The Institution of *Gedik* in Ottoman Istanbul, 1750-1850

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ABSTRACT

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By

Miyase Koyuncu

This study attempts to analyze the relation between the Ottoman state and artisans in Istanbul from the second half of the eighteenth to the late nineteenth century around the developments regarding the institution of gedik.

The study aims to show that the gedik was not a new development imposed by the Ottoman rulers but it was a product of changing social and economic conditions determining the responsibilities and rights of both the state and the artisans. In this context, the concrete examples for the attitudes of both parties towards the establishments of gedik are given.

Due to lack of secondary literature concerning gedik, an in-depth reading of archival documents constitutes the base of this micro study.

Alongside the legal and institutional aspect of gedik system, the official procedures regarding gedik and the state’s dilemma on abolition or establishment of gedik take considerable part of this study.
ÖZET

Osmanlı İstanbul’unda gedik kurumu, 1750-1850
Miysa Koyuncu

Bu çalışma, on sekizinci yüzyılın ikinci yarısından on dokuzuncu yüzyıl ortalarına kadar olan yaklaşık yüzylık bir zaman diliminde Osmanlı devleti ile İstanbul esnafları arasındaki ilişkiye, gedik kurumu etrafında gelişen sosyo ekonomik şartlar ışığında analiz etme çabasındadır.


Gediğin sisteminin yasal ve kurumsal yönünün yanında gedikle ilgili resmi işlemler ve devletin yeni gedik kayıtları yapma ile gediği ortadan kaldırma arasındaki ikilemi çalışmanın önemli bir kısmını kapsamaktadır.
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I. Introduction

This study attempts to define the concept of "gedik" and to analyse the developments regarding the Ottoman artisans in Istanbul around this concept roughly from the late seventeenth century to the first half of the nineteenth century under changing economic and social conditions. This study will show that the "gedik" was not an innovation imposed by the Ottoman rulers but by the artisans themselves in a desire to preserve their livelihood thanks to the development of the legal and institutional dimension of the "gedik" as approved by the Ottoman state. Therefore the gedik can be regarded as a model which was born from the consent of both the rulers and the ruled. Both the state and the artisans as a representative of the populace had good reasons to accept and, in a way, to develop the "gedik" in time. All of their reasons forms the main framework of this study.

The study aims to describe and analyse the attitudes of both the Ottoman state and the artisans toward the gedik system which has generally been regarded as a constitutive element of the Ottoman guild system after the late seventeenth century by many scholars. This study is aimed to be a kind of micro study of the Ottoman artisans of the capital city under developments affecting their life and prosperity, thus drawing a macro history of the artisans’ world.

Several kinds of secondary sources concerning the Ottoman artisans and the guild system were examined, but secondary literature on gedik is lacking in order to study the whole gedik system in a detail. For this reason, both the number and the analysis of the archival documents went beyond the scope of a master thesis. The words between the lines of the archival documents related to the artisans in the capital constituted the base for our understanding of the attitudes of the artisans in spite of the fact that the documents were recorded by the Ottoman state rather than by the artisans themselves. In addition, the works of Sidki (Gedikler) and Osman Nuri Ergin (Mecelle-i
Umur-i Belediye) draw the outline of this micro study (maybe a modest candidate example for micro studies on the Ottoman history).

In chapter one, the relation between ahi-ism and gedik has been examined within the references to the general characteristics and the values of ahi-ism in its historical development. This section constitutes an attempt to answer if there is a change or transfer in the Ottoman guild system from ahi-ism to the gedik system as it was claimed by some scholars. In addition, their claims have also been evaluated. Roughly from the seventeenth century onwards, we will discuss the question of whether the Ottoman guild system was faced with great changes in its structure and a new period began or not within the gedik establishment. Nevertheless, the details regarding ahi tradition in a large scope are not the concern of this study.

In chapter two, technical and literal meanings of “gedik” in Ottoman parlance, its definition in economic terms among the artisans will be analysed, especially the emphasis will be placed on the definitions of Sidki (Gedikler) and Süleyman Sudi (Defter-i Muktesid). Since our concern is to evaluate the use of the concept of gedik in economic sense, its usage administratively and militarily will be dealt briefly. Because of the existence of various opinions of the scholars, the confusion on the beginning date of the gedik establishments will be examined in great detail. As legal base for gedik, sükna which was a kind of right of possession on property due to tools and equipment and icareteyn which was the right of being tenant for an unlimited time under some conditions without any permission of the owner of property even after the death of tenant artisans constitutes second part of this chapter.

It is clear that the concept of gedik developed in time within changing social and economic conditions. The beginning of the eighteenth century was the first phase of the widespread application of gedik among the artisans. Hence, the social and economic conditions of concerned period had a right to be taken into consideration in order to
understand and evaluate the response of the artisans and also the Ottoman state to the gedik establishments. The documents related to the artisans of Istanbul in this period indicates that their complaints focus on three major issues; the infiltration of migrants coming from Anatolia and Rumelia to the guilds, the continued debasement of currency and problems associated with it and the tax extracted from the artisans in times of mobilisation for war. In this context, the relevance of the gedik establishments with population and economic conditions will be discussed separately.

Chapter four is devoted to the official procedures of gedik. The legal possibilities and necessary conditions are given separately under the titles of registration of gedik with guaranteeing and mastership, sale, change of place, rent, pledge and inheritance. All of these subjects will be examined with the help of the relevant official documents.

The concluding section argues the Ottoman state’s conflict on gedik system-abolishment or establishment. This part covers especially first half of the nineteenth century together with the policies of Selim III and Mahmud II regarding vakıfs and monopolistic privileges given to the Ottoman artisans.

It should be noted that the inability and also impossibility to cover all kinds of archival documents concerning not only the artisans of Istanbul but also the ones in countryside might have limited the scope of our study. Besides, the repetitions become inevitable in different parts of the study, but we hope that they do not make the reading boring and difficult.
II. *Gedik* and *ahi-ism*

The direct relation between *ahis* and the Ottoman artisans from the beginning of the Ottoman state are obscure as claimed by some scholars\(^1\) due to scarcity of documents but an in-depth reading of the available documents still shows the existence of a kind of connection between these two parties. This study will focus on only reflections of *ahi-ism* on the Ottoman artisans and relevance of *ahi-ism* with *gedik*. In fact the claims of mentioned scholars as a kind of repetitions of each other will be given in order to show commonly known ideas throughout this chapter. The purpose of this chapter is to indicate a kind of obscure relation between futuwwa ethics and/or *ahi-ism* and the Ottoman guilds. Especially the issue of existence of non-Muslim artisans in the Ottoman guilds make much more indefinite this kind of connection.

Futuwwa comes from an Arabic word-\textit{feta} meaning generous, hospitable, upright and heroic young Muslim who belonged to an association that had adopted a definite liturgical or ritualistic procedure\(^2\). As a term, it associates the "ideal Muslim man" among Arab-Muslim sufı scholars. The profile drawn in futuwwa booklets confirms this meaning. The perfect person is one who is generous, self-sacrificing, self-disciplined and obedient to his superiors. Moral principles these young men relied on, hierarchy in their organization, entrance and promotion ceremonies were carried much more formal qualifications.

*Ahı* in Arabic means "my brother". In order to prove the point that *ahi-ism* as an original establishment which is different from futuwwa and was formed and developed by Anatolian Turks, some scholars pursuing the ideas of Osman Nuri Ergin have claimed that the origin of *ahi* word is *aka* as a Turkish word of the same meaning of its

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Arabic version of feta. As a term, ahi-ism signifies the unity of artisans and craftsmen, which was established in the thirteenth century in Anatolia under the framework of particular rules, and emerged as a result of political, social and economic conditions. The moral principles were taken from futuwwa-names formed and developed by sufists. Most of the scholars agree that ahi-ism was a branch of futuwwa which had been shaped by Abbasid caliph Nasir li-dinillah in Anatolia. Besides, the difference between ahi-ism and futuwwa is that in order to be an ahi, having a profession and ability for any craft, alongside moral principles of futuwwa, is necessary.

It is generally accepted fact that Ahi Evren established ahi organisation in Seljukid Anatolia as a centralised and hierarchical organisation by taking example of futuwwa. The social and intellectual developments in Islamic world formed two different characteristics for futuwwa. These two different ranks came into the scene in different geographies. The idea and thought of futuwwa had developed in Arabic lands and the social aspect gained its momentum in Turkish lands. After the Mongol invasions of the thirteenth century, the sufi orders and especially futuwwa ethics exercised a great influence over the artisans' guilds. In the thirteenth and the fourteenth centuries, each group of craftsmen was organised in the cities. The futuwwa societies where young, unmarried workers organised in the larger cities, recall the fraternities of the Roman Empire. Owning to the absence of strongly centralised authority in Anatolia during this period, the ahis performed a number of public functions and became political force in the cities. Sometimes they established transitional governments just as in the examples of Ankara and Konya. However, they lost all power with the centralised

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5 N. Çağatay, ibid., p.44-46
7 Taeshner, ibid., p.18
Ottoman state. While İnalcık claims that from the inception of futuwwa societies the Islamic guilds had represented the popular opposition to the ruling military and administrative class, Cahen asserts that the futuwwa as a youth association characteristic of Muslim urban society had nothing to do with guilds, at least before the Ottoman state. It is also claimed that ahi associations were affected from Byzantine guilds in the way that ahi associations turned into corporations aiming economic factors, including artisans and craftsmen.

The largest information on ahis was given by Ibn-i Battuta who visited Anatolia in 1333. In his words, while exercising an undeniable political and religious influence, the ahis at least during their ascendancy, kept their socio-economic set up. According to Ibn-i Battuta, an ahi is a man whom the assembled members of his trade, together with other of the young unmarried men and those who had adopted the celibate life, choose to be their leader. The ahi builds a hospice and furnishes it with rugs, lamps and other equipment it requires. His associates work during the day to gain their livelihood, and after the afternoon prayer they bring him their collective earnings, and with this they buy fruit, food and other things needed for consumption in the hospice. It seems that ahi-ism was much more a social organisation than religious one.

In the early periods, the ahis played an important role—sometimes as expeditious forces and sometimes as religious propagandists—in the Ottoman state and society, but with the growth of centralism the state brought them more and more under its own control. Osman Nuri claims that futuwwa tradition is apparent among all artisans but ahi-ism had common place among mostly tanners, shoe-makers, and saddlers. By this,

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9 A. Tabakoğlu, ibid, p. 132
10 H. İnalcık, ibid.
12 A. Gülerman and S. Taştekel, Ahi teşkilatının Türk toplumunun sosyal ve ekonomik yapısı üzerindeki etkileri, Ankara, 1993, p.31
13 Armakis, ibid., p. 23
he distinguishes ahi-ism from futuwwa because he is strongly in favour of that Turks created their own association —ahi-ism— apart from futuwwa even though they benefited from it.\textsuperscript{15}

The terminology in the available documents concerning the artisans indicate the existence of a relation or a kind of link between the artisans and futuwwa ethics. The saint (pir), the rituals of getting promotion (destur almak), to be a journey man (kalfâ) or master (usta), putting on the belt (kuşak kuşanmak) carried similar meanings both for artisans and ahis. The proximity between the ceremony of admission to a particular guild and the ceremonies of dervish tariqas has been expressed by many scholars.\textsuperscript{16} The şeyh who was elected from the experienced masters of a particular guild and well-versed in futuwwa ethics was an official responsible for conducting ceremonies. Besides the şeyh played an important role in the guilds, presiding at the apprenticeship and mastership ceremonies, he was responsible from communicating and administering the penalties within the guild. As a representative of moral and religious authority at the head of each guild, şeyh was a man whom the guilds sought a religious and moral justification for their existence and for their regulations. Although in Arab lands the şeyh became the chief administrator of the guild, in the Ottoman lands of Anatolia and Rumelia he remained in the position of a spiritual leader. According to Inalcik, in Near Eastern Societies, groups within common ideals and interests had organised themselves according to a definite pattern, the same pattern and usually the same terminology being found in the palace, army, religious orders and the guilds. The most important member of an organised group was usually the man who represented it to the outside world and directed its external affairs. He was called kethüda in the Ottomans, şeyh in the Arabic world and ahi in thirteenth century Anatolia.\textsuperscript{17}

\textsuperscript{15} O. N. Ergin, ibid., p.513  
\textsuperscript{17} Inalcik, ibid., p.152
Alongside similar ceremonial applications, another significant matter was the close relations of guilds' members among themselves and solidarity of members of futuwwa societies under the rule of one religious leader. These leaders tried to equalize both spiritual and material activities of apprentices from the artisans and the traders. As mentioned before, this activity is very strong in the fourteenth century of Anatolia. After the conquest of Istanbul by the Ottoman state in 1453, the strong effect of the state on the guilds became much more clear. Moreover, religious within political activities just like *ahis* performed, lost their power. In later times, in spite of temporary decrease in the power of central government, several kinds of religious movements were not able to gain their ex-position among the guilds and their members. It is clear that Ottoman state was not too much interested in various ceremonies of the artisans. The reason for lack of the state's interest on several kinds of ceremonies performed by artisans might be that these rituals lost their political and, in a sense, religious aspects carrying too many heterodox signs; and were preserved only as tradition. The admission ceremonies took the character of traditional ceremonies which had densely religious factors in the fourteenth and fifteenth centuries. The important and necessary thing is not to train people in order to defend their religion and to apply the necessities of their religion at best. Instead, to train more qualified journeymen of various occupation became much more important. Therefore, admission ceremonies returned just like appointment ceremonies.\(^{18}\) It might be arued that the rituals remained only as symbols for the guilds which were looking for religious ground to gain prestige in the eyes of people.

The selection of a saint (*pir*) for any guilds can be given as an example of similarities between the artisans and the *ahis*. It is known that some men from ulema and *seyhs* at the most powerful times of Islam were trying to generate a geneology for themselves, based on friends and family members of the Prophet Muhammed or other

prophets in order to gain prestige among the public. Just like this tradition, artisans created a tradition in which certain crafts/trades had been performed firstly by any popular religious man who was regarded as “pir” of a particular craft/trade. For example, the Prophet Jonah for fishers, Prophet Lut for bread makers, Prophet Muhammed for tradesmen were regarded as pirs for relevant artisans. Some crafts remained without pir due to their inexistence or prohibition at the time of the Prophet, like painting. It is interesting that Ali, son in law and cousin of the Prophet, was regarded pir by numerous crafts. The answer for the question of why Ali was so popular might be that he was the most prominent example of “feta” and also the closest man to the Prophet in respect of his geneology. Moreover, Ali was regarded as feta at the meanings of both courageous man and an ideal Muslim man. With Ali as a pir, the artisans might desire to take the most prominent place among other artisans and also before the public. Ahi Evren who is claimed to attach Melamite order was regarded pir of all tanners and moreover became representative of ahi tradition. Accepting a man as saint was not special thing for the Muslim artisans and specifically for the Ottoman artisans. All the Roman colleges had divine patrons and Minerva was the most popular patroness. The difference is that unlike Roman colleges, the Ottoman guilds had no patronesses but patrons.

The period of interest in this study- the period of the establishment of gedik- probably the late seventeenth and the beginning of the eighteenth centuries were regarded as the period in which ahi-ism lost its power and gave its place to a new kind of establishment -gedik- even if there was not so much differences in the artisans’ organisation. In this period, with the participation of non-Muslims and some artisans like butchers who had not been accepted as members according to the futuwwa

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19 Ergin, ibid., p.501
20 A. Kal’a, ibid., p.25
21 M. Bayram, ibid., p.66
tradition, the Ottoman guilds lost its purity and strength. Such kind of claims were made by scholars\(^{23}\) who have accepted the Ottoman guilds as a kind of ahi organisations. Çağatay asserts that the artisans’ organisations formed economic and commercial formation of the Ottoman society under the name of ahi organisation from the thirteenth to the eighteenth century and then lived under the name of gedik until its total annihilation at the beginning of the twentieth century. He sees the late seventeenth century as a period of change in the Ottoman guild structure within the establishment of gedik.\(^{24}\) It is not incorrect that in time change is not inevitable in any existing structures with different political, social and economic conditions. However, this does not mean total annihilation or total replacement. In this context, the Ottoman guild structure was not faced with any radical changes or total annihilation of ahi-ism or futuwwa ethics. In addition, it will not be correct to see the Ottoman guilds as merely an ahi organization.

The word of “lonca” which has been associated with the entrance of non Muslim artisans to the Ottoman guilds has also effect on the claims of some scholars, concerning the changes in the Ottoman guild structure. The scholars claiming a kind of change in the Ottoman guild structure take gedik and lonca into consideration just like two similar parts of a single body. They consider “gedikleşme” and/or “loncalasma” as a new phase for the Ottoman guilds after the period of ahi-ism. Lonca is regarded as a significant indicator of the dissolution of futuwwa order of the guilds. The growing role of kethüda and infiltration of janissaries have also been shown as reasons for the dissolution of futuwwa order.\(^{25}\) In fact, it is not possible to mention any differences guiding any foreign influence, with the concept of lonca which has been seen from the eighteenth century in the Ottoman context, on the development of the guilds continuing

\(^{24}\) like M. Kütükoğlu, ibid., p.56
\(^{25}\) Çağatay, ibid., p.43
\(^{25}\) D. Breebart, *The Development and Structure of the Turkish Futuwwa Guilds*, London, 1961, p.130
from the sixteenth century. In this context, the word of lonca implies only the place in which guild members and the general committee of the guilds came together.

Besides, the existence of Muslim and non-Muslims side by side in some guilds was not a new issue in the eighteenth century. This was one of the most significant features of the Ottoman guilds. The transition from ahi organisation in which the artisans have vague/uncertain ties with the professional organisations which were shaped according to narrow professional areas was realised much more before the eighteenth century, maybe in the fifteenth and the sixteenth centuries but we have only a few documents.²⁶ Nevertheless, it may not be incorrect that in the seventeenth and the eighteenth centuries the role of şeyhs decreased within the appointment of the leaders who had more powerful administratively and so, the şeyhs were appointed to the guilds only for respect to the tradition. The religious view of the guilds seems to give its place to administrative view but the preservation of the duty/title of şeyh indicates need and desire of the artisans for a religious leader to direct traditional rituals, moral activities, for instance, in admission ceremonies and festivals. The role of prayer (duaç) was maintained at the level of a particular formal duty according to Mantran.²⁷

The responsible persons like ahi baba and şeyh from ahi organisation preserved their existence as chiefs among the artisans even in the late eighteenth and nineteenth centuries. However, these people had no more carried qualification as a superior association among the artisans’ guilds. They were only chiefs of particular groups of the artisans. In every city the structure of the guilds was same as a general model but there are differences according to the population and the economic life. However, the relations between the regions or around the country for a particular craft/trade are not apparent. The mere exception was the tanners’ guild due to the moral leadership of the şeyh of Ahi Evren Zawiya. It is not seen that these organisations did not come together

²⁶ M. Genç, Osmanlı Esnaft ve devletle ilişkileri, Ahilik ve Esnaf, p. 129
²⁷ Mantran, ibid, p. 340
with members of similar/same guilds from other countries under the leadership of a superior establishment. Besides, unlike Medieval European guilds, the artisans of a particular craft/trade in the same city did not have tight connection.

However, there were two kinds of slight grouping relations among the artisans. In every city, the organisations had two major groups. One was under the supervision of mimarbaşı or mimar ağası selected by the government and approved also by the artisans’ group, consisted of likely 40 guilds occupying in construction works. The other consisted of artisans apart from the first group, under the supervision of  şeyh-i seb'a or ahi baba, selected by the artisans. The first one is much more official and the second seems to have only a slight connection. Şeyh-i seb'a or ahi baba was no more chosen as a head of all artisans. Şeyh or ahi baba whose existence continued also in the nineteenth century was not functionally the same.28

Apart from ahi baba as a traditional representative of ahi tradition among the artisans especially tanners, there was a chief above all artisans organised in a particular place, selected by the consent of all artisans and the approval of kadi of Kırşehir as in the example of the documents, who also took official justification (berat) from the central authority. According to the documents concerning this zawiya, the right of being şeyh was transferred to the legal male heir and approved by an official document.29 Ahi baba zawiya was established according to the status of adopted vakıf, being under the supervision of kadi of Rumelia and then Evkaf Ministry.30 It is not possible to give concrete information about the influence of Ahi Evren Zawiya on the Ottoman artisans due to scarcity of the documents. With a few documents especially dated the late eighteenth and early nineteenth centuries, it can be inferred that the şeyhs of Ahi Evren Zawiya was first the pir of—as previously emphasized—tanners and then all of the other

28 M. Genç, ibid., p.115
29 BA, CI 783-24 R 1240-17 November 1824
artisans. The şeyhs of ahi zawiya had right to give icazet to the administrative personnel like duaci, yiğitbaşi and ahi baba; to determine the improvement and expansion of food supply given to the visitors. It is understood that at last years the artisans were ignoring their duties. The documents are generally about the conflicts among the relations on the supervision of the zawiya. It is interesting that in a berat the artisans who did not respect to the customs and did not perform their duties were demanded to be punished by closing their shops, which is seen as the duty of şeyh of Ahi Evren Zawiya moreover.

By renewing the berats in different dates, new şeyh of zawiya was trying to approve their leadership over especially tanners and then all artisans and maybe their legacy. The claim that şeyh of Ahi Evren Zawiya was the chief pir of all artisans should be examined carefully because it is seen that in Istanbul the charged people were selected by the consent of the interested artisans or appointed by the state. Moreover, the claim that the artisans had no relations with ahi-ism was also misleading because the remnants of concepts like duaci, ahi baba, yiğitbaşi are so clear in documents, representing and also proving the existence of ahi tradition, at least as a custom. Due to absence of the documents from relatively early dates, the relations between the artisans and ahis can be inferred from documents of late dates. Ahi Evren symbolized the Ottoman artisans throughout the centuries. Men taking post of Ahi Evren were called ahi baba. Therefore, in some guilds, the şeyh of artisans were named as ahi baba as a statement of respect and a sign of affiliation.

It is claimed that solidarist and altruist professional ethics among Ottoman artisans indicates the degree of the effect of futuwwa. In classical Ottoman mentality, man must be giver rather than taker. That is, not selfish but altruist type of man is at the first place. Ahi mentality has a creative role in this type of man, which shaped the

31 BA, Ç 1922-9 CA 1197/12 April 1782 quoted from İ. Şahin, ibid, p.168-169
32 Gölpınarlı, ibid.,p.84; Taeshner , ibid.,p.24; Armakis, ibid., p.246-247
Ottoman economy and so, it is contrary to the type of man for whom the fundamental /basic drive is personal benefit –that is homo economicus- created and idealized by capitalism in which most significant representative is bourgeoisie.\textsuperscript{34} The effect of altruist mentality on the whole Ottoman economic system can be discussed in detail but not our concern. However, if we take ahi organisation as a traditional framework for the Ottoman economy, the effect of this mentality might be corrected on that the conservative structure of the Ottoman guild system did not face with the great changes in different centuries until its total annihilation. We can see ahi mentality lived among guild members as a tradition and helped to preserve a kind of traditional economic system. It can be debated whether this tight attachment to the traditional forms became influential on the increased monopolistic practices of the Ottoman state arriving its highest point with gedik system or not, alongside many social and economic reasons, will be discussed later.

Alongside futuwwa ideals, the artisans can be member of different tariqas in accordance with their personal preferences. It is an undeniable fact that the artisans’ guilds preserved their relations with different kinds of mystic tariqas but this situation was not the result of the sovereignty of dervishes on the artisans but the result of the continuation of the artisans’ traditions. We do not have any sufficient information about whether the members of any artisans’ guilds participated in a specific tariqa or not. If they participated, the question whether they acted individually or within their own guilds under the effects of the leaders of their guilds comes into mind inevitably.

It is strongly possibble that the guilds like tanners –who had strong brotherhood relations all over the country and their members were closely bounded with strong traditions and ceremonies- participated in a particular tariqa. The use of special terms like ahi baba in hierarchy, the strong solidarity among its members and awareness in

\textsuperscript{33} BA, CI 1750-1282/1842
\textsuperscript{34} Tabakoğlu, ibid., p.128
application of the traditional religious ceremonies indicates close care on the preservation of the guild traditions alongside within religious particularism. On the other hand, with the participation of janissaries who were apprentices of Bektashi order, it is possible the effect of Bektashi order became widespread among the artisans. Mevlevis and Melamites can also be effective among the artisans but the numbers of the people attached to such kind of religious groups cannot be determined. From these, it can be concurred that some kind of the religious sects covering heterodox factors of religion sometimes played a role not only among the artisans but also all Turkish public. In Istanbul as a capital city under strong control of the state, only Bektashi order seems to preserve its own existence within the support of the janissaries.\textsuperscript{35} Whatever the roles of the religious sects the most significant thing is that the effect of the religion in the artisans' guilds appears as a very important phenomenon in a way conditioning moral principles of the artisans. The existence of şeyh and prayer as official men among the artisans and also of religious applications especially in admission ceremonies and festivals justifies the existence of relation between futurovwa ideals—in a sense religion—and the artisans.

Consequently, it is clear that the Ottoman classical guild system preserved its own structure also in the seventeenth and the eighteenth centuries. Unlike the claims of scholars mentioned before, such as loosing power and moreover total annihilation of ahi-ism due to the infiltration of non Muslim into the Muslim guilds and especially with the establishment of gedik system, the Ottoman guild structure did not change totally or did not transform from ahi-ism to the gedik system in the late seventeenth or at the beginning of the eighteenth centuries. Ahi-ism and the gedik are not two different parts of one thing. The reflections of ahi-ism as a traditional sign continued to be performed even in late dates of the establishment of the gedik system like in the nineteenth century.

\textsuperscript{35} Mantran, ibid, p.339
III. Definition and Legality of *Gedik*

The Definition of *Gedik*

*Gedik* as a Turkish word, literally means "gap, slot, empty place, breach, notch, ruined place, deficient". In Ottoman parlance, *gedik* has militarily, administratively and economically different meanings. As a military term, *gedik* had been used for list of permanent staff positions of the military class like guardsmen of frontiers and fortresses, and canoneers who had an opportunity to become an officer by the way of promotion even though they were not regarded from warrior class. The private soldiers of these ranks were at a certain number. In this sense, *gedikli çavuş* was a warrant officer. Generally, "*gedik timars*" which were granted to the guardsmen of the fortresses are included in this kind of meaning and were existed from the early years of the Ottoman state. In administrative area, *gedik* had meaning of a certain duty and privilege in the Ottoman palace. Some of the chiefs of administrative officials were called "*gedikli"*. This kind of *gedik* was just like a vested right at the disposal of its owner. When one of the owner of this kind of right died, his right to pursue this job generally was granted to one from the same group who had ability to practise that duty. For instance, a tanner of palace who was taking two *akçe ulufə* daily died, his vacant *gedik* was granted to another senior tanner. For this, special registration books were kept and *gedik timars* were granted. This meaning of *gedik* covers the expressions of *gedikli* concubines who were high ranking women of the harem and had important privileges after the chief concubine in the Ottoman palace; *gedikli* chiefs (ağas) who were possessing seniority and tenure; *gedikli* government officials (efendiler) who were occupied with the registration of inner treasure after the eighteenth century; *gedikli* concubines.

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1 Şemseddin Sami, "Kamus-ı Türki", Istanbul, 1317, p.1152
2 For example, BA, Ali Emiri, Kanuni 323
3 BA, Ali Emiri, Mehmed IV, n.198; This kind of grants can be seen in the examples of the documents BA., Ali Emiri, Mehmed IV, n.521, 589, 597.
zeamet (large tmars) which was allotted to the officials mentioned above in return for their services. As a concept in economic area, gedik was used among the Ottoman artisans usually as tools and equipment needed to exercise a certain craft/trade.

The usage of the word of gedik was probably a backward formation from the gedikli, the one who had a "slot" which was an established place in a household or in the public service held by a kind of feudal tenure. The slot was associated with the implements, in the case of the artisans who occupied specific locations in marketplace. The capital goods utilised by these artisans remained at given spots reserved for their trade by custom. Within the owning of their capital goods, the artisans saw their livelihood, occupation under the guarantee in their struggle especially against the interference of outsiders. In order to have a license to pursue the job, that is, to start his own business, an artisan who had the right of mastership needed an empty shop among the limited number of the shops concerning his trade/craft. In other words, to be owner of one of these limited number of the shops meant to have privilege to practise a particular trade/craft. Thus, the direct relation between the limited number of the shops and the privilege to practise a particular trade/craft was established. At early times in which gedik was being used concerning the artisans, these limited number of the shops were called as "gedikli shops" at the meaning of privileged shops. It seems that the term gedik-li implies seniority and tenure or regularity of position and all of these definitions share a common point- privilege.

The main concern of this study covers the concept of gedik at its meaning used in economic area. The usage and birth date of the concept of gedik among the artisans are complex. On the concern of the artisans, gedik is generally defined as the right of buying,

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producing and selling of a product and service, especially by depending on the definitions of Süleyman Sudi (Defter-i Muktesid) and Sıdkı (Gedikler). For Süleyman Sudi gedik meant the same thing as monopoly. He accepts that gedik is a Turkish word at the meaning of deficient. Moreover, it means gap on a wall. He arrives the meaning of monopoly from the Arabic version of gedik as ferce which also means being rescued from severity. He continues his justification by claiming that at old viziers' offices the most privileged chiefs (ağa) were named gedikli ağa, so, it is appropriate to give the same meaning to gedik with monopoly. Thus, things which were called gedik are such privilege and monopoly that carrying out of regulations of document given by the state at the condition of a particular work could be processed only by its owner and a product could be sold only by its own seller. It is clear that Süleyman Sudi takes literal meaning of the word ferce which is the Arabic version of gedik at the meaning of a gap on a wall, as a base for his definition. Since he saw monopoly as privileged issue, he is also establishing a direct relation with the concept of gedikli ağas.

The definition of Sıdkı who wrote a unique book concerning gedik, was much more accepted among scholars. Sıdkı takes the date of 1141/1727 both as the beginning for the monopoly on trade and so, as a turning point for the definition of the concept of gedik. He claims that the number of the artisans had been limited under the name of mastership (ustalik), but after 1727 this limitation was named as gedik within which the implements of any crafts were implied. When a master craftsman died, alongside the right of mastership, implements of his crafts which could be bought, sold and transferred were called as gedik.

