

Armenians and the Land Question  
in the Ottoman Empire, 1870-1914

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## Abstract

“Armenians and the Land Question in the Ottoman Empire, 1870-1914”

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This dissertation examines the emergence and transformation of the land question in the Ottoman Empire in the nineteenth century, focusing on the extent and characteristics of land disputes concerning Armenians. Views on the land question, which emerged as a distinct social problem in the 1870s, varied among the central government, local authorities, the Armenian political elite, Armenian institutions, Kurdish powerholders, and the Kurdish political elite. Based on Armenian, British, and Ottoman sources, this study demonstrates that there were significant changes in the extent and characteristics of land disputes during and after the massacres of 1894-97. These novelties include the massification of the problem, participation of ordinary people in the seizures of Armenian properties, dispossession of Armenian large landowners, and the development of a state policy directed at changing the demographic characteristics of the population in the region.

129,000 words

## Özet

“Osmanlı İmparatorluğu’nda Ermeniler ve Arazi Meselesi, 1870-1914”

Mehmet Polatel, Doktora Adayı, 2017

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Yrd. Doç. Dr. Seda Altuğ, Tez Danışmanı

Bu doktora tezi, on dokuzuncu yüzyılda Osmanlı İmparatorluğu’nda arazi meselesinin ortaya çıkışını ve dönüşümünü, Ermenilerle ilgili arazi anlaşmazlıklarının boyutları ve özelliklerine odaklanarak incelemektedir. Merkezi hükümetin, yerel otoritelerin, Ermeni siyasi elitlerinin, Ermeni kurumlarının, Kürt iktidar sahiplerinin ve Kürt siyasi elitlerinin 1870’lerde toplumsal bir mesele haline gelen bu konu hakkındaki görüşleri farklılık göstermekteydi. Ermeni, İngiliz ve Osmanlı kaynaklarına dayanan bu araştırma 1894-97 katliamları sırasında ve sonrasında arazi anlaşmazlıklarının çapında ve özelliklerinde kayda değer değişiklikler olduğunu göstermektedir. Bu değişiklikler, sorunun kitleselleşmesi, sıradan insanların Ermeni mallarının gaspına katılımları, Ermeni büyük toprak sahiplerinin de mülksüzleştirilmeleri ve bölgedeki nüfusun demografik özelliklerini değiştirmeye yönelik bir devlet politikasının ortaya çıkışıdır.

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To Nazife



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## Glossary of Non-English Terms

Dönüm	measure of land, 940 m <sup>2</sup> , about 1/4 acre.
Ferâğ	cession of property, transfer
Hafır	illegal protection tax
Kıyye	okka, about 1300 grams.
Kile	Bushel, 36 ½ kilos.
Mahlul	escheated (property), vacant.
Miri land	lands of which the ownership rights ( <i>raqaba</i> ) belong to the state
Sened-i ‘âdî	unofficial sale document
Takrir	memorandum, official note
Tapu	title deed
Tasarruf senedi	deed of possession

## Abbreviations and Acronyms

ANA	Armenian National Assembly
ARF	Armenian Revolutionary Federation (Hay Heghap‘okhaganneri Tashnagts‘ut‘iwn)
BOA	Başbakanlık Osmanlı Arşivleri (Ottoman Archives of the Prime Ministry)
CUP	Committee of Union and Progress (İttihat ve Terakki Cemiyeti)
SKMAP	Society for Kurdish Mutual Aid and Progress (Kürt Teavün ve Terakki Cemiyeti)
TNA	The National Archives of the United Kingdom

## Note on Transliteration

I have followed the Library of Congress's Western Armenian transliteration system for transliterating Armenians words with diacritical marks. Names and titles in Eastern Armenian were transliterated based on this system.

All translations in the dissertation are mine, unless stated otherwise. In the transliteration from Ottoman Turkish, the diacritical marks of *'ayn* and *hamza* are retained throughout the text with the addition of circumflexes to indicate lengthened vowels.

The Hicri and Rumi dates (corresponding to the lunar and Julian calendars) cited in this study are presented with Gregorian equivalents. The dates of archival documents included in this study are the dispatchment dates.

All place names in the Armenian, British, and Ottoman archival documents are presented with their contemporary equivalent except for those I was not able to locate.

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NOTE: The in-house editor of the Atatürk Institute has made recommendations with regard to the format, grammar, spelling, usage, and syntax of this dissertation in compliance with professional, ethical standards for the editing of student, academic work.



## Introduction

This study examines the emergence and transformation of the Armenian land question in the Ottoman Empire in the period between 1870 and 1914. In the nineteenth century, usufruct and ownership rights to land in different parts of the Ottoman Empire became increasingly contested. The Armenian land question emerged as a distinct social problem in this historical context in the late nineteenth century and became one of the most significant topics of public debate, state regulation, and everyday politics in the post-1908 period.

The main objective of this study is to analyze the emergence and transformation of the Armenian land question and the discourses and regulations regarding this matter. Thus, this study provides empirical information and an analytical examination of the extent and characteristics of land disputes concerning Armenians, on one hand, and the political and socioeconomic dimensions of this social problem, on the other. In doing so, this study also explores the transformation of ethnoreligious relations, conflicts, and policies in the late Ottoman period. While particularly focusing on land disputes concerning Armenians, this study situates the issue in the context of agrarian relations and intercommunal relations in the Ottoman Empire in general.

## § 1.1 Land Disputes in the Ottoman Empire

In the nineteenth century there was an upsurge of land disputes in the Ottoman Empire. From Vidin to Basra, several regions under Ottoman rule witnessed rising disputes over usufruct and the ownership rights to land. These disputes – along with the transformation of the Ottoman land regime, agrarian relations, and agricultural production in the Ottoman Empire – have attracted the attention of academics from various disciplines, including history and sociology, for several decades.

There was great variation in agricultural conditions across the Ottoman Empire. Factors related to geography and climate – such as rainfall, soil type, and proximity to irrigation sources – affected the conditions of agricultural production. As noted by Edmund Burke, social and political factors, like “the system of land tenure, the precise nature of the connections between governments, intermediaries, and agriculturalists, and the social and ethnic composition of rural society” also affected the conditions of agricultural production and patterns of surplus extraction.<sup>1</sup> The integration of the Ottoman Empire into the world economy, the effects of which were experienced unevenly across regions under Ottoman rule, is another factor that contributed to the differentiation of agrarian conditions in the Ottoman Empire.<sup>2</sup>

Landholding patterns and agrarian structures in different regions of the Ottoman Empire varied considerably. As noted by Ömer Lütfü Barkan, land holding patterns in Teselya, Macedonia, Bosnia, Vidin, and Eastern Anatolia were particular, in the sense that they did not conform to the norms of small-

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- 1 Edmund Burke, III, “Changing Patterns of Peasant Protest in the Middle East, 1750-1950,” in *Peasants and Politics in the Modern Middle East*, ed. Farhad Kazemi and John Waterbury (Miami: Florida International University Press, 1991), 26.
  - 2 Donald Quataert, “Agricultural Trends and Government Policy in Ottoman Anatolia, 1800-1914,” *Asian and African Studies*, March 1981, in *Workers, Peasants and Economic Change in the Ottoman Empire, 1730-1914* (Istanbul: The ISIS Press, 1993), 17–30; and Şevket Pamuk, *The Ottoman Empire and European Capitalism, 1820-1913: Trade, Investment and Production*, digitally printed version (Cambridge: Cambridge University Press, 2010), 95–106.

scale holdings.<sup>3</sup> In these regions, large tracts of agricultural land were in the hands of local powerholders whose claims on agricultural surplus were recognized by the central authority. In the nineteenth century, there were a series of conflicts and negotiations over ownership and usufruct rights to these lands among the state, local powerholders, and cultivators. On the other hand, these were not the only regions of the Ottoman Empire that do not fit to the norm specified by the central authority. There was also great variation among agrarian structures in Arab regions under the Ottoman rule. While tax farms and an urban, military elite dominated agrarian production in Egypt, there were semi-feudal conditions in Mount Lebanon, where local powerholders and notables appropriated a considerable sum of the agricultural surplus. In Iraq, irrigated lands were largely under tribal control. In Palestine, jointly held (*mushaa*) lands were used collectively by peasants.<sup>4</sup>

The extent to which the integration of the Ottoman Empire into the world economy affected disputes over land is difficult to determine. It has been acknowledged that this process of integration did not lead to the widespread expansion of directly managed estates resembling those in Eastern Europe.<sup>5</sup> Çukurova is a well-documented case in which international trade radically affected the transformation of the ways in which land was exploited in the Ottoman Empire. In this region, the expansion of cotton production and the attempts of the Ottoman state to increase the amount of land under cultivation led to the expansion of large landholdings. Lands in this region were mostly opened to irrigation in the late nineteenth century, and land disputes were not as common as in other regions under Ottoman rule. As noted by Meltem Toksöz, the relative scarcity of land disputes in Çukurova can be explained by

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3 Ömer Lütfü Barkan, "Balkan Memleketlerinin Zirai Reform Tecrübeleri: Balkan Memleketlerinin Toprak Meseleleri Tarihine Bir Bakış," in *Türkiye'de Toprak Meselesi: Toplu Eserler 1* (Istanbul: Gözlem Yayınları, 1980), 409–410.

4 Burke, "Changing Patterns," 27.

5 Çağlar Keyder, "Introduction: Large-Scale Commercial Agriculture in the Ottoman Empire," in *Landholding and Commercial Agriculture in the Middle East*, ed. Çağlar Keyder and Faruk Tabak (Albany: State University of New York Press, 1991), 1–13; and Linda Schatkowski Schilcher, "The Grain Economy of Late Ottoman Syria and the Issue of Large-Scale Commercialization," Keyder and Tabak, *Landholding*, 173–195.

the relative scarcity of historical claims over lands. However, there were still a limited number of land disputes in this region. The dispute between a merchant – who had succeeded in becoming a member of a new strata of local notables and had established a farm in the region – and the members of the Avşar tribe – whose lands were partially occupied by this farm, the boundaries of which had been illegally extended – is an example of such conflicts in Çukurova.<sup>6</sup> Toksöz shows that the central government tried to play a balancing act between the parties in an attempt to avoid hampering cotton production in the region. According to the decision of the Council of State (*Şura-yı Devlet*), the farm owner would continue to use the occupied land for cotton cultivation, but he would pay rent to the members of the Avşar tribe for the use of this land.<sup>7</sup> The effects of the integration of the Ottoman economy into world economy on local developments related to surplus extraction and cultivation rights to land are also underscored by Linda Schatkowski Schilcher who demonstrates that developments in the world economy, like trends in world markets, not only affected urban areas but also rural and largely unsettled districts like the Hawran region in Syria.<sup>8</sup>

The legal and administrative framework and procedures, which experienced significant transformations in the Tanzimat period, constituted the field in which disputes over usufruct, cultivation, and ownership rights to land were played out by a variety of actors. As shown by several researchers, parties to land disputes, cultivators, and local powerholders alike, often situated their cases within a discursive framework the outlines of which were determined by legal categories introduced by or preserved in Ottoman legislation.<sup>9</sup> One of the first studies to illuminate the overlap between these

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- 6 Meltem Toksöz, “The Çukurova: From Nomadic Life to Commercial Agriculture, 1800–1908” (PhD diss., State University of New York at Binghamton, 2000), 219.
- 7 Ibid.
- 8 Linda Schatkowski Schilcher, “Violence in Rural Syria in the 1880s and 1890s: State Centralization, Rural Integration, and the World Market,” Kazemi and Waterbury, *Peasants and Politics*, 50–84.
- 9 Yücel Terzibaşoğlu, “Eleni Hatun’un Zeytin Bahçeleri: 19. Yüzyılda Anadolu’da Mülkiyet Hakları Nasıl İnşa Edildi?,” *Tarih ve Toplum Yeni Yaklaşımlar* 4 (2006): 121–147; Nilay Özok-Gündoğan, “The Making of the Modern Ottoman State in the Kurdish Periphery: The Politics

discourses was Halil İncalcık's analysis of the implementation of and resistance to Tanzimat regulations in the Balkans. İncalcık's analysis of the Vidin case shows the ways in which the language introduced by the Gülhane Rescript (*Hatt-ı Hümayun*) of 1839 was adopted by cultivators in Vidin, who tried to establish their case against the demands by local landlords with respect to corvée.<sup>10</sup> While the agency of peasants was minimized in some early studies on agrarian relations and the transformation of landholding patterns,<sup>11</sup> studies conducted in recent decades show that peasants in various regions of the Ottoman Empire were active agents who tried to register land in their own names and adopted several strategies to ensure this outcome.<sup>12</sup> Rather than replacing the set of rights to land that were recognized by the central authority with a completely new set of recognized rights, post-Tanzimat legislation provided room for negotiation and accommodated new and old categories

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of Land and Taxation, 1840-1870" (PhD diss., Binghamton University, 2011); Nilay Özok-Gündoğan, "A 'Peripheral' Approach to the 1908 Revolution in the Ottoman Empire: Land Disputes in Peasant Petitions in Post-revolutionary Diyarbekir," in *Social Relations in Ottoman Diyarbekir, 1870-1915*, ed. Joost Jongerden and Jelle Verheij, (Leiden: Brill, 2012), 179-215; and Martha Mundy and Richard Saumarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I.B. Tauris, 2007).

- 10 Halil İncalcık, *Tanzimat ve Bulgar Meselesi (Doktora Tezi'nin 50.yılı) 1942-1992* (Istanbul: Eren, 1992).
- 11 Doreen, Warriner, "Land Tenure in the Fertile Crescent," in *Economic History of Middle East, 1800-1914: A Book of Readings*, ed. Charles Issawi (Chicago: University of Chicago Press, 1966). For a criticism of this approach see Haim Gerber, *The Social Origins of the Modern Middle East* (Colorado: Lynne Rienner Publishers, 1987).
- 12 Martha Mundy, "Village Authority and the Legal Order of Property (The Southern Hawran 1876-1922)," in *New Perspectives on Property and Land in the Middle East*, ed. Roger Owen (Cambridge: Harvard University Press, 2000), 63-92; Martha Mundy, "The State of Property: Late Ottoman Syria, the Kaza of 'Ajlun (1875-1918)," in *Constituting Modernity: Private Property in the East and West*, ed. Huri İslamoğlu (London: I.B. Tauris, 2004), 214-247; Terzibaşoğlu, *Eleni Hatun'un*; Özok-Gündoğan, "Making of Modern"; Erden Attila Aytekin, "Land, Rural Classes, and Law: Agrarian Conflict and State Regulation in the Ottoman Empire, 1830s-1860s" (PhD. diss., Binghamton University, 2006).

and concepts.<sup>13</sup> While not being defined in the text of the Land Code of 1858, prescriptive rights and ancient rights were recognized in the new legal framework. These categories were commonly referred to in land disputes in the nineteenth century.

In some early works on land disputes in the Ottoman Empire, these disputes were mostly discussed within the binary opposition of oppressor and the oppressed.<sup>14</sup> Local powerholders and cultivators were presented as the opposite sides of this binary, which was overgeneralized. Recent works on land disputes in different regions ruled by the Ottoman Empire have illuminated that these disputes often involved a series of confrontations, negotiations, and accommodations among the state, local powerholders and cultivators. This flourishing literature also indicates that the oppressor-oppressed binary cannot be generalized to all land disputes in the Ottoman Empire. For example, Yücel Terzibaşoğlu shows that nomads and settled peasants found themselves in disputes over lands across the western regions of the empire. In recent studies, it is also underscored that peasants, especially those who held positions in village councils, could use their positions and local knowledge to their advantage in the course of registration procedures and legal disputes over land in different regions of the Ottoman Empire.<sup>15</sup> The Ottoman state was also an actor involved in these disputes. As noted by Linda Schilcher, the state participated as one of many contenders in struggles over economic interests related to agrarian production and land ownership.<sup>16</sup> The role of the state in disputes over land ownership was defined as a balancing act by Huri İslamoğlu, whose work focuses on the period of the late nineteenth century. The dispute between cultivators and local landlords in Yanya, which is examined by İslamoğlu, shows that some state officials, like Cevdet Pasha,

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13 Huri İslamoğlu, "Property as a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858," in *New Perspectives on Property and Land in the Middle East*, ed. Roger Owen (Harvard: Harvard University Press, 2000), 3–62.

14 Ömer Lütfü Barkan, *Türkiye'de Toprak Meselesi: Toplu Eserler 1* (Istanbul: Gözlem Yayınları, 1980); and Charles Issawi, ed., *Economic History of Middle East, 1800-1914: A Book of Readings* (Chicago: University of Chicago Press, 1966).

15 Terzibaşoğlu, "Eleni Hatun'un," 129–131; Mundy, "Village Authority," 63–92.

16 Schilcher, "Grain Economy," 178.

developed several means for managing land disputes. In this case, local powerholders acquired ownership titles to large tracts of land. Upon the protests of cultivators, who were determined to defend their rights of use in opposition to the establishment of the individual, absolute ownership rights of estate holders (*ashab-ı alaka*), Governor Cevdet Pasha formed a commission consisting of representatives from both parties. In this process, cultivators accepted that they were tenants and gave up hereditary claims of ownership of the disputed lands. On the other hand, the tenancy rights of cultivators were still open to debate and negotiation. As underscored by İslamoğlu, the central government was concerned with securing the support of powerholders in politically sensitive territories in the Balkans, like Yanya.<sup>17</sup> Thus, in upcoming years, the central authority proceeded with issuing special regulations for such regions and protected the ownership claims of local powerholders. The policy adopted in 1889-90 by Mustafa Assım Pasha, governor of Damascus, represents a stark contrast to the Yanya case.<sup>18</sup> In these years, Mustafa Pasha began to support the cultivation rights of peasants vis-à-vis a broad group of local powerholders including land inspectors, contractors, and sheiks. Using administrative rather than judicial channels, he pressed charges against the urban notables, accusing them of being usurpers. In line with this policy, he also disregarded land registration documents held by local powerholders. As underscored by Schilcher, this policy brought about considerable resistance and was protested by local powerholders who adopted several strategies. The resignation of high-ranking local officials, the refusal of the Damascene Administrative Council to convene, and the refusal of urban tax farmers to deliver the taxes they had collected were some of the strategies local powerholders used to protest the policies the governor had adopted.<sup>19</sup> Another case that illuminates the tension between state agencies and local

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17 İslamoğlu, “Property as Contested,” 36–39.

18 Schilcher, “Violence in Rural,” 64–65.

19 Ibid. For another analysis that situates disputes over agrarian production and land ownership in this region vis-à-vis the the policy of Abdülhamid II towards Arab populations of the Ottoman Empire, see Engin D. Akarlı, “Abdülhamid II’s Attempt to Integrate Arabs into the Ottoman System,” in *Palestine in the Late Ottoman Period: Political Social and Economic Transformation*, ed. David Kushner (Jerusalem: Yad Izhak Ben Zvi Press, 1986), 74–89.

powerholders concerns land disputes in southern Basra. These disputes were inflamed by the attempts of the local Title Deed Office to turn the lands, which were then occupied by local powerholders, over to the state, supporting the argument that the approach of Ottoman authorities to land disputes varied across time and space. In this case, which erupted after 1908, *miri* lands that had not been legally inherited by officially recognized heirs were occupied by local powerholders, including religious authorities like *seyyids*, who established large-scale holdings. These large land owners also held official documents of sale (*hüccet*) and mounted official protests against the attempts of the Title Deed Administration to return the lands to state control by sending in petitions signed by hundreds of notables. In their petitions, local powerholders underscored that the measures being attempted by the Title Deed Administration contradicted the principles of equity and justice enshrined in the newly-promulgated Ottoman Constitution. The case was later brought before the Council of State which brokered a compromise between the demands of local powerholders and the Title Deed Administration, ruling that the Title Deed Administration could not take all the land back into state control and sell them at auction. On the other hand, the Council of State decided that some lands, the legal ownership of which was disputed, could be subject to this procedure by the Title Deed Administration.<sup>20</sup>

Another important point underscored in the literature on land disputes in the Ottoman Empire is that, in some cases, disputes over the distribution of agricultural surplus and land ownership contributed to the polarization of parties to the dispute along ethnic or religious lines. The overlap between socioeconomic and material grievances and ethnonational polarization has been underscored with respect to several cases in the Balkans. One of the most well-known is the Vidin case where Muslim local powerholders had formed large estates. According to Ottoman officials, these landlords, who demanded corvée from the peasants, had “almost reduced the peasants into slavery.”<sup>21</sup>

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20 Burcu Kurt, “II. Meşrutiyet Döneminde Basra Vilayeti (1908-1914)” (PhD diss., Marmara University, 2012), 254–261.

21 Halil İnalçık, “The Emergence of Big Farms, *Çiftlik*s: State, Landlords, and Tenants,” Keyder and Tabak, *Landholding*, 31.

Christian peasants protested this situation by several means including rebellion, but due to the concern of the central government that the lands in question remain under Muslim ownership, the peasants failed to realize their aims. The ethnoreligious division of parties involved in such land disputes in the Balkans and the support of the Sublime Porte for Muslim powerholders contributed to the escalation of ethnonational divisions among the population. Another well-known case in which conflicts over land ownership became entangled with ethnonationalist politics was the Bosnia Rebellion of 1875. The demands of the rebels in Bosnia in the course of this crisis highlight the importance of problems related to land ownership. The first demand of the rebels was the distribution of at least one-third of the land to Christians.<sup>22</sup> The extent to which the Ottoman government itself approached the issue of land ownership with ethnonational concerns has also been examined in the literature. Terzibaşoğlu shows that ethnonational concerns were also raised by government officials and that some actors in the Ottoman state began to approach land ownership as a means of ethnonational dominance in the post-1908 period.<sup>23</sup>

Another factor leading to variation among land disputes in the Ottoman Empire was the composition of actors and institutions involved in the cases. As noted above, these disputes mostly concerned the state, local powerholders, and cultivators. But in some disputes, religious institutions like patriarchates took an active role in the progression of the cases. An example of church involvement in disputes over the distribution of agrarian surplus is the Kisrawan rebellion in Mount Lebanon. In this case, Maronite cultivators rebelled against local landlords. The peasants did not make ownership claims with regard to land, but demanded financial, social, and juridical equality. As

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22 Other demands raised by the rebels were the withdrawal of Ottoman troops, reconstruction of burnt churches and houses by the government, a three-year tax exemption, and the implementation of reforms. Azlizan Mat Enh, “The Phantom of Bosnia-Herzegovina Revolt 1875-1878,” *Journal of International Studies* 4 (2008): 95.

23 Yücel Terzibaşoğlu, “Land Disputes and Ethno-Politics: Northwestern Anatolia, 1877-1912,” in *Land Rights, Ethno-Nationality, and Sovereignty in History*, ed. Stanley L. Metzger and Jacob Engerman (London: Routledge, 2004), 153–180.

noted by Axel Havemann, upper ranks of the clergy gave tacit support to the rebels in the initial phase of the rebellion.<sup>24</sup> While their support of the upper clergy was withheld in later phases, low-level clergy continued to play an important role in the rebellion. There are a limited number of studies that illuminate the role of the Greek Patriarchate and other religious institutions in land conflicts concerning Greeks. Yücel Terzibaşoğlu's examination of the dispute over the ownership rights to a plot of land in Burhaniye in 1910 suggests that Greek ecclesiastical councils at the local level took a direct interest in the course of certain land disputes.<sup>25</sup> However, it should be noted that in this particular dispute there was a sacred shrine on the disputed plot according to the ecclesiastical council. This might be the reason the council approached the issue as a communal matter. Atilla Aytekin's examination of several disputes related to illegal taxation (*kesim*) and land ownership in Canik also provides important insights regarding the role of Greek religious institutions in land conflicts concerning Greeks. In Canik, tax collectors and local powerholders, including members of the Haznedar family who had controlled large tracts of land before the centralization measures of the Ottoman state, had managed to register dozens of villages in their names in the Tanzimat period. Moreover, members of the Haznedar family continued to extract surplus from the agricultural production by levying an illegal tax called *kesim*. Using their positions in the administrative councils, local powerholders managed the situation in line with their own interests to the detriment of thousands of longtime cultivators. In the 1850s, peasants began to refuse to pay the *kesim* tax, and rent was demanded by local powerholders who argued that the lands were theirs. In this case, the Greek Patriarchate acted as representative of the interests of the cultivators, tried to secure the involvement of central authorities, and followed the progression of the case.<sup>26</sup> While he does not scrutinize this particular point, Aytekin's examination of this case shows that the Greek Patriarchate became involved in a land dispute that did not concern communal lands, highlighting the possibility that Greek

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24 Axel Havemann, "The Impact of Peasant Resistance on Nineteenth-Century Mount Lebanon," Kazemi and Waterbury, *Peasants and Politics*, 85–100.

25 Terzibaşoğlu, "Land Disputes," 174–176.

26 Aytekin, "Land, Rural," 14–35.

religious institutions might have played a role in the progression of conflicts concerning a great number of Greeks.

As indicated by this brief overview of land disputes in different regions of the Ottoman Empire, there was considerable variation among such land disputes. There were differences among them with regard to landholding patterns, the pace and manner of integration into the world economy, the approaches of Ottoman authorities, the overlap of disputes over land with ethnoreligious differentiation, and the involvement of religious institutions. Despite the existence of a long historiographical tradition examining agrarian production, agrarian relations, and disputes in the Ottoman Empire, and despite the flourishing of studies scrutinizing historical developments and trends related to these matters in areas formerly at the margins of socioeconomic historiography – like the Ottoman East –,<sup>27</sup> there are many issues that remain understudied in the literature. This study explores one of them: the emergence and transformation of the Armenian land question.

## § 1.2 Literature on the Armenians and the Land Question

The Armenian land question refers to land disputes concerning Armenians in the Ottoman Empire, which took a new turn with the mass transfer of property from and dispossession of Armenians in the 1890s. The Armenian land question was an increasingly debated topic in the post-1908 period. The first analytical examinations of this issue were written in this period by Armenian intellectuals who provided important insights regarding the extent and characteristics of land disputes concerning Armenians. The works written by Adom and Kegham Der Garabedian directly scrutinized the land

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27 As noted by Y. Tolga Cora, Dzovinar Derderian and Ali Sipahi, there are several terms used to refer to the region encompassing “the geography roughly south of the Black Sea Coast, north of the Levant and east of the centre of the Anatolian plateau, extending to the Ottoman borderline with Russia and Iran.” They suggest the term Ottoman East as a moniker for this region. In this study, I use this term in line with this definition. Y. Tolga Cora, Dzovinar Derderian, and Ali Sipahi, “Introduction: Ottoman Historiography’s Black Hole,” *The Ottoman East in the Nineteenth Century: Societies, Identities and Politics* (London: I.B. Tauris, 2015), 1.

question.<sup>28</sup> Another Armenian intellectual, A-Tō, also examined this topic in his analysis of agrarian relations in the provinces of Erzurum, Bitlis, and Van.<sup>29</sup> From a historiographical point of view, it should be noted that the analyses by A-Tō, Adom and Garabedian have two points in common. First of all, these authors saw the land question in the Ottoman Empire as a general problem and situated the Armenian land question in a broader socioeconomic and historical context. These accounts and analyses, all underscored that Kurdish peasants and workers were also targeted by the same local powerholders who were the main oppressors of Armenians. Thus, these authors underscored the class dimension of the Armenian land question. Another point underscored in the works of these authors was the conflict between feudal structures and powerholders and processes of modernization. The desolate conditions of peasants in the Ottoman East and their dispossession and exploitation by local powerholders were explained by the backwardness of the region, which was related to the persistence of feudalism. For example, Adom argued that Tanzimat reforms aimed at modernizing the region and removing the remnants of feudalism, but these objectives remained unrealized during the implementation of reforms. According to Adom, feudalism in the Ottoman East was reinforced by the Hamidian government as local powerholders had received a new recognition and privileges in this period.<sup>30</sup> These early works provide significant empirical data and ethnographic information regarding agrarian relations, intercommunal relations, and processes of property transfer in the Ottoman East in the late Ottoman period. Moreover, these sources also provide insights regarding the discourses of Armenian intellectuals on the land question and their approaches to this particular problem. These accounts were not prepared as a result of academic inquiry. While they are analytical examinations, analytic and objective inquiry was not

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28 Adom, *Bedagan Veranorokut'iwnn u Hoghayin Harts'ë* (G. Bolis: Dbaran A. Shahën, 1910) and Kegham Der Garabedian, *Hoghayin Harts'ë Hayap'nag Nahankneru Meç* (G. Bolis: H. Y. Taşnagtsutyun, Hradaragutyun, 1911).

29 A-Tō, *Vani, Pit'lisi ew Ērzrumi vilayēt'nerë: usumnasirut'ean mi p'orts ayt yergri ashkharhakragan, vijagakragan, irawagan ew d'ndesagan trut'ean* (Yerewan: Dbaran Guldura, 1912).

30 Adom, *Bedagan Veranorokut'iwnn*, 5–6.

the primary concern for their authors. Thus, these early analyses of the subject should be evaluated as primary rather than secondary sources.

In the 1960s, the historian A. S. Hamparyan produced important works regarding agrarian relations and the land question in “Western Armenia” based on Armenian and Russian sources. In his work titled *Agrarian Relations in Western Armenia*, Hamparyan analyzes agricultural production, trade, and the conditions of peasantry in the Ottoman East in the period from the mid-nineteenth century until the First World War. In this study, Hamparyan also examines the processes of property transfer from Armenians in the late nineteenth century and underscores the role of the demographic policies of the Ottoman government in producing this outcome.<sup>31</sup> Hamparyan also underscores the class dimension of the issue and points out the fact that Kurdish aghas also oppressed Kurdish peasants. In his work titled “The National and Agrarian Policies of the Young Turks and Freedom Movements in Western Armenia, 1908-1914,” Hamparyan examines the approach of the Young Turks to agrarian problems and reforms concerning the conditions of Armenians as well as Kurdish and Armenian social movements.<sup>32</sup>

Despite the fact that the land question was discussed in detail in the works of Armenian intellectuals who published several books in the constitutional period and in the works of the historian Hamparyan, scholarly examination of this subject has remained underdeveloped. The studies mentioned so far provide important information and analyses, but they have only been available to Armenian-speaking academics.

In the 1970s, some historians began to examine the evolution of the Armenian Question and the mass violence of the 1890s. Stephan Duguid provided a detailed account of the policies of Sultan Abdülhamid II with respect to the Ottoman East, the establishment and operations of the

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31 A. S. Hamparyan, *Akrarayin Haraperut'yunnerë Arevm'dyan Hayasdanum* [Agrarian Relations in Western Armenia] (Yerevan: Haygagan Soř Kidut'yunneri Agatemiayi Hradaragch'ut'yun, 1965).

32 A. S. Hamparyan, *Yeridt'urk'eri azkayin u hoghayin k'aghak'anut'yunë yev azadakragan sharzhumnern arevmdyan hayasdanum (1908-1914)* (Yerevan: Haygagan SSH KA Hradaragch'ut'yun, 1979).

Hamidian Regiments, and the threat that the regime perceived Armenian revolutionary activities to be.<sup>33</sup> Another scholar who examined this period was Christopher Walker who analyzed the mass violence perpetrated against Armenians as well as the demographic policies and approach of the Hamidian government.<sup>34</sup> On the other hand, both these works were written from a political history perspective that does not take the socioeconomic dimensions of the issue into account. While mentioning the plunder and looting of movable properties and the destruction of property belonging to Armenians during the massacres, Duguid and Walker do not examine the processes of property transfer and dispossession.

Until the 2000s, the socioeconomic dimensions of the Armenian Question, which had become a term used to refer to the problems of Armenians in the Ottoman Empire and the prospects of reforms concerning the conditions of Armenians at the level of international diplomacy, had not received much attention in English-speaking academia. On the other hand, in recent years, historians began to underscore that the Armenian Question was not confined to political matters; socioeconomic problems and trends could not be overlooked by studies of this matter. Stephan Astourian underscores the necessity of taking under consideration the socioeconomic dynamics that affected intercommunal relations in the eastern provinces as well as the relations between the state and society:

The Armenian Question is fully embedded in a number of other “questions”: the agrarian and Kurdish questions, the demographic Islamization of Anatolia during the period in question, and the attempts of the Ottoman state at modernizing and centralizing the

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33 Stephen Duguid, “Centralization and Localism, Aspects of Ottoman Policy in Eastern Anatolia 1878-1908,” (master’s thesis, Simon Fraser University, 1970).

34 Christopher J. Walker, *Armenia: The Survival of a Nation*, rev. 2nd ed. (London: Routledge Publication, 1991).

empire. The Armenian Question is as much a Kurdish and Ottoman Question as it is an Armenian one.<sup>35</sup>

Another scholar who stresses the importance of socioeconomic dynamics in the unfolding of the Armenian Question is Nadir Özbek. In his works on the role of taxation policies and practices in exacerbating tension regarding the Armenian Question, Özbek argues that the Armenian Question cannot be comprehended if the commodification of the economy, the expansion of commodity production, the commodification of land, and the transformation of conflicts over power and surplus in Eastern Anatolia are not taken into consideration. He reveals the ways in which taxation policies and practices contributed to the transformation of the Armenian Question.<sup>36</sup>

Janet Klein's study of the Hamidian Regiments was one of the first academic works to examine the Armenian land question in detail. While the focus of Klein's study is the Hamidian Regiments rather than the land question, she presents an analysis of the processes of property transfer from Armenian and Kurdish peasants to tribal leaders who were given ranks in the Hamidian Regiments during the massacres of 1894-97. One of Klein's main arguments is that the mass violence of the 1890s concerns competition and struggles over material resources rather than primordial ethnic or religious conflicts. Klein's study reveals the ways in which the material interests of Kurdish tribal chiefs affected provincial politics and the processes of mass violence and property transfer.<sup>37</sup> Klein's study of Hamidian Regiments contributed to the development of academic discussion of the material and socioeconomic aspects of state-society and intercommunal relations in the late Ottoman period.

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35 Stephan H. Astourian, "The Silence of Land: Agrarian Relations, Ethnicity, and Power," in *A Question of Genocide: Armenians and Turks at the End of the Ottoman Empire*, ed. Ronald Grigor Suny, Fatma Müge Göçek and Norman M. Naimark (Oxford: Oxford University Press, 2011), 56.

36 Nadir Özbek, *İmparatorluğun Bedeli: Osmanlı'da Vergi, Siyaset ve Toplumsal Adalet (1839-1908)* (Istanbul: Boğaziçi University Publications, 2015), 206.

37 Janet Klein, *The Margins of Empire: Kurdish Militias in the Ottoman Tribal Zone* (Stanford: Stanford University Press, 2011), chap. 4.

Another scholar who contributed to the development of research on the Armenian land question is Dikran Kaligian. In his article, Kaligian examines the ways in which the Armenian land question was discussed in the constitutional period with a particular focus on debates within the Armenian Revolutionary Federation (*Hay Heghap'okhaganneri Tashnagts'ut'iwn*, hereafter ARF) regarding the proper approach towards the resolution of the Armenian land question.<sup>38</sup> The article provides important insights regarding the links between territorial and demographic understandings and aspirations of a particular group of Armenian elites and their approaches to the land question.

Another study that directly examines the Armenian land question and the issue of property transfer is Stephan Astourian's work on property acquisition and transfer trends in Cilicia and the eastern provinces. In his study, Astourian compares these two regions and argues that there were significant differences in terms of niche overlap in these regions. Astourian notes that Armenians in the Cilicia region continued to acquire land during the Hamidian period, while Armenians in eastern provinces were being dispossessed on a massive scale in the same period. Astourian explains this significant difference with reference to differing local dynamics in these two regions.<sup>39</sup>

Y. Tolga Cora made another important contribution to this area of research. In his article, Cora underscores that the socioeconomic aspect of the deterioration of relations between the Armenian and Kurdish communities in the Ottoman East in the late Ottoman period was related to oppression by Kurdish powerholders of less privileged strata of people in the region. While stressing the class dimension of the social conflict, Cora notes that class differences alone are insufficient to explain the complexity of the conditions of Armenian peasants in the region. There were also ethnoreligious dynamics

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38 Dikran Kaligian, "Agrarian Land Reform and the Armenians in the Ottoman Empire," *Armenian Review* 48, no. 3-4 (2003): 25-45.

39 Astourian, "Silence of Land," 55-81.

behind the deterioration of relations between the two communities, especially in the late nineteenth century.<sup>40</sup>

Besides the increase in the number of studies that directly examine the Armenian land question, land disputes, and property transfer in the eastern provinces, there is a trend of including the socioeconomic aspects of the Armenian Question in studies of relations among the Ottoman government, Armenian intellectuals and institutions, and the policies of the central government towards Armenians before the First World War. In his comprehensive work, Ronald Grigor Suny underscores the socioeconomic background of land disputes concerning Armenians in the mid-nineteenth century noting that

conflicts over land were at the center of the growing tensions among the different religious and ethnic groups in eastern Anatolia. Registration was adjudicated by the courts, which operated according to Islamic law and favored Muslims. What was fundamentally a matter of economics and embedded differences in political clout was therefore easily ethnicized, interpreted, and understood as a conflict between Turks, Kurds, and Armenians.<sup>41</sup>

These studies, which directly or indirectly scrutinize different aspects of the Armenian land question and the socioeconomic dimensions of ethnoreligious conflict in the Ottoman East, have provided important insights, empirical knowledge, and analysis regarding the matter. On the other hand, major questions related to the Armenian land question remain unanswered in the literature. When did land disputes concerning Armenians begin to be regarded as a distinct social problem? Were there changes or turning points in the extent and characteristics of land disputes concerning Armenians and in the approaches of Armenian intellectuals and institutions, the central

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40 Yaşar Tolga Cora, “Doğu’da Kürt-Ermeni Çatışmasının Sosyoekonomik Arkaplanı,” in *1915: Siyaset, Tehcir, Soykırım*, ed. Fikret Adanır and Oktay Özel (Istanbul: Tarih Vakfı Yurt Yayınları, 2015), 126-139. See also “Osmanlı Taşrasındaki Ermeniler Üzerine Olan Tarihyazımında Sınıf Analizinin Eksikliği,” *Praksis* 39, no. 3 (2015): 23-44.

41 Ronald Grigor Suny, *They Can Live in the Desert but Nowhere Else’: A History of the Armenian Genocide* (Princeton: Princeton University Press, 2015), 53.

government, and local powerholders with respect to this matter? What was the role of the central government in transfers of property from and dispossession of Armenians during and after the massacres of 1894-97? What were the effects of these processes on agricultural production, agricultural relations, and trade in the region? This study aims to answer these questions and contribute to the development of the literature on the socioeconomic history of the Ottoman Empire, on one hand, and the history of state-society and intercommunal relations in the Ottoman East, on the other. Furthermore, this study examines the Armenian land question through an analytical framework that takes the socio-economic and political trends in which it was embedded into consideration. Exploring the links, conflicts, and accommodations between the commodification of land, the transformation of socioeconomic conditions and dynamics, and the political struggle for territorial sovereignty, this study examines the Armenian land question through a novel methodological and theoretical framework.

### § 1.3 Theoretical and Historical Approaches to Territoriality, Nationalism, and Land Ownership

Territoriality is one of the basic components of human social organization. Territorial behavior is not unique to humanity. It is a demonstrated trait of several other species. In his examination of human territoriality, geographer Robert D. Sack defines human territoriality as “the attempt to affect, influence, or control actions and interactions (of people, things, and relationships) by asserting and attempting to enforce control over a geographic area.”<sup>42</sup>

The characteristics of human territoriality and the importance attached to territoriality in the organization of human groups are neither ahistorical nor universal, but are bounded by time and space. Edward W. Soja underscores the need to understand the historicity of human territoriality arguing that

only when human society began to increase significantly in scale and complexity did territoriality reassert itself as a powerful behavioral and

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42 Robert D. Sack, “Human Territoriality: A Theory,” *Annals of the Association of American Geographers* 73, no. 1 (1983): 55.

organizational phenomenon. But this was a cultural and symbolic territoriality, not the primitive territoriality of the primates and other animals. ... Thus, although “cultural” territoriality fundamentally begins with the origins of the cultured primate, man, it achieves a central prominence in society only with the emergence of the state. And it probably attains its fullest flowering as an organizational basis for society in the formally structured, rigidly compartmentalized, and fiercely defended nation-state system of the present day.<sup>43</sup>

In recent decades, scholars from different disciplinary backgrounds including history, political science, sociology, and geography began to scrutinize the historicity of the modern state system, territoriality, and sovereignty.<sup>44</sup> The rise of this academic trend coincided with the crisis of the modern state system and the emergence of neoliberalism as the dominant ideology in the global political economy, which led to the questioning of the viability of modern nation-states as dominant or viable units of human political organization. These studies contributed to the recognition of territorial sovereignty and nation-states as historically specific phenomena rather than as universal categories.

Scholars studying the emergence of modern territoriality and the state system underscore that there was a marked change in the understanding and organization of territoriality in Europe in the early modern period. This transformation was related to the development of geographical and statistical techniques and knowledge, on one hand, and the transformation of the basic tenets of sovereignty and governmentality, on the other. Several political historians argue that the Treaty of Westphalia of 1648 was a turning point in

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43 Edward W. Soja, “The Political Organization of Space,” *Association of American Geographers*, research paper no. 8 (1971): 30.

44 Saskia Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages* (Princeton: Princeton University Press, 2008); William Robinson, *Global Capitalism and the Crisis of Humanity* (Cambridge: Cambridge University Press, 2014); John Agnew, “Sovereignty Regimes: Territoriality and State Authority in Contemporary World Politics,” *Annals of the Association of American Geographers* 95, no. 2 (2005): 437–461; and Miles Kahler and Barbara F. Walter, ed., *Territoriality and Conflict in an Era of Globalization* (Cambridge: Cambridge University Press, 2006).

the emergence of the modern state system based on the concept of territorial sovereignty. In this particular mode of political organization, sovereignty became a territorial rather than a social or relational concept. Examining the links between the development of mapping techniques and the emergence of the modern state, Jordan Branch underscores the importance of the General Treaty of the Vienna Congress of 1815 as another turning point in the establishment of modern territorial sovereignty. Branch argues that

this post-Napoleonic treaty represents the culmination of centuries of change, as political rule is assigned as exclusive and complete sovereignty over a space defined by cartographic lines. Yet the careful delineation of boundaries in 1815 was revolutionary: only a century earlier, most negotiated settlements – as well as actual divisions – between European polities more closely resembled medieval lists of places and rights than they did modern linear boundaries.<sup>45</sup>

Another historical trend that accompanied the emergence of territorial sovereignty and the modern state system was the emergence and expansion of the idea that some human groups constitute nations, which paved the way for the emergence of the ideology of nationalism. According to Ernest Gellner's definition, nationalism is "primarily a political principle which holds that the political and national unit should be congruent."<sup>46</sup> Gellner's work on the historical development of nationalism questions the idea that nations are universal, ahistorical collectivities:

In fact, nations, like states, are a contingency, and not a universal necessity. Neither nations nor states exist at all times and in all circumstances. Moreover, nations and states are not the same contingency. Nationalism holds that they were destined for each other; that either without the other is incomplete, and constitutes a tragedy. But before they could become intended for each other, each of them

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45 Jordan Branch, *The Cartographic State: Maps, Territory, and the Origins of Sovereignty* (Cambridge: Cambridge University Press, 2014), 5.

46 Ernest Gellner, *Nations and Nationalism* (Oxford: Blackwell Publishers, 1983), 1.

had to emerge, and their emergence was independent and contingent. The state has certainly emerged without the help of the nation. Some nations have certainly emerged without the blessings, of their own state. It is more debatable whether the normative idea of the nation, in its modern sense, did not presuppose the prior existence of the state.<sup>47</sup>

The idea that nations and nationalisms emerged at specific points in human history has been adopted by a number of scholars since the 1980s.<sup>48</sup> While Gellner emphasizes the role of modernization in the development of nationalism with a particular focus on the role of education, Eric J. Hobsbawm, who adopts Gellner's definition of nationalism, argues that bottom-up dynamics and interactions between elite discourses and everyday politics were an indispensable part of nation-building processes.<sup>49</sup> Hobsbawm argues that there was a clustering of invented traditions between 1870 and 1914. He underscores that there was a marked upsurge of "tradition innovation" in the areas of education, public rituals, public monuments, and sports in this period.<sup>50</sup> Moreover, there was a marked change in terms of nationalism around the world in this period. "Any body of people considering themselves a 'nation' claimed the right to self-determination which, in the last analysis, meant the right to a separate sovereign independent state for their territory."<sup>51</sup> In this period, there were three developments that indicate a change in the characteristics of nationalism according to Hobsbawm. First, ethnicity and language became the central if not the only criteria of nationhood. Second, the term nationalism itself was invented. The emergence of nationalism, which

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47 Ibid., 6.

48 Benedict R. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (London: Verso, 2006) and Michael Billig, *Banal Nationalism* (London: Thousand Oaks, 1995).

49 Eric J. Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality*, 2nd ed. (Cambridge: Cambridge University Press, 2012), 9–11.

50 Eric Hobsbawm, "Mass-Producing Traditions: Europe, 1870-1914," in *The Invention of Tradition*, ed. Eric Hobsbawm and Terence Ranger (Cambridge: Cambridge University Press, 1992), 263–307.

51 Hobsbawm, *Nations and Nationalism*, 102.

was tied with “a sharp shift to the political right of nation and flag,” was the third crucial development.<sup>52</sup> Thus, the period between 1870 and 1914 represents a critical turning point in Hobsbawm’s account of the history of nationalism.

Anthony Smith is another leading scholar who contributed to the development of academic research on nationalism. Smith, who is the founder of the ethno-symbolist approach, emphasizes that modernism is not sufficient to explain the emergence of nations and nationalism. He underscores the ethnic component of nations. A significant aspect of Smith’s work on nationalism for the purposes of this study is his emphasis on the territorial aspect of nationalisms. In “The National Construction of Social Space,” Smith and geographer Collin Williams argue that the quest for territorial control is the fundamental characteristic of nationalism. Smith and Williams state that “whatever else it may be, nationalism is always a struggle for control of land; whatever else the nation may be, it is nothing if not a mode of constructing and interpreting social space.”<sup>53</sup> While Smith and Williams ignore the fact that nationalisms became territorial ideologies in a particular period of human history, this study opened new areas of research for studying the spatial dimensions of nationalisms. In this article, Smith and Williams argue that nationalism brought about a redefinition of social space, and they highlight the role of territoriality in cultural, socioeconomic and political organization and the understanding and construction of national, social space.<sup>54</sup>

In recent years, historians began to scrutinize the effects of these developments – the emergence of the modern state system based on the concept of territorial sovereignty and the emergence of nations and nationalisms – on the political significance of and policies towards land ownership and demographic policies. These studies have revealed that the

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52 Ibid.

53 Colin Williams and Anthony D. Smith, “The National Construction of Social Space,” *Progress in Human Geography* 7, no. 4 (1983): 502.

54 According to Smith and Williams, there are eight dimensions of national territory: habitat, folk culture, scale, location, boundary, autarchy, homeland, and nation-building. Ibid., 504–511.

characteristics of a population in a given territory became one of the crucial factors affecting the course of territorial claims – both for the separation of a territory and for the protection of territorial integrity – at the level of international diplomacy in the nineteenth century. In a historical epoch when peasantry still existed and agriculture was the primary source of income for the bulk of world’s population,<sup>55</sup> land was the tie that connected people to a given territory. It was this characteristic of land ownership that led to the transformation of the political significance attached to it around the world in the nineteenth and twentieth centuries. With this transformation, land ownership began to be seen as a means of securing ethnonational dominance by different actors.

In his examination of the racial maps and diplomatic negotiations, Jeremy W. Crampton points out that the demographic characteristics of the populations in a given territory – which were visualized in racial maps that were used as reference documents in negotiations regarding claims to sovereignty during the Paris Peace Conference – became significant for the drawing of boundaries in post-War Europe. This study reveals the extent to which the geographical distribution of racial(ized) groups of people began to affect political debates on sovereignty in the early twentieth century.<sup>56</sup>

Several scholars point out that the transformation of the political significance of land ownership in the nineteenth century affected land policies in general and the approaches of state actors towards land ownership in particular. This was especially the case in regions that were open to contestation among various groups. In his examination of Prussia’s land policies in Polish provinces in the late nineteenth century, Scott M. Eddie argues that Prussia sought to secure ethnonational dominance in the region through land policies. Scott M. Eddie states that “the centerpiece of this policy was an attempt to change the population proportions in favor of ethnic

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55 Eric J. Hobsbawm, *Age of Extremes: The Short Twentieth Century, 1914-1991* (London: Abacus, 1994), 289.

56 Jeremy W. Crampton, “Maps, Race and Foucault: Eugenics and Territorialization Following World War I,” in *Space, Knowledge and Power: Foucault and Geography*, ed. Jeremy W. Crampton and Stuart Elden (Hampshire: Ashgate, 2007), 223–244.

Germans by settling German farmers on the land in the ‘Polish Provinces.’<sup>57</sup> With this initiative, which started in 1886, Prussia established a commission responsible for the settlement of Germans in these provinces. This commission was authorized to buy and distribute land to German settlers in small units efficient for establishing family farms. Apart from “buying land from under the Pole’s feet,” Prussia also introduced administrative difficulties for Polish property owners and authorized the commission to expropriate up to seventy thousand hectares of land. On the other hand, due to internal divisions within the Prussian government and domestic and international protests, the government employed the latter measure only four times.<sup>58</sup>

The transformation of the political significance of land ownership affected not only state policies on land ownership but also the approaches of non-state actors to land ownership. Studies on nationalism, territoriality, and land reveal that non-state actors, especially nationalist intellectuals and institutions, also began to attach political significance to land, and, in some cases, incorporated land acquisition strategies in their quests for sovereignty. A well-known example is Zionist land amassment in Palestine, which began in the late nineteenth century.<sup>59</sup> Zionists established settlement bodies in Palestine in an effort to establish a Jewish homeland. These settlement bodies began to buy large tracts of land for the settlement of Jews and led to the dispossession of Palestinian peasants in the region. As noted by Rashid Khalidi, this process brought about peasant resistance on the part of Arabs in Palestine.<sup>60</sup>

Another historical development that should be mentioned with regard to the organization and understanding of territory and land is the emergence of capitalism and the changes it brought in terms of the ways human groups

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57 Scott M. Eddie, “Ethno-Nationality and Property Rights in Land in Prussian Poland, 1886-1918: Buying the Land from under the Poles’ Feet?,” in *Land Rights, Ethno-Nationality, and Sovereignty in History*, ed. Stanley L. Engerman and Jacob Metzger (London: Routledge, 2004), 56.

58 *Ibid.*, 76.

59 Jacob Metzger, “Jewish Land - Israel Lands: Ethno-Nationality and Land Regime in Zionism and in Israel, 1897-1967,” in Engerman and Metzger, *Land Rights*, 87–110.

60 Rashid Khalidi, “Palestinian Peasant Resistance to Zionism before World War 1,” in Edward W. Said and Christopher Hitchens, *Blaming the Victims: Spurious Scholarship and the Palestinian Question*, 3th edition (London: Verso, 2001), 207–233.

interact with and exploit their surroundings. As noted by several scholars, the emergence of capitalism led to the creation of new forms of spatial organization such as plantations and factories, and it led to a radical transformation of the regulation of access to land. The commodification of land and the establishment and expansion of individual and exclusionary property rights to land, which was a fundamental component of this commodification, led to the transformation of the socioeconomic significance of land as well as its basic social characteristics. The ways in which this commodification process took place in different cases and its implications for people around the world has been scrutinized by several scholars.

In his examination of peasant politics, Eric R. Wolf underscores that land was stripped of social obligations in the process of its construction as a commodity in the capitalist market. Drawing upon Polanyi's emphasis that land, labor, and money are not actually produced for sale on the market but became commodified in a process that transformed human society into "an accessory of the economic system," Wolf argues

land, also, is not a commodity in nature; it only becomes such when defined as such by a new cultural system intent on creating a new kind of economics. Land is part of the natural landscape not created to be bought and sold, and it is not regarded as a commodity in most other kinds of societies where rights to land are aspects of specific social groups and its utilization the ingredient of specific social relationships.<sup>61</sup>

The establishment of individual, exclusionary property rights to land led to the restriction of usage rights and to the dispossession of the masses in several cases. E. P. Thompson made one of the most significant contributions to the literature on this issue in his examination of the establishment of individual and exclusionary property rights to land in England and the ways in which laws adopted for the establishment of these rights were utilized by various groups, including peasants. The significance of Thompson's contribution is

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61 Eric R. Wolf, *Peasant Wars of the Twentieth Century* (Norman: University of Oklahoma Press, 1999), 277.

that he reveals that law is not only an instrument of the upper classes, but can also be *and was* exploited by those like peasants whose agency was formerly overlooked in the literature.<sup>62</sup>

Recently, historians studying different land disputes and land policies began to underscore the need to consider the contradictions and overlap of political vis-à-vis socioeconomic historical trends. In their edited volume, Stanley L. Engerman and Jacob Metzger underscore the conceptual contradiction between liberal and nationalist approaches to land. On a conceptual level, these trends are competitive and conflict with each other. Absolute liberalization of land requires the abolition of all administrative barriers for entry into the land market and the transformation of land into alienable property. On the other hand, absolute nationalization of land requires the exclusion of non-nationals or nationals not belonging to the dominant ethnonational group from the land market as well as their dispossession, since land is considered as a part of the homeland belonging to nationals. Thus, there is a conflict between these two trends on a conceptual level. Engerman and Metzger point out that on a practical level, these two trends affected land disputes and policies around the world at the same time in varying degrees and that there were accommodations between these two trends.<sup>63</sup> Yücel Terzibaşoğlu argues that contradictions in land policies and practices in Western Anatolia in the late Ottoman period can only be understood when the tensions and accommodations between liberal and national trends are taken into consideration.<sup>64</sup>

The approach presented by Engerman, Metzger, and Terzibaşoğlu underscores that land ownership began to be understood as a means of ethno-national dominance in the nineteenth century. Second, these scholars underscore the necessity of examining overlaps, conflicts, and accommodations between the liberal and national trends that shaped

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62 E. P. Thompson, *Whigs and Hunters: The Origin of the Black Act* (London: Allen Lane, 1975), 261–265.

63 Jacob Metzger and Stanley L. Engerman, “Some Considerations of Ethno-Nationality (and Other Distinctions), Property Rights in Land, and Territorial Sovereignty,” in *Land Rights*, 10.

64 Yücel Terzibaşoğlu, “Land Disputes and Ethno-Politics: Northwestern Anatolia, 1877-1912,” in Metzger and Engerman, *Land Rights*, 153-180.

approaches to land and land policies around the world. In this study, I draw upon this approach and examine the emergence and transformation of the Armenian land question through a framework that takes both the socioeconomic and political trends in which it was embedded into account.

#### § 1.4 Sources and Methodology

An important source for this study is documents in three catalogues in the Ottoman archives. The first of these is the *Yıldız* catalogue, which consists of correspondence between Yıldız Palace and other Ottoman authorities like the Ministry of the Interior or local governors, as well as orders sent from the palace. These documents provide important insights regarding the approach of Sultan Abdülhamid II to the land question, as well as the differences of opinion among Yıldız Palace and other Ottoman authorities.

The *Sadaret* catalogue in the Ottoman archives contains correspondence between the Grand Vizierate and other Ottoman authorities. Documents in this catalogue also provide insights regarding the approaches of Ottoman officials to social and political matters in general, and to the land question in particular. Another catalogue that provides valuable information regarding the policies of the central government is the *Dâhiliye* catalogue which contains documents prepared by or sent to the Ministry of the Interior. The documents of the Inspection Commission and correspondence between local governors and the Ministry of the Interior are included in this catalogue, along with the drafts of laws and plans prepared or revised by the ministry, general correspondence, and cipher telegrams. In addition to these three catalogues, I examined documents of the Sublime Porte and the Ministry of Foreign Affairs for this study. These collections in the Ottoman archives also include memoranda (*takrirs*) submitted to Ottoman authorities. In this study, I examined memoranda submitted to authorities on issues related to the land question by the Armenian Patriarchate, Armenian deputies, and Kurdish actors.

In the nineteenth century, Britain was the hegemonic power in the world. Having a wide range of economic and political interests in the Ottoman Empire, Britain established a network of consular staff that supplied rich

information about socioeconomic conditions, political developments, and social trends in the Ottoman Empire to British authorities. These documents, which include consular reports, journey accounts, petitions submitted to the British consular staff, and accounts of consular staff regarding meetings with sultans, grand viziers, ministers, governors, local powerholders, the Armenian political elite and community representatives, are in the Foreign Office collection of The National Archives of the United Kingdom. I conducted detailed archival research in this archive and reviewed most documents written by the British consular staff in the Ottoman East between the years 1889 and 1914.

Another group of British sources used in this study are parliamentary papers that were prepared on a thematic basis and submitted to the House of Commons. These collections were prepared from a selection of consular correspondence and reports. For this study, I examined parliamentary papers related to the land regime in the Ottoman Empire, prosecution of Christians in the Ottoman Empire in the late 1870s, and Armenian reforms. These came to the attention of the House of Commons at two different historical moments: once after the Berlin Congress and once again in 1895.

Especially after the Baltalimanı Treaty, Britain tried to increase its economic influence in the Ottoman Empire. As a result of this economic aspiration, British officials prepared trade reports that included detailed information regarding agricultural production, manufacturing, and import and export trade in different Ottoman provinces. Information in these reports was derived from Ottoman provincial yearbooks, accounts of local merchants, and the records of the customhouse. For this study, I reviewed all British trade reports on Erzurum, Diyarbakir, Bitlis, Mamuretülaziz, and Van between 1889 and 1914.

Another group of primary sources used in this study were Armenian sources. These include reports on the seized properties of Armenians prepared by the Armenian Patriarchate and the records of the Armenian National Assembly. Both of these sources were found in the Nubarian Library in Paris. I also reviewed several books in Armenian related to the land question, agrarian relations, and the conditions of peasants in the Ottoman East which I found in the Armenian National Library.

Newspapers are another group of sources used in this study that provide important insights regarding the discourses of different actors and groups on social, economic, and political matters. For this study, I examined Armenian newspapers *Azadamart* and *Haṛach*, which were affiliated with the ARF. *Azadamart* was published in Istanbul; *Haṛach* in Erzurum. Another newspaper that was reviewed for this research was *Tanin*, which was affiliated with the Committee of Union and Progress (hereafter CUP).

Ottoman, Armenian, and British archives provide important sources for studying the land question in the Ottoman Empire. On the other hand, there are archival limitations to academic research regarding this matter. The most important limitation results from the fact that documents dating from the post-Tanzimat period in the archives of the General Directorate of Title Deeds and Cadasters are not open to researchers. These records may provide detailed information regarding registration processes, land disputes, and seizures. Another archival limitation is the absence of the records of Property Commissions that were established in line with the reform initiatives of the mid-1890s to investigate claims of property seizure. Despite all my efforts, I was not able to locate these documents in the Ottoman archives.

## § 1.5 Structure of the Study

The Armenian land question is the main subject of inquiry of this study. Chapter 2 examines background trends into which this issue was embedded. The first of these trends is the transformation of the land regime in the Ottoman Empire. With this transformation – which entailed the establishment of exclusionary and individual property rights to land in general terms and the commodification of land – land gradually became a commodity that could be bought, sold, and mortgaged. In this process, the privileges of landowners with respect to the ways in which they would use the land under their possession also extended. The second trend that shaped the emergence and course of land disputes concerning Armenians was the transformation of the political significance of land. With the rise of nationalist territorial claims, land, as the medium tying particular populations to particular territories, gained a new significance. This chapter provides a

detailed examination of the academic literature on these two background trends.

Chapter 3 examines the emergence of the Armenian land question in the late nineteenth century. First, I analyze the characteristics of land disputes concerning Armenians in the period until the 1880s and the approaches of the Armenian Patriarchate, Armenian intellectuals, and the central government to this issue. Second, I examine how the internationalization of the Armenian Question affected the approaches of these actors to the issue of land disputes concerning Armenians. In the last part of this chapter, I examine the reform attempts of the Ottoman government in the period that followed the Berlin Treaty of 1878 in terms of its implications for the resolution of land disputes.

Chapter 4 examines the processes of property transfer from and the dispossession of Armenians in the Hamidian period. First, I examine the characteristics, extent, geographical distribution of, and actors involved in property seizures. Second, I analyze the means of property transfer and dispossession. This analysis reveals that the Armenian land question was embedded in socioeconomic trends like the commodification of land and the monetization of economy rather than being a solely political phenomenon. In the last part of this chapter, I examine the role of the central government in shaping the processes of property transfer and dispossession. This examination indicates that rather than being a bystander or reactionary agent, the central government was active and tried to control the demographic and political outcomes of massacres and property transfers. Another point illuminated through this examination is the contradictory and inconsistent policies and approaches in the field of the Ottoman state with regard to the issues of property transfer from and the dispossession of Armenians in the Hamidian period. These inconsistencies and contradictions point to differences of opinion among different nodes of authority.

Chapter 5 examines the socioeconomic consequences of massacres, the processes of property transfer, and dispossession in the eastern provinces. In the first part of this chapter, I examine the effects of these developments on agricultural production. These developments led to a significant decline in the agricultural revenue of the state, and there was a significant decrease in the amount of land under cultivation in some regions. In the second part, I

analyze the effects of these developments on agricultural relations. In some parts of the Ottoman East, these processes brought about the erosion of the independent Armenian peasantry and contributed to the expansion of sharecropping practices. In the last part of this chapter, I examine the effects of these processes on trade, revealing that there were significant differences among the various eastern provinces in terms of how these developments affected the trends of export and import trade.

With the Constitutional Revolution of 1908, there was a significant shift in Ottoman politics. This shift radically affected the issue of the Armenian land question, which became a significant topic of public debate in the Ottoman Empire in this period. From the beginning of the constitutional period, a resolution to the Armenian land question was demanded by several institutions and intellectuals. In chapter 6, I examine policies and regulations adopted by the central government for the management of this issue, the implementation of and resistance to these policies and regulations at the local level, and the negotiations among various groups of actors including the ARF, the Armenian Patriarchate, Armenian intellectuals, Kurdish powerholders, the CUP, and the Ottoman ruling elite. There was a significant shift in the approach of the central government to the land question in 1910, and the Armenian land question became a significant part of everyday politics in the Ottoman East in the post-1908 period.

With the outbreak of the Balkan Wars in 1912, there was another crucial shift in terms of the domestic and international political context for the Armenian Question in general and the Armenian land question in particular. Chapter 7 examines the implications of this shift in terms of the prospect of the return of seized Armenian lands. This examination shows that the resolution of the land question became a political bargaining chip for the central government during reform negotiations. In this period, the resolution to the land question came to be regarded as urgent for several Armenian actors. This analysis also shows that Kurdish actors strongly reacted to the prospect of reform and possible return of seized Armenian lands, generating considerable tension at the local level on the eve of the First World War.



## The Transformation of the Land Regime and the Significance Attached to Land

This study examines the emergence and transformation of land conflicts concerning Armenians. In this chapter, I examine the socioeconomic and political trends in which this question was embedded. In the first part of this chapter, I examine the transformation of the land regime in the Ottoman Empire. This process entailed a liberalization trend with two interrelated components. One of these was the commodification of land, referring to the processes by which land was stripped of the social obligations attached to it and became a property that could be bought, sold, and mortgaged. The second component of the liberalization trend was the establishment of private property rights by the state. Another background trend that I examine in this chapter is the transformation of the political significance attached to land ownership by different actors.

### § 2.1 The Classical Land Regime in the Ottoman Empire

Agricultural production was the most significant socioeconomic activity for the bulk of the Ottoman population. Thus, land was the primary means of production from which surplus value was derived. The land regime in the Ottoman Empire was primarily based on the premise of state ownership of the land. There were two important concerns on the part of the central

government that shaped the land regime in the Ottoman Empire. One of these was control of surplus value for the needs of the state. In the classical period, the land regime directly provided for the maintenance of a significant part of the military force of the country. This was realized through fiefs (*tımar*), which were granted to *tımar* holders in exchange for providing a certain number of cavalries (*sipahis*) in times of battle. İnalçık notes that

the principal characteristic of the classical Ottoman land-system was direct State control of the peasant and the soil, a system which had grown up to meet the military and financial needs of an absolutist administration, and in which the state's main concern was to ensure the revenues of the *tımâr*s.<sup>1</sup>

*Tımar* holders were given the right to collect taxes in their *tımars*. But their role was not limited to collecting taxes and providing soldiers; they were also responsible for securing public order in their localities. Thus, in addition to tax revenues, *tımar* holders also received fees for crimes committed in their area of responsibility.

The second concern that shaped the organization of the land regime was maintaining social order and the state's role as the dispenser of justice. As noted by several authors, the Ottoman dynasty tried to prevent the accumulation of land and power by other dynasties or individuals.<sup>2</sup> The basic tenets of the land regime served this purpose. State ownership of land hindered the emergence of potential rivals to the central authority. The principle of state ownership of land (*miri*) prevented both the evolution of local powers into feudal landlords and the transformation of the relations of production. It therefore contributed to the maintenance of social order. Small peasantry was one of the most important elements of this social order. Çağlar

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- 1 Halil İnalçık, "Filâha," in *Encyclopaedia of Islam, Second Edition*, ed. P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel and W.P. Heinrichs. [http://dx.doi.org/10.1163/1573-3912\\_islam\\_COM\\_0222](http://dx.doi.org/10.1163/1573-3912_islam_COM_0222).
  - 2 Ömer Lütfü Barkan, "Osmanlı İmparatorluğu'nda Kuruluş Devrinin Toprak Meseleleri," in *Türkiye'de Toprak Meselesi: Toplu Eserler 1* (Istanbul: Gözlem Yayınları, 1980), 281–290; Halil İnalçık, "Land Problems in Turkish History," *The Muslim World* 45, no. 3 (July 1955): 221–228.

Keyder underscores the importance attached to small peasantry in the classical land regime and notes that the classical land regime established “a unit of land based on the ploughing capacity of a pair of oxen” which would be “in the inalienable possession of a peasant family.”<sup>3</sup>

Huri İslamoğlu points out the role of practices and rules inherent in the land regime in the legitimization the social order and Ottoman rule by noting that

it is possible to detect, in the intervention of *timar*-holders in the production and appropriation of peasant surpluses, as well as in the principles underlying the organization of markets, a concern for maintaining the subsistence economy of free peasants, a concern for preventing accumulation on land through limits imposed on commercial production, and, finally, a concern for directing agricultural surpluses to specified markets so as to ensure the provisioning of non-agricultural populations. Implicit in these concerns was a paternalist world-view premised on the role of the state as dispenser of justice and perpetrator of eternal order.<sup>4</sup>

Timar lands in the classical Ottoman land regime were a subset of miri lands, the ownership rights (*raqaba*) of which belonged to the state. On the other hand, the rights of cultivators on miri lands were also recognized. As noted by Martha Mundy and Richard S. Smith, “the cultivator had a right of continuous exploitation of his lot of miri lands; this could not be taken away from him so long as he paid the tax due on the lot. Only if he abandoned cultivation for more than three years would he lose rights to his lot.”<sup>5</sup> The cultivators of agricultural lands had inheritable usufruct rights (*tasarruf*) to these lands,

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3 Çağlar Keyder, *State and Class in Turkey: A Study in Capitalist Development* (London: Verso, 1987), 11. See also, Halil İncılık, “Osmanlılar’da Raiyyet Rüsûmu,” *Belleten* XXIII (1959): 575–610.

4 Huri İslamoğlu-İnan, “Peasants, Commercialization, and Legitimation of State Power in Sixteenth-Century Anatolia,” in *Landholding and Commercial Agriculture in the Middle East*, ed. Çağlar Keyder and Faruk Tabak (New York: State University of New York Press, 1991), 38.

5 Mundy and Smith, *Governing Property*, 14.

which they held by a deed issued for a fee by the local administrator cum revenue holder.<sup>6</sup>

Another important category of land in the classical land regime was the freehold (*mülk*). According to Barkan, the rights of *mülk* holders were absolute. They could sell, transfer, or donate the *mülk* lands in their possession. While claiming that the rights of *mülk* holders were absolute, Barkan also notes that the ownership rights with regard to *mülk* or wakf lands did not entail the transfer of *raqaba* (absolute ownership of lands, which lay with the state) to individuals or pious foundations. The ownership rights to *mülk* or wakf lands did not give owners the right to use the lands in any way they wished. What property owners could have as absolute property was the sum of taxes that could be taken from the land and from those living on it.<sup>7</sup> İslamoğlu underscores the significance of this distinction and claims that “*mülk* (freehold) did not signify private ownership. Instead, *mülk* was a category of entitlement to tax revenue. Trees, buildings on agricultural lands and other produce in *mülk* lands were also classified as *mülk*. Thus the owners of *mülk* lands also had an entitlement to the fruits of the land.”<sup>8</sup> The situation was different for *miri* lands because the holders of *miri* lands were not entitled to the fruits of the land. Another difference between *miri* and *mülk* lands concerned the responsibility for the cultivation of the land. Like the cultivators of *miri* lands, *mülk* holders were also obliged to cultivate lands in their possession and to pay taxes. If the lands were not cultivated or if the landholders failed to pay taxes, the lands could be leased or even sold to third parties. Mundy and Smith note that in similar cases concerning *miri* lands, “should the cultivator’s lot remain uncultivated and no one else be found to take it on, since it was treasury property, the land could not be sold. Rather, the cultivator was to be returned to the lot.”<sup>9</sup>

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6 Huri İslamoğlu, “Property as a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858,” in *New Perspectives on Property and Land in the Middle East*, ed. Roger Owen (Harvard: Harvard University Press, 2000), 19.

7 Ömer Lütfi Barkan, “İmparatorluk Devrinde Toprak Mülk ve Vakıfların Hususiyeti,” in *Türkiye’de Toprak Meselesi*, 253.

8 İslamoğlu, “Property as Contested,” 18.

9 Mundy and Smith, *Governing Property*, 14.

Another category of land that was a part of the Ottoman land regime was *wakf* properties. *Wakfs* were either pious or private endowments. *Mülk* lands could be donated to these endowments. *Wakfs* were also responsible for securing the continuous cultivation of lands in their possession. As shown by Michael Nizri, ownership rights to *wakf* lands were not absolute. Deeds of formal possession granted by the sultan (*temliknames*) regarding *wakf* lands had to be confirmed by each new sultan, and in some cases, sultans declined to renew the *temliknames*.<sup>10</sup> In these cases, lands that had been in the possession of a *wakf* were returned to state control.

Another important category of the Ottoman land regime was *yurtluk-ocaklık*. As the Ottoman Empire began to expand eastward, it began to grant differing degrees of political and socioeconomic autonomy to Kurdish powerholders in the region. Most notable among these powerholders were emirs. This process brought about the emergence of a new category of land, the *yurtluk-ocaklık*, which were hereditary family estates or properties. According to Uğur Bayraktar, “whether the lands in the *yurtluk-ocaklık* and *hükümet* districts constituted full property rights is a debatable question, their freehold property status is beyond question.”<sup>11</sup> Nizri’s analysis of the transformation of the Gönelü saltworks in Erzurum from a *yurtluk-ocaklık* to a *wakf* property of the Feyzullah Efendi *Wakf* supports the claim that land in *yurtluk-ocaklık* had freehold property status. In that case, the property, which was located within a *yurtluk-ocaklık* held by the family of one Ali Bey, was purchased by the treasury before being allocated to the Feyzullah Efendi *Wakf*. The procedure followed in this case indicates that ownership rights of *yurtluk-ocaklık* holders were recognized to a great extent by Ottoman authorities.<sup>12</sup>

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10 Michael Nizri, “Defining Village Boundaries at the Time of the Introduction of the *Malikane* System: The Struggle of the Ottoman State for Reaffirming Ownership of the Land,” *Journal of the Ottoman and Turkish Studies Association* 2, no. 1 (2015): 37–57.

11 Uğur Bayraktar, “*Yurtluk-Ocaklık*: Land, Politics of Notables and Society in Ottoman Kurdistan, 1820-1890,” (PhD diss., Boğaziçi University and École des Hautes Etudes en Sciences Sociales, 2015), 57.

12 Nizri, “Defining Village,” 50–53.

Beginning at the end of the sixteenth century, the Ottoman land regime went through a series of transformations. Kemal Karpat defines this process as the disintegration of the land system and argues that it was caused by “economic and technological change – e.g., the use of firearms which led to the neglect of the sipahi or cavalymen in charge of state lands.”<sup>13</sup> The spread of tax farming (*iltizam*) practice accompanied the decline of the tımar system. This practice entailed the sale of tax revenues by the Ottoman government.<sup>14</sup> In the seventeenth century, the government began to sell the tax revenues of some lands for life in return for a cash advance.<sup>15</sup> Lands the tax revenues of which were sold under this condition were called *malikanes*.

Karpat notes that provincial notables, *ayan*, were interested in controlling the land for a number of reasons: “It enabled them to maintain a commanding position in the community, provided them with income, and gave them status vis-a-vis the government bureaucracy.”<sup>16</sup> By the end of the eighteenth century, *ayan* had become important powerholders and, in some cases, they had begun to challenge the control of the central authority.<sup>17</sup> The rise of *ayan* was a process by which powerholders in the Ottoman periphery began to increase their share of agricultural surplus. As noted by Dina R. Khoury, the tax-farming system and the lowering of barriers dividing the military from the rest of the population contributed to the ascendancy of *ayan* in the eighteenth century.<sup>18</sup> In many cases, however, the rise of provincial notables did not

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- 13 Kemal Karpat, “The Land Regime, Social Structure, and Modernization in the Ottoman Empire,” in *Beginnings of Modernization in the Middle East: The Nineteenth Century*, ed. William R. Polk and Richard L. Chambers (Chicago: The University of Chicago Press, 1968), 71.
- 14 İnalçık, “Filaha,” and Karpat, “Land Regime,” 71.
- 15 Bruce McGowan, “The Age of the *Ayans*, 1699-1812,” in *An Economic and Social History of The Ottoman Empire*, vol. 2, 1600-1914, ed. Suraiya Faroqhi, Bruce McGowan, Donal Quataert and Şevket Pamuk (Cambridge: Cambridge University Press, 1997), 713–714.
- 16 Karpat, “Land Regime,” 77.
- 17 McGowan, “Age of *Ayans*,” 715–716.
- 18 Dina Rizk Khoury, “The Ottoman Centre versus Provincial Power-holders: An Analysis of the Historiography,” in *The Cambridge History of Turkey*, vol. 3, the Later Ottoman Empire, 1603-1839, ed. Suraiya N. Faroqhi (Cambridge: Cambridge University Press, 2006), 154.

transform agrarian relations.<sup>19</sup> Haim Gerber notes that the income and power of provincial notables depended on the shares they derived from taxation rather than direct control of lands. Even in cases where the provincial elite was able to control vast tracts of land, these lands retained their miri status.<sup>20</sup>

It should be noted that there are different arguments regarding the effects of the rise of provincial notables on the land regime and patterns of land ownership in the Ottoman Empire. Some authors, like Gerber, argue that large land ownership was not a significant phenomenon before the Land Code of 1858.<sup>21</sup> Others, like Khoury, point out that the commercialization of agriculture led to the emergence of such a trend well before the nineteenth century in some regions of the Ottoman Empire.<sup>22</sup>

## § 2.2 Factors Affecting the Transformation of the Land Regime in the Nineteenth Century

The land regime in the Ottoman Empire went through a radical transformation in the late Ottoman period. One of the most important factors that led to the transformation of the land regime was the rise of a central administrative state. Beginning with the reign of Selim III, the central government initiated a series of reforms and tried to curb the power of local powerholders. While local notables had succeeded in imposing their will on the central government in the wake of the political turmoil in 1808, Mahmud II renewed the efforts of the Ottoman center to curb the power of local notables like ayan and emirs in the years that followed. Mahmud II adopted several strategies including coercion and cooptation to bring these

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19 Keyder, *State and Class*. 16.

20 Haim Gerber, *The Social Origins of the Modern Middle East* (Colorado: Lynne Rienner Publishers, 1987), 63.

21 Gerber, *Social Origins*, Ömer Lütfü Barkan, “Türk Toprak Hukuku Tarihinde Tanzimat ve 1274 (1858) Tarihli Arazi Kanunnamesi,” in *Türkiye’de Toprak Meselesi*, 291-375.

22 Dina Rizk Khoury, “The Introduction of Commercial Agriculture in the Province of Mosul and its Effects on the Peasantry, 1750-1850,” in Keyder and Tabak, *Landholding and Commercial*, 155-171.

powerholders under control and end the autonomy of emirs in the Ottoman East.<sup>23</sup> To increase central control over surplus value, Mahmud II also reorganized the regime of pious endowments and curtailed their financial autonomy. Another important development in this regard was the implementation of a plan to terminate the timar system, which had been in demise since the seventeenth century. In line with this plan, timar holders were stripped of their holdings.<sup>24</sup>

The reforms, which were necessary for revitalizing the empire, required funds, and in a historical period in which income from conquests was lacking, the main source of income for the treasury was tax revenues. Thus, the central government attempted to increase its control over the surplus value derived from agriculture. As noted by Nadir Özbek, the main objectives of Ottoman bureaucrats in the Tanzimat period were to secure the transfer of tax revenues to the center and to limit the role of intermediaries in this process. The rise of tax revenues in the nineteenth century indicates that the central government was successful in realizing this objective.<sup>25</sup> On the other hand, the introduction of direct central taxation proved to be a failure for the treasury. Thus, a couple of years following the attempt to abolish iltizam, the Ottoman government reconciled with local notables and recognized their role in the process of tax collection. With this reconciliation, the central government recognized that local powerholders had a share in tax revenues. In line with this development, the iltizam system continued to be a part of the central tax regime.<sup>26</sup>

The rise of the central administrative state brought about a series of changes with regard to land tenure. In this process, the central government introduced a new regime that emphasized individual and exclusionary rights

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23 For detailed information on this period, see İlber Ortaylı, *İmparatorluğun En Uzun Yüzyılı* (Istanbul: Hil Yayın, 1983) and Albert Hourani, "Ottoman Reform and the Politics of Notables," in *The Emergence of the Modern Middle East* (Berkeley: University of California Press, 1981), 36–66.

24 Donald Quataert, "The Age of Reforms, 1812–1914," in *An Economic and Social History of The Ottoman Empire*, vol. 2, 1600–1914, ed. Suraiya Faroqhi, Bruce McGowan, Donal Quataert and Şevket Pamuk (Cambridge: Cambridge University Press, 1997), 854–855.

25 Özbek, *İmparatorluğun Bedeli*, 22–23.

26 *Ibid.*, 47.

to land. A series of regulations, including the Land Code of 1858, contributed to the commodification of land in the Ottoman Empire, a process by which land became something that could be sold, bought, and mortgaged. The details of this transformation and its effects are examined in the following section.

Another important factor that contributed to the transformation of the land regime and the increased demand for land was the settlement of nomads, seminomads, and immigrants. To bring nomadic and seminomadic populations under control, the Ottoman government began to work for their settlement. There were several reasons behind the attempt of the central government to settle nomadic and seminomadic tribes.<sup>27</sup> First, the central government was unable to tax nomadic and seminomadic populations. Their settlement would contribute to the development of agriculture and to the income of the treasury. Second, it was not possible for the government to recruit soldiers from among nomadic and seminomadic tribes. After they were settled, men in these tribes could be conscripted. Third, several nomadic and seminomadic tribes were disrupting public order and hindering agricultural production. Some nomadic and seminomadic tribes were in the habit of raiding areas inhabited by agricultural populations and looting their produce and animals. Bedouin tribes had become a serious matter of concern in the Damascus region in the nineteenth century.<sup>28</sup> The same was true for nomadic and seminomadic Kurdish tribes in the Ottoman East. The settlement of these tribes was sometimes executed by force by the Ottoman authorities. There were also cases in which nomadic and semi-nomadic populations preferred to settle. While some of these tribes were settled in vacant lands, opening up new areas to agriculture, others forcefully took over established villages in the eastern provinces in the 1890s. There were also

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27 For an examination of the settlement process in Central Anatolia in the Tanzimat period, see Yonca Köksal, "Coercion and Mediation: Centralization and Sedentarization of Tribes in the Ottoman Empire," *Middle Eastern Studies* 42, no. 3 (2006): 469–491.

28 Abdul-Karim Rafeq, "Land Tenure Problems and their Social Impact in Syria around the Middle of the Nineteenth Century," in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi (Beirut: American University of Beirut, 1984), 371–396.

nomadic and seminomadic tribes that were settled by the government on lands abandoned by Armenians during the massacres.

In addition to the settlement of nomadic and seminomadic populations, the Ottoman government was faced with the difficulty of settling Muslim immigrants. In this period, the Ottoman Empire experienced an influx of Muslim immigrants (*muhacirs*). Muslim immigrants into the Ottoman Empire can be grouped under three categories. The first wave of immigrants came with the influx of Crimean Muslims which began in the late eighteenth century and accelerated with the Crimean War. The second group were immigrants from the Caucasus, especially Circassians. The influx of this group also accelerated at the height of the Crimean War. Another group of immigrants were Muslims from the Balkans. This group began to flee to territories under Ottoman rule following the Russo-Ottoman War of 1877-78. Immigration from the Balkans took a new turn with the Balkan Wars of 1912-13. Some of these immigrants had fled to the empire from territories lost by the empire. Thus, their influx did not lead to a population increase per se, but it increased the population pressure, transformed the distribution of the population, and increased the ratio of Muslims living under Ottoman rule. Immigrants who fled to the empire from territories that had not been under Ottoman rule were recent additions to the Ottoman population. According to Quataert, the total number of immigrants was between five and seven million.<sup>29</sup> Şevket Pamuk underscores that in estimating the number of immigrants, population growth within the Ottoman Empire should also be taken into consideration. According to Pamuk, the number of immigrants who came to the territories under Ottoman rule in each of the three waves of immigration was around a million to a million and a half.<sup>30</sup>

The literature on Muslim immigration and the settlement of immigrants shows that Ottoman authorities were faced with a significant problem in terms

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29 Quataert, "Age of Reforms," 793. For detailed information about this population movement, see Kemal H. Karpat, *Ottoman Population 1830-1914: Demographic and Social Characteristics* (Wisconsin: University of Wisconsin Press, 1985), 60-77.

30 Şevket Pamuk, *Türkiye'nin 200 Yıllık İktisadi Tarihi: Büyüme, Kurumlar ve Bölüşüm* (Istanbul: Türkiye İş Bankası Yayınları, 2014), 65.

of settling such a significant number of people.<sup>31</sup> The central government tried to solve this problem by opening new lands to agriculture and distributing state-owned lands to immigrants. As noted by Terzibaşoğlu, several new villages in Central Anatolia were established as a consequence of this settlement process.<sup>32</sup> Immigrants from the Caucasus were also settled on vacant lands in Eastern Anatolia and Syria. The settlement of immigrants increased the demand for land and contributed to the escalation of disputes over land. While they seemed vacant according to Ottoman records, some lands used for the settlement of immigrants were actually being used by others, like nomads. This situation led to the eruption of disputes between those who were settled, and those who claimed customary rights to these lands.<sup>33</sup> Land disputes concerning the settlement of immigrants accelerated after the 1890s. In this period, the government began to settle immigrants on lands held by Armenians. These lands mostly belonged to those scattered after the massacres of 1894-97; however, the settlement of immigrants and the expansion of land disputes concerning Armenians was not confined to immigrants settled on lands that the government considered vacant or abandoned. There were also cases in which immigrants themselves seized Armenian lands, which are examined in chapters 3 and 4.

Another development that contributed to the transformation of the land regime was the acceleration of the integration of the Ottoman economy into

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31 Nedim İpek, *Rumeli'den Anadolu'ya Türk Göçleri (1877-1890)* (Ankara: Türk Tarih Kurumu Basımevi, 1994); Ahmet Halaçoğlu, *Balkan Harbi Sırasında Rumeli'den Türk Göçleri (1912-1913)* (Ankara: Türk Tarih Kurumu Basımevi, 1994); Fuat Dünder, *İttihat ve Terakki'nin Müslümanları İskân Politikası (1913-1918)*, 3th ed. (Istanbul: İletişim Yayınları, 2002); David Cameron Cuthell, "The Muhacirin Komisyonu: An Agent in the Transformation of Ottoman Anatolia, 1860-1866" (PhD diss., Columbia University, 2005); Ferhat Berber, "19. Yüzyılda Kafkasya'dan Anadolu'ya Yapılan Göçler," *Karadeniz Araştırmaları* 31 (2011): 17-49; Abdullah Saydam, *Kırım ve Kafkas Göçleri (1856-1876)* (Ankara: Türk Tarih Kurumu Basımevi, 1997); and Kemal H. Karpat, "The Status of the Muslim under European Rule: The Eviction and Settlement of Cerkes," *Institute of Muslim Minority Affairs. Journal* 1, no. 2 (1979): 7-27.

32 Terzibaşoğlu, "Land Disputes," 165-166.

33 *Ibid.*, 169.

the world economy and the commercialization of agriculture.<sup>34</sup> This process was unevenly experienced in different regions of the Ottoman Empire and affected Ottoman cities in the Balkans and along coastlines first. The rise of market-oriented agricultural production was integral to this process. Several factors contributed to the commercialization of agriculture. First was the rise of internal and international demand for agricultural products. Developments in transportation and infrastructure facilitated the trade of agricultural products. While agricultural products were the predominant exports of the empire, internal demand was even more significant than external demand for such products, and three-fourths of agricultural production was consumed within the empire. Another factor that contributed to the commercialization of agriculture was the monetarization of tax payments throughout the nineteenth century. As the burden on peasants increased and tax payments were increasingly demanded in cash, peasants were increasingly pushed to develop market-oriented production strategies. A final factor that contributed to the commercialization of agriculture was demand by peasants for consumption goods.<sup>35</sup>

The literature on the socioeconomic history of the Ottoman Empire shows that the effects of this process on patterns of land holding and land use varied from region to region. In Egypt, the rise of market-oriented production, which entailed the expansion of cotton production to an extent that it became the dominant crop in the region, was accompanied by the rise of large land ownership. Through a series of regulations and administrative changes initiated by Mehmed Ali Pasha, the governor of Egypt, and his successors, a small number of elites came to possess a vast portion of the arable lands in Egypt.<sup>36</sup> Another region where the commercialization of agriculture was accompanied by the acceleration of large landholding was the Balkans, the

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34 Şevket Pamuk, *The Ottoman Empire and European Capitalism, 1820-1913: Trade, Investment, and Production* (Cambridge, NY: Cambridge University Press, 1987).

35 Donald Quataert, *Osmanlı İmparatorluğu 1700-1922* (Istanbul: İletişim Yayınları, 2000), 196–198.

36 Joel Beinin, *Workers and Peasants in the Modern Middle East* (Cambridge: Cambridge University Press, 2004), 51–54.

integration of which into the world economy was faster than the rest of the Ottoman Empire. Çukurova, where cotton production was an important socioeconomic activity for thousands of seasonal migrant workers from around the region, was another center in which large landholding accompanied the development of market-oriented agricultural production.<sup>37</sup> On the other hand, the commercialization of agriculture did not automatically bring about a trend of large landholding in all regions of the Ottoman Empire. In Western Anatolia, the effects of the integration of the Ottoman economy into the world economy began to be felt beginning in the early nineteenth century, and market-oriented production became highly developed. On the other hand, large landholding remained a rare phenomenon in Western Anatolia, and small-scale peasantry continued to be the primary landholders in the region.<sup>38</sup>

Another factor that contributed to the transformation of the significance of land and land tenure was the rise of territorial concerns on the parts of the state and various religious and nationalist groups. This was a historical epoch in which great empires, like the Ottoman Empire, the Austro-Hungarian Empire, and the Russian Empire were faced with the difficulty of developing strategies for reformulating their legitimacy in the face of nationalist claims.<sup>39</sup> Land in particular and territory in general began to play an important part in struggles related to political authority and sovereignty. This development underscored the significance of land and attached a novel political significance to it, which is examined in the last part of this chapter.

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37 Meltem Toksöz, “The Çukurova: From Nomadic Life to Commercial Agriculture, 1800–1908” (PhD diss., State University of New York at Binghamton, 2000) and Stephan Astourian, “Testing World-System Theory, Cilicia (1830s-1890s): Armenian-Turkish Polarization and the Ideology of Modern Ottoman Historiography” (PhD diss., University of California, 1996).

38 Şevket Pamuk, *Osmanlı'dan Cumhuriyet'e Küreselleşme, İktisat Politikaları ve Büyüme: Seçme Eserleri II* (Istanbul: İş Bankası Yayınları, 2008).

