

THE URBAN DEVELOPMENT OF ISTANBUL
IN THE NINETEENTH CENTURY:
THE ROLE OF EXPROPRIATIONS

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Thesis Abstract

Zuhal İbidan, “The Urban Development of Istanbul in the Nineteenth Century: The Role of Expropriations”

This thesis examines the expropriation activities which were the most important tools for the government in the process of reconstruction implemented in Istanbul in the nineteenth century. The information in this thesis is generally based on the Ottoman archival records. In addition to this, some newspapers like *Takvîm-i Vakayi*, *Basîret* and *Tasvîr-i Efkâr* and secondary sources were used. In the thesis, questions such as, what the purpose of this reconstruction plan and expropriations was, in which places of the capital city the plans were applied, by whom and how these plans were applied have been answered. Also addressed were issues such as what the government was aiming at by these expropriations and reconstruction plans, what was gained and how the public reacted towards these novelties. This thesis argues that the urban development which is at the intersection of centralization and modernization, and the concept of modern expropriation was a consequence of the change in the perspective and the understanding of the Ottoman government. Additionally, in the thesis, while the concept of modern expropriation is being evaluated in relation to the transformation in the governmental and legal mentality, the economic and social aspects of the expropriations are also emphasized. Other reconstruction processes occurring in other cities in the Ottoman Empire and other European cities which were taken as models in the reconstruction process of the capital city were investigated and documented here for the sake of approaching the expropriations from a comparative angle.

Tez Özeti

Zuhal İbidan, “19. Yüzyıl’da İstanbul’da Kentsel Düzenleme: İstimlakların Rolü”

Bu tez 19.yüzyıl’da İstanbul’un tabii tutulduğu imarlaşma sürecinin gerçekleştirilmesinde yönetimin elinde en önemli araçlardan olan istimlak faaliyetlerini incelemektedir. Tezin yazımı ağırlıklı olarak Başbakanlık Arşivi belgelerine dayanmaktadır. Bunun yanısıra dönemin *Takvîm-i Vakayi*, *Tasvîr-i Efkâr* ve *Basîret* gibi gazetelerinden ve ikincil kaynaklarından da yararlanılmıştır. Tezde 1840 sonlarından itibaren çıkarılmaya başlanan ebniye ve istimlak nizamnameleri göz önünde bulundurularak imar planı ve istimlakların ne amaçla, başkentin nerelerinde, nasıl ve hangi görevlilerce uygulandığı ve yönetimce bu faaliyetlerle neyin amaçlanıp neyin elde edildiği ve halkın bu işlemleri nasıl algıladığı sorularının cevaplanması amaçlanmaktadır. Bu tez, merkezileşme ve modernleşme süreçlerinin kesişme noktasında yer alan kentleşme ve de modern istimlak olgusunun devletin zihniyetinde meydana gelen değişim sonucu oluştuğunu iddia eder. Ayrıca, tezde istimlak olgusu devlet zihniyetinde oluşan değişim yanında hukuksal değişim ve de idari değişim bağlamı içinde değerlendirilmeye çalışılırken, istimlakların ekonomik ve sosyal yönlerine de vurgu yapılmaktadır. Başkentteki kentleşme sürecine diğer Osmanlı kentlerindeki imarlaşma süreci ve örnek alındığı vurgulanan Avrupa kentlerindeki imarlaşma süreci de göz önünde bulundurulup karşılaştırmalı perspektifle yaklaşılmaya çalışılmıştır.

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To my family

CHAPTER 1

INTRODUCTION

*Modernity is therefore always about
“creative destruction” be it of the gentle and
democratic, or the revolutionary, traumatic,
and authoritarian kind.*

David Harvey, Paris, Capital Of Modernity¹

In the second half of the nineteenth century, after the declaration of the *Tanzîmât* Edict, some Ottoman cities like Istanbul, Salonica, Beirut, Damascus, Cairo, Aleppo, Alexandria and Bursa underwent a modernization process.² A close analysis of this urban development period would reveal that before the declaration of *Tanzîmât*, there was an uneven and unplanned Ottoman city profile which was ruled according to the “classical city administration” by the *kadı* with Sharia rules. According to this perspective, before the *Tanzîmât*, nearly all of the Ottoman cities had the problems of dead-end streets or blind alleys and had a dishevelled appearance.

¹ David Harvey, *Paris, Capital of Modernity*, (New York: Routledge, 2003), p. 1

² These cities were categorized as: Istanbul, Cairo, Aleppo and Damascus as capitals; Salonica, Beirut, Izmir and Alexandria as the port cities being developed by Jens Hanssen, Thomas Philipp and Stefan Weber. “Introduction”, in *The Empire in the City Arab Provincial Capitals in the Late Ottoman Empire*, ed. Jens Hanssen, Thomas Philipp, Stefan Weber, (Würzburg: Ergon, 2002), p.17. The paradigm of “*port city*” was used by Çağlar Keyder, Donald Quataert and Eyüp Özveren. According to this perspective, port cities like Salonica, Beirut and Izmir were different from the other Ottoman cities. The foreign population of the port cities increased after the city integrated to capitalism in the nineteenth century. And a rich class bourgeoisie occurred in those cities. And they say that all these things brought the urban transformation to the port cities. “Osmanlı İmparatorluğu’nda Liman Kentleri: Bazı Kuramsal ve Tarihsel Perspektifler,” in *Doğu Akdeniz’de Liman Kentleri 1800-1914*, ed. Çağlar Keyder, Y. Eyüp Özveren, Donald Quataert, trans. Gül Çağalı Güven, (İstanbul : Türkiye Ekonomi ve Toplumsal Vakfı, 1994), pp. 121-122

According to Stefan Yerasimos,³ Ottoman cities were ruled according to the Sharia and that's why, although the government ruled the city, it couldn't impose its own laws on the city. The goal of the Sharia rules was not to shape the city according to a plan, not to make city planning, but to care about the individuals' and societies' profits. So there appeared open roads and these belonged to the urban population, and dead end streets which belonged to only the inhabitants of those streets. The dead-end streets and narrow streets could appear because the inhabitants of the streets tried to gain space from the common area and the Sharia allowed them to do so. Moreover, in the cities where the Sharia was the basic law, the customary law rules (*fermâns*) could be shelved without being implemented by the *kadis* who were the managers of the city. For example, before the *Tanzîmât*, the state declared strict and repetitive rules to protect the capital from fire and to protect the city's disorganized growth. However, since the middle of the eighteenth century, typical houses were made of wood and the construction of new slums could not be stopped despite strict rules about not constructing houses in those areas. The streets in the capital city were narrow, dead-end and muddy. These problems were partly due to the urban government which lacked power to implement the *fermâns*. In the eighteenth century, the *kadı* had the power to put the *fermâns* into practice and to cancel any rules about the capital city without applying them. So, according to Stefan Yerasimos's emphasis, the Ottoman cities witnessed a conflict between Sharia and customary law and so, narrow and dead-end streets which were the symbol of Islam were able to occur.

