

SYLLABUS FOR HIST 525 – Law, State, and Property in the 19th Century
Spring 2023

Zoom: <https://sabanciuniv.zoom.us/j/99644566124>

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Office hours: by appointment

Disclaimer: “We may have to revise the course plan according to the reassessment to be made country-wide, regarding higher education, at the beginning of April. The content to be delivered is certain but the method of course delivery, the number and dates of exams, and some other details are subject to change.”

This course explores the historical development of the issues regarding land and property in the Ottoman Empire during the 19th century. It deals with a diverse set of economic, social, and political conditions affecting the relations over land and property. Our focus will be on both rural and urban landed property, and we will look at various historical moments and cases from different regions of the empire to form a more rounded view of the empire in this regard. We will trace the interaction of state power with land and property, legal precepts, various forms of proprietorship, ownership, expropriation, and taxation, the interrelation of socio-economic classes and groups with landed property, and forms of urbanization. We will treat legality and power networks relating to land and property in their transformation throughout the 19th century.

Class set-up: Lecture and discussion

Weekly Assignments: Students are expected to complete the assigned readings in advance of the class meeting and they are required to reflect and comment on them on the Discussion Forum (on SuCourse+) by 09:00 p.m. on Tuesdays before the day of the class at the latest. In their written comments on SuCourse+, students can also ask questions about the readings and bring those questions to class, where we will discuss some of them.

Evaluation: take-home examination (a final paper of 6000 words) (50%), title/abstract/preliminary bibliography for the paper (10%), weekly assignments on which students are required to reflect on the discussion forum in SuCourse+ (20%), presentation on an assigned reading (20%).

Key dates:

-Week 6: submission of the title/abstract/preliminary bibliography for the final paper

-June 8: submission of the final paper

Academic dishonesty: Plagiarism includes copying from books or journals, duplicating the work of fellow students, and copying or downloading materials from the internet. Plagiarism or academic dishonesty of any kind and extent will not be tolerated and may lead to disciplinary action. (Disciplinary action means that the student is referred to the Disciplinary Committee.)

- Readings and extra materials will be available online or on SUCourse+: <http://sucourse.sabanciuniv.edu>. Students are to regularly check the SUCourse+ website to follow weekly pacing, additional materials, possible changes and other announcements.

Weekly schedule

1. Mar 1: Historical Background I: Feudal Land in Europe and the Ottoman Empire

-Marc Bloch, *Feudal Society* (London: Routledge, 1989), vol. 1, Chs. 8, 14; vol. 2, Ch. 32.

-Ömer Lütfi Barkan, “Timar”, *İslam Ansiklopedisi* 12/1, pp. 286-333.

-John Haldon, “The Ottoman State and the Question of State Autonomy: Comparative Perspectives”, in *New Approaches to State and Peasant in Ottoman History*, eds. Halil Berktaş and Suraiya Faroqhi (London: F. Cass, 1992).

2. Mar 8: Historical Background II: Land in the 18th c. Ottoman Empire

- Ariel Salzmann, “An Ancien Régime Revisited: ‘Privatization’ and Political Economy in the Eighteenth Century Ottoman Empire”, *Politics and Society*, 21/4 (1993), pp. 393-423.

- 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”, *JOTSA* 2/1 (2015), pp. 37-57.

3. Mar 15: Legal Codification

-Avi Rubin, “Modernity as a Code: The Ottoman Empire and the Global Movement of Codification”, *JESHO* 59/5 (2016), pp. 828-856.

-Martha Mundy and Richard Suarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I.B.Tauris, 2007), pp. 40-79.

4. Mar 22: Land Law (1858)

-“Arazi Kanunnamesi” (1858).

-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 (Cambridge: Harvard Middle Eastern Monographs, 2000), pp. 3-61.

-E. Attila AYTEKİN, “Agrarian Relations, Property and Law: An Analysis of the Land Code of 1858 in the Ottoman Empire”, *Middle Eastern Studies* 45/6 (2009), pp. 935-951.

5. Mar 29: Local Practices in Anatolia and the Eastern Lands

-Yücel Terzibaşoğlu, “Landlords, Refugees, and Nomads: Struggles for Land around Late-Nineteenth Century Ayvalık”, *NPT* 24 (2001), pp. 51-82.

-Nora Barakat, “Regulating Land Rights in Late Nineteenth-Century Salt: The Limits of Legal Pluralism in Ottoman Property Law”, *JOTSA* 2/1 (2015), pp. 101-119.