39 Selim Deringil, *The Well-Protected Domains: Ideology and the Legitimation of Power in the Ottoman Empire 1876-1909* (London: I.B. Tauris, 1998), 16–44.

### 2.2.1 *Regulations Regarding the Land Regime*

Throughout the nineteenth century, the central government tried to extend its control over land. As noted above, Mahmud II introduced new regulations concerning wakf lands and curbed the autonomy of the wakfs. The central government continued to adopt regulations and laws in line with this objective throughout the century.

After the promulgation of the Tanzimat, the central government initiated a new program. Based on their examination of imperial orders (*irades*) in this period, Mundy and Smith claim that the government sought to “encourage the generation of wealth through education, public works and a more equitable distribution of the tax burden” and demanded “information concerning agriculture, the infrastructure of communication and exchange, and the forms and distribution of wealth.”<sup>40</sup> Referring to a regulation (*nizamname*) dated 1840, Dina R. Khoury notes that the central government tried to renew its control over land, and introduced changes to the system of land tenure in the 1840s. Khoury states that this regulation “sought to limit the property in revenue of real property (*malikane*) owners by ordering the reversion to the state of all land whose revenue collectors or cultivators had died.”<sup>41</sup> The heirs of the *malikane* owners could later get title deeds (*tapus*) for these lands and gain usufruct possession rights. The regulation allowed landholders to leave their lands to male and female heirs. Another important legal regulation regarding the land regime was the regulation of title deeds, which was issued in 1847. With this regulation, female heirs of landholders were given the right to inherit without paying the fee for a title deed.<sup>42</sup> Before this regulation, this was a privilege reserved for male heirs. The transfer of landholdings via inheritance without the payment of the fee for a title deed to the sons and daughters of landholders also applied to the lands of mothers. Mundy and Smith argue that “the law confirmed the unfettered power of a

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40 Mundy and Smith, *Governing Property*, 41–42.

41 Dina Rizk Khoury, *State and Provincial Society in the Ottoman Empire: Mosul, 1540-1834* (Cambridge: Cambridge University Press, 1997), 105.

42 “Tapu hakkında icra olunacak nizamât,” in *Tanzimat Sonrası Arazi ve Tapu* (Istanbul: Osmanlı Arşivi Daire Başkanlığı, 2014), 36–40.

tapu holder to rent out his land.”<sup>43</sup> Another novelty introduced by this regulation was the change of the authority that would issue title deeds for land. Before the regulation, title deeds were issued by courts or local administrators. The new regulation gave this authority to the district council.

One of the most important developments regarding the land regime was the adoption of the Land Code of 1858.<sup>44</sup> The scope of this code was limited to miri lands. The code was an important turning point in terms of the development of individual and exclusionary rights to miri lands. According to the code, all lands in a village or town would not be granted to the whole of the inhabitants or to an individual or few individuals chosen from amongst them. Each inhabitant would be given separate parcels of land and title deeds showing their possession (Article 8).<sup>45</sup> As noted by Mundy and Smith, the Land Code restricted “village common interest to a list of types of land,” including roads, places of worship, areas for cattle and carts, woodlands, threshing grounds, and pasture land. In the formulation of articles regarding the common interest of villages, the drafters of the code refrained from introducing legal definitions, referring instead to customs and customary practices.<sup>46</sup>

Several articles of the Land Code strengthened individual and exclusionary use of miri lands and contributed to the development of individual ownership of land. For example, landholders were free to choose the crops they would sow on the land (Article 9). The code stipulated that

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43 Mundy and Smith, *Governing Property*, 44.

44 The imperial order was issued on 23 Şevval 1274 (6 June 1858). Karakoç Sarkis, *Arazi Kanunu ve Tapu Nizamnamesi, Tahşiyeli* (Istanbul: Cihan Biraderler Matbaası, 1340/1342), 175–254. For the Turkish transcription of the Code, see *Arazi Kanunnamesi*, trans. Orhan Çeker (Istanbul: Ebru yayınları, 1985). For the English translation of the Land Code, see *The Ottoman Land Code*, trans. F. Ongley (London: William Clowes and Sons, 1892) and Sir Stanley Fisher, *Ottoman Land Laws: Containing the Ottoman Land Code and Later Legislation Affecting Land with Notes and An Appendix of Cyprus Laws and Rules Relating to Land* (London: Oxford University Press, 1919). For a review of the literature on the Land Code, see E. Attila Aytakin, “Hukuk, Tarih ve Tarihyazı: 1858 Osmanlı Arazi Kanunnamesi’ne Yönelik Yaklaşımlar,” *Türkiye Araştırmaları Literatür Dergisi* 3, no. 5 (2005): 723–744.

45 Çeker, *Arazi Kanunnamesi*, 20; Fisher, *Ottoman Land Laws*, 6.

46 Mundy and Smith, *Governing Property*, 46.

meadows from which grass was reaped *ab antiquo* and from which tithe-able produce was taken would be considered cultivated land. The usage rights of meadows were limited to the landholders who held the title deeds, and they could prevent others from profiting from the grass (Article 10). The code stipulated that title deed holders could leave the lands fallow under certain circumstances. They could prevent others from entering such lands and could also prevent animals belonging to others from entering and grazing on such lands (Article 11). Landholders who held title deeds could prevent others from trespassing without right (*mürur*) onto their lands. On the other hand, they were not allowed to do so in cases where there was *ab antiquo* a right of passage (Article 13). The code stipulated that landholders were entitled to the fruit of trees naturally growing on their lands. On the other hand, neither strangers nor landholders were allowed to cut down or pull up these trees, and if they did so, they would pay the cost of the tree to the treasury (Article 28).<sup>47</sup>

As seen in these articles, the Land Code of 1858 strengthened individual and exclusionary rights to land. On the other hand, it did not grant absolute ownership rights to land holders. The code recognized several principles and claims without specific definitions and stipulations. For example, in Article 13 of the code, the exclusionary right of the landholder against trespassers was recognized, but the customary rights of third parties were also recognized. If an individual, family, or group had ancient (*kadim*) rights of passage through a land, they could continue to pass through it. On the other hand, these customary rights were not defined in the code. It was this combination of old and new principles without specific definitions that gave the code its flexibility.<sup>48</sup> A number of articles in the code limited the rights of landholders. For example, except under certain conditions, land could not be left uncultivated (Article 9). Landholders were not allowed to plant trees or turn lands into gardens or vineyards without the permission of the authorities (Article 25). Landholders could not erect new buildings on miri lands without the permission of the authorities, which had the right to demolish buildings built without permission (Article 31). Furthermore, landholders who had

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47 Çeker, *Arazi Kanunnamesi*, 20–21, 25; Fisher, *Ottoman Land*, 6–7, 12.

48 Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire: Transjordan, 1850-1921* (Cambridge: Cambridge University Press, 1999), 83.

meadows could only cultivate them with the permission of the authorities (Article 10). As noted by Ömer L. Barkan, most of these limitations reflect the concern of the state on maintaining agricultural revenues and securing the income of the treasury.<sup>49</sup> Another stipulation of the code, which limited ownership rights to miri lands, concerns the terms of restitution in cases of seizure. The code stipulated that the possessors of lands that were taken and cultivated unlawfully or by violence and on which the taxes were paid could not claim restitution from the occupiers – neither damages for depreciation nor an equivalent rent (Article 21). Thus, as long as the usurpers paid the taxes, landholders could not demand restitution or rent for the period the lands were occupied. The situation was different with regard to mülk holdings. In the case of mülk holdings, landholders were entitled to restitution regarding seized lands regardless of whether or not the occupier paid the taxes.<sup>50</sup>

The code included several provisions aimed at securing the continuity of cultivation on miri lands. The code stipulated that if landholders left their lands uncultivated for more than three years without providing a valid excuse, the title deeds of the lands would have to be renewed. Lands in this situation were referred to as *müstehakk-ı tapu* (Article 68). In this case, the landholder could get the lands back by paying its equivalent value. Otherwise, such lands would be put up for auction and sold to the highest bidder. Valid excuses specified in the law were leaving lands uncultivated more than one or two years due to exceptional local circumstances, the necessity of leaving the land fallow until it acquired the power of cultivation after water which had inundated it for a time receded, and non-cultivation due to being a prisoner of war. Another exceptional situation was specified in Article 72 of the code which stipulated that if all or a part of the inhabitants of a village or town left their residence for a legitimate reason, their title deeds would not be invalidated (*müstahakk-ı tapu*). On the other hand, if the people left without a legitimate reason or if they did not return within three years of the day that the legitimate reason ceased to exist, their title deeds would become invalid and the state could issue new title deeds for their lands. There was also a

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49 Barkan, “Türk Toprak Hukuku,” 340.

50 Çeker, *Arazi Kanunnamesi*, 23; Fisher, *Ottoman Land*, 10; Barkan, “Türk Toprak Hukuku,” 343.

special provision for soldiers. The title deeds of lands in the possession of soldiers could not be considered invalid unless their death was proved (Article 73). If lands of soldiers were given to others, soldiers could take them back upon their return. The code also introduced a similar principle of punishing unproductiveness with regard to meadows. If meadows, which were held by title deed and for the produce of which the holders paid tithe, were not sown and the tithe had not been paid for three consecutive years, the title deeds for these meadows would become invalid (Article 85).<sup>51</sup>

The code also recognized prescriptive rights. It stipulated that everyone who possessed and cultivated state or *mevkufe* lands for ten years without dispute would acquire prescriptive rights to such lands (Article 78). In such cases, the land would not be considered escheated (*mahlul*) regardless of whether the cultivator had a valid title deed or not, and the cultivator would be granted a new title deed for free. In cases where such possessors admitted and confessed that they took possession of the vacant lands without the right to, they would have to pay the value of the title deed. And if the possessor did not assent to pay for the title deed, the lands would be put up for auction.

The code also regulated the terms and conditions of rent, sale, and mortgage of miri lands. While confirming the right of the holder to lease the land, the code did not specifically regulate the terms of rent. Sharecropping agreements, which formed the basis of agricultural production in various regions of the Ottoman Empire, were not regulated by the Land Code. According to Barkan, this was one of the code's most significant shortcomings.<sup>52</sup>

The code also regulated the transfer of miri lands (Articles 36-53). According to the code, the transfer of miri lands could only be carried out with the permission of the authorities. The code forbade transfer of lands via coercion (Article 113). If someone in a position act out his threats secured the transfer of land to himself through coercion, the transfer would be considered void. The articles of the Land Code concerning the mortgaging of miri lands

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51 Çeker, *Arazi Kanunnamesi*, 44–50; Fisher, *Ottoman Land*, 24–28.

52 Barkan, "Türk Toprak Hukuku," 371. Gerber explains this absence: landlord/tenant relations "were rare in the years spanning the sixteenth and nineteenth centuries" (*The Social Origins*, 71).

were a radical break from the classical Ottoman land regime. This was regulated in Articles 115, 116, 117, and 118 of the code. Although a creditor could not seize the lands of a debtor, he could “force the latter by taking the appropriate steps to sell it to another and discharge the debt out of the purchase money” (Article 115). A debtor could transfer lands in his possession to his creditor on the condition that the latter would return them to him whenever he settled the debt (Article 116). The debtor could also give the creditor the authority to sell the lands in question and to take his due from the sum of the sales price (Article 117).<sup>53</sup> As noted by Mundy and Smith, these regulations lifted “restraints on dispossessing the cultivator of his lot for debt” and represented a “painful erosion of Ottoman legal tradition with regard to miri land.”<sup>54</sup> After 1858, the conditions for mortgages were further liberalized and the central government introduced the principle of forced sale for debts. This became an issue in the late 1850s with regard to tax arrears, an issue that was not regulated in the code. Examining the matter, the Supreme Council (*Meclis-i Vâlâ*) prepared a report suggesting that the sale of miri lands could be forced in cases where landowners were indebted to the state, excluding “the roof over the person’s head and a basic amount of land required for survival.”<sup>55</sup> Forced sale of miri lands under these conditions was regulated in the decrees of 7 January 1861 and 29 September 1861.<sup>56</sup> The forced sale of miri lands was later extended to ordinary debts in the decree of 2 December 1869.<sup>57</sup> With these regulations, land became alienable property.

Another important regulation regarding the transformation of the land regime in the Ottoman Empire in the nineteenth century was the “Law Giving Foreigners the Right to Possess Immovable Property in the Ottoman Empire,” adopted in 1868.<sup>58</sup> With this law, foreign subjects were allowed to enjoy the

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53 Çeker, *Arazi Kanunnamesi*, 29–35, 64–66; Fisher, *Ottoman Land*, 15–19, 37–39.

54 Mundy and Smith, *Governing Property*, 46.

55 *Ibid.*, 47.

56 Sarkis, *Arazi Kanunu*, 257–260.

57 This decree was later amended on 28 December 1871. “Deyn için emvâl-i gayr-ı menkûlenin fûrûhtu hakkında nizamnâmedir.” *Tanzimat Sonrası Arazi*, 152–154, 157–159; Fisher, *Ottoman Land*, 61.

58 Fisher, *Ottoman Land*, 57–59.

right to possess immovable property, urban or rural, anywhere within the empire except for the province of Hedjaz, with the same title as Ottoman subjects and without any other condition, upon submitting to the laws and regulations governing Ottoman subjects themselves. It should be noted that the law included a specific exception for Ottomans who had changed their nationality, stipulating that their situations would be regulated separately.<sup>59</sup>

As examined above, the Land Code introduced several limitations on the use of miri lands. On the other hand, in a historical context where the sipahis had disappeared, it was not possible for the state to enforce these limitations in practice.<sup>60</sup> In this situation, usage rights to land de facto turned into individual ownership rights. Another important turning point in terms of the liberalization of the land regime was the adoption of the decree-law on immovable properties in 1913.<sup>61</sup> With this law, several limitations regarding the use of miri lands were abolished and the rights of landholders to miri lands came close to individual ownership rights in absolute terms. The law stipulated that landholders were free to transfer, mortgage, or lease these lands. They could turn gardens and vineyards in their possession into cultivated lands. Moreover, they could transform cultivated lands into gardens or vineyards by planting trees, or they could turn them into threshing grounds. With this law, landholders were also given the right to erect buildings on these lands on the condition that they not form neighborhoods or villages. In contrast with the Land Code, these acts were not tied to the condition of permission from Ottoman authorities.<sup>62</sup> Another provision of this law, which eroded the differences between mülk and miri lands, was related to seizures. According to Article 14 of this law, landholders could demand restitution (*ecrimisil*) from those who unlawfully occupied and cultivated their lands. Thus, this law can be seen as the final point of a process by which individual,

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59 Ibid.

60 Barkan, "Türk Toprak Hukuku," 340-341.

61 "Emval-i gayr-i menkulenin tasarrufu hakkında kanun-ı muvakkat," 30 Mart 1329/12 Nisan 1913. Sarkis Karakoç, *Kavanin-i Cedide Külliyyatı*, aded 9 (Istanbul: Matbaa ve Kütüphanesi-i Cihan, 1339-41), 708-724.

62 Halil Cin, *Miri Arazi ve Bu Arazinin Özel Mülkiyete Dönüşümü* (Tarsus: Çağ Üniversitesi, 2005), 303.

exclusionary, and absolute ownership of land became the legal norm in the Ottoman Empire.

### 2.2.2 *Implementation of the Land Code and Land Disputes*

Regulations and laws adopted by the Ottoman Empire in the nineteenth century introduced a new regime of landholding which contributed to the commodification of land and emphasized individual and exclusionary rights to use land, on one hand, and aimed to secure the continuity of cultivation and protect small-scale cultivators, on the other. The emphasis put on title deeds and registration began to separate ownership claims from usufruct claims. These changes contributed to the rise of land disputes in the nineteenth century Ottoman Empire. According to the regulations, cultivators would register the lands in their possession and receive title deeds for the respective lands. In registration process, multiple claimants came forward, and the land regime became an increasingly “contested domain.”<sup>63</sup> Vedat Eldem argues that the introduction of the registration process itself increased the demand for land and led to a significant rise in land prices.<sup>64</sup>

In his examination of the transformation of agrarian relations in Britain, E. P. Thompson challenges the assumption that law is a superstructure and notes that the law was not an instrument or tool of just the powerful in these struggles.<sup>65</sup> This research, along with the studies of several other researchers on the transformation of the Ottoman land regime, supports this argument.<sup>66</sup> As noted by Huri İslamoğlu, “the Code established the definition of individual ownership rights as the vocabulary through which struggles over access to land were articulated. That is, a vocabulary of ownership overtook that of competing claims to tax revenues and to land use.”<sup>67</sup> The articles of the code together with other laws and regulations framed the discourses of the disputing actors. In his examination of land disputes in Western Anatolia,

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63 İslamoğlu, “Property as Contested.”

64 Vedat Eldem, *Osmanlı İmparatorluğu'nun İktisadi Şartları Hakkında Bir Tetkik* (Ankara: Türk Tarih Kurumu Basımevi, 1994), 26.

65 Thompson, *Whigs and Hunters*, 261–265.

66 İslamoğlu, “Property as Contested,” and Terzibaşoğlu, “Land Disputes.”

67 İslamoğlu, “Property as Contested,” 32–33.

Yücel Terzibaşoğlu underscores that inclusion of ill-defined principles such as prescriptive and customary rights in the text of the code provided for local knowledge. Terzibaşoğlu points out the strategies used by disputing parties and notes that when parties raised claims based on customary or prescriptive rights, “the conflict was brought into the field of oral tradition and local power relations at the expense of more centralized agencies such as the courts and Şura-yı Devlet.”<sup>68</sup> Terzibaşoğlu emphasizes that nomads and peasants tried to situate the disputes in this context and benefit from local custom and memory, while large landholders spent their efforts on the intervention of central agencies and the administration, “thereby pulling the conflict to the arena of a more formal legal procedure.”<sup>69</sup> The findings of this research indicate that some Armenian cultivators also based their claims on prescriptive or customary rights, but they were also inclined to get central agencies and the administration involved due to the paramount power of local powerholders at the local level.

Research presented in this dissertation supports the argument that the Land Code, together with other legislative measures, cannot be seen solely as an instrument of powerful social groups. Several examples, which are examined in following chapters, show that different actors involved in land disputes concerning Armenians used the vocabulary introduced by the code to substantiate their claims to land. In some cases, peasants emphasized their prescriptive rights and underscored that they were cultivating the land and paying the taxes, undermining the claims of third parties. In other cases, they claimed that their families had cultivated the lands under dispute for generations, underscoring their customary rights. Despite the emphasis of the code on individual ownership, peasants and the Armenian political and religious elite also referred to the distributive role of the state which was an important element of the classical land regime, underscoring that if the claims of peasants were not recognized, they would perish. In several cases, it was underscored that non-resolution of land disputes would jeopardize the survival of peasant families and lead to their impoverishment. While raising

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68 Terzibaşoğlu, “Land Disputes,” 158–159.

69 Ibid.

demands for state intervention in land disputes, peasants and the Armenian political and religious elite also referred to the guarantee of private property which had been announced in several decrees beginning with the Gülhane Rescript. The strategies employed by peasants changed from time to time and included petitioning, protests, and refusal to cultivate. One conclusion that can be derived from these examples is that peasants were not passive bystanders in this process; they developed strategies and employed different vocabularies to substantiate their claims to land.<sup>70</sup>

Several researchers have shown that the outcomes of the transformation of the land regime in the aftermath of legislative changes depended on a number of factors and were the results of contestation among different actors. While some authors interpret this as a failure of the Land Code,<sup>71</sup> others emphasize the fact that the code itself was a flexible text designed to accommodate local practices, knowledge, and dynamics.<sup>72</sup> Scholars in the latter group underscore the importance of negotiation at different levels of administration.

The results of the transformation of the land regime varied from region to region. There is consensus in the literature regarding the outcomes of this process in Western Anatolia. In this region, small-scale landholding peasants registered lands in their own names and the code contributed to the protection

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70 For the strategies developed by peasants in terms of resisting dispossession and the transformation of agrarian relations, see Wolf, *Peasant Wars*; and James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985). For interactions between peasants and social movements and ideologies, see E. J. Hobsbawm, "Peasants and Politics," *The Journal of Peasant Studies* 1, no. 1 (1973): 3–22. For peasant and popular resistance in the Ottoman Empire, see Donald Quataert, *Social Disintegration and Popular Resistance in the Ottoman Empire, 1881–1908: Reactions to European Economic Penetration* (New York: New York University Press, 1983); Ahmet Uzun, *Tanzimat ve Sosyal Direnişler* (Istanbul: Eren, 2002); and E. Attila Aytekin, "Tax Revolts During the Tanzimat Period (1839–1876) and Before the Young Turk Revolution (1904–1908): Popular Protest and State Formation in the Late Ottoman Empire," *The Journal of Political History* 25, no. 3 (2013): 308–333.

71 Karpat, "Land Regime."

72 İslamoğlu, "Property as Contested;" Gerber, *Social Origins*; Rogan, *Frontiers*; and Mundy and Smith, *Governing Property*.

of small-scale peasantry. Many small landholders also achieved this in other parts of the Ottoman Empire.<sup>73</sup> On the other hand, the code contributed to the rise of large land ownership in some parts of the Ottoman Empire. Some studies on Syria and Iraq indicate that the adoption of the code aggravated the trend of large land ownership. Evaluating the outcomes of the code, Haim Gerber notes, “conventional wisdom has it that the outcome of the land law was exactly the opposite of what was intended. Instead of bringing about the registration of land in the name of the smallholder, it resulted largely in the transfer of the lion’s share of arable lands to a few landed magnates.”<sup>74</sup> Gerber presents a summary of the supposed causes of land amassment by local powerholders. First among these supposed causes is the need for protection on the part of villagers who relied on city notables in their dealings with the central administration. Second is the indebtedness of peasants to city moneylenders. The third suggested cause underscored in the literature is the peasants’ fear of registering lands in their own names as this could bring about the burdens of conscription and taxes. Fourth, peasants were argued to be ignorant of the importance of the registration process. Finally, tribal leaders registered lands in their own names instead of in those of individual tribesmen. According to Gerber, while there is empirical evidence backing some of these arguments, such as the land amassment of tribe leaders, there is no empirical evidence regarding others, like peasant’s ignorance or fear with respect to registering land.<sup>75</sup> Mundy’s research on the outcomes of the land registration process in the Ajlun region of Syria shows that claims that villagers refrained from registering their lands cannot be generalized and should be backed by empirical evidence. In this research, Mundy shows that peasants who were small landholders registered the lands in their names in a village in the Ajlun region.<sup>76</sup>

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73 Quataert, “Age of Reforms,” 859–860.

74 Gerber, *Social Origins*, 72.

75 *Ibid.*, 72–73.

76 Martha Mundy, “Village Land and Individual Title: *Musha’ and Ottoman Land Registration in the ‘Ajlun District,*” in *Village, Steppe and State: The Social Origins of Modern Jordan*, ed. Eugene L. Rogan and Tariq Tell (London: British Academic Press, 1994), 58–79.

The implementation of the code in the Ottoman East, in particular, and the transformation of agrarian relations and land tenure in the region, in general, are relatively understudied matters. The Land Code began to be implemented in some parts of the region in the 1860s. On the other hand, it was not implemented in other parts of the Ottoman East until the 1870s.

One of the first researchers to deal with this subject was Martin van Bruinessen. In an early study, Bruinessen stresses the influence of local powerholders and underscores that aghas, beys, and sheikhs used their influence to register large lands in their names. According to Bruinessen, the code paved the way for the erosion of the communal features of the tribal economy and led to individualization. Besides this, it led to increased economic stratification within tribes as aghas managed to register lands in their names, reducing tribesmen to the status of sharecroppers. He states that another outcome of the code was the emergence of a new class of urban-based landlords in the Ottoman East. These landlords and tribal leaders developed new forms of cooperation that secured their power and control over agricultural production and livestock. Finally, Bruinessen stresses that some cultivators lost their customary rights and were alienated, becoming sharecroppers or hired laborers.<sup>77</sup>

Another important study regarding the transformation of the land regime in the Ottoman East was carried out by Oya Gözel. Gözel emphasizes the land amassment of local powerholders, including local officials, tribal leaders, urban notables, and sheikhs, and underscores that these local powerholders managed to register large tracts of land in their names. Gözel repeats some common arguments used to explain the rise of large land ownership in different parts of the empire in her analysis of the transformation of the land regime in the region by stating:

The Land Code of 1858 had a great impact on the population of the region in the sense that in many instances they could not achieve to register the lands in their own names, instead a small group registered or purchased the lands with public auctions. Some factors such as the

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77 Martin van Bruinessen, *Agha, Shaikh and State: The Social and Political Structures of Kurdistan* (London: Zed Books Ltd, 1992), 182–185.

fear of being taxed, being recruited for the military service, the need of security of the peasants because of the dominant disorder in the region, the ignorance or the corruption of the officials etc. affected the occurrence of this result.<sup>78</sup>

Recent studies on the transformation of the land regime in the region underscore that the land amassment of local powerholders cannot be interpreted as the outcome of an automatic process. These studies emphasize contestation and the agency of local actors. In her examination of land disputes in the Palu region, Nilay Özok-Gündoğan shows that the question of what would happen to the lands taken from the emirs during the centralization efforts of the state in the first half of the nineteenth century had evolved into a multi-faceted problem by the mid-nineteenth century. While the state considered these lands to be miri lands at its disposal, there were aghas who held titles issued by the emirs indicating their possession of some such lands. Furthermore, peasants in the region were putting forward their own claims to these lands relying on customary and prescriptive rights. Gündoğan's examination shows that the outcomes of such disputes depended on negotiations at different levels, and rather than being ignorant or fearful, cultivators and peasants were active participants in such negotiations.<sup>79</sup>

Another important study regarding the transformation of the land regime in the late Ottoman period in the Ottoman East is the dissertation of Uğur Bayraktar. In his dissertation, Bayraktar examines the efforts of the Zirki Beys to reclaim their rights to land that had been their yurtluk-ocaklık in the Hazro district of Diyarbekir before the centralization policy of the state. This case shows that in the period that followed the Tanzimat Decree, provincial notables like the Zirki Beys, managed to re-secure ownership of lands lost during the centralization efforts, underscoring the agency of provincial notables.<sup>80</sup>

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78 Oya Gözel, "The Implementation of the Ottoman Land Code of 1858 in Eastern Anatolia," (master's thesis, METU, 2007), 2.

79 Nilay Özok-Gündoğan, "The Making of the Modern Ottoman State in the Kurdish Periphery: The Politics of Land and Taxation, 1840-1870," (PhD diss., Binghamton University, 2011).

80 Bayraktar, "Yurtluk-Ocaklıks."

The findings of this dissertation support the argument that local notables and peasants in the Ottoman East were not passive bystanders in the second half of the nineteenth century. Several examples of land disputes, which are examined in the next chapter, show that peasants registered lands in their names and tried to prevent others from doing so. This does not mean that peasants were not the “losers” in this process. As seen in numerous examples examined in next chapter, local powerholders had several advantages over peasants in terms of registering lands in their names, and they used their influence to amass lands. The findings of this research also support the argument that there were important regional differences among the eastern provinces in terms of the transformation of agrarian relations and the land regime in the second half of the nineteenth century. These are examined in chapters 4 and 5. The findings of this research also indicate that the commodification of land, which was reinforced by the Land Code of 1858 and regulations and decrees that followed it, contributed to the rise of land disputes in the region. Moreover, mechanisms introduced for the transfer of lands in cases of debt contributed to the alienation of peasants.

### § 2.3 Mass Violence and the Land Regime

Examining the transformation of the land regime in the Ottoman Empire, Donald Quataert emphasizes that the Land Code, along with other regulations introduced by the central government, was one among many factors that shaped changes to the land regime. Quataert states that:

The pattern of landholding at the end of the Ottoman Empire derived from a complex interaction among a long list of variables. These include soil and climate, previous patterns of landholding, the changing availability of labor, capital and land, the presence of sedentarized and nomadic tribes, transport systems, regional and international market opportunities for both agricultural and animal

products, the coercive power of local notables, the degree of centralized political control, and the land legislation itself.<sup>81</sup>

Recent works on the transformation of agrarian relations and landholding in the Ottoman East in the Hamidian period indicate that mass violence should be added to the factors that shaped the transformation of the land regime. Studies by Janet Klein and Stephan H. Astourian indicate that there was a reciprocal relationship between mass violence and the transformation of the land regime.<sup>82</sup> First, competition for resources provided an important motivation for those who were involved in mass violence against Armenians during the massacres of 1894-97. The leaders and organizers of massacres in different localities secured the transfer of moveable and immovable properties to themselves and amassed fortunes in this period. Some of these tribal leaders, like Haydaranlı Hüseyin Pasha, began to employ new capitalist strategies, like grain speculation to enrich themselves. Second, the mass violence that became widespread during the years of the massacres escalated the processes of property transfer and the alienation of peasants. During the massacres, thousands of people were forced to transfer their lands to oppressors due to the threat or use of force. Besides such transfers, a large number of Armenians had to leave their villages and were scattered around the empire. The seizure of the properties they left behind was another kind of property transfer during the massacres. Another type of property transfers that became prominent in this period was the transfer of property to pay off debt, a development directly related to the commodification of land. As examined in chapters 4 and 5, thousands of properties changed hands in this period, and mass violence affected agricultural production, patterns of land ownership, and agrarian relations in some parts of the Ottoman Empire.

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81 Quataert, "Age of Reforms," 860.

82 Astourian, "Silence of Land," and Klein, *Margins of Empire*.

## § 2.4 The Rise of Modern Territoriality and the Transformation of the Political Significance of Land

As noted in the previous chapter, there was a a critical turn in terms of territoriality and nationalism in the years between 1870 and 1914.<sup>83</sup> In this period, territoriality became a crucial component of nationalisms around the world, and people who consider themselves to be nations began to make territorial claims at the level of international diplomacy. Another characteristic of this period was the transformation of the nature of imperialism itself. The new imperialism brought about the territorialization of imperial power relations and conflicts of interests among the Great Powers, the clearest reflection of which was the scramble for Africa.<sup>84</sup>

Studies in the political and social history of the Ottoman Empire indicate that this trend towards the territorialization of political power and political imagination also affected the approaches and acts of actors in the Ottoman state, and a new conceptualization of Ottoman sovereignty – shaped by the notion of modern territoriality – came about in the late nineteenth century. The transformation of the understanding, definition, and contestation of geographical space in the Ottoman Empire can be traced in the transformation of cartography. In his examination of mapping techniques in the early Ottoman Empire, Ahmet T. Karamustafa notes that:

In the Islamic lands, as in the rest of the medieval world, the borders between what now appear to us to be different modes of visual representation were not rigidly drawn. It should not be surprising, therefore, that all modes of visual representation shared a common terminological stock. Standardization and specialization begin only with the modern period.<sup>85</sup>

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83 Hobsbawm, *Nations and Nationalism*, chap. 4.

84 E. J. Hobsbawm, *The Age of Empire 1875-1914* (New York: Vintage Books, 1989) and Norrie MacQueen, *Colonialism* (London: Pearson, 2007), chap. 2.

85 Ahmet T. Karamustafa, “Introduction to Islamic Maps,” in *The History of Cartography volume 2, book 1: Cartography in the Traditional Islamic and South Asian Societies*, ed. J. B. Harley and David Woodward (Chicago: University of Chicago Press, 1992), 7.

Benjamin C. Fortna provides an analysis of the transformation of Ottoman cartography and the links between the practices of mapping and the political struggle for territorial sovereignty. Drawing on Karamustafa's account of the transformation of the understanding and projection of Ottoman territoriality in the modern period, Fortna argues that there was a significant change in this regard in the 1890s. He states that "older maps that represented territory on a continent-by-continent basis and thus inevitably marginalized Ottoman sovereignty were supplanted with maps designed to show all Ottoman land in a single frame with Anatolia at the centre."<sup>86</sup> Fortna shows that the preparation of such maps, which showed the Ottoman Empire in its entirety, was part of a transformation in the ways Ottoman territoriality was understood and projected.

Increasingly interested in fostering a sense of unity among its subjects, the late Ottoman state recognized the utility, concision and possibilities for mass production of the map format. In keeping with the abiding desire for control, the government was extremely careful about the presentation of its territory in cartographical form. Moreover, by insisting on maps that focused attention on the empire as a whole, as opposed to segments on three different continental maps, the late Ottoman state was reinforcing the notion of Ottoman territoriality in a fixed geographical space and communicating that notion to the young generation.<sup>87</sup>

Fortna also underscores that the preparation and usage of these maps produced different reactions among students, including comparison with other states or with the territorial boundaries of the Ottoman Empire in earlier centuries. He argues that "the silent fixity of the map artefact alerted even some of its youngest observers to the impermanence of imperial fortune."<sup>88</sup>

Özkan Akpınar's study on geography books in the Hamidian period provides important insights regarding the ways in which territorial

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86 Benjamin C. Fortna, "Change in the School Maps of the Late Ottoman Empire," *Imago Mundi* 57, no: 1 (2005): 23.

87 *Ibid.*, 30.

88 *Ibid.*, 31.

sovereignty was understood and contested in the late nineteenth century Ottoman Empire. In this study, Akpınar shows that, in this period, the subject of geography in Ottoman curricula was fundamentally shaped by the attempt of the sultan to create a unified Ottoman territoriality and legitimize his power and authority in this unified space.<sup>89</sup> This study reveals that the Ottoman government not only tried to disseminate its own imagery of unified Ottoman space, but also tried to remove the signifiers of alternative territorial and historical imaginations from the curricula of schools. In line with this territorial consciousness on the part of state actors, geography books containing information considered harmful to the interests of the state were collected and destroyed. Akpınar shows that geography books in Armenian and Bulgarian received special attention from the government due to the political sensitivity of the Armenian and Bulgarian questions. A book in Bulgarian that stated that Van and Erzurum were located in Armenia, a book in Armenian that referred to Erzurum as “the famous city of Armenia,” and another book which mentioned “the region of Armenia” were considered harmful by authorities, along with many others.<sup>90</sup>

In the period between 1870 and 1914, the imagination of collective identity promoted by the central government began to emphasize that Anatolia was the core of Ottoman national space. The construction of Anatolia as the hearth of Ottoman national space can be traced in the accounts of Ottoman intellectuals and the political elite.<sup>91</sup> With the rise of Turkish nationalism and with the territorial losses of the Ottoman Empire in the Balkans, this territorial emphasis became even more pronounced. What makes this point crucial for this study is the fact that the Armenian Question had the potential to destabilize the core of Ottoman national space. Unlike political struggles for territorial sovereignty in the Balkans, the geographical space that was

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89 Özkan Akpınar, “Geographical Imagination in School Geography during the Late Otoman Period, 1876-1908” (master’s thesis, Boğaziçi University, 2010).

90 Ibid., 96–100.

91 Selim Deringil, “From Ottoman to Turk: Self-image and Social engineering in Turkey, in *The Ottomans, the Turks and World Power Politics: Collected Studies* (Istanbul: ISIS Press, 2000), 170–175.

contested with regard to the Armenian Question was a crucial part of the Ottoman homeland.

It can be said that the trend towards the territorialization of collective identity not only affected the policies and practices of actors operating in the Ottoman state field and Turkish or Muslim intellectuals and political elite, but also the approaches and acts of Armenian institutions and Armenian political elite. In the 1870s, Armenian nationalism experienced a crucial territorial turn. The term *Hayasdan* (Armenia) entered the everyday vocabulary of the Armenian political elite in this period. The territorialization of Armenian nationalism can be traced to the mid-nineteenth century when historic Armenia began to be constructed as the Armenian homeland by Armenian intellectuals. On the other hand, the emphasis on Cilicia and the eastern provinces became part of Armenian political struggle only after the 1870s.<sup>92</sup> Territorialization of Armenian nationalism affected the ways in which Armenian interests were conceptualized, presented, and contested by Armenian institutions, political organizations, and political elites in this period.

Another issue which should be mentioned with regard to territoriality and collective identity in the period between 1870 and 1914 is the rise of Kurdish territorial claims in the Ottoman East. One of the most significant developments in this regard was the rebellion led by Sheikh Ubeydullah who aspired to establish a Kurdish state in the territories corresponding to the Ottoman East and Western Persia. As noted by Robert Olson, the prospect of the establishment of an Armenian political entity in the region, which became a topic in international diplomacy in the period following the Russo-Ottoman War of 1877-78, was a driving force of this rebellion. Sheikh Ubeydullah promoted the idea that Kurdish interests in the region should be treated as more important than the interests of other groups and that the territorial

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92 For further reading on the territorialization of Armenian nationalism, see Gerard Libaridian, *Modern Armenia: People, Nation, State* (New Brunswick: Transaction Publishers, 2011) and Razmik Panossian, *The Armenians: From Kings and Priests to Merchants and Commissars* (London: Hurst and Company, 2006).

claims of Armenians would not be tolerated by Kurdish powerholders.<sup>93</sup> After suppressing this rebellion, the central government adopted a new policy to create a direct tie between the sultan and the Muslim subjects of the empire. Thus, with the establishment of the Hamidian Regiments and the Hamidian Tribal School, the Ottoman government attempted to redesign the relations between the central authority and local powerholders. In the beginning of the twentieth century, Kurdish nationalists became influential actors in the contestation over the Ottoman East. Thus, on the eve of the First World War, different actors had conflicting geographical imaginations with regard to the Ottoman East. It was this political struggle over the same territory that led to the emergence of conflicting conceptualizations of the Ottoman East. In the accounts of Kurdish nationalist intellectuals, the region was Kurdistan. In the discourse of Armenian nationalist intellectuals, the region encompassing Cilicia and the eastern provinces was Armenia. In the official Ottoman discourse, the region was referred to as the six provinces, the eastern provinces, or the fourth and fifth sectors – that is, as administrative units rather than a distinct geographical space with specific political, historical, or demographic characteristics.

How did the emergence of this new emphasis on territoriality affect land policies and practices, in general, and the emergence and transformation of the Armenian land question, in particular? Some studies on land policies, land disputes, and demographic policies provide important insights regarding this question, which this study answers. In his examination of land disputes in Western Anatolia, Yücel Terzibaşoğlu presents an analysis of the land policies of the Ottoman government and shows that land ownership began to be seen as a means of establishing ethnoreligious dominance by some actors in the Ottoman state. Terzibaşoğlu notes that the policies of the Ottoman government with regard to land ownership and settlement were influenced by demographic concerns. His analysis provides an analytical framework for

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93 Robert Olson, *The Emergence of Kurdish Nationalism and the Sheikh Said Rebellion, 1880-1925* (Austin: University of Texas Press, 1989), 1–7. For the emergence of Kurdish nationalism, see also Wadie Jwaideh, *The Kurdish National Movement: Its Origins and Development* (Syracuse: Syracuse University Press, 2006).

exploring the relations between liberal and nationalist approaches to land ownership and explaining seemingly contradictory policies and practices initiated by actors in the Ottoman state.<sup>94</sup>

Anna M. Mirkova is another academic who contributed to understanding the links between territorial claims and policies and practices related to emigration, settlement, and land ownership. In her examination of population policies in the autonomous region of Eastern Rumelia between 1877 and 1886, Mirkova shows that population policies, including land and emigration policies, were an integral part of the development of territorial sovereignty by the Eastern Rumelia administration which was predominantly run by Bulgarians.<sup>95</sup> Mirkova shows that land ownership began to be seen as a means of establishing ethno-religious dominance and territorial sovereignty by the Bulgarian nationalist elite during the Russo-Ottoman War. She notes that Russian authorities developed several policies and practices to strengthen the Christian element in the territories they occupied. They “allowed Christians to cultivate lands deserted by fleeing Muslims, and even settled Christian refugees in villages Muslims had abandoned.”<sup>96</sup> As a result of these policies, there was an extensive property transfer from Muslims to Bulgarians during the war. The Russian administration also issued ownership documents to cultivators who settled on the lands of Muslims, and introduced administrative barriers to the restoration of such lands to their original owners such as a mandate that returning Muslims had to prove their ownership rights to land in court with appropriate documentation. Mirkova underscores that issues related to land ownership, land use, and taxation were critical for the decimation of the Muslim population in the region; indeed, these issues were critical for the establishment of the territorial sovereignty of Bulgaria.

Another case that illuminates the links between territorial claims, political struggles for sovereignty, and land policies and practices in the Ottoman Empire is Zionist land amassment in Palestine. In the late nineteenth century,

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94 Terzibaşoğlu, “Land Disputes,” 153–180.

95 Anna M. Mirkova, “‘Population Politics’ at the End of Empire: Migration and Sovereignty in Ottoman Eastern Rumelia, 1877–1886,” *Comparative Studies in Society and History* 55, no. 4 (2013): 955–985.

96 *Ibid.*, 965.

Zionist bodies established to promote Jewish settlement in the region began to amass large tracts of land. In this case, it was not a politically recognized body but a religious-political collectivity that initiated the change in the patterns of land ownership in a particular region. At the beginning of the twentieth century, the Ottoman political elite began to see Zionist land amassment in Palestine as a political and socioeconomic problem.<sup>97</sup> As a result, Jews, including Ottoman Jews, were banned from acquiring property in the region starting in 1913.

In sum, studies on land practices and policies in the Balkans and Palestine indicate that the Ottoman government was not the only actor involved in shaping land disputes in the different parts of the Ottoman Empire. In the case of Eastern Rumelia, a political body recognized by the Ottoman Empire, the Eastern Rumelia Administration, effectively shaped land disputes in a way that secured the decimation of the Muslim population in the region. In the case of Palestine, a religious-political organization became one of the most important actors shaping the land market and transforming patterns of land ownership. These cases illuminate that the transformation of the political significance of land ownership and the rise of modern territoriality not only affected the policies and approaches of Ottoman state actors, but also the approaches and operations of other actors making alternate claims to territorial sovereignty over lands under Ottoman rule.

Another study that provides important insights for exploring the links between the emergence of a new understanding of territoriality and the Armenian land question is Fuat Dündar's examination of demographic policies regarding the Armenian Question. In his study, Dündar examines how the adoption of a demographic approach on the part of the Sublime Porte affected the formulation of the central government's population policies. He shows that following the Berlin Congress, the demographic distribution of the Armenian population became a concern for the Ottoman government, which in turn attempted to change the population balance in the Ottoman East in line with this concern.<sup>98</sup> While Dündar does not elaborate on the implications

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97 Metzer, "Jewish Land," 87–110.

98 Fuat Dündar, *Crime of Numbers: The Role of Statistics in the Armenian Question (1878-1918)* (New Brunswick: Transaction Publishers, 2010), chap. 1.

of this new understanding for land policies and practices, the study shows that demographic statistics claimed a decisive role in diplomatic negotiations regarding reforms concerning the conditions of Armenians and became a crucial component of the Armenian Question in the Hamidian period. He argues that the Armenian Question emerged in the arena of international diplomacy as a statistical question. An interesting detail Dündar points out is that the former Armenian Patriarch, Khrimyan, presented a detailed map and statistical information regarding the Armenian population in addition to the reform project proposed at the Berlin Congress.<sup>99</sup> This fact supports Dündar's thesis that statistics were an integral component of the Armenian Question. On the other hand, this detail also indicates that in addition to statistics, territoriality was an integral part of the Armenian Question at the level of international diplomacy. While Dündar does not analyze the territorial component of the Armenian Question, his examination of statistics provides important insights regarding the territorial aspects of the issue. For example, he points out that according to the reform project prepared by British Colonel William Everett in 1895, reforms were to be implemented in regions the Armenian populations of which were between 5 and 10 percent.<sup>100</sup> This fact indicates that demographic and territorial claims and policies were interwoven in terms of reform negotiations regarding the Armenian Question.

The transformation of the political significance of land ownership and the links between territorial claims to sovereignty and land policies and practices have not been examined in detail in the literature on the Armenian land question. In his examination of land acquisition and property transfer in Cilicia and Eastern Anatolia, Astourian points out the demographic policies of the Hamidian government, but his study does not examine the role of the central government in shaping land disputes concerning Armenians in detail. In Janet Klein's examination of the Armenian land question, the central government is presented as a reactionary agent. In Klein's account, the Ottoman government was not directly involved in the processes of property

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99 Ibid., 12.

100 Ibid., 1.

transfer, and tried to manipulate the demographic outcomes of a social process that it did not initiate. This study questions this assumption in light of Ottoman archival documents including orders and projects issued and prepared by actors operating in the Ottoman state field. For the most part, the question of how the Armenian land question was perceived and discussed by different actors remains unanswered in the literature. Dikran Kaligian made an important contribution in this regard with his study examining the approaches of the ARF to this particular problem in the post-1908 period.<sup>101</sup> Kaligian's study supports the argument that land ownership in the region came to be seen as a matter of ethnonational existence for the Armenian political elite. Another limitation of the existing academic literature is the lack of research on the implications of the Armenian land question and of the prospect of its resolution for everyday politics in the Ottoman East, as well as on the links between Kurdish territorial claims and the approach of Kurdish actors to the Armenian land question.

In conclusion, it can be stated that territoriality gained a new significance in the late nineteenth century in the Ottoman Empire and became an important component of Ottoman sovereign rule.<sup>102</sup> While some actors operating in the Ottoman state field tried to create an Ottoman national space and disseminate the idea that lands under Ottoman rule constituted a unified entity, alternative spatial imaginations challenged such projections. Studies focusing on land disputes and policies and demographic policies indicate that various groups that made territorial claims to lands under Ottoman rule began to see land ownership as a means of securing ethnonational dominance. The implications of these developments for the emergence and transformation of the Armenian land question remain understudied in the literature but are scrutinized in detail in this study.

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101 Kaligian, "Agrarian Land Reform," 25–45.

102 For the analysis of concept of sovereignty in the Ottoman Empire in that period, see Benjamin C. Fortna, "Sovereignty in the Ottoman Empire and After," in *Sovereignty After Empire: Comparing the Middle East and Central Asia*, ed. Sally N. Cummings and Raymond Hinnebusch (Edinburgh: Edinburgh University Press, 2011), 92–103.

## § 2.5 Summary

Land disputes concerning Armenians transformed into the Armenian land question, and in this chapter, I outline the background trends affecting that transformation by examining the liberalization of the land regime and changes in the political significance attached to land ownership in the Ottoman Empire. The liberalization of the land regime entailed the commodification of land and the establishment of individual, exclusive property rights to land. Another background trend that affected the transformation of land disputes concerning Armenians into the Armenian land question was the change in the political significance attached to land and land ownership by different actors with territorial concerns. In the nineteenth century, there was a shift in the international context and in international politics with regard to the significance of territorial boundaries and claims. In this period, territoriality gained a new significance. An examination of the literature on the transformation of the ways in which Ottoman territoriality was imagined, projected, and contested indicates that this process of change also affected the Ottoman Empire. The links between the transformation of the political significance of land ownership, the political struggle for territorial control, and land policies and disputes remains underexplored in the literature on the Armenian land question. This study explores these links, on one hand, and situates the Armenian land question in the socioeconomic context into which it was embedded, on the other. In the next chapter, I examine land disputes concerning Armenians before the consolidation of the Hamidian regime.

## Land Disputes Concerning Armenians up until the 1880s

**A**grarian relations in the Ottoman Empire went through a period of significant transformation in the nineteenth century due to a number of factors including the integration of the Ottoman economy to the capitalist system, the centralization efforts of the state, and the commodification of land in line with the transformation of the land regime. In this process, land gained new significance, and competition over land became a widespread social phenomenon.<sup>1</sup> Land disputes, which became an important social problem in the Ottoman Empire with the transformation of the regime of land ownership in the nineteenth century, were further complicated by the reconfiguration of relations between the center and local powerholders in the Ottoman East and the rise of the Armenian Question in the aftermath of the Treaty of Berlin.

In the first part of this chapter, I examine the historical development of land disputes concerning Armenians before the 1880s. In this part, I scrutinize the character of expropriations and land conflicts in the period between 1856 and 1878 and the ways these conflicts were perceived by different actors including the Armenian Patriarchate, Armenian intellectuals, and the Ottoman government. This examination, which is based on reports prepared by the Armenian Patriarchate, the reflections of Armenian intellectuals on this

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1 Yücel Terzibaşoğlu, “Landlords, Refugees, and Nomads: Struggles for Land around Late-Nineteenth-Century Ayvalık,” *New Perspectives on Turkey* 24 (Spring 2001): 51–82.

report, and British and Ottoman archival documents, reveals that the characteristics of land conflicts concerning Armenians in this period were significantly different from the processes of expropriation and dispossession in the Hamidian period examined in chapter 4. Land conflicts in this period were mostly characterized by conflicts between local powerholders and peasants. Local powerholders, aghas, beys, and sheikhs often used two means to gain control of land. First, they claimed they had historical rights to the lands in question. Second, they used their positions, influence, and skills to register the properties in their names. On the other hand, Armenian peasants, along with peasants from various other ethnic and religious groups, claimed customary and prescriptive rights to the land emphasizing the fact that they were already cultivating the lands under dispute. In this chapter, I follow the transformation of the significance attached to land by the Armenian political and religious elite and argue that this transformation went hand in hand with the territorialization of Armenian nationalism in the 1870s.

### § 3.1 Land Disputes before the 1880s

Land became a serious matter of dispute among Ottomans in the nineteenth century. As the land regime went through a process of transformation that intensified after the adoption of the Land Code of 1858, Ottomans from different regions, classes, religions, and ethnicities began to come forward with conflicting claims over ownership and usage rights to land. As noted by Yücel Terzibaşoğlu, the workload of the judiciary in several provinces in Anatolia in the late nineteenth century was mostly comprised of land disputes.<sup>2</sup> The rise of land disputes in the Ottoman Empire in the mid-nineteenth century was related to several factors. First was the transformation of the land regime. The Land Code adopted by the central government in 1858 aimed to standardize the norms and rules framing the issue of land ownership and tenure throughout the empire. As mentioned in the previous chapter, the code also promoted small landownership to increase agricultural revenue and

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2 Terzibaşoğlu, “Eleni Hatun’un,” 123–124.

the tax income of the government, but this led to different outcomes in different parts of the empire.<sup>3</sup> Commodification of land, by which land was stripped of various social obligations and became a thing that could be bought, sold, and mortgaged, slowly took place in this context. Another general factor that affected the rise of land disputes in Anatolia was population pressures triggered by the influx of immigrants from the Caucasus, especially after the Crimean War of 1854.<sup>4</sup> This first wave of immigrants was followed by others after the Russo-Ottoman War of 1877-78 and the Balkan Wars. The influx of Muslims brought about concerns regarding their settlement and further increased demands for land. Another factor that complicated land disputes was the settlement of nomads. In some cases, nomads were directly settled by the government. There were also cases in which tribal leaders took the initiative to settle their tribes.<sup>5</sup> All these developments contributed to the transformation of the significance and regulation of land, as well as of the social relations based on it.

Provinces with high Armenian populations were not exempt from this trend of increasing land disputes. What further complicated land disputes in the Ottoman East was the fact that local power relations in the region were also going through a significant period of transformation in the mid-nineteenth century. Following the abolition of emirates in the first decades of the century, tribal leaders, sheiks, and local notables started to dominate local

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- 3 Quataert, "Age of Reforms;" Mundy and Smith, *Governing Property*; Gerber, *Social Origins*; and Pamuk, *Osmanlı'dan Cumhuriyet'e Küreselleşme*.
- 4 For the Crimean war, see Candan Badem, *The Ottoman Crimean War (1853-1856)* (Leiden: Brill, 2010). For immigration and the settlement of immigrants following the war, see Mark Pinson, "Russian Policy and the Emigration of the Crimean Tatars to the Ottoman Empire, 1854-1862," *Güney-Doğu Avrupa Araştırmaları Dergisi* 2-3 (1974): 101-114; Alan W. Fisher, "Emigration of Muslims from the Russian Empire in the Years After the Crimean War," *Jahrbücher für Geschichte Osteuropas* 35, no. 3 (1987): 356-371; and Musa Şaşmaz, "Immigration and Settlement of Circassians in the Ottoman Empire on British Documents 1857-1864," *OTAM* 9 (1998): 331-366.
- 5 Quataert, "Age of Reforms," 875; Fuat Dündar, *Kahir Ekseriyet: Ermeni Nüfus Meselesi (1878-1923)* (Istanbul: Tarih Vakfı Yurt Yayınları, 2013), 44-45.

politics.<sup>6</sup> These local powerholders filled the gap left by the abolition of the emirates, increasing their influence in provincial politics. Some of these local powerholders were also incorporated into the new administrative structure established by the central government. This situation gave local powerholders leverage in conflicts with peasants. The socioeconomic and political significance of landownership in the Ottoman East began to change in line with these developments. Unfortunately, there are few studies examining the implementation of the Land Code in the Ottoman East and the transformation of agrarian relations in this part of the empire before the Hamidian period. These studies indicate that local notables such as aghas and beys who lost the feudal rights and privileges they possessed in the pre-Tanzimat period started to acquire land in attempt to maintain power. In these disputes, local powerholders and peasants from various ethnic and religious backgrounds found themselves in legal struggles with one another over land.<sup>7</sup>

### § 3.2 Cases of Land Disputes Concerning Armenians before the 1880s

In the mid-nineteenth century, Armenian political and communal life also underwent a significant process of transformation.<sup>8</sup> With the adoption of the

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- 6 Bruinessen, *Agha, Shaikh*, 177–182. On the emirate system and its abolition, see also Wadie Jwaideh, *The Kurdish National Movement: Its Origins and Development* (Syracuse: Syracuse University Press, 2006), chap. 3; Hakan Özoğlu, *Kurdish Notables and the Ottoman State: Evolving Identities, Competing Loyalties, and Shifting Boundaries* (Albany: State University of New York Press, 2004); David McDowall, *A Modern History of the Kurds* (London: I.B. Tauris, 2004), chap. 3; and Michael Eppel, “The Demise of the Kurdish Emirates: The Impact of Ottoman Reforms and International Relations on Kurdistan during the First Half of the Nineteenth Century,” *Middle Eastern Studies* 44, no. 2 (2008): 237–258.
- 7 Özok-Gündoğan, “Making of Modern.”
- 8 For detailed information about this transformation, see: Roderic H. Davison, *Reform in the Ottoman Empire, 1856-1876* (New York: Gordian Press, 1973); James Etmekjian, “The Tanzimat Reforms and Their Effect on the Armenians in Turkey,” *The Armenian Review* 25, no. 1 (Spring 1972): 10–23; Gerard Libaridian, “The Ideology of Armenian Liberation. The Development of Armenian Political Thought Before the Revolutionary Movement (1639-1885)” (Phd diss.,

Armenian Constitution, communal matters concerning the Armenian population began to be regulated through a new institutional framework that included a national assembly. A process called the “Armenian Enlightenment” accompanied this institutional reorganization.<sup>9</sup> The Armenian Patriarchate and National Assembly began to play important roles in raising the issue of land disputes concerning Armenians in the 1870s. The Armenian Patriarchate prepared two reports titled “Reports on Provincial Oppressions,” to be submitted to the Sublime Porte.<sup>10</sup> These reports consisted of memoranda (*takrirs*) submitted to the Sublime Porte by the Patriarchate, summaries of the results of takrirs, and lists of Armenian lands seized by beys and aghas. These reports were prepared by special commissions authorized by the Armenian National Assembly (ANA). These reports were the outcome of an initiative started by the Armenian Patriarch Khrimyan who was “determined to use the National Constitution as a means of general reform, to alleviate the sufferings of those who called him ‘Hayri[g].’”<sup>11</sup> It was provincial Armenians who called the Patriarch Khrimyan “Hayrig” (little father). As noted by Liberidian, Khrimyan “initiated a systematic investigation of the most blatant and widespread abuses in provincial governments, areas of open discrimination

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University of California, 1987); Boğos Levon Zekiyian, *Ermeniler ve Modernite* (Istanbul: Aras, 2002); and Ohannes Kılıçdağı, “Ermeni Aydınlanması: Yeniden Doğuştan Yokoluşa,” in *1915: Siyaset, Tehcir, Soykırım*, ed. Fikret Adanır and Oktay Özel (Istanbul: Tarih Vakfı Yurt Yayınları, 2015), 44–61.

- 9 For detailed information on the Armenian Constitution, see Vartan Artinian, *The Armenian National Constitutional System in the Ottoman Empire, 1839-1863: A Study of Its Historical Development* (Istanbul, 1988); Aylin Beşiryan, “Hopes of Secularization in the Ottoman Empire: The Armenian National Constitution and the Armenian Newspaper, *Masis*, 1856-1863” (master’s thesis, Boğaziçi University, 2007); and Murat Bebiroğlu, *Tanzimat’tan II. Meşrutiyet’e Ermeni Nizamnameleri* (Istanbul: M. Bebiroğlu, 2003). In this period, other Christian and Jewish communities also began to have constitutions (nizamnames) to regulate their internal and communal affairs. See Murat Bebiroğlu, *Osmanlı Devleti’nde Gayrimüslim Nizamnameleri*, ed. Cahit Külekçi (Istanbul: M. Bebiroğlu, 2008).
- 10 *Reports on Provincial Oppressions* (London: Gilbert and Rivington, 1877). This report was first published in Armenian in 1876. See *Değhegakirk’ Kawaṛagan Harsdaharut’eants’* (G. Bolis: Dbakrut’iwn Aramyan, 1876).
- 11 Liberidian, “Ideology of Armenian,” 116.

within the system as a whole, and acts of unpunished violation of rights and property.”<sup>12</sup> Another important figure who influenced this process was Krikor Odyan.<sup>13</sup> When the first report was finalized, the matter was discussed in the ANA. Some deputies opposed the submission of the report to the Porte while another faction, led by Chairman Krikor Odyan, pressed for full discussion of the report in the National Assembly. As noted by Lillian Etmekjian, Odyan had several connections with the ruling elite of the time and told members of the assembly that “the time was ripe for winning reforms.”<sup>14</sup> The first report was submitted to the Sublime Porte by the ANA on 11 April 1872 and covered the twenty-year period up to 1872.<sup>15</sup> The Sublime Porte did not respond to the first report. This was interpreted as a failure, and, together with other criticisms and complaints, brought about the resignation of Patriarch Khrimyan.<sup>16</sup> The second report, which was related to oppression of the Armenian community between 1872 and 1876, was presented to the ANA on 17 September 1876.<sup>17</sup> The reports include fifty-eight cases related to taxation, religious fanaticism, forced conversion, seizure of lands, and other agricultural problems like forced labor, and murders. Twelve of the cases in the second report were related to land disputes and agrarian problems.

A general overview of the second report and the list attached to it reveals that fields belonging to twenty-one monasteries, and 363 villages and properties had been appropriated in the 1870s. According to the report, the actors who seized these properties were beys, aghas, sheikhs, muftis, local

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12 Ibid., 115–116.

13 Odyan, who was the Undersecretary of Public Works, was one of the members of the drafting commission for the first Ottoman constitution. Robert Devereux, *The First Ottoman Constitutional Period: A Study of the Midhat Constitution and Parliament* (Baltimore: The John Hopkins Press, 1963), 259.

14 Lillian Etmekjian, “The Armenian National Assembly of Turkey and Reform,” *Armenian Review* 29, no. 1 (1976): 41.

15 “First Report on Provincial Oppressions, Submitted to the Sublime Porte in the Name of the Armenian National Assembly,” in *Reports on Provincial Oppressions*, 1–8.

16 Etmekjian, “Armenian National,” 43.

17 “Second Report on the Oppression of the Armenians in Armenia and Other Provinces of Asiatic Turkey, Presented to the Armenian National Assembly, on the 17th September, 1876,” in *Reports on Provincial Oppressions*, 8–57.

officials, and ordinary subjects. Those whose lands were appropriated were exclusively peasants. Most seizures had taken place in eastern provinces including Diyarbakır, Erzurum, Van, and Bitlis, but the report also mentioned two cases of seizures in Ankara and Trabzon. A close examination of the cases included in the report uncovers the nature and characteristics of land conflicts concerning Armenians before the Hamidian period. Before going into detail, it should be mentioned that land disputes concerning Armenians in this period were not limited those detailed in the report. The report only mentioned cases brought and attended to by the Armenian Patriarchate.

One case mentioned in the report was a land dispute between the villagers of Morinik and the Mufti of Muş, Hüseyin Efendi. An examination of this case shows how relations between local notables and local officials affected the outcomes of land disputes.<sup>18</sup> According to the summary of a takrir submitted to the Sublime Porte by the Armenian Patriarchate, lands in the village of Morinik had been cultivated by Armenian peasants for more than forty years without any protest or claims. The Patriarchate claimed that a few years earlier, the Mufti of Muş, Hüseyin Efendi, intervened with the aim of appropriating these lands. Peasants claimed that the lands in question belonged to them and underscored that the Land Code recognized the prescriptive rights of cultivators. Despite the protests of the peasants, Mufti forced the peasants to give up their lands. During his visit to the region, İsmail Pasha, the governor of Erzurum, investigated the case and concluded that the claims of the Mufti were unjustified. Thus, İsmail Pasha decided to register these lands in the names of the peasants and issued them twenty-five temporary title deeds (*ilmuhabers*). When İsmail Pasha was removed from his post, the Mufti tried to reverse the decision and applied to the local council of Muş, arguing that “all the lands and fields belonging to the said village were exclusively” his property and that “the villagers were merely his tenants.”<sup>19</sup> According to the takrir, he compelled a couple of villagers from Morinik to testify on his behalf before the council of Muş. Using his influence over members of the local council, he succeeded in annulling the order of İsmail Pasha and acquired

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18 “Second Report,” 11–12. See also BOA: ŞD 2401/11, the Armenian Patriarchate to the Council of State, 11 Teşrin-i Sani 1288 (23 November 1872).

19 Ibid.

ownership rights to the disputed lands. Faced with these developments, villagers argued that they were neither tenants nor serfs of Hüseyin Efendi. They chose two representatives from among themselves, collected the provisional title deeds issued by İsmail Pasha along with a petition and other documents, and sent these representatives to Istanbul. Upon the request of these representatives, the Patriarchate requested the case be submitted to the Council of State. The villagers were unable to gain the possession of the lands in question since the decision of the Council of State was in favor of Hüseyin Efendi. This case illuminates the ways in which the vocabulary introduced by the Land Code was adopted by disputing parties. In the *takrir*, the claims of peasants were grounded in prescriptive rights, and it was emphasized that the lands in dispute had been cultivated by the peasants for decades without any claims from third parties. This case also shows that peasants were neither passive bystanders nor helpless victims but actors who developed various strategies for the recognition of their rights to land. In this case, peasants had sent representatives to Istanbul to secure their rights to land. Another point illuminated by this case is that, in some cases, it was peasants, rather than local powerholders, who tried to get central authorities involved in land disputes.

Another case cited in the report concerned the settlement of immigrants on the lands of Armenians. Abdurrahman Agha, the director (*mudir*) of Yarhisar in the district of Kangal, Sivas, had settled Circassian immigrants on fields that had long been cultivated by Armenian peasants.<sup>20</sup> In the report, which underscored the prescriptive rights of the peasants, it was stated that two *takrirs* regarding the case had failed to produce results. The case was later examined by a special commission established by the Porte to investigate claims of the oppression of Armenians. The commission decided that the claims of the Armenians were justified and suggested the resettlement of the Circassian immigrants in another place. However, the Council of State rejected the decision of the commission and decided to keep the Circassian immigrants on the disputed lands,

*alleging that those lands being over and above those mentioned in the title deeds held by the villagers, they belonged to the Government,*

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20 Ibid., 15–16. See also BOA: ŞD 2884/46, the order to the Sivas Province, no date.

without considering that the lands given to the Circassians had been for a long time past cultivated by Armenians, and according to law, have therefore become the property of the cultivators.<sup>21</sup>

The order of the Sublime Porte for the removal of Abdurrahman Bey from his post as müdir was not carried out by the governor of Sivas who claimed that his removal could cause trouble in the region. The wording of the decision of the Council of State indicates that the Armenian peasants had managed to get their prescriptive rights recognized and held title deeds. It also suggests that when they felt it was necessary, Ottoman authorities underscored the fact that the *raqaba* (absolute ownership) of miri lands lay with the state, that they first and foremost belonged to the government, and that the government could disregard title deeds held by cultivators.

A dispute in Sbaherd, Diyarbekir, supports the argument that land disputes in this period were mostly related to conflicts between peasants and local notables who exploited their positions in local government. In the takrir sent by the Patriarchate to the Sublime Porte on 30 March 1874, it was claimed that after becoming müdir of the district, the Kurdish chief Abdi Bey oppressed the villagers of Sbaherd, seized fields, lands, and animals belonging to Armenian peasants, and appropriated a church in the region. In this case, the Patriarchate noted that those subjected to oppression by Abdi Bey and other aghas and beys, “being poor and without protection, did not venture to appeal to the local authorities.”<sup>22</sup> In the takrir submitted to the Porte on 30 March, the Patriarchate demanded the improvement of security in the region and the restoration of the church to the villagers. Upon receiving this takrir, the Sublime Porte sent an order for the resolution of these two problems.

Another case brought to the attention of Ottoman authorities by the Patriarchate was related to the lands of several villages in Şatak, Van.<sup>23</sup> This case illuminates the persistence of problems between disputing parties despite the interventions of local authorities. According to the report, Kurdish beys of the district were oppressing Armenians in the region and had been involved

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21 Emphasis original. Ibid., 16.

22 Ibid., 27.

23 Ibid., 27–29.

in a number of murders. They had expelled Armenian peasants from six villages, seized their lands, and appropriated the fields of twelve other Armenian villages. The peasants wrote petitions to the local government which appointed two commissioners to investigate the case in 1872. These commissioners, Agha Bey and Parsegh Mgrditch, gave recommendations in favor of the peasants, claiming that the acts of the Kurdish chiefs were illegal and oppressive. A year later, another crisis broke out when it was discovered that a local official, Hacı İbrahimzade Reşit Bey, who had been sent to supervise the implementation of the tapu law, had “secretly registered the richest Armenian fields in the name of the Kurdish Beys.”<sup>24</sup> Upon discovering this, an Armenian delegation of 200 villagers went to Van to appeal to the local government and sent a collective petition to the Porte. The Patriarchate also became involved in the case and presented a takrir to the Porte. Although the local government recognized the rights of the peasants and registered 500 plots of land in the names of villagers later that year, the Kurdish beys Mehmed Ali, Şerif, and Osman aghas – from Guirvan tribe – resumed their attacks on villagers to compel the latter to renounce their ownership rights. Until recently, one of the most common arguments in the literature of land disputes in the Ottoman Empire was that small-scale peasants were not able to or did not register lands in their names either due to the influence of local powerholders or due to their own fears related to conscription and taxation.<sup>25</sup> This case shows that peasants were active agents who tried to register lands in their names using a number of strategies to secure this outcome. It also shows that in some instances, small-scale peasants were able to register lands in their names despite the interventions of local powerholders who were trying to secure ownership of lands through methods that include fraudulent registrations and the use of force.

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24 Ibid., 28.

25 Karpat, “Land Regime,” 88; Bruinessen, *Agha, Shaikh*, 182–185; and Gözel, “Implementation of Ottoman,” 51–52.

Another important land dispute concerning Armenians before the 1880s concerned disputed lands in the Çarsancak district of Mamuretülaziz.<sup>26</sup> Aghas in Çarsancak, led by İshak Bey, alleged that every kind of immovable property, including lands, houses, shops, vineyards, and fields, belonged to them, and they compelled Armenians “to pay rent for the houses and shops, vineyards and gardens, to obtain the corn seeds from themselves, and to compensate them with half the produce.”<sup>27</sup> The Patriarchate noted that since the late 1850s, several complaints had been issued to the Sublime Porte regarding this situation. For example, the Armenian Patriarchate had submitted a takrir on 3 September 1862 regarding lands belonging to Keşişoğlu and his brothers, Mardiros and Artin, in the village of Nelanezbey, Harput. These lands had been appropriated by Hacı İshak Agha. After evaluating this takrir and other petitions submitted by local Armenians, the Supreme Council (*Meclis-i Vâlâ*) had ordered the district governor (*mutasarrıf*) of Harput to investigate the situation.<sup>28</sup> In the report submitted to the ANA in 1874, the Patriarchate noted that the Porte had responded to these petitions and complaints by sending orders to local authorities, but local authorities had not complied with these orders and had sided with the aghas and beys. The Porte had then sent a commission of inquiry to the region. The findings of this commission, together with other documents and takrirs presented by the Patriarchate, were examined by the Council of State which had decided that the claims of the aghas and beys were inadmissible. Thus, the Council of State “ordered that the villagers should be recognized as the owners of the above fields and lands; it was also ruled that the interference of the aghas should be prevented, and that title deeds should be filled up in the name of the villagers.”<sup>29</sup> The decisions of the Council of State were also confirmed by an imperial order. The turn of events following the decision of the Council of State and the imperial order shows the significance of the agency of actors, including provincial notables,

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26 Karekin Vartabed Sirvantsdyants, “Toros Ahpar Ermenistan Yolcusu,” in *Palu-Harput 1878: Çarsancak, Çemişgezek, Çapakçur, Erzincan, Hizan ve Civar Bölgeler*, ed. Arsen Yarman, trans. Sirvart Malhasyan and Arsen Yarman (Istanbul: Derlem Yayınları, 2010), 470–487.

27 “Second Report,” 12.

28 BOA: MVL 638/29, 22 Ağustos 1278 (3 September 1862).

29 “Second Report,” 13.

in shaping the outcomes of land disputes. Upon receiving the decision of the Council of State, provincial authorities declared that the decision was contrary to justice and equity and that they would not implement it. In preparing a report on the matter, provincial authorities asked for a new resolution from the Council of State. At the same time, two aghas went to Istanbul to appeal to the Council of State. This time around, the Council of State determined that its former decision was irregular and that a new trial should take place at the provincial level. If the parties in dispute were dissatisfied with the decision of the provincial court, the case would again be referred to the central government. The second decision of the Council of State was also confirmed by imperial decree. Upon this second decision, the Patriarchate submitted two takrirs to the Porte claiming

[that] the last order of the Council of State with regard to this long-pending question would prove injurious to the interests of the Armenian agriculturist; that the said order was given upon the protest of the Mussulman Aghas without hearing the other side; that it was contrary to justice for the Council of State to annul its previous decision without ascertaining which of its points was contrary to justice and equity; that the Armenians could not pretend to make their claims good against those powerful Aghas before the provincial authorities, and that the people could not be contended with any but the previous order.<sup>30</sup>

The takrirs submitted by the Patriarchate regarding the matter remained unanswered. The prolonged land dispute in Çarsancak shows that the central government tried to manage land disputes that concerned a large number of people cautiously and performed a balancing act between disputing parties when the case had the potential to cause social strife.<sup>31</sup>

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30 Ibid., 13–14.

31 Vahé Tachjian, “Building the ‘Model Ottoman Citizen’: Life and Death in the Region of Harput-Mamüretülaziz (1908-1915),” in *World War I and the End of the Ottomans: From the Balkan Wars to the Armenian Genocide*, ed. Hans-Lukas Kieser, Kerem Öktem and Maurus Reinkowski (London: I.B. Tauris, 2015), 210–239.

As mentioned above, the Armenian Patriarchate began to assume a new role with regard to land disputes concerning Armenians in the 1870s. A takrir prepared by the Patriarchate and the Armenian Civil Council on 5 September 1874 clearly reflects this situation. In contrast to the other takrirs of the Patriarchate concerning the oppression of Armenians and specific land disputes, this takrir was not related to specific disputes but concerned land disputes and agrarian problems in general. This takrir noted that the majority of Armenians who lived in the Asiatic provinces of the Ottoman Empire were primarily occupied with agriculture and were under the pressure of “self-constituted feudal lords.” It was also noted that these pressures were driving agriculturists to migrate and that this was the reason why many fertile lands remained uncultivated “to the great detriment of the Imperial revenues.”<sup>32</sup> The claim that pressure from the aghas and beys hindered the development of agriculture and was detrimental to the revenue of the state was emphasized at numerous points throughout the text of this takrir. This shows that the Armenian political and religious elite were aware that increasing state revenue was an important concern for Ottoman authorities in this period.

This takrir provides important insights regarding the way in which land disputes and Tanzimat reforms were perceived by Armenian institutions:

Before the establishment of the *Tanzimat*, or the new regulations, when many of the district vilayets of Asiatic Turkey were administered in an irregular, illegal manner, a number of Beys and Aghas, through their power and influence, usurped a considerable number of fields and vineyards, and began to regard them as their *Yourdlouk*, *Odjaklik*, or feudal territory, and to consider the common husbandman as their mere slave. However, since the promulgation of the *Tanzimat*, Beys and Aghas of this description have been brought under subjection, the fields and lands they had appropriated were restored to the peasants according to the special rules and instructions which were issued for that purpose. The benevolent Government has tried everything to save the peasantry from the clutches of these oppressors and the chains of

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32 Ibid., 29. For the original of this document in the Ottoman archives, see BOA: ŞD 2408/27, copy of the takrir of the Armenian Patriarchate, 24 Ağustos 1290 (5 September 1874).

serfdom, but through the culpable oversight or indifference of the local officials, those interferences and tyrannies which occur in many localities of Asiatic Turkey are still allowed, and, as regards the question of their ownership of fields and lands, consequently the agricultural classes have reached the last stages of ruin and insolvency under these unrighteous exactions and oppressions.<sup>33</sup>

Thus, according to the Patriarchate, regulations introduced in the Tanzimat period were aimed at strengthening the rights of cultivators on land and empowering them vis-à-vis local powerholders. The problem was not the regulations or the intentions of the central government but the ineffectiveness and indifference of provincial authorities.

Although with a view to improve the condition of the oppressed and down-trodden people, and to put a stop to all violent proceedings in respect of their lands and fields, the Sublime Porte has, upon the demand of this Patriarchate and of the Armenian people, addressed many orders to the local authorities, still those functionaries, attaching undue importance to the groundless opposition of the Beys and Aghas, who insist that those fields and lands are their own property, and without going into minute investigations respecting these claims, report to the Sublime Porte accordingly, by which means the complaints and appeals of the people remain where they were before.<sup>34</sup>

According to the Patriarchate, if the Porte wanted to improve agriculture in the country, it should ensure the peace and wealth of the agricultural laborer, take measures to the effect that no one can “interfere with his rights of proprietorship,” and empower agriculturalists who had no lands of their own by giving them plots and fields. The authors of the takrir recommended the formation of a mixed commission to investigate these problems. This takrir, which elaborated on the characteristics of land conflicts, was an early indication of an emerging trend: the rise of the issue of land disputes as a communal or national matter that in the eyes of the Armenian political and

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33 Ibid., 29–30.

34 Ibid.

religious elite was more than the sum of the individual disputes. It was the first document in which land disputes concerning Armenian individuals were approached as a communal matter with a holistic approach. On the other hand, this did not mean that land disputes were perceived as an exclusively Armenian matter by the Armenian political and religious elite in this period. In this takrir, the land question was formulated as a matter of class between “self constituted feudal lords” and “agriculturalists” rather than as a religious or ethnic matter.

The Minister of Foreign Affairs, Arifi Bey, responded to this takrir by underscoring that the main problem lay with local officials and functionaries. Arifi Bey noted that the Porte, “with a view to improve this state of things and ensure the welfare of the people” had “repeatedly issued orders to the provincial authorities” but that those orders, “owing to the incapacity of the functionaries, remained fruitless.”<sup>35</sup> Arifi Bey also noted that the demand to form a mixed commission had been passed on to the Council of State which required further information from the Patriarchate regarding the locations of disputed lands, actors involved in the disputes, and details of oppressions in order to evaluate this demand.<sup>36</sup> Following this request for information, the Patriarchate presented another takrir on 3 January 1875 that included a detailed list of cases requested by the Council of State. Following these correspondence, a special mixed council was established to investigate the cases cited on the list.

The list included the details of land conflicts concerning lands and fields belonging to 363 villages and twenty-one monasteries.<sup>37</sup> While the list and report neither provide details regarding the acreage nor the type of seized lands, the report shows that the alleged usurpers involved in these seizures were beys, aghas, sheikhs, and local officials. It is also seen that, in contrast to land disputes in the Hamidian period, Armenians who claimed ownership and usufruct rights to disputed lands in this period were exclusively peasants and village communities. Large lands such as farms were not among the seized properties mentioned in the accounts of Armenian institutions.

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35 Ibid., 31.

36 Ibid., 32.

37 Ibid., 46–57.

On 21 June 1875, the Council of State sent an order about the takrir and the list of the Armenian Patriarchate to the provinces of Erzurum, Diyarbekir, Ankara, Trabzon, and Sivas. The provincial administrations and local councils cited on the list provided by the Patriarchate were ordered to investigate the cases on a just and egalitarian basis, and inform the central government about the results of the investigations to be carried out.<sup>38</sup>

Other important sources of information regarding land disputes before the massacres of 1894-97 are the Patriarchate reports prepared after 1908. In the fourth volume of the Patriarchate reports on the issue of seized Armenian properties, there is a chapter on properties seized before the 1890s.<sup>39</sup> The cases mentioned in this report are related to seizures by force and to the settlement of Muslim immigrants. These cases were related to seizures in the provinces of Erzincan, Van, Sivas, Kastamonu, and Bitlis. It should be noted that most of the seizures mentioned were carried out in the 1870s and 1880s; however, cases dating back to the 1860s were also listed in this report. This shows that seizures and land conflicts that took place before the Hamidian period stayed on the agenda of Armenian institutions in the post-1908 period.

### 3.2.1 *Early Debates in the Armenian Community Regarding Land Disputes*

As noted above, the rise of land disputes concerning Armenians became an issue of communal concern for Armenians in the 1870s. By the mid-1870s, the Patriarchate and the ANA began to assume a new role and started to approach land disputes concerning Armenians as a communal matter. It was not only Armenian religious and political institutions that began to see land disputes in a new light. In this period, the issue began to attract the attention of Armenian intellectuals who began to see them as a national matter. An Armenian intellectual, Hagop Mirzayants Melik Hagobiants, wrote an analysis

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38 BOA: ŞD 2418/17, Council of State to provinces of Erzurum, Diyarbekir, Ankara, Trabzon, and Sivas, 17 Cemazeyilevvel 1292 (21 June 1875).

39 *Deghegaker Hoghayin Krawmants Hantsnazhoghovoy* [The Report of the Commission on Seized Lands], vol. 4 (Istanbul: Doghramadjian Dbakragan, 1912), 12–13.

of the report of the Patriarchate under the penname Raffi.<sup>40</sup> Raffi was an important intellectual of the period and played an important role in public debates regarding what constituted the basis of the Armenian nation. As noted by Ronald G. Suny, Raffi deployed the newly coined Armenian term *azgutyun* (nationality) in the 1870s and proclaimed, “the idea of nationality is established not by religion but rather by (a nationality’s) racial characteristics, among which language occupies the first place, which is and always remains the base for the preservation of the nation.”<sup>41</sup> In his evaluation of the report, Raffi criticized the Patriarchate for ignoring the land question, which was “the matter of life or death for the Armenian.”<sup>42</sup> Raffi’s analysis illuminates the importance attached to land by some Armenian intellectuals in the late nineteenth century and can be seen as one of the earliest reflections of the nationalization of land disputes concerning Armenians. Thus, it is necessary to examine the arguments raised by Raffi in detail.

Raffi emphasized the significance of land ownership for Armenians in the Ottoman Empire, underscoring that land connected peasants to the lands of their forefathers.

Bearing thousands of misfortunes and all kinds of wretchedness with patience, the Armenian in Armenia had only one comfort: he was the master of the land. It had been irrigated with the sweat of his forefathers. But he was deprived of that comfort, too. On the one hand, the Kurd forcibly took his land, while on the other the government, stealing it, gives it to the Muslims. So what’s left?<sup>43</sup>

According to Raffi, the actions of the Patriarchate, which were limited to sending takrirs to the Sublime Porte, were not enough considering the

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40 The articles of Raffi, written in 1877-80, were compiled as a book under the name *Tajkahayk*. There are three editions of this compilation (Tiflis, 1895 and Vienna, 1895 and 1913). In this study, I used the English translation of this compilation. Raffi, *Tajkahayk*, trans. Ara Stepan Melkonian (London: Taderon Press, 2008).

41 Suny, *They Can Live*, 75.

42 Raffi, “Report,” in *Tajkahayk*, 54. Raffi’s analysis of the Patriarchate reports was first published in the newspaper *Mshak* in 1877.

43 Raffi, “Report,” 53.

significance of the issue for the agricultural classes. According to him, seizure of lands was a significant problem; the Patriarchate was preoccupied with problems of temporary nature but was ignoring what was vital for Armenians as a nation:

The whole Report, as we recall, contains the record of 25 years of activity by the Patriarchate. In all of those 25 years, there was only one protest note issued by the Patriarchate about land extortion, and it was presented to the Sublime Porte on January 3, 1875. It too did not bring about any satisfaction, and the Patriarchate stayed silent on the subject thereafter. On the contrary, we see that Giragos' daughter has been raped or kidnapped by Muslims; that Mardiros' sheep were stolen; or that the Turks have hung a cross from some church around the neck of a dog they are parading through the streets; these scandals have become the subjects of years of negotiation between the Sublime Porte and the Patriarchate. We are not saying that they should not have been given as much importance as they have. These things are odd incidents, they may happen today but not tomorrow. But when the Muslims appropriate all the Armenian villages in a province – that is a crucial and vital matter, because it leads to a whole mass of people dying materially and morally, and subsequent generations are deprived of food and therefore their lives.<sup>44</sup>

Raffi's understanding of land disputes indicates that he attached particular significance to this social problem and saw the seizure of Armenian lands as a threat to Armenian existence in provinces inhabited by Armenians. Raffi interpreted seizures of lands as a new form of oppression used by Kurdish tribes, notables, and the government and saw the Land Code as a legal instrument, which would serve to dispossess Armenians:

The majority of Armenian-owned land is purloined by the government, which in turn is given to Muslims. So that its injustice takes a legal form, the government created the fraudulent Tapou Law. On the basis of this law, every piece of land that has remained

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44 Ibid., 55.

uncultivated for a number of years is considered mahloul or without an owner and therefore belonging to the state. This sort of land is taken by the government itself, and can then be registered to Muslims; for a very small fee, the Muslim can have an imperial certificate of ownership issued in his name. This is the reason Armenians are likely to lose the majority of their lands.<sup>45</sup>

The last point Raffi raised with regard to this matter was related to the seizure of lands belonging to Armenians who had migrated to the other parts of the empire, mainly Istanbul, or beyond its borders to find jobs.<sup>46</sup> According to Raffi, who stated that there were almost forty-five thousand immigrants in Istanbul alone, the oppression by Kurdish beys and aghas, heavy taxes, and the abuses of tax collectors had driven Armenians into migration and emigration. The report of the British Consul J. G. Taylor supports the argument that oppression by Kurdish tribes was an important motivation for Armenians to leave their hometowns and villages. According to the consul, Kurds from Muş, Bulanık, Ahlat, and Beyazid were in the habit of pillaging Armenian villages and stealing their animals. He stated that this situation resulted in the impoverishment of agricultural classes, leading them to emigrate to foreign countries.<sup>47</sup> On the other hand, it should be noted that fleeing oppression was not the sole motivation of Armenians who migrated or emigrated. As examined by Sinan Dinçer, the prospects of a better life and wealth were important factors that contributed to these trends which accelerated in the last

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45 Ibid., 52–53.

46 According to David Gutman, migrants from Eastern provinces had flocked to Istanbul to find jobs for centuries. These migrants, who were predominantly male, often worked as porters. According to Gutman's estimations, nearly 75,000 migrants from the region migrated to Istanbul in 1867. David Gutman, "The Political Economy of Armenian Migration from the Harput Region to North America in the Hamidian Era, 1885-1908," Cora et al., *Ottoman East*, 46.

47 Consul Taylor to Earl Greanville, Erzurum, 4 July 1871, *Turkey*, no. 16 (1877)., *Reports by Her Majesty's Diplomatic and Consular Agents in Turkey Respecting the Condition of the Christian Subjects of the Porte: 1868-75* (London: Harrison and Sons, 1877), 56–57.

decades of the nineteenth century.<sup>48</sup> Another interesting point regarding Raffi's evaluation of land disputes and the transformation of the land regime is his interpretation of the Land Code. While it is true that the Land Code included an article according to which lands not cultivated for a certain period of time would be considered abandoned (mahlul) and sold by the government, this was a general regulation that could be applied to all Ottoman subjects.

In the first report of the Armenian Patriarchate, which covered oppression that occurred during the twenty-year period up until 1872, there were no references to land disputes. According to Raffi, this was related to the absence of land disputes before the 1870s. He argued that the central government had decided to settle seminomadic and nomadic Kurds in the 1870s, accelerating competition for land. In Raffi's portrayal of the Ottoman East before the 1870s, Armenians were the sole landowners in the region.

The Turkish central government, seeing that the barbarities perpetrated by the Kurds and other wild tribes arise from the nature of their nomadic life, has recently begun efforts to persuade them to leave their lives of wandering, leave shepherding, have settled homes and become farmers. It hopes in this way to subdue the Kurds and other wild tribes. The idea was not a bad one, but it was incorrectly implemented: instead of collecting the Kurds from the Armenian highlands and settling them in an area of Turkey that was unpopulated (such as the deserts of Mesopotamia or Assyria), the government allowed them to occupy areas in Armenia itself as settlement areas. How could this be? The land was in the hands of Armenians, left to them by their fathers and ancestors as inheritance. It was difficult for the Kurd to buy land from Armenians with money, as he was used to taking whatever he wanted from them by force. So he did the same again. It is from this land and property problem that a new form of

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48 Sinan Dinçer, "Ya Sev Ya Terket'in Ermenicesi: Osmanlı Devletinde Tabiiyet ve Sınırdışı Uygulamalarından Bir Fasıllar," in *Sınır ve Sınırdışı: Türkiye'de Yabancılar, Göç ve Devlete Disiplinlerarası Bakışlar*, ed. Didem Danış and İbrahim Soysüren (Istanbul: Notabene Publications, 2014) and Christopher Clay, "Labour Migration and Economic Conditions in Nineteenth-Century Anatolia," *Middle Eastern Studies* 34, no. 4 (1998): 4.

oppression started. In the records contained in the Patriarchate's first Report – in other words, until 1872 – there were almost no land or property matters cited. This means that, until that year, the Armenians were the owners of their land and other property. This was the time during which the Kurds were still living nomadically and had not yet become concerned with land. But when, by government order, they gradually began to establish settled lives, the question of land was bound to arise.<sup>49</sup>

Although Raffi's point about the settlement of nomadic tribes and the rise of land disputes concerning Armenians are relevant, several documents, reports, and secondary resources indicate that there were, in fact, several land conflicts in the region before 1872. As examined at the beginning of this chapter, the land dispute in Çarsancak began in the middle of the nineteenth century. This case, which concerned a large group of peasants, had been brought before the Supreme Council by the Patriarchate by the 1860s.<sup>50</sup> Also, in the districts of Ahlat, Bulanık, and Malazgird in the province of Bitlis, the Hasenanlı and Milikanlı tribes, under the leadership of Sofi Agha, Hazneder, and Esehoğlu, had carried out several depredations and attacks on Armenian villages. As a result of these attacks, Armenian peasants had abandoned their villages and lost their lands.<sup>51</sup> Several other examples can be added to the list of land disputes concerning Armenians before the 1870s, which contradicts with Raffi's claim that such land disputes started in the 1870s upon the initiative of the government to settle nomadic and seminomadic tribes in the region. On the other hand, these governmental initiatives did increase demand for land and contributed to an ongoing trend. What was missing in the period before the 1870s was not land conflicts concerning Armenians themselves, but communal attention to and recognition of land disputes concerning Armenians by the Armenian political and religious elite and their organizations. As analyzed below, this absence of interest is explained by the

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49 Raffi, "Report," 51.

50 BOA: MVL 638/29, 22 Ağustos 1278 (3 September 1862).

51 Consul Taylor to the Earl of Clarendon, Erzurum, 19 March 1869, *Turkey*, no. 16 (1877), 26.

fact that until the 1870s, the dominant trend in Armenian nationalism was cultural nationalism that lacked a territorial component.<sup>52</sup> It was with the development of the territorial aspect of Armenian nationalism that land became a fundamental component of Armenian public debate.

### § 3.3 The Approach of the Central Government to Land Disputes Concerning Armenians before the 1880s

It can be argued that the central government had three main concerns regarding land disputes in this period. First, the central government depended on local elites to establish and maintain Tanzimat order in the region. Thus, not alienating the aghas, beys, and sheikhs who had gained a renewed influence was a primary concern of the central government. Furthermore, Kurdish tribes maintained a significant military force along the strategic Ottoman-Persian border. As noted by the British Consul Taylor, local governors feared that if they oppressed these tribes, the tribes could easily cross the border and “locate themselves in the rival territory of Persia.”<sup>53</sup> Thus, the central government “was aware of the complexity of the local power relations in the region” and had to take the power of these local notables into consideration.<sup>54</sup> The third concern of the government was to increase its share of the agricultural surplus. These concerns shaped the approach of the Porte to land disputes in the Ottoman East in general and land disputes concerning Armenians in particular.