³ Stefan Yerasimos, "Tanzimat'ın Kent Reformları Üzerine," in *Modernleşme Sürecinde Osmanlı Kentleri*, ed. Paul Dumont, François Georgeon, trans. Ali Berktaş, (İstanbul: Tarih Vakfı Yurt Yayınları, 1999), pp. 7-13

Maurice Cerasi⁴ emphasizes the diffusion of the Ottoman cities and underlines that in these cities, which were governed according to the Sharia, the roads were narrow and uneven. To him, there were neither geometric roads nor squares in Ottoman cities. Similarly, Zeynep Çelik⁵ thinks that the formation of the dead-end street was because of the Sharia. To her, since Ottoman cities were governed according to the Islamic rules, there were dead end streets and they were protected by the Sharia. According to Beatrice Saint-Laurent⁶, the narrow and the dead-end street was one of the best known characteristics of the Ottoman city structure. Andre Raymond⁷ agrees with the authors mentioned above about the city structure and the problems of the Ottoman city. However, his opinion differs from those of the above authors in that according to him, in towns the areas for trade were better than the areas left for residence. On the other hand, according to İlber Ortaylı,⁸ classical Ottoman cities were administered by the traditional administrative structure. There was a lack of proper local institutions in the city, so the municipal services were met by local people.

Moreover, Leila Fawaz⁹, Leila Hudson¹⁰, Mark Mazower¹¹, Abraham Marcus¹², Janet Abu-Lughod¹³ and Meropi Anastassiadou¹⁴ who did research on

⁴ Maurice Cerasi, *Osmanlı Kenti: Osmanlı İmparatorluğu'nda 18. ve 19. Yüzyıllarda Kent Uygarlığı ve Mimarisi*, trans. by Aslı Ataöv, (İstanbul: YKY,1999), pp.88-99

⁵ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, (Berkeley: University of California Press, 1993), pp. 42-43

⁶ Beatrice Saint-Laurent, "Bir Tiyatro Amatörü: Ahmed Vefik Paşa ve 19. Yüzyılın Son Çeyreğinde Bursa'nın Yeniden Biçimlenmesi," in *Modernleşme Sürecinde Osmanlı Kentleri*, ed. Paul Dumont, François Georgeon, trans. Ali Berktaş, (İstanbul: Tarih Vakfı Yurt Yayınları, 1999), p.88

⁷ Andre Raymond, *Osmanlı Döneminde Arap Kentleri*, trans. Ali Berktaş, (İstanbul: Tarih Vakfı Yurt Yayınları, 2000), pp. 127-128

⁸ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri 1840-1880*, (Ankara: TTK, 2000), pp.124-125

Ottoman cities like Cairo, Damascus, Salonica, Aleppo and Beirut, agree with the other authors about the definition of the Ottoman cities¹⁵ as “disorganized and traditional.”

Lastly, it can be concluded that, generally, Ottoman cities were far from the modern city structure and appearance until the declaration of *Tanzîmât*. What’s more, it is impossible to talk about the modern municipality and geometric roads because of the law according to which the cities were governed. With respect to this, the uneven situation before the *Tanzîmât* was not a result of the uninterested state but because of the state’s not being able to apply its will and rules on the cities. With the *Tanzîmât*, the state could end the conflict between customary law and the Sharia, and had a chance for applying its own laws.¹⁶

⁹ Leila Fawaz, *Merchants and Migrants in the Nineteenth Century Beirut*, (Cambridge, Mass: Harvard University Press, 1983)

¹⁰ Leila Hudson, *Transforming Damascus Space and Modernity in an Islamic City*, (London;New York: Tauris Academic Studies, 2008)

¹¹ Mark Mazower, *Salonica City of Ghosts: Christians, Muslims and Jews,1430-1950*, (New York: Alfred A. Knopf, 2005)

¹² Abraham Marcus, *The Middle East on the Eve of Modernity: Aleppo in the Eighteenth Century*, (New York: Columbia University Press, 1989)

¹³ Janet Abu-Lughod, *Cairo 1001 Years of the City Victorious*, (Princeton: Princeton University Press, 1971)

¹⁴ Meropi Anastassiadou, *Tanzimat Çağı'nda Bir Osmanlı Şehri Selanik*, trans. Işık Ergüden, (İstanbul: Tarih Vakfı Yurt Yayınları, 2001)

¹⁵ It would be useful to talk about the criticisms by Edhem Eldem, Bruce Masters and Daniel Goffmann to the definitions like “Ottoman city”, “Arabian City” or “Islamic city”. To them, although Ottoman cities share some properties in common, there has never been a term as Arabian, Ottoman or Islamic city in history. For example, according to these authors, Istanbul was both the capital and a port city; however it is more probable to compare it with Venice than Edirne which is an Ottoman city. Therefore, according to them, it may be useful to categorize Ottoman cities by geography or type. “Conclusion”, in Edhem Eldem, Daniel Goffman and Bruce Masters, *The Ottoman City between East and West: Aleppo, Izmir and Istanbul*, (New York: Cambridge University Press, 1999), pp. 213-214

¹⁶ Stefan Yerasimos, “Tanzimat’ın Kent Reformları Üzerine,” p. 17

In order to understand how the cities began to change with the declaration of the *Tanzîmât*, it is necessary to look at the changing attitudes towards administration and legislation. After the declaration of the *Tanzîmât* Edict of 1839, a revolutionary process including different areas ranging from legislation and taxation to corporate organization started.¹⁷ At the beginning of the nineteenth century, one of the most important issues that the centralization efforts and modernization efforts, which started with the strengthening of the central army and bureaucracy,¹⁸ and become stronger with the *Tanzîmât*, focused on was the city problem. The government, with the influence of centralization and modernization efforts, now aimed to transform the city with a new understanding, and to re-design it by specific plan. For the administrators who supported the *Tanzîmât*, providing justice in the city was not enough anymore.¹⁹ According to the government, the new city needed to be designed with geometric and wide roads.²⁰ Here, the concept of the geometrical city should be explained. The geometrical city means the efforts of the modern state which struggles to rearrange the city with wide roads, regular parcels, grid plans.²¹ The purpose of the modern state, in desiring to redesign the city as geometrical, is to create a city that can be interfered in and visible. Perceiving the city from a different view point, making the city organized, and creating a city that can be interfered in

¹⁷ Cengiz Kırılı, *Sultan ve Kamuoyu: Osmanlı Modernleşme Sürecinde "Havadis Jurnalleri" (1840-1844)*, (İstanbul: Türkiye İş Bankası Yayınları, 2009), p. 17

¹⁸ Huri İslamoğlu, "Politics of Administering Property: Law and Statics in the Nineteenth-century Ottoman Empire," in *Constituting Modernity: Private Property in the East and West*, ed. Huri İslamoğlu, (London; New York: I. B. Tauris, 2004), p. 287

¹⁹ Meropi Anastassadiou, *Tanzimat Çağı'nda Bir Osmanlı Şehri Selanik*, pp. 126-127

²⁰ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868): "Sokakların vâsi' ve müstakîm olması memlekete zînet-bahş olduktan başka gayr-i muntazam olan sokakların bir başdan diğer tarafı görünmek kabil olmadığı hasebiyle umûr-ı zâbita için hayli me'mûr kullanılmasına ihtiyâc olduğu halde taht-ı intizâma giren mevki'lere nezâret itmek pek ziyâde kesb-i sühûlet ideceğinden tevsi'-i tarîkin zâbita-i belediyyece dahi muhassenâtı bedîhi olub....."

