THE TRANSFORMATION OF THE ISTANBUL ARTISANS AND TRADERS (*ESNAF*) IN THE LATE OTTOMAN EMPIRE: 1839-1922

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ABSTRACT

THE TRANSFORMATION OF THE ISTANBUL ARTISANS AND TRADERS (*ESNAF)* IN THE LATE OTTOMAN EMPIRE: 1839-1922

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This study examines the integration of artisans and traders into the new administrative structure in Istanbul through municipalities between 1839-1922, as well as the abolition of their guilds during this integration process. The study suggests that the underlying reasons in changing of the conditions of these groups and the abolition of the guilds cannot be explained only with the dynamics of economy, such as the integration of the Ottoman market into the European capitalist economic system, mechanization in production, and free-trade practices, but they were also related to the changing administrative necessities. The new administrative system, legislation, marketplace supervision, and the change in the professional organization model impacted the transformation of these groups. Furthermore, this study argues that the abolition of the guild wardenship was not only the result of their economic loss of power, but it was also the outcome of the administrative modernization in the Ottoman Empire. The conflicts emerged in the guilds upon the guild's warden position and its responsibilities played crucial roles in the abolition of the guilds. The study is set on two essential questions: The first one is that how the artisans and traders of Istanbul adapted themselves to the administrative restructuring in the nineteenth century, and

the second one is that what kind of an organizational transformation took place from guilds to *esnaf* associations.

Keywords: *Esnaf*, Guilds, Associations, Municipality, Istanbul (19th & early 20th century).

ÖZ

GEÇ DÖNEM OSMANLI İMPARATORLUĞU'NDA İSTANBUL ESNAFININ DÖNÜŞÜMÜ: 1839-1922

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Bu çalışma 1839-1922 yılları arasında İstanbul'daki esnafın belediyeler aracılığıyla yeni idari yapıyla bütünleşmesini ve bu bütünleşme sürecinde loncalarının lağvını incelemektedir. Çalışma, bu grupların koşullarının değişmesinin ve loncaların kaldırılmasının altında yatan sebeplerin sadece Osmanlı pazarının Avrupa kapitalist ekonomik sistemi ile bütünleşmesi, üretimde makineleşme ve serbest ticaret uygulamaları gibi ekonomik dinamiklerle açıklanamayacağını, bunların değişen idari gerekliliklerle de bağlantılı olduğunu öne sürmektedir. Yeni idari sistem, mevzuat, market denetimi ve meslek örgütü modelindeki değişim bu grupların dönüşümünde etkili olmuştur. Ayrıca bu çalışma kethüdalığın ilgasının yalnızca loncaların ekonomik güç kaybının bir sonucu olmadığını, Osmanlı İmparatorluğu'ndaki idari modernleşmenin de bir neticesi olduğunu iddia etmektedir. Kethüdalık pozisyonu ve sorumlulukları üzerine ortaya çıkan ihtilaflar loncaların ilga edilmesinde önemli rol oynamıştır. Çalışma iki temel soru üzerine kuruludur: Birincisi, İstanbul esnafı on dokuzuncu yüzyılda kendisini idari yeniden yapılandırmaya nasıl adapte etti? İkincisi, loncalardan esnaf cemiyetlerine doğru nasıl bir örgütsel dönüşüm yaşandı?

Anahtar Kelimeler: Esnaf, Loncalar, Cemiyetler, Belediye, İstanbul (19. ve erken 20. Yüzyıllar).

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LIST OF ABBREVIATIONS

A.} DVN.	Sadaret, Divan Kalemi Evrakı
A.} MKT. MHM.	Sadaret, Mühimme Kalemi Evrakı
A.} DVN. MKL.	Sadaret, Mukavelenameler
A.} MKT. NZD.	Sadaret, Nezaret ve Devair Evrakı
B	Receb
BEO.	Bab-ı Ali Evrak Odası
BOA	Devlet Arşivleri Başkanlığı Osmanlı Arşivi
C	Cemâziyelâhir
CA	Cemâziyelevvel
C.. ML..	Cevdet, Maliye
DH. EUM. KADL.	Dahiliye Nezareti, Emniyet-i Umumiye Müdüriyeti, Kısm-ı Adli
DH. EUM. 6. Şb	Dahiliye Nezareti, Emniyet-i Umumiye Müdüriyeti, Altıncı Şube
DH. EUM. THR.	Dahiliye Nezareti, Emniyet-i Umumiye Müdüriyeti, Tahrirat Kalemi
DH. EUM. VRK.	Dahiliye Nezareti, Emniyet-i Umumiye Müdüriyeti, Evrak Odası Kalemi
DH. HMŞ.	Dahiliye Nezareti, Hukuk Müşavirliği
DH. İD.	Dahiliye Nezareti, İdari Kısım
DH. İ. UM.	Dahiliye Nezareti, İdare-i Umumiye
DH. MB.. HPS.	Dahiliye Nezareti, Hapishaneler Müdiriyeti
DH. MKT.	Dahiliye Nezareti, Mektubi Kalemi
DH. MUİ.	Dahiliye Nezareti Muhaberat-ı Umumiye İdaresi
DH. TMIK.M..	Dahiliye Nezareti, Muamelat
DH. UMVM.	Dahiliye Nezareti, Umur-ı Mahalliyye ve Vilayat Müdürlüğü
Ed.	Editor
FTG. f..	Fotoğraflar

HAT.	Hatt-ı Hümayun
HR. MKT.	Hariciye Nezareti, Mektubi Kalemi
HR. TH.	Hariciye Nezareti, Tahrirat
İ.. DH.	İrade, Dahiliye
İ.. DUİT..	İrade, Dosya Usulü
İ.. EV.	İrade, Evkaf
İ.. HUS.	İrade, Hususi
İ.. MMS.	İrade, Meclis-i Mahsus
İ.. MSM.	İrade, Mesail-i Mühimme
İ.. MVL.	İrade, Meclis-i Vala
İ.. ŞD..	İrade, Şura-yı Devlet
İ.. ŞE..	İrade, Şehremaneti
İ. TAL.	İrade, Taltifat
L	Şevval
M	Muharrem
MF. MKT.	Maarif Nezareti, Mektubi Kalemi
MV.	Meclis-i Vükela
MVL.	Meclis-i Vala
N	Ramazan
R	Rebîülâhir
RA	Rebîülevvel
S	Safer
Ş	Şaban
ŞD.	Şura-yı Devlet
TDV	Türkiye Diyanet Vakfı
TS. MA. d.	Topkapı Sarayı Müzesi Arşivi Defterleri
TS. MA. e.	Topkapı Sarayı Müzesi Arşivi Evrakı
Y.. A. HUS.	Yıldız, Hususi Maruzat
Y.. A. RES.	Yıldız, Resmi Maruzat
YB..021.	Yabancı Arşivler, Makedonya Arşivi
Y.. MTV.	Yıldız, Mütenevvi Maruzat
Y.. PRK. AZJ.	Yıldız, Arzuhal Jurnal

Y.. PRK. PT.	Yıldız, Posta Telgraf Nezareti Maruzatı
Y.. PRK. SH.	Yıldız, Sıhhiye Nezareti Maruzatı
Y.. PRK. ŞH.	Yıldız, Şehremaneti Maruzatı
Y.. PRK. ZB.	Yıldız, Zabtiye Nezareti Maruzatı
Z	Zilhicce
ZA	Zilkade
ZB.	Zabtiye Nezareti

CHAPTER 1

INTRODUCTION

Artisans and traders namely *esnaf* is the significant social layer of the Ottoman society, referring to the individuals who dealt with craft and trade.[1] It denotes the group of people who conducted retail trade in shops and workplaces all over the empire.[2] They worked either mobile or in a specific shop, place or district in various fields and performed their business both in urban and rural under the rules of their guilds and professions. They were active in fields related to both production and consumption, which are the main human activities. Therefore, artisans and traders were in a critical position in providing good and service needs of society and provisioning. The nature of their work was based on the subsistence economy. The work hierarchy was consolidated with professional relations and daily interactions among the masters, the journeymen, and the apprentices. The journeymen and apprentices had to follow the order of their masters, who dictated to them. In return, the masters had to teach the details of the profession preserving the work ethics. The state was in contact with these groups and monitored their conducts and problems via guilds.

This study examines the integration and adaptation of Istanbul artisans and traders to the new centralized and law-based administrative order via the municipalities. It describes the process, including the years between 1839 and 1922, by considering the effects of administrative reforms and changing public administration practices on the experiences of these groups. The establishment of the Municipality (*Şehremâneti*) in Istanbul in 1855 marked a new period for these groups since it changed their administrative and juridical position in line with the Tanzimat order. The municipalities established in Istanbul directly interacted with artisans and

[1] Hereafter, this study will use artisan and trader to refer *esnaf*.

[2] "Esnaf", *Dersaadet Ticaret Odası Gazetesi*, no: 9, 12 B 1302 [27 April 1885], p. 5.

traders and these new urban institutions became their official authority agencies after 1855. The leitmotiv of the Ottoman municipal politics was initially composed of managing the affairs of these groups and the public works. Then, in time, the municipal service was expanded and shaped according to the new necessities of urban life. The Ottoman state sought ways to integrate these groups into its new municipal administration since they were inseparable part of economic and social life.

The Municipality supervised artisans and traders under its new bureaucratic system rather than leaving them unattended under the individual initiatives. It had a leading role in the centralization and systematization of their affairs. The relational factors, including centralization and bureaucratic modernization, which shaped the administrative structure in the nineteenth century, had significant transforming impacts on the affairs of these groups. On the other side, the groups in question tried to accommodate themselves to the unsettled structure of the municipal order. They sought ways to find an answer or a solution to their demands and problems with such reactions as adaptation or resistance as active marketplace actors by consulting to the municipal administration that they were belonged. The engagement in the new administrative system enabled these groups to develop the notion of regulation and other legal arrangements as well. They emphasized the importance of the rule of law when trying to solve their problems, and they began to partially internalize the perspective of modern law.

The legislative regulations, which covered the issues of the marketplace affairs, the supervision of the groups, and the institutional change of guilds, determined the path of the marketplace actors in articulating to the municipal administration. On the other hand, these groups became a propelling force, especially in the systematization of the trading activities, public health, and city planning policies during the Tanzimat (1839-1876) and the post-Tanzimat (1876-1922) periods. Therefore, this study depicts artisans and traders considering their experiences, reactions, conflicts along with the policies of the state center and the Municipality. It explains how a new official institution interacted with these social groups and how this interaction changed the state of them. The academic and non-academic sources explain the process mainly as that artisans and traders decreased in number with the effect of burgeoning capitalism. Although the issue of the integration of the Ottoman Empire into the capitalist

economic system was controversial, it can be claimed that the integration into the capitalist system did not influence certain craft or trade professions. Some production branches were industrialized and mechanized, whereas some were hardly transformed, and some were partially mechanized. This study keeps in mind the adverse effects of the liberal market economy on certain industries. However, it contextualizes the administrative-judicial and economic experiences of artisans and traders together through the issue of new government agencies; in other words, municipalities, but not with such a grand fact as capitalism, which the literature dominantly highlighted. A new structural change in the administration apparatus began to blossom for the craft and trade groups with the new municipalization process in this period. In this respect, the transformation of these groups and their guilds has to be investigated by considering the consequences of both capitalism and the changing administrative-judicial structure of the Ottoman state. This study aims to do this by concentrating on the experiences of these groups living in Istanbul and examining the legislations prepared for them.

The abolition of the guilds in 1910 is another considerable issue in this study since it signifies a fundamental change for artisans and traders. This abolition is presented as their disappearance and it generally linked to the incorporation of the Ottoman Empire into the European capitalist system. Rather than focusing only on the external reason for this repeal, this study gives weight to the internal subjects and factors that emerged in the empire's last period. Unlike the existing literature that emphasizes the dismantling of the guilds and the disappearance of certain professions from the markets in the last period of the Empire, this study focuses on the process of the integration of these groups into the new administrative order accelerated with the Tanzimat reforms and their new organizational experiences. Contrary to the oft-repeated account, this study suggests that the reason for the abolition of guilds cannot be explained only with the economic dynamics but also with the changing administrative necessities. It also claims that even though the roles of guild wardens were so crucial in keeping the order of guilds, the attempt to eliminate them from the administrative mechanism, the conflicts emerged due to guild warden position, and tax affairs also played important roles in the abolition of the guild warden post; in other words, the guilds. This study argues that the abolition of this post was not only related

to the economic demise, but it was also the outcome of the administrative modernization in the Ottoman Empire. Following the collapse of the guilds, *esnaf* associations (artisan and trader associations-*esnaf cemiyetleri*), which began to appear from 1910 onwards, functioned as the main organizations of artisans and traders. These associations played a role in bringing the guild tradition to an end. The artisans and traders continued to conduct their occupational affairs under the management of these associations.

A set of questions will help understand the transformation of the Ottoman artisans and traders with their guilds by highlighting possible factors and conditions that played crucial roles in this process. These questions are; what were the socio-economic conditions and the legal positions of these groups in Istanbul during the mid-nineteenth century? What was the state policy towards these groups in this period? What kinds of legal arrangements were made concerning these trade groups? How did the legal regulations change the marketplace order and influence the managerial, organizational, and daily practices of these groups? How did these groups react to the legal arrangements and the economic policies? Finally, how did all these contribute to the transformation of these groups? To be able to answer these questions, it is important to know the changing conditions of these groups by following the transition from old order, which was based on individual authorities, to the new administrative-judicial and economic understanding, which was developed with the new state institutions. The following paragraphs provide information on the adaptability and resistance of artisans and traders to the new legislation to understand their circumstances.

All the changes related to these groups provide an idea about the panorama of the late Ottoman urban socio-economic life as well since they took part in a significant part of public space in the Ottoman life. They were involved in this narrative as the underprivileged masses. It is an attempt of an analysis that tries to show the interactions between the economic and administrative institutions and these social groups from the perspectives of both sides.[3] Beyond the creation of a counter-argument

[3] Thomas Welskopp, "Social History", in *Writing History: Theory & Practice*, Stefan Berger et al. (eds.), (London: Oxford University Press, 2003), pp. 217-218.

in the literature, this study aims to propound an alternative perspective that had a role in the considerable changes in terms of the groups mentioned here.

1.1.Terminological Definitions and Framework

Esnaf means classes in Arabic (it comes from *sınıf,* which means class). *Ta'ifa* was also used for referring to *esnaf*.[4] It had two particular meanings: One means profession,[5] and the other is a group of people who dealt with a certain profession.[6] This term was commonly used in the late nineteenth and early twentieth-century Ottoman documents to denote the artisan and trade groups who traded with small capital.[7] Indeed, it did not have an exact official depiction specified by a code. *Esnaf* consisted of two different groups: The first group was the artisans; the second group was the traders who belonged to a certain workplace or itinerant. *Esnaf* involved in the non-agricultural production activity.

The new words entered into the bureaucratic language, which made the concepts and terms more complex. The conceptual ambiguities concerning the definition of *esnaf* continue in the literature as well. However, it has to be stated that

[4] *Esnaf* was also used to refer to the other groups of people when researching for the artisan and trader groups (*esnaf*) in the archival research. For example, *esnaf* was used for pickpockets as *esnaf-ı yankesiciyan* even though they were not a trade or a craft group. See Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, v. 9, (İstanbul, İBB Kültür İşleri Daire Başkanlığı Yayınları, 1995), p. 182. The Arabic term *ta'ifa*, which was used for the Egyptian guilds, also denotes denominational, national or social non-trade based groups such as Copts, North Africans or gypsies respectively. See John Chalcraft, "The Striking Cabbies of Cairo and Other Stories: Crafts and Guilds in Egypt,1863-1914", Ph.D. diss., (New York University, 2001), p. 9. For the dissertation's book format, see John T. Chalcraft, *The Striking Cabbies of Cairo and Other Stories: Crafts and Guilds in Egypt, 1836-1914*, (Albany, New York University Press, 2005).

[5] Donald Quataert, "Labor History and the Ottoman Empire, c. 1700-1922", *International Labor and Working Class History,* no. 60 (Fall, 2001), p. 101.

[6] Performing a vocation or carrying out a profession (*icrâ-yı sanat etme*) includes the words "vocation" or "profession" (*sanat*), but it did not always involve a positive meaning in this period as it is in modern Turkish. It encapsulates a broader meaning, which also includes illegal acts. For example, there is a statement in article 242 of the Penal Code (11th part, "*Kumar ve Piyango mücâzâtı*"), which stated as "having a profession and gaining a profit with gaming as an occupation… (*kumarbazlığı kâr ve sanat edinip*)". See Ahmet Akgündüz, *İslam ve Osmanlı Hukuku Külliyatı*, (İstanbul: Osmanlı Araştırmaları Vakfı, 2011), p. 652.

[7] The term "*esnaf*" was defined in the document. See Presidency of Republic of Turkey Directorate of State Archives, Ottoman Archive (*Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı-Osmanlı Arşivi-BOA*), BOA, DH. HMŞ. 4/4, 19 S 1339 [2 November 1920]. Hereafter BOA.

there was no strict differentiation in certain cases in terms of the state between the worker and artisan/trader. For instance, individuals who worked in a bakery were accepted as both worker/*amele* and *esnaf*. This ambiguity about the names of the positions or professions emerged probably due to the new administrative order and a new developing language for this order. The common uses can be detected from the list of professions and guilds. In this study, the names of the trade and craft groups have been detected from The Ottoman Archive, the *Mecelle-i Umûr-ı Belediyye*,[8] 1294 (1877) Ottoman Yearbook,[9] Turkish Commerce Yearbook of 1340-1341,[10] and various secondary sources.

There is no single appropriate English word or term for *esnaf*. The terms such as craftsman, tradesman, artisan, merchant, guild, and craft worker have been used to refer to it in various academic works.[11] This study accepts people who were manufacturers, shopkeepers, peddlers, and people who had small businesses to denote and encompass the term "*esnaf*" and "artisan and trade groups" will be used in this study. Although the distinction of trader and *esnaf* was made in some official documents on different topics, this study will use them together to prevent ambiguity.[12] Artisans and traders were accepted as individuals who traded with small capital that separated them from merchants.[13] Therefore, it has to be added that there is a difference

[8] Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, (İstanbul, İBB Kültür İşleri Daire Başkanlığı Yayınları, 1995). This work includes professional groups from the seventeenth and eighteenth centuries as well, which might not exist in the late nineteenth-century Ottoman Istanbul. They were crosschecked with the archival research.

[9] *Salnâme-i Devlet-i Aliyye-i Osmaniyye 1294/1877,* (İstanbul: Dersaadet Matbaası, 1294); Necdet Sakaoğlu & Nuri Akbayar, *Osmanlı'da Zenaatten Sanata: Esnaf ve Zenaatkârlar*, v. 1, (İstanbul: Körfezbank, 1999), pp. 299-311.

[10] *Türk Ticaret Salnâmesi (Turkish Commerce Yearbook of 1340-1341 /1924-1925)*, (İstanbul: İktisadi Tedkikat Neşriyat ve Muamelat Türk Anonim Şirketi, 1340-1341).

[11] Robert W. Olson used the term "*esnaf*" in his works. See Robert W. Olson, "The Esnaf and the Patrona Halil Rebellion of 1730: A Realignment in Ottoman Politics", *Journal of the Economic and Social History of the Orient,* vol. 17, no. 3, (September, 1974), pp. 329-344; Robert W. Olson, "Jews, Janissaries, Esnaf and the Revolt of 1740 in Istanbul: Social Upheaval and Political Realignment in the Ottoman Empire", *Journal of the Economic and Social History of the Orient,* vol. 20, no. 2, (May, 1977), pp. 185-207.

[12] For the distinction between trader and *esnaf* in a population record of migrants, see BOA, YB..021, 28 Z 1296 [13 December 1879].

[13] BOA, DH. HMŞ. 4/4, 19 S 1339 [2 November 1920]. Artisans and traders also separated themselves from merchants even though they purchased the products wholesale. For example, the mat makers took

between merchant and trader because the former was engaging in wholesale trade and investing capital; on the other hand, the latter denotes the individuals or groups who were trading with small capital but not investing it. The scholars generally have used *esnaf* for artisans, but it is broader in terms of its content.[14] Every artisan can be accepted as a member of *esnaf* traditionally, but a trader may not be accepted as an artisan when the professional difference is concerned.[15]

Guild (*lonca* in Turkish) denotes the craft and trade organization that regulated the division of labor in the production process and the marketplace life in both urban and rural areas. Trade and artisan groups produced and sold their products under the authorization of their guilds. The term "guild" was first used for the rooms of these groups in which they gathered to talk about their problems or current issues. These rooms were also used for storing raw materials that would be allocated to the related group. Second, it was also used for referring to their organization.[16] The term guild which refers to their organization has also been used to refer *esnaf*, but *esnaf* has a broader meaning as explained above.

The guild organization aimed to regulate the affairs such as the organization of labor and the control of price movements at the market. On the other hand, the state used the guilds as a means of controlling urban population and city life, including procurement of services, securing the payment of taxes, and following the dues of the guild members.[17] The state ensured to collect taxes and fees via guild headmen and to

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their licenses from the Municipality, and they should be accepted as traders even if they procured mat as wholesale. The license was the official-written proof of their professional epithets. See BOA, BEO. 1021/76548, 15 CA 1315 [12 October 1897].

[14] Another frequently used term "tradesmen" refers only to men, but women artisans and traders existed as well in the late Ottoman period. The term "tradespeople" can be preferred in studies instead of the former.

[15] Sometimes the terms trader (*tüccar*) and *esnaf* were used together for the same profession. For the example of cattle-dealers, see BOA, DH. MKT. 897/14, 26 B 1322 [6 October 1904].

[16] Şemseddin Sami mentions that "*lonca*" (which is now used for guild) is the mumpsimus of the word "*loca*". See Şemseddin Sami, "Loca", *Kâmûs-ı Türkî*, (İstanbul: Çağrı Yayınları, 2007), pp. 1246-1247; Mehmet Zeki Pakalın, "Lonca", *Osmanlı Deyimleri ve Terimleri Sözlüğü* (2nd vol), (İstanbul: Milli Eğitim Bakanlığı, 2004), pp. 369-370.

[17] Suraiya N. Faroqhi, "Guildsmen and handicraft producers", *The Cambridge History of Turkey: The Later Ottoman Empire, 1603-1898*, Suraiya N. Faroqhi (ed.), (New York: Cambridge University Press, 2006), p. 344.

control of the quality, weight, price, and measures of the products. The guilds supplied services and labor in addition to the distribution of the goods. They provided funds and mutual help to their members. They consulted the courts and later also to the Municipality in case of arbitration of disputes. Hence, the government implemented measures according to these requests (that can be about transportation problems, import-export affairs, security and public order) to prevent the bad effects and results of famine and unemployment that craftspeople or tradespeople may be influenced and pursued them.[18]

A standard description of the organizational structure of the guilds was superficially made without considering the positional changes over time as such: They were ruled according to a certain hierarchy, and at the top of this hierarchy, there was a guild warden (*kethüdâ*) who was the main representative of the guild and was responsible for the affairs of artisan and trade groups. The guild sheik (*şeyh*) was the religious representative; *nakîb* was in charge of conducting the ceremonies; *yiğitbaşı* was responsible for the domestic affairs of the guilds, and he was distributing raw materials or designating the mainframe of the work;[19] and finally e*hl-i hibre* (experienced masters) were the specialists of the guilds. These six people constituted the guild council, the formal economic organization in rural and urban centers.[20]

Apart from the people in the guild hierarchy, there was also a hierarchy in terms of work order: First master, then journeyman, and apprentice. Journeyman and apprentice had to obey the orders of their masters, and they were not the members of the guilds until they became a master. Their heads (*reis*) handled the affairs of the groups, and these heads (not in all professions) were responsible for dealing with the doings and problems of the related group. Their duties included the solving of disputes among the guild members, registering the returning to the cash box, the establishment of charitable foundations, a close examination of the private and general conditions of

[18] Mehmet Genç, *Osmanlı İmparatorluğu'nda Devlet ve Ekonomi*, (İstanbul: Ötüken Neşriyat, 2012), pp. 303-304.

[19] In general, *Yiğitbaşı* is known as the assistant of the guild wardens, but this description is open to debate.

[20] Halil İnalcık, *Osmanlı İmparatorluğu Klasik Çağ (1300-1600)*, (İstanbul: Yapı Kredi Yayınları, 2013), p. 159.

employees, presidency to the guild's administrative committee, the representing the guild in external affairs, and the practice of the ceremonies of the journeymen and apprentices.[21] In the late nineteenth century, the small-scale trade and artisan groups were composed of mainly master, journeyman, and apprentice.[22] The issues about the positions of the guild members and the other professional matters were solved by the consultation to the government and the Municipality. The structure of the guilds was suitable to build the stratum affiliation notion because it denoted the vocational stratum affiliation.[23] Nonetheless, craftspeople and tradespeople formed a social class as a kernel, and it was not completely an Ottoman social class.[24] Hence, the use of "layer" for these groups is more plausible than "class" in the Ottoman context.

Every different production and service phase organized its artisan and trader guilds. Organizational differences depended on various reasons such as the different production phases, service areas, models, and colors in the same good, which could generally be changed according to the economic or religious differences, such as in shoes.[25] But it has to be pointed out that every artisan or trade group did not have their guilds. On the other hand, different guilds were established in the same field but in separate districts. Without examining the guilds, there will be a gap in the history of the Ottoman socio-economic life since they were the main organizations of the marketplace actors, which had control of nearly all production and service processes.

Interestingly, the word *lonca*, which is the Turkish equivalent of guild, was less used in the archival documents, and the entity of guilds in the last period of the Empire

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[21] Celâl Yerman & Samet Ağaoğlu, *Türkiye İktisadî Teşkilatında Ticaret ve Sanayi Odaları Esnaf Odaları ve Ticaret Borsaları*, (Ankara: Titaş Basımevi, 1943), p. 14.

[22] A booklet was found in the catalogue of Muallim Cevdet from Atatürk Library (İBB Atatürk Kitaplığı). The printing house of the booklet is unknown. The publication date of it is also not written, but it was written in the record of the website of the library as 1900. It includes the taxes and fees that artisan and trade groups paid. *Hademe* was used as a member of certain trade groups. Moreover, it is confusing that the members, including a master, journeyman, apprenticeship, *hademe*, and sales clerk, were divided as honorable and dishonorable, and their taxes changed according to this differentiation. See *Dersaadet ve Bilâd-ı Selâse'de icra-yı sanat eden bilcümle esnâf-ı mütenevvianın mükellef oldukları mahiye vergisiyle senevî tezkere harcları mübeyyin bir kıta tarife defteridir*, İBB Atatürk Kitaplığı, no: 413/01, (1900?).

[23] Şerif Mardin, *Türkiye'de Toplum ve Siyaset*, (İstanbul: İletişim Yayınları, 2012), pp. 80-81.

[24] Mardin, p. 100.

[25] Genç, p. 294.

was unearthed by the use of the term guild warden (*kethüdâ*). However, certain trade and artisan groups did not even have their guild wardens. Hence, the use of the professional epithets and the terms guild warden/guild wardenship rather than guild became more functional during the research. After the functions of the guild organizations disrupted and they were abolished, new associations named *Esnaf Cemiyetleri* replaced them. How and why this change occurred is one of the main concerns of this study.

Another important concept in *esnaf* studies is *gedik* (slot). The guild member artisans or traders were able to perform their work if they possessed a *gedik*. It was a significant development in the history of guilds, which was officially implemented in the eighteenth century. It initially meant the tools and equipment in a craft. Then, it began to be used as the right to practice a particular profession at a specific location, including means and production tools as well. The term was associated with sector-specific barriers to entry that limited the number of people who could enter a certain craft or trade activity. It finally meant the full usufruct over the real property of a holder.[26] It became the vestige of protecting artisan and trade groups from the uncontrollable economic growth, which could weaken the production potential. It also protected them from the unfair profits of waqf (pious foundations) members from rents or the evacuation demand of the shops.[27] As the symbol of the monopolization of production, trade, and estate market, the *gedik* system became prevalent after the second half of the eighteenth century. This system led to the monopolization of production under certain individuals who had a *gedik* and having equipment for practicing their professions. It became influential long time in economic life until the first quarter of the nineteenth century. The *gedik* was implemented in 1727 and abolished on March 1, 1913.[28] In fact, the internal monopolistic privileges of artisans

[26] See Engin Deniz Akarlı, "Gedik: Implements, Mastership, Usufruct, and Monopoly among Istanbul Artisans, 1750-1850", *Wissenschaftskolleg Berlin Jahrbuch*, (Berlin: Siedler Verlag, 1987), pp. 223-232; Seven Ağır and Onur Yıldırım, "Gedik: What's in a name?", in *Bread from The Lion's Mouth: Artisans Struggling for a Livelihood in Ottoman Cities*, Suraiya Faroqhi (ed.), (New York: Berghahn Books, 2015), p. 219.

[27] Akarlı, p. 226.

[28] "Gediklerin İlgası Hakkında Kanun-ı Muvakkat", 22 RE 1331 [1 March 1913], *Düstur*, II/5, (Dersaadet, Matbaa-i Amire, 1332.), pp. 118-120. It has to be pointed out that this arrangement was the announcement of the abolition of the *gedik* over the real property of a holder.

and traders ended with the 1838-1841 treaties.[29] The regulation of 1861 was a specific arrangement that announced the limitations on these monopolistic privileges.[30] When it comes to the second half of the nineteenth century, the *gedik* system lost its importance in economic life. Therefore, this study excludes the issues related to the *gedik*.

Before evaluating the current literature about the topic, the limits of the framework of the study has to be stated as well. This study determined the time period as between 1839-1922, but it shows the institutional and economic transformation of the Ottoman state which was based on the Tanzimat reforms and free trade economy rather than the activities of the artisans and traders. The period that elaborated on the experiences of the groups began with the establishment of the municipalities in 1855 which was the outcome of the mentioned reforms and new economic policies.

In order to focus more on the integration and adaptation of artisans and traders to the new administrative-judicial and economic order in the late Ottoman Istanbul, this study excluded the political attempts of the groups or other political contexts existed in the period that this study covers. The period covered in this study encompasses the Empire's turmoil era, which was full of with successive wars, economic recession, and different administrative and political practices. However, this study will not deal with the nationalist separatist movement appeared in the empire and its impact on the artisans and traders in Istanbul, and it will only touch on their presence in the marketplace.

Economic policies had crucial transforming effects on artisans and traders but two issues about the framework of this study should be pointed out. One of them is about the industrial or non-industrial character of the Ottoman Empire. Industrialization was propounded as the reason for the disappearance of the guilds in previous studies. But this study regards that certain professions were even not influenced by this factor even though they had guilds. On the other side, the late development of capitalism in the Ottomans; that is to say, the non-industrial feature of it, cannot be considered equal with enduring the old-style service techniques, and the

[29] Akarlı, p. 230.

[30] Ahmet Akgündüz, "Gedik", *TDV İslâm Ansiklopedisi* (v.13), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1996), p. 542.

end of the guilds is not the endpoint of this process. Therefore, this study will not put the issue of capitalism at the center of its narrative. The other point is related to the national economic policy, which was officially followed from 1908 until the end of the empire. This policy remarkably influenced the artisan and trade groups. Whether this policy was a loss or advantage for the groups in Istanbul is a matter of question that restricts the content of this study since the economic developments influenced professions in different ways and levels. Therefore, the study will refrain from this kind of holistic conclusions and dualities.

The analysis of the decline of the classical Ottoman institutions, economic growth, and administrative reorganization will help to show the changing circumstances of artisans and traders, their guilds and their transformation.[31] The formal relations of these groups with the government institutions and the state policy towards the *esnaf* affairs will be the major topics discussed in this study. The main effort of this study is the elucidation of the artisan and trader groups living in Istanbul within the framework of late period's institutions, market order, administrative reorganization, and organizational status changed in time. Many works contributed to understanding the nature of guilds and the conditions of various artisan and trade groups that existed over time. This study aims to fill the gap in the literature about the experiences of these groups and positioning of them into the new administrative and judicial order in the late Ottoman Istanbul, which remained somewhat obscure so far. Locating these groups into the socio-economic patterns of the state apparatus entails a remarkable effort. Understanding the late period of Ottoman economy and social order from a broad historical perspective exceeds this study's caliber. This work is just an effort to be a little step in such a historical narrative.

1.2.Literature Review

Many scholars have studied the Ottoman artisans and traders so far. Comprehensive literature flourished in Ottoman socio-economic history studies, and the issues concerning these groups were also part of this field. The studies mainly

[31] Reşat Kasaba, *The Ottoman Empire, and the World Economy: The Nineteenth Century*, (Albany: State University of New York Press, 1988), p. 2.

cover the issues such as *Ahism* and *Futuwwa* tradition existed during the classical period of the Ottoman Empire;[32] the history of the trade and artisan groups in the seventeenth and eighteenth centuries;[33] the affairs concerning the *gedik* system;[34] the

[32] See Franz Taeschner, "İslam Ortaçağı'nda Futuvva (Fütüvvet Teşkilatı)", *İstanbul Üniversitesi İktisat Fakültesi Mecmuası,* n. 15, (1953), pp. 3-32; G.G. Arnakis, "Futuwwa Traditions in the Ottoman Empire: Akhis, Bektashi Dervishes, and Craftsmen", *Journal of Near Eastern Studies*, Vol.12, No.4, (Oct., 1953), pp. 232-247; Deodaat Anne Breebaart, "The Development and the Structure of the Turkish Futuwah Guilds", PhD. diss., (Princeton University, 1961); Ziya Kazıcı, "Ahilik", in *TDV İslâm Ansiklopedisi (v.1)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1988), pp. 540-542; Neşet Çağatay, *Bir Türk Kurumu Olan Ahilik*, (Ankara: TTK Yayınları, 1989); Neşet Çağatay, *Ahilik nedir?*, (Ankara: Türk Kültürünü Araştırma Dairesi Yayınları, 1990); Süleyman Uludağ, "Fütüvvet", *TDV İslâm Ansiklopedisi (v.13)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1996), pp. 259-261; Ahmet Yaşar Ocak, "Fütüvvet", in *TDV İslâm Ansiklopedisi (v.13)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1996), pp. 261-263; Tahsin Özcan, *Fetvalar Işığında Osmanlı Esnâfı*, (İstanbul, Kitabevi Yayınevi, 2003); Sabri F. Ülgener, *İktisadî Çözülmenin Ahlâk ve Zihniyet Dünyası*, (İstanbul: Derin Yayınları, 2006); Abdülbaki Gölpınarlı, *İslam ve Türk İllerinde Fütüvvet Teşkilatı*, (İstanbul: İstanbul Ticaret Odası Yayınları, 2011).

[33] See Suraiya Faroqhi and Randi Deguilhem (eds.), *Crafts and Craftsmen of the Middle East: Fashioning the Individual in the Muslim Mediterranean*, (London: I.B. Tauris, 2005); Suraiya Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, (NewYork: I.B. Taurus & Co. Ltd., 2009); Suraiya N. Faroqhi, "Guildsmen and handicraft producers", in *The Cambridge History of Turkey: The Later Ottoman Empire, 1603-1898*, Suraiya N. Faroqhi (ed.), (New York: Cambridge University Press, 2006); Suraiya Faroqhi, *Bread from The Lion's Mouth: Artisans Struggling for a Livelihood in Ottoman Cities*. New York: Berghahn Books, 2015; Onur Yıldırım, "Osmanlı Esnâfında Uyum ve Dönüşüm, 1650-1826", *Toplum ve Bilim*, Sayı. 83, pp. 146-177; Mübahat S. Kütükoğlu, "Osmanlı İktisadî Yapısı", in *Osmanlı Devleti ve Medeniyeti Tarihi*, Ekmeleddin İhsanoğlu (ed), v.1, (İstanbul: IRCICA Yayını, 1994), pp. 513-729; Ahmet Kal'a, *İstanbul Esnâf Tarihi Tahlilleri: İstanbul Esnâf Birlikleri ve Nizamları*, (İstanbul: İstanbul Araştırmaları Merkezi, 1998); Ahmet Kal'a, "Esnâf", *TDV İslâm Ansiklopedisi* (v.11), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1995), pp. 423-430; Kâzım S. Ruhani, "Osmanlı- Safevi Esnaf Teşkilatı (XVI. Ve XVII. Yüzyıllarda)", Ph.D. diss., (İstanbul University, 1976); Bülent Çelik, "Osmanlı Seferlerinin Lojistik Sorunlarına Kentli Esnafın Getirdiği Çözümler: Orducu Esnâfı", Ph.D. diss., (Ankara University, 2002); Miyase Koyuncu, "18. Yüzyılın İkinci Yarısında Osmanlı Esnafı (İstanbul ve Bursa Örnekleri)", Ph.D. diss., (Gazi University, 2008); Engin Çağman, "18. Yüzyılda İstanbul'da Esnaflık-Gıda Sektörü-", Ph.D. diss., (Marmara University, 2011).

[34] See Engin Deniz Akarlı, "Gedik: Implements, Mastership, Usufruct, and Monopoly among Istanbul Artisans, 1750-1850", *Wissenschaftskolleg Berlin Jahrbuch*, (Berlin: Siedler Verlag, 1987), pp. 223-232; Seven Ağır and Onur Yıldırım, "Gedik: What's in a name?", in *Bread from The Lion's Mouth: Artisans Struggling for a Livelihood in Ottoman Cities*, Suraiya Faroqhi (ed.), (New York: Berghahn Books, 2015), pp. 217-236; Ahmet Akgündüz, "Gedik", *TDV İslâm Ansiklopedisi* (v.13), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1996), pp. 541-543.

history of the guilds;[35] status of these groups in the nineteenth century;[36] the relation with the Janissary Corps until 1826;[37] the ethno-religious division of labor in the marketplace and its effects on the artisanal life;[38] and the history of a particular group or a group in a certain district.[39] However, the studies about the guilds and artisans

[35] See Ömer Lütfi Barkan, "Osmanlı İmparatorluğu'nda Esnaf Cemiyetleri", *İstanbul Üniversitesi İktisat Fakültesi Mecmuası*, v. 41, 1985, pp. 39-46; Gabriel Baer, "The Administrative, Economic and Social Functions of Turkish Guilds", *International Journal of Middle East Studies*, Vol 1, No. 1 (Jan., 1970), pp. 28-50; Minna Rozen, "Boatmen's and Fishermen's Guilds in Nineteenth-Century Istanbul", *Mediterranean Historical Review*, v. 15: 1, 2000, pp. 72-93; Onur Yıldırım, "Ottoman Guilds (1600-1826): A Survey". Paper presented at the meeting of The Return of the Guilds, Utrecht University, Utrecht, 5-7 October, 2006; Onur Yıldırım, "Ottoman Guilds in the Early Modern Era", *IRSH*, n. 53, (2008), pp. 73-93; Amnon Cohen, *The Guilds of Ottoman Jerusalem* (Leiden:Brill, 2001)*;* Abdul-Karim Rafeq, "Craft Organization, Work Ethics, and the Strains of Change in Ottoman Syria", *Journal of the American Oriental Society*, Vol. 111, No. 3 (Jul.- Sep.,1991), pp. 495-51; Ahmet Kal'a, "Lonca", *TDV İslâm Ansiklopedisi* (v.27), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 2003), pp. 211-212; M. Tolga Uslu, "Transition from Ottoman Guilds to Modern Turkish Enterprises: A Weberian Approach", Ph.D. diss., (Yeditepe University, 2009); Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage*, (Leiden: Brill, 2004); John T. Chalcraft, *The Striking Cabbies of Cairo and Other Stories: Crafts and Guilds in Egypt, 1836-1914*, (Albany, New York University Press, 2005).

[36] See Amnon Cohen, *The Guilds of Ottoman Jerusalem*, (Leiden: Brill, 2001)*;* John T Chalcraft, *The Striking Cabbies of Cairo and Other Stories: Crafts and Guilds in Egypt,1863-1914*, (Albany: State University of New York Press, 2005); Nalan Turna, "The Everyday Life of Istanbul and Its Artisans, 1808-1839", Ph.D. diss., (Binghamton University, 2006).

[37] See Donald Quataert, "Janisseries, Artisans and the Question of Ottoman Decline", in *Workers, Peasants and Economic Change in the Ottoman Empire 1730-1914*, (İstanbul: The ISIS Press, 1993), pp. 197-203; André Raymond, "Soldiers in Trade: The Case of Ottoman Cairo", *British Society for Middle Eastern Studies: Bulletin*, vol. 18, no: 1, (1991), pp. 16-37; Robert W. Olson, "The Esnaf and the Patrona Halil Rebellion of 1730: A Realignment in Ottoman Politics", *Journal of the Economic and Social History of the Orient*, vol. 17, no. 3, (September, 1974), pp. 329-344; Robert W. Olson, "Jews, Janissaries, Esnaf and the Revolt of 1740 in Istanbul: Social Upheaval and Political Realignment in the Ottoman Empire", *Journal of the Economic and Social History of the Orient*, vol. 20, no. 2, (May, 1977), pp. 185-207; Cemal Kafadar, "On the Purity and Corruption of Janissaries", *Turkish Studies Association Bulletin*, vol. 15, no. 2, (1991), pp. 273-280; Nalan Turna, "The Everyday Life of Istanbul and Its Artisans, 1808-1839", Ph.D. Diss., (Binghamton University, 2006); Mehmet Mert Sunar, "When Grocers, Porters and Other Riff-Raff Become Soldiers: Janissary Artisans and Laborers in the Nineteenth Century Istanbul and Edirne", *Kocaeli Üniversitesi Sosyal Bilimler Dergisi (KOSBED)*, vol. 17, no.1, (2009), pp. 175-194.

[38] See Onur Yıldırım, "Ottoman Guilds as a Setting for Ethno-Religious Conflict: The case of the Silk-thread Spinners' Guild in Istanbul", *International Review of Social History*, vol. 47, no. 3, (December 2002), pp. 407-419; Cengiz Kırlı, "A Profile of the Labor Force in Early Nineteenth-Century Istanbul", *International Labor and Working Class History*, vol. 60, (2001), pp. 125-140.

[39] See Çağatay Uluçay, *Manisa'da Ziraat, Ticaret ve Esnaf Teşkilatı: XVII. Asırda*, (İstanbul: CHP Manisa Halkevi Yayınları, 1942); Çağatay Uluçay, "İstanbul Saraçhanesi ve Saraçlarına Dair Bir Araştırma", Tarih Dergisi v. III, n: 5-6, 1951-52, pp. 147-164; Nikolay Todorov, "19. Yüzyılın İkinci Yarısında Bulgaristan Esnaf Teşkilatında Bazı Karakter Değişmeleri", *İstanbul Üniversitesi İktisat Fakültesi Mecmuası*, v. 27, n. 1-2, 1967-68, pp. 1-36; Rifat Özdemir, "Ankara Esnaf Teşkilatı (1785-1840)", *Ondokuz Mayıs Üniversitesi Eğitim Fakültesi Dergisi*, v.1, 1986, pp. 156-181; Rifat Özdemir, "Tokat Esnaf Teşkilatı (1785-1840)", *Ondokuz Mayıs Üniversitesi Eğitim Fakültesi Birinci Tarih Boyunca Karadeniz Kongresi Bildirileri (13-17 Ekim 1986)*, 1986, pp. 397-424; İlhan Şahin and

existed after the second half of the nineteenth century are few, which will be detailed below.

Besides these different themes and aspects in artisanship (*esnaflık*) and guild history, there are critical debates and changes in terms of approaches to the origin, legal position, and the role of the guilds in the marketplace as well. One of them is the discussion on whether the guilds were the direct apparatus of the control mechanism of the state or were autonomous institutions? For example, as one of the first scholars who worked on the guilds, Gabriel Baer claimed that the guilds were strictly under the state's control, and guild warden was the official representative of the state rather than the trade and artisan groups. He tried to legitimate his idea by asserting that the guilds had administrative, economic, and judicial functions, which eased the control of the state.[40] Baer's assertion became the hegemonic perspective in the literature about the structure and the role of the guilds for a while. However, this general acceptance changed with his student's, Haim Gerber's, dissertation on the sixteenth-century Bursa guilds, which emphasized the flexibility of the guilds towards the state control, replaced the generalization made by Baer.[41] Gerber's claim stresses the autonomy of the Ottoman guilds because it was recognized that the guilds were open to change their organizational structure and the relations with the state. This significant perspective was consolidated with the work of Eunjeong Yi. She explained the relationship of the seventeenth-century guilds with the state, and she emphasized the flexibility within the guilds.[42] On the other hand, Amnon Cohen examined the Jerusalem guilds. He stated that guilds were not part of the state apparatus, and they did not have a close

Feridun Emecen, "XV. Asrın İkinci Yarısında Tokat Esnafı", *Osmanlı Araştırmaları*, v. VII-III, 1988, pp. 287-308; Charles Wilkins, *Forging Urban Solidarities: Ottoman Aleppo, 1640-1700*, (Leiden: Brill, 2010); Ömer Demirel, *II. Mahmud Döneminde Sivas'ta Esnaf Teşkilatı ve Üretim-Tüketim İlişkileri*, (Ankara: Kültür Bakanlığı, 1989).

[40] For his well-known article, see Gabriel Baer, "The Administrative, Economic and Social Functions of Turkish Guilds", *International Journal of Middle East Studies*, vol. 1, no. 1 (January, 1970), pp. 28-50.

[41] His dissertation was published. See Haim Gerber, *Economy and Society in an Ottoman City: Bursa, 1600-1700*, (Jerusalem: Hebrew University Press, 1988); Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage*, (Leiden: Brill, 2004), p. 12.

[42] Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage*, (Leiden: Brill, 2004).

organizational structure.[43] Suraiya Faroqhi also highlights the importance of the guilds for the artisans and traders since they used the guilds as the major tool to "defend their interests". She also quoting from James Scott mentions of the guilds as "the weapons of the weak" tells that the artisans could involve in the popular movements, and became active actors in the Ottoman politics.[44]

Meanwhile, Özer Ergenç proposed a bilateral view. He states that the groups of the professions (*hirfet zümreleri*) cannot be considered as only the part of the state or the autonomous provincial institutions since this perspective had the risk of fading one aspect of the reality.[45] This study also considers the fluid character of the guilds, but their official affiliation and responsibilities to the Municipality from the mid-nineteenth century onward determined the borders of this fluid character. A document dated 1891 tells the state plan to open up an Esnaf Office (*Esnaf Kalemi*) under the authority of the Accountant Office of the Istanbul Municipality. This office was opened in 1892 and the details about this office will be given soon.[46] Another discussion is about whether the Ottoman guilds are the continuation of Ahi-order (mystical brotherhood organization) or not. This question intensively dominated the studies that cover the classical period. The narrative about *esnaf* begins mostly from the Futuwwa (*fütüvvet*-the rules of conduct) tradition and Ahi-order practices, which were inherited from the period of the Anatolian Seljuk Empire, whose administration structure was highly influential on the Ottoman dynasty, to the Ottoman Empire. On the other side, it was claimed that the market system, which was based on the convention of a certain trade group in a certain place, was similar to the Byzantine market system.[47] The hybrid heritage narrative nourished the discussions about the

[43] For Jerusalem guilds, see Amnon Cohen, *The Guilds of Ottoman Jerusalem*, (Leiden: E.J. Brill, 2001).

[44] Faroqhi, "Guildsmen and handicraft producers", p. 355; James Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance*, (New Have and London: Yale University Press, 1985).

[45] Özer Ergenç, "Osmanlı Şehir Tarihi Araştırmalarının Kuramsal Çerçevesi Nasıl Oluşturulabilir?", in *Şehir, Toplum, Devlet: Osmanlı Tarihi Yazıları,* (İstanbul: Tarih Vakfı Yurt Yayınları, 2012), p. 32.

[46] BOA, İ..ŞD.. 114/6856, 10 C 1309 [11 January 1892]; "Esnaf kaleminin sûret-i teşkîl ve vezâifini mübeyyin talimat", 10 C 1309 [11 January 1892], *Düstur*, I/6, (Ankara: Devlet Matbaası, 1939), pp. 1150-1155.

[47] Fuad Köprülü, *Bizans Müesseselerinin Osmanlı Müesseselerine Tesiri*, (İstanbul: Kaynak Yayınları, 2009), p. 149.

origin of the *esnaf* tradition and guilds.[48] Nonetheless, there is still no consensus among the researchers about the origin of these organizations and traditions.

The controversial subject in this issue is about the link of the guilds with the Ahi-order. The Ahi-order was established by taking inspiration from Islam's futuwwa tradition, which idealizes a flawless society and order. According to this view, the Ahi-order members tried to practice this idealized order in economic life via their associations.[49] The futuwwa morals entailed absolute obedience of workers (probably apprentices) to the masters and formed the basic functioning of the guild system.[50] It was pointed out that the issues related to work ethics were generally taken from futuwwa morals and the Ahi doctrine. This approach forms the nostalgic and idealized aspect of discussions on trade and artisan groups in the Ottoman Empire, not included here. Researchers have to be critical towards the prevalent idealized notion about the guilds, which claims the existence of perfect, constant, and rigid hierarchical organization, full of social solidarity, and always toeing the line of the moral codes and religious obligations.

The topic of this study is directly related to the history of institutions, particularly history of municipalities and everyday life. Osman Nuri Ergin, who was the head clerk of the Municipality Archives in Istanbul, is a pioneer in this field and he prepared a comprehensive work on the history of the municipalities in the Ottoman Empire and the related topics with trade and artisan groups. His valuable work titled *Mecelle-i Umûr-ı Belediyye* involves the topics such as the establishment of Istanbul Municipality (*Şehremâneti)*, *Narh*, the Ministry of Marketplace (*İhtisab*), *gedik* , taxes,

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[48] Yerasimos accepted both Seljuks and Byzantines as inheritors. See Stefanos Yerasimos, *Az Gelişmişlik Sürecinde Türkiye: Bizans'tan Tanzimat'a,* (vol.1), (İstanbul: Gözlem Yayınları, 1977), p. 495.

[49] There are many works from various perspectives about the relationship of artisan and trade groups with the Futuwwa Tradition and Ahism in the Ottoman Empire, but this study will not unearth these contradictive issues because it is the archeology of the issue, which exceeds the limits of this study. For a brief explanation on the works summarizing the ahi organization and the early period guilds' features, see Kayoko Hayashi, "Turkey", in *Islamic Urban Studies: Historical Review and Processes*, (London: Kegan Paul International, 1994), pp.192-194. Nalan Turna explains different views, including the nationalist and Islam-based perspectives, in the examination of the guild-mystical brotherhood relationship. See Nalan Turna, "The Everyday Life of Istanbul and Its Artisans, 1808-1839", Ph.D. diss., (Binghamton University, 2006), pp. 10-13.

[50] İnalcık, p. 158.

traditions of artisans and traders, regulations and other legal arrangements, and finally issues related to public works and public health covering a long period of time.[51] Apart from including various ordinances, regulations, and other decisions about the marketplace order and actors, his constructive criticisms about the affairs of the municipalities and links with the European models are valuable contributions to history studies. This explains why many works have been benefitted from this source, as this study does. However, the holistic approach of his work may generate some problems such as failing to notice the changeable structure of the guilds from period to period and regional differentiations among guilds or changing working life conditions over time. Although the researchers intensely use this work, they should bear in mind these deficiencies. In addition to Ergin's works, the prominent writers Reşad Ekrem Koçu and Ahmed Refik (Altınay) wrote on the daily lives of the artisans and traders in Istanbul, yet the lack of primary archival sources use and their generalizing conclusions, which include the peril of disregarding the conditions of the related period, make the historical conditions of these groups and their guilds blurred to comprehend.[52]

Few scholars have written about the state of artisans and traders lived after the second half of the nineteenth century until the empire's collapse and the end of the guilds so far, which were the main themes of this study. According to Faroqhi, the guilds were dissolved due to the deliberate state policy, which targeted maintaining the centralized order and the disappearance of handicrafts because of increasing import and new economic policy compatible with it in time.[53] As the other leading scholar in this field, John Chalcraft worked on the importance of the crafts and service workers in Egypt's economy and society. He revealed that the guilds increased in number in

[51] The work consists of eight volumes with an extra index volume (9th vol.) in its modern Turkish version. See Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, (İstanbul, İBB Kültür İşleri Daire Başkanlığı Yayınları, 1995).

[52] These two writers are significant figures of the popular history writing, and their works are worth examining specially in the history of everyday life. See Reşat Ekrem Koçu, *İstanbul Ansiklopedisi* (11 vols.), (İstanbul: İstanbul Ansiklopedisi ve Neşriyat, 1958-1973); Reşat Ekrem Koçu, *Tarihte İstanbul Esnafı*, (İstanbul: Doğan Kitap, 2016); Ahmet Refik Altınay, *İstanbul Hayatı: Hicri Onüçüncü Asırda: 1200-1255*, (İstanbul: Enderun Kitabevi, 1988); Ahmet Refik Altınay, *Eski İstanbul (1553-1839)*, (İstanbul: Kapı Yayınları, 2011).

[53] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, pp. 186-207.

line with rapid population increase, and they were involved in the remarkable protests, which affected Egyptian political life. These protests played an important role in the development of nationalism in Egypt. He turned down the account that argues the the abolition of the guilds with the collapse of the traditional economy.[54] It is a valuable work, which helps to break the classical narrative about the *fate* of the guilds[55] that seeing the guilds as an obstacle to the development of capitalism and its identity as a traditional institution. Lastly, Sherry Vatter wrote an article about Damascus textile artisans, including the issue of the end of the guilds. Vatter highlights that the artisans in Damascus were involved in the labor movements. Their strikes increased in the 1870s, and the period ended with the destruction of the guild hierarchy due to the profit-driven stances. She showed the relations of workers and artisans in her work, and she claimed that workers were the continuation of the artisans.[56]

In addition to the works of the scholars, the last century of the guilds in Jerusalem, Damascus, Cairo, and Thessaloniki were studied in comparison with the guilds in other Ottoman provinces. Yet, the current literature does not cover the circumstances of the artisans and traders and their guilds in the late period of Ottoman Istanbul in detail. The process, including the period after the abolition of the guilds, was superficially examined. Suraiya Faroqhi has given great importance to this topic, but she did not examine the process covering the municipal period in artisan and trader affairs and the abolition of the guilds in detail.[57] The literature agreed with the argument that the economic activities of these groups declined because of the increase in import of the manufactured goods, and their guilds disappeared after the 1850s because of this economic paradigm change. What will make this study different than

[54] Chalcraft, pp. 4-6.

[55] This term was borrowed from Donald Quataert. See Donald Quataert, "Labor History and the Ottoman Empire, c. 1700-1922", *International Labor and Working Class History,* no. 60 (Fall, 2001), p. 102.

[56] Sherry Vatter, "Militant Textile Weavers in Damascus: Waged Artisans and the Ottoman Labor Movement, 1850-1914", in *Workers and Working Class in the Ottoman Empire and the Turkish Republic, 1839-1950*, Donald Quataert & Erik Jan Zürcher (eds.), (London: Tauris Academic Studies, 1995).

[57] Suraiya Faroqhi. *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*. (New York: I.B. Taurus & Co. Ltd., 2009).

the other works about the artisans and guilds is its focus on the impact of municipalities on the artisans and traders after the second half of the nineteenth-century, the last period of the guilds, and their new associations in Istanbul, which other researches generally exclude. It examines these issues in the context of administrative reform and the rule of law apart from the changes in economic parameters. This study aims to fill these gaps under the lights of the primary and secondary sources as much as possible.

1.3.Methodology and Sources

The purpose of this study is to concentrate on the broad evaluation of artisans and traders considering certain legal arrangements, day-to-day practices, and organizational changes that emerged after the second half of the nineteenth century. It covers almost every trade and artisan group found as examples in the archival and secondary sources regardless of their ethnicities or religions. The types of industries involved in this study are food, transportation, textile and leather, service, cleaning, valuable items (jewelry), raw material processing, entertainment and art, daily consumer goods, and agriculture.

The trade and artisan groups who worked for the Palace and the Ottoman army will not be included in this study since their working conditions and official status, involving administrative affairs, were different from those of other trade and artisan groups who had their guilds.[58] Therefore, this study will cover only independent artisans and traders (i.e., *Ehl-i Hiref*) involved in economic activities in the Ottoman free market. Moreover, it does not include businesspeople (the merchants who performed business in domestic and international markets) because they were implementing capital and the occupation that they dealt with was more capital intensive than labor-intensive.

[58] For the independent army suppliers (*orducu esnafı*), see Bülent Çelik, "Osmanlı Seferlerinin Lojistik Sorunlarına Kentli Esnafın Getirdiği Çözümler: Orducu Esnafı", Ph.D. diss., (Ankara University, 2002); Şenol Çelik, "Orducu", *TDV İslâm Ansiklopedisi (v.33)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 2007), pp. 370-373.

This study is not a kind of *esnaf* monography.[59] Examining them as a whole rather than focusing on one particular group or industry field can be seen as superficial methodologically. However, the analysis of every professional group one by one in detail is innately tough since even examining the working conditions, the situation of their workplaces, customary practices (*teâmül*) in their professions, salaries, and taxes that they paid required a broad and detailed research. In fact, some detailed works have been done for particular craft groups that predominantly existed before the nineteenth century. Although this kind of work could provide information on the exceptions or unusual cases of a specific group, it prevents to see their circumstances in a broader frame. Therefore, this study will not examine every profession in equal depth because the goal is to show how artisanship was transformed in the late period's Ottoman capital. It will not confine itself to certain trade activities, groups or professions and will look the breaking points in the affairs of these groups living in Istanbul between 1839-1922, which has not been studied so far.

This study is not a history of institutions. It explains the municipalization process in Istanbul solely in the context of their relationship with the artisans and traders. Also, it is not a narrative of the macroeconomic or statistical history of the late Ottoman period. The study mainly aims to understand the transformative effects of the administrative, judicial, and partially socio-economic changes on the artisans and traders living in Istanbul in the last decades of the Ottoman Empire.[60]

One of the handicaps of the works about this topic is that they explained the experiences of the artisans and traders by covering a long period, leading to a timeless narrative. It can be overgeneralization if the examples are given from the classical or early modern periods of the Empire since the circumstances of these groups were different from those in the subsequent eras. Therefore, the related period and the district has to be mentioned. Researchers should not handle them as unchanging groups in terms of their guilds, their roles in the marketplace or their relationship with the governments. The conclusions and inferences of this study only refer to the Tanzimat

[59] Suraiya Faroqhi, "Giriş", in *İstanbul Değirmenleri ve Fırınları: Zahire Ticareti (1740-1840)*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2002), p. vii.

[60] The textile industry is an exception. The disappearance of certain professions is also related to social factors such as the change in consumption habits or the structural factors such as technological developments, but this transition took a long time.

period, in particular the era after the establishment of the Municipality until the end of the Empire. It chose Istanbul as a location.

Related to this matter, apart from the debates about the guilds and their actors, the common concepts and portrait of the Ottoman guilds in the classical period were not taken directly in this study since they provide information about the classical and early modern periods but not the period that this study covers. Fortunately, new works have broken the standpoint, which includes the idea that the guilds were standardized units, strictly under the state's control, and closed to any economic development. The structural features and routine economic activities are special to their time. In other words, artisans and traders should be evaluated by considering their socio-economic and judicial circumstances. Albeit the acceptance of the guilds as stable and strong associations that were consolidated with work discipline and moral codes in the literature in theory, the practice reveals a separate table from period to period. The episode that this study handles is far from the perspective of previously mentioned picture and rigid managerial practices.

The conditions and the legal status of the groups working in the provinces and the ones in the capital were different. For example, the legal decisions were taken first for the groups in Istanbul, and then they were implemented for the groups working in the provinces. It is understandable to prioritize the center in terms of the state because of the factors such as being the administration center, overcoming probable food (*iaşe*) problems, especially in war periods, and the difficulty of nourishing the large population of the city compared to the provinces. In other respects, the state might only have wanted to see the running of the new regulations closely for a while since any intervention to these groups might be easier in Istanbul than in the provinces.[61]

There are four reasons why this study will focus solely on Istanbul. First of all, examining the trade and artisan groups in the whole Empire exceeds the limits of the study. Therefore, it chose to focus on one city. Second, Istanbul was one of the major economic centers of the Ottoman Empire with small-scale trade and production activities and the strategic location of its ports. The observation of the changes in production, provision, and distribution activities in this city is helpful to understand

[61] The borders of Istanbul, which were specified by the Law of 1877 and 1912, were divided into several municipal departments. It will be explained in the next chapter.

the economic transformation of the Empire as well. Third, the artisans and traders in Istanbul were relatively more visible than those living in the other regions of the Empire from the aspects of documentation about them and their close supervision by the state authorities since their trade activities were important for the provision and order of the capital city. Fourth, due to being the capital city, some legal arrangements; for example, the abolition of the guilds was first implemented in 1910 only for Istanbul. Then, it was implemented for the other provinces in 1912. The early attempt of this abolition in the capital might have been related to the priority of the capital in terms of the state as well. In this sense, the reason for the selection of Istanbul as a case study is not only because of the quantity of the sources but also these factual reasons. Nevertheless, the academic habit to research Istanbul or the other major cities such as Izmir, Salonica, Bursa or Damascus has to change. The researchers in this field and the other Ottoman history sub-fields incrementally have to direct themselves to the lesser-known cities and regions because of the changeable political and economic structures even in the same period. Every region is well worth examining to understand the socio-economic and judicial system of the Ottoman state. Istanbul was chosen as a case primarily due to the lack of works on the official positions of the artisans and traders in the new administrative system and the last period of the guilds in this city. This can be a reasonable start for this research field.[62]

The Ottoman archives provide many documents about the artisans and traders in Istanbul and other Ottoman provinces. Despite the risk of a state-centered approach arising from the use of archive resources in historical studies, the information in official records is needed to understand the commercial activities of the artisans and traders in Istanbul and the legal regulations concerning their affairs. For this reason, the archival sources are important to understand the role of the constantly expanding Ottoman bureaucracy with its administrative and social projects, which also had a huge effect on these marketplace actors.[63] In this study, official documents such as the state

[62] This study concentrated on Istanbul, yet it does not present the history of the artisans and guilds in the late period Istanbul as a model for the whole Empire. It regards the economic, social, and judicial differences in terms of both time and region. For the analysis on the works on the Ottoman guilds, which shows the diversity and complexity of them by using the certain works in this field and the discussion on the factor of time and place, see Nelly Hanna, "Guilds in Recent Historical Scholarship", in *The City in the Islamic World*, Salma K. Jayyusi et al. (eds.), vol.1, (Leiden: Brill, 2008), pp. 895-921.

[63] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans,* pp. xxvii.

records, government correspondences, implemented codes, the petitions of the abovementioned groups, and unofficial sources such as periodicals and newspapers were used to maintain a balance in terms of the perspective.

In this study, related documents in the Presidency of Republic of Turkey Directorate of State Archives-Ottoman Archives (*Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı-Osmanlı Arşivi*) from various catalogues covering the period after the second half of the nineteenth century till the empire's end and the *Düstur* (the Code of Laws) were used to provide information about the legal responsibilities and experiences of the artisans and traders. These sources are rich in terms of topic and number. They provide information about the themes such as control mechanism over the groups, which especially includes the arrangements about the work order; the spatial affairs; the measures and interventions into the public health problems; state of the guilds and associations; relationship of these groups with the governments and among themselves; and the legislation. According to the archival documents, the taxes and fees that the groups paid and the matters for a particular profession are the other remarkable topics examined in this study. Moreover, the relations and the complaints about the guild wardens and disputes among the same or different groups were also examined by using the state documents. Many interesting cases were found in the archives related to these groups, yet it is nearly impossible to gather them under a single work, and this may be a comprehensive project. Therefore, this study used a certain set of cases in consideration of the themes mentioned above and it specifically focused on the correspondences belonged to the executive institutions. Lastly, this study did not use the sharia (*şer'i*) court records because the cases and problems related to artisans and traders in the period that this study covers were trialed and solved in the Ottoman secular courts named *Nizamiye Mahkemeleri*. These courts looked after the lawsuits related to trade activities. These new "secular" courts were independent of religious courts (*Şer'î mahkemeler*). However, this study did not use court records because it addresses of the dimensions of the experiences of the groups that intersect with the government agencies.

All related ordinances and regulations about the marketplace order on the periods of Tanzimat and post-Tanzimat were used to have information about the new legislative arrangements for the marketplace actors. The analysis of these legal

documents demonstrates the legal responsibilities of these groups and helps to identify the necessities in the Istanbul marketplace. The regulations prepared for the associations established after the guilds are other significant sources to understand the organizational structure of the groups, which had a crucial role in the marketplace and production relations. They also give an idea about the new marketplace order and the responsibilities of its actors within the borders of these associations.

This narrative would be left half-finished if only the state documents were used since they generally involve the events, regulations, and the necessary actions that the state had to take, but they do not include opinions or judgments mostly. Thus, in addition to official primary sources, newspapers, journals, and books were used to understand the historical context from the eyes of the ordinary city dwellers. The journal and newspaper articles about the artisan and trader groups and guilds, which were published in the early twentieth-century though limited, are also important sources of information to get an idea of how the Ottoman intellectuals and journalists received trade groups and guilds. But the number of articles about the marketplace actors was not much. The journalists generally gave their attention to the macroeconomic policies and state affairs more since the new economic policy and the place in the international economic order of the Empire were more important. Therefore, the journalists might not have paid so much attention to the problems of the marketplace actors. Furthermore, it is the period of the emergence of the financial press; the journalists wrote on the Industrial Revolution and the national economic policies rather than on small economic groups. In this study, articles published in the newspapers and journals from different ideological trends, such as *Sabah, Tanin, and Dersaadet Ticaret Odası Gazetesi,* have been used. The articles mainly concentrated on three main topics: First one is the editorials about the economic policies and the economic conditions of the time. The second one is about the issues directly related to the trade and artisan groups. The third is the articles about the companies, which gained popularity after the 1860s.

Visual sources that help to witness the conditions of the marketplace actors and their workplaces provide the opportunity to understand their daily circumstances in the related period. The same or similar professions were grouped in particular streets or covered bazaars in Istanbul, but there were also different trade and manufacturing

locations that the documents rarely showed. Certain photographs may involve these separated bazaars and shops. Interestingly, the photographs were generally on the peddlers rather than the workplaces. It was probably because of the technical reasons including low light in the shops, which led to low-quality photographs and the big size of the cameras with wide conversion lenses.[64] Certain photographs were added at the end of the study to visualize the individuals working as an artisan or a trader.

1.4.Outline of the Study

The topic of the study, the transformation of trade and artisan groups in Istanbul in line with the administrative reforms of the period, will be examined in six chapters, including Introduction and Conclusion.

The second chapter will present a general picture of the artisans and traders living in the last decades of Ottoman Istanbul. It demonstrates that the groups in question did not experience a dramatic change in their socio-economic conditions. Artisanship is not a frozen identity, and it was transformed with the conditions of this period. They adapted themselves to the administrative modernization through the end of the empire. As a new category, the aspect of gender in the marketplace and the presence of women artisans and traders will be examined in this chapter as well. Then,

[64] The photographs are from the catalogues of Istanbul Metropolitan Municipality Taksim Atatürk Library (*İstanbul Büyükşehir Belediyesi (İBB) Atatürk Kitaplığı*), the Ottoman State Archives (BOA), Harvard University Fine Arts Library (Digital Collections), and SALT Library (Digital Collections). The books of the Western writers also include pictures about the groups and workplaces. For example, see Julius R. Van Millingen, *Peeps at Many Lands Turkey*, (London: Adam and Charles Black, 1911); Clarance Richard Johnson, *Constantinople Today: The pathfinder survey of Constantinople: A Study in Oriental Social Life*, (New York: The Macmillan Company, 1922). There are miniatures that illustrated the trade and artisan groups in previous periods. See Nurhan Atasoy, *1582 Surname-i Humayun: Düğün Kitabı*, (İstanbul: Koçbank, 1997); Esin Atıl, *Levni ve Surname: Bir Osmanlı Şenliğinin Öyküsü*, (İstanbul: Koçbank, 1999); For the work on Edirne, including miniatures of the trade and artisan groups, see Özdemir Nutku, *IV. Mehmet'in Edirne Şenliği (1675)*, (Ankara: Türk Tarih Kurumu Yayınları, 1972). The European travelers and missionaries depicted the Ottoman society's daily life from various aspects in their memoirs. Even though these books can be accepted as good sources that help to visualize the inner side of the shops and bazaars, the personal comments that originated from different social life practices and cultural understanding, and the personal ideas in these works should be kept in mind. Théophile Gautier depicts the inner side of the Istanbul coffeehouses. He points out that the coffeehouses in this city were so plain in terms of interior decoration compared to the European examples. For a detailed narrative on the decoration of the Turkish coffee houses, see Théophile Gautier, *Constantinople*, F.C. De Sumichrast (ed. & trans.), (Cambridge, USA: The Jenson Society, John Wilson, and Son, 1901), pp. 68-72.

the features of the guilds after the second half of the nineteenth century will be elaborated to understand the process that ended with their abolition.

The third chapter will trace the administrative transformation that touches on the life of the artisans and traders, which intersects with the changes in their economic conditions. It will examine the economic state of the groups concerning the effects of new economic policy, taxes and fees that these groups paid, and the role of the taxes that changed their administrative affiliation. The responsible state agents in the affairs of these groups changed from the Islamic law judges (*kadı*) to the Municipality and law enforcers that were officially connected to the Ministry of Interior. The administration of these groups became centralized in this way during the time period that this study covers. The official affiliation of the groups to the Municipality, the establishment of the *esnaf* office, the collection of *esnaf* tax and its end, and lastly, other taxes and fees will be examined in this chapter to show the new place of these groups in the administrative system and the close relationship between the administrative transformation and the economic responsibilities of these groups. In particular, the taxation policy was so determinant in changing their official position. Petitions from various groups that were generally about the increases in taxes and fees will display the most shared reasons of their discontents. They will show the dimensions of the demands or resistance of these groups in the new administrative structure.

In the fourth chapter, the work order in the marketplace and the control mechanism of the state will be elaborated by using both the official correspondences and the regulations. Regulations and ordinances demonstrate both the urgent necessities in the marketplace and the scope of the sensitivity of the governments towards its matters. This chapter seeks to offer the practical side of the administrative order, which will be examined in the previous chapter. First, the controls for trade, professions, and the reactions of the groups in working life will be investigated. Second, the way of spatial distribution in the marketplace and the goals of the governments in the reorganization of the marketplaces will be explained to show both the locational problems that the groups faced and the partial urban planning policies in the imperial capital, which had direct influence on the marketplace order. Then, public health policies and its intersection with the trade and artisan groups will be

elaborated. This chapter aims to demonstrate that day-to-day practices and the experiences of the marketplace actors at the commercial spaces eased their adaptation to the new administrative system. Furthermore, the reactions of these groups to the related matter or problem contributed to the systematization and rationalization of Ottoman spatial and public health policies that directly shaped artisanal life.

The fifth chapter will cover the state of the guilds after the Tanzimat era. It will explain why the guilds were abolished and what kind of organization replaced them. Guilds were highly crucial associations for the Ottoman traditional economy. But the change in the balances of the political and economic order influenced their legal status in the nineteenth century. This study proposes an alternative explanation about the last period of the guilds, and it claims that the change in the administrative system and the intention of the state center to eliminate the guild wardens led to the dismantling of these organizations. It will concentrate on the conditions of the Istanbul guilds after the 1880s until their abolition in 1910. The last appointments and quarrels of the guild wardens will be handled in detail since the number of complaints about the wardens increased drastically in the given period, and the state center asserted that the abuses of the guild wardens paved the way for the abolition of the guilds, which formed the human dimension of the dismantling issue. Despite the presence of the tendency in the literature to see the guild wardens as the mediators who were solving problems that emerged among the mentioned groups, a set of cases showed a different picture for the late Ottoman Istanbul. The questions such as whether there was any systematic state policy about the abolition of the guilds or not, and whether it was the result of their nonfunctional position in the new administrative and judicial structure or not will be answered in this chapter.

The newly established associations will also be delineated in the fifth chapter. The official connection of the groups with the governments and the Municipality was transferred to these corporations instead of individual agents; that is to say, guild wardenship. The establishment of the associations can be accepted as the outcome of the adaptation to the new administrative structure because the old guilds and their wardens could not accommodate themselves to this new order. As a new major authority for the artisans and traders, the Municipality removed these intermediaries; in other words, guild wardens, who produced problems about the taxes, their positions,

and the other professional matters. By this abolition, the direct supervision power of the Municipality over the groups consolidated.

In the conclusion part, the findings and the deficiencies of this study will be shared to contribute to the history of the artisans and traders lived in the Ottoman Empire. It has a goal to encourage the other researchers to examine whether their experiences in Istanbul were the same in the other parts of the Ottoman Empire or not in the same period.

CHAPTER 2

A PORTRAIT: ARTISANS, TRADERS, AND GUILDS IN ISTANBUL

Istanbul, the capital city of the Ottoman Empire after 1453, has been one of the important trade centers in the world from the past to the present. The artisans and traders in Istanbul as well as their guilds experienced changes in this long period. This chapter will focus on the portrait of the artisans and traders lived Istanbul in the late nineteenth century.[65] Their experiences from the nineteenth century onward forced them to adapt themselves to the new legal and economic order. Unlike the ongoing discussions on the presence of the artisans and traders in the Ottoman Empire, they continued to be involved in commercial activities as a dynamic socio-economic group in this period as well. This chapter will also mention female artisans and traders who became part of the production and trade activities in Istanbul that was coherent with socio-economic dynamics of the period in question. Making a living became hard during that period for all male and female Ottomans. Ottoman women were involved more in daily economic activities as artisans and traders and became more visible as new marketplace actors. But at the same time, they had to struggle with some socio-economic, ideological, and socio-cultural constraints existing in this period.

[65] Istanbul, as the imperial capital, involves both the European and the Asian sides and the districts across the Bosphorus. Although the administrative and municipal units had been changed with the municipal regulations prepared in 1868, 1877, and 1912, this study accepts 20 districts as the administrative zones of Istanbul which were determined in the Municipality Regulation of 1877: Bayezid, Sultan Ahmed, Fatih, Samatya, Eyüp, Beyoğlu, Hasköy, Beşiktaş, Arnavudköyü, Yeniköy, Tarabya, Büyükdere, Beykoz, Anadolu Hisarı, Beylerbeyi, Yeni Mahalle, Doğancılar, Kadıköyü, Adalar and Makriköy. Yeni Mahalle and Doğancılar became the districts of Üsküdar in the 1912 municipal regulation. The nine bureaus, which include Beyazıt, Fatih, Beyoğlu, Yeniköy, Anadolu Hisarı, Üsküdar, Kadıköy, Adalar, and Makriköy in the 1912 regulation, were nearly the same except for different classifications of the districts. (Only Anadolu Feneri and Rumeli Feneri were excluded from Istanbul). Istanbul consisted of these districts in general even though certain differences existed in the names of the municipal districts or bureaus. See "Dersaâdet Belediye Kanunu", 27 N 1294 [5 October 1877], *Düstur*, I/4, pp. 520-524; "Dersaâdet teşkilat-ı belediyesi hakkında kanun-ı muvakkat", 20 M 1331 [30 December 1912], *Düstur*, II/5, p. 37.

Nevertheless, the presence of women in the marketplace and its outcomes was a new experience for themselves and male artisans. The relations between the two present an interesting picture in terms of that period.

In addition to artisans and traders, the guilds, their major professional organizations, will also be analyzed to investigate their features and legal position in the periods that this study covers. The Ottoman guilds downsized in terms of their inner structure, and only the guild warden was formally at the front in these units. Guilds lost their features, such as being the main professional solidarity organizations or education bodies in this period. Nonetheless, guilds and guild wardenship protected their status even in the late nineteenth century, and all these will be given in this chapter as a part of the argument of this study.

2.1. Artisans and Traders

The nineteenth century was the period that the Ottoman State experienced changes in economy and finance, diplomacy, law, administrative management, public law, military, education, health, and transportation fields, and all these were bonded with and influenced each other. The Imperial Edict (*Gülhane Hatt-i Hümâyûnu*), declared on November 3, 1839, started a series of reforms, which brought changes in the fields mentioned above and a new period in the Ottoman history named as Tanzimat (rearrangement). It was not a piece of legislation, but it was significant in terms of showing the statement of Ottoman intentions.[66] The internal factors forced the preparation of the legal arrangements with increasing cultural, economic, and diplomatic relations with Europe during this period. They also inspired and contributed the reforms in the empire. The Tanzimat period reforms played a role in the acceptance of the first constitution in 1876 and opening of the first Ottoman Parliament in 1877, which is the beginning of constitutional governmental system in the Ottoman Empire. In general, duality in administration, judicial system, and education was assessed with the concepts and institutions of this period, but their reflections on social life need to be evaluated beyond this duality. All in all, the Imperial Edict of 1839 which started

[66] M. Şükrü Hanioğlu, *A Brief History of the Late Ottoman Empire*, (Princeton and Oxford: Princeton University Press, 2008), p. 72.

the Tanzimat Period in the Ottoman Empire, the Reform Edict (*Islahat*) of 1856, and the First Constitutional Monarchy regime period which also covered the reign of Abdülhamid II, as well as the 1908 Constitution periods, which the literature commonly accepts as the turning points, designated the last century of the Ottoman Empire in many aspects.