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7 Süleyman Sudi, "Defter-i Muktesid", Istanbul, 1307/1890, vol I, p. 96
8 Osman Nuri Ergin takes the definition of Sıdkı completely on his enormous work, Mecelle-i Umur-i Belediye, p.638; G. Baer, "Monopolies and restrictive practices of Turkish guilds", Journal of the Economic and Social History of the Orient, 1970, v. 13, p. 159
among the artisans. Gradually, under the name of *gedik* the right of mastership and implements of any crafts are combined. According to Sıtkı, although previously he does not give an exact date—being master and implements of a craft were named as *gedik*, it is more appropriate and also there are no doubt to define *gedik* as the right to practise a trade/craft. He justifies his definition by claiming that at that times there were two different artisan groups as producers who were producing necessary goods for public and sellers who were selling products made by craftsmen. If *gedik* was defined as the right of mastership and implements of a craft, it would not include one part of the artisan groups, sellers who had no need to be master or to have implements of any craft.⁹

Both the definitions of Süleyman Sudi and Sıtkı bring us to define *gedik* as mere right leading to monopoly. In fact, it will not be incorrect to mention such monopolistic rights as the limitation on the number of the artisans and the shops even in the era of Mehmed II.¹⁰ Therefore, it is probably true that monopolistic rights constitute a base for *gedik*. To determine more or less exact definition of *gedik*, it is necessary to take different periods into consideration. It is also so complex and difficult an issue to give an exact beginning date for the use of *gedik* among the artisans. The scholars for whom *gedik* has an equal meaning with monopoly which meant the limitation on the number of artisans and shops has commonly accepted 1141/1727 as the birth date for the use of the concept of *gedik* among the artisans. In fact, the Ottoman authorities have always tried to limit the number of the artisans for particular trades/crafts. They had different justifications in different context, which is not peculiar to the seventeenth century. We will give concrete examples in next chapter. In addition to this, although Osman Nuri accepts *gedik* as monopoly at the meaning of the limitation on the number of the artisans and the shops, he

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⁹ Sıtkı, *Gedikler*, Istanbul, 1325/1907, p. 15-21
claims that _gedik_ existed before as it can be seen in a document dated by 1040/1630\textsuperscript{11} but the expression of the word of _gedik_ became much more widespread approximately from commonly accepted date. The oldest date for the registration of _gedik_ shop found in documents at the meaning of the right to exercise a particular trade/craft in a given place belongs to 1070/1659.\textsuperscript{12} Evliya Çelebi mentions _gedik_ of water carriers in a document dated by 1040/1630. This _gedik_ had to mean only the right to exercise a work and not to be connected with the implements of a craft/trade.\textsuperscript{13}

There were two kinds of _gediks- müstekar_ and _hevayi_. Fixed (_müstekar_) _gediks_ were attached to a specific place so, the artisans could not practise their trade/craft in another place unless he took legal permission according to _nizam_ of interested artisans. The permission or order for the concentration of certain artisans’ groups on a particular area was also not new to the Ottoman artisans. As early as 1460s, there were such cases as Mehmed II allowed saddlers only in saddlers market, Sarachane. They were not named as _gedik_ but existed. _Adi yok kendi var_.\textsuperscript{14} Unfixed, aerial (_hevayi_) _gediks_ represented nothing more than a right to practise a certain trade independently and the proprietorship of the corresponding set of tools and equipment.\textsuperscript{15}

Under the light of these explanations, it will not be misleading to claim that we are faced with the registrations of _gedik_ from mid-seventeenth century onwards even if they were rare. The densely usage of the concept of _gedik_ in documents related to the artisans and other shopkeepers dates from mid-eighteenth century. Since _gedik_ became much more widespread in the course of the eighteenth and the nineteenth centuries, many scholars have

\textsuperscript{10} This kind of examples can be seen in the laws (_kanunname_) concerning artisans in R. Anhegger and H. İnalci (eds) "Kanunname-i Sultani Ber Mucebe-i Örfa Osmani", TTK, Ankara, 1956

\textsuperscript{11} O. Nuri, ibid., p.625

\textsuperscript{12} BA, İAD- nr.3, p.354, hüküm no 1282, quoted from A. Ka'a, Gediklerin Doğuşu ve Gedikli Esnaf, Türk Dünüyası Arastırmaları, 1990, vol.67, p.185

\textsuperscript{13} Evliya Çelebi, Seyahatname, 1938, p.345

\textsuperscript{14} I am indebted Dr. Selma Ozkocak for this information.
regarded it as a constitutive element of the Ottoman guild system. Moreover, some scholars have claimed that *gedik* is a system concerning the Ottoman artisans after the application of "lonca" and "ahit" systems. At first, the word of *gedik* had been used among artisans to signify the implements of a craftsman, the contents of his workshop, tools and equipment needed to exercise a certain craft or trade (*alat-i lazime*) as it is understood from the documents. By the dawn of the nineteenth century, *gedik* had come to mean the right to practise a particular trade at a specific work premise equipped with the means and tools necessary to practise that trade. Throughout the nineteenth century, the word applied to a category of legal documents which entitled the holder to full usufruct over a work premise. The adventure of this curious concept reflects the developments that affected the business life in Istanbul. It is no doubt that the scope of the concept of *gedik* was gradually widened according to changing economic and social conditions of the Ottoman capital city. In the broadest sense, the concept of *gedik* implies the system of production based on the rights of monopoly. This broadest implication of the word of *gedik* does not state that *gedik* lost its meaning of tools and equipment needed to exercise a certain trade/craft. Without being owner of *gedik*, even a fully trained master craftsman was not permitted to start his own business.

The right of mastership had been given by the consent of the guild, likewise, the right to practise a particular trade/craft named as *gedik* also could be transferred only with the consent of the guild members. In this way, *gedik* was regarded as a continuing part of

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15 Sidki, ibid., p.31
18 I will give only a few examples using the *gedik* concept as *alat-i lazime*. For instance, BA, CB 4770; CB 6532; ID 29030; IMV 9911; HH 31052. I saw *gedik* concept at the meaning of shops "(...) *gedik* tabir olunan dikkatleri (...)" in a document dated 1247/1831 CB 7598
19 Akarlı, ibid., p.225
the right of mastership. Gibb and Bowen claim that the term of *gedik* replaced the term of *ustalık* and it had been used to denote the custom by which trade implements were handed over without any payment to purchasers or inheritors of *ustalık* rights. The rights coming from the ownership of *gedik* had been forming technical rules in accordance with production developed by the guilds; the rules for professional discipline; the regulations of social hierarchy among the members of guilds; the economic and legal rights and responsibilities given to the guilds by the state. Within these rights and responsibilities of artisans associated with the concept of *gedik*, *gedik* system might be regarded as certificate system to practise a particular trade/craft in a given spot.

The arrangements and applications on the right of *gedik* had taken place in the regulations of artisans (*esnaf nizamları*), so, *gedik* also became one of the examples of reciprocal relations between the guilds and the Ottoman state. Each guild consisting of *gedik* shops was deciding whomever could be owner of *gedik* in wherever and under which conditions. The answers of these questions also constituted the regulations of artisans (*esnaf nizamları*). The role of the state was to approve these regulations. Besides, these regulations (*nizams*) had to be interested not only in the artisans of a particular guild but also in the owner of the property since almost all of the shops of the artisans were rented shops especially belonging to the *vakıfs*. The recurring legal conflicts between the owner of *gedik* and of the property was forming an important reason for the changing rights and responsibilities of the artisans (who were owner of *gedik*). The conflict was arising from the contradiction of legal rights and it could be abolished only with the application of new legal situation. *Gedik* law came into existence within the efforts to find solutions. With these solutions *gedik* gradually gained legal character which was not contradicted with applied

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20 Gibb and Bowen, *Islamic Society and West*, p.282; R. Mantran, "17. yüzyılın ikinci yarısında İstanbul.", p. 344
law. It is clear that the conflicts between owner of the property and tenant artisans were tried to be solved in favour of the artisans.

Legal base for gedik

There are two important factors for the development of legal characteristics of gedik. First factor was the legal rights (in sharia) of tenants stemming from "sükna" which was a kind of right of possession on property due to the materials and equipment, and "icaretelyn" which was the right of being tenant for an unlimited time under some conditions without any permission of owner of the property even after the death of tenant artisans. Second factor was the necessity of gedik which was -at broadest sense- the system of production depending on monopoly; and was a constitutive element of the Ottoman guilds especially in Istanbul around the eighteenth and the nineteenth centuries, for the application of the state's policy on the pursuance of production and policy on price.

Sükna

Girdar is a Persian word and literally means an occupation, regulation, and manner. As a legal term, it is defined as premise like a houses or shops built, gardens arranged and trees planted by the tenant. Due to that kind of property, the tenant had the right of usufruct (hakk-i karar) on lands like mukaataali which were leased contracted state (miri) lands and vakif lands on a particular price. The buildings on icaretelynli or mukataali vakif lands; trees on contracted state lands; and productive soil which were brought from any land to make unsuitable land productive were called girdar. According to Ebussuud, girdar is synonymous with the word of sükna which is an Arabic infinitive at the meaning of dwelling on, sitting down. He defines sükna as following; on vakif or state lands, the houses built and trees planted with the permission of trustees and at the vakif shops, the premise
like shelves, boards, boxes, counters, large jars, fireplaces on tanneries and different kinds of tools and equipment needed to practise a particular craft, brought by the tenant artisans and added to the vakif property, all were named as sükna or girdar.\textsuperscript{22} Girdar and sükna share same /equal legal rights according to sharia. If we check out the definition of Ebussuud only relating with the artisans, it can be deferred that sükna is defined as capital goods consisting of every kind of tools and equipment needed to practise a certain trade, brought by the tenant artisans with the permission of trustees. This definition had a direct relation with the definition of gedik in the documents as implements necessary to practise a trade or craft (alat-i lazime-i malume) and the permission of the trustees or the owner of the property was necessary for the registration of gedik.

The relation between the concept of sükna and of gedik is not limited by their definition. The legal rights stemming from being utilisers (mutasarryf) of sükna and of gedik are almost similar. Throughout the time some changes have taken place inevitably. (These changes will be tried to be examined on the documents concerning gedik in later parts of this study) Sükna is added to the property which can be sold rightly with the permission of trustees. It can be inherited to all legal heirs. If there are not any legal inheritors, it can be confiscated for public treasury (beyti̇l-mal). The trustees had no legal right to confiscate sükna. Sükna is a movable property.\textsuperscript{23} The right of sükna can be gained by the tenant of the vakif only with the permission of trustees.\textsuperscript{24} Sükna is equal with the

\textsuperscript{23} Ebussuud, ibid, p.134a-b
properties which can be sold with the permission of trustees.\textsuperscript{24} The permission of trustees is obligatory only at the first time of putting sükna in vakıf property. Even if sükna became ruined, for renewing the sükna the permission of trustees is not needed. Due to the obligation of the permission of trustees, within the common decision of trustees and person who is candidate utiliser of sükna, these movable goods had to be added to the vakıf property completely and permanently.\textsuperscript{25} As a result of addition of sükna to vakıf, it looses its mobility character and gains the character of immovable property. In this sense, according to Ebussuud, sükna is movable goods at the equivalent of immovable property.\textsuperscript{26} The tenant utilising the sükna has right of lengthening the time of rent contract as long as he does not damage the vakıf property and pays old rent price (ecr-i misli)\textsuperscript{27} The chance of the tenant artisan on lengthening the rent contract was a benefit for the artisan who had to add his capital goods- tools and equipment of his craft/trade. Otherwise, all rights stemming from the usufruct of sükna would be lost by the end of the limited time of rent contract and the tenant could not retake his sükna, in a sense, his constant capital. For the utilisers, all rights coming from the usufruct of sükna formed a permanent right without limited by time and intervention of trustees. The sale of sükna does not need the permission of trustees.

However, for a correct sale, sükna must be sold completely because the sale of half of the sükna is not correct according to the sharia. On the sale of sükna, the preference of sale at same price to neighbour or partner rather than others is not so clear. (süknanın şuфа hakkı tartışmalıdır.) Sükna can be bequeathed and donated.\textsuperscript{28}

İcareteyn

\textsuperscript{24} Ebussuud, ibid., p.134b
\textsuperscript{25} Ebussuud, ibid., 134b
\textsuperscript{26} Sükna gayri menkul hukmünde menkul maldır.
\textsuperscript{27} Ebussuud, ibid., p.136a
\textsuperscript{28} Ebussuud, ibid., p.135a
In addition to sükna, the other important concept concerning the legality of gedik is icaretayn as an Arabic word meaning the dual lease system in which the tenant of a vakif property paid, first, an immediate substantial amount to use of the property and then a second annual rent. Before icaretayn contracts, the vakif properties had been rented for short terms at a fair rent determined by the current market rates. This kind of rent contracts were called icare-i vahide in which the utilisers had no rights like the right of transfer to anybody the tenant desired and the right of cession (ferg) The tenant had to deliver vakif shop as empty to the trustees. Although the lawful (meşru) lease contract was icare-i vahide, there was a second kind of lease contract called icare-i tavile or icare-i muaccele and müeccele which was applied for more than three years or permanently only under the extraordinary conditions and times. For example, Mehmed II had given a work place thirty three tanneries belonging to the vakif of Ayasofya-i Kebir to the tanners under the lease contract of icare-i muaccele and icare-i müeccele. This lease contract had been used by the tanners as a privilege provided by Mehmed II and both the state and the tanners recurrently mentioned from this privileged right in the documents. Most vakifs did not determine how and by whom their properties could be rented, so it seems that vakifs opened the way for their properties according to the changing conditions. They only mentions "be given to rent" (icara verile) or "be rented by its contracted price"(ecr-i misliyle icar oluna). The repair and rebuilding of burnt or demolished vakif buildings belonged to the vakifs themselves, tenants were not responsible from that kinds of works. When the vakif had no necessary means to restore its properties, the value, so, price of that vakif shops decreased.

29 H. İnalçık and D. Quataert (eds) "An economic and social history of the Ottoman Empire", Cambridge, 1994, p.998
31 It is clear, for instance, in a decree sent to kadı of Istanbul dated 1104/ 1692 quoted from Ahmed Refik, Onikinci Asr-ı Hicride İstanbul Hayattı, İstanbul, 1931, p.9
Therefore, vakıfs were gradually loosing their revenue and beginning to loose their real functions. The solution was to give these places in different kinds of tenancy.

During the seventeenth and the eighteenth centuries Istanbul was especially vulnerable to fire and suffered tremendous loss of property and life in the great conflagrations of 1633 (perhaps 20000 buildings burned and two mahalle destroyed completely), 1680(800 houses burned) 1687 (1000 houses and 325 shops burned.), 1691 (the fire of Mısır Çarşısı), 1693, 1695 (Bedesten), 1698, 1701 (Bedesten)\textsuperscript{32}, 1718, 1750 (when perhaps 80000 houses burned), 1756, 1782, and 1787 (when two thirds of the city outside the walls burned, a lot of people lost their life). Moreover, Istanbul suffered a great earthquake in 1766.\textsuperscript{33} As a consequence of many fires and earthquakes that affected all parts of Istanbul in the late seventeenth and early eighteenth centuries, many vakıf properties became destroyed. It is clear that the business sections of the city, a sizeable share of real estate was held by pious foundations. To foundation administrators, the struggle against deterioration of the buildings entrusted to their care was a permanent concern: fires destroyed also valuable buildings which vakıfs were not able to reconstruct by their own resources. Such properties were then lent out at low rents to whoever undertook the rebuilding, and often enough passed out of the foundation's possession entirely.\textsuperscript{34}

As a solution at first times when the vakıf property had become dilapidated and the vakıf lacked the means to restore it and so, there were no customers to rent vakıf properties under the icare-i vahide contract, the arrangements by attaching vakıf lands to mukataa deal in which the buildings made by tenants were property of tenants and they can be bequeathed to legitimate heirs began to be widespread. The customers had taken document

\textsuperscript{32} R. Mantran, ibid., p.38; See also M. Cezar, “Osmanlı Devrinde İstanbul yapılışında tahribat yapan yangınlar ve tabii afetler”, Türk Sanat Tarihi ve İncelemeleri I, Istanbul, 1968, p. 327-97
from the *vakṣf*. In *mukataa* deal, the down payment might be, at least in part, a tangible, immovable addition to the basic *vakṣf* property, such as trees or buildings. In return, the tenant usually acquired co-proprietorship with the *vakṣf* or a permanent lease. He could transfer or pledge his own addition to *vakṣf* property to the third parties in return for a fee. He also bequeath his rights to his legitimate heirs by the inheritance rules of the sharia. \(^{35}\)

In addition to *mukataa* deal, more widespread lease contract was *icaretayn* as a solution to ameliorate the *vakṣf* revenues and properties. In *icaretayn* contract, the tenant of a *vakṣf* property paid a significant down payment—approximately equal to the value of that property—calling *icare-i muaccele* and an insignificant prefixed annual rent calling *icare-i müeccele*. According to Ömer Hilmi Efendi, there were two important reasons for the obligation of the payment of *icare-i müeccele* even if it was so insignificant. Firstly, since with the *icare-i müeccele* paid at the end of each year the tenants' renting contracts were so clear that their probable claims of tenants concerning the ownership of a *vakṣf* property was prevented. Secondly, with the payment of rent at the end of each year the trustees renew the rent contract, therefore, they found a pseudonym as *icaretyen* to *icare-i tavile* which was unlawful according to the hanefite sharia) law. In order to preserve these two factors, the trustees had no rights and authority to annul rent contract as long as the tenant continue to pay his *icare-i müeccele* without any disputes. \(^{36}\) After accommodation in *vakṣf* property, the tenant was responsible from all kinds of repairs. Moreover, it was obligatory to donate any kind of building they erected to the *vakṣf* with the permission of the trustees. The most significant point of *icaretyen* arrangement, the tenant had the right of perpetual lease over the *vakṣf* property. He could transfer his usufruct to the third person but he could not pledge

\[^{34}\] S. Faroqui, ibid. p. 179
\[^{35}\] Akarlı, ibid. p.262
\[^{36}\] Ömer Hilmi Efendi, "*Ithafī'i'-ahlafī ahkami'-evkaf*", Istanbul, 1307/1890, p.85-87
it.\textsuperscript{37} He could bequeath it only to his immediate children. This inheritance was being applied according to custom, not to sharia, so it was named as customary (inferior) transfer (\textit{adi intikal}). Since the lease contract of a deceased tenant became annulled according to the sharia, the right of usufruct could not be transferred to the inheritors of the tenant. If he lacked children his rights reverted to the \textit{vakf} as in the condition of vacant (\textit{mahlül}) property. Under \textit{icareteyn} contract, the eminent domain (\textit{rakabe}) and essence (\textit{zat}) of the \textit{vakf} property belonged to the \textit{vakf} while the right of usufruct was handed over by tenant.\textsuperscript{38}

In fact, \textit{icareteyn} contract was not a new arrangement. There were no distinction between \textit{icareteyn} and \textit{icare-i tavile}. In the seventeenth century, \textit{icare-i tavile} was modified as \textit{icareteyn}\textsuperscript{39} because \textit{icare-i tavile} was not lawful in sharia law according to hanefite school.\textsuperscript{40} \textit{Icareteyn} had existed even in the era of Süleyman I\textsuperscript{41} while Südkı indicates an \textit{irade} dated by 1020/1611 as the beginning for \textit{icareteyn} contract.\textsuperscript{42} Briefly, it is clear that lease contracts according to \textit{icareteyn} took place densely especially after the seventeenth century. Even in the seventeenth century there were some words indicating the worries of some of the trustees about \textit{icareteyn} by prohibiting \textit{icareteyn} contracts for their \textit{vakf}s.\textsuperscript{43}

Most of the \textit{gedikli} shops-whether belongs to \textit{vakf} or not-from the eighteenth century onwards was under the \textit{icareteyn} lease contract which was born as an absolute necessity.

Ömer Hilmi Efendi claims that the important factor for the abuse of \textit{icareteyn} arrangement

\textsuperscript{37} Südkı, ibid., p.13
\textsuperscript{38} Ömer Hilmi Efendi, ibid, p. 87
\textsuperscript{39} H. Yüksel, "Osmanlı sosyal ve ekonomik hayatında vakfların rolü (1585-1683)", Sivas, 1998, p. 83
\textsuperscript{40} Ömer Hilmi Efendi, ibid, p. 89
\textsuperscript{41} Düstur, I. Tertip, v. I, Istanbul,1289/1872, p.232
\textsuperscript{42} Südkı, ibid, p.6
\textsuperscript{43} For instance, "(...gerekirse icare-i tavile ile vermek elimde olup, kimse karışmaya, amma benim ölümünden sonra mütevelli olan kimse, garımı (rúkyetimi) tebdill ve tâgvire kadir olmaya; icar-i tavile bir şey vermeğe kadir olmaya; meğerü binalar yükümlü yız tutup, tamirleri kolay olmaya yahut boymazaki köyündeki adi geçen sabunhaneleri kiralaracag adam bulunmayıp, atlı kulturca, o zaman, mütevelli olan kimse yukarıda sözü edilen karar veya atlı mülkleri vakfa yarar bir mülk ile değiştir; değiştirmek mümkün olanmaz ise, icare-i tavile ile icar edaıp, icar-i muacebesi ile vakfa yarar başka bir mülk satın ala (...)") evasi-t i safer 1055/29 March-7 April 1645, İzmir, Şeyh Mahmud Efendi Vakfı,Vakflar Genel Müdürlüğü, Def. no: 617/61, quoted from H. Yücel, ibid., p.83
was *gedik* system as an unlawful application. Before *gedik* system, the *vakıf* properties had been rented to the Muslim institutions but with *gedik* system -especially due to the high profits- *vakıf* properties were begun to be attached also to non Muslim organisations and in time to be attached to places like public baths in which the actions forbidden by Islam were well known. Hence, the absolute necessity of *icaret*eyn contract had become invalid.\(^4\)

The general aspects of the rights coming from *sükna* which was the tools and equipment necessary to practise a particular trade/craft and *icaret*eyn which was a perpetual lease, formed the base for the legality of *gedik*. In time, *gedik* gained new rights and responsibilities especially due to the complaints of the artisans in accordance with the changing economic and social conditions. For example, neither the property on *icaret*eyn lease contract nor *sükna* could be pledged but *gedik* could be pledged. The right of pledge had vital importance especially on the times in which the constant goods of an artisans were not sufficient- for example- to pay his debts to the wholesalers. The issues about *gedik* like its sale, pledge, inheritance were arranged according to the regulations of each guilds (*esnaf nizamları*), which had to be approved by the state and not to be contradicted with the sharia but generally in accordance with the custom. Therefore, even though the actual contract was between the *vakıf* and individual master, its stipulations were inevitably determined by the deal between the government and the interested artisan group. The government control with the economic and social conditions on artisans should be examined. Although the rights stemming from the *sükna* and *icaret*eyn were forming legal base in accordance with sharia, the strength of custom on the regulations concerning *gedik* is more apparent.

\(^4\) Ömer Hilmi Efendi, *ibid.*, p.90
IV. Social and economic conditions as a base for gedik

As mentioned before, the usage of the concept of gedik in documents related to the artisans can be seen from the late seventeenth century but abundance of the registration of gedik is significant in documents concerning the artisans of Istanbul in the eighteenth century. It is clear that the social and economic conditions of the eighteenth century in the capital city should be taken into consideration in order to understand the response of the artisans of Istanbul to the establishment of gedik and also to analyze their activities. The documents related to the artisans in this period indicate that their complaints focus on three major problems; the infiltration of migrants coming from Anatolia and Rumelia to the guilds, the continuing debasement of the currency and problems accompanied it, and the tax (ordu akchesi) extracted from the artisans in times of mobilization for war.¹ In this study, we will focus on complaints of the artisans concerning their social and economic conditions and the relations of their problems with the establishments of gedik under the outlines of gedik-population and of gedik-economy.

Population and gedik

The migration to Istanbul, which had been encouraged by the Ottoman state at the first years of its conquest, began to be a problem since the late sixteenth century. At the end of the century, the Celali rebels alongside economic problems in rural areas caused influx of unemployed people to the cities, especially to Istanbul. The flow of newcomers from countryside did not stop but increased in the late seventeenth and the eighteenth centuries. It is very clear in repetitive decrees of the eighteenth century forbidding emigration to Istanbul that Istanbul was the most favorite destination for fugitives and migrants in search of work. The most important anxiety of Ottoman authorities was to sustain growing population of the capital city within increasing

number of great fires sometimes damaging 2/3 of the city, scarcity of residence and also bad economic conditions. The migration is usually interrelated with disorder and crime.

One of the recurrently issued decrees can give answers to our questions on who were trying to come to İstanbul for what reasons; and what were the justifications of the Ottoman authorities in a great effort to prevent influx of newcomers. A decree2 dated by September 1721 sent to a lot of cities like Sivas, Karaman, Ankara, Hûdavendigar, Edirne, Kocaeli and many towns in both Rumelia and Anatolia, shows variety and abundance of the cities creating migrants. At the beginning of the ferman, the peasants in desire of getting rid of taxes were given as a cause of decrease in agricultural production and so, much more increase in tax burden on other peasants who were staying at their home lands. The increased population of the capital city was causing in impairing comfort of the populace of İstanbul by increasing the rate of theft events and the number of fires. Alongside the campaings in Balkans, the unexpected results of the war with Persia gave serious harm to the treasury. In fact, taxes were taken from the peasants regularly but within extra expenditures, the state raised amount of taxes. The war with Persia itself was a pushing factor for the migrants through the capital city.

The best solution of the state to prevent influx of the migrants especially to İstanbul was to order them to back their home towns even by force. However, the number of repetitive decrees indicates both ineffectiveness of precautions taken by the Ottoman state, and insistent demands of the migrants coming into the capital city. In addition to this, although the state tried to stop influx of the migrants both on the roads and at the entrance of İstanbul, a lot of men achieved to settle in the capital city. The group of unemployed newcomers under high cost of life conditions like high rate of unemployment, created a class of displeased people—who played important role in Patrona Halil rebellion as it is known- in the capital city of the Ottoman state. Soon

2 BA, Mühimme Defteri 130, p.,184 quoted from M. Aktepe, "XVIII. Asrı ilk yarsında İstanbul'un nüfus mesecesine dair bazı vesikalar", Tarih Dergisi, IX, s. 13, İstanbul, 1958, p.1-30
after Patrona Halil rebellion in 1730, the state took much more strict precautions into consideration. For example, even a man who had a temporary business in the capital city was not allowed to come in. Through the end of the century, all single houses and khans were inspected and men without any guarantor and the more than needed portars, boatmen and apprentices of several artisans were sent to their home lands. Men working in shops with guarantors were registered. Moreover, inspection of Istanbul two times in a year was ordered. Before that time, Istanbul was faced with an inspection one time in three years.3

During the eighteenth century, the documents related to the artisans of Istanbul indicates that in increasing numbers, the master artisans were willing to register their stewards as gedikli and their tools and equipments as gedik. Why gedik as a kind of monopoly was welcomed by the artisans of Istanbul and what was the meaning of gedik among them? While people from countryside under heavy pressure of taxes were flowing into the capital city in order to find a job, the most common complaint of the artisans of Istanbul to the courts was the migration to their city as continuous pressure upon their guilds. The courts continued to defend the views of the artisans' organisations regarding limits like to be set upon new shops.4 It can be inferred from the documents concerning the complaints of the artisans that gedik as a monopolistic right meant so called precautions against the violations of outsiders-strangers coming from countryside (taşra) and recurrently increased number of peddlers. As mentioned before, gedik was the right to exercise a craft/trade, in general, at a specific place or shop. Its most important function was to limit and control the location of the craft/trade and to prevent its dispersion. The second important restriction controlled by gedik was the

3 A. Cevdet Paşa, Tarih, Dersaadet, Matbaa-i Amire, 1309/1892, v.1, p.105
4 B. McGowen, Merchants and Craftsmen, An Economic and Social History of the Ottoman Empire, H. Inalcık and D. Quatert (eds), Cambridge, 1994, p.697
limitation of the number of the guild members.\textsuperscript{5} There are many orders which can be seen in \textit{nizams} of the artisans, limiting the number of masters of a particular craft/trade by fixing the number of \textit{gediks} in different quarters, bazaars or khans; and ordering that nobody was allowed to become a master and open a shop without owning these \textit{gediks}. A new master might be accepted into the guild if a \textit{gedik} became vacant and he had financial capability to buy it.

In fact, the restrictions on the number of shops and of people occupied in various crafts/trades were not begun to be implemented in the eighteenth century even if they were not regarded as \textit{gediks}. There were various reasons for such kind of restrictions. For instance, the number of the weavers of cloth of gold was restricted at the end of the sixteenth century and again at the beginning of the seventeenth century in order to diminish the demand for gold.\textsuperscript{6} Detailed restrictions of the number of shops in every sub-branch of sellers of various kinds of furs are included in a faman dated by 1168/1755, the purpose in this case was to facilitate the supply to the Court and the control of prices.\textsuperscript{7} Freezing the number of implements and members of a particular guild performed also in the sixteenth century provided a monopolistic privilege to the concerned guild members but \textit{gedik} with its legal rights like commercial crediability seems to have encouraged monopolistic tendencies among the artisans of Istanbul in the eighteenth century.

A document including each \textit{nizam} of fifteen artisans’ organizations is a very good example to see the strictness of rules concerning the numbers of shops, \textit{destgahs}, masters, journeymen and apprentices. In each \textit{nizam}, within several requirements of artisans like traditional ceremonies of being master or journeymen, the numbers of each craft/trade in different quarters, in different bazaars and also in different khans were

\textsuperscript{6} A. Refik Altunay, \textit{Hicri XI. Asrda Istanbul’da Hayat Istanbul}, 1931, p.47-48
\textsuperscript{7} A. Refik Altunay, \textit{Hicri XII. Asrda Istanbul’da Hayat}, Istanbul, 1930, p.179-80
given in a detail. For example, the number of barbers in Galata was determined as 295 gediks in 1208/1793 and it was not changed in 1235/1820 and also in 1246/1831. In another document, according to the nizam of glassmakers, their numbers were limited 31 gediks- 27 in Istanbul, one in Tophane, one in Üsküdar and one in Eyüp-in 1070/1658. The number of gedikli shops did not change in 1106/1727, in 1168/1755 and even in 1282/1865. The increase in population of Istanbul is very well known fact but the reasons for the insistence of limited number of shops as in the case of glassmakers are not mentioned or cannot be inferred from such documents. In fact, in addition to increase in total population of Istanbul, in time changes in population of different quarters also came into scene. For example, in the sixteenth century the most populated area was around Fatih complex in the region looking to Golden Horn, in the seventeenth and the eighteenth centuries the population of outside the city wall increased. Even though a lot of non Muslims coming from Anatolia settled in Galata; and Franks and Italians, after conquest of Istanbul by the Ottomans, came through Beyoğlu, the real development of Galata with Beyoğlu was accelerated in the eighteenth century. In this sense, unchanged numbers of shops -of glassmakers in our example- in particular quarters become much more interesting. This does not mean that there was not any documents giving permission to open new shops due to changes in population of a particular quarter but under some conditions.

For example, according to a document dated by 1171/1757 due to the increase in population of Eyüp (evvelki haline nazaran sevad-i a’zam menzilesinde), new houses began to be built and the need for mortar made of brick dust and lime (horasan) increased much more. In order to open a new shop, demanders claimed that there was one mortar shop but it was inadequate and the public had to carry mortar from other quarters in winter with a great difficulty. The state permitted for the establishment of a

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8 BA, CB # 7598
new mortar shop due to the great need of public in Eyüp but on the condition that according to the nizam there were 40 gediks of mortar shop and as far as one of these gediks became vacant (mahlıül) regardless of its place, the activities to open a new mortar shop had to be ceased temporarily.\textsuperscript{11} This shows that if one gedik of mortar shop became vacant in other quarters, for instance in Üsküdar, the transition of concerned gedik was to be made easily and in this sense Eyüp had privileges due to the public need. However, there was not permission to establish a new gedik.

Some of the newcomers -Muslim or non Muslim- skilled in any craft had an opportunity to find a job among the artisans even not as a master but only as journeyman. It will not be incorrect that newcomers were not able to be owner of gedik due to their inability of financial power and also the strictness on the number of gediks. The establishment of a new gedik was so much difficult and obscure that the documents at our hand do not give any information under which conditions a new gedik could be established. It can be assumed that the number of gediks was determined according to the public need and the capacity of a particular craft/trade. In documents only it is mentioned that from the past (ez kadi̇mden beri) our number is .....(bizim sayımız ...dir)
The number of gedik could not be more or less than previously determined number.\textsuperscript{12}

Within limited number of documents at our hand we do not know what were the factors determining the numbers of gediks in period mentioned as past. The population might be an important factor in the determination of frozen number of the implements and persons of a craft/trade but it was not only one and it is only an assumption.