²¹ James Scott, *Seeing Like a State : How Certain Schemes to Improve the Human Condition Have Failed*, (New Haven : Yale University Press, 1998), p. 5

show us the “governmentality”²² of the modern state.²³ As a result, in many cities in Europe and the Ottoman Empire in the nineteenth century, “authoritarian modernizing schemes”²⁴ were applied to create an organized and visible city. We can detail modern urban regulations in the nineteenth century as follows:

The study to design cities according to a geometric plan, one of the main goals of the modern state, began in the eighteenth century and continued towards the middle of the nineteenth century.²⁵ It could easily be viewed in the re-building of many European cities. After the Industrial Revolution, while the cities²⁶ like London, Vienna and Paris were rapidly growing unplanned, urban services couldn’t keep up with this development.²⁷ After the Industrial Revolution, the slum areas which developed because of intense migration from the country to the cities caused epidemics. Also, during this period, in addition to the increasing population as a result of the development of trade and industry, other huge problems to be solved came about. These were the lack of new roads, transportation systems and infrastructure. So, in the middle of the nineteenth century, these three cities were subjected to a comprehensive urban plan including commercial, economic plans and meeting the needs of the military. With the new, wide roads and modern

²² Michel Foucault, “Governmentality,” in *The Foucault Effect: Studies in Governmentality*, ed. Graham Burchell, Colin Gordon and Peter Miller (Chicago: The University of Chicago Press: 1991), pp. 87-104

²³ Cengiz Kırılı, “Kahvehaneler Ve Hafiyeler: 19. Yüzyıl Ortalarında Osmanlı’da Sosyal Kontrol,” in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu, (Ankara: Phoenix Yayınevi, 2006), p. 459

²⁴ James Scott, *Seeing Like a State : How Certain Schemes to Improve the Human Condition Have Failed*, p. 62

²⁵ Ibid., p. 4

²⁶ The reason for bending on especially these three cities is that: they were named as the cities that should be shown as examples of urban development by the ambassadors.

²⁷ Eric Hobsbawm, *The Age of Revolution 1789-1848*, (London: Abacus, 1995), pp. 248-249

infrastructure, and regular works in the avenues, well-designed, modern cities were attempted to be designed.²⁸

Particularly in the second half of the nineteenth century, many modernization schemes could be easily seen in many Ottoman and European cities. At this period, in addition to the new perception of city which occurred after the transformation in the mentality of government, a new concept emerged, that of the public. With the change in the understanding of government in the Ottoman Empire, the population as well as the city started to be perceived differently. From now on, the government began to perceive the people as a public, as political subjects.²⁹ For this reason, the government aimed for a more understandable public with such practises³⁰ as registration, economic-demographic census data and mapping.³¹

At this point, this leg of the transformation of the state of mentality as a symbol of the *Tanzîmât*,³² the population's being recognized as a legitimate political

²⁸ Leonardo Benevolo, *The Origins of Modern Town Planning*, trans. by Judith Landry, (Cambridge, Mass: M.I.T. Press, 1967) ; Sigfried Giedion, *Space, time and architecture: The growth of a New Tradition*, (Cambridge, MA: Harvard University Press, 1982) ; Donald J. Olsen, *The City As a Work of Art*, (New Haven: Yale University Press, 1986) ; Donald J. Olsen, *Town Planning in London: the Eighteenth & Nineteenth Centuries*, (New Haven: Yale University Press, 1964) ; Michael Wagenaar, "Conquest of the Center or Flight to the Suburbs? Divergent Metropolitan Strategies in Europe, 1850–1914," *Journal of Urban History*, 19:1 (1992:Nov), pp. 60-81 ; David Harvey, *Paris, Capital of Modernity*, (New York: Routledge, 2003) ; Carl E.Schorske, *Fin de Sicle Vienna, Politics and Culture*, (New York: Vintage Books, 1981).

²⁹ Cengiz Kırılı, *Sultan ve Kamuoyu: Osmanlı Modernleşme Sürecinde "Havadis Jurnalleri"(1840-1844)*, pp. 17-34

³⁰ It should be emphasized that these tools, apart from their use in the formation of the public were also used in the nineteenth century in the issue of personal property rights which is one of the most important features of the modern and centralized state formation, and in determining whether to implement various sanctions in those properties. So, it was aimed at eliminating local-private practices, the privileges and applications which varied according to groups, and replacing them with general social and economic rules organizing urban life. Alp Yücel Kaya and Yücel Terzibaşoğlu, "Tahrirden Kadastro'ya: 1874 İstanbul Emlak Tahriri ve Vergisi "Kadastro tabir olunur tahrir-i emlak," in *Tarih ve Toplum Yeni Yaklaşımlar*, no. 9, (Güz 2009), pp.8-9

³¹ Cengiz Kırılı, *Sultan ve Kamuoyu: Osmanlı Modernleşme Sürecinde "Havadis Jurnalleri"(1840-1844)*, p. 34

³² *Ibid.*, p.17

entity, was one of the most important features of the modern state. The modern state focused on knowing how to manage and to achieve this goal it needed for the “*legitimability*”³³ of the population. In the Ottoman Empire, people started to gain legalized political power with the regulations after the *Tanzîmât*. The public which was previously seen as *reâyâ*, now started to be regarded as a political power or subject with these political and legal arrangements. Now, the lives and the properties of people were not considered as a favor of the *Sultan*, instead they were protected by laws.³⁴ However, it should be also stressed that, with this transformation, the public came to be noticed and given some legal rights. On the other hand, as one of the most important features of the modern state, the lives of the individuals were being surveyed by modern administrative tools,³⁵ which created a two way process: It can be said that expropriation was one of the most important of these tools. This is because expropriations are the reflection and the practices of the perception of the new city and public. To create a regular city and intervene in the city dead-end streets were tried to be demolished by the government. Here, one thing also should be stated: on the one hand intervention of government to the property rights were protected by new regulations and laws, the property rights were taken under guarantee by laws. On the other hand with reconstructions and expropriations, intervention to the property rights and even giving damage to property rights were happening.

³³ James Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, p. 2

³⁴ İlber Ortaylı, *İmparatorluğun En Uzun Yüzyılı*, (İstanbul: İletişim Yayınları, 1999), p. 101

³⁵ Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet: Siyaset, İktidar ve Meşruiyet (1876-1914)*, (İstanbul: İletişim Yayınları, 2002), p. 19

As a result, the Ottoman government realized that, it had to first regulate the legal arrangements to regulate the city. Therefore, legal regulations in the Western style, which are the examples of modern urban laws, started to appear after 1840. After the legal transformation, the next step of the government was to realize the administrative transformation. In that way, it would be able to apply the modern city laws thanks to the Western style administrative institutions which met the needs of the city and to regulate the city in a modern style and rule it easily. The government first tried the legal and administrative city transformations in the capital, Istanbul. By providing the capital with the new legal and administrative plan, the government aimed to create a modern, beautiful, regularly parceled city.

While this thesis sets into context the process of urban development and modernization, that the capital witnessed, it also tries to look at other Ottoman cities' urban development from a comparative perspective. Accordingly, with respect to the urban development in other cities, a pattern appears: port cities like Salonica, Izmir, Beirut, and cities like Damascus and Aleppo involved in capitalism through international trade at the beginning of the nineteenth century. As a result, with the increase in trade, the native and foreign populations in these cities increased, too. So did the Western effect with developed transportation and communication tools. All of these enhancements resulted in the increase in the welfare level of the cities. So there appeared the bourgeoisie who wanted the city problems be solved. However, it is seen that modern urban development was realized in the cities especially after 1860 by the central government.³⁶

³⁶ According to many writers such as Beatrice Saint-Laurent, Mark Mazower, Meropi Anastassioudou, Jens Hannssen, the goal of the government in urban development of these cities was to solve the problems of the city and regulate them according to the modern and ideal Ottoman plan. Also, to increase the economical activities of the cities (especially the port cities that are important in international trade). The municipality founded in the lates 1860s, did some works like ruining the city

At this point, Istanbul, where Western style regulations, enacted after 1840, and Western style legal institutions were tried first, was pioneer to the other Ottoman cities. That's why the urban development process of Istanbul was realized by the central government from the end of the 1840s, without waiting for a request from the public. If we look at this modern urban development process and the reasons behind its application, it is inferred that in the second half of the nineteenth century, on the one hand Istanbul was dealing with fires, and on the other hand it needed a new transportation and infrastructure as a result of the increasing trade and population stemming from its integration into capitalism.