The establishment of a municipality first in Istanbul in 1855 was one of the significant results of the Tanzimat reforms, which was also the beginning of the municipal movement in the Ottoman Empire.[67] The municipality beside the institutionalization of the city affairs had an important impact on the administrative affairs of artisans and traders at the same time and it changed the course of small-scale trade when the liberal economic system began to shape the markets in the empire. The Post-Tanzimat era, which includes the years between 1876 and 1922, was the integration period of traders and artisans into the new administrative and economic order. This era, which included the Young Turk Revolution in 1908, witnessed to the reimplementation of the constitutional regime in the empire. The Young Turk Era involves the process of the abolition of the guilds as well. Although the Young Turk era politically finished in 1918, the policy for the marketplace actors was not changed drastically until the end of the empire. It was the period of adaptation to the new national economic policy and the struggle with the political turmoil for artisans and traders. Before explaining the profile of these groups, certain political and economic developments had to be pointed out briefly to understand the atmosphere of the nineteenth century.[68]

The relationship between the Janissary Corps and the artisan groups was the leading controversial topic for the first half of the nineteenth century. The abolition of the Janissary Corps in 1826 was a crucial event in terms of military reasons and their relations with the marketplace life. The common argument about this issue is that the

[67] The term "Municipal Movement" was taken from the issue of International Municipal Movement in Europe. For a work on this issue, see Oscar Gaspari, "Cities against States? Hopes, Dreams and Shortcomings of the European Municipal Movement, 1900-1960", *Contemporary European History*, vol. 11, no.4, (November, 2002), pp. 597-621.

[68] For a comprehensive work on the economic, political, social, and intellectual history in the Tanzimat period, see Halil İnalcık and Mehmet Seyitdanlıoğlu (eds.), *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, (İstanbul: Türkiye İş Bankası Yayınları, 2017).

Janissary Corps were the protectors of artisans and traders. According to this view, the guilds lost a supporter to defend their interests with the abolition of the janissaries. There was no organized remaining group to maintain the privilege of the guilds in the Ottoman society, and the state began to abandon the regulatory policies over the guilds.[69] But instead of being the protectors, they were involved in trading activities.[70] Moreover, the Janissaries and the artisan and trade groups cooperated and reacted to the economic policies of the state because of their economic obstacles in this period.[71]

The condition of the Ottoman economy was not independent from the political developments emerged in the nineteenth century. The Question of Egypt (1839-1841), The Straits Question (1840-1841), the Crimean War (1853-1856), the nationalist movements such as Serbian and Greek revolts, and the Ottoman-Russian wars (1877-1878) were the major political and diplomatic crises of this period. The reign of Mahmud II (1808-1839) hosted various military, judicial, educational, and administrative reforms, which continued in the later process. The administrative centralization became as the main state policy of this century. In the meantime, the Ottoman economy was liberalized. The 1838 Anglo-Turkish Convention was the watershed in the political and economic developments of the Ottoman Empire. It marked only the continuation of a phase in European-Middle East economic and political relations because the Ottoman state was already the raw material provider for the expanding European economy, and it was already importing goods from the European states before this convention. The convention served to promote, and it enhanced these two sets of trends.[72] This was the period that the Ottomans increased their commercial relations with the European capitalist states. Both the change in the economic policy and the wave of nationalism brought fundamental changes to the Ottoman system. The Tanzimat (1839-1876) and the Post-Tanzimat (1876-1922)

[69] Donald Quataert and Çağlar Keyder, "Introduction", *New Perspectives on Turkey*, v. 7, Spring 1992, p. 5.

[70] For this analysis, see Mehmet Mert Sunar, "When Grocers, Porters and Other Riff-Raff Become Soldiers: Janissary Artisans and Laborers in the Nineteenth Century Istanbul and Edirne", *Kocaeli Üniversitesi Sosyal Bilimler Dergisi (KOSBED)*, vol. 17, no.1, (2009), pp. 175-194.

[71] Mardin, p. 95.

[72] Quataert and Keyder, p. 3.

policies were reconciled with liberalism. The new economic policy based on free trade and the new public administration practices with the modern legislation changed the Ottoman manner of rule and social life. Yet, artisans and traders did not experience dramatic changes in terms of their economic or social conditions, and only tried to protect their current economic power. Meanwhile, the state considered their extant or future problems as far as possible. For example, the Industrial Reform Commission (*Islah-ı Sanayi Encümeni*/ *Komisyonu*) established in 1866 offered the guilds to be organized as companies to survive. But it remained only as an attempt, and many decisions such as an increase in custom duties could not be implemented.[73]

However, the period of Committee of Union and Progress (CUP, and then Party) between 1908-1918 started a new economic policy with nationalist motives and an emphasis on a national economy increased especially after 1913. The centralization in the administration, specifically in the Arab provinces of the empire, was strengthened and the economy became more nationalized, and these two facts formed the nationalist policy of the Unionists.[74] New companies, banks, and small scale enterprises were founded. The Unionists advocated the state monopoly and state control over the economy.[75] For example, the Temporal law for Encouragement of Industry (*Teşvik-i Sanayi Kanunu*) (1913) was promulgated to increase the industrial investments, but World War I interrupted the process.[76] Indeed, an economic revival began but it was interrupted with the successive wars. Nevertheless, this temporal law succeeded more. The traditional manufacturing did not change, so the organization in the production and service sector did not change drastically.[77] In this economic climate, artisans and traders tried to survive during the process of paradigm change in

[73] Vedat Eldem, *Osmanlı İmparatorluğu'nun İktisadi Şartları Hakkında Bir Tetkik*, (Ankara: Türk Tarih Kurumu, 1994), pp. 58-59.

[74] François Georgeon, *Osmanlı-Türk Modernleşmesi, 1900-1930*, (İstanbul: Yapı Kredi Yayınları, 2016), p. 19. Hereafter CUP.

[75] Feroz Ahmad, "Vanguard of a Nascent Bourgeoisie: The Social and Economic Policy of the Young Turks, 1908-1918", in *Türkiye'nin Sosyal ve Ekonomik Tarihi, 1071-1920*, Osman Okyar and Halil İnalcık (eds.), (Ankara: Meteksan Limited Şirketi, 1980), p. 333.

[76] Eldem, p. 61.

[77] Musa Çadırcı, *Tanzimat Döneminde Anadolu Kentlerinin Sosyal ve Ekonomik Yapısı*, (Ankara: Türk Tarih Kurumu, 2013), p. 123.

economic policy. Indeed, their economic problems existed over the whole century. The goal of the last Ottoman cadres was to create a national bourgeoisie with the new economic policy and the support of national capital, in other words; there was an effort to create a national economy reconciled with capitalism. This policy was inherited to the Republican period.

Tanzimat, as the period of the foundation of the new government agencies that shaped the main framework of the new public administration policies, also comprised the process of municipalization of urban governance in the Ottoman Empire. The Istanbul Municipality (*Şehremâneti*) was established in 1855, and then the other municipalities were established with the implementation of the related legal arrangements during the second half of the nineteenth century. The structural and institutional changes in all established municipalities lasted until the end of the Empire. A new understanding of urban administration burgeoned in this way, which was regulated by the governments. The marketplace affairs, problems or demands of the marketplace actors, and the matters about public order in commercial hubs were under the Istanbul Municipality's supervision and the other established municipalities. Because of being an inseparable part of economic life, the state sought ways to make these groups integrated into its new municipal administration. On the other side, these economic groups tried to accommodate themselves to the unsettled municipal policies. For example, the necessary legal arrangements were not enough to improve the trading rules or precautions related to the public health. Municipalization marked a new period for them that brought significant changes in their administrative and judicial matters, which was parallel to the institutional transformation of the state apparatus.

The centralization policy of the state, the obligation to be coherent with the new public administration policies, the needs of the marketplace and urban, and the new economic policies including free trade and the new tariff agreements consolidated the establishment of municipalities. Blossoming of the Ottoman municipal movement influenced the conditions of the traders and artisans, and this process came into prominence as the indicator of modernization, bureaucratization, and centralization period in the affairs of these groups. Municipalities established in Istanbul served as a model for the other provinces of the empire as well.

The general population of Istanbul (including the Asian part) at the end of the nineteenth century was around one million, and it gradually decreased with the successive wars, especially until World War I.[78] It is hard to estimate the total of Istanbul artisans and traders , their guilds, and the existent occupations for a specific time period. It can be said that their number was low compared to the whole population. But it is necessary to highlight that their importance in the empire's economy was more qualitative than their quantity.[79]

It is hard to give an exact total number of the artisan and trader groups in Istanbul due to the lack of official data. Yet, certain numerical data gives ides about the scope of the quantity. For example, the tariff record dated to the years between 1886-1887 involves 276 groups.[80] But the other archival sources provide a number more than this tariff included. In addition, when it comes to the sectors in commercial life, sectors such as food, transportation, textile and leather, cleaning, service,

[78] For detailed population statistics, see Cem Behar, *Osmanlı İmparatorluğu'nun ve Türkiye'nin Nüfusu, 1500-1927 (The Population of the Ottoman Empire and Turkey), Tarihi İstatistikler Serisi Cilt 2 (Historical Statistics Series Volume 2)*, (Ankara: T.C. Başbakanlık Devlet İstatistik Enstitüsü, 1996), p.71. Certain works state that the overall population of Istanbul was around 900 thousand people, but the amount reaches one million people when the Asian part of Istanbul and the districts across the Bosporus were involved.

[79] The Ottoman Yearbook of 1294 (1877) includes 239 different occupations in Dersaadet and the Three Boroughs. See *Salnâme-i Devlet-i Aliyye-i Osmaniyye*, (İstanbul: Dersaadet Matbaası, 1294); Sakaoğlu & Akbayar, pp. 299-311; 1329 (1911) Istanbul Statistics Journal (*İstanbul Beldesi İhsâiyat Mecmuâsı*) involves 32 different vocational categories and 31,195 people. More than 90 different categories are included in the total. (Indeed, the total was found 30,095 with recalculation). 1330 (1912) Statistics Journal involves 63 different profession categories in total, and 33 of them involve 31,121 people in number. (The total was found 30,521 with recalculation). 1335 Journal includes 35 different vocation categories and 37,931 people for the years of 1916-1917. These journals include categories such as Bedesten and Grand Bazaar artisans and traders as well. See respectively *1329 Senesi İstanbul Beldesi İhsâiyat Mecmuâsı*, (Dersaadet: Matbaa-yı Arşak Garoyan, 1330), pp. 275-276; *1330 Senesi İstanbul Beldesi İhsâiyat Mecmuâsı*, (Dersaadet: Matbaa-yı Arşak Garoyan, 1331), pp. 250-251; *1335 Senesi İstanbul Beldesi İhsâiyat Mecmuâsı*, (Dersaadet: Matbaa-yı Osmaniye, 1337), p. 164. It should be pointed out that these numbers were deduced from the number of the associations' members established in Istanbul. They do not give the total amount of artisans and traders who lived in Istanbul. One of the private yearbooks in the Ottoman rule, *Salık Veren Muhibbân Salnâmesi* involves more than 180 different vocation categories, including their sub-categories existent in 1921. See Hacı Beyzâde Ahmet Muhtar, *Salık Veren Muhibbân*, (İstanbul: Basın İlan Kurumu Yayınları, 2017), pp. 193-377. Stanford Shaw indicates that the total population of Istanbul residents from all ethnic and religious groups who were affiliated with occupation was as 133,297 in 1885. But this total included merchants and individuals who worked in industry as well. See Stanford J. Shaw, "The Population of Istanbul in the Nineteenth Century", *International Journal of Middle East Studies*, vol.10, no.2, (May, 1979), p. 271.

[80] BOA, ŞD. 790/10, 26 S 1315 [27 July 1897]. The tariff involves the data about the artisans and traders only in *Dersaâdet* and *Bilad-ı Selâse*. For the transliteration of the list, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1924-1952.

construction, valuable items, raw material processing, entertainment and art, daily consumer goods, and agriculture formed the main production and commercial activities in the late period of Ottoman Istanbul.

Being artisan generally compared with being a civil servant with the development of bureaucratization in the empire, and this led to the governmental expansion, which paved the way for the Ottoman elite formation. Artisanship is generally compared with being a civil servant from two angles. First, being a civil servant seemed prestigious more than being an artisan, and second, it seemed like a money-winning occupation. Therefore, the Ottomans, in particular Muslim people, encouraged their children to be civil servant in the nineteenth century and the later periods. Being an artisan and trader seemed disadvantageous compared to the civil servants in this period.[81] Artisanship began to lose its prestige in the nineteenth century when being civil servant came into prominence.

The economic difficulties that continued in the second half of the nineteenth century badly affected artisans and traders. In the meantime, the perception of honest artisan began to break down in the eyes of society in this economic shrinkage period. They faced serious economic difficulties at the beginning and they became as the resistant actors against the free trade policy. But when they began to adapt to the new economic system and market conditions in time, this adaptation brought a new identity to them. They became more pragmatic and they were prone to opportunism in trading activities.

News about defrauding people in the marketplace, which made them notorious, partially increased in this period. The impoverishment directed them to make more money, so commercial morality receded into the background. Being an artisan or a trader was presented in some newspapers published in the nineteenth century as an insulting activity since being a civil servant was a more prestigious and better-paid

[81] These disadvantageous groups sometimes complained about the civil servants who drove personal benefit by demanding money under cover of custom (*teâmül*) in official affairs. See "Serbestî-i Sayʿu Amel", *Tanin*, no: 922, 15 March 1327 [28 March 1911], pp. 4-5. The hierarchy existed even among the occupations in the eyes of society. Some of them seemed as the ones who possessed slight value of labor, such as bootblacks, porters, messengers, sweet, and ice sellers (*dondurmacı*). See Sir Edwin Pears, *Turkey and Its People*, (London: Methuen & Co. Ltd., 1911), p. 50.

job.[82] Artisans and traders were presented as disrepute individuals in the press especially in the issue of their attitude towards customers.[83] It was stated in some newspaper articles that many artisans and traders deceived their customers. For example, it was alleged that the bagel sellers and pita makers deceived people by selling stale and low-quality products, especially in the period of month Ramadan. It was added that they wangled to make more money in a short span of time, yet the customers did probably not come to their shops again.[84] The impropriety in trading activities was mentioned in this article. There had probably been many fraud stories in the marketplace at that time.

Moreover, the economic recession brought social corruption, and this reflected itself in crime statistics as well. Groups from various sectors were added to the statistics of the central agencies and the Municipality with their professional epithets. These official records illustrate that the abovementioned groups were in high number as perpetrators.[85] Crimes (whether they were directly related to their professions or not) such as opening printing houses without a permit, drunkenness or vagabondism were added to the statistics, and the groups in question were classified as separate social groups in these official records. The governments were meticulous about the daily actions of the marketplace actors because they were continuously in public space and influenced the daily life of the society. Hence, they were always the focal point of public order policies of the state as well. When the crime statistics of the Police Directorate of Beyoğlu between 1907-1910 were examined, the opposition to or violation of the rules of the Municipality and the municipal police (*zâbıta*) was the

[82] An untitled article published in *Sabah*, no. 281, 24 M 1294 [8 February 1877], pp. 1-3; "Şuûnat", *Sabah*, no: 285, 29 M 1294 [13 February 1877], pp. 1-3. In the Ottoman Empire, the newspapers published articles without giving a title and without giving the names of the authors. For this reason, the newspaper and journal articles used in this study will be given with titles and author names if they had. The ones without author names and titles will be referred only with the name of the newspaper or journal.

[83] In the caricature, discourtesy and the infelicitous statement of a cherry-seller was criticized. See Figure 1, "Esnaflarımızda Nezaket", *Türk Sözü*, n. 11, 19 June 1330 [2 July 1914], p. 84.

[84] "Esnaf Hilekârlığı", *Sabah*, no. 3651, 14 N 1317 [15 January 1900], p. 1.

[85] They were the second group after farmers who committed an offense throughout the Empire between June of 1895 and 1896 (1313). See İstatistik-i Umûmî İdaresi, *Devlet-i Âliye-i Osmaniye'nin 1313 Senesine Mahsûs İstatistik-i Umûmîsidir*, (İstanbul: Alem Matbaası, 1316), p. 39.

most common crimes after actual bodily harm, battery, and petty larceny.[86] It indicates that the incidents at the marketplace were so prevalent, and the marketplace actors tended to violate its rules more than estimated.

Artisans and traders, on the other hand, were not completely notorious, and they were dynamic subjects, especially in terms of their wartime functionality. In order to keep patriotism alive during the wars, specifically during the Balkan Wars (1912-1913), which endangered nationalist enthusiasm, it was reminded that traders and artisans had to be supported. They had common goals with society, and they had to work and progress to overcome their enemies.[87]

Among other things, the Ottoman society experienced a shift in work discourses and practices in the nineteenth century. The importance of productivity and work became as the hegemonic discourse.[88] The change of the perception of working, including work ethic and work discipline, is related to the integration to the free market economy and de-monopolization.[89] The moral sentiment related to the "work phenomenon" changed, and it was not similar to the classical portrait of artisans and traders. The ethos of work and productivity were aggrandized and moralized the accumulation of capital instead of sufficiency in production in the last period of the Ottoman daily economy.

Artisans and traders in the Ottoman Empire were traditionally classified with their distinctive social identity, basically including Muslim/non-Muslim categorization. The main emphasis on this classification was the high number of non-

[86] BOA, DH. EUM.KADL. 13/47, 10 R 1329 [10 April 1911].

[87] Erol Köroğlu, *Ottoman Propaganda and Turkish Identity: Literature in Turkey During World War I*, (London, New York: Tauris, 2007), p. 120. The poem called *Esnâf Destanı* (Epic of Artisans and Traders) was one of the significant literate examples, which mentioned many craft and trade groups. Ziya Gökalp portrayed many groups in solidarity and piousness in his poem. For the poem in question and the other poems and epics about these groups, see Doğan Kaya, "Âşık Edebiyatında Esnaf ve İş Destanları", *Halk Kültüründe İktisat ve Ticaret Uluslararası Sempozyumu*, Şanlıurfa, (27-29 Nisan, 2012), pp. 106-128.

[88] For the work on the change in the concepts of work, idleness, and productivity in the Ottoman Empire, see Melis Hafez, "The Lazy, the Idle, the Industrious: Discourse and Practice of Work and Productivity in Late Ottoman Society", Ph.D. diss., (University of California, 2012), pp. ii, 4.

[89] For a classical work on the change in time and work-discipline towards the age of capitalism in Europe, see E. P. Thompson, "Time, Work-Discipline, and Industrial Capitalism", *Past & Present*, no: 38, (Dec., 1967), pp. 56-97.

Muslim artisans and traders compared to the Muslims in the Ottoman markets. Indeed, the intensity of certain ethnic or religious groups in one craft or profession generally existed.[90] But beyond giving numerical or categorical data for these classifications, cases about these groups give more concrete inferences to see the circumstance of their social identities in consideration of the historical context. In the last quarter of the nineteenth century, Muslim and non-Muslim artisans and traders from different ethnicities had nearly the same rights in the marketplace except for some different rules or constraints stemmed from the religious practices since the regulations prepared for the market order and fiscal arrangements encompassed the Muslims and non-Muslims together more.[91]

Organizing of some non-Muslim artisans within certain guilds strengthened the relations and solidarity among themselves. They collected and allocated money, especially at the Eastertide. However, the political conjuncture of the nineteenth century forced the government to intervene more in the activities and practices of the non-Muslim artisan groups because it was the era of nationalism, which was one of the main threats against the political unity of the empire. From the state's perspective, the non-Muslim artisans could use the commercial activities as a shield to hide their separatist aims. Thus, the governments surveyed non-Muslim groups also by considering the groups' political motives and were careful about their inner issues even when they made suchlike endowments. For example, when the non-Muslim artisans and traders decided to collect and rise funds, they had to inform the Municipality and the other municipalities.

Surveillance over the non-Muslims was influential in shaping the government's policies on the marketplace and bazaars. The Police pursued the surveillance. For example, in the case of Grand Bazaar in 1905, it was stated that the jewelers, the respected members among themselves, gathered 1000 kuruş (piasters) *inter se* at their guild room to endow. The allocation operation was made under Police

[90] For example, tobacco dealers were mostly Greeks and Armenian at the beginning of the twentieth century in Istanbul. See Théophile Gautier, *Constantinople*, F.C. De Sumichrast (ed. & translated), (Cambridge, USA: The Jenson Society, John Wilson and Son, 1901), p. 76.

[91] None of Christian artisan or trade group under the Eastern Orthodox Patriarchate had authority in economic, administrative or cultural spheres. See İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880),* (Ankara: Türk Tarih Kurumu Yayınları, 2018), p. 124.

supervision as it was conducted in the previous year.[92] In another case dated 1891, the masters of barbers in Istanbul including Mığırdiç, Artin, Haçik, Arslanyan, and Hacı Menol(?) obtained permission from the government to collect money from the other artisans once a year to help the orphan patients at Yedikule Armenian Hospital and to pray for the souls of their predecessors.[93] They demanded this permission again a year later since there was no inconvenience in terms of the Police. Therefore, the government permitted the barbers who were praying in İstepalya church to collect the subsidy under the officers' control.[94] But the government, in some cases, did not permit if it disapproved of the group's intention in question. In the case of the cheesemongers who were from Karaman located at Balıkpazarı in Taşçılar in 1895, it was stated that they established a lodge (*cemiyet-i hafiye*) headed by Nikola and gathered 40 *para* for a per sack and 20 *para* for per tin via this association to send this amount to the Greek school at Nevşehir district.[95] They demanded a permission license from the government for the amount of money that they collected. After the inspection of the members and their lodge, it was found that this association gathered money without a permission eight years ago too, and they collected 25.000 kuruş for this Greek school. Moreover, this association bought such properties as houses, inns, and shops in the district of Fener. Whether this donation was made with the intention of contributing to education or not or whether it was related to the moral values or not were queried in the inspection. At the end, the Police stated that it was forbidden to establish such associations, yet the association was abolished. It was decided to retake the collected money and give back this money to the related state institution. However, the association did not have cash, so the Police decided to handle the issue by considering the mentioned properties, which cost 240.000 kuruş, yet there was nothing to do with these properties as they were bought previously. The collection of money for endowments for this case was banned in the end.[96] The state nearly had an objective

[92] BOA, ZB. 381/45, 21 RA 1323 [26 May 1905].

[93] BOA, DH. MKT. 1838/10, 23 L 1308 [1 June 1891].

[94] BOA, DH. MKT. 2005/91, 4 RA 1310 [24 September 1892].

[95] A *para* was one-fortieth of a kuruş. *Cemiyet-i hafiye* means a hidden organization.

[96] BOA, ŞD. 1291/27, 12 S 1313 [28 October 1895].

stance in economic affairs in the marketplace and bazaars towards the people from all kinds of ethnic and religious groups. It regulated the other inner issues of the non-Muslim artisan and trade groups by considering written law and intelligence in addition to their socio-religious values and practices. However, the control of these groups gained political motive because of the ongoing political developments. The ideological biases got sharpened in this period and it led to a more fragmented artisan identity.

2.1.1 Ottoman Women and Marketplace

The term *esnaf* connotes to a group of professions belong to men's domain even though it has not been put into words. The classical narrative of artisanship immensely identified with a genderless character, but in fact, the implied is men in this narrative, specific to a location and connected to this location, not open to change, full of nostalgic elements inherited from Ahi order which was mentioned with honest trade activity (taken-for-granted). Actually, women in the Ottoman Empire took part in production both in rural and urban.[97] The most known examples are as such: women were active in silk production in Bursa, mohair manufacturing in Ankara, and carpet making in Uşak, along with the agricultural production all over the empire. In addition,

[97] In contrast to the Ottoman case, female guilds or the guilds where women were also involved in existed in the European countries. For example, see Martha C. Howell, *Women, Production, and Patriarchy in Late Medieval Cities*, (Chicago and London: The University of Chicago Press, 1986); Elizabeth C. Goldsmith and Dena Goodman, *Going Public: Women and Publishing in early Modern France*, (Ithaca: Cornell University Press, 1995); Maryanne Kowaleski and Judith M. Bennett, "Crafts, Gilds, and Women in Middle Ages: Fifty Years After Marian K. Dale", *Signs*, vol.14, no. 2, Working Together in the Middle Ages: Perspectives on Women's Communities, (Winter, 1989), pp. 474-501; Judith Coffin, "Gender and the Guild Order: The Garment Trades in Eighteenth Century Paris", *The Journal of Economic History*, vol. 54, no. 4, (December, 1994), pp. 768-793; Hilda L. Smith, *All Men and Both Sexes: Gender, Politics, and the False Universal in England, 1640-1832*, (Pennsylvania: Pennsylvania University Press, 2002); Geoffrey Crossick (ed.), *The Artisan and The European Town, 1500-1900*, (England: Scolar Press, 1997); Dora Dumont, "Women and Guilds in Bologna: The Ambiguities of "Marginality", *Radical History Review*, no: 70, (Winter, 1998), pp. 5-25; S.D. Smith, "Women's Admission to Guilds in Early Modern England: The Case of the York Merchant Tailors' Company, 1693-1776", *Gender and History*, vol. 17, no. 1, (April, 2005), pp. 99-126; A classical book, which was published in 1919 first and was about this issue, was discussed a long time in the literature. See Alice Clark, *Working Life of Women in the Seventeenth Century France*, (London: Routledge, 1992). For a comprehensive summary of the academic works on this issue, see the review of Crowston, Clare Crowston "Women, Gender, and Guilds in Early Modern Europe: An Overview of Recent Research", *International Review of Social History, vol. 53, Supplement 16: The Return of the Guilds*, (2008), pp. 19-44.

women partially influenced the bazaar culture as consumers and as vendors and producers in the nineteenth century. However, the works about craftspeople and tradespeople in Ottoman studies have been prevalently gender blind. But it does not indicate that women were totally absent. Gender and work were identified by the economic and gender systems in general. Economic forces influenced the nature of women's employment.[98] In addition to the economic dynamics, gender conflict existed both socially and institutionally in the Ottoman case. Social and judicial factors influenced the nature of the gender-based division of labor as well. The number of women was low, especially in commercial activities due to some social and ideological obstacles compared to men. The absence of women within the guilds proves this invisibility as well.[99] Women who were involved in commercial activities must have been mostly outside of the guilds.[100] This continued in the last century of the empire too.

Artisanship formed a male-dominant space where the commercial activities were carried out in the Ottoman case, and women's labor in manufacturing and retail sale was not so visible in proportion to the general population. The artisans and traders mentioned in the archival documents were composed of men in high quantity. Occupations that were open to women were highly restricted in number, especially those being carried out at "visible" public spaces. Women were mostly excluded from being artisan, shopkeeper or vendor from male-dominated business space. Therefore, being an artisan and trader implies masculine connotations, and it was the result of the historical process dominated by male stream. Along with referring to an individual and a group, the term *esnâf* still culturally evokes a male or a group of male artisans and

[98] Honeyman and Goodman, pp, 613, 624. For the analysis on the relationship between patriarchy and capitalism, see Heidi Hartmann, "Capitalism, Patriarchy, and Job Segregation by Sex", *Signs*, vol. 1, no. 3, (Spring, 1976), pp. 137-169.

[99] The hostility of the guilds towards women in the European countries was investigated in the Western literature, yet the exclusion of women from the guilds seemed like an innate fact in the Ottoman society because of these social and judicial premises. For the guilds' hostility in Europe, see Katrina Honeyman and Jordan Goodman, "Women's work, gender conflict, and labour markets in Europe, 1500-1900", *Economic History Review*, XLIV, 4, (1991), pp. 608-628.

[100] They were mainly described as shop owners, but they also worked as slave-dealers or silk-dyers. See Yi, p. 54.

sellers in modern Turkish. This indicator gives an idea of to what extent women were present or absent in small trade activities and artisanship.

They were only less visible and their nonappearance is determinative in the formation of general artisan narration even for the late Ottoman period. But it is imperative to examine women artisans and traders who worked in the late Ottoman Istanbul to understand the social structure of the artisanship or being a trader and here women artisans and traders of Istanbul will be introduced as a new classification. To be able to highlight the women's presence in the forming of artisanal culture and work area by considering the socio-cultural and judicial constraints of female visibility in the marketplace and bazaar in Istanbul, the relation between gender and work will be analyzed to handle the artisan and trader identity in Istanbul.

It is also possible to see women active in trading, property sales, and production activities before the nineteenth century, especially in household production for exchange. Women dominantly participated in the textile industry of Bursa, Istanbul, and Ankara as dyers, embroiderers, and weavers, but they were not the member of the guilds and only remained as producers marginal in number in considering total workforce. They were the backbone of the putting-out system; on the other hand, those who had good economic status were moneylenders, managers of public endowments (*vakıf*), shop owners, and owner and co-owners of public baths in the urban economy as well.[101] They inherited the shops of their fathers and rented out bakeries, shops, and mills to the producers.[102] In general, women were involved in the workforce by working at small industrial enterprises such as textile, carpet weaving, and tobacco manufacturing.[103] All these work branches were accepted as "woman's work", but labor women were paid a lower salary than labor men.[104]

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[101] Fariba Zarinebaf-Shahr, "The Role of Women in the Urban Economy Istanbul, 1700-1850", *International Labor and Working-Class History*, no: 60 (Fall, 2001), pp. 141-142.

[102] Zarinebaf-Shahr, p. 145.

[103] It should be kept in mind that there is an ambiguity between being an artisan or trader and a worker. Artisans more often resembled independent business people than workers. See Katrina Honeyman and Jordan Goodman, "Women's work, gender conflict, and labour markets in Europe, 1500-1900", *Economic History Review*, XLIV, 4, (1991), p. 609.

[104] Feroz Ahmad, *The Making of Modern Turkey*, (London: Routledge, 1993), p. 84.

Needless to say, women were not allowed to be a guild member. But, the less involvement of women in commercial activities was not merely related to the official constraints of the guilds, at least in the last decades of the Empire. This fact was based upon economic, ideological, and social factors and constraints in the Ottoman society.

Three major reasons can be propounded for the lack of the number of women in manufacturing and retail sale areas in the late Ottoman period. The first one is the socio-economic reason, which involves working life and its relation with family life. Traditionally women were affiliated to housework with family life, including housekeeping tasks and caring for and educating children. On the other side, men in artisanal practice were affiliated with productive labor in all Ottoman state periods.[105] However, women also worked in household production, which was called a putting-out system.[106] Women continued to be constrained in family life, household work, and marriage in the later nineteenth century too. Women's position in family life and marriage ossified the patriarchal structure, which resembled the working life.[107] Therefore, male-dominant work areas maintained the invisibility of women.

Nonetheless, the physical presence of women at bazaars and shops particularly may not give a meaningful inference though the employment ratio of women was increasing in this century because women were seen generally as customers. But women artisans and traders were trying to earn money at bazaar and marketplace, and the income distribution differed according to their professions or market where they worked. Moreover, economic conditions, in particular in wartimes, brought more women to the public via the working life from the late nineteenth century onward.[108]

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[105] Jean H. Quataert, "The Shaping of Women's Work in Manufacturing: Guilds, Households, and the State in Central Europe, 1648-1870", *The American Historical Review*, vol. 90, no:5, (December, 1985), p. 1133.

[106] The difference between work for household "use" and "exchange" should be pointed out. For the analysis and a discussion on this topic, see Louise A. Tilly and Joan W. Scott, *Women, Work, and Family*, (New York: Holt, Rinehart and Winston, 1978).

[107] The official status of women, such as being unmarried, married or widowed, was accepted as distinctive factors both in terms of state and society, which also should be kept in mind in this kind of long-termed analyses.

[108] For a comprehensive work on the urgent need of the state for women labor, especially during the wars, see Elif Mahir Metinsoy, *Ottoman Women During World War I: Everyday Experiences, Politics, and Conflict*, (Cambridge: Cambridge University Press, 2017).

Women were also employed in different branches with the requirements as in the example of women guards employed in the custom houses.[109]

The second reason is the state policy, particularly the ideology of the state apparatus that limits bringing women into working life, especially to the marketplaces and bazaars, which was unexceptional for this period's mentality. The most remarkable period in terms of women's presence in social, economic, political, and intellectual spheres began in the post-Tanzimat period. The equal citizenship notion was accepted officially and developed in the second half of the nineteenth century, yet it was not strong enough to change the state's traditional policy towards women's presence in public space. In line with this, the state authorities were careful about women's participation in working life since women seemed like a security problem in male-dominated marketplace and bazaars. The state traditionally and structurally prioritized and legitimized men's domain in public space. The reactions and the policies of the ruling elites in the affairs of these areas continued to amplify this notion. For example, in a case dated 1914, it was stated that the women garments and handkerchief sellers damaged the order in Grand Bazaar. The police reported that about 15 to 20 women were selling their goods at desolated parts of Grand Bazaar. They endangered the discipline of the bazaar since they were in contact with bargemen and porters. The police asserted that these women caused the spread of contagious diseases among these men. Therefore, they were not allowed to continue to sell their goods in this district unless they could have licenses. When they did not have a license, they were expelled from this area.[110] The state blamed only women for this serious social problem.[111]

The social and cultural constraints can be counted as the third reason why women were less visible in bazaars and shops as vendors, producers, and even

[109] As a new work of branch for women in this period, women custom guards were employed to detect and catch women smugglers. See Birten Çelik, "Osmanlı Gümrüklerinde Kadın İstihdamı (1901-1908)", *Belleten*, v. LXXIX, n. 286, (Aralık, 2015), pp. 1003-1037.

[110] BOA, DH. İD. 65/48, 22 C 1332 [18 May 1914].

[111] This stance was true of all the European counterparts as well. Women, specifically women workers, were blamed for causing disease and damaging public hygiene. The British Parliament enacted the contagious acts of 1864, 1866, and 1869, which were only applied to women and "common women". See Clara H. Greed, *Women and Planning: Creating Gendered Realities*, (London: Routledge, 1994), pp. 87-88.

consumers. In general, the women's presence in public space was not preferred by men in Ottoman society. This was related to both religious and cultural reasons.[112] The visibility of women led to a pestering factor for men, and social life could not become quite heterogeneous long time because of this reason and the less involvement of women in working life.

These socio-cultural constraints led to the exclusion of women from the permeable social spaces. Because of all these constraints, the male-dominated artisanship space shaped the façade of the socio-spatial circumstance of the Istanbul marketplace and bazaars in terms of gender division.[113] Men legitimized physical assaults at public spaces against women. For example, the cases of harassment were both the reason and the outcome of these social constraints. Women were exposed to molestation of men in marketplaces and bazaars. Thus, women's security problem caused their exclusion from the shops and bazaars both as producers, vendors, and consumers. The number of women's complaints was egregiously high in number, and they appealed to the state for help.[114] But no collective reaction from women existed, and the police's official control and the unofficial control of ordinary men continued to restrict the elbowroom of women. The issue of veiling was the other important reason for the social exclusion of women. The Municipality controlled Muslim women's attires and veiling at shops and bazaars, which restricted their physical

[112] Théophile Gautier states that women were absent in the shops in Istanbul since Muslim men jealously did not allow commercial relations with women. He adds that the smaller household duties were being carried by men in Turkey rather than women, which appears ridiculous to themselves (to the Europeans). See Théophile Gautier, *Constantinople*, F.C. De Sumichrast (ed. & translated), (Cambridge, USA: The Jenson Society, John Wilson and Son, 1901), pp. 80-81. Even though it is Gautier's subjective comment, it is clear that men did not desire the visibility of women in public spaces.

[113] The socio-spatial analysis in terms of gender is necessary to prevent biological determinism. For a comprehensive investigation in this issue, see the article of Ayten Alkan. Ayten Alkan, "Şehircilik Çalışmalarının Zayıf Halkası: Cinsiyet", *Prof. Dr. Nermin Abadan Unat'a Armağan-Birkaç Arpa Boyu: 21. Yüzyıla Girerken Türkiye'de Feminist Çalışmalar*, (ed.) Serpil Sancar, (İstanbul: Koç Üniversitesi Yayınları, 2012), p. 347.

[114] Two women complained that they were attacked by in Gedikpaşa even though a police stood nearby them. This news was first published in *Şura-yı Ümmet*. See "Şikayet", *Kadın*, n.1, (13 TE 1324/26 October 1908), pp. 15-16. For in Latin alphabet, see Fatma Kılıç Denman, *Yeni Harflerle Kadın (1908-1909): II. Meşrutiyet döneminde bir Jön Türk Dergisi*, (İstanbul: Kadın Eserleri Kütüphanesi Bilgi Merkezi Vakfı, 2010), pp. 51-52.

behaviors.[115] Not only women themselves but also their families were investigated during the veiling controls.

Interestingly, while women had difficulties in Istanbul and other big provinces, those involved in trade activities in rural areas were freer. This is probably related to the people's close social relations, the high rate of knowing each other, and interwoven daily life practices and communication in rural. The scope of social relations in urban areas was broader, and the potential of getting out of control was higher compared to the rural ones. Paradoxically, urban has brought an increase in communication, the expansion of housing, gathering of various ethnic and religious groups, and being open to the outsider at least in the nineteenth century, but public spaces in urban areas hosted few women even though the reverse of it was thought.[116] Women were predominantly forced to live in seclusion in urban.[117]

Women were also less visible in the photographs of the bazaars or shops belonging to the late nineteenth and early twentieth centuries as if they did not exist.[118] They began to appear in the photographs after the establishment of private photograph studios at the end of the nineteenth century. The invisibility in these visuals can be

[115] BOA, DH. MKT. 1827/7, 29 Ş 1308 [9 April 1891].

[116] The problem of the dichotomy of public-private bases needs to be questioned. The public is characterized by men and private denotes women traditionally. The family life and the dynamics of social life in the Ottoman Empire intensively overlapped with this dichotomy, but the possible flexible nature of this restrictive binary dichotomy should be kept in mind. For the feminist criticism on the dichotomy of public-private spaces and its relation with gender, see Carole Pateman, *The Disorder of Women: Democracy, Feminism and Political Theory*, (Stanford, CA: Stanford University Press, 1989); For further reading on this subject, see Martha A. Ackelsberg and Mary Lyndon Shanley, "Privacy, Publicity and Power: A Feminist Rethinking of the Public-Private Distinction", in *Revisioning the Political-Feminist Reconstructions of Traditional Concepts in Western Political Theory*, Nancy J. Hirschmann & Christine di Stefano (eds.), (Boulder, CO: Westview Press, 1996). For the analysis on the dichotomy of public-private spheres in the case of Middle Eastern women's history, see Elizabeth Thompson, "Public and Private in Middle Eastern women's history", *Journal of Women's History*, vol. 15, no.1, (March, 2003), pp. 52-69. The concept "restrictive binary dichotomy" was taken from the work of Ambros et al. See Edith Gülçin Ambros, Ebru Boyar, Palmira Brummet, Kate Fleet, and Svetla Ianeva, "Ottoman Women in Public Space: An Introduction", in *Ottoman Women in Public Space*, Ebru Boyar and Kate Flett (eds.), (Leiden; Boston: Brill, 2016), p.2.

[117] Şefika Kurnaz, *Osmanlı Kadınının Yükselişi (1908-1918)*, (İstanbul, Ötüken Neşriyat, 2013), p. 182.

[118] The article on the women workers at Cibali Régie Factory was a good example of showing the visibility of the women workforce via the photographs. See Gülhan Balsoy, "Gendering Ottoman Labor History: The Cibali Régie Factory in the Early Twentieth Century", *International Review Social History, vol. 54, Supplement 17: Ottoman and Republican Turkish Labour History*, (2009), pp. 45-68. Many photographs about artisans and traders were found, but they involved men rather than women. For the photographs, see the part of the Figures.

accepted as the evidence and the outcome of these social constraints. But this invisibility was also a fact in the marketplace that proves the limited number of women there.

Due to the facts given above, women remained in the background at bazaar and shops in general. But they participated in economic activities more through the end of the nineteenth century. They worked as flower, sock or bread seller.[119] Many women and kids sold cotton and yarn at bazaar places.[120] Women were probably selling their handicrafts at certain places that they thought they were safe. They also seemed in such sectors as patisserie business,[121] photography,[122] tailoring, and cooking, so the number of working women increased in the twentieth century. Women tailors were the most distinctive artisan group in the Ottoman Empire.[123] The schools that were opened for the education of women and girls were the main result for the increase in the number of tailors. It became as the entrepreneurship space for women. The vocational education in these schools made them involved in working life partially.

In the last decades of the Ottoman Empire, many women-run associations and organizations were established after the proclamation of the 1908 Constitution to

[119] For example, the document mentions the flower seller Mademoiselle Marie in Beyoğlu, who was honored with a medal in 1899. See BOA, İ. TAL. 194/23, 4 B 1317 [8 November 1899]; The sock seller Havva Hanım at the district of New Mosque (*Yeni Camii*) was honored in 1904 by the government since she helped the students in *Darülhayr-i Âli*. See BOA, MF. MKT. 762/79, 26 ZA 1321 [13 February 1904]; BOA, DH. MKT. 953/4, 28 S 1323 [4 May 1905]; *Darülhayr-i Âli* was a boarding school at the elementary level that aimed to provide education to the orphans. Another record mentions a woman bread seller Eniştase Hanım in Galata. She was fined because of losing a record book, including the information of number of bread and their amount. She demanded the cancellation of this fine and the record book from the guild warden. This woman vendor's relation with the guild is interesting since women did not have any official affiliation with the guilds. See BOA, DH. MKT. 2192/29, 8 Z 1326 [19 April 1899].

[120] BOA, C.ML..433/17556, 29 Z 1300 [30 April 1900].

[121] Madam Vallaury opened a new patisserie at the corner of Hristaki Passage on the Pera Street in February 1881. See Nur Akın, *19. Yüzyılın İkinci Yarısında Galata ve Pera,* (İstanbul: Literatür Yayıncılık, 1998), p. 263.

[122] Naciye Hanım and Muzaffer Hanım were the most popular women photographers. Muzaffer Hanım was the mobile photographer who took photos of women in their homes. See Yavuz Selim Karakışla, "Osmanlı'da Kadın Fotoğrafçılar", *Toplumsal Tarih*, vol.13, no.75, (March, 2000), pp. 18-20.

[123] Yavuz Selim Karakışla, *Osmanlı Hanımları ve Kadın Terzileri (1869-1923)*, (İstanbul: Akıl Fikir Yayınları, 2014), p. 19.

defend the rights of women and make them involved in commercial activities. For example, the employment of women was encouraged by the society called the Association for Defense of Ottoman Women's Rights (*Osmanlı Müdafaa-i Hukuk-i Nisvan Cemiyeti*), founded by Nuriye Ulviye Mevlan in 1913.[124] Other associations were also established to provide job opportunities for women, and the Society for the Employment of Ottoman Muslim Women (*Kadınları Çalıştırma Cemiyet-i İslâmiyesi*) was one of them established in 1916.[125] Besides, the Ottoman Women's Company was established in Istanbul as well.[126]

Newspaper articles published in this period give ideas about the circumstance of women as artisan or trader and there were female idealist journalists asserted that it was men who prevented the employment of women believing that it was against traditions which in fact is contradicted with the Islamic doctrine.[127] It was claimed that working of women was not prohibited in Islam, and women always participated in economic activities from the early years of Islam. The involvement of Muslim women in trade and small industry activities were encouraged in Islam.[128] However, the necessity of women's invisibility in ordinary life was accepted as a premise for women, which was consolidated by the traditional social rules. For example, in a journal, it was written that women had to shop only with women shopkeepers or artisans, yet it was added that the society also needed women who were dealing with these trade activities in that case.[129]

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[124] For the article on this society, see Serpil Çakır, "Osmanlı Kadınının Yeni Bir Kimlik Kazanma Aracı: Osmanlı Müdâfaa-ı Hukuk-u Nisvan Cemiyeti", *Tarih ve Toplum*, v. 11, n. 66, (June, 1989), pp. 16-21.

[125] For a detailed information on this society, see Yavuz Selim Karakışla, *Women, War and Work in the Ottoman Empire: Society for the Employment of Ottoman Muslim Women, 1916-1923*, (İstanbul: Ottoman Bank Archives and Research Centre, 2005).

[126] "Birkaç Misal", *Kadınlar Dünyası*, y.1, n. 28, 1 May 1329 [14 May 1913], pp. 1-2. Quoted in Kurnaz, p. 224.

[127] Ulviye Mevlan, "Kadınlar İş Bekliyor", *Kadınlar Dünyası*, no: 157, 20 KE 1330 [2 January 1915], p. 2. Quoted in Akagündüz, p. 314.

[128] Elif Sabri, "Ticaret, Sanayi ve İslâm Hanımları,", *İrtika*, no: 118, 17 RA 1319 [4 July 1901], p. 135.

[129] Emine Semiye, "Bir Hediye-i Fikriyye-Selanikli Hürriyetperver Vatandaşlarıma-3", *Bahçe*, no: 24 (30 KE 1324/ 12 January 1909), pp. 11-12. Quoted in Zafer Toprak, *Türkiye'de Kadın Özgürlüğü ve Feminizm (1908-1935)*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2015), p. 33. Despite the fact that Emine Semiye proposed such a solution to emphasize the importance of the communication of women at shops and bazaars only with women artisans and traders, which was a negative point of view for all women,

Furthermore, the rights given to women in European countries sometimes shaped the content of the arguments published in the Ottoman press.[130] For example, a woman, F.N., who sent a letter to *İslâm Mecmûası* emphasized her wish of women's presence in bazaar life. She stated that women, in particular widow ones, were in difficult situations due to the consequences of war or to the other reasons, and women living in the Ottoman Empire should have a chance to work as women do in the European countries. She also added that a solution which was convenient to moral and national values had to be found for this deficiency and offered that a grand bazaar had to be built only for the girls, boys, and women in which these groups carried out production and manufacturing .[131] The division of market areas as separate zones for women and men was also proposed as a solution for involving women in trading activities, but it meant maintaining male dominance in these public realms as well.[132]

Although women's role in every sphere of life, including their home conditions, was questioned and debated in journal and newspaper articles, the entrance into the public commercial activities occurred gradually.[133] Prominent women journalists advocated women's visibility in the public realm and every field of life with men. For example, Müfide Ferit Tek stated that women had to be visible and active in

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it was still significant to advocate for presence of women as producers in these public spaces in that period.

[130] Men journalists and intellectuals such as Namık Kemal, Ahmed Midhat Efendi, Abdullah Cevdet, Ahmed Rıza, Ziya Gökalp, and Hüseyin Cahid Bey supported women's participation in working life and the strengthening the status of women in social life and their visibility in public spaces in general. However, there is an implicit problem in here that the issues related with women were questioned dominantly by the male writers. See Fatma Kılıç, "Maskeli Erkekler; Gölgelenen Kaynaklar; II. Meşrutiyet Dönemi Kadın Dergilerinde Jön Türkler'in Ağzından Feminist Söylevler", in *Kadın Belleğini Oluşturmada Kaynak Sorunu*, D. Fatma Türe and Birsen Talay Keşoğlu (eds.), (İstanbul: Women's Library and Information Center Foundation in collaboration with Kadir Has University, 2009), pp. 432-454.

[131] F.N., "Müracaat Ediyorum", *İslâm Mecmûası*, vol.1, n. 2, pp. 58-63. Quoted in Kurnaz, pp. 80-81.

[132] With the development of female consumption, a women-for-women market emerged via female entrepreneurs. See Edith Gülçin Ambros, Ebru Boyar, Palmira Brummet, Kate Fleet, and Svetla Ianeva, "Ottoman Women in Public Space: An Introduction", p. 14. It can be said that female consumption, which emerged as the new consumption culture in the late nineteenth century, contributed to the involvement of women in artisanal and trade activities.

[133] Hamdullah Suphi Tanrıöver pointed out that the society, in fact, men, had to invite women to all free professions. See Hamdullah Suphi Tanrıöver, "Zavallı Kadınlarımız", *İfhâm*, edebî ilâve, no:1, 18 August 1919, pp.6-7.

daily life then the progress would only be possible with the equality of men and women. She also added that women had to do their affairs if they would like to achieve their goals.[134] Halide Edip, a well-known intellectual, also pointed out that it is time for women and men to work together.[135] The journal titled *Bilgi Yurdu Işığı* encouraged women to find their business and to work in government agencies. In an article, it was stated that toy manufacturing would provide income to the families. This journal became a pioneer in creating new ideas and perspectives by opening new working fields for women beyond the necessities.[136] The Association for Defense of Ottoman Women's Rights published a journal titled *Kadınlar Dünyası* (Women's World), which was owned by Nuriye Ulviye Mevlan (Civelek). The journal advocated women's presence in social life and Mevlan pointed out that women's place had to be changed from consumer to producer.[137] Still, in the 1900s, women were not deemed worthy of trading in shops.[138] But this journal often mentioned women entrepreneurs to raise awareness among other women. It congratulated women who were selling their handiworks in Grand Bazaar and the ones generated income for themselves.[139]

Meanwhile, the masculine connotations continued to be used, but the masculine meanings ascribed to the terms and words and the problems they posed

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[134] Müfide Ferit Tek, "Kadınlarımızda Fikr-i Teşebbüs, *Tanin*, no. 31, 18 August 1324 [31 August 1908], p. 2.

[135] Halide Salih, "Bazı Endişelerim", *Tanin*, no: 42, 29 August 1324 [11 September 1908], pp. 2-3. Ziya Gökalp emphasizes the cooperation of men and women as of artisan clique in his poem. The lines of poetry in Turkish are as such: "*Biz esnaf takımı severiz işi, çalışır yaşarız erkek ve dişi*". Quoted in Sadi Yaver Ataman, *Türk İstanbul*, (İstanbul: İstanbul Büyükşehir Belediyesi Yayınları, 1997), p. 153.

[136] Güzide, "Oyuncak Ticareti", *Bilgi Yurdu Işığı*, y. 1, n. 2, 15 June 1333 [15 June 1917], pp. 42-45. Quoted in Kurnaz, p. 261; Mâcit Şevket, "Kadınlarımızın Çalıştırılması", *Bilgi Yurdu Işığı*, y.1, n.2, 15 May 1333 [15 May 1917], pp. 22-25.

[137] Ulviye Mevlan, "Düşünüyorum", *Kadınlar Dünyası*, no: 163, 2 March 1334 [2 March 1918], p. 2. Quoted in Serpil Çakır, *Osmanlı Kadın Hareketi*, (İstanbul: Metis Yayınları, 1994), p. 87.

[138] Ulviye Mevlan, "Kadınlar İş Bekliyor", *Kadınlar Dünyası*, no: 157, 20 KE 1330 [2 January 1915], p. 2. Quoted in Tiğinçe Oktar, *Osmanlı Toplumunda Kadının Çalışma Yaşamı: Osmanlı Kadınları Çalıştırma Cemiyet-i İslâmiyesi*, (İstanbul: Bilim Teknik Yayınevi, 1998), p. 55.

[139] For example, the openings of new companies of women were reported in the journal. A women named Seyyide Kemal Hanım opened a patisserie shop only for women called Patisserie for Ladies (*Hanımlar Pastahânesi*) at around Sultan Ahmed and also a shop of lavender. See Kadınlar Dünyası, "Birinci Sene-yi Devriye Münasebetiyle", *Kadınlar Dünyası*, y. 2, n. 138, 4 April 1330 [17 April 1914], pp. 6-7. Quoted in Kurnaz, pp. 319, 321.

began to be criticized in the press as well. For example, it was stated that the use of "being as a woman" is such a wrong usage, and it should not be used. It becomes impossible to change mentality if we continue to use this term, which implies weakness.[140] This example is important to see awareness about the interaction among mentality, language, and practice in real life. Nevertheless, these attempts were not enough for any fundamental change, at least in women's economic circumstances. They had to correspond in daily life since the social and judicial order would not change if any subject in the process would be passive.

Many significant and influential women journals and societies were founded during this period. The elimination of the idea that asserts the identification of women with private and domestic spheres gained momentum with their contribution. It is clear that advocating women in the journals and newspapers could not change the mentality by itself, yet it was crucial to gain ground to root in the future. Although the presence of women artisans and traders was low in number,[141] the dynamism developed at private and commercial districts in favor of women, and the discussions made in intellectual life mutually supported themselves.[142]

While this was the case, the masculine character of the shopping districts shaped the market culture, which continued in the Republican period. The reproduction of men's domination over space caused the less familiarity of women to the capital formation and its operation, which can be accepted as both the reason and the result of female invisibility in the marketplace. As mentioned above, the traditional gendered bias structure of the marketplace continued with socio-economic, ideological, and socio-cultural restrictions. The low number of women artisans and

[140] Selahaddin Asım, "Kadın Gibi I", *İçtihad*, n. 125, (1 KS 1330/14 January 1914), p. 437; Selahaddin Asım, "Kadın Gibi I", *İçtihad*, n. 126, (10 KS 1330/23 January 1914), p. 456. Quoted in Ümüt Akagündüz, *II. Meşrutiyet Döneminde Kadın Olmak*, (İstanbul: Yeni İnsan Yayınevi, 2015), p. 327.

[141] In fact, quantity may not always produce meaningful results in humanities in general, but the number of women is significant in terms of gender issue.

[142] The need to revive Turkish women's social and economic position was highlighted in the newspaper articles with the effect of the national liberation movement. The importance of possessing various occupations of women was mentioned by analyzing the state with socio-economic dynamics frequently. This emphasis on women then became one of the significant parts of the discourse in producing nation and citizenship in Republican Turkey. For example, see Hamdullah Suphi Tanrıöver, "Zavallı Kadınlarımız", *İfham* (Edebi İlâve), no: 1, (18 August 1919), pp. 6-7.

traders is the outcome of man-biased socio-political and economic dynamics. The women's exclusion from the membership of guilds was the indicator of this fact as well. The main organization of artisans and traders, guilds, will be mentioned in the following paragraphs.

2.2. Guilds During the Post-Tanzimat Period

As it was mentioned in the introductory chapter, the term guild was used in two different meanings in the documents: First, it denotes the common meeting room that artisans and trade groups gathered in to solve their problems or discuss issues related to their jobs. In the last period of the Ottoman daily life, guild continued to be used for defining as the meeting room where the groups were discussing their affairs under the chairmanship of their guild wardens. Second, guild means both the organized crafts and the unions of the artisans and traders. It continued to imply the union of the mentioned groups as well. In the nineteenth century, guilds were mainly divided as craft guilds and trade guilds in the marketplace, which was coherent with the conceptual separation of artisan and trader.[143] The type of guild differs according to the profession, whether it was a craft or trade. This study uses only the term guild to prevent conceptual redundancy.

Though they are still full of questions regarding their origin, the Ottoman guilds were once treated as the official representative of the Ottoman artisans and traders for more than three hundred years.[144] Faroqhi states that the guilds were formed by a group of senior masters who were able to explain the rules and traditions of their

[143] Nalan Turna, "The Shoemakers Guilds of Istanbul in the Early Nineteenth Century", in *Bread from The Lion's Mouth: Artisans Struggling for a Livelihood in Ottoman Cities*, Suraiya Faroqhi (ed.), (New York: Berghahn Books, 2015), p. 158.

[144] The organizational emergence of the guilds and the first usage of the term "guild" are two separate topics, and both of them still wait for more research. Yet, the first guilds date back to the sixteenth century. Genç points out that the term guild was used for the first time in the eighteenth century. See Mehmet Genç, *Osmanlı İmparatorluğu'nda Devlet ve Ekonomi*, (İstanbul: Ötüken Neşriyat, 2012), p. 307. However, Haim Gerber found a document about a trade group in Bursa dated April of 1633, which is about a "guild". See Haim Gerber, *Economy and Society in an Ottoman City: Bursa, 1600-1700*, (Jerusalem, The Hebrew University, 1988), p. 49; Kal'a, on the other hand, states that this term was used in 1697 in Istanbul. See Kal'a, p. 211; For the earlier examples of the guilds in Istanbul, see Kaynak, "XVI. Yüzyılın İkinci Yarısında Üsküdar'da Sosyal ve Ekonomik Hayat", pp. 267-270.

crafts to Ottoman officeholders and also defend the interest of their fellow artisans in court that emerged in the later fifteenth century. They became a formal organization throughout the sixteenth century.[145] These organizations were inseparable institutions of artisan and trader groups.

Contrary to the *Ahi* Associations, the purpose of the guild organization was to regulate the commercial affairs, and there was no religious reference in the latest guilds in most cases except for the ceremonies and few references in the regulations of the professions. The mainstream notion asserts religion as the cement of the co-existence of the artisans and traders. But guilds existed in the late nineteenth century period of Ottoman Istanbul involved both Muslim and non-Muslim members. Moreover, the arrangements prepared for these groups were designed according to the recent judicial practices but not to the traditional or religious doctrines of the craftspeople. Thus, the religious themes were supportive rather than a guiding role.[146] In practice, the daily needs and benefits came into prominence instead of religious motives in the last period of the guilds. On the other hand, the work ethics was generally based on the tradition of *Ahism*, which was roughly framed with moral values, solidarity, honesty, and discipline stemming from the rules of conduct (*fütüvvet*) also in the last period of the guilds, but they were not written.

In the traditional narrative, it is stated that the artisans and traders obeyed the rules written in the rules of conduct (*fütüvvetnames*) gathered around the sentiments of solidarity, collaboration, mutual understanding and control, honesty, full of competent, discipline at work, maintenance of quality in goods and service, not being greedy. All these imply a stable market order. However, the examples from the last period did not show this kind of a perfect picture mentioned in the narrative of the classical period's trade life.

Myriad professions existed, and more than three hundred were present in the late Ottoman period, mainly covering the period from the 1850s to the end of the Empire. It can be misleading to give an exact total for the number of craft and trade

[145] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, pp. 103-104.

[146] Timur Kuran, "Islamic Influences on the Ottoman Guilds", in *The Great Ottoman-Turkish Civilisation: Economy and Society*, vol.2, Kemal Çiçek (ed.), (Ankara: Yeni Türkiye Yayınları, 2000), p. 46.

groups, but the high number of occupations displays their importance in economy and daily life in every century that the guilds survived. Related to this fact, the number of guilds is not certain in the late nineteenth century. Nevertheless, the archival sources provide information on the number of these groups and their guilds even though these sources are not enough to have certain information about this issue since the trade-related occupations vary in number even in the same period. For example, 239 trade groups were noted in the Ottoman yearbook (*Salnâme*) of 1877 in Dersaadet and Bilâd-ı Selâse.[147] In another example, 287 different guilds were registered in Istanbul in a tax roll of 1887.[148] More examples of craft and trade groups can be found in official records, periodicals, and books. Therefore, it is very perplexing to give an exact total because more artisan and trade groups survived than written in the yearbook of 1877 and Osman Nuri Ergin's work, which includes examples also from the seventeenth and eighteenth centuries that might not be existed in the late nineteenth-century Ottoman Istanbul.

In theory, guilds as professional organizations were responsible for the maintenance of production and the trading activities in rural and urban areas, the administration of the judicial affairs of their members, dealing with the individual problems and wrongdoings of their members, the collection of taxes, the control of the quality of the manufactured goods and services, the membership affairs, the planning of workplace locations, the promotion of financial assistance as well as the conservation of solidarity and faith among their members. They played a key role in trade relations in terms of controllability and protecting the interests of their members. They were the main means of supervising the small-scale trading activities both for the state and the craft and trade groups. The official status of these guilds enabled to regulate the affairs of the members from various groups.[149] In brief, guilds

[147] Sakaoğlu & Akbayar, pp. 299-311.

[148] Donald Quataert, "Sanayi", *Osmanlı İmparatorluğu'nun Ekonomik ve Sosyal Tarihi*, Halil İnalcık & Donald Quataert (eds.), v.2, (İstanbul: Eren Yayıncılık, 2004), p. 1007. Roughly 450 different artisan and trade groups were found in the archival research with sub-occupations, including the years 1870 and 1925. All groups were checked one by one in the general catalogue to verify whether they existed in Istanbul or not. These groups were involved in the sectors such as food, transportation, textile, construction, cleaning, valuable items, raw material processing, entertainment and art, and daily consumer goods.

[149] The arrangements that belonged to the guilds were also carried out in trans-province commercial activities. For example, Osman from the cattle-dealers of Kalkandelen reported that the butchers at the

systematized the affairs of artisans and traders, and they officially dealt with the matters of these groups, which were vital for a sustainable economic life.

A distinctive characteristic of the Ottoman guild system was the specialized nature of every branch of production or sale. Therefore, guilds were compartmentalized into various related artisan or trade groups. Shops were generally not selling a variety of goods except for certain professions such as grocers. Occupations such as butchers or bakers were divided into different groups, and goods or services were determined according to these groupings. They were composed of different sub-groups under the administration of one guild warden. These specializations existed in the later periods of the guilds as well, which reflected to the spatial distribution in the marketplaces.

Two separate hierarchical structures existed in the Ottoman guilds: The first one was based on the labor force qualification and the division of labor, and the second one was based on the administrative structure of the guilds.[150] According to the classical narrative, two layers of hierarchy existed within the guilds: The guild committee in the first layer composed of individuals including the guild warden (*kethüdâ*), *şeyh*, *nakib*, *duacı*, *yiğitbaşı*, *ehl-i hiref*. The second layer is mainly composed of master (*usta*), the journeyman (*kalfa*), and the apprentice (*çırak*) according to the order of hierarchy. However, this rigid classification did not appear in all cases and every period. This was partially the discursive heritage of the classical

capital were taking the sheep and goats in return for a commercial paper (*sened*), but the cattle-dealers stated that they were sustaining a loss by this way. They accepted informing the cattle-dealers' guild in Istanbul, yet they demanded to take a certificate from them. See BOA, DH. MKT. 1655/30, 13 M 1307 [9 September 1889]. The cattle-dealers were providing the transportation and sales of the sheep and goats and the bovine animals. They had an important position because the meat was one of the staple foods, the same today, the state could not discard it. It was an obligation to have a regulation about the transportation of the livestock without a problem both for the state and society. They were bringing the animals into the capital, which was toilsome. The Ministry of Interior was monitoring this process, including transportation problems, the pace of it, and the issues of the trade groups such as the payment of the salaries of the guild wardens. In the example of İzmid cattle-dealers, the state ordered the administrative authority of İzmid (*İzmid mutasarrıfı*) to help Hacı Osman Efendi from the Hicvan? tribe from the guild's committee to accelerate transportation. See BOA, DH. MKT. 897/14, 26 B 1322 [6 October 1904]. For meat provisionalism in the eighteenth and the beginning of the nineteenth centuries, see Çağman, "18. Yüzyılda İstanbul'da Esnaflık-Gıda Sektörü-", pp. 132-154; For the meat trade and specifically Jewish meat trade, see Minna Rozen, "A Pound of Flesh: The Meat Trade and Social Struggle in Jewish Istanbul, 1700-1923", in *Crafts and Craftsmen of the Middle East: Fashioning the Individual in the Muslim Mediterranean*, (London: I.B. Tauris, 2005), pp. 195- 234.

[150] Salih Aynural, "19. Yüzyıla Girerken İstanbul Esnafının Hiyerarşik Yapısı", *Sosyal Siyaset Konferansları Dergisi*, vol. 0, no. 37-38, (January, 1992), pp. 125-131.

narrative on the Ottoman guilds. In addition to the new occupational positions, these two organizing structures were almost the same in the late nineteenth century.

The economic circumstances of the eighteenth and nineteenth centuries had remarkable differences. Certain professions disappeared, and the new ones began to emerge with the effects of new technological changes and developments, the changes in needs and habits, the trade of new goods with the international trade mobility and diplomacy,[151] and the emergence of new official or non-official institutions. Related to these facts, giving general information about the Ottoman guilds is turbulent as they were not unique and standardized. Their organizational structure and experiences changed according to the periods and regions. Structure and the features of the guilds were transformed with the experiences of their members. Guilds in Istanbul did not reflect the entire Ottoman guild structure since the artisanship with its condition and the profile of the labor force in other provinces was different from Istanbul. Guilds in the provinces had their dynamics influenced by the economic activities of the district where they existed.

Nevertheless, in the last decades' context, remarkable differences occurred; put in other words, the classical hierarchy and the duties of the individuals along with the classical missions of the guilds were not the same as they were in the late nineteenth century. As an exception, there were some references to *yiğitbaşı* in the archival documents of the nineteenth century.[152] The regulation of Esnaf Office, which was established for the arrangement of esnaf affairs belonged to the Municipality in 1892, did not refer to any committee members of the earlier period's guild order, and only the guild wardens and their duties were mentioned in this regulation.[153]

[151] The influence of the Crimean War (1853-1856) and the coming years are accepted as the period of the "daily modernization/westernization" of the Ottoman politicians and the ordinary life in the Ottoman society. It is not a static thing, so the consumption habits of the politicians and the people accelerated to change with the influence of these factors. For a detailed information on the Crimean War and the social impacts of the Crimean War on daily life, see Candan Badem, *The Ottoman Crimean War (1853-1856)*, (Leiden: Brill, 2010); Bekir Günay, "The Crimean War and Its Effects on Ottoman Social Life", *Güneydoğu Avrupa Araştırmaları Dergisi*, vol. 0 (16), (2014), pp. 105-128.

[152] For an example of a *yiğitbaşı* of the masons, see BOA, BEO. 521/39069, 27 CA 1312 [26 November 1894]; In the other document, it was stated that a *yiğitbaşı* of stonemason named Süleyman Ağa was at this position in 1292 (1875-1876). See BOA, ŞD. 838/19, 1 S 1327 [22 February 1909].

[153] This office will be elaborated further in the next chapter.

Merely the guild warden was the main officer of the guilds. The presence of a guild warden was the evidence of the existence of a guild in the late period of the Ottoman Empire as well. The positions of *nakîp*, *duacı*, *şeyh* and *ehl-i hiref* were not existent in this period; that is to say, the municipal administration did no longer employ these old guild members. As a matter of fact, these positions began to disappear from the eighteenth century onward. At the end, the position of the guild warden was abolished, and the older positions were not even mentioned in the Ordinance for Esnaf Associations (*Esnaf Cemiyetleri Hakkında Talimat*) of 1910 too. A head, members of groups (from six to twelve members), and a clerk became as the association members.[154]

The hierarchy in terms of the labor force and its reflection in workplaces slightly changed after the second half of the nineteenth century. Positions such as journeyman and apprentice continued to be used in the Ordinance for Esnaf Associations, yet they were not mentioned in the 1912 Ordinance and the 1925 Regulations. Master- journeyman- apprentice trio existed in these legal arrangements, yet the new job positions also appeared such as *amele* (laborer), salesclerk, *hademe* (servant), journeyman of servant and scribe (*yazıcı*) for certain professions.[155] Although other specific job positions existed in this period, the trio including master-journeyman- apprentice was the most standardized hierarchy form, which is still in use and is accepted as the distinguishing characteristics of artisanship in Turkey.

Membership criteria to a guild also became more salient with the newly written ordinances since the rules were strictly stated in these arrangements. They give ideas regarding the duties and the selection of their members, especially in the association system. Issues including the criterion to become a head of the artisan groups,

[154] BOA, İ.ŞE. 25/14, 16 S 1328 [27 February 1910]; "Esnaf Cemiyetleri Hakkında Talimat", 16 S 1328 [27 February 1910], *Düstur*, II/ 2, (Dersaadet, Matbaa-i Amire, 1331), pp. 123-127.

[155] In the booklet which was found in the catalogue of Muallim Cevdet in Atatürk Library, these categorizations were stated as a whole. It includes the taxes of certain artisan and trade groups paid. As mentioned in the introductory chapter, it is interesting that the members, including master, journeyman, apprenticeship, *hademe*, and salesclerk, were divided as honorable and dishonorable, and their paid taxes differed according to this differentiation. The meaning and the reason for this differentiation could not be found in the dictionaries and the reference books. No archival document including this kind of a describing and classification was found. See *Dersaadet ve Bilâd-ı Selâse'de icra-yı sanat eden bilcümle esnâf-ı mütenevvianın mükellef oldukları mahiye vergisiyle senevî tezkire harcları mübeyyin bir kıta tarife defteridir*, (1900?).

membership, taxes, responsibilities of masters, and the license issues were nearly the same in practice. Many trade groups and their professions were entirely or partly different from each other. Yet, the official procedure in conducting their affairs was the same for all of them. It was not claimed, however, that all the decisions and restrictions were applied perfectly, the groups obeyed all rules or they generated no problem, but the day-to-day practices had to have some parallelisms with the legal arrangements. In this way, the systematization of the matters of artisans and traders became easier for both the municipal administration and the craftspeople.

The smaller craft guilds of whose member was less in number were attached to an older guild closer to their professions and were called assistant guilds (*yamak*). For example, the slipper makers guild was attached to the shoemaker guild.[156] These assistant guilds appeared within the old guilds to supply the needs of the society by working in the course of production or service. The problems belonged to *yiğitbaşı* emerged intensively due to the taxes because they wanted to be independent taxpayers. They would become independent and independent taxpayers with the permission of the government after they fulfilled their responsibilities.[157] Assistant guilds were generally apt to be independent of the main guilds, especially due to the taxation issues. [158]

The locations of the guilds, in other words, their meeting room, called *ictimagâh*, and how often artisans and traders came together in these rooms still stay as unanswered questions. Moreover, only certain examples give an idea about the meeting rules within these rooms. For example, the guilds of the bakery and the saloon keepers were gathering once a week.[159] They were located in the districts according to

[156] Feridun Emecen, "Yamak", in *TDV İslâm Ansiklopedisi* (v.43), (Ankara: Türkiye Diyanet Vakfı Yayınevi, 2013), p. 311; Suraiya Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, p. 74.

[157] Bülent Çelik, "Osmanlı Lonca Sistemi İçinde Yamaklık Olgusu", *Tarih Araştırmaları Dergisi*, v. 23, n. 36, (2004), pp. 65-73.

[158] Currently, the term "helper or assistant" became as the assistant of the cooks (*aşçı yamağı*), and this term is still in use with the same meaning. See Emecen, p. 311.

[159] BOA, DH. MKT. 1718/39, 24 Ş 1307 [15 April 1890].

the manufacturing places or area of services.[160] All registrations included the name of guild members, the operations about their licenses, and the certificates were arranged in the guild rooms if they were present.[161] Certain groups occasionally came with a demand for a room, and it shows that it was a need for trade life.[162] As the last point, the expenses of the guild rooms were collected from the employees, and it became an economic burden for them.[163]

The location of various occupations and the guilds at the marketplace was a significant issue for these groups that entirely influenced their conditions and working life.[164] The agglomeration of various groups and their workplaces and shops in certain districts was one of the remarkable characteristics of the Ottoman small manufacturing and trade activities. The spatial distribution of the professions was characterized by the concentration at certain and demarcated locations in the marketplace. For example, if a person wanted to buy a pair of shoes, s/he had to go to the shoemaker section of the bazaar.[165] The concentration at certain spaces was inherited from the birth of the guilds and existed until their end. But certain single shops were founded which were far away from the major bazaar areas as well. They existed in different districts with the break of the monopoly of commercial activities and the increase in the demand for

[160] Certain examples about the districts of the guild rooms were found. For example, Rıfat Efendi wrote a petition in 1898 about the measuring instruments of the trade groups to give to the Ottoman Customs Administration (*Rüsûmât Emaneti*) in the guild (room) at Tekfurdağı Pier in Unkapanı. See BOA, Y. PRK. ZB. 21/50, 6 S 1316 [26 June 1898.]; The other guild room was at *Büyük Yeni Han* (commercial building) at Çakmakçılar on the side of Tarakçılar, which was used by the moneychangers. See BOA, İ..EV... 21/1. 2 N 1316 [14 January 1899].

[161] For the example of the guild of the butchers, see BOA, ŞD. 2932/13, 14 C 1307 [5 February 1890].

[162] For example, the journeymen of the builders demanded a guild room for themselves in addition to the appointment of Şakir Efendi as a guild warden from the Municipality. See BOA, ŞD. 685/9, 20 RA 1293 [15 April 1876].

[163] BOA, DH. MKT. 1299/9, 24 Ş 1326 [21 September 1908].

[164] Indeed, the location has influenced the production, labor force, and distribution issues from past to present. New economic geography theory stresses the importance of the spatial effects on production, costs, and labor force. Although this theory has discussed the current international labor, trade, and production matters intersecting with the geographical effects, this argument evokes the older trade and production location order in the Ottoman Empire. One of the prominent advocators of this theory is Paul Krugman. See Masahisa Fujita, Paul Krugman & Anthony J. Venables, *The Spatial Economy: Cities, Regions and International Trade*, (USA: MIT Press, 1999).

[165] Mehrdad Kia, *Daily Life in the Ottoman Empire*, (USA: Greenwood Press, 2011), p. 87.

new shops and bazaars with the rise in population and the change of consumption habits. The spatial condition of the marketplace or bazaar did not show fundamental differences compared to the previous periods, yet some spatial changes and deportations of the members from any occupation occurred in the late nineteenth century.[166]

The concentration at certain districts had many advantages in terms of craft and trade groups, the state agencies, and the consumers. The opportunity to monitor each other and maintain quality standards in every good or service can be counted as two of these advantages for the craft and trade groups. The state center possessed more advantages since it eased the supervision in the marketplace, including such affairs as the control of production process, goods and services, the distribution doings, the prices of goods and services, the collection of the taxes, issues related to the buildings that the workplaces were located, the exceptional circumstances such as epidemics or big fires, and the criminal practices that were provoked by the abovementioned groups. As advantages for consumers, people enjoyed choosing any good or service that they needed. Consumers could freely convey their complaints to the guild officers about the products, services or the misconducts of the members of each craft and trade group. Furthermore, the obligation of maintaining the minimum quality of the products and the official supervision in the marketplace were the other advantageous points in terms of the consumers.

Among other things, whether the guilds in the Ottoman world were autonomous or not is a contradictive issue, and the researchers have not concurred on this matter yet. The borders of autonomy were roughly depicted according to the stances of the guild wardens towards the state's interventions in the interest issue of the craftspeople.[167] The artisan and craft guilds were not so independent since they were accepted "as one of the ways and means for urban society to organize itself on the margins of, though not totally separate from, the framework of the Ottoman

[166] Numerous street, neighborhood, bazaar or location names in Istanbul, and the other regions of the Empire, came from their earlier usages, which denote the presence of various craft and trade groups in districts in question, and most of them are still in use. For an article about the history of the names of neighborhood and districts in Istanbul, see Semavi Eyice, "İstanbul'un Mahalle ve Semt Adları Hakkında Bir Deneme", *Türkiyat Mecmuası*, c. 14, (İstanbul, 1965), pp. 199-216.

[167] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, p. 107.

state."[168] Thus, guilds were parts of the new official order in the nineteenth century and they had to comply with the new judicial and administrative changes. Moreover, the central bureaucracy forced the craft guilds to adopt themselves to new regulations which also contributed to their transformation. As the senior representatives, guild wardens welcomed state intervention in certain conditions or minimized the intervention at specific times, depending on the interest of the guild masters. Sometimes, these two stances could be pursued concurrently.[169]

In the late nineteenth century, because of the rising bureaucratization and systematization in official affairs, the autonomy of the craft and trade groups became blurred. The state took them under control with the new regulations ordinances, and other arrangements. The state center tried to strengthened the organic link to the Municipality to maintain its supervision, which faded the autonomy of the guilds. The control mechanism for the craftspeople belonged to the Islamic law judges, but they had to control themselves as well. There was more power of the guilds in controlling its members in previous centuries. In the modernization period, which refers to the existence of new bureaucratic and institutional practices instead of traditional ones in the nineteenth century, the authorities such as the Municipality, Health (*sıhhiye*), and Police (*zaptiye*) inspectorships supervised the markets. Even though the authority in the affairs of marketplace actors seemed decentralized with the task of more than one institution, the state centralized the affairs of these groups with its new bureaucratic tools. Nonetheless, the guilds still had an intermediary role between the state and the marketplace actors until their abolition.

2.2.1. Changing Methods for Training

Guilds contributed not only to economic life; they also existed as one of the significant educational institutions in the Ottoman Empire. They were a type of informal education body that served the members of craft and trade groups. However, they lost this feature, and new official institutions or schools for the future craft people's training were established. These changes came with the opening of the new

[168] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans,* pp. xxvi- xxvii.

[169] Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, p. 107.

education institutions from the nineteenth century onward and after the burgeoning of institutionalization of education. New training institutions and models brought new aspects to working life. Training of the members from various trade and manufacturing groups was relatively altered, which was parallel to the new approaches in education policies in this period; that is, changes in educational policies reverberated to the working life. They contributed to a decrease in the functionality of the guilds as well. Related to this change, the profile of the artisans and traders was also shaped by the change in the occupational training methods.

The public education policy of the Tanzimat governments aimed to train qualified people, especially for bureaucracy, army, and medicine. The policy did not only cover to bring up educated generations and state officials but also to bring up educated technical personnel.[170] This policy change also affected the training circumstance of craft and trade groups. The foundation of the industrial schools demonstrates that the old traditional training system based on the master-apprentice relationship was replaced with the new education model. It was aimed to train students in state schools, which was part of a mass education policy. The day and boarding schools became prevalent, and the aforesaid groups had to keep pace with this new education understanding. Schooling began to create a new profile of artisan. Schooling on the members of craft and trade occupations via the state schools was a remarkable characteristic for this period, along with the traditional training model. The knowledge production and dissemination of it became systematized in certain occupations by this change.[171]

Meanwhile, occupational training based on master-apprentice relation was partially abandoned and changed with the new educational institutions and education methods. It turned from learning in practice (*alaylı*) to training at schools (*mektebli*)

[170] Fortna, p. 21.