Most of the newcomers also tended to occupy with petty crafts/trades without gediks or work as peddlers. The increase in population caused in more production and more consumption, not with high productivity of the guilds but with high amount of

\textsuperscript{10} Mantran, ibid, p. 40

\textsuperscript{11} A. Kal' a', (ed), \textit{IAD I}, p.160, doc. # 4/231/705/–fi evail Ra 1171/13-22 November 1757

\textsuperscript{12} For instance, BA, CB 6532-16 L 1247/19 March 1832; A. Kal' a', (ed), \textit{IAD I}, p. 352, doc. # 6/278/8029–fi evail S 1177/11-20 August 1763
production. This was possible with the increase in number of workmen unless any change in techniques of crafts/trades and in the structure of the main body of the guilds.\textsuperscript{13} Even though they did not have power to change main structure of the guilds, the increasing number of peddlers was one of the important complaints of the artisans. According to the complaints of local artisans, masters coming from countryside did not care their works too much as it is needed and they were violating the quality of their products, as in the example of dyers of Galata.\textsuperscript{14} The peddlers as unorganised labor were leading to illicit competition among the guild members and so, giving harm to the public. The registered artisans—owner of gediks—saw peddlers as rival for themselves since peddlers restricted their livelihood and also caused to increase in prices and decrease in the amount of taxes paid by the artisans to the state.\textsuperscript{15} Besides, the artisans generally claimed that while peddlers were strolling in quarters among houses, they were interfering private life of Muslim families and thus, they were violating morality of public. Behind the artisans’ defense of moral and religious values and public welfare, their efforts to preserve their monopolistic and—in time their traditional—rights are not uncertain.

Whether population is direct/indirect reason or not, the number of gediks could be increased even if it had been strictly determined. This increase was generally made under the name of public welfare and on the surface the reason might be, for example, fires. There were 11 non-Muslim stonecutters in Istanbul who could work only as daily workers in buildings and shops. These non Muslim stonecutters had no rights to buy and sell marble, limestone and uptools; and to make tombstones for Muslims. However, because of the increase in fires and scarcity of stones mentioned above, the public was

\textsuperscript{13} Mantran, ibid., p.363
\textsuperscript{14} ‘‘(...) giderek bozucu esnafı kesret bulup ol takrible esnafımız derununa ecanibden hamdest ve hilekar ve kalpazan ve kul ve ibadullahın ıkitsa iden esvabların kalb ve redi boyadıklarından maada bazılarının esvablarını boyumak için alap ba’dehin inkar birle ashabına gadi(...)’’ A. Ka’l’a, (ed), IAD I, p.265, doc. # 5/230/704, Fi evahir-i L 1173/6-14 June 1760
\textsuperscript{15} Tabakoglu, ibid., p.153
in an immediate need. For the welfare of the public, *gediks* of the stonemason shops were given to these 11 non-Muslim stonecutter masters on the condition that not more than 11 stonecutter shops were opened by non-Muslims, they were not allowed to transport marble by the ships from Marmara and they did not make any Muslim tombstone. This order was repeated in 1167/1754 since some non-Muslim and Muslim artisans tended to open stonecutter shops in against with existing *nizam*. According to the document, one non-Muslim master named Kiryako served too much to the state and so, he was rewarded by the right to open a stonecutter shop. This event encouraged other stonecutter masters to open new shops but the state ordered that Kiryako could not be an example for anyone. It seems that for the state Kiryako was an exception; and the right to open shop means owning *gedik* or not for Kiryako is uncertain. While the state was insisting on prohibition of opening new shops outside determined number of *gedik*, the state itself violates existing rule and demanded the artisans not to take it as an example. The same order was renewed in 1171/1758 as previous one was fired.

In the nineteenth century, especially after the abolishment of janissary corps in 1826 the state took much more care for newcomers to Istanbul in order to preserve public security of its capital city. According to the regulations called *İhtisap Ağalığı Nizamnamesi* of the year 1241/1826-7, the Islamic public in Istanbul was consisting of three groups. The first group was constituted by city dwellers, second group by ones who married and settled in Istanbul and became just like indigenous men and third

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16 "(...)kadımden mermer ve kâfekî ve untaşı bey’ u şıra itmek için taşçı dükkanı gedigi taşçı müslûmün ustaları virilegül kufere taşçıları binalarda ve dükkanlarda ancak gândeliçilik idüp mesfurlara dükkan gedigi virileveyib ve mekbir-i müslûmünin işлемemek üzere iken bi kazai’l-lahi teala vuku bulan ithak kesret sebebiyle ibadullahın muhtac oldukları mermer ve kâfekî ve untaşı killet üzere olınduğunun ibadullah muzayaka ve zahmet çekdiğlerine binaen ibadullahın iltimaslaryla ve müslûmün mermer taşçı ustaları ve taşçibaşları marifetleri ve hüsn-i rizalarıyle Kumkapu ve yenikapu vesair mahallerde kufere taşçılarına on bir adet dükkan gediggerine dahi izin virilemek ibadullahça enfa olmaga nef’an il’i ibad (...)”, A. Kal’a, (ed), p.43, doc. # IAD, 2/73/252, Fi evah-i M 1159/24 January-2 February 1746
17 "(...)vaki olan ithakda muhterik olmaga mukaddema kufere taifesinden Kiryako nam zimmi ebnive-i hâmâyın hidmetinde källi emeği sebekt eyledûğinden nași müstehkkî refet olmaga saire strayet immemek şartıyla Langa yenikapusunda bir aded taşçı dükkanı ihdasına izin virilemeye (...)”, A. Kal’a, (ed), IAD 1, p.79, doc. # 3/267/991, Fi evahir-i Ra 1167/16-25 January 1754
group by men who had no home and lived in khans within the permission of his employers. The increase in population was seen as the cause of increase in disorder in the capital city. To take some precautions, the state demanded the numbers of porters, dellaks in baths, masters, journeymen and apprentices in shops. This informs us about in which areas newcomers could find a job in the capital city. It is clear that the job preferences or opportunties of newcomers did not change both in the eighteenth and the nineteenth centuries. Unlike previous century, all newcomers were not sent back, after an inspection performed at the gates of the city, only men who were thought as dangerous for public security were not accepted into the city. The money taken as expenditure of tezkire (harc-i tezkire) might be a reason to take all newcomers into consideration. This money was taken to be used for the expenditures of newly established army. Besides, some of the men coming from countryside were recruited for new army and men under age of thirteen were given as apprentices for a craft/trade. According to the nizamname, the numbers of the guild members in some occupations like porters, boatmen, bath attendants and watchmen were to be determined by the Şer'i courts and representatives of the İhtisap Ağalığı.

It is significant that the control mechanism was more developed in the nineteenth century. Newcomers were obliged to get tezkere of transition (mürur tezkeresi) indicating their purpose coming in Istanbul such as enrolling in the army and transporting goods for trade and so on. At the gates of Istanbul, while these men were registered, the papers of suspected ones were specially signed. Any one more than registered men was not permitted to enter into Istanbul. Only if they have a guarantor, newcomers were allowed to work in any job. There were some obligations also for permitted ones like residing in wooden khans reserved to themselves, not carrying any kinds of arms and not getting together in a place. Only water carriers were permitted to settle in quarters within the permission of imam and the public of concerned quarter.
Maybe, for this reason, water carrying – sakalik - was one of the most impressive occupation among the newcomers.\(^{18}\)

The other attractive occupation for the migrants was porterage. In an order\(^ {19}\) sent to the kadi of Istanbul, according to complaints of tradesmen in Balkapanı, bölükbaşı of khan in an agreement with somebody, by taking 40-50 akçes under the name of gedik was giving job to outsiders as porters of khan. Tradesmen were complaining unreliability of porters, disappearance of their goods, fear of bringing their goods into kapan. They demanded porters with guarantor to be appointed to the kapan. It is not clear that in return of money taken by bölükbaşı and some men under the name of gedik, the document just like tezkere given to the new workers, showing the ownership of a registered position in a particular job or not. If there was not such kind of document and moreover the share of money among bölükbaşı and some men in an agreement with him was true as it was claimed, can we accept this money under the name of gedik, just like "bribe" given to be owner of an occupation?

As mentioned before, even if the number of gedik was restricted and the establishment of new gediks was very difficult, the state could allow increase in the number of gedik even in the nineteenth century. For example, there were 71 gediks of shoemakers attached to vakıfs of Selimiye and Mihrişah and the activities of other shoemakers were prohibited. With the establishment of new 20-30 shops in some quarters, especially in Galata, the value of gediks attached to above mentioned vakıfs decreased and their nizams were violated. After inquisition, it is understood that the number of existing gediks are inadequate for the need of shoes. Besides, the artisans composed of........Mediterranean non Muslims are in desire of settlement in Istanbul

\(^{18}\) A. Kal’a, (ed), \textit{IAD 1}, p.189, doc. # 4/301/891, evail-i § 1171/10-19 April 1758

\(^{19}\) "(...)bölükbaşı-i mezær sairleri ile yekdim olup ahvalı ma‘lum olmayan kimesnelerden kirkar ve eşiğer kursız ve dahi ziyaade gedik namiyle akçeler alıp beylerinde takdim ve han-ı mezkura hamal itdüklerinden taife-i mezârede emniyet kalmayub han-ı mezkürdan tüccar taifesinın her bar emtiasından eşya zayı ve serika ve telef olmağa başlayup(...)" A. Kal’a, (ed), \textit{IAD 1}, p. 51, doc. # 2/222/754, evahir-i C 1160/30 June – 8 July 1747
under the guise of making shoes. In order to prevent their settlement and also to serve immediate need for shoes of newly established army, the state allowed the establishment of 29 new *gediks* of shoemakers but under the condition that these *gedikli* masters had to make shoes for army under the strict control of the government.\(^{20}\) In fact, the state also did not want to lose or decrease in the revenues of *vakıfs* mentioned above, which were used for the expenditures of new army.

While the ownership of *gediks* of tobacco-their numbers were 47- belonged to only non-Muslims, the state allowed to the establishment of 47 new tobacco *gediks* given also to the Muslim demanders. The tax taken for *temessük* of *gedik* were given to *Hazine-yi Amire* and downpayments of *gediks* were taken as a revenue for the expenditures of newly established army. The state's insistence on the sale of its tobacco (*miri enfiyesi*) shows the state's need to take much more control on sellers of tobacco and moreover the need of revenue for its army.\(^{21}\) Besides this, there is very interesting order concerning the establishment of new *gedik*. Although the state prohibited the issuance of new certificates, in 1282/1865 the tinners' guild appealed for help, complaining that the number of certified places—*gediks*—remained limited despite a boom in their business because of the population. In response, the state permitted the guild to open additional but uncertified (*gediksz*) shops, with the proviso that they pay

\(^{20}({}\ldots)\) *gediklerin itibarından suktuyla muaccillat ve müaccilatlarından hazineyi merkumeye aid fevaid halel geleceği derker olduğu gibi esnaf-ı meerkume *şvandıralat (\?) Akdeniz gavurarlardan ölib kadım *gediklerinden başka *gedik ibadosyle bunların tekstrleri ve daru’s-saltanat’s-seniyyede kundura vesilestiryle *ıskanlarında mahzur olduğu vesilestiryle...el halâtinde asakir-i mansureayakkabılarnın imaliyân esnaf-ı merkumenin ziyadece olarak luzumu olduğundan ve yalnız *gedik* sahipleri idare edemeveceklerinden salıfı’z-zîkret yemîş bir aded *gedik* yirmi dokuz aded kunduracı *gedik* ilave olunarak yüz *gediğe* iblãq olunmuşu surette hem vakıfa nef’i muceb ve hem asakir-i mezkurenin ayakkabılarnın kesret üzere i’malini müsteveb olacağna mebn(\ldots)“ BA, HH 27062-1247/1831

\(^{21}\) BA, CB 5208-25 B 1254/14 October 1838

\(^{22}\)({}\ldots)memleketin hal-i hazırna ve ahali ve sekenesinin kesretine kıyasen bunlar mertebe-i kifayede olmadığında bi’t-tab bağı *gediksz* dükkânlar kâşâdına ihtiyacat-i umumiyeye luzum görünmekte olduğuna ve bunubla beraber mezkur *gediklerin* mubahasa-i itibarîyle ashabınin gadrden vikayeleri dahi ihtızyayî hallerin bulunduğuna binaen müzakere-i maslahata ibtidar olundukta ma’lum-1 sami-i vekaletpenahîleri buyurduluğu üzere mäskirat ve duhan furuht olunan *gediksz* mahallerden iki kat resm ahz u istihsal kilmakda olduğundan bu usule tabiîkan *gediksz* kalayıcı dükkânlarından dahi el yevm *gedikli* dükkânların vürmeke oldukları rûsumun iki misline mu’ad ol bir resm alındığı surete *gedik* ashabi gadır u zarardan vikaye olumşâlga beraber canib-i miri içiin bir varidat-i cüziye dahi bulunmuş olacağına *nazaran (\ldots)”* BA, İMV 24162- 24 R 1282/14 September 1865
double taxes of a certified (*gedikli*) shop. The authorities claimed that by taking double taxes from uncertified shops they would preserve the privileges of the certified artisans. Moreover, this would provide an amount of revenue for the state.\textsuperscript{22}

It can be claimed that, in the eighteenth century the social and economic conditions as in the case of influx of the migrants to Istanbul provided opportunity for the artisans to embrace much more their monopolistic rights. Therefore, *gedik* system was welcomed not only by the state but also by the guilds. *Gedik* might not be seen as strict rules imposed by the state and so, the guilds were obliged to accept it. Even though the effect of population on limiting the number of *gediks* are not understood due to the limited number of the documents at our hand, population might be a significant factor on the change in the number of *gediks* even if it was not the most important. The reasons for the increase in the number of *gediks* were generally given under the guise of the public need whether it was increase in population or not. It is so clear at the beginning of the nineteenth century that new *gediks* were established according to both material and financial needs of the newly established army.

*Gedik* and economy

From 1700 to the year 1760s, the Ottoman economy was in a state of expansion, especially regarding cotton cloth production, printed cotton manufactories and goods were manufactured for foreign markets. Starting with 1760s, the Ottoman economy began to demonstrate the indications of economic stringency and financial crises. A drop in almost all economic productions came into scene.\textsuperscript{23} In the eighteenth century the wars were the times in which financial problems became apparent and severe.\textsuperscript{24} Unlike the Ottoman wars in earlier centuries, the infrequent wars with Persia, Austria, Russia, France, Greece.....in this century did not bring military and material success or

\textsuperscript{24} Y. Cezar, *Osmanlı Maliyesinde Bunalım ve Değişim Dönemi*,İstanbul, 1986, p.232
geographical expansion. Moreover, the war of 1768 with Russia was a great loss especially for the supply of grain by providing significant territorial, political and commercial disadvantages to the Ottoman state. Thus, it is clear that the wars changed from being a source of income to a source of expense and so, the Ottoman fiscal system started going through a series of crises and these crises affected the whole Ottoman structure.

During wartime, the requisitions of the state became much more detrimental to the artisans when they typically tried to supply their sudden need for strategic goods like iron, sail cloth, copper, gun powder,...at below market prices. The result was that in war time workshops which supplied the most lost the most and weakened financially.\(^{25}\)

In addition to this, whenever the army left on a campaign, a certain number of the artisans' groups had to participate in army to meet the army's need for goods and repair during the course of campaign. All the expenses of the artisans in the army were paid by the guilds. Each guild had to pay a sum of money to the state under the name of ordu akçesi. This tax was increased with heavy financial pressures of the wars and the artisans were in a difficulty to pay that. A group of grocers were complaining from the activities of their kethüda who was demanding extra money for the other needs within ordu akçesi. It is clear that the artisans were in a difficulty to pay increased amount of taxes more than their financial capacity.\(^{26}\) Besides, starting in 1718, the extra ordinary campaign tax of imdad-ı seferiyye became ordinary taxes imposed also in peace times.\(^{27}\)

When the campaigns were long and usually ended without a clear conquest as in the case of Persian wars, the continuous employment of the artisans in the army affected


\(^{26}\) A. Kal'a, (ed), IAD 1, p. 110, doc. # 3/373/1337- fi evasat B 1168/23 April-2 May 1755

\(^{27}\) M. Aktepe, Patrona Halil Isyani, İstanbul, 1958, p.36
heavily both the artisans in the army and their fellowmen in the city financing the army, which caused the disorder in city centers.  

In order to provide necessary cash for the wars, the Ottoman governments tried to apply traditional methods of compulsory donation, confiscation and currency debasement within a few new methods. The debasement of coinage was the most significant one regarding the artisans and so, affecting the daily transactions. For the first sixty years of the eighteenth century the kurus remained constant in value. Starting in late 1760s within a series of exhausting wars debasement of the kurus gained momentum. The kurus devalued at an average annual rate of 3 to 3.5 by loosing about fifty percent of its silver content. Any change of the money immediately influenced the markets. Even at the beginning of the century, the order of the sultan in 1719 that the selling of one silver akçe dirhem which were previously sold for twenty one akçe, for twenty akçe increased the tension among tradesmen, government and sarrafs because the same dirhem was being sold twenty two akçe at the market. The tradesmen bringing food supplies to the capital did not accept the akçes and this caused to the food shortages in the city. The silver akçes minted in Egypt which was less that the standard weight of the akçe in Istanbul came into the capital city also precipitated the problem of the counterfeit (zuyuf) akçe. The stress on demanding sağ akçe as valid money of the present time in transactions demonstrates the continious problem of the money in the market in later dates.

In the eighteenth century, the activities of the janissaries who were at the same time members of the guilds should be taken into consideration. The reverse penetration

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28 Ibid, p.19; R. W. Olson, ibid, p.335
29 A.Tabakoğlu, Gerileme Döneme Giderken Osmanlı Maliyesi, İstanbul, 1985, p.261,299; Y.Cezar, ibid, p.136
31 M. Aktepe,ibid, p.19; R. W. Olson, ibid, p. 335
32 "(...virdükleri ücret-i mezkureleri rayic-i fi'l- vakt sağ akçe virüp züyuf ve noksan akçe teklifi ile rencide i姆eyeler( ...)", A. Kel’a, (ed), IAD 1, p.243, doc. # 5/120/380- fi evahir Z 1172/15-24 August 1759
by the artisans into the janissary corps might have resulted from the cooperation between these two groups when the groups or the artisans participated in the army to provision them during military campaigns. The sultan himself invited some of these artisans who had performed best service during campaigns to join into janissary corps according to Aktepe.\textsuperscript{33} The infiltration of the janissaries into the artisans’ guilds led to administrative disputes especially concerning taxation and inheritance. For instance, janissaries who were tax exempt as soldiers tried to preserve their privileges when they started to engage in trade.\textsuperscript{34} The janissary-artisans refused to pay taxes and any dues.\textsuperscript{35} Besides, the janissary-artisans were not welcomed by the other artisans. For example, when the shop of a janissary ironer was pulled down to build a mosque, his gedik was needed to be transferred to another place but the artisans in next place were objected this transfer by claiming that this man is a janissary and they are not sure about his behaviour, he speak harsh words. After he promised not to speak harsh words, the transfer of his gedik was permitted.\textsuperscript{36}

Especially during the second half of the eighteenth century, with the growing demands from developing industries of central and western Europe in some commodities like cotton, leather,\textsuperscript{37} the goods and services demanded by the Ottoman state for wars were coincided, and as a result of this, consumption increased at the

\textsuperscript{33} M. Aktepe, ibid, p.20
\textsuperscript{34} F. M. Göçek, \textit{Rise of the Bourgeoisie, Demise of Empire}, Oxford University Press, 1996, p.91
\textsuperscript{35} \textit{(...)}mahiler Galatada vakti balıkhaneye geldikde ez kadim beynimizde mu'teber beş hisse itibariyle her bir hissedarlara emin-i muna iley marifetiyle tevazı olnagelib ol vechile koiltuk ci taifest ve haricden yenci\çeri ve topci vesaitlerinin mudaahaleleri memnu' iken mezburen içtin Süleyman Beşev ve Hallı beşev hilaflı-emr-i ali ve mugayır-i nizam-i kadim manaviğa kanaat imeyüp dalyanlarda sayd olnan mahileri mahall-i memura varup emir-i muna ileyhe mirisini eda etmekszin dalvan ve iğnblardan hufyeten istira ve tabıalalar ile dikkânları önüne koyub diledikleri gibi furtu eş bu vechil nizama halel ve mal-i mirinin kser ü noxsanına badi olnalmılya (...)" A. Kal’a, (ed), \textit{IAD} 2, p. 80, doc. # 7/202/620-fi evasat Z 1178/1-10 June 1765
\textsuperscript{36} \textit{(...)}yenci\çeri zimresinden olduğuundan setem ü itale etmesi melhuz olub bu vechile kendinden emniyet olmadıgına(...)" IKS 35, p. 61b-62a- 5 RA 1186/6 June 1772 quoted from M. Kütküoğlu ".Osmanlı Esnafında Oto- Kontrol Müessesesi", \textit{Ahilik ve Esnaf}, p.66
\textsuperscript{37} There are recurrent decrees on the distribution and the sale of the leather is significant by a number of documents like A. Kal’a (ed), \textit{IAD} 1, p. 118, doc. # 4/23/64-fi evail Z 1168/8-17 August 1755; \textit{IAD} 1, p. 300, doc. # 6/23/68-fi evai M 1175/2-11 August 1761
expense of production. As goods and services became scarce, prices and so, the inflation raised. In fact, according to Ottoman economic policy, the priority of buying raw materials from the producers entrusted to the Ottoman artisans as monopolistic rights on production and sale of products and service. The first concern of the Ottoman state was to meet needs of the army and to assure the supply of the capital city. After meeting the needs of the artisans in Istanbul, the artisans in nearest regions of the relevant materials had right to buy. Then, remnants belonged to the artisans of other regions. The primary purpose of the Ottoman state on the creation of monopoly for the artisans especially concerning the rights of buying raw materials was such purposes assuring stabilization of economy as prevention of unjust competition among the guilds, stabilization of price, ensuring the supply of goods to the public.

The activities of the foreign tradesmen who were sometimes also cooperating with Ottoman Muslim or non Muslim tradesmen by offering high prices to the producers were harmful to the Ottoman artisans since they caused to increase in price and to decrease in supply of raw materials required for them. In order to prevent influx of goods highly demanded by foreign tradesmen the government was frequently issuing orders prohibiting the sale of these kind of goods. The increase in prices were also

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38 F. M. Göçek, ibid, p.48
40 Y. Öz haya, XVIII. Yüzyılda Osmanlı İmparatorluğuunda Esnaflar Sorunları, IX. Türk Tarih Kongresi, TTK Yayınları, Ankara, p.1037-1048
41 “(...)tama-i hamisyla efrene sefinelerine ve İznikmidd ve sair mahallere ve etraf deboğlarına virât sene be sene bahaların ziyadeye çıkarmalarıyla mazarratları ızdıyad ve ol vechile icare-i vakıf virmeye ikitaları olmaya miri mihimmata seferbeyi için Dergah-i mu'allam yenüeri ortasında ve çebehane ve Tersane-i amireme kabra ve meşğ ve maslak ve dağırcık ve donanma-yı hümayunun sefinelerine sarıçın için ve barut kisesi ve tirıge ve meşin ve serrarane'de dikici fukarasına sahiyan virât ve çekciler dahî çebehane için yapacağı talep idâp yedellerinde meta' olmaya miraya ve şehrî kâlli mu yazaka virmemeleriyle(...)”, A. Kal'a, (ed), İAD I,p. 118, doc. #4/23/64-fı evall Z 1168/8-17 August 1755
42 “(...)beş hisse itibar olunup saydı olan mahf balıkhaneye geldükde beş hisse üzerine tevzi olmagelâp ziyade baha ile talip olan koltukta taşfines ve haricden bir ferde virilmenek üzere nizam-i meşruhlarını müs 'ıy yedelerinde emr-i ali olup dahî icab emez iken şimdi haricden bazı manav taşfesi kadime devam yığır balık istıra ve tablalar ile dükkanları önünde närhindan ziyadeye ibadullahça furuht ile nizam-i kadimlerinin ihtilaline bais olmalarya(...)” A. Kal's, (ed), İAD I, p. 177, doc. #4/273/819-fı evahir C 117112/10.03.1758
43 “(...)mu 'tad-i kadım iken hala içimizde basıları li eclâ'-ı-ıhtikar bazı kimesnelerden meta 'umu hufyeten istıra ve hirfet-i mezburе erbabına gadır imlerimleye fima ba'd bize mahsus olan meta 'umu maz daradan geldükde hırfitiniz erbabından ve akardan bir kimesne hufyeten istıra itmayıb kadimisi üzre kethûdamız
causing profiteering among the artisans as it can be seen in the documents. The common point of the state’s response to the complaints of the artisans regarding the activities of the profiteers was the application of their nizams covering the orders for the distribution of goods and materials to the artisans. For example, the green grocers demanding to take profit were interfering the activities of the salers of fish by trying to sell fish in their shops. However, their activities were harmful for the salers of fish. Since some of the artisans were buying all materials secretely before the distribution to the artisans, they were causing increase in prices of commodities which were needed by the artisans. The European tradesmen were not only buying raw materials but they also bringing new fashions for the Ottoman public. New fashions were creating the problem of which group would have right of sale of concerned goods as in the example of conflict between two artisans’ groups on the sale of needle imported from Europe. The sale of especially expensive imported goods were also significant concern of the state due to secret sales devoid of any taxes.
During the eighteenth century, especially in Istanbul one of the most significant
tendency among the guilds was that the kethüda46 as a head of individual guilds became
state officials. Since the state was in a difficulty to pay salaries of increased number of
its officials, it found such a solution that the revenues of kethüdaliks of several artisans’
groups would be submitted to the state officials instead of giving them salaries from
the treasury. For the state, this was advantageous because it would both decrease the
expenditures of treasury and also guarantee to raise fiscal control on the guilds. From
the point view of the officials, they preferred to change their salary in a risky position
due to financial difficulties of the budget into guaranteed dues of a certain group of
artisans. During financial crises, the working conditions of the artisans became very
burdensome, therefore, they might have preferred to be under the supervision of a
state’s official who would be much more powerful and efficient before the government
than the ones selected by the artisans themselves. When this tendency as a common
interest of the state, officials and artisans became widespread, some of the kethüdaliks
of artisans’ groups were transformed into a kind of sources of taxes as mukataas. The
application and survive of this process was not so much easy especially in countryside.
Besides, most of the officials were not capable of recognising the professional
problems, therefore the artisans achieved to establish such a structure that they were
choosing a kethüda among themselves as a supervisor of their activities while they were
also preserving the existence of an official as kethüda gathering their taxes. This process
might be summarised as the increase in taxes taken from the artisans even though the
artisans had a more powerful and effective second representative before the state.47

It can be claimed that in the eighteenth century, especially after 1760s, the
artisans of the capital city was in a financial difficulty. They were trying to compete
with the European goods and the activities of the European traders and the accompanied

problems like the conflicts among the guilds on whoever would have right of sale of new goods and problem of profiteering. The financial difficulties of the treasury made the increase in the taxes they had to pay inevitable as in the case of the appointment of the state officials as kethüda. Moreover, the state's one of the traditional fiscal solution - debasement of the Ottoman money- also affected much more to the market and livelihood of the Ottoman artisans. In such conditions, the more the financial problems increased, the more the artisans in the capital attached to their monopolistic rights and thus, the rapid spread of the establishments of gedik became inevitable for the artisans in the late eighteenth and early nineteenth centuries as it will be seen in the documents in next part.
V. The Official procedures for gedik

Registration of gedik

Gedik was the largest form of monopolistic rights given to the artisans by the
Ottoman state. Strengthened monopolistic rights were the result of reciprocal relations
between the state and the artisans’ groups. The economic reasons became first concern
of the relation between the state and the artisans’ groups. As a result of market search of
European countries for their industrial products, the Ottoman state became an attractive
place both as a market and also as a place of raw material sources. The Ottoman state
did not develop protective economic policy for its economy largely depending on
agriculture, its principal aim was to sustain immediate needs, to provide anything
necessary for daily life in market. Moreover, the population of the capital city was the
first on the list of the people to be provided for. In this sense, its economy was
“provisionist”¹ according to the distribution of goods. In time, while increase in export
was leading to rise in price of raw materials, increase in import decreased price of
manufactured materials. As a result of these, a number of local shops was faced with
closing down their doors. Besides, the increase in the population of big cities due to
influx of immigrants from countryside became gradually a chronic issue for city life
both economically and socially. Some of these new comers generally tried to participate
in daily life as peddlers. In order to protect themselves from these kinds of problems,
artisans of the city accepted and demanded monopolistic rights which widened up its
horizons through the establishments of gedik.

The answer for the questions of which product and service in which quality
and in which place, at which price, by whom could be sold and bought formed rights
and responsibilities of both state and the artisans. These rights and responsibilities also
determined the limits of the monopolistic rights. Until the second half of the sixteenth

Yaymları, İst, 1989, p. 175-185
century, these rights and responsibilities took place in ihtisap kanunnameleri and some
general laws concerning the artisans. In return for the state’s effort to organise the
artisans’ groups, each artisans’ group was also in an effort to form their own orders
(nizamnames) consisting of every kind of rights and responsibilities related to
producing, selling and buying of products and/or services. These nizamnames had been
registered both in one of the office of Divan-ı Hümâyûn and in relevant sicil of kadi. At
the end of the sixteenth century, the names of the people who are responsible for
application of these orders began to be registered. All members of a particular artisans’
group was declaring their affiliation and they were regarded as guarantor for each other.
Besides, kethûda as a headman of that group was registered as main guarantor of all
members of concerned group. After a while, the names, duties and places of shops of all
artisans were registered by the kadi. After approval of the nizam by Divan-ı Hümâyûn,
oficial decree (ferman) was sent to concerned kadi for the application of nizam. This
nizam was also registered in relevant office in the centre. Hence, an artisan without any
guarantor was devoid of right to perform his own trade/craft. The most significant right
given to the guilds consisting of the artisans who are guarantors for each other, was the
authority to determine whoever would be master. However, the authority of the guilds
in determination of mastership was restricted with the limitation on the number of shops
and destgahs by the state.2

At the beginning, the tools and equipment necessary for a trade/craft were called
“gedik” among the artisans.3 When a qualified master granted mastership to his
qualified journeyman, at the same time he sold/gave his tools and equipment needed for
concerned trade/craft or tools and equipment of a deceased master were bought by a
candidate master. Thus, in time gedik as tools and equipment necessary for a trade/craft
was combined with the right of mastership. As a result of this development, when one

2 Y. Özkaya, “XVIII. Yüzyılda Osmanlı İmparatorluğu’nda Esnaf Sorunları”, IX. Tarih Kongresi, p.1040
3 For example, “(…) gedik tabir olan alat-ı lazime (…)” BA, CB # 3044-18 Z 1247/19 May 1832.
of the artisans granted mastership right without any tools and equipment; when a deceased artisan’s mastership right was given to a qualified member of a guild; or when some people outside from the concerned guild were permitted to perform that trade/craft due to immediate need; all of these were written as “gedik” in the registration of the artisans.⁴ According to Sıdkı, the definitions of gedik as only tools and equipment necessary for a trade/craft or only the right of mastership is inadequate because these definitions exclude the artisans who are not producing but only selling products, therefore he defines gedik as the right to perform a trade/craft.⁵ In this sense, in the Ottoman state, at least in the capital city, in order to perform a trade/craft, in a sense, to be owner of a gedik, the artisan had to have a right of mastership and guarantors.

Surety

It was necessary that the members of each guild had been registered by the kadi in order to apply their own nizams. There was a strong stress on that any artisans without guarantor could not perform his trade/craft.⁶ Alongside the necessity of surety of kethüda as a representative not only of authorities before the guild but also of the guild before the authorities, for all members of his own guild, his rights and responsibilities was widened its scope. This responsibility did not remain in formality but the state urged the guilds that, for example, if an artisan of tobacco bought his material from outside, with the gedik of a guilty artisan, the gedik of ustabası had been taken over.⁷ It is certain that nor was the government content with the charging the kethüdas with the implementation of its instructions, individual guilds also were required to supply guarantees that official orders would be carried out. For this reason, registered artisans were expressing their affiliation and they were being guarantors for

⁴ Sıdkı, “Gedikler”, p.20
⁵ Ibid, p.21
⁶ For instance, “(...kethüda ve cümlle marifetyle birbirlerine kefıl olup kefilsiz kıyıeci olmayıp(... BA, CB # 902-15 RA 1221/12 June 1806; ”(...)pazarbaşı ve bölükbaşı ve ustabaşların marifetyle kefılle rabi Olsonmayan bakkal olmamak(...)” BA, CB # 7598-1247/1833
⁷ BA, CB # 5208-25 B 1254/ 14 October 1833
each other. For instance, in 1766 a baker was punished for using false weights, and he was allowed to resume his business only after the guild had given a guarantee that he would not repeat his misdeed. The tradesmen were also warned not to sell their materials to the artisans without any guarantors. According to the nizam of boatmen, anyone without guarantor could not be applied even if a place was vacant and there was an immediate need. Moreover, the guild usually was required to issue a guarantee for the good character of its each member, providing the government with a kind of indirect control over each individual in the urban population. By the İhtisap Ağalığı Nizamnamesi of 1826, kethüda and yiğitbaşı of each guild was required to furnish ihtisap ağalığı with a guarantee for the guild and its members.