According to the government, the problems of the capital which needed to be solved immediately were summarized as: narrow, dead-end and disordered streets, and the fires that kept damaging the city for ages because of the wooden buildings.³⁷ Moreover, traditional Ottoman administrative institutions like the *kadılık*, *ihtisâb ağalığı*, or *mi'mârbaşılık*, were not only insufficient, but they were rendered obsolete with the force of the transformations of the 1840's.³⁸ It was understood that to save the capital from those problems, modern building schemes needed to be applied.

Actually, the Ottoman Empire got familiar with modern urban planning from the eighteenth century onwards when bureaucrats who were working as ambassadors in cities like Paris and Vienna wrote about the wide roads of these cities. Especially, Mustafa Reşit Pasha argued in his letter from London that the only way to solve the

walls, cleaning and port regulation. However, it is seen that, many cities couldn't have the geometric appearance and nice -wide roads until the ends of Abdulhamid's period.

³⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 159

³⁸ İlhan Tekeli, "19. Yüzyılda İstanbul Metropol Alanının Dönüşümü," in *Modernleşme Sürecinde Osmanlı Kentleri*, ed. Paul Dumont, François Georgeon, trans. Ali Berktay, (İstanbul: Tarih Vakfı Yurt Yayınları, 1999), p. 21

problem in the capital city was to apply the city order in the West.³⁹ According to him, as in the European cities, scientific approaches needed to be applied and road network needed to be in accordance with the rules of “*kavâid-i hendese*” (mathematical rules). In this way, the streets in the capital city which were like a maze would be regulated and as a consequence of this, besides providing easy transportation, the calamity of fire that the capital city had witnessed for centuries would also be stopped. In addition to this, according to Mustafa Reşit Pasha, who took the newspapers as a reference which said “*Are you spending so much money on this wooden building to make them burn?*” in the first stage to prevent the fires in the capital the building material should be *kârgîr* (masonry) not wood.⁴⁰

This thesis focuses on the expropriation activities, which are one of the most effective tools of applying the city regulation. In this thesis, mainly the roles of the expropriations in building the city, their relationships to the city, where and how they were applied, and how the public reacted to them are analyzed by stressing the fact that they were done for public interest.

In this thesis, expropriations are illustrated in regard of a city issue, state issue, and property issue. At the same time, expropriations are evaluated especially with legal and administrative regulations. In addition to this, in this thesis a general picture is exhibited while analyzing the urban development by checking expropriation examples, because a micro-scale study was not done. In the application process of expropriations what were the general problems are exemplified and suggestions are made. In this way, it is thought that this study would be an example

³⁹ Stefan Yerasimos, “Tanzimat’ın Kent Reformları Üzerine”, p.17

⁴⁰ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 49

for later studies. The thesis is mainly based on the resources of the archival sources and newspapers. So, while the relationship between the development plan and expropriation was being analyzed, the change in the government mentality after the *Tanzîmât*, and parallel to this, the transformation in the city along with legal, administrative systems are explained. While analyzing certain examples of expropriations, the relationship between the “public interest”, presented as the main goal of the expropriation practices, and the expropriation was one of the topics that are especially mentioned in the thesis.

Actually, the expropriations were not put into practice after the *Tanzîmât*. As far as it is understood from the documents, after the late 1700s, the expropriations were applied for different reasons. When looked at these expropriations, it is seen that they were not applied according to a procedure or rules. However, it is clear that the expropriations put into practice for the urban development plan after the regulations, were applied in a new concept of the modern state and public. With respect to this, the thesis tries to demonstrate that the expropriations are by no means new, but, the expropriations put into practice after the regulations are modern and new. So, it is underlined that there is a gap between the expropriations before and after the Expropriation Regulations.

To clarify, in the first Expropriation Regulation (*Menâfi’-i Umûmiyye İçin İştirâ’ Olunan Arâzî ve Emlâk Hakkında Nizâmname*) dated 1856, to enlarge the roads, to make new roads and build a railroad the expropriations could be seen in this light: the value of the property would be decided by the experts chosen by the municipality. Firstly, the owner’s approval would be taken. However, since the expropriations were for the “public interest” (*menâfi’-i umûmiyye*), it was

emphasized that the expropriations would be applied whether with the owner's approval or not.⁴¹ With the 1879 Expropriation Decree-Law (*Menâfi'-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname* or *Menâfi'-i Umûmiyye İçin İstimlâk Kanûnu*), it was emphasized that besides the works above, schools, hospitals, barracks and water sources would be expropriated too. Moreover, with this Decree-Law, the owners gained the right to go to the courts and to object to the prices of their expropriations.⁴²

However it should also be stated that it is possible to say that how the concept of public interest, which was in Expropriation Regulation at the beginning and then in Expropriation Decree-Law, was defined legally and perceived by the government is obscure. That is to say, "public interest" which was used to accomplish many public services as the main goal was not defined and its content was not obviously mentioned in regulations. In this thesis, answers for questions such as how the government used public interest in practice and how it was perceived are looked for by checking expropriation examples. Especially, the public interest concept and its relationship with modern expropriations are discussed in chapter four in detail, from the late 1850s and to the 1910s, by looking at where, how and by whom they were applied.

After legal dimension of expropriations, when property dimension analyzed, as far as understood from expropriation examples, most of the expropriated

⁴¹ BOA. İ. MMS. 7 / 256, 4 B. 1272 (11 March 1856), *Menâfi'-i Umûmiyye İçin İştirâ' Olunan Arâzi ve Emlâk Hakkında Nizâmnâme*

⁴² BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879), *Menâfi'-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi'-i Umumiyye İçin İstimlâk Kanûnu)*

properties were the property of waqfs. In 1867 with Imperial Decree (*İrâde*), the property type of that time could be explained in this way;

.....in the past endowing a property to a waqf was under strict control of the state. For that reason waqf property was too few whereas private property was too many. But later, there was almost no state supervision and some for charity, some for bequeathing land to their descendants left property to the waqfs. In short, since there is no place for private property in *Der-saâdet*, everybody has to possess waqf land....⁴³

It was often stressed in the documents that “*Istanbul, built like chess, which resembles to the newly constructed cities in the world.*”⁴⁴ If we try to understand what this sentence means, it is seen that: between 1853 and 1870, during Haussman’s rule, Paris had a very structured building plan and very intense expropriations.⁴⁵

Whatever was done in Paris to achieve this development was tried to be done in Istanbul, too.⁴⁶ In both cities, it was stressed that the expropriations were being done

⁴³ BOA. İ. MMS. 34 / 1417 , 5 S. 1284 (8 June 1867): “...bir mülki vakf demek devletce birçok takayyüdât altında olmasıyla herkes dilediği yeri vakf iylemeğe muktedir olmayarak bu cihetle emlâk-ı vakfiyye pek az olub birçok emlâk-ı sırf dahi mevcûd olmasıyla herkes ya şerâit-i mevzû'a ve ma'lûmesiyle vakf yeri tasarruf iylemekde veyahud bu sûret işine gelmez ise mülk-i sırf bulub temellük itmekde min-cihetihi muhtâr iken sonraları nasılsa bu takayyüdât zâil olduğundan ba'zısı sahihan niyet-i hayriyye ve ba'zısı dahi evlâd ve ensâbına irâd yapmak gibi menfaat-i zâtîyye üzerine rast geldiği yeri vakf idüb ale-l- husûs *Der-saâdet*'de mülk-i sırf olan yer hiç kalmadığı cihetle herkes hâh ve nâ- hâh vakf yere mutasarrıf olmak mecbûriyetinde olub”

⁴⁴ BOA. İ.DH., 572 / 39882, 20 Za. 1284 (14 March 1868): “.....en yeni tanzîm olunan memleketlere şebîh olmak üzere şatrancvari ve pek münkasım olarak....”