In her examination of the transformation of the Ottoman land regime, Huri İslamoğlu points out that “throughout the nineteenth century, the Ottoman central government was engaged in a continuous balancing act between the exigencies of a rule of justice (read absence of social strife) and a rule of property.”<sup>55</sup> The case of Vidin is a good example of such a balancing act

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52 Sarkis Shmavonian, “Mikayel Nalbandian and Non-Territorial Armenian Nationalism,” *Armenian Review* 36, no. 3 (1983): 35–56.

53 Consul Taylor to Sir H. Elliot, Erzurum, 16 October 1871, *Turkey*, no. 16 (1877), 66.

54 Özok-Gündoğan, “Making of Modern,” 160.

55 İslamoğlu, “Property as Contested,” 34. Also see, Yonca Köksal, “19. Yüzyılda Kuzeybatı Bulgaristan: Sessiz Toprak Reformu,” *Toplumsal Tarih* 170 (February, 2008): 24–30.

on the part of the government. In Vidin, Christian cultivators working as sharecroppers on the lands of Muslim landlords under harsh conditions, protested the Muslim aghas and demanded the termination of *gospodarlık*, which was a form of land tenure that gave these aghas a position close to feudal lordship. These cultivators rebelled by claiming that since *corvée* had been abolished in the Ottoman Empire, the aghas had no right to demand forced labor from the cultivators. The central government got involved in the matter after the cultivators started a rebellion. In the end, the government recognized the ownership rights of aghas but also provided peasants a chance to buy lands in the region – a solution that fell short of the demands of peasants. As noted by several researchers, Ottoman authorities were aware of the political implications of this case and performed a balancing act to maintain the existing social hierarchy and public order on one hand and prevent social strife on the other.<sup>56</sup> Such a balancing act was also evident in the Porte's approach to land disputes in the Ottoman East in this period. The responses of the Sublime Porte to the takrirs of the Armenian Patriarchate indicate that the central government approached land disputes with caution. Most of the takrirs presented by the Patriarchate remained unanswered. On the other hand, there were cases in which the central government became involved. The case of Çarsancak, which evolved into a long-term legal and administrative battle between peasants and aghas, is one of the best examples of balancing policy by the Porte. In this case, the parties in dispute were directed towards administrative channels by the central government, which did not want to face the consequences of social strife. Correspondence between the Patriarchate and the agencies of the central government also indicate a serious degree of resistance on part of provincial authorities. In several cases, the orders of the Porte were not put into action by provincial authorities. In some cases, the

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56 For detailed information, see Halil İnalçık, *Tanzimat ve Bulgar Meselesi (Doktora Tezi'nin 50.yılı) 1942-1992* (Istanbul: Eren, 1992); Halil İnalçık, "Tanzimat'ın Uygulanması ve Sosyal Tepkileri," *Bellekten* XXVII (1964): 624-690; Mark Pinson, "Ottoman Bulgaria in the First Tanzimat Period: The Revolts in Nish (1841) and Vidin (1850)," *Middle Eastern Studies* 11, no. 2 (May, 1975): 103-146; Huri İslamoğlu, "Politics of Administering Property: Law and Statistics in the Nineteenth-Century Ottoman Empire," in *Constituting Modernity: Private Property in the East and West* (London: I.B. Tauris, 2004), 276-319.

Porte decided to send commissions to the region to investigate the disputes. However, even when these commissions decided in favor of the peasants, the decisions were not carried out at the local level. In other cases, the Council of State did not take the reports of the commissions into consideration. Or local governments refused to apply them under the influence of local power dynamics. Thus, the outcomes of land disputes were determined through a series of negotiations at different levels of administration in this period.

Another point to be mentioned with regard to the approach of the Porte to land disputes concerning Armenians before the Hamidian period is the absence of a demographic policy intended to increase Muslim dominance and decimate Armenians in the region. Correspondence among Armenian institutions and Ottoman authorities indicate that the Porte performed balancing acts between Armenian peasants and Muslim powerholders with regard to land disputes. These documents indicate that when the Porte dismissed the claims of Armenian peasants, it did so on the grounds of maintaining the established social order and local power balance rather than as part of a grander demographic plan.

A final point to be mentioned is that there was a renewed interest on part of the Sublime Porte in land disputes in the 1870s. In this period, the Porte faced increasing pressure from Armenian political and religious actors to resolve land disputes and other problems concerning Armenians in the Ottoman East, and it sent several orders to establish investigation commissions in different localities.

### § 3.4 The Russo-Ottoman War of 1877-78 as a Turning Point in Terms of Land Disputes and the Significance of Land

The most significant turning point regarding land disputes concerning Armenians in this period was the internationalization of the Armenian Question in the aftermath of the Balkan Crisis and the Russo-Ottoman War

of 1877-78.<sup>57</sup> The Russo-Ottoman War broke out in relation to Russia's insistence on the implementation of reforms in Bulgaria which it considered a zone of influence. While the Ottoman government tried to avoid implementing a regionally specific reform plan for Bulgaria with the proclamation of the Ottoman Constitution in 1876, Russia insisted on specific reforms and declared war on the Ottoman Empire in 1877. As the eventual victor, Russia obliged the Ottoman Empire to sign a peace treaty with terms that considerably expanded Russian influence in the region. According to the San Stefano Treaty, several provinces along the Ottoman-Russian border zone would be given to Russia, Bulgaria would become an autonomous principality, and the territories of Montenegro and Serbia would be extended. Moreover, Serbia, Montenegro, and Romania would become independent.<sup>58</sup> The Treaty of San Stefano also included an article regarding reform in the eastern provinces, which were referred to as "Armenia" in the text of the treaty.<sup>59</sup> According to the treaty, Russian troops would be removed from the occupied zones only if the Ottoman government carried out reforms. In the treaty, Russia was specified as the guarantor of these reforms. Concerned about the expansion of Russian influence in the region, the Great Powers intervened in the matter and called for an international congress in Berlin. In the Treaty of Berlin signed at the end of this congress, the political gains of the Russian Empire were curbed to a considerable extent. While Romania, Serbia, and

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57 Barbara Jelavich, *History of Balkans: Eighteenth and Nineteenth Centuries*, vol. 1 (Cambridge: Cambridge University Press, 1983), chap. 7; F. A. K. Yasamee, *Ottoman Diplomacy: Abdülhamid II and the Great Powers 1878-1888* (Istanbul: The ISIS Press, 1996), 13-18; and Hakan Yavuz and Peter Sluglett, eds., *The Political and Social Implications for the Ottoman Empire and Its Successor States of the Treaty of Berlin, 1878* (Salt Lake City: University of Utah Press, 2011).

58 Erik Jan Zürcher, *Turkey: A Modern History*, 3rd edition (London: I.B. Tauris, 2004), 74.

59 Article XVI: "As the withdrawal by the Russian troops of the territory which they occupy in Armenia, and which is to be restored to Turkey, might give rise to conflicts and complications detrimental to the maintenance of good relations between the two countries, the Sublime Porte engages to carry into effect, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by Armenians, and to guarantee their security from Kurds and Circassians." "The Preliminary Treaty of Peace, signed at San Stefano," <http://pages.uoregon.edu/kimball/1878mr17.SanStef.trt.htm>

Montenegro remained independent, the territorial gains of Montenegrin, Serbian, and Bulgarian autonomous regions were curtailed. The status of Bulgaria was modified. Bosnia-Herzegovina was given to Austria-Hungary and Cyprus became a British dominion. The Treaty of Berlin also entailed a range of obligations and responsibilities for the Ottoman government with respect to reform in the eastern provinces. According to Article 69 of the Treaty of Berlin, the Sublime Porte was obliged “to carry out without further delay the improvements and reforms demanded by local requirements in the provinces inhabited by Armenians, and to guarantee their security against the Circassians and Kurds.” Furthermore, the Ottoman government would “periodically make known the steps taken to this effect to the powers, who will superintend their application.”<sup>60</sup> Thus, while reform in the eastern provinces was included in the Treaty of Berlin, the realization of reforms was not specified as a condition for the removal of Russian troops and Russia was no longer specified as the sole guarantor of the reforms. There was also an Armenian delegation at the Congress of Berlin. This delegation headed by the former patriarch Khrimyan, proposed a plan that included the autonomy of Armenia but this plan was not discussed in the Congress.<sup>61</sup> While the Treaty of Berlin included provisions regarding reform in the eastern provinces, it was seen as a setback by Armenian political actors.<sup>62</sup>

The emergence of an “Armenian Question” at the international level was accompanied by various debates in Armenian political circles and was also a turning point for Armenian nationalism. It should first be noted that disturbances in the Balkans, which preceded the Russo-Ottoman War, were carefully followed by Armenian politicians. As analyzed by Etmekjian, the proceedings of the meetings of the ANA on 10-22 December 1876 provide important insights regarding the approach of the Armenian political elite to developments in Balkans and their demands for reform regarding the

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60 “Treaty of Berlin,” <http://archive.thetablet.co.uk/article/20th-july-1878/11/the-treaty-of-berlin>.

61 Arman J. Kirakossian, *British Diplomacy and the Armenian Question* (London: Gomidas Institute Books, 2003), 74.

62 Libaridian, “Ideology of Armenian,” 168–171.

Armenian population. Etmekjian notes that some delegates feared that “the Balkan people might obtain more through rebellion than the Armenians had through loyalty.”<sup>63</sup> While some delegates demanded that the National Assembly issue a statement to the Porte informing it that “Armenians wished to enjoy whatever reforms were granted to the others” and that “the Armenians deserved them more because they had never been disloyal, as others had,” the assembly eventually agreed on a more conservative statement declaring that “Armenians were ‘confident’ that they would be given the same benefits accorded to the other subjects of the empire.”<sup>64</sup> After the outbreak of the war, Armenian politicians continued to underscore their loyalty – this time in the Ottoman Parliament which had been opened after the proclamation of the constitution. Several Armenian parliamentarians gave speeches condemning Russian intervention on behalf of Christian subjects of the Ottoman Empire and demanded that the Ottoman government take necessary steps for the recruitment of Ottoman Christians into the Ottoman army.<sup>65</sup>

Following the disturbances in the Balkans, there was an interesting change in the way the eastern provinces were addressed by members of the ANA. Masayuki Ueno, who presents an extensive analysis of Armenian political debates during the Tanzimat period based on Armenian and Ottoman sources, points out that prior to the disturbances in the Balkans in the mid-1870s, the delegates of the ANA referred to “oppression in the provinces” when discussing attacks on Armenians in the Ottoman East. After the disturbances began, they started to use the phrase “oppressions in Armenia (Hayasdan).” Thus, Ueno concludes that “with great powers demanding that the Ottoman government implement the reforms in particular provinces in the Balkans but not throughout the empire, Armenian assembly members found it necessary to focus on their national fatherland when appealing to the government for

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63 Etmekjian, “Armenian National,” 46.

64 Ibid.

65 *Meclis-i Mebusan 1293=1877 Zabıt Ceridesi*, ed. Hakkı Tarık Us, vol. 2 (Istanbul: Vakit Gazetesi Matbaa Kütüphanesi, 1954).

the implementation of reforms in the Eastern provinces.”<sup>66</sup> This shift reflects a serious transformation in terms of Armenian nationalism and the territorialization of the Armenian question.

As noted above, the internationalization of the Armenian Question accompanied the transformation of Armenian nationalism, which gained a territorial aspect in this period. As underscored by Razmik Panossian, Khrimyan, who had served as Patriarch of Constantinople between 1869 and 1873, returned from the Congress of Berlin greatly frustrated, “concluding that force was necessary in order to be listened to, even by the ‘Christian powers’ of Europe.” According to Panossian, Khrimyan’s “iron ladle” message “undermined the sense of victimhood, voiced the profound frustration felt by the Armenians, called for action (without explicitly defining how), and focused attention on conditions in Armenia itself rather than on abstract constitutional issues or social theories.”<sup>67</sup> Panossian notes that together with Mkrtich Portukalian, who was an educator, writer, and activist, Khrimyan influenced the development of the territorial element of Armenian nationalism that combined “the liberal and culture-based nationalism of the west,” “the radical romantic social issues-based nationalism of the east,” and “the homeland-based nationalism of Armenia.”<sup>68</sup> As underscored by Panossian, land was a fundamental component of the new nationalist approach that became dominant in the second half of the nineteenth century.

At its roots this nationalism was very much tied to the Armenian lands. ‘The peasants’ link to the land of Armenia was neither culturally inspired nor politically negotiable. Rather it represented the most basic relationship between man and nature.’ Once peasants and other provincial residents began to mobilise for self-defence and around

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66 Masayuki Ueno, “For the Fatherland and the State’: Armenians Negotiate the Tanzimat Reforms,” *International Journal of Middle East Studies* 45 (2013): 103.

67 Panossian, *Armenians*, 172–173.

68 *Ibid.*, 175.

national issues, as they defined them, they brought the territorial component to national identity and liberation with them.<sup>69</sup>

Thus, the process by which the Armenian Question emerged as an international problem was accompanied by a turn in Armenian nationalism, which had gained a territorial dimension. In this period, the emphasis on “love of nation” (*azgasirutyun*) was replaced by “love of fatherland” (*hayrenasirutyun*).<sup>70</sup> For many years, Armenian nationalists had emphasized the importance of language and culture and worked for general reform in the Ottoman Empire. With the territorialization of Armenian nationalism, they began to emphasize the need for reforms in the “fatherland.” It should be noted that the Treaty of San Stefano or Treaty of Berlin did not mark “breaking points” in Armenian nationalism; Armenian nationalism had already been gaining a territorial aspect through the efforts of Armenian intellectuals in the second half of the nineteenth century. The Armenian fatherland, as a territorially bounded geographical space of an imagined Armenian community, was already being created through the efforts of intellectuals who, since the 1850s, had been calling on Armenians to settle in those provinces and become involved in agriculture and education.<sup>71</sup> On the other hand, by demarcating the eastern provinces as “Ottoman Armenia” or “provinces inhabited by Armenians,” the treaties of San Stefano and Berlin brought a new impetus to the territorialization of Armenian nationalism. This transformation also underscored the significance of land itself, because land was what tied the peasants to the “fatherland.” Thus, the territorialization of Armenian nationalism can be seen as one of the most important factors that affected the approaches of the Armenian elite and Armenian institutions to land disputes concerning Armenians. As land began to be seen as a natural

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69 Panossian, *Armenians*, 175.

70 Libaridian, *Modern Armenia*, 66.

71 Dzovinar Derderian, “Mapping the Fatherland: Artzvi Vaspurakan’s Reforms through the Memory of the Past,” *Houshamadyan* (16 December 2014). <http://www.houshamadyan.org/en/mapottomanempire/vilayet-of-van/kaza-of-van/miscellaneous-scholarly-articles.html>. See also, Dzovinar Derderian, “Shaping Subjectivities and Contesting Power through the Image of Kurds, 1860s,” in Cora, Derderian and Sipahi, *Ottoman East*, 91–108.

component of Armenian existence in the Ottoman East, possession of land by Armenians began to be seen as a national matter rather than an issue of property. In line with these developments, land disputes concerning Armenians began to be perceived as a national matter.

#### 3.4.1 *The Approach of the Central Government to Land Disputes in the Aftermath of the Treaty of Berlin*

There were two simultaneous developments regarding state policies concerning Armenians in the post-Berlin period. First, there was a change in the approach of the Ottoman government to the problems of Armenians and Armenian institutions. In this period, the government began to act with demographic concerns in mind, waged a battle against the symbols of the Armenian fatherland and the proponents of Armenian nationalism, and attempted to strengthen the basis of its territorial sovereignty in the region. Second, the central government began to establish commissions in line with the stipulations of the Berlin treaty.

The political struggles of the 1870s had underscored the importance of demographics for substantiating territorial claims and claims to sovereignty. The Ottoman government conducted a new population census in the aftermath of the Berlin congress. As noted by Fuat Dündar, the census of 1881-1893, which included ethnic and religious categorizations, was carried out on the order of the Minister of War, Rıza Pasha.<sup>72</sup> Aware of the importance of demographics for territorial claims, Abdülhamid II ordered the administrative redistricting of the eastern provinces “to dilute the statistics reflecting the concentration of Armenians.”<sup>73</sup> In line with this attempt, Hakkari was integrated into Van Province.<sup>74</sup> Another change in the approach of the central government was related to cultural nationalism. As noted by

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72 Dündar, *Kahir Ekseriyet*, 35. For details on this population census, see Kemal Karpat, “Ottoman Population Records and the Census of 1881/82-1893,” *International Journal of Middle East Studies* 9, no. 3 (October, 1978): 237–274.

73 Liberidian, “Ideology of Armenian,” 179.

74 François Georgeon, *Sultan Abdülhamid*, trans. Ali Berktay (Istanbul: Homer Kitabevi, 2006), 201-202.

Libaridian, “the Porte forbade the use of words it considered subversive, such as “Hayastan” (Armenia) in print or the printing, sale or ownership of pictures of King Leon V – very popular since he was the last of the Cilician, and as such of all Armenian kings – to be reproduced, circulated or owned.”<sup>75</sup> In 1886, the government exiled important political figures like Portukalian and Khrimyan from their centers of activity in the eastern provinces and closed several schools there. Another change in the approach of the central government was related to the Patriarchate and the ANA. In this period, the Sublime Porte tried to limit the authorities of the Patriarchate and the ANA, informing them that the Ottoman government would no longer accept takrirs related to non-religious matters from these institutions.<sup>76</sup> It should be noted, however, that these institutions in fact continued to submit such takrirs to the Porte in the years that followed.

In this period, the Ottoman government also started sending special commissions to investigate the situation in the eastern provinces in line with the obligations stipulated in the Treaty of Berlin. Another development that triggered the formation of these commissions was the outbreak of the Zeytun rebellion in 1878, which was related to tax collection and the settlement of Circassian immigrants on Armenian lands. As noted by Musa Şaşmaz, another development triggering the commissions was protests by the British consul that Kurds were oppressing Armenians after the withdrawal of Russian troops.<sup>77</sup> With these developments, the Sublime Porte decided to establish two commissions in February 1879. One was comprised of Yusuf Pasha and Sarkis Efendi and was responsible for the provinces of Erzurum and Van. The other commission was comprised of Abidin Pasha and Manas Efendi and was responsible for Diyarbakır Province and its environs. On 6 April 1879, the Sublime Porte sent instructions (*talimatname*) to the commissioners. In the instruction sent to the reform commission responsible for Diyarbakır region, it was stated that there were several complaints about Kurdish chiefs and tribes

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75 Libaridian, “Ideology of Armenian,” 180.

76 Ibid.

77 Musa Şaşmaz, *British Policy and the Application of Reforms for the Armenians in Eastern Anatolia* (Ankara: Turkish Historical Society Printing House, 2000), 35.

who had oppressed Christian communities, appropriated villages, and imposed taxes on Christian cultivators in districts of Cizre, Nusaybin, Silvan, Bitlis, and Siird. The reform commission was authorized to investigate the situation and prevent oppression by Kurdish tribes and notables.<sup>78</sup>

Correspondence of the British consular staff provides important insights into the operations of these commissions. According to the British consul, “the commissioners were at first disposed to execute the mission with energy and loyalty, the difficulties and obstructions which have been placed in their way, the opposition they received from local authorities, the want of support from Constantinople and the limited nature of their powers have ended by disheartening them.”<sup>79</sup> On the other hand, the early activities of the commissions substantially improved the situation especially in the region of Diyarbekir. Commissioner Abidin Bey decided to exile notorious Kurdish chiefs responsible for the oppression of Armenians in the region. Abidin Bey decided to exile more than one hundred beys to Albania, but later the beys were settled in Aleppo. While the arrest of Kurdish chiefs restored order in places like Çapakçur, in other districts the situation became worse when local populations blamed Armenians for the arrest of beys. Abdülhamid II regretted the decision to allow Abidin Pasha to exile the beys. A memorandum prepared on the orders of the sultan, stated that “Abidin Pasha caused the destruction of several influential Muslims” under the influence of the British consuls and the accusations of some Armenians.<sup>80</sup> In 1881, these Kurdish chiefs were allowed to return their regions, and revenge attacks increased pressure on local Armenians.

The case of Kiğı, which was investigated by the reform commission, shows that the commissions were also interested in land disputes, though I was unable to find other cases in which they tried to settle land disputes. The case of Kiğı illuminates the failure of the reform commissions in terms of solving

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78 BOA: İ.DH 783/63676, Order issued to the commissioner responsible for the Diyarbekir region (*Diyarbekir ciheti komiserine verilen talimatname*), 25 March 1295 (6 April 1879).

79 Sir A. H. Layard to the Marquis of Salisbury, 8 August 1879, *Turkey* no. 4, (1880), *Correspondence Respecting the Condition of the Populations in Asia Minor and Syria* (London: Harrison and Sons, 1880), 21.

80 Şaşmaz, *British Policy*, 58.

land disputes among aghas, beys, and peasants. Several beys in Kiğı were under investigation by the commission for various crimes including murder, extortion, plunder, and seizure. One was İsmail Bey of Temran [Bağlarpınarı] who was accused of extortion, fraud, and cruelty during his term of office as *kaimakam* (district governor) of Kiğı. He was dismissed from his post but maintained his influence in the region as a bey. The complaints of villagers included forced labor and seizure of fields and pastures belonging to peasants. Other beys involved in such oppressive acts were Hacı Sadık Bey of Horhor [Gökçeli] and his brothers.<sup>81</sup> In a memorandum he wrote about the case, the British consul pointed out the role of the Land Code in aggravating tensions and increasing the power of local powerholders. In the memorandum, the consul stated that,

remembering the ignorance, habits of neglect and corrupt practices of many of the officers sent to those out of the way places, we can understand what difficulties arise. This reform has been a new source of trouble to the people and of profit to the beys and also to the officers, who are entrusted with discretionary power over the property of the poor villagers.<sup>82</sup>

The consul also underscored the importance of land ownership for local powerholders, stating that “the beys in general being deprived of their old feudal rights and power of levying taxes etc. now feel the need of possessing property. They are therefore endeavouring to accumulate all kinds of standing property and this at any cost to the poor inhabitants of their districts.”<sup>83</sup> The evaluation of the consul supports the argument that land ownership gained a new character in the region in the late nineteenth century.

In the case of Kiğı, beys used their knowledge of new procedures and formalities to acquire lands in dispute by offering to help villagers complete the registration procedures. After collecting papers from the villagers, they registered the lands in their own names, dividing the property among

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81 “Memorandum,” *Turkey*, no. 10 (1879), *Correspondence Respecting the Condition of the Populations in Asia Minor and Syria* (London: Harrison and Sons, 1879), 109–114.

82 *Ibid.*, 112.

83 *Ibid.*

themselves. Hacı Bey had collected money from peasants to register the lands in their names but had intentionally failed to do so. As a result of bargaining with local officials, Hacı Bey succeeded in becoming the legal owner of several fields belonging to Armenian peasants.

The preliminary investigations of the commission into the Kiğı case convinced commissioners “that there was much to be said against the claims of proprietorship of the local chiefs.”<sup>84</sup> According to British correspondence, the commissioners asked the Sublime Porte on three different occasions whether these land disputes should be seen before the sharia court or the local court; however, the question remained unanswered. After examining the case for four months, the commission reached the conclusion that in many instances, aghas had used fraudulent means to obtain possession of lands to which they had no right. On the other hand, the commission was not authorized to take these lands back from the aghas. Thus, the commission transferred complaints regarding the land disputes in Kiğı to the court of first instance.<sup>85</sup>

For criminal cases, aghas and beys were tried before the local court and received relatively light punishments. In September 1880, the beys started to return to Kiğı from Erzurum and the oppression began anew. When İsmail bey of Temran, İsmail bey of Osnag, Hacı bey of Horhor, and Hasan bey returned, they were welcomed by local authorities. Acting British Vice-Consul Barnham noted that he had received letters from Kiğı, one of which stated that “in all cases where land had been forcibly taken by the beys, it had been secured to them by a decision of the Erzurum government.”<sup>86</sup> Thus, British correspondence indicates that the beys succeeded in maintaining their ownership rights to disputed lands after the investigation process in Kiğı and that the reform commissions did not resolve the land disputes concerning Armenians.

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84 Major Trotter to the Marquis of Salisbury, 16 August 1879, *Turkey*, no. 4, (1880), 44.

85 Major Trotter to the Marquis of Salisbury, 3 October 1879, *Turkey*, no. 4, (1880), 87–88.

86 Acting Vice-Consul Barnham to Major Trotter, 12 September 1880, *Turkey*, no. 6 (1881), *Further Correspondence Respecting the Condition of the Populations in Asia Minor and Syria* (London: Harrison and Sons, 1881), 184.

Ottoman correspondence indicates that the commissioners found it difficult to improve the situation in the Ottoman East. According to a report of one commissioner, laws and regulations were not sufficient to improve the situation, as local officials were unable to follow them through.<sup>87</sup> British Consul Sir A. H. Layard also warned that “unless the Porte takes care and acts with wisdom and foresight, it will someday have an Armenian Question in Asia, similar to the Bulgarian question in Europe which led to the late war.”<sup>88</sup> The Porte, itself, was deeply concerned by this prospect. On the other hand, the lack of strong, persistent initiatives on the part of the central government indicates that the Porte did not see reform as the solution to the problems at hand. According to Garo Sasuni, concern that the Armenian Question could evolve into a quest for independence backed by the Great Powers drove the Porte to ally with Kurdish chiefs in the middle of the Russo-Ottoman War. He argues that the Ottoman government had paid the price of not securing the support of Kurdish tribes in the Crimean War in which several Kurdish forces refused to fight alongside Ottoman troops. According to Sasuni, a new agreement between the Porte and Kurdish chiefs secured the involvement of Kurdish forces in the Russo-Ottoman War and emboldened the Kurdish chiefs who began attacking Armenians upon their return.<sup>89</sup> While evaluating the accuracy of these claims is beyond the scope of this study, relations between the Porte and Kurdish chiefs were radically reconfigured in the years following the Berlin congress, which was a turning point in terms of the internationalization of the Armenian Question, the transformation of Armenian nationalism, and the transformation of the Porte’s approach to Armenians.

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87 BOA: Y.PRK.A 2/75, 11 February 1297 (23 February 1882).

88 Sir A. H. Layard to the Marquis of Salisbury, 12 June 1879, *Turkey*, no. 10 (1879), 93.

89 Etmekjian, “Armenian National,” 48. See also Garo Sasuni, *Kürt Ulusal Hareketleri ve 15. yy’dan Günümüze Ermeni Kürt İlişkileri*, trans. Bedros Zartaryan and Memo Yetkin (Istanbul: Med Yayınları, 1992), 150–151.

### § 3.5 Summary

The centralization efforts of the Ottoman government and the transformation of the land regime brought about the emergence of a series of land disputes in the Ottoman East. Armenians in the region were also affected. Similar to cultivators with other religious or ethnic backgrounds, Armenian cultivators found themselves involved in land disputes after the adoption of the Land Code. Land disputes concerning Armenians in this period were almost exclusively between Armenian peasants and local powerholders. The details of these disputes indicate that peasants developed several strategies for registering lands in their names. Writings petitions, organizing demonstrations, and sending representatives to Istanbul to get central authorities involved in their cases were some of the strategies they used. Local powerholders on the other side of these disputes were also active agents with wide repertoires of action that also included sending representatives to Istanbul to negotiate their cases before Ottoman central authorities.

This analysis of land disputes concerning Armenians before the 1880s also shows that the Armenian Patriarchate was an important institution in terms of land disputes. In several cases, the Patriarchate acted as an intermediary between Armenian peasants and the Ottoman central government. The involvement of a religious institution in land disputes concerning Armenians to such an extent differentiates the land conflicts concerning Armenians from those concerning Ottoman subjects with other religious and ethnic backgrounds.

In the 1870s, Armenian institutions and the Armenian political elite began to see land disputes in a new light. Simultaneous with the territorialization of Armenian nationalism, land disputes began to be seen as a national matter by some Armenian intellectuals. There was also a change in the significance attached to the matter by the Patriarchate which can be traced in the wording of the takrirs submitted to the Porte. The territorialization of Armenian nationalism gained a new impetus in the late 1870s, especially after the treaties of San Stefano and Berlin. There was also a change in the approach of the Ottoman government to the problems of Armenians in the 1870s. With the emergence of the Armenian Question at the level of international diplomacy,

the Ottoman government became concerned with the demographics and distribution of the population in eastern provinces and took measures to eliminate the symbols of Armenian territorial claims. After 1878, the Ottoman government also established reform commissions, though these commissions failed to change the situation at the local level. These initiatives, like exile of local powerholders, were shelved in a couple of years time. The operations of the reform commission in Kiğı indicate that the commissions also tried to resolve some land disputes but lacked the necessary authority and did not have any effects in terms of the resolution of land disputes.

As examined in this chapter, land disputes concerning Armenians in this period were mostly related to conflicts between Armenian cultivators and local powerholders. Thus, the driving force of these conflicts was class rather than ethnic or religious differences. In this period, the Ottoman government performed a balancing act with regard to the demands of these groups, though there were cases in which the Ottoman authorities became directly involved, especially with regard to disputes arising from the settlement of immigrants. With the crystallization of a new demographic policy, the Ottoman government would become more involved in land disputes concerning Armenians after the consolidation of the Hamidian regime. The next chapter examines the process of property transfer from Armenians which acquired a new form and content in this later period, especially after the massacres of 1894-97.



## The Transfer of Armenian Properties during the Hamidian Period

As analyzed in the previous chapter, beginning in the mid-nineteenth century there was an outbreak of land disputes in the Ottoman Empire. There were also land disputes concerning Armenians related to properties owned by villages and the Armenian community, such as the properties of monasteries and churches. In the Hamidian period, there were enormous changes in the scope, characteristics, and complexity of land conflicts concerning Armenians. The emergence of a wave of mass violence against Armenians and a change in the approach of the central government towards the Armenian population in general – and land disputes concerning Armenians in particular – were important developments in the transformation of the Armenian land question in this period. This chapter examines this transformation in detail. In the first part, I present an overview of the historical context in which land seizures took place. I focus on the establishment of Armenian political organizations that placed utmost importance on land disputes concerning Armenians. In this section, I also elaborate on the reorganization of relations between the sultan and Kurdish tribal chiefs, the establishment of the Hamidian Regiments, and the massacres of 1894-97.

While it is known that a large number of Armenian properties changed hands in the Hamidian period, the geographic distribution of these transfers

has not yet been analyzed. These property transfers have either been examined on a local scale or conflated to represent the six eastern provinces as a whole. I fill this gap in the literature with an extensive analysis. In the second part of this chapter, I examine the seizure of Armenian properties during and after the massacres of 1894-97 with a particular focus on their geographic distribution and regional differences. Based on correspondence among Ottoman officials, the reports of the Patriarchate, and British consular reports, I map out the geographical distribution of seizures and the actors involved in them.

This analysis reveals three points regarding the characteristics of land disputes concerning Armenians in the Hamidian period. First, it shows there was a significant change in the characteristics and extent of land disputes in the Hamidian period. As examined in the previous chapter, land disputes concerning Armenians before this period were confined to disputes between local powerholders and Armenian peasants and villages. In some of these conflicts, the disputed lands were the common property of village communities – like pastures and places of harvest. In some other conflicts, disputed lands were owned by individual peasants. On the other hand, land disputes in the Hamidian period also involved Armenians who had vast lands. Seizure of large-scale lands was a significant phenomenon in this period. While most properties seized in this period were agricultural lands, there were also factories, shops, and plots in city centers among the properties seized in the Hamidian period. Another important change in terms of the characteristics of land disputes concerning Armenians in the Hamidian period is the involvement of ordinary Muslim subjects in the seizure of Armenian properties. Thus, the basis of land disputes concerning Armenians shifted from class to ethnoreligious differences. A second important point revealed by this research is that while property transfers in the Hamidian period were generally concentrated in the eastern provinces, there were several cases of property transfers outside of these provinces. As examined in detail, there were a significant number of seizures in the Cilicia region, especially in Maraş, during the Hamidian period. Studies regarding the seizure of Armenian properties in the Hamidian period mostly focus on the eastern provinces and emphasize the role of the Hamidian Regiments in the

processes of property transfer. The findings of this study suggest that while the transfer of Armenian properties was concentrated there, the phenomenon was not exclusive to these provinces and that a variety of actors – including tribal chiefs, local notables, immigrants, religious authorities, and ordinary subjects – were involved in these seizures. The third important point revealed by this study is that there were important regional differences among the eastern provinces in terms of the transfer of Armenian properties during this period. The findings of the research indicate that patterns of land ownership in different provinces affected the characteristics of seizures. While small-scale land transfers and seizures affecting village communities accompanied seizures of large plots of land in Muş, property transfers from Armenians to Muslims in Diyarbakir mostly concerned the seizure of large plots of land. Thus, there were significant differences among the eastern provinces themselves. In the processes of dispossession and transfer of property from Armenians in the Hamidian period, the uprooting of Armenian peasants and cultivators was a significant development. This process triggered by migration and emigration trends after the massacres, severed the links between these cultivators and the lands they had cultivated.

In the third part of this chapter, I examine the means of property transfer during the Hamidian period and elaborate on the ways in which mass violence, commodification of land, and monetarization of the economy affected the process. In his examination of taxation policies and Armenian Question, Nadir Özbek notes that legal and illegal measures contributed to the emergence of an “economy of plunder” in the eastern provinces in this period.<sup>1</sup> The findings of this research support this argument and point out that the processes of property transfer were also related to the commodification of land, the rise of central administrative state, and the monetarization of economy.

In the fourth part of this chapter, I examine the attempts of the central government to control the outcomes of massacres and property transfers in terms of demographic characteristics of the population and land ownership

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1 Özbek, *İmparatorluğun Bedeli*, 205–206. See also, Nadir Özbek, “The Politics of Taxation and the ‘Armenian Question’ during the Late Ottoman Empire, 1876–1908,” *Comparative Studies in Society and History* 54, no. 4 (2012): 770--797.

patterns. In this part, I scrutinize the ways that actors in the Ottoman state approached the issue of Armenian land disputes. I examine correspondence among different agencies, as well as orders, laws, and agreements issued by Ottoman authorities. In the literature of the dispossession of Armenians in the Hamidian period, the role of the central government has not been discussed in detail. Correspondence, negotiations, and conflicts among different agents operating in the Ottoman state with regard to this matter remain understudied in the literature.<sup>2</sup> This study, which is the first to examine Ottoman documents on this matter in detail, suggests that these processes cannot be understood if the role of the central government is not taken into consideration. The findings of this research indicate that rather than being a reactionary agent, the central government actively shaped the outcomes of mass violence and the processes of property transfer. This examination also sheds light on the differences of opinion and different approaches among Ottoman authorities.

#### § 4.1 Historical Context

The last decade of the nineteenth century brought about radical changes in intercommunal relations and state-society relations in the Ottoman Empire. As noted in chapter 3, the emergence of the Armenian Question as a question of international diplomacy contributed to the territorialization of Armenian nationalism in the late nineteenth century. One of the most important developments in this period was the establishment of Armenian political organizations. While they had different goals and political agendas, all these organizations had a territorial understanding of Armenian nationalism and underscored the link between the population and the land. The first of these organizations was the Armenakan Party, which was established in Van by the disciples of Mgrdich Portukalyan, an important figure in the development of the idea of an Armenian fatherland. The Armenakan Party aimed to “win for the Armenian the right to rule over themselves through revolution.”<sup>3</sup> Another

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2 Astourian, *Silence of Land*, 55–81; and Klein, *Margins of Empire*, chap. 4.

3 Louise Nalbandian, *The Armenian Revolutionary Movement: The Development of Armenian Political Parties through the Nineteenth Century* (Berkeley: University of California Press,

important organization was the Hunchakian Revolutionary Party established in Geneva in 1887.<sup>4</sup> As noted by Gerard J. Libaridian, “territoriality was integral for the success of the Hunchak program of change.”<sup>5</sup> At the time of its establishment, the Hunchaks had two main objectives: to promote socialism and an independent Armenia in the eastern provinces. In 1909, after its sixth congress, the party abandoned its claim to an independent Armenia. Another important Armenian political organization established in this period was the Armenian Revolutionary Federation (ARF), which was founded in Tiflis in 1890. As noted by Ronald G. Suny, the ARF proposed a program of autonomy within the Russian and Ottoman Empires.<sup>6</sup> As analyzed by Libaridian, the Tashnags were more moderate with respect to the Ottoman East than the Hunchaks, and independence did not officially become an issue for the Tashnags until 1919. In the political discourse of the ARF, freedom was a “less clearly defined” goal and meant “liberation from the oppressive political system and an end to Ottoman policies that led to the disintegration of the Armenian economic base.”<sup>7</sup> Thus, from the beginning, land disputes in particular and agrarian problems in general had an important place in the political debates of the Tashnags. The rise of these organizations also contributed to the revitalization of reform debates and the radicalization of the Armenian Question in the 1890s.

Another novelty in this period was the emergence of a new approach on the part of the Ottoman government. Following the Balkan Crisis and the

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1967), 97. For detailed information about Armenian political organizations, see also Anaide Ter Minassian, *Ermeni Devrimci Hareketi'nde Milliyetçilik ve Sosyalizm (1887-1912)*, trans. Mete Tunçay (Istanbul: İletişim, 2012).

- 4 The name of the party was changed to Hunchakian Social Democrat Party in 1905 and then to Social Democrat Hunchakian Party in 1909. See Nalbandian, *Armenian Revolutionary*, 207.
- 5 Gerard J. Libaridian, “What was Revolutionary about Armenian Revolutionary Parties in the Ottoman Empire,” in *A Question of Genocide: Armenians and Turks at the End of the Ottoman Empire*, ed. Ronald Grigor Suny, Fatma Müge Göçek and Norman M. Naimark (Oxford: Oxford University Press, 2011), 98.
- 6 Ronald Grigor Suny, *Looking toward Ararat: Armenia in Modern History* (Bloomington: Indiana University Press, 1993), 100.
- 7 Libaridian, “What was Revolutionary,” 91.

Treaty of Berlin, through which Armenian Question emerged as an international matter, there was a change in the approach of the Ottoman government regarding the matters of population and the eastern provinces. As noted by Selim Deringil, Ottoman officials and the political elite began to differentiate between “us” (Muslims) and “them” (Christians).<sup>8</sup> After 1878, Abdülhamid II sought to establish a direct tie to the Muslim population of the country by reformulating the basis of the legitimacy of his rule. The Ottoman government also attempted to carry out a social engineering project regarding the Kurdish population in the Ottoman East.<sup>9</sup> The most important elements of this initiative, which was directly tied to the sultan, were the establishment of Hamidian Regiments and the Tribal School.<sup>10</sup> In an attempt to reorganize local tribes around a model derived from the Russian Cossacks, Abdülhamid II formed the Hamidian Regiments which were recruited from among Kurdish tribes along with other groups like the Karapapaks under the command of Zeki Pasha.<sup>11</sup> Thousands of Kurdish tribesmen were armed in line with this initiative which Deringil notes was part of a social engineering plan to transform the Kurdish population, on one hand, and prevent the realization of the territorial claims of Armenian political organizations, on the other.<sup>12</sup> A couple of years following the establishment of the Hamidian Regiments, the Great Powers issued a memorandum to the Ottoman Empire to implement reforms, and the Armenian Question became an international matter once more. This development coincided with the outbreak of a series of massacres in which thousands of Armenians were killed.<sup>13</sup> The massacres

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- 8 Selim Deringil, “The Armenian Question is Finally Closed”: Mass Conversions of Armenians in Anatolia during the Hamidian Massacres of 1895–1897,” *Comparative Studies in Society and History* 51, no. 2 (2009): 346.
- 9 Deringil, “Ottoman to Turk,” 170–175.
- 10 Alişan Akpınar and Eugene L. Rogan, *Aşiret, Mektep, Devlet: Osmanlı Devleti’nde Aşiret Mektebi* (Istanbul: Aram, 2001).
- 11 Stephen Duguid, “The Politics of Unity: Hamidian Policy in Eastern Anatolia,” *Middle Eastern Studies* 9, no. 2 (1973): 139–155 and Klein, *Margins of Empire*.
- 12 Deringil, “Ottoman to Turk,” 175.
- 13 For detailed information about the massacres of 1894–97, see Walker, *Armenia*, chap. 5; Duguid, “Centralization and Localism,” chap. 8; Deringil, “Armenian Question,” 344–377;

of 1894-97 led to the dispossession and uprooting of thousands of Armenians and affected the demographics in the Ottoman East. In the following parts of this chapter, I examine the processes of property transfer that accompanied this wave of mass violence.

## § 4.2 The Transfer of Armenian Properties during the Hamidian Period

Reports prepared by the Armenian Patriarchate are an important resource for understanding the geographic distribution of property transfers and the ways in which they took place during the Hamidian period. “The Commission on Seized Lands,”<sup>14</sup> which was established on the order of the Civil Assembly (*Meclis-i Cismani*, or *K’aghak’agan Zhoghov*) on 29 November 1908 to inquire into the seizures and usurpations of private and communal properties, submitted a four-volume report to the Patriarchate on 7 April 1909. These volumes were published separately between 1910 and 1912.<sup>15</sup> This commission reviewed the documents and lists provided by the Patriarchate and held several meetings. The documents they reviewed included notices of seizure and usurpation sent to the Patriarchate from different localities.

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Hans-Lukas Kieser, *Iskalanmış Barış: Doğu Vilayetleri’nde Misyonerlik, Etnik Kimlik ve Devlet, 1839-1938*, trans. Atilla Dirim (Istanbul: İletişim, 2005), part 2; Jelle Verheij, “Diyarbakir and the Armenian Crisis of 1895,” in *Social Relations in Ottoman Diyarbakir, 1870-1915*, ed. Jelle Verheij and Joost Jongerden (Leiden: Brill, 2012), 85-146; Edhem Eldem, “26 Ağustos 1896 ‘Banka Vakası’ ve 1896 ‘Ermeni Olayları,’” *Tarih ve Toplum Yeni Yaklaşımlar* 5, (2007): 113-146; Mehmet Polatel, “The Complete Ruin of a District: The Sasun Massacre of 1894,” in Cora, Derderian and Sipahi, *Ottoman East*, 179-198; Edip Gölbaşı, “1895-1896 Katliamları: Doğu Vilayetlerinde Cemaatler Arası ‘Şiddet İklimi’ ve Ermeni Karşıtı Ayaklanmalar,” in Adanır and Özel, 1915, 140-163.

14 Members of this commission were Dr. N. Daghavaryan, H. Bezazyan, R. Papazyan, Aram Halacyan, and Kegham Der Garabedyan.

15 *Deghegaker Hoghayin Krawmants Hantsnazhoghovoy* [The Report of the Commission on Seized Lands], vol. 1 (Istanbul: Doğramacıyan Publishing, 1910; vol. 2, 1911; vol. 3, 1912; vol. 4, 1912). The first volume was also published in Ottoman Turkish: *Anadolu’nun Muhtelifesinde Emlak ve Arazi-i Magsube Hakkında Ermeni Patrikhanesince Teşkil Eden Komisyon-u Mahsusa Tarafından Tanzim Olunan Raporların Suret-i Mütercimesi* (Dersaadet: Doğramacıyan Matbaası, 1327/1911).

The first volume of these reports lists the churches, monasteries, cemeteries, and church properties seized in the Hamidian period. The second volume consists of a list of seizures of significant lands belonging to Armenian individuals. The usurped lands listed in the second volume were either larger than 100 *dönüms* or worth more than 100 lire. The third volume of the Patriarchate reports lists seizures that affected more than three Armenian individuals and also includes data regarding the seizures of whole villages. The fourth and last volume of the reports lists properties seized due to different forms of debt as well as seizures carried out before the Hamidian period.

Before examining these reports, it should be noted that while they provide rich information on more than 7,000 cases, the reports do not exhaustively list all Armenian properties that were forcefully seized in this period. For example, cases in which properties were less than 100 dönüms or worth less than 100 lire were excluded unless they were owned by religious institutions or a group of Armenians. As seen in chapter 6, this omission was criticized by some Armenian intellectuals who accused the Patriarchate of reducing the scope of the land question by excluding numerous small-scale cases from its reports. Moreover, the reports list cases that were not resolved at the time the reports were prepared. Thus, they do not contain data regarding seizures that had been resolved by 1908. The reports do not provide uniform data regarding the size or value of seized properties. The acreage of land was variously specified in dönüm, *arşın*, or *çap*. In some cases, the reports only provide information regarding the value of lands. In other cases, reporters used vague statements, claiming that the “lands of all villagers” or “lands of most villagers” were seized, but without specifying the number of claimants. Thus, the most uniform data concerned the number of units, and I used this data to prepare the maps in this chapter. Finally, the facts presented in the reports are open to debate. From Ottoman correspondence, it is understood that a title deed registration process was not carried out in several places.<sup>16</sup> The reports state

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16 For example, the governor of Van and the office of the director of the financial administration of the province (*defterdar*) stated that the registers of the tax office and title deeds were not regularly registered, and included conflicting entries. They were also not sufficient to prove the owners of the properties. BOA: DH.SYS 67/1-5, the province of Van and *defterdarlık* to

that in some of these places Armenians held title deeds or had edicts (*ferman*) or official documents of sale (*hüccet*). I was unable to determine whether these documents were title deeds (*tapu*) or deeds of possession (*tasarruf senedi*). Despite these shortcomings, the reports are an important resource for understanding the geographical distribution of seizures, the actors involved in property transfers, and the effects of the local power structure on the ways in which Armenian properties were seized. These reports are briefly mentioned in several studies on agrarian relations in the Ottoman East and the land question;<sup>17</sup> however, the data in them remains underexamined since no studies analyze the details of the cases in these reports. The following part presents a detailed examination of this important resource.

#### 4.2.1 *The Scope and Geographic Distribution of Property Transfers*

In his examination of agrarian relations in the Ottoman Empire and the Armenian Question, Stephan Astourian points out the rural character of property seizures and notes that seizures concerning Armenians mostly concerned agricultural lands.<sup>18</sup> The findings of this research support the argument that the transfer of properties from Armenians in the Hamidian period was predominantly a rural matter. Among all the cases of property transfer documented in the Patriarchate reports, there was only one factory – in Sivas – that was seized in the Hamidian period.<sup>19</sup> Twenty-six shops were listed among seized properties in the reports, six of which were in Çüngüş (Diyarbakir), five in Palu, five in Gürün (Sivas), and nine in Osmaniye (Adana). There was also an indeterminate number of shops belonging to

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Ministry of Finance, 13 Haziran 1326 (26 June 1910). For a detailed analysis of the cadaster process focusing on Istanbul, see Alp Yücel Kaya and Yücel Terzibaşoğlu, *Tahrir'den Kadastro'ya: 1874 İstanbul Emlak Tahriri ve Vergisi: 'Kadastro tabir olunur tahrir-i emlak,' Tarih ve Toplum Yeni Yaklaşımlar* 9 (2009): 9–58.

17 Astourian, “Silence of Land,” 65; Cora, “Doğu’da Kürt-Ermeni,” 136–138; and Kılıçdağı, “Socio-Political Reflections,” 136–139.

18 Astourian, “Silence of Land,” 59.

19 This was a flour factory in Kızılağaç, Sivas, belonging to Mıgırđıç Çilian. The factory was worth 1200 lire and was seized by an accountant employed in the Ottoman administration, Hamdi Bey, as recompense for Çilian’s 300 lire debt (*Deghegaker*, vol. 4, 7).

seventeen Armenians in Besni (Adıyaman) seized along with agricultural lands, houses, and gardens belonging to the same people.<sup>20</sup> Among the seizures listed in the Patriarchate reports, there were no artisanal workshops. Except for the factory, shops, houses, and a small number of plots in city or town centers, all the properties listed in the Patriarchate reports were related to agricultural production and animal husbandry. These properties included agricultural lands, pastures, olive gardens, olive mills, vineyards, fruit and vegetable gardens, sheep pens, alfalfa fields (*yoncalık*), haystacks, water sources, and flourmills.<sup>21</sup>

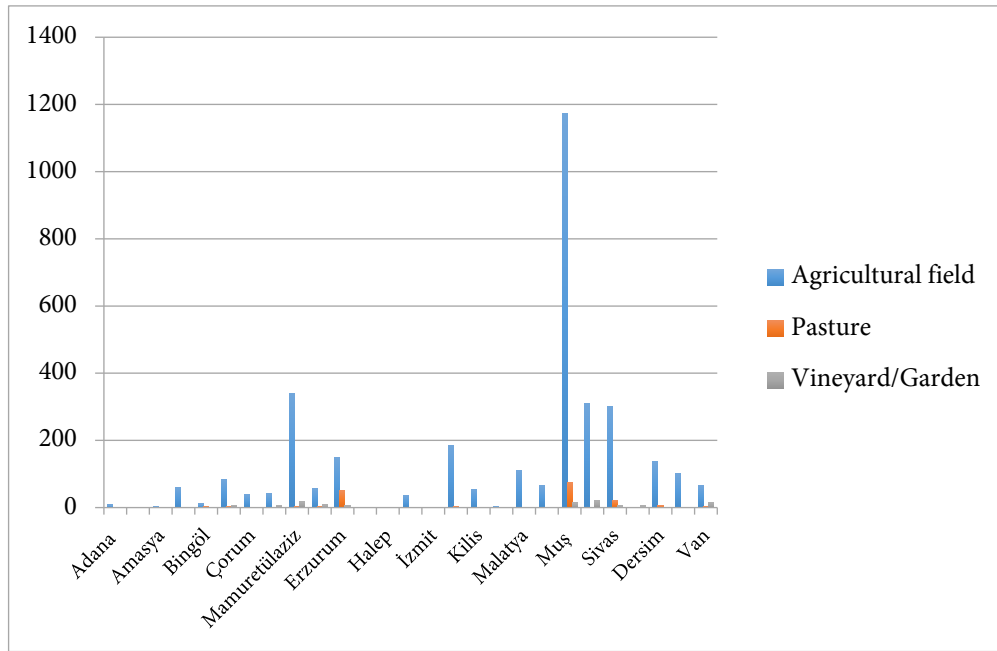
Chart 4.1 shows the distribution of seized lands that were either larger than 100 dönüms or worth more than 100 lire. As the report does not provide uniform data regarding all the cases, it is not possible to make a comparison based on the size or aggregate value of seized properties. Thus, Chart 4.1 was prepared on the basis of the number of seized units.

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20 *Deghegaker*, vol. 3, 3–4.

21 Patriarchate reports show that there were seized olive orchards in Kilis, Antep, Muş, Van, and Beyazıt. Except for four in Antep, all other olive orchards were small-scale. There were three olive oil mills listed in the Patriarchate reports. Two of these were in the Ağpak (today Başkale) district of Van. These mills, along with a flourmill, seventeen houses, land, and trees were forcefully bought by Hamid Pasha in exchange for 15 lire in 1901. Their total worth was estimated to be around 500 lire (*Deghegaker*, vol. 2, 7). The other olive mill, which was located in Patnos, Ağrı, was forcefully seized by Haydaranlı Hüseyin Pasha along with agricultural lands and pastures (*Deghegaker*, vol. 2, 8).

Chart 4.1 The Distribution of Seized Agricultural Lands Larger than 100 Dönüms or Worth more than 100 Lire



SOURCE: Deghegkir, vol. 2.

As illustrated in the chart, a large proportion – 92 percent – of these lands were agricultural fields. On the other hand, there were several seized pastures in Muş, Erzurum, and Sivas. The number of seized pastures in these centers were respectively seventy-four, fifty, and twenty-two. Raising livestock was an important economic activity in these provinces and as pointed out by Şevket Pamuk, there were important regional differences among the eastern provinces in terms of their socioeconomic activities.<sup>22</sup> The distribution of the types of land seized in the post-1890 period reflects these differences.

There were also farms which were claimed to have been seized in the Patriarchate reports. Farms were large plots of land that were generally used for market-oriented production.<sup>23</sup> The seizure of this type of property

22 Pamuk, *Türkiye'nin*, 135.

23 The definition of the term farm (*çiftlik*) has been debated in the literature for years. For an overview of these debates, see Gilles Veinstein, "On the *Çiftlik* Debate," Keyder and Tabak,

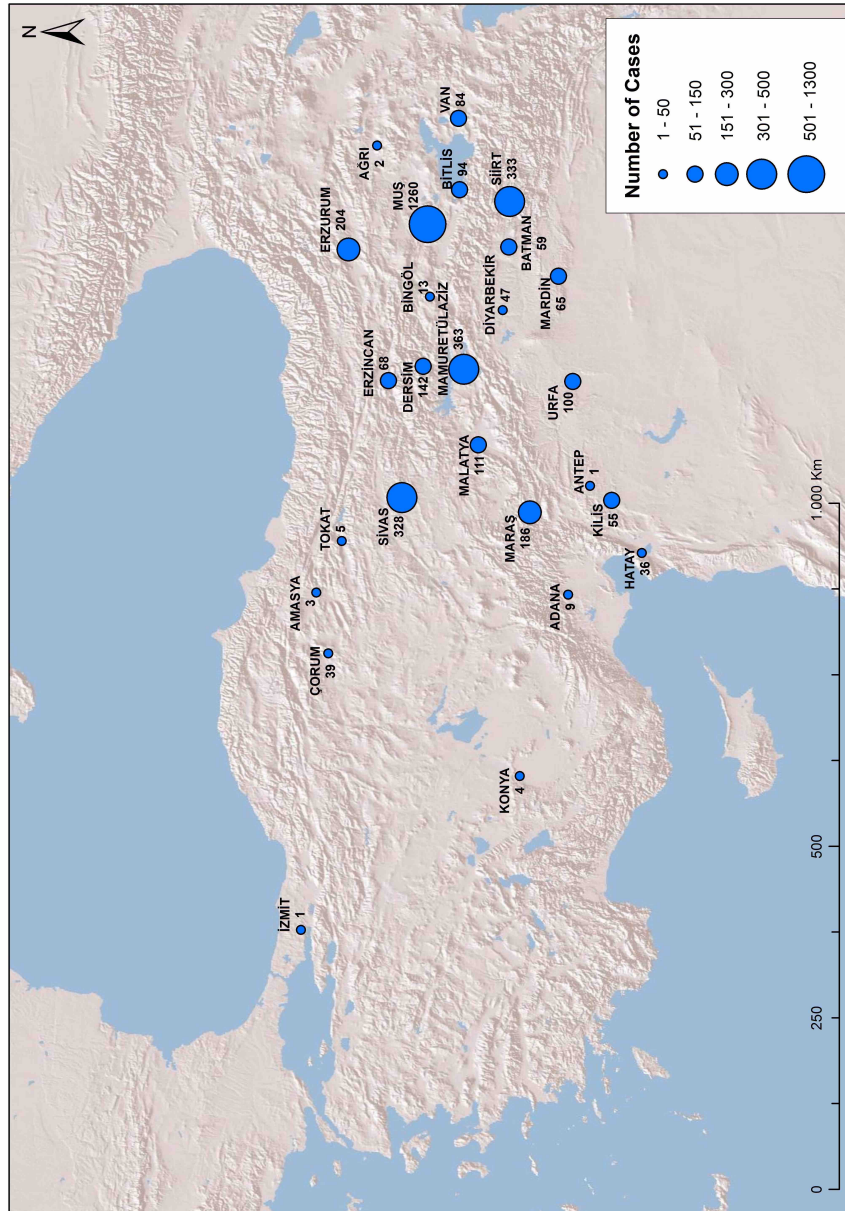
belonging to Armenians was a novelty of the Hamidian period, because this was different from the processes of property transfer that took place before the Hamidian period which were examined in chapter 3. The seizures and land disputes concerning Armenians in the Tanzimat period concerned properties owned by small-scale peasantry, religious institutions, and village communities. Conversely, a total of sixteen farms were seized in the Hamidian period, distributed among the provinces as follows: Kastamonu (1), Bursa (1), İzmid (1), Amasya (1), Sivas (3), Adana (2), Maraş (1), Haleb (1), Erzurum (1), Van (2), and Bitlis (2). One seized farm in Van was located in Erciş and belonged to the Mendzop Monastery. Other farms were either owned by individuals or by village communities.<sup>24</sup> The sizes of these farms varied from between 600 to 6050 dönüms.

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*Landholding*, 35–56. In the reports examined here, the term farm was used to refer to large landholdings. On the other hand, all large landholdings mentioned in the reports were not referred to as farms. In the case of farms, the reports list the number of animals, houses, pastures, fields, stables, and other buildings that were within the scope of properties defined as farms. This indicates that this category was used to refer to a specific mode of the spatial organization of agricultural production by the authors of the reports.

24 *Deghegaker*, vol. 1, 9.

Map 4.1 Geographical Distribution of Forcefully Seized Lands, which were Larger than 100 Dönüms or Worth more than 100 Lire



Map 4.1 illustrates the geographic distribution of forcefully seized lands that were larger than 100 dönüms or worth more than 100 lire. Due to lack of comparable data regarding the sizes of all the lands mentioned in the reports, the quantification is based on the number of seized units. This map illustrates forceful seizures of all kinds of rural land belonging to Armenian individuals including gardens, pastures, vineyards, farms, and agricultural fields.

The forced transfer of property in the Hamidian period is oft discussed as an exclusively eastern phenomenon confined to the six provinces. For example, in his examination of the transformation of agrarian relations in the Hamidian period, Astourian emphasizes the regional characteristic of forced property transfers and argues that there were “apparently dissimilar cases of niche overlap in two regions of the Ottoman Empire: Eastern Anatolia and Cilicia, both inhabited by large Armenian populations. In the former, Armenians were dispossessed from the 1850s to 1914; in the latter, they bought land from the 1870s to World War I.”<sup>25</sup> The findings of this research partly support this argument. The data presented in the Patriarchate reports show that the transfer of Armenian properties during the Hamidian period was concentrated in the eastern provinces.

However, the findings of this research show that the seizure of Armenian properties was not confined to the eastern provinces. As seen in Map 1, the extent of forceful seizures of significant lands – that is, seizures concerning lands larger than 100 dönüms or more valuable than 100 lire – was even greater in Maraş than in central Diyarbakir. Thus, the findings of this research do not support the argument that the Cilicia region was not affected by forced property transfers during the Hamidian period. Astourian shows that Armenians continued to buy lands in the region of Adana,<sup>26</sup> but on the other hand, other Armenians were being forcefully dispossessed in Maraş which was also a part of Cilicia. Thus, the findings of this research indicate that dispossession of and property acquisition by Armenians were not mutually exclusive phenomena and that interregional comparisons on a grand scale leads to the marginalization of historical developments that do not reflect general trends.

In several cases of seizures out of the eastern provinces, the land disputes were related to the resettlement of Muslim immigrants fleeing territories lost by the Ottoman Empire as well as direct seizures carried out by such immigrants. Immigrants from the Balkans were involved in a number of seizures in Western Anatolia and the Cilicia region. In some cases, the transfer

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25 Astourian, “Silence of Land,” 56.

26 Ibid.

of Armenian properties to Muslim immigrants was carried out via state institutions. For instance, in Erzurum's Xozlu village (the village of Alinteri today), 4000 dönüms of agricultural land and pastures belonging to Armenian peasants were seized by the government and redistributed to Muslim immigrants.<sup>27</sup> There were also cases in which local notables or religious authorities acted as intermediaries in the transfer of properties to immigrants. For example, a chestnut grove in Gemgem-Bursa (the city center neighborhood of Işıklar today) belonging to Hripsime Melkonyan was forcefully seized by Sheikh Sabit<sup>28</sup> and given to immigrants.<sup>29</sup> There were also cases in which immigrants directly seized lands themselves. In Kastamonu, Ereğli, Abhaz/Georgian immigrants forcefully seized a farm of 3000 dönüms, three houses, three haylofts, and one bakery belonging to Kevork Enfiejyan. While Enfiejyan held a title deed and managed to get a court order for the return of these properties, the order was not implemented.<sup>30</sup> There were also cases in which the purpose of the lands in question changed in the course of the transfer. For example, agricultural lands of Armenian peasants in the village of Nacarlı Nalvirani (Dört Yol-Hatay today) in Adana were occupied by immigrants from Rumelia in 1901. In the reports, it was stated that the immigrants destroyed the harvested crops on the ground and built seventy wood houses there at night. The immigrants expanded the lands they occupied in the years that followed, and while an investigation commission was formed to resolve this case in 1905, the case remained unresolved until the 1910s.<sup>31</sup>

Usurpers in Central Anatolia were Karapapak and Circassian immigrants from the Caucasus along with local Kurds and Turks. Considering the seizures in Central Anatolia listed in the Patriarchate reports, it can be said that

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27 *Deghegaker*, vol. 3, 12.

28 Şeyh Sabit was an important Bektaşî religious authority in Bursa. For more information, see Salih Çift, "Bursa'da Bir Mısırî Dergâhı ve Son Postnişini: Seyyid Baba Tekkesi ve Şeyh Sâbit Efendi," *Uludağ Üniversitesi İlahiyat Fakültesi* 13, no. 2 (2004): 197-214.

29 *Deghegaker*, vol. 2, 1.

30 *Ibid.*

31 *Deghegaker*, vol. 3, 5-6.

Karapapak Major Hüseyin Pasha of the Hamidian Regiments played an important role in property transfers in this region. By using physical violence, he and his men had begun seizing lands, houses, and pastures belonging to sixty-two Armenians in Mancılık, Üçtepe, and Kargakale (Sivas) in 1891.<sup>32</sup> Hüseyin Pasha and his brother-in-law were also involved in the seizure of lands and pastures belonging to the Surp Toros Monastery in Mancılık.<sup>33</sup> He also seized the Canlıveran farm belonging to the Karamanugyan family of Mancılık. This farm contained 167 plots of agricultural fields, twenty-one houses, pastures, and hayfields mounting to 1830 dönüms and worth 3000 lire in 1895. There were 1850 sheep, 146 cattle, and 345 *kiles* of wheat on the farm at the time of the seizure. This seizure was carried with the threat of violence, but Hüseyin Pasha also paid 13 thousand piasters to complete the sales procedure (*ferâğ*).<sup>34</sup> In addition to seizing several properties in line with his individual interests, Hüseyin Pasha also played a crucial role in the resettlement of immigrants in Sivas region. Even in cases in which he was not the direct usurper of the lands in dispute, he was party to the legal proceedings. For example, lands in the village of Kızıldikme were claimed by the government and used for the resettlement of immigrants. The case was taken to the civil court of Sivas, and though the lands had been taken by the government, Hüseyin Pasha legally represented the resettled immigrants.<sup>35</sup> Apart from such immigrants and Hüseyin Pasha – whose activities were focused in a particular part of Sivas Province – there were several ordinary subjects, local notables, and local officials involved in property transfers in Central Anatolia.

As noted above, a great proportion of seizures listed in the reports of the Patriarchate concentrated on the eastern provinces. A detailed examination of these cases indicates that local powerholders were influential in these property transfers. In Van, several local powerholders played key roles in the seizure of Armenian properties. In this part, I examine cases related to the seizures of Emin Pasha and Hüseyin Pasha from the Haydaranlı tribe and Sheikh Hamid

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32 *Deghegaker*, vol. 3, 2.

33 *Deghegaker*, vol. 1, 10.

34 *Deghegaker*, vol. 2, 1.

35 *Deghegaker*, vol. 3, 2.

Paşa from Arvas. While Emin and Hüseyin Pashas owed their influence to their positions in the Hamidian Regiments and the men under their control, the local power of Sheikh Hamid Paşa was mostly the result of his status as a *seyyid* (descendant of the Prophet) and his religious authority. While usurpers in Van were not confined to these three men, they comprise the local powerholders who took the lion's share of the properties transferred from Armenians in Van and its environs.

Emin and Hüseyin Pashas both acquired enormous swaths of lands after the massacres. According to the Patriarchate reports, Emin Pasha and his immediate family acquired vast tracts around Erciş.<sup>36</sup> His sons, brothers, and his wife, Cevher Hanım, were also involved in the process. Cevher Hanım was

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36 The reports state that Emin Pasha forcefully seized thirty-five houses, several agricultural fields and pastures (750 çaps), a watermill, and thirty gardens in Paninköy, Erciş, in 1890 (*Deghegaker*, vol. 3, 6); a monastery in the same village in 1896 (*Deghegaker*, vol. 1, 6); another monastery along with three water mills, two vineyards, three pastures, and agricultural lands which amounted to 1500 dönüms in total in Kineper, Van, in 1896 (*Deghegaker*, vol. 1, 6); twenty vineyards, fifteen gardens, agricultural fields (200 çaps), and three pastures (350 çaps) in the village of Tılan, Erciş, in 1896 (*Deghegaker*, vol. 3, 6–7); two pastures (150 çaps) of the Armenian villagers of Murzavank, Erciş, in 1895; and two pastures (150 çaps), another pasture the size of which was not specified, and an agricultural field (1500 çaps) in the aforementioned village at an unspecified time (*Deghegaker*, vol. 3, 6). In Azoraf, Van, he had torn down a church and built a dairy farm in its place (*Deghegaker*, vol. 1, 6). His family was also extensively involved in the seizures. The church in the village of Kantsag (today Kırkdeğirmen) was destroyed by his son, Ahmed Bey, who was also accused of forcefully seizing twenty-five vineyards, ten orchards with a total of 2000 trees, six water mills, thirty hayfields, and thirty houses belonging to Armenians in the same village (*Deghegaker*, vol. 3, 7). His other son, Ebubekir, forcefully seized three water mills, six vineyards, twenty-five gardens, twenty-five hayfields, two pastures, and several agricultural fields (2500 çap) belonging to the Armenians of the village of Cüdgear (today Karatavuk) who held title deeds (*Deghegaker*, vol. 3, 6). His third son, Hüseyin Bey, seized the church in Küpgiran, Beyazıt (*Deghegaker*, vol. 1, 6). His brother Abdullah had seized two olive mills, two water mills, ten vineyards, fifteen gardens, twenty hayfields (200 çap), three pastures (200 çap), a haystack, a large pasture worth 200 lire (300 çap), and other lands in the village of Dzadzgzag (today Akçayuva), Erciş (*Deghegaker*, vol. 3, 6).

among the few women<sup>37</sup> appearing in the reports who were specifically mentioned as direct usurpers. She had destroyed the church in Amizon (Karlıyayla today) in the district of Erciş, and forcefully seized five pastures (700 çaps) and several agricultural fields (4000 çaps) on her own.<sup>38</sup> The Armenian Patriarchate also submitted several takrirs to the Sublime Porte about seizures carried out by Emin Pasha. In one of these, submitted on 11 September 1899, it was claimed that Emin Pasha had seized lands and agricultural fields belonging to peasants by “exploiting the situation of people who were in desperate circumstances because of the disturbances.”<sup>39</sup> According to this takrir, Emin Pasha had appropriated vast lands in Erçiş, pushed peasants into forced labor, and had not received any reaction or intervention from the local government. After this takrir, the Inspection Commission (*Tesri’-i Muamelât Komisyonu*) sent an order to the local government instructing them to investigate the situation and find a just solution to the problem.<sup>40</sup> According to two other takrirs submitted in June 1907, Emin Pasha forcibly settled his men in the village of Asraf (today Bayramlı) in the district of Erciş, seizing a church, houses, lands, and pastures belonging to the villagers. The Armenian Patriarchate submitted another takrir in September informing the Porte that seized properties had not been returned to their owners despite an order of the governor of Van. In the last takrir, it was also stated that Emin Pasha had increased his oppression of the Armenian population due to his anger caused by Armenian’s attempts to take their lands back.<sup>41</sup> The series of seizures he carried out shows that the seizure

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- 37 In another case, a woman named Hatice, daughter of Ali, seized land belonging to an Armenian named Minasyan in Kemah, Balaban, in 1895, by use of force (*Deghegaker*, vol. 4, 12).
- 38 *Deghegaker*, vol. 1, 6 and vol. 3, 7.
- 39 “... iğtişâşat dolayısıyla ahâlinin düçâr olduğu hâlden istifâde ederek...” BOA: DH.TMIK.M 61/38, the Armenian Patriarchate to the Ministry of the Interior, 30 Ağustos 1315 (11 September 1899).
- 40 BOA: DH.TMIK.M 61/38, the Inspection Commission to the province of Van, 12 Teşrin-i Sani 1315 (24 November 1899).
- 41 BOA: BEO 3152/236389, the Armenian Patriarchate to the Sublime Porte, 25 Haziran 1323 (8 July 1907) and 3 Eylül 1323 (16 September 1907).

of Armenian properties in the Hamidian period was not confined to the transfer of properties from Armenians to local powerholders during massacres. Emin Pasha was involved in several seizures carried out after the establishment of special commissions for the investigation of land disputes by the Porte after the treaty of Berlin and in the aftermath of massacres. In other words, the cases in which he was involved show that property transfers from Armenians to local powerholders were not confined to the time of the massacres of Armenians but extended throughout the Hamidian period. Another important point regarding the case of Emin Pasha is that the governor of Van had made a decision that the lands be returned to the Armenians, though it was not put into action.<sup>42</sup> This highlights the fact that in some regions local authorities lacked either the capacity or the will to enforce the return of seized properties to their original owners.

Another leading figure in Van was Haydaranlı Hüseyin Pasha. The properties he seized were concentrated around Adilcevaz, but there were also cases in which he was involved in southern Erzurum and Eastern Bitlis.<sup>43</sup> Agricultural fields, olive oil presses, pastures, and hayfields were among the properties he seized. He also destroyed the church in the village of Kırakom of Erciş and transformed it into his palace.<sup>44</sup> Additionally, he used the stones of a church in the Patnos district of Erzurum for the construction of a

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42 BOA: BEO 3152/236389, the Armenian Patriarchate to the Sublime Porte, 3 Eylül 1323 (16 September 1907).

43 He and his servants forcefully seized large lands belonging to Mıgırdiç Avedisyan in Adilcevaz in 1896 (*Deghegaker*, vol. 2, 4); an olive oil mill, a water mill and a pasture in Kırakom, Erciş (*Deghegaker*, vol. 3, 7); pastures of Armenian peasants in Güzelköy, Adilcevaz, in 1906; houses of Armenians in Ayketsor, Adilcevaz; lands of Armenians in Norşin, Adilcevaz; properties of Armenians of the village of Çirakköy, Adilcevaz, which included agricultural fields (100 çaps), several pastures, hayfields, houses and lands; pastures of Armenians in the village of Kocirin (today Erikbağı) in Adilcevaz (from which villagers procured a yearly income of 600 lire); and lands of the villagers of Keyaçukh, Adilcevaz (*Deghegaker*, vol. 3, 7). He forcefully seized all lands belonging to the villagers of Narmus in Malazgirt, Bitlis, in 1900 (*Deghegaker*, vol. 3, 22). He also seized the properties of the Armenians of Poti (today Tutak) (*Deghegaker*, vol. 3, 10) and the olive oil mill, pastures (6000 otluk), and wheat field (1000 kile and fourteen dönüms) belonging to Garabed Parseğyan in Patnos, Beyazıd (*Deghegaker*, vol. 2, 8).

44 *Deghegaker*, vol. 1, 6.

mansion. Faced with the oppression by Hüseyin Paşa, local Armenians began to emigrate to Russia. The grand vizier sent an order to the governor of Van to prevent this.<sup>45</sup> According to another takrir of the Patriarchate dated June 1907, Hüseyin Pasha also used the lands and houses he had seized to settle the members of his tribe.<sup>46</sup>

Another important figure in the seizure of Armenian properties in Van was Sheikh Hamid Pasha of Arvasi<sup>47</sup> who seized large plots of agricultural land, pastures, and gardens in the vicinity of Başkale. While most of these seizures were carried out through coercion, there were also seizures due to small debts among the cases concerning Sheikh Hamid Pasha of Arvasi. His case exemplifies forced property transfers by religious authorities in the region.<sup>48</sup>

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45 BOA: Y.A.HUS 286/58, the Grand Vizier to the Yıldız Palace, 5 Kanun-1 Evvel 1309 (17 December 1893).

46 BOA: BEO 3152/236389, the Armenian Patriarchate to the Sublime Porte, 25 Haziran 1323 (8 July 1907).

47 Sheikh Hamid Pasha was neither a tribal chief nor even connected to a tribe. He was a member of the prestigious Arvasi family whose religious influence in the region came from the fact that they traced their bloodline to the prophet Muhammed. Several members of this family held privileged offices and served as muftis, preachers, or district governors. Sheikh Taha Arvasi became a member of the Ottoman parliament after 1908. The family had branches in Müküs, Doğubeyazıt, Başkale, and Hizan. Many of the most famous sheikhs in the region – like Sheikh Seyyid Sıbgatullah (known as Gavs), Sheikh Sahabettin, Sheikh Seyyid Ali, Sheikh Celalüddin, Sheikh Emin, and Sheikh Hazret (Allame) – were from this family.

48 Hamid Paşa and his followers were listed as the perpetrators of seizures concerning the trees and stones of Surp Asdvadzadzin Monastery in Başkale (*Deghegaker*, vol. 1, 9). He forcefully seized all properties, agricultural fields (900 çap), pastures, and gardens belonging to Apkar Krikorian and his seven brothers; lands (210 çap), pastures, and four gardens belonging to Sulto Kalusdian in the village of Avak (today Erekköy), Başkale. In the same village, he had acquired a water mill, two olive oil mills, seventeen houses, agricultural fields, and trees which belonged to Nerses Bedrosian and worth 500 lire in total in exchange of fifteen lire in 1901 (*Deghegaker*, vol. 2, 4–5). In the same village, he had also forcefully seized agricultural lands (1000 çap) of several Armenian peasants who emigrated from the region as a result. He had forcefully seized the properties and lands of eleven villagers in Pağ, Van. Armenians in this village also fled to Iran. He had forcefully seized the agricultural fields, gardens, pastures, treshing ground, and water mill belonging to twenty-nine Armenians in different locales of

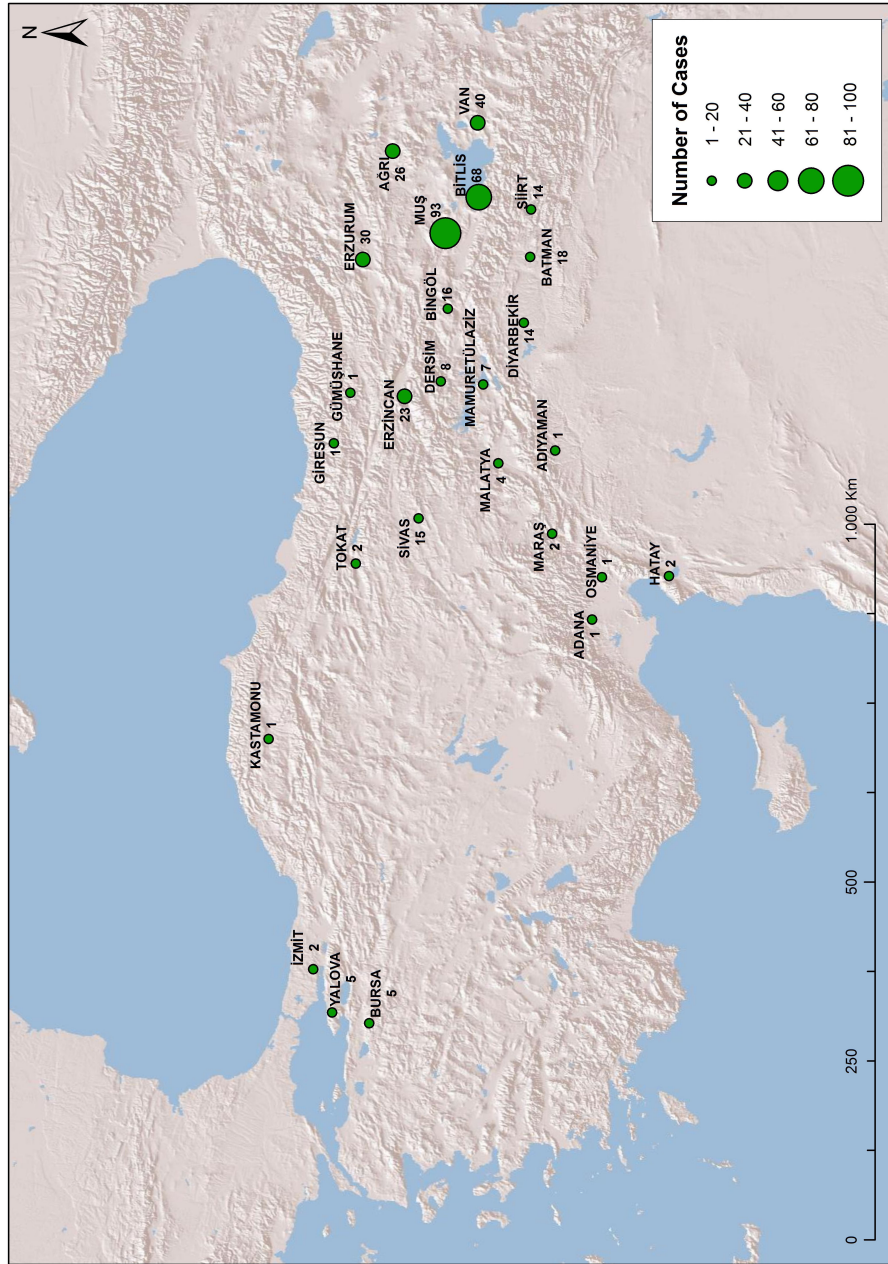
Map 2 shows the geographic distribution of seizures with communal effects. These cases were listed in the third volume of the Patriarchate reports. The reporters used the term “communal seizures” to describe cases that concerned the seizure of properties belonging to more than three individuals.<sup>49</sup> As analyzed in chapters 6 and 7, the disruption of the demographics in the eastern provinces became a serious concern for Armenian political organizations in years following the massacres. While the loss of properties larger than 100 dönüms or worth more than 100 lire was a phenomenon that entailed loss of wealth and dispossession, the uprooting of the peasantry brought with it the risk of the erosion of the Armenian population in the “Armenian fatherland.” As examined in chapter 3, this concern began to be raised by Armenian intellectuals like Raffi in the 1870s and became increasingly important for Armenian political and religious institutions in the years that followed. Thus, seizures that affected groups of individuals and in some cases whole villages were separated from the others and special importance was placed on them by Armenian actors.

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Başkale in 1893 together with Said Bey, Sadık Hacı Ali’s son Badho, and Muzaffer Mahmud Perin (*Deghegaker*, vol. 3, 8). While Başkaleli Osman forcefully seized lands, agricultural fields and water mill in Hasbadan village belonging to Vosgi Saisyán which worth 200 lire in total, Hamid Pasha seized an agricultural field (150 *çap*) belonging to the same person. He had forcefully seized twelve properties, one garden, one plot, six mills, one bakery, and one farm belonging to Aslan Der Hovhannesian in Başkale in 1902 together with Derviş, the son of Komodir (*Deghegaker*, vol. 2, 5). He was involved in a number of cases in which Armenian properties were taken due to small debts. Such cases include the lands, agricultural fields, pastures, and other properties of five peasants in Pağ; properties, agricultural fields, pastures, and other properties of seven villagers in Başkale (which his son Emin took together with Pira Ağa, Musaffer, Uso, Osman Beşir, and others); agricultural fields, pastures, houses and other properties of eight peasants in the village of Soran (today Barışköy), Başkale due to debts (taken by Telo Saro, Hamid’s son Osman, Hacı Ömer, and others); agricultural lands and pastures of four villagers in the village of Hasbısdan, Başkale. He seized the agricultural fields (300 dönüms) of Hovhannes Panosyan in the village of Arag, Başkale, in 1902 due to the debts of the latter, along with agricultural fields and water mills of Krikor Muradyán and Nerso Bedrosyan and agricultural lands of two other Armenian peasants from the same village (*Deghegaker*, vol. 4, 4).

49 The title of this report was “*Hay-Hasaragut’ean Verapereal Kraweal Galvadzner*” [Seized Properties concerning Armenian Community].

Map 4.2 The Geographical Distribution of Seizures that had Communal Effects



As seen in Map 4.2, seizures that had communal effects were significantly concentrated in Muş and Bitlis. There was also a significant number of seizures with communal effects in Van, Erzurum, Ağrı, and Erzincan. The inconsistent nature of the data provided in the report makes it impossible to make a comparison based on the number of people affected. Indeed, in many cases

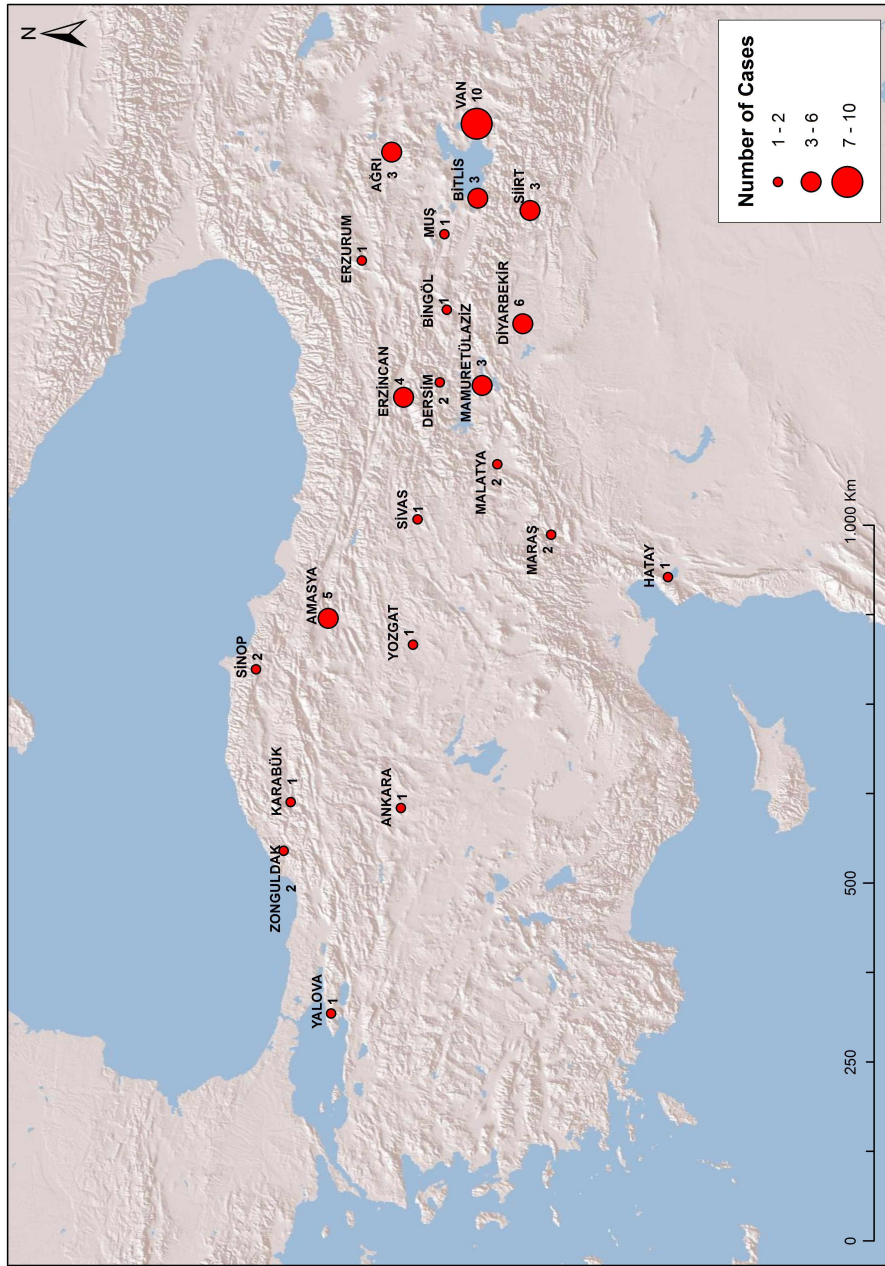
the number of individuals whose properties were seized was not specified and they were referred to simply as “villagers,” “half of the villagers,” or “all villagers.” There were forty-three cases in which the properties of “almost all” or “all lands of villagers” were stated to have been seized. Three of these cases were in Erzurum.<sup>50</sup> There was one such case in Van.<sup>51</sup> The remaining thirty-nine cases were in different parts of Bitlis. It is not possible to determine whether or not whole village communities were directly affected in cases where claimants were defined merely as Armenians or villagers. Nonetheless, the available data indicates that this was a widespread reality in Bitlis Province. In Bitlis and its environs, actors involved in seizures in which whole Armenian villages were dispossessed included Balaklı Kurds, who acquired dozens of villages, especially in 1908; Sheikh Seyyid Ali of Khizan; Kurds from the Dermakan, Zilan,<sup>52</sup> and Reşkotan tribes;<sup>53</sup> Hüseyin Pasha from the Haydaranlı

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- 50 One of these was the village of Simo in Hınıs which was completely seized by the government and allocated to immigrants. The other case in Erzurum was related to the village of Lak-Budak in Hınıs, which had thirty households. The village was forcefully seized by Circassians, and the owners of the lands became vagabonds. The third case in Erzurum was the seizure of all properties of Armenian peasants in the village of Küpkıran, Beyazıt, by Hüseyin Bey, son of Zilanlı Eyüp Pasha (*Deghegaker*, vol. 3, 10–12).
- 51 This case was related to lands in the village of Pis, (today Yurttepe) in Başkale. According to the Patriarchate, all lands were forcefully seized in 1896 by the sons of Molla Muhammed, Emin and Hasan, who later prepared false title deeds. Dispossessed villagers held title deeds (*Deghegaker*, vol. 3, 8). They also seized the monastery, its lands, and the cemetery of the same village (*Deghegaker*, vol. 1, 5, 7).
- 52 In the reports, it was stated that Sheikh of Zilan, Resul Bey, and his men were involved in several seizures carried out by force in the area between Batman and Siirt. For instance, in 1893 the Sheikh seized sixty dönüms of agricultural lands belonging to Armenian peasants in Daranca village of Siirt. He also seized the lands of Caldakan, Gago and Tapi villages (Alıçlı today) in Batman (*Deghegaker*, vol. 3, 16).
- 53 For example, Hacı Razık, Resul, and Alo Lare from the Reşkotan tribe seized 3000 dönüms of agricultural lands belonging to Armenian peasants in the village of Avink Hacre in the Mutki region in 1901 (*Deghegaker*, vol. 3, 15).

tribe; Mehmed Said,<sup>54</sup> Beşar,<sup>55</sup> and Rıza Bey<sup>56</sup> from the Hasenan tribe; Menteşezade Yusuf Ağa;<sup>57</sup> and various individuals from Musa Bey's family in Mutki, including Kasım, Cezayir, and Fethullah Beys.<sup>58</sup> All in all, Circassians, the aforementioned Kurdish tribes, urban notables, and religious authorities were involved in the process of property transfer in Bitlis Province.

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- 54 Mehmed Said Bey was especially influential in the Muş region and was noted to have been the usurper of plots of land belonging to Armenians in this region. One case in which he was involved concerned the lands of thirteen Armenian families in the village of Kharapa (Örenkent village today) in Bulanık, Muş. These 160 tracts of lands were larger than 1500 dönüms in total (*Deghegaker*, vol. 3, 18).
- 55 Beşar Bey and Fehim Bey had seized agricultural lands belonging to several Armenian peasants in the village of Kostanlı in Malazgirt, Muş in 1895. These lands were estimated to be worth more than 100 liras (*Deghegaker*, vol. 2, 15).
- 56 In addition to many other lands, Rıza Bey, who was a major in the Hamidian Regiments, had seized all lands of the village of Gasimi (today Arslankaya) in Malazgirt, Muş. He also appropriated several houses in this village. These seizures were carried out by use of force in 1895 (*Deghegaker*, vol. 3, 22).
- 57 Menteşezade Yusuf Ağa had seized thirteen agricultural tracts of land, a house, and a forest belonging to Aliksan Aprahamyan in the village of Khımbılçur in Siirt. He also seized all lands belonging to Sarkis Simonyan by use of force and selef (*Deghegaker*, vol. 2, 12).
- 58 In the reports, there are dozens of cases regarding seizures by members of this family. These cases, some of which concerned vast tracts of agricultural land, concentrated around the Muş district. Some of these seizures led to the dispossession of large groups of Armenians. For example, thirty-three Armenian families in Kızılağaç lost their lands due to seizures carried out by Cezayir Ağa (*Deghegaker*, vol. 4, 9). Musa Bey himself seized several plots of land and pastures in this region. In one of these cases, he seized lands and pastures, which were larger than 400 dönüms, belonging to Armenian peasants in the village of Avzud (today Büvetli) in the Hasköy region, Muş in 1890 (*Deghegaker*, vol. 3, 17).