Mastership

Each Ottoman guild consisted of masters, journeymen, and ordinary apprentices, called in Turkish usta, kalfa and çirak respectively, organised in a hierarchy under a head member. Every apprentice was obliged from the first to attach himself to some master, who would teach him the mystery of the trade/craft and the traditions of the corporation and he would vouch for him when he attained proficiency and was eligible for promotion. A journeyman could be master within the permission of directors of the guilds- kethüda, yiğitbaşı and ihtiyar ustalar, in accordance with nizam of concerned guild. Besides, master of journeyman and other masters of the guild had to be guarantor for candidate masters.

The ceremony of promoting a journeyman to usta was carried out each year, in spring, at an area outside the city where the guilds would have their yearly festivities. At

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8 O. Nuri, ibid, p. 639
9 IKS 25 quoted from O. Nuri, ibid, p.638-9
10 BA, CB 7598-1228/1813 Pirinçci ve zahireci esnafi nizamı
11 Kal’a, A.(ed), İstanbul Ahkam Defterleri,İstanbul Esnaf Tarihi,1, (İstanbul,1997),p.15, doc. # 1/83/379-fi evast S 1156/ 6-15 April 1743
12 G. Baer, “Administrative, economic and social functions of Turkish guilds”, IJMES, v.1,n.1,p.34
13 O. Nuri, ibid., p.341
14 Gibb and Bowen., Islamic Society and West, p.228
15 BA, CB 7598-1247/1833, Berber esnafi nizamı
the ceremony, all the ustas, the mufti, kadi, hatib, and other dignataries were present. In the pavilion of the mütevelli or kahyalar, the assembled people took their places, forming a circle, in which the mufti and kadi took their seats. The journeyman entered the room with his kethüda or mütevellı on his right and his usta on his left. The usta and the kethüda both gave a selam which was returned by the assembled people. Then an imam recited some passages from the Qur'an and gave the invocation for the Prophet, where after other passages from the Qur'an relevant to the trade and production were recited, together with some prophetic tradition. Then the leading kethüda took his seat opposite the ustas and recited the silsile of all prophets, Muhammed's companions and successors of the companions who were craftsmen, especially referring to the pir (patron saint) of the guild. They admonished the candidate to respect the traditions of the guild, to treat his clients honestly, to be righteous, to obey the laws, to consider his future journeymen and apprentices as his son, etc. After the candidate had accepted these good councils, the kethüda wished him well with the words “May you be assisted by the pir, the erenler, and the apprentices in the performance of your work, may you always have full measure of the food and necessities provided by God, may you not see poverty and destitution” Then the kethüda untied the peştamal of the journeyman and bound him with the peştamal of mastership, where upon all the people stood up and pronounced a tekbir. Finally, the hatib recited the sura of ihklas and fatiha.16

Each guild determined its own peculiarities for mastership but commonly training at least for three years as journeyman and having good manners towards both his masters and customers are imperative. For the promotion from the journeyman to master various conditions had to be met. He must have fulfilled his duties as an instructor of the apprentice of his shop; he must be known by the other journeymen as a loyal and cooperative person, and last but not least, he must have sufficient funds to

equip his shop. Learning all secrets of concerned trade/craft and traditions of that guild are also important. In nizams of the artisans the right to open new shop was called "başka çıkmak" used for that journeyman had a capability to perform his own trade/craft independently. In addition to traditional ceremonies, while new masters had to pay dues to the treasury of organisation office he attached, special payments should be made for teavin sandığı or esnafın orta sandığı (a fund for mutual help) by the masters on the occasion of their apprentices to the rank of journeymen or of their journeymen to the rank of master.

Until the beginning of the twentieth century, a master of the guilds of Uzunçarşı in Istanbul contributed 50 kuruş whenever one of his apprentices became a journeyman and 300 kuruş when one of his journeyman became master. In some jobs like barbers there was a difference between Muslims and non Muslims on payment of registration due. Although one Muslim candidate master did not have to pay registration du, a non Muslim one was obliged to pay 3.5 kuruş under the name of ikramiye for the share of five people consisting of kethüda, yiğitbaşi, (?), duact and çavuş. The dues paid by new masters increased too much especially in the late eighteenth century. For instance, for makers/sellers of coarse wool cloth (abaci esnafi) it was 10 kuruş between 1683-1773, it increased to 40 in 1773, in 1790 it became 50, in 1805 it rose in 100 and it arrived 250 kuruş in 1807. Of course, this was related to the decrease in value of Ottoman money and increase in inflation.

According to the nizam of glassmakers, in 1070/1660, by the ferman twenty seven glass maker shops for Istanbul, and one for each of Galata, Tophane, Üsküdar and Eyüb were determined as gedik. These were assigned to pir perver masters. The owner of gediks would take apprentices with the permission of kethüda, yiğitbaşi and ihtiyar

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17. A. Kal'a, *İstanbul Esnaf Birlikleri ve nizamları*, p.221
18. O. Nuri, ibid, p.576,579-80
19. BA, CB 7598-1247/1833, *Berber esnafi nizami*
ustalar. When these apprentices were capable of performing their crafts/trades, they would have right to open a shop under the supervision of their own directors. New masters had to work for one year in the shop of his master. If there was a vacant gedik, he could have been the owner of his own job.\textsuperscript{21}

It is most probable that having a guarantor and being master were necessary to acquire one of the slots within implements in a specific location-gedik in order to perform his trade/craft. As mentioned before, the guild had a right on who the new master would be. It is clear in documents that a gedik should be given to a new master by the general consent of the guild.\textsuperscript{22} Since the state put a limit on the number of shops, destgahs, it restricted the right of mastership given by the guild itself. Therefore, there is a confusion on whether gedik was necessary to be master or mastership was a precaution to be owner of a gedik. Gibb and Bowen claims that the term of gedik replaced the term of uсталık in 1140/1727 and then, it had been used to denote the custom by which trade implements were handed over without payment to purchasers or inheritors of uсталık rights.\textsuperscript{23} Osman Nuri is a bit more deliberate about expressing gedik as uсталık and he is in favour of that the hevayi kinds of gediks was originally called uсталık and represented nothing more than the right (selahiyet) to exercise a trade/craft.

\textsuperscript{24} Ö. Lütffı Barkan –most probably taking the period after late seventeenth century into consideration- considers the relation between uсталık and gedik differently that he

\textsuperscript{21} (...)bundan akdem zikr olunan camcı tajfelinin nizam-ı kadimlerine bin yetmiş senesinde ser mimaran-ı hassa olan Arnavud mustafa aşa dîmekle marif kinesnên zaman-ı mimariğinden ba ferman-ı ali mahmîye-ı Istanbul'da yîgirmi yedi aded camcı dükkan ve Galata'da bir aded camcı dükkan ve Tophane ve Üsküdar'da ve kasaba-ı eba Eyyûb 'de birer aded camcı dükkanları esnaflı merkumênin pîr pêvver îstädlarîyçîn gedik olmak üzere tayin ve tahsis olunub ve camcı dükkanı gedigine mutasarrîf olan îstâdîlarına şakird alduktan sonra kethûdaları ve yîgîtbaslaları ve müşûn-û marîfîyêle alûb ve sanât-î merkûmeyî tahsil eleyûpt fahl ü müstehêh döklûklarına cümle marîfîyêle başpîka çikarîtlub ve bir sene üstadi yanında ücret ile halîfehî hizmetinde olmak üzere ve başka çikarîtlîm şakîrlarî kendî reýleri ile gedik tayin olunm dükkanlardan maada dükkan ihdâs etmeyeb ve tayin olunm gedik dükkanlardan birî mahlûl olûkta yine cümle marîfîyêle dükkan gedigi verilîb(...)”A. Kal’a, (ed), IAD 1,p.98 doc. # 3/354/1282-ﬁ evâl-i CA 1168/13-22 February 1755
\textsuperscript{22} O. Nuri, ibid, p.656
\textsuperscript{23} Gibb and Bowen, ibid, p.282
\textsuperscript{24} O. Nuri, ibid, p.652,656,658,665
regarded owning a *gedik* as precaution to be master. He claims that in order to perform a trade/craft, alongside learning all secrets of concerned craft/trade by working under supervision of a master throughout the years; preparing a work as a sign of his competence; tying belt (*peşamal küşanmak*), giving a meal for his fellowmen (*ziyafet vermek*) and waiting for a vacant *gedik* were necessities to become a master. 25 It is certain that there is a reciprocal relation between being owner of *gedik* and being master. In order to be owner of a *gedik*, at least in formality, an artisan had to fulfil all conditions 26 required for becoming a master in concerning trade/craft alongside his own guarantors especially from concerning guild.

If a master did not acquire a *gedik*, he remained an employee or an inferior partner of a *gedikli* master. Therefore, ownership of implements not only enabled an experienced artisan to become his own boss, but also provided him with a slot among a group of fellow masters and thereby with a work place at a definite location in the market place. 27 One glassmaker who had been working for 18 years as journeyman demanded to open his own shop, but he was rejected by the head members of his guild by the claim that in Istanbul, Galata and Eyüp the number of glass maker shops was determined as 93 by *ser mimaran* and therefore any one-even if he had a right to be an *usta*- could not open a shop outside this sanctioned number. 28

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26 The conditions required for any trade/craft were mentioned in their *nizams*. There are very interesting stipulations to gain the right to open a shop. For example, one from *örúcü esnaf* of *Mercan* Bazaar claiming his mastership could not open a new shop individually unless he became mületteh (he had bear.) This indicates the importance of age also. İKS # 24/57B/2 quoted from A. Kal’a, *İstanbul esnaf tarihi ve nizamları I.*, p.24
27 Akarlı, ibid, p.225
Especially the complaints of the journeymen under obligation of waiting for a vacant *gedik* became inevitable. Some of the journeymen from *kemhaci esnafı* were complaining that they had been working for a long time and they could not maintain their families as journeymen. According to their *nizams*, ex-journeymen had a right to establish *destgahs* and they wanted to establish *destgahs* in their own properties (houses). However, *kethüda* and *ihtiyarlar* did not permit by demanding 200-300 *kurus* in return for *gedik*. The *nizam* was given in 1143/1734 and quitted from that date, the artisans were dispersed and they established their own *destgahs* in different quarters.

For this reason, the *ferman* ordering that *kemhaci esnafı* had to work in İsmail Paşa Palace, lost its validity. Therefore, the opposition of *kethüda* and *ihtiyarlar* against the establishment of *destgahs* by journeymen individually was regarded unlawful according to the Sharia. The order sent to *kadi* of Istanbul implies that a craft could be performed without owning a *gedik*. The interference of *kethüda* and *ihtiyarlar* was prohibited by the state.29

*Gedik* could not be divided30 but it could be jointly owned (*hisse-i sayia*). Therefore, new master taking the permission of his guild could be sharer of a *gedik*.

That is, the owners of a *gedik* could be consisted of more than one master. Maybe, this

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29 "(...)biz esnaf-i mezburunun ızn alımsız ve başka ılmımsız ve zevan olmıs her birimızur pır perver kalfaları olup müddet-i vaftiden berä ancak kalfalık ile taayıyeside ziyade zaruretimız olup ve eski kalfalar müstakilli destgha kurmak dahai nizam-i kadimmüşüzden olmağla binaalehlı biz dahai eski kalfalardan olup kendü menzilimızde ve mákimızde mu'ad üzre müstakil destgha kurup işlemek murad eylediğümüzde kethüda ve ihtiyarlarımızsiz kalfalık ile taayıyüz idân size müstakil destgha kurmağız izin virmesüz eger müstakil destgha arêteseniz bizden gedik istira idân diyie bizden ikiyer üçer yüz gurus taleb iderler diyı üçtekk idüklere kethüda-ya merkum ve ihtiyarları dahe cevablarında mezburunun pır perver ızn alımsız olmıs kalça olduklarını ikrar lakin baş alta sene mukaddem ihtiyar ve üstalar mevcud olan destghahmından ziyade destghah olmasın diyı beylerinde ta'ahhud timeleriyle binaalehlı mezburunun müstakilli destgha kurnalarına münamaat iderûz diyıv ve yedelerinde hüsüs-i merkum için emr-i ali dahai olmanılağla kethüda ve ihtiyarlarının vech-i muharrer üzre destghah için kalfalar ayleledlileri münanaatları meşru olmaysı hilafl-ı şer oldûğun ve kemhacı esnafı merkumun Mâs muhassebeden muhcic der kenar nâtık oldûğu üzre ba ferman-i ali nizamvirül lakin bin yüz kirk üç senesi nizam-i merkum terk olmağla târîh-i merkumdan berû esnaf-ı merkume müteferrik ve her biri ahar mahallerde kendü kahranelerinde işleddikleri cûmlesi mükûr u muterif oldûğu (...)" A. Ka'la, (ed.) *IAD* 1.p. 295, doc. # 5/321/957-fi evail-i B 1174/6-15 February 1761
30 Kâbi;l- taksim değildir Sıtda, ibid, p.66
31 For instance, BA, CB 1501-8 B 1236/11 April 1821; CB 2449-17 M 1247/28 June 1831;CD 645-20 S 1228/22 February 1813
32 A. Ka'la, (ed.), *IAD* 1.p. 362, doc. # 6/352/998-fi evail-i C 1177/7-16 December 1763
facilitates the journeyman's ownership of his own business. It could be appropriate for both state and the guilds while they were preserving the certain number of the gediks, they also did not offend qualified journeymen. This also prevented, in a way, illegal ways like opening shops or establishing desigahs without gedik or working as peddlers. As the number of demanders for owning gedik and also gaining right of mastership increased, the being broken of gediks to shares might be preferred. The number of documents on shares of gediks justifies this claim. It seems that all sharers of a gedik did not have to belong to same ethnicity or religion as in the example of one butcher gedik which had four sharers – one was non Muslim. The procedure on share of gedik reminds esham system divided into pieces of ½, 1/4, 1/8... and so on. From the point of the Ottoman state within the increase in the number of sharers, the revenue coming from muacceles might increase as in the example of esham system which were more profitable than malikane system.

By the establishment of gedik system, the Ottoman guilds had much more similarities with Medieval European guilds. In Medieval European guilds the masters were chiefly small proprietors, owners of the raw material and of tools which they used. From the beginning, the number of masters were restricted. Unlike Ottoman candidate masters, in European guilds no one could become a master without satisfying certain conditions such as legitimate birth and affiliation with the local bourgeoisie alongside payment of dues. In Medieval European guilds in time accession to the mastership became more and more complicated and difficult of achievement. Indeed in most cities, it tended to become a privilege reserved to those belonging to the families of existing master. In this respect, in time, gedik system collected all rights of having implements,

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31 M. Genç, “Eşham: İç borçlanma”, *İslam Ansiklopedisi*, vol.11, Diyanet Vakfı Yay., İstanbul 1995, p.376-380
33 O. Nuri, ibid., p.559
mastership, shop usufruct and trade/craft monopoly. *Gedik* as a form of property for the artisans provided hereditary characteristics especially for mastership. The son of the owner of *gedik* had priority to inherit the *gedik* on his father's death, but only if he fulfilled all the other conditions required for becoming a master in the craft/trade.\(^{35}\) Since having a particular financial gain (capital) was necessary to be owner of *gedik*, the question coming into mind which one would be selected as an owner of *gedik* and of mastership among two masters having same qualifications. It is most probable that one who had offered to give much more money for that *gedik* would be new master.

The permission of the guilds are necessary but this does not mean that the guilds independently controlled the whole *gedik* system. At the beginning of the establishment of a *gedik*, the permission of owner of the property or *mütevelli* of the *vakıfs* was also necessary. After its first establishment, for example, in its sale or its rent did not need such kind of permission. Even though there were *gediks* based on *temessük* documents issued by the guilds' *kethüdas*, quite a large number of *gediks* were based on *seneds* of the *evkaf*. For example, at a certain period of recession the sellers of tribe in Istanbul left their shops and returned the *gediks* to *Harameyn Hazinesi* to whom the *gediks* belonged.\(^{36}\) *Gediks* were issued by a large variety of government institutions and many were based on *hüccets* of Şer'i Courts. Alongside the *hüccets*, in time *gediks* were registered in *Baş Muhasebe* in order to increase their value and be protected from any claim that it was not lawful *gedik*.\(^{37}\) For example, some of the owners of property or *mütevelli* of *vakıfs* claimed that the *gediks* unregistered in *Baş Muhasebe*, even if they had *hüccets* of Şer'i Courts, were not regarded as *gedik*.\(^{38}\) It is certain that *surets* of *Baş Muhasebe* meant the guarantee of the state's approval of concerned *gedik*. A down payment for the *hüccet* was assigned according to the degree of importance of the trade

\(^{36}\) Ibid, p. 660 -662

\(^{37}\) BA, CB 7598-24 Z 1217/17 April 1803; BA, CB 7437-21 L 1247/24 March 1832

\(^{38}\) BA, CB 7598-8 CA 1229/28 April 1814 *Balık pazarında kain ayak yahnici esnafı nitamları*
or the guild. In exchange for this initial sum, known as bedel-i muaccele, the gedik holder was given the right of ownership over his business, or the exclusive rights over some trade, or the right to do business in either a specified or general region. Gediks were of two kinds, one allowing the holder to pursue his calling wherever he wished, the other attaching him to a definite place. (hevayî, müstekar) The transferable kind seems always to have been rare, however, to have become rarer still as the time went on, no doubt because of the government’s desire to maintain a firm control over the number of the artisans operating in any quarter. The reforms carried out in the gedik system in the years 1805 and 1860-1 aimed at strengthening even more the state’s control over this system. For example, many gediks remained intact, the temessük documents of the kethüdas were just replaced by official seneds.

As mentioned before, we do not know exactly the reasons on the determination of the number of gediks but the population and needs of the public within military needs might be claimed as important factors. Our period of interest covers the period in which gediks were widely used among the artisans –late eighteenth century and the period in which the state was trying to abolish gediks as the highest point of monopolistic rights given to the artisans- beginning of the nineteenth century. For this reason, the establishments of new gedik are very significant in order to see the state’s dilemma in itself –establishment or abolishment ?.

In Grand Bazaar there were six saçakçı and sixteen bahçe, totally twenty two shop gediks of kolancı esnafı but they were unregistered in any government office but

40 There was also hevayî gediks on müstekar ones. This kind of hevayî gediks were born of the establishment of müstekar ones on second floors. M. Zeki, Pakalin, Osmanlı tarih deyinleri ve terimleri sözlüğü, vol. I, İstanbul, 1971, p.769
41 Sdki, ibid., p.31
42 G. Baer, “Monopolies and restrictive practices ......”, p. 164
we do not have any information about the reasons. Therefore, their nizams were violated and became complex. After that time, sale of concerned gediks were made under the inspection of kadi of Istanbul. A fresh saçaçkı gediği was established within warning that it must not be example for others. In the document no reason was given for this exception only claiming that it has no damage for anyone.43

Makers and sellers of tent had sold their own shops and bought new ones. Although they paid transfer due (sened harcı) for their gediks in new shops, they could not take their gedik seneds. Since they were required to participate in army, for the preservation of the value of their gediks in most prosperous part of the market the gediks of tent makers without ruhsatiyye were transferred into gediks of manifaturacı and tuhafçı with a particular ruhsatiyye within the permission of the Treasury. With next order, gediks of mevitab turned into their original form but gediks of tent makers were outside the order since permission for them was necessary according to the Treasury. It was understood that some of them were unregistered and exceptionally from mevitab shops, gediks of tent makers were transferred to other shops and they paid their dues. As the tent makers were complaining continually, the state ordered their seneds to be given. The registration of gediks of tent makers were made also as an exception by claiming that bir kere istizan mecburiyet olmuş.44 Participation in army might be an important factor for this exception.

43 "(...)İstanbul'da çarşuyu kebirde vakti altı bab saçaçkı ve on altı bab bağca dükkanları ki cem'an yığırını iki bab dükkanlarının gedikleri irsen ve şirea tasarruflarında olub kiralari di dükkan mezbure mutasarrıflarına bila cevr u eza mah be mah edada kusurları olmayub ancak dekakin-i mezburelerin gedikleri aklamandan birinde mukayyed olmadiğindan nizamları muhtel ve müsevveq olduğundan bahisle ber vech-i mukarrer ve mübeyyen dekakin-i mezburede esnaf-i merkümenin ber mantuk defteri muhal ve (?) hasbe-l'iiktiza beyi'lizam geldikte İstanbul kadişi efendinin ilamyla ......uzere bağ mukabebe kalemine kayd olunup yedilerde başka başka suret itasını esnaf-i merkümenin istid'a eylediklerin hala İstanbul kadişi faziletli M.Arf ejfendii hazeryleri memhur ve mehz-i mukarrereden defteriyle i'tam etmeşin i tem-i mezkurun tarihi akdam-i gedik kaydi memnu'uyyete dair sadir olan fermân-i altıyan muaddem olubashabina ve sair bir gına zarar ve hisari mucib bir şey olmadiği mukarrer olmağıla emsal olunmak üzere ve fermân-i altının hilafat vaz ve hareket vuku'a gelmemek üzere ......esnaf-i mezkureden Minav oğlu Manoş veledi Avram yehudinin balada mukarrer malık olduğu bir bab saçaçkı dükkanı gediğiin sibt u tasarrufluğun mesfurun yedine işbu suret verildi." BA, CB 416-1230/1814

44 BA, İMV 8377-3 § 1268/23 May 1852
There were 57 fincanlı and tuhafça depository gediks. Despite the registration of the names of the artisans in 1208/1793, the places of their shops and depositories were not registered by mistake. The state was worry about their corruption concerning their sale, transference and so on. The stress of the government on the registration of places proves restriction on the number of gediks. This mistake might be intentional or not we do not know. However, it was understood twenty years later when alongside the names of the artisans, the places of the shops and the depositories were demanded by the state.\footnote{\ldots biz esnaf-i mezburenin ızın almış ve başka çıkmış ve zevan olmış her birimüz pir perrver kalfaları olup müddet-i vaforeden berâ ancak kalfalîk ile taavüysinde ziyade zareunitiz olup ve eksi kalfaları müstekil desteğah kurnak dahi nizam-i kadîmmîzîden olmağla binaenalehî biz dahi eksi kalfalardan olup kendî menzilîmûzde ve mülkimûzde mu'tad ızre müstakill desteğah kurup işlemek murad eylediğimizde kethûda ve ihiyalarımızı siz kalfalık ile taavüy idân size müstakill desteğah kurnağî izn virmezâ eger müstakill desteğah isterseniz bizden gedik içtira idân diye bizden ikişer üçer yüze gursî taleb iderler diyâ teşekkür idâviklerinde kethûda-yı merkum ve ihiyaları dahi cevalarında mezburonun pir perrver ızın almış zevan olmuş kalfâ olduklarını ikrar lakin baş altı senê mukaddem ihiyâr ve ustalar mevucud olan desteğahmuzdan ziyade desteğah olmasun diyâ beylerinde ta'ahhûd itemeleriyle binaenalehî mezburonun müstakill desteğah kurnalarına mümanaat izardiyü ve yedelerinde husus-i merkum için emr-i ali dahi olmamağîa kethûda ve ihiyaların vech-i muharrer ızre desteğah için kalfalar ayeleydikleri mümanaatılar meşru olmâyub hilaf-i şer oldûn ve kemâhî esnafl merkumun Baş muhassibeâden muhrec der kenar natyk oldûgî ızre ba ferman-i ali nizam virûlûh lakin bin yüz kork üç senesi nizam-i merkum terk olmaga tarîh-i merkumdan berî esnafl-i merkume müteferrik ve her biri ahâ mahallerde kethûda karhanelerinde işlediklerini cümllesi mukarr u muterîf oldûgî \ldots\)\" A. Kal'a, (ed.), \textit{IAD} I, p. 293, doc. # 5/321/957-II evall B 1174/6-15 February 1761}
crafts/trades using state’s material like tüüncü, enfiyeci, kahveci and so on. For someone especially from administrative rank, acquiring a gedik might be an additional profit or investment. In addition to administrators, the most common owners of gediks except the artisans were big wholesalers having important revenue and demanding accumulation of his revenue on interest by the way of trade. It is not certain they had a title of uesta but most probably they did not, in fact they did not need this title. This indicates that alongside formal gedik owner within the title of uesta, there were owners of gedik outside the class of the artisans.

Sale

For the contract of sale, the term of bey’ as an Arabic word means both to sell and also to buy. Bey’ originally means the clasping of hands on concluding an agreement. In this meaning “safka-i vahide” in the documents expresses the conclusion of the sale of gedik.\(^{46}\) Gedik could be sold both by its owner willingly\(^{47}\) and also by the state.\(^{48}\) After its sale, its registration must be renewed in the name of its new owner. The kethüdas’ permission was also necessary.\(^{49}\) Besides, it was compulsory for some artisans to take the consent of kadi of Istanbul.\(^{50}\) Before sale, it must be searched if the seller artisan had any debt. This subject had vital importance especially for the gediks buying and selling the state goods like coffee, tobacco and so on.\(^{51}\) The first person who had right to buy gedik is son of owner of the concerned gedik if he is one of the member of same guild and then qualified kalfas from the same guild. Before the sale of a vacant (mahlül) gedik, the state wanted to know its name, its place, its boundaries, what take

\(^{46}\) BA, CB 4573-26 R 1235/12 January 1820
\(^{47}\) For example, BA, CB 4770-3 Z 1254/17 February 1839
\(^{48}\) For example, BA, CB 5208-25 B 1254/14 October 1838
\(^{49}\) “…gediklerinizin mubahaya ‘asında kethüdamız ma rıfetiyle bey’ olunub(…) Kazzaz esnaﬁ nizami, BA, CB 7598-1247/1833
\(^{50}\) BA, CB 7598-20 RA 1228/23 March 1813 Pirinççi ve zahirevi esnafının nizamları
\(^{51}\) “…gedişe mutasarrıf olanların birisi fevte olduğu miri kahvesi semeninden zimmeti zuhur ıder ise lede’t-tahsil ol vechle ahire furuht olunmak ba hattı hümâyın verilen nizam ıktizasından olmuşla(…)” BA, CB 7437-21 L 1247/24 March 1832
\(^{52}\) BA, CB 6060-16 S 1258/29 March 1842
place around it, from whom and at which date bought the deceased person. In the document covering sale process, the consents of both seller and buyer take place within same words. More or less the context are the same. For example;

Gedik could be sold not only as a whole but also as shares which seems more preferable. The sale of half gedik -nsf-ı sayia- to other sharer was most common one and the preference of the sharers was also in this sense. Implements of fincanı and tuhafcı known as gedik among the artisans were bought by two non Muslim women and it was registered on nsfiyet by giving two surets for them in return for 4000 kuruş. Half of implements necessary for a garden like kantar, terazi, dirahom, çekmece calling gedik was sold not to his other sharer but to a non Muslim women in return for 2500 kuruş. Five shares of a simidci bakery gedik consisting of twenty four shares were sold by inheritors in return for 1200 kuruş when its owner died. The transfer fee also must be paid to the relevant treasury. After detailed inspection if the artisan had any

53 BA, CB 3831-1246/1830-31
54 Like BA, CB 1501-8 B 1231/11 April 1821; BA, CB 3831-1246/1830-31
55 BA, HH 30923-19 L 1248/11 March 1833
56 BA, CB 1460-26 S 1245/27 August 1829
57 BA, CB 2449-17 M 1247/28 June 1833
58 BA, CB 1535-1226/1811
59 BA, CB 4770/CB 60-3 Z 1253/17 February 1839
debt to the state, a coffee *gedik* was sold and 37.5 *kuruş* transfer fee was paid to the Treasury of *Amire.*

In some trades/crafts the sale of *gedik* was sometimes restricted to Muslims and prohibited to non Muslims. According to their *nizam*, the tobacco *gediks* had to be sold to Muslims when its owner died even if he had been non Muslim. However, due to necessity its sale from non Muslim to non Muslim became widespread. The artisans demanded change in their *nizam* concerning the sale of *gedik*. The state’s solution was in favour of financial gain that if a tobacco *gedik* of Muslim had to be sold, it would be sold to Muslim in its real value, if a *gedik* of non Muslim needed to be sold, it would be sold to whomever offering five *kuruş* more than others, whether Muslim or non Muslim. The effectiveness (!) of this order was seen in a new order dated by 1838. It is claimed that at the first times, there were not many Muslim owner of tobacco *gediks* and so, this trade was regarded as restricted to non Muslims. However, it was ordered that newly established tobacco *gediks* should be sold also to Muslims. The government’s stress on down payments must be paid to *Mansure Haznesi* justifies its immediate need for cash especially for the army. About 30 years later, tobacco *gediks* were ordered to be sold only to Muslims without giving any reasons.

When an artisan proved insolvent, his *gedik* constituting security against credit was sold to the highest bidder to repay his debts. In this case a problem came into scene. It is most probable that the *gedik* might ended up in the hands of people outside from the insolvent artisan’s guild and indeed they did frequently enough to instigate several

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60 "(...)virilen nizamda ehl-i zimmetden biri halik olduka veyahut mutasarrif oldugu gediğinin bey'i iktiza ettiginde değer bahasiyle ehl-i İslamdan birine bey' olunub kefereden birine bey' olunamak şartı musarrah ıkken el halet-i hinde tutüncu gediğlerinin ber muceb-i nizam zimmiden zimiyeye nakli zimmindailam ıkta olmakta olub.......badezîn müslim mutasarrif oldugu gediğler hasbe' iktiza bey' olundukda lede'le müzayede değer bahasıyle yine müslima ehl-i zimmet tâfigi mutasarrif oldukları gediğleri kezalik lede'le hace bey' olundukda ba'ide'le müzayede müslim ve gerek ehl-i zimmet her kim beşer kuruş ziyade virir ise ana viriliek(...)" BA, CB 902-15 RA 1221/12 June1806

61 "(...)ve enfiye esnaâfiгиб mukaddemâ milet-i selâseye münhasır gibi olunarak işlerinde ehl-i İslam yoğun iken mar'ul-beyan ilave olunan gediğlerden ehl-i islama dahi gediğ virilmek(...)" BA,CB 5208-25 B 1254/14 October 1838
guilds to complain to the government. The artisans resented the involvement of clumsy handed outsiders, in their trade acquiring a gedik in some way or other. The complainants did not contest, of course, the use of the gediks as security for credit but they wanted established masters to control the transfer of gediks in accordance with the custom of the group in the event of insolvency or other reasons. In principle, the state conferred a decree which ratified the custom of the trade concerning transfer of gedik, private ownership of gedik alongside promotion to mastership. Apart from this, the state could take control over gedik when the artisan’s malfunctions like buying materials from foreign tradesmen against the state’s consent. The state had a right to take over gedik as in the example of gedik of tobacco whose owner had bought his material from outside contrary to their nizam. In this case, the concerned gedik was auctioned off by the state and moreover the guilty artisan was punished with condemnation to galley. The state handed over gedik of a non Muslim who was claimed to escape but no reason was given for that. After the sale of is gedik by the state, non Muslim returned into his home but the state did not pay or give his gedik by claiming that the claim of ownership of a non Muslim was contrary to Şer‘ı şerif. In another case, an artisan who escaped from his place was obliged to work as journeyman because his gedik was taken and sold by the state.