⁴⁵ For a detailed urban transformation of Paris in the nineteenth century see: David Harvey, *Paris, Capital of Modernity*, (New York: Routledge, 2003) ; Matthew Gandy, “The Paris Sewers and the Rationalization of Urban Space”, *Transactions of the Institute of British Geographers, New Series*, 24, no. 1 (1999), pp. 23–44; David H. Pinkney, “Money and Politics in the Rebuilding of Paris, 1860 - 1870,” *The Journal of Economic History*, 17, no. 1, (Mar., 1957), pp. 45-61 ; Shelly Rice, *Parisian Views*, (Cambridge, Mass: M.I.T. Press, 1997) ; Howard Saalman, *Haussmann : Paris transformed*, (New York: G. Braziller, 1971) ; Peets Elbert, “Famous Town Planners : Haussmann ,” *The Town Planning Review*, 12, no. 4, (Dec., 1927), pp. 249-259

⁴⁶ It should be also stressed that, apart from Istanbul also in Salonica, Bursa and Cairo some regulations were done by taking the Haussmannization activities (geometric and wide streets) as example. At first sight, in these cities, especially during the building of new transportation system,

for public interest by the government. In both cities there was established a special institution apart from the municipality to apply the expropriations. And in both cities, money was borrowed from the banks and bankers for the expensive expropriations. In both cities, the prices of the properties that were expropriated changed according to the districts. The prices of the properties where there is railway were much more expensive.⁴⁷

While preparing the thesis, some problems were encountered. The first and the biggest problem was that, there wasn't a secondary source about the expropriations in the capital. Actually, the sources about the urban development process in the capital were too few. The most important works are Zeynep Çelik's *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century* and Steven Rosenthal's *The Politics of Dependency: Urban Reform in Istanbul*. Also, Stefan Yerasimos's "Tanzimat'ın Kent Reformları Üzerine", Pierre Pinon's "Parceled City: Istanbul in the Nineteenth Century", İlhan Tekeli's "19.Yüzyılda İstanbul Metropol Alanının Dönüşümü" and Steven Rosenthal's "Foreigners and Municipal Reform in Istanbul: 1855-1865" articles gave enough information about the urban development of the capital in detail. However, these resources had nothing about the expropriations. That's why the thesis was prepared by relying on mostly

widening the roads, we think of about expropriation immediately. Also, about whether the expropriation was applied in these cities or not, we only saw that some houses and some graves in Bursa were expropriated to make new roads. Moreover, it was seen that, in Bursa there were property owners' harsh objections to the expropriations in Bursa. Especially, the government faced with intense objections about the expropriations of the graves.

⁴⁷ However some main differences between the two cities should be mentioned: the first one is that while the expropriations in Paris were being realized on the individual property, the expropriations in Istanbul were being realized nearly only on waqfs property. Another difference is: for building and expropriations in Paris a general cadastral survey was done, however, in Istanbul maps were prepared one by one for expropriations procedures.

Şûrâ-yı Devlet, Dâhiliye Nezâreti, Sadâret, İrâde, Yıldız, Meclis-i Vükelâ Mazbataları, Bâb-ı âli Evrâk Odası, Evkâf Defterleri, Hatt-ı Hümâyûn and Cevdet catalogs in the Ottoman archives.

Another problem was that it was stated in the Street and Building Regulation (*Turûk ve Ebniye Nizâmnâmesi*) and Expropriation Decree-Law (*Menâf'î-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karâr-nâme* or *Menâfi'-i Umûmiyye İçin İstimlâk Kanûnu*) that every expropriation would be executed after the maps were drawn, but very few maps were accessed. Moreover, in some documents, it was unclear whether a law that planned to be enacted was enacted or not, or whether it was put into practice or not. For example, this problem is very clear in the study of the decision to expropriate the mortgaged properties after 1880. It is very difficult to follow and decide whether those new decisions were legal or not.

This thesis consists of five chapters. The second chapter of the thesis is about the administrative and legal part of the expropriations of the capital in the second half of the nineteenth century. To realize the modern building and expropriations process, the first thing to be done by the government was to publish the Building and Expropriation Regulations (1848-1882) which were the examples of European style regulations. In this chapter, first, these regulations is explained one by one. Then, it is discussed how they regulate the building and expropriations. Western type institutions such as Istanbul Municipality (*Şehremâneti*), Sixth District Administration (*Altıncı Dâire-i Belediyye*), Commission for the Regulation of the City (*İntizâm-ı Şehir Komisyonu*) and Commission for Road Improvement (*İslâh-ı Turûk Komisyonu*), were found by the administration to implement the reconstruction and

expropriations whose legal frame was constituted from the end of 1840. In the other parts of the chapter, foundation of these modern institutions, their role in achieving the expropriation and reconstruction activities, their plans are also examined.

In the third chapter, the fires that took place in the capital city and their relation with the expropriations are analyzed. In the process of reconstruction of the capital city, the role of the three big fires in Aksaray, HocaPaşa (this fire is called as the biggest fire that the capital city witnessed), and Beyoğlu were very important. These three big fires provided government with an opportunity for a geometrical city layout with reconstruction and expropriations in the burned areas. The role of the fires in the expropriation process is examined in this chapter in a detailed way, and questions such as: what the role of these fires was, what the reactions of the property owners towards the expropriations were, how the reconstruction and expropriation issues were implemented, found possible answers in this chapter.

In chapter four, the concept of “public interest” stated in Expropriation Regulations-Decree Law and its relation to the expropriation activities are examined and the public interest concept is clarified. However, briefly the expropriations applied before the 1856 Expropriation Regulation are examined for a better understanding of both the concept of “public interest” and its relation with the expropriation done after the regulations. Why and by whom the expropriations were done before the Regulations are analyzed. Thus, the breaking point between the expropriations done for “public interest” and the former ones is explored by this comparison. As stated in the Expropriation Regulation, the expropriations were going to be done for “public interest” such as extending the roads, constructing new roads, railways. The first expropriation for “public interest” was applied in Karaköy:

the properties in Karaköy were expropriated for widening the roads. When we come to the 1870s, the expropriations continued for widening the roads, for laying new transportation networks, and for constructing new infrastructural projects. In addition to this, with the Expropriation Decree-Law of 1879, expropriations were applied for constructing new schools, hospitals, and barracks. However, especially during the reign of Abdulhamit II, the number of expropriations and their reasons were increased, some expropriations were tried to be used for other purposes besides its main purpose. In this framework, from 1858 to 1910s, by taking the two Expropriation Regulations and the concept of “public interest” into consideration, the relation between the expropriation and “public interest”, and the transformation in expropriations are analyzed.

In the fifth chapter, the economic and social aspects of expropriations and the urban actors’ interests are examined. Value determination of the properties composes first part of the economic side. The price of the properties which would be expropriated were decided by commissions consisting of officials from Sublime Porte (*Bâb-ı âlî*), the Ministry of Commerce (*Ticâret Nezâreti*) (employment officials from Land Registry (*Defter-i Hâkanî*) was determined instead of Commercial Ministry after the mid of 1870s), and the municipality (*Belediyye*). In this chapter, initially, the issues such as how the value of the properties was decided, according to what they were decided and examining them according to the districts are discussed. Afterwards, in the light of questions such as how the sources were found for expropriations that necessitate big amounts of money and what the role of banks and bankers the monetary dimension of the expropriations was evaluated. The second part of this chapter is about the social aspect of expropriations. How the properties of foreign people were expropriated, and in which places the process occurred are

examined. As the last point, the objections, the petitions against expropriation are analyzed in the light of the newspapers of the time.