6. Apr 5: Local Practices in the Balkans

-Halil İncalcık, “Tanzimat’ın Uygulanması ve Sosyal Tepkileri”, *Belleten*, vol. 27 (1964), pp. 624-690.

-Alp Yücel Kaya, “On the Çiftlik Regulation in Tırhala in the Mid-Nineteenth Century: Economists, Pashas, Governors, Çiftlik-holders, Subaşı, and Sharecroppers” in *Ottoman Rural Societies and Economies*, ed. Elias Kolovos (Rethymno: Crete University Press, 2015).

-Mariya Kiprovka, “Power and Society in Plevna on the Verge of Two Epochs: The Fate of the Mihaloğlu Family and its Pious Foundations (vakf) during the Transitional Period from Imperial to National Governance”, *Bulgarian Historical Review* 1/2 (2015), pp. 172-204.

7. Apr 12: Non-Muslim Communities, Land, and Property

-Eugenia Kermeli, “Ebussuud’s Definitions of Church vakfs: Theory and Practice in Ottoman Law”, in *Islamic Law: Theory and Practice*, eds. R. Gleave and E. Kermeli (London: I.B. Tauris, 1997).

-Tom Papademetriou, *Render unto the Sultan: Power, Authority, and the Greek Orthodox Church in the Early Ottoman Centuries* (Oxford: Oxford University Press, 2015), Ch. 3.

-Itamar Katz and Ruth Kark, “The Greek Orthodox Patriarchate of Jerusalem and its Congregation: Dissent over Real Estate”, *IJMES* 37/4 (2005).

8. Apr 19: Foreigners, Land, and Property

-Steven Rosenthal, “Foreigners and Municipal Reform in Istanbul: 1855-1865”, *IJMES* 11 (1980), pp. 227-245.

-Alexis Rappas, “The Sultan’s Domain: British Cyprus’ Role in the Redefinition of Property Regimes in the Post-Ottoman Levant”, *The International History Review* 41/3 (2019), pp. 624-649.

9. Apr 26: Vakfs

-Ramazan Pantık, “Merzifonlu Kara Mustafa Paşa Vakıfları: Yönetimi, Kentsel Gelişime Katkıları ve İktisadi Yapısı” (Hacettepe Üniversitesi, Yayınlanmamış Doktora Tezi, 2021).

-Gizem Zencirci, “From Property to Civil Society: The Historical Transformation of ‘Vakıfs’ in Modern Turkey (1923-2013)”, *IJMES* 47/3 (2015), pp. 533-554.

10. May 3: Privatization

-Roy S. Fischel and Ruth Kark, “Sultan Abdülhamid II and Palestine: Private Lands and Imperial Policy”, *NPT* 39 (2008), pp. 129-166.

-Ali Şenyurt, “20. Yüzyıl Başlarında Feriköy’deki Vakıf Arazilerinin Dönüştürülmesi”, *Mimarlık ve Yaşam Dergisi* 2/1 (2017), pp. 153-163.

11. May 10: State and Urban Planning

-David Harvey, *Paris: Capital of Modernity* (London: Routledge, 2006), excerpts.

-Zeynep Çelik, *The Remaking of Istanbul: Portrait of an Ottoman City in the Nineteenth Century* (Berkeley: University of California Press), Ch. 5.

-Emel Ardaman, “Perspective and Istanbul, the Capital of the Ottoman Empire”, *Journal of Design History* 20/2 (2007), pp. 109-130.

12. May 17: Urban Land and Society

-Murat Güvenç: “Galata’nın İzleri: 1910-1922 Şark Yıllıkları üzerine Değerlendirmeler”

<https://www.youtube.com/watch?v=goZX-6S5Wpc>

-Ayşe Derin Öncel, *Apartman: Galata’da Yeni bir Konut Tipi* (İstanbul: Kitap Yayınevi, 2010), excerpts.

13. May 24: State, Land, and Registration

-Alp Yücel Kaya – Yücel Terzibaşoğlu, “Tahrir’den Kadastro’ya: 1874 İstanbul Emlak Tahriri ve Vergisi ‘Kadastro tabir olunur tahrir-i emlak’ ”, *Tarih ve Toplum* 9 (2009), pp. 9-58.

- Anton Minkov, “Ottoman Tapu Title Deeds in the Eighteenth and Nineteenth Centuries: Origin, Typology and Diplomats”, *Islamic Law and Society* 7/1 (2000), pp. 65-101.

14. May 31:

Paper presentations