[171] As related to the training of journeymen and apprentices, the religious references of the guilds and their practices were faded in the late Ottoman period, but certain traditional ceremonies that announced promoting continued in this period. In the record dated 1890, the guild warden of the basket makers at Galata and two employees asked for permission from the Ministry of Police (*Zaptiye Nezâreti*) to play a traditional improvised theatre and to have some fun at Silahdarağa picnic area (a district located at Eyüp) to celebrate their new master and apprentice as it was their tradition. See BOA, DH. MKT. 1759/103, 25 M 1308 [10 September 1890]. In the classical period, trade and manufacturing groups were portrayed in the important ceremonies that can seem in *Surnâme*s. Unfortunately, a visual source that shows this kind of ceremony has not been found for the late Ottoman period.

method, but this cannot be generalized to all professions due to such reasons as no need for comprehensive training for some certain commercial activities like water selling, the technical limits of hand manufacturing, the lack of importance given to certain occupations and the dearth of vocational schools. Nevertheless, certain professions entered into the official education borders, and many booklets/textbooks were prepared for introducing them.[172] These new booklets were the modern angle of occupational training. Improving the quality of the occupational abilities in terms of their techniques was aimed, and the occupational progress was encouraged with the written regulations and the continuance of traditional training practices. The occupational/technical information about a particular profession became standardized with these written booklets, at least in theory.[173] But it is obvious that preparing a booklet or textbook was not solely enough to develop an occupation in terms of professional training. Besides, it does not prove the total change in the way and aspect of occupational training in the artisanship world.

The need for school and new education methods went back to the earlier periods of the second half of the nineteenth century.[174] Different institutions were established for the procurement of apprentice, journeymen, and masters. Industrial

[172] Certain booklets were prepared as textbooks of *Darülmuallimat*. Although these booklets were not prepared for the trade groups and artisans already working in the marketplace and bazaars, they were significant for the presentation of the technical information about any occupation and the professionalization in occupation training. They were not the translated versions of Western textbooks. For example, see İhsan, *İpekçilik Sanatı*, Kadınlara Amelî ve Sanayi-i Ziraiye Dersleri: Sütçülük, Tereyağcılık, Peynircilik, Tavukçuluk, Arıcılık, İpekçilik, Ekmekçilik, Nişastacılık, Gülyağcılık, ve Bahçuvanlıktan bahistir., vol.3, (İstanbul: İstanbul Matbaası, 1331); İhsan, *Ekmek ve Nişastacılık Sanatı*, Kadınlara Amelî ve Sanayi-i Ziraiye Dersleri: Sütçülük, Tereyağcılık, Peynircilik, Tavukçuluk, Arıcılık, İpekçilik, Ekmekçilik, Nişastacılık, Gülyağcılık, ve Bahçıvanlıktan bahistir., vol. 5, (İstanbul: İstanbul Matbaası, 1331); A textbook for *Darülmuallimin*: İhsan, *Bağçuvanlık*, (İstanbul: Matbaa-ı Âmire, 1332).

[173] For certain examples of these booklets, see Osman Nuri, *Nalbandlık*, (İstanbul: Mahmud Bey Matbaası, 1312); A. Ferid, *Ameli Bahçıvanlık*, (İstanbul: Karabet Matbaası, n.d.); *Bizde Mavnalar ve Mavnacılık: Mazisi, Hali, İstikbali*, 2nd vol., (İstanbul: İkdam Matbaası, 1340).

[174] The established joint-stock companies, which were the new economically elevating tools for artisans and traders, planned to open their schools for personal development. For example, the joint-stock company of molders, founded by both its Muslim and non-Muslim members, planned to open a school. They demanded establishing a school in Süleymaniye to learn how to read and write, art, and calculation. It cannot be accepted as a school for professional training, but this example shows the artisans' interest towards the new types of schools. See BOA, A.} MKT. MHM. 405/89, 3 M 1285 [26 April 1868]; See also Adnan Giz, "1868'de İstanbul Sanayicilerinin Şirketler Halinde Birleştirilmesi Teşebbüsü", *İstanbul Sanayi Odası Dergisi*, n. 34, (December, 1968), pp. 16-19.

School was opened in 1868 in Istanbul to train the boys in various occupations.[175] The state orientated the boys to this new opportunity to make them more qualified while carrying out their professions. For example, if a student graduates with a first, he would be exempted from the taxes that artisans paid, and the state could provide the tools and money.[176] A Regulation with 64 Articles was prepared on 17 November, 1863 by the Council of the State *(Şûrâ-yı Devlet*) on the mission, program, and the instructions for this new school. The school began education with poor and orphan boys who were smaller than 13 years old.

The education program was divided into two classes with different branches as internal and external. The poor and orphan boys were affiliated to the internal one; as regards to the apprentices of craft and trade groups who were under 30 years old, they were recorded to the external office. The lessons in the industrial schools were divided into two as theory and practice. The theoretical lessons were taught in the morning, and the practical ones were in the afternoon. If the students finish first class, they become apprentices; if they finish second, third, and fourth classes, they become journeymen; and if they finish the fifth class, they become masters. They were taking daily wages according to their levels.[177] The syllabus included such branches as forging, shoemaking, tailoring, binder, carpentry, and architecture for the students under the age of 13. These schools gave a chance to boys younger than 30 years old to learn a craft.[178] Nevertheless, the financial difficulties and the deficiencies in coordination that occurred over time negatively affected education in these schools.[179]

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[175] Rifat Önsoy, *Tanzimat Dönemi Osmanlı Sanayii ve Sanayileşme Politikası*, (Ankara: Türkiye İş Bankası Kültür Yayınları, 1988), pp. 115-117.

[176] Önsoy, p. 119.

[177] Önsoy, pp. 121-123.

[178] Önsoy, p. 124. For a detailed information on the fields of work and the number of the students, see the tables in Önsoy, p. 119; Yaşar Semiz and Recai Kuş, "Osmanlı'da Mesleki Teknik Eğitim: İstanbul Sanayi Mektebi (1869-1930)", *Selçuk Üniversitesi Türkiyat Araştırmaları Enstitüsü Türkiyat Araştırmaları Dergisi*, n. 15, (2004), pp. 293-295.

[179] The articles of the regulation for the industrial schools, the syllabus of the branches, and the institutional heritage to Republican Turkey were examined in the articles of Semiz and Kuş. See Semiz & Kuş, pp. 275-295. The improvement efforts were also pointed out in the article, which shows the attention of the governments on this issue.

School for the Industrial Reform (*Islah-ı Sanayi Mektebi*), which was accepted as the orphanage school (*ıslahhane*), was opened in 1868 in Istanbul. It aimed to protect and educate the needy and destitute children. They functioned to train a well-educated artisan class.[180] Moreover, the apprenticeship schools (*çıraklık mektepleri*) were established in 1913 first, but they could not succeed.[181] Interestingly, one apprenticeship school was established in Çiçekpazarı (Beyoğlu) which announced that it could register students free of charge.[182] The fledgling schooling policy and the economic conditions may have led to these lacks, yet this period was characterized by the mature of the new educational policies of the empire. In fact, the state inculcated the younger generations to its loyalty and moral values by these policies, and it found it acceptable to give modern education in various professions.[183]

The training of young generations was one of the significant aims of the governments, and it became a long-termed educational policy of the Ottoman center.[184] The state took measures to train especially Muslims, to have qualified people in different sectors.[185] On the other side, the state was not interested in whether the masters were Muslim or non-Muslim in some sectors since the important thing there was the continuation of the production. For example, bringing a master of carving to the Industrial Schools from foreign countries via an embassy was planned to train master carvers in 1893. It also shows that there was no qualified carver in the Ottoman lands, at least in Dersaadet.[186]

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[180] Nazan Maksudyan, *Orphans and Destitute Children in the Late Ottoman Empire*, (New York: Syracuse University Press, 2014), pp. 91-92.

[181] İlhan Tekeli & Selim İlkin, *Osmanlı İmparatorluğu'nda Eğitim ve Bilgi Üretim Sisteminin Oluşumu ve Dönüşümü*, (Ankara: Türk Tarih Kurumu Yayınları, 1999), p. 86

[182] BOA, MF. MKT. 522/59, 4 CA 1318 [30 August 1900].

[183] Benjamin C. Fortna, *Imperial Classroom: Islam, The State and Education in the Late Ottoman Empire*, (USA: Oxford University Press, 2002), p. 245.

[184] It was decided to send the orphan boys in *Dârüleytam* to the trade and artisan groups to train them. See BOA, BEO. 4652/348886. 28 Z 1338 [12 September 1920].

[185] For instance, in 1860, it was ordered that Salih Usta, who was an expert in shoemaking, could train new apprentices due to the presence of a couple of Muslim shoemakers, and it was pointed out that this craft was monopolized by the foreigners (e.g. English) who lived in the Ottoman Empire. See BOA, A.} MKT. NZD. 330/10, 22 R 1277 [7 November 1860].

[186] BOA, İ.HUS. 14/86, 26 M 1311 [19 August 1893]; For the other works on the Industrial Schools, see Bayram Kodaman, "Tanzimattan II. Meşrutiyete Kadar Sanayi Mektebleri", in *Türkiye'nin Sosyal*

Three main factors paved the way for the transformation in occupational training and competence, which directly influenced the working life of the artisans and traders. First of all, the determination of occupational competence in certain professions was changed. The Municipality began to approve the result of an occupational exam. It became one of the criteria to be a member of an artisan group and the consents of the masters at least in certain professions in the last period of the Empire. A diploma (*Şehâdetnâme*) with the affirmation of the Municipality was given after passing the exam. For example, it was stated that the builders (*dülger*) who were not competent in this work gave rise to the extra expenses in building construction. Therefore, it was ordered to divide them into three classes according to their professional levels and the diploma to be given considering this classification in 1876. This procedure was also valid for foreigners working in the Ottoman Empire.[187] As a second factor, the Imperial administration considered the importance of education for professional progression with the effect of changing in general education policies, and it was perceived as the need of the state. This triggered the modernization of the training methods in certain professions in theory and practice. Third, the number of artisans and trade groups increased after the abolition of the monopolies (*gedik*), so the government had to redesign the rights to conduct a profession in the marketplace. The control of the marketplace became difficult to regulate, and the municipalities needed new arrangements for it since the population ratio of artisans, producers, and vendors increased. New artisans were expected to know the theoretical/technical and practical information about their professions. The old perception in the training of the future artisans was so conservative; that is to say, the craft knowledge was monopolized by the masters. This period's remarkable feature was that craft knowledge became open to the public via the booklets and schools.

It was believed that the old training method felt short for the new market order. If training is based on books rather than the guidance of the master, artisan and trade groups would be more successful according to this view because books could be

ve Ekonomik Tarihi (1071-1920), Osman Okyar & Halil İnalcık (eds.), (Ankara: Meteksan, 1980); Bayram Kodaman, *Abdülhamid Devri Eğitim Sistemi*, (İstanbul: Ötüken Neşriyat, 1980).

[187] BOA, ŞD. 685/9, 20 RA 1293 [15 April 1876].

updated according to the needs and technology. But the Ottoman artisan and trade world felt behind Europe due to this deficiency.[188] The 8th Article of the Ordinance for Esnaf Associations refers to the cooperation among the members of any artisan or trade group, and the progression of their occupations was attributed to this fact. Helping each other could not be enough to progress in any occupation, yet it depends on professional training. Schools for artisans and trade groups (*esnaf mektebleri*) had to be founded, but there was no such an article or decision in this ordinance.[189]

In the next chapter, the administrative transformation in marketplace life will be elaborated by considering the legal arrangements, and the Esnaf Office, the new sub-unit founded under the Municipality, is examined. Then, the economic state of the groups under the topics of the struggle for existence and taxes will be handled by showing their relations with the change in the administrative structure.

[188] *Sabah*, no. 281, 24 M 1294 [8 February 1877], pp. 1-3

[189] "Esnâf Mektebleri, Teâvün Sandıkları", *Tanin*, no. 260, 11 May 1325 [24 May 1909], p. 3.

CHAPTER 3

ADMINISTRATIVE TRANSFORMATION AND ECONOMY IN THE SHADE OF ECONOMIC RECESSION

The nineteenth century was the era of modern law for the Ottoman Empire when certain Western-style regulations and legislation were prepared and implemented. The trivet, including economy, diplomacy, and law that determined the main policies of the modern states, shaped the Ottoman governmentality as well. The Ottoman Empire went into reforms, and this brought new bureaucratic practices in the state apparatus that influenced all official processes in this period. Bureaucratization and modernization do not always mean the practice of official affairs more rationally and systematically. Nevertheless, changes with the new arrangements brought a new manner of rule for the governments and a new administrative system for artisans and traders. New ministries and state institutions were established, and the way of practice of the official affairs changed, which directly altered the practices of the marketplace actors.

The Tanzimat period brought the replacement of the traditional Ottoman institutions and marketplace actors with the new ones. The new local administration approach forced artisans and traders to accommodate themselves to this modern administrative order. In this chapter, the adaptation of these groups to the new Ottoman order will be scrutinized within the framework of the legal arrangements implemented in this period. The legal regulations help understand the role of the guilds and their official status, giving ideas about the legal procedure in the marketplace in the period under study. Many details and authorized positions were stated in the ordinances and regulations prepared for the mentioned groups, and all these arrangements enabled their articulation into the new governing order. The preparation of detailed legislation indicates the requirements of the marketplace as well. The details of these official

arrangements display the scope of the activity of the state center. After abolishing the Ministry of Marketplace (*İhtisab Nezâreti*) in 1855, an ambiguity in supervision tasks in the marketplace emerged. Therefore, this chapter will assess the roles of the police and municipal police (*zâbıta*) who conducted the supervisions in the new administrative order. The Esnaf Office (*Esnaf Kalemi*), which was one of the outcomes of the bureaucratic change of the period, will be elaborated as well. This office was established to make official affiliation of the artisans and traders to the Municipality. It worked as the sub-unit of the Municipality.

Then, this chapter will examine the economic state of the marketplace actors. After giving information about the challenging economic circumstances of the artisans and traders, the chapter will handle taxes and fees that these groups paid. Taxes give not only ideas about the economic conditions of these groups but also their institutional affiliation. The change in the tax payment system directly influenced the administrative position of these groups. Finally, the esnaf license (*esnaf tezkeresi*) and license fee will be introduced. The license was the main obligatory official document of artisans and traders to do business, which will be explained in detail.

The new administrative order, which was shaped by the expansion of bureaucracy and institutionalization, was control-oriented over artisans and traders. It enabled the conduct of the official affairs of the local administration more systematically and rationally than in previous periods.[190] This chapter argues that this new structure centralized the way of conducting marketplace affairs via the municipalities. Therefore, new state institutions, administrative practices, regulations, and the absence of old traditional state functionaries point to the new institutional period for the marketplace actors. All these factors enforced them to accommodate themselves to the new bureaucratic functioning. Esnaf Office was examined as an intermediary unit and it will be asserted that this office commenced and accelerated the process of the guild warden's disengagement in the marketplace. This chapter also underlines the place of the taxes in the change of their institutional affiliation. In this period, the type of taxes changed and the tax collection practice became centralized

[190] For a detailed information on the development of administrative structure in the Ottoman Empire, see İlber Ortaylı, *Türkiye Teşkilât ve İdare Tarihi*, (Ankara: Cedit Neşriyat, 2017); Erkan Tural, "Osmanlı İdare Hukuku ve Modern Devlet", in *I. Türk Hukuk Tarihi Kongresi Bildirileri*, Fethi Gedikli (ed.), (İstanbul: On İki Levha Yayıncılık, 2014), pp. 305-315.

with the centralized finance policies. Furthermore, taxes show the reasons for the discomfort of the related groups that give an idea about their economic conditions.

3.1. Outcomes of Administrative Reforms

The administrative management of artisans and traders changed from the Islamic law judge-oriented (*kadı*) system to the modern municipalities in the nineteenth century, which can be accepted as a milestone for these groups. They were under the control of the Islamic law judge (*kadı*) and market inspector (*muhtesib*) until the early years of the Tanzimat period. The emphasis on the new legal arrangements instead of the emphasis on auld (*kadime*) and the old traditions came into prominence with the Tanzimat reforms. The Municipality, which was established in 1855, began to supervise the artisans and traders. It was the impact of the municipal movement in the Ottoman Empire, and it turned a new page for these groups. The establishment of the Municipality and the maintenance of its authority on trade and manufacturing groups were part of the centralization and bureaucratization of the state during the Tanzimat period. Thus, the multipartite urban administration and its bureaucratic organization took a new shape with its new institutions. These modern law-oriented institutions regulated the affairs of the marketplace and bazaar.

Actually, the Islamic law judge had the primary authority in the traditional Ottoman city administration. He was depicted as the judge of the city and the supervisor of pious foundations, the financial authority of the city, the mayor and he was in charge of security. The control of artisans, guilds, and the price-fixing at the marketplaces were specific duties of the judge as well.[191] Every Islamic law judge was responsible for the district where he was appointed, and he did not have the right to interfere in the judicial and administrative affairs of the other provinces or rural

[191] For an informative and concise work on the Islamic law judge, see İlber Ortaylı, *Hukuk ve İdare Adamı Olarak Osmanlı Devleti'nde Kadı*, (İstanbul: Kronik Kitap, 2017), p. 41; Gy. Kaldy Nagy, "Kâdî", *Encyclopedia of Islam*, vol. IV, Second Edition, (Leiden: E. J. Brill, 1978), p. 375; For a detailed work on the Islamic law judge, see İsmail Hakkı Uzunçarşılı, *Osmanlı Devleti'nin İlmiye Teşkilâtı*, (Ankara: Türk Tarih Kurumu Yayınları, 2014). Even though the scholars explained the tasks and the scope of the authority of the Islamic law judges as if they were stable or unchangeable, it has to be reminded that this perception is open to question.

areas.[192] The Islamic law judge and the other state personnel were responsible for getting services done and organizing the people involving artisans, producers, and vendors for these services; that is, the judges were the authority in the city affairs until the beginning of the nineteenth century. Artisans and traders were in charge of specific affairs such as security and cleaning the market places and shops. They defrayed all the necessary expenses. The guild wardens and the *avarız* trustees regulated the expenses of the cleaning of the streets and market, the repair of the sewer system, fountains, and waterways. They were responsible for the Islamic law judges when they were conducting these affairs. Guilds specifically controlled market and production belonged to themselves. But whether they followed the rules or not was controlled by these judges.[193]

The first development concerning the market and its hosts was the establishment of the Ministry of the Marketplace in 1826, and the old marketplace supervisor (*ihtisab ağası* or *ihtisab emini*) became the Minister of the Marketplace. The old marketplace supervisor was working as an executive officer and municipal police.[194] *İhtisab Ağası*/*Emini* was the assistant of the Islamic law judge, and he had certain missions to maintain order in the marketplace. After the establishment of the ministry, certain supervision tasks of the Islamic law judge were partially transferred to this ministry. It was mainly in charge of collecting taxes, providing security, implementing fixed price (*narh*), and protecting order in urban and rural districts with coercive measures.[195] In general, the issues related to city life were belonged to the market inspector: The control of artisans and traders, giving license to open a workplace, tax collection, the allocation of the marketplace revenues, providing travel

[192] Ortaylı, *Hukuk ve İdare Adamı Olarak Osmanlı Devleti'nde Kadı*, pp. 34-35.

[193] Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880),* pp. 127-129.

[194] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3, (İstanbul, İBB Kültür İşleri Daire Başkanlığı Yayınları, 1995), p. 1267. Ergin pointed out that the Ministry of the Marketplace was primarily established to deal with the affairs of the artisans and traders. See Osman Nuri Ergin, *Türkiyede Şehirciliğin Tarihî İnkişafı*, (İstanbul: Cumhuriyet Matbaası, 1936), p. 122.

[195] For the methods of *narh*, see Ömer L. Barkan, "İhtisab Kanunları", *Türk Tarih Vesikaları Dergisi*, v.1- n.5, v.2-n.7, v.3-n.9, (1942), pp.5-9. For the concise explanation of *narh*, see Mübahat S. Kütükoğlu, "Narh", *TDV İslâm Ansiklopedisi* (v.32), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 2006), pp. 390-391.

permits, attires, issues related to export prohibition, and the organization of the children's placement to the workplaces of craft and trade groups were given to this Ministry.[196] The market inspectors controlled the marketplace and fairs for irregularities in commercial activities, such as faulty scales, commodities with exceeding established fixed price system (*narh*), and tainted goods.[197] Furthermore, some ex tax collector-janissaries (*koloğlan*s) became market officials (*ihtisab nefer*) to maintain the negotiation with artisans on tax issues.[198] All in all, the Ministry of the Marketplace handled surveillance and taxation tasks in the marketplace in the first half of the nineteenth century in general.[199]

The Ministry of the Marketplace was the institutionalization of *hisbe* affairs, and the market inspector achieved autonomy against the Islamic law judge with this change.[200] It was argued that the transition from the Islamic law judge to the Ministry of the Marketplace was the foundation of a despotic control mechanism in city

[196] See the section of the Tasks of the Inspectors, Ziya Kazıcı, *Osmanlı'da Yerel Yönetim: İhtisab Müessesesi*, (İstanbul: Bilge Yayınları, 2006), pp. 78-238.

[197] Kristen Stilt and M. Safa Saraçoğlu, "Hisba and Muhtasib", *The Oxford Handbook of Islamic Law*, Anver M. Emon and Rumee Ahmed (eds.), (Oxford: Oxford University Press, 2018), p. 345.

[198] Turna, p. 115.

[199] Turna, p. 109.

[200] The Ottoman Sultans appointed an old market inspector to each major city and promulgated regulations; that is, *hisba*. *Hisba* was the base of municipal order in the Eastern Islamic cities, and it referred to the prevention of illicit acts by the enforcers of public morals in the marketplace. The main duties of the old market inspectors were to prevent fraud in the bazaars and market, apply the regulations of *hisba* and declare pricelist. The inspectors had a major role in urban life, particularly in the economic activities of each city. See Halil İnalcık, "Istanbul: An Islamic City", *Journal of Islamic Studies*, n.1, (1990), pp. 16-17; For the inquiry about the relationship between agoranomos in the Roman and Byzantine times and the market inspectors in Islamic states, see Benyamin R. Foster, "Agoranomos and Muhtesib", *Journal of the Economic and Social History of the Orient*, vol. 13, n. 2, (April, 1970), pp. 128-144. Foster explains the transition of both the terminology and the functions of this position (*muhtesib*) in Roman and Islamic times; Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880)*, p. 124. Ziya Kazıcı provides the history of the Institution of the Marketplace (*İhtisab*) with its various aspects. For a detailed information on the early history of the Marketplace and its inspectors, see Ziya Kazıcı, *Osmanlı'da Yerel Yönetim: İhtisab Müessesesi*, (İstanbul: Bilge Yayınları, 2006); Ahmet Akgündüz also provides the collected version of the regulations on the Marketplace (*ihtisab*). See Ahmet Akgündüz, *Osmanlı Devleti'nde Belediye Teşkilatı ve Belediye Kanunları*, (İstanbul: Osmanlı Araştırmaları Vakfı, 2005); For the duties of the market inspectors, see Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 1, pp. 317-324. For a comprehensive dissertation part on the Ministry of the Marketplace, see Nalan Turna, "The Everyday Life of Istanbul and Its Artisans, 1808-1839", pp. 88-132. The different usage of the term market inspector as enforcers of public morals, which is open to discuss, was taken from Gerber's work. See Haim Gerber, *State, Society, and Law in Islam: Ottoman Law in Comparative Perspective*, (New York: State University of New York Press, 1994), p. 69.

administration rather than the presence of an active municipalism mentality.[201] Therefore, it was accepted as a despotic and interdictor institution. The Ministry of the Marketplace was delegated to the Directorate of Police (*Zaptiye Müşiriyeti*) in 1846. The assembly of *Es'ar*[202] was established under the supervision of this Field Marshall (*müşirlik*), and it also included members from artisan and trader groups in this assembly. Although this entity was assigned to the Ministry of Trade,[203] but the Ministry of the Marketplace was reestablished in April 1852, and the *Es'ar* assembly was attached to this newly established ministry. The minister abrogated this assembly a few months later. In the end, the newly established Municipality took over this structure in July 1855.[204]

All these trial and error arrangements show the need for change in the structure of the state departments, which forced the institutional professionalization in the nineteenth century. With the elimination of the extant old institutions, the new bureaucracy model came into prominence. Newly established government agencies or administrative units such as the Municipality and the Police were equipped with the modernized administrative system that contributed to the rationalization of public administration in the second half of the nineteenth century. After the establishment of the Municipality in 1855, the supervision of the marketplace and bazaar was transferred to this new government institution. The duties of the market inspectors, including the collection of taxes, supervision of markets and bazaars, protecting public health and public security were mainly given to the Municipality and other government

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[201] İlhan Tekeli, *Cumhuriyet'in Belediyecilik Öyküsü (1923-1990)*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2009), pp. 34-35. Tekeli quotes this argument from Ortaylı. See Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880)*, p. 131.

[202] *Es'ar* is the plural form of *si'r* and *si'r* means established market price. See James Redhouse, *Redhouse Sözlüğü: Türkçe-Osmanlıca-İngilizce*, (İstanbul: SEV Matbaacılık ve Yayıncılık, 2000), p. 1022.

[203] The affairs of the artisans and traders were belonged to the Ministry of Trade for a while. See Ali Sönmez, "Zaptiye Teşkilatı'nın Kuruluşu ve Gelişimi", Ph.D. diss., (Ankara University, 2005), p. 56.

[204] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 1, p. 345; Ziya Kazıcı, "Hisbe", *TDV İslâm Ansiklopedisi* (v.18), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1998), pp. 143-145. The fixed price (*narh*) on meat and some products were abolished in 1856, from vegetables and some other foodstuff in 1864, and finally from all necessaries except for bread in 1865. The system of *gedik* became unnecessary with these changes. Also, rises in prices stopped, which occurred because of the monopolies in market. See Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880)*, pp. 210-211; Zafer Toprak, "Belediye Zabıtası", *Dünden Bugüne İstanbul Ansiklopedisi*, v. 2, 1994, p. 146.

agencies after the second half of the nineteenth century. The municipality as the main authority was considerably transformative in terms of artisans and traders. Municipal reforms included the most significant part of the public administration. This new administration policy broke the ties of these groups with the old market and trade system. The municipal institution did not fundamentally open a new period for these groups, especially in terms of their socio-economic conditions. However, it forced them to customize to the new administrative order, and they met with the new legal arrangements in this way. The marketplace actors internalized the new bureaucratic procedure via their daily official practices.

Indeed, the establishment of the municipalities in the provinces was a necessity for all urban affairs in that period. The first modern Ottoman municipalities were established due to the ever-changing economic, social, and administrative needs of the state and society since the traditional city administration could not respond to these needs. The Ottoman municipalities were charged with city planning, sanitation, public lighting, supervision of marketplaces, and infrastructure works by collecting taxes for their incomes in a certain local district. It resulted in the foundation of modern and local administrative institutions. These institutions were more developed, professionalized, and systematized versions of the older institutions.

Three main reasons for the establishment of the municipalities can be propounded. First, the Eastern Mediterranean port cities, which increased their trade activities with Europe had to have a transportation and service network that was convenient to the nineteenth century's commercial activities. Having quarantine and accommodation systems, healthy living conditions in the city, and well-ordered transportation became important matters for these port cities.[205] For example, the cholera epidemic can be accepted as one of the main reasons that forced the state to take some precautions to prevent the spread of the diseases with public health policies and treat people who were suffered. This resulted in the need for the collaboration of the state institutions at the center and the municipal organizations both in the imperial capital and the provinces. The second one is the social effects of the Crimean War (1853-1856) since it led to the increase in population in Istanbul with the soldiers of

[205] Ortaylı, *Türkiye Teşkilat ve İdare Tarihi*, pp. 503-504.

the belligerents of the Crimean War who took side with the Ottoman Empire in this war. An increase in the population enforced the institutionalization process in the imperial capital. Rosenthal highlights the importance of the foreign influence in Galata and the Crimean War experience as the push factors that paved the way for the urban administration development in Ottoman Istanbul.[206] These foreigners and their needs accelerated the process of the establishment of the municipalities in the capital. Third, the increasing diplomatic integration to the European countries enabled the observation of these countries' municipal tradition and style. This contributed to the development of the municipal conception of the Ottoman governments. When all of these factors are considered, both the effects of Europe and domestic urban requirements accelerated the development of the Ottoman municipalities.[207] Administrative modernity was shaped by a complex interaction process rather than the implementation of a pre-written codex in the Ottoman context.[208]

The demands and problems of artisans and traders were handled by the state institutions such as the Municipality and the other municipal bureaus, the Police, the Municipal Police, Gendarmerie, and the Ministry of Trade and Pious Foundations by the second half of the nineteenth century. Articles pertaining to the matters of these groups were added to the legislations prepared for these state institutions. They will be examined to understand the domain of the state departments and the limits on daily commercial activities of the artisans and traders. Especially the legal regulations

[206] Steven Rosenthal, "Foreigners and Municipal Reform in Istanbul: 1855-1865", *International Journal of Middle East Studies*, vol. 11, no.2, (April, 1980), pp. 227-245.

[207] İlhan Tekeli emphasizes the importance of this dual path when considering the historical development of municipalities in Turkey. See İlhan Tekeli, *Belediyecilik Yazıları (1976-1991)*, (İstanbul: IULA-EMME, 1992), p. 8.

[208] The Ottoman state administration was not a passive receiver of the European reforms and ideas. See Nora Lafi, "Mediterranean Connections: The Circulation of Municipal Knowledge and Practices during the Ottoman Reforms, c. 1830-1910", in *Another Global City: Historical Explorations into the Transnational Municipal Movement, 1850-2000*, Pierre-Yves Saunier and Shane Ewen (eds.), (New York: Palgrave Macmillan, 2008), pp. 48-49. Mahmoud Yazbak also investigates the argument that the Ottomans established their municipalities with the European presence or pressure by examining the municipalities in Palestine. See Mahmoud Yazbak, "Comparing Ottoman Municipalities in Palestine: The Cases of Nablus, Haifa, and Nazareth, 1864-1914", in *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, Angelos Dalachanis and Vincent Lemire (eds.), (Leiden; Boston: Brill, 2018), pp. 240-261.

prepared for the Municipality and the public enforcers give an idea about the positions of these groups in terms of the local city administration.[209]

3.1.1. The Municipality and Legal Regulations

The old administrative and legal procedures for the artisans and traders were different from the practices of the new modern municipalities. In the classical guild order, the guild members had the responsibility to control and inspect their colleagues and the workplaces to encompass their environment and even inflict punishment on their members in any case. The decision-makers were the Islamic law judge, guild wardens, and masters in previous periods, but it changed with the establishment of the ministries, the Municipality, and the new *Nizamiye* courts. All controls were conducted respectively by the Ministry of the Marketplace (until 1855), the Directorate of Police and then the Ministry of Police, and notably the Municipality with the second half of the nineteenth century. Specifically, the Municipality and the other municipalities had a primary role in supervising artisans and traders in Istanbul and the other provinces, according to the legislation. Regulations had articles designed by the necessities of the marketplace and the responsibilities of the "trusted" actor guild warden and the guild members. They were not able to act autonomously, and the state did not give complete initiative to them in any affair in the new system. Certain responsibilities of artisans and traders as the heritages of the old traditional market order in the classical and early modern periods began to disappear. The new state institutions mentioned above minimized the responsibilities of the artisan and trade groups in the shops and bazaars, such as maintaining security and solving emergent problems among themselves.[210]

[209] The aim of this chapter is not to explain the history of the Ottoman municipalities. The examination of the municipal regulations with their details is beyond the scope of this study. For certain works on the history of modern municipalities in the Ottoman Empire, see İlber Ortaylı, *Tanzimattan Sonra Mahalli İdareler (1840-1878)*, (Ankara: Türkiye ve Orta Doğu Amme İdaresi Enstitüsü Yayınları, 1974); İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahallî İdareleri (1840-1880),* (Ankara: Türk Tarih Kurumu Yayınları, 2018); İlber Ortaylı, *Türkiye Teşkilat ve İdare Tarihi*, (Ankara: Cedit Neşriyat, 2017); Tarkan Oktay, *Osmanlı'da Büyükşehir Belediye Yönetimi: İstanbul Şehremaneti*, (İstanbul: Yeditepe Yayınevi, 2011); Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3; Ahmet Akgündüz, *Osmanlı Devleti'nde Belediye Teşkilatı ve Belediye Kanunları*, (İstanbul: Osmanlı Araştırmaları Vakfı, 2005).

[210] According to İlber Ortaylı infrastructural problems were dealth with by the marketplace community and neighborhood residents before the municipalities were established. He asserts that when the infrastructural issues became duties of the municipalities, the artisans and the neighborhood residents

Legal arrangements prepared for the marketplace and its actors enable to see the scope of the necessities and the responsibilities.

The draft law called *lâyiha*, which was issued for the Istanbul Municipality in 1855, had articles for the maintenance of order in the issues concerning the artisans and traders. The importance of this draft law is that it was the official declaration of making the Municipality as the main responsible agency for the affairs of these social groups as it was stated in its second article.[211] This 14-article regulation involved five articles directly related to these groups, and it shows their critical position in terms of the local administration. For example, the City Council (*Şehir Meclisi*) involved twelve people, including the members from artisan and trade groups as well (Article 5), and these groups became a member of local public administration. According to the article 6, this assembly had to solve the disputes that emerged among these groups. If any violation occurred in fixed-price or the other general order rules, a report would be prepared and sent with a misdemeanant to the Police (Article 10). The Ministry of Trade could carry out affairs of the mentioned groups along with the Municipality (Article 12).[212] The Regulation of the Sixth Municipal District of Istanbul dated 1857, also with its Article 53rd and the 54thArticle gave the supervision of the craft and trade groups with their utensils, scales, wage scales of their goods and products, such places as coffeehouses, bazaars, theaters, alehouse, and the rules about the taxes and patent tax to the Municipality.[213] The reforms for designing and empowering the

became lazy and these groups began to complain about the infrastructure problems and sent petitions to the municipalities. See İlber Ortaylı, "Devraldığımız Miras", *Yeni Türkiye: Yönetimde Yeniden Yapılanma Özel Sayısı*, v.1, no. 4, (1995), p. 557. The popular mayor Cemil Topuzlu also pointed out that the responsibilities of the artisans and traders increased with the new ordinances and regulations, but the old responsibilities disappeared with them. Still, no sharp transition existed in the responsibility issue. For example, the Municipality took the help of the ordinary people in cleaning task. See Cemil Topuzlu, *İstibdat, Meşrutiyet, Cumhuriyet Devirlerinde 80 Yıllık Hatıralarım*, (İstanbul: İstanbul Üniversitesi Cerrahpaşa Tıp Fakültesi, 1982), p. 127.

[211]*Şehremâneti Memuriyetiyle Teferruâtına Dair Meclis-i Âli-i Tanzimât ve Nizamnâme Lâyıhası*, Atatürk Üniversitesi Kütüphanesi Seyfettin Özege Koleksiyonu, no: 12755, 15 ZA 1271 [30 July 1855]; For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3, pp. 1272-1274; BOA, A.} DVN. 105/52, 12 ZA 1271 [27 July 1855]; Osman Nuri Ergin used the term *préfecture de la ville*, which was used for the municipality in France, and he added that the Ottoman municipal development was similar to the French case. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3, p. 1268.

[212]"Şehremâneti Memuriyetiyle Teferruâtına Dair Meclis-i Âli-i Tanzimât ve Nizamnâme Lâyıhası", pp. 4-5.

[213] The first version of the Regulation was announced in 1857. See "Altıncı daire-i belediye nizâmatı" 11 CA 1274 [28 December 1857], *Düstur*, I/2, pp. 460-463; BOA, İ. DUİT. 57/2, 11 CA 1274 [28

administrative structure and the Municipality accelerated after the successful implementation of the Sixth Municipal District Regulation, but financial difficulties hampered the process.

Another regulation, titled the Regulation for the Municipal Administration of Istanbul (*Dersaadet İdare-i Belediye Nizamnâmesi*) and issued in 1868, included the articles about trade and manufacturing groups as well. The 3rd Article of this regulation ordered that the municipal police had to control the cleaning of the eating houses, coffee houses, gambling houses, theaters, pier boats, and hackney carriages. It also ordered for the control of street vendors. The 4th Article emphasized to obey the rules with respect to the sanitation of products and all kinds of scales used in bazaar and marketplaces. This article also ordered the collection of taxes from groups dealing with small scale commercial activities and the regulation in the guild wardens' election. All these rules were stated as the responsibilities of the Municipality under its authority. Besides, according to the 11th Article of this regulation, it was stated that the Municipality would negotiate the decisions taken in the assemblies of the artisans and traders.[214]

Another legal arrangement was the Law of the Municipality (*Dersaâdet Belediye Kanunu*), the first code passed in the First Ottoman Parliament in 1877. It was prepared for the managing of the municipal administration. But it could not be operated well since the parliament was closed and the financial crisis occurred. The 3rd Article was about the responsibilities of the Municipality, which was also stated in the 3rd and 4th articles of the 1868 regulation. In addition to the mentioned previous rules, the rule about the prevention of street vendors at marketplaces and main streets, market controls, and the arrangement of the bazaars were added to the 3rd Article of this regulation. Its 8th Article ordered that the decisions of the guilds about the affairs

December 1857]; For a new detailed arrangement, see "Devâir-i belediyeden altıncı dâire itibar olunan Beyoğlu ve Galata dâiresinin nizâm-ı umûmîsidir", 24 L 1274 [7 June 1858], *Düstur*, I/2, pp. 470-471; BOA, İ. DUİT. 57/1, 24 L 1274 [4 June 1858]; BOA, A} DVN. MKL. 74/12, 29 CA 1274 [15 January 1858].

[214] "Dersaâdet idare-i belediye nizamnâmesi", 18 C 1285 [6 October 1868], *Düstur*, I/2, pp. 450-459; BOA, A.} DVN. MKL. 7/6, 18 C 1285 [6 October 1868].

of their members would be issued in the Assembly of the Municipality. The 63rd Article was about the taxes, including scales and licenses.[215]

The 1877 Municipality Law was replaced by a new one in 1912, and it was the Provisional Law for the Dersaâdet Municipal Organization (*Dersaadet Teşkilat-ı Belediyesi Hakkında Kanun-ı Muvakkat*), which did not include a special article about artisans and traders.[216] Many previous articles were accepted in this revised code, and new amendments about the municipal organization were made over it, which lasted until the new municipal law prepared in 1930.[217]

These regulations and provisional law contributed to the articulation of the artisans and traders to the new administrative structure. It opened a new era for them in terms of administrative management, which was shaped by the new modern law-based order. Decisions and legal arrangements had to be compatible to the centralization policy of the state center. Restructuring the artisan policy brought a new dimension between the state and society. It meant the increase in the supervision power in terms of the state; on the other hand, probably more oppression in terms of society. Yet, explaining this new administrative order on the basis of this tension forces the perspective to be gotten in a vicious circle. The check and balance requirements in socio-economic life have to be regarded as well. The Municipality became as the prior responsible institution in the affairs of these groups and it had a broad authority. However, some ambiguities emerged in supervisions. The roles of the law enforcement bodies in the marketplace supervision and the ambiguity problem in conducting the

[215] "Dersaâdet Belediye Kanunu", 27 N 1294 [5 October 1877], *Düstur*, I/4, pp. 520-538; BOA, A.} DVN. MKL. 14/16, 19 Z 1293 [5 January 1877]; *1325 Senesine Mahsûs Umûr-ı Belediye Mecmuâsı*, (İstanbul: Bağdadliyan Matbaası, 1325), pp. 1-21; For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1627, 1638-1639.

[216] "Dersaâdet teşkilat-ı belediyesi hakkında kanun-ı muvakkat", 20 M 1331 [30 December 1912], *Düstur*, II/5, pp. 37-39. 7th article of it was amended. See "Dersaâdet teşkilat-ı belediyesine mütedair 20 Muharrem 1331 tarihli kanun-ı muvakkatın 7. Maddesini muaddil kanun-ı muvakkat", 6 CA 1331 [13 April 1913], *Düstur*, II/5, pp. 251-252.

[217] 64th article was amended in 1914. See "Dersaâdet belediye kanununun 64 ve Vilayât belediye kanununun 40. maddelerini muaddil 2 Cumâdelâhira 1329 tarihli madde-i kanuniyeye müzeyyel fıkra hakkında kanun-ı muvakkat", 8 C 1332 [4 May 1914], *Düstur*, II/6, p. 574; 63rd article was also amended, which was about the tax revenues of the municipalities. See "27 Ramazan 1294 tarihli Dersaâdet belediye kanununun 63. ve aynı tarihli vilayât-ı belediye kanununun 39. maddelerine müzeyyel fıkra hakkında kararnâme", 17 C 1340 [15 February 1922], *Düstur*, II/12, pp. 566-567.

controls were the remarkable deficiencies in this period, which decreased the authority power of the state institutions.

3.1.2. Supervision Tasks: Police and Municipal Police (*Zâbıta*)

The supervision of municipalities and the other state institutions on artisans and marketplace became institutionalized according to their responsibility areas nearly in the nineteenth century. The control of market activities such as weights and scales, prices, the prevention of selling prohibited goods, the public health protection policies related to the goods, shops and employees, the maintenance of public order in the marketplace and bazaar, and providing appropriate location and infrastructure to the marketplace actors were all conducted with the cooperation of the municipalities and the law enforcers covering police and the municipal police (*zâbıta*) by implementing the warning and punishment mechanism.

In theory, the municipal police were the primary authority in controlling the marketplace, bazaar, shops, and production areas. They were responsible for maintaining the economic activities, environmental cleaning, supervision in these places, including the sanitary inspection within shops, security, traffic control, and the control of peddlers. They were inspecting groups in precarious business for public health, such as butchers, bakeries, milkmen, and controlling the products in their shops. They were also preventing unlicensed street vending at nights, the use of inaccurate weights, sale of unhealthy products, patrolling the theatres, cinemas, and casinos, which were open at nights generally.[218] Indeed, many arrangements were made for the supervision of the marketplaces, but it was insufficient since the Municipal system did not work properly due to lack of budget, experience, and the adaptation problems of the marketplace actors and the municipal authorities to the new order. Therefore, these controls were carried out deficiently since the municipal police were mostly inefficient or absent in conducting marketplace affairs.

[218] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p. 901.

The municipalities remained incapable of developing their law enforcers, which later was established as a municipal police system.[219] The missions and the way of enforcing the law of the police and the municipal police were to be different. This difference reflected in the supervision practices of the marketplace and the police approached occupational affairs of these groups from the public order perspective. The involvement of the police in the supervision also enabled the state to control the marketplace and its actors more by externalizing the economic roles of these groups.

According to the new arrangements, the Police were responsible for keeping public order, intervening in criminal cases, and inspecting artisans and traders. The duties of the police officers concerning the marketplace and its hosts were given in detail in the Police Regulation of 1845. For example, the 14th Article was about the control of the inns, eating houses, and hotels; the 15th was for the ban of gambling houses; the 16th was about the bans about strikes and participation to any agitator organization of the workers and *amele*; the 18th Article was about controlling of the books sold in book stores and printing houses; the 20th Article was about providing security in theaters and the other such like public spaces.[220] Certain articles of this regulation later were detailed and updated when necessary in the Police Regulation of 1907. According to the 74th Article of the 1907 regulation, it was stated that individuals apart from the employees who were working at a coffee house, casino or bathhouse are not allowed to stay in these places at night.[221] The regulation also gave authority to the Police to prevent the unapproved theater plays, singing the expurgatory canto and songs in various entertainment venues, and the presence of behaviors (Article 122).[222] According to another ordinance for gendarme and police issued in 1896, if a

[219] İlber Ortaylı states that the government bodies regulated especially public order issue, and it led to the inadequancy in fulfilling the policing duties of the municipalities. See İlber Ortaylı, "İmparatorluk Döneminde Mahallî İdarelerin ve Belediyeciliğin Evrimi", in *Türkiye'de Belediyeciliğin Evrimi*, Ergun Türkcan (ed.), (Ankara: Türk İdareciler Derneği, 1978), p. 24.

[220] BOA, İ.. MSM. 3/48, 7 RA 1261 [16 March 1845]. For the transliteration of the regulation, see "İlk Polis Nizamnamesinin Hazırlanması", in *Belgelerle Türk Polis Tarihi*, vol. 1, (Ankara: Emniyet Genel Müdürlüğü Arşiv ve Dokümantasyon Dairesi Başkanlığı, 2014), pp. 3-5.

[221] "Polis Nizamnâmesi", 5 RE 1325 [18 April 1907], *Düstur*, I/8, (Ankara: Başvekâlet Devlet Matbaası, 1943), p. 678.

[222] "Polis Nizamnâmesi", 5 RE 1325 [18 April 1907], *Düstur*, I/8, p. 685.

person causes any disorder and violate the rules, it would be only the police who were able to take care of the problem. If artisans and traders react to the law enforcers, they would be arrested by the Police.[223] These rules were within the boundaries of public order, and the police supervision in terms of trading activities remained incapable. There was a need for the foundation of a separate department, the municipal police (*zâbıta*), for these issues.

The supervision in the marketplace was done by the police forces and the municipal police, as was explained above.[224] The first examples of the municipal police were *Kavas* and then the municipal sergeant (*belediye çavuşu*). The first legal arrangement for the establishment of municipal police was an Ordinance (*Talimatnâme*) issued in 1871, and it was replaced by a new one later with changes in the articles. Almost all articles of this ordinance were about the duties of the municipal police forces to supervise artisans and made them obey the rules and regulations. The municipal police had the authority to bear arms,[225] and many topics concerning sanitation and marketplace order were also involved in the ordinance.[226] In the 3rd Article of the Ordinance, it was stated that if a case emerges in the marketplace and if sergeants (*çavuş*) are not able to solve the problem, they can demand support from the nearest police station (*zabtiye merkezi*). But this procedure was annulled, and it was stated that they had to inform the Municipality. The term "municipal police officer" (*zâbıta memuru*) was firstly used in the Article 23rd of the Ordinance implemented in 1872.[227] The 1871 Ordinance was annulled, but the articles of these two ordinances

[223] "Dersaadet ve Bilâd-ı Selase'de Takrir-i Asayiş Vazifesi ile Mükellef Olan Nizamiye ve Jandarma Asakir-i Şahane ile Polis Memurlarının Suret-i Hareketlerine Dair Talimat", 1 B 1314 [6 December 1896], *Düstur*, I/7, p. 114; Ergut, pp. 142-143.

[224] Gail Bossenga mentions the ability of the municipal administrators to police the workforce in the case of Lille. See Gail Bossenga, *The politics of privilege: Old regime and revolution in Lille*, (Cambridge: Cambridge University Press, 1991), p. 170.

[225] See Article 9, "Şehremâneti behiyyesinde müstahdem komiser ve serçavuşlar ile çavuşların mükellef oldukları vazife-i memûriyetleriyle sûret-i harekâtlarını mübeyyin talimatnâme" 9 CA 1288 [27 July 1871], *Düstur*, I/3, pp. 528-530. For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1808.

[226] "Devâir-i belediye çavuşlarının vazâifine dair talimattır" 15 ZA 1287 [6 February 1871], *Düstur*, I/2, pp. 539-544. For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1796-1800.

[227] "Devâir-i belediye çavuşlarının vezâifine dair talimattır" 30 CA 1289 [5 August 1872], *Düstur*, I/3, pp. 520-526. For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1801-1805.

were nearly the same except for three of them. Moreover, the ordinances for the municipal police of the Municipality and the municipal districts were separate. The municipal police hierarchy, which was determined as police superintendent, master-sergeant, and sergeant respectively, was employed to protect the Municipality. But the supervision issue of the marketplace-bazaar areas was not mentioned in the related regulation.[228] It was stated in the 1st Article of the Regulation for the sergeants of the municipalities (1315/1899-1900) that the realm of authority of the municipal police officers of the Municipality and the other municipalities was equal.[229] The responsibilities of the police superintendent and municipal sergeants were detailed in this regulation.

As an earlier legal arrangement, the Regulation for the Streets (*Sokaklara Dair Nizamnâme*) issued in 1859 involved many articles about the rules in the marketplace and bazaar, especially in the issues of occupying pavements, sweeping and cleaning of streets, pavements and of the front of shops, the detailed rules for butchers, bakers, shops which were selling alcohol, candy makers, druggists, and bathhouse owners.[230] The fines mentioned in this regulation always referred to the 254th Article of the 1858 Imperial Ottoman Penal Code (*Ceza Kanunname-i Hümayunu*).[231] The Penal Code stated crimes and punishment in the marketplace in detail in its 254th, 256th, 257th, 262nd, and 263rd articles, gathered under the third categorization specified as *kabahat* (guilt). This third part of the code involves the articles about the punishments for the people against matters of sanitation, cleanliness, and public order.[232] For example, the 262nd Article of the Penal Code was about the weights and measures used in the shops

[228] "Şehremâneti çavuşları hakkında nizamnâmedir" 30 CA 1289 [5 August 1872], *Düstur*, I/3, pp. 526-528. For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1805-1807.

[229] *Düstur* did not include this regulation. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1809.

[230] "Sokaklara dair nizamnâmedir" 17 N 1275 [20 April 1859], *Düstur*, I/2, pp. 478-490; For in Latin alphabet, see, Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1785-1795. Osman Nuri Ergin stated that this regulation was important because it was the first legal arrangement of the municipal police. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1785.

[231] "Ceza Kanunnâme-i hümâyûnu", 28 Z 1274 [9 August 1858], *Düstur*, I/1, p. 594; For the articles related to the marketplace orders (in Latin alphabet) see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1643-1647.

[232] John A. Strachey Bucknill and Haig Apisoghom S. Utidjian, *The Imperial Ottoman Penal Code: A Translation from the Turkish Text*, (London: Oxford University Press, 1913), pp. xix, 199-205.

or bazaar and the fines in case of violations.[233] But it has to be pointed out that these articles were mostly related to the violation of public order, which entered the responsibility borders of the police.

Articles 14, 32, and 33 of the Municipality Law of 1877 give information about the duties of the municipal polices of the Municipality and the other municipalities, which had an emphasis on legality. The competent authority in regulating the responsibilities of police superintendent and sergeants was the Municipality. There was an effort to establish a separate municipal law enforcers department independent from the central police organization, but the municipal police were completely affiliated to the general police forces in 1914 on the basis of the provisional law prepared in 1912.[234] The police took on the responsibilities of the municipal police which belonged to the Municipality according to the 6th Article of this law. Because of the disobedience of the marketplace groups, the recourse to the Police became obligatory.[235] Indeed, the municipal administration was not able to operate the office of the municipal police since it had financial and administrative inadequacies; that is, the major reason for this failure was the financial constraints emerged with the lack of revenues of the municipalities and the unsettled municipal system to employ municipal police force. With a special ordinance, the collaboration between the Municipality and the Police became official in 1913. According to this ordinance, the resistance of the people to the municipal police officers seemed equal to the resistance to the general law enforcers.[236] The municipal police's affiliation to the Police was delayed due to the Balkan Wars (1912-1913) and the change of the cabinet. It proceeded to the Police down from March/April of 1914.[237] The guards were employed in the marketplace and neighborhoods following 1914, and they had to work under the supervision of the

[233] "Ceza Kanunnâme-i hümâyûnu", *Düstur*, I/1, p. 596.

[234] See Article 6, "Dersaâdet teşkilat-ı belediyesi hakkında kanun-ı muvakkat", *Düstur*, II/5, p. 38.

[235] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3, p. 1471.

[236] See "Vazâif-i zabıta-i belediyyeyi mübeyyin talimât" in Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1817-1830. This ordinance was signed by the mayor Cemil and the General Director of Security Cafer İlhâmi. Also, the responsibilities of the traffic police were detailed in this ordinance dated 1913.

[237] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1817.

municipal police.[238] As a different law enforcement agency, the municipal police became inactive specifically during World War I period.

The connection of the municipal police with the Municipality or the Directorate of Police remained as a problem. This ambiguous duality occupied the agenda for a while since the authorities tried to solve the issue by putting the municipal police in charge. They wanted to be sure that they were to do right without getting the help of the police. Ergin even questioned how it was possible to organize the municipal police though the Municipality system had not been settled yet.[239] A committee, which was composed of the general directors of Bayezid Office Mustafa Nizameddin, Hisar Office Mazlum, and Kadıköy Office Radi *Bey*s, prepared a report for this issue. It was stated that the affiliation of the municipal police both to the Municipality and the Police caused a dualism. Hence, a separate office had to be established affiliated to the Municipality as it was in France.[240] The salary payment of the municipal police would be paid to the Municipality rather than the Police Directorate, and the revenues of the Municipality could increase in this way.[241] This document was written in 1921 (1336), and it shows the long uncertainty in solving the problem of the affiliation of the municipal police to a state department and their inefficiency in the marketplace. The lack of personnel, the official affiliation problem of them, and many task commonalities with the police forces were the major factors of why the institutionalization of municipal police fall behind.[242]

The border between the supervision of the commercial activities in the marketplace and the maintenance of public order became blurred when the municipal police were affiliated to the general police force. This ambiguity in the distribution of these tasks among law enforcers, predominantly because of the weakness of the

[238] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 2149-2150.

[239] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p. 899.

[240] It has to be highlighted that municipal police (*zâbıta*) in the Ottoman Empire were different than the civilian municipal police in France. For information on the civilian municipal police, see Clive Emsley, "A typology of nineteenth-century police", *Crime, History & Societies*, vol. 3, no. 1, (1999), pp. 29-44.

[241] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p. 901.

[242] For a detailed information on the municipal police, see Şefik Memiş, *Şehremanet'inden Büyükşehir'e Belediye Zabıtası Tarihi*, (İstanbul: İstanbul Büyükşehir Belediyesi, 2008).

municipal police force, continued until the early Republican Period in Turkey. Nonetheless, it should be stated that the municipal police were employed for the supervision of a certain municipal district. The authority of the police was belonged to the Directorate of Police until 1909 and then to the General Directorate of Security (*Emniyet-i Umûmiyye Müdüriyeti*), and their authority areas were different and more broad.[243]

The penalty was also another ambiguous issue because of the unsettled judgment-penalty procedure in the marketplace affairs even though many legal regulations were issued. The officers were fining the artisans and traders during the inspections, just like they had done previously. For example, in the new judicial system, if an officer detected fraud in the market (such as mixing milk with water), he would not be able to fine the responsible person at that time, but only to report the incident. The officers were sending this record to the court. But, the shopkeeper could continue to hold the good after the record. This procedure was criticized since the Ottoman courts were so busy, and the shopkeeper could continue to defraud until the conclusion of the case. Therefore, it was proposed that the officers had to fine at that time.[244] But this system did not work well. The fines and the shop closes existed as the most common penalties in the marketplace.

The control mechanism in the marketplace was mostly irregular even though many detailed regulations were prepared for it. The weakness of the supervision was intensively because of the structural reasons such as the financial difficulties in the Municipality and the inadequacy of the necessary state agencies like the municipal police. All in all, the municipal police force system was not systematized until the end of the empire. In this respect, the state approached the affairs of artisans and traders commonly within the framework of public order and security. On the other hand, this ambiguity hampered the marketplace supervision. Therefore, fraud among the marketplace actors was probably more prevalent than it was estimated or recorded.

It is significant to elaborate separately on the rest of the Ottoman provinces to deepen the understanding of the local actors, conditions, and traditional continuities in

[243] Hasan Refik Ertuğ, "Belediye Zabıtası", *Ankara Üniversitesi SBF Dergisi*, vol.2, no.1, (1947), p. 21.

[244] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, pp. 902-904.

public administration. The conditions and the interactions in Istanbul were different than the circumstance in rural or the other cities of the Empire.[245]

3.1.3. The Establishment of the Esnaf Office (*Esnaf Kalemi*)

The legal arrangements included both supervision and managing matters of artisans and traders. The common consensus in the literature is that the guilds lost their power in the last decades of the Empire. But this, in fact, is related to the emergence of a new structure to take artisans and their guilds under control in line with the requirements of the market, free trade economy system, and the strengthening of the state authority. Because these groups were the backbone of the daily economic activities. Toward the end of the nineteenth century, the government established a new department under the Municipality rule to regularize affairs of the marketplace actors. The Esnaf Office (*Esnaf Kalemi*) under the authority of the Istanbul Municipality founded in 1892, especially to assure the esnaf affairs such as their registration and control via their guild warden. The preparation for this office was first started in 1891 as mentioned before,[246] and the ordinance (*Esnaf kaleminin sûret-i teşkîl ve vezâifini mübeyyin talimât*) was promulgated in 1892.[247] The ordinance was prepared for the marketplace actors, guild wardens, and the issue of guarantee. All the official proceedings and steps were designated, and concrete solutions for future problems were stated in the ordinance.[248] The state ensured the registration of every information and change related to the guild members and their guild wardens via this office.

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[245] Nora Lafi points out that the modern administrative system was shaped by the discussions made between Istanbul and the traditional local leaders in certain regions of the Empire, such as Tripoli on the reforms. She also reminds the failed mediation in Tunis. It shows that local dynamics display fundamental differences, and every administrative policy did not work in every part. See Lafi, pp. 46-47.

[246] BOA, DH.MKT. 1806/103, 27 C 1308 [7 February 1891]. It was first prepared as an ordinance; then, it was converted into a regulation. See BOA, ŞD. 2581/41, 29 R 1309 [2 December 1891].

[247] BOA, İ..ŞD.. 114/6856, 10 C 1309 [11 January 1892]; "Esnaf kaleminin sûret-i teşkîl ve vezâifini mübeyyin talimat", 10 C 1309 [11 January 1892], *Düstur*, I/6, (Ankara: Devlet Matbaası, 1939), pp. 1150-1155.

[248] For the whole version of the ordinance, see Appendix A and B.

The Municipality considered the foundation of this office necessary for trade and artisan groups. The officers and clerks were also involved into the ordinance who were responsible for putting and doing the affairs of these groups in a certain order. It aimed to specify the number of the recorded members of groups, to control the esnaf licenses (*esnaf tezkeresi*), to collect license fees (*tezkere harcı*) from the wardens in a proper way to increase the revenues of the Municipality,[249] and to prevent the malfeasance of the incomes by the guild wardens.[250] It was stated that the malfeasances of the guild wardens could not be stopped. This reveals the functionless old order, and the extant administrative order could not hammer out the problems and the complaints of the marketplace actors.[251]

The Esnaf Office became the main official platform for the trade and artisan groups in the last decades of Ottoman Istanbul. The guild affairs concerning vocational records and fees of the licenses were linked to the Municipality via this office, and a more concrete official process between the guilds and the municipal administrators was established.[252]

Indeed, the main responsibility of this office was to supervise the circulation and the use of esnaf licenses and to control the financial misuses of the guild wardens since the license fee formed the significant portion of the budget of the Municipality. This process paved the way for the abolition of the guild warden post due to two main reasons; first the warden's their abuses and the second their inability to solve the issues concerning the artisans and traders.

The registration to the Office became more systematic with the new six registers mentioned in the Articles 3rd and 4th of the regulation. The Esnaf Office was responsible for these registers. The office director was also responsible for the given licenses, and these directors had to have guarantee in case of losses stated in Article 6. The office strictly controlled the process related to the licenses and certificates, and

[249] BOA, DH.MKT. 1829/92, 12 N 1308 [21 April 1891]; BOA, DH. MKT. 1832/29, 3 L 1308 [12 May 1891]; BOA, MV. 65/11, 3 ZA 1308 [10 June 1891]; BOA, İ. MMS. 121/5219, 8 ZA 1308 [15 June 1891].

[250] BOA, DH.MKT. 1824/72, 22 Ş 1308 [2 April 1891].

[251] BOA, DH. MKT. 1824/72, 22 Ş 1308 [2 April 1891].

[252] The office was linked to the Civil Registry Office (*Nüfus İdaresi*) for a while, but it was again linked to the Municipality. See BOA, DH. MKT. 1282/43, 23 B 1326 [21 August 1908].

any activity would not be done without approval of the office. The regulation made the guild warden the responsible person for guilds, and he was totally under the control of this office. That is to say, although guild wardens were leading officers in the matters of trade and artisan groups, it does not mean that their scope of authority was expanded. The 2nd Article of the regulation stated that if a guild warden abuses his position, he could be discharged. Every change concerning the affairs of artisans and traders had to be conveyed to the office, and if a guild warden were not able to do his duty, he could be punished. For instance, if a member from any trade group works without a license or the guild warden does not renew his license, the main responsible person for this deficiency shall be the guild warden himself. Also, if a guild warden pays a fine three times, he could be dismissed from his position, and a new one could be chosen, which was stated in Article 9. Although many cases given in the archival sources demonstrate that a person could stay at the guild warden position lifelong, this office ordinance indicates that he could be dismissed from his position due to the abovementioned reasons. The Office also gave importance to untimely giving up jobs or the change of work/working places. Members had to inform their guild wardens, and their guild wardens had to inform the office, which was pointed out in the Articles 10, 11, 12, and 13. The statements of the guild wardens also had to be controlled by the Office whether they were wrong or right. The guild wardens were responsible for collecting the necessary amount of fees in return for licenses from the related artisan or trade group. If they could not collect these fees, they would have to pay the unpaid part. The guild wardens were also in a risky position due to this rule.

The Esnaf Office serviced from 1892 to 1909.[253] It aimed to ease the collection of the fees, which was crucial in terms of the Municipality. The administrative goals of the municipalities and the articles of the Ordinance for the Esnaf Office relatively fulfilled the necessities even though informational deficiencies existed about the activities of each specific profession and the taxes, which artisans and traders were

[253] Esnaf and Collection Office (*Esnaf Tahsilat Kalemi or Esnaf ve Tahsilat Kalemi*), formed by the inspectors, was established to inspect artisans and traders, which was affiliated to the Municipality. See Oktay, pp. 156, 167. There was no reference to the Esnaf and Collection Office in the regulation of the Esnaf Office. Only the documents about the individuals who worked in this position helped to detect this administrative unit. See BOA, İ. TAL. 252/30, 8 S 1319 [27 May 1901]; BOA, İ. TAL. 271/38, 2 L 1319 [12 January 1902]; BOA, ŞD. 1018/60, 16 CA 1321 [10 August 1903]; BOA, ŞD. 1067/48, 18 M 1327 [9 February 1909].

responsible for paying. The registers of the marketplace groups, their mobilization matters, and the collection of the license fees became more systematic with this office, at least in theory. The official abolition of this office is not certain, but it would be probably annulled with the abolition of the guilds.[254] The abolition of the wardenship and the esnaf tax after the implementation of profit tax (*temettu' vergisi*) in 1907 in Istanbul opened a new period for these groups.[255] In this period, the Municipality went into an organizational change in the departments of itself in general as well.[256]

The Esnaf Office functioned as the platform that eased to register the artisans and traders and directly to make possible to determine the registered taxpayers. G-However, it was annulled with the abolition of the guild wardenship in 1910. In fact, the municipal movement effectually undermined the guild warden position. When the taxes began to collect by the Ministry of Finance, guild wardens became unnecessary for the state because the prominent duty of them was to control the licenses and collect the taxes more systematically. Interestingly, the ordinance of the Esnaf Office did not include any reference or imply to the "guild", but it emphasized the wardenship and its roles. New associations were established in 1910 (and then in 1912 in all parts of the empire) to remove the problems that originated from the abuses of guild wardens, which were propounded as reasons to dismantle the guild warden post.[257]

New legal arrangements are essential for understanding the position of these groups on the legal platform. The official procedure became standardized and centralized in this period, at least in theory. Written rules did not exist in the guild period systematically except for the Sultanate *berat*, and rules predominantly were adapted according to the customary practices (*teâmül*) and verbally. But it changed after the establishment of the Municipality. Rules were recorded in detail by the new administrative policy.[258] The change in governmentality, which led to the centralized

[254] The record mentions the abolition of the office. See BOA, DH. MUİ. 110/35, 27 C 1328 [6 July 1910).

[255] *Belediye Vergi ve Resimleri Kanûnu, Ta'limât ve Ta'rifeleri*, (İstanbul: Şehremâneti Matbaası, 1340), p. 55.

[256] BOA, DH. MKT. 2836/91, 19 CA 1327 [8 June 1909].

[257] This process will be elaborated in chapter 5, which is about the last period of the guilds.

[258] Kudret Emiroğlu describes this change as a transition to bourgeoisie law (*burjuva hukuku*), which is also related to capitalist market system. He stated that it was replaced with customary practices with its

bureaucratic structure and the absence of religious or customary references in the marketplace matters, marks the start of the new period for these groups. By considering this new administrative order, the new system forced the groups to comply with the new bureaucratic procedures. Their practices, in particular in bureaucratic procedures, changed with this new governmentality manner. Institutional changes influenced the practices of these groups in formal applications and decreased the power of responsible individuals. For example, the newly established esnaf office paved the way for weakening the guild warden position. All in all, the groups adapted themselves to the new institutions and actors by the administrative restructuring of this period.

3.2. Economic Situation

The misfortune of the nineteenth century for the Ottomans was the incessant financial difficulties. Regressive economic conditions worsened the state of living of the people. But this century cannot be pictured only with these economic difficulties, which were a burden for the whole society, and it was also the period that new economic plans and programs were tested and implemented. Various political, social, and international developments brought new economic structure, and the changes came to light as outcomes that were innate to this structure's conditions. The economic transformation concretely began in the first decades of the Tanzimat period based on free trade policy. The major axis of the economic policies in the last century of the Ottoman Empire was liberalization, the effort to increase the revenues of the state budget, increasing expenses resulted with borrowing, nationalization of the economic policies, and finally, the increase in the foreign investments. Free trade practices paved the way for an irrevocably new economic structure. The Ottoman finance in the Tanzimat era was shaped by the central budget, new central institutions, and centralization of tax collection practices in general. Roughly, the period which started with the abolition of the Janissaries in 1826 and then the Treaty of Balta Limanı in 1838 opened a new economic phase for the Ottomans. The first foreign borrowing of the Ottoman State made during the Crimean War in 1854 and continued afterwards

working conditions and moral sentiments. See Kudret Emiroğlu, *Kısa Osmanlı-Türkiye Tarihi: Padişahlık Kültürü ve Demokrasi Ülküsü*, (İstanbul: İletişim Yayınları, 2015), p. 283.

since the Ottoman governments could not find another sources to finance expenditures. But this indebtedness also caused financial crisis since the governments could not pay their debts back. This resulted in a moratorium in 1875 and then the establishment of the Ottoman Public Debt Administration (OPDA,1881).[259] The economic regression culminated in the late nineteenth and the beginning of the twentieth centuries with successive wars, which led to society's discomfort. The economic policies of the Tanzimat Period and the national economic policy period between 1908-1918 did not display drastic changes, and the economic policies of the Ottoman governments did not bring a considerable recovery for the society.

On the other hand, the tax collection was always a complicated and controversial sphere that the official administrators and people faced off. The state overly emphasized the taxation issue since it was one of the important revenues of the central budget even though international trade and big landownership became the new accumulation revenues at the beginning of the twentieth century.[260] The tax was still substantial revenue source, especially for the newly established state institutions such as the Municipality, which will be elaborated in the context of economic state of the artisan and trader groups.

[259] For a detailed information on the OPDA, see Donald C. Blaisdell, *European Financial Control in the Ottoman Empire: A Study of the Establishment, Activities, and Significance of the Administration of the Ottoman Public Debt,* (New York: Columbia University Press, 1929); Murat Birdal, *The Political Economy of Ottoman Public Debt: Insolvency and European Financial Control in the Late Nineteenth Century*, (London: I.B. Tauris Publishers, 2010); Haydar Kazgan, "Düyun-ı Umumiye", *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, v. 3, (İstanbul: İletişim Yayınları, 1985), pp. 700-704; Rifat Önsoy, *Mali Tutsaklığa Giden Yol: Osmanlı Borçları, 1854-1914*, (Ankara: Turhan Kitabevi, 1999); Rifat Önsoy, "Muharrem Kararnamesi ve Düyûn-ı Umumiye İdaresi", in *Osmanlı*, v.3, Güler Eren (ed.), (Ankara: Yeni Türkiye Yayınları, 1999), pp. 403-405; Mehmet Hakan Sağlam (ed.), *Osmanlı Borç Yönetimi: Düyûn-ı Umumiyye, 1879-1891*, 4 vols., (İstanbul: Tarih Vakfı Yayınları, 2007); Vedat Eldem, *Osmanlı İmparatorluğu'nun İktisadi Şartları Hakkında Bir Tetkik*, (Ankara: Türk Tarih Kurumu Yayınları, 1994); Bedri Gürsoy, "100. Yılında Düyun-ı Umumiye İdaresi Üzerinde Bir Değerlendirme", *İstanbul Üniversitesi İktisat Fakültesi Ord. Prof. Şükrü Balaban'a Armağan*, (İstanbul:1984), pp. 17-59.

[260] Pamuk points out that the collection of taxes on behalf of the state lost its importance in the new century. See Şevket Pamuk, *Osmanlı Ekonomisinde Bağımlılık ve Büyüme (1820-1913)*, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2018), p. 134.

3.2.1. Struggle for Existence in Economic Downturn

Economic recovery was the prominent concern for both the Ottoman state and all economic actors living in the second half of the nineteenth century. The incorporation process began with the Industry Reform Commission in the 1860s, and it continued with the foundation of the new companies based on group or individual initiatives.[261] Gathering individuals from the same occupation under the same roof for the purposes of solidarity and making a profit was one of the most characterized developments of this period's economic life. Both Ottoman and foreign artisans and traders established many local and foreign joint-stock companies aimed at imports and exports in addition to small scale trade activities after the second half of the nineteenth century to struggle with the consequences of free trade policies.[262] It displays the resistance of these groups towards the changing economic conditions since de-monopolization forced them to gather with their capital accumulation.[263] The establishment of the joint-stock companies was always encouraged by the Ottoman governments as a result of these limited choices. Companies were capital-oriented, and they were significant agencies of the new economic order. Nevertheless, it is nearly impossible to argue the existence of linearly growing companies in the last period of the Ottomans since many of them were closed after a while. Even though these companies revived the economic life in the last decades of the Empire, artisans and

[261] For an information on the Ottoman and foreign companies founded after 1908, see Zafer Toprak, *Türkiye'de Milli İktisat: 1908-1918*, (İstanbul: Doğan Kitap, 2012); Ali Muhtar underlines the importance of the companies and also the necessity of advertisement for reviving of artisan and trader, in particular to compete with their European rivals. See Ali Muhtar, "Bir Muʿâdile-i İktisadiye: Yerli Esnaf Avrupa Mallarıyla Nasıl Rekabet Edebilir?", *Bilgi*, vol.2, n.7, Haziran 1330 (1914), pp. 744-754.

[262] These groups had to take a certification (*ruhsat*) to establish a company. Many regulations were prepared to announce the establishment of these companies, and they can seem in various collections in the Ottoman archives. For the translated versions of examples, see Celali Yılmaz, *Osmanlı Anonim Şirketleri*, (İstanbul: Scala Yayıncılık, 2011). For their printed and commented versions, see Ramazan Balcı & İbrahim Sırma, *Ticaret ve Ziraat Nezareti: Memalik-i Osmaniye'de Osmanlı Anonim Şirketleri*, (İstanbul: İstanbul Ticaret Odası, 2012). For "*Dersaadet Peynirci Teâvün Osmanlı Anonim Şirketi* (Dersaadet Cheesemonger Ottoman Joint-stock Company)", see Yılmaz, pp.224-226; Balcı and Sırma, pp. 170-173 and for "*Hanımlara Mahsus Eşya Pazarı Osmanlı Anonim Şirketi* (The Object Bazaar Special to Women Ottoman Joint-stock Company)", which was founded only by women, see Yılmaz, pp. 377-379, and Balcı and Sırma, pp. 296-299.

[263] The capital network of these trade groups is worth examining to recognize specific features and direction of the Ottomans' and early Republican Turkey's economic life.

traders could not expand their capital and companies adequately. The accumulation of capital under a unique legal entity became the economic strategy in the free-trade circle. However, artisans and trade groups were not benefitted from this economic policy because of undercapitalization. The affiliation of certain trade groups to the commerce and industry chambers in the Republican period underlay this change. The state tried to make these groups as the new potential investment groups and gathered them under a single roof of the chambers to maintain the revival of small-scale economic activities via the companies.

Changes in the needs of professions and society were parts of the process of social mobilization and led to the fundamental alteration in the behavioral and consumption patterns in the Ottoman case.[264] The issue of the emergence and disappearance of professions in the Ottoman lands gives ideas about the economic process in the last century of it. It also shows the scope of the state's ability to orient itself to the changing economic circumstances in this period. Both progressive and regressive changes in the economy and technological developments influenced the state of the artisans and traders.[265] The scope and the direction of this change can be understood well with ample examples. Obviously, few examples are not enough to make generalization and raise a claim about the fate of these groups. But they show the economic circumstance of certain groups in this transitive period.

The organization of the marketplace was the critical mission of the municipal administration. The control of market prices and the standardization in prices and quality became as the most significant responsibilities of the municipalities.[266] Meanwhile, the expectations and the complaints of both the artisans and traders and the consumers greatly shaped the arrangement of the Ottoman marketplace. The arrangements were made sometimes due to daily production and sale activities or the

[264] Ahmet N. Yücekök, "19. Yüzyıl Osmanlı Toplumundan Günümüz Türkiye'sine Sivil Toplum Kuruluşları ve Siyaset Sosyolojisi İlişkileri", in *Tanzimattan Günümüze İstanbul'da STK'lar*, Yücekök et al., (İstanbul: Türkiye Ekonomik ve Toplumsal Tarih Vakfı, 1998), p.1.

[265] The issue that the unemployment of certain trade groups or artisans and the process of being a worker covered a critical place in this topic. The unemployment of these groups as a whole or the process of becoming worker are still expected to be researched more in the Ottoman case.

[266] Zafer Toprak, "Belediye Zabıtası", *Dünden Bugüne İstanbul Ansiklopedisi*, v. 2, 1994, p. 146.

disputes among the mentioned actors.[267] Numerous grievances existed in this space, and finding a compromise was critical to maintain economic activities and public order in terms of the Municipality and responsible Ministries.

Trade and craft was the spirit of economy,[268] yet they evolved into different features and methods in time. Some manufacturing fields (such as silk or cotton fabric production) were on the decline because of the increasing import goods and partial mechanization in production in the nineteenth century. Therefore, a consensus existed about the consequences of capitalism and capitulations in terms of artisans and traders who were adversely influenced by them in this period.[269] But the disappearance of artisanship and small-scale production did not become a general fact since every occupation did not belong to mass and mechanic production. Certain production branches were industrialized and mechanized, whereas some of them were hardly transformed. The nature of being an artisan and trader continued to be as working for the daily needs of the society and of themselves in this period. Their majority was connected neither with industrial production nor with manufactories, and so they sold their goods or serviced without an intermediary.[270]

Some occupations changed in the course of time; individuals who were accepted as artisans were not regarded as "esnaf" anymore since some of the crafts were not active. Certain reasons such as the change of economic policies, development of technology, the changes or increases in needs, increase in the importation, change in production and consumption culture, and the institutionalization led to the changes

[267] For example, from an earlier period, the glassmakers/cutters (*camcı*) complained about the mobile glassmakers/cutters that they continued to do their job even though the state banned it. The reason why the mobile artisanship was banned is uncertain, but the new decision of the administration was in favor of the shop owners. See BOA, MVL. 492/26, 24 L 1282 [12 March 1866].

[268] Abdurrahman Vefik Sayın, *Tekalif Kavaidi (Osmanlı Vergi Sistemi)*, (Ankara: Maliye Bakanlığı Araştırma, Planlama ve Koordinasyon Kurulu Başkanlığı, 1999), p. 185.

[269] Tevfik Nureddin summarizes the economic difficulties that the artisans and traders faced, and he propounds capitalism, technological underdevelopment, and capitulations as the major reasons for this condition. He proposed establishing companies and trade unions in addition to the government assistance as the solution for this demise. See Tevfik Nureddin, "Türk Esnafının Hâli-1", *Türk Yurdu*, no. 2, 1 Kanun-ı Evvel 1327 [14 December 1911], pp. 42-47; Tevfik Nureddin, "Türk Esnafının Hâli-2", *Türk Yurdu*, no. 12, 19 April 1328 [2 May 1912], pp. 360-365.

[270] Charles Issawi, *The Fertile Crescent. 1800-1914*, (New York, Oxford: Oxford University Press, 1988), p. 398.

in the status the artisans and traders.[271] Towards the end of the nineteenth century, some professions faced disappearance, and the people conducting these occupations experienced economic trouble. The market dynamics changed, and the market actors tried to find alternative options to satisfy their needs. They applied to the authorized institutions to protect their working rights in general, but it was challenging thereafter for the state to continue the old economic order and protect the monopoly rights.

