, however, is how these *Kanunnames* help us to reconstruct the history of the Gypsies in the Ottoman Empire. As legal codes, the regulations do not tell us much about the Gypsies themselves. Rather, they delineate the intentions and practical concerns of the Ottoman bureaucracy: how to collect their taxes, how to benefit from the Gypsies through their professions, how to integrate the nomadic Gypsies into settled society and how to punish them for misconduct against the state as well as settled society. The *Kanuns* have been especially useful in evaluating how the Gypsies were referred to and categorized in the state documents and how these definitions of the Ottoman bureaucracy generated certain duties and restrictions imposed upon the Gypsies. However, it should be noted that as historical sources, one of the shortcomings of these legal texts is the lack of available information concerning their implementation.

In addition to the laws, this study also relies upon the *mühimme* registers of the second half of the sixteenth century, which include drafts and copies of the decrees decided upon in the Imperial Assembly.¹⁵ Since the registers contain summaries of complaints and petitions and the orders of the

(Contd.) _____

9 V. Friedman and R. Dankoff, 'The Earliest Text in Balkan (Rumelian) Romani: A passage from Evliya Çelebi's *Seyahatname*', *Journal of Gypsy Lore Society*, I (1991): 1-21.

10 Zoltan Barany, *The East European Gypsies*, 23-31 and 83-95.

11 Bart McDowell, *Gypsies: Wanderers of the World* (Washington: The National Geographic Society, 1970), 144-160; Nazım Alpman, *Bir Başka Dünya'nın İnsanı Çingenerler*.

12 See Peter F. Sugar, *South Eastern Europe under Ottoman Rule (1354-1804)* (Seattle and London: University of Washington Press, 1977), 77, 86, 103 and Noel Malcolm, *Kosovo: A Short History* (New York: New York University Press, 1998), 205-209.

13 Angus Fraser, *The Gypsies* (Oxford and Cambridge: Blackwell, 1992), 173-178.

14 The facsimiles, transliterations as well as concise interpretations of these laws are found in Ahmed Akgündüz's *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, 8 Vols (İstanbul: Fey Vakfı Yayınları, 1989-), I/397-400, II/ 383-386, VI (2) / 511-514 and 520-523. For the transliteration of *Rumeli Etrakinun Koyun Adeti Hukmi* (The decree on the number of the Sheep of the Turks in Rumelia) see also Robert Anhegger and Halil İncalcık, *Kanunname-i Sultan-i Ber Muceb-i Örf-i Osmani: II. Mehmed ve II. Beyazıd Devirlerine Ait Yasakname ve Kanunnameler* (Ankara:Türk Tarih Kurumu Basımevi, 1956), 39-40. For *Kanunname-i Kiptiyan-i Vilayet-i Rumeli* (The Law of the Gypsies of Rumelia)'s transliteration see, for example, Ömer Lütfi Barkan, *XV. ve XVI. Asırlarda Osmanlı İmparatorluğunda Zirai Ekonominin Hukuki ve Mali Esasları: Kanunlar*, vol.1 (İstanbul: İstanbul Üniversitesi Edebiyat Fakültesi Yayınları, 1945), 249-250. For very brief interpretation of the same law see Suraiya Faroqhi, *Coping with the State: Political Conflict and Crime in the Ottoman Empire 1550-1770* (İstanbul: The Isis Press, 1995), 141.

15 For further detail on the *Mühimme* Registers, see Uriel Heyd, *Ottoman Documents on Palestine, 1552-1615: A study of Firman According to the Mühimme Defteri* (Oxford: Clarendon, 1960), Halil İncalcık, 'Ottoman Archival Materials on Millets' *Christians and Jews in the Ottoman Empire*, Vol II. (New York and London: Holmes and Meier Publishers, 1982), 438-449 and Karen Barkey, *Bandits and Bureaucrats: The Ottoman Route to State Centralization: The Ottoman Route to State Centralization* (Ithaca and London: Cornell University Press, 1994).

Sultan in response to these, they serve to demonstrate the central government's attitudes towards problems taking place in the Ottoman capital and the provinces. In this study, the *mühimme* registers have been used to evaluate how Gypsy marginality was perceived and defined by the state. They are also extremely valuable in the analysis of the state's actions in response to problems that were caused by the Gypsies and the measures adopted by the state to deal with them.¹⁶

In addition to state documents, narrative sources such as travel accounts and oral traditions in the form of metaphors and proverbs are invaluable for examining the image of the Gypsies in Ottoman-Turkish popular culture. Moreover, despite their limitations as historical sources, the plays of Karagöz or Turkish Shadow Theatre also provide information regarding to Ottoman-Turkish stereotyping of the Gypsies.¹⁷

To summarize, these legal texts and imperial edicts as well as narrative sources and oral traditions can help us to reconstruct a history of the Gypsies in the Ottoman Empire, though only (and regrettably) from the point of view of the governing elite and mainstream society.

Gypsies' 'Marginality' as Reflected in the Mühimme Registers

In the year 1564 an imperial decree was issued from the seat of the *Memalik-i Mahruse* (the 'divinely protected domain of the House of Osman') to all Ottoman provincial and sub-provincial governors and judges of the respective sub-provinces, informing and commanding them as follows:

Currently, in your dominions some groups of wanderers and Gypsies (*kurbet ve çingan tayifesi*) have emerged and have been engaging in various unlawful activities (*enva-ı muharremat ve esnaf-ı münkerat*) and behaving immorally (*fisk [u] fücur*). They have been wandering in the cities, towns and villages. With their prostitutes and their entertainment and musical instruments, they have been going to social gatherings and bazaars where there are huge crowds, misleading whomever they meet and disturbing the public peace. While passing through neighbouring cities, in the scarcely populated areas, they have been murdering and plundering those upon whom they can prevail and travellers, and they have been constantly causing disorder and not refraining from such abominable acts [*dayıma fesad ü şenaatden hali olmayub*]. Since the removal of the harms that they have caused is necessary and indispensable, I have ordered that [...]¹⁸

This decree is but one example of many that can be found in the *mühimme* registers (the records of the Imperial Assembly) from 1558-1569 pertaining to the Gypsies' 'marginality' or their 'non-

16 The *mühimme* registers employed in this study were reproduced, transliterated and summarized with an index by the Başbakanlık Devlet Arşivleri Genel Müdürlüğü in Ankara and they are as follows: *3 Numaralı Mühimme Defteri (966-968 / 1558-1560)*, 2 vols. [Vol. I: Özet ve Transkripsiyon. Vol. II: Tıpkıbasım.], Yayına Hazırlayanlar: İsmet Binark, Necati Aktaş, Necati Gültepe (Ankara: T. C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 1993); *5 Numaralı Mühimme Defteri (973 / 1565-1566)*, 2 vols. [Vol. I: Özet ve Index. Vol. II: Tıpkıbasım.], Yayına Hazırlayanlar: İsmet Binark, Necati Aktaş, Necati Gültepe (Ankara: T. C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 1994); *6 Numaralı Mühimme Defteri (972 / 1564-1565)*, 3 vols. [Vol. I-II: Özet, Transkripsiyon ve Index. Vol. III: Tıpkıbasım.], Yayına Hazırlayanlar: İsmet Binark, Necati Aktaş, Necati Gültepe (Ankara: T. C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 1995); *7 Numaralı Mühimme Defteri (975-976 / 1567-1569)*, 6 vols. [Vol. I-IV: Özet, Transkripsiyon ve Index. Vol. V-VI: Tıpkıbasım.], Yayına Hazırlayanlar: Murat Şener, Nurullah İşler, H. Osman Yıldırım (Ankara: T. C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 1997); *12 Numaralı Mühimme Defteri (978-979 / 1570-1572)*, 3 vols. [Vol. I-II: Özet, Transkripsiyon ve Index. Vol. III: Tıpkıbasım.], Yayına Hazırlayanlar: İsmet Binark, Necati Aktaş, Necati Gültepe (Ankara: T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 1996). Although I referred to the facsimiles of these documents; I used their transliterated versions and footnoted them accordingly. Thus, hereafter they are referred as MD. The numbers following represent the volume of the *Mühimme Defter*, volume of its transliterated version (in parenthesis) page and series numbers.