Map 4.3 The Number of Seized or Destroyed Church and Monastery Buildings



As noted before, a huge portion of the properties seized in the Hamidian period were agricultural lands. There were also agricultural lands, pastures, mills, and cemeteries belonging to churches and monasteries that were seized in this period. Map 4.3 shows the geographic distribution of church and monastery properties seized or destroyed in the Hamidian period. Buildings

not burned or torn down were often used for noncommercial purposes – as mansions or mosques. As these properties belonged to the Armenian community rather than to individuals, the Patriarchate placed special importance on the seizure of these properties and submitted the report regarding these seizures to the Porte earlier than the others.

The findings of this research indicate that there were crucial differences within the eastern provinces in terms of the processes of property transfer during the Hamidian period. As a comparison of Maps 4.1 and 4.2 indicates, while the seizure of large-scale agricultural properties was an important phenomenon in the provinces of Mamuretülaziz and Sivas, seizures with communal effects – in other words, those that directly led to the dispossession of small-scale peasants – was not a significant phenomenon in these provinces. The situation was different in Muş, where the seizure of large plots of land was accompanied by numerous seizures with communal effects. Data derived from the Patriarchate reports regarding Diyarbekir Province reveals a strikingly low number of seizures in comparison with the Armenian population of the province.

Another important point regarding seizures in Diyarbekir is that a significant number of the lands were large-scale properties. Almost half of all the seized properties that were larger than 100 dönüms or worth more than 100 lire in Diyarbekir were located in Palu. A significant example in Diyarbekir is the seizure of the properties of the Sherigjiyan family, which shows that in localities like Diyarbekir, large landowners also lost extensive lands. Thirty-five agricultural fields comprised of 2800 dönüms belonging to the Sherigjiyan family in Beşiri were forcefully seized by Faki Hasan in 1895. Milli İbrahim Pasha seized 100 plots of agricultural fields belonging to the same family in Salmeköy, Siverek in 1895. Milli İbrahim Pasha had also seized sixty-five plots of agricultural lands comprised of 10,000 dönüms belonging to the same family in Siverek, Deşiköy.<sup>59</sup> These findings show that there were significant regional differences among the eastern provinces in terms of the processes of property transfer during the Hamidian period.

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59 *Deghegaker*, vol. 2, 5–6.

#### 4.2.2 *The Means of Property Transfer during the Hamidian Period*

On 29 March 1896, Rauf Bey, the governor of Erzurum Province, informed the Sublime Porte about complaints regarding seizures carried out by Hasenanlı tribesmen and Emin, Hüseyin, and Hacı Timur Pashas from the Haydaranlı tribe. This telegram stated that reports were received regarding the forceful transfer of lands by Kurdish tribesmen who in return promised protection to the Armenians. Rauf Bey warned that such complaints would attract the attention of the European press and put the Ottoman Empire in a bad light.<sup>60</sup> Following this, several title deeds acquired by Hasenanlı tribesmen were returned to their owners.<sup>61</sup> Regarding the issue, the Commander in Chief (*Serasker*) cautioned that if the government was to appoint a commission for the resolution of such disputes in the future, a military official needed to be on the commission. In their report, members of an investigation commission led by Şefik Bey concluded that the title deeds would only be returned to the claimants if they could prove they had been taken by trickery. If the timing and manner in which the title deeds had changed hands could not be determined or if the illegitimacy of the transaction was debatable, the cases would be delegated to local courts.<sup>62</sup>

As noted by several researchers, property transfer via threat or use of force was common in the Hamidian period.<sup>63</sup> According to the calculations of Kegham Der Garabedian, the distribution of the sizes of forcefully seized lands by province was as follows: 100 thousand acres in Erzurum, 200 thousand acres in Harput, 80 thousand acres in Sivas, 200 thousand acres in Diyarbakir, 100 thousand in Van, and 350 thousand in Bitlis – one million thirty thousand acres in total.<sup>64</sup> Several examples show that such seizures did

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60 BOA: A.MKT.MHM 620/15, Rauf Bey, governor of Erzurum to the Sublime Porte, 17 Mart 1312 (29 March 1896); BOA: Y.PRK.BŞK 45/75, Rauf Bey, governor of Erzurum to the Yıldız Palace, 17 Mart 1312 (29 March 1896).

61 BOA: A.MKT.MHM 620/15, Ömer Sabri, governor of Bitlis to the Sublime Porte, 22 Nisan 1312 (4 May 1896).

62 BOA: A.MKT.MHM 620/15, decision of the investigation commission, 15 Mayıs 1312 (27 May 1896).

63 See Astourian, "Silence of Land" and Klein, *Margins of Empire*.

64 Garabedian, *Hoghayin*, 43–44. See also, Hamparyan, *Akrarayin*, 207.

not begin with the massacres of 1894-97 but became widespread as a wave of mass violence emerged. The findings of this research show that brute force alone was not the only means by which Armenian properties changed hands and by which Armenian peasants were dispossessed in the Hamidian period. A series of developments such as the commodification of land and the monetarization of the economy affected the processes of property transfer.

Another phenomenon that contributed to the dispossession of Armenian peasants in the Hamidian period was cattle rustling. As noted by Janet Klein among others, some Kurdish tribes in the Ottoman East were historically known for raids carried out against settled Kurdish and Armenian peasants.<sup>65</sup> While raids themselves were not new, there was an increase in intensity and number during the Hamidian period. This situation prevented peasants from cultivating their fields and pushed them out of their villages. Cattle were important for agricultural production in Anatolia. As noted by Çağlar Keyder and Şevket Pamuk, peasants in Anatolia depended on cattle for agricultural production which into the twentieth century was still carried out mostly by ancient methods.<sup>66</sup> The seizure of cattle in various localities obstructed cultivation by small-scale peasants. In some cases, the cattle were found and returned; however, stealing of cattle was so widespread that British consular staff came to question the value of providing cattle as relief for Armenian peasants. Francis E. Crow, vice-consul in Bitlis, noted that the cattle they provided were periodically stolen. Thus, according to Crow, such relief activity was neither sustainable nor meaningful.<sup>67</sup> This example shows that even if not directly forced into handing over the documents showing their usufruct right or ownership, cultivation became impossible for many Armenian peasants in the eastern provinces following the massacres. This situation contributed to escalating the trend of migration and emigration.

A careful examination of cases listed in the reports of the Patriarchate shows that threat or use of force and raids were not the only means of property

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65 Klein, *Margins of Empire*, chap. 4.

66 Çağlar Keyder and Şevket Pamuk, "1945 Çiftçiyi Topraklandırma Kanunu Üzerine Tezler," *Yapıt* 8 (December/January 1984-1985): 61.

67 The National Archives of UK (TNA): FO 195/1981, Mr. Crow to Sir P. Currie, "Visit to the Cazas of Akhlát, Boulanyk, and Malasgird, August 1897," 10 October 1897.

transfer in the Hamidian period. Map 4.4 below shows the geographic distribution of Armenian properties seized for debts. In some cases, properties were seized using a combination of methods. In other words, there were several cases in which use of force and debt relations were both in effect in the transfer of property. The rise of land disputes stemming from debt relations was a phenomenon directly related to the commodification of land in the Ottoman Empire in the late nineteenth century. The classical regime of land tenure, which was in effect up until the nineteenth century, did not allow for the mortgaging of land. Thus, land could not be seized as repayment for debts. As examined below, the transformation of the regime of land tenure affected the processes of property transfer in the Hamidian period, and numerous lands began to be seized in relation to debts.

As seen in Map 4.4, seizures for debts were far more significant in Muş than any other district or province. Almost all property transfers due to debts in Muş were related to the practice of *selef/selem*, which was a specific debt relation. Kegham Der Garabedian states that *selef* was an illegal practice and a kind of plunder. He defines *selef* as a credit of twenty-five piasters obliging the borrower to provide one sheep or one kile of wheat after seven or eight months. He notes that on average, the worth of one sheep or one kile of wheat was forty-fifty piasters. It could reach up to 100-150 piasters depending on the harvest and annual economic trends. If these were not given to the creditor on time, the amount to be paid by the borrower was doubled each year. An interesting point regarding *selef* is that it had almost been forgotten by the 1890s. While acknowledging that this particular form of credit had historically been used in the region, Garabedian underscores that the use of the *selef* boomed with the introduction of new tax collectors.<sup>68</sup> According to Safrastian, the dragoman in charge of the vice-consulate of Britain in Bitlis, the *selef* was introduced to the Muş region by Circassian immigrants and was soon taken up by local Kurds. Safrastian also underscores that the collection of monetary taxes pushed peasants into taking credit by *selef*.<sup>69</sup> Thus, the expanding use of

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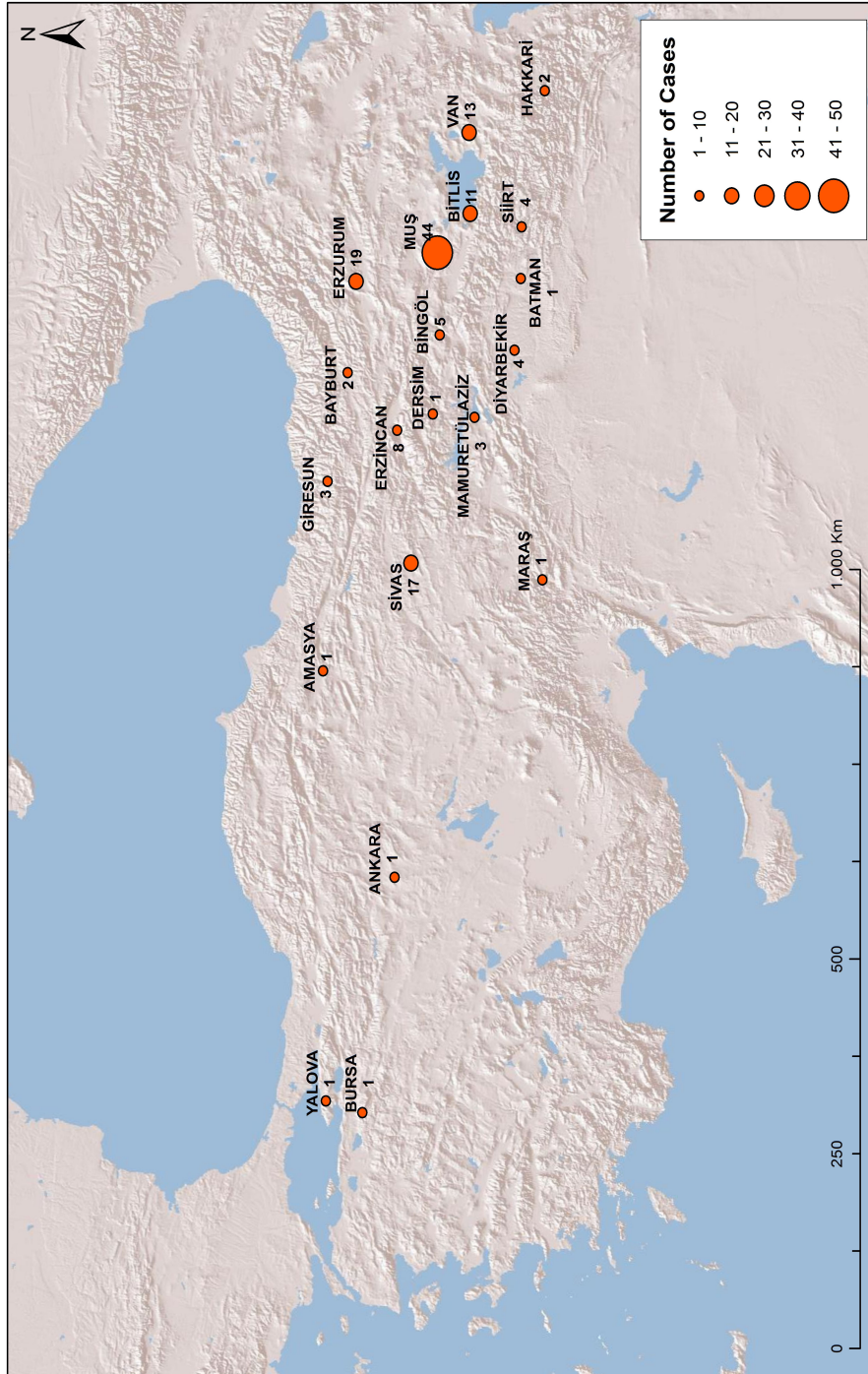
68 Garabedian, *Hoghayin*, 28–29.

69 TNA: FO 195/2283, A. Safrastian to H. S. Shipley, 8 February 1908.

this practice was related to the monetization of the economy in the region and the transformation of the tax collection regime.

No properties in the reports of the Patriarchate were seized for self debts except in Bitlis. This supports the argument that there were important local differences among the eastern provinces in terms of property transfer from Armenians in the Hamidian period.

Map 4.4 The Number of Properties Seized for Debts



Another form of property transfer was seizures related to credit from the Agricultural Bank (*Ziraat Bank*). In the reports, there were a few examples of this kind of property transfer. One case was related to the three agricultural

fields of one Avedis Avedisyan in Kiğı – which consisted of 200 dönüms and were worth 800 guruş – that were confiscated by the bank in 1906. Another case cited in the reports concerned Garabed Vartanyan's 300 dönüms of agricultural fields worth 200 lire in Hınıs, Erzurum, which were appropriated by the bank in exchange for his debt of thirty lire.<sup>70</sup> The takrir submitted to the Sublime Porte by the Armenian Patriarchate on 9 August 1901 indicates that in some cases the directors of the local branches of Ziraat Bank took part in these property transfers. It was stated that Kurdish tribes who designed to settle in Armenian villages bought the lands of Armenian peasants who were in debt to the bank at low prices. In one of such transactions, the relations between Kurdish tribesmen and Hilmi Efendi, the director of the local branch of Ziraat Bank, played an important role. Takurlu Osman bought several plots in Azare village for eighteen lire and settled eighteen families and fourteen thousand sheep in the village. The Armenian Patriarchate demanded a resolution to this dispute, stating that the peasants would perish and be scattered if their lands were seized in such a way.<sup>71</sup> In this case, the Inspection Commission sent an order for the governor of Van to investigate.<sup>72</sup>

Problems regarding tax collection were among the issues that had been raised by the Patriarchate and Armenian political elite since the Tanzimat period. A note sent by the British consul in Van in 1907 indicates that problems regarding tax collection contributed to the impoverishment of Armenian peasants and the process of property transfer in the region after the massacres of 1894-97. The consul noted that

the new vali has been collecting arrears of taxes among the villages in this vilayet with great severity and in a quite illegal manner. These arrears were nearly all incurred in the years immediately succeeding the massacres when the villagers were penniless and in many cases were not even in the country, at that time the government did not

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70 *Deghegaker*, vol. 4, 3.

71 BOA: DH.TMIK.M 111/41, the Armenian Patriarchate to the Sublime Porte, 27 Temmuz 1317 (9 August 1901).

72 BOA: DH.TMIK.M 111/41, the Inspection Commission to the province of Van, 24 Eylül 1317 (7 October 1901).

collect these taxes and in many cases it was believed that they had been remitted, now, these arrears are being collected and in cases where the money is not produced at once the collectors seize any articles they find and sell them at low prices to various Kurds and moneylenders who accompany them, in many cases illegal articles have been thus sold i.e. oxen for ploughing, seed corn, beds [,] cooking utensils etc. and in villages where the people are dependent on fruit farming, the fruit trees have been ruthlessly cut down and sold for absurd prices as firewood.<sup>73</sup>

As this example suggests, it was not just mass violence and raids that made rural life hard for Armenian peasants in the Ottoman East during the Hamidian period. Problems related to the collection of taxes exaggerated the pressure they felt and contributed to property transfer.<sup>74</sup>

Another important practice related to property transfer in this period was *miribalık/marabalık*, of which there were two forms. First, the term was used to define a sharecropping relation in which the proprietors of land had tenants cultivate their land in exchange for a certain percent of the production. The costs of agricultural tools, animals, and seeds used in the cultivation were deducted from the share of the *maraba*.<sup>75</sup> After losing their lands, many Armenian peasants in the eastern provinces found themselves in this situation. For example, according to the reports of the Patriarchate, an Armenian named Parsamyán whose lands (fifty dönüms) and pastures (thirty dönüms) in Khaçköy (Başbudak today) in the district of Tercan, which were worth 200 lire, were forcefully seized by Ali Haydar, Rüşdem, and Yusuf Beys, found himself laboring as a maraba in Pasin (Pasinler, Erzurum).<sup>76</sup> The other form of marabalık was lending money to peasants who possessed small-scale plots of land. In Armenian political debates and analyses, the term marabalık

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73 TNA: FO 195/2250, Captain B. Dickson to Sir N. O’Conor, 28 April 1907.

74 For an elaboration of taxation policies, practices, and their effects in the region, see Özbek, “Politics of Taxation,” 770–797.

75 “Report by Consul Palgrave respecting Land Tenure in Eastern Turkey,” in *Reports from Her Majesty’s Representatives Respecting the Tenure of Land in the Several Countries of Europe: 1869–70* (London: Harrison and Sons, 1870), 279–280.

76 *Deghegaker*, vol. 2, 8.

was usually used to denote this second form. Garabedian explains marabalik as the mortgaging of agricultural tools or animals belonging to a landowning borrower in exchange of a particular sum of cash giving the lender the right to half of the harvest. Garabedian notes that in the past, lenders in this form of marabalik had not attempted to take control of debtors' lands. He argues that lenders began to demand the mortgaging of lands in the last decades, highlighting the transformation of this form of marabalik at the end of the nineteenth century.<sup>77</sup> Indeed, the nature of marabalik agreements began to change with the commodification of land in the Ottoman Empire, and this transformation contributed to the processes of property transfer.

During the massacres of 1894-97, thousands of Armenians fled their villages to save their lives. In some cases, local populations, especially Kurdish tribes, compelled Armenians to abandon their houses and lands and appropriated them. In some cases, they also forcibly prevented the return of Armenians. For instance, in 1896, in the aftermath of an outbreak of violence against Armenians in Maraş, several Armenians returned to their villages. But Turkish peasants forcibly prevented their stay by blaming them for setting two Turkish houses on fire. According to the British consul, "the whole affair was plotted by the Turks in order by terrifying the Armenians to prevent their being reinstated to compel them to abandon their properties and lands to the profit of the former."<sup>78</sup> In some cases, houses and shops belonging to Armenians were burned and destroyed during the massacres, and this situation compelled them to flee to other provinces or abroad. German missionary and intellectual Johannes Lepsius stated that 2,493 towns and villages were plundered during the massacres of 1894-97.<sup>79</sup> In the province of Erzurum, including Erzincan and Bayburt, 11,173 houses and shops were plundered during the unrest of October-November 1895. In Harput, thousands were killed and eight thousand houses and shops were plundered

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77 Garabedian, *Hoghayin*, 29–30.

78 TNA: FO 195/1932, Acting Consul Alatoni to M. H. Herbert, 10 June 1896.

79 Richard G. Hovannisian, "The Armenian Question in the Ottoman Empire, 1876-1914," in *The Armenian People from Ancient to Modern Times*, vol. II, Foreign Dominion to Statehood: The Fifteenth Century to the Twentieth Century (New York: St. Martin's Press, 2004), 224.

and burned.<sup>80</sup> In some parts of the province of Diyarbekir, the houses of Armenians were burned and local Kurds forced Armenians to “make over their lands to them on condition of rebuilding their houses for them.”<sup>81</sup> According to Jelle Verheij, more than 900 workshops and shops were burned to the ground.<sup>82</sup> The Armenian Patriarchate applied to the Sublime Porte concerning the lands of Armenian peasants from the Boğazkesen and Çakmak villages of Van Province who had had to flee from their villages after the massacres. Peasants had begun returning to their villages, but their lands had been seized by Kurds. The Patriarchate asked for the return of these lands to the peasants stating that they would otherwise perish and die of starvation. Following this takrir, the Inspection Commission sent an order to the provinces of Erzurum, Bitlis, Mamuretülaziz, Sivas, and Diyarbekir to ensure the right to life and property of all Ottoman subjects and to prevent such attacks.<sup>83</sup> Yet, seizures of Armenian properties continued in the years following the massacres. For example, in 1901 Hamidian Haydar and his Cibranlı tribesmen appropriated 156 agricultural fields (2,100 dönüm) and forty-seven buildings belonging to the peasants of the village of Akrag in Bulanık who had fled four years earlier.<sup>84</sup>

Two articles of the Land Code complicated the issue of a return for Armenians who had been scattered after the massacres. According to Article 68 of the Land Code, the title deeds of miri lands that were not cultivated for three consecutive years became invalid except for cases that the lands could not be cultivated for exceptional reasons such as floods. Another exceptional reason was non-cultivation due to being a prisoner of war. Another article of the Land Code that complicated the situation of Armenians dispersed around

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80 TNA: FO 195/1941, to Sir Philip Currie, 7 January 1896 and 8 January 1896. Regarding the massacres in Harput, see Ali Sipahi, “At Arm’s Length: Historical Ethnography of Proximity in Harput” (PhD diss., University of Michigan, 2015), chap. 10.

81 TNA: FO 195/1930, Mr. Hallward to Sir Philip Currie, 26 May 1896.

82 Verheij, “Diyarbekir,” 106.

83 BOA: DH.TMIK.M 58/64, the Armenian Patriarchate to the Sublime Porte, 18 Temmuz 1314 (30 July 1898) and the Inspection Commission to the provinces of Erzurum, Bitlis, Mamuretülaziz, Sivas and Diyarbekir, 16 Ağustos 1314 (28 August 1898).

84 BOA: DH.TMIK.M 111/54, petition to the Sublime Porte, 29 Ağustos 1317 (11 September 1901).

the region after the massacres was Article 78 which recognized the prescriptive rights of those who cultivated state or mevkufe lands for ten years without dispute. In such cases, occupiers who based their claims on prescriptive rights were able to register themselves as the owners of these lands.<sup>85</sup> These two articles contributed to the rise of land disputes concerning Armenians in the Hamidian period. In the absence of their Armenian cultivators, the lands were either not cultivated or were invaded by neighbors who managed to acquire prescriptive rights to the disputed lands. These articles were especially important for the Armenians who were scattered around the Ottoman Empire or who had immigrated to foreign countries.

As examined in this part, various political economic processes contributed to property transfers from Armenians during and after the massacres. Commodification of land, monetization of the economy, and transformation of the tax collection regime were important factors that contributed to this process. The use of both legal and illegal means in property transfers contributed to the transformation of the Armenian land question into a complicated problem.

#### § 4.3 Controlling Outcomes: The Approach of the Central Government to Land Disputes Concerning Armenians

Examining the approach of the central government to the issue of property transfer concerning Armenians, Janet Klein notes that “the government did not initiate the process of displacement, but seems to have perpetuated it at times to further its own ends, advancing the goals of settling nomads and immigrants, providing incentives to Kurdish chiefs to remain loyal to the Ottoman state and uprooting what some perceived to be a potentially treacherous population.”<sup>86</sup> Klein’s argument is based on the observations of Western diplomats who saw the processes of property transfer and displacement as indicators of a new demographic approach on part of the

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85 Fisher, *Ottoman Land*, 24–26.

86 Janet Klein, “Power in the Periphery: The Hamidiye Light Cavalry and the Struggle over Ottoman Kurdistan, 1890-1914” (Phd. diss., Princeton University, 2002), 301.

central government which was intent on strengthening its hold over the region. The elaboration of the issue by the first dragoman of the British Embassy, Fitzmaurice, is as a good example of this understanding by Western diplomats.

The Turkish government, after the Treaty of Berlin, realizing that a sense of nationality cannot easily live without a peasantry, and that if it succeeded in uprooting the Armenian peasantry from the soil and driving them into the towns or out of the country, it would in great part rid itself of the Armenians and the Armenian Question, condoned and encouraged Kurdish usurpation of Armenian lands. This retail process was repeated on a wholesale scale after the big massacres of 1895-6.<sup>87</sup>

Correspondence among Ottoman officials, regulations and laws issued by the Sublime Porte, and reports of British consular staff that are examined in this part show that the Ottoman government tried to control the outcomes of the massacres and property transfer with a demographic approach that was intended to weaken Armenian population and increase Muslim dominance in the Ottoman East. The attempt to control the outcomes of massacres and property transfer that accompanied them can be traced in several policy areas. The first of these is the ineffectiveness of the commissions established by the central government in terms of resolving land disputes. Nationality and emigration regulations were other areas shaped by concerns of the central government with respect to demographics. Another policy area in which the attempt to control the demographic outcomes of population movements and property transfers can be traced is the resettlement of Muslim immigrants. The demographic objective also entailed the introduction of administrative barriers to Armenians' entry into the land market in the Ottoman East, the implementation of which caused confusion and debate among Ottoman authorities.

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87 "Memorandum by Mr. Fitzmaurice," in *British Documents on the Origins of the War, 1898-1914*, vol. 10, pt. 1, ed. G. P. Gooch and Harold Temperley (New York: Johnson Reprint, 1967), 513.

#### 4.3.1 *The Workings of the Reform Commissions and Land Disputes Concerning Armenians*

Before going into detail on the approach of the central government to land disputes concerning Armenians, it should be noted that reform in the six provinces once again became an international political matter in the mid-1890s. The problem of seizures of lands belonging to Armenians was also discussed during attempts at reform in the 1890s. The final reform scheme included a chapter specifically concerning land disputes. According to Article 29 of the reform scheme, commissions would be established for the revision of title deeds. These commissions would consist of four members (two Muslim and two non-Muslim) under the chairmanship of the director of archives or the superintendent of real estate. The decisions of the commissions would be submitted to administrative councils. Moreover, four delegates would be sent from Istanbul to the provinces on an annual basis to inquire into any irregularities regarding land ownership.<sup>88</sup>

The commissions and delegates were responsible for investigating the records of the title deeds offices, the revenues from title deeds, organizing the sale of vacant lands, examining individual complaints and property disputes, and inspecting the conducts of officials of the title deeds offices. There are few documents about the activities and investigations these commissions in the Ottoman and British archives. As can be gleaned from these documents, the commissions started to be established in late 1896. Instructions about the duties of the four delegates were sent to the six provinces on 26 October 1896.<sup>89</sup> According to these instructions, the operations and procedures of commissions would be published in local newspapers and the commissions would work exclusively on the basis of complaints. Thus, the commissions were not authorized to investigate land disputes or misconduct unless a formal application was submitted to them.

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88 Sir P. Currie to the Marquis of Salisbury, "Scheme of Reforms," 22 October 1895, in *Turkey*, no. 1 (1896), *Correspondence Respecting the Introduction of Reforms in the Armenian Provinces of Asiatic Turkey* (London: Harrison and Sons, 1896), 168.

89 BOA: DH.TMIK.S 1/84, talimatname, 14 Teşrin-i Evvel 1312 (26 October 1896).

Commissioner Şakir Pasha asked for information about the activities of these commissions from the governors of the six provinces in 1899. In response, the governor of Bitlis stated that while the commissions had been founded in the districts of the province and numerous announcements had been made, there were few petitioners due to the negligence (*gafllet*) of the people. The applications submitted to the commissions concerned notices regarding vacant (*mahlul*) lands. The governor stated that there were no title deeds in Genç as the title deed office in this district had been established only two years prior. He also noted that no applications had been submitted to the commissions in the districts of Genç, Muş, and Siirt.<sup>90</sup> The governor of Bitlis sent an additional telegraph to Yıldız Palace about the commissions in which he stated that Şakir Pasha had only inspected records and revenues of the title deeds and organized the sale of the *mahlul* lands. According to the governor, the majority of lands in Bitlis belonged to Muslims who had failed to register their lands for a number of reasons including poor judgment and ignorance. The governor stated that Armenian tenants and sharecroppers who were paying the land tax were claiming ownership, and only this group of people applied to the commission.<sup>91</sup> The governor stated that these claimants were informed that their claims were not found admissible by the commission. The governor of Mamuretülaziz informed the Ministry of the Interior that there were only a handful of applications to the commissions.<sup>92</sup> He noted that the commissions carried out investigations on the basis of complaints and that people may not be aware of the procedure which had only been announced in the local newspaper. The governor suggested the preparation and distribution of pamphlets written in a way that would be understood by the people.<sup>93</sup>

In sum, even though property commissions were established in a number of districts in the eastern provinces, they failed to resolve land disputes

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90 BOA: DH.TMIK.S 23/21, the Governor of Bitlis to the Ministry of the Interior, 17 Kanun-1 Sani 1314 (29 January 1899).

91 BOA: Y.PRK.UM 46/17, the Governor of Bitlis to the Yıldız Palace, 5 Mayıs 1315 (17 May 1899).

92 BOA: DH.TMIK.S 23/78, the Governor of Mamuretülaziz to the Ministry of the Interior, 21 Şubat 1314 (5 March 1899).

93 BOA: DH.TMIK.S 23/62, the Governor of Mamuretülaziz to the Ministry of Property Records, 14 Şubat 1314 (26 February 1899).

concerning Armenians in the late 1890s. The limited archival sources on the operations of these commissions indicate that there were few applications to these commissions. The difference in the tone of evaluations by the prospective governors of Mamuretülaziz and Bitlis indicates that local governors approached the issue differently from one another.

#### 4.3.2 *Emigration Policies and Regulations*

Mass violence in the 1890s not only led to internal migration movements but also accelerated the emigration of Armenians from the eastern provinces. The primary destinations of Armenian emigrants were Russia, Persia, and the United States. The central government tried to control the demographic outcomes of these emigration movements with a number of regulations and initiatives.<sup>94</sup> The government had two objectives concerning the issue of Armenian emigration, one of which was to prevent the diffusion of the perception that Armenians were forced to emigrate and the other of which was to secure the permanence of these migratory movements and decrease the Armenian population in the Ottoman East.

The escalation of the emigration of Armenians abroad worsened the image of the Ottoman government in the international arena. Upon protests by foreign powers, Ottoman authorities took steps to prevent the emigration of Armenians to foreign countries. For example, on 8 December 1899 an order was sent to the governors of Bitlis, Van, Mamuretülaziz, and Trabzon from Yıldız Palace. This order stated that the Russian consul had protested that Armenians were being coerced to emigrate by local authorities, and Russian-Armenian traders holding valid passports and visas were not being permitted into Ottoman provinces. The order noted that “this was very inappropriate and could lead to several problems.”<sup>95</sup> Local authorities were ordered to

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94 David Gutman, “Armenian Migration to North America, State Power, and Local Politics in the Late Ottoman Empire,” *Comparative Studies of South Asia, Africa and the Middle East* 34, no. 1 (2014): 176–190; Dinçer, “Ya Sev Ya Terket’in,” 322–354; and Sipahi, “At Arm’s Length,” 276–284.

95 BOA: Y.PRK.UM 49/6, the Yıldız Palace to the provinces of Bitlis, Diyarbakir, Van, Mamuretülaziz and Trabzon, 26 Teşrin-i Sani 1315 (8 December 1899).

inform the palace whether such practices had been carried out. In response, all the governors denied the allegations. The governor of Van stated that those who were trying to emigrate without permits were captured at the border and returned to their places of inhabitation.<sup>96</sup>

Correspondence between the embassy in Washington and the central government indicates that some Ottoman officials saw the emigration of Armenians to other countries as a favorable trend that would strengthen the Muslim element in the eastern provinces in the long run. A telegraph by the Ambassador of the Ottoman Empire in Washington, Mavroyani Bey, clearly shows this demographic approach.

As the number of our enemies and the number of those who are used by our enemies decrease, our strength and power will increase. I know that the return of expatriate Armenians to their hometowns is a matter of concern for the government... However, every political matter, and everything that happens, has a good side and a bad side. This emigration decreases the strength of Armenians and proportionally increases the strength of other nations in the Royal Domains. This emigration can be the introduction to a gradual solution of the matter that is called the Armenian Question in the Royal Domains.<sup>97</sup>

As seen in this telegram, the Ottoman ambassador in Washington saw the emigration of Armenians, which was causing some diplomatic problems due

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96 BOA: Y.PRK.UM 49/6, the governor of Van to the Yıldız Palace, 27 Teşrin-i Sani 1315 (9 December 1899).

97 “Düşmanlarımızın veyâhud düşmanlarımız tarafından ‘ale’l-ittihâz olunanların mikdârı azaldıkça kuvvet ve satvetimiz tezâyüd eder. Ma‘amâfih terk-i vatan etmiş olan ermenilerin mesken ve me‘vâlarına ‘avdetleri ihtimâlinin hükümet-i seniyyece bî-hakkın mûcib-i endişe olduğunu bilirim ... lâkin politikaya müte‘allik her bir mesele ile benî beşere te‘alluk eden bi’l-cümle mesâlihînin hem iyi hem de fenâ ciheti vardır. İşbu hicret sayesinde hem ermenilerin memâlik-i şâhânedede tedennî-i kuvvetlerini hem de milel-i sâ’irenin bin-niseb tezâyüd-i kuvvetlerini istihsâl etmiş oluruz. Bu hicret memâlik-i şâhânedede ermeni meselesi ta‘bîr olunan meselenin tadrîcen faslına bir mukaddime olabilir.” BOA: HR. SYS, 2851/29, translation of tahrirat dated 22 June 1893 of Washington Embassy to the Ministry of Foreign Affairs, 30 Haziran 1309 (12 July 1893).

to accusations of forced emigration, as a positive development. There was a clear distinction in the assessment of the ambassador between “us” and “our enemies and those used by enemies.” Moreover, there was a negative correlation, based on population, between the powers of these groups in the eyes of the ambassador. Although it caused diplomatic problems, the emigration of Armenians would decrease the Armenian population in the Ottoman Empire and weaken the territorial claims of Armenians. It would also increase the strength of other nations in the region. This, according to the ambassador, was a step towards the end of the Armenian Question.<sup>98</sup> As noted by Sinan Dinçer, the extant correspondence does not indicate whether the suggestions of the consul were taken into consideration. On the other hand, the policies of the government in the period that followed were in line with them.<sup>99</sup>

The Ottoman government tried to control the population movements occurring as a consequence of the massacres with policies and regulations that were shaped by demographic concerns. Two articles of the Nationality Law regulated the issues of expatriation and change of nationality.<sup>100</sup> According to Article 5 of this law, those who acquired foreign nationality with the permission of the government would be treated as foreigners. On the other hand, Ottoman nationals who changed their nationality and acquired foreign citizenship without an imperial decree permitting them to do so would not be considered foreign nationals. Such people would continue to be treated as Ottoman subjects. Their foreign citizenship would not be recognized by Ottoman authorities. According to Article 6 of the Ottoman Nationality Law, Ottoman subjects who became foreign nationals without the permission of the Ottoman government and those who served in the militaries of foreign countries could be expatriated. The return of expatriates to the territories of

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98 Sinan Dinçer also underscores that this suggestion was based on an ethnoreligious classification of the citizenship regime. See Sinan Dinçer, “Osmanlı’dan Dışarıya Ermeni Göçü ve Tabiiyet Politikaları,” Adanır and Özel, 1915, 210–228.

99 Ibid., 218.

100 “Tâbiyet-i Osmaniye Kanunnamesidir,” *Düstur*, vol. 1, no. 1 (Dersaadet: Matbaa-i Amire, 1289), 16–18.

the Ottoman Empire would not be permitted.<sup>101</sup> Sinan Dinçer notes that the expatriation of Ottoman nationals who changed their nationalities was rarely used practice. However, after the US-Ottoman agreement of 1893, Article 6 was used exclusively for Armenians who had become United States nationals. In the case of immigrants of other ethnicities, Ottoman authorities applied Article 5.<sup>102</sup>

The immigration policies of the United States provided immigrants the opportunity for naturalization after five years. The Ottoman government attempted to restrict the return of these immigrants to Ottoman lands. The arrest of such returnees by Ottoman authorities created a diplomatic crisis between the two countries in the early 1890s. While the United States consulate intervened for their release and claimed that they were under the protection of the United States government, Ottoman authorities resisted, claiming that they would be treated as Ottoman nationals in the absence of permits issued by the Ottoman government acknowledging their change of nationality. An agreement was signed by the two states in 1893 after long negotiations. According to this agreement, Armenians who became American nationals would be expatriated from the Ottoman Empire in accordance with Article 6 of the Ottoman Nationality Law. After this agreement, Armenian immigrants in the United States began losing their property and inheritance rights in the Ottoman Empire.<sup>103</sup>

The exclusive application of Article 6 of the Nationality Law to Armenians who had immigrated to the United States and their expatriation in line with this article was important in terms of property transfers. The Ottoman government adopted a specific law for matters of inheritance and property ownership of Ottoman nationals who were expatriated on 5 March 1883.

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101 Ibid.

102 Dinçer, “Ya Sev Ya Terket’in,” 322–354. For further information regarding the Ottoman nationality law, see Tuğrul Arat, “Türk Vatandaşlığından İskat Edilen Kişilerin Mülkiyet ve Miras Hakları,” *Ankara Üniversitesi Hukuk Fakültesi Dergisi* 31, no. 2 (1974): 279–360; and İlhan Unat, *Türk Vatandaşlık Kanunu* (Ankara: Ankara Üniversitesi Siyasal Bilgiler Fakültesi, 1966).

103 Ibid.

According to Article 2 of this law, those who became foreign nationals without the permission of the government and were expatriated would lose their rights to property and inheritance in the Ottoman Empire. Procedures regarding the properties of such expatriates were specified in Article 3. Mülk and moveable properties belonging to such persons would be distributed among their heirs, while miri and wakf lands would be considered mahlul based on Articles 110 and 111 of the Land Law of 1858.<sup>104</sup> Article 111 stipulated that the lands of those who abandoned Ottoman nationality would not be transferred to their children, fathers, or mothers through inheritance regardless of the nationality of the heir. Such lands would be considered abandoned and would be put up for auction.

A case from Kutlig, Bitlis shows the implications of the implementation of Article 6 of the Nationality Law. In a takrir submitted to the Sublime Porte, the Armenian Patriarchate stated that the lands of Armenian peasants who had immigrated to foreign countries were tilled by families and relatives. These lands were then declared as mahlul by the local government and sold at auction.<sup>105</sup> After this takrir, the acting governor of Van forwarded a note written by the directorate of title deeds. In this note, the directorate emphasized that the lands of those who had been expatriated were considered mahlul in line with existing legislation. On this basis, the acting governor underscored that the sale of these lands was in line with the legislation.<sup>106</sup>

After the outbreak of violence in Istanbul in October 1896, an imperial order was issued concerning the emigration of Armenians. This order, dated 11 October 1896, stipulated that all Armenians in foreign countries would be subject to Article 6 of the Ottoman Nationality Law. Thus, all would be expatriated. This order also introduced a new rule in terms of emigration procedure, in line with which all Armenians who planned to leave the

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104 “Ecânibin hakkı istimlâki kânununun birinci maddesinde istisnâ’ olunan eşhâsın emlâk ve arâzisine mahsûs kânundur,” *Düstur*, vol. 1, no. 3 (zeyl) (Dersaadet: Matbaa-i Amire, 1300), 96.

105 BOA: BEO 3317/248766, the Armenian Patriarchate to the Sublime Porte, 5 Mayıs 1324 (18 May 1908).

106 BOA: BEO 3317/248766, the acting-governor of Van to the Sublime Porte, 29 Haziran 1324 (12 July 1908) and derkenar of the Title Deeds Office, 19 Haziran 1324 (2 July 1908).

Ottoman Empire would sign a document guaranteeing that they would not return. This document would then be confirmed by the Patriarchate and submitted to Ottoman authorities before emigration. Moreover, the passports to be issued to such persons would state that they would not set foot in Ottoman territory again. The order also stipulated that Armenians who had emigrated in the previous twenty years and those who were agitators would not be permitted to return. Those who had left the empire without the permission of Ottoman authorities were given a two-months period to return.<sup>107</sup> Following this order, the central government began to implement new security measures along the borders and at harbors to prevent the return of emigrants. According to the British consul in Erzurum, this order put an end to emigration, “the impression being general among the people that the terms of the circular cover an intention on the part of the government to confiscate the property of all Armenians who have left or may leave the country and who will now lose their rights as Ottoman subjects.”<sup>108</sup>

As mentioned before, the Ottoman government implemented different policies with respect to Armenian immigrants depending on the country to which they emigrated. The Russian Empire received the bulk of Armenians who fled from the massacres. Ottoman correspondence regarding Armenian emigrants to Russia indicate that they were not expatriated despite the order of October 1896 stipulating the expatriation of all Armenians in foreign countries. According to the Ministry of the Interior, Armenians in Russia were considered Ottoman nationals by the government, and Article 6 of the Nationality Law was not applied to them.<sup>109</sup>

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107 United States Department of State, *Papers relating to the foreign relations of the United States, with the annual message of the president transmitted to Congress December 7, 1896, and the annual report of the secretary of state* (U.S. Government Printing Office, 1896), 937-938. According to this document, the date of the order was 9 October 1896. On the other hand, Ottoman authorities refer to this order as the order of 11 October 1896. BOA: DH.TMIK.M 18/38, 29 Eylül 1312 (11 October 1909).

108 TNA: FO 195/1941, Graves to Sir P. Currie, 16 October 1896.

109 BOA: A.MKT.MHM 549/10, Minister of the Interior to the Sublime Porte, 28 Kanun-1 Evvel 1320 (10 January 1905).

According to an estimate by the Russian consulate in Istanbul, there were thirty thousand Armenian immigrants in Russia by 1899. According to Zeki Pasha, the number of Armenian immigrants in Russia was between twenty and twenty-five thousand. In 1901, this number increased to forty thousand.<sup>110</sup> This massive movement of people led to a diplomatic crisis between Russia and the Ottoman Empire when, in 1899, Russia decided to return ten thousand Armenians to the Ottoman Empire. The Ottoman Empire strongly opposed this decision and attempted to dissuade the Russian government. Yıldız Palace claimed that these Armenians had either been expatriated or were people who had stayed in Russian-occupied territories by choice and that “even if they were honorable and honest people, their arrival to the Royal Domains would pave the way for the establishment of an Armenian majority in some locations and bring harm to the Ottoman Empire in the future.”<sup>111</sup> This statement alone shows that the Ottoman government approached the issue of returning Armenian refugees from a demographic standpoint and tried to control the implications of the massacres utilizing this demographic approach. The problem for Yıldız Palace was beyond the potential rebelliousness of returnees; the problem was their Armenian-ness and the fact that their return would increase the Armenian population in the region. The Ottoman government tried to prevent the prospect of the return of these Armenians by offering a population exchange to Russia. According to this plan, Russia would send Muslims, like Tatars and Circassians to the Ottoman Empire but settle Armenians on their lands.<sup>112</sup> Moreover, the Ottoman government would give

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- 110 BOA: HR.SYS, 2840/22, translation of takrir dated 14 March 1899 of the Russian Embassy to the Ministry of Foreign Affairs, 16 March 1899; BOA: Y.PRK.ASK, 151/15, cipher telegram from Fourth Army Commander Zeki to the Yıldız Palace, 5 Mayıs 1315 (17 May 1899); and BOA: HR.SYS, 2840/37, translation of tahrirat dated 23 December 1901 of Tiflis Consulate to the Ministry of Foreign Affairs, 15 January 1902.
- 111 “... bunlar ehl-i ırz ve namus dahi olsalar Memâlik-i Şahane'ye vürûdlarıyla Ermeni bulunan bazı mahallerde ekseriyet teskiline imkân hâsıl etmiş olacaklardır ve Devlet-i Aliyye için istikbalen tehlikeyi istilzâm edecektir...” BOA: Y.PRK.EŞA 33/81, 24 Temmuz 1315 (5 August 1899), in *Osmanlı Belgelerinin Ermeni-Rus İlişkileri (1899-1906)*, vol. 2 (Ankara: Başbakanlık Devlet Arşivleri Genel Müdürlüğü, 2006), 25–26.
- 112 BOA: Y.PRK.BŞK, 58/104, Yıldız to the Russian Embassy, 6 Mart 1315 (18 March 1899).

100 thousand lire to Russia for resettlement expenses.<sup>113</sup> The Russian authorities rejected this offer and stated that the Armenians in question were agriculturalists who did not pose a threat to the Ottoman Empire.<sup>114</sup> After long negotiations between two countries, the Russian government stepped back from its decision to send Armenians back to the Ottoman Empire in exchange of the privilege of building a railway along the coast of the Black Sea.<sup>115</sup> After this agreement between the two countries, Russia did not permit Armenian immigrants to return to the Ottoman Empire. Those who managed to return would be sent back to Russia by Ottoman authorities.

These regulations and policies that controlled the demographic outcomes of population movements were carefully planned by the central government, but their application at the local level was much more complicated. Correspondence between local authorities and the central government indicate that land and houses belonging to Armenian emigrants were often occupied by relatives or the local population and that much land remained uncultivated. In 1895, the governor of Erzurum informed the Sublime Porte that the lands of 889 Armenians who had emigrated to Russia from Beyazıt within the last four years had not been put up for auction by the local government with the exception of a house. The governor noted that some part of these properties were occupied by relatives and neighbors of the emigrants while others were occupied by Kurdish tribes. In the Pasinler district, several properties belonging to 913 Armenian emigrants were occupied by Kurdish tribes. In the Tortum district, the properties of three households were given to Muslim immigrants.<sup>116</sup> Agricultural fields, meadows, and houses worth

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113 BOA: Y.PRK.HR, 27/38, Ministry of Foreign Affairs to the Petersburg Embassy, 15 May 1899.

114 BOA: HR.SYS, 2840/22, translation of takrir dated 14 March 1899 of the Russian Embassy to the Ministry of Foreign Affairs, 16 March 1899.

115 BOA: Y.PRK.HR, 28/63, Ministry of Foreign Affairs to the Sublime Porte, 1 Nisan 1316 (14 April 1900). The agreement between Russia and the Ottoman Empire regarding the railway in the Black Sea region was signed on 4 April 1900. See Murat Özyüksel, *The Berlin-Baghdad Railway and the Ottoman Empire: Industrialization, Imperial Germany and the Middle East* (London: I.B. Tauris, 2016).

116 BOA: A.MKT.MHM 534/4, the Governor of Erzurum to the Sublime Porte, 22 Şubat 1310 (6 March 1896).

514,605 guruş that belonged to Armenians who had fled to foreign countries were appropriated by Karapapaks, and some properties belonging to emigrants from some villages of the Erzurum Province had been seized by Muslim immigrants.<sup>117</sup> The governor of Van informed the Porte that the lands of Armenians who had emigrated from Hakkari to Russia and Persia had not been allocated by the local government and remained uncultivated.<sup>118</sup> These telegrams indicate that in Erzurum and the Hakkari district of Van, the government had neither put the properties of Armenian emigrants up for auction nor officially reallocated them to Muslim immigrants as of 1898.

Correspondence between the Sublime Porte and local governments also reveals that some local authorities were unfamiliar with the procedures and rules that should be applied to the estates and properties of Armenian emigrants. The governor of Diyarbekir, Mehmed Nazim Bey, asked the Ministry of the Interior to provide information about the rights of heirs to the lands and properties of emigrants who had been expatriated.<sup>119</sup> Following this telegraph, the central government demanded information from local governors regarding the number of Armenians who had emigrated, their countries of destination, and their properties. According to the governor of Mamuretülaziz, the number of Armenians who fled to the United States from Mamuretülaziz Province without the necessary permits was around fifteen thousand.<sup>120</sup> The Erzurum governor informed the Ministry of the Interior that the numbers and destinations of emigrants were not certain. The governor stated that some properties were rented out for purposes of tax collection while the majority were seized by third parties.<sup>121</sup> Proving expatriation was

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- 117 BOA: DH.MKT 2140/16, the Ministry of the Interior to the province of Erzurum, 14 Teşrin-i Sani 1314 (26 November 1898).
- 118 BOA: A.MKT.MHM 534/4, the Governor of Van to the Sublime Porte, 9 Şubat 1310 (21 February 1896).
- 119 BOA: DH.THMIK.M 143/15, the Governor of Diyarbekir to the Ministry of the Interior, 2 Şubat 1319 (15 February 1904).
- 120 BOA: DH.THMIK.M 143/15, the Governor of Mamuretülaziz to the Ministry of the Interior, 18 Nisan 1320 (1 May 1904).
- 121 BOA: DH.THMIK.M 143/15, the Governor of Erzurum to the Ministry of the Interior, 1 Mayıs 1320 (14 May 1904).

also a challenge for local governments. In Bitlis Province, thirty-one plots of land belonging to Vartan Chukajyan, who had been in Russia for ten years, were demanded by his brother who claimed ownership rights to them based on inheritance. The Bitlis governor stated that there was no record of Vartan's expatriation, and for this reason, the administrative council (*meclis-i idare*) did not know whether the lands should be given to his brother.<sup>122</sup>

In sum, the Ottoman government started to develop emigration policies with demographic concerns in this period. The prohibition of the return of Armenian emigrants and the application of Article 6 of the Nationality Law specifically to Armenians were practices connected to these policies. Considering the number of emigrants – forty thousand to Russia and more than ten thousand to the United States – controlling the transfer of the properties of these emigrants was an important issue for the central government. As shown in several examples, the central government issued several regulations and laws to manage the outcomes of this process. On the other hand, the implementation and the actual outcomes of these regulations and laws depended on local dynamics.

#### 4.3.3 *The Approach of Ottoman Officials to Armenian Land Ownership and the Ban on the Sale of Immovable Property to Armenians*

As noted by Nadir Özbek, upon receiving various complaints regarding oppression by tribes in the Hamidian Regiments in the process of collecting tithes, the Sublime Porte issued an order in 1898 limiting the tithe farming granted to tribes in the Hamidian Regiments to villages inhabited by Muslims in 1898.<sup>123</sup> Correspondence between the grand vizier and the Ministry of the Interior provides important insights regarding the implementation of this order on the ground and the approaches of Ottoman authorities to the matter of land ownership. In a telegram dated 5 November 1900, the grand vizier informed the Ministry of the Interior that it had received a note from the

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122 BOA: DH.THMIK.M 143/15, the Governor of Bitlis to the Ministry of the Interior, 16 Mart 1322 (29 March 1904).

123 Özbek, *İmparatorluğun Bedeli*, 206.

command of the Fourth Army on the issue. The contents of the note was summarized by the grand vizierate as follows:

When the lands of Armenians who fail to pay their tithes or other debts are put up for auction in line with the law [-] as the tribesmen have been banned from acquiring lands and as the wealthy Muslim population in Van and Bitlis and Erzurum provinces is limited to tribal leaders [-] those lands are either bought by Armenians or left vacant in cases where there is no demand and the lands of the Muslim population are slowly transferred to Armenians.<sup>124</sup>

This telegram from the Fourth Army, the original of which I was unable to locate in the archives, indicates that land ownership began to be seen as a matter of religious dominance by some Ottoman authorities in this period. As noted by Selim Deringil, while Turkish nationalism had not emerged in this period, there was a clear distinction between “us” (Muslims) and “them” (non-Muslims) in the accounts of some Ottoman officials in the Hamidian period.<sup>125</sup> It was this distinction that rendered the sale of lands formerly belonging to Armenians and confiscated by Ottoman authorities back to Armenians a problem for the command of the Fourth Army. How could such transactions lead to the transfer of properties belonging to Muslims to Armenians? Was something lost in transmission? These questions can only be answered once the original document is found. This telegram also indicates that the order to exclude Kurdish tribe leaders who were given ranks in the Hamidian Regiments from tithe auctions in Armenian villages was interpreted as a wider ban, and some local authorities prohibited their participation in the auctions of any Armenian properties. After receiving this

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124 “A ‘şâr iltizâmından dolayı emval-i emiriyyeyi zimmetine geçiren yâhud sûret-i âharı ile borcu olan ermenilerin kânunen arâzilerine mürâca‘at olundukda arâzi almak hususu efrâd-ı ‘aşâyire men’ edilmesinden ve van ve bitlis ve erzurum vilâyetlerindeki ahâlî-i müslimenin erbâb-ı serveti rü‘esâ’-i ‘aşâyirden ibaret bulunmasından dolayı o makûle arâzi ya ermeniler tarafından mubâya‘a olunmakda yâhud talebi zuhûr etmediği takdirde hâlîye bırakılmakda ve ahâlî-i islâmiyenin arâzisi tedricen ermenilere intikâl etmekte olduğu...” BOA: DH.TMIK.M 96/66, the Grand Vizier to the Ministry of the Interior, 23 Teşrin-i Evvel 1316 (5 November 1900).

125 Deringil, “Armenian Question,” 346.

telegram, the grand vizier also noted that this situation was related to a misinterpretation of the order regarding the exclusion of tribesmen from tithe farming in Christian villages. It requested that the Ministry of the Interior inform local authorities that according to Ottoman law, no one could be banned from acquiring property or land; that local authorities were responsible for preventing such practices; and that those acting contrary to these principles would be absolutely and severely punished.

One of the most significant developments concerning the land policies of the central government in this period was the administrative prohibition of property and land sales to Armenians. On 5 July 1899, an urgent cipher telegram was sent to the governors of Erzurum, Sivas, Trabzon, Bitlis, Van, Diyarbekir, and Mamüretülaziz from Yıldız Palace.<sup>126</sup> With this imperial order, the governors were informed that the palace had received intelligence indicating that the Armenian Patriarchate was involved in international monetary transactions. It was reasoned that Armenians would try to buy properties to secure the return of those who were not permitted to return to the Ottoman Empire. The governors were ordered to “immediately and urgently” report “whether Armenians were directly or indirectly trying to buy properties and lands” and whether the governors had had any correspondence with Şakir Pasha regarding the matter. Moreover, if Armenians were in fact attempting to buy land or properties, the governors should suspend the transfer procedures until a second order was issued.<sup>127</sup> Thus, with this order, Armenians were de facto prohibited from directly or indirectly acquiring property or land in the Ottoman provinces of Erzurum, Sivas, Trabzon, Bitlis, Van, Diyarbekir, and Mamüretülaziz.

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126 BOA: Y.PRK.BŞK 59/114, cipher telegram from Yıldız Palace to the provinces of Erzurum, Sivas, Trabzon, Bitlis, Van, Diyarbekir, and Mamuretülaziz, 23 Haziran 1315 (5 July 1899).

127 “... vilâyet-i celîleleri dâhilinde bi'l-vâsıta veya doğrudan doğruya Ermeniler tarafından emlâk ve arâzi mubayaa olunup olunmadığının ve mubâya'aya teşebbüs olunmuş ise emr-i âhire kadar mu'âmele-i ferâğiyesinin te'hîr-i icrâ'sıyla beraber müşir Şakir Paşa hazretlerinden bu babda bir güna iş'ârı vak'ı olup olmadığının serî'an ve 'âcilen şimdi 'arz ve iş'ârı emr u fermân buyurulmuştur.”

The telegram sent by Hasan Hilmi, the governor of Sivas, to Yıldız Palace on 2 August 1899 provides important information regarding the implementation of this order. The governor reported that since local authorities had received the order, they had suspended transfer procedures concerning sales of properties and lands to Armenians. On the other hand, “applications to the authorities in the region indicated that the continuation of this situation would be a headache.”<sup>128</sup> The governor noted that an additional directive ordered local authorities to suspend the transfer procedures with respect to the sale of valuable properties and lands like farms, shops, *hans*, *hamams*, factories, forests, and winter pastures to Armenians in or outside of the Ottoman Empire. They were also ordered to investigate the secret aims of Armenian buyers. The governor indicated that clarification was needed with regard to the appropriate approach to the sale of properties and lands that were not as valuable as those encompassed by the second directive.<sup>129</sup>

Correspondence in 1900 between the acting governor of Bitlis and the Inspection Commission reveals that the orders sent from Yıldız Palace caused confusion and debate at different levels of administration. In Bitlis, the order to suspend property sales to Armenians had been issued to the Court of First Instance by the governor. On 23 December 1899, the court applied to the governorate of Bitlis demanding clarification. The court noted that some Armenians residing in the region were attempting to buy the properties of other Armenians that had been confiscated by the treasury due to debts. On 2 January 1900, the acting governor of Bitlis sent a telegram to the Inspection Commission. After summarizing the contents of the order sent from the palace, the governor asked for orders regarding the appropriate course of action to be taken with regard to Armenians’ attempts to buy properties put

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128 “... bu hâlin bir müddet daha devâmı sudâ’-i mûcib olacağı mülhakâtın vukû‘ bulan mürâca‘atından anlaşılmış olduğunun ‘arzıyla...” BOA: Y.PRK.UM 47/55, the Governor of Sivas to the Yıldız Palace, 21 Temmuz 1315 (2 August 1899).

129 Ibid.

up for auction by the Debt Collection Office (*İcra Dairesi*) in Bitlis.<sup>130</sup> In its reply dated 26 February 1900, the Inspection Commission ordered the acting governor that if those who wanted to buy the properties in question were Armenians residing in the region, he should separate out their cases. On the other hand, if those who were applying to buy the properties were not locals, the transfer procedures regarding the sales should be delayed (*mu'âmele-yi ferâğiyesinin te'hîr-i icrâ'sı*).<sup>131</sup> In his response, the acting governor informed the commission that the Armenians seeking to buy these properties were in fact residents of the province.<sup>132</sup> Following this correspondence, the Inspection Commission sent a telegram to the grand vizier stating that “the prohibition of land and property acquisition to local Armenians was not appropriate” and requesting that the grand vizier inform Yıldız Palace about the situation.<sup>133</sup>

These documents show that Sultan Abdülhamid II sent an order for the suspension of procedures related to sales of property and land to Armenians in the Ottoman East. While underscoring concern for the prevention of the return of Armenians abroad, Yıldız Palace did not make a distinction in this order between Armenians residing in the Ottoman Empire and those residing elsewhere. The order stipulated that all property sales to all Armenians were to be suspended in the provinces of Erzurum, Sivas, Trabzon, Bitlis, Van, Diyarbakir, and Mamüretülaziz. From the text of the order, it is also clear that Armenians were also to be prohibited from acquiring property indirectly. The telegram of the Sivas governor indicates that a second order specifying the types of properties in question was sent by Yıldız Palace to some provinces. The telegram of the governor also indicates that the text of the second order did not distinguish between Armenians in and outside the empire. From the

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130 BOA: DH.TMIK.M 81/47, the Acting-Governor of Bitlis to the Inspection Commission, 21 Kanun-1 Evvel 1315 (2 January 1900).

131 BOA: DH.TMIK.M 81/47, the Inspection Commission to the province of Bitlis, 14 Şubat 1315 (26 February 1900).

132 BOA: DH.TMIK.M 81/47, the Acting-Governor of Bitlis to the Inspection Commission, 27 Şubat 1315 (11 March 1900).

133 “yerli Ermenilerin arâzi ve emlâk iştirâ'sından men'i münâsib olmamasına nazaran.” BOA: DH.TMIK.M 81/47, the Inspection Commission to the Sublime Porte, 8 Mart 1316 (21 March 1900).

correspondence between the acting governor of Bitlis and Inspection Commission, it is understood that the commission introduced a distinction limiting the scope of this administrative ban. These documents show that the issues of property transfers from Armenians and changes in land ownership patterns in the eastern provinces in this period cannot be understood if the involvement and agency of central authorities is not taken into consideration. In this case, the sultan introduced an administrative barrier to Armenians' entry into the land market in the aforementioned provinces. The concern of the sultan, which was also underscored by the Inspection Commission, was to prevent the return of Armenians abroad because such Armenian refugees could strengthen the basis of their right to return by offering property ownership in the Ottoman Empire as a justification. Why did the sultan not order the suspension of such sales in all provinces? Armenians could buy land in any province of the empire to substantiate a claim to return. Why did the sultan choose these specific provinces to introduce an administrative barrier to Armenians' entry into the land market? These are important questions, but research conducted in the scope of this study does not provide the answers. Another point illuminated by the documents is that the Inspection Commission introduced a distinction between local and other Armenians, stating that it would be inappropriate to prohibit local Armenians from acquiring property and land. This shows that Ottoman agencies like the Inspection Commission were actively shaping the implementation of the orders coming out of Yıldız Palace.

Another point illuminated by these documents is that some Armenians were active in the land market after the massacres of 1894-97 and sought to buy properties in Sivas and Bitlis. The properties that local Armenians wanted to buy in Bitlis were small-scale properties that had been confiscated by Ottoman authorities due to the debts of their Armenian owners. Correspondence between the Sivas governor and the central government does not provide details regarding the qualities of the properties that local Armenians wanted to buy. On the other hand, the Sivas governor noted that small-scale properties were in question. These correspondences indicate that property acquisition by Armenians and the dispossession of Armenians were not mutually exclusive phenomena. On the other hand, available documents

do not provide the data to conclude that the participation of Armenian actors in the property market was not affected by the waves of mass violence against Armenians.

These findings indicate that the central government was an active agent in shaping the processes of property transfer from and the dispossession of Armenians in the Hamidian period. By introducing an administrative ban for property sales to Armenians, the central government changed the basic rules of the property market in general and the land market in particular. This examination also indicates that differences in niche overlap in Cilicia and the eastern provinces examined by Astourian were directly influenced by the acts and policies of the central government. In his study, Astourian notes that Armenians continued to acquire property in the Cilicia region even as there was a massive property transfer from Armenians in the eastern provinces. The findings of this study show that the policies of the central government might have contributed to the difference between these regions.

#### 4.3.4 *Settlement of Muslim Immigrants*

Another policy area in which the demographic concerns of the central government can be seen is the settlement of Muslim immigrants in the eastern provinces. The central government tried to increase the Muslim population in the region by settling Muslim immigrants fleeing Russia following Crimean War and the 1877-78 Ottoman Russian War. The Sublime Porte issued an order on 29 Nisan 1889 for the resettlement of immigrants from the Caucasus in vacant lands (*arazi-i haliye*) in Erzurum, Van, and Hakkari. Five years after this initial order, the grand vizier stated that despite the order, which aimed “at increasing the Muslim population in some provinces of Anatolia,” local authorities had failed to take the necessary measures. The grand vizier ordered the settlement of immigrants in designated areas on 1 December 1894.<sup>134</sup> Examining the role of the central government in the massacres of 1894-97 is

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134 “Anadoluda ba’zı vilâyât-ı şâhânede nüfûs-ı islâmiyenin teksiri için tedâbir-i lâzime ittihâzı selef-i ‘âcizi zamanında irâde ve fermân buyurulmuş olduğu hâlde bu hususa neden dolayı teşebbüs edilmemiş idiğinin ‘arzını emr ve fermân buyurulduğı...” BOA: Y.A.HUS 314/14, the Grand Vizier to the Yıldız Palace, 19 Teşrin-i Sani 1310 (1 December 1894).

beyond the scope of this study. On the other hand, these orders, which reflect a clear concern for strengthening the Muslim element in some regions of the Ottoman East, indicate that the Ottoman government had adopted a particular demographic policy to weaken the demographic basis of the territorial claims of Armenian political organizations in the region in the late 1880s. Thus, it can be argued that the Ottoman government did not start developing such a demographic policy after the massacres; it had already commenced formulating a demographic policy to change the population balance in the region before the massacres occurred and even before the official establishment of the Hamidian Regiments.

After the massacres, the central government demanded information regarding the acreage of land in regions populated by Armenians and the acreage of that land that could be used for the settlement of immigrants.<sup>135</sup> A document from the Ottoman Archives Yıldız Catalogue indicates that this information was compiled together with central authorities. This document includes an untitled table. It is not possible to determine the exact date of the document, but according to the Ottoman Archives it was prepared on 29 March 1903. The sections of this table pertaining to Diyarbekir and Erzurum sections note that the central government had on two occasions demanded information regarding the acreage of land that could be used for the settlement of immigrants in places inhabited by Armenians.<sup>136</sup> According to the table, which was prepared by the central government based on the information acquired from the provinces, there were 907 plots of land (8007 dönüms) in Beyazıd, Erzurum which had been abandoned by Armenians who had fled to Russia and had not returned within the legally regulated period that would allow them to claim the properties. In the Hınıs district, there were 23,300 dönüms in Armenian populated villages that were available for the settlement of immigrants, and an additional 18,400 dönüms were available in mixed villages. In Pasinler, 1,500 dönüms were reported to be available in Armenian and mixed villages. The table also included information regarding the amount of lands in Bitlis, Sivas, Van, and Bağdat provinces, but these sections of the

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135 BOA: Y.PRK.DH 12/41, no date.

136 “Ermeni sâkin yerlerde ne kadar arâzi mevcûd olduđu ve muhâcirîn iskânına sâlih arâzi var ise mikdârının iş‘ârına dâ’ir iki def‘ada vak‘ı olan isti‘lâma...” Ibid.

table were not as detailed as those for Diyarbekir and Erzurum, and it is not possible to determine whether the acreage of land specified in the table refers to lands in regions inhabited by Armenians in particular or vacant land in general. These documents indicate that the central government took into consideration the demographic structure of the locations where Muslim immigrants would be settled and collected detailed information regarding the abandoned lands of Armenians who had fled the country.

The settlement of Muslim immigrants on lands belonging to Armenians became an issue of international public debate when European newspapers published news of the settlement of Circassian immigrants on lands belonging to Armenians in the districts of Bulanık, Ahlat, Çukur, and Muş. When these incidents received international attention, the governor of Bitlis, Hüsni Bey, reported that immigrants were not settled in Ahlat and Çukur and that Circassians in Muş were settled on mahlul lands or lands that could legally be sold to third parties.<sup>137</sup> Thus, he assured the central government that the settlement procedure was carried out in line with Ottoman legislation.

The settlement of immigrants in the eastern provinces and the operations of local governments with regard to the land question were followed closely by foreign consuls in the region in the 1900s. In 1907, the British vice-consul in Van reported that there were four important developments in the region with regard to this issue. The first of these was the illegal manner of the collection of tax arrears. The second development noted by the vice-consul was new orders and regulations regarding the emigration of Armenians that had accelerated with the collection of taxes. The vice-consul reported that the governor had informed him of orders received from the Sublime Porte that all Armenians who left the country without permission in the previous ten years would be considered revolutionaries, their property could be confiscated, and they would be exiled to Russia.<sup>138</sup> The third development noted by the vice-consul was related to lands belonging to Armenians who had fled the country. According to the vice-consul, the governor had “asked what he should do with these, and the Porte informed him that Mussalmen emigrants will be sent to

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137 BOA: DH.MKT 683/41, the Governor of Bitlis to the Ministry of the Interior, 3 Nisan 1319 (16 April 1903).

138 TNA: FO 195/2250, Vice-Consul Captain Dickson to Sir N. O’Conor, 28 April 1907.

occupy them.” Fourth, the vice-consul noted that many Armenians asking permission to leave were being refused by the governor. According to the vice-consul, these developments indicated a new approach on part of the Ottoman administration. He claimed that: “Putting these four facts together it seems to me that the policy is, that as massacring Armenians is no longer fashionable, he [the governor] wishes to get them to leave the country without permission thus outlawing them and place Mussulman colonists on their land.”<sup>139</sup>

#### § 4.4 Summary

After the consolidation of the Hamidian regime there were important changes in the extent and character of land disputes concerning Armenians. As examined in the previous chapter, there were several land disputes concerning Armenian peasants and village communities in the Tanzimat period. Land disputes concerning Armenians had already begun to attract the attention of the Armenian political elite and Armenian institutions before the 1880s. In the Hamidian period, there was a significant increase in the number of seizures and transfers concerning the properties of Armenians. A second important point that differentiates property transfers from Armenians in the Hamidian period from those of the previous period is that land disputes concerning Armenians had previously mostly concerned disputes between Armenian cultivators and local powerholders. In the Hamidian period, a wide range of actors were involved in the forceful seizure of Armenian properties including ordinary subjects (including Kurdish tribesmen and peasants), local officials, immigrants, tribal chiefs, local notables, and sheiks. Moreover, Armenian large landowners also lost properties in this period. Thus, it can be said that the basis of the problem shifted from class to ethno-religious differences in the Hamidian period.

One of the most important differences in terms of land disputes concerning Armenians in the Tanzimat period and property transfers from Armenians in the Hamidian period is the fact that Armenians were faced with mass violence in the latter period. The atmosphere of mass violence and the

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139 Ibid.

population movements that it caused changed the nature and scope of land disputes concerning Armenians. With regard to land disputes in the Tanzimat period, the government performed balancing acts between the demands of Armenian cultivators and those of local powerholders. The government approach to land disputes concerning Armenians in the Hamidian period was not concerned with balance. Although there were some orders concerning the protection of the property rights of Armenians, there were also orders introducing administrative barriers to Armenians' entry into the land market. As examined in the last part of this chapter, the central government was an actor involved in these processes of property transfer and tried to control the outcomes of massacres and population movements with orders, legislation, and agreements reflecting its demographic and territorial concerns.

Mass violence was an important factor in and context of the property transfer from Armenians to Muslims in this period. Thousands of seizures were carried out with the threat or use of force. On the other hand, the explanation for property transfers from Armenians in this period cannot be reduced to forceful seizures or massacres. As examined in this chapter, there were socioeconomic trends that affected the process. For example, the monetarization of the economy and the collection of taxes in cash led to the expansion of a credit practice called *selem/selef* in the Bitlis region. Many plots of land belonging to Armenians changed hands due to the expanding use of this specific practice. Another factor that shaped the processes of property transfer was the commodification of land. It was due to the commodification of land that *miri* lands became alienable properties that could be bought, sold, and mortgaged; that some *marabalık* agreements began to include the mortgaging of land; and that *selef* creditors began to take the lands of debtors. Thus, the trends examined in chapter 2 – liberalization of land and the transformation of the political significance attached to land for demographic and territorial concerns – were influential in shaping the processes of property transfer from and the dispossession of Armenians in the Hamidian period.



## Socioeconomic Consequences of Property Transfer and Dispossession

As examined in chapter 4, processes of property transfer and dispossession concerning the Armenian population were an important phenomena accompanying the massacres in the eastern provinces. The massacres of 1894-97 and the processes of property transfer and dispossession that accompanied the mass violence also had several socioeconomic consequences. These developments contributed to the transformation of everyday life and the basis of socioeconomic relations in the Ottoman East in the Hamidian period. Besides mass violence directed against Armenians, property transfer from them, and their dispossession, Kurdish peasants and cultivators in the region also became targets of exploitation in this period. The absence of comparable trade statistics, land registries, and agricultural statistics make it difficult to assess the effects of the massacres and the processes of property transfer on socioeconomic life in general and agricultural production in particular.<sup>1</sup> In this chapter, I analyze data derived from provincial yearbooks (*salnames*) and agricultural records, British trade reports, consular correspondence, and Armenian accounts.

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1 Halil İncılık and Şevket Pamuk, eds., *Osmanlı Devleti'nde Bilgi ve İstatistik*, 2nd edition (Ankara: State Institute of Statistics, Prime Ministry Republic of Turkey, 2011).

In the first part, I present an overview of socioeconomic life in the eastern provinces in the late nineteenth and early twentieth centuries. The second part examines the socioeconomic effects of property transfer and dispossession on agricultural production. The third part scrutinizes the extent to which the processes of property transfer from Armenians and the dispossession of Armenian peasants affected agricultural relations. In the last part, I examine the effects of mass violence, property transfer, and the emergence of a pillage economy in the region on commerce and trade in the eastern provinces.<sup>2</sup>

### § 5.1 General Overview of Socioeconomic Life in Eastern Provinces

The nineteenth century was a period of integration into the world economy for the Ottoman Empire with respect to trade, direct foreign investment, and finance.<sup>3</sup> This process of integration was facilitated by trade agreements and there was a marked increase in market-oriented agricultural production in various parts of the Ottoman Empire. In the case of eastern provinces, this process of integration into the world economy was relatively slow due to the

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- 2 Ariel Salzmänn, "Measures of Empire: Tax Farmers and the Ottoman Ancien Régime, 1695-1807" (PhD diss., Columbia University, 1995); Zozan Pehlivan, "Abandoned Villages in Diyarbakir Province at the End of the 'Little Ice Age', 1800-50," in Cora, Derderian and Sipahi, *Ottoman East*, 223-246; Fulya Özkan, "A Road in Rebellion, a History on the Move: The Social History of the Trabzon-Bayezid Road and the Formation of the Modern State in the Late Ottoman World" (PhD diss., Binghamton University, 2012); Yaşar Tolga Cora, "A Muslim Great Merchant [*Tüccar*] Family in the Late Ottoman Empire: A Case Studies of the Nemlizadoses, 1860-1930," *International Journal of Turkish Studies* 19, no. 1-2 (2013): 1-29; and Charles Issawi, ed., *The Economic History of Turkey, 1800-1914* (Chicago: University of Chicago Press, 1980).
  - 3 Şevket Pamuk, *The Ottoman Empire and European Capitalism, 1820-1913: Trade, Investment, and Production* (Cambridge: Cambridge University Press, 1987); Reşat Kasaba, *The Ottoman Empire and the World Economy -The Nineteenth Century* (Albany: State University of New York Press, 1988); and Reşat Kasaba, Immanuel Wallerstein and Hale Decdeli, "The Incorporation of the Ottoman Empire into the World-Economy," in *The Ottoman Empire and the World-Economy*, ed. Huri İslamoglu-İnan (Cambridge: Cambridge University Press, 1987), 88-97.

absence of an effective transportation network that would have enabled agricultural producers to sell their products in distant markets.<sup>4</sup> There were only two main roads in the region. One, 594 kilometers in length, connected Trabzon, Bayburd, Erzurum and Beyazıd to Persia. The other main road, 660 kilometers in length, connected Samsun to Nusaybin via Sivas, Harput, Ergani, and Diyarbekir.<sup>5</sup> Other than these two main roads, transportation was carried out on paths.

Agriculture and animal husbandry were primary socioeconomic activities in these parts of the Ottoman Empire. Agricultural production in the region was mostly carried out using basic techniques, and there was little improvement in the situation until the post-1908 period. Market-oriented production, which flourished in Western Anatolia in the nineteenth century, was slow to develop in the eastern provinces due to high transportation costs. Cereals were transported to other provinces in times of famine, but in these cases, the cost of transportation was often equal to if not more than the cost of the transported articles. The high costs of transportation led to the impoverishment of peasants even in years of abundant harvest. In years when the harvest was beyond the local need, prices went down and peasants were unable to profitably dispose of their crops.<sup>6</sup>

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4 Fulya Özkan, “The Role of the Trabzon-Erzurum-Bayezid Road in Regional Politics and Ottoman Diplomacy, 1850s-1910s,” In Cora, Derderian and Sipahi, *Ottoman East*, 19–41.

5 Faik Sabri, *Osmanlı Coğrafya-i İktisadiye* (Dersaadet: Kanaat Matbaası, 1331), 213.

6 Özge Ertem, “British Views on the Indian and Ottoman Famines: Politics, Culture, and Moralit,” *RCC Perspectives* 2 (2015): 17–27; Özge Ertem, “Sick Men of Asia Minor in an Ailing Empire: Famine, Villagers and Government in Missionary Accounts (1873-75)” *International Review of Turkish Studies* 2, no. 1 (2012): 72–94; and Pehlivan, “Abandoned Villages,” 223–246; Özkan, “Road in Rebellion,” chap. 5.

Table 5.1 Distribution of Area under Cultivation According to the Types of Crops

Province	Cereals		Legumes		Cash crops		Gardens and vineyards	
	%	km <sup>2</sup>	%	km <sup>2</sup>	%	km <sup>2</sup>	%	km <sup>2</sup>
Erzurum	98.99	2966	0.90	31	0.04	1	0.07	2
Bitlis	94.63	2370	0.73	15	1.21	30	3.43	85
Diyarbakir	81.08	2435	3.55	105	2.86	80	12.51	380
Mamuretülaziz	73.58	1100	2.83	50	9.02	150	14.56	200
Van	95.37	666	0.42	3	2.72	20	11.49	11
Total	89	9537	1.9	204	2.7	281	6.4	678

SOURCE: Faik Sabri, *Osmanlı Coğrafya-i İktisadiye* (Dersaadet: Kanaat Matbaası, 1331), 204.

As seen in Table 5.1, of all land under cultivation in the eastern provinces 89 percent was devoted to the production of cereals. In Erzurum, almost all land (98.99%) was used for the production of cereals. Among cereals, wheat was the primary agricultural crop (60%), followed by barley (24.35%), millet (7.3%), rye (4.85%), rice (2.14%), and corn (1.37%). A small percentage of legumes was produced mostly for provincial markets. As seen in Table 5.1, the production of cash crops was undeveloped in the region with the exceptions of Mamuretülaziz and Diyarbakir.

In Mamuretülaziz, there was a significant cash crop production that included opium, tobacco, and cotton. Despite the fact that the area used for the cultivation of cash crops represented a tiny proportion of the lands under cultivation in Diyarbakir (2.86%), there was a significant cash crop production of cotton, sesame seeds, olive, tobacco, and linseed. In total, 5,667,000 *kıyye*<sup>7</sup> of cash crops were produced in Diyarbakir compared to 2,960,000 *kıyye* in Mamuretülaziz. Total cash crop production amounted to 656,580 *kıyye* in Van. 480,000 *kıyye* of cash crop production in this province was of tobacco and the

7 Okka, about 1300 grams.

rest was of linseed. Linseed was produced for its oil and its production fluctuated contingent on petroleum prices. Among the eastern provinces, cash crop production was the lowest in Erzurum with a total of just 72,800 kıyye.<sup>8</sup>

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8 Faik Sabri, *Osmanlı Coğrafya*, 208–9.

Table 5.2 Cash Crop Production in the Eastern Provinces

Province	Cotton		Linseed		Sesame		Olive		Opium		Tobacco		Total
	Raw kıyye	Seed	Raw kıyye	Seed	Piece kıyye	Oil kıyye	Piece kıyye	Oil kıyye	Opium	Kıyye	Kıyye	Kıyye	
Erzurum	5700	-	100	52,000	-	15,000	-	-	-	-	-	-	72,800
Bitlis	146,000	113,000	3000	120,000	14,600	-	-	-	-	-	177,000	-	573,600
Diyarbakir	1,5000,000	564,000	-	-	2,650,000	513,000	10,000	-	29,000	1,050,000	430,000	-	5,667,000
Mamuretülaziz	1,490,000	117,000	50,000	14,000	210,000	-	-	-	29,000	1,050,000	430,000	-	2,960,000
Van	-	-	480	176,000	-	-	-	-	-	-	480,000	-	656,480
Total	3,141,700	794,000	53,580	362,000	2,874,000	528,000	10,000	10,000	29,000	2,137,000	2,137,000	-	9,929,880

SOURCE: Faik Sabri, *Osmanlı Coğrafya-i İktisadiye* (Dersaadet: Kanaat Matbaası, 1331), 208-209.

Another important socioeconomic activity in the region was animal husbandary. Flocks of sheep in Van were exported to Aleppo from which a part was further exported to Egypt.<sup>9</sup> The number of sheep exported from Van on an annual basis was around a hundred thousand head in the 1900s.<sup>10</sup> There were several factors that affected sheep trade in the region. First was weather. In years of drought, animals could not be properly fed and their value diminished. Another factor was diseases that affected the number of animals that could be exported. Cholera quarantines and the insecurity of roads also affected sheep trade.

In the second half of the nineteenth century, European goods began to be imported to the eastern provinces, though the market for these products was limited owing to the general poverty of the people. Yarn, cotton clothes, tea, and sugar were among the primary goods imported from foreign countries. As export trade had not been developed and the bulk of the population depended solely on agricultural production, most people could only buy the bare necessities of life. Another factor that affected trade trends in the region was the economic crisis that started in 1873. The exports of the region included sheep, mohair, wool, nutgalls, and kidskin. In years with good harvests, wheat from Erzurum was exported to Russia.<sup>11</sup>

Local manufacturing was undeveloped in the eastern provinces. As in other parts of the empire, local manufacturers faced enormous difficulties with the introduction of European goods throughout the century. In Diyarbekir, silk and cotton clothes were produced and sent to other provinces. There was also silk and cotton manufacturing in Mamuretülaziz Province.

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9 “Van,” *Report for the Years 1887-8 on the Trade of the District of Erzeroum*, Foreign Office, 1889, Annual Series, no. 527 (London: Harrison and Sons, 1889), 7.

10 Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389 (1900-1910).

11 “Report on the Trade of Erzeroum for 1891,” *Report for the Year 1891 on the Trade of the District of Erzeroum*, Foreign Office, 1892, Annual Series, no. 1050 (London: Harrison and Sons, 1892), 1-5.

## § 5.2 Agricultural Production

The massacres of 1894-97 directly affected agricultural production as it led to the scattering of thousands of people and the disruption of agricultural activities. At the height of massacres, thousands of people had fled their homes in rural areas, and many of them would not soon return due to security concerns. This wave of violence and insecurity gravely hindered agricultural production during these years.

It is impossible to determine the net effect of massacres on agricultural production. Tithe revenues provide important insights in this regard.<sup>12</sup> On the other hand, the tithe revenues of some provinces were not included in the yearbooks. Furthermore, it is not possible to take tithe revenues as net indicators of agricultural production because changes in the tithe collection system and procedures affected the revenues collected. In his examination of the transformation of the tax regime in the Ottoman Empire, Nadir Özbek notes that the Ottoman government introduced changes in the tax regime in an attempt to increase the central government's share of agricultural surplus and to secure the transfer of predetermined sums to the treasury on a regular basis.<sup>13</sup> Thus, tithe farming procedures were changed. In previous years, tithe farming was granted to the highest bidder. According to the new rules, tithe farming would be granted on the basis of fixed revenues (*maktuan ihale*). Özbek points out that these changes contributed to the escalation of the tax farmers' (*mültezim*) oppressions of agriculturalists in different parts of the empire.<sup>14</sup> Tax collection procedures were also regulated in the Ottoman reform plans in the 1890s. According to the reform plan for the eastern provinces, the responsibility for tithe farming would be given to the villagers themselves. Özbek notes that this stipulation notwithstanding, *mültezims*

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12 For an analysis of tithe revenues in different provinces of the Ottoman Empire, see Donald Quataert, "Ottoman Reform and Agriculture in Anatolia, 1876-1908" (PhD diss., University of California, 1973).

13 Nadir Özbek, "Tarımsal Üreticiler, Aşar Vergisi ve İltizam Sistemi, 1839-1908," in *İmparatorluğun Bedeli: Osmanlı'da Vergi, Siyaset ve Toplumsal Adalet (1839-1908)* (Istanbul: Boğaziçi Üniversitesi Yayınları, 2015), 68-69.

14 *Ibid.*, 70.

managed to secure tithe collection rights in several regions. In practice, tithe farming by villagers was rare except in Van where tithe farming was carried out by strong tribal leaders.<sup>15</sup>

Tithe revenue in Bitlis is only available for 1892 and amounted to 4,666,330 kuruş.<sup>16</sup> This figure is significantly low with respect to the area under cultivation in Bitlis, which can be seen as an indicator that the government failed to extract the same ratio of surplus value from agricultural production in this province compared to other eastern provinces. Tithe revenue in Van amounted to 4,394,017 kuruş in 1896.<sup>17</sup> Tithe revenue in Mamuretülaziz was 8,564,903 kuruş in 1889 and 8,576,748 kuruş in 1893.<sup>18</sup> After the massacres, there was a significant decrease in the tithe revenue from this province, and tithes collected in 1906 amounted to 7,715,999 kuruş.<sup>19</sup> The sum of revenue in Diyarbekir was 4,859,704 kuruş in 1890, 7,388,260 kuruş in 1893, 6,059,689 kuruş in 1897, 7,419,509 kuruş in 1898, 6,606,868 kuruş in 1899, and 6,181,723 kuruş in 1900.<sup>20</sup> Thus, in Diyarbekir, there was a decline in tithe revenue in the years between 1893 and 1897. Moreover, with the exception of the tithe revenue of 1898, tithe revenue in years that followed the massacres were less than the tithe revenue of 1893. There was a significant decrease in tithe revenue in Erzurum in the aftermath of the massacres. Tithe revenue in this province was 11,805,899 kuruş in 1892, 19,150,625 kuruş in 1894, 11,251,842 kuruş in 1896, and 15,196,661 kuruş in 1900.<sup>21</sup>

This examination of tithe revenue in the eastern provinces illuminates two important points. First is that there were important differences among the eastern provinces in terms of the ratio of agricultural surplus taken by the

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15 Ibid., 80-81.

16 *Salname-i Vilayet-i Bitlis* (1310).

17 *Van Vilayeti Salnamesi* (1313), 205.

18 *Mamuretülaziz Vilayeti Salnamesi* (1312), 277.

19 *Salname-i Vilayet-i Mamuretülaziz* (1325).

20 *Salname-i Vilayet-i Diyarbekir* (1308), 163; *Diyarbekir Vilayetinin Salnamesi* (1312), 149; *Diyarbekir Salnamesi*, (1314), 154; *Salname-i Vilayet-i Diyarbekir* (1315), 182; *Salname-i Vilayet-i Diyarbekir* (1316), 180 and *Salname-i Vilayet-i Diyarbekir* (1317), 23.

21 *Salname-i Vilayet-i Erzurum* (1308), 219; *Salname-i Vilayet-i Erzurum* (1310), 265; *Salname-i Vilayet-i Erzurum* (1313), 289 and *Salname-i Vilayet-i Erzurum* (1316), 437.

treasury with respect to the area under cultivation. The acreage under cultivation in Erzurum and Diyarbekir was the same according to a source from 1909;<sup>22</sup> however, tithe revenue in Erzurum was significantly higher than tithe revenue in Diyarbekir in the 1890s. At their peak – 1898 for Diyarbekir and 1894 for Erzurum – the sum of tithe revenue in Erzurum was more than two times higher than Diyarbekir. This indicates that the capacity of the state to appropriate surplus value of agricultural production varied among the eastern provinces. Differences in the patterns of land ownership, local power structure, and relations between the central authority and local powerholders affected this outcome. Another point illuminated by this examination is that there was a significant decline in tithe revenues in some eastern provinces in the aftermath of massacres.

One of the most significant effects of massacres and the rise of a pillage economy on agricultural production was a decrease of the area under cultivation in some parts of the Ottoman East. This decrease was noted by several British consular officials who visited rural parts of the eastern provinces in the 1890s and 1900s. In one report dated 1903, it was noted that Kurds were not inclined towards laborious agricultural production due to their cultural traits, and they preferred to grow crops like millet that required less labor than wheat. The report added that the surplus grain in Diyarbekir Province came from districts like Silvan and Beşiri that had considerable Christian populations. According to the author of the report, Vice-Consul Anderson, the transfer of land from Armenians to Muslims had hindered prospects for agricultural development in the region. The vice-consul noted that

it is difficult to see how there can ever be any great progress as long as the land remains in the hands of its present masters the Kurds. If they confined themselves to their native mountains leaving the plains to those who could cultivate them all would go well but at present while large areas of splendid arable land are left untouched that which is

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22 Faik Sabri, *Osmanlı Coğrafya*, 204.

cultivated is not made to yield a quarter of what it is capable of yielding.<sup>23</sup>

According to another account dated May 1905, the tithes of agricultural produce in Diyarbekir Province had dropped from 70 to 46 thousand pounds between the years of 1901 and 1905 as a result of disturbances. According to this account, Siverek and Beşiri, “the two wealthiest kazas in the vilayet produced practically nothing” in 1905 and “the fertile kazas of Derik and Nusaybin on the Mesopotamian plain furnished about one half of their usual produce.”<sup>24</sup> According to this account, great land owners complained “that half of their property” was “out of cultivation while the difficulty and risk attending transport” deprived them of a market for what was produced.<sup>25</sup> As examined by Hilmar Kaiser, conflicts between local powerholders was a primary reason for disturbances in the Diyarbekir region in the early 1900s.<sup>26</sup>

According to British reports, the decrease of area under cultivation and the decline of agricultural production accompanying it was not specific to the Diyarbekir region. As stated by Vice-Consul Heard, the state had “suffered an irreparable loss in the destruction of the principal agricultural element” that could be seen in the diminished agricultural revenues in Muş.<sup>27</sup> In this region, tithe revenue was reported to have dropped from 125 to 35 thousand lire. This trend was even more striking with respect to the district of Malazgird where tithe revenue dropped from 60 to 6 thousand lire. According to Vice-Consul Captain Dickson, the insecurity of the Christian population in rural areas was the main reason for the decrease in the gross area under cultivation in Van. He estimated that if security was provided “probably ten times the present

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23 TNA: FO 195/2147, Mr. Vice-Consul Anderson to Sir Nicholas O’Conor, 27 March 1903.

24 TNA: FO 195/2196, Acting Vice-Consul Wilkie Young to Sir N. O’Conor, May 1905.

25 Ibid.

26 Hilmar Kaiser, *The Extermination of Armenians in the Diyarbekir Region* (Istanbul: Istanbul Bilgi University Publications, 2014); see also Joost Jongerden, “Elite Encounters of a Violent Kind: Milli İbrahim Pasha, Ziya Gökalp and Political Struggle in Diyarbekir at the Turn of the 20th Century,” in Jongerden and Verheij, *Social Relations*, 55–84.