In the conclusion part, modern urban development, expropriations, and the concept of public interest are contextualized considering the changes emerging in the nineteenth century. Regarding the contributions of all the actors involved in the process (banks, bankers, corporations, property owners, foreigners), an assessment is done in the framework of these questions: What extent did the capital reach to the chesslike city plan aimed by proponents of *Tanzîmât*? How did the government perceive and use the concept of public interest in the process of expropriation and reconstruction? How did the property owners understand public interest, urban development and expropriation? Did all the districts of the capital benefit from reconstruction in the same amount or was there a difference in the reconstruction among them other districts? By the help of answering these questions, a much clearer understanding of the framework of reconstruction and urban development that the capital witnessed in the nineteenth century emerges.

CHAPTER 2

THE LEGAL AND INSTITUTIONAL FRAMEWORK OF URBAN DEVELOPMENT IN ISTANBUL IN THE NINETEENTH CENTURY

In this chapter, the legal and institutional infrastructure established for the application of expropriations and reconstruction of Istanbul will be analyzed. After the proclamation of the *Tanzîmât* Edict, the government wanted to re-arrange the city. The government realized that in order to accomplish this goal, legal regulations needed to be made primarily by following the Western style urbanism models. To this end, the Building and Expropriation Regulations that determined how modern city planning would be made as of 1840 were published. By first analyzing seven regulations published from 1848 to 1882, this chapter examines how they regulated the urban development and expropriations. In the second part of the chapter, the formation process of Western style administrative institutions that the government developed for applying new city regulations, and the role they played in the urban development will be discussed in detail.

The Legal Framework of Urban Development in Istanbul in the Nineteenth Century

For regulating urban planning and construction activities, seven legal regulations were issued between 1848 and 1882. All these legal regulations were prepared for two important applications for turning the capital city into a modern city. One of

them is setting expropriation for a wider and more organized street system, and the other one is encouraging the usage of *kârgîr* instead of wood in the construction of the houses to take precautions against fire. In fact, about the new urban planning, it is important to mention the *Moltke plan* which was accepted before the first Building Regulation (*Ebniye Nizâmnâmesi*) in 1848 and after the *Tanzîmât* Edict in 1839, because in this project Helmuth von Moltke⁴⁸ first drew a city plan and a city map, and prepared a renovation project. Moltke attracted attention to the application of *kavâid-i hendese* (mathematical rules) to make the city converge the wide and straight streets as Mustafa Reşit Pasha stated earlier.⁴⁹ The roads in Istanbul would be as follows: main arteries were to have a width of 15.20 meters. All other roads would be 11.50 meters, 9.00 meters or 7.60 meters according to their importance and location, and dead-end streets would be opened up.⁵⁰ With the *Moltke plan*, besides opening wide and uninterrupted roads for easier transportation, for the purpose of preventing fires the usage of wood was going to be eliminated and the usage of *kargir* was going to be increased gradually.⁵¹ For Zeynep Çelik, Moltke was recommending practical solutions for the problems of Istanbul, which were getting worse day by day. However the major defect of this plan was the lack of a main artery in the north and south axis.⁵² According to İlhan Tekeli, the mentality of the regulation of 1839 finally could get a legal framework in 1848 with the acceptance of

⁴⁸ Moltke summarizes the physical condition of Istanbul which he visited in 1836 with these key words in his letters: Wooden houses, wild fires, and narrow streets. Helmuth von Moltke, *Türkiye Mektupları*, trans. by Kemal Vehbi Gül, (İstanbul: Varlık Yayınevi, 1967), pp. 77-78

⁴⁹ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City*, p. 51

⁵⁰ *Ibid.*, p. 106

⁵¹ *Ibid.*, p. 105

⁵² *Ibid.*, p. 106

the Building Regulation.⁵³ Although the *Moltke plan*⁵⁴ was not applied, the basic principles and themes of the regulations were based on Moltke's plan and Mustafa Reşit Pasha's claims about separating the streets into different categories.⁵⁵

With the Building Regulation (*Ebniye Nizâmnâmesi*) (1848) which was about the planning and construction of the capital city, for organizing street networks and enhancing communication, the streets were categorized according to their width.⁵⁶ According to this regulation which had 30 articles, in the construction of new buildings, the streets would be expanded as follows: the width of big streets would be 10 *zirâ'*,⁵⁷ the width of medium streets would be 8 *zirâ'* and the width of the rest of the streets would never be less than 6 *zirâ'*. The dead-end streets would be opened up if possible.⁵⁸ Therefore, it can be said that the Building Regulation brought main principles of Western type of street planning which aimed at situating the new buildings a little back and making the streets wider. The regulation included an important decision which would be a base for future regulations: the area for

⁵³ İlhan Tekeli, "19. Yüzyılda İstanbul Metropol Alanının Dönüşümü," p. 24

⁵⁴ Here the pretentious projects that were suggested but not implemented during Abdülhamid II period, after the *Moltke plan*, should be mentioned. The first one is Arnodin's project which proposed connecting Asian-European sides with a bridge. The aim was to provide railway connection between the two continents. But this project could not be implemented due to financial matters. The other project was the one the Parisian architect Bouvard was made to prepare in order to embellish the capital. With this plan, the city would be designed again considering beauty principles. According to this project, four regions (the Hippodrome, Beyazıt Square, Galata Bridge and Valide Sultan Square) would be planned in the capital. But this project could not be implemented, either. Finally, it is seen that to have an image of an orderly and new European city was the basic aim of all three projects. Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, pp. 107-111

⁵⁵ *Ibid.*, p. 50

⁵⁶ *Ibid.*, p. 51

⁵⁷ A measurement unit corresponding to 68,6 cms. *İslâm Ansiklopedisi: İslâm âlemi coğrafya, etnografya ve biyografya lûgati*, (İstanbul: Maarif Matbaası, 1940-1988), vol. 13, p. 575

⁵⁸ "1848 Ebniye Nizâmnâmesi," article 1, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediye*, (İstanbul: İ.B.B. Yayınları, 1995), vol. 2, p.1037

expanding the roads would be taken equally from the buildings on both sides of the road.

By law, the buildings in burnt areas (*kârgîr*) needed to be retracted to be added to the road. If the retraction was not abided by the property owner, building repairs wouldn't be allowed. Such buildings would be bought by the government with its true value for the public interest and the owner would be bound to sell them.⁵⁹ In the burnt area, when a building met with the corner of two streets, it is obliged by law to leave some land for the nearby street, apart from the area that it leaves to the main street. Moreover, if the property owner wants to sell the house because of drawbacks such as land of the house that coincides with the coin is little and it gives some land away to the main and the nearby street, and also because the owner would not be able to make use of it anymore, in the case of absence of a customer to buy it, the land would be sold to the neighbors.⁶⁰ With this regulation, the problem of how the roads would be extended and how the burnt areas would be re-regulated were settled and constructions ordered. Accordingly, except for the state buildings all wooden buildings should be no more than 22 *zirâ'*, and *kârgîr* buildings should be 30 *zirâ'* at most. Construction permit would be given only after government officers measure the height.⁶¹ Moreover, in order to prevent the formation of new suburbs which is an important problem of the capital city, no new *bekar odaları* would be constructed.⁶² Namely, this regulation was a starting point

⁵⁹ "Ebniye Nizâmnâmesi" (1848), article 4, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p.1032