17 Most of them were recorded by a court shadow master, Nazif Efendi, at the end of the nineteenth century Metin And, *Karagöz: Turkish Shadow Theater* (Ankara: Dost Yayınları, 1979), 61 and Necmi Erdoğan, 'Devleti 'idare etmek': Mâduniyet ve düzenbazlık', *Toplum ve Bilim* 83 (1999-2000): 22.

18 MD 6 (I), 114. 206.

conformity to legal or social norms'.¹⁹ According to the registers, murder, theft, vagrancy, prostitution—as illustrated in the above document—were the most common forms of the Gypsies' deviancy.²⁰ Another unlawful activity often associated with the Gypsies in the registers was counterfeiting. For instance, according to a story recorded in 1565, a counterfeiter named Çilingir Sinan (Sinan the key maker) was caught by the Ottoman authorities. During his interrogation, Sinan revealed the name of his partners. Not surprisingly, one of his partners was a Gypsy named Elsüz Çingene (Gypsy without a hand). However, Elsüz Çingene was not alone; his sons were also involved in the case.²¹ According to another imperial order that was dispatched to the judges of Rumelia in 1567, we are informed that some Gypsies were not only involved in counterfeiting, theft and vagrancy but also in swindling villagers with fake silver coins (*kalb akça*) in order to obtain the villagers' produce.²²

Having delineated the most common manifestations of Gypsy marginality, what needs to be addressed next is how the Ottoman State dealt with this marginal group, which was often labelled as *ehl-i fesad* (people of malice) in the registers.²³

The Ottoman State's Policy towards the Gypsies or People of Malice (*Ehl-i Fesad*)

The legal status of the Gypsies in Ottoman society is atypical considering the principles on which Ottoman social structure was based.²⁴ The sources that nurtured the development of this structure were diverse and varied; nevertheless the basic ideology that shaped the social organization was based to a large extent on Islamic principles. The State identified itself as Islamic and devoted itself to the promotion of the faith and application of the *şeriat*. The *kanuns* or sultanic legislation and local practices of the conquered territories also incorporated these ideals. However, in practical terms, the concept of 'religious community' was increasingly promoted as the basic unit of administrative organization with the inclusion of large non-Turkic and non-Muslim populations.²⁵ Already by the second half of the fifteenth century, the Sultan's subjects were organized along confessional lines. Membership in a given confessional community or *millet* was one of the crucial factors in determining a subject's rights and obligations. From the Ottoman point of view, rather than ethnic and linguistic solidarity, religion was the basis of the communal identity.²⁶

19 Research on marginality still occupies a marginal status in modern Ottoman historiography. There are, however, a few critical assessments on the marginal segments of the Ottoman society such as T. Ahmet Karamustafa, *God's Unruly Friends: Dervish Groups in the Islamic Later Period (1200-1550)* (Salt Lake City: University of Utah Press, 1994); Ahmet Yaşar Ocak, *Osmanlı İmparatorluğu'nda Marjinal Sufilik: Kalenderiler (XIV-XVII. Yüzyıllar)* (Ankara: Türk Tarih Basımevi, 1992); idem, *Osmanlı Toplumunda Zındıklar ve Mülhidler (15. ve 17. Yüzyıllar)* (İstanbul: Tarih Vakfı Yurt Yayınları, 1998). This study adapts flexible working definition of 'marginality' provided in Eugene Rogan, 'Introduction', in *Outside In: On the Margins of the Modern Middle East*, ed. Eugene Rogan (London and New York: I. B. Tauris, 2002), 3.

20 See for instance MD 5 (I), 35.186; MD 5 (I), 58.311; MD 5 (I), 231.1438; MD 7 (I) 110. 216; MD 12 (I), 228.344.

21 MD 6 (II), 213.1196. Suraiya Farouqi presents a similar case in which a Gypsy was accused of being a counterfeiter in her *Coping with the State: Political Conflict and Crime in the Ottoman Empire*, 133-143.

22 MD 7 (I), 110.216.

23 See for instance MD 5 (I), 58.311; MD 5(I); 256.1595; MD 6 (I), 312.569; MD 7 (I), 30.66

24 For this view see Elena Marushiakova and Vesselin Papov, *Gypsies (Roma) in Bulgaria*, 22; idem, *Gypsies in the Ottoman Empire: A Contribution to the History of the Balkans*, 33-34; Eyal Ginio 'Exploring "the Other": Margaret Hasluck and the Ottoman Gypsies'. Paper presented at the conference *Anthropology, Archeology and Heritage in the Balkans and Anatolia or The life and Times of F.W. Hasluck. (1878-1920)*, Organized by Center for the Study of South Eastern Europe at the University of Wales, Gregynong, 3rd and 6th November 2001. I owe special thanks to Dr. Eyal Ginio for allowing me to use this unpublished study of his. Without this study my paper would have taken a completely different direction.

25 Kemal Karpat, 'The Ottoman Ethnic and Confessional Legacy in the Middle East', in *Ethnicity, Pluralism and the State in the Middle East*, ed. Milton J. Esman and Itamar Rabinovich (Ithaca and London: Cornell University Press, 1988), 39-40.

26 Ibid., 37.

Conversely, the administration of the Gypsies was based on ethnicity rather than religious affiliation.²⁷ For the Gypsies of Rumelia in the sixteenth century, this arrangement can be seen through an examination of the administrative unit called the *liva-i çingane*. In the Ottoman provincial administration the *liva* or *sancak* was used to designate ‘a district encompassing, at rough estimate, an area of several thousand square miles and a population perhaps a hundred thousand on the average’.²⁸ On the other hand—despite their fragmentary nature—the sources on the subject suggest that the *liva-i çingane* or *çingane sancağı* (sub-province of Gypsies) was not a geographical entity. Rather, it was a political and administrative division that was formed for the organization of the Gypsies in Edirne, İstanbul and the rest of Rumelia likely at the end of the fifteenth and the beginning of the sixteenth century.²⁹ The sources on the historical geography of the Ottoman Empire also provide further evidence that the *liva-i çingane* or *çingane sancağı* was not a geographical district that constituted part of the province of Rumelia.³⁰ As *the Law of the Gypsies of Rumelia (Kanunname-i Kiptiyan-i Vilayet-i Rumeli)* indicates, Muslim and non-Muslim Gypsies, whether settled or nomadic, were attached to this administrative sub-province based upon their ethnicity.³¹ The head of the sub-province, called the *mir-i kibtiyan*, *çingene sancağı beği* or *çingene beği*, like a confessional community leader, was made responsible for collecting the taxes from his Gypsy community and the organization of its relations with the state.³² Whether this leader was appointed from among the Gypsies is not clear, at least from the sources that have been consulted for this study.