The increasing import also negatively impacted certain occupations, and resistance occurred to this by craft and trade groups. They desired the continuation of their economic status quo by demanding the protection of the state towards the economic penetration of the Europeans.[272] This became the most salient reason in the literature for their resistance to the new economic order to protect their economic interests. This was also propounded as the reason for the late development of capitalism in the Ottoman Empire. It is doubtless that this lateness cannot be explained only by the resistance or the obstruction of the artisans in the empire; this had to be analyzed in the context of the macroeconomic policies of the state and the economic heritage from the previous centuries, which include the international economic, political, and judicial developments and interactions in the late nineteenth century. Artisans and trade groups were not strong enough to hamper capitalist development. Therefore, they continued to complain about the consequences of the importation and the end of the de-monopolization practices rather than being an obstacle against the development of capitalism.

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[271] Production and consumption are inseparable pillars of economic life, and the relationship among them directly influenced the production and commercial activities of artisans and traders. For a comprehensive work on the changing of consumer culture, changing marketplace, and commerce order through new consumption habits after the second half of the nineteenth century in Istanbul, see Yavuz Köse, *Dersaadet'te Tüketim (1855-1923)*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2016); For an eye-opening work on the transformation of consumer culture in the Ottoman Empire, see Donald Quataert (ed.), *Consumption Studies and the History of the Ottoman Empire, 1550-1922*, (New York: State University of New York Press, 2000). For a work on changing consumption habits of women, see the article of Frierson, Elizabeth B. Frierson, "Cheap and Easy: The Creation of Consumer Culture in Late Ottoman Society", in *Consumption Studies and the History of the Ottoman Empire, 1550-1922*, Donald Quataert (ed.), (New York: State University of New York Press, 2000), pp. 243-260. The development of advertising also contributed to attaining various craft products to the consumers that revitalized the market. For the illustrated notices and advertisements, see Arif Kolay et al., *İlan-ı Ticaret: Resimli İlanlar Perspektifinde Osmanlı'dan Cumhuriyet'e İstanbul Ticari Hayatı*, (İstanbul: Istanbul Ticaret Odası, 2012).

[272] Ahmad, "Vanguard of a Nascent Bourgeoisie: The Social and Economic Policy of the Young Turks, 1908-1918", p. 330.

It is possible to see the resistance of these groups towards the change of the new economic system from the nineteenth century onward via their petitions. The rise in importing various goods alarmed, especially the groups dealing with artisanal production or small-scale commercial activities. In an example dated 1901, the tack producers (*mıhçı*) complained about blacksmiths since the latter was using the imported tacks coming from Europe and the tack producers demanded that the blacksmiths should stop buying the imports and continue to buy the tackles from themselves since they were in financial difficulties and their occupation would face with the danger of disappearance. They stated that their tackles were not harmful to the animals and also were enduring. Their guild warden requested fulfilment of their wish, and they demanded to carry into effect this solution by the blacksmith's guild warden with the order of the state authorities.[273] They tried to maintain the continuity of the old commercial order to survive, but they could not success it because of the changing economic policy.

Production and sale became out of the hands of trade and manufacturing groups in the new economic system, and profession-related issues became more center-controlled in this way. The state tried to end the disputes related to these issues in the new centralized system. The end of monopolization over production was the symbolic economic development of this period, which impacted on certain producers. De-monopolization was announced and reminded by the decisions of the governments. In 1891, the salt producer and sellers (*tuzcu*) demanded the monopoly of salt production and sale. However, the government pointed out that they ended (*sâkıt*) certain monopolies with the Decree of Tanzimat (1839) due to free trade requirements. It was also added that the salters only had the right to produce and sell according to the Salt Regulation (*Tuz Nizamnamesi*).[274] It was stated that the Regulation for Salt explains the procedure about production and sale in detail, and the state expected salters to conform to this regulation.[275] This decision was taken after the negotiations made

[273] BOA, DH. MKT. 2513/133, 8 R 1319 [25 July 1901].

[274] "Tuz Nizamnamesiyle zeyli" 9 N 1278 [10 March 1862], *Düstur*, I/2, (İstanbul: Matbaa-i Amire, 1289), pp. 683-706.

[275] BOA, DH. MKT. 1814/136, 22 B 1308 [3 March 1891].

amongst the Municipality, the Public Debt Commissariat, and the Ministry of Finance. The OPDA was normally the authorized institution of this procedure because salt was one of the tax items that it was charged with collecting. Salters consulted to the state for their probable economic trouble or the prediction of the occurrence of this problem soon. Since the monopoly over production and sale ended, new people and groups gained the right to perform all kinds of professions. The state highlighted free trade in its decisions.

In another case in 1900, ice producers stated that the Joint Stock Company of Ice (*Anonim Buz Şirketi*) established factories at Feriköy and Fener, and they added that the Company broke the rule of monopoly even though the concession did not include this right. However, the government warned these groups and it added that they should not hamper the production and sale of ice and snow under the factory because this company was able to open a factory at different places under the limits of concession.[276] In a similar example, the crosscut saw dealers (*bıçkıcı*) stated that they had financial difficulties after the foundation of the crosscut saw factory established in Hatapkapısı, which disarranged their administration and sustention (in terms of financial difficulties). They demanded the help of the government for this problem in 1892.[277] These examples prove that the establishment of the new factories considerably influenced the commercial activities of certain craft and trade groups who did not want to abandon their traditional production methods. They experienced financial losses since these groups were not able to sell their products as much as it was in the past. On the other hand, it shows that the state renounced the closed economic system and did not set production and sale limits anymore.

Meanwhile, artisans were faced with the unemployment problems, and only some of them had a chance to continue carrying out their professions with the appointment to the state agencies in this period. Some of them individually applied to the state-run institutions to be employed.[278] Some groups demanded to take advantage

[276] BOA, BEO. 1445/108325, 21 L 1317 [22 February 1900].

[277] BOA, DH. MKT. 1964/26, 26 ZA 1309 [22 June 1892].

[278] For example, Salih from the tanneries applied to be a police officer in 1907. See BOA, ZB. 335/105, 26 CA 1325 [7 July 1907]; BOA, ZB. 335/105, 21 B 1327 [8 August 1909].

of new employment and work opportunities via the transition of their extant workplaces, concession contracts or the companies to the different state agencies. These groups conveyed their problems when an alternative or a rival production area or company occurred. For example, Hasan and İsmail Hakkı Bey, the spokesmen of silver-gilt thread makers (*sırmacı*) wrote a petition to the government in 1900. They stated that they, nearly 200 families making a living via silver-gilt thread making, were now in financial difficulties since their craft lost its importance. They demanded to be the part of the Ottoman Chief-of-Staff (*Seraskeriye*) of *Simkeşhane*, but their demand was not accepted.[279]

On the other hand, some occupations felt behind the time; they began to be vanished due to the social and political changes but not the economic factors. For example, slave selling began to gradually disappear in the nineteenth century, and this profession was banned, at least in the imperial capital.[280] When considering these complaints and demands, the artisans and traders faced economic difficulties in many aspects. But all these formed only one side of their commercial activities and professional experiences. Taxes and fees that they paid and the change in the payment of the taxes also changed their living conditions and their position in the administrative management structure.

3.2.2. Taxes and Fees

Tax payment was one of the main duties of the artisans and traders in the Ottoman Empire as elsewhere in the world. The tax payment provided these groups the right to open shops or sell in the market places as well as to have a say in the

[279] BOA, İ. HUS. 81/43, 5 ZA 1317 [7 March 1900]. *Simkeşhane* was the government enterprise compared to the other examples in this study, yet it was added to show a disappearance of an occupation.

[280] BOA, A.} MKT. MHM. 330/53, 29 ZA 1281 [25 April 1865]. The slave market was banned in 1846 in Istanbul, but the slave dealers continued to do their job in different districts. For a detailed information on slavery and the slave-dealers, see Y. Hakan Erdem, *Slavery in the Ottoman Empire and Its Demise, 1808-1900*, (London: Palgrave Macmillan, 1996). Slave trading was banned throughout the Empire in 1889. See "Üserâ-yı zenciyye ticaretinin men'ine dair kanun", 22 R 1307 [16 December 1889], *Düstur*, I/6, (Dersaadet, Matbaa-i Amire, 1289), pp. 486-488.

production and sale in the empire.[281] Two significant points came out in the taxation issue: First, the complaints and demands about the taxes demonstrate the existence of economic instability and the financial problems of the mentioned groups. However, it also contributed to adapting these groups to the new administrative system by involving them in the formal grievance mechanism in the last period of the Empire. Rather than presenting general inferences about the politics of taxation of the Ottoman state, some remarks will be deduced by using the grievance petitions about taxes of artisans and an example of tax table belonged to 1886-1887 (1304) years. The taxation practices will be handled predominantly through the reactions of the artisans and traders rather than only focusing on it as a technical topic related to the financial system.[282] This examination has revealed that the taxpayers were not passive subjects of the marketplace above all. The second point in taxation issue is that the new taxes and tax payment practice invalidated the old guild system and its leading actor guild warden. The payment of taxes and fees to the new authority and the elimination of intermediaries in the tax payment system led to this invalidity.

The tax collection was one of the main issues on which the state and society came to terms. Taxes were mainly divided into two parts as direct (*bilâ vâsıta*) and indirect (*bi'l-vâsıta*) tax in the Tanzimat period. The way of paying tax was as a proportional tax, which was based on the incomes of each group. The fiscal centralization that was gradually pervaded the state's macro fiscal policies influenced the taxation system as well.[283] The tax collection was conducted by the Municipality and then the Ministry of Finance in Istanbul. Centralized tax collection and the change in the type of tax were two fundamental changes on the issue of the taxation system both during and after the Tanzimat period. However, the unestablished taxing policies of the Ottoman governments and new arrangements made it difficult to reach exact

[281] It was stated that esnaf tax was accepted as a profit tax (*temettu' vergisi*), artisans and traders hereby had the right to vote in the general election. See BOA, DH. MKT. 2628/42, 15 N 1326 [11 October 1908].

[282] Nadir Özbek, *İmparatorluğun Bedeli: Osmanlı'da Vergi, Siyaset ve Toplumsal Adalet (1839-1908)*, (İstanbul: Boğaziçi Üniversitesi Yayınevi, 2015), p. 20.

[283] For the brief summary on the taxation system in the Ottoman Empire, see M. Macit Kenanoğlu, "Vergi", *TDV İslâm Ansiklopedisi,* (v.43)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 2013),* pp. 52-58.

data at least in the last period since these policies were not determined and systematized efficiently.

The reactions of the taxpayers towards the financial policies, in particular to the taxation policies, take an important place in the social and economic life of society. It is hard to draw exact conclusion on the issue of tax because of their variety in terms of the incomes of groups or individuals or the varies in types of properties. Only certain tax tables or statistics can help see the data about the rate of the taxes belonged to a particular occupation specific to this topic. The individualization of the tax-paying system in time with the profit tax, differences occurred due to the wage gaps, and possessing different technical substructure of the individuals from the same profession obstructed to present a concrete data. Moreover, the marketplace actors paid various taxes for different rights; that is, they paid not only the esnaf tax but also the other related taxes such as street cleaning and garbage collection, public lightning, property, weigh/measures, plate, stamp, transportation (vehicles and carts), rent, and specific taxes, which were stemming from work permits that were belonged to a special occupation, to be able to conduct their business.[284] Paying an esnaf tax was also the requirement to possess travel documents (*mürur tezkeresi*) and passports to travel.[285] The link between these travel documents and taxes was related to societal supervision because it enabled to prevent illegal commercial activities and the evasion of taxes.

As was mentioned above, artisans and traders paid various taxes directly or indirectly related to their occupations. The regulations implemented for the municipalities in Istanbul give information about the taxes of the mentioned groups as well. In the first regulation prepared in 1868 namely Regulation for the Municipal Administration of Istanbul (*Dersaadet İdare-i Belediye Nizamnâmesi*), it was stated

[284] All related taxes of artisans and traders can be seen as a whole in the work of Ergin. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1920-2022. For a detailed information on the street cleaning and garbage collection tax decree, see "Tanfizat Kararnâmesi", 14 B 1306 [16 March 1889], *Düstur*, I/6, pp. 321-322; For a tariff on street cleaning, see BOA, ŞD. 2962/15, 19 L 1311 [25 April 1894]; For the Imperial decree about the public lightning taxes, see "Dersaadette alınacak rüsumu tenviriye hakkında irade-i seniyye", 20 S 1320 [28 May 1902], *Düstur*, I/7, (Ankara: Başvekâlet Devlet Matbaası, 1941), pp. 860-863.

[285] BOA, DH. TMIK. M.. 95/29, 18 C 1318 [13 October 1900]. For the comprehensive information on travel documents, see Nalan Turna, *19. Yy'den 20. Yy'ye Osmanlı Topraklarında Seyahat, Göç ve Asayiş Belgeleri Mürur Tezkereleri*, (İstanbul: Kaknüs Yayınları, 2013).

that the Municipality would collect esnaf taxes according to the Article 4.[286] After this regulation, the Law of the Municipality of 1877, a more detailed arrangement, Article 63 mentions the esnaf tax and the other municipal taxes that these groups had to pay as the incomes of the Municipality.[287] After 1879, the issue of the Patent system came into the taxation agenda, but it was quite a controversial system that was partially implemented for the traders and artisans who conducted their professions only in the shops. Patent tax involved both fixed tax and the tax taken from the rent of the shop.[288] But the grievances, in particular those of the foreign merchants, prevented the practice and the systematization of this tax.[289] Despite this failure, the Municipality continued to collect esnaf tax in this process. The patent tax was indeed discussed in the Ottoman Assembly (*Meclis-i Mebûsan*) for a long time due to the unsettled structure of the taxation system based on the incomes of the individuals. It was stated that patent tax meant esnaf tax.[290] After this ambiguous period, the Regulation of Profit (*Temettu' Nizamnâmesi*) was implemented, and the esnaf tax abolished in 1907 by this development. The tax was divided according to the group-based and workplace-based classifications, which had to be paid annually as two installments. The profit tax was obligatory for the craft and trade groups to conduct their jobs according to this regulation (Articles 18 and 19).[291] This regulation was implemented with some new

[286] "Dersaâdet idare-i belediye nizamnâmesi", 18 C 1285 [6 October 1868], *Düstur*, I/2, p. 453.

[287] "Dersaâdet Belediye Kanunu", 27 N 1294 [5 October 1877], *Düstur*, I/4, p. 537; For in Latin alphabet, see Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1639.

[288] "Meclis-i Mebûsan'ın ictima'ında kanuniyeti teklif olunmak üzere patent vergisi hakkında kararnâmedir", 3 B 1296 [23 June 1879], *Düstur*, I/4, pp. 392-396; "Patente Nizamnâmesi", 25 ZA 1324 [19 December 1906], *Düstur*, I/5, pp. 870-878. See Article 2, p. 871.

[289] This tax was taken from the French patent tax system. It was a municipal tax, but it led to many failures in the practice of it in certain periods in France as well. See Bossenga, *The Politics of Privilege: Old Regime and revolution in Lille*, p. 171; "Kurumlar Vergisi Kanunu Tasarısı ve Geçici Komisyon Raporu", *T.B.M.M. Tutanak Dergisi*, Dönem: VIII, Cilt, 19, Toplantı:3, pp. 103-111; Oktay, pp. 224-225.

[290] *Meclis-i Mebûsan 1293-1877 Zabıt Ceridesi*, Hakkı Tarık Us (pre.), D.1, C.1., İc.1, (İstanbul: Vakit Gazetesi Matbaası, 1839), p. 120.

[291] "Temettü Vergisi Nizamnâmesi", 25 S 1325 [9 April 1907], *Düstur*, I/8, pp. 658-664; "Temettü Vergisi Nizamnâmesi", 16 ZA 1325 [21 December 1907], *Düstur*, I/8, pp. 798-805; "Temettü vergisi nizamnâmesinin Dersaâdet'ten maada bi'l-umûm vilayât-ı şahânece yerli ve ecnebi bi'l-cümle tüccar ve sanatkârân haklarında tatbikine dair irâde-i seniyye", 16 ZA 1325 [21 December 1907], *Düstur*, I/8, pp. 805-807.

amendments as well after the declaration of the Republican regime.[292] The practice of the profit tax was one of the turning points from the aspects of its content and the way of tax collection in the empire. Because this new tax broke the direct link of the Municipality with the collection of the taxes because the Ministry of Finance became the sole authority in collecting practice.

The demands and complaints about the taxes were conveyed both to the administrative and judicial authorities including the Municipality and the other municipalities, the Ministry of Finance, the Ministry of Interior Affairs, and the Council of State. When a problem could not be solved or a controversy emerged on the issues of the marketplace, the Council of State was the last stop in the inquiry. Although many uncertainties existed in the tax rates, the governments paid regard to the legality and proportionality principles to some extent. Levying tax on income was one of the new and main financial principles during the Tanzimat period, but the systematization of this method happened over time. Equality in the tax system could not be achieved for a long time.[293]

The demands and complaints about tax payments always remained on the agenda of the governments and the populace, which can be collected under three major titles: Firstly, the complaints about the rises and high rates of taxes, secondly the requests of tax exemption, deduction or payment delays, and lastly the complaints about additional or repetitive (*mükerrer*) taxes. Apart from being a significant financial means for the state, the tax policy was always characterized by heavy taxation, which triggered these grievances and demands.

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[292] An amendment was made in the regulation and a provisional law was accepted in 1914. See "Temettü vergisi hakkında kanun-i muvakkat", 24 M 1333 [12 December 1914], *Düstur*, II/7, pp. 148-168.

[293] The exception in the taxation issue for this period was the foundation of OPDA because revenues of certain tax items were directly passed to this institution. The rate of taxes caused problems both for the related trade groups and the state since the control was under the administration of OPDA. For example, the saloon keepers stated that they paid taxes that they were responsible for and they were not able to pay extra tax to the OPDA. See BOA, DH. MKT. 1512/21, 29 N 1305 [9 June 1888]; In another case, the fish salters (*balık tuzlayıcı*) and caviar sellers complained the OPDA because of its unlawful tax collection. See BOA, BEO. 819/61396, 21 S 1314 [1 August 1896]; Furriers stated that the OPDA again demanded stamp tax taking for pelts after the manufacturing of them as fur even though they paid it before and the Administration confiscated some of their products. They demanded not to pay this tax for the second time and the return of their seized products. See BOA, DH. MKT. 315/59, 8 CA 1312 [7 December 1894].

The rises in the rate of taxes caused discomfort and economic difficulties among artisans.[294] The tax exemption, deduction or delay requests were generally made because of elderliness or disabilities.[295] Additional taxes were mainly enforced by the officers or the OPDA, which unbalanced the order in the marketplace and led to many complaints. But the reactions of these groups were not massive yet individual in general.[296] Nonetheless, their reactions show the active stance of the groups in taxing.[297]

In addition to these common grievances and demands, non-Muslim artisans and traders sometimes conveyed their demands about the taxes. Although the citizenship notion was relatively strengthened in this period, different practices for separate ethnic groups went into effect because belonging to a different religious community existed as an official categorization until the collapse of the empire. These different practices led to a challenge, especially for the non-Muslims. Additional taxes became an economic burden for them. For example, the Jewish butchers brought into question the *gabele* tax, and they stated that they had difficulty in payment of this

[294] Many cases can be found in the archive. The itinerant fez sellers in Dersaadet and Bilâd-ı Selase stated that they paid 40 kuruş per year as tax, but this year it was raised. They pointed out that they could not pay this amount and demanded the changes in tax payment. See BOA, DH. MKT. 1512/88, 7 L 1305 [17 June 1888]; The mat makers (*hasırcı*) stated that they were in economic difficulty because of the rise in their taxes. See BOA, DH. MKT. 1526/50, 20 ZA 1305 [29 July 1888]; Water sellers in Kadıköy complained about the rise in taxes. See BOA, ŞD. 2929/55, 26 Ş 1306 [27 April 1889].

[295] Second hand dealer (*eskici*) Ali resident in Üsküdar Yeni Camii demanded to be exempted from tax because of his disability. See BOA, DH. MKT. 1527/70, 23 ZA 1305 [1 August 1888], BOA, DH. MKT. 1541/106, 5 M 1306 [11 September 1888]; Cook Mustafa Salih resident at Hocapaşa stated that the state requested a one-year tax even though his shop was open only for two months. He added that he could not pay it, so he was forced to close his shop. He demanded the delay of this tax payment. See BOA, DH. MKT. 2152/26, 10 Ş 1316 [24 December 1898]; The poulterers demanded the exemption from tax or deduction in the amount of their taxes. See BOA, DH. MKT. 2113/28, 18 CA 1316 [4 October 1898].

[296] İbrahim and another ice and snow sellers complained the tax collectors of scales (*kantar mültezimi*) that they collected scale and entrance taxes unlawfully, and they were suffered because of this reason. See BOA, DH. MKT. 1524/63, 14 ZA 1305 [23 July 1888]; The flower-sellers and the gardeners in Istanbul pointed out that the state demanded a tax in return for using motors with three horse force. See BOA, DH. UMVM. 105/31, 4 L 1331 [6 September 1913]; The barrel makers complained about the collection of esnaf tax and customs duty together. See BOA, İ. DH. 596/41495, 25 R 1286 [4 August 1869].

[297] The gardeners in Sarıyer and Büyükdere pointed out that repetitive taxes were collected for their vegetables. See BOA, DH. MKT. 1638/43, 16 ZA 1306 [14 July 1889].

tax.[298] The foreign artisans and traders were also responsible for paying taxes to work in the Ottoman territories. The administration emphasized that all foreign groups or individuals were subjected to the same rules of law, so they had to pay the related taxes even though many requests were made to be exempted from these taxes.[299]

The discourse used in the collection and payment processes by the tax authorities helps to understand the basis of mutual sides, including the state institutions and the tax payers. The Municipality often emphasized the maintenance of its revenues and so itself, especially in tax payment arrangements because taxes were important in terms of the incomes of the Municipality. It needed taxes to operate social works and other social affair functions. But it also needed revenues, which were taken from the state treasury. The state imposed taxes on artisans and trade groups to maintain such policies as providing revenue and social control pertinent to the nature and reasons for taxation.[300] On the other side, these taxes were an economic burden for artisans and trade groups, and they paid various types of taxes. Motivations of the Municipality on taxes turned to these groups as social and economic forces. The emphasis on the importance of maintaining the incomes can be accepted as the translation of the new pursuit of legitimacy to the political discourse.[301] Nevertheless, the marketplace actors used this discourse for itself as well. For example, the lemon sellers complained that the lemon carrying boatmen sold less than 500 lemons to themselves, which was against their deal. Vangel, the lemon sellers' spokesman, said that this matter did harm

[298] *Gabele* tax was paid to the Jewish community (collected by the Chief Rabbi) by the Jewish people living in the domain of the Ottomans. This tax was paid on condition that a Jewish person bought a halal product or slaughtered. This tax caused many debates between Sephardic and Ashkenazi Jewish. For the information on this tax, see Ali Arslan, "Yahudilerin Gabele Vergisi", İ.Ü. Edebiyat Fakültesi Tarih Araştırmaları Merkezi Osmanlı Öncesi ile Cumhuriyet Dönemi Esnaf ve Ekonomi Semineri (9-10 Mayıs 2002) Bildirileri, vol.2, (İstanbul: Globus Dünya Basımevi, 2003), pp. 391-403; BOA, BEO. 3736/280126, 8 R 1328 [19 April 1910].

[299] It was stated that Iranian traders were subjected to the same law like the people who belonged to the Ottoman rule. See BOA, DH. MKT. 1541/76, 4 M 1306 [10 September 1888]; The state pointed out that the request to be exempted from taxes collecting from foreign vehicles used for transportation and commerce was against the principle of equality. See BOA, DH. MKT. 2889/66, 15 B 1327 [2 August 1909].

[300] For the assessment of tax as a social instrument, see Clarance Heer, "Taxation as an Instrument of Social Control", *American Journal of Sociology*, vol. 42, no. 4, (Jan., 1937), pp. 484-492.

[301] Özbek, p.49.

both the taxes that they paid and their financial conditions.[302] This example shows that the trade groups sometimes set forth the issue of paying taxes to solve their problems in favor of themselves, which was the significant revenue for the Municipality.

The other main point about the tax was its impact on the repeal of the guild warden position. The state authorities took over the right of extracting taxes from the guild wardens with the centralization of the budget. Carrying out more than one profession produced extra taxes and fees for artisans and the owners of small enterprises because paying tax for every occupation was a financial burden on them, so they often complained about the taxes and the taxation system.[303] The state decided to the collection of taxes only for the primary profession, but the monthly tax payments remained the same since they were taxes in return for the profits of artisans and traders; that is to say, they were obliged to continue to pay monthly taxes, which was appropriate to the customary practices. However, these monthly taxes that had to be paid for the second or additional professions had to be collected by the municipalities because the guild wardens of the additional professions could collect taxes and intervene in the affairs of artisans and traders. It was ordered to the municipalities to collect these taxes at the beginning of March and September.[304] But an ambiguity emerged in this issue between the guild wardens and the Municipality after the latter was established, which led to the conflicts in the official procedure. Groups made many grievances in this period because of the extra tax demands of the guild wardens. For example, brokers and the bill of exchangers stated that they were forced to pay extra 120 kuruş for the tax, especially to the guild wardens, in 1891. Therefore, they complained about the Municipality to the Ministry of Trade and Public Works. The Ministry of Interior ordered to put an end to this intervention to the Municipality.[305] However, responding to this appeal, the Municipality stated that this tax collection cease procedure would trigger a remarkable decline in its revenues and the other

[302] BOA, DH. MKT. 1408/121, 6 B 1304 [31 March 1887].

[303] For the complaints of grocers and wax producers, see BOA, Y. PRK. ŞH. 1/26, 21 RA 1297 [3 March 1880].

[304] BOA, Y. PRK. ŞH. 1/26, 21 RA 1297 [3 March 1880].

[305] Ali Şenyurt, *Geç Dönem Osmanlı Maliyesinde Poliçe Kullanımı ve Poliçeci Esnafı*, (İstanbul: Doğu Kitapevi, 2018), pp. 196-197; BOA, DH. MKT. 1868/62, 11 S 1309 [16 September 1891].

municipalities.[306] It was the period that the guild wardens frequently abused their positions when extracting taxes. This administrative conflict formed the basis of the abolition of the guild warden post. In order to prevent these abuses, the Municipality established the Esnaf Office and tried to follow the registered taxpayers and make the collection more systematic and take under control. But the guild wardenship became functionless and abolished and this office also was annulled.

A tariff record dated to the years between 1886-1887 (1304) provides numeric data about the annual esnaf taxes of 276 groups located at Dersaadet and Bilâd-ı Selâse.[307] This tariff indicates that the artisans and traders were taxed according to their economic levels (*nisbî*), but it was not as apportionment (*tevzii*). In this way, the rates of taxes were determined according to the profession, which led to the modernization of taxation system. Therefore, the demands of the taxpayers altered with the changing of the way of collecting taxes.

The tax categorizations were made according to the professions (including vocational hierarchy composed of master, journeyman, and apprentice), small scale factories, shops, and being peddler. The word "trader" (*tüccar*) was used together with esnaf in this tariff.[308] Furthermore, some new vocational categories such as typer (*yazıcı*) and salesclerk[309] and classifications according to the workplaces were indicated in the tariff.[310]

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[306] The Municipality had financial difficulties, and it tried to consolidate its tax revenues. Many service malfunctions occurred both in Istanbul and the other provinces due to this economic constriction. Tarkan Oktay's detailed work on the history of the Istanbul Municipality (*Şehremâneti*) involves the numeric data about the institution's revenues and expenses. In this respect, the reason for this objection of the Municipality was understandable when considering its financial situation. See Oktay, pp. 219-220.

[307] For the whole tariff, see BOA, ŞD. 790/10, 26 S 1315 [27 July 1897]. The tariff for the other parts of Istanbul was probably different, which was dependent on the market conditions. Ergin transcribed this tariff and added the updates to it, including the years of 1901-1902 (1319). See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1924-1952.

[308] For example, the salters were divided into *esnaf* who produced salt and trader who sold salt. See the tariff, p. 24. Their tax ratios are the same.

[309] See the tariff, p. 7.

[310] For example, the vinegar factory or stove shops. See the tariff, pp. 20,23. Shops were also divided as small and big shops, and taxes were determined according to this difference.

The amount of taxes in this tariff was divided as the multiples of 5 and 10. Many artisan and traders were paying nearly the same amount of taxes when all the list was examined. For example, a loincloth and towel seller masters who were listed as first, second, and third classes according to their qualification paid 140, 120, and 100 kuruş respectively while an ironer master paid 80 kuruş in a year. The categorization in the tariff was made according to the main triple division of artisans and traders, including master, journeyman, and apprentice. [311] It was also stated that children under 15 years old had to be accepted as apprentices, and the ones above it had to be accepted as journeymen who had to take their journeyman licenses. Moreover, it was pointed out that if an artisan or trader group was not involved in this tariff record, the member of the related vocation had to pay his/her tax according to the profession that they belonged.

Even though many amendments were made in this tariff within years, the Municipality stated that it involved two critical problems. The first one is that it did not include every trade or artisan group, which led to a decrease in tax incomes. The second one is that unjust tax payment distribution existed in this tariff. For example, porters, log splitters, and such poor groups were paying 180 kuruş tax per year, but big emporium or stores were paying only 140 kuruş yearly. These deficiencies had to be changed according to the Municipality.[312]

This tariff record gives information about annually paid esnaf tax, but such taxes as property, public lighting, and street cleaning, which forced the ability of these commercial groups to pay, should be reckoned in. On the other side, this burden meant revenue in terms of the Municipality and the central budget. As it seemed from the table below, which was recorded in the Municipality Periodical (*Belediye Mecmûası*), the esnaf taxes formed a significant portion of the municipal bureau incomes when it was compared to the total incomes of these bureaus. But it has to be pointed out that the amount of the taxes that artisans and traders paid was probably rounded up since they are in numbers such as 300.000 or 80.000, which would be hard to amount. Nonetheless, the ratio in the table verified the Municipality's argument that esnaf taxes

[311] The difference in tax amount between the masters and apprendices for the ironers was from 80 to 10 kuruş, and for the loincloth and towel sellers were from 140 to 10 kuruş. See the tariff, p. 3.

[312] BOA, ŞD. 834/2, 24 Z 1324 [8 February 1907].

were crucial incomes for itself and they directly influenced the municipal financial situation. Taxes and total income of the Municipality in 1907-1908 (1325) years were as such:

Table 1: Taxes and Total Income of the Municipality: 1907-1908 (1325)

Municipal Bureaus	**Esnaf Tax**	**Total Income**
20 Municipal Bureaus	5.746.150	45.133.867
1. Bayezid Bureau	1.300.000	5.075.350
2. Sultan Ahmed Bureau	400.000	1.641.040
3. Fatih Bureau	600.000	1.383.722
4. Samatya Bureau	400.000	1.160.200
5. Eyüb Bureau	126.150	270.854
6. Beyoğlu Bureau	1.100.000	5.355.000
7. Hasköy Bureau	300.000	798.550
8. Beşiktaş Bureau	400.000	968.200
9. Arnavudköy Bureau	65.000	289.700
10. Yeniköy Bureau	80.000	384.000
11. Tarabya Bureau	15.000	81.580
12. Büyükdere Bureau	100.000	339.900
13. Beykoz Bureau	40.000	281.100
14. Anadolu Hisarı Bureau	30.000	157.618
15. Beylerbeyi Bureau	100.000	305.970
16. Üsküdar Bureau	120.000	605.774
17. Doğancılar Bureau	150.000	765.300
18. Kadıköy Bureau	305.000	1.344.380
19.Adalar Bureau	80.000	481.150
20.Makriköy (Bakırköy) Bureau	35.000	358.447

Source: "Yirmi daire-i belediyenin varidat ve masârifâtı icmalidir.", *1325 Senesine Mahsûs Umûr-ı Belediye Mecmûası*, (İstanbul: Sultan Hamamında Bağdadlıyan Matbaası, 1325), pp. 42-90.

The problem in this kind of numerical data is that they do not provide comprehensive information about the economic conditions of the marketplace actors and about the demands and complaints done for the taxes and fees. Because the costs in the workplaces, the prices of the goods and products on sale, salaries of the journeymen and apprentices, profit rates, the other taxes, and the expenditures had to be known to put forward an idea about the economic circumstance of these groups. It is not enough to explain how these groups were financially influenced only by examining the tax collection and receiving procedure.

Nevertheless, the taxation of urban small-scale economic activities and the requests about taxes give considerable clues about short-term economic activities, tax regime, and the economic circumstances of the taxpayers. In the last years of the Ottoman Empire, the lack of systematic tax collection disrupted the economic persistence in terms of revenues of the municipalities and the central budget. But the Municipality was meticulous about collecting the taxes because it was the main tax collector until 1908. The municipalities serviced in return for taxation, but the amount of the paid taxes were quite insufficient for its budget. They were inadequate to maintain order in districts with these tax revenues. As regards to the ordinary people, the increase in complaints on taxes and the taxation system resulted in the development of public opposition in society. The activities of the artisans and traders became registered with the institutional changes, but the establishment of the new institution meant the implementation of new taxes for the working people, which was an economic burden for them.

What the municipal administration did when these groups did not pay their taxes? Interestingly, the center permitted the Municipality to establish a jail within its building for individuals who would not pay their taxes or discharged their responsibilities in earlier periods of the Municipality.[313] This method was probably related to the deficiency in the supervision and punishment systems because no such a punishment system could bring instant solution or execution. In later periods, fines or a ban on conducting the related profession became Municipality's punishment ways and methods.

[313] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 3, pp. 1486-1487.

Two significant points can be concluded for the taxation issue. First, the demands and complaints about these taxes display the economic woes of the trade-related groups. Despite their activeness in individual tax problems, there was no collective uprising or protests because of heavy taxation within the borders of Istanbul in the late period of the Empire. Tax resistance became visible mostly with individual applications. As being active marketplace actors, they intervened in their taxing affairs, which enabled them to adapt to the new administrative system. The second one is that the new taxation system invalidated the old one, and it led to a fundamental change in the institutional affiliation of the artisans and traders. The esnaf tax was changed as profit tax. Then, the guilds were abolished in 1910 and the esnaf associations were established which were free from all financial responsibilities. Both the old esnaf tax and the guild wardens disappeared with the centralization attempts. This chapter will continue with the examining esnaf license and its fees, which was an important document that enabled to carry out a profession in the Ottoman Empire.

3.2.3. Esnaf License (*Esnaf Tezkeresi*)

The license (*tezkere*) was the main official document to perform a business by artisan and trade groups, and it had to be taken from the Municipality in the second half of the nineteenth century.[314] But the license system indeed existed before the establishment of the municipalities.[315] It was a kind of a permit to do a job that was similar to the functions of *gedik*, but it does not mean monopolization in trading and manufacturing activities because of free trade policy of this period.[316] Not only the

[314] BOA, DH. MKT. 1277/63, 12 B 1326 [10 August 1908].

[315] BOA, HAT. 335/19240, 29 Z 1249 [9 May 1834]; The other document mentions the licenses printed at *Takvimhâne-i Âmire*. See BOA, HR. MKT. 26/69, 12 Ş 1265 [3 July 1849]; BOA, İ. MVL. 232/8058, 21 CA 1268 [13 March 1852].

[316] The functions and the usage of *Gedik* system transformed within the last two centuries of the Empire, and it gained different meanings and functions in this process. It meant having tools and equipment right to practice a certain trade early on, in the mid-eighteenth century. Then, the scope of it widened to the right of doing a profession. Lately, it was used for the category of legal document that meant the holder to usufruct. But in the abolition of *gedik* in 1861, its meaning was accepted as the right of conducting a profession. For the details, see Akarlı, "Gedik: Implements, Mastership, Usufruct, and Monopoly among Istanbul Artisans, 1750-1850", pp. 223-232.

masters, but also journeymen and apprentices had to take these licenses and all of them had to pay their fees separately in return for these licenses.[317] *Amele* and *işçi* both mean workers and they were required to take licenses as well.[318] The state demanded license also from foreign artisans and traders who were trading in the Ottoman domain.[319]

The professional epithets and the personal information of the related person were written to these licenses. They involve information about the name of the artisan, trader or shopkeeper, the professional epithet, craft, the birthdate of the related person, hometown, residential address and its number, his father's name, professional epithet, craft and hometown, and finally a brief explanation about registration of the person.[320] There was no explanation about the tools and equipment in the license documents. One could do his/her job with their tools and equipment; that is to say, if anyone gained the right to do his/her job with a license, s/he automatically could gain the right to use tools and equipment.

In general, the registration system for artisans and traders at the center was interconnected in the second half of the nineteenth century. The Esnaf Office allocated the licenses only in case they had that an identity card (*Tezkire-yi Osmâniye*).[321] This card was, in fact, the obligation for all artisan and trade groups. Moreover, artisans and traders in the provinces had to have both esnaf licenses and travel permits (*mürur tezkiresi*) when they wanted to travel. If their professional epithets were not written in their travel permits, the municipal administration did not give them an esnaf license. The translocation of the small scale trade and manufacturing groups from the

[317] BOA, DH. MKT. 2595/113, 25 ZA 1319 [5 March 1902]; BOA, ŞD. 675/22, 18 L 1288 [31 December 1871]. It was stated that the groups selling books and the other printed documents had to take the license according to the 29th article of Printing Houses Regulation because most of the members of them did not have any license. See BOA, DH. MKT. 348/20, 28 Ş 1312 [24 February 1895]; BOA, DH. MKT. 2153/3, 12 Ş 1316 [26 December 1898].

[318] The workers were taking licenses employed in Cibali Regie Company. See BOA, BEO. 2496/187182, 25 ZA 1322 [31 January 1905]; The Port Administration gave licenses to the *amele* working in the ships. See BOA, BEO. 3309/248144, 9 R 1326 [11 May 1908].

[319] BOA, DH. MKT. 1532/98, 6 Z 1305 [14 August 1888]; BOA, Y..PRK.PT..4/88, 13 C 1306 [14 January 1892].

[320] For the examples of the licenses of a barber and a coffee housekeeper, see Appendix C and Appendix D. These two licenses were given in 1869.

[321] BOA, DH. MKT. 429/20, 26 RA 1313 [16 September 1895].

provinces to Istanbul was involved in this registration system because the locational changes and translocation permits had to be recorded by the Record Office (*Kuyudat Kalemi*). The reason for this registry was to prevent malfeasance of the individuals who migrated to the imperial capital and take under control of the domestic migration.[322] The municipal sergeants carried out license controls[323] and if an artisan and a trader lacked a licence, this caused him to lose his job. But the penalty for it, which involved arrestment or fines, changed throughout the nineteenth century.[324]

Every artisan or trader had to pay a specific fee for a particular license, which was esnaf fee (*esnaflık harcı*). Fees were collected according to the incomes in theory, but it is impossible to argue the presence of a reasonable and fair collection of these fees. The rate of license fee was changing according to the different marketplace groups and their professional hierarchy. The booklet involving yearly license fees and monthly taxes of 310 trade and artisan groups shows the amount of the licenses with specific classifications.[325]

If a person wanted to carry out a profession or more than one job, s/he had to have a license which was particular to a job.[326] This special document was particular to an occupation that included the name of the person who could carry out the relevant profession to identify artisans and traders officially. The municipal administration was meticulous about the possession of a license of all marketplace actors. But it produced difficulties for the groups who wanted to produce or sell more than one product in their shops or as a peddler. The rules, including the obligation of having a particular license, led to a showing of displeasure among artisan and trade groups. For example, in the record from 1890, the sellers of gum, halva, nut, and chestnut were obliged to take an

[322] BOA, DH. MKT. 2291/42, 27 Ş 1317 [31 December 1899].

[323] BOA, ŞD. 2927/42, 11 C 1306 [12 February 1889].

[324] For example, about 50 Iranian were arrested for not having a license. See BOA, HR. MKT. 244/6, 18 ZA 1274 [30 June 1858].

[325] See footnote 22 in the introductory chapter. *Dersaadet ve Bilâd-ı Selâse'de icra-yı sanat eden bilcümle esnâf-ı mütenevvianın mükellef oldukları mahiye vergisiyle senevî tezkere harcları mübeyyin bir kıta tarife defteridir*, (1900?).

[326] For example, it was forbidden to sell sherbet to *boza* makers because they did not have a licence for sherbet selling. See BOA, ŞD. 675/22, 18 L 1288 [31 December 1871].

extra license to sell ice cream in summer in addition to the fees that they paid for their current trading activities.[327] The administration even demanded a license from the groups who put counter within their shops or from the ones who used shops and workplaces as a storehouse.[328] Also, the municipal administration ordered to have a license according to the extra employees and the shops. For instance, the *yağlıkçı*[329] group stated that they took three different licenses, but the first municipal district in Istanbul demanded extra separate master license from them because of the reason that they employed one or two journeymen in the shops and workplaces which were used as stores within inns and alleys. The groups requested the reverse of the decision in 1888.[330] Moreover, if a person wanted to change his or her profession, s/he had to bring a certificate (*ilmuhaber*) to the Sublime Porte taken from the responsible guild warden and inform it by this way.[331] Then, he could take his license to conduct the related profession.

However, some groups involved in large or small-scale commercial activities did not have to take a license. Individuals dealing with a quasi-commercial activity did not have to take a license. In an example from 1888, the Municipality demanded license from *fodula* porters (*fodla/fodula küfeci*) working at *imaret*s, but the Ministry of Interior stated that they were servants equipped with *berat* and they could not be

[327] BOA, DH. MKT. 1735/51, 5 ZA 1307 [13 July 1890]. License for selling ice cream always became as an issue for the Municipality and the related trade groups. For example, groups dealing with more than one profession complained that the Municipality requested 40 kuruş for the license fee from themselves to sell ice cream. See BOA, BEO. 450/33730, 3 S 1312 [6 August 1894]; The makers of milk dishes complained about the extra license for selling ice cream. See BOA, DH. MKT. 1532/84, 5 Z 1305 [13 August 1888]. The license system continued after the abolition of the esnaf office for certain professions and it functioned as a special certificate that every profession group could not take. For example, it was ordered to the clockmakers, haberdashers or the shops of another in 1919 not to sell gun except for gun shops, and only the individuals who had the license to be able to sell guns. See BOA, DH. MKT. 2701/48, 14 Z 1326 [7 January 1919].

[328] BOA, DH. MKT. 2172/83, 18 L 1316 [1 March 1899].

[329] It was a trade group who was selling underwear, bed, and bride clothing. They were also selling *yağlık*, which was a kind of handkerchief, and the name of the group comes from here. See Mehmet Zeki Pakalın, "Yağlıkçı", *Osmanlı Deyimleri ve Terimleri Sözlüğü* (3rd vol), (İstanbul: Milli Eğitim Bakanlığı, 2004), p. 600.

[330] BOA, DH. MKT. 1568/74, 22 RE 1306 [26 November 1888].

[331] BOA, ŞD. 2636/44, 6 S 1312 [9 August 1894].

accepted as the member of a trade group.[332] Moreover, the merchant community did not have to take a license. If the merchants were registered to the Chambers of Commerce and Industry established in 1880, they did not have to take a license.[333] This demonstrates the official separation between the artisans/traders and the merchants. Merchants were forced to take a license by the Municipality, yet they demanded the government make it right because they stated that they were registered to the chamber.[334] This was criticized, and it was stated that the Municipality had to put an end to the municipal police's (*çavuş*) waiting in front of the shops to take a license from merchants. The legal distinction between artisans/traders and merchants had to be pointed out explicitly.[335] Although the Municipality insisted on taking the licenses from merchants, the Ministries prevented this act. For example, the shops of Zade Ahmed Fevzi, Kıyakçı(?)zade Mehmed Fuad, and Mehmed Ali *Efendi*s, who were registered under the Chambers of Trade, Agriculture, and Industry, were locked by the *nokta* officers, and it forbade them to do their jobs in 1892.[336] They stated that the decision of the municipal administration was derogatory, and it affected their honor. They demanded the end of this act of the Municipality. The Trade and Public Works Ministry accepted their grievance and ordered the end of the Municipality's

[332] BOA, DH. MKT. 1522/98, 9 ZA 1305 [18 July 1888].

[333] BOA, DH. MKT. 1003/15, 2 B 1323 [2 September 1905]. For example, the license issue about the bill of exchange traders and brokers was discussed a long time, but it was determined that they were merchants and did not have to take a license. See BOA, ŞD. 1194/5, 29 B 1309 [28 February 1892]; BOA, DH. MKT. 404/45, 7 S 1313 [30 July 1895]. In the other record, the bill of exchangers and brokers demanded the cease of the collection of 300 kuruş of the Municipality from each of them every year in return for the license, which was an unlawful practice, but the Municipality denied this claim. The bill of exchangers stated that they were accepted as the merchants, and so they did not have to take a license. See Şenyurt, p. 196; BOA, DH. MKT. 1774/120, 11 RA 1308 [25 October 1890]. These groups were forced to retake license in 1897. See BOA, BEO. 890/66722, 29 B 1314 [3 January 1897]; BOA, BEO. 988/74069, 6 RA 1315 [5 August 1897]; BOA, BEO. 3669/275152, 16 ZA 1327 [29 November 1909]; BOA, DH. MUİ. 39/58, 19 Z 1327 [1 January 19010]; Murat Koraltürk, *Türkiye'de Ticaret ve Sanayi Odaları (1880-1952)*, (İstanbul: Denizler Kitabevi, 2002), p. 27.

[334] BOA, ŞD. 2950/35, 24 L 1309 [22 May 1892].

[335] "Tüccar ve Esnaf Tezkeresi", *Dersaadet Ticaret Odası Gazetesi*, no: 23, 1 S 1303 [9 November 1885], pp. 2-3.

[336] *Nokta* officers were the police forces. See *Polis Müdüriyet-i Umûmiyyesi'nden Merâkiz Memurlarına Hitaben Nokta ve Devriye Memurlarına Mahsus Yazılan Talimatnâmedir*, (İstanbul: Matbaa-i Hayriye ve Şürekâsı, 1327).

control on the licenses of these merchants registered to the chambers.[337] The official affairs of the merchants were conducted by the Chambers of Commerce and Industry in the late nineteenth century.

Although the Ottoman government established rules about the obligatory of having a license strictly, records from the archive demonstrate that some violations occurred as well. People from various trade and artisan groups sometimes complained the individuals who were conducting their professions without a license. Besides showing an irregularity, it displays the existence of unofficial surveillance among the marketplace actors as well.[338]

The license type was determined according to the occupation type, and some licenses included special conditions. Therefore, the license brought some occupational constraints and rules to the working life as well. For example, it was forbidden to fish after 12 a.m. in Bosphorus for security reasons. However, it was stated that the fishmongers had their licenses, and the officers, including the municipal police and master attendants, could not prevent them, but only control them to do their business accordingly.[339] In addition to that, a statement that mentions the permission to keep open the shops at midnight had to be included in the licenses of the shopkeepers who had to work at night.[340]

As it seemed in the articles of the Esnaf Office Ordinance, the municipal administration gave particular importance to collecting the esnaf license fee. It aimed to prevent the corruption of the guild wardens and protect of the revenues of the Municipality. The guild wardens were allocating their incomes from the fees and the collection of the taxes and they were the sole authority in collecting the license fees of

[337] BOA, DH. MKT. 1967/78, 3 Z 1309 [29 June 1892]. It was also forbidden to collect a license fee from the company employees. See BOA, DH. MKT. 2433/14, 6 Ş 1318 [29 November 1900].

[338] For example, cook Mehmed, a resident in Ekmekçibaşı Neighborhood at Tophane, complained that many individuals and bread makers were working without a license in the borders of the 6th Municipal District. See BOA, BEO. 685/51354, 4 R 1313 [24 September 1895].

[339] BOA, BEO. 2676/200639, 25 B 1323 [25 September 1905].

[340] BOA, DH. EUM. THR. 4/39, 4 N 1327 [19 September 1909]; An example for the petition to work at night for saloon keepers, see BOA, DH. MKT. 1600/41. 29 C 1306 [2 March 1889]; The fishmongers in Dersaadet, Bosphorus, and Islands demanded to fish after the evening adhan, which was banned by the state. They were earning their keep with fishing, and they demanded a solution for their problem. See BOA, BEO. 2672/200340, 22 B 1323 [22 September 1905].

the commercial groups. It was a legal obligation for the guild wardens to pay a deposit to cover unregistered licence fees, which were not delivered by the wardens to the Municipality. However, the deposit system did not work efficiently. For example, Osman Efendi, the guild warden of cooks and kebab makers had 18.377 kuruş debt left from the license incomes in 1908, but due to the lack of the deposit, the Municipality cleared off his debt since there was not found a property or real estate belonged to him.[341] The deposit system also covered the artisans and traders as well. For example, Ali Bey, a certain old barber from Samatya, died, and it was decided that for his deregistration it is necessary to sell his estate to charge his unpaid license fee in 1902.[342]

Meanwhile, the obligation to pay license fee caused complaints for two main reasons. The first one was due to the rise in the license fee, and the second one was the obligatory payment to get a license for a particular job.[343] The Municipality raised the license fees at certain periods, and it caused problems for individuals, involving in small-scale commercial activities.[344] In this respect, different artisan and trade groups made requests about the reduction in license fees.[345] In one example from 1902, the masters of the carmakers were paying 70 kuruş, and their apprentices were paying 20 kuruş as a license fee. However, 160 kuruş from the masters, 70 kuruş from the journeymen, and 25 kuruş from the apprentices were requested. The groups complained to the municipal administration about these rises and demanded the annulment of the fee.[346]

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[341] BOA, DH. MKT. 1237/47, 1 S 1326 [5 March 1908].

[342] BOA, DH. MKT. 616/63, 22 Ş 1320 [24 November 1902].

[343] The rises in fees were sometimes sharp. For example, the license fee that mobile panniers and greengrocers in Galata and Tophane increased from 26 to 84 kuruş. See BOA, İ..DH. 1087/85241, 24 L 1305 [4 July 1888]; BOA, DH. MKT. 1523/104, 12 ZA 1305 [21 July 1888]; BOA, DH. MKT. 1526/65, 20 ZA 1305 [29 July 1888].

[344] A bookbinder conveyed his demand about the increase in fees to the Municipality. See BOA, DH. MKT. 2246/66, 7 CA 1317 [13 September 1899].

[345] For the ship carpenters' request in Galata, see BOA, DH. MKT. 2354/45, 4 S 1318 [3 June 1900]. The tanners' journeymen demanded the cancellation of rise in yearly fees from 25 kuruş to 40 kuruş that they had to pay. See BOA, DH. MKT. 2513/87, 7 R 1319 [24 July 1901].

[346] BOA, DH. MKT. 2595/113, 25 ZA 1319 [5 March 1902].

The municipal administration also controlled the products sold within the shops, which might change the amount of license fee. For example, Yakup, the guild warden of the hardware dealers at Zindankapısı, conveyed the petition of the hardware dealers, linseed oil sellers, naphtha dealers, and dyers and it was stated that the license fees which they paid were increased. But the government pointed out that it was determined after an investigation made within their shops that they were also selling zinc, lead, pipe, and galvanic. Therefore, their license fees rose from 120 kuruş to 300 kuruş. The group stated that they had hard times financially because of the increase in the amount of fees. It was decided that hardware dealers had to pay 80 kuruş, the zinc, lead and pipe seller had to pay 120 kuruş, and finally importer of metallic and colorful dye and also of naphtha, and of line seed oil had to pay 300 kuruş for the esnaf license.[347] This decision indicates the strict control of the products and goods on sale within the shops. The official authorities were changing the amount of the fees when the ingredients of the products were changed and the prices of the products were increased.

Certain trade groups requested changes in the way of payment of these license fees. For example, the carter men in Sirkeci Pier in 1888 demanded to pay the fees of the license costed 120 kuruş in installments as it was done before.[348] On the other hand, in some cases, some groups requested the change of the amount of their license fees because the disproportions existed between the incomes of the groups and the amount of fees that they had to pay.[349] Some individuals even demanded not to pay esnaf license fee. For example, Mustafa, a barber from Lâleli in Kuruçeşme, requested the license fee and cleaning tax exemption due to his elderliness in 1889.[350] In the other

[347] BOA, ŞD. 2992/40, 27 C 1317 [2 November 1899]. This document also involved the grievance about the fee rise of the junk dealer David and his fellows.

[348] BOA, DH. MKT. 1527/73, 23 ZA 1305 [1 August 1888].

[349] The pickle makers requested the change of their licenses. They stated that there was a disproportion between their incomes and the amount of fees they had to pay. See BOA, DH. MKT. 2315/11, 6 ZA 1317 [8 March 1900].

[350] BOA, DH. MKT. 1670/13, 2 RA 1307 [27 October 1889]. The twig broom sellers' former guild warden in Ayvansaray stated that he was not able to pay his debt, including the taxes of the years of 1886-1888 and the license fee, and he demanded to delete all of them. See BOA, DH. MKT. 1280/88, 18 B 1326 [16 August 1908].

case from 1890, Kosti, who was working 45 years as a baker, requested to be exempted from the license because of his elderliness. He stated that he could not help financially to his large family like in the former example.[351] Disablement and illness were also the other excuses written in the petitions to be exempted from paying this fee.[352]

Incomes coming from these licenses formed a significant portion of the Municipality budget. Transferring of incomes of these licenses was discussed, and it could not be specified for a long time even though they were transferred to the Treasury with the new Budget Law of 1909. The Treasury stimulated about the implementation of this decision.[353] Because of the importance of the fees and taxes, the Municipality insisted on remaining these incomes to itself. In 1912, it was decided to allocate 10% of patent and of profit taxes paid by the artisans and traders to the Municipality from the central budget.[354] As it was mentioned when explaining the esnaf office, the esnaf license and thereby its fee were abolished with the implementation of the profit tax in 1907 in Istanbul. The profit license was replaced with esnaf license.[355]

Besides licenses, shop permit (*ruhsatnâme*) was the other obligatory document for some particular professions, especially for opening printing houses, printing-related sectors, and health professionals.[356] Some groups did not want to take a shop permit since they were taking license extra every year.[357] In case of occupational

[351] BOA, DH. MKT. 1737/61, 11 ZA 1307 [29 June 1890].

[352] For example, cook Ömer demanded to be exempted from paying the fees of license because of his illness. See BOA, DH. MKT. 2420/27, 1 B 1318 [25 October 1900]; BOA, DH. MKT. 2433/46, 6 Ş 1318 [29 November 1900].

[353] BOA, DH. MUİ. 6/18, 11 L 1327 [26 October 1909]; BOA, BEO. 3721/279046, 9 RA 1328 [21 March 1910]; BOA, DH. UMVM. 108/74, 12 C 1338 [3 March 1920].

[354] See Article 2, "İstanbul şehrinin rüsûm-i belediyesi hakkında kanun-i muvakkat", 21 R 1330 [9 April 1912], *Düstur*, II/4, p. 442.

[355] "Temettü Vergisi Nizamnâmesi", 16 ZA 1325 [21 December 1907], *Düstur*, I/8, p. 805.

[356] For an example for printing houses, see BOA, DH. MKT. 1157/23, 20 S 1325 [4 April 1907]; BOA, DH. MKT. 1056/25, 15 M 1324 [11 March 1906]. In the other record, Mihran Papazyan, Karabet Büberyan, Agob Matyosyan, Artin Asadoryan, Aleksandır Ruztemiz Maridis, Eksenefon Teodoridis, and Ohannes Civelekyan demanded the renewal of their permits. See BOA, DH. MKT. 359/20, 9 L 1312 [5 April 1895].

[357] The engravers Artin Hamamcıyan, Haçik Enfiyeciyan, and Diran Şirinyan wanted to be exempted from the permit. See BOA, DH. MKT. 935/6, 23 Z 1322 [28 February 1905].

violations, the municipal administration was retaking the permits.[358] Or if they had a license but not a permit, they would levy a fine.[359] Shop permits became obligatory for the professions that entailed technical or scientific information and competence. It can be inferred from the records that it was not mandatory for every shop or profession.

In the next chapter, concrete cases in professional, spatial, and public health affairs of artisans and traders in the period that this study covers will be analyzed and showed the change of traditional marketplace order, especially in problem-solving process and decisions.

[358] For example, the state retook the permit of Mihran Papazyan in 1905 due to the reason of that he was not working as a typographer but as a bookbinder. See BOA, DH. MKT. 998/26, 14 C 1323 [16 August 1905].

[359] The itinerant book seller Ohannes, who was selling Bible, petitioned for that the Municipal District of Büyükçekmece demanded one kuruş from him because he did not possess a permit. See BOA, DH. MKT. 1056/25, 15 M 1324 [11 March 1906].

CHAPTER 4

BUSINESS LIFE, SPACE, AND PUBLIC HYGIENE IN MARKETPLACE

The expansion of a city mostly occurred according to the order and location of the shopping centers and bazaars. The marketplaces formed the most populated and lively areas of Istanbul as elsewhere in the world. They, as a public space, provided mobility and the development of a cosmopolitan society.[360] Artisans and traders were the major agents of these commercial hubs. For this reason, the supervision of the marketplace and bazaar was done in the Ottoman Empire from the old times onward with the written code of laws by the state and with the self-supervision of these groups. Apart from collecting taxes, the control of the marketplaces and their actors formed another crucial side of trade life.

Before the establishment of the Istanbul Municipality in 1855, the Ministry of the Marketplace was responsible for the supervision of the bazaars, certain municipal works, and providing security. The market inspectors who were the officers of this ministry acted according to the orders of the Islamic law judge. He was the competent authority in marketplace affairs. But in the new system that appeared in the second half of the nineteenth century, the municipalities or directorates became the competent authorities in the affairs of these groups.

The number of institutions responsible for the supervision of the marketplace and its actors increased, bringing a new administrative order. The police and municipal police supervised the marketplaces according to the related regulations and ordinances and artisans, shopkeepers, and vendors were taken under control via these new state agencies. The experiences of the artisans and traders will be examined in this chapter with the cases concerning the problems emerged in the marketplace and the demands of them to understand the way of carrying out marketplace affairs in Istanbul.

[360] Eda Ünlü Yücesoy, "Constructing the Marketplace: A Socio-Spatial Analysis of Past Marketplaces of Istanbul", *Built Environment*, vol. 39, no:2, Marketplaces as an Urban Development Strategy (2013), p. 191.

After providing information on the foundation of this new administrative system in the previous chapter, this chapter will seek to offer the cases about the problems that emerged in the marketplace and the reactions of its actors. Indeed, the ordinances and regulations give ideas about the marketplace order and the constraints for the groups in commercial life and the authority domain of the official agencies. On the other hand, the examination of day-to-day activities in the marketplace gives information about their adaptation to the new administrative order and their reactions to this new governing order that transformed their economic life. The control mechanism in the marketplaces was operated under three mainframes: Rules and restrictions for trade and for the professional order, spatial policies in the marketplace and related commerce areas, and lastly the public health precautions.

The precautions and warnings for manufacturing and small-scale trading activities, the matters about the spatial distribution, and the public health policies will be examined through the examples since they changed the traditional working conditions and problem-solving practices during the period that this study covers. Artisans and traders adapted themselves to the new administrative order via their experiences in the abovementioned issues, which transformed artisanal life in the late Ottoman Istanbul. On the other side, the practice of the new legislation and the experiences of the artisans and traders enabled the rationalization and systematization of the Ottoman spatial and public health policies. The state maintained its control over the market within the framework of free-market economy system by these policies.

4.1. The Rules for Trade and the Professional Order

Rules and restrictions in the marketplace became determinant and transformative in day-to-day economic activities of all these groups. The major actors of the marketplace reacted to the decisions taken on behalf of them when their works and profits were affected by all these. Controlling the goods and products on sale and non-sale, foreign or expurgatory materials within the shops[361], the façade or the

[361] Other sellers or ordinary people made informal supervision in the sale of goods within the shops. For example, Dürrizâde Hasan Şanî complained milk sellers, grocers, and herbalists, and he stated that they were selling the holy Koran and the other catechism within their shops. He demanded the end of this practice. See BOA, MF. MKT. 678/43, 13 L 1320 [13 January 1903].

interior decoration of the workplaces, and lastly, constraints concerning to the working hours formed the main supervision topics related with trade and professions themselves in the late nineteenth century of Istanbul marketplaces.

Controls for the products were done by preventing the ones from producing or selling the goods for which they do not have a license. For example, in a case dated 1878, the Ministry of Police closed twenty-four shops of lemon sellers since they sold alcoholic drinks in their shops for which they were not allowed. Lemon sellers were told that the ones who dissent the administration's decision would be banished or be arrested. The masters of the lemon sellers stated that alcoholic drinks on sale were brought from Chios, and they are all from this island if the government continues to practice this ban on these drinks, this could lead to unjust suffering, and the *zecriye* tax (a tax taken from alcoholic drinks) could not be collected since the production of these drinks ceased. The lemon sellers demanded abolition of the ban on the shops of the lemon sellers and wanted permission to sell alcoholic beverages too.[362] Actually, they gained the right to reopen their shops after the government decided to give permit them in 1881. The state let them to sell alcohol beside lemon.[363] The same problem of the lemon sellers at *Limon* (Lemon) Pier broke out again in 1888. The lemon sellers and their guild warden stated that their nine shops were closed since they sold alcoholic drinks. Therefore, they requested the Municipality to open their shops.[364] In another example, in 1911, İstavri Sorta, a cook and greengrocer who had a shop at Altımermer district located at the front of Greek Church, was arrested for selling raki several times and he paid a fine amounted 650 kuruş four times in total. However, he continued to sell alcoholic drinks, and the state decided to close his shop according to the 16th Article of the Alcoholic Beverages Regulation (*Müskirat Nizamnâmesi*). He was fined according to the 17th Article of the same regulation. However, he continued to sell raki in his shop, and thus, his shop was closed permanently after signing a record for this decision.[365] Interestingly, the state was tolerant in the violation of the rule repeatedly,

[362] BOA, ŞD. 2891/56, 26 N 1295 [23 September 1878].

[363] BOA, DH. MKT. 1334/34, 19 R 1298 [21 March 1881].

[364] BOA, ŞD. 696/26, 17 Ş 1298 [15 July 1881]; BOA, DH. MKT. 1475/58, 23 R 1305 [7 January 1888].

[365] BOA, DH. EUM. VRK. 7/78, 21 RA 1329 [22 March 1911].

and it did not close his shop in the first violation. But later, it implemented the article of the regulation and closed the shop. Among other goods and products, selling alcoholic drinks was probably one of the most delicate subjects in the supervisions because of its complex social, economic, and judicial dimensions. Therefore, the governments paid special attention to this issue in the marketplace.

In a case from a different business dated 1896, it was banned to produce wood bats (*sopa*) to the joiners and basket makers, and the manufacturing license was disallowed in Rasimpaşa Neighborhood (Kadıköy). The producers stated that they were producing only fork handle and pickaxe handle needed for industrial works. Then, they were allowed to continue to manufacture the handles. The Municipality and the municipal police sent the account involving the features and number of these handles to the Grand Vizier's Office (*Sadâret*).[366] This example demonstrates that the features of the products were carefully controlled, and if any group violated a rule, they could face sanctions.

The sale of obscene things was not allowed as well to prevent the keeping of imported materials within the shops and their clandestine sale.[367] For example, in the shop of Jewish Avram located in Zürafa Street at Kalekapısı in 1903, approximately 400 obscene photographs were found. He admitted that he got these photographs from photographer Yorgi located at Fener and photographer Syanos located at Galata Pier. The police searched Avram's shop, and they found some obscene visuals with the Greek armed person's photographs and plates. Written materials and the writings on the goods were also controlled within the shops.[368] These cases show the recorded supervisions, but it is tough to determine the scope of these controls since the verbal

[366] BOA, A. MKT.MHM. 631/5, 18 CA 1314 [25 October 1896]; BOA, Y. A. HUS. 362/35, 6 C 1314 [12 November 1896]; BOA, İ..HUS. 50/95, 20 C 1314 [26 November 1896]. For the photograph of an itinerant basket seller, see Figure 2.

[367] The Police found two plates that included a French deed of protest. See BOA, DH. MKT. 652/24, 14 ZA 1320 [12 February 1903]. That type of control had political aims, which is out of the content of this study, but it should be stated that even though the municipal administration operated the supervision in the marketplace, the controls for this area were the responsibilities of the general police forces due to the nature of the rule and offense. The political atmosphere, which mainly included national uprisings and booms that erupted in the late Ottoman period, had to be considered when these controls were examined.

[368] Certain cigarette papers and cases which had writings and pieces of advice on them were banned from being sold. See BOA, DH. MKT. 251/51, 22 Z 1311 [26 June 1894]. See Figure 31.

warnings would have been done by the municipal police as well and the ignored control might not have been recorded. This ended up with lack of information on violation of the rule. On the other hand, the marketplace actors were more inclined to sell different goods and products without their licenses. The old sale constraints gave its way to flexibility both because of the free trade economy and the revenue concerns of the Municipality.

Apart from the inspection of goods, products, and materials, the Municipality and the Police supervised the decoration of the inner and outer parts of the shops.[369] The shopkeepers could not act independently in decoration matters, and they needed permission for necessary changes. In an example dated 1906, the booksellers, prayer beads, musk sellers (*miskçi*) and suchlike trade groups pitched tents and barracks illicitly in Sirkeci. The traditional bazaar was opening on Mondays at New Mosque and around it. The government ordered to build lean-to-roof (*sundurma*) instead of these tents and barracks that could be open only on the day of the bazaar. This lean-to-roof had to be compartmentalized. It was even added that they could become more beautiful by dying eaves in dull grey and renewing dye of them. In this way, it was aimed to organize the stalls.[370] In another document dated 1899, Sadullah Efendi asked for permission to put the Ottoman blazon on the door of his antique and rug shops at Mahmudpaşa.[371] Obviously, the state was inspecting many details of both the exterior and the interior of the shops and small bazaars.

Working hours were the other constraint matter for artisans and traders because of security and public order concerns. The opening and closing hours of the shops or the time slot of mobile trading could not be determined by the artisans and traders arbitrarily. They were mostly arranged according to the daylight apart from the exceptional professions. For example, after taking the necessary permission document,

[369] The outer views of the shops and the manufacturing places can seem in the photographs, but the inner view is partially unknown due to the lack of visual materials. Certain books gave information about the interior of the shops in detail and they helped to visualize them. For example, Gautier depicts the decoration of Turkish coffee houses. See Gautier, pp. 68-72. As an example for a grocery shop, see Figure 3, and for an interior of a shoemaker workplace, see Figure 4. The district of the grocery shop is unknown. The workplace of the shoemakers is also unknown. It was written down that this photograph was taken to promote the shoemakers.

[370] BOA, DH. MKT. 2782/208614, 19 M 1324 [15 March 1906].

[371] BOA, DH. MKT. 2240/121, 22 R 1317 [30 August 1899].

fishers working at sea were allowed to continue to fish in the dark under the municipal police's control and the port officers in 1905.[372] However, certain groups faced some difficulties in the working hours issue. For instance, the saloon keepers (*meyhaneci*) were one of the salient shopkeeper groups and were always at minefield in this issue. In the example dated 1889, they demanded their saloons be open between 02.00 am to 04.00 am.[373] They demanded the opening of their saloons until three and a half a.m. later on even though they were being closed at half-past one. They claimed that shops and stores in Beyoğlu were open until morning.[374] It shows the flexibility in the marketplace policies of the governments depending on the location of the shops, business field, their functions in the related area or the scope of their benefit for the whole society.

4.2. The Workplace Spatial Settings

Istanbul presented different feature in the late period of the Ottoman Empire from the aspects of city planning.[375] It had both pre-industrial and industrial features during the late nineteenth and the early twentieth century. Istanbul, in addition to the

[372] BOA, BEO. 2676/200639, 25 B 1323 [25 September 1905].

[373] BOA, DH. MKT. 1600/41, 29 C 1306 [2 March 1889].

[374] BOA, ŞD. 2933/29, 26 Ş 1307 [17 April 1890].

[375] The issue of Islamic/Middle Eastern or Ottoman city formed the discussions about the way of city planning and structure in the Ottoman studies, especially for the classical and early modern periods, but these essentialist approaches do not suffice to understand the structure of the cities both in the classical period and the nineteenth-twentieth centuries. Cities, particularly the port cities, were always exposed to change with the changing trade activities and being open economically to the other foreign markets. In general, the residential and commercial areas shaped the expansion of Istanbul. The commercial zone was the main space of the producers, artisans, and shopkeepers. According to the classical narrative on the Ottoman urban planning, the main urban spaces, including the central market place or the compact hall (*bedestân*)-bazaar existed within the waqf-ʿimâret system. Shops were rented to the merchants, artisans, traders in the city or provinces, and farms were the sources of revenue in the waqf system in the classical period of the Ottoman Empire. The Sultan or other high dignitaries established the bazaars, groups of shops, market halls, and storehouses with their infrastructure to serve for religion. Hence, their rents had been using for keeping up the mosques or the other charitable foundations. Compact halls, bazaars, markets or the other shopping centers were the forums of the people both for trading and socializing. For this classical narrative, see Halil İnalcık, "Istanbul: An Islamic City", *Journal of Islamic Studies*, n.1, (1990), pp. 9-12. The multifaceted character of Istanbul in such aspects as the ethnic/religious division of residential areas and marketplaces faded the rigid interpretations about the nature and city features. The effects of liberal economic policy in shaping city structure and culture deserve attention as well, but such a comprehensive and broad issue is beyond this study's scope.

state institutions and municipal buildings, hosted marketplaces and bazaars, residential areas, waqf complexes (philanthropic/pious foundations), the religious buildings (mosques, churches, and synagogues), manufacturing places and small-scale factories, and the other open public spaces like public gardens etc. All these buildings designated the façade of the city over time.[376]

Istanbul had both similar and different characteristics when compared to the other cities in the Empire. It was transformed into a modern city with new buildings emerging from new bureaucratic and administrative needs and the increase in population in the nineteenth century. This spatial expansion brought along the spatial interference of the state. The prestige of the traditional markets, bazaars, and inns concentrated in such places as Eminönü and Beyazıd relatively decreased with the rise of the new trade centers after the emergence of this dualism.[377] New commercial buildings and inns at the districts such as Galata and Beyoğlu became places where a new type of commercial activities was carried out intensively on the one hand, and the traditional market order existed on the other. Then, a bi-centric city structure emerged in Istanbul by this way.[378]

Commercial areas of the city were different than the residential ones. The commercial circulation in residential areas existed only to supply daily needs but not large scale trade activity. Many small-scale shops, workplaces, and weekly markets existed in the residential quarters. They chiefly provided service and products to the people living in neighborhoods far away from the above-mentioned central business districts. Peddlers partially supplied people located in the periphery areas of Istanbul.

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[376] The Ottoman cities were not similar, and they did not possess the same characteristics. These mentioned features were valid, especially for the late Ottoman Istanbul. There existed no typical Ottoman, Islamic or Arab city that had fundamental characteristics in this respect. Cities in various regions had different features with the effects of local dynamics. For the work on this debate, see Edhem Eldem, "Introduction", in *The Ottoman City Between East and West: Aleppo, Izmir, and Istanbul*, Edhem Eldem, Daniel Goffman, and Bruce Masters (eds.), (Cambridge: Cambridge University Press, 1999), p. 15. For the critical approaches to the concept of the "Islamic city", see Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190-1350*, (Cambridge and New York: Cambridge University Press, 1995); Richard Bulliet, *The Patricians of Nishabur: A Study in Medieval Islamic Social History*, (Cambridge, Mass.: Harvard University Press, 1972).

[377] Ayhan Aktar, "Şark Ticaret Yıllıkları'nda 'Sarı Sayfalar': İstanbul'da Meslekler ve İktisadi Faaliyetler Hakkında Bazı Gözlemler, 1868-1938", *Toplum ve Bilim*, no.76, (Bahar, 1998), p. 117.

[378] İlber Ortaylı, "İstanbul'un Mekansal Yapısının Tarihsel Evrimine Bir Bakış", *Amme İdaresi Dergisi*, vol.10, no.2, (Haziran, 1977), p. 95.

There existed an interaction between the marketplaces/weekly markets and city/neighborhood life in both ways. In other words, commercial and residential areas were always in contact.

People involved in daily contacts that fostered the web of relationships, and this generated both commercial and cultural interactions among people from different ethnic and religious groups. The politics of space give significant clues about the daily social life and interactions in trade activities among different genders as well since the market space in terms of its social construct feature specifically helped to understand their gendered bias character. Therefore, the marketplaces and bazaars were not mere commercial spheres, they were also socio-cultural sites that impacted social life and social contact. They were autarchic social spaces where various goods and products were being produced and sold, the producers and consumers gathered together, and small-scale economic and social relations existed. In this respect, they were the spaces where economic and socio-cultural interactions existed with face-to-face relations.[379]

In the late nineteenth century, Istanbul experienced various economic, administrative, and social changes. This transformation led to the emergence of a new city culture and new urban planning policy. The spatial distribution of shops and the factors in designing the marketplace were binding for the artisans, producers, and peddlers.[380] The space politics with its flexible nature and the place of the mentioned groups in this policy shaped the commercial order in the imperial capital.

Newly developing urban planning policies and the location and relocation needs of the artisans and traders were shaped together. The relocation practices in the marketplace and the solutions for the location problems formed a considerable part of urban planning in the late nineteenth century Istanbul.[381] The Municipality's

[379] For an article on the marketplaces of Istanbul as a social construct, see Eda Ünlü Yücesoy, "Constructing the Marketplace: A Socio-Spatial Analysis of Past Marketplaces of Istanbul", *Built Environment*, vol. 39, no:2, Marketplaces as an Urban Development Strategy (2013), pp. 190-202. Individuals shape places based on activities, meanings, and definitions while they are interacting with others in daily life, specifically in the marketplace. Yücesoy, pp. 193, 197.

[380] Yücesoy, pp. 191-193. For the tables of the marketplaces in Istanbul in 1880-1881, see Table 2. For another list of various market locations in Istanbul between 1911 and 1912, see Table 3.

[381] For a summary of the regulations concerning the building and streets which shaped the urban planning policy of the Ottoman state, see Ceylan İrem Gençer and Işıl Çokuğraş, "Regulation of Urban Space in the Ottoman State: The Case of Istanbul (1820-1900)", *Megaron*, vol. 11, no.1, (2016/1), pp. 1-14.

interference impacted the forming of urban fabric, which was also unplanned and superficially focused on a crisis resolution. This culminated in the development of unplanned urbanization.

The spatial order was designed to prevent disturbances, disorder, and incidents in commercial hubs and other public spaces in Istanbul. Therefore, the state policy in relocation and designing bazaar and market areas was pragmatic and functional. The state, specifically the Municipality, managed urban spaces, particularly market areas. All the arrangements led to the emergence of new urban spaces, which also brought physical growth of Istanbul in the progress of time. They were designed and redesigned according to the foregoing reasons, so it can be argued that a flexible policy in urban planning of the Ottomans existed, and the policies were particular to the local needs.[382] The motives of the governments and municipal administration in the organization and designing the marketplaces were to develop efficiency in trading, eliminating probable incidents or disasters, facilitating the transportation of goods and products, pursuit old traditions and habits in locational distribution, strengthening the supervision of marketplaces and groups from various trade and manufacturing sectors. The maintenance of the spatial organization of these groups according to the old order and their demand to be all together at a certain space was crucial because the clustering of artisan or trade groups in a certain district or bazaar was the old-fashioned (*tarz-ı kadim*) in the Ottoman market as the most characteristic feature of it. The emphasis on the continuity of the old spatial order was always one of the priorities of the groups because it was still functioning.[383] However, urgent or extraordinary necessities occasionally led to the end of spatial tradition in certain sectors.

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[382] These factors had a primary role in the examination of city spaces. This study does not promise to present a city monograph or an example of urban history. Yet, it aims to highlight the reasons for changes in commercial quarters but not to provide a geospatial analysis. İlhan Tekeli mentions the effects of the practical reasons in the development of Ottoman urban planning. He states that the urban planning was based on the necessities and changes in the cities' economic and social conditions, which involved the necessities for a healthy city, the mitigation of the disasters such as fires, and the organization of private and public buildings. The urban planning in the Ottoman State did not imitate the Westerner urban planning style utterly. See İlhan Tekeli, "Bir Modernite Projesi Olarak Türkiye'de Kent Planlaması", *Ege Mimarlık*, no. 16, (1995/2), pp. 51-55. The examples given in this section verify the argument of İlhan Tekeli.

[383] The old bazaar (*pazar*) system has survived until today in Istanbul. Although the number of shopping malls increased drastically today, the old markets are still the favorites of the consumers. They are the most visited touristic places such as Grand Bazaar (*Çârşû-yı Kebîr*- in modern Turkish *Kapalı Çarşı*) or Spice Bazaar (*Mısır Çarşısı*). In addition to the old bazaars, bazaar culture continues in certain

The conglomeration of the craftspeople in certain places shows the continuity in the traditional location distribution of the shops, but this tradition halted with the necessities of the new urban structure and the extraordinary reasons. City planning became one of the municipal tasks, and the Municipality organized the translocations of the marketplaces. The rigid structure of these places became more open to change after the de-monopolization in trade activities in the late nineteenth century as well. The translocation of bazaars or a certain professional group to a different place broke the rigidity in this historical heritage of traditional commercial areas. It changed the ethnic composition of these places and led to the conglomeration of a particular occupation in a new specific area. Therefore, the commercial areas in Istanbul were forced to change. Their locations altered during the course of time mainly because of three factors: First, the necessity of the protection of populous public spaces, symbolic districts, and public order; second, disasters; and lastly, the precautions in public health policy. These factors shaped the spatial positioning policies in the marketplace and the structure of the commercial zones in the late nineteenth-century Ottoman Istanbul.