In addition to these, the guilds had an authority on the sale of a gedik whose owner had lost his credibility on their eyes and in the public. Within the consent of

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62 “(...)vefat yahud gaybiyyet(?) idenlerin mutasarruf oldukları gedikler marifeti şer’ ile bi’t-tahrir kethüda ustaları marifetile ahali-i müslimeye bey’ ile(...)” BA, IŞD 623-8 M 1286/20 April 1869
63 Akarlı, ibid, p. 226
64 BA, CB #5208- 25 B 1254/14 October 1838; BA, CD 645-20 S 1228/22 February 1813
65 “(...)müste’men tâfesinin temellik davası şer’i şerife uygun değil(...)” BA, CB 3831-1246/1830-31
66 IKS 75b-17 RA 1139/11.12.1726, quoted from M. Küttükoğlu, “Osmanlı esnafta Oto-Kontrol Müessesesi”, Ahiilik ve Esnaf, p.60
67 BA, CD 645-20 S 1228/22 February 1813
68 Ilike “(...)bir gedik olduğu mahalde hâr mahalle nakd olunnamak şerait-i nizam-i kadîmimiz olub(...)” Ütâci esnaf nizam, BA,CB 7598-5 RA 1219/15 June 1804
masters and journeymen of the concerned guild, the half *gedik* -simkes- of an accused artisan was given to its another sharer who was at the same time his brother.⁶⁷

**Change of place, transfer (näkil)**

In almost all of the *nizams* of artisans, the transfer of a *gedik* from its determined place to another place was prohibited.⁶⁸ There are two important reasons for the demand of the *gediks*’ transfer that the artisans could demand change of place of their *gediks* due to abolishment of their *gedik* shops by being added to the road or being burnt. The other important cause of it was the conflict between renter artisans and owner of the property. One of the basic factors of *gediks* –especially *müstekar* ones- was its attachment to a certain place. On transfer, the most disputatious ones were public house (*meyhane, meygede*) *gediks*. Except Galata in all quarters of the city the transfer of those kind of *gediks* became a problem. According to the *nizam* of *meyhane* *gediks*, the number of *gediks* in one quarter cannot exceed the number of ones in another quarter. Not only the registration of a new *gedik* but also establishment of a new *gedik* near or around ex-*meyhane* *gediks* was prohibited. One non Muslim was complaining repeated action of another non-Muslim artisan insistently demanding transfer of his *meyhane* *gedik* bought in Boğazıçi cheaply to Beyoğlu near his ex-*meyhane*.⁶⁹ It is known that in the eighteenth century the gradually movement of the sultan’s court to Beşiktaş district, the construction of palaces, kiosks on the Bosphorus led to the urbanisation of settlement on two sides of Bosphorus. It is most probable that this newly developing region provided opportunities for the artisans who had no chance to acquire *gedik* in other parts of the capital. However, the desire of the artisans to transfer his *gedik* to Beyoğlu proves his real aim and it seems that *meygede* *gediks* in and around Beyoğlu was both expensive and also profitable. In this context, only *gediks* of *meyhane* burnt on last fire in Beyoğlu

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⁶⁷ “(...) bir mahalden diğer mahalle meyhane fazaka olunmamak ve müciddeden gedik ihdasına ruhsat virilmemek ve kadim olan meyhanelerin kurb ve civarına diğer meygede kışad olunmamak nizami iktisalarından ise def(...)” BA, CB 4001-27 RA 1262/25 March 1846
was permitted to transfer into nearby shops without gedik. The fire also necessitates transfer of other kind of gediks as in the example of tobacco gedik which was not built in ex area due to immediate need of owner of the property to enlarge his house. One müstahlas sweet maker (helvacı) gediği was transferred to another part of the same quarter under the supervision of a different vakif in spite of all meaningless objections of other artisans from the same guild claiming that this new place was distant from their main area. The intense need for place of gedik of the owner of the property also given as a valid reason for transfer of a gedik. It might be a pretext of both owner of the property and also the artisans because this intense need facilitates the transfer. If an artisan did not want to change his place, it is clear that he can complain unlawful demand of the owner of the property to increase the rent and so to abolish their gediks as it can be seen in many documents. Some of the gediks also transferred for the reason that they were abolished in order to enlarge roads or to be added to buildings by the state. A çubukçu shop was transformed into a police station (karakolhane) and so, it was decided that it could be transferred to another place but the place of karakolhane would have no vacancy (mahlülü) in any time and so its rent would be doubled by claim of having no contrary to Şer'i Şerif and nizam. The transfer fee must be paid and the registration of gedik in new place must be renewed while the document of exone preserved.

70 BA, CB 376-1263/1847; BA, CB 1146-9 B 1263/ 23 June 1847
71 "(...)dükkan arsasons sahibine ezedd lüzumu olduğuandan menziline zam ve ilave etmekle(...)"BA, CB 2687-7 § 1260/ 21 August 1844
72 The gediks whose property had been burnt were called müstahlas also in şer'i courts. These were just like the fixed gediks according to the law but since the fixed place of gedik was only an area, they were called with this word, müstahlas. O. Nuri, ibid, p.664
73 "(...)nakli emsaline tevafuk eylemiş ise de ba’diyet beyanıyla bab-ı mezkur haricine nakline helvacı esnaflı müman’a at olunmakda bulunmuş(...)"BA, IMV 14542- 25 ZA 1271/09 August 1855
74 BA, CB 2451-9RA 1251/5 July 1835; BA, CB 2687-7 § 1260/21 August 1844
75 BA, CB 3044-18 Z 1247/ 19 May 1832; BA, CB 4476-22 ZA 1245/ 15 May 1830
76 BA, CB 5088-20 Z 1263/29 November 1847
Rent

Due to the Ottoman state’s tight control on price and quality, the differences of income between the artisans in the capital city varied in narrow range, \( \frac{1}{4} \) or \( \frac{1}{7} \) at most. The artisans did not have sufficient capital to build work premises like shops, khans or else.. and so, they were generally tenants of pious foundations which were mostly established by high ranking members of the Ottoman administration. The work premises necessitated artisans coming together side by side in the same street, khans, or çarsısı generating just a business area different from residential ones. Residential quarters contained only a few shops selling everyday needs like grocers or butchers and in a way peddlers.\(^77\) The interference of peddlers generally consisting of newcomers has been subject of complaint as they interfered secret of Islamic public life even though the real purpose of the artisans was to preserve their monopolistic rights in a sense.\(^78\)

In Ottoman capital, the tendency of the artisans to work side by side in the same street was generally stronger. Both the state and the guilds encouraged and in a way ordered the artisans’ concentration on special streets or çarsısı by the nizams. The craftsmen producing tulumbacı şeridi were encouraged to establish their destgahs in a khan and this was put on their nizam.\(^79\) The artisans objected the transfer of a gedik shop from its common area to another place went to the court by claming that it was too distant from them.\(^80\) From the state point of view, the grouping of the artisans in a particular street or khan made it easier to control the price, to collect the taxes and to demand requisitions when needed. The artisans also benefited from this working style to defend their monopolistic rights and to police price and quality. Living and working near to one another also strengthened their social ties.

\(^77\) S. Faroqhi, “Crisis and change, 1590-1699”, An Economic and Social History of The Ottoman Empire, H. Inalcık and D. Quatert (eds), Cambridge University Press,1994, p.580
\(^78\) Ö. L. Barkan, ibid, p.46
\(^79\) “(...)ve hırfet-i mezburı erbabs olan yıgımı bir nefer usta ve otuz destgah zatı u rabt için cümlesini bir handa veya bir mahalde cem’ oldukları halde işlene diyü nizam virilip ve bu nizam ba’del’ yevm dustom’u-l amel kılmak(...)” IKS 24/56A/2, 4 M 1139 / 1 September 1726 quoted from A. Kala, İstanbul esnaf Birlikleri ve nizamları 1 p.220
According to Islamic law, in principle the vakif property was inalienable and to be rented for short terms, usually not exceeding three years at a fair rent determined by current market rates. The renting of shops or khans of pious foundations was only to serve an important secondary source of income for other pious endowments like mosque, school... and also for workers' wage, making profit, in real sense, was not aimed. If the vakif property became damaged usually by fires and earthquakes in Istanbul and it had no means to restore itself, the door was open for special arrangement in order to encourage the tenants to repair vakif buildings and so ameliorate its revenue. When the area of destroyed property was rented to individuals by means of icare-i vahide –single rent-, it was not in accordance with financial interest of lessee who repaired vakif buildings but had right of tenancy only for a fixed and brief duration. Since there were few demanders for limited lease contract, new arrangements came into scene. The solution was renting vakif property on icaret eyn contracts which was in fact a şer'i fraud. The justification was that "necessity makes lawful that which is prohibited". Icareteyn simply means "double rent". A base rent in the form of down payment was paid to the vakif, which was an amount equivalent to the value of buildings had been destroyed. This initial payment was icare-i muaccele. An additional rent –lesser amount- was paid to the vakif at the end of each year, calling icare-i müeccele. The purpose of assigning a second monthly or yearly rent was to serve as a reminder to the utilizer (mutasarruf) that ultimate ownership of the property belonged to the religious foundation not to the lessee. The müeccele rent precluded any claim that the property leased by mutasarruf was in his possession as private ownership by the right of prescription (mürur-ı zaman hakkı). Within the periodical rent, the lease

80 BA, IMV 14542-25 ZA 1271/ 9 August 1855
81 Ö. Hilmi Efendi, İhafu'l-ahlaf fi ahkami'l-evkaf, İstanbul, 1307/1889, p.90
82 Binanéleyh, buna bir çare olmak üzere müsükkafatı harab olmuş olduda, imarnina kudreti olmayan ve başka suretle dahî imari mümkün olamayan müsükkafat-ı mevkâfede icaret eyn suretile tasarruf usulü ihdas olunarak "hacet hususi olsun, umumi olsun, zaruret mezelesine tanzil olunur" ve "zaruretler memnu' olan şeyler mübah kilar.." Ö. H. Efendi, ibid, p.86
contract between mutasarrif and mütevelli of vakıfs was renewed. İcaret eyn rent agreement was valid for the duration of the renter’s life and he had right to transfer tenancy to his heirs.83

In the late seventeenth and early eighteenth centuries, Istanbul had been faced with vast number of fires84 and earthquakes and so, icaret eyn arrangements had common place in Istanbul. Similar arrangements were also made between the permanent lessee and sub-lessees of vakıfs and even between private proprietors and their tenants. Thus, ownership had become a relative right qualified by complex relations between different claimants to a piece of the property.85 The financial burden of such disasters was so high for the state. For instance, as a result of earthquake in 1766, a number of vakıf buildings in Istanbul and other parts of the country were destroyed. For their repair, or in a sense their renovation, Mustafa III expended about 220,000 kese or eleven million akçe.86

In addition to disasters, especially in the late eighteenth century the central administration in an immediate need of cash due to desperate wars put its control on revenue of major vakıfs which had large numbers of work premises. The state began to borrow money internally against the revenue of government controlled vakıfs. Meanwhile, leasing the vakıf property on icaret eyn or muqataa contracts to the highest bidders of down payment was an important measure taken by the state in order to increase the revenues of individual vakıfs, to serve the interest on outstanding loans and to generate additional income.87 It seems that the central administration aimed to hand over considerable amount of cash by down payment of icaret eyn kind of renting system just as in "malikane" system. The artisans were encouraged to repair and in a way

83 H.Hatemi, Önceki ve Bugünkü Türk Hukukunda Vakıf Kurma Muamelesi, İstanbul, 1969, p.80
84 For instance, in 1106/1695, 1113/1702 Bedesten, 1121/1709 Hocarpaşa, 1127/1715 Bayezid, 1128/1716 Sarayhanı, 1135/1723 Karaman çarşı, 1155/1742 Kadırga, 1163/1750 third Grand Bazaar fires were only a few of them damaging a lot of shops and khans. O Nuri, ibid, v.3
85 Akarlı, ibid, p.226
87 Y. Cezar, Osmanlı Maliyesinde Bunalım ve Değişim Dönemi, İstanbul,1986, p.212-13
reconstruct destroyed vaktf shops by fires\textsuperscript{88} or earthquake\textsuperscript{89} in return for muaccele of gedik which were promised to be registered in Baş Muhasebe. Fiscal pressure on vakfs was making it difficult for the artisans to secure the right to a workshop. As a result, application of gedik became widespread as it can be proved by abundance of gedik papers in the late eighteenth and early nineteenth centuries.

From the point view of the artisans increase in rent make their livelihood impossible. They emphasized in a traditional perspective that the shops in which they worked had been reserved for their trade from old times and they had repaired them out of their own money, thus contributing to the upkeep of the property in a way beneficial to the proprietors. They had not neglected the payment of their customary rents and had fulfilled their obligations to the public treasury and the government offices promptly.\textsuperscript{90} They also argued that if they were expelled from their shops or they were obliged to pay higher taxes, this would disrupt not only their own livelihood but also cause damage to the public.\textsuperscript{91} The merchants would run into difficulties in collecting their money and thus feel reluctant to supply merchandise.\textsuperscript{92} Shortages and price increases would ensue to harm populace at large. They were clamning that their gediks constituted a fixed component of the premise where they worked. They used their gedik papers as evidence of long existing deals between them and their proprietors.\textsuperscript{93} The ownership of gedik would have ruled out evacuation as a sanction and have complicated the settlement of disputes.

In addition to these, expulsion of the artisans from a shop in order to lease it to anybody willing to pay higher rent was contrary to the custom of the market place which maintained the groping of the artisans of the same guild in specific location. It

\textsuperscript{88} BA, CB 7598-21 S 1243/13 September 1827\textit{Mercanda kain Zincirli handa mevcud odaların nizamları}
\textsuperscript{89} BA, CB 7598-29 CA 1239/31 January 1824\textit{Osmaniye kurbunda yaşçı hanın kain odaların nizamı}
\textsuperscript{90} A. Kal'a, (ed), \textit{IAD I}, p. 224, doc. # 5/50/164- fi evahir-i M 1172/24 September-3 October 1758
\textsuperscript{91} BA, ID 29990-20 S 1276/14 March 1860
\textsuperscript{92} BA, CB 4675-11 N 1246/23 February 1831
\textsuperscript{93} BA, HH 30819-15 S 1235/ 3 December 1819
was also not in accordance with the principle of fair rent. On rent disputes, the courts
decisions were almost completely in favour of the artisans’ demand by granting a decree
prohibiting the expulsion of the artisans from shops and explicitly forbidding rent
increases.\textsuperscript{94} According to S. Faroqhi, on rent disputes the decision of many kadis was in
favour of the artisans, considering that the artisans who had been in their shops for a
long time were protected by the principle that ancient usage was good and novelties
potentially harmful. She questioned the decision of kadis as resistance of ulema to the
official pressure in favour of a measure calculated to yield increased revenues.\textsuperscript{95}
However it is clear that while the state tried to take revenue from vakıfs, the prohibition
of rent increase and expulsion of artisans from their shops took place as an important
issue in their nizams approved by the state. The state did not resent the artisans as
guarantee of security of public. Therefore, the state seems to be in a dilemma in itself.
In late dates the state seems to change its decision for the sake of financial need.
Although the haffafs were complaining that their shops were began to be leased to other
artisans, contrary to their nizams, the government ordered to rent ex shops of haffafs to
other artisans’ groups offering high rents. The claim of the state was that monopoly was
abolished and who pay high rent had a right to rent.\textsuperscript{96} If an artisan occupied a place
without gedik, the state’s decision was in favour of the owner/ mütevellis of property.\textsuperscript{97}

Pledge (rehn)

According to the Islamic law and also Ottoman jurisprudence, it is legal the
giving of pledge in business in which a definite period concerned. The giver of the
pledge is bound to maintain it, its use by the taker of the pledge is also forbidden. The
increase belongs to the giver of the pledge but also becomes part of security. While the

\textsuperscript{94} BA, CB 1538- 9 R 1226\slash 3 May 1811//BA, CB 6307-10 M 1265\slash 7 December 1848
\textsuperscript{95} S. Faroqhi, "The fieldglass and magnifying Lens: Ottoman studies of Crafts and Craftsmen", \textit{The
\textsuperscript{96} BA, İSD 627-12 M 1286\slash 24 April 1869
\textsuperscript{97}
ownership of a pledge remains with the debtor, he has no power of disposal over it and possession passes to the creditor, the latter has the right to sell it to satisfy his claim if the debt becomes overdue or is not paid.⁹⁸ The most important advantage of gedik was that it can be pledged due to the debts of the artisans. In Ottoman economy in which the conditions were making capital accumulation and investment difficult, the difference between the richest artisan and the poorest one did not exceed ¼ or 1/7. The shops, khans belonged to the state or vakıfs- in fact they had no financial power to buy or to build such structures- and their mere possessions were their tools and equipment consisting gediks. Rent arrangements were generally made according to mukataa or icaretelyn contracts. In mukataa deal since the down payment might be a tangible addition to the vakıf property, the artisans could pledge his own addition to the vakıf. However, under normal circumstances an icaretelyn contract precluded the pledging of the leased property.

In order to secure the payment of the taxes and fees to the state and also to assure the merchants and other creditors of the artisans, exceptionally the artisans had a right to pledge their assets under icaretelyn contracts involving gediks. In this context, even though the registration of new gediks were forbidden in 1229/1814, the state excluded gediks of artisans using state’s capital like coffee, tobacco...⁹⁹ Because the state demanded to secure the payment of debts to itself and continued to register such kind of gediks. In case of an insolvency or death of a debtor artisan the gedik was auctioned off by the guild under the supervision of kethüda to a qualified member of the guild, the proceeds were used primarily to pay the debts.¹⁰⁰ The pledge on gedik could be removed when the debts were paid. (rehnin vefki) One bakery in Zencirlikuyu proved his insolvency. In order to prevent any loss of profit to the state, it was auctioned at the

⁹⁷ BA, İD 29990-20 § 1276/14 March 1860; BA, HH 3081915 S 1235/3 December 1819
⁹⁹ BA, CB 4770-3 Z 1254/17 February 1839
¹⁰⁰ BA, CB #7598- 20 RA 1228/ 23 March 1813 Pirinci ve sakireci esnafının nizamları
price of its *muaccele* which was equal at the same time to his debts-3380.5 *kurus*.\(^{101}\) It is only understood that the debt could not be paid in a long time (*mürdet-i medidede*) but we have no idea how long it was. It was auctioned off when a bakery in a different quarter demanded *gedik* for his shop. If *gedik* was not sufficient to pay the debts of deceased artisans, what is left over was tried to be received from guarantors.\(^{102}\) Even though the number of jeweller was one hundred but only fifty of them -who were owner of *gedik*- were regarded as trustworthy and only their suretyship was accepted. If the others wanted to be like these fifty ones, they had to pay *muaccele*.\(^{103}\) *Gedik* constituted security against credit.

Inheritance (*miras*)

As mentioned before, the general aspects of the rights stemming from *sükna* which was tools and equipment necessary to practise a trade/craft and *icaretöyn* which was a perpetual lease, formed the base for the legality of *gedik*. *Sükna* could be bequeathed to legal heirs according to the sharia and the tenant on *icaretöyn* contract also had a right to bequeath his right of perpetual lease but only to his immediate children. This inheritance was applied according to the custom, not to the sharia, so it was named as customary transfer (*adi intikal*). According to the sharia, since the lease contract of a deceased tenant became annulled, the right of usufruct could not to be transferred to the inheritors of the tenant.\(^{104}\) In this sense, inheritance rule of *gedik* was the same with the usufruct right on *icaretöyn* contract.

The procedure for the inheritance was determined in existing *nizams* of the artisans. *Gedik* could be bequeathed only to immediate children of a deceased or retired artisan if they were from the same guild with their fathers, in other words, they were

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\(^{101}\) BA, ID 20218-21 CA 1271/9 February 1855  
\(^{102}\) BA, CA 917-20 ZA 1255/25 January 1840; BA, HH 30923-19 L 1248/11 March 1833  
\(^{103}\) BA, CF 116-§ 1255/10 October-7 November 1839  
\(^{104}\) Ö. Hilmi, ibid, p. 87
qualified persons in concerned trade/craft. If none of a deceased artisan’s children qualified to become a master in the trade/craft, other masters of the guild within the consent of their kethüda auctioned off his gedik. The first person they would prefer had to be müstehak journeyman and then mülazım journeyman.\(^{105}\) In this case, the proceeds gained from auction were delivered to his children. If he had no children, his rights reverted to the vakıf it belongs and the proceeds of auction went to the vakıf. The gedik of a deceased jeweller without children was auctioned off by the member of his guild and the muaccele of his gedik –7500 kurşun- was submitted to Darbhane-i Amire.\(^{106}\)

If only one of the heirs qualified to become master in his father’s trade/craft, other children had given their shares to him. Even though it is not clearly stated in the document, most probably new owner of concerned gedik paid money for shares of his brothers.\(^{107}\) Whether deceased or retired master had children or not, since his gedik would be registered in the name of its new owner, an amount of transfer fee had to be paid to the relevant office.

While in most of the nizams there was not any distinction on male-female heirs of deceased artisans, some of them made clear stress on that only sons of deceased artisans had right to bequeath the right of owning gedik of their fathers.\(^{108}\) Besides, in some of the nizams, to express male and female inheritors distinctly seems to be needed.\(^{109}\) The reason for the stress on qualified male heirs might be that within the tools and equipment or shop as an estate, the right of mastership would be right of sons of a deceased artisan. When the inheritors were female, the cases on the courts

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105 like BA, CB 6532-16 L 1247/19 March 1832
106 BA, CD 420-21 SA 1219/1 June 1804
107 BA, CB 7239- 22 S 1233/1 January 1818
108 "(...)esnaflımdan biri fevüt oldukda dikkamı oğlu var ise oğluna yox ise kalfasına(...) BA,CB 7598 saatchi esnafinin nizamları 5 S 1222/14 April 1807; "(...)justamin fevlt halinde gedigi kizna verilmeyüb oğluna verilmest oğlu yoksa ustahıda liüzümü anlaşilmiş evladına veya müstahak bir ustaya verilmek(...)” A. Kal'a, (ed), IAD 1, p.221, doc. # 5/46/138- evall-i CA 1172/ 31 December-9 January 1759
109 "(...)gedik ašabu ustalardan biri fevüt oldukda gerek oğlu gerek kızı gediğini zabı tıdûb(...)” Sinici esnafin nizamları BA, CB 7598-6 S 1224/ 23 March 1806
concerning infiltration of kethüdas\textsuperscript{10} or other people from the guild or outside to the gediks bequeathed to a woman were not uncommon. The women usually appealed to the court by demanding their rights on gediks inherited to them. Their claim was generally that their gediks were sold to another person without their consent.\textsuperscript{111}

Selim III as the first sultan taking first step through the abolishment of gedik separated the right of holding gedik from estate of deceased artisan. In order to prevent any loss of profit of the state, he declared that if any owner of gedik died, his gedik could not be regarded from estate, only material of his gedik would be delivered to his heirs.\textsuperscript{112} It seems that this rule became valid in later terms, for example, after death of a jeweller, his son became new owner of his father’s ex jeweller gedik by paying 5000 kurş as muaccele.\textsuperscript{113} The advantage of gedik as inheritable right might have strengthened the tendency of sons choosing their father’s job as their own occupation. Thus, gedik provided human capital for concerned trade/craft.\textsuperscript{114}

\begin{flushleft}
\textsuperscript{10} BA, HH 15962-1203/1789
\textsuperscript{111} BA, HH 31021-27 C 1248/21 November 1832
\textsuperscript{112} IKS 98-12 RA 1220/1805 quoted from O. Nuri, ibid, p.656
\textsuperscript{113} BA, ID 29030- 11 M 1276/ 10 August 1859
\textsuperscript{114} M. Genç, “Osmanlı Esnafi ve Devletle ilişkileri” in Ahilik ve Esnaf, p.123
\end{flushleft}
VI. The state's dilemma—abolishment or establishment

Vakıfs and gedik

In the late eighteenth century especially at its last quarter, the sultans gradually began to regain authority over their own evkaf holdings. In an estimated 90 percent of all vakıfs, the founder belonged to the ruling stratum, thus no one seems to be questioned their usage for family purposes.¹ The administrators of 56 percent of vakıfs were founders themselves, 11 percent were those selected by the founders and only 33 percent were those appointed by kadi or nazir.² The mütevellis of vakıfs had been using their homes at the same time as office for management of concerned vakıf. However, from the second half of the eighteenth century, Osman III, Mustafa III and Abdülhamid I built separate offices for the administration of major vakıfs.³ Their action was also the first step on centralization of vakıf administration. Their real aim was to take financial support for their desperate wars, particularly with Russia. Within the support of vakıfiyes the revenue of vakıfs has been estimated 1,168,167,272 akçe in the eighteenth century.⁴ This account is half of the state revenue estimated as 20 million kurus (1 kurus = 120 akçe in that time).⁵ If we take the estimates pointing 4,492,250,000 akçe after 1774 into consideration, the revenue of vakıfs exceed ¼ of the state's budget.⁶

Throughout the reign of Selim III, the administration of Hamidiye and Laleli evkaf with their appendices remained in the charge of Darüşsсаade Ağaları. However, due to their corruption and peculation of vakıf revenues, a number of these chief ağas and their subalterns were dismissed from office and were either exiled or executed.⁷

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¹ J. R. Barnes, An Introduction To Religious Foundations In The Ottoman Empire, E. J. Brill, 1987, p. 43
² B. Yediylidz, "XVIII. Asrda Türk Vakıf Teşkilati", Tarih Enstitüsü Dergisi, İstanbul, 1982, no:12, p.175
³ Ibid, p.179
⁵ Toderini, De la littérature des Turks, Paris,1789,vol I,p.90 quoted from ibid.
⁶ B. Yediylidz, ibid.
⁷ İbnülemin Mahmud Kemal and Hüseyin Hüsameddinin, Evkaf-ı Hümayun Nezaretinin tarihçe-i teşkilati ve nuzzarin teracim-i ahvali, İstanbul, 1335/1916, p.23-24
Selim III’s successor Mahmud II’s policy was slow but cautious at reforming the institution of evkaf. In order to put an end to the period of anarchy under the Darüssaade ağası from office as minister for imperial evkaf, the solution of the sultan was to create a nucleus of vakıfs and place his own appointee at the head of its administration. In 1809 the administration of Hamidiye evkaf was transferred from Darüssaade yazıcı to the new Imperial Evkaf Ministry. The management of Hamidiye and Mahmudiye evkaf holdings was given to the Darbhane-i Amire Nezareti in 1813.8 Mahmud II was ensuring direct management of his own endowments by placing the administration for imperial evkaf under Darbhane Ministry. During the early years of his reign the Darbhane Ministry had acted as a finance ministry and the sultan had the intention of making the Imperial evkaf treasury serve the financial needs of the expanding bureaucracy and military.9

By the year 1825, the Mahmudiye evkaf increased in size and importance with Hamidiye evkaf and moreover, in 1826 with the destruction of the Janissary corps, the evkaf-1 Mahsuse of Janissary Ağası and those of Sekbanbaşi Ağası were added to the Mahmudiye mütevelli kaimmakamlığı which gained further importance.10 Therefore, Hamidiye and Mahmudiye evkafı were removed from the jurisdiction of Darbhane-i Amire and a separate ministry was formed with the title of Evkaf-ı Hümayun Nezareti-i Celilesi.11

Before the foundation of Evkaf-ı Hümayun in 1826, evkaf consisted of three types- evkaf-ı mazbuta which was evkaf administered by Evkaf Ministry, evkaf-ı mülhaka which was evkaf under the supervision of the Evkaf-ı Hümayun nazirs and administered by individual mütevelliis, and evkaf-ı müstesna which was evkaf

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8 ibid, p.22
9 Barnes, An Introduction to Religious Foundations in the Ottoman Empire, E. J. Brill, 1987, p.83
10 İ. Mahmud Emin and H. Hüsamettin, ibid, p.26
11 BA, CE 6835-21 S 1242/24 September 1827 quoted from Barnes, ibid, p.73
administered by their own mütevellis without the interference of the Evkaf Ministry.¹²
When the business of buying and selling evkaf property and confirming such transactions was in the hands of mütevellis and the revenue collectors for the vakaf, every kind of fraud and corruption occurred and this condition led to termination of these nezarets¹³ and the creation of Evkaf-ı Hümayun Nezareti.¹⁴

It should be noted that with the rapid increase in evkaf affairs for the Imperial Evkaf Ministry, a larger administrative building was needed for additional staff and for this reason at the place of ex Darbhan-i Amire a number of shops of mat makers and carpenters were abolished and instead an administrative office was erected in 1832.¹⁵

Following 1826, in time, Mahmud II removed leading men –like Darüssaade Ağası, Şeyhülislam, Grand Vizier, Reisülküttab, Babüssaade Ağası, Bostancıbaşi, Saray ağa’s- of the evkaf and deprive them of their economic base. The sultan used so efficient policy in order to adopt his policy both militarily and administratively that he achieved to take the support of such religious men as Sahaflar şeyhi zade Es’ad Efendi, Şeyhülislam Yasincizade Abdülvehhab Efendi and Şeyhülislam kadızade Mehmed Tahir Efendi who had summoned fetvas supporting the sultan’s actions regarding, for example, the abolishment of janissary corps, closing down Bektashi tekkes, activities and changes on vakıfs, in order to calm the public both in the capital city and countryside.¹⁶

According to Barnes, Mahmud II’s intention was that the majority of landed and roofed property revenue which had been diverted by means of icareteynli semi-familial evkaf into private hands should return to its original condition as property belonging to the state. Thus, it can be said that the right of control of evkaf of the empire reverted to the

¹² Ömer Hilmi Efendi, İhsafl-ı-ahlaf fi Ahkami-ı evkaf, İstanbul, 1307/1889, p.10
¹³ Until 1250/1834, Evkaf of Harameyn, Ayasofya, Sultan Ahmed, Sultan Osman, Gümüş Valide and Kösmed Sultan were under the control of Darüssaade ağas, evkaf of Sultan Mehmed, Sultan Süleyman and Sultan Selim were under the control of Grand vizier; evkaf holdings of Sultan Bayezid under the Şeyhülislam; evkaf of Hamidiye, Laleli, Selimiye, Mihrışah valide and Sultan Mahmud II were under the control of Darbhan ümenası and other evkaf were under the control of kâdis of Istanbul.
¹⁴ Mustafa Nuri Paşa, Netaici’i Vukuat, İstanbul, 1328/1909, vol. IV, p.100
¹⁵ İ. Mahmud Emin and H. Hüssemin, ibid, p.29
¹⁶ M. İşşirli, “II. Mahmud Döneminde Vakıfların İdaresi”, Tarih Enstitüsü Dergisi, n.12,p. 56-57
state. Property which originally belonged to the state remained with the state and in this respect all evkaf was evkaf-1 hümayun.\(^\text{17}\)

Mahmud II's policy towards the artisans were conciliatory because of the fact that the sultan was aware of the importance of the artisans' action for the security of the capital city. Although at the early dates of his reign, he was cautioned against legal complications generated by gedik and its inflationary effects of commodity prices,\(^\text{18}\) he did not want to resent the artisans of Istanbul while considering radical reforms especially on military. During the first ten years of Evkaf Ministry, the widespread application of gedik as the usufruct of a workplace equipped and reserved for the monopolistic practice of a trade/craft had been born of financial crises in evkaf under its administration. Due to mal administration and the ignorance of evkaf ministers in handling evkaf affairs, many imperial vakıfs were deprived of revenue.\(^\text{19}\) Another cause of the loss of evkaf revenue was inflation. In vakıfs a fixed income had been assigned to each of the servants depending on their official rank and status. Due to fluctuation in Ottoman currency, the original sum stipulated in vakıf-ye deed no longer sufficed as a living wage for the servants\(^\text{20}\) or their repair. In the reign of Mahmud II the kuruş declined in value more rapidly than previous terms. The silver content of the kuruş fell from 5.9 grams to less than 1 gram for a total debasement of 85 percent.\(^\text{21}\) Different kind of both silver and gold coins were produced in different contents.\(^\text{22}\) It is clear that the reign of Mahmud II witnessed the most rapid debasement and this period can be regarded as the most inflationary period in Ottoman history.\(^\text{23}\)

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\(^{17}\) Barnes, ibid, p. 86

\(^{18}\) Akarlı, ibid, p.229

\(^{19}\) M. Nuri Paşa, ibid

\(^{20}\) Sıtkı, Gedikler, İstanbul, p.25

\(^{21}\) Ş. Pamuk, “Money in the Ottoman Empire 1326-1914”, An Economic and Social History of the Ottoman Empire, eds by H. İnalçık and D. Quatert, Chicago University Press, 1996, p.970

\(^{22}\) For detailed information on the Ottoman coinage during the reign of Mahmud II, C.Ölçer, Sultan II. Mahmud Zamanında Darp Edilen Osmanlı Müdendi Paraları, İstanbul,1970

Therefore, the government looked for the requisite funds to make up deficit, Mahmud II, with the intention of finding income for his vakıfs, in a sense, tried to gather all gediks under the framework of evkaf. For this reason, Mustafa Nuri Paşa gives 1826 as the date of the creation of gedik system. By this date, within the action of the sultan the concept of gedik became definitively the leasing of the state’s trade monopoly over a certain commodity or the authorisation of the artisan to practice their trade/craft in a certain place.