Yet despite the fact that Muslim and Christian Gypsies were attached to the same administrative unit, their obligations towards the state—the most important being that of taxation—were different. *The Law of the Gypsies of Rumelia* for instance commands that:

Muslim Gypsies of İstanbul, Edirne and other places of Rumeli pay a twenty-two *akçe* tax for each household and for each bachelor. Infidel Gypsies (*kafir çingeneler*) pay a twenty-five *akçe* poll-tax (*ispenç*) for each household and for each bachelor. As for their widows, they give a six-*akçe* tax.³³

However, Muslim Gypsies were obliged to pay less tax than non-Muslim Gypsies, provided that they did not intermingle or migrate with their non-Muslim counterparts. Otherwise, they were required to pay *cizye* as well as be subjected to punishment.³⁴ Indeed, the basis of this regulation can be found in the *Decree on the Number of the Sheep of Rumelian Turks (Rumeli Etrakinun Koyun Adeti Hukmi)* of Mehmet the Conqueror which commands that:

A Muslim Gypsy should not reside with an infidel (*kafir*) Gypsy, but should intermingle with the Muslim Gypsies. However, if he continues to reside [with infidel Gypsies] and does not intermingle with the Muslims, then detain him and collect his poll tax.³⁵

27 Elena Marushiakova and Vesselin Popov, *Gypsies (Roma) in Bulgaria*, 22; idem, *Gypsies in the Ottoman Empire*, 47.

28 Metin Kunt, *The Sultan's Servants: The Transformation of Ottoman Provincial Government 1550-1650* (New York: Columbia University Press, 1983), 14.

29 On this question compare for instance M. Tayyib Gökbilgin, ‘Çingeneler’, *İslam Ansiklopedisi*, III: 423; Mithat Sertoğlu, *Resimli Osmanlı Ansiklopedisi* (İstanbul: İstanbul Matbaası, 1958) 68-69; E.M. Şerifgil, ‘XVI. Yüzyılda Rumeli Eyaletindeki Çingeneler’, *Türk Dünyası Araştırmaları Dergisi* 15 (1981): 129-135; İsmail Haşim Altınöz, ‘Osmanlı Toplumunda Çingeneler’, *Tarih ve Toplum* 137 (May 1995): 27; idem ‘Osmanlı Toplum Yapısı İçinde Çingeneler’, *Türkler* Vol. X. (Ankara: Yeni Türkiye Yayınları, 2002), 429-430; E. Mariushiakova and V. Popov, *Gypsies in the Ottoman Empire*, 35.

30 Donald Edgar Pitcher, *An Historical Geography of the Ottoman Empire* (Leiden: Brill, 1972), 136-138 and map XXVII; Metin Kunt, *Sancaktan Eyalete: 1550-1650 Arasında Osmanlı Ümerası ve İl idaresi* (İstanbul: Boğaziçi Üniversitesi Yayınları, 1978), 16 and 18.

31 See Appendix, Document III.

32 Ibid. See also Sertoğlu, *Resimli Osmanlı Ansiklopedisi*, 68-69.

33 Appendix, Document III, article 1.

34 Ibid.

35 Appendix, Document I, article 1.

The second indication that the Ottoman state classified Gypsies according to their ethnicity and segregated them from the rest of the society in terms of administration comes from the census documents. According to Kemal Karpat, in the population registers of the fifteenth and sixteenth centuries, the Ottomans classified their subjects as Muslims and non-Muslims. The latter were further classified as Christian, Armenian or Jewish. Then he adds, ‘oddly enough, [there is] a separate classification for *Kıpti*, i.e., Gypsies’.³⁶ The term *Kıpti* deserves further explanation for the purposes of this study. In Arabic as well as in Ottoman Turkish, *Kıpti* means ‘Copt’ or ‘native Egyptian’. As is the case with the English ‘Gypsy’, Spanish ‘*Gitano*’ and French ‘*Gitane*’, the Ottoman usage of *Kıpti* results from the common belief during the period that the Roma originated in Egypt.³⁷ According to Stanford Shaw, because of this terminology the Gypsies were mistakenly attached to the Armenian *millet*.³⁸ In discussing the Armenian *millet*, Selahi Sonyel also states that:

He [the Armenian Patriarch] also ruled over all the Christians who did not belong to the Greek Orthodox Church. These included the Monophysitic churches of Asia Minor, and later Africa such as the Jacobites, Syrians, Ethiopians, Georgians, Chaldeans, Copts and *all the Gypsies of the Empire*, in matters of civil law.³⁹

In fact, according to the imperial decree that was bestowed upon the Armenian Patriarch of Jerusalem in 1517 by Selim I, Copts were attached to the Armenian *millet* along with Ethiopians and Syriac Christians. However, there is no indication in this decree that the Gypsies were also included in the above-mentioned confessional community.⁴⁰ Furthermore, according to İsmail Haşim Altınöz, ‘the Gypsies living in the Ottoman Empire were never granted Millet status and they were never attached to any Muslim or Christian confessional community. Indeed, they were treated as a guest being awaited in the hall.’⁴¹ Thus, whether the Gypsies were officially attached to any *millet* in the period under consideration is a question that requires further investigation.

In Ottoman society, the place of each individual or group was fixed for the sake of peace and order. However, there were some avenues of upward social mobility as far as the subject class was concerned. The *devşirme* system, or periodic levy of (mainly) Christian boys, was certainly one of them. However, this prospect was not open to all the subjects of the Sultan. Romanians, Wallachians and Moldavians were not recruited because they were vassals and not subjects of the Sultans. Jews and predictably Gypsies were left out as well. According to Goodwin, the former were spared because they were professionals who served the great Pashas and whose faith was as firm as that of any Muslim, while the latter were clearly detested.⁴² Thus, Gypsies were not permitted to exploit this window of opportunity because they were stigmatized as a morally and sexually corrupt people.

However, some Gypsies served in the army by performing auxiliary services, even though they were not identified as a part of the ruling class (*askeri*) but instead classified as *müsellems* (literally, exempt).⁴³ In return for services performed during campaigns, such as casting cannon balls, carrying and repairing guns and building roads, they were not only granted lands to cultivate but also exempt

36 Kemal Karpat, ‘The Ottoman Confessional and Confessional Legacy in the Middle East’, in *Ethnicity, Pluralism and the State*, 45.

37 Gökbilgin, ‘Çingeneler’, 421; Şerifgil, ‘XVI. Yüzyılda Rumeli Eyaletindeki Çingeneler’, 128 and G.L. Lewis and Ch. Quelquejay, ‘Çingâne’, in *The Encyclopedia of Islam*. 2nd edition, II: 40.

38 Stanford Shaw, *History of the Ottoman Empire and Modern Turkey*, vol. I, *Empire of The Gazis* (Cambridge: Cambridge University Press, 1977), 152. Shaw does not explain when the Gypsies were attached to the Armenian Millet nor does he cite any source.

39 Selahi Sonyel, *Minorities and the Destruction of the Ottoman Empire* (Ankara: Turkish Historical Society Printing House, 1993), 45 (italics are mine). For a similar argument see Tankut Soykan, *Osmanlı İmparatorluğunda Gayri Müslimler* (İstanbul: Ütopya Kitabevi), 212.