⁶⁰ "Ebniye Nizâmnâmesi" (1848), article 8, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p.1033

⁶¹ "Ebniye Nizâmnâmesi" (1848), article 10, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyye*, vol. 2, p.1034

for new expropriation of the future for the purpose of opening new and wide roads. According to İlhan Tekeli, the application of the 1848 Building Regulation was more successful than the Moltke plan, as this regulation was more effective in opening new areas for construction and reconstruction of the places turned into ruin by fires.⁶³

For the urban development and reconstruction of the capital city in the modern sense, it can be said that declaration of the Expropriation Regulation (*Menâfi'-i Umûmiyye İçin İştirâ'⁶⁴ Olunan Arâzî ve Emlâk Hakkında Nizâmnâme*) in 1856 was the biggest and the most important step. That was because the Ottomans passed this law in order to get an estimate and buy properties for the construction of railways, river passes and new roads necessary for public interest.⁶⁵ The properties that were necessary for railway construction or new roads for public interest, they were measured by authorized officers from the Ministry of Commerce, Sublime Porte (*Bâb-ı âlî*), the Council of *Şehremâneti* and if the property that is necessary for railway construction or new roads for public interest was the property of waqfs, it was measured both by the authorized by officers and also officers from the Ministry of Pious Endowments (*Evkâf-ı Hümayûn*). Essential properties would be bought by paying the actual worth in accordance with their location.⁶⁶ After paying the actual price of the essential properties, even if the owner did not consent, as the properties had a public interest, the cost of the property would be paid to the owner regardless

⁶² “Ebniye Nizâmnâmesi” (1848), article 29, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyeye*, vol. 2, p.1036

⁶³ İlhan Tekeli, “19. Yüzyılda İstanbul Metropol Alanının Dönüşümü,” pp. 24-25

⁶⁴ Instead of the concept *istimlâk* words like *mübâyaa*, *iştirâ'* used which means buying. Towards the end of 1880, the word *istimlâk* had become common.

⁶⁵ BOA. İ. MMS. 7 / 256, 4 B. 1272 (11 March 1856), *Menâfi'-i Umûmiyye İçin İştirâ' Olunan Arâzî ve Emlâk Hakkında Nizâmnâme*

⁶⁶ BOA. İ. MMS. 7 / 256, 4 B. 1272 (11 March 1856), *Menâfi'-i Umûmiyye İçin İştirâ' Olunan Arâzî ve Emlâk Hakkında Nizâmnâme*

of the owner's wish.⁶⁷ However, the owner's property rights would be kept until after the price of the property has been paid to the owner. In addition, with these legal arrangements all the sacred places were excluded from expropriation but the lands which were related to the sacred places were included to the expropriation. This legal arrangement which completed the 1848 Building Regulation the mechanism or ruled on how to apply these expropriation about construction of new roads and expanding the narrow ones was decided. This law also made it possible to prepare a compelling legal framework to have a geometric city design for the *Tanzîmât* ruling elite; and just like in Europe, experts would determine expropriation activities for "public interest".

After this regulation, keeping the reconstruction activities and completing the deficit parts of 1848 Building Regulation, in the 1858, Regulation on Streets (*Sokaklara Dair Nizâmnâme*) that brought together the previous principles was declared. With this regulation, the streets of Beyoğlu and Galata neighborhood would be constructed in good order, and it was decided that all roads would be reconstructed and widened according to the criteria in Building Regulation and pavements would be added.⁶⁸ After this regulation, Street and Building Regulation (*Turûk ve Ebniye Nizâmnâmesi*) which was prepared in 1863 became binding for all the cities in the country. This regulation included new concepts and detailed articles about the urban development plans and expropriations in the capital city. The street pattern that had separated three previous categories introduced two additional categories. The width of the streets without giving trouble to the traffic would be

⁶⁷ BOA. İ. MMS. 7 / 256, 4 B. 1272 (11 March 1856), *Menâfi'-i Umûmiyye İçin İştirâ' Olunan Arâzî ve Emlâk Hakkında Nizâmnâme*

⁶⁸ "Sokaklara Dair Nizâmnâme" (1858), article 1, *Düstûr*, 1st ser., vol. 2, (Ankara: Başbakanlık Basımevi, 1872), p. 478

designed like this : the minimum width of the first class streets would be 15 *zirâ'*, second, third, fourth class streets would be at least 12 *zirâ'*, 10 *zirâ'* and 8 *zirâ'* respectively and the width of dead-end streets would be 6 *zirâ'*.⁶⁹ In order to have streets as large as wanted, the places on both sides of the road would be reorganized. With the purpose of achieving that plan, equal halves of land would be taken from both sides of the road. The law says that one half of land should be taken from the side with buildings. The other half would be taken after the construction of buildings on the other side, such lands would be given up by owners for free (*meccânen*).⁷⁰ The area that should be left to make the roads wider and the parcels would be recalculated. Also, according to the rules in the regulation, every street had a plate that shows how many *zirâ'*s the streets should be.⁷¹

When streets were to be reconstructed or extended on areas with or without buildings on them, maps would be drawn by the government. These maps would be declared to property owners on those streets. If they had any objections to the maps, it is stated that they should do so in fifteen days.⁷² To those who are bound to leave more land so as to keep roads in a line, the government would pay a compensation for this extra land while roads are constructed. On the other hand, by law, those who keep land that they should have left for the road had to pay the price of these areas back to the government.⁷³ It is clear that while the government paid compensation in some places to extend roads in an order, sometimes property owners had to pay compensations to the government for the extra lands that they keep. When the

⁶⁹ “Turûk ve Ebniye Nizâmnâmesi” (1863), article 1, *Düstûr*, 1st ser., vol. 2, p. 499

⁷⁰ “Turûk ve Ebniye Nizâmnâmesi” (1863), article 3, *Düstûr*, 1st ser., vol. 2, p. 499

⁷¹ “Turûk ve Ebniye Nizâmnâmesi” (1863), articles 1 and 5, *Düstûr*, 1st ser., vol. 2, pp. 499-501

⁷² “Turûk ve Ebniye Nizâmnâmesi” (1863), article 8, *Düstûr*, 1st ser., vol. 2, pp. 501-502

⁷³ “Turûk ve Ebniye Nizâmnâmesi” (1863), article 5, *Düstûr*, 1st ser., vol. 2, pp. 500-501

properties were expropriated, their prices were decided by the two *muhammins* (value assessor) one of them was selected by the government and the other one was by the owner of the property respectively.⁷⁴

Moreover, with this regulation, how the burnt areas would be allocated was also decided. First, a map of the burnt places would be drawn and then the condition of the land before and after the fire would be determined. The allotment of burnt places would be in the form of rectangles or squares as much as possible.⁷⁵ In addition to this, the shapes of all the rearranged plots would be square or rectangle. By doing this, the geometry that Mustafa Reşit Pasha aimed at would be achieved and legalized.⁷⁶ Furthermore, there had been novelties about the places opened for settlement: all the new buildings needed to be appropriate for the criteria as decided by law. For example, when an individual or a company intended to raise a building on a wasteland, the project that they had to present to the approval of the government needed to be beneficial for the public. In this light, it can be said by looking at these amendments, after 1840s the new expropriation and arrangements that were aimed to be done for the public interest were in compliance with the one witnessed in Europe.⁷⁷

It was the Expropriation Decree-Law (*Menâfi '-i Umûmiyye İçin İştirâ'* *Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname* or *Menâfi '-i*

⁷⁴ “Turûk ve Ebniye Nizâmnâmesi” (1863), article 7, *Düstûr*, 1st ser., vol. 2, p. 501

⁷⁵ “Turûk ve Ebniye Nizâmnâmesi” (1863), article 12, *Düstûr*, 1st ser., vol. 2, pp. 502-503

⁷⁶ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 51

⁷⁷ *Ibid.*, p. 51. For example in French Law the public interest were superior to the individual interests when the government made expropriations.