First of all, the protection of certain public spaces and buildings always had importance. The state permitted the opening of new shops at different places, but it stipulated certain constraints on the workplaces and their locations. This was organized and determined by the Municipality and sometimes the government, and the artisan and trade groups could not choose the places on their own where they did their job. Therefore, they sometimes reacted to the administration's decisions about location plans because they had established order. They wanted to practice their job as if it was in the past. Groups generally legitimated their demands by emphasizing the discourse of "location tradition" in the marketplace.

districts and days in Turkey. Bazaars, weekly markets, and other trading centers are important in terms of economy and important public spaces where people socialized. This indicates a strong tradition that was maintained with pragmatic motives. The names of the bazaars and streets in Istanbul possess historical value in addition to their historical locations. Many districts, streets, marketplaces, and bazaars were defined with their professional affiliations such as Atpazarı, Keresteciler, Kovacılar, Fermeneciler, Halıcılar, Saraçhanebaşı (Saddler), Avratpazarı, Sabuncu (soap seller) inn, Sedefçiler, Kalafatyeri, Küçükpazar, Tarakçılar (Carder) street, Kuyumcular (goldsmith) shop, Kağıtçılar (paper sellers) shop, Bakırcılar (coppersmiths) shop, and Balıkpazarı. The agglomeration in a single district or building is still one of the remarkable characteristics of artisan and trade groups in Turkey. For more examples, see Eyice, p. 214.

Translocation affairs in the bazaar frequently led to the perpetual official correspondences between craft or trade groups and the Municipality (and so the government). In the example of the second-hand dealers (*eskici*) in 1895, they stated that they were sent to Çarşıkapısı from Sultan Bayezid Mosque, but there was no suitable area there for them. They stated that the coffeehouses keeper continued to stay around Bayezid Mosque, and only they were sent to a different location. They wanted to return to their usual working space.[384] After one year, the municipal administration decided to transport the second-hand dealers in front of Bayezid Library (near Sultan Bayezid Mosque) to a different district because it was stated that they were making noise with a mallet and people studying in the library were disturbed by the noise coming from outside.[385] The hardware sellers (*hırdavatçı*) who were selling goods around the library at Sultan Bayezid Mosque were also transferred to a different place without a door by the police and the municipal officers, but they demanded to return their old working area in 1902.[386] The area covering the Sultan Bayezid Mosque and Bayezid Library was a significant commercial center, mostly because of being one of the known centers of the city and populous. Therefore, the Municipality and the governments gave importance to the place management at this kind of symbolic centers. Certain trade groups were performing their vocations in public fountains as well at Dersaâdet and Bilâd-ı Selâse,[387] but the government forbade it as a general rule in 1907.[388] In particular, peddlers tried to stay at their traditional selling spaces, but the official authorities did not allow it.

Measures not only involved the relocations of the shops, manufacturing places or a trading activity of a group but also comprised the controlling, designing, and organizing extant commercial buildings and districts for maintaining social order. In an example dated 1890, it was stated that the shops of Albanian sherbet-sellers (*şerbetçi*) and the marble paving *boza* makers (*mermerlik boza*) were selling alcoholic

[384] BOA, BEO. 636/47671, 9 Z 1312 [3 June 1895].

[385] BOA, MF. MKT. 340/59, 15 CA 1314 [22 October 1896].

[386] BOA, DH. MKT. 2591/70, 14 ZA 1319 [22 February 1902].

[387] It means "three districts", including Eyüp, Galata, and Üsküdar in Istanbul.

[388] BOA, ZB. 601/141, 10 Z 1324 [25 January 1907].

drinks, which were close to the Muslim cemetery and the Police Office at Topkapı. The sale of alcoholic drinks in these shops was forbidden three years ago since these shops were close to the public spaces and the sellers did not have a license to sell alcohol; thus, they were closed by the Municipality again. Then, the shop owners demanded to reopen their shops.[389] The type of products selling within the shops also determined the locations of them and of the other manufacturing places.

Apart from the extant commercial buildings, the order on the streets was controlled by the Municipality as well. The occupation of a place on the streets was banned in the Regulation about the Streets in 1859. Putting every kind of fruit, vegetable, and fish on the pavement was prohibited (Articles 22 and 23 of the Streets Regulation). Also, the coffee shop owners and saloon keepers were not allowed to put chairs and tables on the streets (Article 24).[390] If artisans or shopkeepers could violate this rule, they had to pay from 1 white *beşlik* to 5 white *beşlik* according to the 254th Article of the Penal Code. The municipal administration was cautious about taking up the pavements, and it warned the groups or individuals who put their chairs, seats, and tables on the pavements in front of their shops. The occupation of the panniers and platforms (*tabla*) of the gardeners (*bahçıvan*) and the pannier maker/sellers (*küfeci*) to the streets was banned in 1874.[391] The municipal police controlled these kinds of violations, but the practice of these controls and penalties remained insufficient because of the inadequacy of the municipal police force. Nevertheless, all these controls constrained the spatial expansion initiative of the trade groups and artisans.

The ports and piers that were generally lively centers of trade had a critical position for import-export mobility and the local market. Therefore, spatial problems frequently occurred in these areas. The government and the Municipality considered the demands of the Port Administration and trade groups to avoid interruptions in economic life and made rearrangements to maintain the order of trade. On the other side, the port traders had to obey the decisions of the Municipality and the center.

[389] BOA, ŞD. 2934/16, 27 ZA 1307 [15 July 1890].

[390] "Sokaklara dair nizamnâmedir", 17 N 1275 [20 April 1859], *Düstur*, I/2, p. 481.

[391] BOA, A.} MKT. MHM. 472/4, 16 ZA 1290 [5 January 1874]. In another example, Abbas, the keeper of a coffeehouse, was warned not to put seats in front of his shop. See BOA, DH. EUM. THR. 43/44, 19 B 1328 [27 July 1910].

Many disputes among different trade groups occurred at piers in the issue of keeping their locations. For example, in 1908, the caners (*hasırcı*) and the cereal-sellers (*zahireci*) complained about the high number of cars where the boatmen transported water at Hasır Pier. They pointed out that they could not do their job and were suffered financially because of these lots of cars. They demanded the change of this water transportation practice to a different pier. Even though the boatmen were going from Beykoz and Göztepe to Hasır Pier with their pontoon and boats for so long, it was ordered to go to Unkapanı Pier, especially after the complaint of the caners and cereal-sellers. Nonetheless, boatmen stated that they did not damage anyone or any group at this pier. They asserted that the shops of the caners and the cereal-sellers were so far from the pier, and there was no probability to be suffered from their commercial activities at the pier. Boatmen added that they could fall into huge financial difficulties if they were sent to Unkapanı. They claimed that the rights at the land of the caners and the cereal-sellers were protected, and these groups should not be allowed to violate their rights at sea. But the Municipality ordered the removal of the boats. Boatmen previously mentioned this unfair practice to some officers, and they added that these pontoon and boats could not go to Unkapanı Pier. The government pointed out that this problem occurred because of the cars gathered at the pier but not of the boats.[392]

In another example dated 1894, 300 Muslim and non-Muslim bargemen of Yağkapanı and Unkapanı piers complained that they were not allowed to enter the pier which was being constructed, and they had financial difficulties because of this reason. In order to convey their demands to the Sultan, they decided to gather at Beşiktaş. But the government interpreted this gathering as an illegal act and ordered the Police to prevent it.[393] The group members tried to reach the Sultan to continue their commercial activities at the mentioned piers thinking that they would be able to remove the ban with the order by the Sultan. But they failed to do so.

Disasters were the second factor that forced the state to relocate the craft and trade groups. The state had to regulate the spatial distribution by considering probable

[392] The Municipality was charged to solve this problem in the end. But the related document issuing the solution could not be found. See BOA, DH. MKT. 1285/27, 2 Ş 1326 [30 August 1908].

[393] BOA, BEO. 439/32924, 17 M 1312 [21 July 1894].

disasters that directly had the power to change the whole settlement of the city. Thus, the government reorganized the spatial order in case of fire or earthquake as they had to redesign it due to debris or the existence of risks of fires, which broke out frequently. Fires were one of the most crucial problems in that time as the fire-fighting techniques and equipment were not so developed, and primitive techniques were being used. The state had to consider the risks of fire and the locational suitability of these kinds of groups who were using fire in the bazaars or shops when performing their jobs. In an example from 1869, the guild wardens at Grand Bazaar complained about the fez-producers (*fesçi*) and the restauranteurs (*lokantacı*). There were four shops at the Grand Bazaar, and the fez-producers and the restauranteurs use fire in their business. They emphasized fire risk within the Bazaar because of these groups.[394] If a fire could outbreak within the Bazaar, there was a probability of burning and the risk of damaging all shops in there. The guild wardens also added that it was forbidden to open the jewelers' shops and coffeehouses in this place since these professions also use fire in their business. They stated in the petition that the bazaar was smoky because of using coal, and they even were not being able to walk within the Bazaar. They added that this condition could trigger a dangerous incident. However, the fez-producers and the restauranteurs each had four shops within the Bazaar. How these trade groups took the permit to open the shops was a perplexing issue because it was stated for this case that these spaces had been controlling. If a trade group applied for the opening of a shop, the municipal administration detected the probable risks, and hereafter, they could have a permit.[395]

Besides, the government had to assign a new place to the sufferer groups in case of relocations to continue the commercial activities. For example, the Great Fire

[394] Grand Bazaar (*Çârşû-yı Kebîr*) was a significant market area, which is still one of the most popular touristic places in Istanbul and Turkey. For the works on this symbolic bazaar, see Semavi Eyice, "Büyük Çarşı", *TDV İslâm Ansiklopedisi,* (v.6), (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1992), pp. 509-513; Kenan Mortan and Önder Küçükerman, *Çarşı, Pazar, Ticaret ve Kapalıçarşı*, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2010); Ayşen Şatıroğlu and Oya Okan, *Çarşı-Esnaf Kapalıçarşı*, (İstanbul: İstanbul Ticaret Odası, 2011); Orhan Erdenen, *İstanbul Çarşıları ve Kapalıçarşı*, (İstanbul: Yenilik Basımevi, 1965); Yaşar Baş, "İstanbul Kapalıçarşısı (XV.-XVII. Yüzyıl)", Ph.D. Diss., (Atatürk University, 2008); For the description of the interior of this bazaar at the beginning of the twentieth century, see Théophile Gautier, *Constantinople*, F.C. De Sumichrast (ed. & translated), (Cambridge, USA: The Jenson Society, John Wilson and Son, 1901), pp. 83-91.

[395] BOA, A.} MKT. MHM. 433/81, 21 N 1286 [25 December 1869].

of Keresteciler (timber dealers), which erupted in 1899, caused a lot of work for a long time because of its big damage. Their shops were burnt, and they demanded the rebuilding of their manufacturing places. The government planned to build their new places at the upper part of the Sultaniye meadow, but the timber dealers did not accept this decision because this region was far from the city center. In contrast with this reaction, the government decided to locate their shops in separate districts far from the other residential and commercial areas.[396] The state was cautious towards the probable fire risks that were dangerous both for the related business group and society. In another example, the scriveners (*arzuhalci*) and engravers (*hakkak*) were prevented from performing their business around New Mosque (*Yeni Camii,* in Sirkeci) and Fatih Mosque, which were always favorite districts and places especially for peddlers because the tents and barracks in the yards of the mosques had the potential for the spread of fire. Therefore, the rental contract of these trade groups for this area, which was made so far apart from the makers of prayer beads, the booksellers, and the scriveners in these courtyards, was abrogated. However, it was stated that certain trade groups continued to build sheds and barracks in the courtyards of New Mosque and Fatih Mosque, and the government ordered the removal of these barracks and sheds. The ones in the courtyard of Fatih Mosque were done, and the rental contracts of the makers of the prayer beads and scriveners were ordered to be cancelled in 1919.[397]

Apart from fires, earthquakes also forced the state to relocate shops and manufacture sites to different areas. The official authorities had to find an alternative place for traders and manufacturers in case of destruction. The number of demands increased in big earthquake periods such as 1894. For example, in the case of slipper sellers, their 15 to 16 shops were destroyed after the Istanbul earthquake in 1894, and they demanded to do their job in the places such as the courtyard of the Blue Mosque, the district of Kapalıfırın or the courtyard of Nuruosmaniye Mosque like the

[396] BOA, İ.DH. 1187/92915, 28 B 1307 [20 March 1890]; BOA, DH. MKT. 2469/49, 17 Z 1318 [7 April 1901]; BOA, MV. 68/9, 28 RE 1309 [1 November 1891]; BOA, DH. MKT. 1892/128, 24 R 1309 [27 November 1891]. The workplace of timber dealers was asked to move to another area due to fires. However, the timber dealers did not want to move as their business would be affected by being distant from the city center of the determined place. See BOA, DH. MKT. 1932/108, 15 Ş 1309 [15 March 1892].

[397] BOA, DH. MKT. 2732/85, 16 M 1327 [7 February 1919].

upholsterers. The Blue Mosque was chosen as the selling space.[398] Another example for the same year, the second-hand booksellers stated that they suffered from the earthquake and requested the cupboards that would be placed around Bayezid Mosque. They referred the permission and the license given to the upholsterers to profess closed by New Mosque and Blue Mosque. Their demand was accepted as well.[399] It seems that the governments were more moderate after the big earthquakes, and their spatial rules in the marketplace order became flexible in these periods both because of the need for urgent solutions and minimizing the losses of the related groups.[400]

Third, the state replaced the groups or shops that could generate hazard to public health because of unhygienic and unsafety working conditions, caused smoke around the marketplace and residential areas or the proximity to the cemeteries. The removal of hazardous conditions was vital for the order in daily commerce activities. The public health policies directly forced the locations of the marketplaces to change in time because the municipal administration and the other responsible state agencies had to remove the hazardous working conditions that emerged due to the products, goods or waste that the related field of work left. These precautions resulted in the relocation of certain industries, groups or shops to different areas, leading to the fundamental changes in the older spatial order of the marketplace.

One occupational group dominated a certain place, street or bazaar, which can also be seemed as the centers where the trading groups coming into contact with the other city dwellers in the classical market order, but the hubs of the commerce augmented and changed in the course of time which directly determined the local urban planning of the city. For example, new commerce spaces such as cafes or theaters emerged with the change in consumption habits. However, the emergence of new commerce spaces and the translocation of worksites and shops because of the aforesaid reasons influenced the economic circumstance of the groups and the

[398] BOA, BEO. 443/33214, 21 M 1312 [25 July 1894]; BOA, Y. A. HUS. 304/11, 22 M 1312 [26 July 1894].

[399] BOA, BEO. 446/33393, 27 M 1312 [31 July 1894].

[400] Again in 1894, the other trade groups in Grand Bazaar who were suffered from the earthquake demanded to establish a new bazaar in Fincancılar descent on the land of Rızapaşa mansion because their workplaces were damaged physically. Hence, they stated that they were living in misery as they were not able to work. They aimed to name this new bazaar as the name of the Sultan, Abdülhamid II. See BOA, BEO. 445/33311, 25 M 1312 [29 July 1894].

settlement plans to where the worksites were translocated. This contributed to the continuity of the unplanned city planning in the imperial capital, and the pragmatic and requirement-oriented locational interventions shaped the urban fabric. This chapter will continue with the examination of the public health policies implemented in the marketplace in detail, which also impacted the spatial distribution of the small scale trading sectors or groups.

4.3.Public Hygiene in Marketplace

The Ottoman State did not have a systematic, conscious, and planned health service policy before the nineteenth century as it was in the rest of the world.[401] In fact, some temporary precautions had been taken for the health problems by the state. Yet, the institutionalization in public health policies began after the second half of the nineteenth century. The factors that forced the Ottoman government to implement policies concerning cleaning and public health services were the population density and movements, the epidemics, the accumulation of knowledge about medicine, the expansion of the municipal services, the development of supervision practices, the increase in financial means.[402] The Ottoman public health services included protective, remedial, and rehabilitative stages[403] against epidemics and various health problems with their symptoms, controlling the infrastructure services, especially water supply networks, and controlling shopping districts which had potential risks to the people's health.

In this respect, the space of the marketplace actors became a laboratory to see the validity and reliability of the Ottoman public health policies since these policies interested the overwhelming majority of the population, forcing the state to take precautions and solutions. The governments expanded their efforts to prevent potential

[401] Erdem Aydın, "19. Yüzyılda Osmanlı Sağlık Teşkilatlanması", *OTAM*, no. XV, (Ankara, 2004), p. 187.

[402] Hüseyin Özgür, "Tanzimat'tan Cumhuriyet'e Temizlik ve Halk Sağlığı Hizmetleri", in *Osmanlı*, v.5, (Ankara: Yeni Türkiye Yayınları, 1999), p. 116.

[403] Özgür, p. 119.

threats to public health like its contemporary states in Europe. Both the public health protection and the maintenance of production and commerce order were the binary goal of the Ottoman administration, which also implicitly eased social control. Therefore, the governments were meticulous concerning the topics, including the preventive, protective, and solution-oriented attempts in health matters. The investments, inspections, and measures became unavoidable in public health issues and city hygiene.[404] It had to implement a decision mechanism urgently like in other calamities, yet it also needed sufficient expert and technical teams.

Public health protection and its official practices in the marketplace directly influenced the working conditions of the artisans and traders. The Penal Code and various ordinances and regulations prepared for several craft and trade groups involved decisions and detailed provisions about the sanitation supervision in the marketplace. They were collected under two main categories: Sanitation measures for food and food-related sectors and the others.[405] The food and beverages industry included mainly meat, fish, bread, beverages, dairy, and other products such as fresh fruits, vegetables, cooked dishes, etc. Other sectors involved barbering, tailoring, bathhouses, transportation, pharmaceutical and herbalist trade, and the sectors regarding environmental health included leather trade and tannery, and finally cleaning the streets and bazaar areas.

The health institutions often were changed in terms of their administrative structures or names during the nineteenth century because of the unsettled bureaucratic system in the Ottoman Empire. Nonetheless, their missions and duties did not change in general. They were charged with the supervision of the marketplace actors, solving health problems, and taking precautions against society's probable health problems. For example, the General Directorate of Health (*Sıhhiye Müdüriyet-i Umûmiyesi*), which was established in 1913, was controlling the working areas, following up practices, and regulating the functions that they carried out. They were checking

[404] İsmail Yaşayanlar, "Osmanlı Devleti'nde Kamu Sağlığının Kurumsallaşmasında Koleranın Etkisi", in *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar ve Kamu Sağlığı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2017), p. 23.

[405] It was preferred to use "others" to refer to other professions from a wide range of except for food-related sectors.

whether food and drink were hygienic or not by inspections; they were also inspecting the abattoirs and tanneries whether they were implementing health codes or not; they were controlling the health conditions of the laborers who were employed in industrial or agricultural public works institutes as well in mines; they were inspecting whether the drinking water or other used waters hygienic or not; and whether the hygienic rules were applying in public areas or not.[406]

The Ottoman governments' public health concern was originated from the fact that epidemic cholera was observed among numerous bargemen, coal dealers, cooks, butchers, sherbet makers, cabinet makers, muralists, boatmen, blacksmith, greengrocers, grocers, and so forth between 1893-1894 in Istanbul.[407] Thus, it had to monitor and control the working life of these various groups carefully. The cholera epidemic accelerated the new arrangements for health affairs in Istanbul. After the

[406] Nuran Yıldırım, *A History of Healthcare in Istanbul: Health Organizations, Epidemics, Infections and Disease Control, Preventive Health Institutions, Hospitals, Medical Education*, (İstanbul: Avrupa Kültür Başkenti Ajansı, 2010), pp. 35-37. The Ottoman public health policy covers details but in this study only its intersection with the trade and manufacturing groups will be examined. Many cases demonstrate that the municipal administrations warned the responsible artisans and traders frequently in case of violating the rules. For a detailed information on the Ottoman public health policies, see Nusret H. Fişek, *Halk Sağlığına Giriş*, (Ankara: Hacettepe Üniversitesi Dünya Sağlık Örgütü Hizmet Araştırma ve Araştırıcı Yetiştirme Merkezi Yayını, 1983); Orhan Demirhindi, "Halk Sağlığı-I", in *Dünya'da ve Türkiye'de 1850 Yılından Sonra Tıp Dallarındaki İlerlemenin Tarihi*, Ekrem Kadri Unat (ed.), (İstanbul: Cerrahpaşa Tıp Fakültesi Vakfı Yayını, 1988); Erdem Aydın, "19. Yüzyılda Osmanlı'da Sağlık Teşkilatlanması", *OTAM*, n. 15, 2004, pp. 185-207; Nuran Yıldırım, *A History of Healthcare in Istanbul: Health Organizations, Epidemics, Infections and Disease Control, Preventive Health Institutions, Hospitals, Medical Education*, (İstanbul: Avrupa Kültür Başkenti Ajansı, 2010); Nuran Yıldırım, *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar: Sağlık Tarihi Yazıları 1*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2014); Burcu Kurt & İsmail Yaşayanlar, *Osmanlı'dan Cumhuriyet'e Salgın Hastalıklar ve Kamu Sağlığı*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2017). For a literature work on the Ottoman Health Organization in the nineteenth century, see Necati Çavdar and Erol Karcı, "XIX. Yüzyıl Osmanlı Sağlık Teşkilatlanması'na Dair Bibliyografik Bir Deneme", *Turkish Studies*, v. 9/4 Spring, 2014, pp. 255-286. The modernization and professionalization of the Ottoman medicine and the issues related to the public health policies should be examined by considering the history of medicine and the public health history in the world, directly related to this study's topic. The public health issue has an international aspect as well. For the public health history and policies for public health in the world, see C. Fraser Brockington, "The History of Public Health", in *The Theory and Practice of Public Health*, W. Hobson (ed.), (London: Oxford University Press, 1975); Ann F. La Berge, *Mission and Method: The Early nineteenth-century French public health movement*, (Cambridge: Cambridge University Press, 1992); Dorothy Porter, *Health, Civilization and the State*, (London: Routledge, 1999); Alison Bashford, *Imperial Hygiene: A Critical History of Colonialism, Nationalism and Public Health*, (New York: Palgrave Macmillan, 2004); Alfred Jay Bollet, *Plauges & Poxes: The Impact of Human History on Epidemic Disease*, (New York: Demos Medical Publishing, 2004); Michele L. Clouse, *Medicine, Government and Public Health in Philip II's Spain*, (Great Britain: Ashgate, 2011).

[407] Mesut Ayar, *Osmanlı Devleti'nde Kolera: İstanbul Örneği (1892-1895)*, (İstanbul: Kitabevi, 2007), p. 209.

broke out of this epidemic in 1893, the Municipal Public Hygiene Commission (*Şehremâneti Hıfzısıhha-i Umûmiye Komisyonu*) was established in 1894.[408] The Municipal Public Hygiene Commission and the General Inspectorship of the Health Commissions (*Heyet-i Sıhhiye Müfettiş-i Umûmiliği*) were to work under the direction of the mayor, and every municipal department had to have one health commission. The Public Hygiene Commission was the nucleus of the Municipality health organization, and the Health Commissions (*Heyet-i Sıhhiye*) were established in the municipal districts (*belediye dairesi*).[409] In the 3rd Article of the duties of the Health Commission, which was employed in Dersaâdet, Üsküdar, Beyoğlu, and Beşiktaş promulgated in 1893, it was stated that the Municipality's physicians were in charge of carrying out the operations about the epidemic spreading risk and the removal of bad and healthy working conditions in coffee houses, tavern, butchers, grocers, greengrocers, inns and rooms for singles, and casino, which office were they belonged. If they could detect an unhealthy situation, they had to convey the case to the Directorate and take some measures such as the suspension of production and arraying the physical conditions of the manufacturing places or shops.[410] With an edict after the epidemic, the municipal physicians became the official municipal officers in 1895. All health care professionals were appointed to the Municipality, and the municipal administration carried out what the ministry considered appropriate and necessary.[411] However, the Municipal Public Health Commission was abolished after the declaration of the Constitution in 1908 because the number of its members and their salaries were higher than necessary. Then, the Municipal Health Administration (*Şehremâneti İdare-i Sıhhiye Şubesi*) was established in place of the previous commission in March 1909.[412] It was responsible for all health matters as well as

[408] Yıldırım, *A History of Healthcare in Istanbul,* p. 85.

[409] Oktay, p. 182.

[410] This ordinance was valid until 1909. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, p. 3157.

[411] Osman Nuri Ergin, *Cumhuriyet ve İstanbul Mahalli İdaresi*, (İstanbul: Matbaacılık ve Neşriyat Türk Anonim Şirketi, 1933), p. 56.

[412] The Ottoman Sultan Abdülhamid II ordered to establish a permanent commission to control and inspect the public health in Istanbul. Thus, the Central Commission of Public Hygiene (*Hıfzısıhha-i Umûmi Merkez Komisyonu*) was established to inspect the public health in the capital and surrounding

public health in Istanbul. The municipal physicians were inspecting markets, shops, and the goods on sale, food and beverages on sale, bakeries, restaurants, coffee shops, cook shops, butchers and diaries, grocers, bars, casinos, tripe, and lamb-trotter shops. In addition to these places, the municipal physicians were also in charge of inspecting the wool-producing shops, carders, leather dealers, upholsterers, and also quilt-makers to know whether they were infected or not. The municipal physicians had a pivotal role in controlling public places such as brothels, baths, inns, and hotels as well. Many ordinances and regulations issued the public health policies prioritized the marketplace supervision in various occupations.[413] The controls in the marketplace covered the issues of the opening of the shops, production, and service processes. If there was a complaint from the city-dwellers or any problem and favorableness were realized, the responsible individuals were ordered to correct the bad situation. After a few warnings, the workplaces could be closed. Producers, artisans, and peddlers were examined by the medical staff of the Municipality as well.

The Ordinance of the General Public Hygiene Commission (*Hıfz-ı Sıhhat-i Umûmiyye Komisyonu Talimâtı*) of 1885 was revised in 1910, and a new one was prepared for the physicians employed in the Municipality. Medical doctors in every department had to inspect the bazaar every morning or evening to control food and beverages; detect the spoilt or rotten products, which were dangerous to the public health, and annihilate or throw them to the sea. They had to resort to the related department with a report, including a to-do list, to implement them (Article 31st). The physicians had to send the samples taken from the products to the laboratory if they thought that a product in question was unhealthy. The health officers had to halt the

areas and take measurements in case of epidemics and other public health problems. See Yıldırım, *A History of Healthcare in Istanbul,* pp. 43-44.

[413] For example, in the Ordinance of the General Public Hygiene Commission (*Hıfz-ı Sıhhat-i Umûmiyye Komisyonu Talimâtı*) in 1885, it was stated in the first article that the commission was established to inspect food, beverages, and pharmaceuticals and to prevent the sale of hazardous things. According to the 6th Article, the shops of *attar* and root dispensers had to be inspected by the inspectors whether they have harmful herbals or drugs. The 7th Article was stated that the shops where food and beverages, including such oils as olive oils, butter, plain butter or tallow, were produced had to be inspected. The sanitation rules for slaughterhouse (*selhhâne*) and butchers were added to the 8th Article, and it was ordered that these shops had to be clean and free of fly and dust; the control of these shops had to be made if they include spoilt and rotten meat and dry salted fish; and the products such as pastrami, soudjouk and jambon made of this rotten meat had to be confiscated by the Municipal officers after the inspection of the Hygiene Commission. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, pp. 3090-3091.

sale of the products until the results of the report could come. The shop owner or vendors had to pay the test fee (Article 32nd).[414]

For example, the health committee inspected the shops in Beşiktaş and around it in 1907. They prepared a report that included the wrongdoings as a precaution against the unsanitary conditions. It was stated that the saloon keeper Yamandi in Köyiçi and the other saloon keeper Koço were warned about the dirty cases in their saloons to replace them with the clean ones; the tripe restaurant of Yani in Tramway street and the other tripe restaurant at Büyükdere Street in Şişli were warned to clean their shops; the grocer Yuan in Nişantaşı and the other grocer Nikoli in Kağıthane street were warned to clean the inner of their shops and counters; the grocer Vasil in Ihlamurdere street at Beşiktaş and the grocer Vangel in Haseki field were warned to clean the spilt coffees and the inner side of their shops, and the disposing of spilt coffee; groups of people including a child were treated due to the communicable disease, and it was stated that their treatment was taken under control; and finally the tramway and the passenger cars, boats, sandals, and bathhouses had to be inspected for sanitation.[415] The sanitary supervision in the marketplace and bazaar was so detailed and versatile. They were conducted by both the health officers and law enforcers, including police and the municipal police. It was the last period that the professional health officers made inspections in commercial areas. They left them to the law enforcers, and they withdrew to the laboratories and analysis centers after that time.

However, although this system relatively worked well, the Municipal Health Administration was abolished by the order of Cemil Topuzlu, who was the mayor in that period, in October 1912 due to the financial difficulties. Then, the Municipal Health Directorate (*Şehremâneti Sıhhiye Müdüriyeti*) was established as a part of Article 4 of the "Law on Istanbul Municipality Health Organization" (*Dersaâdet Teşkilat-ı Belediye Kanunu*).[416] The protective health services were detailed in 1916, and the duties of the health officers were pointed out as the controlling food and their

[414] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, pp. 3163-3164.

[415] BOA, Y. PRK. SH. 7/38, 9 RE 1325 [22 April 1907].

[416] Yıldırım, *A History of Healthcare in Istanbul*, pp. 45-47.

inspections with the necessary tests[417]; the inspections of the milk-giving animals; the control of the animals that provide meat and its sale conditions; the vaccination; the control of public spaces such as hotels, inns, restaurants; the control of workplaces and factories, and the elimination of the harmful factors within them, as well as the inspection of water channels, and water-related professions.[418] The Municipal Health Directorate structure remained the same until the end of the empire that included the departments such as veterinary, laboratories, disinfection stationaries, and public hygiene department.[419]

The institutional transformation of the health department of the Municipality shows the unsettled structure in the practice of public health policies, but indicates that the artisans and traders lost their initiatives in health supervision affairs as it was in previous periods. The controls became more professionalized and centralized, which were far away from traditional supervision practices. This changed the reactions and the problem-solving practices of artisans and traders as well.

4.3.1. Food and Food-related Sectors

Food spoilage or the potentiality of having germs and harmful bacteria in food products were the major factors that always threatened public health. For this reason, the supervision of the production, storage, and sale of foodstuff had a vital importance for the producers, vendors, and the whole society. Due to the incognizance of germs and the other microorganisms, the state's inspection method was only the controlling producers or sellers whether they sold fraudulent food products or not. Yet after the development in germ research, which proved that they were the reasons for the contagious diseases, the test of foodstuff and the inspection of the employees were

[417] The Administrative Office of Laboratory carried out these tests. See Oktay, p. 191.

[418] Oktay, p. 185. For further information on the affiliated councils, commissions, and institutions of the Municipal Health Directorate and the specific duties, the municipal district's duties and health commissions, salaries, duties, meetings, and decisions that the Directorate operated, see Tarkan Oktay's work.

[419] Yıldırım, *A History of Healthcare in Istanbul,* p. 45.

gained importance. The prevention of contagious diseases that could infect via food was only possible by controlling all kinds of food.[420]

The state kept a tight grip on the food and beverages sector and tried to strictly protect the hygiene of the foodstuffs. Vegetables and fruits, bread, milk and milk products along with meat and meat products, which were potential hatchery for microbes and harmful bacteria, cooked dishes, and the other perishable products such as coffee or candies had to be under the municipal administration's control, and the unhealthy conditions had to be removed because these sectors directly had potential to influence people's health; in other words, contagious diseases and epidemics were spreading with them most. Therefore, the municipal administration tried to systematize the controls, bans, and warnings at shopping districts to maintain healthy conditions.

The Municipal Police Ordinance (*Zâbıta-i Belediye Talimatnâmesi*), which was prepared in 1913, included the articles about artisans, producers, and peddlers, specifically the sanitation of the manufacturing places and shops.[421] All members of artisans and traders were obliged to obey the rules containing the cleaning of the interiors of the shops, cleaning of the apparatus used, the products on sale, and the cleaning of the attires of the employees working in the shops.[422] The use of a sneeze guard (*camekan*) to protect food and beverages from contamination was intensively emphasized in all ordinances. For example, in the 5th Article of the 1913 ordinance, it was stated that the grocers, tripe restaurants, greengrocers, bakeries, sherbet sellers, halva, and milk sellers had to possess sneeze guard within their shops and the dishes such as kebab, fish or meatballs had to be cooked in these sneeze guards. Meat products had to be kept within the shops. This rule was valid for the peddlers as well.

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[420] Nuran Yıldırım, "Osmanlı Devleti'nde Gıda Kontrolüne Bakış", in *14. Yüzyıldan Cumhuriyet'e Hastalıklar, Hastaneler, Kurumlar: Sağlık Tarihi Yazıları 1*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2014), pp. 54-55.

[421] Osman Nuri Ergin reminds to the readers that this ordinance was not applied until 1917 by the Police Directorate. After the abolition of the Ottoman Sultanate, the police and the municipal police were again separated. See Osman Nuri Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, (İstanbul: İBB Kültür A.Ş. Yayınları, 2017), p. 212.

[422] For example, it was ordered to the milk sellers, the sellers of milk dishes (*muhallebici*), sherbet (*şerbet*) makers, and water sellers to keep clean all kinds of cases, glasses, benchtop, swabs, spoon, and fork. The interior and exterior of their shops had to be clean and tidy. These rules were not included in the 1913 Ordinance. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 238-239.

The sale of spoilt and rotten food and beverages on the streets and in the workplaces was forbidden, and the responsible municipalities had to be informed (Article 15th).[423] This ordinance was the prominent one that stated the detailed rules about sanitation in food manufacturing and sale.[424] All rules, measurements, and prohibitions were naturally the obligations for maintaining individual and public health. But such new practices as health testimonials or the prohibition of coloring-adulteration practices came into the agenda of the municipal administrations and the marketplace actors in this period. It shows the changing practices in food-related sectors and the necessity to follow up potential harmful acts to the people's health. Artisan and trader groups faced new practices that had a transforming impact on their working conditions and their relationship with the administration centers.

An ordinance named *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat* was also prepared for the food and beverage producers and sellers in Istanbul in 1919, which can be regarded as an amended or epitomized version of the previous ordinance implemented in 1913. The ordinance contains various production and retail groups, namely bakers,[425] grocers, fruit sellers, cow breeders (*inekçi*), milkman, the *umûm şeridçi* and water sellers,[426] keeper of coffee houses, restauranteur,

[423] The Municipality banned the sale of raw and bad fruit and vegetables, which were hazardous to the people's health, and it overemphasized obeying the sanitation rules. See BOA, DH. MKT. 1847/107, 29 ZA 1308 [6 July 1891]; Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1817-1830.

[424] The ordinance about the keeper of coffeehouses, pastry sellers, the candle makers, *çörek* makers (a kind of sweet or salty pastry), and halva makers was composed of the articles issuing the cleaning conditions of the inner shops, specifically the place where the customers were hosted and the hygiene of the cuisine including the kitchen utensils (clean or sturdy cups, clean swabs, clean cases with faucets); and employees (wearing an apron); the chairs or seat within the shops; and lastly the fines (1 to 3 *lira*s and also prison sentence) which had to be paid. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 239-240. Articles from 7 to 13 were assigned to the hygiene of the pickle makers working in the shops and the itinerant ones. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 231-232.

[425] The bakers had a vital position in the marketplace because they provided one of the basic consumption products, bread, to society. The physical conditions of the bakeries were detailed in the ordinance. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 192-199. The structure rules and the interior and exterior of bakeries, and the utensil cleaning were repeated in the 1919 Ordinance. See *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat,* (İstanbul: Matbaa-i Osmaniye, 1335 [1919]), pp. 3-4.

[426] The *umûm şeridçi* and water sellers had to use clean and single use unbroken glasses, wear aprons neatly, and their shops with their sneeze guards had to be clean. See *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat,* p. 7.

kebab-makers, cooks, tripery,[427] pasta makers, candy makers, *çörek* makers, halva makers, butchers, the sellers of milk dishes, vegetable and meat sellers, and fishmongers.[428] The requirements for licenses, the transportation of the products, the rules in working life, and fines in case of rule violations were added to this copy as well. It touches on the orders of the Municipality about cleanliness (*nezafet* and *taharet*) that people who produce and sell food-beverages had to obey.[429] The emphasis on the hygienic exhibition of the products within the shops was also valid for all professional groups in the food and beverages industry.[430]

Food and beverage shops were under the Municipality's control, particularly those in the most populous areas.[431] Others, which were closer to the government

[427] The musts of the restauranteurs, kebab-makers, cooks, and tripe restaurants were similar to the musts of the other trade groups, and they included the use of sneeze guards, blanching of the used cases, cleaning of the kitchen utensils, wearing aprons, the ban of cooking kebab or the other dishes out of shops, places of the chairs, seats, water closet, and the fines when not obeying the rules. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 234-235. The tripe shops had high risks for unhygienic conditions. For example, the tripe and trotter soup makers around Unkapanı at Halilattar neighborhood were found dangerous against public health. See BOA, DH. MKT. 138/7, 13 RE 1311 [24 September 1893].

[428] A list of articles was prepared for the butchers, vegetable sellers, and fishmongers, and they were gathered under the same part. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 235-236. In the list of 1919, the rules for the butchers, vegetable sellers, and meat sellers were the same. A rule added for the fishmongers ordered that they were not able to use foul seawater for fish. See *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat,* pp. 9, 11.

[429] See *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat,* (İstanbul: Matbaa-i Osmaniye, 1335 [1919]). Osman Nuri Ergin states that an ordinance (1335) was prepared for the groups in the food and beverages industry who behaved arbitrarily during the war period. He referred most probably to this ordinance because the articles for all professions were nearly the same as those promulgated in 1913 as part of The Municipal Police Ordinance (*Zâbıta-i Belediye Talimatnâmesi*), and this was also about the controls of the municipal police in the aforesaid production and sale fields. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p. 899. Certain small changes existed in this revision. The list of orders was tantamount to the arrangement of 1919. The articles were overlapped with the other arrangements. The detailing in the ordinances indicates the increasing need in sanitary controls.

[430] The butchers were significant seller groups since they provided one of the basic consumption food too. In addition to the previous arrangement, the administration prepared a separate part for the butchers working in the shops, booths, and itinerant ones. The part related to the butchers was in detail since it had high risks in terms of public health, both causing by the animals and the shops' unhygienic conditions. The rules for itinerant butchers were nearly the same as the butcher shops. They had to be careful about cleaning the countertops, and the billet of the wood and the cabinet they used had to be clean. The butcher shops in booths had to obey the ordinance of the Municipality like the other butcher groups. They had to be master to do this job, and they could not work outside. See Ergin, *Muhtasar Mecelle-i Umûr-ı Belediye*, pp. 227-230.

[431] The coffeehouses located between *Postahâne-i Âmire* and Şişhâne and the shops of sherbet and kebab makers at the squares of Köprübaşı and Bayezid were closed because of being anomalous to the principles of the Municipality which had been renting to these groups every year. See BOA, A.} MKT.MHM. 453/43, 2 RA 1290 [30 April 1873].

buildings, were exposed to a higher level of supervision as well. Supervision was carried out according to the prepared ordinances and the arrangements, but practice failures were probable. All specific and detailed rules were added into the ordinances because the high risk of contagious diseases and the producers and employees were probably violating the cleaning rules in the workplaces. Contagious diseases entailed strict and urgent precautions in the marketplace. Certain workplaces had risks regarding their physical conditions; on the other hand, certain professions had sanitation risks in terms of goods and products. The state prepared the ordinances according to both reasons. Bakery, for example, was critical in terms of both ways. A bakery shop had a risk of the outbreak of fire due to the production process, including fire. Also, hygiene was crucial in bread production as it had the risk of selling spoilt dough or the epidemics spread via bakery employees.

The municipalities were also responsible for being in contact with the embassies for the foreign artisans or sellers trading in the Ottoman Empire. The problems concerning them and their shops were solved through the Embassy's medium. It had a critical role in solving hygiene problems that occurred in the marketplace. In an example dated 1890, it was notified that there were stinky bacon and salted intestine in a special part at the shop of a French butcher close by Beyoğlu Tunnel. They stank, and it adversely influenced public health and also discomforted the other trade groups. This problem was reported to the French Embassy, and these food products were immediately removed.[432]

The public health policies included the control measures and the disallowance. In the case of water carriers (*saka*) in 1911, İbrahim as the spokesman of Erenköy, Göztepe, and Kadıköy water carriers petitioned to the Grand Vizier office, and he demanded the exemption from the stamp tax. They added that the government did not permit them to practice their profession. However, the official certificate taken from the 18th municipality of Istanbul reveals the lowdown of the issue. It was stated that the water carriers jeopardized public health by selling foul water as if it was Kayın mountain water to get rid of the stamp tax. Therefore, the sale of non-stamp water and the disallowance decision was reported to the Police. The 17th municipality prepared

[432] BOA, HR.TH. 104/19, 9 R 1308 [22 November 1890].

a dictum about the spring water protection and providing unused water to the people in the borderlines of its administrative zone, which aimed to prevent the abuses of the water carriers. The practice of the procedure was obligatory for the municipalities because it was a critical step in protecting public health.[433]

The closure was also carried out as the other policy for preventing the unhygienic conditions of the shops and manufacturing places. In the case of starch-producers at Silivrikapı in 1890, the inspectors of the Health Commission closed Raşid Ağa's shop due to the poor conditions, but he demanded the opening of the shop again.[434] The government permitted to reopen the shop only if the inspection of it would be carried out again. On the other hand, he wanted to continue working in another shop in the Hacı Kadın neighborhood, but it was not accepted. The government stated that the shop at Hacı Kadın was harmful to people's health.[435] In general, Tavuk Pazarı, as a lively trading area, came into prominence with closures in this period.[436] In a case in 1891, Zeliha Hanım, who was the tenant of the liver seller shop in Emin Bey neighborhood at Bayezid, complained that her shop was closed due to its unsanitary conditions, but she claimed that the similar shops at Tavuk Pazarı and Aksaray were open, and she demanded a permit of the opening of her shop too. The health inspectors again controlled her shop, and it was stated that this shop did not possess necessary sanitary conditions, so the permit could not be given.[437] In the case again in 1891, ten slaughter houses (*selhhâne*), a trotter shop in Tavuk Pazarı, and a butcher at the opposite side of Valide Mosque at Aksaray were inspected, and the report stressed the unsanitary conditions of the shops and the obligation of closing of these shops. This report was sent to the Municipality. It was stated that the shops in the most crowded districts of the city, such as Tavuk Pazarı and Aksaray, would not be open even one day. The reason for omission in this issue was questioned. This could

[433] BOA, DH. İD. 41/10, 23 M 1329 [24 January 1911].

[434] Silivrikapı is a neighborhood at Fatih.

[435] BOA, DH. MKT. 1795/52, 13 CA 1308 [25 December 1890].

[436] Tavuk Pazarı is a street at Fatih.

[437] BOA, DH. MKT. 1813/18, 17 B 1308 [26 February 1891]. The liver seller's shop of the butcher Süleyman Ağa in Tahtakale was closed due to its damage to the environment that arose from the ventilation deficiency. See BOA, DH. MKT. 2138/48, 9 B 1316 [23 November 1898]; BOA, DH. MKT. 2161/41, 6 N 1316 [18 January 1899]; For a liver seller photograph, see Figure 5.

endanger the public health and lead to abuses like in the complaint of Zeliha Hanım. The Municipality ordered the close of these shops following the report of the health inspectors, and it questioned the delay of the practice of the decision.[438] In another case, the trotter soup maker shop in Haznedar Inn (*Haznedar Han*) at Tavuk Pazarı was also closed in 1892 because of effluvia.[439]

Adulteration (*tağşiş*) and coloring (*telvin*) were the other two significant issues in food manufacturing and sale. The use of halal ingredients within food and beverages was one of the prominent concerns in the supervision procedure. Ingredients had to be coherent according to the Islamic law and riskless to public health. The Municipality and the municipal police were making controls in consideration of these criteria mostly. In the case of candy makers who were located at Balıkpazarı, Eminönü, and the old Police station in 1901, they used harmful materials within their candies. Inspectorship of Public Hygiene gave a report about the dyes and harmful yellow dyes used for candies, which were hazardous to the people's health. It was stated that a non-botanical material was found within them. The Municipality banned selling these candies, and it initiated a legal proceeding against this rule violation.[440] In the other case of pasta (*makarna*) makers in 1907, it was stated that dyes used for coloring (*telvin*) pasta were not allowed, so a notification had to be sent from the embassies to the traders and pasta makers in Dersaâdet that they belonged and their citizenship had to be detected.[441] The control of the foreign and hazardous substances in certain products was the duty of the health officers. For example, the pickle makers (*turşucu*) complained the vinegar producers (*sirkeci*) in 1890 that vinegar was made of spirit, which was seriously hazardous to the people's health. It was stated that if they continued to produce vinegar containing this dangerous material, they would not be allowed to produce and sell them. The test which would be carried out by the Medical School (*Tıbbiye*) determined whether they could produce and sell or not.[442] It is

[438] BOA, DH. MKT. 1813/18, 17 B 1308 [26 February 1891].

[439] BOA, DH. MKT. 1987/14, 20 M 1310 [14 August 1892].

[440] BOA, DH. MKT. 2559/121, 10 Ş 1319 [22 November 1901].

[441] BOA, BEO. 3028/227028, 24 S 1325 [8 April 1907]; BOA, BEO. 3080/230951, 7 CA 1325 [18 June 1907].

[442] BOA, DH. MKT. 1781/69, 1 R 1308 [15 November 1890].

unknown that why this problem lasted two years, but the vinegar producers wrote a petition to the Imperial Military Schools (*Mekatib-i Askeriye-i Şahane*) and stated that the state banned to produce and sell vinegar as they included harmful materials. Therefore, they were aggrieved for this reason. They demanded the allowance for selling vinegar from the government after the necessary test.[443] The vinegar producers were not allowed to produce and sell for two years. It was forbidden to sell vinegar before the test, yet it is uncertain whether they could send all samples to the Medical Ministry or not. Obviously, the rules regarding the people's health were *sine qua non* for everyone in the marketplace.[444] This example also shows that supervision was conducted with more scientific ways and methods.

The number of new producers and sellers increased in number after the abolition of the *gedik* system in the Ottoman bazaar, and this forced the governments to take more measures in food production. In the record of tahini halva (*tahin helvası*) makers in 1918, individuals who were not masters produced halva, which was not similar to common halva in terms of taste and color. Pieces of halva were brought to the Municipality's chemistry laboratory, and 198 were determined as healthy and ordinary, 31 of them included soil, and 60 of them contained white lead and zinc. These individuals took halva, not from masters belonged to Kastamonu, but from the individuals who newly began to produce. The candy makers İsak at Tahmis street, Nomiko at Galata Mumhane street, Avram at candy factory, and his partners did this way. Halva, including soil, had been whitened by them. However, white lead was poison, so it endangered public health. Therefore, they would be sentenced to penal servitude on the galleys from three to ten years, individuals who only added soil into halva would receive imprisonment with three months to three years, and the producers who could incline to violate the rule, they would be divulged in the newspapers and

[443] BOA, DH. MKT. 2012/10, 27 RA 1310 [19 October 1892].

[444] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 8, pp. 4482-4483. In another example for the vinegar producers in 1899, vinegar that Haci Yorgi in Çukurtürbe street and Lambo in Boyacı street around Eğrikapı produced, was seized after the examination. See BOA, DH. MKT. 2197/98, 25 Z 1316 [6 May 1899].

the state would hang a plate that they broke the law henceforth accordingly to the 194th Article of Penal Code.[445]

The health reports (*tabip şehâdetnâmesi/sıhhat şehâdetnâmesi*) were compulsory documents for proving the wellness of the employees, and a memoranda (*layiha*) was prepared for the taking procedure of the testimonial. This 7-Article report included details about the health testimonials. The workers working at public and private spaces, the makers of cake, candy, milk dishes, *boza*, halva, pancake, pickle, and the grocers, butchers, water sellers, and the other food and beverage sellers, greengrocers, journeyman, apprentices, and servants working in barbers, bakery, bathhouses, hotels, tavern, casino, beerhouses, eating house and coffeehouses, the women servants and childminders had to bring the health testimonials semi-annually to the municipalities that they belonged. The Municipality's physicians or any physician could examine them and give a report to these employees. The testimonials had to include the names of the employees, their occupations, their fathers' names, their hometowns, the health reports for information about the patients and their diseases with the name of the physicians and dates of the reports. The testimonials and documents had to be approved by the General Directorate of Health. The portrayals of the employees also had to be included in these testimonials. The diseased individuals had to give up their occupations, and the guild wardens had to inform the municipalities about them. After the treatment, they had to send their new reports to the municipalities. The foreigners had to be recorded in the consulates. The Municipality had to prepare two different record books that contained these reports and documents. The Esnaf Office and the Office of Passport had to arrange their records. If the members of the trade and artisan groups did not bring these reports, they would be fined with one Ottoman gold; if they used the others' testimonials, they would be fined with a huge amount of *liras*; and if a physician did not act according to the code, he would be fined with five Ottoman gold, and all these abuses would be divulged in newspapers. These groups had to pay 15 kuruş one-off and 5 kuruş for every physician examination. If a suspicion could occur about the health condition of

[445] "Ceza kanunnâme-i hümâyûnu", 28 Z 1274 [8 August 1858]; *Düstur*, I/1, pp. 578-579; Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 8, pp. 4491-4492.

any employee, they had to be re-examined by the Municipality's physicians, and the inspection would be carried out about this issue.[446]

Although the health certificate system was not systemized in working life, the Municipality controlled the groups, especially those working in the risky production and service fields. For example, with an offer from İbrahim Romano, well-experienced pharmacist of *Dârülaceze* (Almshouse), it was ordered that the cooks, the pastry cooks, the candle makers, the lemonade makers, and the suchlike groups who serviced in the food-beverage sector and their apprentices with journeymen in Istanbul and Beyoğlu had to have the health testimonial (*şehadetnâme*) to take precautions against contagious diseases such as with pox or tuberculosis. The health committee and the health inspectors had to examine the employees whether they were infected with pox or tuberculous or not. If they were not ill, the Municipality could certify them and allow them to work. They had to pay one *mecidi* in return for this certificate. If the masters employed sufferer journeyman or apprentices, they had to be imposed a fine. On the other hand, if it was revealed that they were ill, the municipal administration could not let them work. However, this rule caused the loss of jobs and income for the infected employees. But the infected people had a chance to be treated in the poor hospitals (*fukara hastanesi*) of Istanbul free of charge till they could get better. Meanwhile, there appeared another problem since the capacity and condition of the hospital were not enough for the treatment of sick people, and the hospitals could not accept them.[447]

These cases demonstrate that the municipal administrations gave importance to the protection of public health. They implemented necessary decisions to prevent probable misconducts in food manufacturing and trading. Obviously, the frauds and omissions happened more than the ones reflected in the official records. These responsibilities generally belonged to the guilds themselves and the Ministry of the Marketplace until the second half of the nineteenth century. Then, the Municipality took responsibility in marketplace supervision. Moreover, the supervision methods

[446] BOA, ŞD. 808/14, 7 C 1319 [21 September 1901].

[447] BOA, DH. MKT. 2370/66, 10 RA 1318 [8 July 1900]; Yıldırım, "Osmanlı Devleti'nde Gıda Kontrolüne Bakış", pp. 62-63.

became more scientific with the establishment of new laboratories for tests. The change of authority in controls and supervision methods forced the groups to adapt themselves to this new administrative order that prioritized public health. On the other hand, their responsibility in the supervision of the commercial activities and hubs tailed off in this period.

4.3.2. Other Sectors

Such professionals as pharmacist, bathhouse dealer (Turkish bath), barber, tailor, porter, leather dealers, and the ones in the transportation sector including boatmen, oarsmen (*kayıkçı*), lightermen, passenger car, and carters faced the precautions and supervision for public health as well. Among other professions, the governments prepared ordinances and regulations mostly for the herbalists and the pharmacists since the goods they sold directly influenced people's health. They were the representatives of the health services in the marketplace and bazaars. Therefore, the Ottoman administration prepared new arrangements for pharmacy, drug production, and its sale, which were coherent with the developing medical science in that period. The first ordinance of pharmaceutics[448] goes back to June 1852 prepared by the Council of Health (*Meclis-i Tıbbiye*) called Regulations Concerning Pharmacists in the Ottoman State (*Nizamnâme-i Eczacıyan Der Memâlik-i Osmaniye*). According to this regulation, it was ordered the individuals not to sell any drug, ointment or cataplasm instead of pharmacies. It was banned to sell drugs to the physics, surgeons, and certain pure water sellers (Article 17th). The prohibition of selling drugs was a crucial attempt in protecting public health. Before this regulation, many professional groups such as barber, halva makers, soap makers, coffee shop owners, and furrier were selling drugs to the people. Individuals were hazardously damaged by

[448] Pharmacy was the new profession, which developed in this period. The detailed information about the history of Turkish pharmacy, see A. Süheyl Ünver, *Osmanlı Türklerinde Hekimlik ve Eczacılık Tarihi Hakkında*, (İstanbul: İstanbul Hüsnütabiat Basımevi, 1952); Naşid Baylav, *Eczacılık Tarihi*, (İstanbul: Yörük Matbaası, 1968); Bedi N. Şehsuvaroğlu, *Eczacılık Tarihi Dersleri*, (İstanbul: İstanbul Üniversitesi Eczacılık Fakültesi Yayınları, 1970); Turhan Baytop, *Türk Eczacılık Tarihi*, (İstanbul: İstanbul Üniversitesi Yayınları, 1985); Turhan Baytop, *Eczahaneden Eczaneye: Türkiye'de Eczaneler ve Eczacılar (1800-1923)*, (Bayer Türk Sağlık Ürünleri, 1995); İzzet Kumbaracılar, *Eczacılık tarihi ve İstanbul Eczahaneleri*, (İstanbul: Çelik Gülersoy Vakfı, 1988).

these drugs or were killed.[449] An ordinance was required for pharmacists because they could kill people at short notice to whom they provided drugs. Therefore, the state had to prevent the unfavorable conditions of the detrimental drugs in sale with the necessary inspections. However, it was not so efficient in practice, and a new regulation was implemented in 1861.[450] The professionals were distinguished from the shopkeepers as the latter did not have a diploma to do this job. In the Regulation for Attar and Herbals, there were given a list of 68 hazardous substances which were forbidden to sell.[451] However, certain foreign perfumers and herbalists (*attar*) in Dersaadet and Bilâd-ı Selâse fought with the inspectors of the Health Ministry, and they continued to sell unhealthy medical products. Meanwhile, the problems concerning the foreigner trade groups were solved via the Embassies, so the related embassies were warned about this issue. The inspectors demanded help from the police to complete their duty without a problem. The members of the trade groups had to take a permit from the Municipality and local governments in the provinces; a register book had to be kept, which included their licenses, and this book had to be sent to the Ministry of Health. But they were not sent to the Ministry in this case.[452] Because of

[449] Nuran Yıldırım, "Osmanlı Eczacılığının Gelişme Sürecinde İlaç Hazırlayıp Satan Esnaf ve Sağlıkçılar", *Osmanlı Bilimi Araştırmaları,* v. 11, n.1-2, (Ocak, 2010), pp. 275-277.

[450] Yıldırım, "Osmanlı Eczacılığının Gelişme Sürecinde İlaç Hazırlayıp Satan Esnaf ve Sağlıkçılar", pp. 276-277; The Regulation for Civilian Pharmacists (*Beledî İspençiyarlık Sanatının İcrâsına Dair Nizamnâme*) regulated and professionalized the pharmacy. This regulation clarified the principles of pharmacy and included information about pharmacists, their duties and responsibilities, the importance of diploma approved by the Imperial School of Medicine (*Mekteb-i Tıbbiye-i Şahane*), the apprentices of pharmacists, and the terms of sale of drugs. They would not be allowed to open a pharmacy without the school's permission (Article 5). The drug-selling operation had to be recorded in a notebook. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, pp. 3056-3061. Two regulations were additionally promulgated in 1885 called The Regulation for Drug Traders (*Ecza Tüccarı Hakkında Nizamnâme*) and The Regulation for *Attar* and Root Dispensers (*Attarlar ve Kökçüler Nizamnâmesi*). *Attar*s and herbalists could only sell the necessary drugs to the pharmacists or sell only herbal drugs. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, pp. 3069-3070. For a brief information of all the regulations about the pharmacists, see Nuran Yıldırım and Gürkan Sert, "Eczacılık Mevzuatımızın Tarihsel Sürecinde Eczane Açma/Eczacı Olma Koşulları ve Hekim-Eczacı İlişkisi (1852-1953)", *Osmanlı Bilimi Araştırmaları,* vol. 11, n.1, (2010), pp. 291-303. For an example of an ordinance about the herbalists, see "Bâ-irâde-i seniyye-i cenâb-ı Padişâhî Meclis-i tıbbiye-i mülkiye ve sıhhiye-i umûmiyeden attâr yani ecza tüccarları ve Mısır Çarşısı hakkında kaleme alınan talimat", 10 C 1301 [7 April 1884], *Düstur,* I/5, (İstanbul: Başvekalet Matbaası, 1937), pp. 34-37.

[451] Ergin, "Beyʿ ve Füruhtu Attârlar için Külliyen Memnû Olan ve Eczâ Tüccârı Tarafından Satılmasına Meşrûtan Mezuniyet Verilen Eczâ-yı Muzırra-i Sâmiyye", *Mecelle-i Umûr-ı Belediyye*, vol. 6, pp. 3071-3073.

[452] BOA, DH. MKT. 1806/80 27 C 1308 [7 February 1891]; BOA, DH. MKT. 1813/123, 19 B 1308 [28 February 1891].

cures or other herbal medicines, which could be highly dangerous for public health, the municipalities necessitated license for the herbalists to practice their profession and sell herbal drugs. This rule was valid for both Istanbul and the other provinces. The free sale of the toxicants was forbidden as well.[453] The Municipality got the help of the Medical School (*Tıbbiye*) to control these herbal drugs, and the arrangement standardized the control of the herbalists.[454] Examples show that the investigations of the Municipality became more bureaucratic. Artisans and traders had to struggle with these new official practices and procedures in their affairs.

The other critical groups were the barbers and hairdressers. For example, the inspectors revealed with the reports that the barbers and hairdressers did not obey the cleaning and hygiene rules in their saloons and the groups who were itinerant in these professions. This was a critical issue due to the risk of the spread of dermatological and other diseases.[455] The cleaning procedure was explained in detail, and it was stated that the kit, which includes a comb, brush, and razor, had to be kept clean, and they had to be cleaned up every day. The guild warden of the barbers of Üsküdar and Kadıköy was in charge of informing the inspector office consistently.[456] The keepers of coffeehouses and hairdressers worked at the same place in general. In one example, the coffee makers and hairdressers located in Beyoğlu were operating tooth and cupping (*hacamat*), which was not their profession. It was too dangerous for the people's health. The government warned them and their guarantors who were bound to them in 1907.[457]

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[453] BOA, DH. MKT. 2594/137, 23 ZA 1319 [3 March 1902].

[454] BOA, DH. MKT. 898/10, 30 B 1322 [10 October 1904].

[455] The ordinance was prepared in 1894 for the contagious diseases. See "İlel-i sâriyeye karşı ittihaz kılınacak tedâbir ve tebhîrhâne memurlarının vezâifine dair talimattır", 11 CA 1312 [10 November 1894], *Düstur*, I/6, (Ankara: Başvekalet Devlet Matbaası, 1939), pp. 1518-1522; "İlel-i sâriyeye karşı ittihaz olunacak tedâbire ve tebhîrhâne memurlarının vezâifine dair olan talimata tezyîl edilmek üzere kaleme alınan fıkra-i mahsusa", 3 Z 1312 [28 May 1895], *Düstur*, I/7, (İstanbul: Başvekalet Devlet Matbaası, 1941), p. 3.

[456] Rules that barbers and hairdressers had to obey were listed in detail by considering the report of the health inspectors. See BOA, DH. MKT. 1231/91, 6 M 1326 [9 February 1908].

[457] BOA, ZB. 347/64, 27 R 1325 [9 June 1907]. For the other example in cleaning issue, the carders (*hallaç*) were warned to keep cotton and fleece wool clean in their shops and bat bazaars (flea market). Their shops were also under strict control. See BOA, DH. MKT. 981/45, 24 M 1326 [27 February 1908].

In some sectors, the Municipality was making regular controls to prevent hygiene negligence. Snow and ice were significant consumer goods used to keep cold beverages and then in sanitary fields.[458] Snow and ice sellers generally came to the fore because of cleaning matters since it had the risk of breaking out and spreading various diseases. Wells had to be always clean, which were under the management of both the state and private snow businesses. They belonged to *Karhâne*, and it was affiliated to the Municipality. Thanks to the vital need for maintaining sanitation, the state never left *Karhâne* utterly to the hands of snow sellers.[459] The Municipality prepared an ordinance for the snow sellers (*karcı*) in 1887 to prevent these risks.[460] But the snow sellers complained about the constraints frequently. In one case, the Municipality forbade the snow sellers to use the snow wells since these wells were close to such areas as Kasımpaşa, Tatavla (later Kurtuluş), cemetery, and dumping, which was dangerous to the people's health. However, the snow sellers stated that they were gathering snow from the high regions and the wells, which were remote to the cemeteries and dirt. Therefore, it was not hazardous to health, according to their statement. They demanded the use of the wells, but the state did not allow to it.[461] The Municipality did not permit the use of the wells apart from Katırlı mountains or mountains around Dersaâdet. Yet, the snow sellers defended themselves with a

[458] For a detailed article on the procurement of snow and ice in the Ottoman Empire, see Burcu Kurt, "Kar ve Buz Temininde Modernleşme ve XIX. Yüzyıl İstanbul'unda Karcı Esnafı", *Trakya Üniversitesi Edebiyat Fakültesi Dergisi*, v. 5. n. 9, (January, 2015), pp. 145-167; Kurt, pp. 149-150.

[459] İbrahim Başağaoğlu, Mebrure Değer & Bayhan Çubukçu, "İstanbul'da Kar Kuyuları ve İşletmeleri Hakkında Bir Araştırma", *Türkiye Klinikleri: Tıp Etiği-Hukuku-Tarihi*, v. 11, n.4, (2003), p. 247.

[460] The ordinance consisted of seven articles: First, it was forbidden to open wells in the inner-city, plots among the quarters, cemeteries, and curtilages. Second, the municipalities would carry out an inspection about the wells, which were located far away from the inner city and the houses, and they could give a license to the relevant individuals free of charge. Third, snow that was put into the wells would be controlled by the municipality of the region, and they again could give a license to the related trade group free of charge. Fourth, hay, which would be put over the wells, had to be clean, and they had to be changed every year. Hay that was used in the previous year would not be reused. Fifth, snow in the wells had to be clean, and their surface had to be completely closed to prevent the falling of any foreign material or object. Sixth, the license would not be given unless the individuals would obey these rules, and they would pay a fine from 6 to 10 *beşlik* according to the 257th Article of the Penal Code. Seventh, the snow sellers had to obey this ordinance, and the control of the application of it would be handled by the related municipality and the administration of *Karhâne-i Âmire* (snow and ice seller company). See BOA, ŞD. 729/14. 25 RA 1305 [11 December 1887]; Kurt, pp. 158-159.

[461] BOA, BEO. 1043/78200, 29 C 1315 [25 November 1897].

petition, and argued that the Municipality approved the cleaning of the wells last year. It was probably a decision in favor of public health. Their protective measurements did not change from last year to the current time, and they asked for why the Municipality implemented this ban. The building of stone walls was ordered, but the snow sellers stated that seasonal conditions were not appropriate to build a wall in the wells. Thus, the state postponed the building of walls to the next year.[462] This example shows that trader and artisan groups sometimes resisted the decisions of the government, which indicates their active role in problem-solving processes.

The supervision in food and other areas intersected with the protection of environmental health as well. Environmental health is the inseparable part of public health that aims to remove extant land, air, and water pollution in general related to the policy of decreasing the detrimental effects of contagious diseases or the other ones and preventing the spread of them. Indeed, the Ottoman policymakers partially had this cleaning consciousness.[463] The environmental health politics became more systematized with the new ordinances and regulations.[464] It involved the rules about the shops, streets, ways, and the issues about drayage.[465] The remarkable point in this issue is that it intersects with the urban planning policies of the government.

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[462] Kurt, pp. 160-162; Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 7, pp. 4129-4130.

[463] This consciousness was not the output of the development of Western institutions in the Ottoman Empire. The Code of Obligations enacted in 1539 (the reign of Süleyman the Magnificient) in Edirne that includes provisions about environmental cleaning is a good example of the state's perspective in the earlier centuries. The superintendent (*subaşı*) was responsible for implementing the rules of this code. According to this, Article 1 and Article 2 order the populace keeping the shops clean from all kinds of surrounding garbage and rubbish. Article 7 states that dyers, cooks, pack saddlers, and butchers (or sheep head sellers) had not to dispose their grass, garbage, and dung on the streets, and they had to dispose them to the desolated and empty locations where people did not live in. See Ahmet Akgündüz, *İslam ve Osmanlı Çevre Hukuku*, (İstanbul: Osmanlı Araştırmaları Vakfı, 2009), p. 60; Eray Yurtseven et al., "Environmental Health During the Ottoman Era in Sixteenth Century", *Türkiye Klinikleri: Tıp Etiği-Hukuku-Tarihi*, v. 18, n.1, (2010), p. 50.

[464] In general, the prevention of fires was one of the major motives of the state in environmental order policies. The expansion of chairs, tables or the products from the front of the shops to the streets was the other problem that the Municipality dealt with because the regulations mainly mentioned these kinds of prohibitions. The other regulation was the Regulation for the Streets, which was accepted as the first arrangement of the municipal police. According to the Articles of 7 to 9, the owners or renters of shops and workplaces had to sweep their places, and they had to wait for mule cars or cars to throw them out since it was forbidden to pollute the environment with their garbage. See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1786.

[465] An ordinance was enacted in 1913 for debris, lumber, stone, brick, and wood transportation. It was divided into two parts. In the first part, Article 4 states that drayage was forbidden for the transportation of flour, lime, plaster, and the other substances that raising dust. The barbers, cooks, and tripe shops

The articles issued the environmental cleaning protection were added to the various regulations. Fines for any violation were determined in the Penal Code of 1858. Article 254 of the Penal Code emphasized the environmental cleaning of inns and eating houses and the lights around these places.[466] The 255th Article ordered that the groups who were doing their jobs with fire had to clean the ovens and flues in certain time periods. Unless they did this, they would be fined from 1 *beşlik* to 5 *beşlik* or be imprisoned from 24 hours to 3 days.[467]

Environmental cleaning involved measures such as garbage collection, watering the streets, and the prevention of bad smells in general. Various groups handled the cleaning of the streets before the establishment of the Municipality. Artisans and traders were responsible for cleaning the bazaars that they were working in and around them, and the guild members controlled it. The cleaning of the streets and alleys was carried out by *arayıcı*, and *imam*s made the control of it. *Çöplük subaşı* who belonged to the Islamic law judges contracted out the street cleaning duty to *arayıcı* on the official level. The cleaning of big squares and main roads was made by *acemioğlan*, and the Janissaries inspected them.[468] After the Auspicious Incident (*Vaka-i Hayriye*-abolition of the Janissaries), the duty of *acemioğlan*s was transferred to the Ministry of the Marketplace. The marketplace actors were still responsible for

had to keep cases to throw dishwater and sweepings out (Article 13), and the butchers had to keep meat into wedge-wire but not hanging on a hook (Article 14). The employees also had to bring health reports semi-annually, as a rule in the other occupations (Article 15). There were articles considering environmental cleaning in the second part of the code as well. The transportation of debris and lumber on horses and donkeys was also banned, but the implementation of the drayage ban was postponed to the following year by regarding the unjust treatment (1st Article of the 2nd part). All drayage matters should not pollute the streets, derange the health, and it was forbidden to transport stones, bricks or iron as if insulting pack animals. The drayage only had to be made on another auxiliary animal by putting necessary materials into the large baskets on these animals, and this rule would be implemented next year (Article 2). It was forbidden to sell tripe, heads, and other animal products with a pole (Articles 3 and 4). See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, pp. 1814-1817. In the ordinance of the Duties of the Municipal Police in 1913, putting or cumulating animal head, skin, and horn was forbidden on the streets and in the shops (Article 19). See Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, p. 1830.

[466] Provisions related to various artisans and trade groups existed in the last section of the Penal Code of 1858. See "Umur-ı Tahaffuziye ve Tanzifiye ve Zabıtaya Muhâlif Hareket Eden Ashâb-ı Kabâhiyin Cezaları Beyanındadır", Akgündüz, *İslam ve Osmanlı Hukuku Külliyatı*, p. 653.

[467] Akgündüz, *İslam ve Osmanlı Hukuku Külliyatı*, p. 654.

[468] Ayşe Pul, "Osmanlı Sosyal Hayatı Figüranlarından Arayıcı Esnafı", *Tarih İncelemeleri Dergisi*, vol. 23, n.1, (July, 2008), p. 219.

cleaning their surroundings, including shops and bazaars. Then, the Municipality became the primary responsible state institution for cleaning the streets and alleys after the second half of the nineteenth century, and *arayıcı*s became history. Individual or in-group initiatives did not have a prior responsibility in the supervision of the cleaning of the marketplace and shops anymore. The Municipality took on the marketplace inspection and cleaning of the capital city as a task.[469]

As the major local authority, the Municipality also made certain arrangements for the changes in the locations of the producers that could potentially generate risks for environmental health. Leather production was one of the sectors which had full of environmental health risks because of the production process and the materials used. In the 9th Article of the Ordinance for the Tasks of Board of Audit (*Heyet-i Teftîşiyye Vezâifine Dâir Tâlimatnâme),* it was pointed out that the tanneries had to be controlled whether they were clean or not and whether they were translocated to the outside of the city or town or not.[470] Therefore, the Municipality tried to control these producers and their workplaces vigilantly.

For instance, in the record dated 1890, it was decided to translocate the workplaces of the tanners and leather dealers from Üsküdar to Fenerbahçe district. Their workplaces at Üsküdar were closed till the new ones were built in Fenerbahçe. The tanners and the leather dealers demanded the opening of their workplaces and continuing to work in the same place. However, the Office of the Public Hygiene (*Hıfz-ı Sıhha-yı Umûmiye*) revealed with its report that these workplaces were unsanitary, and it was not allowable to open a shop in there. The tanners and leather dealers stated that they were aggrieved in return for this report, and they demanded the reopening of their workplaces.[471] The tanners of Üsküdar pointed out that the places including Fenerbahçe or Cadıbostanı shore, which the Municipality suggested to them to relocate, did not have a fresh water source and it made impossible to work there

[469] See the Article 7 of *Şehremâneti Memuriyetiyle Teferruâtına Dair Meclis-i Âli-i Tanzimât ve Nizamnâme Lâyıhası*, Atatürk Üniversitesi Kütüphanesi Seyfettin Özege Koleksiyonu, no: 12755, 15 ZA 1271 [30 July 1855], p. 4. For in Latin alphabet, see Seyitdanlıoğlu, p. 27.

[470] Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 6, p. 3097.

[471] Appears in BOA, DH. MKT. 1790/128, 27 R 1308 [10 December 1890]; BOA, DH. MKT. 1794/105, 11 CA 1308 [23 December 1890]; BOA, DH. MKT. 1809/77, 6 B 1308 [15 February 1891].

according to them. Thereupon, the tanneries demanded to set a place for them in Kavak pier, but the government did not find it suitable, and it directed the group to Fenerbahçe. The governing center ordered to the Municipality to prepare a map for building these tanner workplaces in Fenerbahçe. It was added that the wells in there had freshwater, and it was sanitary and convenient even if they would sink a new well. It was also ordered to the municipal administration to help to get rid of the difficult situation of the tanneries quickly.[472]

In another example, the shops of rags and bones, leather dealers, starch sellers, the manufacturing shops of the lime and glue located at Arasta in Istanbul and Bilâd-ı Selâse were relocated to the district of Küçükçekmece that was slightly far away from the city center. These groups stated that they had financial difficulties, and they demanded the Municipality's help for their probable expenses. The Municipality decided to establish a commission, and an officer from the Ministry of Health was also charged for this issue. But in the end, they were sent to Küçükçekmece in 1892.[473] In the other sector in 1890, the fleece wool producers stated that their workplaces at At Meydanı were closed because the government banned them from working there. They were translocated to the outer of Istanbul walls. However, the report of the Inspectorship of Health Issues (*Sıhhiye Müfettişliği*) revealed that their workplaces were opened with shortcomings by the group in question, and they continued to work in them. The government warned them because they acted against the rules.[474] This example shows the resistance of the producers when they were suffered from economic difficulties or were obliged to give up their professional traditions that come from old times.

These examples show that traditional manufacturing or trading centers would easily be changed with the new public and environmental health policies regardless of having historical and traditional importance or the demands of the marketplace actors. Cases display that tension emerged between the artisan and trade groups and the governments because the producers did not want to leave their long-established and

[472] BOA, DH. MKT. 1814/140, 22 B 1308 [3 March 1891].

[473] BOA, ŞD. 2605/12, 6 CA 1310 [26 November 1892]; BOA, DH.MKT. 2011/52, 26 CA 1310 [17 December 1892].

[474] BOA, DH. MKT. 1787/112, 19 R 1308 [2 December 1890].

old production centers; on the other hand, the governments and municipal administrations had to protect the environmental health conditions in city life. With the precautions and the new decisions for the locations of the shops, the traditional workplaces or work sites were forced to change in time.

The controls and investigations in the marketplace show the flexible but controlled feature of the urban planning and the public health policies in late nineteenth-century Istanbul. The imperial capital can be accepted as the test room for implementing these policies. Therefore, the capital city provided to see the consequences of the new arrangements and the reactions of the society as well. The municipalities' public health policy formed the significant part of the general health policies. The protective public health policies became more systematized with the market controls via its new methods and units. The new administrative manner also shaped the urban planning policies. All the decisions taken in the framework of needs and the effort to adapt to the new order were beyond just being a copy of the practices of the Western countries. The obligatory state pragmatism and rationalism in urban planning and public health policies were the foremost features of this period. Artisans, shopkeepers, and peddlers tried to adapt themselves to this new administrative order, contributing to the change of their traditional reactions in the marketplace. In the next chapter, the story of the abolition of the guilds and the roles of their wardens in this process will be examined. Then, the establishment of the esnaf associations will be handled.

CHAPTER 5

TOWARDS A NEW ORGANIZATION: THE ABOLITION OF GUILD WARDENSHIP AND THE ESTABLISHMENT OF ESNAF ASSOCIATIONS (*ESNAF CEMİYETLERİ*)

The Ottoman Empire was in the administrative transformation from the nineteenth century onward which impacted on the organizations of artisans and traders as well. Many craft and trade groups existed, but their guilds were abolished before the collapse of the empire. They already transformed into a new structure called esnaf associations (artisans' associations-*esnaf cemiyetleri*) established in 1910.

The common view about the Ottoman guilds is that they disappeared almost wholly from economic life from the 1850s onwards. This did not occur, but new associations were replaced them; that is to say, they evolved into a new organization form which was under the control of the Municipality including the provincial municipalities in the last period of the empire. This new practice formed a significant part of the transformation process in the affairs of the artisans and traders. The traditional professional missions of the guilds continued to exist when the new organization model in the form of association was implemented.

This chapter will examine the abolition process of the Ottoman guilds, specifically Istanbul guilds, and then the establishment of esnaf associations. The chapter will explore the last days of the guilds and the process that ended with of the foundation of associations. It reveals the reasons for the abolition of the guilds with an alternative explanation that focused first on the institutional transformation of the state apparatus. The chapter will also highlight that the guild warden as the sole official representative of the guilds became another reason for the abolition. By considering these two factors, this chapter will show that the abolition of the guilds can be explained by considering the administrative transformation, including the expansion

of bureaucracy and new institutionalization in the local government, rather than focusing only on the economic transformation. Concomitantly, the chapter will show the human dimension, the role of the guild wardens, in the abolition of the guilds from the market life.

This chapter will then elaborate on the newly established associations that marked the beginning of a new organizational period in terms of artisans and traders. The structural change in the organizations of these groups presents the changing administrative patterns that directly impacted on the daily and organizational experiences of the mentioned groups.