40 Yavuz Ercan, *Kudüs Ermeni Patrikhanesi* (Ankara: Türk Tarih Kurumu Basımevi, 1988), 15-17.

41 İsmail Haşim Altınöz, ‘Osmanlı Toplumunda Çingeneler’, 27.

42 Godfrey Goodwin, *The Janissaries* (London: Saqi, 1999).

43 For further information on *Müsellems* see Fatma Müge Göçek, ‘Müsellemler’, in *The Encyclopedia of Islam*, 2nd edition, VII: 665.

from certain taxes. Since their services were so valuable to the Ottoman army they were ranked between the ruling and the subject class; however, they were never permitted to achieve *askeri* status.⁴⁴

Partly due to the stigma attached to the Gypsies and partly due to the Ottomans' desire for a settled society with predictable revenues, the movements of the Gypsies were restricted.⁴⁵ For instance, according to an imperial decree issued in 1572, they were forbidden to traverse back and forth from the Rumelian to the Anatolian side by way of the straits. If they did so, they were to be imprisoned.⁴⁶ Furthermore, they were strictly forbidden to ride a horse or carry a weapon. In fact, these restrictions were imposed upon other non-Muslim subjects as well but as the *mühimme* registers reveal, the central government was very keen to enforce these restrictions on the Gypsies who, with their horses and weapons, were identified as sources of social discontent as well as causing moral and civil disorder.⁴⁷ At some point in the sixteenth century, they were not even allowed to work as dealers (*cambaz*) in the horse market of İstanbul.⁴⁸ Thus, attempts were always being made to control the movements of the Gypsies and to segregate them from the rest of the population; indeed, they were not allowed to settle anywhere in a city except for the specific quarter assigned to them. Not surprisingly, these quarters were not in the centre of the city but on the outskirts or in relatively peripheral neighbourhoods. In İstanbul, for example, they were originally relegated to the quarter of Edirne Kapısı.⁴⁹ And although many eventually succeeded in obtaining residences in the inner circles of the city, this caused tension from time to time and measures were inevitably taken to expel them from those places. In a decree issued in 1763, for example, we are informed that the Gypsies had begun to live in the Fatih district, which was known for its educational, religious and commercial importance.⁵⁰ According to the verdict, since the Gypsies had been partaking in various sinful activities, they were to be expelled to Edirne Kapısı where they had been living in the past.⁵¹ However, as the criminal code of Sultan Süleyman I indicates, the expulsion of the Gypsies from cities (as well as from the countryside) due to their marginality had a long precedent. According to the decree:

Some gypsies are not settled in small towns or villages and do not go peaceably about [their] business, but arm themselves, mount on the horseback and roam the villages and countryside, oppressing and wronging the peasants. These [offenders] have since ancient times been called (?). *As an old kanun prescribes* that such mischief makers shall be expelled and driven from the country [...]⁵²

To sum up, the Gypsies were marginalized by the Ottoman state. In the state documents, they were stigmatized as *ehl-i fesad* (people of malice), and in practice segregated from the rest of society by the Ottoman authorities. However, this segregation was less spatial in nature than it was administrative. Furthermore, as the Gypsies were often seen as 'social liabilities' because of their way of life and the threat this posed to the stability of Ottoman sedentary society, attempts were made to control their movements. Moreover, they were not allowed to settle anywhere in a city except in specific quarters assigned to them, and whenever they managed to obtain residence in city centres, measures were eventually taken to expel them. However, there is no indication in the sources that they were used as

44 Halil İnalcık, 'The Nature of Traditional Society', in *The Ottoman Empire: Conquest, Organization and Economy*, ed. Halil İnalcık (Variorum Reprints: London, 1978), 44.

45 Indeed not only the movements of the Gypsies but also the movements of other nomadic groups were restricted as a result of the same considerations. See for instance Paul Lidner's *Nomads and Ottomans in Medieval Anatolia* (Bloomington: Research Institute for Inner Asian Studies, Indiana University, 1983).

46 MD 6 (I), 108.903.

47 See for instance MD 7 (I), 110.215; MD 7 (I), 110.216; MD 7(I), 402.836; MD 7 (III), 185.2344

48 MD 7(I), 481.1010.

49 Tayyib Gökbilgin, 'Çingeneler', 425.

50 Halil İnalcık, 'İstanbul', in *The Encyclopedia of Islam*, 2nd edition, IV: 229.

51 Ahmet Refik, *Hicri On İkinci Asırda İstanbul Hayatı (1100-1200)*, 198-199.

52 Uriel Heyd, *Studies in Old Ottoman Criminal Law*, 120. The italics are mine except for *kanun*.

slaves, which was the practice in Moldavia and Wallachia during the same period. Nor, as was the case in Europe, were they actively persecuted for their non-conformity to accepted legal and social norms.⁵³

Professions as a Source of Social Marginalization

The hierarchy of professions or trades in a given society reflects not only social and economic realities of that society but also its mentalities.⁵⁴ To provide a hierarchical schema of all of the professions performed in Ottoman society is well beyond the scope of this study. However, we can present some of the most common professions practiced by Gypsies and offer glimpses into how those professions were dealt with by the state and considered by the rest of society. This will shed light on the extent to which the professions of the Gypsies contributed to their social marginalization in Ottoman society.

The sources reveal that the most common professions held by the Gypsies were in the entertainment business. As ‘entertainers’ they formed a quite heterogeneous category in which they functioned as musicians, boy and girl dancers as well as animal trainers.⁵⁵ In the *mühimme* registers, they were often portrayed as itinerant entertainers serving the common people through organizing parties. During these parties, they were involved in singing, dancing and prostitution. Due to their engagement in such ‘vice trades’, other people often despised the Gypsies and brought their complaints before the authorities, asking for their expulsion from their communities.⁵⁶ Apart from itinerant Gypsy entertainers in Anatolia and Rumelia, our sources indicate that in İstanbul there were professional Gypsy musicians as well as girl and boy dancers who belonged to guilds involved in the entertainment business.⁵⁷ According to the celebrated seventeenth century traveller Evliya Çelebi (1611-1679), these professional entertainers’ guilds (*kols*) numbered almost three hundred during his time and were an indispensable part of wedding processions held by the palace and the governing elite as well as of public festivals.⁵⁸ Among these professional entertainers, dancing girls (*çengi*) and dancing boys (*köçek*) were often associated with homosexuality as they performed more often than not before audiences of the same sex.⁵⁹ Another well-known category of Gypsy entertainers was that of bear-trainers. According to Evliya Çelebi, they also formed a guild in İstanbul.⁶⁰ Gypsies with their dancing bears seemed to be integral to the most populated areas of the imperial capital. Indeed, watching dancing bears appeared to be the most common and simple entertainment occasion for ordinary people.⁶¹ Though Gypsies have exercised this profession until recently in Turkey, their involvement with it frequently caused tension. For instance, according to the imperial decree that was sent to the judge of İstanbul in 1761, we are informed that the Gypsies had begun to live among the Muslim residents of the Hoca Ali quarter of Edirne Kapı, and that the residents of the quarter were concerned by the Gypsies’ unsanitary

53 For a comparison of the attitudes towards the Gypsies in the Ottoman Empire and Europe see, for instance, Angus Fraser, *The Gypsies*, 173-178; Zoltan Barany, *The East European Gypsies*, 83-95.