27 TNA: FO 195/2251, Vice-Consul Heard to Sir N. O’Conor, 10 December 1907.

amount of land ... [would] be cultivated with a corresponding increase in revenues.”<sup>28</sup>

The decrease of area under cultivation also complicated the issue of tax collection. In several localities, large lands were left uncultivated due to the fact that there were not enough men or oxen to till them.<sup>29</sup> On the other hand, tax assessments were still being made based on the value of crops that these lands *used to* bear. Thus, peasants had to pay the same amount of taxes despite the decline in agricultural production. This issue increased the tax burden of Armenians who did not leave their villages.

The decrease of area under cultivation in some parts of the Ottoman East was a trend strengthened by the prospect of emigration. For example, the people of Ahlat and Bulanık together with peasants from Muş did not conduct any form of agricultural activity in the spring of 1907 due to their plans to immigrate to Russia. They claimed that even if the harvest were successful, they would starve in the winter due to debts to Kurds. Denying them permission to leave, the local government sent gendarmeries to their towns “for the purpose of compelling the Armenian peasants to plough and sow the lands.”<sup>30</sup>

The account of a British vice-consul who visited the Bulanık region of Bitlis a number of times clearly illuminates the decline of the Armenian agriculturalist population in this region. According to the estimates of the vice-consul, in twenty-six villages of Bulanık there had been 3390 Armenians in 1902. The number in the same villages was just 1213 in 1907. In some of these villages there were no Armenians by 1907. For example, Sheikhvali village, which had had a population of thirty Armenians, was occupied by the Kurds of Said Agha of Postakand, and no Armenians remained in 1907. Likewise, in Agrag village which had had an Armenian population of 100 people in 1902, there were no Armenians remaining in 1907. This village was noted to have been ruined by a major named Haydar. In the place of of Armenians, twelve immigrant families had been settled. The vice-consul noted that the settlement of immigrants was causing problems at the local level as immigrants attacked

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28 TNA: FO 195/2250, Vice-Consul Captain Dickson to Sir N. O’Conor, 31 March 1907.

29 TNA: FO 195/2196, Vice-Consul Tyrrell to Sir O’Conor, 11 October 1905.

30 TNA: FO 195/2250, Acting Vice-Consul A. Safrastian to Consul Shipley, 11 May 1907.

the remaining Armenians in order to occupy their lands. In this account, local Kurds were grouped into three. The first of these groups was the heikhs who derived their power from religious authority. The second was “torun” Kurds – big, powerful Kurdish families that comprise all Hamidiye officers. The third group was “reaya” Kurds – ordinary Kurdish peasants. The vice-consul noted that sheiks and torun Kurds were always plotting evil against the Armenians, while reaya Kurds were “as much oppressed and persecuted as Armenians.”<sup>31</sup> The vice-consul stated that even fathers and sons could not live together in peace in torun families, and thus they tended to occupy new villages. He noted that torun Kurds had occupied fifteen Armenian villages in the region in the previous ten years. Due to the oppression by these occupiers, only a few Armenian families in these villages stayed, while the rest went to neighboring provinces or foreign countries. Despite the decline of labor force and cultivation due to migration, the authorities continued to demand the same amount of taxes. This situation led to the increase of tax burden of Armenians who did not leave their villages. According to the vice-consul, “one might say that the real reason of the destruction of the Armenian element in Bulanik was the severe collection of the taxes of emigrants.”<sup>32</sup>

British correspondence and reports indicate that the massacres caused a more significant decline in terms of agricultural production in certain eastern provinces like Bitlis and Van. According to a British report on the agriculture of Central and Southern Kurdistan, agricultural production in the Bitlis region was in decline despite the fact that the region was amenable to cultivation.

In Bitlis, the plain of Mush with its rich alluvial soil and its two rivers, the Murad and Karasu, offers admirable opportunities for irrigation. Owing to the gradual ruin of the agricultural population, however, this district produces less and less every year. The same is true of the Bulanik plain, which is potentially and admirably a corn growing district with abundance of water.<sup>33</sup>

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31 TNA: FO 195/2283, Acting Vice-Consul A. Safrastian to Consul Shipley, 8 February 1908.

32 Ibid.

33 TNA: FO 195/2283, W. B. Heard to Sir O’Conor, 26 February 1908.

This report also noted that despite the confirmed quality of its wheat, which was tested in the United States, agriculture was also declining in the Ahlat district. This general report on agriculture provides information regarding different provinces. The report states that “in general it may be said that the country is much undercultivated and should produce vastly more than it does at present. The reasons for this deficiency, briefly stated are the general insecurity, the want of export facilities and the sparseness of the agricultural population.”<sup>34</sup>

As examined in the previous chapter, thousands of lands had changed hands in the Hamidian period. Property transfer from Armenians to Kurds – especially to Kurdish powerholders – also affected agricultural production. The former owners of these lands were primarily engaged in agriculture, but the Kurdish chiefs and notables who were the new owners of these disputed lands were primarily engaged in stock farming. In a number of localities, agricultural lands seized by Kurds began to be used as pastures rather than being tilled for agricultural production. For example, lands in numerous villages of Van began to serve as facilities for the livestock of Haydaranlı Hüseyin Pasha. As noted in previous chapter, property transfer in the Ottoman East can be seen as a development that contributed to the expansion of large land ownership in the region. This research does not find that the usurped lands were used for the production of cash crops. British reports, Armenian accounts, and the yearbooks provide no data that would indicate such a trend. On the other hand, agricultural lands usurped in some localities were used for market-oriented production by those who could store large quantities of grain. In Van, Hüseyin Pasha began to control a significant part of the agricultural production after the massacres. He had seized vast swaths of land, and while he used some of these usurped lands as pastures, he used others to settle the members of his tribe and undertake agricultural production.<sup>35</sup> By 1898, Armenian peasants throughout the region were

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34 Ibid.

35 In a meeting with British consular staff, Hüseyin Pasha argued that he had invested 400 lire to improve irrigation on some lands that he had seized. TNA: FO 195/2458, M. Smith to Sir Louis Mallet, 14 February 1914.

complaining that they paid taxes and cultivated the fields, but Hüseyin Pasha carried off their crops.<sup>36</sup> According to British consular correspondence, Hüseyin Pasha attempted to seize as much as grain as he could with the hope of raising prices when he decided. The hoarding of wheat by Hüseyin Pasha, Hasan Pasha – the mayor of the town –, and two Armenian merchants named Tersibashian Marotian and Bukhbukhoglu led to an artificial famine in Van in 1899 during which the price of bread increased tremendously.<sup>37</sup> Bakers began mixing earth and various other ingredients with the flour. According to the Armenian bishop, 20 thousand people were in want of food during this famine. In the next year, the same pattern recurred and the inhabitants of Van suffered another famine-like distress exacerbated by speculation.<sup>38</sup> As this case exemplifies, it was not only Kurdish aghas who oppressed the population in the eastern provinces. Armenian merchants played a part in the impoverishment and starvation of the masses in the aftermath of the massacres.<sup>39</sup>

British consular correspondence also indicates that the massacres and disturbances in the 1890s affected livestock trends. Raids in which flocks of sheep belonging to peasants were rustled by tribesmen became widespread in the 1890s. Lack of security for small-scale ranchers contributed to the emergence of large flocks among those with sufficient access to grazing lands who could secure the safety of their flocks.

### § 5.3 Agricultural Relations

As noted above, agricultural production was the main socioeconomic activity for the bulk of the population in the eastern provinces. In this part, I examine the ways in which agricultural relations were affected by the massacres and the

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36 TNA: FO 195/2021, Vice-Consul Elliot to Sir N. O’Conor, 14 October 1898.

37 TNA: FO 195/2063, Vice-Consul Maunsell to Sir N. O’Conor, 20 February 1899 and Vice-Consul Maunsell to Sir N. O’Conor, 18 April 1899.

38 TNA: FO 195/ 2082, Vice-Consul Maunsell to Sir N. O’Conor, 19 June 1900.

39 For an analysis of class differences among Armenians, see Cora, “Osmanlı Taşrasındaki,” 23–44. For famine and starvation, see Özkan, 304–322; and Özge Ertem, “ ‘Önce Ekmekler Bozuldu’: 1880 Diyarbakır Ekmek İsyanı,” *Toplumsal Tarih* 194 (February 2010): 74–79.

processes of property transfer and dispossession that accompanied them. The findings of this research indicate that agricultural relations in some provinces like Bitlis and Van were radically transformed in this process. On the other hand, there are no agricultural records from the period before 1909 that enable us to determine the net effects of the transformation of the land regime and the processes of property transfer on patterns of land ownership in the region.

There were mainly two groups of agriculturalists in the Ottoman East. The first was comprised of independent farmers who cultivated their own lands. This class was better off than the other, as they cultivated their own lands with their own means. The second group was comprised of sharecroppers or *marabas* who made specific arrangements with landowners or lenders. The details of these arrangements varied from place to place and largely depended on the means of the sharecroppers. In the type of sharecropping called *münasafe*, the landowner provided sharecroppers with a sum of money for the expense of oxen and agricultural implements, as well as seeds. After the harvest, crops were shared equally between the land owner and the sharecropper. In several accounts, it was noted that the debts of sharecroppers to landowners increased significantly through the years, and sharecropping was often reduced to a slave-like situation.<sup>40</sup> The primary reason for this escalation was the verbal nature of the contracts between the parties. Landowners could demand debts from the sharecroppers at any time and increase their burden. Another type of sharecropping was *müsellese*, according to which the landowner provided agricultural implements, oxen, and seeds, and the sharecropper provided the labor from tilling to harvest. In this agreement, sharecroppers received one third of the harvest after the deduction of an amount dedicated for taxes. The third type of sharecropping was called *çarık*, according to which landowners provided half of the seeds and collected one fourth of the harvest.<sup>41</sup> The Armenian intellectual, A-Tō, who visited the eastern provinces after 1908, noted that sharecroppers in the districts of

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40 “Diyarbakir Vilayetinin Ahval-i Umumiye-i Zirâiyyesi” (Diyarbakir vilayeti ziraat müdiriyetinin 19 Mayıs sene 329 tarihli raporu), *Ticaret ve Ziraat Nezareti Mecmuası* 28, (Dersaadet, 1329), 306–309.

41 Ibid.

Beyazıt, Apag and Mutki were also expected to carry out other manual tasks demanded by landowners.<sup>42</sup>

In a report titled “Land Tenure in Eastern Turkey,”<sup>43</sup> British consul Palgrave claimed that during the reigns of Sultan Mahmud II and Sultan Abdülmecid, estate titles were annulled, property was divided, and landlords and tenants were “placed on a level.”<sup>44</sup> The consul claimed that these changes had devastating effects on the regime of land tenure and led to the expansion of marabalık. According to the estimates of the consul, the acreage of land divided in Eastern Turkey in estates exceeding fifty acres – whether state property, endowments, or private property – was 12,685,020 acres (excluding Arabia). The total of land divided into estates fifty acres or fewer, cultivated by the owners themselves or by marabas, was 38,855,062 acres. According to the calculations of the consul, 24.61 percent of all cultivated land was on large estates larger than fifty acres.<sup>45</sup> According to Ottoman agricultural records, this percentage was around 30 percent in the eastern provinces in 1909.<sup>46</sup>

In the Diyarbekir region, large land ownership was historically strong, and beys and aghas owned several villages in the province. The great majority of land in this province was cultivated by marabas. The conditions of marabas in the region depended on the inclinations of landowners. According to Vice-Consul Heard, some masters treated marabas well, though they did “not allow any farmer, however well-to-do to cut himself free from marabalık and set upon his own account” or “to borrow money from any but themselves.”<sup>47</sup> The

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42 A-Tö, *Vani, Pit'lisi*, 276.

43 It should be noted that the geographical scope of this report was not limited to eastern provinces; using the term Eastern Turkey, the author referred to a vast geographical area including Anatolia, Kurdistan, Iraq, and Syria.

44 “Report by Consul Palgrave respecting Land Tenure in Eastern Turkey,” in *Reports from Her Majesty's Representatives Respecting the Tenure of Land in the Several Countries of Europe: 1869-70* (London: Harrison and Sons, 1870), 285. For a detailed examination of this report, see Pamuk, *Ottoman Empire*, 90–95.

45 *Ibid.*, 286.

46 Tevfik Güran, ed., *Osmanlı Dönemi Tarım İstatistikleri, 1909, 1913 ve 1914*, Tarihi İstatistikler Dizisi, vol. 3 (Ankara: State Institute of Statistics, Prime Ministry Republic of Turkey, 1997), 28–29.

47 TNA: FO 195/2283, Vice-Consul Heard to Sir Nicholas R. O'Connor, 28 January 1908.

consul noted that other masters, like Muharrem Bey and Sadık Bey, who were brothers, treated marabas with cruelty and violated their family honor at their pleasure. The research carried out for this research did not reveal any documents to indicate that there was a change to agrarian relations in this province after the massacres of 1894-97.

Unlike Diyarbekir, one of the most significant effects of Hamidian massacres was the dispossession of Armenian peasants and the erosion of small-scale Armenian peasantry in the Bitlis region. Besides seizures carried out by force and confiscations carried out by state authorities for back debts or for having been abandoned, a group of local powerholders managed to amass large tracts of land in Bitlis through debt relations. In this province, numerous peasants who formerly cultivated their own lands became indebted to *selefdars* who came to control a significant part of the agricultural production in the province after the massacres. As noted in the previous chapter, selef was a specific type of credit. For example, a borrower who took twenty-five piasters from a selefdar was obliged to provide one kiles of wheat or one sheep seven or eight months after the date on which he took this credit. According to Kegham Der Garabedian, this was a form of plunder; the actual value of these items were significantly higher than the loans. If the payment could not be made in time, the amount to be paid was doubled each year. According to Garabedian, the expansion of the practice of selef was related to changes in tax collection procedures.<sup>48</sup> The novelty of the practice was underscored by the dragoman in charge of the vice consulate of Britain in Bitlis, Mr. Safrastian, who argued that this practice was introduced in the region by Circassian immigrants and became common after local Kurds began establishing themselves as selef creditors. According to Safrastian, the expansion of this practice was related to the monetarization of tax collection.<sup>49</sup> Selefdars were mostly urban notables, although some beys and aghas residing in rural areas were also involved in this type of usury in the 1890s. Several plots of land were thus acquired from peasants who could not pay off their piling debt. While forbidden by the local government in the early 1900s, selef

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48 Garabedian, *Hoghayin*, 28–29.

49 TNA: FO 195/2283, Acting Vice-Consul A. Safrastian to Consul Shipley, 8 February 1908.

agreements continued to be made in the district. Selef was instrumental in the eradication of independent farmers in the Bitlis province in the years following the massacres. British Vice-Consul Captain Dickson, who compiled data regarding independent Armenian farmers in the villages of Muş, prepared a detailed report indicating the extent to which selef had affected the transformation of agricultural relations there. The British vice-consul had conducted visits to the same villages at different times and he was able to gather comparable data. His main source of information was villagers and local leaders (*reises*) who spoke with him in the presence of other notables. According to his report, the number of Armenian households in thirty-eight villages of Muş that were inhabited by Armenians had dropped to 2087 from 3052 between 1902 and 1907. The number of independent farmers in these thirty-eight villages was 1656 in 1901-1902. The number of independent farmers in the same villages in 1907 was only 265. In some of these villages, there were no independent Armenian farmers remaining in 1907. For example, there were forty Armenian households in the village of Zapna in 1902. The number had dropped to twenty-five by 1907. What is more striking is that the number of independent farmers in the village had dropped to zero from twenty. The case in the village of Goravi was similar. In this village, the number of households had decreased from 120 to sixty, and the number of independent Armenian farmers had decreased from eighty to zero. Fifty people in Goravi were employed as metayer farmers (*marabas*). In the majority of these villages, *marabalik* was introduced in the years following the massacres. In total, there were 224 metayer farms in these thirty-eight villages in 1907. Together with aghas and beys, *selefdars* had gained possession of several villages in the district. The report shows that Hacı Faris had become an influential figure in the region through selef activities. On the other hand, he was also using coercion to achieve his ends. In Hasköy, he was said to have instigated the murder of eighteen notables over a period of twelve years in line with his efforts to gain possession of the village. Among all the villages visited by Captain Dickson, Hasköy was the only village in which the Armenian population had increased between 1902 and 1907. In 1902, there were 350 Armenian households there, while the number had increased to 370 in 1907. Despite this rise, there was a decrease in the number of independent

Armenian farmers which had dropped from 180 to twelve. Over forty Armenians were working as marabas and there were thirty Kurdish households, the number of which was increasing annually. In several villages, Armenians were reported to have been reduced to the position of serfs or living in slavery-like conditions.<sup>50</sup>

In Van, the power of the Kurdish tribes in the Hamidian Regiments and of the Haydaranlı tribe was paramount. According to the British consul, Hüseyin Pasha had all but become the ruling authority in the region. The sharia judge (*kadı*) and acting district governor of Adilcevaz told the consul that litigants “knew it was no use troubling him [the *kadı*], but were in the habit of taking their cases directly to Hüseyin Pasha for decision.”<sup>51</sup> Thousands of Armenian peasants had become scattered throughout the province, and many emigrated to Persia or Russia. Due to restrictions on emigration introduced after the massacres, those dispossessed of their lands had to “remain to swell the total of homeless and unemployed.”<sup>52</sup> In 1908, Vice-Consul Captain Dickson conducted a visit in the region travelling to Shekak, Başkale, Gever, Urmi, Salmas, Kotur Saray, Erciş, Adilcevaz, Eleşgirt, and Patnoz. In his report, he underscored that several villages had been deserted after the massacres, and Kurds were settled in some of the villages. In villages still occupied by Armenians, Armenians worked the soil “while Hüseyin or Emin as the case may be,” had “some families of their Kurds living gratis in the village to act as their agents and task masters, as the position of the Armenians” was “little better than that of slaves.”<sup>53</sup> Some lands in the region were appropriated by Kurds who provided seeds to the Armenians. In these marabalık arrangements, taxes and tithes were paid out of the share of the Armenians.<sup>54</sup> Many Armenians scattered around the region had become servants in Haydaranlı villages, carrying out agricultural tasks in return for lodging and protection. Even when – in an attempt to improve tax revenue – the local

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50 TNA: FO 195/2251, Vice-Consul Captain Dickson to Sir N. O’Conor, 23 September 1907.

51 TNA: FO 195/2147, Vice-Consul Tyrell to Sir N. O’Conor, 24 December 1903.

52 TNA: FO 195/2196, Vice-Consul Tyrell to Sir N. O’Conor, 11 October 1905.

53 TNA: FO 195/2283, Vice-Consul Captain Dickson to Sir N. O’Conor, 31 January 1908.

54 Ibid.

government took steps to return these Armenians to their villages, few returned to their homes. According to the vice-consul, the majority preferred “the serf’s life” they were leading with the Kurds, “to the incessant persecution and oppression they would probably have to put up with if they returned to their villages.”<sup>55</sup>

As noted in previous chapters, the mass violence against Armenians came to an end in 1897. However, the “pillage economy” continued to dominate property ownership trends and socioeconomic relations in some eastern provinces. In Van, tribal leaders began to fight among themselves to increase their share of the pillage. Correspondence among Ottoman authorities regarding these disputes highlight several important issues like the differences of opinion among Ottoman authorities and the lack of the rule of law in the province. This correspondence indicates that in practice the stipulations of the Land Code were not followed in Van. In a telegram sent to Van, Diyarbekir, Bitlis, and Erzurum provinces on 10 June 1902, the Inspection Commission (*Tesrî-i Muamelat Komisyonu*) noted that it had received a complaint from the Commander in Chief (*Serasker*) who claimed that the lack of attention on the part of the officials of the property records administration was causing disputes among the members of the Hamidian troops. Serasker requested that the property records administration officials be warned.<sup>56</sup> Thus, according to the Serasker, the cause of the trouble was ignorance on the part of local officials. In response to these allegations, the property records administration in Van presented a detailed examination of the situation of land disputes. According to the administration, the responsibility lay with tribal leaders and the officers of the Hamidian Regiments themselves. The administration noted that members of the Hamidian Regiments were behaving “as if the districts

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55 Ibid.

56 “Hafif süvâri alayları zâbitân ve efrâdı beyinde arâzi ve emlâk mu’âmelâtından dolayı vukû’a gelmekde olan münâza’at defter-i hâkânî me’mûrlarının ‘adem-i takayyüdlere münba’is olduğundan...” BOA: DH.TMIK.M 125/34, the Inspection Commission to the provinces of Van, Diyarbekir, Bitlis, and Erzurum and to the Ministry of Property Records, 28 Mayıs 1318 (10 June 1902).

they were located were given to them as their *mülk* holdings.”<sup>57</sup> It was noted that in these districts, sale and transfer procedures were not being carried out. Leaders of the tribes affiliated with the Hamidian Regiments were giving lands to one another as they pleased. It was also noted that they forcefully occupied rural lands belonging to local Christians that had moved to other countries or localities during the disturbances. The administration emphasized that these Christians had title deeds for the lands. According to the administration, though some properties were registered and given title deeds during the first registration campaign carried out in 1288 (1872/1873), these deeds “were also treated as null and void” in the region.<sup>58</sup> The administration gave a striking example to illustrate the widespread nature of land disputes and the conflicts to which they led at the local level. In Barkiri district, Derviş Agha, a captain in the Hamidian Regiments, was in possession of several plots of land and held a title deed. Mehmed Sadık Bey, the Hamidian district governor (*kaymakam*), had forcefully seized these lands and given them to a third party. While paying the land tax for the properties in dispute, Derviş Agha had to move out of this district and buy land in another district. The administration noted that this was not an isolated incident but a common phenomenon in the provinces in which Hamidian troops were established. The administration argued that what lay behind these disputes was the illegal acts of tribal leaders. The administration suggested that the problems could only be resolved if tribesmen were pushed to register their lands and were not allowed to use lands in their possession without title deeds. The administration also suggested that abandoned lands should be taken from them and sold in auctions. The Inspection Commission accepted the suggestions of the property records administration in Van, which were actually a summary of what should be done according to Ottoman legislation.<sup>59</sup> From the account of the property records administration in Van, it is understood that tribal leaders

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57 “... bunlar buldukları kazâlar güyâ kendilerine temlik-i şâhâne olmuş gibi...” BOA: DH.TMIK.M 125/34, tahrirat of official of the property records administration of Van, 15 Mayıs 1317 (28 May 1902).

58 “... onların da kezâlik keenlemyekün hükmünde tutularak...” Ibid.

59 BOA: DH.TMIK.M 125/34, the Inspection Commission to the provinces of Van, Diyarbekir, Bitlis and Erzurum and to the Ministry of Property Records., 28 Mayıs 1318 (10 June 1902).

were influential in distributing lands to their followers. They could also take lands and transfer them to others as they wished. How did this situation effect intra-tribal relations? Did it contribute to the expansion of marabalık in Van? These questions can only be answered through further research.

#### § 5.4 Trade

The disturbances that started with the Erzurum events in the 1890s and expanded with the 1894-97 massacres also affected manufacture and trade in the eastern provinces. As noted by Şevket Pamuk, the integration of this region to capitalism was already slower than in other parts of the empire, like Western Anatolia.<sup>60</sup> Trade in the region was already stagnant for four main reasons. First was the difficulty and cost of transportation. The second factor that led to the stagnation of trade before the 1890s was the devastation caused by the Russo-Ottoman War. Another factor that affected this trend was the collapse of the Ottoman economy in these years, which led to bankruptcy of the state and the establishment of General Debt Administration. Finally, the purchasing power of the population in the region was low as the bulk of the people depended on selling agricultural produce on the provincial market. Trade in all eastern provinces was affected by these factors, and there was a steady decline in trade in almost all these provinces between 1881 and 1888. Imports from Europe to Erzurum decreased from 171,000 to 128,000 pounds between those years.<sup>61</sup>

In this part, I examine British trade reports on trade in the region and elaborate on the effects of the massacres and the emergence of a pillage economy on trade. This examination shows that one of the most significant results of the massacres and the emergence of a pillage economy was the

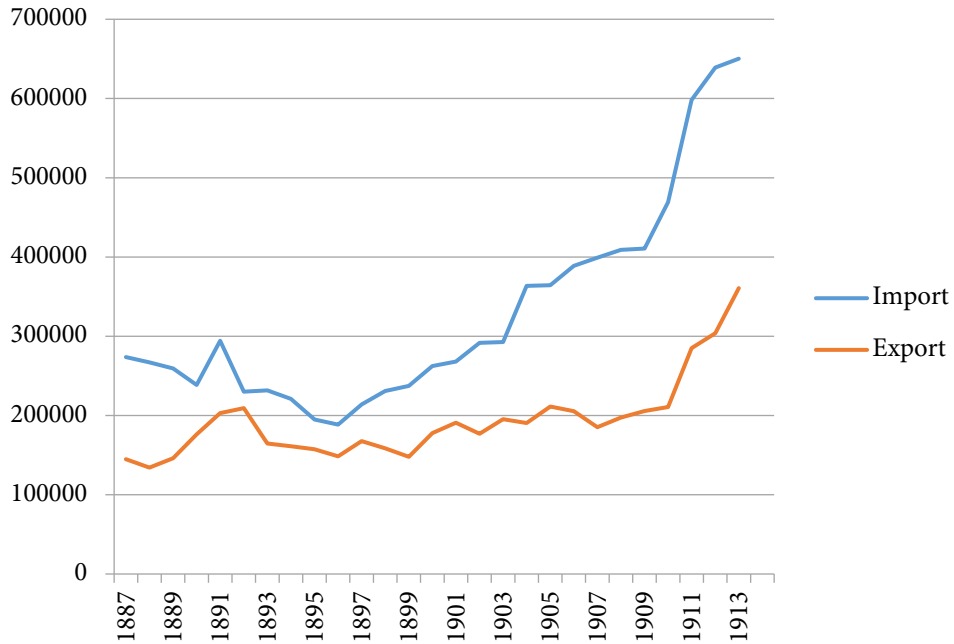
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60 Şevket Pamuk, "Agriculture and Economic Development in Turkey, 1870-2000," in *Agriculture and Economic Development in Europe since 1870*, ed. P. Lains and V. Pinilla (London: Routledge Publishers, 2008), 375-396 and Tevfik Güran, *19. Yüzyıl Osmanlı Tarımı* (Istanbul: Eren Yayınları, 1998).

61 "Report on the Trade and Commerce of Erzeroum for the Years 1887-8," *Report for the Years 1887-8 on the Trade of the District of Erzeroum*, Foreign Office, 1889, Annual Series, no. 527 (London: Harrison and Sons, 1889), 2.

decline of trade in most parts of the region and that there was variation among the eastern provinces in terms of trade trends in the aftermath of massacres.

Chart 5.1 Import and Export Trade of Erzurum (in pounds)



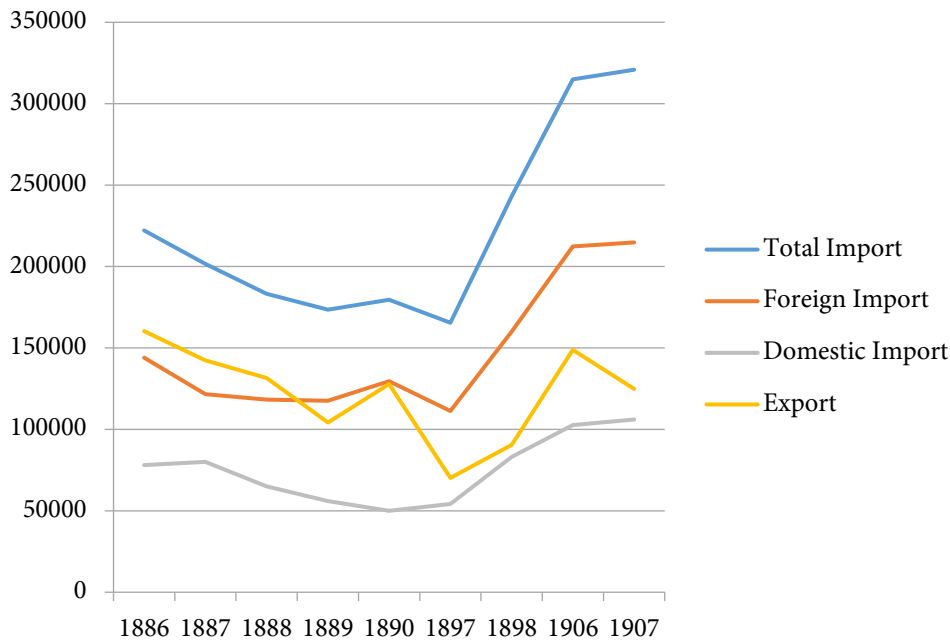
NOTE: These values show import and export trade to foreign countries and other Ottoman provinces.

SOURCE: Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 527, 930, 1050, 1426, 1608, 1821, 1976, 2163, 2233, 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389, 4545, 4734, 4985, 5159, 5370 (1889-1914).

Chart 5.1, which is based on data from annual British trade reports, illustrates the export and import trade in the Erzurum province between 1887 and 1913. As seen on the chart, there was a significant decline in both import and export trade following disturbances that started in 1890. The decline in export trade recovered in 1905, while the value of imports reached pre-massacre rates in 1904. Both export and import trade reached their lowest ebb in 1896. In this

year, import and export trade were almost “one-third less than they were 10 or 12 [years] ago.”<sup>62</sup>

Chart 5.2 Import and Export Trade of Mamuretülaziz (Harput)



NOTE: The export values show total export trade to foreign countries and other Ottoman provinces.

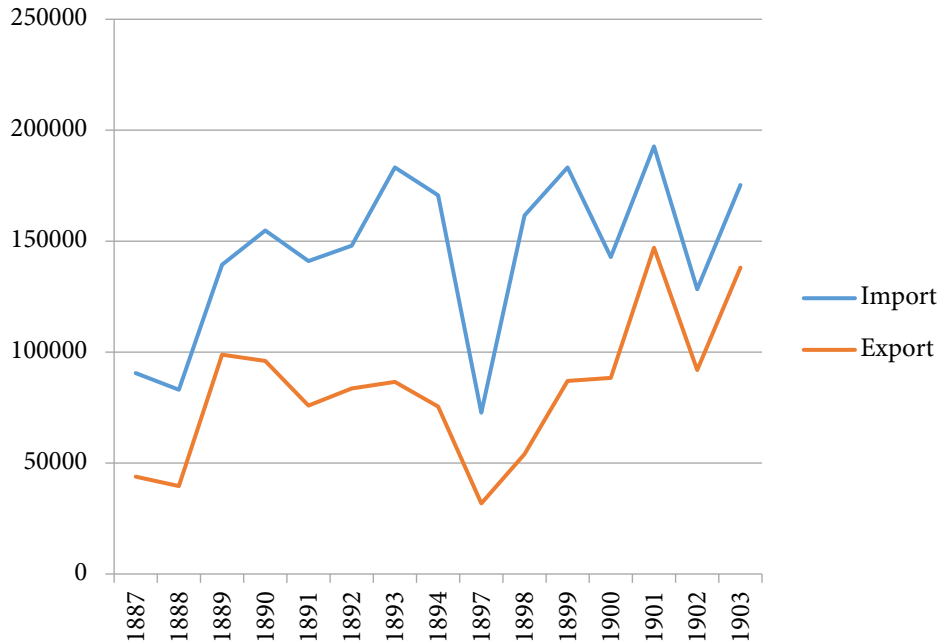
SOURCE: Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 527, 930, 1050, 1426, 1608, 1821, 1976, 2163, 2233, 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389, 4545, 4734, 4985, 5159, 5370 (1889-1914).

British consular reports on trade in the eastern provinces indicate that the effects of massacres on trade varied among the provinces. The situation in Mamuretülaziz was similar to that in Erzurum as both imports and exports reached their lowest ebb in 1896. Export trade, which was about 160,303 pounds in 1886, was 70,205 pounds in 1896. Thus, over a period of ten years the exports of the province were reduced to less than a half their former value.

62 “Report on the Trade of Erzeroum for the Year 1897,” *Report for the Years 1897 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 2163 (London: Harrison and Sons, 1898), 3.

It was not until 1910 that the value of export trade of this province reached its 1886 rate.

Chart 5.3 Import and Export Trade of Van



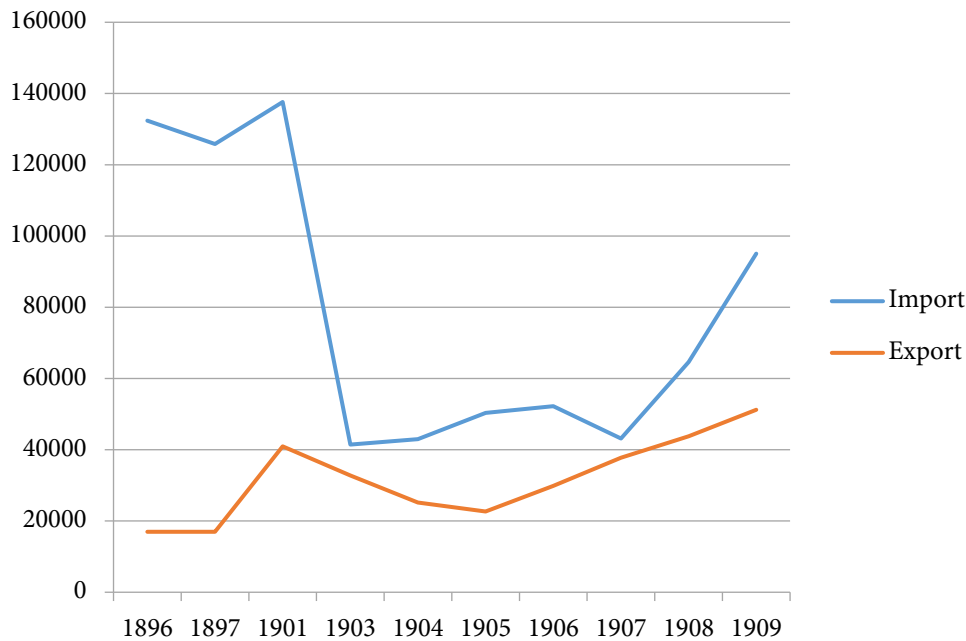
NOTE: These values show import and export trade to foreign countries and other Ottoman provinces.

SOURCE: Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 527, 930, 1050, 1426, 1608, 1821, 1976, 2163, 2233, 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389, 4545, 4734, 4985, 5159, 5370 (1889-1914).

The case of Van was also similar to Erzurum and Mamuretülaziz. The drastic rise in exports and imports of Van in 1889 was unrelated to a socioeconomic trend in the region but to a change in the scope of the reports that subsequently included the Hakkari district. The value of export trade in Van was 98,870 pounds in 1889, 75,500 pounds in 1894, and 31,818 pounds in 1897. Thus, there was a significant decline in export trade in this province in the 1890s, but it recovered faster than in other provinces. The export trade of the province reached its pre-massacre rate by 1901. Wheat imported from other

Ottoman provinces in years of famine was an important part of the imports to Van, and fluctuations in import trade were related to this phenomenon.

Chart 5.4 Import and Export Trade of Bitlis



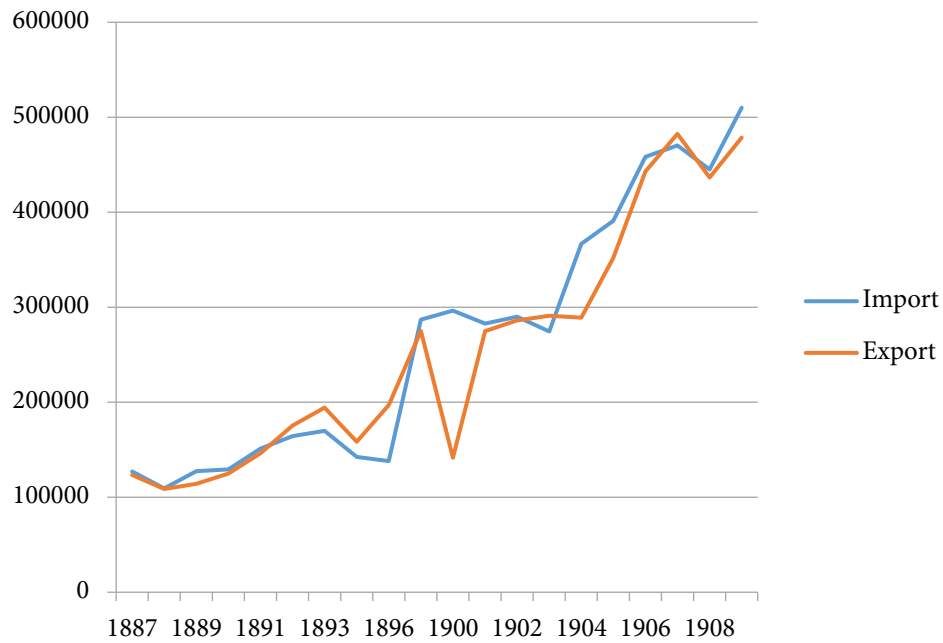
NOTE: These values show import and export trade to foreign countries and other Ottoman provinces.

SOURCE: Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 527, 930, 1050, 1426, 1608, 1821, 1976, 2163, 2233, 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389, 4545, 4734, 4985, 5159, 5370 (1889-1914).

British trade reports provide limited information regarding trade in the Bitlis province before the twentieth century. Records regarding this province start in 1896. Import trade in Bitlis was worth 132,400 pounds in 1896, 125,800 pounds in 1897, and 137,616 pounds in 1901. It should be noted that there was a significant decline in import trade in this province in the 1900s. This indicates the impoverishment of the population in the aftermath of the massacres. Import trade in Bitlis fell to 41,450 pounds in 1903 and did not recover in the following years. Export trade in the province was limited and estimated to be around 16,970 pounds in 1896. Export trade reached up to

32,790 pounds in 1903, and there was a steady increase in export trade after a year of decline in 1904.

Chart 5.5 Import and Export Trade of Diyarbekir



NOTE: These values show import and export trade to foreign countries and other Ottoman provinces.

SOURCE: Foreign Office, Annual Series, Diplomatic and Consular Reports on Trade and Finance, Turkey, no. 527, 930, 1050, 1426, 1608, 1821, 1976, 2163, 2233, 2477, 2657, 2792, 3003, 3224, 3442, 3652, 3851, 4115, 4389, 4545, 4734, 4985, 5159, 5370 (1889-1914).

Data derived from British trade reports indicate that trends regarding export trade in Diyarbekir were different than other provinces. There was no significant decline in Diyarbekir Province during and after the massacres. There was a slight decline in the 1893-94 fiscal year, but the damage was recovered by 1896. There was also a significant drop in exports from Diyarbekir in 1900. As argued in British trade reports, export trade was dominated by Muslim merchants who were not particularly affected by the

massacres.<sup>63</sup> Overall, between the years 1887 and 1909, there was a marked increase in the exports of Diyarbekir; their value increased from 123,326 pounds to 478,500 pounds. While export trade in this province was not significantly affected by the massacres, there was decline in import trade between 1893 and 1895. However, this was also temporary, and import trade began to recover as early as 1896. Between 1887 to 1909, the volume of import trade of Diyarbekir increased almost fivefold.

There were several reasons behind decline of trade in the eastern provinces after the massacres. First, there was a serious decline in the purchasing power of the population. As analyzed in the first part of this chapter, the massacres led to a decrease in agricultural production in several districts. In a country where agricultural production was the primary source of income for the majority of the population, this meant increased poverty and a decline in purchasing power. The second factor that limited the purchasing power of the population in these years was the abolishment of travel permits for Armenians. Before the massacres, many Armenians migrated to different cities of the Ottoman Empire for work. Istanbul was the primary destination for such migrant workers. The money sent by these migrant men to their families significantly contributed to local trade.<sup>64</sup> After the massacres, the mobility of Armenians was curtailed to a great extent. This situation not only cut off the flow of money to the eastern provinces but led to increasing unemployment and poverty. This specifically underscored by British consular

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63 *Report for the Year 1903 on the Trade of the Consular District of Erzeroum*, Foreign Office, Annual Series, no. 3224 (London: Harrison and Sons, 1904), 6–7.

64 Money sent by Armenian emigrants and migrants was important for the local economy. According to the estimations of British consular staff, the remittances sent by Armenian immigrants in the United States to Harput was around 30,000-40,000 pounds in the late 1890s. This amount was almost equal to the value of export trade from this province to foreign countries in the same period. The value of export trade from Harput to foreign countries was around 49,035 in 1889. “Kharput,” *Report for the Years 1889-90 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 930 (London: Harrison and Sons, 1891), 21–24; and “Kharput,” *Report for the Year 1897 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 2163 (London: Harrison and Sons, 1898), 10–12.

staff in examinations of the decline of trade in the region.<sup>65</sup> Apart from factors that affected the purchasing power of the population, the massacres and disturbances that were prevalent in the 1890s also affected the inclinations of consumers and producers. In an atmosphere of uncertainty, small-scale producers refrained from market-oriented production strategies and were inclined towards cultivation strategies that would guarantee their survival. Second, consumption demand declined as a result of a want of confidence on the part of consumers. That said, the demand of the population in the region for consumption products was already stated to be low in several reports.

The massacres of 1894-97 also affected the inclinations and composition of traders in eastern provinces. It was reported that several Armenian merchants left Erzurum following the outbreak of violence in 1890.<sup>66</sup> This trend accelerated during the massacres. Acquiring travel permits and passports was easier for the well-to-do, and a considerable number of merchants left Erzurum in the mid-1890s. Rather than taking risks in an uncertain environment, many merchants preferred to migrate or emigrate to regions where their lives and investments would be more secure. In several localities, Muslim tradesmen gained an advantage over non-Muslims and began engaging in different branches of trade following the massacres. The situation in Erzurum in the aftermath of massacres was summarized by British Consul Graves as follows:

The Armenian trading community has almost ceased to exist; its most prominent members have been removed by death, bankruptcy, or

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65 This situation was highlighted by Vice-Consul Tyrell who noted that money sent by Armenian migrants and emigrants in Russia, Istanbul, and Syria was important for the local economy. Tyrell underscored that Armenian migration and emigration was forbidden by administrative measures in the aftermath of the massacres. According to Tyrell, this situation led to a considerable shortage of money in the region. TNA: FO 195/2196, Vice-Consul Tyrell to Sir N. O'Connor, 11 October 1905.

66 *Report for the Years 1889-90 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 930 (London: Harrison and Sons, 1891), 1-2. According to the governor of Erzurum, eight Armenians and two Muslims were killed during the disturbances. BOA: Y.PRK.ASK 62/93, the Governor of Erzurum, Sami Bey to Yıldız Palace 30 Haziran 1306 (12 July 1890).

emigration, and although some of their business has passed into the hands of Mussulman traders, it must be long before things find their level again.<sup>67</sup>

According to British consular staff, the massacres led to a transformation in the composition of shopkeepers and wholesale importers in Bitlis Province.

In Bitlis town there are 10 Armenian wholesale importers. The Mussulman wholesale importers are about 12 in number, and are supposed to be rather wealthier on an average than the Armenian ones. Before the disturbances of 1895 there were 13 or 14 Armenian wholesale importers, and fewer Mussulman ones than now; and the Mussulman ones have grown richer and the Armenian ones poorer since that time. The main stocks of the wholesale importers are kept in "hans" (stone-built caravanserais), and were not touched during the disturbances.<sup>68</sup>

This report also gives information regarding goods sold in the Bitlis bazaar and the composition of its shopkeepers. According to the vice-consul, there were around 500 small shops in the bazaar. Half of these were engaged in the sale of groceries and petroleum. In the other half of the bazaar, imports like cotton goods, lamps, crockery, and hardware were on sale. His report noted that shops engaged in grocery and petroleum trade were almost exclusively occupied by Armenians before the massacres. However, in the years that followed, the majority of these shops were rented and run by Muslim shopkeepers. The vice-consul noted that the number of shops occupied by Armenians had dropped to twelve by 1896, but that there was an increase in 1897 in which thirty shops were occupied by Armenians.<sup>69</sup>

According to British consular staff, Mamuretülaziz suffered more material losses than other provinces in the region during the massacres. All provincial

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67 *Report for the Year 1895 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 1821 (London: Harrison and Sons, 1896), 1.

68 "Bitlis," *Report for the Year 1897 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 2163 (London: Harrison and Sons, 1898), 12-13.

69 *Ibid.*

towns except Hozat were devastated by the massacres and the majority of Armenians were reduced to destitution.<sup>70</sup> In this province, massacres not only affected trade but also manufacturing. Several looms in the province were ruined during the massacres, which led to the extinction of manufacture of manoussa which was a printed cloth, mostly worn by peasants. This branch of manufacturing was later revived with the efforts of Armenian Relief Committee that brought new looms that were operated by Armenian widows.<sup>71</sup>

## § 5.5 Summary

In this chapter, I examine the socioeconomic effects of the massacres of 1894-97 and the rise of a pillage economy in the eastern provinces focusing on agricultural production, agricultural relations, and trade. During and following the massacres, there was a significant decline in tithe revenue in some eastern provinces. A decline in agricultural production due to the dispersion of the Armenian population and changes in tax farming procedures contributed to this decline. On the other hand, it is impossible to determine the net effect of these processes on agricultural production on the basis of tithe revenue. Another significant point with regard to the decline in agricultural production was the decline of area under cultivation, which was underscored in the accounts of British consular staff.

In this chapter, I also examine the effects of massacres and property transfer from Armenians to Muslims during and after the massacres on agricultural relations. In some regions, these processes led to the dispossession of Armenian peasants and the erosion of small-scale Armenian peasantry. The erosion of small-scale Armenian peasantry in Muş, about which British consular correspondence provides extensive data, was significant. As noted in the previous chapter, Patriarchate reports also indicate that seizures that had communal effects – in other words, seizures that concerned lands belonging

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70 *Report for the Year 1896 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 1976 (London: Harrison and Sons, 1897), 10.

71 *Ibid.*, 3-4; *Report for the Year 1897 on the Trade of Erzeroum*, Foreign Office, Annual Series, no. 2163 (London: Harrison and Sons, 1898), 4.

to more than three Armenians – were a significant phenomenon in Muş and Bitlis. This type of seizures was also common in Van, Erzurum, Ağrı, and Erzincan. To what extent did the settlement of immigrants in the region and small-scale seizures by ordinary Kurds limit the erosion of small-scale peasantry in the region? The findings of this research do not answer this question but indicate that these developments may have softened the blow of these processes of property transfer on small-scale peasantry in the region. On the other hand, as examined in this chapter and in chapter 4, local powerholders managed to seize vast tracts of land belonging to small-scale Armenian peasants, especially in Van and Bitlis. Thus, it can be said that the processes of property transfer from Armenians to Muslims in these provinces contributed to the expansion of large land ownership there. The findings of this study do not indicate that property transfer from Armenians changed agricultural relations in Diyarbakir Province. As noted in the previous chapter, property transfer from Armenian large landowners to Muslim powerholders was a significant phenomenon in Diyarbakir in the Hamidian period. This might have contributed to the strengthening of large land ownership in this province. The findings of this research show that numerous Armenians, who had been independent farmers before the massacres and the rise of a pillage economy became marabas, laborers, or serfs after these developments. Thus, it can be argued that the massacres contributed to the transformation of agricultural relations in some regions of the Ottoman East. For example, insecurity in Van was so prevalent that years after the massacres many Armenians preferred to stay with Kurdish powerholders and work as their servants rather than return to their villages. This indicates that violence was a significant factor that affected the transformation of agricultural relations in some regions. The expansion of sef and marabalık in Muş indicates that in some regions, the commodification of land and the expansion of debt relations were significant contributors to the erosion of small-scale Armenian peasantry and the transformation of agrarian relations.

In the last part of this chapter, I examine the effects of massacres and the emergence of a pillage economy on trade in the eastern provinces. British trade reports provide comparable, empirical data for most of the region. Thus, I present a more specific, comparative analysis with regard to trade them with

regard to agricultural production or agricultural relations. Data from the trade reports indicate that trade in Erzurum and Mamuretülaziz was significantly affected by the massacres. Exports and imports in these provinces reached their lowest ebb during the massacres, and export trade did not recover for a long period of time. In Erzurum, the value of export trade reached its pre-massacre rate in 1905, while this process of recovery took five additional years in Mamuretülaziz. Export trade in Van followed a similar course as that in Mamuretülaziz and Erzurum. In this province, export trade began to decline in 1890 – before the massacres. While there was a significant decline in the export trade, it's recovery was faster in Van than in Mamuretülaziz and Erzurum. The most significant point with regard to trade trends in Bitlis was the decline of import trade in the 1900s. The effects of the massacres on the export and import trade in Diyarbekir were short term and less significant than in Erzurum and Mamuretülaziz. In line with these findings, the data from British trade reports indicate significant differences in export and import trade trends in the eastern provinces following the massacres.

## The Land Question in the First Years of the Constitutional Period (1908-12)

Following the reestablishment of the constitutional regime in 1908, a new chapter, which promised equality and legal protection for all Ottoman subjects, opened in Ottoman history.<sup>1</sup> The return of Armenian properties that

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- 1 For the ideology of the Young Turks and the reestablishment of the constitutional regime in 1908, see Eric Jan Zürcher, *Unionist Factor: The Role of the Committee of Union and Progress in the Turkish National Movement, 1905-1926* (Leiden: Brill, 1984); M. Şükrü Hanioglu, *Preparation for a Revolution: The Young Turks, 1902-1908* (Oxford: Oxford University Press, 2001); M. Şükrü Hanioglu, *The Young Turks in Opposition* (Oxford: Oxford University Press, 1995); M. Şükrü Hanioglu, *Bir Siyasal Örgüt Olarak Osmanlı İttihat ve Terakki Cemiyeti ve Jön Türklük* (Istanbul: İletişim: 1986); Sina Akşin, *Jön Türkler ve İttihat ve Terakki* (Ankara: İmge Kitabevi, 2014); Tarık Zafer Tunaya, *Türkiye'de Siyasal Partiler, cilt 3: İttihat ve Terakki, Bir Çağın, Bir Kuşağın, Bir Partinin Tarihi*, 3rd edition (Istanbul: İletişim, 2007); Feroz Ahmad, *The Young Turks: The Committee of Union and Progress in Turkish Politics, 1908-1914* (London: Hurst, 2010); Şerif Mardin, *Jön Türklerin Siyasi Fikirleri: 1895-1908*, 15th edition (Istanbul: İletişim Yayınları); Aykut Kansu, *1908 Devrimi* (Istanbul: İletişim, 1995); and Kudret Emiroğlu, *Anadolu'da Devrim Günleri: İkinci Meşrutiyet'in İlanı, Temmuz-Ağustos 1908* (Ankara: İmge Kitabevi, 1999). For an analysis of the effects of the reestablishment of the constitutional regime on the various regions of the Ottoman Empire and the reactions of different communities to this development, see Bedross Der Matossian, *Shattered Dreams of Revolution: From Liberty to Violence in the Late Ottoman Empire* (Stanford: Stanford University Press, 2014); Hasan Kayalı, *Arabs and Young Turks: Ottomanism, Arabism, and*

had been seized in the Hamidian period emerged as a pressing matter for the new regime in this period. This chapter analyzes the policies of the central government regarding the issue of land disputes, the reactions of the Armenian political and religious elite and Kurdish powerholders to these policies, and the interplay between central policies and local dynamics.

## § 6.1 Reestablishment of Constitutional Regime and Demands for a Resolution to the Land Question

Following the reestablishment of the constitutional regime in 1908, thousands of Armenians began to demand the return of properties seized in the Hamidian period. Hundreds of protests were made by Armenians against Kurdish usurpers with the aim of getting their seized lands back.<sup>2</sup> According to İsmail Hakkı Bey, governor of Bitlis, there were three distinct groups of claimants.<sup>3</sup> First, there were refugees who had left their hometowns following the Hamidian massacres. These refugees, whose number was more than fifty thousand, demanded permission to return to the Ottoman Empire and the return of their properties. Some of these properties had been seized, some had

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*Islamism in the Ottoman Empire, 1908–1918* (California: California University Press, 1997); Michelle Campos, *Ottoman Brothers: Muslims, Christians, and Jews in Early Twentieth-Century Palestine* (Stanford, Stanford University Press, 2011); Yuval Ben-Bassat and Eyal Ginio, eds., *Late Ottoman Palestine: The Period of Young Turk Rule* (London: I. B. Tauris, 2011); Klein, *Margins of Empire*; Naci Kutlay, *İttihat Terakki ve Kürtler* (Ankara: Beybun Yayınları, 1992); Raymond Kévorkian, *The Armenian Genocide: A Complete History* (London: I.B. Tauris, 2011), part 2, chap. 1.; Dikran Kaligian, *Armenian Organization and Ideology under Ottoman Rule 1908-1914* (London: Transaction Publishers, 2009); Ohannes Kılıçdağı, “The Bourgeois Transformation and Ottomanism among Anatolian Armenians After the 1908 Revolution” (master’s thesis, Boğaziçi University, 2005); Ohannes Kılıçdağı, “Socio-Political Reflections and Expectations of the Ottoman Armenians after the 1908 Revolution: Between Hope and Despair” (PhD diss., Boğaziçi University, 2014); and Murat Koptaş, “Armenian Political Thinking in the Second Constitutional Period: The Case of Krikor Zohrab” (master’s thesis, Boğaziçi University, 2005).

2 TNA: FO 424/218, Sir G. Lowther to Sir E. Grey, Constantinople, 31 December 1908.

3 BOA: DH.SYS 23/1, report of İsmail Hakkı Bey, Governor of Bitlis, 26 Teşrin-i Evvel 1326 (8 November 1910).

been distributed to immigrants, and others had been considered mahlul and sold by the government. The second group of claimants were those scattered around the Ottoman East following the disturbances. These people had left their homes for other Ottoman localities and began to return after the proclamation of the constitution. They, too, demanded the return of their lands. According to İsmail Hakkı Bey, this group of people which consisted of “helpless peasants [and] poor commoners ... had not dared to pursue” their claims in the Hamidian period.<sup>4</sup> After the proclamation of the constitution, “they had realized that they too were the members and sons of this country” and began to apply to authorities a resolution.<sup>5</sup> The third group of claimants were widows and orphans who had not demanded their inheritance rights until the post-1908 period. The governor stated that “with the feeling that the cadres and pressures of the ancient regime had been extinguished,” they began to feel “empowered” and to pursue their rights.<sup>6</sup> Although the governor did not use the word Armenian to refer to these three groups of claimants, it is clear that Armenians were among the groups specified by the governor. In some cases, Armenians submitted collective petitions, presenting their cases to the authorities in lists. For example, Armenians from twenty villages of Adilcevaz presented a detailed list to the local governor demanding restitution for stolen items and resolution of land disputes between them and Kurdish chiefs, especially Hüseyin Pasha.

Following the proclamation of the constitution, Armenian individuals and groups began to apply to Ottoman authorities regarding claims to land, and they were directed to courts for resolution. On the other hand, several Armenian bodies – from the clergy to the Hunchaks and the ARF – were against such recourses for the resolution of land disputes and insisted instead on arbitration procedures to be carried out through administrative bodies like local commissions. The importance attached to the establishment of arbitration procedures by several Armenian groups was linked to the fact that land disputes concerning Armenians were rarely resolved in courts in a

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4 “biçâre köylü, fukarâ’-i ahâlî,” “aramağa cesaret edemeyen.” Ibid.

5 “kendisinin de bu memleketin bir ferdi, bir veledi olduğunu anlamış.” Ibid.

6 “... hükümet memûrîn-i sâbıkasıyla câbire tazyîkinin bugün kalktığını his etmesiyle ... toprağını aramak için şimdi kendisine bir kuvvet ve hak gören...” Ibid.

satisfying manner. The employment of several usurpers in local courts, which were vulnerable to pressures exerted by powerholders like chiefs and notables, was one factor that produced such outcomes. The scarcity of title deeds in the eastern provinces, which were prioritized in administrative and judicial decision-making processes, was another factor that hindered the resolution of land conflicts by local courts. Furthermore, the judicial infrastructure of the region was weak, and there were no courts in several districts. This situation also made resolution through the courts difficult. Moreover, recourse to judicial procedures was practically closed for the cases of Armenians who fled during the massacres of 1894-97. As they had left the lands in dispute unattended for a long period, those who cultivated these lands after their flight could claim possession on the basis of prescriptive rights. In such cases, the government could also consider the lands as mahlul and sell them in auctions. Armenian actors underscored exceptions in several articles of the Land Code that suspended the application of principles like prescriptive rights or sale of mahlul lands by the government. They especially highlighted Articles 68 and 72 of the Land Code. According to Article 68, if landholders left lands uncultivated for more than three years without a valid excuse, the tapu of the lands would be invalidated and the lands would require new title deeds (*müstahakk-ı tapu*). Valid excuses specified in the article included the necessity of leaving land inundated with water fallow until the water receded and being a prisoner of war. In Article 72 of the Land Code, it was stipulated that if all or a portion of the inhabitants of a village or town left their country for a legitimate reason, their tapus would not be invalidated (*müstahakk-ı tapu*) and their lands would not need to be registered again. In this case, immigrants had to return within a period of three years following the day that the legitimate reason for their flight ceased. If they had left without a legitimate reason or if they failed to return within three years, their title deeds would be considered invalid.<sup>7</sup> The Armenian political and religious elite stressed that oppression of Armenians in the Hamidian period was a legitimate reason that had driven thousands of people away from their homes and argued that their lands could not be considered as *müstahakk-ı tapu* based on the Land Code.

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7 Çeker, *Arazi Kanunnamesi*, 44-50.

However, Ottoman Courts declined to implement these articles in the cases of returning Armenians. Another important aspect of the demands of the Armenian political and religious elite regarding the resolution of the land question was that they did not accept monetary compensation and insisted on the return of seized properties. As examined in previous chapters, the preservation of the Armenian population in the Armenian fatherland was an important concern for these actors. Thus, they tried to reverse the effects of the Hamidian policies by securing the return of Armenians to their original localities.

By the end of 1909, local courts began to hand down decisions regarding land disputes brought before them following the constitutional revolution. The results were disappointing for the Armenian public. This disappointment was reflected in the Armenian newspaper, *Azadamart*, which published the details of nine separate land disputes in Muş that were taken to court on 7 October 1909.<sup>8</sup> In some of these proceedings, it was clear that men who had died years ago before the sales had been recorded as parties to transfer contracts. In all nine cases published in the newspaper, Armenians who demanded the return of their lands had failed to achieve that outcome in court. According to the newspaper, the first reason was the production of false witnesses by the usurpers. The second factor highlighted by *Azadamart* was the influence of a certain Reşid Efendi, who had served as an official in the Hamidian period. Reşid Efendi, who was accused of forging papers during his term as inspection officer (*yoklama memuru*), represented the Kurds who were claimed before the court to have unlawfully seized the properties of the Armenian individuals. *Azadamart* claimed that Reşid Bey had gained considerable influence due to his role in establishing the local branch of the CUP and, thus, no one dared challenge him. On 4 February 1910, *Azadamart* reported that the local court of Muş finalized around thirty to thirty-five land disputes concerning Armenians. In all these decisions – even for cases for which the local administrative council had ruled in favor of Armenians return – the demands of Armenians were overruled. The newspaper claimed that “if the local court in Muş continues as it is, it will only serve to provide legal cover

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8 “Hoghayin Harts,” *Azadamart*, October 21, 1909.

to illegal and unjust seizures in the period of oppression in the favor of a bunch of Muslim bullies while denying lawful claims and taking away people's subsistence."<sup>9</sup>

Just after the beginning of the constitutional period, the ARF and the CUP began to negotiate a resolution to the Armenian Question. These negotiations concluded with an agreement that included the return of seized Armenian properties.<sup>10</sup> During the negotiations, the ARF demanded the establishment of arbitration procedures to diminish the need for judicial action for the return of disputed properties. According to the agreement between the ARF and CUP, the Armenian land question would be resolved with the introduction of arbitration procedures to be implemented by committees of inquiry. Usurpers would also be compensated.<sup>11</sup>

The Armenian Patriarchate also pushed for the resolution of land disputes after 1908. As early as 3 November 1908, the Armenian Patriarchate sent a memorandum to the government stating its disappointment with regard to the lack of resolutions to land disputes and the lack of punishment for crimes against Armenians. The tone of this memorandum was harsh and reflected the frustration of the Patriarchate.

Doubtful of the seriousness of our felicitous revolution, oppressors did not return the seized lands and even attempted to get back that tiny percent of properties [that had been restored to their owners]. Those who were detained for a while were released and returned to their

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- 9 “yet'ê Mshoy tadaranin mnay, hedzhedê p'rnabedagan sh'rchanin aynk'an ankhghj ew abōrēn michots'nerov yeghadz krawumnerē gē nowirakordzē n'basdaworelu hamar gark mē Īslam p'rnagalner, oronk' sorvadz yen ashkhadawor darrerē geghek'el ew irawagh'rgel.” “Mushi Kavarē: Tadaranagan Goghm'nagtsutiwn/Hayots Hoghayin Kh'ntirnerun Tēm,” *Azadamart*, February 4, 1910.
- 10 On the relations between the CUP and Armenian political organizations, see Arsen Avagyan and Gaidz F. Minassian, *Ermeniler ve İttihat Terakki: İşbirliğinden Çatışmaya* (Istanbul: Aras Yayınları, 2005); Kaligian, *Armenian Organization*; and Yektan Türkyılmaz, “Devrim İçinde Devrim: Ermeni Örgütleri ve İttihat-Terakki İlişkileri, 1908-1915,” in *1915: Siyaset, Tehcir, Soykırım*, ed. Fikret Adanır and Oktay Özel (Istanbul: Tarih Vakfı Yurt Yayınları, 2015), 324–353; and Kévorkian, *Armenian Genocide*, part 2.
- 11 Kaligian, *Armenian Organization*, 49–50.

localities. Yet, as the constitutional government passes the time with correspondence and information-gathering instead of making [the oppressors] feel its existence and the seriousness of public order through its actions, and as it overlooks – for some reason without care – the misery and desolation of Ottoman returnees that has arisen from their inability to settle in their own homes and on their own land, the fact that these acts are severely contrary to the new regime and that the dangers of this situation extended the threatening of Ottomans seeking the help of the Constitution with massacres are undeniable, despite the refutations of the Ministry of the Interior.<sup>12</sup>

The Patriarchate raised several demands for the improvement of this situation. First, it demanded the assignment of high-ranking officials with no ties to the Hamidian government to the commissions that were rumored to have been established to inquire into and solve these problems. Another demand of the Patriarchate was the arrest of those who were convicted of murder just after the constitutional revolution. These arrestees had been released in the days that followed, and the Patriarchate demanded that they be tried before courts in Istanbul rather than in their hometowns. The third demand of the Patriarchate was the return of seized properties. The Patriarchate also demanded that the government consider Armenian returnees with no land as immigrants and resettle them accordingly. Finally, the Patriarchate demanded

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12 “mütegallibin inkılâb-ı mes‘ûdumuzun ciddiyetinden şüphelenerek arâzi-i mağsûbenin i‘âde değil hatta kısmı cüz’isi i‘âde edilenleri bile tekrar istirdâda kıyâm eylemişler bir aralık tutuklananlar serbest bırakılarak mahallerine ‘avdet eylemişlerdir şu hale karşı hükümet-i meşrûta mevcûdiyetini gösterecek ve kânûn-ı âsâyişimizin ciddiyetini fi‘len bunlara anlatacak yerde tarz-ı kadîm üzere muhâberât ve isti‘lâmât ile imrâr-ı vakit eylediğinden ve memleketlerine ‘avdet eden bir çok Osmanlıların kendi hâne ve arâzilerine dâhil olamamak sûretindeki sefâlet ve perişâniyetlerine her neden ise nazar-ı lâkaydı ile baktığından idâre-i cedîdeye karşı pek şedid bir ‘akis i‘mâl ve kânûn-ı esâsiden istimdâd eden osmanlıları katl-i ‘amm tehdîdlerine hedef edecek kadar ahvâl-i mehleke vücûda geldiği dâhiliye nezâretinin tekzîblerine rağmen elyevm gayr-i kabili inkâr-ı hakâ’ikden bulunmaktadır.” BOA: BEO 3454/258998, memorandum of the Armenian Patriarchate, 21 Teşrin-i Evvel 1324 (3 November 1908).

punishment for those who had collected illegal taxes or coerced Armenians into forced labor in line with the criminal code.<sup>13</sup>

Another institution concerned with the issue of the return of seized Armenian properties in this period was the Society for Kurdish Mutual Aid and Progress, (*Kürt Teavün ve Terakki Cemiyeti*, hereafter SKMAP).<sup>14</sup> In a memorandum presented to the government, the SKMAP underscored the urgency of a resolution to land disputes and warned that if not resolved, the situation would be exploited by domestic and foreign agitators. In this memorandum, the SKMAP demanded the resolution of conflicts between Armenians and Kurds. The second demand in this memorandum was a peaceful resolution to land disputes between Armenians, Kurds, and others on just, legal grounds. The SKMAP also demanded the resolution of disputes that might arise between landowners and cultivators. Finally, the SKMAP pointed to the need to eliminate conflicts among Kurdish tribes and chiefs. According to the SKMAP, it was necessary to form an advisory committee (*nasihat heyeti*) comprised of members including civil and military officials as well as Kurdish and Armenian notables to investigate these problems in depth.<sup>15</sup>

#### 6.1.1 *Reactions of the Central Government to Demands for a Resolution to Land Disputes*

The Council of Ministers evaluated the memorandum of the Patriarchate and the memorandum of the SKMAP together in 3 December 1908. In its decision on the matter, the council stated that the contents of these memoranda were

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13 Ibid.

14 The SKMAP was established in Istanbul on 2 October 1908. The organization can be seen as an initiative of some Kurdish elites to affiliate with the new regime. The improvement of education in the eastern provinces was one of the primary aims of this organization. For more information, see Gülseren Duman, “The Formations of the Kurdish Movement(s) 1908-1914: Exploring the Footprints of Kurdish Nationalism” (master’s thesis, Boğaziçi University, 2010); and Ayhan Işık, “Kurdish and Armenian Relations in the Ottoman-Kurdish Press” (master’s thesis, Bilgi University, 2014).

15 BOA: BEO 3454/258998, memorandum of Society for Kurdish Mutual Aid and Progress, 8 Teşrin-i Evvel 1324 (21 October 1908).

worthy of notice and that it was already designating an investigation and reform committee to improve the situation in Anatolia, punish those responsible for the situation, and establish order and stability.<sup>16</sup> The members of the committee had already been selected by the Council of Ministers, but their responsibilities was left unspecified.<sup>17</sup> The matter was thus transferred to the Ministry of the Interior.

The CUP took the initiative to establish a committee of inquiry regarding seized Armenian properties to the cabinet in the first months of 1909. In his memoirs, Cemal Pasha, one of the two designated members of this committee, points out that the CUP suggested this plan to the cabinet.<sup>18</sup> When the cabinet opened the issue for discussion in parliament, the deputies of the eastern provinces severely objected. Mehmet Efendi, the deputy of Genç, argued that the reinstatement of the constitution marked the beginning of a new era for many peoples in the region who had “kissed and made up” after 1908; the establishment of such a committee “would not only impair the treasury, but would also drive people to revolt against each other.”<sup>19</sup> Elaborating on this initiative in the ANA in November 1911, Krikor Zohrab argued that this initiative had been taken by the government in response to the pressure of Armenian politicians and was opposed from all sides in parliament. According to Zohrab, the reactions of parliamentarians had convinced the Armenian political elite that the parliament was “less friendly” than the

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16 BOA: MV 123/13, decision of the Council of Ministers, 9 Zilkade 1326 (3 December 1908).

17 At this stage, Daniş Bey, governor of Selanik, would lead the planned committee. Other designated members were Süleyman Nazif Bey, chief secretary of Konya; Diran Efendi, member of Beyoğlu Court of First Instance; Major Vehib Bey from the General Staff and adjutant Major Fahreddin Efendi from the Fourth Army.

18 Cemal Paşa, *Hatıralar* (Istanbul: Türkiye İş Bankası Kültür Yayınları, 2012), 377.

19 *Meclis-i Mebusan Zabıt Ceridesi*, period 1, vol. 1, session 1 (26 Kânun-ı sâni 1324/8 February 1909), 494–508. For discussions in the parliament about this bill, see Matossian, *Shattered Dreams*, 136–140. “... bir taraftan hazîneyi ızırâr, diğêr taraftan ahâlîyi yekdiğeri ‘aleyhine kıyâm edeceğinden...” Ibid., 504–505.

government with respect to the problems of Armenians and that “raising Armenian matters in the parliament would do more harm than good.”<sup>20</sup>

The 31 March counterrevolution attempt<sup>21</sup> and the Adana Massacre of 1909 that followed it disrupted the attempts at the resolution of the land question. While the former raised serious doubts about faith in constitutional regime, the latter cast doubts on whether it could guarantee the lives of Armenians. The Adana massacre cost the lives of twenty thousand Armenians, and rumors that the local branch of the CUP was complicit in the bloodshed strained relations between the CUP and Armenian political organizations.<sup>22</sup> The Adana Massacre also triggered disputes among Armenian political organizations. While the ARF continued to officially cooperate with the CUP, the role of the CUP in the Adana Massacre and its subsequent approach to massacres became significant matters of debate in the congresses of both the Tashnagists and Hunchakists.<sup>23</sup>

A few months after the Adana Massacre, an imperial order regarding the resolution of land disputes was issued on 7 August 1909.<sup>24</sup> This was not a specific order for the resolution of land disputes concerning Armenians, but a general order to apply to all land disputes. According to this order, land disputes would be resolved by administrative councils because prolonged cases were causing detriment to the parties in dispute and to the treasury. If

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20 “ayt degh haygagan khntirë panalov parik’I degh ch’arik’ miayn grnay dznil.” *Azkayin Ënghanur Zhoghov* (National General Assembly), nist K (session 11), 25 November 1911, 442.

21 Sina Akşin, *31 Mart Olayı* (Ankara: Ankara Üniversitesi Siyasal Bilgiler Fakültesi, 1970); David Farhi, “The Şariat as a Political Slogan: Or the ‘Incident of the 31st Mart,’” *Middle Eastern Studies* 7, no. 3 (1971): 275–299; Sohrabi, *Revolution and Constitutionalism*, chap. 5; Matossian, *Shattered Dreams*, chap. 6.

22 Meltem Toksöz, “Adana Ermenileri ve 1909 ‘İğtişası,’” *Tarih ve Toplum Yeni Yaklaşımlar* 5 (2007): 147–157 and Bedross Der Matossian, “From Bloodless Revolution to Bloody Counterrevolution: The Adana Massacres of 1909,” *Faculty Publications, Department of History, University of Nebraska* (2011), <http://digitalcommons.unl.edu/historyfacpub/124>.

23 Avagyan and Minassian, *Ermeniler ve İttihat Terakki*, 75.

24 BOA: MV 130/20, the decision of the cabinet regarding the land disputes, 11 Receb 1327 (29 July 1909); and “Emvali gayr-i menkûleye vukû’ bulan tecâvüzâtın idâreten sûret-i men’iyle ol babdaki ihtilâfât-ı mütehaddisenin mecâlis-i idârece halli hakkında irâde-i seniye,” 25 Temmuz 1325 (7 August 1909), *Düstur*, vol. 2, no. 1 (Dersaadet: Matbaa-i Osmaniye, 1329), 428–433.

both parties in dispute had deeds of possession (*tasarruf senedi*) and if the more recent deed did not state that the disputed land was transferred to the new possessor through official sale or transfer procedures (*satış ya da ferâğ*), the lands would be returned to the holder of the older deed. If the more recent deed stated that the disputed land was transferred to the current occupier through sale or transfer, the land would stay in the possession of the party with the more recent deed. If only one of the parties in dispute held a deed of possession, the disputed land would be given to the holder of the official deed. If either of the parties in dispute had a deed of possession, the disputed land would be given to the party who was paying the land tax. In all cases, parties discontent with the decision given by the administrative council could apply to courts.

#### 6.1.2 *Developments at the Local Level: Administrative Resolutions and Local Resistance*

The decision for the administrative resolution of land disputes affected the course of events at the local level. In November 1909, a series of meetings was held in Van with the participation of thirty-three Kurdish chiefs and twelve local Armenian leaders including the bishop.<sup>25</sup> These meetings were called by Sheikh Abdulkadir who was a founding member of the SKMAP, and according to British Consul Marling, it was the governor of Van himself who induced Sheikh Abdulkadir to take such action.<sup>26</sup> The only notable absences from these meetings were Haydaranlı Hüseyin Pasha of Patnotz and Şakir Agha of Şatak. In the final meeting held under the chairmanship of the governor, all the Kurdish chiefs present signed a formal document specifying the resolutions accepted in the course of the meetings. These resolutions included “a promise on part of the Kurds to live in friendship with their Armenian brothers, to work for the union of all elements and to help the government to punish wrong-doers” and to “establish and further industries

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25 TNA: FO 424/250, Sir Gerard Lowther to Sir Edward Grey, *Annual Report on Turkey for the year 1909*, 31 January 1910, 42.

26 TNA: FO 424/221, Mr. Marling to Sir Edward Grey, Constantinople, 16 November 1909.

in the province and to spread education by opening schools in various villages.<sup>27</sup> This final document also included a stipulation regarding land disputes by which Kurdish chiefs promised to hand over disputed lands in their possession for which Armenians possessed title deeds by the spring of 1910. Disputes in which Armenians did not possess title deeds would be settled by the local government.<sup>28</sup> While it can be seen as an important local step toward the resolution of land disputes, there were serious objections to these meetings on the part of Armenians. As pointed out by James Morgan, British vice-consul in Van,

the Armenians were opposed from the beginning to the convocation of the chiefs, saying that there was no necessity for it, and the fact that the government officials had seen fit to recognize the chiefs' authority by summoning them to deliberate with them on matters which it was the Government's province to settle alone, and given a new life to their power over the tribesmen, a power which had always been harmful to the tribesmen and to the country, which was unnecessary under a constitutional regime, and which had shown signs of diminishing since the proclamation of the Constitution.<sup>29</sup>

As noted by Morgan, this series of meetings was seen as an initiative to strengthen the position of Kurdish chiefs whose powers were to have been curbed by the proclamation of the constitution. Another point raised by the Armenian opposition to these meetings was that the chiefs were already obliged to return lands for which Armenians had title deeds provided that local commissions made decisions in line with the order of 7 August.

Correspondence among Ottoman authorities shows that several properties were returned to Armenians through administrative resolutions between August 1909 and April 1910. According to the acting governor (*vali vekili*) of Bitlis, Selim Bey, 730 properties worth more than 5,000 lire in total were returned to their owners by the administrative council of the province.

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27 TNA: FO 195/2318, James Morgan to Sir Gerard Lowther, Van, 17 November 1909.

28 Ibid.

29 Ibid.

Selim Bey noted that the number returned to owners by administrative action in the Muş district were excluded from this number.<sup>30</sup> In another telegraph, dated 26 February 1910, Selim Bey reported that a total of 235 cases were submitted to sharia and civil courts in the city, and 134 of them were dismissed. He also noted that most cases concerned disputes among parties of the same ethnicity, and only a few concerned disputes between Armenians and Kurds. In this telegraph, Selim Bey also informed the central government about the number of properties returned through administrative action in the Muş district. Some 538 properties had been returned through administrative action and one of these was worth more than 168 thousand kuruş alone.<sup>31</sup>

In several cases, administrative actions concerning the return of seized properties carried out by local authorities failed to produce results. Governors trying to implement the order of 7 August 1909 faced resistance from local officials under their supervision. For example, in Mendan, a village of Archag in the province of Van, the Kurdish chief Said Bey possessed lands that had belonged to Armenian villagers. The governor ordered the director (*müdür*) of Archag to remove the Kurds settled on the disputed lands. While it was reported that the orders had been carried out, it was later discovered that officials at the district level had done nothing to carry them out. Due to this inaction, the director was dismissed by the governor and Said Bey was ordered to be imprisoned. Two days after his capture, Said Bey suspiciously managed to escape. According to James Morgan, the attitude of the governor of Van in this case created feelings of hostility against him at the local level.<sup>32</sup> Cases in Huyt and Taghavank in Bitlis also indicate the extent of local resistance. In Huyt, the lands of Armenians who held title deeds were occupied by local Kurds. Upon the complaints of the Armenians to Selim Bey, the acting governor of Bitlis, gendarmerie officers were ordered to conduct an inquiry in the village and to prepare a report. While the governor threatened to dismiss

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30 BOA: DH.SYS 67/1-2, cipher telegram from province of Bitlis to the Ministry of the Interior, 19 Kanun-1 Sani 1325 (1 February 1910).

31 BOA: DH.SYS 67/1-2, the Acting-Governor of Bitlis to the Ministry of the Interior, 13 Şubat 1315 (26 February 1910).

32 TNA: FO 195/2318, James Morgan to Sir Gerard Lowther, Van, 2 October 1909.

the gendarmerie officers, who were natives of the region, for failing to comply with his orders, the officers raised several objections to drag the matter.<sup>33</sup> A similar case concerned Armenians of Taghavank, Bitlis, who applied to the administrative council for the return of their lands that had been seized by Kurds. In this case, the governor informed the administrative council that the claimants had title deeds and the lands should be restored to them in line with the orders of the Ministry of the Interior. However, this initiative was strongly opposed by the kadı, *mufti*, and a Kurdish member of the administrative council. The case was delegated to the court despite the effort of the governor to restore the lands to the Armenians through arbitration.<sup>34</sup> These examples indicate that there was a serious degree of resistance by government officials at the local level and by local powerholders who hindered the use of arbitration procedures for the resolution of land disputes.

Land disputes in Çukur, Bitlis, illuminate the resistance of local notables to the prospect of returning properties they had seized in the Hamidian period. On 2 April 1910, Selim Bey reported that the Muslim and Armenian ranchers of several villages had attempted to retake lands that they had disposed of fifteen or twenty years before from the notables of the city. According to the deputy governor, who asked permission to arrest those who pioneered this movement, the situation was grave and “almost an idea of socialism had erupted in the region.”<sup>35</sup> In the petition sent to the Sublime Porte, Armenians and Muslims from thirty-three villages in the region accused one of the members of the administrative council, Necmeddin Efendi; his son, Şemseddin Efendi; the head of the administrative council, İbrahim Efendi; and their men of having usurped their lands through coercion and fraud during the Hamidian period. They claimed that these notables and their men had threatened Muslims by accusing them of being deserters and by accusing Armenians of being guerrilla fighters (*feda'is*). These people, for whom administrative resolution was not an option due to the position

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33 TNA: FO 195/2318, Mr. Safrastian to Sir Gerard Lowther, Bitlis, 28 September 1909.

34 Ibid.

35 “civârda ‘âdetâ bir sosyalizm fikri uyanmış.” BOA: DH.SYS 67/1-2, cipher telegram from the province of Bitlis to the Ministry of the Interior, 20 Mart 1326 (2 April 1910).

usurpers held in the ranks of the administrative council, demanded the formation of a commission for the resolution of their problems. In their terms, it was a matter of life and death and if no solution was forthcoming they would be “buried alive.”<sup>36</sup> On 26 April 1910, the people of Çukur sent another petition to the Sublime Porte, complaining about the inaction of local authorities. The peasants claimed that the armed men of Hacı Necmeddin prevented them from cultivating their lands and that thousands of people would perish if the case remained unresolved.<sup>37</sup> The new governor of Bitlis, İsmail Hakkı Bey, was of the opinion that the peasants’ claims against the nobles were just since the latter had used their influence over local officials to register lands in dispute in their names. He suggested that rather than the thousands of peasants who could not afford the court expenses, notables should have been directed to the courts.<sup>38</sup> In his visit to Çukur, İsmail Hakkı Bey delivered a fierce speech reassuring the peasants. In this speech, he was claimed to have said that “he would sacrifice himself as a ‘feda’i’ in defense of the rights of the peasantry, and that he would blow up usurpers and oppressors” like Hacı Necmeddin Efendi of Bitlis “with dynamite.”<sup>39</sup> Despite numerous petitions by Kurdish and Armenian peasants and the reassurances of the later governor, the people of Çukur did not manage to get any results. As noted by British Vice-Consul Safrastian, the case involved several Bitlis notables who had extraordinarily enriched themselves in the Hamidian period. If the problem was handled with equity, “many notables [would be] unmasked and their fiendish wickedness [would be] brought to light.”<sup>40</sup> It was probably this factor that hindered the resolution of land disputes in Çukur that were affecting the lives of thousands of Muslims and Armenians.

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36 BOA: DH.SYS 67/1-2, petition from inhabitants of thirty-three villages to the Sublime Porte, 10 Mart 1326 (23 March 1910).

37 BOA: DH.SYS 67/1-2, petition to the Sublime Porte, 13 Nisan 1326 (26 April 1910).

38 BOA: DH.SYS 67/1-2, the governor of Bitlis to the Ministry of the Interior, 27 Teşrin-i Sani 1326 (8 December 1910).

39 TNA: FO 424/225, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 19 November 1910.

40 TNA: FO 195/2347, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 6 April 1910.

While some properties were indeed returned in this period, Kurdish chiefs began to object to the procedures introduced by the central government. Kurdish chiefs started developing strategies to maintain their position along with the properties they had seized. Said Bey, who was forced to return the properties seized in Van's village of Mendan, started a personal rebellion against the government. This extraordinary brigand confined himself to attacking government officials, amassed around seventy followers, and was never captured by government forces despite several expeditions in the ensuing years.<sup>41</sup>

Chiefs from prominent tribes affiliated with the Hamidian Regiments also protested the attempts of local authorities to resolve land disputes. In a joint telegram sent from Malazgirt to Mahmud Şevket Pasha on 8 September 1909, district governor (*aşiret kaymakamı*) Halid Bey of the 26<sup>th</sup> regiment, district governor Fethullah Bey of the 27<sup>th</sup> regiment, district governor Mehmed Emin Bey of the 28<sup>th</sup> regiment, Major Mustafa Bey of the 29<sup>th</sup> regiment, Major Hüseyin Bey of the 28<sup>th</sup> regiment, and Major Süleyman Bey of the 27<sup>th</sup> regiment claimed that the acts of local officials were driving people against each other. According to these chiefs, the authorization granted local officials and administrative councils to resolve land disputes instead of the courts was a breach of law that would bring harm to the people. Legal principles like prescriptive rights and statutes of limitations, they claimed, were not respected by local authorities.<sup>42</sup>

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- 41 TNA: FO 424/225, Vice-Consul Mollyneux-Seel to Sir G. Lowther, Van, 30 September 1910; TNA: FO 424/229, Vice-Consul Molyneux-Seel to Sir G. Lowther, Van, 3 October 1911; TNA: FO 371/1484, Sir G. Lowther to Sir Edward Grey, Pera, 15 October 1912; and TNA: FO 371/1486, Vice-consul Molyneux-Seel to Sir G. Lowther, Van, 10 July 1912.
- 42 BOA: DH.MUI 6-2/19, 26 Ağustos 325 (8 September 1909). In his evaluation regarding this telegram of protest, Galip Bey, the governor of Diyarbakır, reported that the activities of these tribal chiefs were not suspected to turn into an uprising against the government. But immediate actions should be taken to settle land disputes. The governor demanded the establishment of mobile courts with absolute authority to resolve such problems. BOA: DH.MUI 6-2/19, cipher telegram from the governor of Diyarbekir to the Ministry of the Interior, 2 Eylül 1325 (15 September 1909).

Mehmed Sıddık Agha of Abagha took another path of protest in winter 1909. When the governor ordered him to pay his tax debts and to return Armenian lands he had seized, he fled to Persia with his family. In the waning days of 1909, many Kurdish chiefs including Haydaranlı Hüseyin Pasha joined to those who fled with their sheep and men.<sup>43</sup> Some, like Ali Bey, the brother of Haydaranlı Emin Pasha of Erciş, attacked Armenians on their way to Persia.<sup>44</sup> During his flight, Hüseyin Pasha had word spread around that he was leaving the Ottoman Empire because local authorities had pushed him into returning Armenian properties that he had had seized. This claim was denounced by the governor of Erzurum who stated that “during his nine-month term (as governor), not even an inch from the lands seized by tribal chiefs have been returned to the Armenians by administrative means.”<sup>45</sup> This document indicates that the introduction of administrative resolution did not bring about the return of seized Armenian lands in Erzurum. The claims of Hüseyin Pasha on the other hand, reflect the extent to which the issue of land disputes was strategic maneuvering on the part of Kurdish chiefs who fled to Persia. The flight of Kurdish chiefs was a clear stance against the Ottoman government and the policies of restitution. Kurdish chiefs were clearly aware of the geopolitical fragility of the border region.<sup>46</sup> As their men constituted an important part of Ottoman military power in the region, their flight raised serious concerns with regard to the security of the Ottoman East.

## § 6.2 The Shift of 1910: The Rapprochement between the Central Government and Kurdish Chiefs

The new year brought about a shift with regard to the approach of the central government to the issue of the land question. This shift can be traced in three

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43 TNA: FO 195/2347, James Morgan to Sir Gerard Lowther, Van, 3 January 1910.

44 Ibid.

45 “dokuz aylık me’mûriyetim zarfında rü’esâ’-i ‘aşai’rin mağsûbatından idâreten bir karış yer alınarak ermenilere verilmemiştir.” BOA: DH.MUI 6-3/23, Celal Bey, governor of Erzurum to the Ministry of the Interior, 28 Mart 1326 (10 April 1910).

46 Tibet Abak, “Kürt Politikasında Hamidiye Siyasetine Dönüş ve Kör Hüseyin Paşa Olayı, 1910-1911,” Adanır and Özel, 1915, 277–292.

areas. First, the Ottoman government introduced a limitation on the use of administrative resolution procedures in a cabinet decision on 31 March 1910. Another indicator of this shift was that Ottoman authorities began to settle immigrants in the eastern provinces. This practice was new to the constitutional regime; in the first two years following 1908, Ottoman authorities had not settled immigrants there. Another indicator of this shift was the rapprochement between Ottoman authorities and Kurdish chiefs who had fled to Persia. These chiefs were invited back and officially welcomed by Ottoman authorities.

#### 6.2.1 *The Order of 31 March 1910*

The order of 7 August 1909 was amended by a cabinet decision on 31 March 1910 in which the government introduced a limitation on the use of arbitration procedures which were used in the resolution of land disputes by administrative councils.<sup>47</sup> This cabinet decision was made after a recommendation by the Council of State. The cabinet decision of 31 March stipulated that only those disputes that had occurred in 1909 would be resolved through arbitration in the commissions; all other disputes would be directed to the courts. Based on correspondence among French consulate officials, Janet Klein claims that “the matter of the ‘grandfather clause,’” was enacted, or at least enforced, in the spring of 1910, as “the unilateral orders for the administrative settlement (as opposed to the settlement in courts) of the agrarian question underwent a “change in mood” when the Council of State “abruptly” decreed that this only applied to lands seized before 1325 (1908-9), and that therefore current claims were not valid.”<sup>48</sup> It seems that French diplomats misunderstood the contents of this decision, because rather than limiting the use of arbitration procedures to seizures that happened before 1908, the decision limited the use of arbitration to seizures that occurred in 1909. Thus, according to the decision, seizures that took place in the Hamidian period would not be resolved by the administrative commissions. The documents in the Ottoman archives also show that, contrary to Klein’s

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47 BOA: MV 138/50, decision of the Council of Ministers, 18 Mart 1326 (31 March 1910).

48 Klein, *Margins of Empire*, 162.

account, this was not an “abrupt” decision, but the outcome of extensive correspondence and planning by Ottoman authorities. This cabinet decision that introduced a limitation on the use of arbitration procedures was made after several complaints by local officials and governors from different parts of the empire including Edirne, İzmir, Diyarbakır, Erzurum, and Bitlis.<sup>49</sup> The Bitlis governor reported that priority had been given to title deed holders in administrative councils gave them an unjust advantage over those who had tilled the lands for many years and thus should have acquired prescriptive rights. The governor of Erzurum informed the Ministry of the Interior regarding the case of immigrants settled on lands belonging to an Armenian named Boghos in Pasinler district, noting that the administrative council had decided to return the lands to Boghos and evacuate the settlers by force if necessary. The governor of Edirne warned that “the country is populated by ignorant peasants who will resort to their guns if the lands they hold as dear as their lives are interfered with,” and demanded the establishment of a special commission and the introduction of extraordinary measures – like those taken for the suppression of brigands in Rumelia – for the resolution of land disputes.<sup>50</sup> Another complaint was raised by the General Assembly (*meclis-i umumi*) of Diyarbakır, which underscored that administrative councils lacked the authority to enforce their decisions and could not compel usurpers to return lands that were decided to be given back to their original owners. Members of the assembly argued that the central government should either establish mobile courts (*seyyar mahkemeler*) for the resolution of land conflicts, which they estimated to comprise sixty percent of all disputes in the

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49 BOA: DH.MUİ 6-3/6, the Ministry of the Interior to the Sublime Porte, 23 Kanun-1 Sani 1325 (5 February 1910); the Ministry of the Interior to the Council of State, 20 Şubat 1325 (5 March 1910); BOA: DH.MUİ 6-1/1, mutasarrıf of İzmir to the Ministry of the Interior, 17 Kanun-1 Sani 1325 (30 January 1910) and the Ministry of the Interior to the Sublime Porte, 23 Kanun-1 Sani 1325 (5 February 1910); and BOA: DH.MUİ 6-3/16, the General Assembly of Diyarbakır to the Ministry of the Interior, 10 Şubat 1325 (23 February 1910).