At first, two ministries had been established for evkaf as Haremeyn and Evkaf ministries and in 1250/1834 the duties of Haremeyn were given to Evkaf Ministry. The establishment of fresh and transformed gediks as nizamlı were realised at the time of the existence of these two ministries. The owner and renter of evkaf holdings under the supervision of Evkaf Ministry, who had gediks with muhakim hüccetts, aklam surets or kethüda temessüks were given vakıf senedat by vakıf of Mahmud II and the ones belonging to Haremeyn Ministry were transformed under the name of Haremeyn Vakıf. By this way a number of mülk gediks were transformed into vakıfs and called “nizamlı”. The transformed and/or newly establishment of gediks to the vakıfs became so widespread in 1247/1831 that this date was given the date of great change in the procedures for the registration of gediks by_SIDKI.25

For the first time mülk gediks were being transformed only at the time of their sale, transfer or pledge, that is, when they needed an official procedure. With an order declaring that such reasons were not needed and any gediks on properties could be transformed and given vakıf senedat whenever demanded, kethüdas arranged their notebooks including the names of the artisans and the number and places of their shops and equipment and demanded alteration of their gedik documents with vakıf senedat. At this time, new gediks were also given for the shops without gedik.

24 M. Nuri, ibid
25 SIDKI, ibid, p.26
In general, official documents for *gedik* were not in a unique form. Some artisans were being content with *kethûda temessûks*, some ones were taking *hüccets* from *şer*’i courts or taking *aklam surets* or *tezkeres*. However, in the time of Mahmud II, it had been decided by the government to issue a *vakıf senedi* for the *gediks* by the *Harameyn* and *Evkaf* ministries. Ex *gedik* rights were acquired by the *vakıfs* themselves only to be rented back to the masters on *icaret eyn* contracts. It should be also noted that there was a clear shift in favour of *icaret eyn* contracts against *mukataas* because the limitations imposed by *icaret eyn* on inheritance rights facilitated the reversion of leased property to the *vakıfs* to a new person if deceased person had no children.

The owner of *gediks* donated their *gediks* to certain *vakıfs* in return for their *muaceles*. For example, it was claimed that in time *kemhacî* guilds weakened, their *gediks* were abandoned and moreover their places were unclear since they were scattered. Some of the *kemhacîs* were working in their houses while some of them were renters in *vakıfs* or individually owned premises. Just like the example of *gediks* of *kunduracîs* and *felemenk iplikçis* which were not abrogating the rights of *vakıfs* in spite of the fact that their places were scattered, wholly attachment of all *kemhacî* *gediks* to *Nusretıye Vakıfı* in *Tophane-i Amire* was demanded and all different kinds of *gedik* documents were transformed into *vakıf* *temessûks*. All *gediks* were submitted to the *vakıf* in return for their *muaceles* but their old yearly rents were doubled. The state

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26 The *seneds* given by *Baş Muhasebe* were called *sures* or *kuyrulu* and *seneds* from *Darbhanê* or *Tibbiye* were called *tezkere*
27 A decree dated by 1247/1831 quoted from *Sudki*, *ibid.*, p.27
28 *(...)nizam-i mustahsene mucibince b'il-câm ile gedik așhabi dahilatı bulundukları vakıflar tarafindan temessük almak lüzuma isnad kemhaciük sanati kadımdan berâ dört yüz altmış yedi aded desigah ve gedik askabına mahsus ise de revaci olmadığından ekseri metruk ve el-halet-i hinde islerin desigahdan ibaret olub bunlar da bir mahall-i müayyenesi olmadığından ba hüccet-i şer'îyye mükyyet üzere mutasarrıfları mahallerde ve ekserisi Koca Mustafa Paşa semtinde mükyyet ve vakıfyet üzere sakin oldukları menzilleri birazları da hâvale-i merkumadı kirayayle teskûn eyledikleri hane ve dükkânlarında sanati-i merkumeyi imal ile medar-i ta'yiş eylediklerine ve nizâm-i mezkura nazaran bazı evkâf-i müteadiddeden sened aldığı surletle nizamlarına hâleli gelmemek ve mülk-i mahallî bulunan bir gedikler harici nizamda kalınca melhuz olduğundan bahsle ol makul mekan-ı mahsusesi olmayarak bir vakıfin hakkını iptal etmeyen kunduracî ve felemenk iplikçî esnafi gedikleri müsûllü salifi-i zikr mutasarrıf oldukları kemhaci güçlerinin beherine senevi beşer cursos icare-i mücecceler takdirile yedlerinde olan hüccet-i şeriyeleri ba'de't-testim toptan Tophane-i Amirede iyyakerde-i şahane olan Nusretiye vakıf-i celâline ikiiken kadımden zıyade olmamak ve nizamalrına hâleli gelmemeck üzere evkâf-i hümâyün feyyaz
also aimed to centralise the revenues of the relevant *gediks* using similar materials for their products. The *ulayıca gediks* under the *Hamidiye evkaf* were not considered as *muteber şerefli* due to different kind of *gedik* documents at the hands of the artisans. Since the *mukataa* of cloth belonged to *Selimiye vakıf*, all *gediks* concerning cloth were wanted to be attached to this *vakıf* again in return for their *muacceles* and double increase in yearly payments. After attachment of *gediks* to the *vakıfs*, the holders of *gediks* did not have any claim on them any more.\(^{29}\) The fragmented relevant guilds were tried to be combined due to financial needs. After almost three decades, in 1860s some weakened guilds that produced similar goods had been brought together in single units (*şirket*). Since the *gediks* were attached to the certain *vakıfs* in return for their *muacceles*, these procedures were free of charge.\(^{30}\) However, *mülk* *gediks* were transformed into *vakıfs* by assigning fees normally given to government departments like in time of its sale, transfer, pledge or to the stewards of guilds to the *vakıfs* as an additional source of revenue.\(^{31}\) The restructure and renovation of *vakıf* buildings were aimed by the state\(^{32}\) and sometimes new additions to the *vakıf*, like *bezizhane*,\(^{33}\) were planned to be built by the artisans in return for *muaccele* of *gediks*. In this process, *"mülk"*\(^{34}\) of *gediks* were registered in *vakıfs* in exchange of *temessüks* and the registration of *gediks* were made in Chief Account.\(^{35}\) Even if the shops were rented on *icaret eyn* contracts, the attachment of *hevayi gediks* to the *vakıfs* were rejected since it was illegal.\(^{36}\)

\(^{29}\) "(...)*esnaf-ı* merkumenin kirfetleri akmiseye dair olup resm-i tuhafay-ı akmis-i Istanbul ve Üsküdar mukattaası dahi Selimiye vakıf şişifine merbut olarak rüyet kimnaktu idüşfine nazaran bunların gedikleri alat-ı lazimeleri dahi Selimiye vakıf şişifine ilhaken (...)

\(^{30}\) "(...)*Sultan Selim Han vakıfına meccanen teberrü ug ve testim ihtiy(...)

\(^{31}\) August 1808

\(^{32}\) Siddiki, *ibid*, p.25

\(^{33}\) BA, HH 26850-1830/1817

\(^{34}\) BA, CB 5198-21 CA 1256/21 July 1840

\(^{35}\) Even if the property of fixed *gediks* were in *vakıfs*, they were called *mülk*.

\(^{36}\) BA, CB 3044- 18 Z 1247/19 May 1832

\(^{37}\) BA, HH 26850-1230/1815
Although the consent of owner of the property was necessary but any confirmation was not realised, such mistakes were made that a second gedik was given to some of the gedikli shops, nizamli gedik seneds were given to the shops under the icare-i vahideli contract. All of these increased tension between owners of the property and the holders of gedik. In fact, according to the order some inquisitions had to be made before the transform or newly establishment of gedik to the vakıf such that when the gedik was established in concerned place, if there was any damage around the other artisans and public, if the building was appropriate for the orders of ebniye-i hassa müdiriyeti, if any problem of disorder due to their behaviour existed according to orduy-i hümayun müşiriyeti, ihtisap nazırı, kethüda and other artisans. In addition to these, the sened of nizamli gedik could be given only after the consent of owner of the property.\(^{37}\)

The reason for calling nizamli gedik to the transformed or newly established gedik under the supervision of Vakıfs of Mahmud II and of Hamidiye within the jeweller gediks of Fatih Sultan Mehmed Vakıf was expressed in an official decree. According to the decree, the gediks which were transformed from the property to the vakıf under icareteyn contract did not assure any debts. However, the gediks of such artisans as grocers, sellers of sugar, sellers of salt who had great transactions with tradesmen and most of their gedik seneds were equivalent of pledge for the products they sold. If new seneds were not equivalent of pledge, that is, could not assure their debts, the debts of a deceased artisan without heirs would remain to the vakıf and so, both the revenue of the state and profit of tradesmen would be wasted and the concerned gedik would fallen from esteem. For this reason, seneds of nizamlı gediks were decided to be equivalent of debts of the artisans on their transactions with tradesmen and also on their need of cash when they borrowed from the state or else. The estate of a deceased artisan would be sold by the supervision of his kethüda and his debts would be paid. If his estate did not suffice for his debts, remnants would be paid from muaccele of his gedik. If he had no

\(^{37}\) Sıtkı, ibid, p.26-27
debt or his estate was sufficient for his debts or he had no children, his *gedik* would return to the *vakıf* it belonged and *muaccele* of his *gedik* would be completely given to the treasury.\(^{38}\)

*Nizamlı* *gediks* consisted of two kinds- *müstekar* and *hevayi* which were also divided in two parts as restricted and unrestricted. The first group was generally were composed of *gediks* for daily necessities. For example, the *gediks* of the artisans who tinned copper vessels in Istanbul was restricted to one hundred and eighty. Alongside these restricted *gediks*, there were also unrestricted ones like *kunduracis* who made shoes in European style. The unrestricted *gediks* could be given to whoever requested and no one could perform the trade of *kunduracis* without *gedik* as permission to work in that craft/trade.\(^{39}\)

After the issuance of the decree, *gedik senedat* were begun to be given to places which engaged in every sort of trade, craft and commerce such as shops, rooms in inns, public bathhouses, large shops, underground storerooms such as granaries, cellars and cisterns. In addition, *gedik* documents were issued by the Evkaf Treasury for vegetable gardens, and were given to the masters of inns, to those in charge of the rooms of inns, to water carriers, to the sellers of pastries and puddings at the entrance to the streets and passageways, as well as to other itinerant vendors of goods who stood in one place to sell their wares. They were also issued for fishing weirs, for large passenger boats serving the Bosphorus, for light rowboats, and for fish, mussel and oyster boats in the region of Istanbul.\(^{40}\)

In the short run, both *icaret eyn* and *gedik* were convenient methods for creating revenue for the *vakıfs* but in the long run their prime characteristics, that is, perpetual lease worked against the *vakıfs* with the increase in conflicts and confusion on legality of *gediks* between the holders of *gedik* and owners of the property. In fact, *icaret eyn* and

\(^{38}\) A decree dated by 1247/1831 quoted from Sıdkı, ibid, p.28-29
\(^{39}\) M. Nuri Paşa, ibid
gedik became sources of revenue at the expense of abrogating the basic principles of vakif which guaranteed its inviolability.\textsuperscript{41}

Abolishment of monopoly and gedik

One of the most important characteristics of the general framework of the Ottoman guilds was their monopolistic privilege approved by the state. The priority of buying raw materials from the producers might be regarded the base for their other monopolistic privileges. The aims of the Ottoman state on the creation of monopoly for the artisans especially concerning the rights of buying raw materials was such purposes assuring stabilization of economy as prevention of unjust competition among the guilds, stabilization of price, ensuring the supply of goods to the public.\textsuperscript{42} Before the late eighteenth century, the state entrusted monopolistic rights on production and sale of products and service to the artisans. On supply of raw materials, the state's policy was creation of privileged regions which had priority to buy relevant raw materials. In this context, assuring the supply of the capital city was the first concern of the Ottoman state. After meeting the needs of artisans in Istanbul, the artisans in nearest regions of the relevant materials had right to buy. Then, remnants belonged to the artisans of other regions.

During the second half of the eighteenth century, in some commodity like silk, cotton, leather the growing demand from developing industries of central and western Europe\textsuperscript{43} was leading to competition between the state and the tradesmen who were offering high prices to the producers and usually were in a tendency of smuggling. Besides, the foreign tradesmen were cooperating with Ottoman Muslim or non Muslim tradesmen by offering high prices to the producers. Their interference was harmful to the artisans since they caused to increase in price and decrease in supply of raw

\textsuperscript{40} Siddiq, ibid, p.29
\textsuperscript{41} Barnes, ibid, p.59
materials required for them. In order to prevent influx of the goods highly demanded by foreign tradesmen the government was frequently issuing orders prohibiting the sale of these kind of goods. For example, the state prohibited the sale of silk to foreign tradesmen or persons working for them unless the artisans in Istanbul were satisfied.\footnote{R. Kasaba, \textit{The Ottoman Empire and The World Economy}, State University of New York, 1988, p.35}

In addition, the tradesmen and producers were in a disadvantageous position due to abuse of the artisans. Sometimes, the artisans who had priority to buy raw materials had tended to buy more than their needs in order to decrease the price of the goods and sometimes they prefer not to buy in a long time by misusing the order that tradesmen could not buy concerned goods unless the artisans in privileged regions were satisfied. Moreover, they were pretending as if they did not admire quality of the goods in order to decrease their prices and so, they bought much more than their needs and sold to foreign tradesmen at high prices.\footnote{"(...)İstanbul şalisi ve gezi ve dimi ve sandal ve kuşak ve puş ve emiə-i sairis imaline muktezi olup Edirne ve havalistinde husule gelen meşhûd tabir olan ur incè harir gazza taifesine maḫsus olan harîrden asîtan-i aliyye ve saîr memâlik-i mahrusa müstevî olmâdıkça müṣ'tem-en taifesine gerek kendi Beirut de siyáset alım, berı na anıda taîfâsının tarihî qiymetli âlemü'l-veyiḳ ve maḫsur nizâm olun ve gerek husule gelen harîrîn bir dîrhemî mahal-i saîresye verilmeyip cümlesin nizâm vechaiy ve asîtan-i saadete irsâl olunması(...)" BA, Cl 588-28 N 1241/4 April 1825 quoted from A. Kal’a, \textit{İstanbul esnaf tarihi ve nizamları}, p.127}

The problems arising from the monopolistic privileges of the artisans in certain regions and smuggling activities of foreign tradesmen necessitated the state's interference. During the reign of Mahmud II, two systems on trade were introduced.\footnote{BA, Cl 694-1241/1826 quoted from A. Kal’a, ibid, p. 134} According to the order, a state official was sent to the center of each raw material and every year the artisans had to inform him about amount and quality of the raw materials they needed. After the needs of the capital, the raw materials could be sold to tradesmen if they had \textit{tezkire} from \textit{İhtisap} Ministry. On \textit{tezkire}, with the amount of goods, the routes and the places where the goods were inspected by \textit{ihtisap} officials were recorded. It must be noted that the number of \textit{tezkire} was not limited and an official price was not determined. In addition to \textit{tezkire} system, the state put such monopoly on some goods
mostly demanded by developing industries of Europe that the first receiver of concerned goods was the state itself, calling *yed-i vahid*. The trade activities in the name of *yed-i vahid* was financed by Mukataat Treasury by *sermaye akçesi* and in 1834 Asakir-i Mansure Treasury began to take this responsibility for the sake of the government. All procedures were according to the *emanet* method in which *emin* was appointed for each goods by monthly salary. The *emins* were buying the raw material from the producers for the state by *sermaye akçesi* given to them from the treasury and they were selling the goods to the traders. The most significant and complained characteristics of *yed-i vahid* system was that goods were subjected to officially fixed price, *narh*. Therefore, it led to further abuse of both artisans and tradesmen and even before 1838 *yed-i vahid* method began to be abolished gradually like in the example of silk. On the establishment of these kind of monopolies in trade, the state’s main purpose was to prevent smuggling and so, to collect taxes completely, in addition, to assure the supply of goods especially for the artisans in the capital and then other regions of the empire.

On the other hand, through the late eighteenth century with the increase in population, change in fashion, expansion in kind of products, the application of monopoly given to artisans concerning producing and selling certain products began to be difficult both for the state and the guilds. Since changes in tastes necessitated to use different kind of materials which had been restricted to a group of artisans, the conflicts between different guilds became inevitable on the courts. Moreover, the monopolistic privileges began to be main cause of instability of economy in daily life especially leading to inflation.

46 A. Kal’a, ibid, p.133-149
48 Y. Cezar, Osmanlı Maliyest.... p.260
49 BA, HH 32290-1247/1831 quoted from A. Kal’a, ibid, p. 150
50 O. Nuri, Mecelle-i Umur-i Belediye, p.657
The damage of monopoly on trade/craft was firstly expressed by Selim III. At the first years of his reign he sent an official decree\(^1\) to Bab-ı Ali, in which he was aware of the inflationary effect of *gedik* on commodity prices. When a group of sweet makers demanded an order for that no body was allowed to buy and sell their products, the sultan refused to give his consent for such kind of monopolistic privilege only by claiming its harmfulness to the public. In order to assure steady supply to the public, according to him, a monopolistic privilege could be justified only in the case of dealers in basic necessities like bread, meat, candle... The registration of *gedik* of the artisans buying and selling state goods like tobacconists was not unlawful but their registration were taken as an example by a number of artisans like barbers, sellers of cloth materials and even owner of *han* rooms which could not be registered as *gedik* according to the law. Moreover, the establishment of *gedik* became so much widespread that fresh coffee house *gediks* and everywhere *hevayı* kinds of *gediks* were begun to be established even if they were prohibited.

It can be said that Selim III who was regarding *gedik* as an obstacle for trade/craft took the first step for the abolishment of *gedik*. He stressed especially on the infiltration of the holders of *gedik* into the rights of owners of the property. The sultan upheld proprietary rights against the encroachment of the holders of *gedik*. (*hilaf-ı fetevay-ı şerife*) The sultan was aware of the complexity and confusion of legality of *gedik* among the *kadıs*. Some of the *kadıs* were making a decision, for example on inheritance, that the claim of *gedik* was legal but some of them were claiming its unlawfulness according to the sharia. Not only owners of the property but also the holders of *gedik* were sometimes in difficulty especially on sale contracts due to change in Ottoman currency. According to Selim III, owning to the fact that *gedik* was harmful both for the owner of the property and the holder of *gedik*, only registration of fixed *gediks* for basic necessities could be allowed if it was approved both by the sultan and

\(^1\) A decree dated by 2 N 1209/1795 quoted from O. Nuri, ibid, p.648-649
the grand vizier (iki sahhi) Ex-registrations would be preserved and their procedures would continue as before. After the issuance of the decree the establishment of hevayi kinds of gediks would not to be allowed. The gedik of a deceased artisan were not to be regarded from his estate, only material of his gedik could be given for his heirs. If deceased person had given money for gedik to the proprietor, this money would be demanded and the property would be returned to its owner. \[52\] Within this decree, he declared that all monopolistic stipulations on existing nizams should be cancelled and new permission to the fixed gediks should be issued with utmost care and hevayi kinds of gediks were no longer recognized.

The artisans appealed to the Chief Account by demanding the registration of their gediks in order to strengthen the validity of their gediks alongside their kethüda temessüks or hüccets. \[53\] These kind of demands continued also in later periods. \[54\] During the registration of gediks in Chief Account since some of the gediksiz shops were tried to be registered as gedikli, the state wanted to know kinds of previous documents of these gediks and to ask questions for the existence of any registration for limitation on their numbers. In this context the registration of names in Pazarbaşı notebook was rejected to be registered in Chief Account. \[55\] Besides, the cases were tried to be restricted to Istanbul courts. \[56\]

Selim III recurrently issued decrees against the monopolistic privileges of the artisans which shaped just like traditional framework of their groups but he was aware of that he could not break all monopolistic rights given to the artisans during the centuries. The one of the most significant point on the documents concerning the monopolistic demands of the artisans in his reign was that the sultan usually preferred to acknowledge monopoly of groups not to spoil existing order but under the condition if

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\[52\] İKS 98/12 R 1220/1805 quoted from O. Nuri, ibid, p.657
\[53\] BA, CB 7598-24 Z 1217/17 April 1803 Kameri hanında kain odaların nizamları
\[54\] BA, CB 7437-21 L 1247/24 March 1832
\[55\] BA, CB 1105-13 B 1205/18 March 1791
there was not any order against it\textsuperscript{57}, that is, if there was not any order forbidding monopoly.\textsuperscript{58}

It seems that at this time, the meaning of \textit{gedik} as tools and equipment necessary for trade/craft was gradually giving its place to the right of performing a trade/craft. It can also be claimed that since Selim III aimed to abolish the \textit{gedik} as a monopolistic right of the artisans, which was gradually enlarging and interfering into the right of proprietorship, he tried to put a limit on the inheritance of this right but not the inheritance of tools and equipment.\textsuperscript{59}

The conflicts did not end up with the abolishment of monopolies on commodities except basic necessities because inflation stemming from the monopoly in basic supplies and the recurrent necessities, for example between grocers and green grocers on selling one kind of cheese required to abolishment of monopoly of grocers by the Mahmud II in 1824.\textsuperscript{60} However, for new businesses fresh fixed \textit{gediks} were created by the state and for this reason state declared that anyone could be owned of concerned \textit{gedik} if he paid its \textit{muaccele}- a large sum. On this context, the establishment of fifty five punch\textsuperscript{61} \textit{gediks} but only in Galata and even appointment of \textit{ustabaşı} for

\textsuperscript{57} BA, CB 7598-14 S 1217/16 June 1802 Sabuncu esnafının nizamları
\textsuperscript{58} "(...)hilafına emr yoğun ise vech-i meyrûh üzere amel olunmak için emr-i şerîf verildiğin(...)" A. Kal'a, (ed), \textit{İAD} 2, p.388 doc. # 12/74/220-fi evav M 1208/9-18 August 1793
\textsuperscript{59} (...)mağfurun leh Sultan Mustafa Han tabe serahü zemanında emr-i şerîf virildiğin mukaddema inha ve ammüm merhum ve maşfıret-nişan Sultan Abdülhamid han aleyhi'r-rahmetü ve'l-gufran zemanında bin yüz seksen sekiz senesi evast-i Şu 'banında tecdiden sadır olan emr-i.alişan ibraz ve tecedidin reca itmeleriyle hilafına emr olmayıp memnu'iyvet-i inhisar-i bey u şira nizamına mugavir değildir vech-i meyrûh üzere amel olunmak babında(...)" A. Kal'a, (ed), \textit{İAD} 2, p. 375, doc. # 11/311/969-fi evav ZA 1206/1-10 July 1792; "(...)hudavendigar-i sabik merhum ve maşfur leh ammüm Sultan Abdulhamid Han ala karanu'l-gufran zemanında virilen emr-i şerif ibraz ve tecedidin reca ve niyaz itimeleriyle hilafına emr yoğuş ve memnu'iyvet-i inhisar tâccaranı şamil sadır olan hatt-i hümayun'i veklet makruhumna mugavir deşil ise vech-i meyrûh üzere amel olunmak babında (...)" A. Kal'a, (ed), \textit{İAD} 2, p. 378, doc. # 11/323/1007-fi evav Z 1206/9-18 August 1792
\textsuperscript{60} İKS 98-12 N 1220/1805, quoted from O. Nuri, ibid, p. 656
\textsuperscript{61} "(...)vaka bu makule şeylerde inhisarın mazarrat der-kar ve def'i ibadullah hakkında hayırlı olacagı zahir ve bahir olmağı peynir hakkındaki inhisarın ref'iyle gerek manav ve gerek bakkal esnafi al'sevviye bey ve şira itimelerine ruksat tıtasyle tanzim ve icrasına ibtidar olunsun (...)" BA, HH 32426-1240/1824
\textsuperscript{61} Punch was a kind of cocktail consisting of five kinds of alcohol prepared by British in India which was called punch stemming from the Indian word-pantsh meaning five. This cocktail can be regarded the oldest one in Istanbul. The entrance of this cocktail to Istanbul was recorded as 1850 but this document indicates early dates-1820s unlike "İçi", \textit{İstanbul Anısklopedisi}, Tarih Vakfı Yurt Yayınları, v.5, p.133
supervising all activities of the artisans were demanded by the state.\textsuperscript{62} Punch was a new
taste for Ottoman populace, the state stressed on prohibition of these \textit{gediks} to foreign
people, new owners would be only non Muslim Ottoman subjects. In order not to
interfere the rights of public houses, the sale of alcohol and especially sale of rum —
which might be especially expressed due to its newness for the Ottoman public- in
punch shops were prohibited.

The financial considerations and political tension of Istanbul were effective on
Mahmud II's more favorable treatment to the artisans, in addition, in return for his
policy he made the artisans pay higher taxes and dues than before. In order to indicate
heaviness of the taxes and dues in his reign Ahmed Cevdet Paşa\textsuperscript{63} compares financial
burdens of his reign with pressures of janissaries to take money from the artisans before
1826 but he seems in favor of the reign of Mahmud II unlike O. Nuri who points out the
decree on rebel in Damascus due to new tax-\textit{ihtisap rusumu}.\textsuperscript{64} The state used same
analogy to justify itself for increase in tax by claiming that the money taken by
janissaries unlawfully and ordinary \textit{ihtisap} tax had to be put into useful method in return
for the expenditures of \textit{Ihtisap} Ministry.\textsuperscript{65}

With the commercial treaties between 1838-41 and the decree of \textit{Tanzimat} in
1839, all monopolies were to be abolished\textsuperscript{66} and so, an era of extreme confusion both

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\textsuperscript{62} BA, CB 4675-11 N 1246/23 February 1830
\textsuperscript{63} "(...) tekalif-i cedide badi-i emirde nasa hoş görünmez ise de yenidoğerler zamanında halkın duşar
olduğu su-i istimalata nazaran pek hafif idi(...)" A. Cevdet Paşa, \textit{Tarih-i Cevdet}, v.12, Dersaadet,
1309/1892, p.206
\textsuperscript{64} O. Nuri, ibid, p.357
\textsuperscript{65} "(...)el haketti hanya Istanbul ihtisabi otsa sectiz bin kurush bedel ile ilizam olunur bir mkutatay olub bu
defa kadimine tabikan cesamelenmiş olduğundan masarışının derkar olacak teksusurume mebni caniib-i
mirtye hasan mucib olmamak ve mülla yenidoğer gührhanun şuradan buradan aldıkları aççanın ve ihtisab
tarafından alınmasi mutad olan mal-i ihtisabin birer suret-i haseneye iğişgülü ihtisap makataşın
hisstedarlarına ait olmayarak fakat ihtisap ağahığın masarış-i zaruriyesine medar olmak üzere bir
mikdar irad tedariki lazim gelmekle(...)" Divan-i Hümâyun Kanunname-i Aşkeri Defteri — evalhir-i M
1242/1826 quoted from O. Nuri, ibid, p.352
\textsuperscript{66} For example in Anglo Turkish Convention of 1838 it was recorded that "(...)İngiltere kraliçesi ve
padişahnın tebasi ve bunların hidmetlerinde istihdam olanların min ba’d memalik-i mahruşemin her bir
mahalliinde bi’l-iştisna memalik-i mahruş mahnuli ve kari olarak her cins ve nev‘i emt’a ve eyaayı
mubahaya me’yun oları ve saltanat-i seniye dahı gerek ziraat ve hırasat ile hasıl olur ve gerek sair
cem’i eysa hakkanda yed-i vahid usulünü bi’l-külüye terk ve ihtilale resmen muteahhid olmuş olmağıla(...)"
for the state and the guilds began. The state's order on the abolishment of all monopolies caused in that raw materials could be exported without the reference to the needs of local artisans. The free trade liberalism, in a way, was a threat for the main structure of the guilds mostly depending on monopolistic rights. Thus, the foreign tradesmen had an opportunity to make retail sale in Ottoman territory. Whether they needed to buy *gedik* or not we do not have enough information. However, it is certain that the local artisans were unable to compete with foreign subjects who have opened shops where they sell all kinds of goods which undermined the economic base of the guilds.\(^{67}\) In such cases, the foreign tradesmen played in accordance with the orders of the Ottoman guilds and they achieved to acquire certain number of *gediks* from the Ottoman state by gaining power in the guilds as in the example of the French traders.\(^{68}\)

In spite of the fact that most of the guilds gradually lost their unity and privileges against the liberal economic policies of *Tanzimat*, the fixed *gedik* ownership remained. The effect of new trends in Ottoman economy was the liberation of the holder of *gedik* from his obligations to his group concerning his activities in his working area. The holders of *gedik* lost the transfer of their rights over it. Thus, it can be said that the individual master's usufruct of shop space turned into a fully personal right.\(^{69}\) In fact, the fear of the artisans to loose the usufruct right over the working area according to their *gedik senedat* was making its complete abolishment difficult.\(^{70}\) Besides, the reason for the existence of *gedik* as an indication of continuing struggle for and against free market economy might be absence of alternative class against the artisans unlike workmen in western countries to work in factories as it is claimed by Kazgan.\(^{71}\)

The government offices continued to acknowledge the transfer of fixed *gediks* for the reason that the transfer fee was paid to the state. The recreation of fixed barber

\(^{67}\) Issawi, *The Economic history of Turkey*, p.304-5
\(^{68}\) E. Eldem, *French trade in Istanbul in the eighteenth century*, Brill (Leiden, Boston, Köln), 1999, p.262
\(^{69}\) Akarlı, ibid, p.230
\(^{70}\) O. Nuri, ibid, p.663
gediks should be also taken into consideration. Soon after the abolition of janissary corps, the coffee houses in the capital were closed down and their fixed gediks were abolished.\textsuperscript{72} The barbers working in coffee houses were deprived of their livelihood. Due to appeal of barbers, fixed \textit{gedik seneds} were begun to be given to coffee houses but under such conditions that they would be in determined measures (8-10 x 6-7 zira' at most) without bench and garden.\textsuperscript{73} The government justifies itself on the recreation of fixed barber gediks that the reason of the abolitionment of coffee houses was being places of untruthful news, however, untruthful news did not arise from the places and for anyone who wanted to tell a lie the place was not his concern.\textsuperscript{74} The freedom in any trade/craft due to \textit{Tanzimat} was also stressed and used as a justification.\textsuperscript{75}

With the new fashions, the activities of similar groups were confused but the state was usually giving order in favor of the group thought to make their jobs well. The fashion for headgear was changing and the consumption of new style was expanding. Two groups were in conflict on fez dyeing. One group was claiming their monopoly on fez dyeing since they were trained in \textit{Feshane} and have gediks on this job. The state decided against the repairmen interfering fez dyeing.\textsuperscript{76} Although from time to time the state prohibited the establishment of new gediks from \textit{evkaf} and moreover ordered to be erased ex registrations\textsuperscript{77}, the state itself permitted new establishments. It is clear in a

\textsuperscript{71} H. Kazgan, “Gedik”, \textit{İstanbul Ansiklopedisi}, Tarih Vakfı Yurt yay, v.3, p.386-389
\textsuperscript{72} Sidka, ibid, ft p.79
\textsuperscript{73} like “(...)berber gediği nakd olunacak dâkkânnın tulen sekiz ve nihayet on zira’ ve arzen aln ve nihayet yedi zira’ kadar olmasi ve kat’an oda ve boğlesai müstêmil olnamak (...)” CB 4476-22 ZA 1245/15 May 1830
\textsuperscript{74} “(...)berber dâkkânnı ve kahvehane mahall-i eracif olarak annı önünü kesdirmek mütaalasından ibaret olduğuna ve eracif maddesi ise mekandanda tahaddüs ider bir sev olmayıp anı söyleyecek adem her nerede olsa teşevvûh ideceğinden bu nizamın bekasında bir gâna faide olmayarak (...)” BA, IMV 126-10 R 1256/11 June 1840
\textsuperscript{75} “(...)herkes mülâkân istedığı gibi mutasarıf olmak Tanzimat-ı hayriye iktizasından olduğuna ve nizam-ı mezkûrûn bekasında bir gâna faide olmayarak teba-i saltanat-ı seniyyenin iz’ar ve iz’acını mucib olacagna binaen nizam-ı mezkûrûn fashûyle bu makûle berber gediği vaz’ına dair istida vukuunda mehzir-i mevkiyesi olmadiği halde ruhsat itası husus(…)” BA, ID 2156-5 B 1257/22 August 1841
\textsuperscript{76} BA, IMV 403-15 C 1257/3 August 1841
\textsuperscript{77} BA, Hususi İrade Tezkiresi (Dahiliye) 10749- 24 CA 1265/18 April 1849
document that the meaning of tools and equipment of *gedik* preserved its validity among the artisans as a tradition also in later periods in addition to the shops and the depositories named as *gedik*. Various kinds of materials needed for a craft/trade were continued to be called *gedik* as in the example of *tokmakçus*. For an immediate need of *tokmakçi* in Galata, three *tokmak* were regarded as one *gedik* by their attachment to the *vakif* and began to be sold in return for 5000 *kurus* as down payment and 360 *kurus* as yearly payment.\(^78\) It is uncertain that all of three *tokmak* belonged to one man or three men. In this case, one *gedik* might be bought by a qualified man and he used *tokmak* with his apprentices or this one *gedik* might be shared by three qualified persons as sharers.