5.1. The Last Period of Guilds

The literature agreed on certain reasons for the abolition of the guilds, which is still open to the new evaluations. First of all, it was argued that the Janissary corps caused deteriorations in the traditional guild structure. But it was not the direct reason for this collapse because approximately one century lapsed ever since their abolition. Therefore, the abolition of these organizations was not directly related to the effect of the Janissary corps. Second, as the most mentioned one, it was stated that some handicrafts and small scale trade activities in the Ottoman lands started to disappear with mass production developed in certain European countries and its outcome on the Ottoman economy with the increase in the importation of manufactured goods resulted with the abolition of the guilds. All manufacturing activities did not disappear, but they remained incapable of industrial production; that is to say, the traditional production techniques could not compete with mass production methods. Moreover, it was put forth that the increase in the imported manufacturing goods and products from abroad led to the emergence of the new consumer culture, and the demand for new imported manufacturing goods of the society increased dramatically. This crucially changed the socio-economic atmosphere in the nineteenth century, which paved the way for the disappearance of traditional manufacturing methods and traditional guilds in the Ottoman Empire. Nonetheless, every trade, service or craft group such as water carriers, servants, peddlers, broom makers/sellers etc., was not influenced by the negative effects of the mass production process. Third, it was claimed that the abolition

of *gedik*, as another reason, disarranged the marketplace order in terms of trading affairs and the traditional *modus operandi*. Therefore, it triggered the abolition of the guilds. Commercial privileges ended in 1861, and the emphasis on free trade came into prominence with the second half of the nineteenth century. But this issue was related to the break of the monopolization in commercial activities but not to the organizations of the artisans and traders. The abolition of the guilds cannot be explained solely by the change in economic policies that were previously based on protective and monopoly economic strategies. In addition, *gedik* was the right of trading, but the guilds were the organizations of artisans and traders.

The guilds were generally mentioned with the manufacturing sectors, yet they existed in the area of the small-scale trading activities as well. Donald Quataert points out that guilds became decreasingly common in the craft sectors and increasingly in transportation over time.[475] Therefore, the abolition of the guilds should be examined by taking into consideration the binary aspect of it. The abovementioned factors and arguments explain one aspect of the decline and the collapse of the guilds, but they cannot entirely enlighten the motives of the state and the process. Two arguments about the abolition of the guilds will be added and asserted at this point. First, the process that began with the Tanzimat can be accepted as a trial and error period in terms of bureaucracy and administration. This was also valid for the issues related to the groups dealing with small-scale trade and manufacturing. One of the major motives in the abolition of the guilds was the accommodation to the new bureaucratic and judicial order. It was a period of bureaucratic modernization, and many departments and offices of the state changed. The guilds, as the old administration model representative, were adapted into a new administrative structure. They were primarily and officially linked to the Municipality after 1855. Their affairs were affiliated to the Esnaf Office in 1892, which was a sub-department in the Municipality. The tasks of the guild wardens continued in the 1890s with this office.

The establishment of a new guild in the last period gives an idea about the organizing procedure and the points to consider in terms of the governments. For example, an 11-articles Ordinance for the Servants (*Hizmetkârân sınıfı hakkında*

[475] Donald Quataert, "Labor History and the Ottoman Empire, c. 1700-1922", p. 106.

talimat) in Istanbul was implemented.[476] They did not belong to a trade group, but they were accepted as a separate group. A guild warden was appointed for them to take under the control of their formal matters and give them licenses. He was responsible for the matters and problems of the servants. They could give licenses in return for fees. This fee was divided into four categorizations, including 10, 20, 40, and 60 kuruş in addition that servants were taking a wallet valuing 75 *para* for once (Article 3). However, the criterion of this classification was uncertain. The information about the maids had to be registered to a registry book at his disposal in return for 5 kuruş and they did not have to take any additional fee for this recording (Article 4). One guild warden, one guild warden assistant, and one collector (*tahsildar*) had to be chosen for operating matters related to the group. Besides these officers, a guild committee had to be formed by two Muslims, one Armenian and one Greek, and this guild committee had to be the same as the other guilds existing in the Ottoman Empire. Having both an Armenian and a Greek member in this committee indicates that the number of non-Muslim servants was remarkably high, and the state was sensitive about the ethnic differentiation among the servants. The seals of the guild wardens were impressed by the Municipality, and the seals would be left to them as it had been done for the other guilds. The guild warden and his assistant had to send the book records and accounts to the Municipality Accountant Office. Moreover, they had to send the list of the servants to the Civil Registry Office (*Nüfus İdaresi*). All new changes had to be reported to these mentioned departments.[477] The guild warden assistant and the debt collectors would not be allowed to record, especially maids to be employed in mansions, inns or the other residences.[478] The number of the servants would be increased due to the rise in the number of the mansions and waterfront residences with the changing lifestyle of the Ottoman Istanbul, particularly the Ottoman bureaucratic elites, onwards the second half of the nineteenth century. Therefore, the government

[476] BOA, İ..MMS. 96/4078, 28 C 1305 [12 March 1888].

[477] The Servant Finding Administration (Umûm Hizmetkârân İdârehânesi) was established for creating a job for unemployed servants in 1911. For a detailed information on this office, see Yavuz Selim Karakışla, "II. Meşrutiyet Döneminde Kurulmuş Bir Hizmetçi Bulma Ofisi: Umûm Hizmetkârân İdârehânesi (1911)", *Tarih ve Toplum*, (Ekim, 2002), n. 226, pp. 45-54.

[478] BOA, Y. A. RES. 26/8. 10 M 1302 [30 October 1884]. The ordinance was implemented in 1888. See BOA, İ..MMS. 96/4078, 28 C 1305 [12 March 1888].

aimed to control this group under a guild and record it as a separate service group with the new administrative mentality. This ordinance was implemented only for the servants at Dersaâdet and Bilâd-ı Selâse where the change of social life habits was more visible and recorded.

The governments sometimes did not allow to establish a separate guild for certain newly emerged professions in this period. For example, the bill of exchangers was accepted as "esnaf" by the Chambers of Commerce and Industry. Then, they were linked to the chambers even though the management of the guild wardens continued. After this institutional change, they were called merchants rather than *esnaf*. Due to the fact that they had a guild warden, they can be accepted as *esnaf*. However, the bill of exchangers did not have a special and individual guild in Istanbul, and this issue came to the fore. They would have a chance to carry on the businesses via this guild. Their guild warden conveyed the matter to the Ministry of Trade that the complaints about the bill of exchangers, brokers, and *tellâls* increased in this period due to the rise in their number and commercial activities. The guild warden wrote the need for the establishment of a separate guild for solving this problem in his petition.[479] However, the Council of the State did not permit exchange traders and other mentioned professions to establish a distinctive guild since they were connected to the Chamber of Trade, and it was stated that there was no need for such a guild for this reason.[480] Nevertheless, the guild wardens continued to collect the permit fees from these trade groups even after the two-year above-mentioned complaints were delivered.[481] Notwithstanding the demands of the guild wardens and the bill of exchange traders, a separate guild was not established.

The free trade policy began in the period of the Tanzimat reforms, and it shaped the economic order in the last decades of the Empire. People who were dealing with commercial activities had to accord themselves to the new economic policies. On the other hand, the governments had to make a smooth transition in terms of economic, political, and social aspects. For example, the Committee of Union and Progress (and

[479] Şenyurt, p. 201; BOA, ŞD. 1206/13, 29 ZA 1313 [13 April 1896].

[480] BOA, BEO. 780/58465, 1 Z 1313 [14 May 1896].

[481] Şenyurt, pp. 201-202; BOA, ŞD. 1212/15, 22 M 1316 [12 June 1898].

then Party) administration was confronted with certain problems to make these trade groups adapted to the new economic order and discipline their official representatives. The CUP gave importance the artisan and trader groups because they were the social basis of the party and party politics, and they were one of the major groups that the CUP could use in their nation-building project.[482]

The Ottoman governments tried to take the guilds under control via the Municipalities. The official supervision and correspondences continued under the administration of a new administrative unit. Esnaf Office, as the sub-unit of the Municipality, had an intermediary role in the affairs of the guilds with the state center. The abolition of the guilds was intrinsic not only to the economic reasons but also to the new administrative factors. Bureaucratic modernization led to a change in the administrative and judicial form of the guilds. Furthermore, the abolition of the guilds was interconnected with the guild wardens. Interestingly, the leading motive of the state authorities in changing the structure of the guilds was to remove the guild wardens as intermediaries. The presence of a guild warden was the sign of the presence of a guild, yet the increasing complaints about the guild wardens and their abuses paved the way for the abolition of this traditional and historical institution in which they were the sole responsible officers. They were apt to use the guild wardenship as the income source and extend its limits regarding regional and sectoral aspects. Therefore, their misconduct contributed to the abolition of the guilds.

Then, the guilds were transformed into new esnaf associations that were different than the traditional organizational structure in 1910. It was just beyond a change in the name, and the changes occurred in the roles and responsibilities of the heads of the groups as well. The way of tax-paying even changed before the establishment of associations. The common feature of the last guilds and new associations was that every official procedure was written in detail in the regulations, which had to be coherent with the new "modern" law and administration system.[483]

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[482] Ferdan Ergut mentions also the policing function of craftspeople in his work. He states that the CUP used them as the assistant actor of the social control over the society. See Ferdan Ergut, *Modern Devlet ve Polis: Osmanlı'dan Cumhuriyet'e Toplumsal Denetimin Diyalektiği*, (İstanbul: İletişim Yayınları, 2004), p. 171.

[483] The term "modern" refers to the western style legal regulations prepared during and after the Tanzimat period, but this study uses this concept cautiously.

Change in the operation of the affairs of artisans and traders was the anticipated result of this period of change.

5.1.1. Guild Warden: A Burden?

Padişahım Çok Yaşa
Ba-kemal-i afiyet tahtında kılsın müstedâm
Hakk seni ey şehriyar-ı adil ve kişver-güşâ
Ruz-ı firuz-ı cülûsun ıyd-ı ekberdir bize
Devletinle şevketinle padişahım bin yaşa[484]

The position of the guild warden is one of the controversial topics of the Ottoman esnaf narrative, especially for the classical Ottoman period. The term guild warden (*kethüda*) had two different meanings: The first one was used for the individuals responsible for the public affairs of the districts and were elected by the neighborhood (*mahalle*). The *imam* and the guild warden mediated between community and government in security and tax collection.[485] Another meaning was used for referring to the official representative of the artisans and traders. A guild warden was perceived as the basis of a guild, and he was the indicator of a guild's presence in any sector. As the representative of the artisan groups between the state and themselves, both the terms of *kethüda* (Ankara, Bursa, Konya, Kayseri) and *şeyh* (in Sivas) were used for guild warden. Yet, guild wardens in certain occupations had their special terms. For example, *pazarbaşı* (warden of a market) was used for the guild warden of the grocers, *kasapbaşı* (butcher's warden) was used for the guild warden of the butchers, Ahi Baba was used for the guild warden of tanners, and

[484] This poem was written by the guild warden of the comb-sellers (*tarakçılar*) and spoon-makers (*kaşıkçılar*) by name Ali Ulvi to the Sultan to praise him. See BOA, Y. PRK. AZJ. 46/42, 29 Z 1320 [29 March 1903]. In this poem, he praised the Sultan and he stated that may God keep his sovereign perpetuated with a full and complete health. The accession to the throne of the Sultan was a festival for them (for the people). He finishes his poem with the sentence that "Long live my Sultan with your state and majesty". For the photograph of Ali Ulvi and with the employees Hilmi and Cevdet Efendi (the boy at the back side of the photograph could be an apprentice), see Figure 6.

[485] İnalcık, "Istanbul: An Islamic City", *Journal of Islamic Studies*, n.1, (1990), pp. 14-15.

çarıkçıbaşı was used for the guild warden of the rawhide sandal makers in the Tanzimat era.[486]

The terms used for referring to the occupational posts help to understand guild-related issues and the unstandardized nature of the guilds. The post *kâhya* was accepted as *esnaf kethüdası* (guild warden of *esnaf*) as well and *kethüda* was defined as the head or director of a trade group.[487] The guild warden (*kethüda*) and *kâhya* were the two concepts used for this position.[488] In the official documents, *kethüda* was the most used epithet for the guilds' head; on the other hand, *kâhya* was less used in the last period's official records. For example, *kâhya* was used for the responsible person for the second-hand booksellers (*sahaf*) instead of the guild warden in the last period.[489] As it was mentioned above, the guild warden position meant the presence of the guild in the last period's bureaucratic language and procedure. Using the guild wardenship term rather than "guild" can be accepted as the outcome of the new bureaucratic structure in the Ottoman center.

It was stated in the narrative on the guild wardenship that the guild warden was the officer who protected the rights of the artisan or trader group that he was affiliated with, dealt with their problems, and conveyed these problems to the center and municipal administration, and collected the taxes. This post was accepted as the cement of the guilds. This classical narrative propounds that the guild wardens did not enter an action against the above-mentioned groups he was responsible for and their

[486] Musa Çadırcı, *Tanzimat Döneminde Anadolu Kentlerinin Sosyal ve Ekonomik Yapısı*, (Ankara: Türk Tarih Kurumu Yayınları, 2013), p. 123.
[487] Sami, "Kethüdâ", p. 1145.

[488] There was a division between the guild warden and head-guild warden (*serkethüda*) positions, and the latter was probably prior in terms of hierarchy. The head-guild warden did exist in the guild organization of boatmen, porters, and binders. For example, the guild warden of *Bağçekapısı* porters who worked more than fifty years stated that he recently became disabled to work. Therefore, he demanded to be the head-guild warden of the porters or any other guilds. It can be deduced from this example that this post can be accepted as an honorary but salaried one. However, the official and non-official sources do not give enough information about this position. See Ahmet Saim Arıtan, "Ciltçilik", *TDV İslâm Ansiklopedisi (v.7)*, (İstanbul: Türkiye Diyanet Vakfı Yayınevi, 1993), p. 553; BOA, DH.MKT. 2431/101, 3 Ş 1318 [26 November 1900]; Bağçekapısı is a district located between Eminönü and Sirkeci, which was one of the crucial trade centers in Istanbul. See Mahmut Çetin, *Dersaadet Sözlüğü*, (İstanbul: İstanbul Ticaret Odası Yayınları, 2012), p. 31.

[489] İsmail E. Erünsal, *Osmanlılarda Sahaflık ve Sahaflar*, (İstanbul: Timaş Yayınları, 2013), p. 230. In the other examples, Abdülcebbar was referred as *kâhya* of the porters of Kadıköy Pier. See BOA, DH. UMVM. 88/26, 3 CA 1340 [2 January 1922]; İmdad Efendi, the guild warden of the boatmen, was noted as *kâhya*, which shows that *kâhya* and *kethüda* were the same posts. See BOA, ZB. 486/125, 4 CE 1324 [26 June 1906], BOA, DH. MKT. 1095/73, 8 CE 1324 [30 June 1906].

guilds in general. It was mentioned that they worked for the self-interest of these groups. But the examples from late-nineteenth-century Istanbul show that all guild wardens did not operate the guilds free of problems. The grievances of these trade-related groups showed a different side of this issue. Yet, the guild warden was still the most authoritative officer in conducting the affairs of the marketplace actors in the last period of Ottoman Istanbul. The state center did only place particular emphasis on its formal responsibilities towards the state authorities and the guilds. Guild wardens became the extensions of the sultan's administration in the last period of the Ottoman Empire.[490] On the other side, they continued to earn income from the payments of artisan and trade groups.[491]

There was no special written arrangement about the criteria to be selected as a guild warden in the nineteenth century. An appointment to a guild warden position was made in two ways in the last period as it was in previous periods: First, the former palace servants and employees were appointed; second, the masters of the related profession were appointed or elected by the guild members.[492] Most of these Palace

[490] Faroqhi, pp. 121-122.

[491] Genç, p. 301.

[492] Many examples can be found in the archives for the appointments of the former palace servants or people from the related professions as guild wardens. For example; Hacı Emin Ağa, who was a retired janitor was appointed a guild wardenship of a guild. See BOA, İ.DH. 720/50242, 9 RE 1293 [4 April 1876]; The guild wardenship of the general tobacco producers was given to Ahmed Ağa, the second warden of *Mabeyn-i Hümayun* Organization, after the guild warden Hacı Mehmed Efendi passed away. See BOA, İ.DH. 892/71030, 8 L 1300 [12 August 1883]; The guild wardenship of bottle-producers, gasolier, cup makers, toymakers, and the birdcage makers was given to Şamdani Ömer Ağa. See BOA, DH. MKT. 1908/65, 5 C 1309 [6 January 1892]; The guild wardenship of the porters in Tophane Pier was given the butler (*kilari*) Hafız Hüsnü Efendi. See BOA, İ.ŞE. 12/32, 11 L 1317 [12 February 1900]; Hüseyin Efendi, the second butler (kilari) replaced Hacı Mahmud Efendi (the former general director of the Department of Protocol- Teşrifat-ı Hümayun) as the guild warden of the greengrocers. See BOA, İ. ŞE. 14/11, 15 ZA 1318 [6 March 1901]; The guild wardenship of the general grocers (by including Makriköy) was given to the head butler (*serkilari*) Osman Bey. See BOA, İ. ŞE. 8/43, 7 Ş 1313 [23 January 1896]; The guild wardenship of tailors was given to Osman Ağa who serviced 35 years in the drug store of *Mabeyn-i Hümayun*. It was added the guild wardenship of Galata barbers was vacant. See BOA, İ. DH. 766/62400, 7 R 1295 [10 April 1878]; The guild wardenship of Üsküdar barbers was given to one of the barbers of *Mabeyn-i Hümayun* Organization Kadri Efendi with the request of him. See BOA, Y. PRK. ŞH. 5/78, 26 B 1312 [23 January 1895]; The guild wardenship of Istanbul barbers was given from the deceased Mustafa Ağa to one of the barbers of *Mabeyn-i Hümayun* Organization Osman Efendi. See BOA, İ. ŞE. 16/20, 26 ZA 1320 [24 February 1903]; The guild wardenship of the jewelers was given to the general director of Harem Hacı Ali Efendi. See BOA, İ. ŞE. 8/44, 19 Ş 1313 [4 February 1896]; The guild wardenship of *çörek* and *simit* makers in Galata, Hasköy, Fındıklı, Üsküdar and Bosphorus quarter was given from the deceased Mehmed Ağa to the head warden of *Daire-i Hümayun* Hacı Osman Ağa. See BOA, İ. HUS. 127/36, 15 M 1323 [22 March 1905]; The guild wardenship of loincloth, cheesecloth, and tile (*çini*) was given to the *Mabeyn* servant Ahmed Nuri. See BOA, Y..MTV. 231/27, 5 RE 1320 [12 June 1902]. On the other hand, the trade and artisan groups chose their guild

servants and employees were retired and not affiliated to a profession and their salaries were paid by the guilds. Thus, the governments instead of paying their salaries from the State budget appointed them to a guild warden position and made the guilds to pay their salaries.[493] Most guild wardens had the title of "*ağa*" and "*efendi*" as they seemed in the examples. During the last century of the Empire, civil servants who were appointed as guild wardens used the guilds as an income source.[494]

A guild warden had to have an official seal to be able to do his duty. Guild wardenship took place as the most critical position in the affairs of artisans and traders. It functioned as a bridge between the state and the mentioned groups in the last period as well. There was no autonomous space of guild wardens in economic and societal affairs, and they could not act independently in most cases. If it occurred, the state controlled them or the related trade group resisted the guild wardens' arbitrariness. It is conceivably that the contrary situations might have occurred.[495] This was the period of adaptation to a new administration structure. Nevertheless, it is suspicious that all the developments or issues were under the state's total control or the state completely directed these groups and their working order according to the decisions of the ruling elites. The marketplace actors were active in conducting or shaping their affairs too.

An appointment of a guild warden was indispensable for an artisan or trade group to engage in trade activity in the late Ottoman period. The Ministry of Interior ordered to create a guild warden position for the newly emerged professions with the increase in the number of artisan and traders. Certain guild warden positions were offered for sale both in Istanbul and in the other provinces. For example, the guild warden position was opened for the transporters of the city, towns, and ports, and it was planned to allocate this post via auction if anyone desired it in 1892.[496] The guild

wardens. For example, the dough makers and the cookers in bakeries chose their guild warden among themselves. See BOA, DH. MKT. 1768/73, 23 S 1308 [8 October 1890].

[493] Genç, p. 301.

[494] Turna, p. 134.

[495] The approach of the arguments in this study may seem as state-based, yet it was the result of the critiques of the state documents. This study considers the risk of using state documents and their problem-generated nature when examining a group in society. However, the state records show the limits of guild wardenship in the bureaucratic system.

[496] BOA, DH. MKT. 1997/70, 12 S 1310 [5 September 1892].

wardenship was not solely predetermined and allocated by the municipal administration to specific individuals. Certain new emerging professions requested an esnaf license and an appointment of a guild warden to carry out their professions in an official way too. For example, the theater players demanded a license and the appointment of a guild warden from the Municipality in 1899. However, the Ministry of Interior did not accept them as a member of an occupation group since they were dealing with other trade activities as well. The municipal administration expected them to deal with only one job. The licenses for their extant professions had already been given to them, and there was no need for an extra license and a guild warden. The trade groups were taking a permit from the Municipality and the provincial municipals. Therefore, a permit was enough to conduct a profession but not to establish a separate guild since the state did not see them as a separate professional group.[497] In another example, the lumberman (*bıçkıcı*) in Dersaadet, Bilâd-ı Selâse, and Çatalca sanjaks appointed a guild warden for themselves in 1889, which was illegal and the detriment for the group in question. This arbitrary decision was not accepted, and the government decided to appoint a new different guild warden to them.[498]

The guild wardenship was given only to the Ottoman citizens.[499] For example, the Iranian bargemen exported and selected a guild warden for themselves, and they even impressed a seal for this warden of the barge guild. But the state did not recognize it and added that a separate guild would not be established for a particular community. Individuals from a particular occupation had to join the registered and extant guild for this profession.[500] Indeed, both Ottoman citizens and the foreign artisans and traders were not able to act independently in carrying out the guild affairs. Furthermore, the common requirement for being a guild warden was having a guarantor. If a person did not have a guarantor, the Municipality did not accept his position.[501]

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[497] BOA, ŞD. 798/14, 19 L 1316 [2 March 1899]; BOA, BEO. 1277/95735, 25 L 1316 [8 March 1899].

[498] BOA. DH. MKT. 1650/156, 27 Z 1306 [24 August 1889].

[499] For example, it was not allowed the citizens of Greece to be a guild warden. See, BOA, A.} DVN. 104/20, 10 N 1271 [27 May 1855].

[500] BOA, DH. MKT. 596/28, 13 B 1320 [16 October 1902].

[501] For example, Mahmud, who was appointed as the guild warden assistant of barbers in the capital, showed 59.000-kuruş real estate at his hometown in return for this position, but it was not accepted

A trend gathering of different kinds of professions under the same guild warden management augmented towards the end of the century. It was an important indicator that shows the changing and disrupted nature of the guild warden position in the last years of the guilds. Technically unrelated professions were sometimes gathered under a single roof by this way. For example, the guild warden position of salt-dealers (*tuzcu*), arbor-makers (*çardak yapıcı*), dried fruits sellers, rush mat-makers (*hasırcı*), onion sellers, fair employees, Bağhane employees along with the integration of the piers of Hattapkapısı, wood-dealers (*keresteciler*), Balık pazarı, and the pit coals was given to *Seribrikdar* Kamil Efendi in 1904.[502] The guild warden position was given to a person who was not an authority in any mentioned profession. Obviously, being master of a profession or competence in a profession was not a criterion to be appointed as a guild warden anymore.

Conflicts inevitably occurred in the appointment of a unique guild warden to various professions at the same time. Clashes appeared between artisan or trader groups and guild wardens because of the clash of interests. The governments considered the old traditions, the administrative circumstance in addition to the demands of the related groups when they tried to solve the appointment problems. For example, a person named Edhem Ağa who was known as the guild warden of bazaar cook, kebab-makers, soup makers, compote makers, and sherbet-makers petitioned to the Municipality in 1894, and he demanded the guild wardenship of *boza* and *salep* makers (including halva makers [*sakız helvacı*], nut and chestnut sellers). But the latter groups emphasized their independent guild wardenship that came from older times, and they reacted to this demand which was contrary to the old traditions. The benchmarks for the governments were mostly the old customs as well as the reactions of the groups who were exposed to this kind of managerial change.[503]

In addition, guild wardenship became more competitive when guild wardens tried to be appointed as the guild warden of the same profession but existed in another

because he had to show a guarantor to the Municipality. See BOA, DH. MKT. 2356/114, 9 S 1318 [8 June 1900].

[502] BOA, DH. MKT. 911/32, 16 N 1322 [24 November 1904].

[503] BOA, Y. MTV. 101/65, 27 M 1312 [31 July 1894].

neighborhood to earn more money. For example, a person submitted a petition to the Ministry of Finance as the guild warden of cooks and kebab makers in 1889, but he was registered as the guild warden of kebab and sherbet makers in the Municipality. He claimed that the guild warden position of the cooks[504] and kebab-makers of the Istanbul side had to be assigned to him.[505] In the other example, the operator Bayram Efendi, who was the guild warden of Galata barbers and the saloons in the Istanbul district, resorted to Galata court to take the position of the guild wardenship of Istanbul barbers in 1893. But the members of this artisan group complained about this situation and stated that he already had two positions and it was not compatible with their customary practices.[506] These demands indicate that the guild wardens tried to expand their guild wardenship limits to the full extent of their power in the last period of the guilds.

Certain guild wardens sometimes intervened in the affairs of the other profession groups which had their own wardens. In one case dated 1887, the upholsterer and seat-makers (*oturakçı ve koltukçu esnâfı*)[507] of *Batpazarı* (The Flea Market) complained about the guild warden of the tailors of Grand Bazaar (*Çarşı-yı Kebir*) telling that he meddled in their affairs. The seat-makers were responsible for selling used and old attires at *Batpazarı*; on the other hand, the tailors were in charge of sewing attires with needles and spools. Therefore, their guild wardens were different: The guild warden of the upholsterer and seat-makers was Mehmed Ağa, and the guild warden of Grand Bazaar tailors was Mustafa Ağa. The seat-makers told that the guild warden of the tailors intervened in their business, which led to some discomforts. It was stated that the guild warden of the tailors would not be able to be involved in the affairs of the seat-makers because their administration is going to be separated officially. Their complaint was accepted, and they were justified because of

[504] It was stated as workers (*işçiler*) in the document, but it probably implies the cooks. It was estimated with the help of Eunjeong Yi's list. See Yi, p. 262.

[505] BOA, DH. MKT. 1624/101, 23 N 1306 [23 May 1889].

[506] BOA, Y. PRK. ŞH. 4/68, 10 S 1311 [23 August 1893].

[507] *Koltukçu* means seat sellers and *oturakçı* means tuffet sellers but their meaning was different according to the profession's description in the related document.

being two different sectors, and every group had its guild warden. As a general rule, guild wardens were not allowed to be involved in the matters of the other guilds.[508]

The Ottoman governments prepared new arrangements for newly emerging professions to maintain order in the marketplace. The administrative duties of the guild wardens, which were defined in these arrangements, formed the inclusive frame of the management of the guilds with this way. For example, the government informed about the printing houses' working order in 1880 with a notification which was full of rules about the guild wardens. This arrangement ordered that the individuals who made a living on printing (typographer) had to be gathered under a one trade group. A guild warden had to be chosen via an election that had to be approved by the Ministry of Interior. Every printing house had to have a permit (*ruhsatnâme*), and the typesetters (*mürettib*) and wheel-masters (*çark ustası*) had to have their licenses. Guild wardens had to inform the Ministry about the printing houses without a license located at the periphery or in the houses. Finally, the guild wardens had to prevent the printing of unlicensed books.[509]

5.1.2. Sharing the Authority

The governments appointed solely one guild warden for a certain profession or for a group of professions in general. For example, the government did not permit to possess two different guild wardens of the vinedressers (*bağcı*) located outside of Topkapı, and the guild warden who was appointed to the second place had to be dismissed because it was against the customs.[510] The guild warden position was accepted as unique and independent, which would not be divided (allocation of one post to more than one person) in theory, yet the examples from the archival documents showed a different picture.

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[508] BOA, ŞD. 723/20, 13 C 1304 [9 March 1887]; BOA, DH. MKT. 1404/70, 19 C 1304 [15 March 1887].

[509] The other points in the notification were as such: A registry book had to be prepared for all typographers; the Ministry had to determine the amount of the taxes or license fees that both the owners of the printing houses and the employees had to pay to meet expenses which were also determined by the Ministry. See BOA, MF. MKT. 65/35, 22 B 1297 [30 June 1880].

[510] BOA, DH. MKT. 1496/106, 12 B 1305 [25 March 1888].

A new practice, the seal division of guild wardenship, meant sharing the authority of the guild warden post. In this way, the role of the masters increased as well. For example, in 1902, the issue of division of the guild warden's seal was proposed to the agenda by the guild warden of the bakers. The seal was divided into four parts, and only one part of it was given to the guild warden. The other three pieces of the seal were taken by the masters of the bakers, which means that using the seal was shared. But the guild wardens were not happy with this practice as in the example of Osman Ağa, the guild warden of bakers. Osman Ağa complained about that the Association of the Bakers (*Habbazan Cemiyeti*) violated his rights by collecting 30 kuruş fee with these divided seals. He asked the government to unite the seal pieces to stop the violation of his right.[511] But the government did not accept his demand, and instead ordered to continue the use of the seals in the divided form.[512] Osman Ağa continued to send petitions to end this practice, and he stated that the Association of the Bakers (*Habbazan Cemiyeti*), which was established between 1898-1899, intervened in his guild wardenship area of responsibility.[513] After the disallowance of the guild warden's demand, he wrote a detailed petition to the government and alleged four main reasons for his unjust mistreatment by this association. Firstly, he stated that he was conducting his guild wardenship duty for eight years without a fault after receiving the one-piece seal. The other three pieces of the seal were given to Markar and Kirkor Petro *ağa*s, and they exercised influence over their guild members. They collected *akçe*s from them inequitably, which led to abuse by using these seals. The guild warden Osman Bey showed twenty-two documents that proved his claim. Second, he alleged that there was no reference to the division of the seal into four parts or no information about it in the Imperial Order (*Fermân-ı Hümâyûn*). For this reason, this brought lawlessness, according to him. Third, he emphasized that other guild wardens had one piece of the seal registered in a record book, and they did not confront

[511] BOA, DH. MKT. 441/15, 5 Z 1319 [15 March 1902]; BOA, ŞD. 3015/45, 15 R 1320 [22 July 1902]; BOA, BEO. 1994/149515, 10 ZA 1320 [8 February 1903].

[512] BOA, DH. MKT. 655/57, 20 ZA 1320 [18 February 1903].

[513] The year was pointed out as 1316, which is an early date for the establishment of esnaf associations. It would be meant guild or it was the exceptional prototype of the associations. BOA, DH. MKT. 1095/65, 8 CA 1324 [30 June 1906].

with this problem. Thus, he added that he could not accept the decision about the division of the seal by the Municipality, which was unlawful.[514] As a final argument, Osman Ağa gave an example related to his problem, which happened previously. He stated that his next-door friend Tiftikyan experienced the same problem. Tiftikyan and Ahmed Bey worked as two separate guild wardens of the general bathhouses (*umûm hamamcılar kethüdalığı*). This condition lasted four months, and then the government cancelled this duality after the application of Tiftikyan. He continued to carry out his task with a one-piece seal. After presenting this as a leading case, Osman Bey ended his petition by requesting the elimination of this unlawful situation.[515] This divided seal problem lasted more than six years. This case is a good example to the conditions and the reactions of the guild wardens to the changing practices in the last decades of the Empire. The protests and resistance of the guild warden to the decision of the municipal administration demonstrate that they could be active and insistent in the matters related to themselves. They presented their justifications and arguments to the state center and local governments. They also did not want to give up their traditional economic and administrative achievements because of the financial gains of the guild warden post. They tried to maintain the continuation of the old order with their formal rights. However, in the case of bakers, his attempts stayed futile at the end.

The division of the seals caused clashes in the service of the guild wardens which also affected their incomes. For example, the governments assigned the income of the porters' guild warden of Istanbul Customs Bureau of Imports to Hafız Abdullah Efendi, the chief warden of *Kasr-ı Hümâyûn* as well.[516] The division of seals is an indicator of a high amount of revenues to be shared even by the different guild wardens.

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[514] "*…emânet-i müşarünileyha böyle alenen hukuk-ı kethüdanemi pây-i hâl emsallerimden…(?) mahrum ederek enfü'l-beyân şahs-ı salis merkumlar uhdesine böyle parça mühür teslimiyle vazife-i asliyeme müdahale etmeleri hiçbir vicdan kabul etmeyeceği şöyle dursun işbu muamelenin vuku'u asla olmadığı emanet-i müşarünileyhânın bu babdaki cevabnâmesini katiyyen kabul etmeyeceğimden bu babda adilane bir karar ittihazıyla mezkur parçaların iptaliyle ferman-ı hümayun mucibince hukuk-ı acizanemin muhafaza buyrulması hususu adalet-i padişahi namına temennî eylerim*." See BOA, ŞD. 3042/58, 2 S 1326 [6 March 1908].

[515] BOA, ŞD. 3042/58, 2 S 1326 [6 March 1908].

[516] Nejdet Ertuğ, *Osmanlı Döneminde İstanbul Hammalları*, (İstanbul: Timaş Yayınları, 2008), p. 34; BOA, İ. DH. 1022/80552, 2 CA 1304 [27 January 1887].

Meanwhile, gathering different professions under the same guild warden management was profitable for the guild wardens because when the number of the guild members increased, the incomes of the guild wardens increased directly. In this kind of cases, the trade group complained about the practice, but it did not pose a problem for the guild wardens. In the case of flour sellers in 1883, the guild wardenships of the whole-wheat flour and the flour sellers were reunited even though the license fees and taxes were different. The seal of the guild warden was divided into four pieces, and the guild warden of the whole-wheat flour seller İsmail Efendi and the other guild masters took them. The flour sellers complained of this decision, and they stated that their licenses and the monthly taxes were different from the other group. But the government approved this decision. The reason why it accepted the continuation of this situation is that the whole-wheat flour sellers was outnumbered compared to the flour sellers.[517] The example shows that the concerns of the sellers and their wardens were different.

Certain disputes emerged among the hierarchical order of the guilds as well, and it demonstrates that the guild warden was a favorite position for the members of the guilds who were charged in the management of the guild. For example, Mehmed Ağa, the *yiğitbaşı* of tailors, shoemakers, and second-hand dealers, claimed that his income was not enough to make a living and demanded to have a *berat* to become a guild warden and share this position with Hacı Süleyman Ağa, the current guild warden. The government accepted the division of the position into two. This case is significant to see the possibility of change in the structure of the guild warden position.[518] This document is dated to a very early period but the change in the status and structure of the guild warden post was seen in the examples occurred in later period as well. The demand of Mehmed Ağa is related to both the flexibility in the guild hierarchy in the last century of the Empire and the economic downturn of the period, forcing the guild members to request their traditional financial rights or enhance their financial circumstances by appealing new methods.

[517] BOA, ŞD. 2902/3, 9 RA 1300 [18 January 1883].

[518] BOA, A.} MKT.MHM. 116/72, 16 M 1274 [6 September 1857].

5.1.3. The Guild Warden Position as a Life-Time Income Source

The duration of service years of guild wardens was not determined or limited in the last period of the guilds. If people from trade and manufacturing groups were pleased with their guild wardens, there was no need to change them. But they changed in case of death or conflict. If a change was needed, the election was being made.[519] Also, the governments appointed the wardens. This post ensured a regular income for guild wardens in theory. But incomes fell short in certain cases. Therefore, the guild wardens tried to find a way to increase their incomes, such as demanding a rise. For example, Halil Ağa, the guild warden of pony sellers (*midilliciler*), demanded an extra income in 1857 since the amount that the guild paid him was not enough to support himself financially, and he emphasized that he was old.[520] In the course of time, the guild warden post seemed like a lifetime income source in general. In the case dated 1896, Hacı İbrahim, the guild warden of the candle makers (*mum yapımcıları*), requested from the Municipality ending of his guild wardenship because he was old and not to be able to collect the taxes. But he requested a salary payment without conducting his job. He wrote a petition to the government and stated that he was appointed to this position. He added that he served for a long time in the Private Treasury of the Ottoman Sultan (*Hazine-i Hassa*) and Holy Relics (*Hırka-ı Saadet*) sections. He was collecting 1000 kuruş at the very beginning of his administration. However, he lost his eye health, and this amount began to decrease. An assistant then fulfilled this duty by proxy. Approximately 200 kuruş were collected from the employees after he became disabled. He stated that he was at a low ebb because these decreases. Hence, he demanded the operation of the guild warden position by the Municipality and the appropriation of a sufficient amount of salary for himself.[521] It shows that the guild wardens saw this post as a source of income. The organic link between the guild wardens and the craft or trade groups continued even after the retirement of the guild wardens.

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[519] Çadırcı, p. 124.

[520] BOA, A.} MKT. NZD. 231/92, 19 Z 1273 [10 August 1857].

[521] BOA, Y. MTV. 144/57, 9 S 1314 [20 July 1896].

Furthermore, unofficially retired guild wardens who quitted this job tried to take income or fees from the related group, but it was a financial burden for the guild members. The Municipality tried to obviate this kind of acts caused by the guild wardens. For example, the sheep trout sellers (*paçacılar*) stated that they decided to pay 300 kuruş to Musa Ağa, their guild warden, guaranteed by a voucher in 1883. He left his job a long time ago because of his health problems. They pointed out that they would not be able to pay this amount anymore because some of the masters who signed this voucher died or left their job and they could not pay it. They offered that Musa Ağa could come and do his job in return for the income of the guild warden position. If he did not accept it, the trade group could give only 100 kuruş to him. The Municipality stated that there was no such an article in code and the employees would not be forced to pay this amount. It was ordered that they could elect an assistant of a guild warden and solve this problem among themselves in a proper way.[522] This example shows that guild wardenship seemed as an imprescriptible right felt into a risky condition when the affairs of the related groups were not conducted.

5.1.4. The Abuses of the Guild Wardens and Disputes

Guild wardens were officially accepted administrators, and they were mainly responsible for collecting fees and regulating the affairs of the guilds to some extent on behalf of the state. They were under the supervision of the state, and the accountability principle was valid for them too. They were known as the major official representative and protector of the affiliated artisan and trader groups. Nevertheless, instances from the last decades of the imperial capital do not verify this argument or postulate in particular cases. They show that the stances of the guild wardens towards their duties and responsibilities did not present a hopeful picture in terms of people who deal with small scale commercial activities.

The number of complaints about the guild wardens increased in this period, and they partially reverberated to the official documents. Instead of being the authority of the dispute settlement mechanism, they became one of the sides in the disputes

[522] BOA, TS. MA. d. 629/119, 24 S 1300 [4 January 1883].

about the affairs of the guilds in their last period. Even the Ministry of Interior stated that the guild wardens abused their positions, and the emergent conflicts involving the guild wardens were the reasons for their abolition.[523]

The involvement of the guild wardens in the affairs of other guilds led to conflicts among different artisan and trader guilds and their guild wardens. The artisans and traders generally had information about the legal decisions that determined the limits and responsibilities of guild wardenship. Therefore, they controlled the actions of the guild wardens and complained about them to the municipal authorities if needed. They were also aware that only their guild wardens had the right to control them. If a guild warden involved in the matters of another guild, the members of the guild in question conveyed it to the municipal administration. For example, the porters, boatmen, or bargemen often complained about the conflicts appeared in their workplaces due to intense competition at piers. Their guild wardens caused several conflicts, and these mentioned groups were vulnerable to the disputes.[524] In the example dated 1889, the guild warden of fire-boatmen (*ateş kayıkçıları*)[525] who worked between Dersaadet and Üsküdar districts only let his eleven boats to work in this route. The members complained about their guild warden to the Municipality since he prevented their work. It was argued that the guild warden monopolized his position and violated the rights of the employees. This case indicates three significant points about the working order and the rights of the employees. First, the boatmen who were not the guild members and who worked for the guild warden's boats were not registered, and it shows that there was no systematic and strict control

[523] BOA, DH. MKT. 2774/40, 1 Ra 1327 [23 March 1909]; BOA, ŞD. 842/26, 17 Ra 1327 [6 April 1909].

[524] For example, the boatmen working at Galata Mumhane and Tophane piers complained about İmdad Efendi, their guild warden, and demanded his dismissal. See BOA, BEO. 3416/256143, 23 N 1326 [19 October 1908]; BOA, BEO. 3427/256981, 12 L 1326 [7 November 1908].

[525] Many types of boats existed in Istanbul, yet the position of the fire-boatmen was different from the others because they were charged with fire extinguishing in the coasts of the Bosporus and the Golden Horn. These boats were quite small and thin to be faster in case of fires compared to the other types of boats. They were also used to transport people and goods. They were waiting at Great Pier in Üsküdar and Çardak Pier in Eminönü. See Mehmet Zeki Pakalın, "Ateş Kayıkları", *Osmanlı Deyimleri ve Terimleri Sözlüğü* (1st vol), (İstanbul: Milli Eğitim Bakanlığı, 1983), p. 109; Mehmet Mazak, *Boğaziçi ve Kayık Kültürü*, (İstanbul: Yeditepe Yayınevi, 2010), p. 57. For a detailed information on the boatmen and boating in the Ottoman Empire, see Nejdet Ertuğ, *Osmanlı Dönemi'nde İstanbul Deniz Ulaşımı ve Kayıkçılar*, (İstanbul: Kültür Bakanlığı Yayınları, 2001).

over them. Second, the guild warden did not act according to the benefits of the mentioned group, and he abused in this case. As the last point, this case indicates the collective consciousness of the employees regarding their rights.[526]

A petition from Kasımpaşa boatmen sealed by Ragıp from the group and his three friends dated 1900 was one of the salient examples of the abuses of the guild wardens. Boatmen stated that their guild warden, Mustafa *Ağa*, demanded 5 kuruş for every process and 5 kuruş from each member for every year as his fee, but they were giving 40 *para*s for each sealed document before Mustafa Ağa became the guild warden of the boatmen. Therefore, the group stated that they could not pay more than 40 *para*s to their guild warden.[527] However, their petition was not responded to by the related government offices for more than two years, and finally, the government stated that their petition was not accepted. Based on this, the group pointed out that the unlawful act of the guild warden meant the downfall of their profession. It also meant that the government tolerated the guild warden's abuse when he acted illegally. The boatmen again appealed to the government with a petition, and they stated that the government had to direct them to any related department or office to solve their problem or the investigation of the problem and the practice of the law for both two sides.[528] The reason or reasons why the problem of boatmen was not solved for a long time is uncertain. The guild warden probably continued his practice, and the government did not terminate it. However, regardless of this delay, this complaint demonstrates that the group opposed to the illegal practice of their guild warden which he did by demanding extra payments from them. They wanted to solve their problem in the legal framework. Nonetheless, the long period struggle of this group and the absence of a certain responsible state department, as the last point, indicates the administrative deficiencies in the state apparatus.[529]

[526] BOA, DH. MKT. 1636/25, 11 ZA 1306 [9 July 1889]; BOA, DH. MKT. 1659/50, 23 M 1307 [19 September 1889].

[527] BOA, DH. MKT. 2419/98, 1 B 1318 [25 October 1900].

[528] BOA, ŞD. 3020/35, 11 S 1321 [9 May 1903].

[529] The number of complaints can be augmented. For example, Çengelköy porters complained to their guild warden that he abused his position. See BOA, DH. MKT. 2304/50, 11 L 1317 [12 February 1900].

Not only the port/pier related sectors, other artisanal and trade sectors also hosted grievances concerning the abuses of the guild wardens. For example, in a case in 1901, the bushel-dealers (*kileci*) consulted the Municipality, and they stated that their guild warden and the guild committee did not fulfill their duties about accounting properly. With the seals of Veli and Ahmed Hamdi *Ağa*s, they demanded ending their problem by the government since they were suffered a lot from this abuse.[530]

Besides the guild wardens, the assistant of the guild wardens abused their positions as well. The practice of collection of fees was often exposed to the abuses of the responsible people. For example, in 1889, the bushel dealer Ahmed and his colleagues complained about Selim Ağa, their guild warden assistant, and demanded to change him that he collected money unfairly. But the Municipality interestingly and inconceivably decided to arrest the group members in question and then exile them within one or two days. They demanded the cancellation of this punishment and the inspection of this matter.[531] In another case about the guild warden assistant in 1901, the porters of the warehouse of the Anatolian and Rumelian Railway at Sirkeci complained about Süleyman Ağa, their guild warden assistant, and stated that their fellows were beaten because he has heard the complaints about himself made by these porters. The porters demanded the Municipality to dismiss him. This example shows the solidarity among the porters against their blacklisted guild member.[532] As a result, the conflict between the guild members and their guild warden became an important feature of the small-scale business life of the late Ottoman period.

After the new arrangements and practices, the guild wardens sometimes resisted the decisions of the Municipality, and they insisted on the continuation of the old order. They did not obey the decisions and orders of the Municipality since they did not want to accept the Municipality as authority. Therefore, resistance from the head of the guilds came into prominence as a remarkable reaction in this period. In the case of Hüseyin *Ağa*, the guild warden of the caretaker of horses and Arif *Ağa*, the assistant guild warden of the porters of the Commodity Custom, which dated 1885, it

[530] BOA, DH. MKT. 2478/8, 9 M 1319 [28 April 1901].

[531] BOA, DH. MKT. 1684/121, 2 CA 1307 [25 December 1889].

[532] BOA, DH. MKT. 2519/46, 20 R 1320 [6 August 1901].

was stated that they falsified the licenses, so the Municipality appointed new guild wardens instead of them until the case was concluded. The Police could take these seals from them. But they refused to give their seals to the municipal administration. Hüseyin and Arif *Ağa*s pointed out that they could not give the seals until the case ended. They also claimed that the Municipality had to take permission from the Ministry of Interior to take back these seals and the arrest of themselves would only be practiced by the decision of the court. But the Municipality demanded to practice the decision as soon as possible.[533] This example is significant in terms of showing the disregarding the Municipality as the major representative in the official affairs of the guilds.

In the case of Ali *Bey*, the guild warden of customs of *Yağ Kapanı* and *Kadıköy* pier, he had *berat* for this position in 1904, but he claimed that his *berat* and seals were retaken from him in July of 1908. The Municipality informed him that his *berat* is legally invalid. He stated that he could not do his job since then. He pointed out that only the Sultan would be able to abolish his *berat*, so he did not accept the decision of the Municipality. Ali *Bey* evaluated this condition as entrenching his rights and demanded the allowance to do his job and give his seals back in 1919. The Ministry of Interior did not accept his demand since the guild warden position was abolished long ago. It seems that Ali Bey did not acknowledge the decision of the Municipality, and he stated that the municipal administration carried out this decision unjustly and unlawfully. In this case, the perplexing thing is why Ali Bey waited for more than ten years to retake his seal. He could not do his duty in the period after July of 1908, yet he wrote his petition in 1919.[534] This case also demonstrates that certain guild wardens did not see the Municipality as the official authority. It also proves the existence of the challenge in orientation to the new bureaucratic order. Guild wardens sometimes warned the Municipality when took decisions without taken new legal regulations about the market affairs. In 1890, the guild warden of *Uzunçarşı* winders (*çıkrıkçı*) reminded that his post was taken from him and it was united with the guild warden post of fence-makers (*parmaklıkçı*). This arrangement was illegal according to him.

[533] BOA, ŞD. 715/21, 29 ZA 1302 [9 September 1885].

[534] BOA, DH. UMVM. 88/21, 20 Z 1337 [16 September 1919].

Interestingly, this position was allocated to the other people without asking or reporting to the related individuals. Hence, he laid claim to having this position.[535]

The guild wardens played a crucial role in guild affairs and in controlling guild members and making them to be loyal to the regulations and other legal arrangements in theory. In contrast to the abuses of the guild wardens, they sometimes complained about the irresponsible behaviors of their guild members. There are examples showing that the artisans and traders did not want to obey the decisions of their guild warden when the latter took care of his own interests.

In 1908, the guild wardens stated that the employees did not pay the license fees and went wherever they wanted without informing their guild wardens. Moreover, they did not pay the expenses of the guilds (rooms). According to the guild wardens, these irresponsible behaviors were both unlawful and caused a decrease in the revenues of the Municipality.[536] The guild wardens stressed the importance of these two major critical issues as the justification of their claim to prevent their income loss.

In years, the guild wardenship as a representative of the old order lost its power after the establishment of the Municipality. Both the organizational weakening in the new administrative system and the abuses and other wrongdoings of the wardens paved the way for the abolition of the guilds. However, the guild wardens tried to postpone the abolition of this position as it was a significant source of income. For example, twenty-one guild wardens demanded the delay of the abolition until the Ottoman Parliament (*Meclis-i Mebûsan*) prepared a special law for this issue.[537] The disapprobation of the acts of the guild wardens directed the governments to find new ways for regulating the affairs of the trade and manufacturing groups. Both the extra financial burden on the trade groups and the abuses of the guild wardens extinguished it.[538] Their abolition was not solely a top-down process, yet it was also the result of the

[535] BOA, DH. MKT. 1463/37, 28 S 1305 [13 October 1890].

[536] BOA, DH. MKT. 1299/9, 24 Ş 1326 [21 September 1908].

[537] BOA, DH. MKT. 2841/10, 23 CE 1327 [12 June 1909].

[538] It was stated that the artisan and trade groups did not have to pay tax both to the guild warden and to the Municipality at the same time since the guild warden position belonged to the Esnaf Office, which was also under the authority of the Municipality. See BOA, DH. MKT. 2768/21, 22 S 1327 [15 March 1909].

grievances coming from below. Deviation of the guild wardens from their protective responsibilities contributed to the end of their positions. Certain services which were previously provided by the guild wardens began to be provided by the Municipality and with this way the centralized supervision over the wardens, the marketplaces and market actors.[539]

The new order in the market and new institutions did not appear all of a sudden but also from the needs of the production, business, and the requirements of the new economic order in general. Because, the guilds did not function parallel to the new administrative structure of the state anymore in their last period. The municipal administration might have wanted to remove the guild wardens due to the abovementioned disputes and the new tax collecting practices. The abolition of the guild warden post was intensively related firstly with the administrative reform in the Ottoman state apparatus and its link with the affairs of the artisans and traders and second the attempt to remove the guild wardens as intermediaries who led to many conflicts in the last days of the guilds.

It cannot be enough to examine the guilds as the groups of artisans and the organization only by considering the economic reasons and fluctuations emerged in this period. The new administrative order entailed new marketplace representatives and organizations as well. After the abolition of this post in 1910, the associations were established instead of the guilds to meet these requirements. These newly founded organizations, as one of the main arteries of the issue, are handled in the next section.

5.2. From Guilds to Esnaf Associations (1910/1912)

The modern bureaucracy and secular laws came with the Tanzimat reforms also played a role in the changes in the marketplaces and in the organizational structure of the artisans and traders as well. Bureaucratization forced these groups to act according to the written regulations. Many ordinances and regulations were prepared and implemented in this period for different working fields, and the governments, including early Republican Turkey, utilized them with certain amendments.

[539] For example, the Municipal tax collectors began to collect cleaning tax which was previously collected by the guild wardens in the marketplaces. See BOA, DH. MKT. 873/55, 12 CA 1322 [25 July 1904].

Artisans and traders were given under the authority the Municipality by the Supreme Council of Judicial Ordinances (*Meclis-i Vala-yı Ahkâm-ı Adliye*) following its establishment in Istanbul in 1855. The classical narrative about guild wardens was based on their protectionist role, but the reality was different, at least in the last days of the guilds. Guilds and their wardens were the intermediaries of these groups between the state and themselves until their abolition. Guild wardens appear as one of the reasons for the abolition of this position and the guilds. Because, guild wardens either elected by the guild members or appointed by the governments caused troubles for the guild members.[540] The state planned to remove this post as an intermediary in commerce-related administrative affairs. The official documents about the abolition of this post highlighted such reason as the emergence of the conflicts and abuses of the guild wardens. The state officially mentioned the abolition of this post in March 1909. It was stated that there was a need for legislation to improve the conditions of trade groups and artisans, such as the establishment of associations that belonged to them and make them judicially equal. The abolition of the guild warden post was put forward as a proposal, and the Sublime Porte (*Bâb-ı Âli*) was put in charge of practicing this process.[541]

A memoranda (*layiha*) was then issued for the establishment of the associations of artisans and traders (*Esnaf Cemiyetleri Nizamnâmesi*) in 1909.[542] Associations are institutions established to assist their members in their professional development and to defend the economic and legal interests of their members. With these features, associations are also accepted as a means of pressure defending the rights of their members against state and private institutions.[543] One of the main motives in establishing these associations was to regulate the affairs of these groups since the old system and order were not running properly. In this respect, the complaints about the

[540] BOA, DH. UMVM. 88/38, 20 R 1331 [29 March 1913].

[541] BOA, DH. MKT. 2774/40, 1 Re 1327 [23 March 1909]; BOA, ŞD. 842/26, 17 Re 1327 [6 April 1909]; BOA, BEO, 3536/265135, 26 March 1325 [8 April 1909].

[542] The first record about the memoranda (*lâyiha*) of the ordinance was dated 1909. See BOA, DH. MKT. 2802/17, 3 R 1327 [4 May 1909]; BOA, BEO. 3712/278388.-, 20 S 1328 [3 March 1910].

[543] For the concepts of pressure and interest groups, see Yücekök, "19. Yüzyıl Osmanlı Toplumundan Günümüz Türkiye'sine Sivil Toplum Kuruluşları ve Siyaset Sosyolojisi İlişkileri", pp. 9-11.

guild wardens became one of the major reasons to prepare new memoranda.[544] On the other side, it aimed to remove the intermediaries who were guild wardens. In brief, the establishment of the associations was not only related to the free market economy but also related to the new bureaucratic and administrative order.

Esnaf associations, like the guilds, were the intermediary organizations that arranged the affairs of trade groups and artisans.[545] Their remarkable difference from the guilds was their formal structure; that is to say, the division of responsibilities among the members and the administrative posts within the organization differed them from the guilds. The general board (*heyet-i umûmiye*) and the executive board (*heyet-i idâre*) became the main sub-bodies of the associations based on mutual supervision and control in the new organization system. The authority was allocated to both boards; the head (*reis*) stayed in the background in association matters, and only a symbolic headship remained. The decisions were taken by the majority of the votes within these associations. Thus, it led to the development of a partially liberal structure within each association. However, the pluralistic structure increased the level of clash of interests among the groups as well.

The Ordinance for Esnaf Associations (*Esnaf Cemiyetleri Hakkında Talimat*), as mentioned previously, initiated a new organizational period and system for artisan and trade groups within the whole empire. The basis of it got started from the period of the arrangement of Law of Municipality in 1877. The first reference to establishing the esnaf associations was mentioned in the 8th article of this municipality regulation.[546] A certain regulation/ordinance structured these bodies after a while.[547] The ordinance was first issued for the artisan and trade groups in Istanbul, then in 1912

[544] BOA, ŞD. 842.26, 15 Re 1327 [6 April 1909].

[545] Mehmet Seyitdanlıoğlu, "Yerel Yönetim Metinleri (XVI): Esnaf Cem'iyetleri Hakkında T'alimât", *Çağdaş Yerel Yönetimler*, Cilt 8 Sayı 1, (Ocak 1999), pp. 127-128.

[546] The article is about the missions of the Assembly of Municipality (*Şehremâneti Meclisi*). The term "esnaf association" was first mentioned officially in this article. For Article 8, see "Dersaâdet Belediye Kanunu", 27 N 1294 [5 October 1877], *Düstur*, I/4, pp. 520-538; for in Latin alphabet, see Mehmet Seyitdanlıoğlu, *Tanzimat Döneminde Modern Belediyeciliğin Doğuşu: Yerel Yönetim Metinleri*, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2010), p. 107; BOA, ŞD. 842/26, 17 Ra 1327 [6 April 1909].

[547] The memoranda of the ordinance was also announced in the newspapers with including its all articles. See "Esnaf Cemiyetleri", *Tanin*, no: 259, 3 CA 1327 [23 May 1909], p. 4.

it covered all these groups in the Empire.[548] The ordinance mainly explains the organizational structure of the associations, their missions and duties, and the official process when contacting with the municipal administrators. It put the judicial and managerial affairs of these groups in an order, which was more appropriate to the municipal system than the old guild wardenship order. All the articles of the ordinance were accepted equivalent to the guild system.[549] However, this new organization had remarkable differences from the organizational structure and the official status of the guilds in terms of the administrative system.

The Ordinance for the Esnaf Associations involved articles about the arrangements of the official relationship between the associations and the municipal administrators in detail. It put the external affairs of the associations in order. In this ordinance, the associations were generally depicted as the main representative of the groups, and the head (*reis*) was symbolic compared to the guild wardenship system. The main responsible office for these associations was stated as the Municipality for the ones in Istanbul and the other municipalities for the associations established in the provinces like in the old guild system. They were officially affiliated to the Municipality, and they needed the approval of the municipalities that they belonged to. These institutions were responsible for informing both the Ministry of Interior and the Police about all approvals and cancellations of the associations.[550] This bureaucratic network indicates that associations seemed like that had to be under the surveillance of the center and under the law enforcers. The Municipality and the Police force collaboration constituted the main frame of the control mechanism in the esnaf association affairs.

[548] The ordinance only for Istanbul, see "Esnaf Cemiyetleri Hakkında Talimat", 16 S 1328 [27 February 1910], *Düstur*, II/2, pp. 123-127; BOA, İ.ŞE. 25/14, 16 S 1328 [27 February 1910]. The regulation for the whole Empire, see BOA, DH. UMVM. 88/40, 20 Ca 1330 [7 May 1912]; "Esnaf Cemiyetleri Hakkında Talimat", 20 CA 1330 [7 May 1912], *Düstur*, II/ 4, pp. 483-488. For the whole version of the regulation, see Appendix E and F.

[549] "Esnaf Mektebleri, Teâvün Sandıkları", *Tanin*, no. 260, 11 May 1325 [24 May 1909], p. 3.

[550] The associations of cattle-dealers, bakers, prayer beads sellers, and itinerant edge tool makers were closed since they did not conform to the regulation of the associations. But the Municipality gave permission again, and a new executive board was chosen. The new association was approved by handing over the seals of themselves. See BOA, DH. UMVM. 88/74, 18 M 1340 [21 September 1921].

Although the ordinance was prepared in 1910 and revised in 1912, the amendments continued until the end of the Empire. After the phrases of the Municipality and the Municipal assembly, "the municipalities and the assembly of municipalities" (*devâir-i belediye ve meclis-i belediye*) were added to the ordinance, and also the Assembly of the Municipality replaced with the "Assembly of the Administration" (*meclis-i idâre*).[551] The articles 6, 7, 12, and 26 were revised in years.[552] The article 6 was changed to make sure that a clerk is appointed to preside the elections of the executive board. On the other hand, the group could choose one of their members to preside the elections, and they could notify the results with a joint report to the municipalities. The article 7 stresses that there had to be a clerk both in Istanbul and the provinces. According to the Article 12, money which was collected for the expenditures of the Head of the association was also to be used by the clerk of the association.[553] Lastly, it was stated that the responsible clerk in Istanbul and the head in the provinces had to deal with the for and against cases of the associations.[554] Due to having a grasp of old customary practices and but not the current clerk system, the old version of the ordinance was again implemented.[555] As a last note for these amendments, the article 2 was rearranged, and it was added to this article that cabbies, boatmen, bargemen, and porters would be able to establish an organization both in Istanbul and provinces.[556] The ordinance was turned into a regulation, and this regulation was affiliated to the Chambers of Commerce and Industry Regulation in 1925.[557]

[551] BOA, İ. DUİT. 22/5., 13 Ca 1332 [9 April 1914].

[552] BOA, DH. UMVM. 88/40, 20 Ca 1330 [7 May 1912]; BOA, İ. DUİT. 22/5, 13 Ca 1332 [9 April 1914].

[553] BOA, BEO. 4341/325556, 14 Ca 1333 [7 March 1915]; BOA, MV. 239/36, 12 Ca 1333 [28 March 1915]; BOA, DH. MB. HPS. 153/51, 13 Ca 1333 [29 March 1915].

[554] BOA, İ.. DUİT. 22/5, 13 Ca 1332 [9 April 1914].

[555] BOA, İ.. DUİT. 21/41, 13 M 1338 [9 October 1919]; BOA, ŞD. 853/39, 14 Ra 1341 [4 November 1922].

[556] BOA, MV. 255/64, 21 Ş 1339 [30 April 1921].

[557] For the Regulation of Chambers, see *Ticaret ve Sanayi Odaları Kanunu ve Ticaret ve Sanayi Odaları Nizamnâmesi ve Esnâf Cemiyetleri Talimatnâmesi*, (İstanbul: Vatan Matbaası, 1341 [1925]), Atatürk Library, no: 216, pp. 66-71.

Although many amendments were made on this ordinance until the end of the Ottoman Empire, there were not made fundamental changes.[558] Apart from the name changes of the institutions and political order, almost the same regulation was also used by the Republican regime. The esnaf associations were linked to the Chambers of Commerce and Industry, and the Regulation of 1912 was added to the Regulation of the Chambers. According to this newly edited regulation version, the Ministry of Trade and Economics, commerce and industry chambers, and the municipalities became the major responsible agencies in the artisanal and trade affairs. Only the articles of 1, 2, 4, 7, 8, 19, 21, 24, and 26 are utterly the same both in the regulation of 1912 and 1925. Yet, the other articles were changed according to the legal positions including the Ministry of Trade and Economics, the commerce and industry chambers, and the municipalities instead of the Municipality and its assembly. The responsibilities of the municipalities remained the same in the new regulation. Lastly, the article 16 forbade the establishment of trade unions and allying with black-marketeering. The Republican regime banned the establishment of trade unions because they were out of the borders of association law. The issues such as a strike or work stoppage, which were mainly related to the workers, were not included in the regulation of associations.[559] It means that trade unions and esnaf associations officially seemed different. Therefore, it can be argued that the associations established for artisans and traders were not as the proto-version of trade unions. The trade unions and associations were treated separately by the state in terms of their professional mission, member profile, and the judicial status.

The Esnaf Associations Regulation (*Esnaf Cemiyetleri Nizamnâmesi*) was different than the 1909 Law of Associations (*Cemiyetler Kanunu*) since the former was a specific arrangement for a certain social group. It brought different practices from the foundation to the membership requirements. While it was the government which was the sole authority in the implementation of the Law of Association, it was

[558] *Esnaf Cemiyetleri Nizamnâmesi*, (İstanbul: Cihan Biraderler Matbaası, 1339-1343), Atatürk Üniversitesi Kütüphanesi Seyfettin Özege Koleksiyonu, no: 21814, pp. 2-8.

[559] Üsküdar hand painted-kerchief-makers (*yazmacı*) association went on a strike with its 3.000 artisans and workers in 1921, but the Police tried to prevent this strike. The government interestingly decided that the police intervention was not proper according to law. See BOA, DH. İ.UM. 19/1, 23 CA 1340 [22 January 1922].

the Municipality responsible for the implementation of the Esnaf Association Regulation properly.[560] Nonetheless, the governments supervised the foundation and whereabouts of the Esnaf Associations as well. It was decided that the members of these organizations had to inform and register their prospective associations to the Municipality. They also had to declare the establishment of their associations and take a certification in return for the declaration.[561]

After going into effect of the new ordinance, different trade and artisan groups reacted differently to this new arrangement according to their working conditions, and the number of their demands rose. For instance, simit seller, bread, *börek*, cookie, and *kadayıf* makers wrote a petition in 1910 to establish their unique association who worked more than 50-60 years together because they could not establish their special organization due to the lack of the number of the members to found an association. They applied to the Municipality to solve this issue and demanded a commissioner who had to be ready during the election of the organization. Initially, simit seller, bread, *börek*, cookie, and *kadayıf* makers gave information about the rules in establishing an organization with references to the Association Law in their petition. They highlighted that this was not an attempt to establish a trade union or a politically-oriented organization, yet it was an organization to provide mutual help among themselves. However, if they had to establish separate organizations, they could not even help their members because of the financial burden that every specific association could create. They stated that they were composed of five different trade groups, and every group included 20-25 people; 150-160 masters from 30 shops. They proposed certain reasons for why they were not able to establish separate organizations. First of all, simit seller, bread, *börek*, cookie, and *kadayıf* makers pointed out that the rent of the meeting room (because they had to gather in different rooms for their elections and negotiate their problems in these rooms), clerk salary (250-300 kuruş), stationery and paper-pencil expenses could exceed their incomes because their number was low to

[560] For the Law of Associations, see "Cemiyetler Kanunu", 29 B 1327 [16 August 1919], *Düstur*, II/1, pp. 604-608. An amendment was made in 1920. See "29 Receb 1327 tarihli Cemiyetler kanununa müzeyyel kararnâme", 15 M 1339 [29 September 1920], *Düstur*, II/12, p. 280.

[561] After the control of the Municipality, they had to apply to the Istanbul Province (*İstanbul Vilâyeti*) post with a declaration (*beyannâme*) to get a certificate (*ilmuhaber*) from it in the province system. BOA, DH. UMVM. 88/38, 6 Ca 1331 [13 April 1913].

meet these expenses. They stated that they even could not pay the fees of their guild warden in the previous period. Second, they added that it was inadequate for them to choose the substitute members who had to be changed every year because of their low number. Lastly, simit seller, bread, *börek*, cookie, and *kadayıf* makers remarked that they worked for nearly 50-60 years together, and so they did not want to be judicially separated. They had already consulted the Municipality because of this problem, but it ordered them to obey the provisions of the related ordinance. Yet, they claimed that the Municipality did not understand their conditions. Therefore, they reapplied to the Council of State. They demanded not the appointment of a separate "guild warden" or a head like in *the period of autocracy*, but they wanted to establish a unique organization consisted of these five trade groups.[562] Obviously, the foundation of a separate association was an economic burden because of the administrative expenditures for the groups who were dealing with small scale commercial activities. This example shows that there was a resistance from the groups not to be separated judicially to overcome their prospective economic difficulties, which increased in the new administrative system.

The bread makers also wrote a petition to the Municipality to establish their association in 1910, but their reason was different. The Municipality wrote to the record the classifications of trade and artisan groups such as bread makers, jewelers, and shoemakers under a hierarchy in division of labor including journeymen and apprentices to inform the Ministry of Interior. Every trade group was able to establish its organization as it was stated. It was pointed out that *amele* (laborer), journeymen, and apprentice working in bakery shop wanted to have an organization independent of their masters and the workplace owners since their superiors did not pay their salaries properly. It goes without saying that *amele* and the other employees did not want to gather under a unique organization with their masters and the owners of the workplaces. The Municipality permitted only to establish one organization initially since the other option could lead to disorder and redundancy. But the Ministry of Interior then allowed them to establish a separate association on condition that not violating the interest of the populace.[563] It can be claimed that the disputes among these

[562] BOA, ŞD. 847/6/5, 8 Ra 1328 [20 March 1910].

[563] BOA, ŞD. 847/6, 29 Ra 1328 [10 April 1910]; BOA, DH. UMVM. 88/71, 1 Ca 1328 [11 May 1910].

groups shaped their organizing tradition remarkably. It indicates that no tangible solidarity did exist among them and the demands, expectations, and concerns of the two mentioned sides were different from each other.

Solidarity, collaboration, mutual understanding, and control among the artisans and traders were not automatically removed during the disappearance process of the guilds. For example, the 8th Article of the 1912 Regulation states that the craft and trade group members could help out their colleagues who were in a bad situation or disabled.[564] Also, the collection of money for mutual assistance was pointed out in Articles 15 and 16, which encourages solidarity among various groups.[565]

Associations had the legal capacity, and their founders had to inform the Municipality when they were established.[566] Four main criteria were pointed out to establish an association according to the Article 13 of the Regulation for Associations: They had to be coherent to the Association Regulation, appropriate to the customary practices of the related group, to the Ottoman law, and finally to free trade policy. Coherence to the law, the customary practices, and free trade policy shaped the general policy towards the marketplace actors as well. The ordinances and regulations for esnaf associations brought the establishment of separate associations that give significant administrative information about various occupations. Every group had the right to prepare their vocational regulation and to establish their association. Yet, they had to verify them to the Istanbul Municipality or the other municipalities.[567] Many

[564] "Esnaf Cemiyetleri Hakkında Talimat", 20 CA 1330 [7 May 1912], *Düstur*, II/ 4, p. 485.

[565] "Esnaf Cemiyetleri Hakkında Talimat", 16 S 1328 [27 February 1910], *Düstur*, II/2, pp. 125-126.

[566] Ebru Kayabaş, "Osmanlı Devleti'nde Tanzimat Devrinde Cemiyetler Hukuku'nun Gelişimi", Ph.D. diss., (İstanbul University, 2008), p. 197.

[567] For some special regulations and ordinances belonged to each profession, see *Dersaadet Limanı Umum Deniz Kayıkçı ve Sandalcı Esnâfı Cemiyeti* (General Dersaadet Port Waterman and Portman Esnaf Association), BOA, DH. UMVM. 166/54, 26 Ş 1340 [24 April 1922]; *Dersaadet Limanı Umum Deniz Kayıkçı ve Sandalcı Esnâfı Cemiyeti Talimatnâmesi,* (Dersaadet: Sanayi-i Nefise Matbaası, 1337); *İstanbul Umum Binek ve Yük Arabacıları Cemiyeti Dahili Nizamnâmesi* (The Association Regulation of Istanbul general riding and carterman) and *Simitçi, Ekmekçi, Börekçi, Kurabiyeci ve Kadayıfçı Esnafı Cemiyeti Nizamnâme-i Dahiliyesi* (The Association Regulation of Simit Seller, Bread Maker, *Börek* Maker, Cookie Maker, *Kadayıf* Maker), BOA, HR. HMŞ.İŞO. 82/3, 1 May 1326 [14 May 1910]; *Umûm Mavna ve Salapuryacı Esnafı Cemiyeti Nizamnâme-i Dâhiliyesi* (The Association Regulation of the general barge riders and lighterman) (Dersaadet, 1336); *İstanbul Yorgancı, Döşemeci ve Mobilyacılar ile Mefruşat-ı Beytiye Esnaf Cemiyeti Tâlimatnâmesi* (The ordinance of the association of Istanbul quilt makers, upholsterer, furniture dealers and the seller of soft furnishings), (İstanbul: Bahriye Matbaası, 1337 [1921]); *Dersaadet Balıkçı Esnafı Cemiyeti Nizamnâme-i Dahiliye Projesi* (The Association Regulation of fisherman), (İstanbul: Hüsn-i Tabiat Matbaası, 1339 [1923]); *Dersaâdet*

associations were established in this period.[568] In the Statistics Journal record in 1912, it was noted that more than thirty thousand people were the members of associations among 63 profession categories.[569]

Ordinances and regulations of each association involve the articles about their internal organizational structure and inner affairs. The ordinance of the association of quilt makers, upholsterers, furniture dealers, and the seller of soft furnishings will be mentioned briefly to give an idea about the features of an ordinance and the structure of the association. It was stated that the association was established for the development of vocations and the judicial rights of its members. An artisan or trader who wanted to be a member of the association had to pay a certain fee annually. If he did not pay it, he would be dismissed from the association. Also, if he wanted to resign from membership, he had to pay the rest of the annual fee. Both artisans and traders

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ve Bilâd-ı Selâse Umûm Bakkal Esnafı Kalfa ve Çıraklar Cemiyeti Nizâmnâmesidir (The Association Regulation of the grocers and journeyman and apprentices association), (İstanbul: Ali Şükrü Matbaası, 1337); *Dersaadet Bakkal Esnafı Cemiyeti Talimatnâmesi* (The association ordinance of Istanbul grocers), (Dersaadet, 1337 [1921]; *Dersaâdet ve Bilâd-ı Selâse'de Umûm Tuğla İmalci Esnafı Cemiyeti Talimatnâme-i Dâhiliyesidir* (The association ordinance of the brick-makers), (İstanbul: Şehzade Başı Evkaf Matbaası, 1338); *Kabzımal Esnafı Cemiyeti: Talimatnâme* (The association ordinance of fruit and vegetable middleman), (İstanbul: Ahmed İhsan ve Şürekası Matbaacılık Osmanlı Şirketi, 1336); *İstanbul ve Mülhakatı Umûm Ekmekçi ve Francalacı Fırıncılar Esnaf Cemiyeti Talimatnâme-i Dâhiliyesidir* (The association ordinance of the general baker and francala makers), (İstanbul: Zelliç Biraderler Matbaası, 1926); *Dersaadet ve Bilad-ı Selase Ayakkabıcı Esnafı Cemiyeti Talimatnâme-i Dahiliyesidir*, (İstanbul: Matbaa-ı Bahriye, 1337); *Dersaadet Kaldırımcı Esnafı Cemiyeti* (The Association Regulation of Istanbul paviours), BOA, DH. EUM.THR. 101/92, 28 B 1330 [13 July 1912]; *Dersaadet Umum Hancı ve Otelci Esnafı Cemiyeti Talimatnâme-i Dahiliyesi* (The association ordinance of innkeeper and hotel keepers), (İstanbul: Teşebbüs Matbaası, 1339 [1341]; *Dersaadet Umum Sakalar Esnafı Cemiyeti Nizamnâmesi* (The Association Regulation of Istanbul general water carriers), (Dersaadet, 1336); *Dersaadet ve Bilad-ı Selase Bilumum Menba' Sucuları Esnafı Cemiyeti Talimatnâme-i Dahiliyesidir* (The association ordinance of Dersaadet and Bilad-ı Selase mineral water carriers, (Dersaadet, 1339); *Dersaadet ve Bilad-ı Selase Perukar Esnafı Talimatnâme-i Dahiliyesi* (The Association Regulation of Dersaadet and Bilad-ı Selase Barbers, (İstanbul: Ali Şükrü Matbaası, 1338); *Dersaadet ve Bilad-ı Selase Umum Binek ve Arabacı ve Beygirci Esnafı Cemiyeti Talimat-ı Dahiliyesi (*The association ordinance of general riding and carter and horse riders), (İstanbul: Necm-i İstikbal Matbaası, 1335); *Hamamcılar Esnafı Cemiyeti Talimatnâme-i Dahiliyesi* (The association ordinance of bathhouse keepers), (İstanbul: Kseon Matbaası, 1337); *İstanbul Umum Celeb Esnafı Cemiyeti Talimatnâme-i Dahiliyesi* (The association ordinance of general cattle dealers), (İstanbul: Minber Matbaası, 1336); *Saraç Esnafı Cemiyetinin Talimatnâme-i Dahiliyesidir* (The association ordinance of saddlers), (İstanbul: Matbaa-ı Bahriye, 1337).

[568] For the list of the associations which were established until the end of the World War One, see Toprak, *Türkiye'de Milli İktisat: 1908-1918*, pp. 687-688.

[569] 1330 (1912) Statistics Journal involves 33 different profession categories in total, and 33 of them involve 31,121 people in number. (The total was found 30,521 with recalculation). See *1330 Senesi İstanbul Beldesi İhsâiyat Mecmuâsı*, (Dersaadet: Matbaa-yı Arşak Garoyan, 1331), pp. 250-251. See Table 3.

had the right to be affiliated with an association. There was no obligation to be a member of an association; that is, free membership to conduct a profession existed in the last period of the empire as well. The management of an association was allocated to the general board (*heyet-i umûmiye*) and the executive board (*heyet-i idâre*). The head (*reis*) stayed symbolic in the administrative affairs. The general board was making decisions, and the executive board was conducting these decisions. Decisions were taken by the majority of the votes of the members. These two aspects show the liberal structure of the association. As an officially accepted institution that belonged to a specific ordinance with its liberal inner organization, it determined the descriptions of the responsibilities of its members. It aimed to improve the profession with an emphasis on law.[570] The ordinance was coherent with both the Law of Association and the Regulation for the Esnaf Associations.

In another example, the association regulation of the water carriers involved nearly the same articles. The mission of the association was explained by focusing on the benefits of its members and regulating their affairs. The financial, administrative, and occupational affairs of the groups were under the supervision and the management of the executive board.[571] The influential role of the executive board shows the structure based on plurality in this association. This board carried out the inter-organizational control mechanism. Furthermore, it was added that every member had the right to be involved in the affairs of the related occupation that they were belonged in case of violations, which shows the plurality in organizing. From the side of their members, if the benefits of the groups were considered, solidarity among their members was emphasized in the association regulations. The emphasis of solidarity served for both nostalgic and pragmatic motives and meanings. The associations literally became professional organizations, and the regulation or ordinance of each profession became the occupational code of them even though not including technical

[570] *İstanbul Yorgancı, Döşemeci ve Mobilyacılar ile Mefruşat-ı Beytiye Esnaf Cemiyeti Tâlimatnâmesi* (The association ordinance of the Istanbul quilt makers, upholsterer, furniture dealers, and the seller of soft furnishings), (İstanbul: Matbaa-ı Bahriye, 1337 [1921]). The ordinance was composed of six parts and forty-five articles.

[571] *Dersaâdet Umûm Sakalar Esnâfı Cemiyeti Nizamnâmesi* (The Association Regulation of Dersaâdet Public Water Carriers), Türk Tarih Kurumu Kütüphanesi, no: 3490-A/2336, (Dersaâdet: 1336); For the postcard of public water carriers, see Figure 7.

information about occupations. As it seemed in two examples, the content of the ordinances or regulations of the associations was so similar.