54 Jacques Le Goff, ‘Licit and Illicit Trades in the Medieval West’, in *Time, Work and Culture in the Middle Ages*, trans. Arthur Goldhammer (Chicago and London: The University of Chicago Press, 1980), 58-70; Bronislaw Geremek, ‘The Marginal Man’, in *Medieval Callings*, ed. Jacques Le Goff, trans. Lydia G. Cochrane (Chicago and London: The University of Chicago Press, 1990), 347-373.

55 As Mariushkova and Popov demonstrate from the tax register of 1522-23, the most common occupation of the Gypsies of Rumelia was pertained to music and they were often recorded as *sazende*. *Gypsies in the Ottoman Empire*, 41.

56 See, for instance, MD7 (I), 52.100; MD5 (I), 35. 186. See also Mustafa Akdağ, *Türk Halkının Dirlık ve Düzenlik Kavgası: Celali İsyancıları* (Ankara: Bilgi Yayınevi, 1977), 150.

57 Evliya Çelebi, *Seyahatname*, vol. 1 (İstanbul: İkdam Matbaası, 1314/1896-97), 646-649. Reşat Ekrem Koçu, *Tarihte İstanbul Esnafı* (İstanbul: Doğan Kitap, 2002), 39-46.

58 Evliya Çelebi, *Seyahatname*, vol. 1, 645.

59 Reşat Ekrem Koçu, *Tarihte İstanbul Esnafı* (İstanbul: Doğan Kitap, 2002), 39.

60 Evliya Çelebi, *Seyahatname*, vol. 1, 561.

61 Robert Mantran, *La Vie Quotidienne à İstanbul au Siècle de Soliman Magnifique* (Paris: Hachette, 1990), 283.

animals, their possession of flammable material which they used to make brooms, as well as their engagement in many varieties of sinful activities (*enva-i fuhşiyat*). Consequently, they petitioned the authorities to expel the Gypsies from their quarter. Accordingly, the Sultan ordered the judge of İstanbul to remove the Gypsies from the said quarter, which had been historically a Muslim neighbourhood.⁶²

The Gypsies were particularly identified with prostitution. In fact, according to one western traveller to sixteenth century İstanbul, a great many brothels in İstanbul were run by Gypsies.⁶³ Furthermore, in the tax registers of sixteenth century Rumelia 'there were even whole tax communities registered for fiscal purposes as gaining their income from this trade [prostitution]'.⁶⁴ According to the *şeriat*, prostitution is a *zina* crime, the punishment for which is 100 hundred lashes for an unmarried culprit and stoning to death for a married offender.⁶⁵ However, evidence suggests that prostitutes were rarely given corporal punishment in the Ottoman Empire.⁶⁶ In fact, prostitution was accommodated by the state because it was a lucrative source of revenue. The wording of *The Law the Gypsies of Rumelia* promulgated in 1530, is worth noting in this regard. In it, the Sultan commands that 'the Gypsies of Rumelia, İstanbul, Edirne, Filibe and Sofya pay one hundred *akçe* as a tax (*kesim*) in every month for their wives who are involved in unlawful sexual intercourse (*na meşru fiile mübaşeretl iden*)'.⁶⁷ The *mühimme* registers also provide information on the state's attitude towards prostitution in some Gypsy communities. For instance, according to a decree issued in 1570, Gypsies were accused of using their wives and daughters for prostitution and retaining the profits this generated without giving the state its due.⁶⁸

It appears that iron-making was another traditional Gypsy craft. Due to this skill, some Gypsies were valued by the Ottoman state and exempted from the poll-tax as early as the fifteenth century.⁶⁹ Sources from a later period provide further information on the occupations of the Gypsies. According to one European traveller of the early nineteenth century, the Sultans' executioners were often chosen from the Gypsies.⁷⁰ Fortune telling was another profession practiced by the Gypsies.⁷¹ Apparently İstanbul's famed fortune-tellers of the second half of the nineteenth century were all Muslim Gypsy women.⁷²

Gypsies therefore engaged in various professional activities and fulfilled a niche in Ottoman society. However, some of their occupations, such as the performing of music, dance and prostitution were condemned by Islamic law and forbidden to Muslims. Due to their involvement in these practices, Gypsies' lifestyles were considered immoral and detrimental to the well-being of non-Gypsy communities. The petitions presented to the Ottoman authorities demanding their expulsion from certain neighbourhoods serve as evidence of this attitude. On the other hand, the state was pragmatic and used some of the professional skills of the Gypsies for its own benefit. For instance, Gypsies were granted *müsellem* status due to their iron-making expertise and exempted from certain taxes in return for their auxiliary service in the army. The same practical concern can be observed in the state's

62 Ahmed Kal'a, (ed.), *İstanbul Ahkâm Defterleri: İstanbul'da Sosyal Hayat*, vol. 2 (İstanbul: İstanbul Araştırmaları Merkezi, 1997-), 238-239.

63 Metin And, *Istanbul in the 16th Century: The City, the Palace and Daily Life* (İstanbul: Akbank Culture and Art Publication, 1994), 90.

64 Mariushiakova and Popov, *Gypsies in the Ottoman Empire*, 45.

65 Elyse Semerdjian, 'Sinful Professions: Illegal Occupations of Women in Ottoman Aleppo, Syria', *Hawwa* 1 (2003): 70.

66 Ibid., 70-73.

67 Appendix, Document III, article 2.

68 MD 12 (I), 228.344.

69 Appendix, Document I, article 3.

70 R.W. Halliday, 'Some Notes upon the Gypsies of Turkey', *Journal of the Gypsy Lore Society*, 1(1922):168.

71 G. Alexander Paspati, 'Memoir on the Language of the Gypsies, As Now Used in the Turkish Empire', *Journal of the American Oriental Society*, 7 (MDCCCLXII): 146.

72 Abdülaziz Bey, *Osmanlı Adet, Merasim ve Tabirleri: İnsanlar, İnanışlar, Eğlence, Dil*, vol. 2, ed., Kazım Arısan and Duygu Arısan Günay (İstanbul: Tarih Vakfı Yurt Yayınları, 1995), 368.

treatment of Gypsy prostitution: while the *şeriat* condemns prostitution, the State seems to have accommodated it as long as the Gypsies paid their fiscal dues.

Image of the Gypsies in Ottoman-Turkish Popular Culture

The *kanunnames* do not provide us with any further information about the society's perception of Gypsy marginality and the image of the Gypsies in Ottoman-Turkish popular culture. As for the *mühimme* registers, they rarely offer glimpses into the voice of the common people and their perception of the Gypsies. Thus, travel accounts and Turkish oral traditions pertaining to the Gypsies have been relied upon to illustrate representations of the Gypsies in Ottoman-Turkish popular culture and the stereotypes held about them.