Even though *hevayi* kind of *gediks* were abolished by the *ferman* of Selim III in 1805, one stone *hevayi uncu gediği* was registered in 1853 in the name of a jeweller in a demand of *gedik* for his mill. However, this *gedik* was called *hevayi gedik* because most probably it was second *gedik*, even though in different kind, belonging to the same artisan. This indicates that one artisan might be owner of more than one *gedik* in different trades/crafts. After its measurement, no damage for any one was determined and *hevayi gedik* was established for that mill. In return for this, its owner had to pay 1000 *kurus* as down payment for Trade Treasury.\(^79\)

The state was aware of the damage of *gedik* and even its invalidity according to free trade liberalism but the difficulty of its abolishment was well known fact by the state and all of these was expressed in the decree dated by 1860. With the attachment of

\(^{78}\) *(...)Tophane-i amire ve Galata’ya gelen astar sabotat ve tokmak ile perdaht olunmak ve üç tokmak bir gedik itibar kilmak üzere evkaf-i hümâyun-ı şahane eye ihaken beş bin kuruş mu’accele ve senevi üç yüz altını kurşu ıcade-i mücecelle ile Galata’da gösterilen mahalde icari istid’a olunmuş (...)* BA, HH 27278-1254/1838

\(^{79}\) *(...)kuyumcu esnafından Mircanın Üsküdar’a Çinili camı’ şerifî civarında kain mutasarrif olduğu bağıcsı derûnunda olan bir taşlı uncu değirmeninin gediği olmdığından muceddeden gedik vas’i mezmur tarafından istid’a olunmuşuna ve deştirmen-i mezkurun civarında bulunaları mazarrat olmdığına mebni emsaline nazaran dört bargir itibariyle bir taş hevayi uncu gediği muaccelesi olan bin gurşu ticaret hazinesine teslim ettirilmiş (...)* BA, IMV 9911-5 CA 1269/14 February 1853
gediks to evkaf, the property and the gedik were separated from each other and they were used by senads of vakıfs they attached. There was a confusion on ownership of property. Sometimes the owner of the gedik and of the property was two different persons and sometimes an individual had ownership of both the property and the gedik. In time, although all prices of commodities and properties increased, the holders of gedik as renters did not add even a small amount to old rents. Due to monopoly, the value of gediks have been increased day by day and gedik senedat were sold at high prices but the owners of the property could not take any increase for old rents of the holders of gedik. The law was also against the right of owners of the property or the vakıfs. The gediks decreased value of the properties since two thirds of muaccele belonged to gedik while only one third of it was determined to be given to the proprietor. Therefore, the conflicts between the holders of gedik and owners of the property were so widespread cases in the courts. Besides, due to the treaties on trade with European countries, the state did not have power to keep on the gediks.

After mentioning financial gain from the registration and transfer fee of gediks, the state continued to justify itself on the preservation of gedik in order not to give damage for both the holders of gedik and owners of the property with its worry about the loss of evkaf revenues since the artisans usually pledged their gediks. The state's another worry was that if gediks were abolished totally, the holders of gedik would demand their heavy muacceles from the treasury. The application of newly established system of patent in which anyone who paid all duties had right to perform any trade/craft everywhere he wanted was regarded too difficult for the state as soon as gediks existed.

Since in time, the consent of owner of the property was not to be questioned, the properties were confiscated and the usurpation customarily were performed even in government offices. In order to find a solution for the preservation of value of gediks, it
seemed to be appropriate to demand ½ or 1/3 tax from *gedikli* shops on patent system. In spite of all difficulties and worries of the state, at least establishment of new fixed *gediks* and the sale of equipment of *hevayi gediks* were prohibited.\(^{80}\)

By the *nizamname*\(^{81}\) of 1861, the practise of granting *gedik* was abolished and the issuance of *gedik* title deeds from *Evkaf* Treasury, other government offices and courts was forbidden. The only *gediks* issued or recorded before 1247/1831 were regarded valid. All records of *gediks* in any kind of offices lie courts were crossed out and claim concerning *gediks* would not to be heard by law courts. Only Istanbul court was in charge of this kind of issues. The *gediks* of tobacconists, flour dealers and bakers were exceptions and also the *gediks* issued between 1247/1831 and 1277/1861 were held as valid and their procedures could be carried out in local courts. However, the 14\(^{th}\) item\(^{82}\) of the *nizamname* justifies that the state formally recognised the precedence of *gedik* deed holder over the relevant property by giving the right of necessarily consent of the holder of *gedik* on any increase in rent payment which had been established before.

Towards the end of the Ottoman state with a temporary law\(^{83}\) of 1913 all *gediks* were abolished in Istanbul. The *gedik* title deed were regarded as title deed as fully property ownership because most of the usufruct right was decided to be given in favour of the holders of *gedik* if owner of the property and the holder of *gedik* was not the same person. With the law of 1935 concerning that *vakaf* had to give their rights to the holders of *gedik* title deed in return for monetary compensation, the confusion caused by *gedik* was totally resolved.

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\(^{80}\) BA, İMM 787-20 N 1276/12 April 1860

\(^{81}\) 8 Z 1277 tarihil ber vech-i mülkyyet tasarruf olunmakta bulunan gedikat hakkında nizamname Düstur 1, vol.I, İstanbul 1289, p.258-262

\(^{82}\) Gedikat ashabının riza ve muvafakatları nunazzım olmadıkça kadim mülk kiralari tezyid olunamayacaktır

\(^{83}\) 1331 tarihil *Gediklerin ilgasi hakkında kanun-i muvakkat*, Düstur ikinci tertib, vol. 5, İstanbul, 1332, p.118-120
VII. Conclusion

This study examined the significance of the concept of *gedik* for the understanding of the attempts of the Ottoman artisans in Istanbul from the second half of the eighteenth century to the first half of the nineteenth century. From the argument that a new period began with the establishment of the *gedik* system and the Ottoman guild system changed from *ahi*-ism to *gedik*; and with the definitions and the legal aspects of *gedik* we moved to more detailed study on the concept of *gedik* by using archival sources.

It is clear that the Ottoman guild system was not faced with great changes or transformation with the establishment of *gedik* which was, in fact, regarded as monopolistic privileges and such kind of monopolistic rights and responsibilities were not new things to the Ottoman artisans. The moral values coming from the *ahi*-ism were tried to be preserved at least as a tradition, but the time necessitated changes in these values rather than their total annihilation. As a matter of fact, the belief that the Ottoman guilds were the concrete samples of *ahi*-ism is erroneous, because the Ottoman guilds took some values and orders from *ahi* tradition and they tried to preserve them only as their own custom. Therefore, *gedik* and *ahi*-ism cannot be regarded as consecutive periods for the Ottoman guild system.

At early times, for the Ottoman artisans *gedik* as a Turkish word meant tools and equipment necessary for a trade/craft. In time it gained new meanings within changing economic and social conditions. Through the end of the eighteenth century it had come to mean the right to practise a particular trade/craft at a specific work place equipped with the tools and equipment needed for that trade/craft. In the nineteenth century gradually the holding of a *gedik* paper meant the right of full usufruct over a work place.

Although *gedik* was occasionally debated as *şer'i* fraud, it had two important legal bases- *sükna* (tools and equipment needed for a trade/craft) and *icareteyn*
(perpetual lease) which were approved by the religious scholars in accordance with the sharia. The general aspects of sükna and icaretelyn shaped the base for the legality of gedik but it gained new rights especially due to complaints of the artisans in accordance with the changes in social and economic conditions as in the example of the right of pledge. The issues regarding gedik were generally arranged according to the regulations of each guild, which had to be approved by the state not to be contradicted with the sharia but usually in accordance with custom. Despite its all legal justifications, the customary aspect of gedik is much more efficient.

Since the most important function of gedik was to limit the number of work premises for a certain trade/craft, the population became a significant factor in any change of the number of gediks. The economic conditions especially after 1760s such as the financial difficulty of the treasury, the debasement of Ottoman money, the activities of profiteers affected to a great extent the livelihood of the Ottoman artisans within the influx of the migrants to the capital city. Under these circumstances, while the financial burden had been heavier day by day, the artisans of Istanbul tended to attach themselves to their monopolistic rights and so they were willingly accepted and demanded establishment of gediks.

It seems that there was a reciprocal relation between being master and holding gedik. The most common rule might be that in order to be the owner of a gedik, at least in formality, an artisan had to fulfill all conditions required for becoming a master concerning a trade/craft in addition to his own guarantors.

Gedik could be sold to any master from the same guild with the consent of kethüda. It could be sold by its owner and also by the state due to debts of the artisan. Although almost all of the regulations of the artisans and also the state were against the transfer of a gedik from its determined place to another, recurrent disasters of the capital city like fires and reconstruction necessitated the transfers but under strict stipulations.
The most advantageous peculiarity of *gedik* was that it could be pledged. We do not have any information about how long the time was but the state had a right to auction off the *gedik* when the debts were not paid. *Gedik* constituted security against the credit. It could also be bequeathed but only to the immediate children of a deceased or a retired artisan. If his children were qualified members of the same guild with their fathers, they had the right to hold the concerned *gedik*.

It is a well known fact that the Ottoman sultans at the beginning of the last quarter of the eighteenth century, began to centralise *evkaf* holdings in order to prevent any corruption of *vakif* revenues. At the beginning of the nineteenth century, the sultans especially Mahmud II intended to use revenues of *vakifs* for the financial needs of the expanding bureaucracy and military. Interestingly enough his predecessor, Selim III tried to abolish *gedik* system gradually as monopolistic privileges causing scarcity in commodities and increase in their prices. Moreover, he put a barrier for its inheritance by the claim that only the tools and equipment could be inherited as an estate but the right of holding *gedik* could not be inherited. However, Mahmud II paved a way for new establishments of *gedik* under the name of "*nizamli*" in order to provide an additional source for the *Evkaf* whose revenues were necessary for the expenditures of the newly established army. The sultan achieved to take the support of the artisans who had to donate their *gediks* in return for their down payments. The artisans saw this cooperation profitable in the era of the most inflationary period of the Ottoman history. *Gedik* as a monopolistic privilege in their eyes, was the mere means of recourse against the increases in the price of the raw materials, the competition of cheap imported goods and changes in fashion which limited their markets.

As a consequence of the commercial treaties of 1838-1841 and the decree of *Tanzimat* of 1839, all monopolies were abolished and an era of confusion between the state and the guilds began. The confusion and conflicts moved the meaning of the *gedik*
from a kind of monopolistic privilege given to the artisans to the right of the full usufruct obtained by the renters- at the same time the holders of gedik paper- of work places. For the state, total abolishment of the gedik was very difficult due to confounding of the rights of the property owner with those of the gedik holder. In spite of all disputes and difficulties, it was abolished at most in 1861 and totally in 1913 in Istanbul. Despite the fact that it was born of financial difficulties of the evkaf and so the state, at the end it caused deterioration of the vakaf buildings. As it is expressed by Barnes, the problem was with the nature of the gedik itself, which was by definition, a gap or a breach in the property of another.
Appendix

Some examples for the archival documents related to the gedik system and the Ottoman artisans in Istanbul:

Cevdet Belediye 4675

Mukataat hazinesine

İstanbul'da meydan-1 esb kurbunda vaki' merhum ve maşfûrun leh sultan Ahmed han tabe serahu evkafından mahruse-i Galata nezareti merbutundan mahruse-i mezkurda ve tevâbi’lerinde kain pünkçu esnaflı yedelerinde bir gusta gedik senedati olduğundan cem’an elli beş aded pünkçü dükkanlarına nef’ân li’l-vakf gedik itibari olunup icare-i müceccle ve muaceccle ile talibilere furuhtu hususuna karar verilerek kaleminden terkım olanın mezada kavâmi mıcibince talibleri yedelerine canib-i vakfından gedik temessükâtı verilmekte ise de esnaflı merkumenin esnaflı saire misillî tahî-1 nizam râbiyle umur ve hususlarını rü’yet eylemeleri içü içinçlerinden bir münasibinin ustabaşı nasb ve tayin olunması lazım gelmiş olmagea esnaflı merkumened hidmet-i mezkureyi idareye her vechle istihkâki derkar olan Franzisko veledi Anton nam zimmi ustabaşı nasb ve tayin olunarak fimaba’d esnaflı merkume umur ve hususun vak’tu’ları ustabaşı-mesum marifetile rü’yet olunmak ve ustabaşılık mezkur-1 münhal oldukta Galata nazarı bulunanların arzıyle esnaflı merkumened müstehakına tevcih kilmak ve mahall-i mezburedede kain mezkur’-1-mikdar pünkçü dükkanlarından başka gerek asitane-i saadet ve gerek Üsküdar ve sair mahallerde müceddeden pünkçü dükkan ihdas olunmamak ve gedikha-i mezkurdan biri bile mahall-i açeri nakli olunmayıp nakli icab ettikde ol mahalle naklînden bir gusta mahzuru oldumadı ba’det’-tahâkik nazir-1 muma ileyhin arzıyle nakline mûsäade olunmak ve işbu ma’dud olan dükkanlorda dahi, şekerleme ve pünk emsalinden ma’ada hamr ve ark misillî müskirat satılmamak ve gedik mutasarrıfları mülk kirâlarım vakt u zamanîyle bila cevr u eza ashabına tamamen tediyi eyledikleri sonra gedikleri arturmak veayhâd iskar tasdiyle aberlerini idâh eylemek misillî mülk sahipleri tarafından gedik mutasarrıflarına kat’an mûdahale olunmamak ve gedikha-i mezkurdan birinin karî-1 yedi yoku’unda ustabaşılar marifeti ve nazir-1 muma ileyh nezaretiyle yine esnaflı münasibine furuhtu olunarak icabında kimesneye verilmemek ve ba husus taife-i efrençiyeye ber vechle tevcih olunmayıp ticaret-i mezkur reayaya mahsus olmak ve gedik ashabı mutasarrîf olduğu gediği hafiyeyten furuhtu mütecasir olur ise ba’det’-tahâkik karî-1 yedine itibar olunmayıp yine sahip olanı red olunmak ve gedik ashabından biri mürd olpkta zükur ve inadın evladi var ise uhdâside olan gönderi evladi verilip evladi olduğu halde varise-i açeri verilmeytay cinib-i vakfa aid olmak ve bila veled mürd olanların gönderi dahi cinib-i vakfa aid olacakından o makule aid olan gedikler ustabaşı marifeti ve nazir-1 muma ileyh nezaretyle bi’l-müzayedeye değer bahsîyle esnaflı münasibine furuhtu olunup icab iden muaceccesi cinib-i vakfa irad-i kayd olunmak ve esnaflı merkumenin habs ve darb u te’dileri nazir-1 muma ileyh müte’ariz olup açer mahalden ber vechle mûdahale olunmamak üzere nizam râbi hususuna irade-i seniyye ta’alluk buyruignum halde nizam-1 mezkurun leh ma’sallah-u teala düstur’u-amel tutulmakguna harameyn mûhasebesine kayak olunarak ustabaşı-i mesfur yedine şurutu derçiyele berati ve ihtisap deffterlerine ve taraf-i vakfa ve sair icab iden mahallerle ilm u haberleri i’tasîyle tanzimi hususunu Ziciye mûhassil ve Galata nazarı Nuri bey ba takrir inha etmekten naşı sadir olan ferman-1 ali mıcibince kuyud-1 lazimyesi ba’det’-ihrac husus-1 mezkur müceddeden gedik tanzimi istid’asına dair mevadd-1 nizamîyeden olup Baş mûhasebede mukâyeyd gedik nizâmina mûracaat olunarak nizam-1 açeri mugiayr olmayıp mahzurdan salim olduğu takdirde iktizasını iceris menut-1 rey-i ali iddîyı nazir efendi tarafından ve mahallı mezkur da käin pünkçü dükkanlar bu defa gedik itibar olunarak cinib-i vakfтан taliblerine furuhtu olunmakta iddîyı ve dekakin-i mezkura öteden beri pünkç ve
şekerleme ve emsali furuhtuna mahsus olduğu bu suretle husus-ı mezkur meygedeci esnafın nizamlarına dokunur mevaddan olduğu Zicriye muhassaltır muna ileyh canibinden i’lам olunduktan sonra keyfiyyet ve muktezası sual olundukta Galata ve tevabiinde vaki” esnasında da irde müktezi olan evmir ve berevat-ı şerife Galata nazırlarının inhası mucebince arzlarıyle ba ferma-1 ali irde olunmak verilen evmir-i aliyye nizamında ve nezaretinde olan (?) mesruta teyid ve gayr-i teyid bi’l-cümle esnafın müsakkafat ve müstegilatında bila veled vuku bulan mahullerin ve saire ba kaime bi’l-müzayede karar iden muaccele taliblerine furuht ve muaccilati hazine-i harameyni teslim olunmak yahud hümayun-ı şeyvet makrun-ı şahaneve verilen nizamı meşrutundan olduğundan ber muecb-ı surut (?) rusumat ve muaccilati-1 merkume hazine-i mezkureye teslim olunarak vakıfları taraflardan temessikleri tahririçtin suretleri verildiği ve fima’bda (?) tabiryle dürkan ve sair bir mahalde rom ve sair müskirat furuht kılınnaması ve teknaddemden beru daruş’s-saltanat’s-seniiyyede ve civarında vaki biladı-1 sülüssede olan esnaflar her bir sanatin dürkanlarda gedik itibar olunanları akl u kalil iken birer takrib ekser dürkanlar ve han odaıları beynderinde gedik itibar olunup kethüda defterine kayıd ile gedikleri beynderinde carı olagelmışken ikametgah etmeyerek bazıları gedikleri in kayıd ettimir ve bu hususu seririşte ittihaez ederek nizam-ı kadımı ve adet-i müstediimlerini terk birle müstecilerin taifesı ashab-1 mülik gadır dairesine düşüp müctemirlerin iflasa çıkı lar olur ve mal-ı tcciar itlaf ile zarar ideri bulun ise o makulelerin düyunllerı medar olup mal-ı tccarrın dahi cellbine vesile-i müstekle olarak es’ar ve esyanın dun bahalariyle ibadullahla bey’i müyesser olur zeminiyle săkin oldukları dürkanları birer birer gedik itibar olunmak mehemhindenden hücc ve ilamat ahz ile Baş Muhasebeye kayıd ve yedelire suretleri ita olunmasını tervic meramlarına ve ale’l-husus mülük sahiplerine gadır seririşte ittihaez yedeliklerinde egeri mülük sahiplerinin rey ve rızaları mütezammım oldukça gedik itibar olunnamaklugu nizam rabı olunmuş ise de razı olmayanların gayabında bazımasını tedarık ve mülük sahibi olunmaklugu nihahmede lede’-takrir ilamat ahz ile hilaf-ı şer-i şerif ve mugayr-ı emr-i münif gadır u hasara itibar eyedelikleri ve es’ar ve esyanın dahi gün be gün (?) mucib olarak ibadullahla zarardan başka bir faide ve nef’i olmadiği ve gedik itibari emr-i mesru olduğundan mehasimesi zuhurunda huküm hazerati istima’-ı de’av ile tarsdi olunmakta ote mülmyle malum ve aşikar olmak melasibesiyle şimdiye kadar gerek Baş Muhasebeye ve gerek maden kalemine ve harameyn muhasebesine kayıd olunup suretleri ita olanun gediklerden maada fima’bda’ hilaf-ı şer ve mugayır-ı kadım dürkan ve han odaşı ve mehazinin bir adedi gedikdir deyu mücurreden aklının birisine kayıd olunnamasını nizama rabı olunup lazım gelen mahallere ilm u haberleri verildiği der kesnlangın müteban olmaga bu suretle meali takrir gedik nizamın dair madde olduğundan nizamıa mugayır görüntür ise de dekakin-i mezkre gediklerinden şimdiye kadar otuz bir adedi mur muna ileyhin inhası mucebince ba kaime-i mezad taliblerine furuht olunarak muacceleleri hazine-i merkumeyi teslim ile taraf-ı vakıf taraflı temessikleri tahririçtin suretleri verildiğiünü nazaran ber muecb takrir inha olunduğu vechle tesviyesi mutlaka rey-i aliye menet mevaddan idüğü Baş Muhasebe ve harameyn muhasebesinden der kenar ve ba takrir lede’l-arz takrir mucebince tesviyesi hususuna himmet olmak babinda sadır olan ferma-1 ali mucebince harameyn muhasebesine kayıd ile berat ve ihtisap defterlerine ve taraf-ı vakıf ve sair iktiza eden mahallere ilm u haberleri tahrir olsa deyu ferma-1 şerif sadır olmaçın mucebince kalem-i mezbrata kayıd olunarak berat ve ber vech mührer ilm u haberleri kaydılın ricasına ifihaaru’l-havass ve’l-mutebereyn mutemedmu’l-mülük ve’s-selatin muhtar’l-izz ve’l-mütemekkin bi’l-fil dar-ı himmetti’ş-şerife ağası olub hala harameyn-ı şerifev evkafi nazım olan Abdullah ağa dame uluvvuhu arz etmeğin mucebince kayıd olunması beratı ve ilm u haberleri virilmekle vech-i mesruh üzere keyfiyyeti malum olmak içinin mkukatat hazinesine dahi işbu ilm u haber verildi. 11 N 1246
Hatt-ı Hümayun 27062
telhis 1247/1831
Kaimmakam Paşa

İşbu takririn ve evkafının ilam olunmuş olan takrir manzar ve malum-ı hümayunum olmגעstur vakâa nazr-i mümaileyhin takririnde gösterilen mahzûr dahi hatira gelîr ise de takririnde beyan ve ser asker paşa ile masarîfat nazrî müsterek ilamında işarâ olunmuş asker-i mansuremizinin imaliyçin esnaflı merkumenin ziyadece bulunması ve mûmit lâzım olunmak üzere defterlarda havalesiyle tanzım ve icrasına ibtidâ olunusun

Şevketlio kerametli mehabetli kedretli veliyyîn’nim efendim

Evkaf-ı hümayun nazrî efendi kullari bab-ı alilerine bir kita takrir takdimiyele mealinde senevi beş yüz seksen kuruluş mal icare ile evkaf-ı hümayun haciyesi taraflandn mazbat olan Selimiye ve Mihrîşah sulah evkaf-ı şerîfelerine merbut yetiştir bir aded kunduracı gédek olup sanat-ı mezükre kendilerine mahsus olarak aherin imalı ba emr-i ali memnu’ iken el halaret-i hinde Galata ve muhall-i sairede haricden muhaddes olarak yигirmi otuzdan müttevazz dükkân kısaçılıyla hilafat-ı şurut-ı vâkf sanat-ı mezükre imal olunmakta olduğunu ve bu suret vakfîyyêt müşarûn ilayîhümayya merbut edegelerin itibardan sukutuyla şurut ve nizamilerin ihalânîe mucib ve kendilerre gadir mevsâcib edidüne birle o makule haricden sanat-ı mezükreyi imal idenlerin men u defleri hususu esnaflı merkuma takdim kılınan arzuhalleriyle istida ve istirâm etmiş ve el halaret-i hinde kundurânın ziyade imal olunması cihetîyle yetmiş bir aded gedik ashabi sanat-ı mezükreyi imale kafa olmadiği suretde zikrolunan edegelerine lüzumu mikdar gedik muceddenen terettûb ve ilave olunurak içlerinden o makule yeniden tertib olunacak edegelerle ustalar tedarikliyle iktizasi mikdar kundura imal edeceklerni şihaßen ifade eylemiﬂ olduğu ülaklarından bahsle veç-i muharrer üzre bila gedik aherin dükkân kısacılıyle kundura imal vakfiyyet-ı müşarûnîylehümayya merbut edegelerin itibardan sukutuyla muaccilat ve müccelatlarından hazine-i merkumeyle aid veefa halel geleceği derkar olduğu gibi esnaflı merkume (şravandralı ?) Akdeniz gazvurlarından olub kadım edegelerde baﬂka gedik ihdasiyle bunların teksiri ve daru’s-saltanât’s-seniyêyye kundura veselisîyle iskanlarda mahzûr olduğu takdirce haricden Galata ve muhall-i sairede muhaddes olarak dükkân kısacılıyle sanat-ı mezükreyi imal idenlerin meni veyahud veç-i aherle tanzimi mucedred menrut-ı rey-i ali iddïgüün ifade ve inha etmekden naﬂı husus-ı mezük ber ser asker paşa bendelerinden ledel-ı’istilm el halaret-i hinde asakir-i mansure ayakâkârâlının imaliyçin esnaflı merkumenin ziyadece olarak lüzumu olduğunu ve yalanız gedik sahipleri idare edemeceklereinden salîfî’z-zîkr yetmiş bir aded gedik yigirîm dokuz aded kunduracî gedik ilave olunurak yüz gedîge iblàq olunduğun suretde hem vâkfa neﬁ mucib ve hem asakir-i mezkuğenin ayakkârlarının kesret üzre imalî mûmükce olunacağa medeni gerek mukaddem tanzim olunmus olan ve gerek bu defa ilave olunacak gedik ashabi (?) ile himayey altunda olmamak ve daimen miri içün ayakkâbi imali hidmetinde mûstahdem olmak üzre taht-ı rabtaya bend olunmus muvaﬁk irade-i seniyye-i şahaneleri buyurusue ise ber vech-i zuhharrer muceddenen kışad olunacak yigirîm dokuz aded gedeglerin mûnasibi vechle muaccel ve icarelerinin tanzimi hususunun nazîr muameleyh bendelerine havale iktiza ikecegini müsûralûneîer ser asker paşa bendeleri masarîfat nazrî efendi kullaryla bi’il-ıstîrak ilam etmiş olduğukların evkaf-ı hümayunun nazr-i mômeleyh kullanına havale olundukda ber muceb-i ilam zikrolunan yetmiş bir aded kunduracî edegelerine şurut-1 mezükre ile yigirîm dokuz gedik dahi ilave olunurak işbu muceddenen kışad olunacak edegelerle emsal ve (?) göre muaccele ve icare-i mucecece takdirîyle muacceleleri evkaf-ı hümayun hazinesine ba’d-ı testim talibine derıhde ve icar olunması mucedred hazret-i seniyye-i şahanelerîyle mûtevakkîf olup ol vechle tesviyesi
muvaфик iarade-i seniyye-i mülukaneleri buyuruduğu halde harameyn-i şerifeyn muhasebe kalemine kaydı ile şerayıt-i mezküre derciyle iktizasına göre emri ve evkaфи-i hümâyun hazineesi tarafına ve bab-i askeriye ilm u haberi itaş ile tanzimi hususunun defterler efendi kullanına havalesi lazım geleceği nel olanlı manzur-1 hümâyun-1 şahaneleri buyurulmak için az u takdim kıldını ol babda her ne véchle iarade-i seniyye-i mülukaneleri sünüh ve sudur buyurul ise mukteza-yı müminin icrasına ibtidar olacağını muhat-1 ile-i alileri buyurudukda emr-i fermin min lehu fi’il emrindir.