50 “... hayatı kadar kıymetdâr olan arâzisine vukû‘a gelecek bir müdâhaleyi silâh kuvvetiyle hall etmek fikrini besleyecek kadar câhil köylülerin mevcûdiyeti...” BOA: DH.MUİ 6-3/6, the Ministry of the Interior to the Sublime Porte, 23 Kanun-1 Sani 1325 (5 February 1910).

province, or to improve the conditions of the local courts in the center.<sup>51</sup> Such criticisms regarding the use of administrative resolutions for land disputes indicate that local authorities played a role in shaping the policies of the central government regarding land disputes in this period.

The Ministry of the Interior directed the complaints of local authorities to the grand vizier and the Council of State and stated that there were several problems arising from the current regulations. According to the ministry, the first problem concerned the exclusion of claims based on prescriptive rights from the proceedings of administrative councils. The second complication underscored by the ministry was the fact that those who had tilled the land in different parts of Anatolia had not received proper title deeds; many only had simple contracts (*sened-i 'âdî*) rather than title deeds. They were said to have been deprived of their legal rights by the excessive authority allocated to the administrative councils. Third, the ministry argued that even those who had disposed of their lands on their own volition by issuing sales documents (*beyn senedi*) to those who had bought their lands were securing their return due to title deeds they had hidden for many years. The fourth problem underscored by the ministry was the fact that administrative councils lacked the authority to determine the borders of disputed lands. The ministry was of the opinion that however just the decisions reached by administrative councils might be, they would always be open to question by the parties involved in the dispute because they were administrative rather than judicial decisions. The Ministry of the Interior demanded the introduction of a limitation on the use of administrative resolutions, the introduction of a special regulation concerning refugees settled on disputed lands, and the formation of temporary courts in Rumelia, Anatolia and Arabia for the resolution of land conflicts.<sup>52</sup> It was following these developments that the cabinet made a decision to introduce a limitation on the use of arbitration procedures. According to the same cabinet decision, those whose lands were considered mahlul and sold in their absence

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51 BOA: DH.MUİ 6-3/16, the General Assembly of Diyarbekir to the Ministry of the Interior, 10 Şubat 1325 (23 February 1910).

52 BOA: DH.MUİ 6-3/6, the Ministry of the Interior to the Council of State, 20 Şubat 325 (5 March 1910).

would be given the sum for which their lands were sold at auction, and those whose lands were used for the establishment of new villages and settlements would either be monetarily compensated or given other land from the treasury.<sup>53</sup>

The cabinet decision of 31 March not only blocked the resolution of post-1909 seizures through administrative measures, but closed the door on the resolution of disputes which were related to seizures that took place before 1908 by the commissions. This was a major setback for the restitution of Armenian properties, and hence created significant resentment among the Armenian political and religious elite and population. According to Sir G. Lowther, who prepared the annual consular report on Turkey for the British Foreign Office, the actions of the government indicated that the promise of the CUP to return Armenian lands had “now resolved itself into the sentiment that it would be wrong to dispossess the Kurdish usurpers.”<sup>54</sup>

Another development to be mentioned here is shift in the political understanding of the CUP after the congress of the party held in Selanik in October-November 1910 under the leadership of Halil Bey.<sup>55</sup> After the congress, the proceedings were published. The published decisions mostly contained responses to criticism regarding the simultaneous existence of a party and a committee within the CUP organization. Correspondence among the British consular staff shows that debates and decisions in this Congress extended beyond political debates regarding the structure and operations of the CUP. According to British consular staff, the CUP members made several other decisions in secret meetings during the congress. Vice-Consul Geary, who was in Manastır at the time, reported that he had obtained the actual details of the proceedings of the congress “from a confidential source, on

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53 This cabinet decision was published as an imperial order (*irade*) on 13 September 1911. “Emval-i gayr-ı menkulenin tasarrufundan mütehaddis ihtilafatın suret-i halline mütedair 20 Receb 1327 tarihli kararın senesi içinde zuhura gelen tecavüzata hasrı ve teferruatı hakkında irade-i seniye,” *Düstur*, vol. 2, no. 3 (Dersaadet: Matbaa-i Osmaniye, 1330), 738–739.

54 TNA: FO 424/250, Sir Gerard Lowther to Sir Edward Grey, *Annual Report on Turkey for the year 1910*, 31 January 1911, 38–39.

55 For the CUP congresses, see Tarık Zafer Tunaya, *Türkiye’de Siyasi Partiler*, cilt I: İkinci Meşrutiyet Dönemi (Istanbul: Hürriyet Vakfı Yayınları, 1988), 28–31.

which perfect reliance can be placed” and that the information given to the press had little connection “with the subjects which actually occupied the attention of the assembly.”<sup>56</sup> According to the account, members of the CUP had made it clear in the deliberations that they distinguished first between Muslims and Christians and second between Turks and other Muslims. They referred to Christians as “unreliable elements.” In this account, the CUP leaders were claimed to have reached a number of secret resolutions regarding several matters from boycotts to the establishment of new parties. One of these secret resolutions concerned the settlement of immigrants. Vice-Consul Geary summarized this resolution as follows:

Mahommedan immigrants must be planted on the Greek and Bulgarian frontiers to prevent the incursion of bands. For this purpose, 20,000 immigrants were necessary, involving an additional expenditure of £ T. 220,000. At Erzeroum also a commission should be created for the settlement of immigrants from the Caucasus and Turkestan. Land must be found and with this view old chiftlik system must be abandoned, and Christians prevented from purchasing property.<sup>57</sup>

According to this account, there was a shift in the approach of the CUP to the matter of land ownership as a result of the Selanik congress whereby the party began to see land as a means of ethnoreligious domination. Since these were secret resolutions, it is not possible to know the exact content of the deliberations and resolutions. On the other hand, several other documents indicate that the CUP and some Ottoman officials more generally began to see land as a means of ethnoreligious dominance after 1910 and actively worked to settle immigrants in zones prone to territorial disputes like Macedonia<sup>58</sup> and the eastern provinces.

While examining land disputes and ethnopolitics in Western Anatolia, Yücel Terzibaşoğlu points to an interesting document dated 1911 that reflects

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56 TNA: FO 371/1017, Vice-Consul Geary to Mr. Marling, Monastir, 3 December 1910.

57 Ibid.

58 Dündar, *Kahir Ekseriyet*, 57–59.

the rise of ethnonationalist concerns on the part of the Ottoman authorities with respect to land.<sup>59</sup> This document was attached to the draft law on immovable properties, the details of which is examined in relation to the development of individual and exclusionary ownership rights to land in chapter 2. As noted by Terzibaşoğlu, the unnamed author of this report put great political emphasis on land ownership.

At a time when many precedents are conceded for the spreading of the objective of forming states based on the principle of nationality, and when there are many obvious indications of stoking up the objectives of separatism and independence in some places, the issues of the sale of land and land in general, as proposed in this draft law, attain an urgent importance.<sup>60</sup>

The author of the report emphasized that Bulgarians, Greeks, and Serbians had managed to gain control of large tracts of lands and use them in a correct, productive way in line with their national interests. According to the author, the success of these Balkan nations was related to

the distribution of the land acquired according to capacity and need; the administration of the issues regarding land by cadres who were cognizant that *ownership of land is the basis of the transformation from a captive to a sovereign nation*; the availability of cheap credit facilities for land transactions; and the carrying out of these measures with courage and perseverance.<sup>61</sup>

After underscoring the importance of land and presenting an evaluation of the success of Balkan nations in terms of their land policies, the author presented warnings regarding the disposal of lands by Muslims to non-Muslims. According to the author, it was necessary

to explain in plain language to all the Muslims the danger and damage that disposing of land will cause them. This advice, however, should

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59 Terzibaşoğlu, "Land Disputes," 171.

60 Ibid., 172.

61 Emphasis mine. Ibid., 172.

not be made in a manner to create animosity among the Muslims against the Christians, otherwise it could be counter-productive. The question of land should be delegated to capable cadres who understand how critical it is for the Muslims to remain in ownership of the land if they are to remain in the ruling *millet* (community). For this, loans with low interest should be extended to Muslims for the purchase of land.<sup>62</sup>

This report, which was attached to the draft law on immovable properties, indicates that ethnonationalist concerns were shaping the approach of some Ottoman officials to the matter of land ownership after 1910. The approaches of Ottoman officials in Istanbul, of CUP members, and of local officials to land disputes as well as the actions and inactions of the central government regarding the land question should be considered in this light.

#### 6.2.2 *The Reaction of Armenians to the Shift in the Policy of the Central Government*

The cabinet decision of 31 March 1910, which introduced a limitation on the use of arbitration procedures, was countered with protest and complaints from Armenians. On 20 April 1910, the governor of Erzurum sent a telegram indicating the extent to which the cabinet decision had created disturbances at the local level. He reported that the Armenian bishop in Erzurum objected to the decision claiming that “the decision would force the people into mutual killing.”<sup>63</sup> In the same telegram, the governor noted that land disputes constituted the majority of applications to the local government and that approximately eighty per cent of all applications were related to such conflicts. Moreover, a majority of crimes and murders in the province were related to land disputes. According to him, if land disputes were to be directed to courts, judicial procedures and capacity had to first be improved.<sup>64</sup> Thus, he suggested the abolition of court expenses which hindered the application of people to

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62 Ibid.

63 “bu kararın halkı mukâteleye mecbûr edeceğini...” BOA: DH. MUİ 6-3/25, the governor of Erzurum to the Ministry of the Interior, 7 Nisan 1326 (20 April 1910).

64 Ibid.

the courts as well as the appointment of new judges to improve judicial capacity.

The introduction of a limitation on the use of arbitration procedures had broad repercussions in the Armenian press. On 30 April 1910, *Azadamart* published an editorial titled “The Vicious Circle: The Unresolved Land Question.”<sup>65</sup> This article noted that promises concerning the establishment of a commission and the resolution of the land question remained unrealized since the proclamation of the constitution, and that the land question became a vicious circle in the constitutional period. The article underscored that the problem was more than an Armenian issue; the problem was “the bullying of some beys, sheikhs, and aghas and the harm done to Armenian, Kurdish, and Turkish peasants – to those without power.”<sup>66</sup> The article stated that “interest-seekers from several nationalities had deprived Armenian peasants and Kurdish cultivators of their lands through force and fraud and seized not only properties belonging to private persons but also lands and pastures belonging to communities.”<sup>67</sup> Thus, the author of this article not only objected to forceful seizures but also to the liberalization of the land regime and the privatization of communal properties like pastures. In this article, Armenian parliamentarians and the Patriarchate were also called to action.

*Azadamart* went a step further and openly accused the government of conspiring against Armenians in another editorial titled “The Real Intention of the Government: A New Disposition, A New Blow” published on 15 June 1910. In this article, the introduction of a limitation on the use of arbitration procedures was defined as a “governmental blow to Armenian peasants.”<sup>68</sup> It was argued that this new regulation would only serve to give legal protection to oppressors, promote brigandage, and annihilate the Armenian peasantry.

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65 “Hoři Sh’rchan: Hoghayin Anludzeli Khntirë,” *Azadamart*, April 30, 1910.

66 “... sosg gark më bëyeru, shëykheru u aghaneru p’rnut’iwnë gadarowadz i vnas hay, kiwrđ ew noynisg t’urk’ yergakordz anzōr darrin.” *Ibid.*

67 “Mëg k’ani aztets’ig ch’arakordzner yen iwra k’anch’iwr sh’rchani mëch, or p’rni uzhov gam khartakh michots’nerov, zargadz haj kiwghats’iin vzin, kiwrđ hoghakordzin vzin, krawer yen och’ miayn anh’danneru, ayl ew hajakh ampoghch hamaynk’neru ardern u varelahogherë.” *Ibid.*

68 “gařavaragan harowadz ë, ughghowadz hay yerg’rakordz zhoghovurtin.” “Gařavarut’yan Pun Nbadagë: Nor Dnōrinut’iwn, Nor Harowadz,” *Azadamart*, June 15, 1910.

The author stated that neither the Patriarchate nor Armenian political parties and parliamentarians could comply with or remain silent regarding their demands and concerns related to this matter. The final part of the article was just as assertive.

The Armenian people have decided to defend their rights regarding the land question on absolute and final terms. We know no words or resolutions other than this. The government will either rely on rights and justice or proclaim itself as the bearer of oppressive, anti-constitutional, and Hamidian rationality.<sup>69</sup>

As seen in these examples, the policies of the central government regarding the land question were followed closely in the Armenian press. The introduction of a limitation on the use of administrative resolution procedure was interpreted as a blow to the Armenian peasantry by *Azadamart* newspaper, which called Armenian political and religious actors to action. The articles published in *Azadamart* also show that in the ARF circles in this period, class-related concerns were raised side-by-side with nationalist concerns.

### 6.2.3 *Rapprochement between the Central Government and Kurdish Chiefs and the Outbreak of a New Wave of Violence*

The emergence of a new rapprochement between Kurdish chiefs and the central government by the spring of 1910, together with the marginalization of the arbitration procedures by the limitation of its use to disputes that occurred in the year following the proclamation of the constitution, marked the beginning of a new era for land disputes and for the living conditions of Armenian peasants in Ottoman East. As noted above, the second action of the Ottoman government indicating a serious shift in the approach to the issue of land disputes was the invitation of Bekir Sami Bey, governor of Van, to the

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69 “Hoghayin harts’in ngadmamp hay zhoghovurtē oroshadz ē basdbanel ir irawunk’nerē, amen knov ew minch’ew verchē. Çenk’ janch’nar urish och mēg khōsk’ ew och’ mēg ludzum. Gam gaṛavarut’iwnē gē gankni sahmanatragan irawunk’ē u artarut’ean gōch’manē vray, gam ink’zink’ gē hṛch’agē p’ṛnawor, hagasahmanatragan ew nersh’nchowadz hamidean mēdk’erov.” Ibid.

Kurdish chiefs who had fled to Persia to return to the country in the first months of 1910. In April, the chiefs were informed that their ranks would be abolished and their properties would be taken over by the state if they did not come back within a reasonable period of time. If they returned, they would maintain their privileges together with the properties they had seized. They took up the offer and received an official welcome upon their return to Van.<sup>70</sup>

On 13 February 1911, the Ministry of the Interior sent an order to the governors of Bitlis, Van, Mamuretülaziz, and Erzurum stating that Ottoman diplomats in Tiflis were warning the central government to take action against Russian attempts to sway Kurdish chiefs to the Russian side. The Ministry of the Interior, upon the request of the Ministry of War, ordered local governors to take action to prevent such an outcome. The Ministry of the Interior stated that

while it is necessary to protect the Armenian element from the oppression that prevailed in the previous period, it is also necessary to flatter and praise the Kurdish element, and, if needed, this should be carried out through rewarding chiefs through effective instruments like allocating money and giving honors to secure their loyalty to the sovereign government.<sup>71</sup>

A new wave of violence, unprecedented in the constitutional period, erupted after this shift. Attacks on Armenians with respect to land disputes intensified, and even in cases where Armenians had secured the return of their properties, they were hindered in their efforts to cultivate the returned lands. According to the acting vice-consul of Britain in Bitlis, around forty Armenians had been killed in the province over a period of two months (April-June 1910), and in

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70 Klein, *Margins of Empire*, 159–160.

71 “... Bi’l-hâssa ermeni ‘anâsırının devr-i sâbıkta olduğu gibi dûçâr-ı te‘addî olmasına meydan bırakılmamakla beraber, kürd ‘anâsırının dahi gurûr ve ‘izzet-i nefslerinin okşanması ve îcâb eder ise rü‘esânın para ve ‘unvân ile taltîf olunmak gibi vesâ’it-i mü’essire sayesinde hükümet-i metbûâyâ karşı sadâkatlerinin te’yid edilmesi...” BOA: DH.SYS 23/1, the Ministry of the Interior to the provinces of Erzurum, Van, Bitlis, and Mamuretülaziz, 31 Kanun-ı Sani 1326 (13 February 1911).

several cases, the murders were related to land disputes.<sup>72</sup> Huyt became one of the most problematic regions in the Ottoman East after 1910. As mentioned above, there were many disputed lands in this district. Some were returned to the Armenians; however, during almost every harvest season, the crops and the livestock of Armenian villagers were taken away by Kurdish tribesmen under the leadership of Musa Bey and his brothers.<sup>73</sup> The Kurds also prevented Armenians from plowing lands recently restored to them. Around a dozen Armenians were killed on separate occasions in this district between March and July 1911.<sup>74</sup> All these murders were related to land disputes. Due to the significant resistance of local Kurds, murderers were not effectively persecuted.<sup>75</sup> As the disorder escalated, some seventy Kurds were arrested following a military expedition, but those directly accused of instigating the violence, like Musa Bey, were not captured. After a few months, all those detained were released.

Recognizing that the local government lacked either the capacity or will to enforce the rule of law, several new seizures were carried out through the use of force after 1910. A Kurd named Mervan killed five Armenians over a land dispute in Hizan in February 1911. Following this, local Kurds united to guarantee his freedom by providing false witnesses to say that he was a minor. In the end, Mervan was not taken to court for his crimes. The procedural impunity evident in such cases alarmed local Armenians. In the spring of 1911, tensions escalated as the Sheikh of Hizan began to pressure Armenian peasants to transfer their lands to him. In order to secure this transfer, the servants of the sheikh prevented Armenian villagers from plowing their fields and from taking their animals to pasture or water.<sup>76</sup> In some cases, targets were specifically chosen. The only murder of an Armenian in Hizan in the summer

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72 TNA: FO 424/224, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 18 July 1910.

73 TNA: FO 424/225, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 24 October 1910.

74 TNA: FO 424/228, Acting Bishop of Mush to Consul McGregor, Mush, 5 June 1911; TNA: FO 424/228, Mr. Marling to Sir Edward Grey, Constantinople, 4 July 1911.

75 TNA: FO 424/228, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 9 July 1911.

76 Ibid.

of 1911 was of an Armenian notable named Kantcho who “had fought for years against the sheikh for defending the lands of his fellow-villagers.”<sup>77</sup>

Apart from the resurrection of violence, old practices like levying of illegal protection tax (*hafir*) resurfaced. For example, in autumn 1911 Kurdish chiefs in Modki, including Hacı Musa Bey and Hacı Reshid Agha, sent word to twenty Armenian villages to prepare their hafir debts for the previous three years. Upon the insistence of the Armenians that they were only obliged to pay taxes to the government under the new regime, the men under the leadership of Hacı Musa and Hacı Reshid began to take their “share” through force by robbing the villages of their sheep. During these raids to collect hafir, several women were raped and an Armenian named Avag Muradian was murdered by the men of Musa Bey.<sup>78</sup>

Another change with regard to land disputes after 1910 was related to the distribution of Armenian properties to immigrants. In the Hamidian period, immigrants from the Caucasus and Balkans were settled on lands belonging to Armenians. These properties used for the resettlement of immigrants mostly belonged to Armenians who had fled. After the establishment of the constitutional regime in 1908, thousands of Armenians returned to their lands, and serious conflicts between the settlers and returnees arose. These kinds of disputes remained unresolved for the most part. In autumn 1910, the government began anew to grant land belonging to Armenians to immigrants. In the Yoncalı village of Bitlis, Armenians had successfully reclaimed their rights to disputed lands in court, and Circassian immigrants were evacuated from the village in autumn 1910. However, the same immigrants were settled on other Armenian lands near the village in spring 1911. In the villages of Dermend and Vartenis of Bitlis, land disputes between Armenian villagers and Circassian immigrants who had been settled in these villages around 1904 were taken to court. As the court proceedings continued, twenty-one new parcels of land belonging to the same Armenians were given to the immigrants

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77 TNA: FO 424/228, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 18 August 1911.

78 TNA: FO 424/229, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 13 November 1911.

in spring 1911.<sup>79</sup> According to Consul McGregor, Circassian immigrants also began being settled on the properties of Kurdish peasants in this period.<sup>80</sup> In addition to the settlement of Circassian immigrants on Armenian lands and the allocation of new Armenian lands to immigrants beginning in 1911, the Ottoman government began to use disputed Armenian lands to settle nomadic Sheikhbezemli Kurds in Lessonk in the province of Erzurum.<sup>81</sup> The government initiative to again distribute Armenian lands to immigrants was interpreted by British Consul McGregor as an indication of a shift in government policy. He noted that “in thus reverting to the time honoured policy of stiffening the reliable element on their frontiers by the importation of Muhajirs, the government appears to be carrying out the programme generally supposed to have been decreed by the CUP and similar developments may be looked for in other frontier districts.”<sup>82</sup>

The dispute between Kurdish peasants from the Zomik village of Tutak and Haydaranlı Hüseyin Pasha reveals the extent to which Kurdish chiefs were able to exploit their newly recognized significance among Ottoman authorities to secure ownership of lands that they seized. During the Hamidian regime, the Kurds of Zomik, who were also members of the Haydaranlı tribe, had requested the help of Hüseyin Pasha in the face of pressures from Sipkanlı Kurds. In this period, the villagers had given Hüseyin Pasha some lands in return for protection. During his term as director of Patnos, Hüseyin Pasha registered many parcels in the village in his name,<sup>83</sup> and in the meantime, he began to act as the owner of the whole village and to banish those who challenged him, settling others from among his tribe in their places. Upon the proclamation of the constitution, Kurdish peasants who had been banished from the village by Hüseyin Pasha began to return. Upon this challenge, Hüseyin Pasha took the matter to the administrative council claiming that the

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79 TNA: FO 424/228, Acting Vice-Consul Safrastian to Consul McGregor, Bitlis, 18 June 1911.

80 TNA: FO 424/228, Consul McGregor to Sir G. Lowther, Erzurum, 27 June 1911.

81 TNA: FO 424/228, Consul McGregor to Mr. Marling, Erzurum, 7 July 1911.

82 TNA: FO 424/228, Consul McGregor to Sir G. Lowther, Erzurum, 27 June 1911.

83 BOA: DH.H 74/3, report by Erzurum director of education Şükrü Bey and head of the registry office Mahmud Bey, 4 Haziran 1327 (17 June 1911).

returning peasants were interfering with his use of properties that belonged to him. According to a later evaluation by the Erzurum administrative council, the administrative council of the time was under the influence of the Beyazıt deputy, Süleyman Sudi Bey, and decided to evict eleven returning families from the village on account of the influence of the deputy.<sup>84</sup> Upon the complaints of these peasants, a commission was sent to the village to investigate. This commission, which was comprised of the director of education, Şükrü Bey, and the head of the registry office, Mahmud Bey, found that the village possessed more than a thousand plots of land of more than 25,000 dönüms. The title deeds held by Hüseyin Pasha concerned only four plots of agricultural land, fifteen pastures, and a winter quarter. Thus, his claims to the ownership of the whole village were groundless. The commission noted that Hüseyin Pasha had been protected by the government at the expense of poor peasants who had been brought to ruin; not only the villagers of Zomik but also those of Patnos and Van were raising complaints against Hüseyin Pasha. According to Şükrü Bey and Mahmud Bey, an inspection to determine exact borders would reveal the exact parcels of land belonging to Hüseyin Pasha and resolve the case. On 20 June 1911, the Erzurum administrative council evaluated the issue and decided on a resolution to the problem. This decision noted that “the usurpations and crimes of Haydaranlı chief Hüseyin Pasha are well-known and there is not a single village in the Beyazıt district which was not harmed by him through pillage, looting, and expulsion during the previous regime.”<sup>85</sup> The administrative council demanded a resolution to the land conflicts, which they claimed hindered people’s inclination towards the new regime and provided a receptive ground for harmful political activities.

In the meantime, Hüseyin Pasha decided to use all his leverage to affect the outcome of this process. He wrote several petitions to the grand vizier and the Ministry of War demanding their intervention secure his rights to the

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84 BOA: DH.H 74/3, decision of Administrative Council of Erzurum, 7 Haziran 1327 (20 June 1911).

85 “... Haydaranlı re’îsi Hüseyin Paşa’nın tegallüb ve tecâvüzü ma’lûm olub Beyazıt sancağı dâhilinde devr-i sâbıkta yağmâ ve gâret ve tağrîb sûretiyle mûmâileyhten zarar görmemiş bir köy bile yoktur...” Ibid.

disputed lands. In the petition sent to the Ministry of War, Hüseyin Pasha claimed he had been a faithful servant of the Ottoman Empire for many years and sought refuge in Persia due to the pressures of the governor of Erzurum whom he accused of paving the way for the “looting of his property” during his absence. On 20 June 1911, the Ministry of War sent a note to the Ministry of the Interior stating that the ministry had received complaints from Hüseyin Pasha that local authorities had not prevented the interference of third parties on his lands – that they protected those who interfered instead.<sup>86</sup> Hüseyin Pasha also began to throw around threats that he would again flee to Persia if the lands in dispute were taken from his possession.<sup>87</sup> He also contacted Naci Bey and Cavid Bey leading members of the CUP who were visiting the region, and openly declared that he was himself an Ittihadist. While the governor of Van argued that Hüseyin Pasha was conspiring to start an uprising in collaboration with Abdürrezzak Bedirxan and demanded the deployment of troops to the region to secure public order, he was unable to secure the assistance of the army.<sup>88</sup> In the governor’s own terms, he was of late “unable to get any help from the army for any sort of matter” and his orders were not followed.<sup>89</sup> The governor’s demands that the army be deployed to the region were dismissed by the grand vizier on 18 September 1911.<sup>90</sup> A couple days later, the governor stepped back and suggested the case be suspended; he had come to conclude that Hüseyin Pasha’s possible “flight to Persia was not in line with

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- 86 BOA: DH.H 74/3, the Minister of War to the Ministry of the Interior, 7 Haziran 1327 (20 June 1911).
- 87 BOA: DH.H 74/6, the Governor of Erzurum to the Ministry of the Interior, 25 Temmuz 1327 (7 August 1911).
- 88 BOA: DH.H 74/6, the Governor of Erzurum to the Ministry of the Interior, 23 Temmuz 1327 (5 August 1911).
- 89 “... son zamanlarda hiçbir husus için cihet-i ‘askeriyeden mu‘avenet edilmemekde olduğundan...” Ibid.
- 90 BOA: DH.H 74/6, the Grand Vizier to the Ministry of the Interior, 5 Eylül 1327 (18 September 1911).

the interests of the state for the time being.”<sup>91</sup> The governor informed the Ministry of the Interior that he would orally explain the details of the case when he arrived in Istanbul en route to his new office in Edirne. The Ministry of the Interior accepted the suspension of the case and informed the grand vizier of the situation.<sup>92</sup>

### § 6.3 The Approach of Local Ottoman Officials to Land Disputes

As illuminated in the case of Zomik, local officials of the Ottoman Empire found themselves in a difficult situation in these years. On one hand, they were receiving numerous applications from Armenians and Kurds who claimed that their constitutional rights were overridden by those who had gained influence and power in the Hamidian period.<sup>93</sup> As representatives of the new regime, they were compelled to respond. On the other hand, the governors had to manage the notables and chiefs whose cooperation with the new regime was seen as fundamental by the central government, especially by military authorities. Correspondence between the central government and local governors also reveals that the latter often disagreed with the central government with respect to land disputes and the appropriate course of action to be taken with respect to Kurdish chiefs and notables.

On 8 November 1910, the governor of Bitlis, İsmail Hakkı Bey, sent a long report to the Ministry of the Interior regarding the issue of land disputes in the province.<sup>94</sup> In this report, sent at the height of the Çukur case, İsmail Hakkı

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91 “... şu sıralar irana firâr etmesi menâfi‘-i vataniyeye muvâfık görülmediğinden...” BOA: DH.H 74/6, the Governor of Erzurum to the Ministry of the Interior, 25 Temmuz 1327 (7 August 1911).

92 BOA: DH.H 74/6, the Ministry of the Interior to the Grand Vizier, 30 Temmuz 1327 (12 August 1912).

93 For a detailed examination of petitions written by Kurdish peasants for the return of lands seized by powerholders in the Hamidian period, see Nilay Özok-Gündoğan, “A “Peripheral” Approach to the 1908 Revolution in the Ottoman Empire: Land Disputes in Peasant Petitions in Post-revolutionary Diyarbakir,” in *Social Relations in Ottoman Diyarbakir, 1870–1915*, ed. Joost Jongerden and Jelle Verheij (Leiden: Brill, 2012), 179–215.

94 BOA: DH.SYS 23/1, report of İsmail Hakkı Bey, governor of Bitlis, 26 Teşrin-i Evvel 1326 (8 November 1910).

Bey noted that the situation had nothing to do with socialism as the previous governor had claimed. He provided an extensive list of properties seized by local notables Hacı Necmeddin Efendi, Şemseddin Efendi, and İbrahim Efendi, underscoring that none of the disputed villages were inherited by these notables who had no sources of income other than their salaries. According to İsmail Hakkı Bey, these facts alone were enough to prove that these notables had unjustly usurped the lands and properties in question. The governor also noted that the acts of these notables had damaged the treasury; after usurping these properties, these notables had reduced the tax burden on these lands by using their influence over local officials. According to İsmail Hakkı Bey, it was not possible to solve these disputes through administrative action because these usurpers held important positions in the administrative council. He demanded the establishment of either a special commission or of temporary courts for the resolution of these disputes. Another point he raised with respect to land disputes concerned prescriptive rights and statutes of limitations. According to the governor, anyone who knew the social structure of the province and the practices of the previous regime would acknowledge that peasants, who were deprived of their properties, would not have dared raise objections or claims during the Hamidian period. The governor argued that “the fact that the properties belonging to the treasury or third parties were held by a bunch of interest-seeking usurpers and notables for ten or more years due to the practices of the ancient regime cannot be seen as a fact that gives these men a legitimate right in this regard.”<sup>95</sup> Thus, according to the governor, prescriptive rights should not be recognized in land conflicts in the region.

Another matter of dispute between the central government and local governors was related to the appropriate course of action to be taken towards Kurdish chiefs and notables. As noted in the previous part, the Ministry of the Interior had sent an order to provincial governors, ordering them to flatter and praise Kurdish chiefs by allocating them money and honors. In his reply,

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95 “... hazîneye veya başkalarına ‘â’id emvalin hükümet-i sâbıkanın mu‘âmele ve harekât-ı melusesi (?) yüzünden on veya daha ziyâde seneden beri bir takım menfa‘at-perest müteğallibe ve müteneffizanların ellerine geçmesi bu adamlara bu babda meşrû‘ bir hak kazandırmış olamayacağı...” Ibid.

İsmail Hakkı Bey suggested that it was exactly this policy of flattering and praising the chiefs that had ruined the country in the Hamidian period. While underscoring that it was beyond his “authority to determine the appropriateness of resurrecting the evils of the governmental approach of the ancient regime,” the governor presented a detailed evaluation regarding the Hamidian policy and its effects on the Ottoman East.

As a political consequence of this sort of governmental approach, this region became long a site of pillage and murder: the number of undesirable events, murders, and lootings increased; everyone lost their sense of security with respect to property and life; the influence and power of the government diminished; and every chief began to act autonomously and felt free to act in line with his own desires and ends in accordance with the honors and privileges he had been granted. As an unfortunate result of this situation, these regions suffered a lack of government and security for a long time. Is providing the opportunity to scratch this wound that has been slowly healing – reopening this door which seemed to be closed by resurrecting this sort of governmental approach just as the situation calmed after the dawn of the sun of freedom, when everyone started to breath, open their eyes, live in a relative degree of security with regard to their properties and lives, when public security and order have begun to increase day by day due to the approach and objective conduct of the government, when the people’s sense of security and trust has begun to flourish – suitable for the well-being of the country, for the prosperity of the people and the state? I do not know!!<sup>96</sup>

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96 “sırf bu tarz idârenin netice-i siyasiledir ki: bir hayli zaman bu havâli bir saha-i yağmâ ve cinâyât olmuş vak’a-ı mü’essifeyi mütevâlâye, katl ve talan çoğalmış; hiç kimsede emniyet-i mal ve can kalmamış, nüfûz ve kuvvet-i hükümet azalmış; her re’îs derece-i taltîf ve imtiyâzına ve keyif ve ârzû-ı zâtisine göre harekâtında serbest ve fâ’îl-i muhtar olmuş; bu hâllerin zade-i meş’ûmu olarak bu taraflar uzun müddet hükümeteşizlik, emniyetsizlik içinde kavrulmuş; tulû’-ı şems-i hürriyetle birden bire bu hâlât-ı fikr-i X durgunluk gelmiş, herkes biraz nefes almağa, gözünü açmağa, hayat ve malından bir dereceye kadar daha emin yaşamağa ve günden güne hükümetin buralarda ta’kîb ve tatbîk edegelmekte olduğu ma’rûz-ı usûl-i idâre

This telegram also noted that Kurdish peasants were suffering under the pressure of chiefs and notables, and that their misery was comparable to that of Armenians. According to the governor, the state had to take steps to eliminate the conditions that hindered strong commitment to the new regime among the various Ottoman elements – not only Kurdish chiefs – and to work to reform the administrative and judicial structure in the region in line with the needs of people.

İsmail Hakkı Bey was not alone in raising objections about the new policy of the central government to praise and flatter the chiefs. Responding to the same order, Celal Bey, the governor of Erzurum, noted that Kurdish chiefs were spreading rumors to maintain their power and influence. According to Celal Bey, the fact that Haydaranlı Hüseyin Pasha had failed to secure the commitment of a large group of followers to flee to Persia despite the deliberations he carried out was an indicator of the extent to which the power and influence of the chiefs had been curbed in the aftermath of the constitutional revolution.<sup>97</sup>

Celal Bey argued that Kurdish commoners were content with the new regime and that many had started to cultivate and rear livestock, secure from the raids and pillage that prevailed during the Hamidian period. He noted that area under cultivation were increasing year by year throughout the region and tribes whose only source of living was livestock were taking up agricultural activity due to the security provided by the new regime. Celal Bey suggested that if some Kurdish chiefs decided to flee, honors and money would not be enough to change their minds. According to the governor, instead of flattering and praising the chiefs, it would be more beneficial and effective to make reforms to improve the conditions of the general population and

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ve meslek-i bî-tarafı ile emniyet ve huzûr-ı ‘âmme artmağa ahâlîdeki emîn ve i’timâd hâlleri daha büyük bir kuvvetle çarpmağa başlamış iken, yeniden bu tarz idârenin tebdili ile yavaş yavaş elyiname (?) yüz tutmuş olan cerihayıdeşmeğe, bu kapanır gibi olan bu kapıyı tekrar açmağa müsâ‘id olacak bir zemîn hazırlamak, selâmet-i memleket ve sa‘âdet-i ahâli ve devlet nokta-yı nazarından muvâfik olabilir mi? Bilemem!!” BOA: DH.SYS 23/1, the Governor of Bitlis to the Ministry of the Interior, 5 Mart 1327 (18 March 1911).

97 BOA: DH.SYS 23/1, the Governor of Erzurum to the Ministry of the Interior, 16 Şubat 1326 (1 March 1911).

governmental infrastructure. The governor also proposed the implementation of a land reform project to curb the power of the chiefs over poor Kurds and strengthen the loyalty of the Kurdish people to the regime. The governor stated that

making the poor people under the domination of a certain tribal chief land owners – attaching them to land and eliminating the influence of the chiefs in this way – is a more rational measure than attempting to secure the commitment of a tribal chief through titles, honors, money, [or] rank ... The people are compelled to work for their bare subsistence on lands that were usurped from their fathers, grandfathers or even from themselves by beys, aghas, and rich people. The recovery and prosperity of Kurdistan can be achieved if a land survey is carried out [using a fund that will be established] by adding some money to the sum planned to be given to the chiefs and if lands determined to be vacant [in this survey] are distributed to the poor ... According to me, increasing the number of gendarmes, establishing gendarmerie posts at necessary points, and opening schools would be more effective than giving titles and honors to some chiefs.<sup>98</sup>

Thus, according to Celal Bey, the state could solve the problems in the region and establish public order by increasing the number of gendarmes, opening schools, and making Kurdish commoners landholders. Celal Bey not only proposed measures that would be more influential than flattering the chiefs, but also underscored the dangers that the latter policy might bring about.

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98 “Bir ‘aşîret re’îsi rütbe, nişân, para, ‘unvân ile kendimize bağlamağa çalışmaktan ise o ‘aşîret re’îsinin hükmü altında bulunan fukarâ’yı arâziye sâhib ederek toprağa bağlamak ve bu sûretle rü’esâ’nın tes’îrini ortadan kaldırmak elbet de daha ciddi bir tedbîr olur ... Ahâlî, beylerin, ağaların, zenginlerin kendi peder veya büyük pederlerinden veyahûd bizzat kendilerinden gasp ettikleri topraklarda yarı aç yarı tok çalışmağa mecbûrdurlar... Rü’esâ’ya verilmesi tensîb edilen parayı bir miktar artırarak umûmî bir arâzi tahrîri yapılır ve bulunacak yerler fukarâ’ya verilirse kürdistanınistirâhat ve ma’mûriyeti te’mîn edilmiş olur ... Bendenize kalırsa bazı rü’esâ’ya ‘unvân, nişân vermekten ise jandarmanın miktarını artırmak, gerekli yerlerde karakollar kurmak ve mektebler açmak daha etkilidir.” Ibid.

Flattering the chiefs – giving them titles and money – will spoil them and corrupt their morals. Moreover, a tribal chief who becomes accustomed to receiving money will demand money as frequently as he needs to. God forbid, if they sense that the government is attempting to obviate them through promotion and flattery in response to its anxiety about their actions, they will dare to violate public order and peace by devising several appropriate and inappropriate demands. Promoting them and giving them honors will have an adverse effect on poor Kurds. Thinking that the old days of the chief's glory and grandeur have returned, they will conclude that they have no choice but to obey every order [of the chiefs]. Thus, the chiefs will see no obstacles to hinder them from taking up the acts they were carrying out until three years ago. The effects of this situation on Armenians need not be stated or expressed. And as chiefs will be flattered and their power will be amplified, the trust of Armenians in the government will diminish. It will be impossible to convince any Armenian notable or intellectual that this course of action was taken as a precaution against the attempts and intrusions of the Russian state. Because the Taşnaksutyun and Hınçakyan committees, which have extended their network down to the villages, have the capacity to start an uprising in the country in a couple of days if they wish to do so, god forbid, causing them to have such suspicions may invite tremendous evil.<sup>99</sup>

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99 “Ümerâ’yı okşamak, onlara ‘unvân, para vermek kendilerini şımartır, ahlâklarını bozar. Bir de para almağa alışan bir ‘aşîret re’îsi başı sıkıldıkça para almak ister. Ve hafazana’llâh hükümetin bazı teşebbüslerinden çekinerek taltîf ve okşamak ile önünü almak istediğini his ederlerse münâsebetli münâsebetsiz birçok istekte bulunarak âsâyîşi ve sükûnu ihlâl etmeye cüret eder. Bunları lüzumu taltîf ve ihsânlarla uğratmak fukarâ’ kürdleri üzerinde ters etki yapar. Rü’esâ’nın eski ‘azamet ve ihtişâm devirlerinin döndüğünü hüküm ile artık her emîrlere itâ’atdan başka çare kalmadığına kanâ’at etmesine neden olur. Ve bu hâl ile rü’esâ’ üç sene evvel yaptıklarını tekrarda bir mâni’ tasavvur edemezler. Bu hâlin Ermenilerce hâsıl edeceği sù-î tes’îrat ise muhtaç-ı ‘arz ve îzâh değildir. Ve rü’esâ’ya yüz verilerek iktidarları artırıldıkça Ermenilerin hükümete olan güvenleri azalır. Ermeni müteneffizan ve mütefekkirini meyânında hiç bir ferdi Rusya devletinin tevessülât ve ilkâ’atına kani olmak

The telegram sent by the district governor of Tercan to the Ministry of the Interior illuminates the difficulties faced by local authorities with regard to land disputes. According to the district governor, there were several types of complaint regarding use and ownership rights to lands in the province, and the government was paralyzed. He noted that order and security in the district was compromised and that local officials were in a difficult position due to the ineffectiveness of the courts and the lack of authority on the part of the civil administration.<sup>100</sup> The district governor demanded immediate measures for the resolution of land disputes and the expansion of the authority of the civil administration until the implementation of those new measures.

In order to investigate the matter of land disputes in the Ottoman East, the Central Government commissioned Ali Seydi Bey and Staff Major Mustafa Bey as inspectors in 1910. Their evaluations regarding the issue of land disputes also provide insights regarding the approach of Ottoman officials to the matter in this period. During their mission, the inspectors visited Erzurum, Bitlis, Diyarbakir, and Aleppo and questioned local officials. It should be noted that they interviewed only local officials, which was criticized by local Armenians and seen as an indication that the central government lacked the will to thoroughly investigate land disputes.<sup>101</sup> Ali Seydi Bey and Mustafa Bey underscored the generality of the problem by noting that the number of applications submitted to them in the three days following their arrival in Erzurum reached 90 and that land disputes were not confined to conflicts between Armenians and Kurdish chiefs but also included disputes among Muslims. The inspectors pointed out that the judicial infrastructure in the region was weak and there were courts in only two districts in the province. According to the inspectors, it was beyond hope that those who were directed

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üzere bu yolda hareket edildiğine inandırmak kabîl olamaz. Bugün teşkilâtlarını köylere kadar genişletmiş olan taşnaksutyun ve hınçakyan komiteleri arzu ederlerse bir iki gün zarfında memleketde bir gâ'ile çıkartacak vâsitalara sâhib olduklarından kendilerinde böyle bir şüphe uyandırılması ma'aza'llâh pek büyük fenâlıkları davet edebilir." Ibid.

100 BOA: DH.SYS 67/1-6, the district governor of Tercan to the province of Erzurum, 15 Temmuz 1326 (28 July 1910).

101 TNA: FO 424/225, Vice-Consul Matthews to Sir G. Lowther, Diarbekir, 19 October 1910.

to courts due to the limitation regarding the use of administrative resolution procedures could take their lands back in court. The inspectors argued that the problem would only be solved through the action of the central government. According to the inspectors, the central government should carry out a land survey and distribute vacant and miri lands to rightful claimants and landless peasants. According to them, land conflicts were “the source of all kinds of social conflicts and disputes” and “hindered the unity of (different Ottoman) elements and the provision of order and peace.”<sup>102</sup>

This examination of the approach of Ottoman local officials to the matter of land disputes and the appropriate policy to be adopted towards Kurdish powerholders indicates that there were differences of opinion between the central government and some local governors on these issues. The early governors of the constitutional regime criticized the initiatives of the central government that attempted to secure the loyalty of chiefs.

#### § 6.4 Initiatives of the Armenian Political and Religious Elite to Raise the Issue of the Land Question

The non-resolution of land disputes and the emergence of an appeasement policy towards Kurdish chiefs led to concern in several Armenian circles after 1910. As noted above, the Patriarchate, Armenian deputies, politicians, and the national assembly were frequently called to action by the Armenian press. All these actors began to take a more active role in raising the issue following 1910. The traces of this increased activity on the part of the Armenian political and religious elite and their institutions can be traced in publications, memorandums, and other initiatives like the commissioning of lawyers to provide legal support for Armenian claimants in land disputes.

After 1910, Armenian institutions and the political elite prepared several publications regarding the land question. The reports of the Armenian

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102 “her türlü münâza‘at ve muhâsamet-i içtimâ‘îyenin menba‘ı olub” and “ittihâd-ı ‘anâsıra ve te‘mîn-i huzûr ve âsâyişe sed çeken...” BOA: DH.MUİ 102-2/14, cipher telegram from inspector Ali Seyidi and staff major Mustafa Bey to the Ministry of the Interior, 25 Mayıs 1325 (7 June 1909).

Patriarchate, which began to be published in 1910, are among the most significant of these. As examined in detail in chapter 4, these reports, which were published in four volumes, contain significant details about land disputes including the names of usurpers and original owners as well as the processes by which the lands in question changed hands.<sup>103</sup> Another important publication of this period was the book *The Land Question in Provinces Inhabited by Armenians* by Kegham Der Garabedian. Criticizing the Patriarchate reports for narrowing the scope of the issue by excluding seizures of land under a certain value (100 lire), Garabedian pointed out that the problem was greater than was portrayed by the Patriarchate commission.<sup>104</sup>

Another significant book published in this period was authored by Armenian politician Harutyun Shahrikyan who used the penname Adom. In this book titled *State Reform and the Land Question*, Adom noted that a feudal social structure was incompatible with the governmental structure of the period.<sup>105</sup> If the new regime was to abolish oppression, it had to end feudalism. According to Adom, this was not only necessary to solve the problems of peasants and the land question, but also to create a new Turkey, to reform the state, and to establish a constitutional environment. Adom stated that Tanzimat reforms had failed to eliminate certain feudal elements, the existence and structure of which were maintained. What is more, new feudal elements like notables and elites were added to the picture. After the Tanzimat, these elements were promoted, and such promotions peaked during the Hamidian period. According to Adom, “feudalism – [the elements of which were] aghas and toruns, beys and notables,” posed an “eternal threat” to the regime, public order, and the constitution. He argued that “for the Ottoman state, which adopted the constitution after [a period of] authoritarianism, advocated democracy and promoted the idea of self-regeneration and resurrection, abolishing that class that was representative of nothing but oppression and self-interest was an obligation that could not be postponed or

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103 *Deghegaker Hoghayin Krawmants Hantsnazhoghovoy*, 4 vols. (Istanbul: Doghramadjian Dbakragan, 1910-1912).

104 Garabedian, *Hoghayin*.

105 Adom, *Bedagan*.

avoided.”<sup>106</sup> Adom noted that the existence of feudal elements was also an impediment to the economic development of the Muslim people. In the second part of this book, Adom evaluated the Land Code and land disputes in detail. He stated that the spirit and objectives of the Land Code were not understood by officials and its implementers. With reference to Articles 8, 45, and 46, he stated that the Land Code sought to eliminate large land ownership and promote the expansion of a landed peasantry in lieu of large landholders. He also expressed that the principle of prescriptive rights (*hakk-ı karar*) could not be applied to those properties the abandonment (*mahluliyet*) of which was disputed on legal grounds.<sup>107</sup>

Another Armenian intellectual who published extensively regarding the land question in this period was Hovannes Der-Mardirosyan. Der-Mardirosyan wrote using the penname A-Tō. In his book titled *The Provinces of Van, Bitlis and Erzurum: A Study of the Country's Geographical, Statistical, Legal and Economic State*, A-Tō presented his evaluations and ethnographic observations which were based on his visits to the region.<sup>108</sup> While the book is not exclusively on the land question, it includes important details regarding the conditions of peasants and the practices of sharecropping. In this book, A-Tō also listed usurped properties in Tercan and Adilcevaz.<sup>109</sup> Most of the disputed properties in Adilcevaz in A-Tō's list were related to seizures by Haydaranlı Hüseyin Pasha.

In May 1910, the ANA discussed the issue of land disputes in the Ottoman East.<sup>110</sup> In his speech on the issue, Kegham Der Garabedian noted that the problem in Bitlis, Bulanık, Van, Diyarbakir, Tercan, Muş, and Palu was grave and that Armenian peasants from all over the region were flowing into Istanbul to solve their problems. Garabedian noted that even though their claims were justified, peasants were losing their cases due to their lack of knowledge and inability to present their cases in an appropriate manner before

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106 Ibid., 33.

107 Ibid., 43–50.

108 A-Tō, *Vani, Pit'lisi*.

109 Ibid., 390–399.

110 *Azkayin Ėnthanur Zhoghov*, nist Zhe (session 15), 28 May 1910, 259–264.

the courts. Garabedian suggested that the ANA commission three lawyers to follow cases concerning land disputes in Van, Muş, and Bitlis.<sup>111</sup> Despite criticism that the matter could only be solved by the government and that sending three lawyers would not change the course of events, Garabedian's suggestion was approved.<sup>112</sup>

On 20 July 1911, the Armenian Patriarchate submitted an extensive memorandum to the grand vizier, Ministry of the Interior and Ministry of Justice regarding the land question.<sup>113</sup> In this memorandum, the Patriarchate accused chiefs and notables of taking action to destroy Armenians and hinder the implementation of reforms that would curtail their power. According to the Patriarchate, chiefs and notables had provoked ordinary, simple-hearted people by spreading false rumors regarding the intentions of Armenians, declaring that the Armenians were looted from all kinds of protection granted by sharia and civil law, and that their honors, lives, and properties were beyond the protection of law (*helal*). The massacres of the Hamidian period were claimed to have been the result of such actions by chiefs and notables. In this memorandum, the Patriarchate underscored the economic aspect of the massacres by making a distinction between physical and economic violence. Upon receiving a strong reaction from the Ottoman and European publics, the rulers of the authoritarian regime had abandoned the policy of massacre by the sword (*katliam-ı seyfi*) and adopted a policy of administrative and economic massacre (*katl-i idari ve iktisadi*), instead.<sup>114</sup> The memorandum stated that government officials, notables, and common people had taken advantage of the calamities of Armenians by usurping their lands in various ways including coercion and fraud. The memorandum also summarized the findings of the commission established by the Patriarchate to investigate land

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111 Ibid., 260.

112 Ibid., 264.

113 *Anadolu Vilayat-ı Osmaniyesindeki Arazi Meselesine Dair Ermeni Patrikhanesinden 7 Temmuz 327 Tarihiyle Makam-ı Sami-i Sadâret-i Uzmâ ile Dâhiliye ve Adliye ve Mezahib Nezaret-i Celilelerine Arz ve Takdim Kılınan Takririn Suretidir* (Dersaadet: Dikran Doğramacıyan Matbaası, 1328).

114 Ibid., 2–3.

disputes. The Patriarchate pointed out that Armenians who had left the empire during the Hamidian period were forced to sign documents stating that they would not return to the Ottoman Empire and that the central government had even granted railway privileges to Russia to ensure that they would not return.<sup>115</sup>

In this memorandum, the Patriarchate underscored five specific points with regard to land disputes. The first point was related to the return of Armenians who had fled to other countries and their property rights. The Patriarchate underscored that Armenians had left the country under extreme pressure and that the property rights of all Armenian citizens, regardless of whether they had left the country with or without official permission, should be protected. The second point raised by the Patriarchate was related to the principle of hakk-ı karar. The Patriarchate suggested that cases involving Armenians whose properties were usurped by third parties in their absence should not be subject to the statute of limitations in line with Article 20 of the Land Code. The Patriarchate stated that the Armenians were unable to apply to the authorities within the legally prescribed period due to their flight as a result of oppression. According to the Patriarchate, the statute of limitations should also not apply to properties allocated to Muslim immigrants and tilled by those immigrants because a statute of limitations that rendered such cases inadmissible in court was statute of limitations without legal justification. The Armenians had justification for not being able to raise their claims on time. The third point raised by the Patriarchate was related to properties the title deeds of which were considered invalid because the land had not been cultivated for more than three years (müstahakk-ı tapu). With regard to these lands, the Patriarchate underscored the fact that Armenians had not left their lands uncultivated by their own will, but had fled to save their honor and their lives. According to the Patriarchate, such cases should be considered within the scope of Article 68 of the Land Code. Fourth, the Patriarchate claimed that there was only one exceptional condition that should prevent the return of disputed properties to Armenians. This condition, which was specified in Article 35 of the Land Code, was related to properties upon which buildings

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115 Ibid., 4.

were erected or trees were planted. If a dispute emerged between those who held valid title deeds regarding such lands and third parties, if the value of the buildings or trees was assessed to be more than the value of the land, and if the claimant proved his right to the land, only the value of the land would be given to the claimant. The Patriarchate argued that other than this situation, all disputed lands should be returned to Armenians. Finally, the Patriarchate underscored that the right to property was a foundational principle of social peace and public order, and it demanded the state take precautions to guarantee Armenians' right to property. The Patriarchate noted that the imperial decree that land disputes be resolved through the arbitration of civil authorities had been restricted by a cabinet decision that introduced limitation. This had no legal basis because the annulment or amendment of an imperial decree by a cabinet decision was not in line with the Ottoman legislative process.<sup>116</sup>

The shift in government policy, the resurrection of a new wave of violence, and the further seizures of land pushed Armenian deputies to take action in the last months of 1911. Istanbul deputy Krikor Zohrab, Erzurum deputy Vartkes Serengülyan, Van deputy Vahan Papazian, Sivas deputy Dr. Nazareth Daghavaryan, Muş deputy Kegham der Garabedian, Kozan deputy Hampartsum Boyadjian, Tekfurdağı deputy Agob Boyadjian, Istanbul deputy Bedros Haladjian, Halep deputy Artin Boshgezenyan, and Erzurum deputy Karekin Pastermadjian presented a joint memorandum in December 1911 emphasizing the need for reform in the eastern provinces.<sup>117</sup> The joint memorandum underscored the optimism of Armenians at the beginning of the constitutional period and listed several criticisms with regard to the lack of order and security. Comparing the Hamidian and consitutional periods, the deputies stated that the new regime failed to improve the rule of law in the region. The joint memorandum also included a series of demands including the dismissal of corrupt officials, the empowerment of governors and military forces to establish order in the region, the just punishment of those who had committed crimes against Armenians, and the resolution of land disputes. In

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116 Ibid., 6–10.

117 BOA: BEO 3997/299747, *Anadolunun Vilayât-ı Şarkîyesinde Te'min-i Asayiş ve Adalet Vesaitine Dair Muhtıra*, 26 *Teşrin-i Sani* 1327 (9 December 1911).

the joint memorandum, the land question was defined as a problem of “vital importance” (*ehemmiyet-i hayatiyeye haiz*), and it was emphasized that there had been no significant improvement regarding the resolution of land disputes since the beginning of the constitutional period. The cabinet decision of 31 March 1910 was interpreted as an initiative by the government to annul the imperial order of 7 August 1909. The deputies demanded that the limitation introduced in the decision of 31 March be rescinded. The demands of deputies in the joint memorandum were confined to swift implementation of court decisions and the withdrawal of the limitation on the use of arbitration procedure.

In addition to signing the joint memorandum of Armenian deputies, Istanbul deputy Krikor Zohrab presented another, personal memorandum.<sup>118</sup> According to Zohrab, “the policy of ruining Armenians in economic terms” had been revealed in several of the actions of the government.<sup>119</sup> According to Zohrab, to resolve the land question in the eastern provinces the government needed to send a commission of inquiry to the region, employ Armenian officials in land registry offices to prevent abuse, recognize that those who pay the taxes for a particular land are the de facto owners, return the lands of those who had fled in the previous era, pay compensation or provide other land to the current occupiers of such lands, return communal properties that had been seized, and implement the settlement regulations issued for Muslim immigrants to settle landless Armenian returnees.<sup>120</sup>

In this period, representatives of the Armenian community at the local level also took an active role in raising the land question. In November 1911, thirty-two bishops (*murahhasa*) gathered to discuss the problems of the Armenian community in the region. The points they raised, which included the misery of the Armenian peasantry which they associated with the oppression by notables, aghas, and beys, were published in the Armenian newspaper *Harach* on 2 November 1912. As *Harach* was associated with the

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118 BOA.BEO 3997/299747, Krikor Zohrab to the Sublime Porte, 28 Teşrin-i Sani 1327 (11 December 1911).

119 “Ermenileri iktisâden perişân bırakmak sûretindeki siyâset...” Ibid.

120 Ibid.

ARF, the congregation of murahhasas was interpreted as a Tashnagist congress by Ottoman authorities who were alarmed by the prospect of an Armenian uprising that was rumored to be carried out if the land question was not resolved by spring 1912.<sup>121</sup>

The non-resolution of the land question, the shift in the policy of the central government in favor of Kurdish chiefs, and the rise of a new wave of violence against Armenians in the eastern provinces also strained relations between the CUP and the ARF. According to the Armenian deputy Vahan Papazian, the sixth congress of the ARF was a turning point in this regard. This congress was held in August 1911 in Istanbul.<sup>122</sup> In this congress, the ARF declared that “the Union encouraged medieval landlords who were the remnants of the feudal system by pursuing a policy of appeasement instead of eliminating this strata,” and that “the Union had stepped back from democratic principles over time.”<sup>123</sup> Another important claim raised in this congress was that the CUP promoted “oppressors, looters, and fraudsters to continue pillage, massacres, and seizures by leaving them unpunished.”<sup>124</sup> The ARF decided to send a memorandum to the CUP and to sever all ties if it failed to provide guarantees to take active steps to solve the problems addressed by the congress. According to Papazian, relations between two organizations soured after this point, and members of the ARF began to be pressured and persecuted in various regions of the empire. Relations between the CUP and

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121 In line with this intelligence, the 11th Army Corps in Van warned the governors of Van and Erzurum to take necessary precautions. BOA: DH.SYS 67/1-4, cipher telegram from the governor of Erzurum with the copy of cipher telegram of 11th Army Corps in Van, 16 Kanun-1 Sani 1327 (29 January 1912).

122 Kaligian, *Armenian Organization*, 85.

123 “It’i hadē, p’okhanag hedewaganōrēn och’nch’ats’nelu awadakan garkeru mnats’ort michnatarean hoghayin aṙantsnashnorhumnerē, ir hedewadz sirashahumi k’aghak’aganut’eamp k’achaleradz ē ayt darrerē. T’ē Ittihadē asdijanapar nahancher ē sahmanatragan-zhoghovrtabedagan sgzpunk’nerē...” Vahan Papazian, *Im Husherē* [My Memoirs], vol. 2 (Beyrut: Hamazkayin Dbaran, 1952), 159.

124 “Ew naew anbadizh gē t’oghu, gē k’achalerē isg pēṙnabednerē, hap’shdagich’nerē ew zeghdzarar darrerē sharunagelu t’alanē, chartē ew asbadagut’iwnē.” Ibid., 160.

the ARF were officially terminated in autumn 1911,<sup>125</sup> but it should be noted that the two organizations continued to cooperate behind closed doors, especially during the elections of 1912.<sup>126</sup>

The program of the ARF published in *Harach* newspaper in the first months of 1912 provides important insights regarding its approach to the agrarian question in general and the land question in particular.<sup>127</sup> This program, which was prepared for the ensuing parliamentary term, shows the importance attached to these matter by the ARF. In the section titled “The Elimination of the Remnants of Feudalism,” the ARF raised four demands. First, the ARF argued that the state should take systematic, effective measures against usurpers who were the remnants of feudalism. The second point raised by ARF was that serfdom and slavery needed to be abolished by law and that those who breached these laws should be severely punished. The ARF proposed an amendment to the criminal code to this end. The third demand of the ARF was the severe punishment of those who levied illegal taxes or demanded corvée as well as of aghas and tribal leaders who were subject to special treatment. The fourth demand raised in this section of the form was the exclusion of tribal leaders and those under their influence from public service in districts in which they lived or over which they had influence. The ARF demanded the re-assignment of such state officials to other districts. The program also included a section titled “Administrative Demands for Armenian Regions.” In this section, the ARF raised demands regarding the resolution of land disputes in addition to several other demands regarding administration. This section of the program included the following demands that were related to land disputes and the agrarian question:

5. the return of lands, water sources, and other immovable properties that were seized from laborers by force, fraud, coercion, or other

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125 Ibid., 163.

126 Raymond Kévorkian, *The Armenian Genocide: A Complete History* (London: I.B. Tauris, 2011), 132. On 18 July 1912, the ARF published a declaration announcing that it had ended its relations with the CUP (Ibid., 134). See also Gaidz F. Minassian, “Birinci Dünya Savaşı Öncesinde İttihat ve Terakki Cemiyeti ile Ermeni Devrimci Federasyonu Arasındaki İlişkiler,” in *Ermeniler ve İttihat Terakki*, ed. Avagyan and Minassian, 183–9.

127 “H. H. Tashnagts’ut’e an Bahanchnerê: Kordznëut’e an Dzirakir më,” *Harach*, March 1, 1912.



6.4.1 *The Reaction of the Central Government to the Memorandums of the Patriarchate and Armenian Deputies and Other Developments before the Balkan Wars*

The joint memorandum of Armenian deputies and Krikor Zohrab's memorandum were discussed by the government in a cabinet meeting.<sup>129</sup> The suggestions related to land disputes presented in the joint memorandum were found admissible by the government. The cabinet also decided in this meeting to send a notification to the Ministry of Justice for the faster implementation of court orders related to land conflicts and to abolish the limitation on the use of arbitration procedures. Regarding Krikor Zohrab's individual memorandum, the cabinet stated that a regulation concerning the land disputes of Armenian immigrants who had fled during the Hamidian period was being prepared. It was noted that claims regarding escheated communal properties would be investigated and the Minister of Foundations would be consulted on the matter. Zohrab's other suggestions were disregarded. With the memorandums presented by the Armenian deputies, the establishment of a special commission reentered the agenda of the Ottoman government, and public debate on the issue gained momentum.

In spring 1912 a commission formed by the Council of State prepared a detailed draft bill for regulating the nationality, property, and lands of those who had emigrated to foreign countries before 23 July 1908.<sup>130</sup> Though the title of the bill does not mention land disputes concerning claimants other than emigrants, the text of the bill included articles concerning the resolution of land disputes more generally. The bill was later examined and amended by the Ministry of the Interior which gave the draft its final form. This draft bill was never enacted into a regulation or law; in fact, I was unable to find any other documents or correspondence related to the discussions of this draft bill. It

129 BOA: BEO 3997/299747, copy of the decision of the Council of Ministers, Kanun-ı evvel 1327 (December 1911).

130 BOA: DH.SYS 67/1-6, "Teba'a-yı Devlet-i Âliyeden Olub 10 Temmuz 324 tarihinden mukaddem Memâlik-i Ecnebîyye'ye giderek bu kere 'avdet etmek isteyenlerin tâbî'yyetleri ile emlâk ve arâzileri hakkında olunacak mu'âmeleye dâ'ir (mukaddema şûrâ-yı devlette müteşekkil komisyon tarafından tanzim edilen kânun lâyihası ta'dîlen bu kere dâhiliye nezâretince kaleme alınan lâyihayı kânuniye) kânun lâyihasıdır," 8 May 1912 (?).

seems it was either shelved by the Ministry of the Interior or dismissed by the Council of Ministers. Either way, it can be seen as a failed initiative. On the other hand, the draft bill is extraordinary because it was the most detailed plan for the resolution of land disputes to have been prepared by Ottoman authorities. Thus, it is necessary to examine its provisions in detail.

The first part of this draft bill was related to the nationality problems of emigrants. The return of emigrants to Ottoman nationality would have been facilitated by the regulations. The second part was related to property problems and land disputes. It was stipulated that if lands belonging to emigrants<sup>131</sup> were claimed by others who managed to obtain deeds based prescriptive rights, the lands in dispute would be returned to their original owners (Article 7). If the intervening party had made improvements to the lands and properties, the value of these additions would be taken into consideration when compensation was calculated. If the value of the additions was less than the value of the property, the value of additions would be paid to the occupier by the government on the condition that the original owner would later pay this sum to the government. If the value of additions was more than the value of the property, the government would pay the value of the property – estimated on the basis of its value at the time of acquisition – to the original owner on the condition that the occupier would pay this sum to the government in the future. In the latter case, the property would be granted to the occupier. If lands belonging to emigrants were transferred to others in return of title deed payments without being put up into auction, either a sum equal to the value of the land or land belonging to the treasury would be given to the occupier. The property would be returned to the original owner (Article 8). On the other hand, if properties belonging to emigrants were considered *mahlul* by the government and had been sold in auction, the property would stay in the possession of the buyer and the government would give the sum of

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131 In this draft law, a distinction is drawn between emigrants (those who left the empire with official permits) and deserters (those who left the empire without official permits and the necessary documents). This distinction concerned only nationality regulations; the procedures to be applied to deserters and emigrants in the second part of the law vis-à-vis land disputes were identical, so I prefer to refer to these two groups as one using the term “emigrants.”

auction sale to the original owner (Article 9). If lands belonging to emigrants were given to immigrants (*muhacir*), these immigrants would be resettled in other localities and the lands would be restored to their original owners regardless of the length of the period of time that the immigrants were in possession of the properties (Article 10). If the emigrants had sold the disputed properties by means of unofficial sales documents (*sened-i 'âdi*), the value of properties and the sales price indicated in the unofficial sales documents would be compared. If there was a significant difference (*gabn-i fâhiş*) between the estimated value of the property and the value as stated in the unofficial sales document, the sale would be considered null and void and the sum paid by the occupiers would be repaid to them by the government on the condition that the original owners would pay this sum back to the government in the future. The property in dispute would be given to the original owners. If there was no significant difference between the value of the property and the price paid, the sales document would be considered valid and the occupier would be given a title deed (Article 11). In the case that property or land belonging to an emigrant was in the superfluous occupation (*fuzûlen tasarruf edilen*) of a third party who had no claim to it based on prescriptive rights, transfer by müstahakk-ı tapu, transfer through auction, or an unofficial sales documents, the property or land would be taken from the occupier and returned to the original owner (Article 11). If emigrants had no title deeds or registration documents, the properties in dispute would be granted to the occupiers and the emigrants would be directed to the courts (Article 13). The draft bill also recognized one of the most widely-articulated demands of Armenian political and religious elites: it stipulated that statutes of limitations would not apply for the period emigrants were abroad – even for those who did not have official permits to leave the country (Article 14). Finally, the draft bill stipulated the establishment of mobile courts (Article 15) and that the decisions of the courts of first and second instance could not be appealed (Article 16).

As mentioned above, the draft bill included regulations regarding land disputes concerning claimants who were not emigrants. This issue was addressed in the last two articles. Article 18 of the draft bill indicates that the law was to be implemented in a specific region.

If a person from any social group who is an inhabitant of the regions in which this law will be implemented claims and proves that [his] lands were forcefully seized within the period beginning fifteen years before the proclamation of the constitution, deeds of possession with respect to the land in question will be considered null and void and the land would be returned to the previous owner.<sup>132</sup>

Article 19 of the draft bill stipulates that

regardless of whether the disputed lands were forcibly seized is proved, if it is understood that the occupier is in possession of more land than what is described in the deed and upon examination the excess reaches up to five times what is written in the title deed – for example, if the deed concerns eight dönüms and examination shows that the occupier is in possession of forty dönüms – [the land] will be given to the original owner; and if [the land in possession of the occupier] is more than fivefold [what is written in the deed], the excess will be claimed by the government and sold to anyone who demands it, and the deeds will be revised as required by the circumstances.<sup>133</sup>

Thus, the draft bill stipulated two conditions in which land would be returned to claimants who were not emigrants but other inhabitants of the regions in which the law would be implemented. The first of these conditions was related to forcible seizures. In these cases, the claimants would have to prove that their lands were forcibly seized. On the other hand, the last article also stipulated

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132 “işbu kânunun tatbik edileceği mahallerde sâkin herhangi bir sınıfa mensûb ahâliden bir kimse arâzisinin i’lân-ı meşrûtiyetten nihâyet on beş sene mukaddem tagallüben zabt olunduğunu iddi’â ve isbât ettiği hâlde ol babdaki senedât-ı tasarrufiye keenlemeyekün hükmünde ad ve arâzi sâhib-i evvellerine i’âde olunur.” Ibid.

133 “münâza‘un-fih olan arâzinin mağsub olduğu isbât olunsun olunmasın ziyedi nezdinde senedi hâkânide muhârrer olan dönümden fazla olduğu anlaşıldığı hâlde bi’l-mesâha fazla zuhur eden miktar senedi hâkânide muhârrer olan dönümün nihâyet beş misline bâliğ ise mesela senedi hâkânide sekiz dönüm ‘ind’l-mesâha kırk dönüm zuhûr etmiş ise sâhib-i asilleri ‘uhdesinde terk ve beş mislinden fazlaysa fazlası istirdâd olunarak hükümetçe tâlibine ihâle edilir ve sened-i hâkânî ona göre tashih olunur.” Ibid.

the return of land to claimants if it was found out that the current occupier was in possession of more land than indicated in title deeds. In this case, the lands would be returned even if claims of forcible seizure were not proved. As noted above, this comprehensive draft bill was shelved and was not enacted into a regulation or law in the ensuing years.

As noted in the beginning of this part, the establishment of a commission became an important part of public debate in first months of 1912. British consular correspondence indicates that the reform commission was expected to arrive in the eastern provinces as early as March 1912. It was rumored that the commission had already left Istanbul.<sup>134</sup> Delays in the establishment of the commission were met with suspicion at the local level, especially among the Armenian population which began to see it as an electioneering device. According to the Armenian bishop in Erzurum, this initiative was ill-conceived; the resolution of so many disputes over such a vast geography by a single commission given the authority to spend 100 thousand lire for compensation payments was not possible. The governor of Erzurum was also opposed to this initiative and claimed that “the money to be spent on the mission might as well be thrown into the sea and the final result would merely be to make matters worse than they were already.”<sup>135</sup>

The government officially adopted the decision to form a reform commission for the eastern provinces on 15 May 1912. In the draft bill prepared in line with this decision, the commission was authorized primarily to investigate land conflicts. The reform commission would be allocated 100,000 lire for compensation payments. The commission would finalize all disputes in absolute terms and could suspend or dismiss local officials.<sup>136</sup>

In an article series titled “Reflections” published in *Harach* in June 1912, Adom evaluated the decision of the Council of State that reintroduced the arbitration procedures by administrative councils as well as the decision to establish an investigation commission.<sup>137</sup> His evaluation indicates that the

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134 TNA: FO 424/230, Consul McGregor to Sir G. Lowther, Erzurum, 5 March 1912.

135 Ibid.

136 BOA: MV 164/72, decision of the cabinet, 2 Mayıs 1328 (15 May 1912).

137 Adom, “Antratartsumner-1,” *Harach*, June 16, 1912; Adom, “Antratartsumner-2,” *Harach*, June 19, 1912.

actions of the central government were found inadequate by Armenian intellectuals who were disappointed with developments following the constitutional revolution. In this evaluation, Adom claimed that these initiatives of the central government were aimed at creating illusions and spreading false hopes. He noted that the investigation commission was not authorized to decide, regulate or implement any measures, and the authority to make decisions lay with the administrative councils.<sup>138</sup> In addition to raising doubts about the legal basis of the decision of the Council of State, he stated that the decision would not be enough to solve the land question. Adom noted that according to the decision of the Council of State, administrative councils would give disputed lands to the holders of the most recent title deeds and that dissatisfied parties would be directed to the courts. According to Adom, such a decision would not suffice to solve the land question for three reasons. First, there were no title deeds for seized lands in most cases. Second, existing title deeds and registers of most seized lands were falsified. Finally, most of the seized lands were either illegally sold or declared *müstahakk-ı tapu* and registered in the names of third parties. Adom underscored that these seizures were carried out “*by the government, with its knowledge, and with its cooperation.*”<sup>139</sup> Adom harshly criticized the priority given to the most recent title deeds in administrative resolution procedures as well as the fact that administrative councils were given the authority to make decisions in land disputes.

In [disputes concerning] such title deeds, who will be given priority?

Will the priority be given to the most recent title deeds? All title deeds issued by fraud and illegal means have recent dates.

Thus, will legal cover be given to all frauds and illegalities? Those claimants, who naturally have older title deeds, will be dissatisfied.

Will they be directed to the courts?

Is this what is expected? Is this the solution to our land question?

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138 Adom, “Antratartsumner-1.”

139 Emphasis in the original. “*pr̄nakrawum mẽ or gadarwadz ē gařavarut‘ean tseřk‘ov, anor kidut‘eampn u kordzakts‘ut‘ampě.*” Adom, “Antratartsumner-2.”

What if a land registry has not been carried out? What if there are no title deeds? And what will happen to the seized lands of those who have ancient rights transmitted through inheritance for centuries? There are no instructions in the decision of the Council of State regarding these. The real owners have title deeds and are registered [as owners] in only a tiny proportion of [cases related to] seized lands.

Who will check all these and who will decide?

Administrative councils...

Who are the members of these administrative councils? The same fraudsters, oppressors, and state officials who helped the usurpers – the representatives of the same feudal usurpers.

Are these the men, who will investigate, provide, and implement just decisions in opposition to themselves or contrary to their self-interest and influence?

What a great naïveté this is.

If only I was wrong.<sup>140</sup>

Adom also criticized the Armenian press which was complaining about the delay in the establishment of the investigation commission. According to

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140 “Ays garki t’ap’unerēn orun nakhabadwut’iwn bidi drwi? Verchin t’waganē groghner? Zeghdzumnerov, abōrinut’iwnnerov drwadz polor t’ap’unerē verchin t’waganē gē gren anshushd. Uremn polor zeghdzumnerun u abōrinut’iwnnerun ōrinaganut’ean koyn dalov, bidi vaweraganut’iwn sdanan, tzhkohnerē, or pnaganapar hin t’waganov t’ap’u unets’oghnerē, zrgwadz goghmerē bidi ěllan, anonk’ tadaran bidi timen? Ays ē sbaswadzē, ays ē mer hoghayin khntrin ludzumē? Haba t’akrir degħi ch’nets’adz, payts’ minch’ isg tarerē i ver zhařankapar irawadēr eghoghneru pṛnakrawwadz hogherē inch’ bidi ěllan, anonts’ masin Bedagan Khorhurti oroshman mēch och’ mēg dramatrut’iwn gay? Gay miayn ch’nch’in mas mē polor pṛnakrawumnerēn, oronts’ t’ap’unerē ew artsanakrut’iwnnerē dagawin gē mnan isgagan irawunk’neru vray. Īsg ov bidi k’nnē ew vjṛē ays amēnē? Mējlisē idarēnerē...Oronts’mē gē paghganan ayt varch’agan zhoghovnerē.- Noyn zeghdzanogh, pṛnadirut’ean, hap’shdagut’ean kordzagits yeghogh bashdōnēut’iwnneru nergayats’uts’ich’nerēn, noyn awadaganut’ean, miwt’ēghalibēneru nergayats’uts’ich’nerēn. Anonk’ yen, or irenk’ irents’ tēm, irents’ shaherun u azkets’ut’iwnnerun tēm k’nnut’iwn bidi gadaren ew artar oroshumner bidi dan I kordzatrut’iwn? Īnch’ miamdut’iwn. Yerani t’ē skhaloghē yes ěllayi.” Adom, “Antratartsumner-2.”

Adom, since it lacked the authority to decide, regulate, and implement decisions, the investigation commission was nothing but an imaginary initiative. The delay in the establishment of the commission should not be a matter of complaint but an opportunity to criticize such imaginary initiatives. The evaluation presented by Adom shows that Armenian intellectuals were dissatisfied with the reintroduction of the procedures of arbitration and the recent initiatives of the central government.

In June, the Ottoman Empire's ambassador in London, Tevfik Pasha, sent a warning to Istanbul regarding the delay in the formation of the reform commission. In his telegram, Tevfik Pasha noted that "if claims that the establishment of the reform commission for Anatolia is retracted is true, this would have a harmful impact and lead to misinterpretations." Pointing out that the situation in the eastern provinces would probably become more threatening in the near future, he argued that the failure to establish the commission would eventually lead "to the escalation of current troubles – born out of developments in Rumelia – into violence" in a way that would invite foreign intervention.<sup>141</sup> The Ministry of Foreign Affairs replied to Tevfik Pasha with a note refuting the claims that the decision to establish a commission had been withdrawn. The ministry stated that the commission had not be established because of health-issues of the Minister of Foundations, Hayri Bey, who was supposed to supervise it.<sup>142</sup>

Despite these attempts, the land question remained unresolved for the most part, and the commission was never established. The detailed draft bill for the return of properties was shelved. Moreover, there were increasing reports of attacks against Armenians and additional seizures of properties. As examined in the following chapter, the discourse and actions of several Armenian actors began to come radicalized in summer 1912.

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141 "... anadolu heyet-i islâhiyesinin 'izamından sarf-ı nazar kılındığı şâyi'ası sahîh ise sût-i tes'îr ve tefsîre bâdî olur ve teftîş olunacak mahaller ahvâlinde kesb-i vehâmet eyleyüb rumeli ciheti müşkilâtından tevellüd eden buhrân-ı hâzırın kesb-i şiddet etmesini intâç eder..." BOA: HR.SYS 2818/1, Ottoman Embassy in London to the Ministry of Foreign Affairs, 11 May 1912.

142 BOA: HR.SYS 2818/1, the Ministry of Foreign Affairs to the Grand Vizier's Office, 20 June 1912.

On 24 August 1912, the ANA discussed the course of action that to be taken for the resolution of security problems and the land question.<sup>143</sup> In this session, Rupen Zartanyan and Vartkes Serengülyan brought a proposal to the assembly stated that the problems could only be solved if a series of effective measures were taken. According to Zartanyan and Serengülyan, the first of these would be the adoption of a punitive approach by the Ottoman government and the punishment of criminals who oppressed Kurds and Armenians, especially in districts like Şatak, Huyt, Mutki, Hizan, and Çarsacak where the situation was dire. Second, they suggested increasing the number of gendarmes in the region and arming peasants. The third measure they suggested was the abolishment of irregular troops to which Kurdish tribesmen were recruited. The fourth of the measures that the deputies demanded was the solution of the land question through substantial and effective measures.<sup>144</sup> With regard to these suggestions, Hampartsum Boyadjian noted that the only alternative for the Armenian people would be self-defense and self-armament if the problems were not solved.<sup>145</sup>

The traces of the escalation of tensions in Armenian circles on the brink of the Balkan Wars can also be seen in the actions and discourse of the Patriarchate. The Armenian Patriarchate presented another memorandum on 9 September 1912, the tone of which clearly reflects its frustration. It accused the constitutional regime of utter indifference to the problems of the Armenian population. In this memorandum, the Patriarchate claimed that “the government has done nothing in the last four years” to improve the conditions of Armenians and that the situation had become unbearable for Armenians in the Ottoman East. The Patriarchate claimed that none of its complaints and petitions received serious and effective responses from authorities.<sup>146</sup> Simultaneous with the submission of this memorandum, the Armenian patriarch resigned.

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143 *Azkayin Ĕnthanur Zhoghov*, nist T' (session 9), 24 August 1912, 109–118.

144 *Ibid.*, 114–115.

145 *Ibid.*, 117–118.

146 BOA: BEO 4088/306557, the Armenian Patriarchate to the Ministry of Justice, 27 Ağustos 1328 (9 September 1912). In response to the claim of the Patriarchate that nothing had been done,

The relations between the ARF and the CUP, which were officially terminated but continued behind closed doors, further strained after the summer of 1912. According to Sir Gerard Lowther, who prepared the annual report for the British consulate in 1912, there was “a general increase in the unpopularity of the government and even the Tashnakists” had “turned against the CUP.”<sup>147</sup> According to British consular reports, there were also mounting tensions between CUP and ARF members at the local level in Diyarbekir and Bitlis. On 4 September 1912, Mr. Marling informed the consulate that “the local Tashnakists were reported to have quarreled with the Union and Progress party in regard to the non-settlement of the land question.”<sup>148</sup>

## § 6.5 Summary

Following the proclamation of the constitution, the return of seized properties and the resolution of the land question became important topics in public debate in the Ottoman Empire. In these years, several Armenian actors, including the Patriarchate, ANA, ARF, and the Armenian political elite took an active role in raising the issue. In line with their demands, the central government issued an order for the administrative resolution of land disputes by administrative councils in 1909. The decision to resolve land disputes through administrative councils and return some Armenian properties upon the orders of local authorities was met with a strong reaction from Kurdish powerholders including notables and tribal leaders. Some of these powerholders were also nervous about the prospect of losing possession of lands they had seized from fellow Kurdish tribesmen and peasants. Some of these powerholders in Van Province fled to Persia, protesting the prospect of having to return properties they had seized and the collection of tax arrears.

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the Ministry of Justice pointed out that several steps were taken to improve the situation. BOA: BEO 4088/306557, 29 Ağustos 1328 (11 September 1912).

147 TNA: FO 371/1812, Sir G. Lowther to Sir Edward Grey, Constantinople, 17 April 1913, *Annual Report on Turkey for the year 1912*, 52.

148 TNA: FO 371/1484, Mr. Marling to Sir Edward Grey, Constantinople, 4 September 1912.

As examined in this chapter, there was a significant shift in the approach of the central government to land disputes concerning Armenians after 1910. The traces of this shift are indicated by legislative changes that introduced a limitation on the use of the administrative resolution procedures, by the resumption of the policy of settling immigrants in the eastern provinces, and by the rapprochement between Kurdish powerholders and the central government, the first sign of which was the invitation of tribal leaders who had fled to Persia to return to the Ottoman Empire. The central government also sent orders to local governors to praise and flatter Kurdish chiefs to secure their loyalty to the state. This initiative was met with strong opposition from the governors of Bitlis and Erzurum. Changes in the ethnonational politics of the CUP and concerns for security, which necessitated the co-optation of Kurdish powerholders, both played a role in the shifting approach of the Ottoman government to the land question after 1910.

This examination of Ottoman correspondence regarding land disputes and the appropriate course of action with respect to Kurdish chiefs indicates that several governors opposed the orders of the central government to secure the loyalty of the chiefs and took the initiative to resolve land disputes concerning powerholders and Armenian and Kurdish peasants. These findings suggest that the Ottoman administration in this period was not a uniform mechanism operated by men with identical approaches and ideological inclinations with respect to the problems of the people.

The non-resolution of land disputes and the emergence of a rapprochement between the Ottoman government and Kurdish chiefs led to the escalation of tensions in Armenian circles. While reactions and protests to the situation brought about the termination of official relations between the CUP and ARF, the Patriarchate and Armenian deputies presented extensive memorandums to the government concerning the resolution of the problems of Armenians including the resolution of the land question. Following these memorandums, the Ottoman government abolished the limitation on the use of administrative resolution procedures and declared that a reform commission would be established to resolve land disputes. In fact, the government failed to carry out this plan to establish a reform commission. As tensions in the Balkans rapidly rose, tensions in Armenian circles also began

to escalate. In the next chapter, I examine developments after the outbreak of the Balkan Wars and the internationalization of the question of reform in the eastern provinces.



## The Land Question after the Balkan Wars of 1912-13

The outbreak of the Balkan Wars was a significant development that affected the land question. Similar to the way in which the Balkan Crisis of the 1870s brought about the emergence of the Armenian Question, the outbreak of the Balkan Wars brought about the internationalization of the question of reform in the eastern provinces. In this chapter, I examine how this shift affected the approach of the government, Armenian institutions, Armenian political and religious elite, and Kurdish powerholders and political elite to the land question. As the land question became an inextricable part of reform negotiations and plans, I also examine the unfolding of these debates.

Before going into the details of the internationalization of reform debates and developments regarding the land question after the Balkan Wars, it is necessary to examine two important points regarding the historical context.<sup>1</sup> The first point I examine in this part is the rivalry between the Great Powers, and the conflict of German and Russian interests with regard to the Ottoman

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1 For the details of this reform debate, see Roderic H. Davison, "The Armenian Crisis, 1912-1914," *The American Historical Review* 53, no. 3 (1948): 481-505; W. J. van der Dussen, "The Question of Armenian Reforms in 1913-1914," *Armenian Review* 39, no. 1 (1986): 11-28; Hans-Lukas Kieser, Mehmet Polatel, and Thomas Schmutz, "Reform or Cataclysm? The Agreement of 8 February 1914 Regarding the Ottoman Eastern Provinces," *Journal of Genocide Research* 17, no. 3 (2015): 285-304; and Yektan Türkyılmaz, "Rethinking Genocide: Violence and Victimhood in Eastern Anatolia, 1913-1915" (PhD diss., Duke University, 2011).

Empire. The second development that I examine is the rise of a national economy (*milli iktisat*) perspective among the ranks of the CUP.

The outbreak of the Balkan Wars affected reform debates in the eastern provinces in a significant way. The Balkan Wars made it clear that the power of the Ottoman Empire to control developments on its periphery was in decline. This was particularly alarming for the Great Powers. The main international actors in reform debates were Russia and Germany, which had competing interests. While Russia was anxious that German influence would expand with the decline of the Ottoman Empire, Germany was trying to hinder the expansion of Russian influence in the eastern provinces and to prevent the secession of these provinces from the Ottoman Empire. Reform debates, which became a matter of international concern after the Balkan Wars, were primarily shaped by discussions among these actors in the post-1912 period.

The Russian approach to the Armenian Question had begun to change by 1905 because the Russian Empire began to see its own Armenian population as an asset rather than as a threat and to develop a conciliatory policy towards their demands rather than trying to control them through oppression.<sup>2</sup> It was in this context that confiscated Armenian communal properties in the Caucasus were restored to the Armenian community on the initiative of the government. Besides domestic reforms, Russia also supported reform in the eastern provinces of the Ottoman Empire. The Russian foreign office also continued efforts to develop relations with Kurdish chiefs in the Ottoman East. Thus, Russia played a double game in the Ottoman East after 1905; while promoting reform in the eastern provinces and the improvement of the living conditions of Armenians, it also supported Kurdish political and religious leaders like Abdürrezzak Bedirxan and Sheikh Selim who objected to the same reforms.<sup>3</sup> An important concern for Russia, which was highlighted by the Balkan Wars, was the possible expansion of German influence in the region. The fall of the Ottoman Empire would create a power vacuum that Germany

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2 Davison, "Armenian Crisis," 486.

3 Michael A. Reynolds, *Shattering Empires: The Clash and Collapse of the Ottoman and Russian Empires 1908-1918* (Cambridge: Cambridge University Press, 2011).

would be enthusiastic to fill.<sup>4</sup> Moreover, an Armenian revolt in the Ottoman East could disturb the fragile order in the Caucasus.<sup>5</sup>

Another Great Power which had an important role in reform debates following 1912 was Germany. The influence of Germany in the Ottoman Empire began increasing in the Hamidian period, and there were significant trade relations between the two countries. Germany had also undertaken the construction of the Baghdad Railway. As underscored by Roderic H. Davison, the main objective of Germany in diplomatic negotiations concerning the Ottoman Empire was to prevent the partitioning of Ottoman lands. German support for the territorial integrity of the Ottoman Empire was related to the geographically scattered nature of German investments in Ottoman lands.<sup>6</sup> Austria and Italy also sided with Germany and provided support for the protection of the territorial integrity of the Ottoman Empire.

Britain was another imperial power with political and economic interests in the region. As examined in detail in this chapter, the Ottoman government tried to secure a reform agreement to be carried out with the assistance of Germany and Britain and without Russian interference; however, Britain, not wishing to antagonize Russia, refrained from committing to such a reform plan. As examined in detail in the following pages, British authorities also refused an Ottoman proposal to assign British inspectors to the whole Ottoman Empire, underscoring that this would deepen conflicts of interest among the Great Powers. As this brief examination of the positions of the Great Powers illuminates, there was increasing polarization among them in this period.

Another significant historical development was the rise of Turkish nationalism and a national economy approach among the ranks of the CUP. As noted by Zafer Toprak, a liberal approach to the economy, which was

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4 Serge Dmitrievich Sazonov, *Fateful Years 1909-1916* (New York: F.A. Stokes Company, 1928), 141.

5 This concern was clearly voiced by the Minister of Foreign Affairs of Russia, Serge Sazonov, in a meeting with Turhan Pasha. BOA.BEO 4192/314360, Turhan Pasha, Ottoman Ambassador in Petersburg, to the Ministry of Foreign Affairs, 2 July 1913.