The guilds were officially abolished, and the associations became the main representation platforms of the marketplace actors in the last decades of the Empire and early Republican period in Turkey. Supervision over the registration, providing identities, and collecting information about the criminal acts of their members were conducted carefully by both the governments and the Municipality via these associations. However, no article about the tax payments was included in the regulations of the associations because many abuses and violations in tax and fee collections of guild wardens happened. Therefore, the new organizational model distinguished the managerial affairs of organizations and taxes apart. Associations were not authorized to collect taxes. The Municipality eliminated the intermediaries; that is to say, the guild wardens, who were not able to accommodate themselves to the new administrative and financial order. By this way, it aimed to terminate its tax income loss caused by the wardens. Moreover, these associations can be accepted as the proto version of the esnaf chambers inherited in the ensuing years. Like chambers, they did not have a role in collecting taxes; they were only the corporations that protect the rights and working conditions of their members. The Esnaf Associations could only help retirement issues or financial difficulties of the members.

Every separate regulation helped to integrate trade groups into the new administrative order, and the members became more familiar with the new legal procedures. But before ending, certain points have to be sorted by considering the regulation for associations and each association regulation or ordinance prepared for the craft and trade groups. First of all, the guild order disappeared, and the new organizational system was shaped by the written regulations. Nonetheless, the state continued to use the term "guild" after the abolition of this organization and even both guild and association terms were sometimes used together in the regulations, as in the example of the association ordinance of the quilt makers.[572] These two terms were officially accepted, and the continuation of their usage was related to the continuation of the traditional bureaucratic language. The governments aimed to remove the

[572] The term "guild" was used in the written ordinance. See *İstanbul Yorgancı, Döşemeci ve Mobilyacılar ile Mefruşat-ı Beytiye Esnaf Cemiyeti Tâlimatnâmesi,* pp. 5-15; The association of egg sellers used both of them as well. See BOA, DH. HMŞ. 4/4, 18 S 1338 [12 November 1919].

individual intermediaries but not the organizations. When the first article of the Esnaf Associations Regulation is examined, it was pointed out that the guild wardenship was abolished rather than the guilds. The conflicts occurred because of the existence of the guild wardens but not the guilds themselves. Therefore, there was no difference for the governments between the guilds and the associations in theory. As a new term, association replaced guild. But this continuity does not mean the nonexistence of the inner organizational differences between an association and a guild. The establishment of the general board (*heyet-i umûmiye*), the executive board (*heyet-i idâre*), and the headship (*reis*) were the parts of the new structure, which was different than the guilds.

Second, the post of guild warden was abolished with the new arrangement. The "modern" terms for positions such as head and clerks began to be used in place of guild wardenship. These heads and clerks were the individuals who conducted the affairs of trade and artisan groups. The prevalent discussion on the official role and the limits of the authority of the guild wardens within the guilds invaded the literature a long time. Despite heading to the association and meetings, the head position had a symbolic presence because the major administrative bodies of the associations were the general board and the executive board. These boards were fully responsible for the Municipality. The executive board was the major supervisor in the affairs of the associations. This new system continued in the period of Republic of Turkey as well. Related to this change, the distribution of the tasks in an organization was explicitly stated in the regulations. It indicates that the governments tried to preclude arbitrariness of members and arrayed the roles of each member. The aim was to put the internal organizational structure matters in order and prevent the individual abuses within these associations.

Third, there is no reference to the religious and moral norms in the regulation of the associations, and the methods of problem solution became more professionalized and institutionalized.[573] They presented a new organizational model which was based on Western written law for the foregoing groups. They did not inherit

[573] Onur Yıldırım reminds the researchers that the romanticization of the guilds as agencies of social solidarity and craft-honor, which is a common view in the literature, should be abandoned, and more realistic and documentable categories of scholarly research should be replaced instead of this. See Onur Yıldırım, "Ottoman Guilds (1600-1826): A Survey". Paper presented at the meeting of The Return of the Guilds, Utrecht University, Utrecht, 5-7 October, 2006, p. 17.

the old figures from the guild structure, such as guild warden or *yiğitbaşı*. The establishment of the associations changed the way of the application to the official authorities of traders and artisans from the initiatives of the individuals (guild wardens) to the organizations. In the guild system, the guild warden had authority, and the guild members did have a relative involvement power in their affairs. As regards to the associations, the general board and the executive board conducted the affairs of the related commercial groups. In this way, the overwhelming majority of them gained the opportunity not to be subjected to the abuses of the individuals, and the boards had control of their associations. This resulted in the development of a more pluralistic understanding when trying to solve their affairs, but ironically conflicts emerged, which will be handled below in the newspaper polemic.

The general and executive boards substantially created a new organizational tradition among artisans and traders, which was different from the old guild structure. The weakening of individual authorities provided a basis for the development of a pluralistic understanding. These associations contributed to the spread of plurality sentiment within organizations when the articles of the association regulations were examined because the general board and executive board came into prominence even though the position of the head was present in this new organizational structure. Ironically, the developing pluralistic understanding turned into conflicts of interests, and the divisions emerged among themselves. The involvement of the state institutions into the matters of the associations that led to the restricted civil society was criticized, especially in press. A polemic in *Meslek* and *Şehremaneti* newspapers in 1925 about the authority and the circumstance of the esnaf associations shows the problems related to these organizations in practice at the very early period of the Republican regime. Mübahat, an assistant manager of the economics of Municipality, asserted that *Meslek* newspaper accused the Municipality about the inadequate protection of it in association affairs. But he alleged that the major responsible for the issue of associations was the artisans and traders themselves, and they were not conducting their affairs well. Many associations were closed thanks to malfeasances, administrative deficiencies or repealing their selves. The Municipality tried to prevent it, according to him, but it was not able to do it completely. He stated that the members of the associations were not trusting with each other, and they were complaining to

their colleagues. In this condition, the Municipality was trying to establish peace among themselves. Mübahat added that gossip, dissension, and disorder were so prevalent among the groups, and they were not applying to the Municipality for positive and constructive affairs. The first thing that these groups had to do was to protect their associations and then demand the protection of the Municipality. If a group protected their association, the protection and help of the Municipality could come automatically.[574] As an answer to this newspaper article, it was stated that the Municipality did not understand the role of the associations and it had no idea about the tasks and authority of itself. It was also claimed that the Municipality took under control these associations and intervened in their inner affairs. If the Municipality did it, no solidarity could exist among the groups. The associations were always under the strict control of the Reign, the CUP, and the Municipality. The necessary thing to do was to remove the intervention and protection of these authorities and let these groups conduct their affairs independently. The act of helping was different from intervening in their affairs.[575] Contrary to the solution of the assistant manager, the writer of the article in *Meslek* newspaper emphasized the required authority and independence of the associations. They could enhance their power by eliminating the strict control of the state-led institutions. This polemic indicates that the associations did not act independently from the state institutions both in the Ottoman and the Republican periods.

The Municipality became the responsible authority for the establishment of the associations of artisans and traders. They existed under the supervision of the Municipality, the Police, and the Ministry of Interior together. The official dealings were recorded, and the problems of the groups were solved mostly by these official agents. They were the registered economic and social organizations under the control of the state agencies and both the guilds and then the associations formed a significant part of civil urban life as well.

[574] Mübahat, "Esnaf Cemiyetleri", *İstanbul Şehremâneti Mecmûası*, no: 8, April 1341 [April 1925], p. 8.

[575] "Esnaf Cemiyetleri ve Şehremâneti", *Meslek*, no: 22, 12 May 1925, p. 8.

Artisan and trade groups had to incorporate to the free trade economy in the later decades of the Empire, and this policy was changed and consolidated with the national economic policies of the CUP, especially after the Balkan Wars. The state sought congruence to the free trade economy of the affairs of these groups, which was written in the article 13 of the Regulation of the Esnaf Associations. It is compatible with the liberal economy policy of the governments. Guild was the apparatus of the old traditional-protectionist economic system, and it was replaced with the associations which were the outcomes of both the new administrative order and the liberal economic system.

Artisans and traders gained strength politically during the Young Turk period via their associations and the CUP governments benefitted from them politically by using the municipalities since the latter was the authority over them. It was asserted that because of this political issue the state assigned these associations to the Chamber of Commerce and Industry to weaken them.[576] While, the 1912 Regulation, which brought the establishment of artisan and trader associations in the whole Empire, was the result of the legal and administrative requirements, the affiliation of the regulation to the Law of Chambers of Commerce and Industry in 1925 was originated from the economic motivation of the new regime. Artisan and trade groups with their associations were linked to the firstly Municipality and then to the Chambers of Commerce and Industry in the early Republic period in Turkey.[577] The reason for this cannot be explained only by the administrative-judicial changes and requirements. It can be argued that the perspective of the governments towards the economic roles of these groups also shaped this change.

Overall, guilds bear the traces of the older order, such as involving guild warden; on the other hand, the establishment of the associations with the regulation of 1910 (then in 1912) kept pace with the new judicial, administrative, and economic policies. The changes in the competent authorities in the affairs of the abovementioned groups led the different perspective and policy evaluations; that is, the period of

[576] İlhan Tekeli, *Cumhuriyet'in Belediyecilik Öyküsü (1923-1990)*, (İstanbul: Tarih Vakfı Yurt Yayınları, 2009), pp. 36, 39.

[577] Koraltürk, p. 85; *Ticaret ve Sanayi Odaları Kanunu ve Ticaret ve Sanayi Odaları Nizamnâmesi ve Esnâf Cemiyetleri Talimatnâmesi*, (İstanbul: Vatan Matbaası, 1341 [1925]), Atatürk Library, no: 216, pp. 66-71.

Abdülhamid II, the era of CUP administration, and the republican regime, and all these differences have to be regarded together with the results of the circumstances of the Ottoman-Turkish economy and the fundamental changes in the process of bureaucratic centralization.

The judicial structure of organizing in the Ottoman Empire changed predominantly with Western law adaptation in the legal arrangements. Numerous associations established for the purposes of education, politics or social aid gained ground the public space in the nineteenth century, and they had influential roles in socio-economic life that contributed to the organizing culture as well.[578] Although the modernization perspective has been harshly criticized in the literature and the alternative explanations have gained importance for so long, it can be asserted that the legal transformation of these purposeful associations emerged with the requirements of the bureaucratic modernization, new modern codes, and the changing economic motivations, which were open to the world trade and Western-style legal arrangements. The abolition of the guild warden post, the explicit responsibility descriptions about the administrative roles in the new separate ordinances and regulations of the associations, and their registration to the special and certain records which were under the control of the Municipality are some indicators of the new perspective of the Ottoman administrative regime as well. The "modern" legal changes started in the Tanzimat era (roughly 1839-1876) and the CUP reframed the institutions with more Western-affected features after 1908. This historical array can seem in the case of trade and artisan groups at least.

[578] For different examples of established associations, see Recep Çelik (ed.), *Osmanlı'dan Cumhuriyet'e Cemiyetler*, (Ankara: İçişleri Bakanlığı Dernekler Dairesi Başkanlığı, 2013); Yavuz Selim Karakışla, *Eski İnsanlar Eski Cemiyetler: Osmanlı Toplumsal Tarih Çalışmaları (1904-1926)*, (İstanbul: Doğan Kitap, 2017).

CHAPTER 6

CONCLUSION

This study focused on the integration of the Istanbul artisans and traders into the Ottoman state's new administrative structure together with the abolition process of the guilds in the period between 1839 and 1922. The topic of the study is related to various interrelating and complicated matters such as economic system, political atmosphere, administrative and judicial reforms, international conjuncture, societal transformation, and cultural changes. Among these various dimensions, this study concentrated on the role of the administrative and judicial changes in transforming these groups. It also investigated the abolition process of the guilds and the role of the guild wardens in artisanal life.

The previous narratives dwelt on the sharp decrease in the number of artisans and traders and the abolition of the Ottoman guilds by emphasizing the roles of the integration of the Ottoman economy into the European capitalist economic system, modernization in production techniques, mechanization, and free-trade practices. Unlike them, this study provided another explanation for the status of the artisans and traders and the abolition of the guilds. It presented the impact of the new administrative system, legislation, new institutional understanding in supervision tasks, and the change in their professional organization model on transforming these groups. Their guilds were transformed into a new institutionalized form, association, and this created a different status for artisan and trader groups than the previous periods. The Istanbul artisans and traders accommodated themselves to this new administrative order after the second half of the nineteenth century.

In this manner, this study depicted the portraits of the Ottoman artisans and traders living in the late nineteenth and the early twentieth centuries. Changes in economic policy and political developments caused the increase of financial difficulties, which led to the rise in grievances among the mentioned groups. They

were challenged with economic fluctuations. The economic decline partially damaged honesty in trading activities. Their profile changed, and the traditional artisanship became more pragmatic because of the free-trade economy. Although they lost their economic and social status in society, they were still effective in daily economic activities until the collapse of the empire. Moreover, the cases used in this study showed that artisans and traders applied the temporal and superficial ways to overcome with their extant economic difficulties. There was no mass reaction in the marketplace life. The study has also underlined the peculiarity about the increasing surveillance over the non-Muslim artisans and traders due to the political conjecture shaped by nationalist rebellions and attempts that erupted in this period. These forcible economic and political factors formed the fragmented characteristic of the artisan identity in this period.

Furthermore, this study indicated that women became part of the marketplace as producers and sellers, especially when women became more visible in the public sphere from the late nineteenth century onward. Economic difficulties drove many women to the working life to make a living to contribute family income or hold the family's responsibility while their male members were on the battlefields away from home. However, women had some difficulties, such as being the weak actors of the marketplace who tried to be involved in the men-dominated trading activities. Thus, they faced socio-cultural, ideological, and socio-economic constraints. Although the "*esnaf*" was identified with "man", it eluded itself from this general acceptance. The examples showed that it had to cover women as well. These facts have shown that the identity of the artisans and traders was not frozen, and it began to transform with the changes in economic and social conjunctures.

In addition to questioning the identity of the marketplace actors, the state of the last guilds had been examined. It was argued that even though these formal organizations did not change radically until their abolition in 1910, they downsized in terms of their inner organization. Guilds were affiliated with the Municipality, so they were not autonomous enough in the late Ottoman period. They were under the authority of a more controlled and centralized administrative structure in this way. The abolition of the guilds was also the outcome of this administrative restructuring.

In this study, the legal arrangements concerning artisans and traders were also examined together with their economic conditions. Municipalization in urban governance led to the changes in conducting the administrative affairs of the artisans and traders from the mid-nineteenth century onward. It imposed a new type of administrative system for these groups. Even though these groups did not experience sharp changes, it forced them to behave with inculcating a certain mode of behavior in bureaucracy traffic, which contributed to adapt them to this new system. New modern legislation led to the emergence of new practices and discourses in the marketplace as well. The governments tried to integrate the guilds into this new administrative order. But this process resulted in the weakening of the guilds and the decrease in their efficiency. The autonomy of the guild warden on the affairs of these groups lost its influence with the Municipality's institutionalization because wardens were taken under the control of the municipal administration.

The supervision over the artisan and trade groups continued with the institutionalization of the Municipality and the Police forces, but the practices fell short due to the unsettled structures in both entities. The supervision of the marketplace inevitably entered into the border of public order thanks to the inadequacy of the number of municipal police forces. The ongoing negligence in marketplace operations due to the long absence or inadequacy of municipal police continued and both the unsettled structure and conflicts among the state agencies caused the jurisdictional debate in audit duties.

Besides administrative and judicial changes, this study has also examined the economic conditions of the groups in this economic regression period. After analyzing their current economic state, their reactions and demands about the taxes and license fees were elaborated. It was shown that they were active figures and were able to react to the taxation policy of the state. The way of collection of the taxes and the change in the type of tax were also the pushing factors that paved the way for the change in the institutional affiliation of the above-mentioned groups. The governments did not discard the marketplace actors, but they did not implement sufficient protective financial measurements for them. A centralized economic policy entailed new administrative arrangements, and the state could take marketplace actors under control in this way. But the interest of the governments was weak towards these groups, which

was related to the advantages of the free-trade economy and the low contribution of taxes that these groups paid. Furthermore, licenses, which were given in return for a fee functioned as permission to do a job, have been elaborated. They enabled to determine the number of taxpayers.

Moreover, this study provided information on the day-to-day practices of the artisans and traders, which presents the marketplace life after the second half of the nineteenth century. The protection or the improvement of the economic, spatial, and hygienic conditions in the marketplace and bazaar were critical in terms of social and economic aspects. These concerns were deterrent forces in the commercial life arrangement, urban planning, and the systematization of the public health policies. On the other hand, the reactions of these groups mutually shaped the policies of the state in these fields.

The Municipality and its law enforcers supervised the marketplace. In this period, they regulated manufacturing and trading activities with the written rules rather than the practices inherited from the old times. Administrative rationalization, centralized bureaucracy, and modern legal arrangements were expanded with the establishment of the municipalities in urban, and the initiatives in solving problems were allocated according to the related specialization areas of the state institutions. Institutionalized security forces supervised the market and its actors to protect public health, provide public order, and collect taxes regularly. Yet, artisans and traders were not the passive receivers of all legal arrangements. They conveyed their existing problems and demands with their petitions, and they were involved in problem-solving processes as well. Especially, the financial difficulties and the political instability had made the groups more reactive in coordinating daily economic order and relations. In this way, they accommodated themselves to the new administrative order, which was surrounded by the new free trade economy and the new concerns of the burgeoning official authorities. All these contributed to the emergence of a competitive artisanal life. On the other hand, the guild wardens were expected to be the representatives of the guilds in problem-solving processes, but they sometimes appeared as trouble-makers in certain cases. This paved the way for abolishing the guild wardenship since the state emphasized their abuses in its records. In this way, the Municipality and its

municipal police forces became as the main responsible of the control mechanism in the marketplace without an intermediary.

As being part of the "public", the issues related to the producers, manufacturers, and sellers interested both themselves and society. The spread of the diseases among these trade groups would cause the infection of the whole society via the individuals and the goods and products that they produced and sold. Thus, the most vulnerable places in spreading the diseases were the bazaars, inns, and markets where all producers, sellers, and consumers gathered. Therefore, the Ottoman governments tried to control populous places, which had always been risky, especially in terms of contagious diseases. The guilds and the market inspectors supervised the markets and bazaars until the establishment of the Municipality, yet the initiative changed hands from these groups to the centralized state institutions. This study has shown that the government decisions on the marketplace affairs contributed to the implementation of more state-controlled spatial and public health policies. The communal health policy of the state developed with the precautions and decisions taken for these groups and the marketplace in this way. It aimed to prevent diseases before spreading. Its goal was to administer the risky process with its implemented regulations and ordinances. Hereby, the state had to maintain the official interaction between its agencies and the marketplace actors in daily commercial activities. It maintained its control and power over these groups in the free-market economy with its centralized institutions and decisions.

This study examined the transition from guilds to associations as well. The abolition of the guild wardenship is explained not only as part of the attempts of the constitutional administration, but the substructure of it goes back to the policies and the experiences of the previous years.[579] This study indicates that the judicial and administrative developments that occurred after the second half of the nineteenth century did the groundwork for this substructure. The main argument about the Ottoman guilds was that they were collapsed because they could not exist in the capitalist economic system, but this study has demonstrated that this cannot be the sole reason for this demise and the change of administrative structure also formed the basis

[579] Celâl Yerman & Samet Ağaoğlu, *Türkiye İktisadî Teşkilatında Ticaret ve Sanayi Odaları Esnaf Odaları ve Ticaret Borsaları*, (Ankara: Titaş Basımevi, 1943), p. 36.

for the abolition of the guilds. Moreover, the articulation to the new administrative system decreased the function of the guilds. The state's intention to remove the guilds as intermediaries and the alleged abuses of the wardens paved the way for abolishing these organizations. Both municipalization, which brought the institutional changes, and human factors significantly impacted on the abolition of the guilds. The guild wardenship as a traditional post lagged behind of the new administrative structure in the nineteenth century, and the clash of interest of them with artisans and traders forced the state to prepare a new arrangement for this problem. It was argued in this study that the abolition cannot be explained only with the change in production and trading practices. The resystematizing of the administrative structure and bureaucratization had also enforced the institutional transformation of the guilds. Related to this fact, the guild, as one of the main Ottoman traditional organizations, changed its institutional form, and new associations were introduced to represent trading and artisanal life.

All in all, this study shows the social, institutional, judicial, and organizational transformation of the artisans and their guilds considering the internal dynamics of the late Ottoman period, which were disregarded by the economy-based explanations. It has to be pointed out that the emphasis on the change of the administrative structure does not mean glorifying the state apparatus because the institutional restructuring has a transformative role in changing the state of artisans and traders and such a research has to be dwelt on the official links. This study provides an alternative perspective about the transforming of the status of the artisans and traders. They changed in terms of abovementioned aspects during and after the Tanzimat period and they did not totally weaken. It is so tough for a social group to adapt itself to a new administrative system as the Ottoman newly established institutions already had a system that was not settled. Therefore, both economic and administrative adaptation was difficult for these groups, yet they partially managed it.

Some restrictions about the topic and archival research of this study have to be emphasized to light the road of future studies. First, it is risky to deduce generalized conclusions in this kind of a study because the number of artisan and trader groups is quite high. There may be crucial differences among the professional groups. Also, separate regional dynamics may give a totally different picture of the artisans and traders. Second, related to the first restriction, the archival research of this vast number

of professions and the districts of the empire becomes time-consuming. Third, it is imperative to glance at the catalogues of all related administrative units, which are high in number, because of different responsible state institutions. The documents about the artisans and traders were recorded in these different catalogues. Therefore, it is hard to have a compact archival catalogue about their affairs. Finally, many petitions and official correspondences were found during the archival research, but the results of the demands, cases or investigations, which were catalogued into different sections, mostly could not be found. It made it difficult to analyze the reasons and results of certain cases.

Before ending, certain points, which were related to the content of the study, have to be noted. This study did not mention daily politics and its effects on the transformation of artisans and traders much. But it highlighted the policies of the public administration, legislation, and economics, and it has shown the roles of these factors in transforming them. In addition, this study regionally limited itself to Istanbul to reveal concrete results. Thus, it only focused on the artisans and traders of Istanbul. But the history of the Ottoman artisans and traders awaits to be studied more, covering different districts.

The exploration of the economic and political relations of these groups with the Committee of Union and Progress and the early Republican period cadres with their changing conditions can grow a new comprehensive approach in artisanship studies. This will help to open up new discussions about the Ottoman artisanal life. The tradition of artisans and traders inherited to the Republican Period in Turkey, and this continuity waits for being investigated. Future researches can utilize the new alternative approach that this study provided as well.

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APPENDICES

A. THE ORDINANCE OF THE ESNAF OFFICE[581]

The First Part

The Way of the Establishment of the Office

Article 1: The Esnaf Office consists of one director, two inspectors, seven registrars, seven assistants of the registrars, one clerk of Daily Accounts (*Vukuat Kâtibi*), and an assistant, which is linked to the Accounting Department of the Municipality.

The Second Part

The Missions of the Esnaf Office

Article 2: The Esnaf Office registers the names of the trade and artisan groups and their crafts, conducts their events to a day, registers and accepts individuals who will be involved in groups, deletes an entry from a record book of individuals who will quit their job or return their hometowns, arranges the transfers of individuals who will change their classes or go to another district, the perpetual supervision and control of esnaf licenses (*esnaf tezkeresi*), delivers the enumerated and typed licenses to the Accounting Department which will be sent to the municipalities, reports the abuses of the guild wardens or dismissals to the Municipality, and the wealth and the capacity of the warrantee that the guild wardens introduce are investigated and controlled semi-annually and if there is a need to renew them, it should be finished up in a given time.

The Third Part

The Way of Registration Affairs

Article 3: The Esnaf Office keeps six books including the General (*Umumi*) Book, Especial (*Hususi*) Book, the Kethüda Book, the Debt (*Zimmet*) Book, the Orders and

[581] "Esnaf kaleminin sûret-i teşkîl ve vezâifini mübeyyin talimat", 10 C 1309 [11 January 1892], *Düstur*, I/6, (Dersaadet, Matbaa-i Amire, 1309), pp. 1150-1155; BOA, A.} DVN. MKL. 33/14, 10 C 1309 [11 January 1892]. There are few and unimportant word differences between the copy of *Düstur* and the copy of the archival document.

Regulation Book (*Evamir* and *Nizamat*), and the Document (*Evrak*) Book and these books consist of numerous volumes.

Article 4: The number of members of the trade groups and conducting their events are registered with "A" in the General Book, their members' professions and the municipalities that they are linked registered with "B" in the Especial book, the berat and registers of the guild wardens, the names of registered one, appointed individuals and the names of warrantees with their surety bond (*Kefâletnâme*), and the seals that will be given to the guild wardens and warrantees are registered with "T" in the Guild Warden Book, the sorts, amount and quantity of licenses that are submitted and given back to the Esnaf Office which is linked to the Accounting Department is recorded with "S" in the Debt Book, the orders, the regulations, the guild warden berat, and the acts of the council about trade groups are registered with "C" in the Orders and Regulation Book, the summaries of the special and ordinary documents are registered with "H" in the Document book. Every page is enumerated and sealed and the number of the pages is written in the first and the last pages and every copy will agree with this regulation.

Article 5: The Directory of the Office is responsible for observing and giving close attention to the recorded events and issues to a day.

Article 6: The licenses given to the Office will be enregistered as debiting them to the director of the Office. The director is responsible for all mistakes occurred with the losses and delay of conducting issues and nonregistration. Even to cover the losses and costs, a different warrantee will be demanded from the director.

The Fourth Part

The Missions of Guild Wardens and Their Responsibilities towards the Municipality

Article 7: The guild wardens will be bound over to carry out the procedure. The individuals involved in trade groups show their birth certificates to the guild wardens by producing some witnesses. The guild wardens attest the certificates to the Esnaf Office and give the licenses to these groups.

Article 8: Individuals who do their job without a license and do not renew their licenses as well in the repetitive cases would face with a fine in compliance with the Regulation. If guild wardens accept individuals who do not have a license and let them do their

job, the judicial proceeding is exercised by the municipalities that they are belonged to.

Article 9: If a guild warden pays a fine three times, he would be dismissed from his position, and a new guild warden is chosen.

Article 10: If a person from any trade group gives up his profession or changes his place, a certificate with information will be given to the Esnaf Office by the guild warden. His information about his name, profession, and district will be revised.

Article 11: Individuals from small-scale trade groups going to the provinces or their hometowns take certificates from imam and local authorities if they live in a neighborhood; and from concierges if they stay at inns, and they prove with their licenses that they are not faulty and do not have any relation with them approved by guild wardens. The Esnaf Office certifies after expounding the necessary conducting, and the Travel Permits (*Mürur Kalemi*) gives the travel certificates.

Article 12: Esnaf Office does not conduct proceedings if guild wardens will not confirm the licenses and the Travel Permits and it does not give license if certificates of the neighborhood and inn are not approved.

Article 13: Members from any trade group who go to their hometown or give up their job transfer their workplaces and deliver their counter to the other person. They also give their licenses to the individuals who take over instead of them. The license with information in the explanation part with a mark is corrected in this way.

The Fifth Part

The Distribution of the Esnaf Licenses enumerated by the Esnaf Office

Article 14: The licenses recorded to the Especial Book will be given to the trade groups every year, and they are delivered to the guild wardens and sealed with the current year's seal. The amount of the licenses is recorded by taking separate bills from the guild wardens, and they are sent to the Accounting department with the inventory (*Müfredat Defteri*).

Article 15: Guild wardens distribute the licenses to the members of any group punctually, and they deliver the amount that they get to the related municipal authority. They enter to an account them to the Debt Voucher (*Zimmet Senedi*).

Article 16: Guild wardens deliver the licenses of the journeyman and apprentices to the related municipal who change their districts, give up their professions within one

month after they take them or the deceased ones. Guild wardens are obligated to attest a certificate about main reasons.

Article 17: The mentioned licenses and the certificates that guild wardens give to the accountants are sent to the Esnaf Office punctually.

Article 18: The licenses sending to the Accounting Department is consigned by the Esnaf Office and the inspectors control the statements of the guild wardens. If they are right, they are sent to the related departments, and if they are not right, guild wardens are punished.

Article 19: If guild wardens do not find the collecting district or do not report the licenses to the Esnaf Office within a month, the amount will be collected from the guild wardens or their warrantees.

Article 20: If the guild wardens do not collect the whole amount of the licenses and a one month passes, the whole amount is taken from the guild wardens within six months by the Esnaf Office from the date that the licenses are given to the guild wardens.

Article 21: If a person from any trade group loses or wastes his licence, the guild warden attests it to the Esnaf Office with a certificate, and if it is corrected with his personal record that a licence was given to him, one licence will be given to him by taking 10 kuruş fee.

The Sixth Part

The Proceeding about the Itinerant Artisan and Trade Groups

Article 22: The process will be the same as the resident artisan and trade groups for the itinerant one. The registration will be entered into the books given by the guild wardens, and the licenses will be allocated in the meantime that the Esnaf Office will determine.

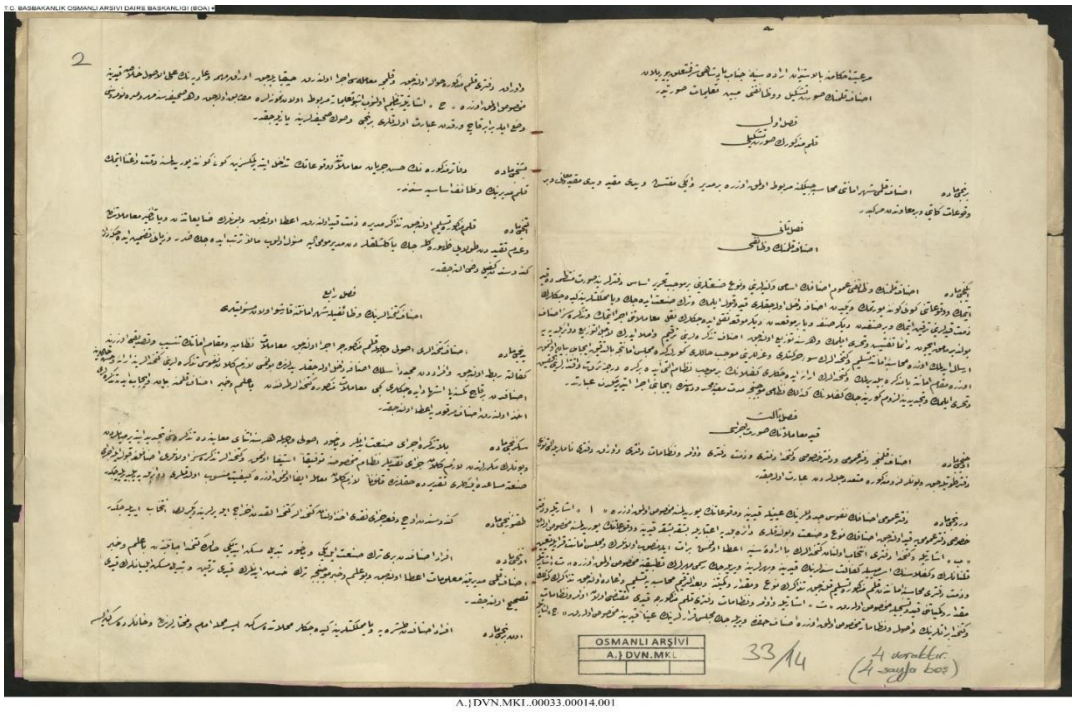
Article 23: If members from any group exceed the time limit to take a license, the officers of the municipalities and inspectors implement the provisions written in Article 8, and these members will be connected to the warrantees, and they will be precluded from doing their professions until getting the license.

Epilog

Article 24: The Ministry of Interior is in charge of the practice of this ordinance.

10 C 1309-30 KE 1307 (11 January 1892)

B. ESNAF KALEMİNİN SÛRET-İ TEŞKÎL VE VEZÂİFİNİ MÜBEYYİN TALİMAT[582]


T.C. BAŞBAKANLIK OSMANLI ARŞİVİ DAİRE BAŞKANLIĞI (BOA)
OSMANLI ARŞİVİ
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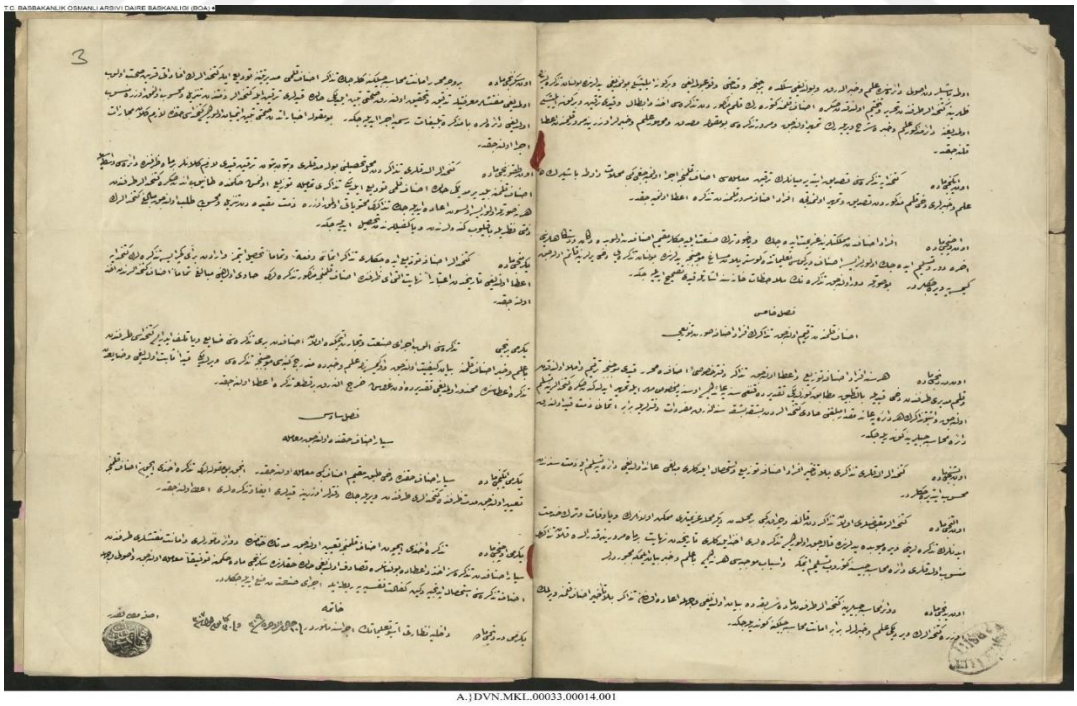
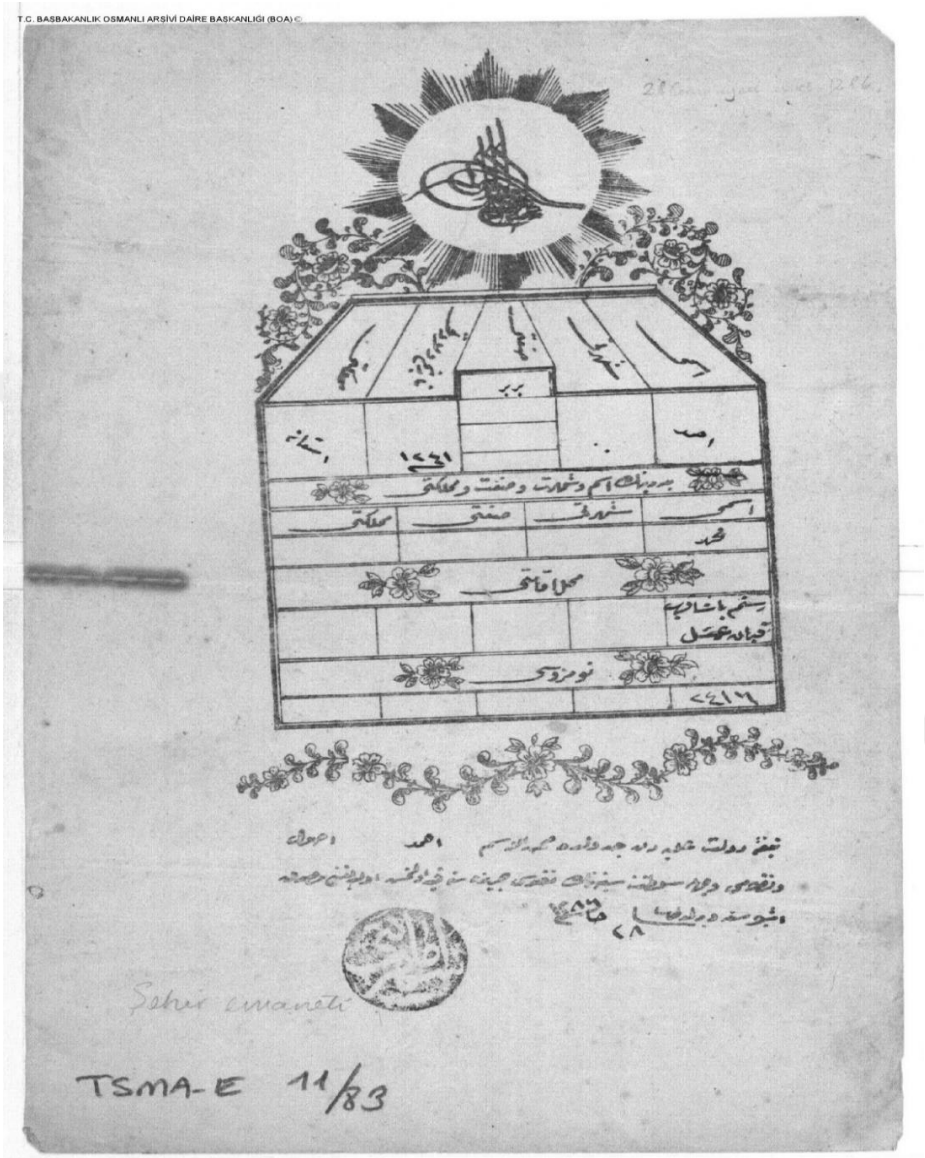
A.}DVN.MKL.00033.00014.001


T.C. BAŞBAKANLIK OSMANLI ARŞİVİ DAİRE BAŞKANLIĞI (BOA)
A.}DVN.MKL.00033.00014.001

[582] BOA, A.} DVN. MKL. 33/14, 10 C 1309 [11 January 1892].

C. THE EXAMPLE OF A BARBER LICENSE[583]



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[583] BOA, TS. MA.e.0011. 11/83.

D. THE EXAMPLE OF A COFFEEHOUSE KEEPER LICENSE[584]

TSMA.E.0011

[584] BOA, TS. MA.e. 0011. 11/84.

E. THE REGULATION OF ESNAF ASSOCIATIONS (1912)[585]

Article 1: All guild warden positions are abolished.

Article 2: Every trade and artisan group can establish their association.

Article 3: Esnaf associations will have their own meeting place, which was determined and recorded by the Municipality and the municipalities in the provinces.

Article 4: There will be from six to twelve volunteer members according to the number of the members of artisan and trade groups in the association.

Article 5: These members are elected via elections with a secret ballot for two years, and every year the half of them would be changed. A clerk from the Municipality or municipalities in provinces and two respected members supervise the elections, count the votes and appoint the person who pulls the large part of the votes. If there will be decedent or resigned individuals in associations, these authorities will choose from the minority. They send the official record prepared concurringly and sealed to the Municipality in Istanbul and the municipalities in the provinces to register it.

Article 6: After the registering process, the association will choose its own head and notified the Municipality or the municipalities in the provinces. The names of the head and the members of the association will be registered to a special record book by the mentioned offices.

Article 7: Associations will have a clerk to deal with correspondences, financial affairs, and the stated duties.

Article 8: These associations promote craftsmanship. They help their members who were in difficulty or disabled. They dissolve the disputes that appeared among its members pertaining to the issues of trade and artisan groups. Associations conduct the informing process about any member or collecting warranties when needed. Cabbies, boatmen, bargemen, and porters are obliged to service if the state needs in accordance to the legislation. Organizations are responsible for the execution and carrying out of the order and notification in time.

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[585] *Esnaf Cemiyetleri Nizamnâmesi*, (İstanbul: Cihan Biraderler Matbaası, 1339-1343), Atatürk Üniversitesi Kütüphanesi Seyfettin Özege Koleksiyonu, no: 21814.

Article 9: Esnaf associations are responsible for registering the names, hometowns, ages, the district and number of the workplace, and if he does not have a workplace, a zone where he works at and enumerating the cases like the decommissioning in case of migration, death and leaving a place in consideration of the example taken from the Municipality and municipalities in provinces in detail.

Article 10: The conditions and affairs of associations will under the control of the Municipality and provincial municipalities.

Article 11: If an association shirks its own duty or retards it, the assembly that it belongs complains about this situation, and makes a selection again with the decision of the assembly of the Municipality and the assembly of the municipalities in the provinces. If any member malpractices and the Municipality is informed about this matter, mayors change them and open an investigation.

Article 12: Trade and artisan groups will pay a determined and small fee for the expenses of the association and its head. This amount will be acknowledged by the Municipality and the municipalities in the provinces. More than the acknowledged amount cannot be collected. If individuals do it, they will be punished according to the penal code.

Article 13: Associations will prepare a regulation regarding themselves to maintain order and promote relations among its members, show the duties of the associations, and give it to the Municipality and the municipalities in the provinces after the establishment of the organizations. The content of this ordinance should be congruent to this Regulation, customary practices of trade and artisan groups, the general judicial structure of the state and the free trade. It is registered to the record book by the Assembly of the Municipality in Istanbul and the municipalities in the provinces, and the association is enrolled.

Article 14: Trade and artisan groups can help each other, but they need to certify the program and the terms and conditions about this assist to the Municipality in Istanbul and the municipalities in the provinces.

Article 15: The collection, management and expense of money on the purpose of help are under the control of the Municipality in Istanbul and the municipalities in the provinces. Every attempt about this issue depends on the content of the regulations

provided by the state. It is forbidden for an association to collect money from trade groups unlawfully.

Article 16: Associations will send the abstract account to the Municipality in Istanbul and the municipalities in the provinces according to the program approved by the government at the beginning of the year and the helping program confirmed by the Municipality and the municipalities after the investigation of them are published in the gazettes. The amount can only be protected and increased by an Ottoman financial institution, which was deployed by the Municipality in Istanbul and the municipalities in the provinces. Any other usage is forbidden.

Article 17: The decisions about the affairs of trade groups and the attempt of assistance cannot become definite if the assembly of the municipality did not confirm them.

Article 18: The Municipality in Istanbul and the municipalities in the provinces can object to the decisions of the esnaf associations. If the Municipality assembly and the assemblies of the municipalities recognize an opposite situation to the general provisions, old customary practices, customs, and free trade, they implement the proper legislation.

Article 19: Individuals who are damaged by the decisions and practices of associations can sue for damages.

Article 20: If the decisions of the associations in case of the disputes among members of trade groups acknowledged by the Municipality assembly and the assemblies of the municipalities, it seems valid and efficient for both sides like the decisions of the courts.

Article 21: The decisions bringing peace are registered to an especial record book and signed and sealed by the leader and the assembly members. One copy of the decision with the seal and head and clerk signs is sent to the sides. The organization cannot demand any fee and tax to maintain compromise. Yet, only the copy of the judgement is subjected to the stamp tax like in the registration's copy.

Article 22: If the compromise decisions of an association are about the amount of 1000 kuruş or assets valuing to 1000 kuruş, the organization had registered them to the record book and approved them to the assembly of the Municipality and the assembly of the municipalities in the provinces. The state of registration is written on the overleaf of the given decree. If it is more than the mentioned amount and value, the

Municipality assembly in Istanbul and the assembly of the municipalities enroll after listening to the reports of the sides, and it approves and gives the legal decision after sealing by the sides.

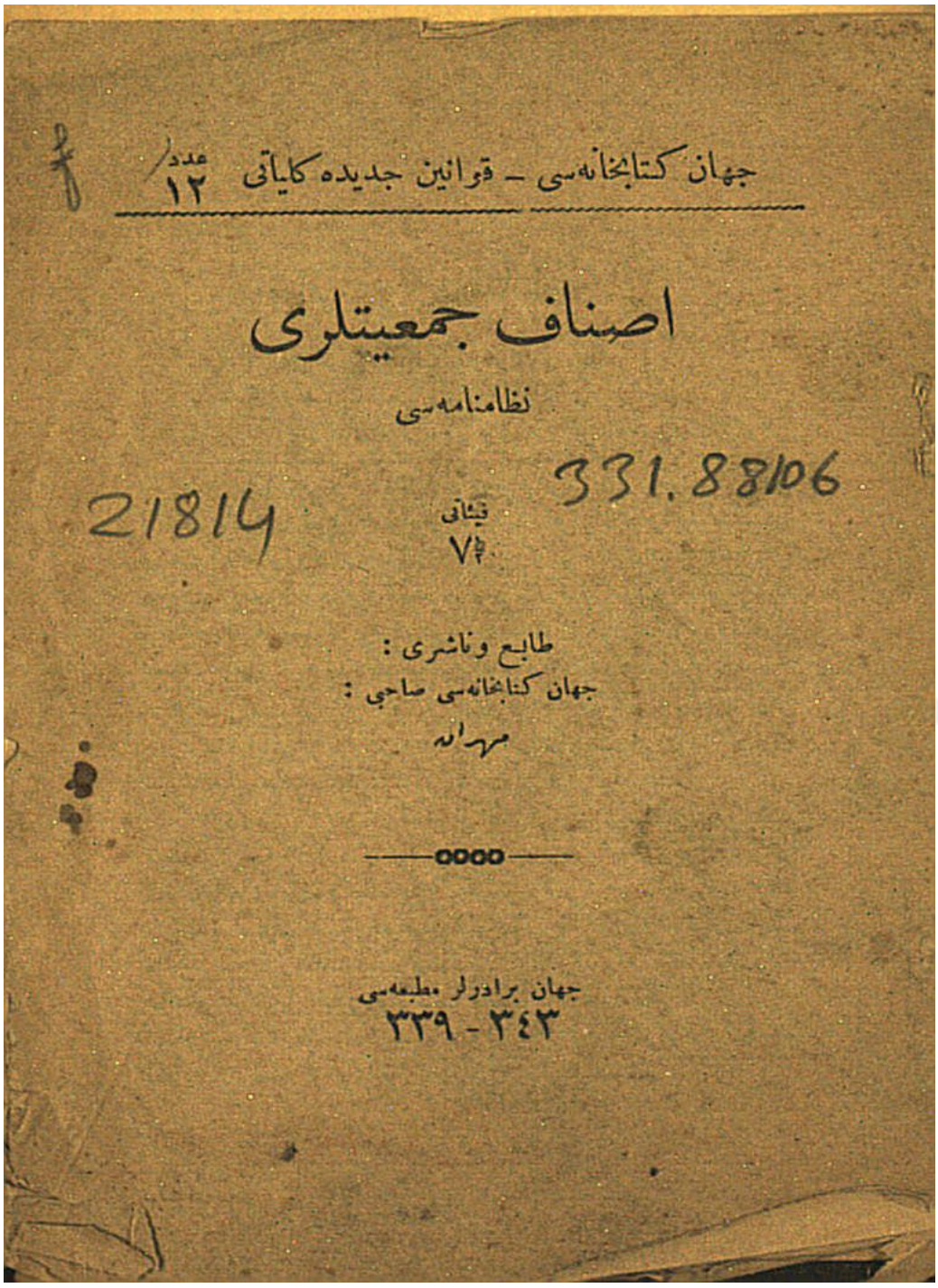
Article 23: If one side does not abide by the decision, the other side can apply to the execution office and make the decision implemented in the issue of the acknowledged negotiated settlement by the Municipality assembly and the assembly of the municipalities in the provinces.

Article 24: The execution office carries out the provisions of negotiated settlement, which is under the twenty-second article. The executive officer sues the parts in case of the disturbance of compromise. If it does not need further provisions, the executive officer implements the provisions of the negotiated settlement.

Article 25: In case of disputes among the two different artisan and trade groups, one member from the Municipality assembly or the municipalities, and two each member from their associations gather under a committee and make a decision. If the dispute cannot be ended, the decisions of the Municipality assembly and the board of governors in the provinces decide within a week. Both sides are obliged to abide by this decision.

Article 26: The head deals with for and against cases related to the association.

F. ESNAF CEMİYETLERİ NİZAMNÂMESİ[586]


جهان کتابخانه‌سی – قوانین جدیده کلیاتی عدد ۱۲

اصناف جمعیتلری

نظامنامه‌سی

21814

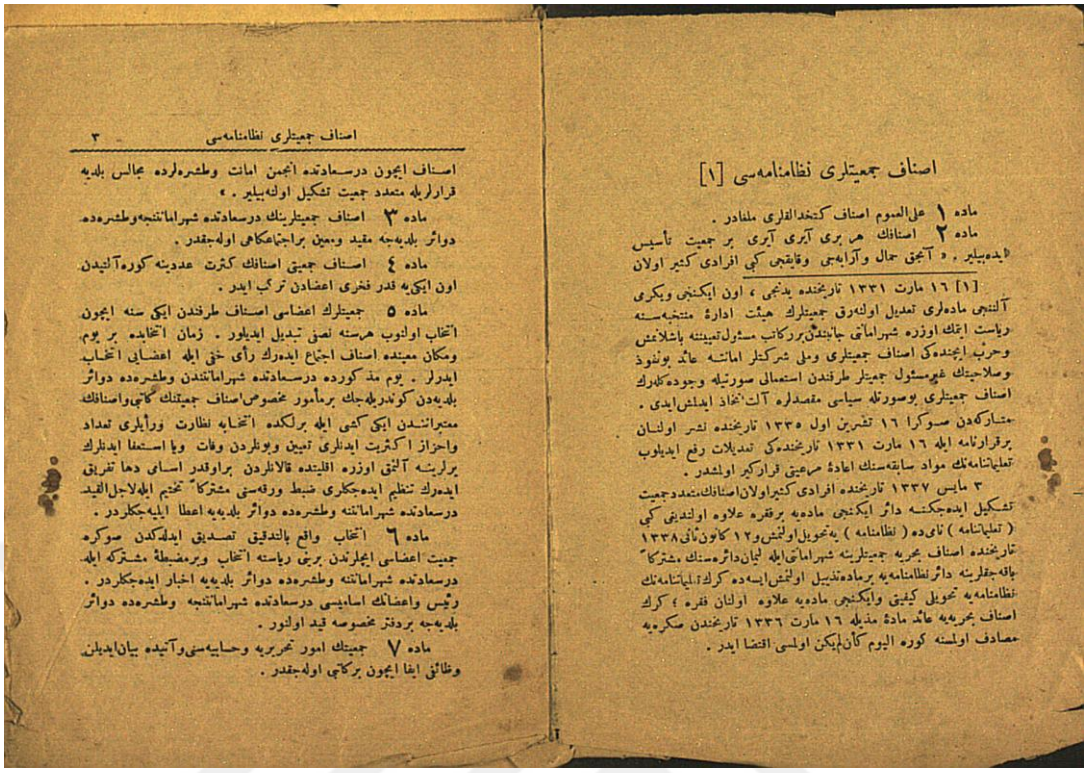
331.88106

قیمتی ۷½

طابع وناشری :
جهان کتابخانه‌سی صاحبی :
مهرالله

جهان برادرلر مطبعه‌سی
۳۳۹ - ۳۴۳

[586] *Esnaf Cemiyetleri Nizamnâmesi*, (İstanbul: Cihan Biraderler Matbaası, 1339-1343), Atatürk Üniversitesi Kütüphanesi Seyfettin Özege Koleksiyonu, no: 21814.



اصناف جمعیتلری نظامنامه‌سی [۱]

ماده ۱ علی‌العموم اصناف کتخدالقری ملنادر .

ماده ۲ اصنافك هر بری آیری آیری بر جمعیت تأسیس ایده‌بیلیر . « آنجق حال وآرایه‌جی وقایقجی کبی افرادی کثیر اولان

[۱] ۱۶ مارت ۱۳۳۱ تاریخنده یدنجی ، اون ایکنجی ویکری آلتنجی ماده‌لری تعدیل اولنه‌رق جمعیتلرك هیئت ادارهٔ منتخبه‌سنه ریاست ایتمك اوزره شهرامانی جانبندن برکاتب مسئول تعیینته باشلانمش وحربی ایجنده‌کی اصناف جمعیتلری ملی شرکتلر امانته عائد بونلرله صلاحیتك غیرمسئول جمعیتلر طرفندن استعمالی صورتیله وجوده کلدرك اصناف جمعیتلری بوصورتله سیاسی مقصدلره آلت اتخاذ ایدلمش ایدی . متعاقبًا کدن صوکرا ۱۶ تشرین اول ۱۳۳۵ تاریخنده نشر اولنان برقرارنامه ایله ۱۶ مارت ۱۳۳۱ تاریخنده‌کی تعدیلات رفع ایدیلوب تعلیماتنامه‌نك مواد سابقه‌سنك اعادهٔ مریعیتی قرارکیر اولمشدر .

۳ مایس ۱۳۳۷ تاریخنده افرادی کثیر اولان اصنافك تشدد وجمیت تشکیل ایده‌جکنه دائر ایکنجی ماده‌یه برفقره علاوه اولندیغی کبی (تعلیماتنامه) نای‌ده (نظامنامه) به‌تحویل اولنمش و ۱۲ کانون ثانی ۱۳۳۸ تاریخنده اصناف بحریه جمعیتلرینه شهرامانی ایله لیمان داثره‌سنك مشترکًا یاپه‌جغلرینه دائر نظامنامه‌یه برماده‌تذییل اولنمش ایسه‌ده کرك تعلیماتنامه‌نك نظامنامه‌یه تحویل کیفیتی وایکنجی ماده‌یه علاوه اولنان فقره ، کرك اصناف بحریه‌یه عائد مادهٔ مذیله ۱۶ مارت ۱۳۳۶ تاریخندن معکوسه‌یه مصادف اولمسنه کوره الیوم کان لم یکن اولمسی اقتضا ایدر .

اصناف ایجون درسعادتده انجمن امانت وطشره‌لرده مجالس بلدیه قرارلریله متعدد جمعیت تشکیل اولنه‌بیلیر . »

ماده ۳ اصناف جمعیتلرینك درسعادتده شهرامانتنجه‌وطشره‌ده دوائر بلدیه‌جه مفید ومعین براجتماعکاهی اولمقدر .

ماده ٤ اصناف جمعی اصنافك کثرت عددینه کوره‌آلتیدن اون ایکیه قدر فخری اعضادن ترکب ایدر .

ماده ٥ جمعیتلرك اعضاسی اصناف طرفندن ایکی سنه ایجون انتخاب اولنوب هرسنه نصف تبدیل ایدیلور . زمان انتخابده بر یوم ومکان معینده اصناف اجتماع ایدرك رأی خفی ایله اعضایی انتخاب ایدرلر . یوم مذکوره درسعادتده شهرامانتدن وطشره‌ده دوائر بلدیه‌دن کوندریله‌جك برمأمور مخصوص اصناف جمعیتلك کاهی واصنافك معتبرانندن ایکی کشی ایله برلکده انتخابه نظارت ورأیلری تعداد واحراز اکثریت ایدنلری تعیین وبونلردن وفات ویا استعفا ایدنلرك برلریته آلتی اوزره اقلیتده قالانلردن براوقدر اساسی دها تفریق ایدرك تنظیم ایده‌جکلری ضبط ورقه‌سی مشترکًا تختیم ایله لاجل‌القید درسعادتده شهرامانتنه وطشره‌ده دوائر بلدیه‌یه اعطا ایلیه‌جکلردر .

ماده ٦ انتخاب واقع بالتدقیق تصدیق ایدلدکدن صوکره جمیت اعضاسی ایچلرندن برینی ریاسته انتخاب وبرمضبطهٔ مشترکه ایله درسعادتده شهرامانتنه وطشره‌ده دوائر بلدیه‌یه اخبار ایده‌جکلردر . رئیس واعضالك اسامیسی درسعادتده شهرامانتنجه وطشره‌ده دوائر بلدیه‌جه بردفتر مخصوصه قید اولنور .

ماده ۷ جمعیتك امور تحریریه وحسابیه‌سی وآتیده بیان ایدیلن وظائف ایفا ایچون برکاتبی اولمقدر .

اصناف جمعیتلرینك وظیفه‌سی

ماده ۸ اصناف جمعیتی صنعتلرینك ترقیسنه مدار اولمق مطالعاتی اصنافه‌تبلیغ وآتلری ترغیب ایدر . اصنافدن حال عجز ومضایقه‌یه کرفتار ویا معلول اولانلره معاونت انسانیه‌ده بولنور . اصناف آره‌سنده‌کی اصنافلق امورندن متولد اختلافاتی مصلح صفتیله حل ایدر . اصنافدن برینی حقنده عنداللزوم حکومتجه برمعلومات آلتمسی ویا بونلردن برینك کفالته ربطی لازم کلیرسه معاونت وتبلیغات قانونیه‌یه وتحصیلاته دلالت ایلر . آرابجی وقایقجی ومواناجی وحمال مثللو اصناف ، دولتك عندالاقتضا طلب ایده‌جکی خدمات عمومیه ونقلیات امیریه‌یی اصول ونظامات موضوعهٔ حالیه ومستقبلنك تعیین ایلدیکی صورتده ایفا ایله دنی مکلفدرلر . دوائر عائده‌سنك بویایده واقع اولمق اوزره‌جق امر وتبلیغاتنك توقیله ویولیله انفاذ واجراسندن اصناف مذکور جمعیتلری مسئولدر .

ماده ۹ اصناف جمعیتلری درسعادتده شهرامانتدن وطشره‌ده دوائر بلدیه‌دن وریله‌جك عموم وجمله اصنافك اسامیسی وعملکتی وسنی واجرای صنعت ایلدیکی دکانك‌سمت ونومروسی ودکان صاحبی دکانه چالیشدیغی موقی کوستریر بردفتر طوتمه ویودفترده ترك صنعت ورحلت ویا تبدیل محل کبی وقوعاتی یورومکله وصره نومروسی وضمنه ویواسنافك میتنده بولنه‌جق مستخدمینك کنیه‌سی مفصلًا ینه‌نومرولو بردیکر دفتره قید ایتمکه مجبوردر .

ماده ۱۰ جمعیتلرك احوال ومعاملاتی درسعادتده شهرامانتنك وطشره‌ده منسوب اولدقلری دوائر بلدیه‌نك نظارتی تحتنده جریان ایده‌جکدر .

ماده ۱۱ وظیفه‌سنی ایفا ایچون ویا ایفای وظیفه‌ده تراخی ایلین جمعیتی دوائر متعلقه‌سی مجلسنك شکایتی اوزرینه درسعادتده

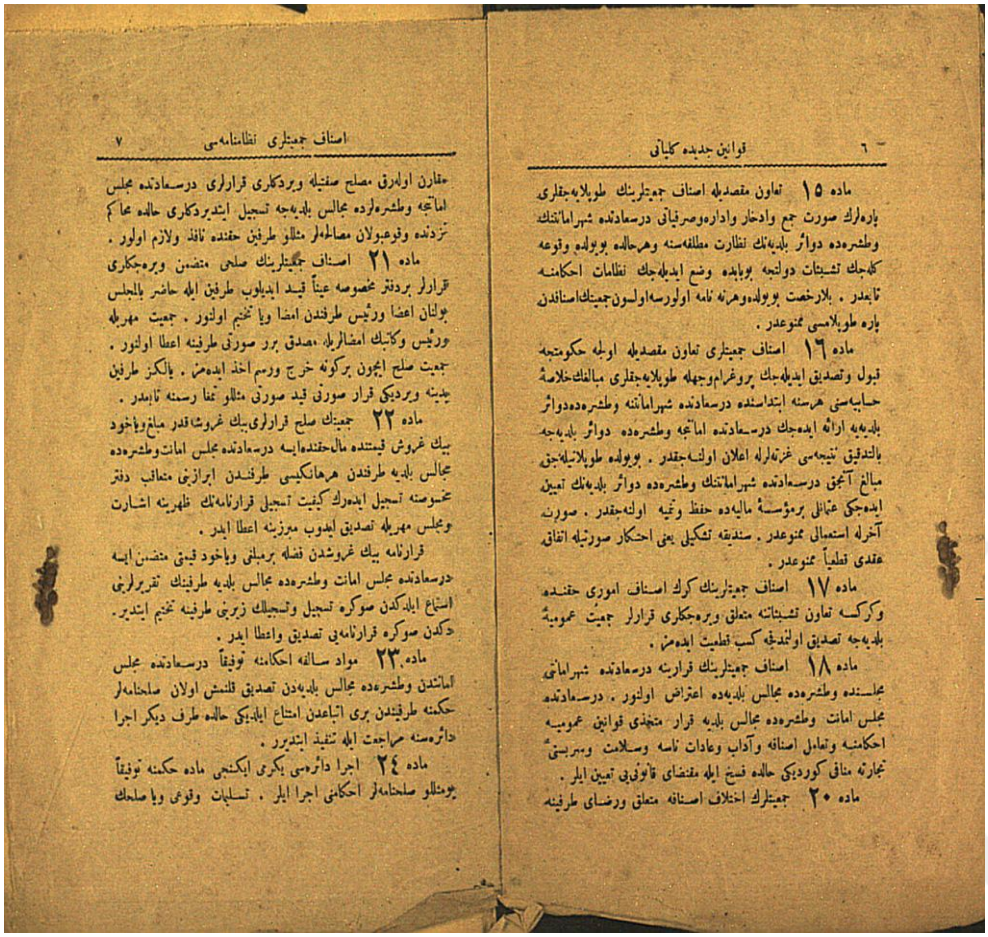
مجلس امانت وطشره‌ده مجلس بلدی قراریله شهرامینی فسخ ایله یکیدن انتخابات اجرا ایتدیرر جمعیت اعضاسندن بعضیلرینك وظیفه‌لرینی سوء استعمال ایلدیکنه دائر واقع اولان شکایات اوزرینه بالتحقیق قناعت حاصل اولدیغی حالده شهرامینی بونلری تبدیل ایتدیرمکله برابر حقلرنده تعقیبات قانونیه اجرا ایتدیرر .

ماده ۱۲ جمعیتك وانتخاب اولنه‌جق رئیسك مصارف ضروریه‌سنه مقابل اصناف جمعیتك وزنه‌جکی قرار ایله اصناف طرفندن معین وجزئی برمبلغ اعطا ایدیله‌جك وبومبلغك مقداری درسعادتده شهرامانتنجه وطشره‌ده دوائر بلدیه‌جه مصدق اولمقدر . مصدق مقدارین فضله جمع برنام ایله پاره طوپلانمه‌یه‌جق وبوکا جرأت ایدنلر حقنده قانون جزا احکامی درحال تطبیق ایدیله‌جکدر .

ماده ۱۳ اصناف جمعیتلری تشکلرینی متعاقب کندی اصنافلری آره‌سنده ضبط وربط واشبو نظامنامه ایله جمعیتلره تحمیل ایدیلن وظائفك صور ایفائیه‌سی تعیین ایده‌جك صورتده برتعلیمات داخلیه ترتیب ایدوب درسعادتده شهرامانتنه وطشره‌ده دوائر بلدیه‌یه ویره‌جکدر . بوتعلیمات متدرجاتنك اشبو تعلیماتنامه ایله معین اساسلره موافق واصنافك تعامل قدیمه ونظامات عمومیهٔ دولته وسیاستی تجارته مطابق اولدیغی درسعادتده مجلس امانتجه وطشره‌ده مجالس بلدیه‌جه بالتدقیق آکلاشلدیغی حالده تصدیق ودفتر مخصوصه‌ده قید وتسجیل اولنور .

ماده ۱٤ اصناف جمعیتلری معاونت متقابله اساسنه مستند تأسیس بولنه‌بیلیرسه‌ده اول امرده بویایده تنظیم ایده‌جکلری پروغرامی وشرائطی درسعادتده شهرامانتنه وطشره‌ده دوائر بلدیه‌یه تصدیق ایتدیرملری لازمدر .

Appendix F (Continued)



٦ قوانين جديده كليانى

ماده ١٥ تعاون مقصديله اصناف جمعيتلرينك طوپلايه‌جقلرى پاره‌لرك صورت جمع وادخار واداره‌وصرفياتى درسعادتده شهرامانتك وطشره‌ده دوائر بلديه‌نك نظارت مطلقه‌سنه وهرحالده پوليسه وقوعه كلمجك تشبثات دولتجه بوبابده وضع ايديله‌جك نظامات احكامنه تابعدر . بلارخصت پوليسه وهرنه نامه اولورسه‌اولسون جمعيتك اصنافدن پاره طوپلامسى ممنوعدر .

ماده ١٦ اصناف جمعيتلرى تعاون مقصديله اولجه حكومتجه قبول وتصديق ايديله‌جك پروغرام‌وجهله طوپلايه‌جقلرى مبالغك خلاصهٔ حسابيه‌سى هرسنه ابتداسنده درسعادتده شهرامانتنه وطشره‌ده‌دوائر بلديه‌يه ارائه ايده‌جك درسعادتده اماتجه وطشره‌ده دوائر بلديه‌جه بالتدقيق نتيجه‌سى غزته‌لرله اعلان اولنه‌جقدر . پوليسه طوپلاتيله‌جق مبالغ آنجق درسعادتده شهرامانتك وطشره‌ده دوائر بلديه‌نك تعيين ايده‌جكى عثمانلى برمؤسسهٔ ماليه‌ده حفظ وتحيه اولنه‌جقدر . صورت آخرله استعمالى ممنوعدر . سندبقه تشكيل يعنى احتكار صورتيله اتفاق عقدى قطعياً ممنوعدر .

ماده ١٧ اصناف جمعيتلرينك كرك اصناف اموريى حفنده وكركسه تعاون تشبثاتنه متعلق وبره‌جكلرى قرارلر جمعيت عموميهٔ بلديه‌جه تصديق اولنمدخچه كسب قطعيت ايده‌مز .

ماده ١٨ اصناف جمعيتلرينك قرارينه درسعادتده شهرامانتى مجلسنده وطشره‌ده مجالس بلديه‌ده اعتراض اولنور . درسعادتده مجلس امانت وطشره‌ده مجالس بلديه قرار متخذى قوانين عموميه احكامنه وتعامل اصنافه وآداب وعادات نامه وسلامت وسهولتى تجارته منافى كوردكلرى حالده فسخ ايله مقتضاى قانونيى تعيين ايلر .

ماده ٢٠ جمعيتلرك اختلاف اصنافه متعلق ورضاى طرفينه

حقارن اولدقرى مصلح صفتيله ويردكلرى قرارلرى درسعادتده مجلس اماتجه وطشره‌لرده مجالس بلديه‌جه تسجيل ايتديردكلرى حالده محاكم نزدنده وقوعبولان مصالحه‌لر مثلو طرفين حقنده نافذ ولازم اولور .

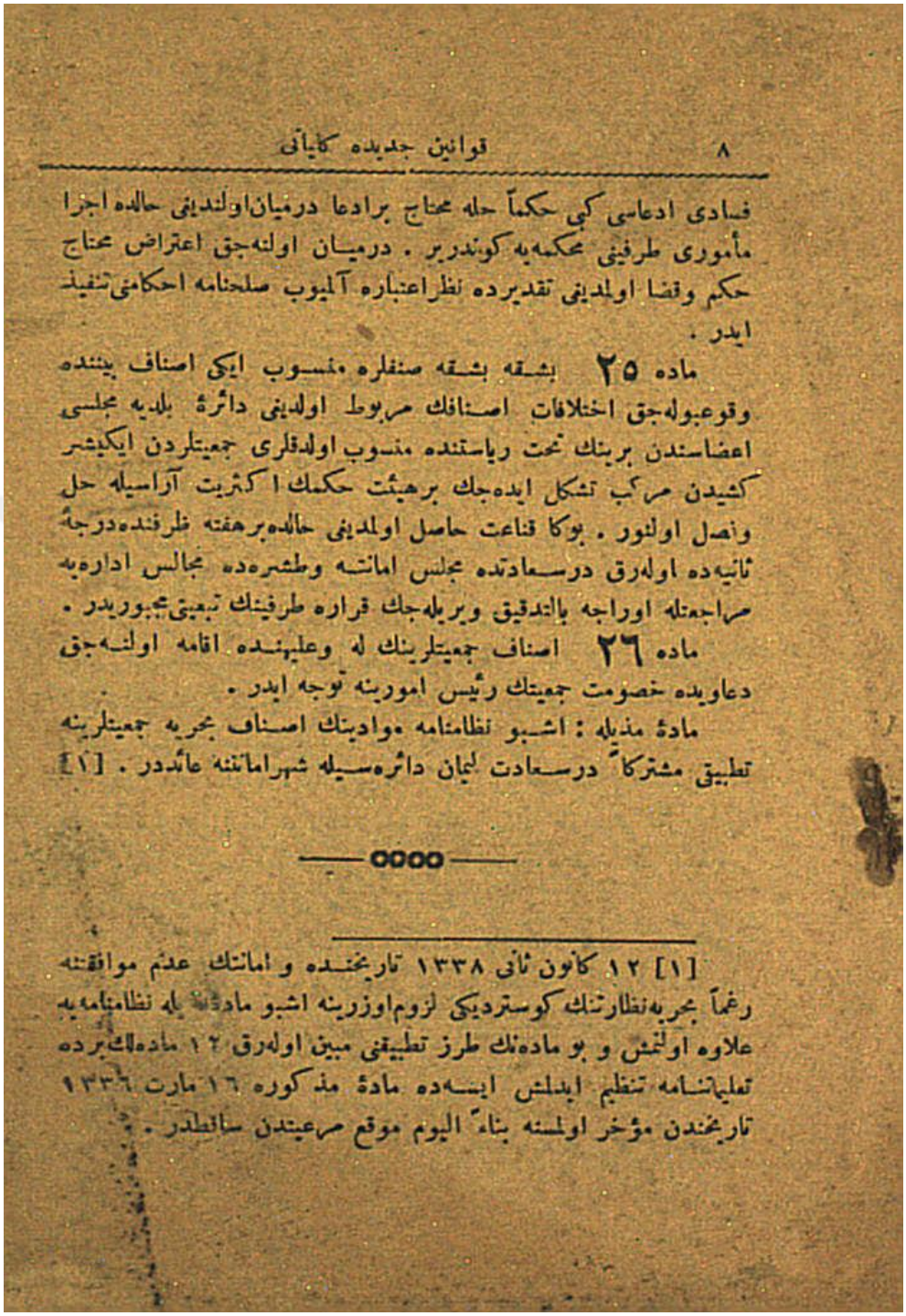
ماده ٢١ اصناف جمعيتلرينك صلحى متضمن ويره‌جكلرى قرارلر بردفتر مخصوصه عيناً قيد ايديلوب طرفين ايله حاضر بالمجلس بولنان اعضا ورئيس طرفندن امضا ويا تختم اولنور . جمعيت مهريله ورئيس وكاتبك امضالريله مصدق برر صورتى طرفينه اعطا اولنور . جمعيت صلح ايجون بركونه خرج ورسم اخذ ايده‌مز . بالكز طرفين جدينه ويردكلرى قرار صورتى قيد صورتى مثلو تمغا وسمنه تابعدر .

ماده ٢٢ جمعيتك صلح قرارلرى بيك غروشدن قدر مبلغ وياخود بيك غروش قيمتنده مال حقنده ايسه درسعادتده مجلس امانت وطشره‌ده مجالس بلديه طرفندن هرهانكيسى طرفندن ابرازيله متعاقب دفتر مخصوصنه تسجيل ايده‌رك كيفيت تسجيل قرارنامه‌نك ظهرينه اشارت ومجلس مهريله تصديق ايدوب موزينه اعطا ايدر .

قرارنامه بيك غروشدن فضله برمبلغ وياخود قيمتى متضمن ايسه درسعادتده مجلس امانت وطشره‌ده مجالس بلديه طرفينك تقريرلرينى استماع ايلدكدن صوكره تسجيل وتسجيلك زيرينى طرفينه تختم ايتديرير . دكدن صوكره قرارنامه‌يى تصديق واعطا ايدر .

ماده ٢٣ مواد سالفه احكامنه توفيقاً درسعادتده مجلس امانتدن وطشره‌ده مجالس بلديه‌دن تصديق قلنمش اولان صلحنامه‌لر حكمنه طرفيندن برى اتباعدن امتناع ايلديكى حالده طرف ديكر اجرا دائره‌سنه مراجعت ايله تنفيذ ايتديرير .

ماده ٢٤ اجرا دائره‌سى بكرى ايكنجى ماده حكمنه توفيقاً پوليسه صلحنامه‌لر احكامنى اجرا ايلر . تسليمات وقوعى ويا صلحك



فسادی ادعاسی کبی حکماً حله محتاج برادعا درمیان اولندیغی حالده اجرا مأموری طرفینی محکمه‌یه کوندریر . درمیان اولنه‌جق اعتراض محتاج حکم وقضا اولمدیغی تقدیرده نظراعتباره آلیوب صلحنامه احکامی تنفیذ ایدر .

ماده ۲۵ بشقه بشقه صنفلره منسوب ایکی اصناف یینده وقوعبوله‌جق اختلافات اصنافك مربوط اولدیغی دائرهٔ بلدیه مجلسی اعضاسندن برینك تحت ریاستنده منسوب اولدقلری جمعیتلردن ایکیشر کشیدن مرکب تشکل ایده‌جك برهیئت حکمك اکثریت آراسیله حل وفصل اولنور . بوکا قناعت حاصل اولمدیغی حالده‌برهفته ظرفنده‌درجهٔ ثانیه‌ده اولهرق درسعادتده مجلس امانته وطشره‌ده مجالس اداره‌یه مراجعتله اوراجه بالتدقیق ویریله‌جك قراره طرفینك تبعیتی مجبوریدر .

ماده ۲۶ اصناف جمعیتلرینك له وعلیهنده اقامه اولنه‌جق دعاویده خصومت جمعیتك رئیس امورینه توجه ایدر .

مادهٔ مذیله : اشبو نظامنامه موادینك اصناف بحریه جمعیتلرینه تطبیقی مشترکاً درسعادت لیمان دائره‌سیله شهرامانتنه عائددر . [۱]

—oooo—

[۱] ۱۲ کانون ثانی ۱۳۳۸ تاریخنده و امانتك عدم موافقتنه رغماً بحریه‌نظارتنك کوستردیکی لزوم اوزرینه اشبو مادهٔ ذیله نظامنامه‌یه علاوه اولنمش و بو ماده‌نك طرز تطبیقنی مبین اولهرق ۱۲ ماده‌لك برده تعلیماتنامه تنظیم ایدلش ایسه‌ده مادهٔ مذکوره ۱۶ مارت ۱۳۳۶ تاریخندن مؤخر اولمسنه بناءً الیوم موقع مرعیتدن ساقطدر .

G. TABLES

Table 2: Marketplaces in Dersaadet

Day	**The Location**
Saturday	Beşiktaş old Ali Paşa
Sunday	Balat Sulu Manastır Beyoğlu Kumkapı Selamsız
Monday	The Mosque in Bahçekapısı Kıztaşı
Tuesday	Tophane Topkapı Şehzade Camii Şerifi quarter
Wednesday	Sultan Selim Sultan Ahmed Camii Şerifi quarter
Thursday	Cerrahpaşa Karagümrük Küçük Mustafa Paşa Yorgancılar in Galata
Friday	Eyüp Sultan Üsküdar Koca Mustafa Paşa Kasımpaşa

Source: "Marketplaces in Dersaadet", *Salnâme-i Devlet-i Aliyye-i Osmaniyye*, (İstanbul: Mahmud, 1298), p. 511.

Table 3: Associations and Locations

Name	**Location**	**The amount of artisans and traders who established association**	**The establishment date of the association**	**The number of yearly meeting of every association**	**The number of committee who carries out the affairs of each association**	**The yearly revenue and expenditure of traders and artisans who established associations**		**Observations**
Bread Makers	Havyar Hanı	2500						
Bagel and pastry makers	Tahtakale	1000						
Saddler	Fatih	300						
Butcher	Sirkeci	1000						
Blacksmith	Unkapanı	100						
Plasterer and Painter	Çakmakçılar	3000						
Goldsmiths/Jewelers	Çarşı-yı Kebir	1500	1324	25	12	10000	10000	
Scale makers	Kantarcılar	100						
Coffee mill dealers	Kantarcılar	80						
Rope makers	Zindan Kapısı	40						
Caviar and Fish salter	Balık pazarı	200						
Cheese makers	Balık pazarı	200						
Cooks	Bayezid	1500						
Water carrier	Unkapanı	220						
Car maker	Fatih	150						
Watch repairer	Bayezid	400						
Engraver	Bayezid	25	1328	Every week	6	264	206	
Drayman Passenger cabbies	Tavuk pazarı	4000						
Basket dealers	Balat	80						
Porters	Bahçe kapısı	10000	1327	90	14	24000	24000	
Uzun Çarşı artisans and small traders	-	200						
Sea laborer	Galata	500						
Cattle-dealer	Tophane	700	1327	Daily	12	32635	23114	1327

Table 3 Continued

Name	**Location**	**The amount of artisans and traders who established association**	**The establishment date of the association**	**The number of yearly meeting of every association**	**The number of committee who carries out the affairs of each association**	**The yearly revenue and expenditure of traders and artisans who established associations**		**Observations**
Cattle butcher and wholesaler	Tophane	100	1328	48	12	37470	23815	1328
Mest tailor	Fatih	200				122215	29024	1329
Tailor	Ahırkapı	70						
Bedestan	Bedestan	80		12-24	12 Members			1 Head 12 Members
Bath house keepers	Yeni Cami	1000						
Boatmen	Galata	100						
Donkey dealer	Ayazma Kapısı	150						
Fish mongers	Balık pazarı	300						
Gardener	Asma altı	300						
Pharmacist		426						
Total		**31121**						

Source: *1330 Senesi İstanbul Beldesi İhsâiyât Mecmuâsı*, (Dersaadet, Matbaa-ı Arşok Garoyan, 1331), p. 250.