It has been a common belief that the Gypsies' attachment to any religion is nominal.⁷³ As the contemporary sources indicate, their indifference to religion was one of the most important factors determining the society's and even the state's attitudes towards them. In this vein, the accounts of Evliya Çelebi are illustrative. While discussing the Gypsies living in Gümülcine, Evliya gives the following description of their promiscuous ritual life:

The Rumelian Gypsies celebrated Easter with the Christians, the festival of Sacrifice with the Muslims and Passover with the Jews. They did not accept any one religion and therefore our Imams refused to conduct funeral services for them but gave them a special cemetery outside Egri Qapu. It is because they are such renegades that they were ordered to pay an additional tax for non-Muslims (*xarāc*). That is why a double *xarāc* is exacted from the Gypsies. In fact, according to Sultan Mehmet's census stipulation (*tahrir*) *xarāc* is even exacted from the dead souls of the Gypsies, until the live ones are found to replace them.⁷⁴

The corpus of plays known *Karagöz* (Turkish Shadow Theater) can serve as another source of information on the representation of the Gypsies in Ottoman popular culture.⁷⁵ In *Karagöz*, one of the stock Gypsy characters is a nasty witch called *bok ana* (shit mother).⁷⁶ However, since *Karagöz* was performed in order to make people laugh, the traits of the characters were certainly exaggerated. Furthermore, in the *Karagöz* tradition, not only the Gypsies, but also other religious and ethnic groups living in Ottoman territory such as Turks, Kurds, Arabs, Jews, Armenians and others were stereotyped in terms of their ethnic and religious traits as well as in terms of their professions.⁷⁷

Finally, linguistic evidence can be useful in demonstrating the stereotypes that have been attributed to the Gypsies. It would be fruitful to begin with the term *Çingene* itself, the most common word used to designate a Gypsy in Turkish. The origin of the term is still debated. The common belief is that it originates from the Byzantine Greek word *Atsinganoi* which denotes itinerant wanderers and soothsayers.⁷⁸ However, according to a recent book published on the Turkish Gypsies by Rafet Özkan, it comes from a combination of two words: *Çengi-gan* or *Çengi-gane*. *Çengi* has two meanings: a dancing girl and a harp (*çenk*) player. In Persian *gan* is a suffix that designates the plural of rational beings. Thus, *çengi-gan* would refer to either dancing girls or harp players. Since these professions had been commonly attributed to the Gypsies according to Özkan, it is the likely origin of the term *Çingene*.⁷⁹ However, there is one more explanation, a popular one, recorded by a European traveller. According to the story:

When the Gypsies, driven out of their own country, arrived at Mekran, a wonderful machine was made, the wheel of which refused to turn until an evil spirit disguised as a sage, informed the chief

73 As an example of this thought see G.L. Lewis and Ch. Quelquejay, 'Çingâne', 40-41.

74 Victor Friedman and Robert Dankoff, 'The Earliest Known Text in Balkan (Rumelian) Romani', 4.

75 Eyal Ginio, 'Exploring 'the Other'.'

76 Metin And, *Karagöz: Turkish Shadow Theater* (Ankara: Dost Yayınları, 1979), 69.

77 Ibid.

78 David M. Crowe, 'Roma: The Gypsies', V: 449.

79 A. Rafet Özkan, *Türkiye Çingeneleri* (Ankara: Kültür Bakanlığı Yayınları, 2000), 8-9.

of the Gypsies, who was named Chen, that it would do so only if he married his own sister Guin. This advice was followed and the wheel turned, but from this incestuous marriage the people earned not only the name of *Chenguin* but also the curse, which was put upon them by the Moslem saints, that they should be wanderers excluded from among the races of mankind.⁸⁰

As a repertory of 'live museums', the sources of Turkish oral traditions provide us with a better understanding of the image of the Gypsies in Ottoman-Turkish popular culture.⁸¹ The metaphorical usage of *Çingene*, or Gypsy, in Turkish has a derogatory meaning. It implies being shameless, impudent, ill-mannered, dishonest and miserly.⁸² It is indeed one of the worst insults that you can hurl at a Turk.⁸³ In Turkish idioms, Gypsies are associated with theft as in 'Gypsy shalwar' (*Çingene şalvarı*), or shameless and dishonest as in the case of 'Gypsy fight' (*Çingene kavgası*). In proverbs, they are portrayed as corrupt and unreliable such as in 'a Gypsy cannot become a shepherd' (*Çingenden çoban olmaz*). The Gypsy reputation for being nomadic and poor is also stereotyped, as in 'it is worse than a Gypsy's tent' (*Çingene çergesinden beter*).

A well-known Turkish saying may best summarize the Turkish stereotypes of the Gypsies. According to the saying, 'In Turkey, there are seventy-two and a half nations'.⁸⁴ Based on the information provided in this study, can there be any difficulty in guessing the identity of the half nation?

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80 R. W. Halliday, 'Some Notes upon the Gypsies of Turkey', *Journal of the Gypsy Lore Society* 1 (1922): 174. For different version this story, see Nazım Alpman, *Başka Dünyanın İnsanları Çingeneler*, 53.

81 For metaphors, idioms and proverbs, I have mainly relied upon, *Örnekleriyle Türkçe Sözlük* (Ankara: Milli Eğitim Bakanlığı, 1995-1996); Ömer Asım Aksoy, *Atasözleri ve Deyimler Sözlüğü*, 2 vols. (İstanbul: İnkılap Kitabevi), 1989; Gökbilgin, 'Çingeneler', 426; Koçu, 'Çingeneler', in *İstanbul Ansiklopedisi*, vol. VII: 3999-4000.

82 Koçu, 3900.

83 McDowell, Bart. *Gypsies: Wanderers of the World*, 145.

84 This saying is also rendered as 'In the Turkey, there are sixty six and a half nation'. See for instance Ingvar Svanberg, 'Marginal Groups and Itinerants', in *Ethnic Groups in the Republic of Turkey*, ed. Peter Alford Andrews (Wiesbaden: Dr. Ludvig Reichert, 1989), 602.

Appendix

Kanunnames Concerning the Gypsies

*Document I -Decree on the Number of the Sheep of Rumelian Turks (Rumeli Etrakinün Koyun Adeti Hükmi)*⁸⁵

Imperial order and sultan's monogram - May God the exalted be pleased with him on the Day of Resurrection- orders that, because of the demand of such and such a code [of laws], I have handed you this decree of he who is obeyed by the entire world and I have ordered that:

1- According to the law and rule enacted, count the sheep of all the sheep owners and record them and after recording either take one sheep from every one hundred [sheep] or money equal to the value of one sheep.

2- Collect twenty-five *akçes* from the *Yörüks* who are located in the east and north of the *Meriç* River and get twenty-five *akçes* from the *Yörüks* who are settled in the west and south of the *Meriç* River. Also collect from those places from which [the tax] has been acquired and collect five *akçes* for the registration fee.

3- Collect forty-two *akçes* from every Gypsy as a poll tax (*haraç*);⁸⁶ however, do not take even an additional *akçe*, thereby harassing them. And do not take the poll tax from those Gypsies who were assigned to work on matters connected to the fortresses or for iron-making, provided they either have my decree or a letter from the governor. If anyone joins those Gypsies claiming to be a smith or sifter in order to escape the poll tax he should be made aware that he will be reprimanded.

When the poll tax of the said Gypsies is collected, the judges of every administrative unit should appoint a trustworthy person who is useful to them [Gypsies]. Migrating with [the Gypsies], they should collect their poll tax and provide proof of this; should the Gypsies dispute it later on; they should have a title deed. They should take the poll tax of each Gypsy, record this in the annals and remove their names from the register after they pay their poll tax.

If some Gypsies are missing even in one Gypsy community, oblige their leaders and the rest of the community to locate them and collect their poll tax without any deficiency.