6 Dussen, *Question of Armenian*, 15 and Davison, *ibid.*, 482.

dominant in the socioeconomic understanding and policies of the CUP up until 1913, was replaced by a national economy approach in this period.<sup>7</sup> This new approach was based on the model of national economy proposed by Friedrich List. In List's approach, any country except Britain – which was the motherland of the industrial revolution – would fail to keep up with the success of Britain if it followed liberal economic policies. Another important figure in the development of this approach in the Ottoman Empire was Israel Lazarevich Helphand, known as Parvus,<sup>8</sup> whose thinking was shaped by a Marxist reading of history and economics. When Parvus moved to Istanbul in 1910 he was engaged in speculative international trade transactions. In Istanbul, Parvus developed close ties with leading members of the CUP. According to Parvus, the solution for the socioeconomic problems of the Ottoman Empire depended on the implementation of three measures. The Ottoman Empire should abandon economic liberalism, create a strong national economy, and take steps towards rapid industrialization. Another important matter underscored by Parvus was the improvement of the conditions of the peasantry. Parvus argued that ignoring the peasantry not only brought socioeconomic harm but hindered the development of Turkish nationalism. According to Parvus, mass support for the nationalist cause and especially the support of peasantry was crucial for strengthening the nation state.<sup>9</sup> The ideology of a national economy was merged with the ideology of Turkish nationalism in the discourse of political ideologues of the Young Turks, like Ziya Gökalp, Yusuf Akçura, and Moise Cohen, who later changed his name to Munis Tekinalp. Apart from these conceptual and discursive changes, the Muslim masses began to be mobilized in line with the political aims of the ruling elite through boycotts in this period. In his detailed elaboration of boycotts in the constitutional period, Doğan Çetinkaya

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7 Zafer Toprak, *Türkiye'de Milli İktisat (1908-1918)* (Ankara: Yurt Yayınları, 1982).

8 For a detailed examination of Parvus's economic approach, see M. Asım Karaömerlioğlu, "Alexander Helphand-Parvus and His Impact on Turkish Intellectual Life," *Middle Eastern Studies* 40, no. 6 (November 2004): 145–165.

9 Uğur Ümit Üngör and Mehmet Polatel, *Confiscation and Destruction: The Young Turk Seizure of Armenian Property* (London: Bloomsbury, 2011), 29.

underscores the social aspect of nationalism and the role of boycotts in the rise of Turkish nationalism.<sup>10</sup> Çetinkaya argues that boycotts, which were first instigated against foreign countries – namely Bulgaria and Austria-Hungary – in 1908,<sup>11</sup> subsequently played an important role in the deterioration of relations between Muslims and Christians after 1909 at which time a boycott against Greeks was instigated. As noted by Çetinkaya, the boycotts gained a new significance after the Balkan Wars, and Greeks remained the primary targets of boycotts until 1914.<sup>12</sup> After the Russo-Ottoman Accord for reform in the eastern provinces, boycotts turned towards Armenians, and the Patriarchate demanded the government take necessary measures with regard to pressures being put on Armenian shopkeepers.<sup>13</sup>

### § 7.1 Ottoman Attempts for Reform after the Outbreak of the Balkan Wars

When the tension in Rumelia escalated into war in the fall of 1912, the issue of reform in the eastern provinces reentered the agenda of the Ottoman government. As examined in the previous chapter, the establishment of a reform commission had already been on the agenda of the government for almost a year, but the commission had not been established. The Ottoman government attempted to prevent the internationalization of the issue of reform. In a telegram sent to the grand vizier's office on 18 December 1912, Rifat Pasha, the Minister of Foreign Affairs, noted that it was “urgently necessary to recognize the rightful and legitimate claims of Armenians in collaboration with the Patriarchate in a way that will prevent the intervention

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10 Y. Doğan Çetinkaya, *Osmanlı'yı Müslümanlaştırmak: Kitle Siyaseti, Toplumsal Sınıflar, Boykotlar ve Milli İktisat -1909-1914* (Istanbul: İletişim, 2015), 18.

11 For a detailed examination of the 1908 boycotts, see Y. Doğan Çetinkaya, *1908 Osmanlı Boykotu: Bir Toplumsal Hareketin Analizi* (Istanbul: İletişim, 2004).

12 For an examination of the effects of the boycott of Greek products and traders on agricultural production in Western Anatolia, see Terzibaşoğlu, “Land Disputes,” 153–180.

13 Çetinkaya, *Osmanlı'yı Müslümanlaştırmak*, 198.

of the Great Powers.”<sup>14</sup> When Rıfat Pasha sent this telegram, the Ottoman government had already requested the assignment of British inspectors for a reform program to be carried out in the eastern provinces.<sup>15</sup> Reacting positively to this request, British diplomats asserted that the Ottoman government must finalize the necessary legal arrangements for the reform scheme before British inspectors could be appointed.<sup>16</sup> In line with these developments, the government prepared a draft bill for the assignment of British inspectors as advisors in November 1912.<sup>17</sup> By 18 December 1912, Ottoman authorities had drafted a reform plan for the provinces of Van, Bitlis, Diyarbakir, and Mamüretülaziz.<sup>18</sup> This reform plan stipulated the appointment of a general inspector and the assignment of a foreign person as advisor to the general inspector as well as the establishment of a special commission. According to the reform plan of 18 December 1912, the general inspector, foreign advisor, and special commission were given the responsibility to establish order in the region. All public officials would be obliged to follow the orders of the general inspector. The plan also stipulated the establishment of a special commission of six members. Three Muslims, two Armenians, and one Chaldean would serve in this commission which would be responsible for a number of duties including the resolution of land disputes between Armenians and Kurds, eliminating the problems between these communities, taking measures for the provision of security and public order, ensuring legal equality, bringing police and gendarmerie forces in these

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- 14 “... patrikhane ile ittihâd-ı mesâî ederek düvel-i mu‘azzamanın müdâhalesi hâricinde olarak Ermenilerin metâlib-i muhika ve meşrûalarının is‘af-ı çaresine acilen tevessül olunması lüzumunu...” BOA: BEO 3980/298468, the Minister of Foreign Affairs to the Grand Vizier’s Office, 5 Kanun-ı Evvel 1328 (18 December 1912).
- 15 BOA: BEO 4107/308022, Tefik Pasha, Ottoman Ambassador in London, to the Ministry of Foreign Affairs, 23 October 1912,.
- 16 BOA: BEO 4107/308022, Tefik Pasha, Ottoman Ambassador in London, to the Ministry of Foreign Affairs, 31 October 1912.
- 17 BOA: BEO 4107/308022, Nezaretlere müşavirler tayinine ve anların vezâifine müteallik kanun layihası müsveddesi, November 1912.
- 18 BOA: BEO 3980/298468, Van, Bitlis, Diyarbakir ve Mamüratülaziz Vilayetlerinde Tatbik Olunmak Üzere Kaleme Alınan Kanun-ı Muvakkat Lahiyası, 18 Aralık 1912.

provinces into order, and working for the development of transportation facilities, agriculture, livestock, and manufacture.<sup>19</sup> In this plan, the land question was specified as a problem between Armenians and Kurds, and the special commission was authorized to solve such disputes in absolute terms. This issue was specified in the first article of the plan which stated that the special commission was responsible for “solving the land question that is related to disputes between Kurdish and Armenian elements in line with the laws and regulations of the state[,] necessary justice and equity, and in a way that will eliminate complaints of both parties in absolute terms.”<sup>20</sup> Thus, according to this plan, arbitration would be carried out by a special commission rather than administrative councils. Furthermore, the decisions of the special commission would have to satisfy both parties.

As comprehensive as it was, the reform plan for Van, Bitlis, Diyarbekir, and Mamüretülaziz was shelved after the CUP coup d’etat (*Bab-ı Ali Baskını*) at the beginning of 1913. However, the Ottoman government would resort to the same diplomatic strategy upon which the reform plan of 18 December was based in spring 1913, again applying to Britain for assistance in an attempt to minimize Russian interference.

#### 7.1.1 *The Pressure of Armenian Actors for Reform and Internationalization of Reform Debates*

The attempts of the Ottoman government to institute reform were also followed by the Armenian political elite who were raising concerns regarding the reliability of the Ottoman government. These concerns were reflected in *Harach*, which published news and articles regarding the recent initiatives of the central government to implement a reform plan. On 4 December 1912, the newspaper announced that the Ministry of the Interior had sent orders to local governors in the eastern provinces regarding the improvement of security and

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19 Ibid.

20 “Kürd ve Ermeni anâsırları arasında münazâ‘un-fih olan arâzi meselesini kavânin ve nizâmat-ı devlete ve lâzıme-i âdil ve hakkâniyete muvâfık olarak her iki tarafın şikâyetine kat‘iyen nihâyet verecek bir surette fasıl etmek.” Ibid.

a resolution to land disputes.<sup>21</sup> According to the newspaper, these orders included the allocation of 20,000 lire for each province for the resolution of land disputes and the establishment of local commissions to be led by local governors and include *müftü*, *murahhasa*, and two reliable Kurds and Armenians as members. These local commissions would hand down just decisions that would satisfy both parties and give compensation or land to those who failed to prove their claims in the proceedings. It was claimed that the order of the Ministry of the Interior also included instructions to local governors to bring Kurdish tribes in tribal regiments (*aşiret alayları*) under control. An editorial article published in *Harach* on 6 December 1912 regarding this news reflects the frustration of the Armenian political elite about the prospect of domestic reform. This editorial stated that

two or three years ago, when we still had hopes for a true renaissance – a real constitution – we used to welcome such decisions with pure and untainted trust; but now, in the fifth year of the constitutional period, such correspondence does not excite us any more... We have seen many plans like this, we have read many [such plans], but [they] stayed on paper.<sup>22</sup>

The outbreak of the Balkan Wars and the shift in the international context triggered a significant mobilization of the Armenian political elite. This change of context brought about changes in terms of domestic and local politics. In this period, disparate Armenian political parties began to act in accord for the first time for the adoption of a reform program.<sup>23</sup> An example of such cooperation at the local level is the telegram sent by three Armenian political

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21 “Hramanakir: Hoghayin Hartsı Arı’iw,” *Harach*, 4 December 1912. For the official order in this regard, see BEO 4085/306347, Van, Bitlis, Mamuretülaziz vilayetlerine müteheyi’-i azîmet bulunan valilere verilecek talimat, 19 September 1912.

22 “Yergu yerek’ dari arach, yerp iragan veradzunnti më, j’shmarid sahmanatru’ean më hoysë ter unëink’, aysbisi oroshummerë menk’ gë timaworëink’ ampudz u ankhar’n vsdahut’eamp, sagayn ajzhm, sahmanatragan shrchani hnkameagin mëch aysbisi krut’iwnnerë aylews ch’en khantavarer mez ... Aytbisi nakhakdzer shad desank’, shaderë gartats’ink’, oronk’ polorë sagayn mnats’in t’ght’i vray.” “Bidi Kordzatriw,” *Harach*, 6 December 1912.

23 Avagyan and Minassian, *Ermeniler ve İttihat*, 124.

parties in Van – the ARF, the Hunchakian Revolutionary Party, and the Armenian Democratic Liberal Party (*Ramgavar*) – to the grand vizier and the Armenian Patriarchate. In this joint telegram, political activists demanded “reform guarantees for the honor, lives and property of the Armenian population against the small number of Dere-Bey [*feudal*] Kurds who were the blood-suckers also of the Kurdish population, and against the incapable and corrupt officials who protected and encouraged them.”<sup>24</sup> These kinds of telegrams, which emphasized the necessity of reform, were also sent from Armenian political parties and organizations in Cairo, Tehran, Izmir, and Istanbul.<sup>25</sup>

#### 7.1.1.1 Attempts at the Internationalization of the Reform Question

A significant development regarding the pressure of Armenian political elite for reforms was the decision of the ANA to internationalize the reform question. On 21 December 1912, the assembly held an extraordinary meeting. During the proceedings, the president of the assembly stated that numerous strategies had been tried to solve the problems, and as all these strategies had failed, it was time for the internationalization of the issue. The ANA expressed support for this suggestion and gave extended authority to the presidency. After this meeting, the Patriarchate established a political mission authorized to follow the Armenian Question, carry out international deliberations, prepare a reform plan, and spend effort for the implementation of reforms.<sup>26</sup>

Weeks before the ANA made the decision to internationalize the reform question, the Etchmiadzin Catholicosate had applied to Illarion Vorontsov-Dashkov, the Russian viceroy in the Caucasus, demanding Russian assistance for the internationalization of the issue. Following this, a commission under the presidency of Boghos Nubar Pasha<sup>27</sup> was sent to Europe to lobby on behalf

24 TNA: FO 195/2449, M. Smith to Sir Gerard A. Lowther, 8 May 1913.

25 Papazian, *Im Husheri*, vol. 2, 178–179.

26 *Ibid.*, 182; for the minutes of this meeting, see *Azkayin Ĕnthanur Zhoghov*, nist ZhĔ (session 18), 276–285.

27 Boghos Nubar Pasha was an important political actor who played a role in the emerging international public interest in massacres committed against Armenians between 1894 and 1896. He prepared several reports on the matter. He also paved the way for the establishment of the Armenian General Benevolent Union (AGBU) in 1906.

of reform.<sup>28</sup> Thus, the Armenian political and religious elite outside the Ottoman Empire had already taken action to internationalize the reform question before the Armenian political elite and Armenian institutions in the Ottoman Empire. Ottoman Armenians, including the Patriarchate, were not even informed of these initiatives.<sup>29</sup> After negotiations among Ottoman Armenians, the Etchmiadzin Catholicosate, and Boghos Nubar Pasha, it was decided that the Etchmiadzin Catholicosate would take the lead and act as representative of all Armenians. However, the Catholicosate would act in line with the decisions of Ottoman Armenians instead of pursuing an independent agenda. Before his mission was authorized by the security council formed by the Patriarchate, Boghos Nubar Pasha was also ordered to inform and consult the Patriarchate at every step.

#### 7.1.1.2 Publications

Apart from the political mission, the Patriarchate also established a security council during this process. This council began to communicate with bishops at the local level and requested reports from them regarding illegalities, looting, and usurpations in the country. The security council collected these reports, translated the contents of the reports into French, and submitted them to European governments, consulates, parliaments, and public figures in 12-16 page booklets once every fifteen days. Apart from that, the council started to publish books on a wide range of topics including the history, politics, and culture of Armenia and the Armenian nation – starting with a French translation of the report on the Adana massacres that had been prepared by Hagob Babigyan.<sup>30</sup>

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- 28 Rober Koptaş, “Zohrap, Papazyan ve Pastırmacıyan’ın Kalemlerinden 1914 Ermeni Reformu ve İttihatçı- Taşnak Müzakereleri,” *Tarih ve Toplum Yeni Yaklaşımlar* 5 (2007): 166-167.
- 29 The memoirs of Papazian indicate that the Armenian political elite in the Ottoman Empire was uneasy regarding this situation. Papazian notes that “what would be determined was our faith; we had specific problems and demands within our jurisdiction and we knew (these problems and demands) better.”
- 30 Babikian was the deputy from Tekirdağ and a member of the investigation commission sent to Adana after the massacre of 1909. He returned to Istanbul and completed his report. Later, he was killed in suspicious circumstances. His report was first published in French, and the

Several books were published in this period in line with propaganda efforts. Krikor Zohrab, under the pseudonym of Marcel Léart, wrote a book about the history of the Armenian Question and the necessity of reform in order to improve the conditions of Armenians in the Ottoman Empire.<sup>31</sup> In his book, Zohrab also provided statistical and empirical information on and evaluations of demography, trade, industry, and education concerning the Armenian population.<sup>32</sup> Zohrab specified three principles that should guide reform attempts. The first of these was the assignment of European governors with wide operational authority. According to Zohrab, this governor should be assigned in consultation with the Great Powers. The second principle was the participation of a fair ratio of Armenians in public service. The third principle of reform should be administrative decentralization.<sup>33</sup> Zohrab stated that a reform program that included these three principles would also improve the living conditions of Kurds and Turks in the eastern provinces. Zohrab underscored that the Balkan Wars had triggered anti-Christian feelings among the population, and this could result in violence if the government failed to take precautionary measures. According to Zohrab, the only way of preventing this outcome was the appointment of European governors to provinces inhabited by Armenians:

The loss of Rumelia and atrocities against the Muslim population [in the Balkans], has created a desire for revenge against Christians among the Muslim population which is quite understandable, and only the Armenians will suffer the terrible outbursts of this feeling... Only a

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Armenian translation of this report was published in 1919. *Adanayi Egherné: Deghegakir Hagob Babikeani*, trans. Hagop Barkisian (G. Bolis: Dbakr. G-Artskank, 1919); Hagop Babigyan, “Adana Raporu,” trans. Nivart Taşçı, in *1909 Adana Katliamı: Üç Rapor*, ed. Ari Şekeryan (Istanbul: Aras Yayınları, 2015), 109–131.

31 The book was published in French in 1913. Marcel Léart, *La Question Arménienne à la lumière des documents* (Paris: A. Challamel, 1913); for the Turkish translation, see Marcel Léart (Krikor Zohrab), *Belgelerin Işığında Ermeni Meselesi*, trans. Renan Akman (Istanbul: İletişim Yayınları, 2015).

32 Zohrab, *Belgeler Işığında*, 51–57.

33 *Ibid.*, 70.

European governor can prevent such a movement. The assignment of European governors to a couple Ottoman provinces does not mean “separation,” “autonomy” or a “special regime.”<sup>34</sup>

In this period, the Patriarchate prepared pamphlets in French to reflect the grievances of the Armenian population and propagate the necessity of reforms. The Patriarchate prepared nine pamphlets that were later printed in book format and sent these to consulates. The first of these pamphlets covered the issue of the land question and included information regarding the number and characteristics of properties that were seized in the Hamidian period. The second pamphlet included the takrirs of the Patriarchate about cases of depredation, rape, violence, and injustice against Armenians. The third pamphlet consisted of Babigyan’s report on the Adana massacre. Other pamphlets were related to injustices, misdeeds, murders, and pillage in the eastern provinces.<sup>35</sup>

#### 7.1.1.3 The Armenian Reform Plan

While the Armenian political elite and religious and administrative institutions were engaged in a number of publication and propaganda activities, there were also deliberations within the Armenian community regarding the appropriate content and extent of a reform program. While Boghos Nubar Pasha prepared a plan based on the 1895 reform plan, the Armenian political elite in the Ottoman Empire found this plan insufficient to meet the needs of Ottoman Armenians. The main concern of the political mission of the Armenian Patriarchate was the exclusion of any signal of autonomy or secession from the reform plan as these could lead to the termination of relations with the Unionists and would risk the support of foreign governments. After several meetings and negotiations among Armenian actors, the final draft of the reform plan prepared by Armenians was submitted to the Russian consulate in Istanbul at the beginning of April

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34 Ibid., 70-71

35 For copies of these pamphlets, see TNA: FO 371/1773, Sir G. Lowther to Sir Edward Grey, Constantinople, 6 April 1913 and Sir G. Lowther to Sir Edward Grey, Pera, 7 April 1913.

1913 by a delegation headed by the Armenian Patriarch. Karayan and Zohrab were the other two members of this delegation. This draft was later revised by Mandelstam who submitted it as a Russian proposal at the Yeniköy Conference.<sup>36</sup>

### 7.1.2 *Attempts of the Ottoman Government to Domesticcate the Prospects of Reform*

Faced with the attempt of Armenian actors to internationalize the reform issue, the Ottoman government began to take precautions to prevent such an outcome. The CUP had two concerns regarding the internationalization of the reform scheme. First, adoption of an international reform plan and international guarantees for the implementation of reforms would mean the direct intervention of the Great Powers in the Ottoman Empire, leading to a serious breach of Ottoman sovereignty. Second, the CUP was concerned with preserving the territorial integrity of the empire. It was concerned that a territorial reform plan backed by the Great Powers could lead down a path to the establishment of an independent Armenia.

It can be argued that the Ottoman government adopted two strategies to deal with the reform issue after the Balkan Wars. The CUP tried to convince the Armenian political elite that a domestic reform plan would be carried out by the Ottoman Empire and that there was no need for an international reform plan or international guarantees for the implementation of reforms. In line with this strategy, the Ottoman government began to adopt measures to solve some problems raised by the Armenian political and religious elite since the proclamation of the constitution in 1908. At the same time, the government, CUP members, and *Tanin* newspaper began to make declarations regarding domestic reform and measures being taken by the government. On the other hand, the Ottoman government refrained from officially committing itself to solving major problems like the land question. In fact, in the spring of 1913, the CUP government again blocked the use of arbitration procedures. The second strategy adopted by the government was to play the Great Powers off one another.

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36 Koptaş, "Zohrap, Papazyan," 167–169.

Telegrams sent by Ottoman ambassadors show that Armenian reform efforts in Europe were closely followed by Ottoman diplomats. On 8 February 1913, the Ottoman ambassador to Vienna, Hüseyin Hilmi Pasha, sent a telegram to the Foreign Ministry noting that Boghos Nubar Pasha had established a committee in Paris aiming to secure the support of foreign states for reforms in the Ottoman East. The ambassador reported that these activities of Armenians were being published in European newspapers, and the Armenian delegation had contacted Sir Edward Grey to raise the issue in the London Conference where the political and territorial outcomes of the First Balkan War would be decided. The ambassador suggested the government take immediate measures to foster the welfare of the Armenian and Kurdish people in the eastern provinces as well as to implement security measures and economic reforms to eliminate the threat of foreign intervention.<sup>37</sup> Nabi Bey, the Ottoman ambassador to Rome, reported that Italy, Germany, and Austria were trying to prevent Russia from raising the issue of Armenia. He urged the government to take measures to appease the people in the eastern provinces. Turhan Pasha, the Ottoman ambassador in St. Petersburg, sent similar warnings. After receiving such warnings, the Sublime Porte sent an order to the consulates to contact with the foreign ministers of the countries to which they were assigned regarding the protection of the territorial integrity of the Ottoman Empire.<sup>38</sup>

Based on these warnings from ambassadors and correspondence among Ottoman authorities, it can be argued that Ottoman authorities were seriously concerned with the possibility of a clash between Armenians and Kurds – or massacres of Armenians – that such a development might pave the way for Russian intervention in the Ottoman East. A telegram sent by the Ministry of Foreign Affairs to the Ministry of the Interior on 4 February 1913 illuminates this concern. This telegram noted that Armenians in Russian territory had established brigands that were ready to cross the border. At the same time, the Russian Minister of Foreign Affairs, Sazanov, had declared that Kurds might

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37 BOA: HR. SYS 2817/1, Hüseyin Hilmi, the Vienna ambassador to the Ministry of Foreign Affairs, 8 February 1913.

38 Yusuf Hikmet Bayur, *Türk İnkılâbı Tarihi*, vol. 2, no. 3 (Ankara: Türk Tarih Kurumu Basımevi, 1991), 42–43.

attack Armenians in the region. The Ottoman Ministry of Foreign Affairs stated that the timing of Sazanov's declaration was alarming and requested that the Ministry of the Interior send orders to local governors to take precautions to prevent breaches of public order between Armenians and Kurds that would invite Russian intervention.<sup>39</sup> Beginning in 1913, the Ottoman government began to undertake several measures to maintain security and public order in the region. For example, the number of gendarmes in the eastern provinces were increased.<sup>40</sup> Moreover, gendermerie inspectors were sent to visit the provinces under the leadership of Bauman Pasha.<sup>41</sup>

#### 7.1.2.1 Domestic Reform Initiatives

In the first months of 1913, the Ottoman Government adopted several decisions and decree-laws (*muvakkat kanun*) in line with domestic reform initiatives. On 26 March 1913, the government adopted "The Decree-Law on the General Administration of Provinces" which extended the powers of the governors and provincial councils. The law also specified the duties of local officials and provincial councils.<sup>42</sup> On 1 March 1913, another decree-law was adopted. This was the decree-law on the use of immovable properties by legal persons. With this decree-law, legal persons were allowed to register their properties in their own names in title deeds.<sup>43</sup> This decision was important for

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- 39 BOA: DH. SYS 118/13, the Ministry of Foreign Affairs to the Ministry of the Interior, 4 February 1913.
- 40 According to *Tanin* newspaper, which was an official publication of the CUP, the number of gendarmes in Van increased from 1265 to 1345, in Diyarbekir from 1180 to 1265, in Erzurum from 1115 to 1465, in Bitlis from 1190 to 1490, in Mamuretülaziz from 980 to 1330, and in Sivas from 1235 to 1555 during the government of Mahmud Şevket Paşa. "Vilâyât-ı Şarkîyede Fa"âliyet-i Islâhiye," *Tanin*, July 1, 1913.
- 41 Bayur, *Türk İnkılâbı*, 43.
- 42 "İdâre-i umûmiye-i vilâyât kânun-ı muvakkatı," 13 Mart 1329/26 March 1913, *Düstur*, vol. 2, no. 5 (Dersaadet: Adliye Nezâreti İhsaiyat ve Müdevvenat-ı Kanuniniye Müdüriyeti, 1332), 186–216.
- 43 *Emvali Gayrimenkuleye Mütedâir Kâvanini Muvakkate*, [Provisional Laws on the Statement of Properties] (Istanbul: Selanik Matbaası, 1329), 32–34.

non-Muslim foundations, including churches, schools, and monasteries, because it enabled them to register their properties in the names of their foundations for the first time. This was a significant issue for foundations that had demanded for such a regulation since 1908. Before this decree-law, foundations had to register their properties in the names of trustees. In several cases, when trustees died, properties registered in their names were considered mahlul and sold by the government. On 24 April 1913, the decree-law on peace court judges (*sulh hâkimleri kânunu*) was adopted.<sup>44</sup> The government also made a decision to facilitate peasants' access to loans to improve agriculture.<sup>45</sup>

#### 7.1.2.2 Public Debates Regarding the Prospects of Domestic Reforms

In May 1912, *Tanin* newspaper claimed that the Council of Ministers was planning to establish a reform commission under the presidency of the former Minister of Foundations, Hayri Bey, to solve problems in the eastern provinces. According to the article, this reform commission would be authorized to solve the land question and to take steps to improve security in these provinces.<sup>46</sup> It was also rumored that the commission would be given a hundred thousand lire to resolve land disputes and that additional funds would be provided for other matters related to reform.<sup>47</sup> However, the commission would not be established in the ensuing months.

*La Turquie* newspaper interviewed the Armenian Patriarch, Hovhannes Arsharuni Efendi, about the reform commission designated by the Ottoman government. This interview was also published in *Tanin*. The Patriarch said that bishops in the eastern provinces were continuously sending information about Kurdish depredations and the oppression of Armenians, and that bishops complained about the indifference of local officials who took no measures to stop this oppression. According to the Patriarch, to solve these

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44 "Sulh hâkimleri hakkında kânun-ı muvakkat," 11 Nisan 1329/24 April 1913, *Düstur*, vol. 2, no. 5, 322–348.

45 Bayur, "Türk İnkılâbı," 44.

46 "İslâhat Komisyonu," *Tanin*, April 12, 1913.

47 "Heyet-i İslâhiye," *Tanin*, May 4, 1913. *Tanin* also announced that the program and duties of the committee were determined. "Heyet-i İslâhiye," *Tanin*, May 8, 1913.

problems the gendarmerie should be reformed under the supervision of European powers, schools should be opened for both Armenians and Kurds, and the government should improve transportation facilities in these provinces by building roads and railways. But most importantly, all those who committed crimes should be prosecuted and punished. The Patriarch denied the claim that Armenians demanded autonomy. He said that the Armenian people were carrying out their duties and responsibilities as Ottoman subjects and that the government was obliged to protect them. With regard to the plans of the Council of Ministers to establish a reform commission, the Patriarch noted that the Patriarchate had not been officially informed of this initiative and that he did not know whether any measures were being taken to implement reforms. The comments of the Patriarch regarding the plans to establish a reform commission reflects the frustration of Armenian elite with the approach of the Ottoman government of trying to solve problems with commissions: “So far, we have seen several commissions but none of them produced results. If this commission takes two or three legions of soldiers with it to implement its orders, only then may we have hope regarding this [initiative].”<sup>48</sup> With respect to the land question, the Patriarch stated that he had heard that the government was planning to allocate a sum of a hundred thousand lire to compensate parties involved in land conflicts and that the Patriarchate preferred an administrative rather than a judicial solution to the problem.<sup>49</sup>

İsmail Hakkı Babanzade wrote an article reflecting on the interview conducted with the Armenian Patriarch. He stated that the government intended to implement reforms to improve conditions in the eastern provinces but failed to take serious steps to realize this aim. He noted that “even a serious start to reforms has not yet been carried out, let alone reforms.”<sup>50</sup> İsmail Hakkı summarized the situation by noting that “decisions were made, orders were

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48 “Şimdiye kadar bir çok defa komisyon gördük fakat bunlardan hiçbir netice hâsil olmadı. Eğer bu defaki komisyon arzusunu infaz için beraber iki üç tabur asker götürürse o zaman bundan bir hayr umabiliriz.” “Ermeni Patrikinin Beyânâtı,” *Tanin*, May 10, 1913.

49 Ibid.

50 İsmail Hakkı Babanzade, “Ermeni Patrikinin Beyânâtı,” *Tanin*, May 11, 1913.

sent, commissions were established, [and] funds were allocated, but each time a domestic or foreign obstacle obstructed the implementation of these initiatives.”<sup>51</sup> According to İsmail Hakkı, the land question, which he believed to be a temporary matter, could be easily resolved by a just commission, an appropriate program, and adequate funds.<sup>52</sup>

While rumors about the establishment of a reform commission circulated, a final decision in this regard was not immediately taken. This situation caused much public debate. Hacı Adil Bey, the Minister of the Interior, declared that the Council of Ministers had discussed the issue and that people familiar with conditions in the region would be appointed as members of the designated commission.<sup>53</sup> In the meantime, *La Turquie* newspaper published a piece claiming that the government would not send a reform commission to the eastern provinces but would establish local committees to investigate and solve problems. The Minister of the Interior denied this claim and said that the government was still working on the matter.<sup>54</sup>

On 27 May 1913, the Council of Ministers made some decisions regarding reform in the eastern provinces.<sup>55</sup> Specifying land disputes and several other problems related to lack of security and equality, the Council of Ministers decided to notify relevant ministries to implement existing legislation and principles.<sup>56</sup> The decisions of the Council of Ministers show that Ottoman

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51 “Bunun için kararlar ittihaz edildi, emirler verildi, komisyonlar teşkil olundu, paralar tahsis edildi fakat her defasında hâricî veya dâhilî bir engel bu maksad-ı memduhun semeredar olmasına mâni oldu.” Ibid.

52 Ibid.

53 “Anadolu Islâhâtı,” *Tanin*, May 13, 1913.

54 “Islâhat Hakkında,” *Tanin*, May 23, 1913.

55 BOA: MV, 177/74, decision of the Council of Ministers, 14 Mayıs 1329 (27 May 1913).

56 The Council of Ministers specified ten problems that had led to the deterioration of relations between the communities and underscored that these problems were staining the image of the government. The problems specified by the Council of Ministers were lack of security, land disputes, the corruption of administrative and judicial officials, kidnapping of girls and women, forced conversion of young girls, oppression by members of Tribal Regiments, and illegal taxes, like *hafırlık*, levied on Armenian peasants by aghas and tribal chiefs. The facts that Armenians were underrepresented in public service, that they were discriminately prohibited from carrying guns, and that several notorious criminals had not been arrested

authorities were still discussing plans regarding the establishment of an investigation commission<sup>57</sup> and a special commission. The special commission would consist of one president and six members, and its members would be dispatched to different localities. If possible, the special commission would solve land disputes through arbitration; if not, the cases would be sent to administrative commissions to be established by the commission. If the administrative commissions also failed to arbitrate the cases, the parties would be directed to the courts. Apart from this special commission procedure, the reform commission would also have authority to investigate land disputes. It should be noted that the Council of Ministers did not establish a special commission or investigation commission on 27 May 1913. The decision only shows that Ottoman authorities were discussing the matter.

#### 7.1.1.2.3 Public Declarations of the CUP Leaders Regarding Domestic Reform Plans

While not officially adopting a reform plan or establishing a reform, investigation, or special commission, CUP leaders were trying to keep the matter in the public eye and convince the Ottoman public that the government was spending effort on reforms. Talat Pasha gave an interview to *Tanin* on 7 July 1913 at the height of international reform debates. In this interview, Talat Pasha repeated the problems specified by the Council of Ministers and underscored that the government was committed to solving these problems. He said that the government intended to provide security and public order in the eastern provinces. He noted that the government had increased the number of gendarmes in the region, had decided to dispatch gendarme officers in Rumelia to the East, and had assigned a foreign major and a civil inspector to every legion. With regard to land conflicts, Talat Pasha stated that the government was considering establishing a special commission and an

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and remained unpunished by the courts were specified as other problematic issues by the Council of Ministers (Ibid.).

57 While the press referred to this commission as the reform commission, in official correspondence and decisions it was referred to as the investigation commission.

investigation commission, but he believed that unless land registry procedures were carried out it was impossible to solve the problem.<sup>58</sup>

Cavid Bey also gave an interview about the prospects of domestic reform to an Armenian newspaper, *Azadamart*. Thus, his declarations were intended to appeal to the Armenian public. The statements of Cavid Bey regarding the necessity of reforms reflect the desire to convince the Armenian public that the CUP was cognizant of the importance and necessity of reforms. In his interview Cahid Bey stated that

demands regarding reform in the eastern [provinces] will certainly be recognized. Presently, no one should doubt that. Do you know why? Because the meaning of this matter – the degree of its importance – changed after the last war. Now, the Armenian Question is one of the most important issues of the Ottoman Empire... We have come to the conclusion that, from now on, a disturbance that may happen in the eastern provinces, will have adverse effects on the whole state.<sup>59</sup>

According to Cavid Bey, the government was committed to the implementation of reforms. Regarding the reform plan of the government, he stated that

the land question will resolve on its own after the reformation of the administrative structure. Competent governors and an authorized general inspector, who will supervise them, will be assigned. In addition to this, financial inspectors and gendarme commanders will be assigned, and they will be under the command of foreign commanders... The solution to the land question in the desired manner is no great deal. If necessary, the government can buy the

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58 “Talat Beyin Beyânâtı: Islâhat ve Hükümetin Nokta-i Nazarı,” *Tanin*, July 7, 1913.

59 “Şarkiyeye ıslâhatı hakkındaki metâlibi behemehal is’âf edecektir. Bu babda artık şüphe edilmemeli. Neden bilir misiniz? Zîra son muhârebeden sonra bu meselenin mânâsı, derecesi ehemmiyeti başkalaştı. Ermeni meselesi elyevm devlet-i osmânîyenin en mühim meselelerinden biridir ... Biz kanâ’at getirdik ki bundan sonra vilâyat-ı şarkiyede vukû bulacak bir uygunsuzluk bütün devlet üzerinde aksi te’sîr edecektir.” “Cavid Bey Efendinin Beyânâtı,” *Tanin*, July 16, 1913.

disputed lands and return [them] to their original owners, and this is what it will do. The interests of the state require this anyway.<sup>60</sup>

It should be noted that as these leading CUP members were declaring the plans of the government to solve the land question, the Ottoman government had blocked the use of arbitration procedures by administrative councils once again. Thus, it can be said that administrative resolution was used as political leverage by the Ottoman government in this period.

#### 7.1.2.4 Meetings among Leading Members of the CUP and the Armenian Political and Religious Elite

Besides giving interviews about the willingness of the Ottoman government to enact reforms, CUP members also communicated with the Armenian religious and political elite to persuade them to give up insistence on an international reform scheme and on international guarantees for reform.

In the beginning of July, Talat Pasha, the Minister of the Interior, visited the Armenian Patriarch. In this meeting, they discussed the issue of reform. Talat Pasha said that brigands in the eastern region were chased and prosecuted and that “the government was determined to save the country from brigands” and “to implement reforms in the eastern provinces of Anatolia.”<sup>61</sup> The Patriarch raised concerns in the meeting and stated that “if this reform would be carried out with a centralized approach, nothing would be achieved.”<sup>62</sup> In his response, Talat Pasha stated:

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60 “Arâzi meselesi idâre makinesinin teceddüdüyle kendi kendine tesviye olunacaktır. Ehliyetli valiler ve onlara nezâret etmek üzere salâhiyet-i vâsi’yi haiz bir müfettiş-i umûmî tâyin edilecektir. Bundan mâadâ mâliye müfettişleriyle jandarma kumandanları dâhî tâyin olunacak ve bunlar ecnebi kumandanların taht-ı idâresinde bulundurulacaktır ... Bu arâzi meselesinin sûret-i matlûbede tesviyesi büyük bir şey değildir. Hükümet icâbı takdirinde münâza’un-fih arâziyi mübâyaa ederek ashab-ı asliyesine teslim edebilir ve böyle de yapacaktır. Zâten devletin menfa’ati de bunu icâb ediyor.” Ibid.

61 “... memleketi eşkiyâ’nın elinden kurtarıp şarkî anadolu vilâyetlerini ıslâh etmek üzere gayretimizi X etmeyecektir...” “Dâhiliye Nâzırı Patrikhânedeyi,” *Tanin*, July 3, 1913.

62 “... bu ıslâhat şâyet merkezin usûlü ile icrâ’ olunacak ise, yine hiç bir şey olmayacaktır...” Ibid.

No, sir, the reform will be implemented using a decentralized approach. I request your assistance [in this matter]. We shall do this in such a way that European states do not intervene. Apart from several European officials, we will even assign general inspectors to oversee the implementation of reforms in every single province.<sup>63</sup>

The Unionists also met with the Armenian political elite to persuade them to give up insistence on an international reform scheme and on international guarantees for reform. One of the most important of these meetings was between leading CUP and ARF members. When this meeting was held, relations between the CUP and ARF had already been officially terminated. According to Papazian, reports of Armenian negotiations with the Russian consulate drove the Unionists to demand such a meeting. The meeting was held in the house of Bedros Halladjian and was attended by Talat, Menteşe deputy Halil, and Mithat Şükrü from the CUP and Agnuni, Vartkes, and Garo from the ARF. According to Papazian, during this meeting the Ittihadists gave assurances that they would carry out radical reforms like those that had been realized in Eastern Rumelia in the 1880s. They wanted Armenian politicians to trust them about the scope of the reform program and the implementation of reforms instead of seeking the support of foreign powers.<sup>64</sup> The meetings between the Ittihadists and Tashnagists had no fruitful results. As underscored by Rober Koptaş, both parties accused the other for the failure of these negotiations. While the Armenian political elite pointed to the fact that the Unionists gave many promises but failed to realize them, the Unionists blamed Armenian politicians of relying on foreign intervention.<sup>65</sup> Ultimately, what led to the failure of these negotiations was the lack of trust between the parties.

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63 “Hayır efendim, ıslâhat ‘adem-i merkezîyet usûlüne tevfikân tatbîk edilecektir. Sizin bize mu‘âvenetde bulunmanızı ricâ’ ederim. Öyle bir şey yapalım ki avrupa devletleri müdâhale etmesinler. Hatta müte‘addid avrupalı me’mûrlardan mâadâ her bir vilâyetde tatbîk olunacak olan ıslâhata nezâret etmek üzere umûmî müfettişler dâhî ta’yîn edeceğiz...” Ibid.

64 Papazian, *Im Husheri*, 190–191.

65 Koptaş, “Zohrab, Papazyan,” 172.

## § 7.2 Reform Questions at the International Level

The second strategy of the Ottoman government and the CUP in dealing with the reform issue was creating division among the Great Powers and playing them off one another. In line with this framework, the Ottoman government sought the help of Britain to implement a domestic reform program. Beyond this, the Ottoman government tried to expand the geographical scope of the reform plan and generalize the reforms by carrying out an empire-wide reform scheme. The government hoped to prevent the territorialization of the reform scheme as this could result in the separation of the eastern provinces from the Ottoman Empire under the rubric of Armenia. This was a great concern for the government, and it was aggravated by experiences in Rumelia and Lebanon.

### 7.2.1 *The Ottoman Request for British Assistance*

Halil (Menteşe) Bey's memoirs shed light on the approach of the Ottoman government to the issue of reform. Halil Bey notes that he warned Grand Vizier Mahmud Şevket Pasha about the attempts of Armenians in Europe to internationalize the reform issue and that he urged the grand vizier to seek the assistance of Britain by requesting British consultants for the implementation of reforms. This request would be based on the Cyprus Convention that stipulated that Britain would support the Ottoman Empire in case of a Russian attack. According to Halil Bey's suggestion, the Ottoman government would request the assignment of a British general inspector to the Ministry of the Interior. This approach was accepted by Mahmud Şevket Pasha and Talat Pasha, and the government sent an order setting this plan to Tevfik Pasha, the Ottoman ambassador in London.<sup>66</sup>

On 15 April 1913, the Council of Ministers made an official decision regarding the appointment of the British inspectors.<sup>67</sup> Ottoman ambassadors in London, Tevfik Pasha, and Hakkı Pasha were authorized to conduct

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66 Halil Menteşe, *Osmanlı Mebusan Meclisi Reisi Halil Menteşe'nin Anıları*, ed. İsmail Arar (Istanbul: Hürriyet Vakfı Yayınları, 1986), 168.

67 BOA: MV 176/23, decision of the Council of Ministers, 2 Nisan 1329 (15 April 1913).

negotiations with British authorities for British involvement in the reform scheme. Since it was unclear whether the British government would be willing to undertake this role, Italy, Germany, and Austria were also to be consulted. The designated reforms were to be carried out in the empire as a whole, but in the initial stage, the reforms would be implemented in Eastern and Northern Anatolia. The eastern section included Van, Bitlis, Mamuretülaziz, and Diyarbakir and the Northern section included Erzurum, Sivas, and Trabzon. The government planned to assign British majors to gendarme legions in these sections. A general inspector would be assigned to each section, and general inspectors would be assisted by inspectors of gendarmes, justice, agriculture, and public works. Apart from these, two British officials would be employed in the central administration. One of them would be assigned as a consultant to the Ministry of the Interior and the other British official would be assigned to the general inspectorate of the Ministry of the Interior.<sup>68</sup>

On 24 April 1913, Tevfik Pasha officially applied to the British government regarding the assignment of these British officials.<sup>69</sup> The initial reaction of the British government was positive, but British officials responded to the Ottoman diplomats with caution since the British government did not want to antagonize Russia. Thus, they demanded Russian authorities be informed of the request being made by the Ottoman government. British authorities also rejected the request of the Ottoman Empire for advisers in its Ministry of the Interior stating that this might “create embarrassments with other Powers.”<sup>70</sup> Britain reformulated the Ottoman proposal and agreed to assign British officials to the gendarmes.<sup>71</sup> After Britain informed Russian authorities of the request by the Ottoman government, Sazonov, the Russian Minister of Foreign Affairs, said that the issue of gendarmes could not be separated out

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68 Ibid.

69 “Communication from Tevfik Pasha,” in *British Documents*, 427–429.

70 Sir Edward Grey to Sir G. Lowther, 19 May 1913, no. 483, in *British Documents*, 433.

71 Sir G. Lowther to Sir Edward Grey, 9 May 1913, no. 481, in *British Documents*, 431. Britain also suggested the appointment of a French official as an adviser or general inspector and the assignment of another Frenchman as an advisor to the Ministry of Public Works. According to this reformulation, a German inspector would be assigned for forestry and agriculture.

from the question of reform in the Ottoman Empire. He suggested the matter be discussed by the British, French, and Russian ambassadors in Istanbul.<sup>72</sup>

Tevfik Pasha made another application to British authorities on 21 May 1913. In this second application, the Ottoman government requested additional British officials be assigned to the southern and western provinces. The Foreign Ministry of Britain sent a response to Tevfik Pasha noting that they wanted “to limit their assistance to the provision of inspectors and officers of gendarmerie in the two sectors.”<sup>73</sup> The British government did not want to expand the scope of the reform scheme in which it would be involved because other powers had interests in various parts of the Ottoman Empire. Such an expansion in the geographical scope of British involvement could trigger conflicts of interest between the Great Powers. According to Davison, Germany also agreed with the Ottoman plan and sought Anglo-German cooperation to protect the territorial integrity of the Ottoman Empire.<sup>74</sup>

#### 7.2.1.1 Disagreements among the Great Powers

British authorities faced strong protest from Russia after informing Russian authorities that they had accepted the request of the Ottoman government to assign British officials as inspectors of the gendarmes. In his evaluation of this development, Russian Minister of Foreign Affairs Sazanov stated that some time ago, representatives of the Armenians had “approached the Russian Government with a request for the annexation of Turkish Armenia to Russia.” According to Sazanov, the Russian authorities had denied the request but had promised to secure the implementation of effective reforms in the region. Sazanov stated that this promise “put Russia under peculiar obligations to the Armenians,” and that Russia “could not play second violin in this matter.”<sup>75</sup> Sazanov also added that the Russian government would not remain passive and would intervene in the case of massacres of Armenians like those carried

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72 Mr. O’Beirbe to Sir Edward Grey, 21 May 1913, no. 484, in *British Documents*, 433.

73 Sir Edward Grey to Tewfik Pasha, 24 May 1913, no. 491, in *British Documents*, 437.

74 Davison, “Armenian Crisis,” 494.

75 Mr. O’Beirne to Sir Edward Grey, 26 May 1913, no. 492, in *British Documents*, 438.

out in the 1890s.<sup>76</sup> France and Britain tried to convince Russia that if the Ottoman proposal was rejected, Ottoman authorities would turn to Germany and give them a leading role in carrying out the reforms. But they were not able to convince the Russian authorities.<sup>77</sup> In the end, Britain postponed its response to the Ottoman Empire until after the Ambassadors' Conference that to be held in Istanbul that July.

The diplomatic initiatives and tensions among these powers accelerated in the first weeks of June. Germany began to assume a more active role, and the German ambassador in London stated that "if other powers made claims, Germany would have to put in her own claim."<sup>78</sup> Moreover, Germany and Austria demanded the inclusion of representatives of the Ottoman Empire in the Conference of Ambassadors.<sup>79</sup> On the other hand, British diplomats were concerned about the prospects of reform, noting that Armenians were of the opinion that effective reform could be only carried out under the auspices of Russia. Referring to the failure of reform plans in 1895, they also underscored that conflict between Russia and Britain might hinder the implementation of reforms. The British consul in Istanbul reported that the CUP government hoped to secure an Anglo-German reform scheme that would exclude Russia. The consul noted that "the opinion of Armenians and other competent observers that any projects of reform of an anti-Russian tendency in the provinces inhabited by the Armenians are almost certain to be fraught with disastrous instead of beneficial results to the latter."<sup>80</sup> In the meantime, Sazonov suggested the Great Powers take the reform project of 1895 as a starting point for the meeting of ambassadors in Istanbul.

#### 7.2.1.2 Mandelstam Plan

After the Great Powers decided to hold an ambassadors meeting in July, Russia prepared a reform scheme which it submitted to French and British

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76 Ibid.

77 Davison, "Armenian Crisis," 494–495.

78 Sir Edward Grey to Sir E. Goshen, 2 June 1913, no. 499, in *British Documents*, 444–445.

79 Mr. O'Beirne to Sir Edward Grey, 11 June 1913, no. 507, in *British Documents*, 449–50.

80 Sir G. Lowther to Sir Edward Grey, 6 June 1913, no. 503, in *British Documents*, 448.

authorities. French and British diplomats did not grant approval to this plan and declared that they would consider it as the Russian proposal for reform.<sup>81</sup> The Russian plan was prepared by Andre Mandelstam, the dragoman of the Russian embassy in Istanbul, and it reflected the demands of Armenians.<sup>82</sup> According to the Mandelstam plan, the six provinces would be united as one, the “Armenian Province,” and an Ottoman Christian – or preferably a European – would be assigned as the governor-general for a term of five years. The governor-general would have extensive powers including the authority to appoint and dismiss any officials including judges. Gendarmes and police forces in the province would also be under the command of the governor-general. The province would have a provincial assembly in which Muslims and Christians would be represented equally. The number of Muslims and Christians employed as officials, judges, gendarmes, and police in the province would be equal. According to the Mandelstam plan, the Hamidian Regiments would be abolished. All laws and decrees would be published in three languages (Turkish, Kurdish, and Armenian). The Great Powers would ensure the implementation of these provisions. Two articles of the Mandelstam Plan (Articles XVII and XIX) were related to the land question.<sup>83</sup> According to these articles, land disputes concerning Armenians would be resolved by a special commission operating under the supervision of the general inspector. This commission would also be given the authority to “determine the circumstances under which seized lands of Armenians would be returned.” The special commission could compensate claimants with land or cash.<sup>84</sup> The Mandelstam Plan also stipulated that Muslim immigrants would not be settled in the region.

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81 Sir G. Lowther to Sir Edward Grey, 17 June 1913, no. 515, in *British Documents*, 454.

82 Armenian actors and Mandelstam grounded this plan on existing legislation, taking the Armenian reform scheme of 1895, the law of 1880 as revised by the International Commission for the European Provinces of Turkey, the Cretan and Lebanon Statutes, and the new Ottoman Law on the Vilayets of 1913 as reference points. *British Documents*, 454.

83 For the text of the Mandelstam plan, see Sir G. Lowther to Sir Edward Grey, 17 June 1913, in *British Documents*, 455–460 and Bayur, *Türk İnkılabı*, 108–111.

84 Ibid.

The Mandelstam plan was strongly opposed by German authorities. According to the German ambassador in Istanbul:

Russian proposals about Armenia went too far. They went, indeed, beyond even what existed for the Lebanon. They would create a complete autonomy, and separate Armenia entirely from the rest of Asiatic Turkey. This would be a bad precedent, and would make for the break-up and not for the consolidation of the Turkish Dominions.<sup>85</sup>

Sazonov rejected this claim and warned that “if the Mandelstam plan were not adopted, the Armenians would revolt, Russian military intervention would be forced, and partition would then ensue.”<sup>86</sup> As underscored by Roderic Davison, Germany and Russia had opposing approaches to the matter. While Germany thought that the Mandelstam plan would lead to the partitioning of the Ottoman Empire, Russia thought that its partitioning would be inevitable without this plan.<sup>87</sup>

#### 7.2.1.3 The Ottoman Plan for Reform

In the last week of June, the Ottoman government prepared its own reform plan and sent it to the Great Powers. Said Halim Pasha, the grand vizier of the Ottoman Empire, sent a telegram on 25 June 1913 to the Ottoman ambassadors to London, Paris, Berlin, Vienna, St. Petersburg, and Rome about reform measures that had been carried out by the Ottoman government in the previous six months.<sup>88</sup> Said Halim Pasha also informed the ambassadors of an amendment to the decree-law on the general administration of provinces. According to this amendment, the general inspector would be appointed by the Council of Ministers for a term of five years, and the number of local and foreign officials working under auspices of the general inspector would be

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85 Sir Edward Grey to Sir E. Goschen, 3 July 1913, no. 537, in *British Documents*, 474.

86 Davison, “Armenian Crisis,” 497.

87 Ibid.

88 BOA: HR.SYS 1866-6/50-51, 25 June 1913, in Zekeriya Türkmen, *Vilayât-ı Şarkiye (Doğu Anadolu Vilayetleri) Islahat Müfettişliği 1913-1914* (Ankara: Türk Tarih Kurumu, 2006), 133-134.

determined by the Council of Ministers.<sup>89</sup> The duties of the general inspector were also specified in the Ottoman reform plan,<sup>90</sup> according to which they would supervise the implementation of all legislation. The general inspector would carry out reforms pertaining to gendarmes, police, justice, the tax system, agriculture, forestry, and mines in consultation with the central government. Despite the declarations of CUP leaders that the land question would be resolved within the framework of the Ottoman reform plan, the text of the official Ottoman plan included no provisions regarding land disputes,<sup>91</sup> nor did it specify the region in which reforms would be implemented. In other words, the plan was designed to be carried out throughout the whole empire, not only in provinces inhabited by Armenians. According to the British consul in Istanbul, the Ottoman plan was guided by the German ambassador who declared that he would oppose “any proposal which [would] create a special privileged position for Armenian provinces, and therefore [insisted] on taking Turkish scheme providing reforms for whole Empire.”<sup>92</sup> Just before the conference, the Sublime Porte sent another written note to the Great Powers, specifying the geographic regions to which two general inspectors would be assigned. According to this note, the northern and eastern parts of the empire were designated as sections three and five. The provinces of Erzurum, Sivas, Trabzon, and Canik were grouped into the northern section, and Bitlis, Van, Diyarbakir, and Mamuretülaziz were grouped together in the eastern section.<sup>93</sup> This note indicates that the Ottoman government did not give up on generalizing the reform scheme even as it demarcated specific regions in which initial reforms would be carried out.

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89 “Additional Articles to the Law for the Administration of the Vilayets,” in *British Documents*, 476; Bayur, *Türk İnkılâbı*, 117.

90 “Instructions as to the Duties of the Inspectors-General,” in *British Documents*, 477; Bayur, *Türk İnkılâbı*, 119–120.

91 Mr. Marling to Sir Edward Grey, 3 July 1913, no. 538, in *British Documents*, 475–479.

92 Mr. Marling to Sir Edward Grey, 4 July 1913, no. 540, in *British Documents*, 479–480.

93 Bayur, *Türk İnkılâbı*, 120.

### 7.2.2 *Yeniköy Conference and Negotiations between Germany and Russia*

Two different proposals for reform and divisions among the six powers framed the discussions in the ambassadors' conference. The eight sessions of the conference were held in Austria's summer embassy at Yeniköy between 3 and 24 July 1913.<sup>94</sup> Although the Ottoman Empire was not represented in the conference, the German and Austrian ambassadors, who opposed the Mandelstam plan, brought the Ottoman plan for reform to the table. The Yeniköy Conference ended without an agreement due to the depth of the disagreements among the Great Powers, especially those between Germany and Russia. In spite of the failure to solve the question of reform, the conference provided a forum for discussion among the Great Powers and for the clarification of their interests. Davison summarizes:

The British had early said the obvious, which needed saying: that the Russian plan was of no use because it led only to disagreement, that any effective action had to be united, and any effective reform had to be accepted voluntarily by the Porte. The French, at the end of the conference, sought a basis to conciliate the Turk and Russian plans. The Italians, starting to delimit a sphere in Adalia and to negotiate a railway concession with Turkey, wanted peace and quiet. The Austrians were even less prepared for an explosion or partition of Turkey.<sup>95</sup>

After the Yeniköy Conference, Russia and Germany negotiated the course of future discussions and agreed that the issue of reform should be negotiated between Russia and the Ottoman Empire. In the middle of September, Russian ambassador Giers and German ambassador Wangenheim prepared a new plan in line with the Ottoman proposal. According to the plan accepted by Giers and Wangenheim, two inspectors to be recommended by the Great Powers would be assigned to carry out reforms in the Ottoman East. The

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94 Ibid., 121.

95 Davison, "Armenian Crisis," 500.

inspectors would have extensive control over administration.<sup>96</sup> Other powers also accepted this plan, but it was not initially accepted by the Ottoman government. Davison claims that the Ottoman government was aware of the divisions among the powers, and Ottoman officials had thought that the Great Powers would fail to reach an agreement.<sup>97</sup> The Ottoman government insisted on its own reform plan. In line with this approach, the Ottoman government again applied to Britain, requesting the appointment of two general inspectors for a term of five years. British authorities rejected this request, noting that all the powers had already discussed the Armenian reform issue.<sup>98</sup>

#### 7.2.2.1 The Last Attempt for a Domestic Reform Scheme

After Britain's rejection of the request by Ottoman diplomats for British inspectors to oversee the implementation of an Ottoman reform scheme, the Unionists tried to reach an agreement with the Armenians to prevent the intervention of foreign powers. In December 1913, Halil Bey visited Krikor Zohrab to discuss the reform issue. In this meeting he told Zohrab that "the Ittihadists would accept all conditions that were demanded by the Armenians on one condition: Armenians would declare that they give up [on demanding] foreign intervention."<sup>99</sup> Zohrab explained that, for the reform issue, foreign intervention did not mean the establishment of foreign control but was rather a measure of guarantee for the implementation of reforms. According to Zohrab, Halil Bey said that the reform scheme would include measures for the equal employment of Muslims and Christians in public office, reorganization of the education tax, and a resolution to the land question. Halil Bey assured Zohrab that the CUP would agree to a negotiation process that would involve the Great Powers and the assignment of a European general inspector, but would oppose international guarantees for the implementation of reforms. Halil Bey noted that the CUP demanded a limit to the intervention of foreign powers. He argued that the Sublime Porte should receive oral approval from

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96 Ibid.

97 Ibid., 501.

98 Mr. Marling to Sir Edward Grey, 7 October 1913, no. 569, in *British Documents*, 518–20.

99 Koptaş, "Zohrab, Papazyan," 172.

foreign countries with regard to the assignment of general inspector. Agreeing with Halil Bey, Krikor Zohrab brought this “domesticated” plan before the representatives of the Patriarchate, the ARF, and the Hunchaks.<sup>100</sup> With regard to the meeting in which this plan was discussed among several Armenian actors, Zohrab noted that no one listened to him and that he was opposed without any counterarguments.<sup>101</sup> As underscored by Rober Koptaş, distrust of the CUP on the part of the Armenian actors and institutions, which was based on the CUP’s failure to carry out promises made over previous years, was the main reason for the rejection of this proposal to domesticate the issue of reform. Thus, the strategies of the Ottoman government to prevent the intervention of the Great Powers, especially that of Russia, by limiting reform to a British-supervised scheme or by reaching an agreement with Armenians failed.

#### 7.2.2.2 Russo-Ottoman Agreement

After the CUP failed to persuade Britain to accept a reform plan that would be supervised by Britain and after it failed to persuade the Armenian political elite of a domestic reform scheme, the way was paved for the adoption of the Giers-Wangenheim plan. Negotiations between Russia, Germany, and the Ottoman Empire were concluded after six months, and Russia and the Ottoman Empire signed an accord on 8 February 1914.<sup>102</sup> According to this agreement, the Great Powers would verbally recommend two general inspectors to the Porte, and these general inspectors would have extensive control. The two foreign general inspectors would be assigned to the Ottoman East, which would be divided into sections. Erzurum, Trabzon, and Sivas were grouped into one section, and Van, Bitlis, Mamuretülaziz, and Diyarbekir were grouped into the other. General inspectors would have control over administration, justice, police, and the gendarmes. Laws, regulations, and official announcements would be published in local languages. The Ministry of Education would take necessary measures to fairly allocate the funds of the

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100 Ibid., 173.

101 Ibid., 174.

102 Davison, “Armenian Crisis,” 498–504; Dussen, “Question of Armenian,” 20–24; Sir L. Mallet to Sir Edward Grey, 9 February 1914, no. 591, in *British Documents*, 545–546.

ministry with respect to the ratio of education taxes collected from among different groups in each province. Tribal regiments would be transformed into reserve cavalry. The religious, national, and linguistic characteristics of the population in the region would be determined by a census that would be carried out within a year. Until the census data was collected, Muslims and non-Muslims would be represented equally in general assemblies (*meclis-i umumi*) and committees (*encümen*) in Van, Bitlis, and Erzurum. In Sivas, Harput, and Diyarbakir, religious groups would be represented in general assemblies and committees in proportion to their populations. In these provinces, the distribution of the population would be assessed based on election data for Muslims, while population data for non-Muslims would be provided by community representatives. Muslims and Christians would continue to be equally represented in administrative councils.<sup>103</sup> According to this final accord, land disputes would be “resolved under the direct supervision of general inspectorates.”<sup>104</sup> It should be noted that the land clause of the Russo-Ottoman Agreement was vague compared to that of the Mandelstam plan.

### § 7.3 The Approach of the Armenian Political and Religious Elite to the Land Question after the Balkan Wars

The internationalization of the reform question in the aftermath of the Balkan Wars increased the significance of the issues of population and land in the eyes of the Armenian political elite. This renewed significance was reflected in Armenian newspapers and in discussions among the Armenian political elite in the Armenian National Assembly.

Several Armenian actors worked to keep the land question on the agenda of the Ottoman, Armenian, and international publics. As mentioned above, the first pamphlet prepared by the Patriarchate for submission to foreign consuls, public figures, and politicians was about the seizure of Armenian

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103 Sir L. Mallet to Sir Edward Grey, 28 January 1914, no. 590, in *British Documents*, 542–546; Bayur, *Türk İnkılabı*, 169–72.

104 Ibid.

properties in the Hamidian period. The data provided in this pamphlet were widely used in the Armenian press which published lists and articles to show the extent of the seizures and the significance of the land question. The Armenian press also raised the problem of new seizures carried out after the proclamation of the constitution.<sup>105</sup>

In a book published under the pseudonym Marcel Léart, Krikor Zohrab elaborated on socioeconomic problems in general and the land question in particular. Zohrab claimed that after the age of conquest was over, Christians had become the productive element in the empire because they had to work hard. According to Zohrab, the government had intervened to preserve the socioeconomic dominance of Muslims by granting them privileges, jobs, and status. It operated the state mechanism, including the courts and administration, in line with the interests of Muslims. He stated that most of the Kurdish chiefs who owned extensive land and flocks owed their fortunes to the impunity granted to them on account of their religious beliefs. According to Zohrab, neither the backing of the administration nor the partiality of courts had managed to raise Muslims above Christians in socioeconomic terms.

Thus, massacres were necessary to undermine the socioeconomic activities of Christian elements and even to force them to leave the country and to abandon their properties to Muslims. The land question in Turkish Armenia is a result of this. Thus, massacres in Turkey are socioeconomic events that the Turkish government looks upon favorably rather than incidental tragedies.<sup>106</sup>

As illustrated in this quote, Zohrab emphasized the socioeconomic background of the massacres of 1894-97 and underscored the importance of competition over resources for explaining mass violence. Another point he underscored with respect to the massacres was the demographic concerns of

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105 For example, in a report titled "The Situation of Armenians in Turkey," *Troşag* claimed that a significant number of Armenian properties were seized in the constitutional period. Rober Koptaş, "Sunuş: Fırtınadan Önce Bir Son Çırpınış," in Zohrab, *Belgeler Işığında*, 18.

106 Zohrab, *Belgeler Işığında*, 64.

the Hamidian regime. According to Zohrab, administrative reorganization in the region was a part of a policy of decimating the Armenian population by coercion, massacres, seizures, and settlement of Kurds and Circassian immigrants.<sup>107</sup> Zohrab also argued that the Ottoman government had “pulled the same trick” of administrative restructuring with regard to Bulgarians and Greeks in the Balkans.<sup>108</sup>

In this period, the emigration of Armenians became a pronounced problem in Armenian political circles. On 19 June 1913, the Armenian National Administration wrote an official letter (*bashdonakir*) to the ANA requesting that the assembly make an official declaration to prevent the emigration of the Armenian population “from their motherland.”<sup>109</sup> In this letter, it was stated that lack of security of life, property, and honor as well as forceful seizure of Armenian properties were the primary reasons for the emigration of Armenians from Armenia. Emigration from the region was defined as a “great disaster” (*medz aghēd*) that was causing serious political and economic damage. It was also noted that “their staying in their lands is a requirement, especially at the present moment, for extraordinary reasons.”<sup>110</sup> What made “the present moment” so special for the administration was the fact that the issue of Armenian reforms were to be discussed in the ambassadors meeting in a couple weeks’ time. We can only speculate about “the extraordinary reasons” that required the prevention of emigration through the political action of Armenian institutions, but the administration was aware that a decline in the Armenian population in the region would weaken claims to be raised by Armenian actors.

In the session of the ANA in which the letter of the Armenian National Administration was read, the deputies discussed the matter at length. The proceedings of this debate provide important insights into the approach of the Armenian political elite to the issues of population, demographic trends, and

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107 Ibid., 52.

108 Ibid.

109 “iwr mayr hayrenik’ē.” *Azkayin Ĕnghanur Zhoghov*, nist Z (session 6), 21 June 1913, 108–109.

110 “manawant nergay vayrgeannerun yerp kerazants’ badjaṛnerov bēdk’ ē or na mnay iwr hoghin vray.” Ibid., 109.

land. In his speech, Papazian underscored that emigration was the “greatest of great disasters” that the Armenians faced at the time.<sup>111</sup> He noted that

if this continues for a couple of years, Armenians will become dispersed and [their numbers] will decrease in those places which are compact [in terms of Armenian population] in Armenia. There are several reasons for this, but the primary reasons are oppression and insecurity ... This is not like the emigration of the past; they are taking their families with them now ... Vacant lands of Armenia ... state lands are allocated to immigrants from Rumelia. This is a danger for Armenians.<sup>112</sup>

Papazian’s speech places great importance on demographics. He saw the increase of the Muslim population and the expansion of Muslim landholding in the eastern provinces and Cilicia as a danger to Armenians.

Another deputy who delivered a speech on the matter was Teteyan Efendi who emphasized the economic reasons for emigration. Teteyan Efendi stated that

emigration is exactly like death [and] causes more evil than massacres. Presenting a decree will not be enough. After the Adana massacre, manpower and material assistance was directed [to the region] and the danger began to be alleviated. This should be taken as an example. Emigration is not only political, [it is] especially economic. Without a doubt, those who emigrate also feel that there is now much to hope for in terms of politics, but there is no such hope in terms of economics.<sup>113</sup>

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111 “medz aghēdnerēn medzakoyñē ardakaght‘n ē.” Ibid.

112 “Aysbēs yet‘ē sharunagowī, mēg k‘ani dariēn Hayasdani k‘omp‘ak‘t‘ yeghadz degherēn Hayerē bidi ts‘rowin, nōsranan. Ador badjaṛnerē shad yen, sov, harsdaharut‘iwnnerē anabahovutiwnē yen. Haydni pan ē, or adiga nakhgin darineru bantkhdut‘iwnē ch‘ē ayl barzabēs kaght‘aganut‘iwn ē, ēndanik‘ov g‘ertan ... Hayasdani barab hogherē, ... , bedagan hogherē tsriabēs Rumēlii muhajirnerun gē shnorhowin. Adiga Hayots‘ s hamar vdankawor ē.” Ibid.

113 “Kaght‘aganut‘iwnē ajnmisi mah mēn ē, or godoradznerēn aweli medz ch‘arik‘ gē hastš‘nē. Log gontag mē ch‘i pauer. Adanayi godoradzēn edk‘, tursēn martig niwt‘agan michots‘er e öknut‘iwnner hastš‘uts‘in ew vnasē sgsaw tarmanowil. Noyñ barakan örinag t‘ogh ēllay.

One of the most striking speeches in this debate was made by Hampartsum Boyadjian, who stated that

I do not consider the massacres of the previous regime as something as evil as mass emigration. A massacre annihilates 10 or 100 thousand at once, but emigration is a chronic disease that consumes a nation from within. My point is that life is sweet and everyone is trying to escape from the troubles of this country, but they should be reminded of their ties to the fatherland and that there is no nationality without a fatherland.<sup>114</sup>

After several deputies made speeches on the issue, the assembly decided to send an order to local branches to conduct meetings regarding the socioeconomic conditions of émigrés and to investigate what measures can be taken to curtail emigration.<sup>115</sup> These speeches and correspondence among Armenian institutions show that the decline of the Armenian population in “the fatherland” or “Armenia,” which included the eastern provinces and the region of Cilicia, was perceived as a national problem by the Armenian political elite. Emigration of Armenians from the region and the increase of the Muslim population due to the settlement of Muslim immigrants were seen as threats.

Similar concerns were raised in *Harach* in the months following this debate in the assembly. On 17 October 1913, the newspaper published a summary of data presented in the first pamphlet prepared by the Patriarchate regarding the number and characteristics of seizures of Armenian properties.<sup>116</sup> *Harach* prepared a list based on this data and published this list

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kaght'aganut'ean badjaṛnerè miajn k'aghak'agan ch'en, klkhorabēs dndesagan yen. Anshushd kaght'oghnerè irenk' al gē zkan t'ē ajzhm shad hoyser gan k'aghak'agan parwonk'man, payts' dndesagani hamar ayt hoyserè ch'en pauer.” Ibid., 110.

114 “Yes hin řēzhimi ayt godoradznerè aynk'an medz ch'arik' ch'em ngader nork'an ardakaght'ē. Godoradzē 10 gam 100 hazar mēg ankamēn gē chnchē, isg kaght'ē Azkin mēch jaragadz k'ronig t'ok'akhd mēn ē. yezragats'ē nelov g'ēsem t'ē geank'ē anush ē ew amēn ok' gē chanay khusap'il ays yergri ch'arik'nerēn, payts' bēdk' ē hishets'nel anonts' hayrenik'I gabē, aṛants hayrenik'I azkut'iwn ch'gay.” Ibid., 112.

115 Ibid., 116–117.

116 “Vijagakrut'iwn mē,” *Harach*, 17 October 1913.

to show the extent of such seizures. On the same page, *Harach* published an article titled “Emigration and Land,” in which it was stated that the fundamental way to prevent emigration was immediately resolve the land question – “because one cannot do anything without land.” It was also stated that

the land question should be solved, but it should be solved in a just manner, and in a way that is in line with our interests. Our interests are not necessarily against those of neighboring national groups. This is the most important and urgent matter. Seized lands should be taken from the usurpers and given to the Armenians whose rights were violated. There cannot be any other settlement with regard to this question. And if they want to put an end to emigration from the country and *prevent the disappearance of Armenia* [*Hayasdan*], our official institutions and the Armenian people should follow a stronger and more decisive course of action.<sup>117</sup>

This article, along with the discussions in the ANA, supports the claim that in the minds of Armenian political elite, the land question was tied to the faith of Armenians and the future of Armenia. The resolution of the land question was a matter of ethnonational existence for some Armenian actors in this period.

#### § 7.4 The Situation in the Eastern Provinces and Kurdish Reactions to the Prospect of Reform

As analyzed in chapter 6, there was a significant shift in the approach of the Ottoman government to the issue of land disputes after 1910. The amendment

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117 Emphasis mine. “Payts’ ays megë, hoghayin harts’i ludzumë, artar u hamabadaskhan mer shaherun, oronk’ yerpëk’ hagënttëm ch’en mer trats’i azkut’eants’ shaherun, amen gareorn ë u hradabë. Pṛnakravvadz hogherë bëdk’ ë pṛnadërerën aṛnwi ew drwi irawazrgawadz hayun, ays harts’in mëch och’ mëg iravakhohut’iwn grnay ëllay ew mer bashdönagan marminnerë ew hay zhoghovurtë bëdk’ ë hedewin aveli gorovi aveli vjṛagan ënt’ats’k’i më, yet’ë g’uzen - ew hawadi yen t’ë g’uzen – gaset’s’nel yergṛën turs nedwogh hosank’n, p’rgel anhedats’ogh Hayasdanë.” “Kaght’aganut’iwnë ew Hoghayin Harts’ë,” *Harach*, 17 October 1913.

to the order of 7 August – which introduced a limitation on the resolution of land disputes through arbitration by local commissions – and the warm welcome of Kurdish chiefs who had fled to Persia after being pressed by local officials to return seized properties were indicative of this change. These developments can be seen as indicators of a new agreement between the Ottoman state and Kurdish chiefs based on the recognition of the rights of the latter to seized Armenian lands. This rapprochement between the state and the Kurdish elite began to be threatened after 1912.

The internationalization of the reform question after the outbreak of the Balkan Wars led to the escalation of tensions at the local level. Another issue that intensified these tensions was the fact that Russia was playing a double game in the region: while supporting the Armenians' demands for reform Russia was also supporting several Kurdish powerholders and political elites who opposed these reforms. Kurdish chiefs, notables, sheiks, and political elites had several concerns regarding the prospect of reform. First, reform debates brought out fears of being subject to Christian domination or rule. Another concern of the Kurdish elite was losing their privileges and positions. Reforms could compel them return the properties they had seized. Another matter that was related to Kurdish debates and concerns regarding reform in this period was the rise of Kurdish nationalism which had begun to develop in various Kurdish circles. With the rise of Kurdish nationalism that made territorial claims to a geographical area that overlapped the territory claimed by Armenian political organizations, land ownership began to be seen as a means of ethnonational dominance in some Kurdish circles.

Ömer Naci Bey, who was sent to the eastern provinces by the CUP along with Cavid Bey, described the situation there and analyzed the reasons for conflicts between Armenians and Kurds in an article published in *Tanin* on 16 August 1913.<sup>118</sup> This article reflects the observations of a significant CUP member and provides important insights into the question of how conflicts between Armenians and Kurds were perceived by the CUP at the height of the reform debates. In this article, Ömer Naci Bey accused governors who had

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118 “Şarkî Anadolu Ahvâlî: Ömer Naci Bey’in Beyânâtı,” *Tanin*, August 16, 1913. This article was also published under the title “The Current Situation in Armenia” in *Harach*, “Hayasdani Arti Vijagë,” August 17, 1913.

been appointed by the non-CUP government before the *Bâb-ı Âlî* coup for sowing discord between Armenians and Kurds. He said that these governors had agitated the Kurdish population, declaring that the “Young Turks would sell you out; as they were allied with the Armenians, they would let them [Armenians] suppress you. We, on the other hand, will back you.”<sup>119</sup> According to Ömer Naci, this kind of declaration affected some Kurds. Ömer Naci also stated that Abdürrezzak Bey from the Bedirxan family was trying to provoke Kurds by stating that Russian was preferable to Armenian dominance. According to this account, the conflict was not between Kurds and Armenians, but between oppressors and the oppressed. He argued that Armenians were not aiming secession and that not only Armenians but also Kurds were complaining about the situation. Ömer Naci Bey noted that the same notables and tribal leaders who oppressed Armenians committed similar crimes against the Kurdish population. According to Naci Bey, the government should pay attention to public works and education and put administrative operations, like population registry and title deeds, in order. He underscored that the mistakes of low ranking officials in the title deeds registry office could lead to great misdeeds, citing a case in Erciş in which seven title deeds had been issued for a small piece of land. He concluded that if operations on the ground were not seen as significant administrative or political matters, the question of Eastern Anatolia would be reduced to a security issue.<sup>120</sup> Thus, in Ömer Naci Bey’s account, the issues of population and the land registry were significant political matters rather than administrative procedures.

The expansion of Abdürrezzak Bedirxan’s influence in the region was one of the most important political developments in this period. As a member of the prestigious Bedirxan family, Abdürrezzak Bey had considerable social capital. In 1911, he was pardoned for his murder of Rıdvan Pasha and returned

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119 “... Genç Türkler sizi Ermenilere satacaklardı, Ermenilerle müttefik olduklarından sizi onlara ezdireceklerdi. Biz ise sizi himâye edeceğiz...” Ibid.

120 Ibid.

to the Ottoman East.<sup>121</sup> As a Kurdish nationalist, Abdürrezzak Bey tried to instigate a Kurdish nationalist movement in the region. His campaigns and activities, which were supported by Russia, were linked to the issue of Armenian reforms. In the fall of 1913, when reform negotiations between Russia and the Ottoman Empire were close to a conclusion, Abdürrezzak Bey published a manifesto about the prospective reforms. He protested the fact that Kurds were not represented in the reform negotiations. Claiming that “the population of the vilayets placed under the name Armenia, and those of other places [were] four fifths Kurdish, and the Kurds [owned] most of the lands,”<sup>122</sup> Abdürrezzak Bey argued that the rights and interests of Kurds should have been given priority. It is important to note that he underscored the issues of land ownership and demographic majority to justify his claim that Kurdish interests in the region should take precedence over those of Armenians. This suggests that land ownership was seen as a means of ethnonational dominance in some Kurdish circles. While this emphasis indicates that land disputes were taking on a new political character in some Kurdish nationalist circles, it is difficult to assess how widespread such an approach was among the general Kurdish population. On the other hand, the prospect of a resolution to the land question in favor of the Armenians provided a fertile ground for Abdürrezzak’s mobilization efforts directed at Kurdish chiefs. These developments were followed closely by Ottoman authorities who were worried about the possibility that the discontent of Kurdish chiefs could lead them to join the movement being instigated by Abdürrezzak Bey. This concern was raised by the governor of Erzurum as early as 1912. According to the governor,

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121 Abdürrezzak Bedirxan was a grandson of Bedirxan Bey, the emir of Botan who had revolted against the Ottoman government after the proclamation of the Tanzimat. Due to his background, Abdürrezzak Bedirxan had a considerable network of affiliations. He is generally accepted as one of the first political actors to advocate for Kurdish nationalism. For detailed information about Abdürrezzak, see Michael A. Reynolds, “Abdürrezzak Bedirhan: Ottoman Kurd and Russophile in the Twilight of Empire,” *Kritika: Explorations in Russian and Eurasian History* 12, no. 2 (2011): 411–50.

122 TNA: FO 195/2450, Consul Monahan to Sir Gerard Lowther, 31 October 1913. It was the summary translation of the pamphlet by Abdürrezzak from the Armenian newspaper *Harach*.

land disputes could potentially lead to violence or to the establishment of an alliance between Kurdish tribal leaders and Russia via Abdürrezzak Bey.<sup>123</sup>

#### 7.4.1 *Rojî Kurd and the Land Question*

*Rojî Kurd* was one of the most important periodicals of Kurdish nationalism in the second constitutional period. It was a monthly journal that published articles in Ottoman Turkish and Kurdish.<sup>124</sup> Its articles promoted the idea that the Kurdish nation was a historical collectivity that was recently awakened. Examining the influence of this journal among the Kurdish elite and population is beyond the scope of this study; however, articles published in the journal provide important insights regarding the ways that some Kurdish nationalists perceived the Armenian land question. The issue of the Armenian land question was examined in detail in an article titled “The Land Question” by Hüseyin Şükri in 1913,<sup>125</sup> the timing which coincided with international reform debates. The issue in which this article was published was the final issue of *Rojî Kurd*.

Hüseyin Şükri identified the land question as one of the most important impediments to the improvement of relations between Kurds and Armenians. He used the term “land question” in a limited way to denote land disputes between Armenians and Kurds. In his article, Şükri presented a case against administrative resolution without mentioning reform debates and debates over the inclusion of a resolution to the Armenian land question in the framework of international reforms. According to Şükri, administrative resolutions were bound to fail because those forced to return land would feel betrayed by state authorities. If the land question were to be solved in an administrative fashion, a group of people would be deprived of their ownership rights. These people would not have peace of mind because they would also be deprived of a fair trial before the courts. Hüseyin Şükri’s remarks regarding the potential implications of this lack of peace of mind and

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123 Yener Koç, “Bedirxan Pashazades: Power Relations and Nationalism (1876-1914)” (master’s thesis, Boğaziçi University, 2012), 141–142.

124 For all issues of *Rojî Kurd* and their translations, see *Rojî Kurd 1913*, ed. Mesud Serfiraz and Serhat Bozkurt (Istanbul: Istanbul Kürt Enstitüsü Yayınları, 2013).

125 Hüseyin Şükri, “Arâzi Meselesi,” *Rojî Kurd* 4, 12 Eylül 1913.

feeling of inequity can be interpreted as a covert threat to the central government.

The sole purpose and actions of those who would be deprived would be directed at continuously compelling the government, which would accept these decisions, to resign and to force the government that would replace it into annulling the previous decision in an administrative fashion by making it tremble under the threat of a rebellion.<sup>126</sup>

According to Hüseyin Şükri, this feeling of inequity and lack of peace of mind would pave the way for agitators wanting to provoke those who were inclined towards rebellion. If the land question was solved in an administrative way, not only ignorant, common people but also the educated strata of society would question the authority of the central government. Hüseyin Şükri argued that even the most educated with expert knowledge of the law would be moved by the questions that would be raised by agitators. This article indicates that the land question was seen as a crucial Kurdish problem by some Kurdish nationalist intellectuals in this period.

#### 7.4.1.1 Musa Bey's Attempts for Pardon

Some Kurdish chiefs who were involved in murders of and depredations against Armenians tried to reconcile with the government in this period. The notorious Musa Bey and his brother Kasım Bey continued to oppress Armenian peasants in Bitlis Province even after the proclamation of the constitution. As noted in the previous chapter, even after 1908 Musa and his brother committed murders and plunders, levied illegal taxes like hafir on peasants, refused to return lands they had seized during the Hamidian period, and continued to seize additional lands causing trouble in the region,

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126 “Mahrûm edilen kütlenin bütün harekât ve âmâlî idâreten ittihâz olunan tedâbiri bozmak için bu mukarrerâtı kabûl edecek olan hükümet-i mevcûdeyi sademât-ı mütevâliye ile bîzâr ederek mecbûr-ı ferâgat eylemek ve kendisini istihlâf edecek kuvveti de tehdid-i ma'nevî-i 'isyânı altında titreterek ahkâm-ı sâbıkayı yine idâreten fesh ve nesh eylemek münhasır bulunacaktır.”

especially in Huyt. However, in spite of these crimes and the complaints of Armenian peasants, the local government was unable to arrest Musa Bey who remained a fugitive. By mid-1912, Musa Bey started an initiative to obtain a pardon from the government. Musa Bey argued that some officials in the district of Muş were intent on creating a Kurdistan question like the Albanian question.<sup>127</sup> He declared that he was committed first to God and then to the sultan. According to his account, he was the victim of those who sought to create disorder in the region. Mazhar Bey, the governor of Bitlis, sent a telegram to the Ministry of the Interior regarding Musa Bey's situation and his request for amnesty. Mazhar Bey argued that Musa Bey was targeted as the perpetrator of a series of crimes due to his "notorious reputation" (*gaddârâne şöhreti dolayısıyla*), but these crimes were not committed by him. According to Mazhar Bey, there were only a few cases of murder and cattle-rustling that concerned Musa Bey and his brother. The governor stated that several missions for his capture had failed because Musa Bey had a great number of men assisting his flight and hiding. He noted that

since I was appointed to my post, he has been quiet and regretful of his previous acts, and he will pose a threat to the interests of the government and to security as long as he remains a fugitive. It is understood that he will be a loyal servant of the government if pardoned. His pardon will be an appropriate measure for this province.<sup>128</sup>

In another telegram to the Ministry of the Interior, Mazhar Bey claimed that Armenians not only targeted Musa Bey and his brother but had made accusations about several influential individuals, exaggerating the situation.

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127 "bir takım me'murların fikri ve maksadları buralarda dâhî arnavud meselesi gibi bir kürdistan nâmı icâd etmek..." BOA: DH.H 16/3, telegram of Musa Bey to the Sublime Porte, 10 Teşrin-i Evvel 1328 (23 October 1912).

128 "Bu göreve geldiğimden beri, sâkin durmakta ve eski durumundan pişmanlık duymakta ve firârî olduğu hâlde hükümetin menfa'ati ve şekâveti tehdit eder durmakta. 'Af edilirse hükümetin sâdik bir hizmetçisi olacağı anlaşılmakta. 'Af edilmesi vilâyetçe uygun bir tedbir olacaktır." BOA: DH.H 16/3, Mazhar Bey, governor of Bitlis to the Ministry of the Interior, 12 Temmuz 1329 (25 July 1913).

He repeated that Musa Bey's current position was not in conflict with the interests of the government and requested he be employed or put on the salary of the government.<sup>129</sup> Unfortunately, I was not able to determine whether Musa Bey managed to receive an official pardon, though he "made a public and even triumphal return to his own village" in December 1912.<sup>130</sup> The rapprochement between Musa Bey and Ottoman authorities indicates that some local powerholders in the region tried to benefit from the escalation of tensions in the Balkans by directly referring to the crisis in that region to escape from prosecution and they succeeded in doing so.

#### 7.4.2 *Haydaranlı Hüseyin Pasha's Situation*

British Consul Monahan in Erzurum visited the provinces of Erzurum, Van, and Bitlis in September 1913 and described the situation in the eastern region in detail in his report. The British consul stated that in Pasinler and Aleşgerd districts there were no complaints from the Armenian population regarding the state of security despite some petty cases of sheep theft and abduction of girls. He noted that the local government was too weak to contain these crimes. The consul also gave detailed information about Haydaranlı Hüseyin Pasha, noting that Hüseyin Pasha had neither made restitution to anyone nor returned any lands despite his promise to give lands that he had had seized back to their real owners upon his return from Persia two years ago. The consul stated that Hüseyin Pasha was carrying on with his sheep business and had acquired a fortune. In Patnos, which was almost exclusively populated by Armenians twenty-five years before, Hüseyin Pasha had seized the lands throughout the region, driving out Armenians and replacing them with Kurds under his influence. After 1908, some Armenians – who had migrated due to oppression by Hüseyin Pasha – returned to Patnoz and attempted to retake their lands but were unable to do so. The consul stated that

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129 BOA: DH.H 16/3, Mazhar Bey, governor of Bitlis to the Ministry of the Interior, 17 Temmuz 1329 (30 July 1913).

130 TNA: FO 371/1781, Sir G. Lowther to Sir Edward Grey, Constantinople, 31 December 1912.

Hüseyin Pasha so far as I heard does not seem to be just now an oppressive owner ... Hüseyin Pasha is now seemingly an important political personage, courted by the Turkish government with whom he hesitates to cast his lot ... That this old barbarian, though now calmed by age and changed circumstances, should rule a large region seems a state of things that cannot last.<sup>131</sup>

This report shows that besides managing to keep land seized in the Hamidian period in his possession, Hüseyin Pasha had since established himself as a significant political actor in Van.

#### 7.4.3 *The Situation in Muş after the Balkan Wars in the Eyes of the Consul*

Muş continued to be problematic in terms of the oppression of Armenians in this period. In a petition submitted to British Consul Monahan, the Armenian bishop in Muş presented a detailed picture of the situation and provided information regarding murders and seizures committed by local Kurdish tribes. In this petition, the bishop claimed that some lands were given to immigrants, that there was severe oppression in Sasun, Huyt, and Mutki, and that the Agricultural Bank had sold lands belonging to Armenian peasants who were not able to pay their debts to third parties.<sup>132</sup> In the petition, it was stated that

after the proclamation of the Ottoman Constitution, the Armenians were encouraged to apply to the Government to get back their lands, and during the first year of the Constitution some people succeeded in getting back their lands, but, little by little, things became quite different, the lands given back being again seized, while all who applied

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131 TNA: FO 371/1773, Mr. Consul Monahan to Mr. Marling, Erzurum, 29 September 1913.

132 The Armenian Patriarchate appealed to the Sublime Porte about the Agricultural Bank's sale of the lands of Armenian peasants. The Patriarchate submitted that an installment plan should have been prepared for the payment of debts so that these peasants would not have lost their lands. BOA: BEO 4230/317147, the Armenian Patriarchate to the Sublime Porte, 16 Teşrin-i Evvel 1329 (29 October 1913).

to the government were disappointed, many lost their lives, and the land question remained as before.<sup>133</sup>

Noting that the account of the bishop might be exaggerated, the British consul suggested that the problem could be solved by appropriate measures like punishing Kurdish oppressors like Hüseyin Pasha, Musa Bey, Mehmed Agha, and Temo.<sup>134</sup> He argued that the punishment of Kurds for offences against persons or properties and the disbandment of tribal regiments could easily solve the problem. The consul also suggested measures for the resolution of land disputes concerning seizures carried out after 1908, stating that “it will not be practicable or even desirable to restore lands seized by Moslems to Armenians who have emigrated before the constitution but a commission, with some European members, should make careful inquiry in the villages concerned with a view to the restoration of seized lands whenever practicable.”<sup>135</sup>

#### 7.4.4 *The Situation in Huyt*

In this period, the Armenian Patriarchate submitted another takrir to the Ministry of Justice about oppression and land seizures in the Bitlis region. Zaven Der Yeghiayan, the Armenian Patriarch, stated that he had investigated the situation in Bitlis himself during a visit to the region and that he had sent the Bishop of Muş to Huyt tasking him with writing a report about the situation. According to this investigation, the Kurds of the Belekli tribe were demanding the buildings and half of the revenue from the lands and fields belonging to Armenians in the Huyt, Dağavank, Şenit, and Lurdensur regions in exchange for the value of goods like wheat that they had given to Armenians. They had seized several plots of land in Dağavank village. Despite the fact that Armenians had managed to get a decision in their favor from the court of Bitlis in 1911 (1327), the situation did not change and the usurpers did not return the lands. The Patriarchate noted that Belekli tribesmen had also murdered the priest of the village, Sarkis Efendi, and seven other people.

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133 TNA: FO 371/1773, Armenian Bishop of Moush to Consul Monahan, Moush, 2/15 August 1913.

134 TNA: FO 371/1773, Mr. Consul Monahan to Mr. Marling, Erzurum, 29 September 1913.

135 Ibid.

According to the Patriarchate, the offenders were not punished so other Kurds started to threaten the heirs of the victims and tried to seize their lands. The Patriarchate noted that the Ministry of the Interior had sent an order to the local government, and the Bitlis government had sent a committee to investigate the situation in response. The Patriarchate claimed that this committee had forced Armenians to sign contracts putting them thousands of lire in debt. The Patriarchate claimed these contracts had been signed under duress and requested the recognition of the rights of Armenian peasants.<sup>136</sup>

#### 7.4.5 *The Case of Norduz and Reform Initiatives on the Ground in Van Province*

The Armenian bishop of Van, Serob Efendi, also sent a petition to the Patriarchate claiming that Kurdish immigrants have been settled in Armenian villages in the Hakkari region.<sup>137</sup> According to the British consul, the problem in Norduz was related to “two thousand Manhoran Kurds who four months ago immigrated from Persia and settled in Armenian villages.”<sup>138</sup> Although Tahsin Bey, the governor of Van, rejected this claim and said that “there were no Kurdish immigrants in any Armenian houses,” the British consul was of the opinion that a number of Kurdish immigrants were staying in the Armenian villages.<sup>139</sup> The correspondence between Tahsin Bey and the Ministry of the Interior indicates that the findings of Tahsin Bey’s inquiry were different than his public declarations. In a telegram sent on 21 June 1913, Tahsin Bey reported that the land dispute in Norduz was related to the lands of Armenians who had fled from the region in the Hamidian period.<sup>140</sup> Tahsin

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136 BOA: DH.SYS 67/1-8, copy of the takrir of the Armenian Patriarchate, 18 Teşrin-i Sani 1329 (1 December 1913).