H. FIGURES

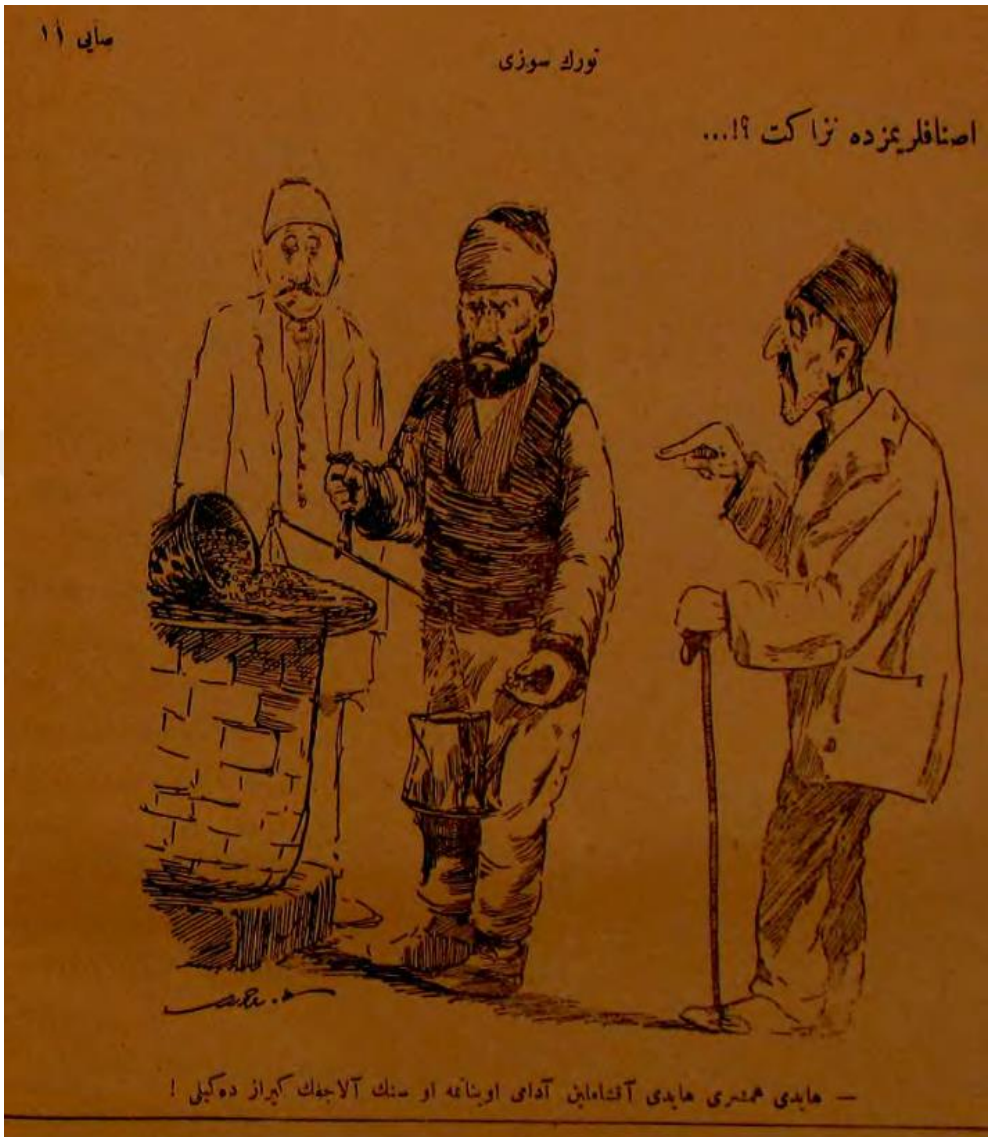


Figure 1: "Esnaflarımızda Nezaket"[587]
-Haydi hemşeri haydi akşamleyin adamı oynatma o senin alacağın kiraz değil!
(Go along my friend, I am busy! You are not able to buy this cherry!)

[587] "Esnaflarımızda Nezaket", *Türk Sözü*, n. 11, 19 June 1330 [2 July 1914], p. 84.

Figure 2: A peddler basket seller[588]

[588] "Sepetçiler", no: ALB. 88/69, Abdullah Fréres, (Constantinople; Pera: Photographes de sa Majesté Impèriale le Sultan, n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 3: A Grocery Store[589]

[589] BOA, FTG.f.. 1321. n.d. (The district is unknown.)

Figure 4: Five shoemakers and their workplace[590]
It is written as "Shoemaker's workplace" on the wall.

[590] BOA, FTG.f.. 482. n.d.

Figure 5: Itinerant liver seller[591]

[591] "Ciğerci", no: ALB. 88/170, Abdullah Fréres, (Constantinople; Pera: Photographes de sa Majesté Impèriale le Sultan, n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 6: The Comb-sellers' guild warden Ali Ulvi, Hilmi and Cevdet Efendi from the artisan group[592]

[592] BOA, FTG.f.. 670. n.d.

Figure 7: The postcard of public water carriers[593]

[593] "Sakalar", no: Krt_017413, (n.d.) taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 8: The photograph of a *sahleb* seller[594]

[594] "Sahlebçi (a drink made with milk, sugar and orchid bulb powder)", no: ALB. 88/111, Abdullah Fréres, (Constantinople; Pera: Photographes de sa Majesté Impèriale le Sultan, n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 9: The photograph of an egg seller[595]

[595] "Yumurtacı", no: ALB. 88/176, Abdullah Fréres, (Constantinople; Pera: Photographes de sa Majesté Impèriale le Sultan, n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 10: A Coffee Maker[596]

[596] "A Coffee Maker Photograph", *İrtika*, no: 145, 30 N 1319 [10 January 1902], p. 170.

Figure 11: A Carpenter Shop[597]
It is written as "Carpenter Workshop" on the wall.

[597] BOA, FTG.f. 481. n.d.

Figure 12: Six tailors with their sewing machine[598]
It is written as "Long Live My Sultan" on the wall.

[598] BOA, FTG.f.. 483. n.d.

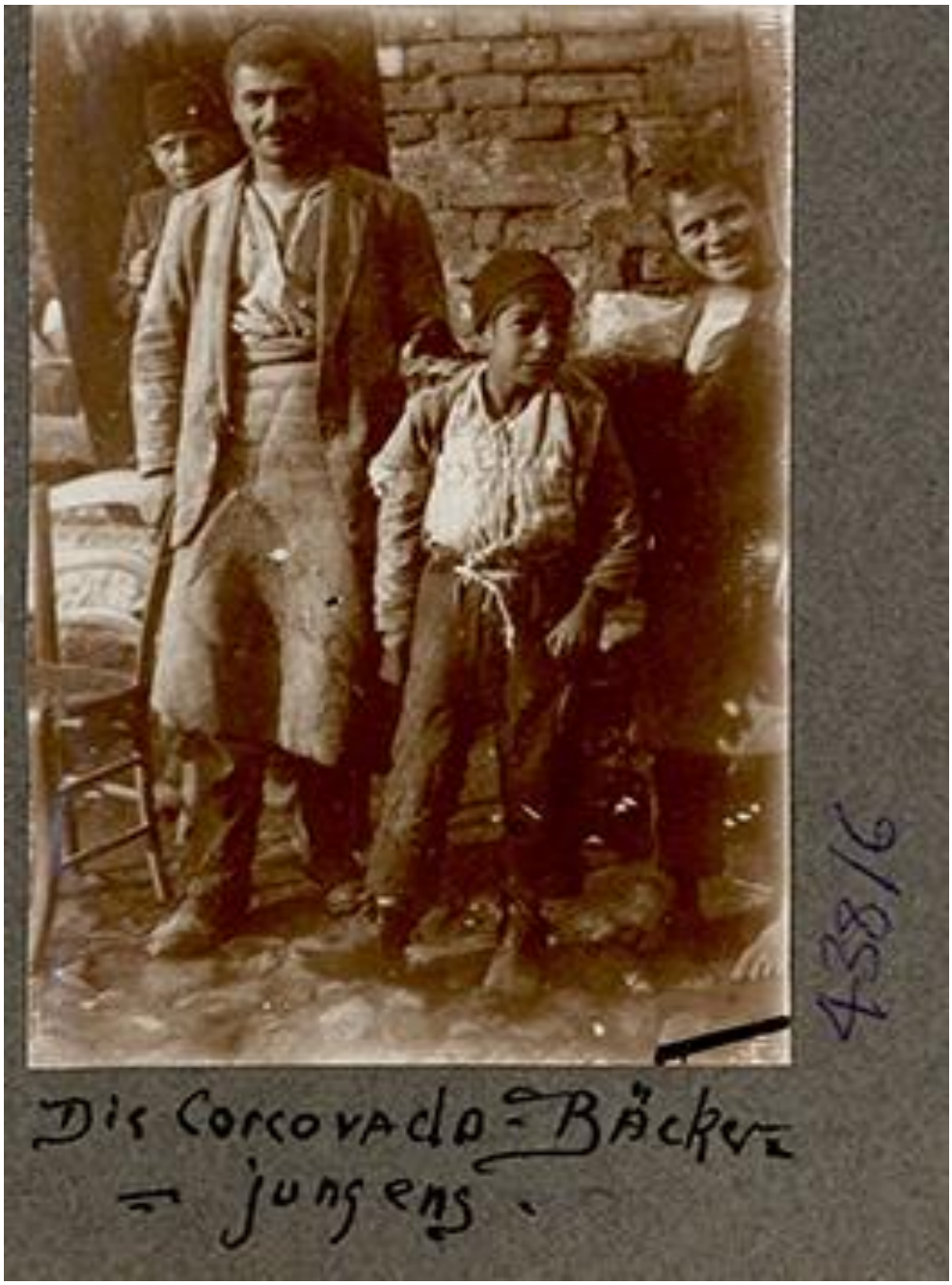


Figure 13: "A baker and his sons"[599]

[599] "Fırıncı ve Ailesi", no: ALB. 438/6, (n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 14: "A butcher shop and a bakery"[600]

[600] "Kasap dükkanı ve ekmek fırını", no: Krt. 16852, (n.d.), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 15: "Simit Sellers"[601]

[601] "Simit Sellers", no: Krt. 13877, (1927), taken from İBB Atatürk Kitaplığı, Visual Collections.

Figure 16: "İstanbul: Yeni Valide Camii and Market at Eminönü"[602]

[602] "İstanbul: Yeni Valide Camii and Market at Eminönü", no: W602543_1, Sébah & Joaillier (1890-1910), Harvard University Fine Arts Library, Digital Collections.

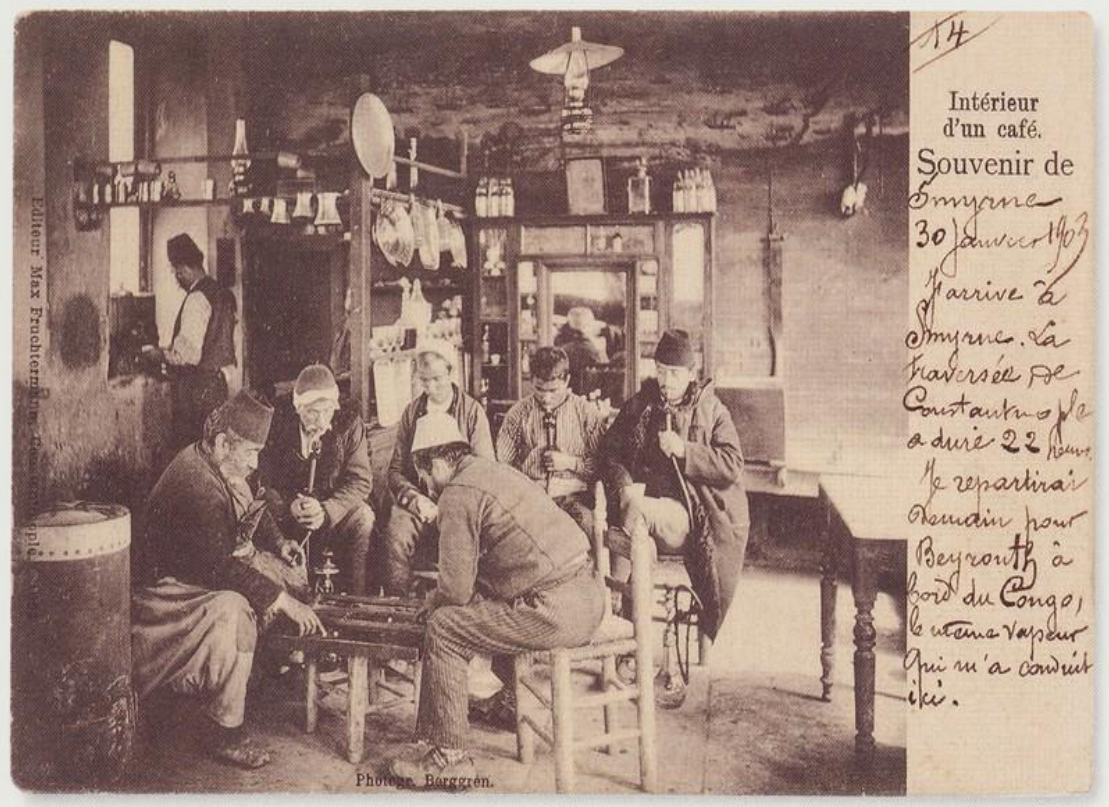


Figure 17: "Turkish Coffeehouse"[603]

[603] "Turkish Coffeehouse (no: 1052)", Max Fruchtermann Postcard Series XVI, no: SS_22010314, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 18: "Peddlers in front of the New Mosque"[604]

[604] "Peddlers in front of the New Mosque (No: 1056)", Max Fruchtermann Postcard Series XVI, no: SS_22010316, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

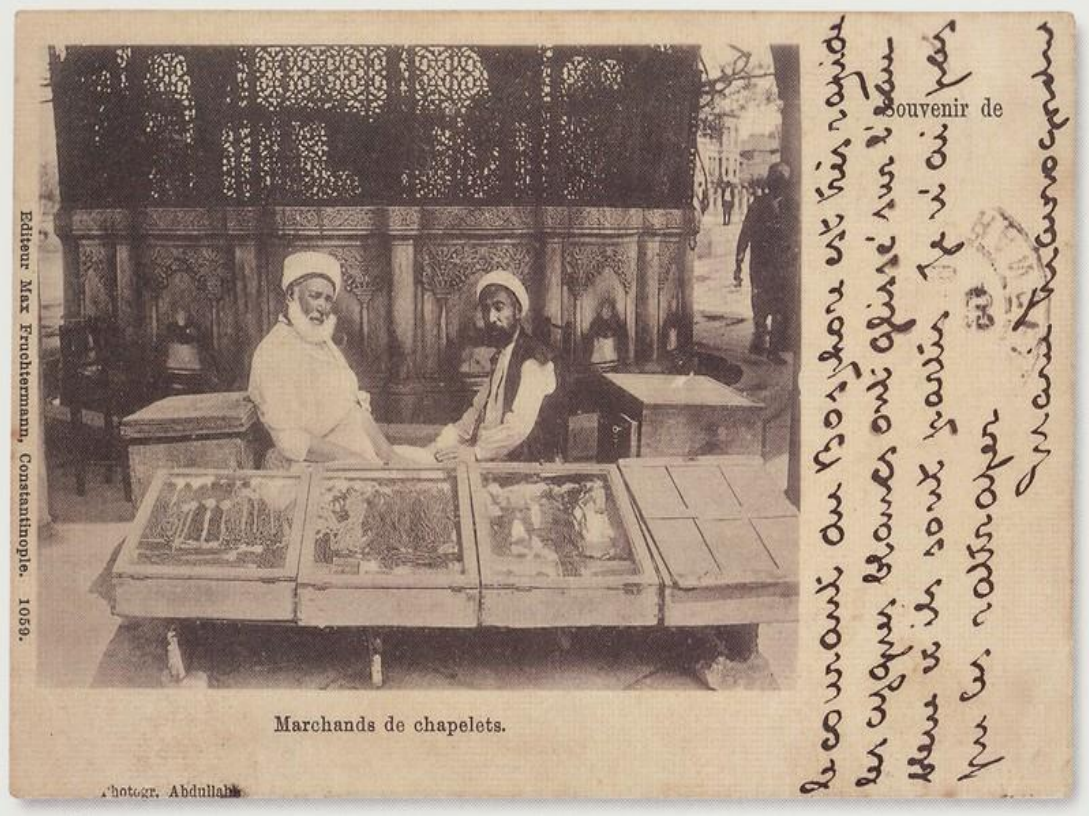


Figure 19: "Prayer beads sellers"[605]

[605] "Prayer beads sellers (No: 1059)", Max Fruchtermann Postcard Series XVI, no: SS_22010317, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 20: "Butchers"[606]

[606] "Butchers (No: 1060)", Max Fruchtermann Postcard Series XVI, no: SS_22010318, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 21: "Public fountain at Şehzadebaşı"[607]

[607] "Public fountain at Şehzadebaşı (No: 1124)", Max Fruchtermann Postcard Series XVI, no: SS_22010352, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 22: "Entrance to Egyptian (Spice) Bazaar"[608]

[608] "Entrance to Egyptian (Spice) Bazaar (No: 1527)", Max Fruchtermann Postcard Series XVI, no: SS_22010499, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 23: "Young garlic peddler"[609]

[609] "Young garlic peddler (No: 1055)", Max Fruchtermann Postcard Series XVI, no: SS_22010315, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 24: "Street barbers"[610]

[610] "Street barbers (No: 1195)", Max Fruchtermann Postcard Series XVI, no: SS_22010385, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 25: "Street coffee vendor"[611]

[611] "Street coffee vendor (No: 1051)", Max Fruchtermann Postcard Series XVI, no: SS_22010313, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 26: "Savory pastry vendor"[612]

[612] "Savory pastry vendor (No: 1197)", Max Fruchtermann Postcard Series XVI, no: SS_22010386, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

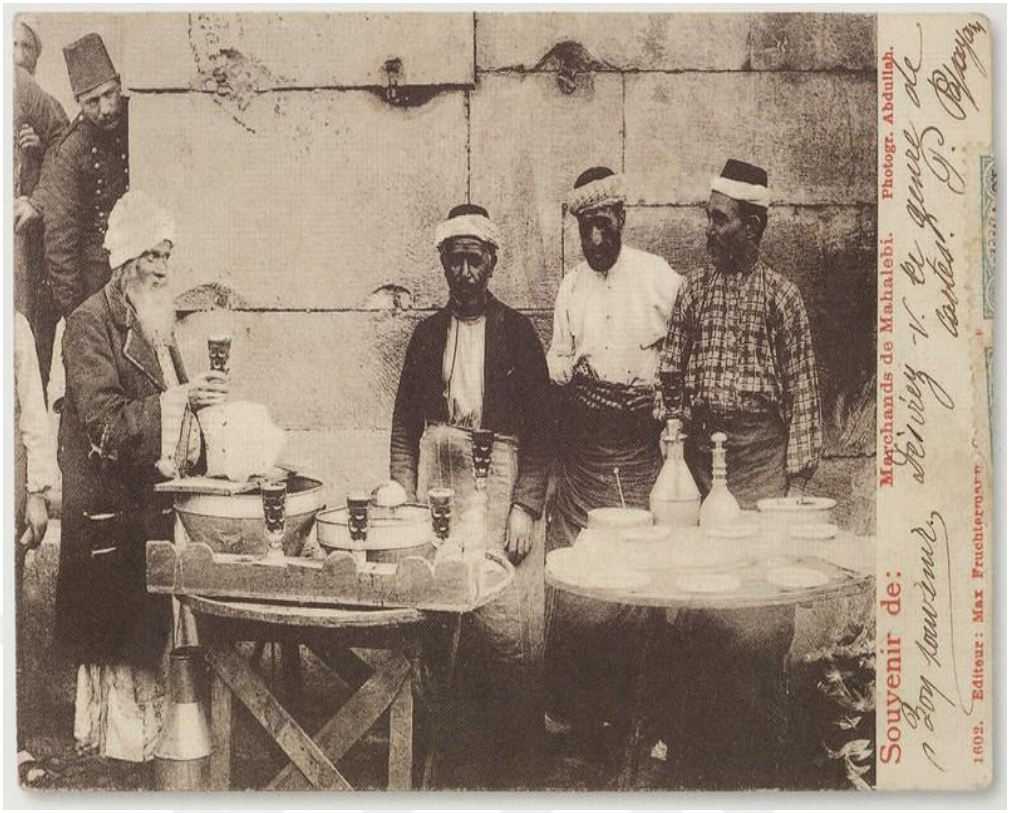
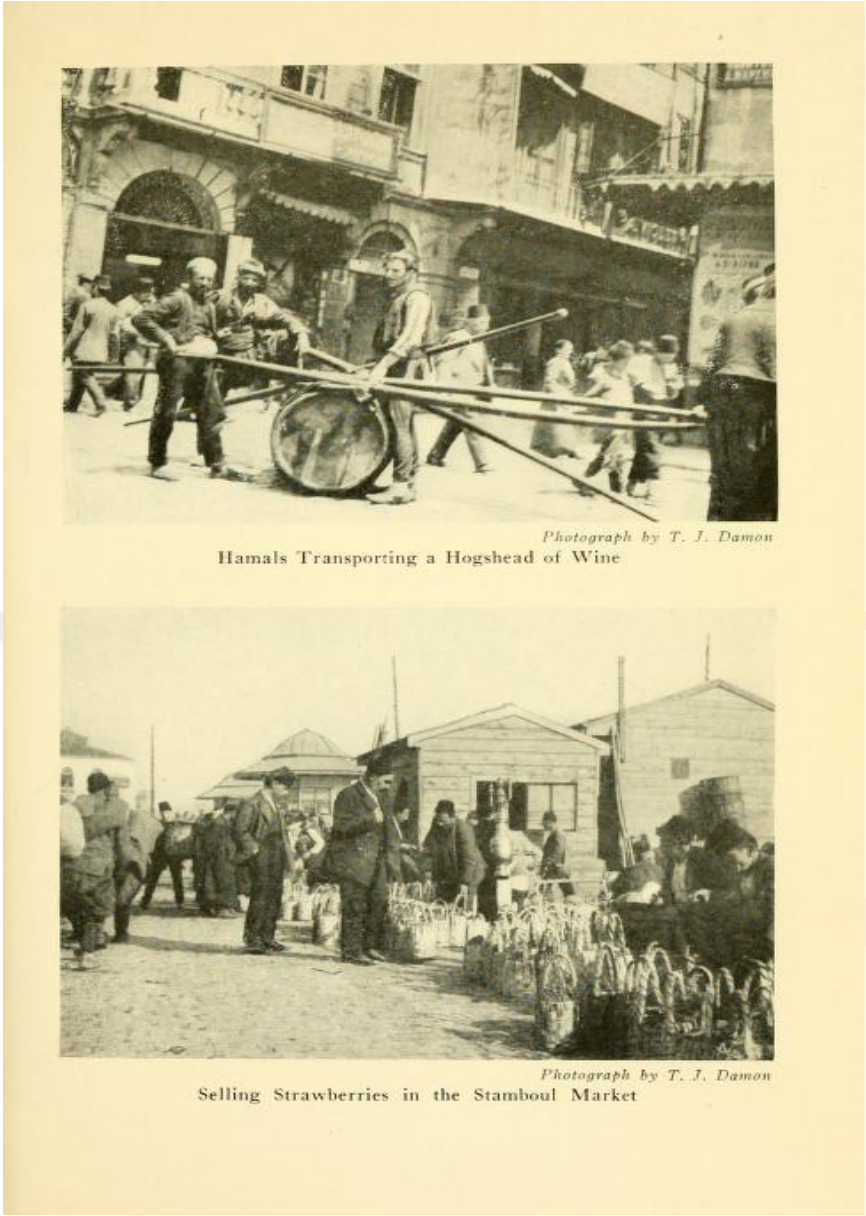


Figure 27: "Itinerant pudding vendor"[613]

[613] "Itinerant pudding vendor (No: 1602)", Max Fruchtermann Postcard Series XVI, no: SS_22010519, (1901-1906), Harvard University Fine Arts Library, Digital Collections.

Figure 28: "Turkish barber shaving Prof. Sterrett on corridor of Khan"[614]

[614] "Turkish barber shaving Prof. Sterrett on corridor of Khan", John Henry Haynes, no: W448893_1, (1881 or 1882), Harvard University Fine Arts Library, Digital Collections.



Photograph by T. J. Damon
Hamals Transporting a Hogshead of Wine

Photograph by T. J. Damon
Selling Strawberries in the Stamboul Market

Figure 29: "Hamals Transporting a Hogshead of Wine" and "Selling Strawberries in the Stamboul Market"[615]

[615] Clarance Richard Johnson, *Constantinople Today: The pathfinder survey of Constantinople: A Study in Oriental Social Life*, (New York: The Macmillan Company, 1922), p. 198.

Figure 30: "A Shop in Grand Bazaar"[616]

[616] "Boutique dans le Grand Bazar- A shop in Grand Bazaar", Sébah & Joaillier, no: AHTUR0112, (1880), SALT Research Digital Collections.

Figure 31: Cigarette Paper and A Case[617]

The Turkish translation of the advice is as:

Başladığın işe aheste başlamalı fakat mütemadiyen çalışmalıdır.
Kayıtsız adam her işte geri kalır.
İki karpuz bir koltuğa sığmaz.
İnsana her şeyi kazandıran ihtiyaçtır.
Âkıl olan zaman ikbalinde mütevazı hâl-i idbarında vufur ve metin olur.

[617] BOA, DH. MKT. 251/51, 22 Z 1311 [26 June 1894].

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J. TURKISH SUMMARY / TÜRKÇE ÖZET

GEÇ DÖNEM OSMANLI İMPARATORLUĞU'NDA İSTANBUL ESNAFININ DÖNÜŞÜMÜ, 1839-1922

BÖLÜM 1
GİRİŞ

Tez, İstanbul esnafının Osmanlı İmparatorluğu'nun on dokuzuncu yüzyılda ortaya çıkan yeni merkezî ve mevzuata dayalı idari yapısına belediyeler vasıtasıyla eklemlenmesini ve bu sürece uyumunu yasal düzenlemeler ve kendi deneyimleri üzerinden incelemektedir. Bu çalışmada İstanbul esnafının on dokuzuncu yüzyılın ikinci yarısı ve yirminci yüzyılın ilk çeyreğindeki durumu, ekonomik değişimlerden çok İmparatorluğun geçirdiği idarî ve hukukî dönüşümle açıklanmıştır. Esnaf yeni bürokratik düzende kendisine belediyeleşme hareketi ile yer bulabildi. Bu yüzden söz konusu süreç de belediyeleşme teması üzerinden incelenmiştir. Esnaflık yok olmuyor, sadece yeni bürokratik düzene birtakım yasal düzenlemelerle entegre ediliyor. Burada ise tıpkı Osmanlı'nın belediyecilik deneyiminde olduğu gibi esnaf açısından alınan kararların yasaya tam anlamıyla dayalı olma zorunluluğu var olsa da uygulama noktasında esnek bir süreç yaşanmıştır.

Esnafla bağlantılı olarak bu grupların en önemli kurumu olan loncaların son dönemdeki durumu ve lağv süreci de tezin diğer ana inceleme konusudur. Mevcut literatürün aksine bu tezde loncalık ve kethüdalık ekonomik dinamiklerle değil idare hukukunda gerçekleşen değişiklikler, yasal mevzuat ve esnafın deneyimleri dikkate alınarak incelenmiştir. Teze göre on dokuzuncu yüzyıl sonu itibarıyla loncalar, hem bahsedilen idari dönüşümün yarattığı gereklilik hem de kethüdaların esnaf hayatında aracı olarak bulunmalarının işlevsiz hale gelmesi sebebiyle lağvedilmiştir.

Tanzimat döneminin öncesine uzanan modernleşme süreci bu dönemle birlikte özellikle devlet kurumlarında köklü değişikliklere zemin hazırlamıştır. İdare hukukunun önemli bir boyutunu oluşturan belediyeleşme de bu sürecin bir parçası olarak on dokuzuncu yüzyılın ikinci yarısından itibaren gelişmeye başlamıştır. İlk hazırlanan belediye kanununda da görüldüğü gibi esnaf ve esnaflıkla ilgili tüm işler belediyelerin idare ve kontrolüne bırakılmıştır. 1826'da kurulan İhtisab Nezareti bir geçiş dönemi kurumu olmakla beraber esnafın idari, hukuki ve ekonomik yönlerden gözetimi kadılık müessesesi altındaydı. Fakat belediyenin kurulması ile birlikte geleneksel bürokratik düzen yerini yeni bir idari modele bıraktı. Yeni kurulan belediyelerin kısa bir süre sonra Dâhiliye Nezareti'ne bağlanması ile de esnafın yönetimi daha merkezi ve kontrollü bir hale geldi.

Esnaf üretim ve hizmetiyle üretim ve tüketim ilişkilerinde önemli bir yere sahiptir. Meslek tanımı ve yapılan iş itibarıyla oldukça fazla sayıda işi ve mesleği içerisinde barındıran esnaflıkla ilgili her ne kadar Tanzimat dönemiyle ve serbest ticaret ekonomisiyle bittiği ya da büyük zarar gördüğü iddia edilen yaklaşımlar olsa da bu çalışma esnafın bu dönemde de ekonomik hayatta varlık gösterdiğini, hatta bazı meslek ve iş gruplarının söz konusu değişen ekonomik gelişmelerden yapılan iş dolayısıyla etkilenmediğini dile getirmektedir. Dolayısıyla esnaflığın ekonomik hayattaki etkinliğinin azaldığı iddiasının aksine bu tez esnafın yeni ekonomik ve idari düzene uyum sağlamaya çalıştığını iddia etmekte ve esnafın pratikleri üzerinden bu eklemlenme sürecini incelemektedir.

Esnafın dönüşümünü sadece ekonomik gelişmelerle açıklamak meselenin hem esnaf hem de devlet açısından eksik anlaşılmasına sebep olacaktır. Bu tezin de amaçlarından biri esnafı ekonomik alandan çıkarıp daha geniş bir perspektifte incelemektir. Osmanlı İmparatorluğu'nun on dokuzuncu yüzyıldaki idari ve bürokratik bakımdan dönüşümü esnafı doğrudan etkilemiştir. Dolayısıyla esnaflığı ve esnafı bu dönüşümden bağımsız incelemek mümkün değildir. Yeni kamu kurumlarının ortaya çıkışı, özellikle belediyelerin kurulması, esnaf açısından yeni bir dönemin başlangıcına işaret etmektedir. Klasik dönemden miras kalan kadılık denetimi ve yönetimi geri kalmış ve esnaf artık yeni yasal sorumlulara problemlerini iletmek ve bu sorunlarını onlarla çözmek zorunda kalmıştır. Belediye bir aracı olarak görüldüğü ve yeni kurulduğu dönemde verimli bir kamu hizmeti verecek durumda olmadığı için

esnafın da belediyenin aldığı kararları tanımama durumları ortaya çıkmıştır. Belediye kurumunun olgunlaşması ile beraber aradaki bu gerilim de zamanla azalmıştır.

Giriş kısmında tezin neyi incelediği ve hangi sorular üzerine kurulu olduğu anlatılıyor. Tezde esas olarak İstanbul esnafının beledî yapılanma sürecindeki durumu ve loncalarının lağvına giden süreç incelenmiştir. Yukarıda bahsedilen temel argümanların yanında, mevcut literatürde bu konuyla ilgili detaylı çalışmanın olmaması bu tezin yazılmasındaki gerekçelerden bir tanesidir ve ilk bölümde bu konudan bahsedilmektedir. Giriş kısmında tezin konusu, literatür değerlendirmesi, tezin kaynak ve metotları ve son olarak bölüm içerikleri kısaca anlatılmıştır.

Giriş kısmında yapılan kısa literatür değerlendirmesinde esnafla ilgili birçok çalışma yapılmasına rağmen esnafın geç on dokuzuncu yüzyıl ve yirminci yüzyılın ilk çeyreğindeki durumunun İstanbul özelinde detaylı bir şekilde incelenmediğine dikkat çekilmiştir. Bu çalışmada Osmanlı İmparatorluğu'nun başkenti İstanbul başlangıç noktası olarak belirlenerek esnafın dönüşümü incelenmiştir. Tezde de belirtildiği gibi çalışmada öne sürülen argümanlar İstanbul esnafının deneyimleri ile ilgilidir. Tez, bu dönüşümün imparatorluğun diğer bölgelerinde nasıl gerçekleştiğini merkez ve yerel aktörlerle olan ilişkiler göz önünde bulundurularak ileride yapılacak olan çalışmalarla incelenmesi gerektiğine de dikkati çekmektedir.

Bu tezde amaçlanan şey ekonomik yapının sebep olduğu dönüşüme karşı bir argüman geliştirmektense esnafın dönüşümünü diğer bir boyutuyla değerlendirmektir. Önemli bir toplumsal grubun koşullarını değerlendirirken onların sadece ekonomik faaliyetlerini incelemek yeterli değildir. Esnaf özelinde devletin idari yapılanması da bu süreci şekillendirmiştir. Belediye ve yeni kolluk güçleri, yeni mevzuat, kurulan esnaf cemiyetleri ve verginin merkezileştirilmesi gibi konular da esnafın dönüşümüne katkı sunmuştur. Bu dönüşüm Cumhuriyet dönemi esnaf hayatına da miras olarak kalmıştır.

Esnaf konusu Osmanlı sosyal ve ekonomik hayatını anlama noktasında önemli bir yer teşkil etmektedir. Bu tez idari dönüşümü de sürecin içine katarak konuya yeni bir boyut kazandırmaya çalışmıştır. Kurumlar üzerinden değişim bir toplumsal grubu anlamaya yetmese de dönüşüme katkı sunan temel dinamikleri anlamaya yardımcı olacaktır. Bu değişen dinamiklerin esnafın çalışma hayatını ve meslekî pozisyonunu etkilediği aşikârdır.

BÖLÜM 2
BİR BETİMLEME: İSTANBUL'DA ESNAF VE LONCALAR

Tezin ikinci bölümünde Tanzimat dönemi (1876'ya kadar) ve ardından İmparatorluğun sonuna kadar olan dönemdeki İstanbul esnafının ve loncaların genel durumu değerlendiriliyor. Bu bölümde amaç İstanbul esnafına dair genel bir çerçeve sunmaktır. Burada esnafın sosyal bir unsur olarak toplumun neresinde olduğu, toplumun esnafı nasıl gördüğü, klasik esnaf anlatısının nasıl değiştiği gösterilmeye çalışıldı. Ekonomik şartların zorlaşmasıyla, literatürde dürüst ve kamu düzeni sağlayıcısı olarak tarif edilen esnaf anlatısının yerine yeni bir esnaf profilinin ortaya çıktığı iddia edilmiştir. Ayrıca esnaf için yeni sayılabilecek bir sosyal kategori olarak kadın esnaflar meselesi de incelenmiştir. Kadın esnafın varlığı üzerinden yeni bir esnaf profilinin doğduğu iddia ediliyor. Bununla beraber kadının zanaatkâr ya da küçük tüccar olarak maruz kaldığı birtakım yapısal engellerden de bahsedilmektedir.

Bu bölümde bir meslekî kimlik olarak esnaflığın incelenen dönemdeki toplumsal durumu ele alınmıştır. Keskin bir değişiklik geçirmemekle beraber esnaflığın on yedinci ve on sekizinci yüzyıllarda olduğu gibi bir profile sahip olmadığı muhakkaktır. Diğer toplumsal ve ekonomik gruplar gibi onlar da mevcut koşullardan etkilenmişlerdir. Bu bölümde kimlerin esnaf olduğu ve toplumdaki konumları incelenmiştir. Özellikle yeni bir sosyal kategori olarak kadın esnafın varlığı irdelenmiştir. Toplumsal dönüşümle paralel olarak kadınların kamusal alanda daha fazla görünür olması da fiziken olmasa da düşünce anlamında sürekli gündemde olmuştur. Kadın esnaf konusu da bu dönüşüme paralel olarak tartışılmaya açılmıştır. Gazete ve dergilerde kadınların çalışması, ticaret yapması zaman zaman tartışılan ve desteklenen bir durum olmuştur.[618] Ayrıca bu bölümde kadınların yeni ekonomik düzende esnaflık çatısı altında değerlendirebileceğimiz ne tür işleri yaptıkları irdelenmiştir. Kadınlar esnaf olarak politik, ekonomik ve sosyal bakımdan karşılaştıkları kısıtlamalardan dolayı çarşı ve pazarda çok aktif değillerdi. Bu zorluklara rağmen özellikle geçim zorunluluğundan dolayı günlük ekonomik

[618] Elif Sabri, "Ticaret, Sanayi ve İslâm Hanımları,", *İrtika*, no: 118, 17 RA 1319 [4 Temmuz 1901], s. 135; Müfide Ferit Tek, "Kadınlarımızda Fikr-i Teşebbüs, *Tanin*, no. 31, 18 Ağustos 1324 [31 Ağustos 1908], s. 2.

aktivitelerin içerisinde yer almaya çalışmışlardır. Yeni bir sosyal kategori olarak kadın esnaf meselesi diğer çalışmalarda pek bahsedilmediği için bu tezde yeni bir konu olarak ayrı bir alt başlıkta ele alınmıştır. Esnaf kavramı günümüz Türkçesinde hâlâ erkeği çağrıştıran bir anlam taşısa da kadınlar da bu meslekte yer almışlardır. Fakat kavramın maskülen çağrışımının devamlılığı tarihsel olarak erkek egemen bir yapıya sahip olan çarşı-pazar hayatından kaynaklandığı söylenebilir.

Bu bölümün devamında ise esnafın temel meslek örgütü olan loncaların on dokuzuncu yüzyılın son çeyreğindeki durumu incelenmiştir. Loncaların yapı olarak ne durumda olduğu ve lonca ile ilgili ya da loncalarda ortaya çıkan sorunlar anlatılmıştır. Esnaf ve loncalarla ilgili yapılan çalışmalardaki temel problemlerden biri de genelde zamansız bir anlatının hâkim olmasıdır. Yani esnaf ya da loncalar anlatılırken yeni deneyimler bazen göz ardı edilerek zaman zaman tarihsiz bir anlatı ya da on yedi ve on sekizinci yüzyıllara sıkışmış bir anlatı yaklaşımının ön plana çıktığını görüyoruz. Bu bölümde özellikle on dokuzuncu yüzyılın ikinci yarısından itibaren olan dönemi içeren arşiv belgeleri incelenerek mevcut durum tahlil edilmeye çalışılmıştır. Böylelikle genellemelerden kaçınılarak İstanbul'daki loncaların durumu imparatorluğun son dönemindeki koşulları da göz önünde bulundurularak incelenmiştir. Belediyenin kurulması ile beraber esnaflar loncalar vasıtasıyla denetlenmiştir. Loncalar bu dönemde de ana kontrol ve yönetim örgütleri olmaya devam etmişlerdir. Kadılıktan belediye kontrolüne geçen süreçte esnafın üzerindeki baskısı daha da artmıştır.

Loncalar, esnafla ilgili yapılan çalışmalarda da belirtildiği gibi aynı zamanda önemli eğitim kurumlarıdır. Buralarda hem çıraklar ve kalfalar usta olmak için mesleklerinin inceliklerini öğreniyorlar hem de ustalar çıraklarını her bakımdan hayata hazırlıyorlardı. On dokuzuncu yüzyılda Osmanlı'da yaşanan dönüşüm eğitimde de kendini gösterdi. Loncalar da birer eğitim yuvası olma özelliklerini özellikle yüzyılın ikinci yarısından itibaren kaybetmeye başladı. Çırak ve kalfalar artık oncalar yerine sanayi mektepleri, çıraklık mektepleri gibi yerlerde toplu şekilde eğitimler almaya başlamışlardır. Fakat eski usul yani usta-çırak ilişkisinin olduğu eğitim modeli de devam etmiştir. Yine de tezde iddia edildiği gibi loncaların bir eğitim kurumu olma misyonları da artık bu dönemde gündemde değildi. Usta olmaları için yetiştirilen

çırakların ve kalfaların bir kısmı önceden alaylı diyebileceğimiz yolla eğitim alıp ustalaşırken yeni süreçte artık mektepli hale gelmişlerdir.

İkinci bölümün temel amacı on dokuzuncu yüzyılın ikinci döneminde İstanbul'da esnafın sosyal anlamda ne durumda olduğunu ve loncaların son dönemlerindeki yapılanmasını göstermektir. Bölüm eski dönemlerden farklı olarak yeni bir esnaf profilinin var olduğunu iddia etmektedir. Son dönem loncaları ise klasik anlatıdaki lonca yapısından farklı olsa da esnaf için önemli bir meslek örgütü olarak kalmaya devam etmiştir.

BÖLÜM 3
EKONOMİK DURGUNLUĞUN GÖLGESİNDE İDARİ DÖNÜŞÜM VE EKONOMİ

Üçüncü bölümde İstanbul esnafını ilgilendiren yeni idarî ve hukukî düzen yeni kurumlar ve hazırlanan yasal düzenlemelerle inceleniyor. Osmanlı son döneminde esnaf açısından sorumlu resmî kurumlar Dâhiliye Nezareti'ne bağlı belediyeler ve tali olarak kolluk kuvvetleridir (zâbıta ve polis). Bu kurumlar vasıtasıyla esnafın yönetimi ve kontrolü merkezileşti. Bu bölümde esnafın belediye ile resmi ilişkisi, belediye içerisinde esnaf kaleminin kurulması ve yasal düzenlemelerdeki esnafla ilgili maddeler ve kararlar incelenmiştir.[619] Tüm bunlarla esnafın yeni idari yapılanmada nasıl konumlandığı ve yeni bürokratik sürece nasıl eklemlendiği ortaya konmuştur. Esnafın idare hukukundaki pozisyonu ve resmi işlerinin yürütülme biçimi esnafın dönüşümünde etkilidir. Tüm bu yasal değişimler esnaf için yeni bir dönemin ve düzenin başladığı anlamına gelmektedir. Söz konusu sorumlu kurumlar ve onların getirdiği mevzuata dayalı merkezi işleyişin yanında dini-geleneksel referansların yokluğu, esnaf açısından yeni bir kurumsal döneme işaret etmektedir. Bu düzen, esnafı yeni bürokratik izleklere uyum sağlamaya itmiştir.

[619] BOA, DH.MKT. 1806/103. 27 C 1308 [7 February 1891]. Önce talimat hazırlandı. Daha sonra bu talimat nizamnâmeye çevrildi. Bkz BOA, ŞD. 2581/41. 29 R 1309 [2 Aralık 1891]; BOA, İ..ŞD.. 114/6856. 10 C 1309 [11 Ocak 1892]; "Esnaf kaleminin sûret-i teşkîl ve vezâifini mübeyyin talimat", 10 C 1309 [11 Ocak 1892], *Düstur*, I/6, (Ankara: Devlet Matbaası, 1939), ss. 1150-1155.

Çarşı ve pazardaki kontroller polis ve zabıta güçleriyle yapılmaya çalışılsa da özellikle belediyenin kurulduğu ilk dönemde zabıta teşkilatı yeterli derecede gelişemediği için kontrollerde birçok aksaklık ortaya çıkmıştır. Zabıta önce belediyeye sonra da polis teşkilatına bağlansa da çarşı ve pazarda esnafı kontrolde en yetkili kolluk gücü olan zabıta, yeteri kadar gelişememiş olan bürokratik düzenden nasibini almıştır. Bu bölümde polis ve zabıta için hazırlanan yasal düzenlemelerde esnaflıkla ilgili olan maddeler ve kararlar kısaca incelenmiştir.[620] Bu yolla esnafın hareket alanını ve kontrollerin nerede yoğunlaştığını görebilmek mümkündür.

Bu bölümün ikinci kısmında ise esnafın ilgili dönemdeki ekonomik durumu kısaca açıklanmıştır. İstanbul'daki mıhçı ya da tuzcu gibi serbest ticaret ekonomisinden etkilenen belli başlı esnaf gruplarından kısaca bahsedilmiştir. Esasında bu çalışmada ekonomik dönüşüm vurgusu pek fazla olmasa da belirli üretim ve ticaret gruplarının yeni ekonomik düzenden etkilendiği muhakkaktır. Burada örnekler verilmesinin sebebi ise esnafın yeni düzene karşı bir direnç oluşturduğunu göstermektir. Esnaf özellikle on dokuzuncu yüzyılın son çeyreğinde yeni kurulan fabrikalara karşı bir hoşnutsuzluk duymuştur. Ekonomik manada statükonun korunması esnaf için elzemdir. Fakat devlet serbest ticaret ekonomisine uyumlu bir şekilde çoğu zaman esnaf aleyhinde kararlar almak zorunda kalmıştır. Birçok kişi bu yüzden işini bırakıp yeni çalışma alanları ve işler bulmaya çalışmıştır. Fakat yine de bu bölümün gösterdiği gibi esnaflığın tamamıyla ortadan kalkması gibi bir durum söz konusu değildir.

Bunun yanında esnafın ekonomik koşullarıyla bağlantılı olarak ödenen vergiler ve bu vergilerle ilgili ortaya çıkan birtakım şikâyetler de incelenmiştir. Vergi sistemini merkezileştirme politikası, esnaf açısından da oldukça kritik ve dönüştürücüdür. Belediye kurulduktan sonra söz konusu esnaf vergileri belediye geliri olarak kabul edildi fakat temettü vergisi kurumsallaşınca esnafın ödediği vergilerle ilgili ihtilaf ortaya çıktı ve vergilerin merkezî hazineye aktarılmasına karar verildi.[621]

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[620] "Devâir-i belediye çavuşlarının vazâifine dair talimattır" 15 ZA 1287 [6 Şubat 1871], *Düstur*, I/2, ss. 539-544. Latin harflerine çevirisi için, bkz. Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, ss. 1796-1800; "Devâir-i belediye çavuşlarının vezâifine dair talimattır" 30 CA 1289 [5 Ağustos 1872], *Düstur*, I/3, ss. 520-526. Latin harflerine çevirisi için, bkz. Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 4, ss. 1801-1805.

[621] "Temettü Vergisi Nizamnâmesi", 16 ZA 1325 [21 Aralık 1907], *Düstur*, I/8, s. 805.

Verginin hangi kuruma ödendiği esnafın yasal pozisyonu ve durumu açısından önemli bir yere sahiptir. Esnaf tezkeresi meselesi de bu konuyla bağlantılı olarak bölümün son kısmında belgeler üzerinden incelendi. Esnaf tezkeresi bir kişinin bir mesleği ya da işi icra edebilme yetkisini gösteren belgedir. Tezkerede kişisel bilgiler ve icra edilen meslekle ilgili bilgiler yer almaktadır. Bu tezkere alınırken karşılığında bir harç verilmektedir. Bu da esnafa ekonomik bir yük olmaktadır. Bundan ötürü bölümde tezkere harçları ile ilgili şikâyetler de incelenmiştir. Vergi meselesi teknik, ekonomik ve sosyal yönleri olan çok boyutlu değerlendirilmesi gereken bir konudur. Ödenen vergileri sadece meblağları üzerinden değerlendirmek konuyu anlaşılır kılmaz. Esnafın ödediği birden çok vergi ve bu grupların bu duruma verdiği tepki ve istekleri dönemin sosyal hayatının koşulları hakkında da fikir vermektedir. Devlet açısından ise vergilerin her zaman çok önemli olduğu aşikârdır. Esnaf vergilerinin çok fazla mevzubahis olmasının sebebi ise bu vergilerin belediyelerin gelirlerinin büyük bir kısmını oluşturmalarıdır.[622] Sadece toplumsal bir grubu denetim altına alma kaygısı değil, gelir kaygısı da esnaf üzerindeki baskı ve kontrol mekanizmasını güçlendirmiştir.

Belediyeleşme hareketi ile esnafın esas sorumlu ve tâbi olduğu yetkili kurumun değişmesi esnaf tecrübesi bakımından oldukça dönüştürücüdür.[623] Dolayısıyla belediyeleşme teması özellikle on dokuzuncu yüzyılın ikinci yarısını ilgilendiren dönemle ilgili göz önünde bulundurulması gereken bir konudur.

Bu bölümün ilk kısmında idare hukukundaki dönüşüm ve esnafın bu yeni idarî düzene eklemlenmesi, ikinci kısımda ise vergi hukukundaki değişikliğin esnaf üzerinde nasıl bir dönüşüme yol açtığı anlatıldı. Bu iki alt tema, yani idare hukuku ve vergi hukuku temaları, esasında kamu hukuku bağlamında esnafın bu alanlardaki dönüşümlerde neleri deneyimlediği, merkezi politikaları göz önünde bulundurarak esnafın deneyimlerinin hangi yasal çerçevede ortaya çıktığı ve şekillendiğini anlatmaktadır.

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[622] "Yirmi daire-i belediyenin varidat ve masârifâtı icmalidir.", *1325 Senesine Mahsûs Umûr-ı Belediye Mecmûası*, (İstanbul: Sultan Hamamında Bağdadlıyan Matbaası, 1325), ss. 42-90.

[623] "Belediyeleşme hareketi" kavramı Avrupa'da Uluslararası Belediye Hareketi konusundan alınmıştır. Bu konu ile ilgili önemli bir çalışma için, bkz. Oscar Gaspari, "Cities against States? Hopes, Dreams and Shortcomings of the European Municipal Movement, 1900-1960", *Contemporary European History*, vol. 11, no.4, (November, 2002), ss. 597-621.

BÖLÜM 4
PAZAR YERİNDE İŞ HAYATI, MEKÂN VE HIFZISIHHA

Dördüncü bölümde İstanbul çarşılarındaki genel çalışma düzeni, dükkân ve esnaf kontrolleri inceleniyor. İlk kısımda çarşıdaki farklı meslek ve ticaret grupları ile ilgili ortaya çıkan sorunlar ve bu sorunların nasıl çözüldükleri anlatılıyor. Bu kontrollerde esas gaye var olan ekonomik faaliyetlerin aksamamasıdır. Ortaya çıkan sorunların nasıl çözüldüğü verilen örnekler üzerinden gösteriliyor. Temel olarak satılan mal ve ürünler, dükkânların iç ve dış dizaynları ve çalışma saatleri ile ilgili ortaya çıkan sorunlar ve bunların çözülme şekilleri anlatılıyor. Tüm bu kontrollerin gösterdiği ortak sonuç ise Osmanlı yönetiminin temel amacının asayişin bozulmaması ile beraber ekonomik faaliyetlerin aksamamasını sağlamaktır.

İkinci kısımda çarşıdaki mekânsal dağılım politikası, bu politikayı etkileyen etkenler ve karşılaşılan problem ve esnafın tepkileri, devletin şehir planlama politikaları üzerinden değerlendiriliyor. Bu politikalar esnafın günlük çalışma düzeni üzerinde doğrudan etkili olduğu için ele alınmıştır. Seyyar dahi olsa herhangi bir esnaf üyesinin satış yaptığı yer kontroller dâhilinde inceleniyor. Kimin nerede ticari faaliyet yürüteceği talimatlar ve kararlarla belirleniyor. Bu kararlar verilirken de ne sadece devlet çıkarı ne de esnaf çıkarı gözetiliyor. Esnaf mağdur olduğu durumda ise sürece aktif bir şekilde katılıp mağduriyetinin giderilmesini talep ediyor. Mekânsal politikada aynı zamanda genel mahallî veya merkezi yerleşim lokasyonları da göz önünde bulundurulmuştur. Dolayısıyla çarşı-pazarın mekân politikası esnaftan ibaret bir konu değildir. Devlet karar alırken birçok boyutu düşünmek durumunda kalıyordu.

Üçüncü alt kısımda ise merkezin esnafın kendisi ve çalışma alanları ile ilişkili halk sağlığı politikaları farklı sektörler üzerinden inceleniyor. Bu politikalar var olan sorunlar üzerinden çözüme ulaşmıştır ve alınan karar ve uygulamalar zamanla devletin genel halk sağlığı politikası haline gelmiştir. Dolayısıyla özellikle halk sağlığı politikaları açısından esnaf alanı bir nevi laboratuvar görevi görmüştür. Hastalıkların ortaya çıkma ve bulaşıcı ise yayılma riskinin en fazla olduğu bölgeler şehir merkezinde bulunan ve oldukça kalabalık olan pazarlar, çarşılar, kapalı çarşılar, arastalar ve hanlardır. Bu yüzden de merkezin ve belediyelerin sağlık politikaları buralarda

yoğunlaştırılmak zorunda kalmıştır. Esnaf da bu politikalar bağlamında önemli bir aktör olarak ön plana çıkmıştır. Esnaf grupları ekonomik olarak zarar görürlerse dilekçe ile başvurarak belediyeye sorunlarını ulaştırmaya çalışmışlardır. Fakat önlem ya da sorun çözümü olarak dükkân kapatmalar da yaşanmıştır. Söz konusu esnaf üyesi ya da grubu ekonomik olarak mağdur olsa da devletin genel kamu sağlığı kaygıları belirli grupların ekonomik çıkarlarının önüne geçmek durumunda kalmıştır.[624] Burada dikkati çeken nokta ise sorunların çözümünde tahkikat yapıldıktan sonra uygun bir çözüm yolu bulunması tercih edilen bir yol olmuştur. Sorun tespiti sonrasında ise ilgili mevzuat doğrultusunda işlem yapılacağı görülmektedir. Örneğin Ceza Kanunu'na esnafı ilgilendiren maddeler konulmuştur.[625] Mevzuat çerçevesi belirlenerek daha bürokratik ve daha soyut (nesnel) bir sürecin ortaya çıktığını söylemek de mümkündür.

Bu bölümün alt konularından biri olan halk sağlığı konusu çevre sağlığı ile kesişen bir konudur. Atık, zararlı atık ya da kötü koku gibi sebeplerden dolayı ortaya çıkan sorunların çözümünde de halk sağlığı gözetilerek kararlar verilmiştir. Bu kısımda çevre sağlığını tehlikeye sokan bazı sektörlerden örnekler verilip sorunların nasıl çözüldüğü gösterilmiştir. Tüm bu sorunları önleyici ya da ortadan kaldırıcı politikaların varlığı esnaflığın doğasında da değişim yaşattığı muhakkaktır. Özellikle İhtisab Nezareti kurulmadan önceki dönemlerde esnaf hem vergi hem de temizlik gibi önemli konularda loncalar öncülüğünde inisiyatif alıyorlardı. Yani bir çarşı bölgesinde eğer ciddi bir çevre sağlığı problemi varsa ortak bir irade ile harekete geçerek mevcut sıkıntılı durum ortadan kaldırılıyordu. Yeni yetkili kamu kurumlarının kurulması esnafın bu özelliğini kaybetmesine yol açmıştır. Esnaf artık informal şekilde dahi olsa yetkiye ya da sorumluluğa sahip olan taraf değil, sadece sorumluluk duygusu çerçevesinde yasal düzenlemelere uymak zorunda kalan daha pasif aktörler haline gelmiştir.

Bu bölümde çarşı ve ticaret alanlarındaki uygulamaların, merkezin kamusal mekân ve kamu sağlığı politikalarının sistematikleşme ve rasyonelleşmesine katkıda

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[624] *Esnafın Riayete Mecbur Olduğu Evamir-i Belediye Hakkında Talimat,* (İstanbul: Matbaa-i Osmaniye, 1335 [1919]).

[625] "Ceza kanunnâme-i hümâyûnu", 28 Z 1274 [8 Ağustos 1858]; *Düstur*, I/1, ss. 578-579; Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 8, ss. 4491-4492; "Umur-ı Tahaffuziye ve Tanzifiye ve Zabıtaya Muhâlif Hareket Eden Ashâb-ı Kabâhiyin Cezaları Beyanındadır", Akgündüz, *İslam ve Osmanlı Hukuku Külliyatı*, s. 653. Özellikle 1858 Ceza Kanunu'nun son bölümünde esnafın kuralları ihlal ettiği takdirde uygulanacak olan ceza ve yaptırımların detayı bulunmaktadır.

bulunduğu iddia edilmiştir. Mevzuatın uygulanması ve esnafın ilgili kararlara verdiği tepkiler söz konusu zanaat ve küçük ticaret gruplarının yeni idare düzenine uyumunu veya zaman zaman direncini göstermektedir. Bu bölümde esnafa ait problem ve şikâyetlerin neler olduğu, bu problemlerin nasıl çözüldüğü gösterilerek tüm bunların yerel yönetim ve merkezî politikalar bağlamında bağlayıcı ve dönüştürücü olduğu vurgusu yapılmıştır. Devletin esnaf politikası sadece ekonomiyi değil birçok kamusal konuyu ilgilendiren bir politikalar bütünü olması sebebi ile oldukça önemlidir ve yukarıda bahsedilen bu konular da tezin bu bölümünü oluşturmaktadır.

BÖLÜM 5
OSMANLI LONCALARININ DÖNÜŞÜMÜ: KETHÜDALIĞIN İLGA EDİLMESİ VE ESNAF CEMİYETLERİNİN KURULUŞU

Tezin son bölümünde loncaların son dönemi, neden lağvedildikleri ve onların yerine kurulan esnaf cemiyetleri incelenmiştir. Bilhassa loncaların lağvına giden süreç anlatılmıştır. Loncalar son dönemde artık değişime daha fazla açık, aktörlerin yetki paylaşımına gittiği bir süreç yaşamıştır. Örneğin kethüda mührünün sadece kethüdada kalmaması, aynı zamanda ustalar arasında da mührün paylaşılması gibi pratikler ortaya çıkmıştır. Bu yeni pratik elbette birçok kethüdanın tepkisine yol açmıştır. Kimi kethüdanın mühürleri paylaşılsa da kimisinde alınan karar geri alınmıştır. Örneklerin gösterdiği üzere loncalardaki en yetkili resmi görevli olarak kethüdaların yetki paylaşımı durumlarında kararın geri alınması için uzun uğraş verdiği tespit edilmiştir. Buradaki çabanın en temel sebebi ise kethüdanın yani kethüda mührünü bulunduran kişinin esnaftan ödeme alabilmesi ve esnaf harçlarını toplama yetkisine sahip olmasıdır. Mührün paylaşılması demek esnaftan kaynaklanan gelirlerin de paylaşılması demekti. Kethüda böyle bir uygulamayla, gelir kaybı ortaya çıkması muhtemel olacağı için mücadele etmiştir. Fakat bazı örneklerde görüldüğü üzere çabaları sonuçsuz kalmıştır. Bu dönemde kethüdalarla ilgili diğer bir durum ise bazı kethüdaların başka loncaların içişlerine karışmasıydı. Böyle durumlarda hem ilgili esnaf grubu hem de o grubun loncasının kethüdası bu durumu belediyeye şikâyet ediyorlardı. Loncalar kendi içerisinde daha özgür ve özerk hareket etme kabiliyetini

de kaybetmek istemiyordu. Her kethüdanın sadece kendi bağlı olduğu lonca üzerinde yetkisi vardı. Başka lonca ve esnaf grubunun içişlerine müdahale etme hakkı bulunmuyordu.

Son dönem loncalarının öne çıkan özelliği ise on dokuzuncu yüzyılın sonlarına doğru birkaç benzer ya da farklı meslek ve iş kollarının kethüdalıklarının tek kişide toplanmaya başlamasıydı. Kethüdalık pozisyon tanımı olarak da değişikliğe uğramaya başladı denebilir. Önceki dönemlerde daha çok tek bir meslek grubunun kethüdalığını yapma uygulaması var ise de tezin incelediği dönemde bir kişinin aynı anda birden fazla ve farklı meslek gruplarına kethüdalık yaptığını görüyoruz. Bu durum görev alanının belirsizliğine ya da karmaşasına ve böylece kethüdalar arasında ihtilaflara sebep olmuştur. Bir grubun kethüdası olma ya da olmama hali sorunlarda ön plana çıkan durumlardan biridir.

Loncaların kaldırılmasında idari yapıdaki değişiklik ve kethüdalığın pozisyon olarak işlevsizliği, temel iki sebep olarak iddia ediliyor.[626] Bu yargıya da ağırlıklı olarak arşiv belgelerindeki örneklerden hareketle varılıyor. Klasik lonca anlatısında kethüdalar ağırlıklı olarak esnaf gruplarının ve üyelerinin çıkarlarını koruyan ya da korumak zorunda olan resmi temsilciler olarak kabul edilse de bu tezde görüldüğü üzere Osmanlı İstanbul'unun son dönemindeki lonca kethüdaları bu misyonlarını terk etmişlerdir. Hem vergi ya da harçlar konusundaki baskılar ve usulsüzlükler hem de esnaf grubunun üyelerini değil de kayıtlı olmayan kişileri ilgili sektörde çalıştırma gibi durumlardan kaynaklı birçok suiistimal ortaya çıkmıştır. Devlet de ortaya çıkan bu durumdan dolayı kethüdalık pozisyonuna son verdiğini belirtmiştir. Tezin de gösterdiği üzere loncaların temsiliyetinde en önemli kişisi olan kethüdalar loncaların lağvına giden sürece zemin hazırlamışlardır. Bunun yanında Osmanlı İmparatorluğu'nun özellikle Tanzimat'la beraber ortaya çıkan hukuki ve idari dönüşümünün de loncaların lağvına sebep olduğu iddia edilmiştir. Loncaların ortadan kalkması daha çok ekonomik sistemin dönüşümü yani geleneksel üretim modellerinin çökmesi ve kapitalist üretim biçimlerinin yaygınlaşması ile açıklansa da bu tezde, ortaya çıkan yeni idari yapının ve devlet mekanizmasının kadimden gelen kurum ve sistemlerini artık kullanamadığı belirtilmiştir. Bu yüzden de loncanın artık

[626] BOA, DH. MKT. 2774/40. 1 Re 1327 [23 Mart 1909]; BOA, ŞD. 842/26. 17 Re 1327 [6 Nisan 1909]; BOA, BEO, 3536/265135. 26 Mart 1325 [8 Nisan 1909].

çalışmadığı, işlevsiz ve yetersiz kaldığı bir düzende devlet yeni bir esnaf örgütü olarak cemiyetleri kurmuştur. Tezin başlığında belirtilen dönüşüm denilen olgu tüm bu süreci kapsamaktadır.

İkinci kısımda ise loncaların ve kethüdalık pozisyonunun kaldırılmasından sonra kurulan esnaf cemiyetleri inceleniyor.[627] Cemiyet denilen kuruluşun da esasında yapı, işlev ve amaç bakımından esnaf odasına tekabül ettiği iddia ediliyor. Cemiyetler kurulunca (loncalar resmi olarak kaldırılınca) aracı olan kethüdaların işine son verilse de esas resmi sorumlu kurum belediye olmaya devam ediyor. Bu vesile ile belediyelerin esnaf üzerindeki gözetim ve denetimi de artıyor. Belediyeler Dâhiliye Nezareti'ne bağlı olduğu için bu denetimler daha kontrollü şekilde yapılmaya çalışılmıştır.

Cemiyetler, loncalar gibi esnafın meslek örgütleridir. Kurulan her cemiyetin bir nizamnamesi hazırlanmalı ve onaylanmak zorundaydı. Cemiyet kurmak için izin almaya gerek yoktu ama cemiyetin kurulduğuna dair Dâhiliye Nezareti'ne hazırlanan nizamname ile bir bildirim yapılması gerekmekteydi. Esnaf bu şekilde daha fazla bürokratik trafiğin içerisine girdi ve bu yolla yeni idari düzene de uyum sağlamak zorunda kalmıştır. Birçok farklı meslek ve iş kolunda esnaf cemiyeti kurulmuştur.[628]

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[627] İstanbul için hazırlanan talimat için, bkz. "Esnaf Cemiyetleri Hakkında Talimat", 16 S 1328 [27 Şubat 1910], *Düstur*, II/2, ss. 123-127; BOA, İ.ŞE. 25/14. 16 S 1328 [27 February 1910]. Tüm İmparatorluk'ta uygulanacak olan talimat için, bkz. BOA, DH. UMVM. 88/40. 20 Ca 1330 [7 Mayıs 1912]; "Esnaf Cemiyetleri Hakkında Talimat", 20 CA 1330 [7 Mayıs 1912], *Düstur*, II/ 4, ss. 483-488, Nizamnamenin tamamı için, bkz. Appendix F.

[628] Bazı cemiyet nizamnâmesi ve talimat örnekleri için, bkz. *Dersaadet Limanı Umum Deniz Kayıkçı ve Sandalcı Esnâfı Cemiyeti*, BOA, DH. UMVM. 166/54. 26 Ş 1340 [24 April 1922]; *Dersaadet Limanı Umum Deniz Kayıkçı ve Sandalcı Esnâfı Cemiyeti Talimatnâmesi,* (Dersaadet: Sanayi-i Nefise Matbaası, 1337); *İstanbul Umum Binek ve Yük Arabacıları Cemiyeti Dahili Nizamnâmesi* ve *Simitçi, Ekmekçi, Börekçi, Kurabiyeci ve Kadayıfçı Esnafı Cemiyeti Nizamnâme-i Dahiliyesi*, BOA, HR. HMŞ.İŞO. 82/3. 1 May 1326 [14 May 1910]; *Umûm Mavna ve Salapuryacı Esnafı Cemiyeti Nizamnâme-i Dâhiliyesi*, (Dersaadet, 1336); *İstanbul Yorgancı, Döşemeci ve Mobilyacılar ile Mefruşatı Beytiye Esnaf Cemiyeti Tâlimatnâmesi*, (İstanbul: Bahriye Matbaası, 1337 [1921]); *Dersaadet Balıkçı Esnafı Cemiyeti Nizamnâme-i Dahiliye Projesi*, (İstanbul: Hüsn-i Tabiat Matbaası, 1339 [1923]); *Dersaâdet ve Bilâd-ı Selâse Umûm Bakkal Esnafı Kalfa ve Çıraklar Cemiyeti Nizâmnâmesidir*, (İstanbul: Ali Şükrü Matbaası, 1337); *Dersaadet Bakkal Esnafı Cemiyeti Talimatnâmesi*, (Dersaadet, 1337 [1921]; *Dersaâdet ve Bilâd-ı Selâse'de Umûm Tuğla İmalci Esnafı Cemiyeti Talimatnâme-i Dâhiliyesidir*, (İstanbul: Şehzade Başı Evkaf Matbaası, 1338); *Kabzımal Esnafı Cemiyeti: Talimatnâme*, (İstanbul: Ahmed İhsan ve Şürekası Matbaacılık Osmanlı Şirketi, 1336); *İstanbul ve Mülhakatı Umûm Ekmekçi ve Francalacı Fırıncılar Esnaf Cemiyeti Talimatnâme-i Dâhiliyesidir*, (İstanbul: Zelliç Biraderler Matbaası, 1926); *Dersaadet ve Bilad-ı Selase Ayakkabıcı Esnafı Cemiyeti Talimatnâme-i Dahiliyesidir*, (İstanbul: Matbaa-ı Bahriye, 1337); *Dersaadet Kaldırımcı Esnafı Cemiyeti*, BOA, DH. EUM.THR. 101/92. 28 B 1330 [13 July 1912]; *Dersaadet Umum Hancı ve Otelci Esnafı Cemiyeti Talimatnâme-i Dahiliyesi*, (İstanbul: Teşebbüs Matbaası, 1339 [1341].

Esnaf yeni düzende yeni kurumuyla varlık göstermiştir. Bu cemiyetleri cumhuriyet döneminde gördüğümüz esnaf odalarının prototipi olarak değerlendirmek de mümkündür. Tıpkı odalar gibi meslek örgütleri olmakla beraber cemiyetlerin, loncalarda olduğu gibi verginin ya da harçların toplanma ve kontrolünün sağlandığı bir kurum olma özelliği ortadan kalkmıştır. Vergi bölümünde bahsedildiği gibi vergilendirme sistemi değiştiği ve vergi toplama merkezi bir sisteme dönüştüğü için cemiyetlerin mali bakımdan bir fonksiyonu da yoktur.

Yeni kurulan cemiyetlerde heyet-i umumiye ve heyet-i idare birimleri kurulmuştur. Loncalarda böyle bir örgütlenme modeli bulunmuyordu. Her cemiyetin bir başkanı oluyordu ve cemiyete zorunlu olmamak kaydı ile ilgili meslek grubunu icra eden herkes üye olabiliyordu. Cemiyet başkanları loncalardaki gibi vergi ya da harç toplama yetkisine sahip değildi. Bu yüzden esnafın en yetkili kişisi olarak görülen başkanın bu süreçten sonra sembolik bir göreve sahip olduğunu söyleyebiliriz. Öte taraftan cemiyetler içerisinde iki tane heyetin kurulması ve başkanın sembolik bir pozisyon haline gelmesi esnaf cemiyetlerinde liberal bir yapının ortaya çıkmasına da zemin hazırlamıştır. İnisiyatif cemiyet üyelerine geçmeye başlamıştır. Fakat ironik bir şekilde bu çoğulcu yapı kısa sürede cemiyetler içerisinde tartışmalara ve ihtilaflara sebep olmuştur. Buna ek olarak eskiden daha çok kadı ve lonca üyeleri tarafından kontrol altında tutulan esnaf örgütü artık belediye tarafından daha merkezi bir denetim mekanizmasının parçası haline gelmiştir.

BÖLÜM 6
SONUÇ

Bu çalışma geç on dokuzuncu yüzyıl ve erken yirminci yüzyıl döneminde Osmanlı İstanbul'unda esnafın yaşadığı dönüşümü incelemektedir. Bu dönüşüm ekonomik gelişmeleri gözeterek imparatorluğun geçirdiği idari değişikliklerle ele alınmıştır. Kapitalizmin güçlendiği ve Osmanlı'ya ithalatın arttığı bir dönemde belirli meslek ve iş gruplarının bu süreçten etkilenmesi muhtemeldir. Fakat bu tez arşiv belgelerini takip ederek süreçte bürokratik gelişmenin ve modernleşmenin de esnafın hayatında ve resmi işlemlerinde değişiklikler yaşadığının altını çizmektedir. Özellikle

esnafın yetkili resmi organının ve problemlerini iletmesi gereken resmi kurumun belediyeler olmasıyla esnafın yasal pozisyonunda ve meslekle ilgili bürokratik işlemlerde değişiklikler yaşanmıştır. Bu değişiklikler esnafın vergi, sorumlu olduğu mevzuat, bağlı olduğu meslek kuruluşu gibi konular bakımından da yeniliklere zemin hazırlamıştır.

İkinci bölümde görüldüğü üzere klasik ya da standart bir esnaf anlatısının aksine on dokuzuncu yüzyılın ikinci yarısına mahsus bir esnaf tanımı yapılmıştır. Esnaf kimliği de bu doğrultuda incelenmiştir. Genel kabul gören anlatının aksine diğer toplumsal gruplarda olduğu gibi esnaf da bu dönemde değişim yaşamıştır. Örneğin lonca düzeni anlatısındaki dürüst ve kaliteli üretim yapan ya da yapma zorunluluğu olan esnaf anlatısı yerini daha değişken ve çok yönlü bir kimliğe bırakmıştır. Artık bu dönemde çok sayıda esnafın çarşı ve pazarlarda kural ihlalleri yaptığını ya da yüksek oranda suç işlediğini görebiliyoruz. Bu dönemin özel bir durumu ise kadın esnaf meselesidir. Burada amaç kadın esnafın yokluğunu vurgulamaktan ziyade kadınların neden çarşı-pazarda üretici ve satıcı olarak az olduğunun sebeplerini incelemektir. Bu doğrultuda birkaç kadın esnaf örneği de verilmiştir. İkinci bölümde de ilgili dönemin loncaları anlatılarak statik, değişmeyen lonca anlatısının önüne geçilmiştir. Loncalar ekonomik hayatta etkilerini yitirmekle beraber bu dönemde esnâf için önemli meslek örgütleri olmaya devam etmiştir.

Üçüncü bölümde esnafın yeni kurulan belediyelerin otoritesi altına girmesi ile yaşanan değişim mevzuat incelenerek değerlendirilmiştir. Bunun yanında yeni filizlenmeye başlayan polis ve zabıta birimlerinin esnaf denetimi ile ilişkisi irdelenmiştir. Ayrıca belediyenin alt birimi olarak kurulan Esnaf Kalemi incelenmiştir. Esnaf Kalemi lonca kethüdalarının otoritesinin zayıflamasına ve devletle aracı kurum olarak belediyeye karşı olan sorumlulukları arttığı için onların geri plana düşmelerine sebep olmuştur. Bu da loncaların ve dolayısıyla kethüdalığın lağvına giden süreci hızlandırmıştır. Esnafın ele alınan dönemdeki ekonomik durumu ve vergilendirme sisteminin merkezileşmesi de ele alınan konulardandır. Öncesinde esnaf vergisi toplanırken 1907'den sonra Temettü Vergisi getirildi ve aynı dönemde vergilerin merkezi bir yöntemle toplanılmasına karar verildi.

Dördüncü bölümde ise esnafın çarşı, pazar, diğer kamusal alanlar ve bazen de sokak aralarındaki ekonomik faaliyet tecrübeleri ele alınmıştır. İncelenen örneklerin

hepsi bir sorun ortaya çıktığı için resmi tutanaklara not edilmiştir. Bu yüzden daha çok esnafın talep ve şikâyetleri ve bunların doğrultusunda devletin ve belediyenin bu sorunları çözme yolları incelenmiştir. Şikâyetlerin olduğu dönemde dikkati çeken önemli bir nokta ise genelde sorun çözücü ya da aracı olarak bilinen, kabul edilen kethüdaların da sık sık ihtilaflı durumlarda taraf olarak yer almalarıdır. Öte yandan esnaf bakımından da onların aktif birer pazar aktörleri olarak sorunlarına çözüm aradıklarını görüyoruz. Tüm bu tecrübelerle esnafın yeni idari düzene uyum sağladığını ya da sağlamak için çaba harcadığını söylemek mümkün. Bu çabalar esnafın kimlik ve tecrübe anlamında bir dönüşüm yaşamasına yol açmıştır. Bu bölümde ayrıca mesleklerle ilgili kontroller, mekânsal politikalar ve halk sağlığı politikaları ile ilgili konular ve örnekler ele alınmıştır. Bölümün de gösterdiği gibi tüm esnaf deneyimi özellikle şehir planlama ve halk sağlığı ile ilgili konularda devletin politikalarını sistematikleştirmesine ve daha rasyonel çözümler bulmasına yardımcı olmuştur. Son olarak tüm bu politikalar bağlamında yapılan kontroller, serbest ticaret dönemi olsa da esnaf üzerindeki denetimin bürokrasi yoluyla devam ettiğini de gösteriyor.

Son bölümde ise loncaların lağvı meselesi inceleniyor. Buradan yola çıkarak esnaf cemiyetleri konusu detaylı şekilde irdelenerek esnafın kurumsal dönüşümüne dair bir çerçeve sunuluyor. Loncaların lağvı yukarıda da belirtildiği gibi hem devletin kamu yönetimi politikalarının değişimi ve yeni kurumların kurulması hem de loncaların son döneminde kethüdaların görevlerini kötüye kullanmaları ile bağlantılandırılmaktadır. Kethüdalık pozisyonu artık işlevsiz bir hale geldiği için resmen kaldırılıp yerlerine esnaf cemiyetleri kurulmuştur. Esnaf cemiyetleri ile ilgili de örnekler verilerek temel olarak vergi toplama sistemi merkezileştiği için bir nevi esnaf odası yapısına sahip oldukları iddia edilmiştir.

Bu çalışma sadece İstanbul esnafını ele almıştır. Ekonomik faaliyetler ve ilgili kamu kurumlarının farklı şekilde ve farklı yerel aktörlerle gelişmesinden dolayı burada bahsedilen mevzuların ve çıkarımların tüm imparatorluk bölgelerini kapsamadığının altına çizmek gerekir. Bu çalışmada ağırlıklı olarak nezaretler arası yazışmalar, resmi karar ve kanunlar, dilekçeler ve son olarak o dönemde basılmış çeşitli gazeteler kullanılmıştır. Esnaf gibi çok farklı sosyal ve ekonomik dinamiklere sahip bir grubun tek boyutlu incelenmesinin yetersiz olduğu muhakkaktır. Bu tez ekonomik gelişmeyi

biraz gölgede bırakarak ve siyasi gelişmeleri de ön plana çıkarmayan bir esnaf anlatısı sunmaya çalışmıştır. Amaç esnafı esas özne olarak tezin merkezine koyup yaşadığı kurumsal dönüşümü anlatmaya çalışmaktır.

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