A Muslim Gypsy should not reside with an infidel (*kafir*) Gypsy, but should intermingle with Muslim Gypsies. However, if he continues to reside [with infidel Gypsies] and does not intermingle with Muslims, then detain him and collect his poll tax .

4- They [*Yörüks* and Gypsies] should not hide or drive away any sheep from the aforementioned [tax collectors] and their servants. However, if anyone hides or conceals [sheep], I have ordered that all [of the hidden sheep] should be sold on my behalf and nobody shall prevent this.

5- They are responsible for the following: every six months, they must pay a portion [of their taxes] without any excuse or pretexts. Even if they [claim an excuse], it should not be deemed valid or acceptable. No one should interfere with the affairs of those [tax collectors], as is customary. The

85 English translation of this law is based on its facsimiles and transliteration provided in Ahmed Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 1, *Osmanlı Hukukuna Giriş ve Fatih Devri Kanunnameleri* (İstanbul: Fey Vakfı Yayınları, 1989), 397-400

86 In Ottoman usage the *haraç* refers to (1) *Cizye* or poll tax levied upon non-Muslim subjects of the Empire; (2) A combined land-peasant tax imposed upon non-Muslim subjects farming the state-owned agricultural land; (3) Tribute in general; (4) A tribute paid by a non-Muslim state to an Islamic state. Halil İncalçık and Donald Quatert (eds), *An Economic and Social History of the Ottoman Empire* (Cambridge: Cambridge University Press, 1994), vol. I, xlvii; Cengiz Orhonlu, 'Kharādj', in *The Encyclopedia of Islam*, 2nd edition, IV: 1053-1055. This term (*haraç*) was usually employed instead of the *cizye* until the sixteenth century. In later documents, however; the *cizye* or *cizye-i şer'i* was the most common word for poll tax. Halil İncalçık, 'Djizya', in *The Encyclopedia of Islam*, 2nd edition, II: 562-566.

governors of the sub-provinces of Rumelia and judges and commanders and their substitutes and their stewards should help the said [collectors] in their task.

Document II - The Law of the Poll Tax of the Gypsies (Kanun-i Cizye-i Cinganehan)⁸⁷

The imperial decree commands that:

In the present situation, I have entrusted the imperial edict in perfect fidelity and sound integrity of the most eminent and the most generous so and so superintendent and I have dispatched him to collect poll tax from the Gypsy infidels (*cingene kafirlerinin*) who live [in the following areas]: İstanbul, Edirne and the sub-province of Vize and Yanbolu and the sub-province of Niğbolu, the town of Constantine, the sub-province of Sofya and Niş, the sub-province of Alacahisar and Semendire and the sub-province of Bosnia in the year of 903 and I have ordered that:

1- In accordance with perfect fidelity and sound integrity, count and collect poll tax (*cizye*) through the judges of each location in conformity with the register marked with my imperial title and deliver [it] to my exalted court. The governors of the sub-provinces of those places and their superintendents and their substitutes and *tımar* holders, as well as city and village stewards, should assist and support the said poll tax (*haraç*) collector. Each of them should pay great attention to collecting the poll tax (*haraç*) of the Gypsies and to ensuring their presence under their jurisdiction. [In this matter] they must not be careless and negligent. Otherwise they deserve punishment. And they should be aware that the poll tax collector, in conformity with perfect fidelity, should collect their [taxes] without error and register them in a detailed way and bring them to my court.

2- The bound volume of registry pertaining to the Gypsies living in the above-mentioned provinces was sent with the said poll tax collector. [This bound volume of registry] includes imperial monogram at the beginning and the date of the year at the end. I have ordered that the governors and judges of those provinces should watch the above-mentioned poll tax collector and that they should act in accordance with the register in hand. If there is any doubt regarding the name or the poll tax of an infidel, they must consult the register and act accordingly, and not permit any work to be done contrary to the register.

3- In any base community (*katuna*) that a Gypsy has deserted, they [tax collectors] should oblige the leader of that Gypsy community (*katuna başı*) to locate [the deserter] and they should propose [locating the Gypsy] to the community leaders and their stewards, and then afterwards they should collect their [the found Gypsies'] poll tax. If they are not found, in accordance with the register, they should collect their poll tax from them [the leaders of the Gypsy community]. However, they must be cautious not to charge [poll tax] again.

4- I have ordered that the governor of the Gypsy sub-province (*Çingene Sancağı Beği*) must send his useful and trust-worthy man with the poll tax collector [in order to] assist in locating the Gypsies.

5- Before collecting the poll tax (*haraç*), the poll tax collector should notify poll tax payers of their amount. He must only take [the amount] recorded in the register and they should not charge even a single additional *akçe*.

6- In the aforementioned provinces, they must record the poll tax of those Gypsies found alive after having been recorded as dead in the register. Furthermore, if any Gypsy among the nomadic and absent Gypsies (*gezende ve gaibane*) is found not to have paid his poll-tax or [if] any Gypsy liable to the poll-tax has left his community to hide during the tax registration period and yet is located, by means of judges, they must be recorded into the register and their poll-tax charged and kept separately. Their names must be documented in a separate register and their accounts kept separately.

⁸⁷ English translation of this law is based on its facsimiles and transliteration provided in Ahmed Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 2, II. Bayezid Devri Kanunnameleri (İstanbul: Fey Vakfı Yayınları, 1990), 383-386.

7- After collecting my tax revenues in full, they [tax collectors] must take two *akçes* as registration fee from each household and [they] should take what belongs to them and keep the remainder for me. Taxes that are paid by the poll tax collectors should not be asked from the said poll tax collector [as] I absolved his taxes.

8- The governors of the sub-provinces of those places and their superintendents and their substitutes and *timar* holders, city and village stewards, community leaders and leaders of the Gypsy communities (*katuna başları*) must help and support the poll tax collector as it is required and must not be negligent or careless. In this respect they must exert themselves and persevere.

9- You who are the judges of the aforesaid provinces, if you have under your jurisdiction my servants Süleyman and Mahmut, who had previously come to collect the poll-tax in the year of 902, you must extract the copy of the registers with my imperial monogram from them, and sign it and hand it over to my servant at this moment collecting the poll-tax so that he can impose poll-tax to the new population [of the Gypsies] and remove [the poll-tax of] the dead from the register in accordance with the established practice.

You should know not to cause trouble and you should trust my imperial order.

Document III - The Law of the Gypsies of Rumelia (Kanunname-i Kibtiyan-i Vilayet-i Rumeli)⁸⁸

1- Muslim Gypsies of İstanbul, Edirne and other places of Rumeli pay twenty-two *akçes* tax for each household and for each bachelor. Infidel Gypsies (*kafir çingeneler*) pay twenty-five *akçes* poll-tax (*ispence*)⁸⁹ for each household and for each bachelor. As for their widows they give the six *akçes* tax.

2- The Gypsies of İstanbul, Edirne, Filibe and Sofya pay one hundred *akçes* as a tax (*kesim*)⁹⁰ in every month for their wives who are involved in prostitution.

3- They pay their marriage tax and fines for their crimes and misconduct like the rest of the subject class, in accordance with the law.