137 BOA: DH.SYS 67/1-8, Murahhasa vekili Serob to the Armenian Patriarchate, 15 Kanun-1 Evvel 1329 (28 December 1913).

138 TNA: FO 371/2130, Vice-Consul Smith to Sir L. Mallet, 10 January 1914.

139 BOA: DH.SYS 67/1-8, Tahsin Bey, governor of Van to the Ministry of the Interior, 23 Kanun-1 Evvel 1329 (5 January 1914); TNA: FO 371/2130, Vice-Consul Smith to Sir L. Mallet, 10 January 1914.

140 BOA: DH.SYS 67/1-8, cipher telegram from Tahsin Bey, governor of Van to the Ministry of the Interior, 8 Haziran 1329 (21 June 1913).

Bey noted that the Armenians of Norduz were afraid to return and thus did not apply to the local government to reclaim their lands. According to Tahsin Bey, land disputes in Norduz would be solved on their own once the administrative structure in the district was strengthened, telegram lines were extended to the region, and a legion of soldiers was dispatched.

British consular correspondence indicates that Tahsin Bey was carrying out some reform measures at the local level in this period. The British vice-consul in the region reported that some small-scale land disputes were resolved through these measures and that oppression by Kurdish tribes had been stopped. The vice-consul also reported that the governor had organized a “punitive expedition against the tribes of Norduz and Beytüşşebab.” This expedition was carried out in response to turbulence among Kurds that, according to the consul, was not “the result of any organized plan, but merely the outcome of the belief that the Ottoman Empire [was] breaking up and that the moment [had] arrived when advantage [could] be taken of the Government’s weakness.”<sup>141</sup> The vice-consul also stated that the land commission, which had been established by the former governor of Van, İzzet Bey, continued to operate, and that a few small-scale land disputes were solved administratively. Vice-Consul Molyneux-Seel pointed out that

the suppression of the Kurds by spasmodic punitive expeditions, the forcible restitution of lands by the Kurds to the Armenians, the arming of the Armenian population by Taschnakists, the policing of the entire country by detachments of gendarmes or soldiers, none of these will bring about permanent good relations between Kurds and Armenians, since the source of the evil remains untouched. The source of the evil is the maintenance of feudal conditions among the Kurds and the influence exercised by the religious sheikhs.<sup>142</sup>

The account of the British vice-consul indicates that local authorities had taken several security measures at the local level after the internationalization

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141 TNA: FO 371/1773, Vice-Consul Molyneux-Seel to Sir G. Lowther, 9 July 1913.

142 Ibid.

of the reform question and that Tahsin Bey, the governor of Van, was carrying out some reform measures in the province.

#### 7.4.6 *Reactions of Local Actors to the Prospects of Reform*

Correspondence between the central government and Ottoman officials at the local level shows that Kurdish chiefs and notables were raising objections to reform through protests directed at local officials. The accounts of governors indicate that the return of seized lands was a significant factor in the discontent of the local population with respect to the prospect of reforms. A telegram sent by Tahsin Bey on 18 December 1913 to the Ministry of the Interior clearly reflects the pressure he felt. Tahsin Bey complained that he was not informed about developments regarding reforms being discussed between Russia and the central government of the Ottoman Empire even though this was the most discussed topic in Van at the moment. Tahsin Bey also reported that newspaper coverage regarding reforms “was stirring up the hearts of Muslims.”<sup>143</sup>

The escalation of tension at the local level with the internationalization of the reform question is also apparent in a telegram sent to the central government on 26 January 1914 by Diyarbekir governor Hakkı Bey. Hakkı Bey complained that his office was daily frequented by worried locals demanding the details of the reform plan. He noted that the tone of the complaints of locals coming to his office had changed in recent days. They had begun to claim that reforms “would have an adverse effect on the Muslim population and might produce worrisome results in the future.”<sup>144</sup> In his account of the discontent and panic of the Muslim population, Hakkı Bey emphasized the role of the resolution of the land question in line with the reform scheme, stating that

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143 “İslâmların gönlünü bulandırıyor.” BOA: DH.KMS 2-2/5, the Governor of Van to the Ministry of the Interior, 5 Kanun-1 Evvel 1329 (18 December 1913).

144 “... ahâlî-yi islâmiye üzerinde iyi bir te'sîr hâsıl etmeyeceği ve bundan âtiyen fenâ neticeler tevellüd edebilmek ihtimâli bulunduğu...” BOA: DH.KMS 2-2/5, the Governor of Diyarbekir to the Ministry of the Interior, 13 Kanun-1 Sani 1329 (26 January 1913).

especially publications [stating] that land matters and disputes would be settled and solved by general inspectors have driven the Muslim population into worry and panic, [and] it is clear that this panic and discontent will continue to be influential and harmful if the degree to which these rumors are true or false is not clarified.<sup>145</sup>

Hakkı Bey also noted that he followed developments in the press and requested to be informed by the central government regarding the content of the reform scheme. He also demanded the exclusion of Diyarbekir from the reform scheme, underscoring that the Armenian population did not constitute a majority in the province. According to Hakkı Bey, Diyarbekir should not be considered an eastern province because of its geographic and demographic characteristics.

Tension at the local level also increased in Erzurum Province in the first months of 1914. In this province, the CUP club was “employing interval in gaining adherents” against reform and foreign control and once planning a protest to mobilize Muslims.<sup>146</sup> This meeting was later cancelled.<sup>147</sup> Tension in the city escalated because of articles in the local newspaper, *Al Bayrak*, which was run by prominent, local CUP members. The slogan of the newspaper indicates the position adopted with regard to reform debates and struggles for territorial sovereignty in the Ottoman East: “The Eastern Provinces cannot be Armenia!” (*Vilayat-ı Şarkiye Ermenistan olamaz!*) According to the British consul in Erzurum, *Al Bayrak* had been publishing news targeting Armenians.<sup>148</sup> The articles of *Al Bayrak* caused a diplomatic crisis because while Hilmi Bey, the leader of local CUP club, denied that the CUP was behind the publication of the newspaper, British consuls were of the opinion that the

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145 “Bâhusûs arâzi mesâ’il ve ihtilâfatının da müfettiş-i umûmiler tarafından hall ve fasıl edileceğine da’ir olan neşriyyât, ahâlî-i islâmiyenin pek ziyâde bâ’is-i ye’s ve telâşî olmuş bulunuyor ki: bu rivâyetlerin sıhhat ve kizbe derece-i mukârenetleri meçhûl kalmadıkça bu telâş ve fütûrun mütezâyid bir sûrette icrâ’-ı te’sir ve tahrîbattan hâlî kalmayacağı anlaşılmaktadır.” Ibid.

146 TNA: FO 371/2124, Sir L. Mallet to Sir Edward Grey, Constantinople, 16 January 1914.

147 TNA: FO 371/ 2124, from Consul at Erzurum, 19 January 1914.

148 TNA: FO 371/2124, P. W Bulland to Sir L. Mallet, Erzurum, 17 January 1914.

CUP was the principal actor causing turbulence in the city.<sup>149</sup> The Russian consul took the matter to the grand vizier, underscoring his concern about the potential outbreak of mass violence against Armenians. The grand vizier reassured the Russian consul that the government was determined to maintain order.<sup>150</sup>

According to British Vice-Consul Smith, there was a significant difference in the approaches of higher and lower local officials with respect to international reform. The vice-consul reported that although Ottoman officials were hostile to foreign intervention, they admitted that “everything in this part of Turkey is in a very backward and unsatisfactory state, and that this state of things cannot be allowed to continue.”<sup>151</sup> The vice-consul also noted that while higher officials opposed the appointment of European inspectors and believed this was the first step towards the secession of this region from the empire, minor officials whose salaries were not paid were inclined to support any measure that would improve their immediate conditions.

According to the vice-consul, landowners also supported international reform “which would make for the material progress and development of the country,” because they thought Ottoman officials were unable to protect their rights, property, and security. The vice-consul noted that the reaction of the Kurdish population would depend on the position of their chiefs.

The Kurdish tribesmen, who form some two-fifths of the population of the vilayet, live under almost feudal conditions, and follow the lead of their chiefs and sheikhs. The latter are quite ready to take advantage of a weak government, but respect a strong one which puts down brigandage and robbery with a firm hand.<sup>152</sup>

Another document that provides important insights regarding the approaches of different provincial actors to the prospects of reform is Vice-Consul Smith’s account of a meeting with Haydaranlı Hüseyin Pasha. This meeting was

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149 Ibid.

150 TNA: FO 371/2124, Sir L. Mallet to Sir Edward Grey, Pera, 20 January 1914.

151 TNA: FO 371/2130, Vice-Consul Smith to Sir L. Mallet, Van, 10 January 1914.

152 Ibid.

conducted after the conclusion of the reform agreement between Russia and the Ottoman Empire. In the meeting, Hüseyin Pasha harshly criticized the Ottoman government claiming that “the Kurds were dissatisfied with the government, not on account of the greater liberty and political importance which the Armenians” began to possess, “but because the government treated the Kurds themselves with injustice.”<sup>153</sup> Hüseyin Pasha also complained that “the government did nothing for the welfare of the Kurds.” The comments of Hüseyin Pasha regarding the appointment of European inspectors shows that the anti-reform mission of the Kurdish chiefs was tied to fear of being obliged to return lands that they had seized. Vice-Consul Smith reported his observations on this point as follows:

From what he said, Hussein Pasha seemed rather to welcome than otherwise the prospect of European Officials coming into the country to reorganize the administration, as it would mean a more settled policy on the part of the Local Government. What he feared was that when the Inspectors took in hand the adjustment of the lands which are in dispute between the Kurds and Armenians, the Kurds would be turned out without compensation.

This is a point, the settlement of which will determine the attitude of many of the Kurdish Chiefs towards the proposed system of control, and as its success will depend in a large measure on their acquiescence, it is to be hoped that they will be given no justification for associating the presence of the European Inspectors with an adjustment of this question of lands, by which they may consider they are harshly treated. Their point of view is that under the old regime they were encouraged to spread over the Armenian villages, and now that they have to restore the lands they occupied, it will be unjust for the Government to dispossess them after many years of possession without giving them compensation. If the European Inspectors are able to bring about a settlement on generous lines with due regard to the claims of the Kurdish Chiefs, the latter will feel that their interests have not suffered

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153 TNA: FO 371/2130, Vice-Consul Smith to Sir L. Mallet, Van, 14 February 1914.

owing to the foreign control, and that will go far towards making them contented with the new order of things.<sup>154</sup>

Vice-Consul Smith's account of his meeting with Hüseyin Pasha indicates the extent to which tribal leaders in the Ottoman East were disturbed by the prospect of returning lands they had seized. This account also indicates that some tribal chiefs were objecting to the return of seized properties by underscoring the involvement and role of the central government in the processes of property transfer.

#### 7.4.7 *Bitlis Rebellion*

The outbreak of the Bitlis rebellion was another local development that was related to the anxieties and discontent of Kurdish powerholders respect to the prospect of reform in the eastern provinces. This rebellion, which started few weeks after the Russo-Ottoman reform agreement was concluded, was led by religious authorities including Sheikh Selim, Sheikh Seyyid Ali, and Sheikh Şahabettin.<sup>155</sup> The sheiks mobilized the support of local Kurds. Two factors made mobilizing the rebellion in Bitlis easy. The first factor was popular opposition to the constitutional regime that had shifted the legal basis of political life from sharia to civil law. According to local Ottoman authorities, the correspondence of which is examined below, this was one of the main sources that fueled discontent. The second factor that facilitated the

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154 Ibid.

155 Sheikh Selim, who was seventy-five years old, was known as the caliph in the region. He was also a follower of the Gayda tekke and had influence over Kurdish peasants. Sheikh Seyyid Ali, who was the son of Sheikh Celaleddin, was from the Gayda tekke in the Hizan district where Sheikh Sibgatullah from Baghdad was buried. This tekke had extensive influence in the area. At thirty-seven years old, Sheikh Seyyid Ali was preponderant figure in the Hizan, Bitlis, Gevaş, Garcikan, Varto, and Mutki regions and had about a hundred armed men. Sheikh Şahabettin was the brother of Seyyid Ali. "Bitlis Vukû'âtı," *Tanin*, April 5, 1914. For the details of the Bitlis rebellion, see Reynolds, *Shattering Empires*, 78-81; Tibet Abak, "Rus Arşiv Belgelerinde Bitlis İsyanı (1914)," *Toplumsal Tarih* 208 (April 2011): 2-11; Law Reşid, "Bir Hikaye-i Tarih," *Jin*, Nisan 10, 1335 and Law Reşid, "Bir Hikaye-i Tarih-Geçen Nüşhadan Mabad ve Hitam," *Jin*, Nisan 26, 1335 in *Jin 1918-1919*, vol. 4, ed. M. Emin Bozarslan (Uppsala: Deng Yayınevi, 1987), 719-721, 752-757.

mobilization effort was the discontent of local notables and tribal leaders with the proposed reform scheme because it would require them to return lands and properties that they had seized.

Tahsin Bey, the governor of Van, informed the central government that rebels were protesting the reforms, demanding the reinstatement of sharia law, and considering an alliance with Russia.<sup>156</sup> Mr. Maynard,<sup>157</sup> who was in Bitlis at the time, informed the British consulate that the prospect of reform and “severity with which the authorities of the adjacent vilayet of Van have been dealing with certain Kurdish chiefs” caused unrest and discontent in the region; these feelings brought about “the importation of arms and their distribution among the Kurdish villagers.”<sup>158</sup> In a conversation with Sir Mallet, the British ambassador in Istanbul, Talat Pasha also declared that reactionaries among Kurdish tribes had engineered this rebellion due to their dislike of the reforms.<sup>159</sup> The governor of Van informed the British Vice-Consul that sheikhs in the Bitlis region had been telling the people that “the government of the country was to be handed over to the Armenians, and that it was necessary for the Kurds to show the Turkish authorities that they would not submit to being ruled by Christians.”<sup>160</sup>

While CUP members and local officials emphasized that the rebellion had a religious character and was fueled by the disgust of Muslims with the prospect of equality, Armenians as a group were not the specific targets of violence in the Bitlis rebellion. The rebels committed no more than a few crimes against Christians and even reached out to Armenian community leaders to assure them that they did not intend them harm.<sup>161</sup> About 3000

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156 BOA: DH.KMS 16/30, Tahsin, governor of Van to the Ministry of the Interior, 6 Mart 1330 (19 March 1914).

157 Mr. Maynard was an American missionary in charge of the H. M. Vice-Consulate at Bitlis.

158 TNA: FO 371/2130, P. W. Bulland to Sir L. Mallet. Erzurum, 25 March 1914.

159 TNA: FO 371/2130, Sir L. Mallet to Sir Edward Grey, Pera, 19 April 1914.

160 TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, Van, 22 March 1914.

161 For the letter of Sheikh Selim to the Armenian bishop of Bitlis, see BOA: DH.ŞFR 421/6, Mustafa, governor of Bitlis to the Ministry of the Interior, 21 Mart 1330 (3 April 1914). “Mahommedan fedais have been assembled by us but we do this with the strict understanding that no harm will be done to your action. We request you on your part to order your people

armed Kurds joined the rebellion. According to the British Vice-Consul, the objective of the armed movement was not to take over the city but to make an armed demonstration to “force the government to agree to the demands put forward by the sheikhs.”<sup>162</sup> More than one hundred Kurds and twelve soldiers were killed during the suppression of the rebellion.<sup>163</sup> Around a hundred Kurds were arrested or exiled and twenty were condemned to death by the court martial.<sup>164</sup>

The Bitlis rebellion may also have had a Kurdish nationalist aspect. According to British consular correspondence, Sheikh Seyyid Ali, in collaboration with Musa Bey, disseminated a declaration addressed to the Kurdish people in the fall of 1911. As early as 1911, the Sheikh was promoting “union among the Kurds” and exhorting them “to combine and rise against the government demanding administrative autonomy for Kurds in the way the Albanians and the Arabs succeeded.”<sup>165</sup> While this leading organizer of the rebellion was known for nationalist tendencies, the official demands of the rebels did not include nationalist demands like autonomy.<sup>166</sup>

It should be noted that the Bitlis rebellion also had a material or socioeconomic aspect that was related to the land question. In the beginning

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not to interfere or take part. Should your people meet mine in any of their villages let it be as if they did not see them, for that which we purpose to do is quite a separate guardion.” 2 March, Selim of Hizan, see TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 16 April 1914.

162 TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 4 April 1914.

163 Ibid.

164 Fifteen to eighteen prisoners were executed. See TNA: FO 371/2130, Sir L. Mallet to Sir Edward Grey, 4 September 1914. Among the prisoners were Sheikh Seyyid Ali, his son Salahaddin, Fakir Halil of Hilit, Molla Muhiddin, Molla Haydar, and Molla Halil, all from Hizan; Hacı Hüseyin Agha, brother in law of Seyyid Ali, and Cafer Agha, both from Garchigan; Ferid agha, cousin of Seyyid Ali, and Hasan Bey, of Gevaş; see TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 3 May 1914.

165 TNA: FO 195/2375, Vice-Consul A. Safrastian to Consul P. J. McGregor, 25 September 1911.

166 Some Kurdish accounts of the Bitlis rebellion argue that it had a Kurdish nationalist element. For example, in his evaluation of this rebellion in 1919, Law Reshid states that the Bitlis rebellion was an expression of the national cause in religious terms (*matahb-ı diniye suretinde teselli eden âmâl-ı milliye*). Law Reşid, “Bir Hikaye-i Tarih-Geçen Nüşadan Mabad,” 757.

of 1914, local authorities in the eastern provinces were notified that the procedure of arbitration through administrative councils was being reintroduced for the resolution of land disputes. This development, together with rumors that general inspectors would have the authority to solve land disputes, might have contributed to the ease with which mobilization for the rebellion was carried out. Another important point regarding the material aspect of the Bitlis rebellion is that its leaders were not only religious authorities but powerholders who controlled agricultural production in a number of localities. Moreover, both Sheikh Seyyid Ali and Sheikh Selim had been involved in a number of seizures in Bitlis. Seyyid Ali's lodge (*tekke*) was in the Armenian village of Mujkunis in Dadig. This *tekke* had been built atop the shared threshing ground of the village in the late 1890s. Seyyid Ali had gained possession of half of the land belonging to the villagers through an arrangement with the Agricultural Bank and had subsequently usurped the other fields by force.<sup>167</sup> As noted by the British consul, the forcefully seized lands had been restored to the original owners due to threats by the Tashnags, but Seyyid Ali kept the remaining lands which he acquired by nominally legal methods from the Agricultural Bank. Seyyid Ali had also seized other fields in surrounding area, especially in the valley between Ghizan Dere and Lake Van. According to the British consul, villagers whose lands had been seized had not applied to the government due to fear of the sheikh. After his arrest, the villagers wished to apply to the court for the return of their properties but were still afraid of what he might do to them if he was released.<sup>168</sup> Sheikh Selim was also involved in cases of forced seizures. In the Hamidian period, he had seized by force a house, a hayloft, cattle shed, and a plot of agricultural land, belonging to Garo Yeghoyants in Çevlig, Bitlis. Total value of these properties amounted to 100 lire. Another seizure in which he and some beys of the region were involved was the forced seizure of four plots of land and a pasture belonging to Khachadur Bandoyan.<sup>169</sup> As can be seen in these examples, the sheikhs who instigated the rebellion had a vested interest in the non-

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167 TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 3 May 1914, "Report on Journey through part of the Vilayets of Van and Bitlis."

168 Ibid.

169 *Deghegaker*, vol. 2, 11.

resolution of the land question and had much to lose if reforms were implemented.

The security situation in Bitlis was brought under control by Ottoman authorities in a couple weeks' time. The Van governor, Tahsin Bey, and the Bitlis governor, Abdülhalik Bey, who had been appointed upon Tahsin Bey's recommendation at the height of the rebellion, sent a telegram to the Ministry of the Interior on 4 April 1914 stating that extensive measures were required for the reorganization of the political and social structure of the region, which had "feudal characteristics that were easily manipulated by Russia." According to them, the central government had taken significant steps to suppress Bedirxans and the Barzans, and it should continue in that direction. According to the governors, the government had to apprehend and punish those who hindered the development of the country, reward local powerholders who were loyal, return seized Armenian and Kurdish properties, capture murderers and brigands who had fled the country, establish smaller administrative units that would be more manageable, and appoint a credible, strong, capable figure – like the earlier reformers Kurt İsmail Pasha and Topal/Hacı Osman to promote civic conduct and proper religious activities among the Kurds. According to the governors, "it was impossible to win in this region otherwise."<sup>170</sup>

Michael A. Reynolds points out that leading CUP members in Istanbul held a meeting to review the policies of the central government towards the eastern provinces and radically revised the CUP stance on the matter in the first weeks of April. Reynolds states that CUP leaders "resolved to win over the Kurds with a combination of methods, including financial subsidies, making leading Kurds senators, pressing the Kurds of Istanbul to use their influence over their brethren in Anatolia" after this meeting.<sup>171</sup>

After establishing military and administrative control, Ottoman authorities executed some leaders of the rebellion including Sheikh Seyyid Ali, while exiling others. The severity of the punishment of participants in the

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170 BOA: DH.SFR 424/15, Tahsin, governor of Van and Mustafa, the governor of Bitlis to the Ministry of the Interior, 2 Nisan 1330 (15 April 1914).

171 Reynolds, *Shattering Empires*, 80–81.

rebellion affected the Kurdish population and led to fear among them.<sup>172</sup> What aggravated the shock of the executions was that there were significant religious authorities among those who were executed which was a rare occurrence in the region. Correspondence among Ottoman authorities indicate that the Ottoman government was concerned by the possibility of other uprisings in the region. Tahsin Bey's telegram to the Ministry of the Interior indicates that some Kurdish actors under the influence of Russia were trying to capitalize on the discontent among the Kurdish population stemming from the execution of the sheiks. Tahsin Bey reported that Abdürrezzak Bey had organized a congress in Hoy presided by the Russian ambassador Çirkof. Simko, Said Bey, Arusanlı Hasan Agha, and Seyyid Taha's deputy (*vekil*), Mecid, were some of the participants in this congress. According to Tahsin Bey, the participants decided that "as the Bitlis incident presented the idea of revolution to Kurds and the execution of the sheikhs awakened the desire for revenge in the minds of Kurds, a general movement should be on the back of this incident."<sup>173</sup> According to Tahsin Bey, other decisions made in this congress included the elimination of pro-government Kurdish chiefs and the escalation of propaganda that would include publications on the reasons behind the Bitlis rebellion, the execution of the chiefs, and reforms. The authors of these publications would refrain from targeting Armenians and Nestorians and would directly target the government, instead. After the rebellion, Talat Pasha issued several complaints to the Russian ambassador, Giers, about the country's intrigues.<sup>174</sup> According to a report of the Commissioner of the Iranian Border (*Hudud-ı İraniye komiserliği*), Abdürrezzak Bey was put on a sixteen-thousand ruble salary by Russia in the name of chieftain of an Iranian tribe.<sup>175</sup> Despite Talat Pasha's complaints, Russia continued to pay a salary to

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172 TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 16 May 1914.

173 "... bitlis vak'ası kürde ihtilâl fikri gösterdiğinden ve şeyhlerin i'dâmı, kürd efkârında intikam uyandırdığından, bu vak'adan bi'l-istifâde umûmi bir hareket icrâ'sına tevessül edilmesi..." BOA: DH.EUM.EMN 74/21, copy of the cipher from the province of Van dated 8 Mayıs 1330 (21 May 1914).

174 Reynolds, "Abdürrezzak Bedirhan," 446.

175 BOA: DH.EUM.EMN 74/21, the cipher telegram from Galip Pasha, 11th Corps Commander to the Ministry of War, 10 Mayıs 1330 (23 May 1914).

Abdürrezzak “but now ordered him to keep a low profile and not undertake any actions against the Ottomans.”<sup>176</sup>

As stated above, some rebels were executed after the rebellion while others were exiled. One group was exiled to the Black Sea region and others were to be exiled to Taifa but were later sent to Medina.<sup>177</sup> Müftüzade Sadullah Bey, who was elected as a deputy in the 1912 elections, was also among those who were exiled. Sheikh Selim managed to take refuge in the Russian Consulate in Bitlis and stayed there under Russian protection until the outbreak of World War I. After first punishing those who were involved, the government rewarded sheikhs and tribal leaders who had not participated in the rebellion and had supported the military effort against the rebels. Among those who were decorated were Sheikh Ziyaeddin (Hazret), Sheikh Fethullah Alaeddin, and Küfrevizade Sheikh Abdülbaki.<sup>178</sup> These local powerholders had also been involved in numerous seizures and had much to lose if a reform scheme that included the resolution of land disputes were to be implemented. Nonetheless, they had not supported the rebellion. Exiled chiefs were later invited back upon the advice of Sheikh Ziyaeddin and Alaeddin, and they were officially pardoned on 21 November 1914 after the Ottoman Empire entered the First World War.<sup>179</sup>

## § 7.5 Regulations and Policies Regarding the Resolution of Land Disputes after the Balkan Wars

In this part, I examine legislation and orders regarding the resolution of land disputes in the context of international reform negotiations together with the activities and plans of local authorities in the region. This examination shows

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176 Reynolds, “Abdürrezzak Bedirhan,” 446.

177 BOA: DH.SFR 41/46, EUM to province of Hicaz, 8 Mayıs 1330 (21 May 1914); BOA: DH.ŞFR 43/130, EUM to province of Hicaz, 17 Temmuz 1330 (30 July 1914). According to report of British consulate, about sixty Kurds would be exiled. See TNA: FO 371/2130, Vice-Consul Lieutenant Smith to Sir L. Mallet, 3 May 1914.

178 Erdal Aydoğan, *İttihat ve Terakki'nin Doğu Politikası 1908-1918* (Istanbul: Ötüken Yayınları, 2005), 219.

179 BOA: DH.EUM.2.Şb 2/9, EUM to the Grand Vizier, 8 Teşrin-i Sani 1330 (21 November 1914).

that Ottoman authorities were concerned with controlling the outcomes of the reform plan at the local level. After the Russo-Ottoman Agreement regarding reforms, the central government reintroduced the use of arbitration procedures for land disputes and pressured local governors in Van and Bitlis to resolve land disputes in their regions before the arrival of general inspectors. In this correspondence, the resolution of the matter before the arrival of general inspectors was deemed vitally important for the future of the country.

As examined in chapter 6, the Ottoman government lifted the limitation on the use of arbitration procedures through administrative councils. On 6 February 1912, an imperial order was issued regarding the reintroduction of arbitration procedures, and on 20 April 1912, an instruction was issued to implement the imperial order dated 7 August 1909 that had introduced arbitration procedures through administrative councils in the first place. In fall 1912, the government ordered the establishment of special commissions for the resolution of land disputes in line with designated reform plans. British correspondence indicates that such a special commission was established in Van by Governor İzzet Bey which continued to operate after the *Bâb-ı Âlî* coup and after the replacement of İzzet Bey with Tahsin Bey – at least until July 1913.<sup>180</sup> On the other hand, I was not able to find any other documents that show that such special commissions were established in other provinces. The correspondence between Mazhar Bey, the governor of Bitlis, and the Ministry of the Interior indicate that arbitration there continued to be carried out through the administrative council rather than a special commission. In this correspondence it is also apparent that local governors received an order for administrative resolution on May 1913. On the other hand, there was an important change in legislation after the adoption of the decree-law on peace courts on 24 April 1913.<sup>181</sup> According to this law, the authority to decide land disputes lay with the peace courts. This change in the legislation blocked the use of arbitration procedures through administrative councils. A telegram

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180 TNA: FO 371/1773, Vice-Consul Molyneux-Seel to Sir G. Lowther, 9 July 1913.

181 “Sulh hâkimleri hakkında kânun-ı muvakkat,” 11 Nisan 1329/24 April 1913, *Düstur*, vol. 2, no. 5, 322–348.

sent by Mazhar Bey shows that the change in the legislation was followed by an order stating that administrative councils did not have the authority to decide land disputes and to transfer these cases to the peace courts.<sup>182</sup> What complicated the matter further was the fact that there were no peace courts in many districts in the eastern provinces. When reform negotiations among Russia, Germany, and the Ottoman Empire were at the point of being finalized, the Ottoman government reintroduced the use of arbitration procedures through administrative councils by adopting a decree-law. This decree-law was an addendum to the decree-law on peace courts dated 24 April 1913. According to this addendum, which was adopted on 5 January 1914, in regions where peace courts had not yet been established, administrative councils would resolve disputes concerning immovable properties in line with the instruction of April 1912.<sup>183</sup> Thus, the central government reintroduced the use of administrative resolution procedures for the resolution of land disputes.

As analyzed in the previous chapter, Armenians had demanded an administrative approach to the resolution of land conflicts since the proclamation of the constitution. Changes to the legislation in this period indicate that an administrative resolution was seen as leverage by Ottoman authorities who blocked its use at the height of reform negotiations. During the reform negotiations between Russia and Ottoman Empire, the Sublime Porte insisted on the resolution of land questions through the judiciary, while Russia insisted on their resolution through a special commission to be presided by the general inspector.<sup>184</sup> In the final agreement, it was decided that land disputes would be resolved under the supervision of the general inspector. The decree-law that reintroduced administrative resolution on 5 January 1914 can be seen as an outcome of reform negotiations and strategies.

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182 BOA: DH.SYS 67/1-8, the governor of Bitlis to the Ministry of the Interior, 3 Şubat 1329 (16 February 1914).

183 “Sulh hâkimleri ta’yîn edilmemiş olan mahallerde emvali gayr-i menkûleye mute’allik men’-i tecâvüz da’vâlarının tâlîmat-ı mahsûsasına tevfikân kemâfi’s-sâbık mecâlis-i idârede fâsıl ve reviyetine dair sulh hâkimleri kânûn-ı muvakkatine müzeyyel madde hakkında kânûn-ı muvakkat.” Karakoç Sarkis, *Emval-i Gayr-i Menkûle Kanunları-Tahşiyeli* (Istanbul: Cihan, 1340/1342), 399. This law was published on 8 January 1914.

184 “Mesele-i Islâhat: Rusya’nın Metâlibatı,” *Tanin*, January 14, 1914.

Thus, these changes in the legislation were an important part of reform debates.

Following the negotiations between the Ottoman Empire and the ambassadors of the Great Powers, the Sublime Porte decided to assign Major Hoff of the Norwegian army and Mr. Westenenk of the Dutch East Indian Service as general inspectors of the eastern provinces.<sup>185</sup> Major Hoff was assigned to the sector that included Van, Bitlis, Mamuretülaziz, and Diyarbekir, while Mr. Westenenk was assigned to the other sector which included Trabzon, Erzurum, and Sivas provinces.<sup>186</sup> The contracts between the Sublime Porte and two general inspectors were signed on 24 May 1914.<sup>187</sup> The Sublime Porte also adopted a regulation concerning the duties and authorities of the general inspectors.<sup>188</sup> Article 7 of this regulation specified the duties of general inspectors regarding the resolution of land disputes. It was stipulated that “general inspectors will have the authority to directly investigate and supervise the issue of the resolution and settlement of disputes and conflicts regarding the possession of lands which cause animosity between different elements of the population in some locations.”<sup>189</sup> Before going to the region to which he was assigned, General Inspector Hoff requested an annual fund from the government to carry out urgent reforms that included resolving land disputes, the improving public works, and conducting censuses.<sup>190</sup>

Correspondence among Ottoman authorities indicate that they were concerned with resolving land disputes in some provinces, especially in Van and Bitlis, before the arrival of general inspectors. On 25 January 1914, the Ministry of the Interior ordered Mazhar Bey, the governor of Bitlis, to provide information regarding the steps taken for the resolution of land disputes, noting that civil inspectors (*mülkiye müfettişi*) had reported a great number of

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185 Sir L. Mallet to Sir Edward Grey, 15 April 1914, no. 595, in *British Documents*, 548.

186 Bayur, *Türk İnkılâbı*, 186.

187 BOA: HR.SYS 2818-3/61-65, copy of contract in French, 24 May 1914.

188 BOA: DH.HMŞ 28/44, 13 April 1914, in Türkmen, *Vilayat-ı Şarkiye*, 182.

189 “... umûmi müfettişler bi’l-hâssa bâzı mahallerde ahâlinin ‘anâsır-ı muhtelifesi arasında ayrılma sebebi olan arâzi tasarrufu anlaşmazlık ve ihtilâflarının çözümü ve düzeltilmesi husûsunun doğrudan doğruya taht-ı teftiş ve nezârette bulunduracaklardır...” Ibid.

190 BOA: DH.KMS 63/68, 16 June 1914, in Türkmen, *Vilayat-ı Şarkiye*, 153–154.

land disputes in the province. In his response, Mazhar Bey stated that the number of land disputes was highest in Muş district, and those disputes that could be resolved administratively had already been so. The governor stated that 92 percent of the cases in the town and its environs had been resolved by the administrative council in line with the orders of the Ministry of the Interior, but the local government received an order to transfer remaining cases to the peace courts and had done so, transferring 257 cases from the administrative council to the peace courts. The governor noted that they had received the order to reintroduce administrative resolution procedures a week earlier and had begun to work in this direction. The governor claimed that the new regulation lacked any articles that would make the decisions of the administrative council binding, underscoring that the new regulation did not prohibit claimants' application to courts after the administrative council reached a decision. He also argued that a new regulation was necessary to clarify the situation.<sup>191</sup> The order of the Ministry of the Interior to resolve land disputes in Bitlis indicates that the central government placed significance on the resolution of land disputes in this province in this period.

As noted above, Ottoman authorities saw the resolution of land disputes in Bitlis and Van before the arrival of general inspectors as an urgent and vital matter. The correspondence between Tahsin Bey, the governor of Van, and the Ministry of the Interior clearly shows the urgency and significance attached to this issue. In a telegram sent to the Ministry of the Interior on 8 July 1914, Tahsin Bey reported that he had attempted to resolve land disputes in absolute terms before the arrival of general inspectors. He noted that he had been somewhat successful, but the initiative remained inconclusive as funds requested by local authorities were not granted by the central government.<sup>192</sup> Upon this request for funds, Talat Pasha, the Minister of the Interior, stated that "it is understood that if these disputes were not completely and urgently resolved by a humble concession and if the issue was not settled immediately,

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191 BOA: DH.SYS 67/1-8, the governor of Bitlis to the Ministry of the Interior, 3 Şubat 1329 (16 February 1914).

192 BOA: BEO 4301/322568, copy of cipher telegram from the governor of Van to the Ministry of the Interior, 25 Haziran 1330 (8 July 1914).

the government will have to make great concessions in order to prevent trouble.”<sup>193</sup> Thus, the Ministry of the Interior applied to the Council of Ministers for the allocation of a fund of 2000 lire to Van province. Articles in the Ottoman press indicate that, for the purposes of this first initiative, Tahsin Bey had limited efforts to investigate and resolve land conflicts in Van to the Hakkari district, which even before the Hamidian period had a smaller Armenian population than rest of the province.<sup>194</sup>

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193 “... cüz’i bir fedâkârlıkla bu ihtilâfatın tamamen ve serî’an halli mümkün olmazsa ve şu sırada mesele hal edilmezse müşkilâtın önünü almak için hükümetçe pek büyük fedâkârlıklar ihtiyârî lâzım geleceği anlaşılmıştır.” BOA: BEO 4301/322568, Talat, the Minister of the Interior to the Sublime Porte, 1 Temmuz 1330 (14 July 1914).

194 According to *Tanin*, Tahsin Bey went to Hakkari at the beginning of 1914 and established a commission consisting of two Muslims, two Christians, and a chair, who was the director of the land registry. This commission examined cases of land disputes, identified different types of land disputes, and determined the reasons for conflicts between parties. Tahsin Bey also prepared an instruction for the resolution of land disputes in Hakkari based on the findings of this investigation, and land disputes in the region were resolved in line with the instruction for a period of two months. As a result of its investigation, the commission specified five types of land disputes. First were disputes related to lands that had been sold by the treasury due to tax arrears. The second type of dispute was related to lands that were considered vacant and allocated to third parties by the treasury. According to the instruction for the resolution of land disputes in Hakkari prepared by Tahsin Bey, disputed lands in these two types of dispute would be returned to their original owners, and if the lands have been allocated to immigrants, those immigrants would be settled in other villages. The third type of land dispute specified by the commission and Tahsin Bey concerned lands directly seized by third parties. According to the instruction, these lands would be returned to their original owners without condition, and in the case that the original owners were not present in the region, they would be informed of the situation and given the opportunity to get their lands back for one year. The fourth type of dispute was related to lands held with unofficial sales documents (adi senet). According to the instruction, if such lands had been registered in the title registry by their current owners, the value of the lands would be taken from their original owners and given to their current owners. The lands would then be registered in the names of original owners. If there were disputes among parties regarding the value of lands, they would be directed to peace courts. Finally, in cases of disputed lands where the current owner had official sales documents in hand, the commission would recognize the validity of the transfer if the parties agreed. If the parties disagreed, the commission would compensate one of them. “Van’da Arâzi Meselesi,” *Tanin*, March 25, 1914.

In the spring of 1914, Tahsin Bey started an initiative to resolve the land problems in the Muradiye district of Van. To resolve this issue, Tahsin Bey established a commission consisting of the mufti, the bishop, and the title deeds officer (*tapu katibi*) under the chairmanship of the district governor. According to Tahsin Bey, the lands of those who had migrated from this district were mostly mahlul and some had been usurped by third parties. Tahsin Bey prepared a “land reform” plan in Muradiye according to which every household would be given a piece of land of between 200 and 250 dönüms depending on the size of the family and the acreage of land they held. As these lands were to be given to the people as if they were immigrants (*ahaliye muhacir namıyla arazi verileceğinden*), they would not be permitted to sell them for a period of ten years. Those people who were considered suspicious would be settled in the interior, while those considered reliable would be settled on the border zone. Muslims and non-Muslims would be settled separately. Finally, “as lands in the possession of tribal chiefs had been registered as less valuable and smaller than their actual value and acreage,” the records regarding these lands – which would stay in the hands of their current possessors – would be reorganized.<sup>195</sup> Tahsin Bey stated that local authorities had only spent 400 lire of the fund that had been provided for the resolution of land disputes, which amounted to 1000 lire. He requested the remaining 600 lire from the central government noting that while the commission had arrived Muradiye, they were not able to operate due to the lack of funds. Tahsin Bey sent several telegrams to the Ministry of the Interior regarding these funds, but the Ministry of Finance replied that the arrears of the previous year could not be transferred to the current year.<sup>196</sup> Following this correspondence, the Ministry of the Interior asked the Sublime Porte to send this funding by making an addition to the new budget, and the Sublime Porte

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195 BOA: DH.SYS 67/1-9, Tahsin Bey, governor of Van to the Ministry of the Interior, 16 Nisan 1330 (29 April 1914).

196 BOA: DH.SYS 67/1-9, Tahsin Bey, governor of Van to the Ministry of the Interior, 1 Mayıs 1330 (14 May 1914); BOA: DH.SYS 67/1-9, the Ministry of the Interior to the Sublime Porte, 18 Haziran 1330 (1 July 1914); and BOA: DH.SYS 67/1-9, the Ministry of Finance to Ministry of the Interior, 15 Haziran 1330 (6 July 1914).

accepted the request on 19 September 1914.<sup>197</sup> This plan for “land reform” in Muradiye indicates that Ottoman authorities tried to control the implementation of the international reform plan in terms of the geographical distribution of the population in the Muradiye district. It also represents an accommodation among the demands of the several parties involved. The Ottoman government would settle “reliable” people in the border zone. Some Armenians, together with local Muslims, would be given land. It is interesting that Tahsin Bey specifically mentioned problems in the registry records regarding lands in the possession of tribal chiefs – that these lands were actually larger and more valuable than what was indicated in the records. This suggests that Tahsin Bey was also appealing to Kurdish powerholders by legalizing their ownership claims to lands which they had acquired by influence and coercion rather than through official property acquisition procedures.

#### 7.5.1 *The Plans for the Resolution of Land Disputes in Sasun*

Another region that concerned Ottoman authorities in terms of the extent of land disputes was Sasun. On 24 June 1914, the Council of Ministers determined that there were numerous land disputes in some villages of the Sasun district of Muş. The people had refrained from pursuing their cases as the resolution of such cases in the civic courts entailed a time-consuming and expensive process on the part of claimants.

The Council of Ministers decided to establish a commission for the resolution of this matter through administrative channels. This commission would be able to compensate claimants by giving them money or lands from the treasury. The commission would be comprised of a Muslim and a non-Muslim and would work under the chairmanship of an official. If the commission failed to settle land disputes, the claimants would be directed to the courts. Thus, the Council of Ministers requested that the Ministry of the

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197 BOA: BEO 4311/323276, the Ministry of the Interior to the Sublime Porte, 19 Haziran 1330 (2 July 1914); BOA: DH.SYS 67/1-9, the Sublime Porte to the Ministry of the Interior, 6 Eylül 1330 (19 September 1914).

Interior provide a sum of 1000 lire for the expenses of the commission and the compensation it would dole out.<sup>198</sup> After this decision, Mustafa Abdülhalik Bey, the governor of Bitlis, sent a telegram to the Ministry of the Interior, proposing a different plan for the resolution of land disputes in Sasun. According to Abdülhalik Bey, the commission should have five members, four of whom were Muslim. Abdülhalik Bey also suggested that the commission should deal with the *hafirlik* problem. According to Abdülhalik Bey, 2000 lire would be enough to settle land disputes, but 5000 lire would be necessary to solve the hafirlik problem.<sup>199</sup> Hafirlik, which was a term to denote taxes levied on Christians by local powerholders, was already illegal. The request by Abdülhalik Bey for funds to solve the hafirlik problem shows that Ottoman authorities were aware that the practice existed in the region. Arguably, Abdülhalik Bey requested this sum for the resolution of hafirlik to appease the Kurdish powerholders. The Ministry of the Interior replied that it would not be able to provide the funding requested by the governor, which exceeded the 1000 lire that had been promised, due to a shortage of funds.<sup>200</sup> Correspondence regarding the resolution of land disputes and the hafirlik problem in Bitlis shows that local governors tried to resolve agrarian problems in which general inspectors might become involved before their arrival to their designated regions. Abdülhalik Bey's proposal that included a program to resolve the hafirlik issue indicates that local governors tried to accommodate the interests of local powerholders while making plans to change agrarian structures.

#### 7.5.2 *The Regulation Prepared by Bitlis and Van Governors for the Resolution of Land Disputes*

In summer 1914, Tahsin Bey, the governor of Van, and Mustafa Abdülhalik Bey, the governor of Bitlis, prepared a regulation for the resolution of land

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198 BOA: MV 189/78, decision of the Council of Ministers, 11 Haziran 1330 (24 June 1914).

199 BOA: BEO 4312/323358, copy of cipher telegram from the province of Bitlis to the Ministry of the Interior, 2 Temmuz 1330 (15 July 1914).

200 BOA: BEO 4316/323670, Minister of Finance to the Sublime Porte, 20 Ağustos 1330 (2 September 1914).

disputes in Van and Bitlis. This regulation would not be implemented in the Sasun and Huyt regions of Bitlis. The governors argued that it was necessary to separate these regions out because land disputes in these districts were “commonplace and had a different form and character.”<sup>201</sup>

According to this regulation, a commission that would consist of two impartial Muslims, two non-Muslims, and a chair – either the director of the land registry or another official – would be established. The director of the land registry would be a member of this commission and an official from tax office might also be included. According to this regulation, the lands of Armenian emigrants or deserters that had been seized without any documentation and that were not registered in the title deeds office would be returned to their original owners. If the owners of such lands were not present, the lands would be taken from the usurpers by the local government which would keep them vacant for a period of one year (Article 1). Lands sold by the treasury for tax arrears and lands that were considered *mahlul* and given to Muslim immigrants or locals would be returned to their owners after the original owners paid the value of lands to the treasury. In this case, Muslim immigrants would be resettled on other lands or in other villages in return for a sum (Article 2). Lands sold by unofficial sales documents would be returned to their owners after the latter returned the sum of the value of the land. If the parties disputed the value written on the unofficial sales document, the commission would resolve the dispute with the assistance of the treasury through arbitration. If the occupier refused to settle in line with the arbitration decision, he would be directed to the courts and the disputed land would be given to the original owner in the meantime (Article 3). Disputed lands that were sold by unofficial sales documents and registered in the title deeds office would be subject to the procedure specified in Article 3 of the regulation (Article 4). The commission would validate official sales procedures in cases the parties agreed (Article 5). The commission would also keep records regarding land disputes (Article 6). The governors stated that all land disputes

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201 “umûmi ve başka bir şekil ve mâhiyette.” BOA: DH.SYS 67/1-9, Tahsin Bey, governor of Van and Mustafa Abdülhalik, governor of Bitlis to the Ministry of the Interior, 17 Temmuz 1330 (30 Temmuz 1914).

in Bitlis and Van could be resolved through this regulation in a period of two months and that all lands of returnees would be restored to them (Article 7).<sup>202</sup> The governors requested funding of between 5,000 and 10,000 lire for the implementation of this regulation, but the Ministry of the Interior informed the governors on 6 September 1914 that it would be impossible to spare such sums.<sup>203</sup>

In a telegram sent to the British Ministry of Foreign Affairs on 25 September 1914, British Ambassador Sir Louis Mallet elaborated on developments regarding the resolution of the land question in the aftermath of the international reform plan, underscoring the difficulty of accommodating the interests of different groups involved in the matter.

All Turkish schemes for tinkering with the land question are indeed based on a principle unacceptable to the Armenians, that of monetary compensation. The Armenians wish for the actual land taken from them to be restored to its past owners and will accept nothing less. Their papers publish long list of communal lands and houses taken from them and to accept money in lieu of such property would in their view be to admit the legality of its transfer.

Recent disputes have in every case been decided against Armenians involved and more than once a local decision in their favour has been reversed at Constantinople. Their chief despoilers have been Kurds and Lazes and it is these races who predominate in the “hamal” or stevedore calls in this city, from which Committee of Union and Progress recruits its mobs. The central Government dependent as it is on this kind of support is often more amenable to anti-Armenian influences than the Vilayet authorities. The Armenians cannot therefore appeal from local maladministration to Constantinople with any hope of success, nor can they believe in the possibility of any real effort on the part of the present Government to tackle questions outstanding.

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202 BOA: DH.SYS 67/1-9, copy of the regulation on the resolution of land disputes, no date.

203 BOA: DH.SYS 67/1-9, 24 Ağustos 1330 (6 September 1914).

[...] The Kurds are in a rather different position; they have no “grievances” in the sense the modern politician would use the word; the land question for their Sheikhs is simply one of the keeping that which they have contrived to take from the Armenians; for their peasants it is one of finding money to pay these Sheikhs the exorbitant shares they demand in the lands' yield.<sup>204</sup>

The consul interpreted the reluctance of the government to resolve land disputes as a lack of will stemming on the CUP's reliance on the support of the usurpers. It is not possible to know the extent to which this concern affected the approach of CUP leaders to the matter. However, Tahsin Bey's reform plan for Muradiye indicates that the cooperation of Kurdish chiefs was taken into consideration by Ottoman authorities.

In sum, the resolution of the land question in Bitlis and Van became a significant, urgent matter for the Ottoman authorities who attempted to take preemptive measures before the arrival of general inspectors to the region. On the other hand, the outbreak of the world war and the declaration of a state of mobilization (*seferberlik*) changed the course of events. Plans prepared by the governors indicate that Ottoman authorities tried to control the implementation of the reform program in terms of land ownership and the distribution of the population in the region. These documents also indicate that local governors accommodated the demands of local powerholders in this process. Although the general inspector, Major Hoff, arrived in Erzurum on 6 August 1914, the Ottoman government ordered his return to Istanbul because of the declaration of the state of mobilization.<sup>205</sup> The general inspector, Mr. Westenenk, could not go to the region to which he was assigned. After the official entry of the Ottoman Empire to the war, the Council of Ministers decided on the return of the general inspectors to their countries of origin.<sup>206</sup>

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204 TNA: FO 371/2137, Sir L. Mallet, to Sir Edward Grey, Therapia, 25 September 1914.

205 Türkmen, *Vilayat-ı Şarkiye*, 191.

206 *Ibid.*, 203.

## § 7.6 Summary

After the escalation of tensions in the Balkans and the outbreak of the Balkan Wars, there were significant changes in the international and domestic context regarding the Armenian Question in general and the land question in particular. In this period, the most significant development regarding these two matters was the reemergence of the issue of reform in the eastern provinces on the agenda of international diplomacy.

Debates in Armenian circles and in the press as well as the actions and discourse of Armenian actors including the Patriarchate, the Armenian National Assembly, and the Armenian political elite indicate that demographic trends and the land question had a renewed significance in this period. Aware of the fact that demographics were crucially important for the success of territorial claims at the level of international diplomacy – and that land ownership was the tie that bound a people to a given territory – these actors began to consider the maintenance of the Armenian population in the eastern provinces and Cilicia and resolution of land disputes as urgent matters. Armenian land ownership and the resolution of land disputes concerning Armenians began to be seen as a matter of ethnonational existence by the Armenian political elite in this period.

The internationalization of reform debates also affected the situation in the eastern provinces. Several documents examined in this chapter indicate that the prospect of an international reform plan that would oblige local powerholders to return properties that they had seized caused discontent and panic in Kurdish circles. Another significant development was the rise of Kurdish nationalism with territorial claims to the Ottoman East. As indicated in Abdürrezzak Bedirxan's protests of the exclusion of Kurds from reform debates, land ownership began to be seen as a means of ethnonational dominance by some Kurdish nationalists.

As examined in the previous chapter, land ownership had begun to be seen as a means of ethnonational dominance by some Ottoman officials and CUP members in the 1910s. After the Balkan Wars, concerns about the preservation of the territorial integrity of the empire intensified. The approach of the central government to the land question and the regulations and legislative changes

concerning this matter indicate that the CUP saw administrative resolution as political leverage. It therefore blocked the use of this procedure during international reform debates. After the Russo-Ottoman accord was signed, the central government reopened the way for administrative resolution and started initiatives in Van and Bitlis to control the implementation of reforms. As seen in the land reform plan prepared for the Muradiye district of Van, Ottoman authorities tried to secure the settlement of “reliable elements” in border zones, while settling “suspicious people” in the interior.

The findings of this research indicate that the issues of land ownership and the resolution of the land question were related to the political and territorial concerns and claims of Armenian political actors, the Ottoman government, the CUP, and Kurdish political actors. Competition for resources and class conflicts were influential in the transformation of land disputes concerning Armenians into the land question. As examined in this chapter, the material aspect of the land question also generated a considerable degree of local resistance when the prospect of a resolution to it gained traction after the reform agreement. The issues of land ownership and the resolution of land disputes had an overtly political character in this period. By 1914, the issue was not only related to contested lands but also contested territorialities.



## Conclusion

This study traces the emergence and transformation of the Armenian land question in the Ottoman Empire through an analytical framework that takes the socioeconomic and political trends in which this question was embedded into account. It has broadened the scope of academic debate on the Armenian Question by exploring the links between socioeconomic and political dimensions of changes in intercommunal relations and state-society relations in the Ottoman Empire.

The administrative and legal framework regulating landholding and land use went through a significant transformation in the nineteenth century. As examined in chapter 2, this process led to the establishment of exclusionary and individual ownership rights to lands. On the other hand, Ottoman legislation also accommodated other claims to the use of and passage through land, like ancient and prescriptive rights. In years following the issuing of the Land Code, the central government adopted decisions and regulations that contributed to the transformation of land into alienable property. These changes to the legal and administrative framework affected claims to and disputes over land ownership and the distribution of agricultural surplus across the Ottoman Empire. As examined in various chapters of this study, categories like prescriptive, ancient, and ownership rights were often used by the conflicting parties in land disputes concerning Armenians. This research indicates that in addition to these categories, Armenian religious institutions

and the Armenian political elite also employed the articles of the Land Code that set forth exceptions for the annulment of landholding rights due to non-cultivation in the post-1908 period. In an attempt to strengthen the ownership claims of Armenians who had fled from their homes during and after the massacres of 1894-97, these actors argued that the violence experienced by these people should be considered a legitimate excuse and a basis for both the non-implementation of statutes of limitation and the non-implementation of stipulations in the Land Code providing the return of non-cultivated lands to the control of the state. Another point illuminated by this research is that the use of such legal categories depended on context and the historical period. In land disputes before the 1880s, the Patriarchate underscored the prescriptive rights of Armenian cultivators in several cases submitted to the Sublime Porte, and it highlighted that the disputed lands had been cultivated by Armenians for many years without dispute. After the massacres of 1894-97, thousands of Armenians were uprooted from their lands and prescriptive rights were the basis of many cases of property transfer from Armenians. This change in the character of land disputes affected the perspective of Armenian religious institutions and the political elite on this legal category in the post-1908 period. The findings of this study indicate that this legal category became increasingly contested at different levels of politics and administration. While Armenian political actors and institutions – and some local governors – emphasized that prescriptive rights should not be recognized in land disputes concerning Armenians, local powerholders underscored that this principle was a part of the Ottoman legislation and should be respected.

Scrutinizing the emergence and transformation of the Armenian land question, this study reveals that there were several disputes over usufruct and ownership rights to agricultural lands in which Armenian cultivators were a party before the 1880s. During the Tanzimat period, the Patriarchate brought several land disputes concerning Armenians to the attention of Ottoman authorities. As examined in chapter 3, one major characteristic of these disputes was the asymmetry between the parties involved. In the period leading up to the Hamidian regime, there was a clear class distinction between those who usurped properties and the Armenians whose lands were usurped. These disputes concerned the claims of cultivators against local powerholders,

including religious authorities, like muftis, beys, aghas, and district governors. The examination of these disputes highlights that local authorities and officials were directly involved in some land disputes concerning Armenians in this period. It also highlights the fact that peasants and local powerholders tried to frame their cases with reference to legal categories like prescriptive and ancient rights and adopted several strategies, ranging from open protest and demonstration to taking matters to the central Ottoman authorities in Istanbul. This examination also highlights that the approach of central authorities to these land disputes varied depending on the characteristics of the cases. Based on this examination, it can be argued that the local power structure, the potential of cases to turn into sociopolitical crises, and the domestic and international political context were important factors determining the approach of central Ottoman authorities to these conflicts. Beginning in the mid-1870s, there was a change in their approach. With a shift in the international and domestic political context stemming from the crisis in the Balkans, the central government became more responsive, investigating and resolving the demands of the Patriarchate. In the 1870s, there was also a quantitative increase in the number of disputes brought before central authorities by the Patriarchate. Between 1870 and 1874, some 363 cases were brought before central authorities by the Patriarchate.

As examined in chapter 4, there were significant changes in the characteristics and extent of land disputes concerning Armenians in the Hamidian period, especially after the massacres of 1894-97. In this period, there were property transfers from and dispossession of Armenians on a massive scale in the Ottoman East. According to Patriarchate reports, which themselves were criticized by some Armenian intellectuals for excluding small-scale seizures concerning peasants, there were more than 7,000 cases of property transfers from Armenians in the Hamidian period. Thus, one of the changes in land disputes concerning Armenians in the Hamidian period was the massification of the problem. Another change in terms of the extent and characteristics of land disputes concerning Armenians was the ethnonationalization of the problem. In contrast to land disputes in the Tanzimat period, there was no generalizable socioeconomic asymmetry between the parties involved in disputes in the Hamidian period. First,

ordinary subjects, including neighboring villagers and Muslim immigrants, were among those who usurped Armenian lands in the Hamidian period. Such cases not only concerned boundary expansions and seizures of small-scale properties – in some cases, large properties like farms were seized by such actors. The second factor that supports this conclusion is that not only the lands of small-scale peasants and village communities but also the large landholdings of Armenian individuals and communities were usurped in the Hamidian period. Thus, the findings of this study indicate that in the Hamidian period, the characteristics of land disputes concerning Armenians transformed in a way that cannot be explained by an oppressor-oppressed binary. Despite the change in the variety of actors involved in such seizures, local powerholders continued to be the primary group involved in seizures. The geographical distribution of Armenian properties seized in the Hamidian period that as reported by the Patriarchate indicates that while there was a concentration of cases in the Ottoman East, the issue was not exclusive to the eastern provinces. Empirical analysis of data derived from the reports of the Patriarchate shows that there were several cases of seizures carried out by various means, including the threat or use of force, in different provinces of the Ottoman Empire, including Bursa, Kastamonu, Konya, and Izmit. Apart from these cases – which were scattered in nature – there was a considerable number of seizures in some districts of Cilicia. These findings indicate that land disputes concerning Armenians in this period can neither be comprehended as a problem specific to the eastern provinces nor solely as the outcome of the transgressions of tribes in the Hamidian Regiments.

This study has extended the scope of academic debate on the transformation of agrarian relations in the Ottoman Empire, in general, and the Armenian land question, in particular, by exploring the role of the Ottoman state actors in the massification and ethnonationalization of land disputes concerning Armenians. This examination revealed that some actors, such as Yıldız Palace, were actively involved in the processes of property transfer from and the dispossession of Armenians in the 1890s. The extent of this involvement went as far as the introduction of an administrative barrier to Armenians' entry into the land market in eastern regions in the late 1890s through an initiative of Yıldız Palace. This indicates that the processes of

dispossession of and property transfer from Armenians in the Hamidian period can neither be seen as the outcome of purely local dynamics nor as an automatic result of mass violence. Scrutinizing the role of the initiatives of the Ottoman central government in shaping the demographic and socioeconomic outcomes of mass violence and property transfer, this study reveals differences of opinion and approach among the Ottoman state actors and accommodations between liberal and exclusionary approaches to land ownership in the policies of the central government regarding land disputes concerning Armenians. As examined in detail in chapter 4, different Ottoman authorities like the Inspection Commission, local governors, and the courts were also active agents in the process by which the administrative ban was negotiated and contested. Thus, the findings of this study illuminate the multiplicity of positions adopted by actors operating in the Ottoman state field. The fact that the Inspection Commission sent orders to protect the property rights of some Armenians at the same time that Yıldız Palace sent orders introducing administrative barriers for Armenians' entry into the land market in the Ottoman East appears to be an inconsistency in the state's policies. Such developments in land policies and practices which appear inconsistent can only be understood, when the state itself is considered as a field, and when state policy is seen as the dynamic outcome of negotiations, conflicts, and accommodations between actors operating in the state field, on one hand, and between actors in and outside the state field, on the other.

This study has showed that the emergence and transformation of the Armenian land question cannot be understood without taking changes in the political significance attached to land ownership and political struggles for territorial sovereignty into consideration. Throughout the period examined in this study, various groups of actors in the Ottoman East began to see land ownership as a means of preserving ethnonational existence or establishing ethnonational dominance. The findings of this study indicate that Armenian intellectuals and institutions were the first group of actors to underscore the political implications of property transfer from Armenians. These actors began to underscore the importance of Armenian land ownership in historic Armenia, which corresponds to the eastern provinces and Cilicia, in the period in which Armenian nationalism gained a territorial aspect. The

political implications of property transfer from and dispossession of Armenians became more pronounced in the discourses and actions of Armenian intellectuals and institutions in the post-1908 period, especially during international reform debates. The resolution of the land question in general and the resolution of the Armenian land question in particular were seen as critical requirements for the restoration of the earlier demographics of the Ottoman East. Some Armenian intellectuals and activists considered the resolution of the land question to be the key for preserving Armenian ethnonational existence and strengthening the case for reforms in the region.

The transformation of the political significance of land ownership and the political struggle for territorial claims not only affected the approach of the Armenian political elite and Armenian institutions to this problem – these processes were also effectively shaping the policies and practices of the Ottoman government. As examined in chapter 4, several Ottoman state actors began to approach Armenian land ownership in the Ottoman East as a problem as early as the late nineteenth century, and they began to act in line with a particular demographic policy aimed at weakening the Armenian element of the population in this increasingly contested region. This study shows that the development of an exclusionary collectivism with Muslim identity in its core and its promotion by the Hamidian government affected the approaches of some Ottoman institutions and actors to land disputes concerning Armenians and contributed to the ethnonationalization of the problem.

As examined in chapter 6, the beginning of the Second Constitutional Period was a turning point in terms of land disputes concerning Armenians. In this period, the Armenian land question came to be regarded as a distinct social problem, not only by the Armenian political elite and Armenian institutions but also by the CUP and the Ottoman state elite. In the two years following the proclamation of the constitution, there were a series of negotiations among several actors including the CUP and the ARF about a resolution to the land question. The government shelved the practice of resettling Muslim immigrants on disputed lands and ordered the use of arbitration procedures to resolve land disputes. In 1910, there was a marked change in the approach of the central government to the matter. The

introduction of a limitation on the use of arbitration procedures to disputes that took place in the year following the proclamation of the Ottoman constitution, the resumption of the government resettlement of immigrants on disputed lands, and the rapprochement between Ottoman authorities and Kurdish chiefs who protested the return of properties they had seized are significant indicators of this policy shift. The rise of Turkish nationalism among the ranks of the CUP was an important factor affecting these developments. The findings of this study indicate that 1913 was another turning point in terms of the approach of the Ottoman government to the land question. After the Balkan Wars and the Bab-1 Ali Coup, there were significant changes in the domestic and international political context. These developments directly affected the course of negotiations and regulations regarding the land question. As examined in chapter 7, the CUP began to consider the resolution to the land question as a bargaining chip during international reform negotiations. While suspending the use of administrative resolution for the period that negotiations were taking place, the central government reopened the way for the use of this procedure following the Russo-Ottoman Agreement. After the negotiations, the government pressed local governors, especially in Bitlis and Van, to solve these problems before the arrival of general inspectors. Finally, the transformation of the political significance of land ownership and the struggle for territorial claims also affected the approach of some Kurdish political elites to the problem. In the post-1908 period, which witnessed the emergence of Kurdish nationalism, land ownership began to be seen as a means of securing ethnonational dominance by some Kurdish nationalists like Abdürrezzak Bedirxan.

In the period between 1870 and 1914, the Armenian Question emerged as a diplomatic problem for the Ottoman Empire. This study has documented the ways in which the emergence of this question affected conflicts, negotiations, and accommodations over land disputes concerning Armenians at different levels of politics, including the international, domestic, and local levels. As examined in chapter 7, the resolution of the land question became a matter of negotiation among the Great Powers and the Ottoman Empire during the reform debates following the Balkan Wars. It was also a key matter of debate and negotiation among different actors including the Patriarchate,

the CUP, and the ARF in terms of reform negotiations at the level of domestic politics. This study shows that the prospect of returning seized lands, particularly but not restricted to lands originally held by Armenians, became a significant topic of everyday and provincial politics in the post-1908 period. While some Kurdish political actors, like the SKMAP, advocated the return of seized lands and a resolution to agrarian problems including the Armenian land question, local powerholders and some local groups affiliated with the CUP opposed the prospect of a resolution. In several cases, these local powerholders appealed to the sensitivity of the political situation in the region in order to secure their control over seized lands. This study also shows that in some cases, local powerholders like Haydaranlı Hüseyin Pasha also used their influence – which was strengthened after the rapprochement between some Kurdish chiefs and the central government – to keep lands that they had seized from Kurdish peasants. They negotiated with Ottoman military and political authorities by underscoring their own political and military significance in this turbulent region.

While scrutinizing the political dimensions of the Armenian land question, this study also underscores the role of socioeconomic trends in the emergence and transformation of this problem. The complexity of property transfers from and dispossession of Armenians in the late Ottoman period cannot be understood if macro socioeconomic trends like the commodification of land, the monetization of economy, and the rise of a central administrative state seeking to increase its share of agricultural surplus are not taken into consideration. This study has demonstrated that the transformation of land into alienable property, which paved the way for the transfer of agricultural lands for debts, and the monetization of economy, which increased the dependency of peasants on cash, were significant historical developments that affected the processes of property transfer from Armenians to local powerholders in some parts of the Ottoman East. These changes led to the deterioration of the conditions of independent peasants and affected the patterns of land ownership and use. As examined in chapter 4, the transfer of lands for debts was a specifically significant in Muş, where urban Muslim notables who were sef creditors took over vast tracts of land belonging to small-scale peasants in the 1890s. The prevalence of such land

disputes in the region suggests that this process of transfer contributed to the erosion of small-scale peasant holdings and expansion of the large-land ownership in Muş. This study also shows that there was significant variety in the ways in which seized properties were used and exploited. In some cases, the transfer of lands brought about a marked change in terms of the use of the land. For example, some agricultural lands were used for the establishment of settlements. Another example of such a change was related to the use of agricultural lands for animal husbandry. This was found to be a significant phenomenon in the region of Van.

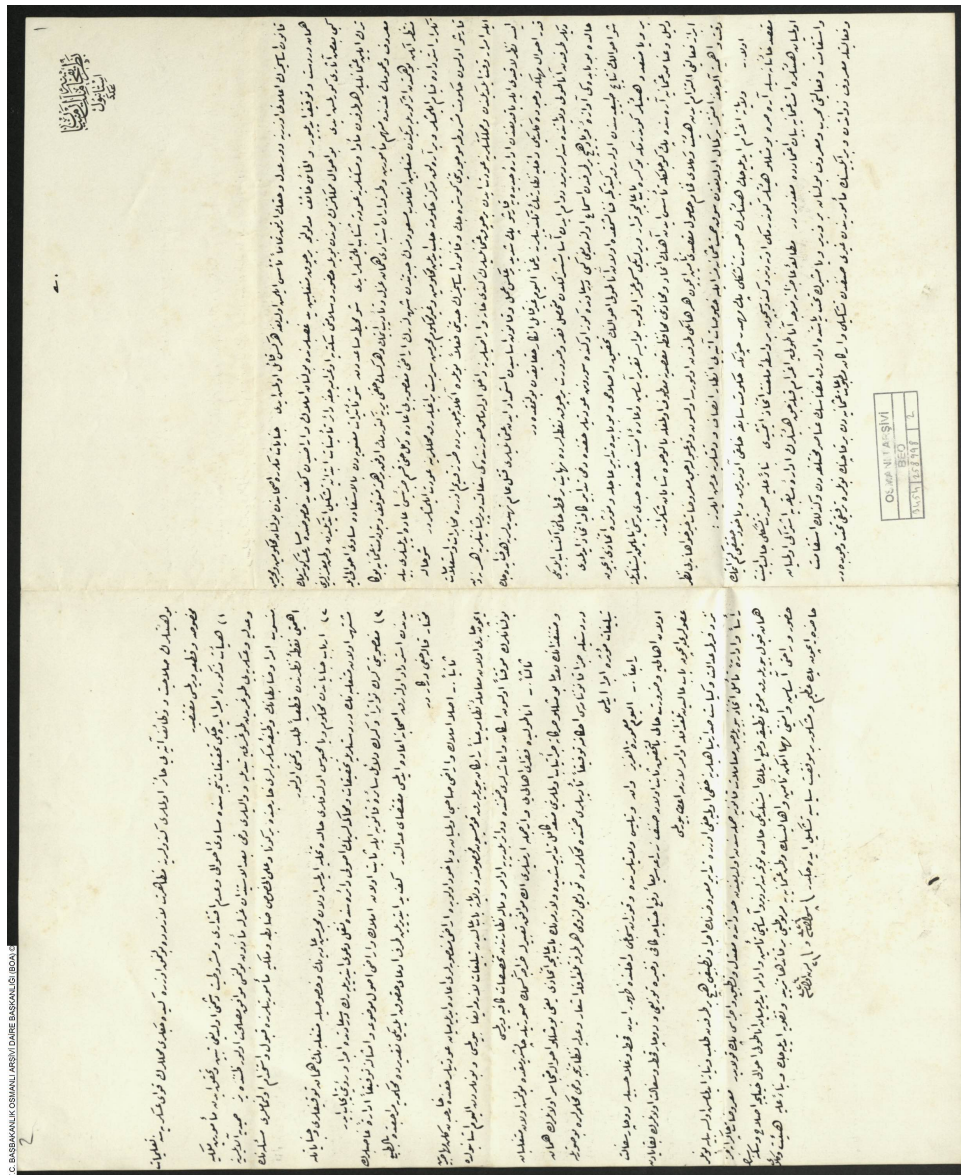
Exploring the trends in agricultural production, agricultural relations, and trade in the Ottoman East in the years following the massacres of 1894-97, this study provides empirical data and an analytical examination regarding the socioeconomic history of the Ottoman East. As examined in detail in chapter 5, there was a decline in agricultural production and in the area under cultivation after 1895 in some regions of the Ottoman East. The scattering of the Armenian peasant population was an important factor in this decline. In the years following the massacres, there was significant migration and emigration from some localities. In addition to fleeing cultivators, problems related to tax collection and debt also caused a decline in agricultural production in some localities where Armenian cultivators refused to cultivate their lands. In some instances, when the peasants refused to cultivate on a collective basis, they were coerced into cultivating their land by the state via the deployment of *gendarmes*. This study shows that there was significant variety with regard to changes in agricultural relations and agricultural production patterns. As highlighted in this study, property transfer and dispossession processes did not lead to uniform transformations. In Muş, some urban notables who had acquired several plots of land by force or as a result of debt relations like *selef* exploited these lands through sharecropping agreements. In these cases, many Armenians became sharecroppers on lands that they themselves had owned before the mid-1890s. There were also cases where more managed forms of exploitation and control were established over seized lands. In these cases, tribal leaders settled families from among their own tribes in Armenian villages. These settlers acted as the representatives of the interests of the tribal chiefs on the ground. The condition of the cultivators

of such seized lands was described as semi-slavery and serfdom by British consular staff as well as by the Armenian religious and political elite. The most indirect and least managed form of agricultural surplus extraction by local powerholders was the practice of outright pilfering of agricultural production at the time of harvest. This form of surplus extraction, which depended on the coercion capacity of local powerholders, was an important phenomenon in Van province. Similar variety was found with regard to changes in export and import trends in the late Hamidian period. This study has shown that the massacres of 1894-97 and the processes of dispossession and property transfer affected trade trends in the eastern provinces. While this was a period of favorable macro trends for agricultural producers in the Ottoman Empire in general, there were significant declines in export and import trade in most of the eastern provinces. In Erzurum and Mamüretülaziz, the value of trade did not reach pre-massacre rates for many years. On the other hand, the longevity and character of trade trends were not the same across the region. For example, export trade in Diyarbekir was exceptional as there was no significant decline in the years following the massacres. These findings indicate that socioeconomic life in the eastern provinces was significantly affected by mass violence and processes of property transfer and dispossession, but the effects of these developments on trade and production were not uniform across the Ottoman East.

Despite its contributions to the literature, this study has limitations. First, it was not possible to study the details of individual cases in depth because at the time of this research, the archives of the Title Deed Administration have not been opened to researchers. These documents would shed light on several issues examined in this study, like the extent of land disputes concerning Armenians, the specific actors involved in these seizures, and issues related to the process of land registration. In the absence of these documents, it is difficult to determine the exact characteristics and distribution of land disputes. Moreover, the question of whether the usurpers registered the lands they had seized in their names as well as the circumstances and regions in which such registration processes were carried out is difficult to answer without these documents. This limitation was partly overcome with an examination of British and Armenian sources. Studies that will be conducted

when the archives of the Title Deed Administration are opened will provide a more detailed account of the processes of property transfer and dispossession and will enrich our understanding of the socioeconomic history of the Ottoman East, in general, and the transformation of land disputes concerning Armenians into the Armenian land question, in particular. This study examines an understudied issue, scrutinizing the emergence and transformation of land disputes concerning Armenians. It explores the political and socioeconomic aspects of this process, as well as temporal and geographical variations with respect to the seizure of Armenian properties. Studies comparing the unfolding of the Armenian land question with land disputes in other parts of the Ottoman Empire, like those in the Balkans or the Arab provinces, will enrich academic debates on the issues examined in this study.

Appendix A Takrir of the Armenian Patriarchate Dated 3 November 1908



BOA: BEO 3454/258998, 21 Teşrin-i evvel 1324

Patrikhâne-i Millet-i Ermeniyan, İstanbul

Kânun-ı esâsimizin i'lânı üzerine devr-i 'adl ve hakkın artık tamamen te'sis eylemiş olduğuna herkes kâ'il olmuş idi. Cinâyât-ı mükerrere ashabından bulunan mahkumin ve mücrimin hemen derdest ve tevkif ediliyor ve el-hâ'inü hâ'if X bir çok mütegalibin yed-i gasblarında bulunan emlak ve araziden keff-i yed hususunda musâra'at göstermek gibi bazı âsârı görülmüş idi. Bu ahval-i memleketimizin bundan böyle huzur ve selameti sekteye uğramayacağına dâ'ir te'mînât-ı ibtidâ'ye teşkil ettiğinden vatan-ı mu'azzezlerini terk eymeis Osmanlılar her taraftan me'vâ ve meskenlerine 'avdete şitâb eylemişler idi şu muhit-i müsâ'idden şu te'sirat-ı ma'neviyyeden bi'l-istifâde mesâvî-i ahvali ile ma'ruf ve 'umumun 'indinde müttehim me'murin ve tarafdaran-ı istibdadı hemen 'azl ve te'dib etmek ve herkesin hakkını yerine getirmek ufak bir himmete mütevakıf ve bütün ümmet-i Osmaniye buna muntazar iken bu himmetden eser görülemediğinden mütegalibin inkılâb-ı X mes'ûdemizin ciddiyetinden şüphelenerek arâzi-i mağsûbeyi i'âde değil hatta kısım-ı cüzisi i'âde edilenleri bile tekrar istirdada kıyam eylemişler ve bir aralık merkez hükümete celb edilen mahkûmin ve gayr-i mahkûm-ı mücrimin serbest bırakılarak mahallerine 'avdet eylemişlerdir şu hâle karşı olsun hükümet-i meşruta mevcudiyetini gösterecek ve kânun-ı esâsimizin ciddiyetini fi'len bunlara anlatacak yerde tarz-ı kadim üzere muhâberât ve isti'lâmât ile imrâr-ı vakit eylediğinden ve memleketlerine avdet eden bir çok Osmanlıların kendi hane ve arâzilerine dahil olamamak suretindeki sefalet ve perişanîyetlerine her neden ise nazar-ı lâkaydi ile baktığından idare-i ciddiye karşı pek şedid bir aks amel ve kanun-ı esâsiden istimdâd eden Osmanlıları katl-i 'âmm tehdidlerine hedef edecek kadar ahval-i mehleke vücuda geldiği dâhiliye nezaretinin tekziblerine rağmen elyevm gayr-i kabil inkâr-ı hakâyıktan bulunmaktadır.

Diğer taraftan Anadolu vilâyâtında senelerden beri devam eden asayişsizlikden mütehassıl fakr ve zaruret bir çok noktalarda nihayet bir kaht hâlini iktisâb eylediği hâlde bu babdaki âvâze-i feryâd hiçbir taraftan esmâ' olunamadığı gibi dersaadetde göz önünde sürünen avdetiler hakkında dahi tedâbir-i kaffiye (??) ittihâz edilmedi şu ahvalin netâyic-i tabî'yesinden olarak gittikçe fenâlaşmakta olan Anadolu ahvalinin tahkik ve ıslâhı ve bu babda

tedâbîr-i ‘âcile ve mü’essire ittihâzı için bir veya mütê‘addid heyetler göndermeğe bu kere bâb-1 ‘âlice karar verildiği mesmû‘muz olub bu ise takrir-i asayiş ve i‘âde-i emniyet hakkında ciddi bir şey yapmak istenildiğine delil ve ‘anâsır-1 osmâniye arasında pek güçlûkle te’sis eden âhenin ittihâd ve muhâdeneti muhâfaza mahsadına ma’tûf olmağla bi’l-vecde şâyân-1 şükrândır.

İbrâz-1 fa‘âliyeti iltizâm eden heyet-i vükelâ-i fihâm husûl-i maksadı te’mîn içün her hangi taraftan olursa olsun vukû‘ bulacak ma‘rûzât-1 hayr-1 X nazar-1 dikkat ve ehemmiyete alacağına emniyetimiz ber kemâl olduğundan sevk-i hamiyet-i ‘osmâniyemiz ile husûsât-1 atiyeyi (?) enzâr-1 insâf ve dikkatlerine ‘arz eyleriz:

Evvela-vilâyâta i‘zâm edilecek heyetlerin suret-i teşkili pek mühimdir çünkü hükümet-i sâbika halkı avundurmak veyahut hakiki ketm etmek maksad-1 hâ’inânesiyle ara sıra bu misillû heyetler göndermeği öteden beri kendisi içün bir vâsita-i mel‘anet ittihâz etmişdi binâ’en-‘aleyh suret-i teşkili câlib-i emniyet olmayan heyetlere ümmet-i ‘osmâniye beyan-1 i‘timâdda ma‘zûrdur mütâlaa-i ‘âcizânemizce anadoluya i‘zâm kılınacak heyetlerin idare-i sabıkaya iştirâki olmayan ve istikâmet ve fa‘âliyeti mücerreb ve ma‘rûf bulunan bir vezir veya müşirin taht-1 riyâsetinde olarak a‘zâsının ‘anâsır-1 muhtelifeden ve kezalik istikâmet ve fa‘âliyetle ma‘rûf zevâtdan ve bir ikisinin me’murinden gayr-i sınıftan teşkili ve erkân-1 matbû‘ât-1 ‘osmâniyeden bir kaçının bunlara terfiki taht-1 vücûbbedir. Bu heyetlerin salâhiyet ve vezâ’if-i atiyeyi (?) hâ’iz olmaları kendilerine müzâheret-i lâzımede bulunmak üzere gidecekleri mahallerin kuvâ-yı ‘askeriyesine ta‘lîmât-1 mahsusa ve kat’iyye verilmesi muktezâdır.

1) hey’et-i (hey’ât?) mezkûre icâ edeceği tahkikât netîcesinde müsâvî-i ahvâli ve ‘adem-i iktidârı ve meşrûtfiyet düşmanı olduğu tebeyyün ve tahakkuk eden me’memurîn-i mülkiye ve ‘adliye ve ‘askeriyeyi doğrudan doğruya tebdile ve vâlileri dahi ba‘de’l-istizân ‘azle me’zûn bulunması muvafık maslahat olur zannındayız hamidiye alaylarına mensûb ümerâ ve zâbitânın vazife-i ‘askeriyeleri haricinde bir güna ‘ale’l-husûs zâbita ve mülkiye me’mûriyetlerinde kabul ve itihdâm ollunmamaları meselenin ehemmiyeti nokta-i nazarından kat’iyen taleb ve temenni olunur.

2) erbâb-ı cinâyâtdan mahkûm veya mahbûs oldukları hâlde tahliye edilmiş olan mücrimin-i ‘âdiyenin ve husûsiyle mütegalibenin hemen tevkîfleri ve cinâyâtle müştehir olan mütegalibenin derdestleriyle tahkikât ve muhakemelerinin usûli dâ’iresinde nakl-i da’vâ ettirilerek dersâadetde icrâ ve reviyeti icâb eder.

3) mağsûbiyeti gerek tevâtüren ve gerek delâ’il-i sâ’ire-i kânûniye ile sâbit olan emlâk ve arâzi usûl-i mevzû’a ve emsâline tevfikân idareten gâsiblerin yedinden istirdâd olunarak ashâbına i’âde edilmesi muktezâ-i ‘adâletdir. Keff-i yed ettirilen taraf iddi’â-i hukuk eylediği takdirde mahkemeye mürâca’atda bi’t-tab‘ muhtâr kalacağı derkârdır.

Sâniyen-asla emlâk ve arâzi sâhibi olmayan veyahud arâzi-i mağsûbeleri i’âde edilemeyen avdetiler hakkında haricden gelen muhâcirin içün câri olan mu’âmele-i nizâmiye ‘aynen X buyurularak komisyon-ı mahsûsuna ve vilâyâta bâb-ı ‘âliden tebligât-ı lâzıme ifâ buyurulması ve bunlardan elyevm İstanbulda bulunanların muvakkaten olsun iskân ve i’âşeleri zımında deva’ir-i belediyeye evâmir ve maliye nezaretinden tahsisât-ı kafiye (?) verilmesi

Sâlisen- anadoluda fukarâ’ ahaliyi ve ez-cümle Ermenileri en muvafık ta’birle harâca kesmek suretiyle çalışdırmakda bulunmuş olan mütegalibân ve müteneffizânın ba’de-mâ bu misillû harekâta cür’et-yâb olmalarını men’e kâfil (?) tedâbir-i şedide ve lâzımenin bâb-ı ‘âlice ittihâzı ya’nî bu misillû ahvâle mütecâsir olanların hemen derdestiyle cezâ kânûn-nâmesi ahkâmına tevfikân te’dîbleri zımında mahkemelere tevdî’i lüzûmu her tarafa telgrafla iş’ar ve ‘adliye nezaretince dahi mahkemelere bu suretle tebligât-ı mü’essire icrâ edilmesi

Râbi’an- elyevm mamuretülaziz van ve bitlis vilâyetlerinde ve kozan sancağı dâhilinde zuhur eden kaht ve galâ hasebiyle dûçar-ı sefâlet olan ahaliye ve zarûret-i hâli bi’t-tahkik sâbit olan sınıf-ı zürrâ’a serî’an def-i ihtiyâca kâfi zahire tevzî’i ve dûçar-ı kaht ve sefâlet olanların bakâyâdan ‘afları içün bâb-ı ‘âliden telgrafla evâmir-i lâzıme i’tâ buyurulması.

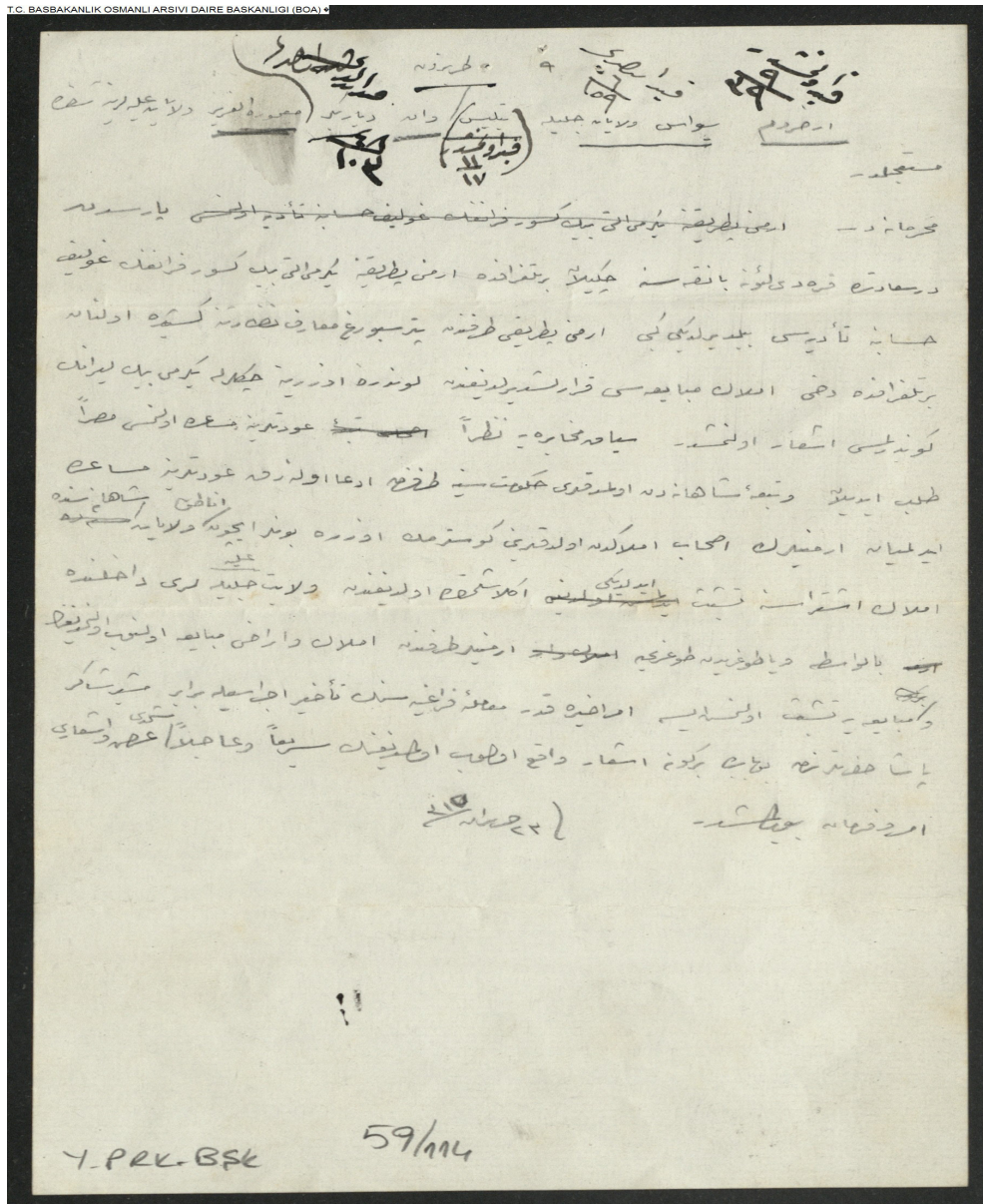
Nezd-i X ‘adâlet ve kıyâset-i sadâret-penâhîlerine hafî olmayacağı üzere tedâbir-i ma’rûzanın icrâ ve tatbiki hiçbir taraftan talep ve niy’az edilmemiş olsa bile bunlar re’sen ve idareten X ittihâz buyurulacak mu’âmelât-ı kanuniye cümlesinden olduğundan hadd-i zatında mu’tedil ve tatbik ve icrâsı pek

kolaydır. Ma'rûzât-ı çâkerânemiz hemen kabul buyurularak mevki'-i tatbiki vaz' edilmek istenildiği hâlde bunca senelerden beri asâyişi te'mîn ve idâme edilemeyen Anadolu ahvâli haylice ıslâh ve sükenasının huzur ve rahatı asâyiş ve emniyeti mühimma X te'mîn ve ahâlisinin vatan-ı 'osmaniyeye merbutiyeti bir kat daha tezyîd ve takviye edilecek ve binâ'en-'aleyh heyet-i vükelâ-i hâzıra içün pek 'azîm ve meşkûr bir muvaffakiyet-i siyâsiye teşkil edecektir.

Fî 8 Şevval 326 ve 21 Teşrin-i evvel 324



Appendix B Order for the Administrative Barrier



BOA: Y.PRK.BŞK 59/114, 23 Haziran 1315 (5 July 1899)

## TRANSLITERATION

Erzurum Sivas Vilayat-ı Celile Trabzon Bitlis Van Diyarbekir Mamuretülaziz  
Vilayat-ı aliyyelerine şifre  
Müstâ'celdir

Paris'den Dersâdet'e Kredi Lion bankasına çekilen bir telgrafda Ermeni Patrikine yirmi altı bin kûsur frankın goliyef hesâbına te'diyesi bildirildiği gibi Ermeni Patriki tarafından Petersburg Ma'ârif Nezâreti'ne keşide olunan bir telgrafda dahi emlâk mubâyâ'ası kararlaştırıldığından Londra üzerine çeklerle yirmi bin liranın gönderilmesi iş'âr olunmuştur. Siyâk-ı muhâbereye nazaran 'avdetlerine müsâ'ade olunması musarrahan [sic] talep edilen ve teba'a-i şâhânededen olmadıkları hükümet-i seniyye tarafından iddia olunarak 'avdetlerine müsâ'ade edilmeyen Ermenilerin ashâb-ı emlâkdan olduklarını göstermek üzere bunlar için anadolu vilâyât-ı şâhânesinde emlâk iştirâsına teşebbüs edildiği anlaşılmaqda olduğundan vilâyet-i celileleri aliyeleri dâhilinde bi'l-vâsita veya doğrudan doğruya Ermeniler tarafından emlâk ve arâzi mubâyâ'a olunup olunmadığının ve mubâyâ'aya teşebbüs olunmuş ise emr-i ahîre kadar mu'âmele-i ferâğiyesinin te'hîr-i icrâsıyla beraber Müşîr Şakir Paşa hazretlerinden bu bâbda bir güna iş'âr-ı vak'a olup olmadığının serî'an ve âcilen şimdi ve 'arz ve iş'ârı emr u fermân buyurulmuştur

Fî 23 Haziran 315



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