İrade Meclis-i Vala 126 10 R 1256/ 11 June 1840
Şerefsudur buyuran emr u iarade-i seniyye-i hazret-tacdarı mukteza-yı alisinden bulunmuş ve mezkr mazbata ve arzuhal yine savb-1 samilerine iade ve irsal kimmiş olmaga ol babda emr u ferman hazret fi’il-emrindir

Seniyye’d-1-hemha kerimh-ş-seyma devlettili inayetli atifetli ibretli efendim hazretleri

Tavuk pazarı civarında kain bir kıt’a kahvehane arsasına berber gediği vaz’-ı istıda olunarak bu maddeye dair meclis-i ahkam-ı adliyede kaleme alınan bir kıt’a mazbata işbu mah-ı receb-i şerifin ikinci cumartesi günü meclis-i umumiyede lede’ll-kırae Cenab-ı Hâk gün be gün teyd buyurun kavânın-i müessese-i adliye iktizasına saye-i merhametvwe-i hazret-i mülukanede herkes mal ve emlakine serbestiyet-i kamile ile mutasarrıflı olacağını nazaran badezin bu misilili istıda vukuunda mehizar-i mevkiyvyesi olmadıkça ruhsat itası veyahad nizam-ı kadınının kemakan ikbasi olduklarında ara-yı meclisinde muvafatık bulunmuş olduğu mazbata-i mezkürede irad ve beyan olunmuş olup hubalkı nizam-ı mezkr tamami tamamina inhasir maddesi dimek olarak bunun mukaddemlerde bu surete konması güya berber dükkanı ve kahvehane mahall-ı eracif olarak ann önünü kesdirmek müuttaasında ibaret olduğuna ve eracif maddesi ise mekandan tahaddüs ider şey olmayıp ani sölyeyecek adem her nerede olsa tefeyvüh idezegine bu nizamin bekasında bir güna faide olmayarak teba-i saltanat-ı seniyyenin izrar ve iz’aci mücib olacağını ve bu dahi adeta usul-i hayriyeye menafı düşceceğine mebni mazbata-i merkumede gösterilen ıkkı-k evvel velech bahedizin bu makule dükkan ve emlak aşıhabı emlakine dilediği gibi mutasarrıflı olmak üzere buna dair istıda vukuunda ebniye-i hassa müdirdi efendi bendelere din avale ile mehizar-i mevkiyvyesi olmadığı ol mahallın muhaflizi ve sair iktiza idenlerden bi’t-tahkik ruhsat itası tensib ve tezekkür olunarak bu velech icrasında ekseriyyet (?) dahi bulunmuş ve çünkü teba-i devlet-i aliyeyenin veef-k-meram üzere istişsah ve sair asayişleri nezd-i alide müttezim olmak hasbihle dair istıda vukuuya müdir-i mumaileyh vavesinde mumaileyh tarafından tayin ilcinmek memurin dahi aşıhab-ı emlak ve dekakine bir günva cevr u teaddisi vuku gelmesesi keyfeyeyetinin dahi müdir-i muma ileyhe bildiriimesi mühheharni hârtrigious olmuş ve manzur-1 alı-i hazret-i şahane buyurulmak üzere mazbata-i mezküre ile bir kıt’a arzuhal suy-ı valadan irsal ve takdim kimmiş olmaga muvaфик iarade-i seniyye-i mülukanıe buyurul ise keyfeyyet masırafat mühasebesine kayd birle iktiza iden mahallere ilm u haberleri ita olunmak üzere maliye nazırı devletileri Saib Paşa hazretlerine havale ilcinmek arsa-i merkumecake itçin dahi tekidat-i mezkurenin ifasiyle sahibine ruhsat itası olunacağı beyaniyle tezkere-i senaveri terkminle ibtidar kıldını efendim 10 R 1256

Maruz-1 çaker kemînerleridir ki reside-i dest-i ığraz ve ikram olan işbu tezkere-i seniyye-i asifaneleryle zirkoluna mazbata ve arzuhal-i mübarek atıbb-i ulya-yı hazzret-i şahane-yeye bi’t-takdim memsul næzr mekarn emr-i cenab-ı mülukanıe buyurmuş ve husus-ı mezburun tensib ve mütea olunduğu izra-i iktizasi zimmind dair næzir-i müşarun ileyhe havale kimmiş ve arsa-i merkumecake itçin dahi tekidat-i mezkurenin ifasiyle sahibine ruhsat itta olunması 10 R 1256
Hususi İrade Tezkiresi (Dahiliye) 10749  24 CA 1265/18 April 1849
Maruz-1 çaker keminleridir ki

Malum-1 ali-i asifaneleri buyurduğu vechle bazı mahallerde taşhan veджан
ve saire ashabından gedik ahzina talib olanlara vafık-1 cellil cenab-1 cihandari bi’t-tashih
icare-i mücecelle takriryle temessükât itası mukaddemce işar ve istizan buyurmuş ise
de bu husus teaddiye mucib olacağından bundan böyle vafık-1 ali-i hazret-i şahane
tarafından kimesneye gedik ita olunması ve şimidiye kadar verilerinleri dahe kayınlardan
terki olunması şerefşunuh ve sudur buyurulan emr u ferman-1 hümâyun cenab-1 padişahi
muhteza-yi müniif üzere darbhanı-amire nazır devletli paşa hazretlerine işar kılınmış
olmağla ber minval-i muharrer icabun-1 İrade-i seniyyeden bulunduğunu muhat-1 ilm-i
sani sadaret penahileri buyurduktan ol babda emr u ferman hazret min lehu’-l-
emrindir.  Fi 24 CA 65

İrade Meclisi Vala 24162  24 R 1282/14 September 1865
Meclis-i Ahkam-1 Adliyye

Kalaycı esnaflının gedikleri mahsur ve muayyen olduğu halde şu aralık hilaf-1
usul bir takım gediksiz kalaycı dükkânları küsad olumus ve bu ise haklardan
maruyeti müstelim bulunmuş olduğundan bahsle icra-yi ıktizasın esnafi-1 merkume
tarafından ba aruzhal istıda olunup fi’l-hakika zikrolunan kalaycı gedikleri muayyen ve
mahdud olarak kıyımetli şeyler olmasıyla bunun haricinde gediksiz dükkânların sedd u
bend ettirilmesi lazımeden ise de işbü gediklerin aded ve mikdari eski vaktlere
ihtiyacat-1 nisbetle olup halbuki memleketin hal-i hisranına ve ahali ve sekenesinin
kesretine kıyasen bunlar mertebe-i kifayede olmadığından bi’t-tabi bazı gediksiz
dükkânlar kışadına ihtiyacat-1 umumiyeye luzum gözümekte olduğuna ve bununla
beraber mezkur gediklerin muhafaza-i itibariyle ashabının gadren viyakeleri dahe
ıktiza-yı hallerin bulunduğuna binaen müzaker-e-1 maslahata istılar olunukta malum-1
sami-i vekalaatpenahileri buyurduğu üzere müskirat ve duhan furuht olunan gediksiz
mahallerden iki kat resm ahz ve istihsal kılınmakta olduğundan bu usule tabibkan
gediksiz kalaycı dükkânlarından dahe el-yevm gedikli dükkânların virmeke oldukları
rücksumun iki misline muadil bir resm alındığı surete de gedik askari gadr u zarardan
viyake olun magma beraber canib-i miri icen bir varidot-1 cúziye dahe bulumus olacağina
nazaran bu surete icra-yı ıktizasın şerehmaneti behiyesine ve altını iade rıyasetine
emr u işariyle maliye nezaret-i celilesine beyan-ı hal buyurulması mınası görürlerek
arzuhal-i mezkur leffen takdim kılınmağın ol babda emr u ferman hazret min lehu’-l-
emrindir.  An rebiü’l-ahır 1282 ve 11 Ağustos 1281
Es-seyyid Mustafa Subhi Bey Mecid Mahmud Celaleddin Yusuf Kamil

Maruz-1 çaker keminleridir ki

Balat civarında Hacı Abbas mahallesinde millet-i yehuddan Behor nam
kimesnem’in mahalle-i mezkurda kain bir bab kargir dükkani olub ve kulları kalaycı
esnaflından olduğum cinetle dükkân-ı mezkurda kalaycılık itmek üzere şehriye yüz altmış
kuruş icar ile istikra etmiş isem de esnafi-1 mezkur kethüdasi tarafından münmanat
olummakda halbuki gediksiz olarak bu misillü dükkânların mesbuku’l-emsal olmağla
merahim-1 aliyyelerinden müsterihdir ki kethûda-1 merkmunun celliye dükkân-ı
mezkura dahi ve taarruzunun men u def buyurlar askabyla lı ecili’t-ı bab-ı zabtiyeye
havalesi babinda emr u ferman min lehu’-l-emrindir  19 Safer 1282

Kalaycı esnaflından Mahmud Kulları

Maruz-1 çaker keminleridir ki

Bundan iki sene mukaddem altını daire dahilinde ve şerehmaneti dahilinde bir
takım gediksiz kalaycı dükkânları küsad olunarak bununsedd u bendı hakkında takdim
oluman arzuhal-i çakeranemiz üzerine nizamat-ı belde icabunca kavayın dairesince
verilen müzecküre altını daire dahilinde küsad olunan gediksiz dükkânlar esnafrımız
gedik ican vererek küsadı ve şerehmaneti dahilinde küsad olunan gediksiz dükkânların
sedd u bend maddesi mezkur müzekkire mefadından anlaşlarak verilen karar vechile keyfiyyet başka başka ba tezkere-i saniye icabı icra olmuş ve şimdii ise bunun aksi olarak bir takım gediksiz dükkânlar kildi ile öteden berüde kalaylık etmekde ve bu ise öteden berü esnafımızın kazanmış olduğu imtiyazi bu hususu çevrtebekde ve karar-i aliyyenin hiyafl olduğundan muhat-1 ılım-i alemşumul cenab-1 riyaşet penahlere buyludukda kavayin dairesinden verilen kararın defeat-i icraşı hususuna müsaade-i aliyye-i cenab-1 hiddiy ekremleri sezavar buyurlmak babinda ve herhalde emr u ferman hazret min lehu’1 emrindir

Esnaf-1 mezbur kulları

Ateftülı efendim hazretleri

Meclis-i valadan kalemé alınıb melufuzyle beraber arz-1 takdim olunan mazbata meallerinde müsteban olduğu vechile kalayçi esnafının gedikleri mahsur ve muayyen bulunduğu halde şu aralık hilaf-1 usul bir takım gediksiz kalayçi dükkânları kildi olumuş ve bu ise haklarında mağduriyeti müstelmiz bulunanı olduğundan bahsle icra-yyı ıkıtsası esnaf-1 mezbur tarafından ba arzuhal istıda olunub fi’l-hakika zikrulkontan gedikler muayyen ve mahdud olarak bunun haricinde açılmış olan dükkânların sedd u bend ettirilmesi lazimeden ise de işbu gediklerin aded ve mikdari eski vakfilelerde ihtiyacatı nisbetlerinde ve mülkinin hal-i hazine ve ahalı ve sekenin kesretine kıyasan bulnlar ıkıfayetsiz halde olduğundan bi’t-tabi bazı gediksiz dükkânlar kıldığında ihtiyacat-1 umumiyeye lüzum görünmekde bulunduguna ve masafıh mezkur gediklerin muhabafa-i itibariyle ashabının gadrden vikayeleri dahi ıkıtsa-yı halden gördürügüne binaen müskirat ve duhan furuht edilen gediksiz mahallerden iki kat resm ahz u istihil kılındığı gibi gediksiz kalayçi dükkânların dah el-yevm gedikli dükkânların vermekle oldukları rüşünün iki misline muadil bir resm alındığı surette gedik ashabı gadrden vikayede olunmakla beraber canib-i miri için bir varidat-1 düz-yeyde bulunanı olacağından bu suretle icra-yyı ıkıtsazını şeyrdoman-i céllesine beyan-1 hal olması tezkere kılınmış ise de ol babda her nasılla emr u ferman cenab-1 cihandari şerefşunu ve sudur buyurlur ise ana göre hükm olunacağı beyanattıyla tezkere-i senaveri terkem kıldı efendim

7 R 1282

İrade Dahiliye 2156
5 B 1257-22 August 1841

Seniyiyi’l hemha kerimis’şeyma devletli atıftülü efendim hazretleri

Berber esnafının usul ve nizamına mugayir olarak bazı kesan diledikleri mahalle müceddened berber dükkânı inşa ve ihdas etmekde ve esnaf-1 saire dükkânları dahi berber dükkânlarına tahvil olunmakta ve keyfiyyet kendilere gadir müstelmiz olmakda olduğundan ıkıtsazının icraçasıyla nizam-1 mezkurun halehden vikayesi hususuna müsaade-i seniyeye erzan buyurlması esnaf-1 merkum tarafindan mubah ribab-1 kamyab hazret-1 şahaneyle arzuhal takdimiyle niyaz ve istida olunmuş ve mukaddema ocakları hedm u sedd olunan kahvehanelere ashab tarafından istıda vuku bulduğu bazı şerait ile berber gediği vaz olunmak ve müceddened berber dükkânı ihdas olunmak ıkıtsa-yı nizamdan bulunmuş ise de saye-i ihsanvaye-i hazret-1 şahanele herkes mülkine dilediği gibi mutasarrif olmak Tanzimat-1 hayriye ıkıtsazından olduğundan ve nizam-1 mezкурun bekasında bir gına faide olmayarak teb’a-i saltanat-1 seniyyenin ızrız ve ızayci muece alacağı binaen nizam-1 mezкурun feshiyle bu makule berber gedığı vazına dair istıda vukuunda mehazir-i mevkiyisesi olmadiği halde ruhsat itarı hususu mülehhir melcis-i aliyy-i umumide ba tezkkür ol babda müteallik buyurlan irade-i seniyye-i şahane mucibince ıkıtsaz ica olunmakda olduğu makarr-1 derkenlardan müsteban olmış ve bu suretle ashab-1 arzuhalin istıdaları vahi görünmuş olduğundan arzuhal-i mezkürun battalda hifziala kendüleri civav verilmesi

5 B 1257
Cevdet Belediye 5208 25 B 1254-14 October 1838

İrade-i uhde-i caker kemine İstanbul enfiye mukataası mülhakatından malumusb-1 mikdar gediklerde miri enfiyesinden maada enfiye bey u şira olumnamak ve haricden enfiye alub satıklarla ahas olunur ise tasarrrurlarında bulunan gedikleri canib-i miriden bade’z-zabt kandilleri vaz .... olumnamak mukataaa-i mezkürun ba irade-i seniyye karargir oran nizam ve şurutunden iken İstanbul’d’a kitapçlar kapusuenda bir bab enfiyeci ámbkanı gedinbigne mutasarrıf olan İsak veled Mosi yehudi mugayir-i irade ve şurut haricden enfiye alub satmakda olduğu lede’l-istiibhar ámbkanı tahir olundukta miri enfiyesinden olmayarar onj yedi kriyye ve on yedi kriyye berzedin ve on beş kriyye kurutsa ve on altı aded kursña efrec enfiyeleri bulundugundan nizami ve şurutu üzere kendüst kürege vaz ve mutasarrıf olduğu gedinigin canib-i mirisane zabt ve furuhtu iktiza-yı irade-i seniyyeden ise de iyal u evladlarına vaz-ı kıkım olummakdan sarf-ı nazvar ve yalnız canib-i miriden zabt ile talibine furuhtıyçın müsaade-i seniyyeleri erzan buyulmak babinda emr u ferman min lehu’l emindir

Keyfiyyet-i kuyudu mukataat mubahesibenden

Hacegan-i divan-ı hümayunenfiye mukataası müdürü Hasan Fehi mi efendinin takdim eyilediği bir kita memhr takriri mehnumunda mansure hazine-i celileinden İstanbul ve tevabbi duhan gümrüğüne merbut enfiye mukataası müteferriatından nefs-i İstanbul ve Eyüb ve Galata ve Üskudar ve mülahkatı bulunan mahallerde enfiyeci ámbkanı gedği kirk yedi adedden ibaret olub bu defa ba irade-i seniyye-i müllıkane kirk yedi aded gedik dahi kadim olan gediklere bi’l-ılhak fımaba’d ziyyade ve noksan kabul etmemek üzre enfiyeci gedininin topra doksan dört adede ibläq ve kadim gedik etabının yedlerinde bulunan suretleri dahi tecdid ve imla ve gedikat kadime-i mezkeri hakkında ba hatt-i hümayun-ı şahane müessis olan nizam işbı ilave olunan gedikat hakkında dahi cari olarak mülk sahipleri taraflarına addı mülk kiralarınının min ba’d zimm ve tenzil olumnamak ve bi’l-cümle gedikat-i mezkeri ashabı ahvalleri zimmında birbirline kefıl olarak ölçerinde fevt olanların gediklerini adiyen evladına intikal iedeğinden enfiye mukataası sandığında deyni zuhur ider ise evlada ve evladi edaya adiml’-vakt olduğu halde intikal iden gediği esnaf marifetiyle talipine furuhtu olunarak semeni tediyne deyne veфа etmediği takdirde tist tarafı hasbe’l-kefale esnafta taraflından tazmin ile temamen tediyeye ettilirmesi ve medyinen bila veled fevt olanların kezalik uhdelerinde bulunan gediği esnafi marifetiyle furuht ve semeniden duyunu ba’del-edad fazlası zahur ider ise hazine-yi merkumeye teslim ve semeni deynine vafa etmediği suretde yine esnafta taraflı tazmin ile istifa kıllması ve esnaft-ı merkumeneden biri hafı ve celi miri enfiyesinden başka aher mahalden enfiye ahz ve furuhtuna mütecasir olduğu tahkik olunur ise kendüstünün ve üstabasının uhdelerinde bulunan gedikleri canib-i hazine-yı merkumaden zabt ile kendilere tediben ve terhaben kırıme vaz olunması ve enfiye esnaflığı mukaddama mile-i selâsîye mümkün gibı olunarak işlerinde ehl-i islam yığıgın marul’-beyan ilave olunan gediklerden ehl-i islama dahi virilmek gerek kadim ve gerek bu defa ilave olunan gedikatdan başka yedinde enfiyeci gedği senedi olan bir dükkanda enfiye furuhtuna her kim mütecasir olur ise ol dükkânın gediği derhal hazine-yı merkume canibinden zabt ile talibine furuht ve esmanı teslim-i hazine olmak ve gedikat-ı mezkeri bir mahalden bir mahalle nakl kıllmıyab hududlarına kemakan ibka kılınmak ve dükkânların birbirlerine bey eylediklerinden bin iki yüz aştir .... tarafından resm ahziyye suret virilmek için temessül ita olunmak ve işbı ilave olunan gedikler dahı kadim olan olasın gedikler misillii mer’i ve muteber olmak üzere bu defa ba irade-i müllukane müceddideden nizama rabt ve tevski olunmuş olduğuna binaen ber muecb-i nizam gedikat-ı mezkeri ile kadim gediklerden mahul olan on bir buğuz aded gedikler taliblerine furuhtu ve esman-ı hissese mansure hazine-yı celilesine ba’de’t-teslim yedlerine müceddideden ve kadim olup mutasarrıflarının uhdelerinde ibka olunan gediklerin yedlerinde olan atik suretleri ahz ve battalda hifz olunarak mutasarrıflar isimlerine bi’t-tasrih kezalik tebdilen ve
müceddenden suretleri itasi icab etmiş olduğundan ol vechle başka başka suretleri itasi hususunu tahrir ve inha etmekden naşı kuyud-1 lazimesi ba'de'l-ihrac ber minval-i muharrer münhal olan on bir büyük gedikler ile müceddenden ilave olunan kirk yedi aded gediklerin taliblerine furuht oluunudu suretde muaccilat mansure hazinesine ve gedikat-1 mezburie ile ashabı uhderlerinde ibka olunan gediklerin yalnız harç-1 семли hazine-yi amireye teslim oluunudu suretde muaccilat mansure hazinesine ve gedikat-1 mezburie ile ashabı uhderlerinde ibka olunan gediklerin yalnız harç-1 семли hazine-yi amireye teslim oluunudu haremeteyin-i mezkereteyn sergilerinden derkenar olmalıa mucibince suretleri verilmeck ferman-1 sami buyrunların mucibince mükataat muhasebesine kayd olunup zikrolunan gediklerde asitane-i saadetde kitapçılar nezdinde İsak veledi Mosi uhdesinde olan bir aded enfeyeci gedikinin nizam-1 mezbur mucibince atık suretde ahz ve battalda hıfız olunan gedik-i mezkur kemakna mersumun üzereine ibka olunmuşu mübeyyen i suver vı Cirildi gi mukayyed 25 Receb 1254

Meal-i takrîr enfey mukataati mülhakatından malumu'l-aded enfeyeci gediklerinde miri enfeyiinden maada enfey bey ve şiira olunmamak ve haricden enfeyi alub sattıklari ahsas olunur ise ashabının uhderlerinde bulunan gedikleri canıb-i miriye zabt ile kendüleri kütrese vaz olunmak ba irade-i seniyye enfeyi enfeyi enşafını şurut-ı nizamından iken asitane-i aliyeye kitapçılar kapusunda bir bab enfeyci diyikan gedîğine mutasarrıf olan İsak veledi Mosi yehudi mugayar-i nizam haricden enfeyi alub satmakda olduğu taktığ olunarak dikkany..... ile malumu'l-vakt ..........furuhu ve eфреч enfeyleri bulunmuş olduğundan nizalmali mucibince kendüstünün kütrese vaz'ı ve mutasarrıfı olduğu gedîğinin mansure hazinesinden tanzim ıcaiber ider ise de iyal u evladına terakahümen kütrese ve sanatında sarf-ı nazar ile yalnız gedîğinin hazine-yi merkumden zabtyla talibine furuhu olunması istizadaan ibaret bulunmuş ve gedî mezbur mersum İsak veledi Mosi yeydinin olarak ber minval-i muharrer esnafı-ı merkum hakkında ba irade-i seniyye verilen nizam derciyle ah-d-i kurbunda mersum yedine muceddenden suret veriliği der kenarda gösterilmiş olmalıa bu suretde ber mantuk takrîr mersum İsak yeydinin nizam-1 mezburun mugayarı olarak birle muharrer mütecasir olduğu hareketine binaen gedik-i mezkurun uhdesinden def ile hazine-yı merkumden zabtyla furuhu muvafig rey-i samleri buyurul ise kaydı balasına ....verilerek icar-yı ıktizasına ibraz olunmak üzere enfeyi mukataati müddi Hasan Fehmi efendi tarafına ve mukataat zimmeti defterlerine ilm u haberleri itasiyle tesviyesi hususu emr u fermen devletli atfeti efendi hazretlerininindir

Mucibince ilm u haberleri tahrir olundu 254

Cevdet Belediye 4476 22 ZA 1245-15 May 1830

Galata kadi pazuli etfen merbut olan arzuhal muhrec kuyud ve şuruta nazaran mimar ağa hazır olduğu halde ıktizasına ilam eleye deyey 7yu ZA 45 ilami mucibince ismine tashihan suret kaydı

Maruz-ı dei devlet-i alilerdir ki

Arzuhal iden Artın veledi Bogos nam zimmi mahruse-i Galata mahkemesinde meclis-i şer'i hatırde mahruse-i mezburun ve muzakatında vaki bi'l-cümlme berber esnafının kethüdası esseyid elhac Mustafa ağa ve yiğıtbaşı elhac Ali efendi ile esnafından köşe ustaları İbrahim ağa ve Mustafa çelebi ve diğer İbrahim ağa ve ve sair mazbutu'l-esami ustalar hazır oldukları halde takrîr-i kemel idib işbu arzuhale merbut diğer arzuhal başında mestur derkenar-1 natik olduğu üzre bağ muhasebe kalemdinde mahruse-i mezburie haricinde Beyoğlu'nda eski Nemçe sarayı karşısında berber Usope veledi Avadin ve Minas veledi Edatos zimmerin isimlerine mukayyed berber dükkâni gedîğine ale'l-iştiraki's-suyi iki kitas suret ile malikler olan mersuman Usope ve Minas zimmilerden semen-i malum ve makbuza müstera ba hüccet-i şeriyeye musatkilen mükûm ve dükkân-1 mezjur murur-1 ezmine ile binaya каталmiş olup ol vechle gedik-i merkum muattal olmuş olduğundan naklı lazım gelmekle gedik-i mezkurun esnafı
mezburenin şurut-ı nizamlarına tatbikan mahruse-i mezbure haricinde Beyoğlu nam mahalde Hüseyin ağa mahallesinde Galatasaray caddesinde kain bir tariikden Samancıoğlu halik Kigork zimmı veresesinin kargır menzili ve iki tariikden tasarrufunda olan arsa ve tarık-ı rabii tarık-ı amm ile mühadik ba temessük-i mütevelli mutasarrıf olduğum aher esnafın gediğinden ari dükkana nakline ruhsat verilmek matlumbum deyı ıstıda ve istıfragın etkikte berber gediği nakl olunacak dükkannın tulen sekiz ve nihayet on zira ve arzen altı ve nihayet yedi zira kadar olması ve kat’a oda ve başçesi müştemil olmamak üzre bu defa nizama rabı ve husus-ı mezkur babında beyaz üzerine sahı-ı ali ile mütəyyeyen ferımen-ı aliın sadır olduğu derkenardan müsteban olduğuına binaen berber gediği nakl olunacak dükkân mahdudu keşf u mesaha için taraf-ı dailerden ırsal olunan katib Mehmedmed atualla efendı hassa mimar-ı hülefasından Mehmedmed Adil ve esseyyid Hüseyin ile dükkân-ı mahdud-ı mezkura varub nazar ve mesaha eylediklerinde tulen on bir zira on beş parmak ve arzen altı zira hisab-ı termi alınmış dokuz zira on sekit parmak olup ve katan oda ve başçe olmayup ferıman-ı ali mezkure muharrer nizama mutabık .....dığın mimaran-ı merkuman haber verdiklerini mahallinde kete ve tahvir ve meclis-i şer'a ba’del’-inha ve muattal kalımsı gediği mahall-ı ahire nakl olun� esnaf-ı mezkurenın şurut-ı nizamların olunup olup ve mesbuk-ı bi’l-mesel olduğun kethüda ve esnaf-ı hazırun-ı meksumun haber virmelerine bu suretle marlı-’l-beyân Usop ve Minas zimmiler gediğiinin kaleminde mahall-i evvel-ı merkumda olan kayd-ı atik ref u terkin ve mahall-ı sa-i mezkıra nakl birle sahı aruhal artın zimmer ismine tashih ve suret-ı mezkureleri Galata'da vuku bulan haride muhterik olduğun tahakkuk olmalıka suret-i mezkıra kaleminde mutalebe olunmanmak şartlıyle fakat hüccet-ı hifz olun� esnaf-ı mezkurenın şurut-ı nizamları derciyle müceddeden yedine bir kita suret ita buyurlmak muvaftik-ı irade-i seniyyeleri olduğu halde ol baba ferın-ı aliileri suduru ıktiza eylediği mahruse-i Galata mahkemesinden huzur-ı aliilerine ilâm olunı baki emr-i feran hazret fi’l emrindir

Fi yemi’r-rabi aşer min zî’l-kadete ş-şerif li senete hams ve erbain ve mieteyn ve elf

Alı satı

Devletli inayetlü merhametlü veliyyü’-n-niam efendım hazretleri devlet-i ikhab ededi ile sağ ve var olsün

Arzuhal-ı kullardır ki mahruse-i Galata haricinde eski Neme sarayı karşısında vakı bağ muhasebe kaleminde Usop ve Minas zimmilerinin isimleriyle mukayyed bir bab berber dükkani gediğine mersuman Usop ve Minas zimmilerden müşteri ba hüccet yedimde mülküm ise de dükkân-ı mezkur murur-ı eyyam ile binaya katılmış olduğundan muattal kalmagla mahruse-i mezubre haricinde Beyoğlu’nda Hüseyin ağa mahallesinde kazazz dükkani karşısında kain aher esnafın gediğinden carı olan dükkana malik olduğum gediği berber esnafının şurut ve nizamlarına tatbikan nakl murad idüb ve gediğ nakli mesbük-ı bi’l-mesel olmalıga merahimin-alıyyelerinden mercudur ki işı bu arzuhalı merbut olub başmuhasabe kaleminde der kenar olunan kuyud manzur-ı devletleri buyurlup ber vech-i muharrer malık olduğum berber gediği mutasarrıf olduğum dükkân-ı merkuma nakl birle esnaf-ı mezkureni şurut-ı nizamları derciyle yed-i acizaneme bir kita suret itasıyı cánh olunmak babında berberler kethüdasi ve sair iktiza iden hazzı oldukları halde Galata kadısı faziletli efendi hazretlerine havale buyurlmak babında emr u feran hazret li’l emrindir

.....avn-i inayet birle yeneçeri maddesi bertaraf kilnarak mava-yı kirde físad olan kahvehanelerin dedı ve dedı ....hayrısine mebni muhterik olmuş veyahud binaya katılmış bağ muhasebende mukayyed berber gediğinin aher gediğenden ari dükkânıra bi’l-icaretyen mutasarrıfları rızalarıyle nakline ruhsat verilmiş olmak hasıbıyle bazi kesan aralık aralık yedilerinde olan berber gediğlerini kendî başçe ve oda-yı kahvehanelere nakl iddiasına düşmuş oldukları ihbar olunup halbuki berber gediği nakl olunacak kahvehanelerin tulen sekiz ve nihayet on zira ve arzen altı ve nihayet yedi zira kadar olmasın ve katan oda ve başçeyi müsteri olmasın uzmadan olmalıga zinhar ve
zınhar o makulelerin istidasiına müsaade olunmamak ve el halet-i hinde mücerer olan berber dükkanlarının her ne kadar vasil’i ve bağçeli dükkan var ise de kadımden mebni olmak hasbiyle nizam tevfîn yapılmak ve bu husus ale’d-devam memurlar havaile-i çeşn-i dikkat iderek salıf’z-zikr nizamdan ziyade vakten mine’l-evkat hilaf olmak ve cevaz gösterilmemek üzere keyfiyyetin baş muhasebeye kayd ile ıktiza iden mahallere ilm u haberlerin itasına mübaderet olundukda 1243 Muharrem

Cevdet Belediye 5088 20 Z 1263-29 November 1847
Maliye naziri hazretiine
Aşır efendi vakıftan olub bağçe kapusu civarında Hubyar(?) mahallesinde kain çubukçu dükkanın karakolhane ittihaz olmasıyla gelidinğin aher mahalle nakli ve icare-i seneviyesine bir mislinin zammi hususu mukaddemce meclis-i vala kararı ve müteallik buyurulan irade-i seniyye-i hazret-i şahane mubinbce ba buyruğu-yı savb-1 valalarına havale olunmasına ve müehhiran evkaf-i hümayun nezaretinin bazı ifadatı üzerine bazı mahallinin tashhiyüşün byruldu-yı mezkurun culpa lazim gelerek o sırada gediğ mezburun mahall-i ahere nakli cihetiyle zamm misli lazim gelmeyeceği dahi taraf-1 alilerinden ifade ve ihtat olmuş olduğundan keyfiyyet meclis-i valadan sual olundukda mezkur gediğin her ne kadar mahall-i ahere nakl olunacağı mukarrer ise de karakolhane ittihaz olunan mahallin bundan böyle mahüülü olmayacağı nefandı lı’l-evkaf inciresine bir mislinin zammi şer-i şeride muvafık ve usul ve nizamına dahi mutabık idüğünden ol vechle icabının icrası hususu meclis-i valaya mezkurdu ifade olunanar mezkur buyruğu icabı ve meclis-i valanın ifadesi vechile tashhi ve tebdil ettirilerek

Cevdet Belediye 4161 10 L 1230-6 July 1816

Bezestan-ı atik sokağında bir tarafdan kazzaz İkna ve bir tarfa’dan kazzaz Habiz dükkanlaryyla mahbud Minav oğlu Mannos veledi Avram yeddinin saçakçı gediği 1 bab

Asitane-i aliyyede vaki kolancı esnafına tabi bağçı ve saçakçı esnafi tabir olunur enva-1 saçak ve altun ve gümüşten tesbih ? ve divan ve saat ve birçok köstekleri ve şemsiye ve emsali emtia’yı tesim ve imal iden malumu’l-esami yehudi esnafının mütemekkin oldukları İstanbul’d’a çarşu-yı kebirde vaki altı bab saçakçı ve on altı bab bağçı dükkanları ki ceman yığımı iki bab dükkanlarının gediğleri irsen ve şiraden tasarrurlarında obir kiralarını dükkan-ı mezbur mutasarrıflarına bila cevr u eza mah be mah edada kusurların olmayup ancak dekakin-ı mezburen gediğleri aklımdan birinde mukayyed olmadiğinden nizamları muhtel ve müsevves olduğundan bahsle ber vech-i muharrar ve mibeýen dekakin-ı mezkerden esnaf-ı merkumenin ber mantuk defteri muhul ve ? hasbe’l-ıktiza beyi üzüm geldikde İstanbul kadişi efendinin ilamyle bey u şira olunup bey yuz kurudu altı kurucu har-ı ilam alınıp ziyade mütbale olunmamak ve zikrolunan dükkanların kira-yı kadi’lerini mülk ahsabına mah be mah eda eyledlıklerinden sonra kira artırmak veyahud sair bahane ile dükkanından ihrac ile gediğleri iptal olunmamak üzere baş muhasebe kalemine kayd olunup yedelrine başka başka suret itasın esnaf-ı merkumenin istida eyledlıklerin hala İstanbul kadişi faziletli Mehmed Arif efendi hazretleri memhur ve mehz-ı mukarrereden defteriyle ilam etmeğin ilam-ı mezkurun tarih-ı aklam-ı gedi kaydı memnuüyyete dair sadir olan ferman-ı alîsan mukaddem olub ahsabına ve sair güna zarar ve hasarı mucib bir şey olmadiği muharrar olmagla emsal olunmak üzere ve ferman-ı alîsin hilaфи vaz ve hareket vukua gelmemek üzere ilam-ı mezbur baş muhasebeye kayd ile mesfurdan yedelrine başka başka suretleri tahrir ve ita olunmak babında ferman-ı alîsan sadir olduğun mücibince kayd olunup esnaf-ı mezkerden merkumdan Minav oğlu Mannos veledi avram yeddinin balada muharrar malik olduğu bir bab saçakçı dükkanı gediğin zabt u tasarrufiyütün mesfurun yedine işbu suret verildi 1230
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