4- Gypsies who persist in departing from their own judicial districts for other judicial districts and backyards should be located, reprimanded, firmly punished and returned to their proper judicial districts. Gypsies who have left their communities should be located and returned by the leaders of the Gypsies (*katuna başı*) and their stewards and others who are suited [to this task.] When the time of sultanic taxes and extra ordinary taxes comes, they must not be missing but be recorded.

5- The governor of the Gypsy sub-province (*Çingene sancağı beği*) is responsible for [collecting] the fines for crimes and minor offences, sultanic taxes and taxes on casual income (*bad-ı heva*) as well as giving punishments to those Gypsies attached to the Gypsy sub-province, except the Gypsies who are registered in *vakfs*, *has*, *emlak*, *zeamet* and in *timar* lands. The governors of the sub-provinces, superintendents and officials of the palace and janissaries and others have no authority to interfere [in these cases].

6- The master of the peasants is responsible for [collecting] the taxes [including] the poll tax (*ispence*) and sultanic taxes and taxes on casual income and administering punishments to those Gypsies who are attached to *vakfs*, *has*, *emlak* as well as those [under the authority of] the *zuama* and *timar* holders, and they [must] record [these taxes and punishments]. The governor of the sub-province of the Gypsies, the governors of the sub-provinces and superintendents and officials of the palace and the

88 English translation of this law is based on its facsimiles and transliteration provided in Ahmed Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 6, part 2, *Kanuni Devri Kanunnameleri* (İstanbul: Fey Vakfi Yayınları, 1993), 511-514.

89 The term *ispence* refers to a customary tax imposed upon adult non-Muslim subjects. In Ottoman bureaucracy, it was considered as a poll tax paid to the *timariot*. The origin of the term goes back to pre-Ottoman Serbia where it was levied as a poll tax paid to feudal lord. Thus, the Ottomans maintained this practice and included it in *timar* revenue. Halil İnalcık, 'İspendje', in *The Encyclopedia of Islam*, 2nd edition, IV: 211.

90 For further details on *kesim* see Uriel Heyd, *Studies in Old Ottoman Criminal Law*, 233-234; Colin Imber, 'Zinā in Ottoman Law', in *Studies in Ottoman History and Law* (İstanbul: The Isis Press, 1996), 188-189; Ahmed Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 6, part 2, 512-513.

others have no authority to interfere [in these cases]. The master of the peasants is [also] responsible for any matters transpiring among the Gypsies.

7- If the Muslim Gypsies migrate and intermingle with infidel Gypsies, after having been reprimanded and punished; then they [Muslim Gypsies] should pay the taxes of the infidel Gypsies.

8- Those Gypsies who have imperial edicts in their hands showing that they are admitted to work in fortresses and other services as *müsellems*, they pay only the taxes imposed by the sultan, they should not pay extra-ordinary taxes, poll-tax (*ispençe*) and other sultanic taxes.

9- The Gypsies who live in the *Braniçova* township of the *Semendire* sub-province pay 80 *akçes* as *resm-i flori* to the state treasury for each household.

10- The one who is responsible for the Gypsies who live in the sub-province of *Niğbolu* serves the sub-province of *Niğbolu* [during times of war].

11- The Gypsies of *Niğbolu*, after having paid their poll-tax (*ispençe*) for each household, give 6 *akçes* [extra] for each household and bachelor as *kaftanlık*⁹¹ in lieu of the offense.

12- The ones who are responsible for the Gypsies of *Niş* serve the sub-province of *Semendire* [during times of war].

13- The other *zuama* and *timar* holders mainly [serve] in the sub-province of *Paşa*.

Document IV - An order to the steward and his scribe appointed to inscribe the Gypsies (Cingane Yazmak İçün Tayin Olunan Emine Ve Katibine Hüküm)⁹²

1- At the present time, you have come to my sublime court and, according to my noble decree, you have begun to register the group of Gypsies (*cingene taifesi*). You have reported that some Gypsy groups migrate with their women; that there are no infidel Gypsies among them; that they do not even pay extra-ordinary tax and that they do not obey the *şeriat* but only pay twenty-two *akçes* as tax

2- I have ordered that you should see the above-mentioned group while recording [their taxes]. How were those Gypsies who became Muslims and settled with other Muslims recorded in the new register? If the tithes (*kesim*) was inscribed and other taxes were recorded, then based on these, you should investigate. Based on what has been given in the past by [the gypsies] like them, according to their laws and traditions, you should register [them] and address it to me after your return. The matter should be decided based on the reason presented in my noble order.

3- Some Gypsies have been mixing with infidel Gypsies [but] have not been paying the taxes of the infidel Gypsies stating that they are Muslims so you should investigate this.

4- Those Gypsies that do not desist from relations with infidel Gypsies and settle with them must not follow Islamic law. You should record [the taxes of] Gypsies like them in the same manner as the others based on established practice and law.

5- Gypsies who live in the villages have been paying their income tax and their extra-ordinary taxes. However, there are Gypsies who live in shops and in some rooms in *İstanbul* and in *Edirne* and in other places. And while some of them pay extra-ordinary tax (*avarız*), the rest do not and they do not

91 It refers to a fixed tax paid as a substitute for fines (*cürme bedel*). According to Heyd, this term cannot refer to a material that is necessary for making a caftan in this context. However, it may also refer to *kabtiyanlık*. Heyd, *Studies in Old Ottoman Criminal Law*, 279.

92 English translation of this law is based on its facsimiles and transliteration provided in Ahmed Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 6, part 2, *Kanuni Devri Kanunnameleri* (İstanbul: Fey Vakfı Yayınları, 1993), 520-523.

follow Islamic rules. You should investigate and see to them. You must learn how the practice and the law have been applied to [the Gypsies] like them in the past. You must write this separately and indicate the circumstances of those who used to pay extra-ordinary taxes but now no longer pay them. When you come back, you should address it and you should record it on the basis of my noble order.

6- There are Gypsies settled in some villages whom the village scribes, wherever they found them, recorded as *raiyyet* and registered them into *vakfs*, *emlaks* and *tumars* and bridges and castles. You should ask for the noble decree from those who had been registered into *vaqfs* and *emlaks* and castles. You should know this and make a separate register including the name and number of those Gypsies who had been incorporated into the Gypsy sub-province and had been registered in the inventory in the old days, were given a noble decree and ordered to a *vakf* and *mülk* and *tumar*. You should submit that register when you return. It must be recorded in the register based on my imperial order.

7- In some infidel communities, there are Gypsies who became Muslim and requested to pay tithe (*kesim*) after the removal of the poll-tax (*haraç*). You should also see to them. If they cease relations with the infidels and follow the Islamic rules, you must apply tithe to them like the others in accordance with the register. You should address how many remain, if God permits, when you come back.

8-[?] is from the treasury. You must inspect the Gypsies who came from Hungary, Wallachia and Moldavia carefully and with vigilance. Who has recorded and collected the poll tax and the other taxes from them until now? Was my firman issued [for them]? If those [taxes] have not been given to anybody until now and if whoever took these taxes becomes evident, you should take [that amount] and submit it without any error for my imperial treasury.

9- On this matter the governors of sub-provinces and judges and superintendents must help and support you, as is due, so that you do not lose a minute while inscribing the

Gypsies. In this respect, your gratitude and complaints are acceptable. If any governor of sub-province or judge or superintendent shows obstinacy or stubbornness, you must record those who did not help you and address it to my court immediately.

October 20, 1532.

In the post of Edirne.

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