Umûmiyye İçin İstimlâk Kanûnu)⁷⁸ in 1879 that started a new stage in this area.

Because of the insufficiency of Expropriation Regulation, according to the principle stated in *Kanûn-ı Esâsî*, it was determined that instead of this law, new expropriation rules which were rearranged according to the needs of the age would be admitted.

According to the decree-law which was a reflection of the previous one, new expropriations could be applied like this: besides street arrangements and constructions, the places which were planned to be used for the public interest would be increased and it was decided that new squares, bazaars, malls would be opened, new wharfs, hospitals, barracks, and schools could be built after the prices of the properties paid to the owners.⁷⁹

In the capital city, all the expropriation works would be executed by *Şûrâ-yı Devlet* and the maps and plans of the properties which were assigned to be used for public interest would be prepared in the first stage.⁸⁰ Afterwards, the prices of the properties would be decided by three certified *muhammins* who were assigned by municipality councils, four officials from members of municipality council, one officials each from *Bâb-ı âlî*, *Evkâf-ı Hümayûn*, and *Defter-i Hâkanî* were brought together to estimate the actual prices of the properties. The experts around the properties would control the estimated prices whether they were correct and report them to the municipality council.⁸¹ Without paying the determined value of the

⁷⁸ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879), *Menâfi'-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi'-i Umûmiyye İçin İstimlâk Kanûnu)*

⁷⁹ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879), *Menâfi'-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi'-i Umûmiyye İçin İstimlâk Kanûnu)*, article 1

⁸⁰ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879), *Menâfi'-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi'-i Umûmiyye İçin İstimlâk Kanûnu)*, article 5

properties to the owners, the process of expropriation would not be achieved, property rights would not be invalid.⁸² In addition to this, with this decree-law a very important decision that concerns the property owners was made regarding expropriations that were for the public interest: the maps of expropriation areas that carried the name of the owners and the prices of the properties, would be hung on the doors of municipality buildings for eight days, and would also be published in the local newspapers.⁸³ The property owners had the right to appeal to the expropriation both in written or oral form within these period.⁸⁴ The municipality council would evaluate these objections in eight days and would declare the final decision. At the end, the procedure of purchase could be completed after the owners accepted the expropriation price. The owners who were against the prices decided in expropriation could go to court and sue.⁸⁵ If the last decision was to expropriate the property in this case if the owner still rejected the price, then the money would be transferred to the Ottoman Bank and the property would be expropriated in this way.⁸⁶

⁸¹ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879) , *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , articles 6, 7

⁸² BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879) , *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , article 3

⁸³ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879) , *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , article 8

⁸⁴ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879) , *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , article 10

⁸⁵ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879) , *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , article 11

⁸⁶ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879), *Menâfi '-i Umûmiyye İçin İştirâ' Olunacak Emlâkın Mübâyaa ve Muâmelesi Hakkında Olan Karârname (Menâfi '-i Umûmiyye İçin İstimlâk Kanûnu)* , article 32

According to Zeynep Çelik, the 1848 and 1863 regulations which only took into consideration easy transportation did not care about the problems of the streets very much, and the height of the buildings made from *kârgîr* was allowed to be more than those made from wood.⁸⁷ The needs raised led to the announcement of the 1882 Building Law (*Ebniye Kanûnu*).⁸⁸ In this regulation, the height of buildings were decided to be proportional to the width of the streets, but the most important novelty that this regulation brought was put in force about the issue of reconstruction of the burned buildings. If at least ten houses went to ruin in these areas, the areas would be accepted as field (*tarla*), and these places would be divided up into plots by drawing new maps according to the Field Rule (*Tarla Kaidesi*). This regulation enabled the government to take one fourth of the land from the owners without paying any price.⁸⁹

Building and Expropriation Regulations included decisions about the order of the streets of the capital city and construction techniques and activities that aim to eliminate danger of fires. With 1848 Building Regulation, the advantages of *kârgîr* construction techniques were being described, the buildings made from *kârgîr* were categorized as full and semi-*kârgîr*.⁹⁰ Initially, it was decided that all the buildings in the capital city would be made completely from *kârgîr*, however, according to later decisions, if the cost of the building was less than 500 *kese* of *akçe*, they were allowed to make the building from wood on condition that they had *kârgîr* walls

⁸⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 51

⁸⁸ Ibid.

⁸⁹ “Ebniye Kanûnu” (1882), article 22, Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediye*, vol. 4, p. 1720. İlhan Tekeli, “19. Yüzyılda İstanbul Metropol Alanının Dönüşümü,” pp. 24-25

⁹⁰ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 52

around the building, because it was noted that, “*all people could not afford to build their constructions from kârgîr.*”⁹¹

In 1864 with the decision of government, it was an obligation to construct the buildings from *kârgîr*, people were allowed to build from wood if their financial situation is not good enough. To prevent spreading of fires, it was decided to build walls between the wooden buildings.⁹² With the 1875 Regulation on Construction Methods in Istanbul (*İstanbul ve Bilâd-ı Selâse’de Yapılacak Ebniyenin Sûret-i İnşâîyesine Dâir Nizâmnâme*), the centre of the capital was seperated into two parts as main (*kısm-ı evvel*) and secondary (*kısm-ı sâni*)⁹³, which was not stated in any previous regulations. In the main regions, it was definitely forbidden to construct buildings from wood, in the secondary regions such as Tatavla, Kasımpaşa, Adalar, Kadıköy, Boğaziçi on condition that had to construct *kârgîr* walls around the wooden buildings, they were allowed. The main regions decided on were the east part of Istanbul peninsula to Unkapanı, Zeyrek, Aksaray, Şişli, Bayezid and the coastline that included Azabkapısı, Balmumcu, Ortaköy.⁹⁴ By doing this, the buildings which would be constructed around *Der-saâdet* and *Bilâd-ı Selâse*’s important regions would be totally made from *kârgîr*.⁹⁵ The aim was to minimise the danger of fires in

⁹¹ “... herkes hanesini kârgîr yapmağa muktedir olmayacağı cihetle buna icbâr olunamayacağı misüllü....” “Ebniye Nizâmnâmesi” (1848), *zeyl*, Osman Nuri Ergin, *Mecelle-i Umûr-i Belediyye*, vol. 2, p.1043

⁹² Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 52

⁹³ BOA. İ. MMS. 51 / 2231, 14 R. 1292 (20 May 1875)

⁹⁴ BOA. ŞD. 687 / 2, 1295. L. 8 (5 October 1878), *mukaddime* and article 1

⁹⁵ BOA. ŞD. 687 / 2, 1295. L. 8 (5 October 1878)

the regions that were densely populated and to protect important sites in the capital city by making *kârgîr* construction compulsory.⁹⁶

As a consequence, the purposes of the Regulations after *Tanzîmât* were to have a modern capital city which had straight and large streets and buildings constructed from *kârgîr*.⁹⁷ For this purpose, initially legal regulations were made by the government. From 1848 to 1882 many legal regulations that served the purpose of a desired modern city plan were announced succesively and each new regulation resolved the missing parts of the previous regulations. Expropriations were the most important aid to the government in the process of modernization of the capital city by making the streets larger because, it made it possible for the government to demolish unwanted buildings to have modern city planning. It should also be stressed here that while opening new roads and applying the regulations, the big fires in the capital city made the work of government easier.

The Administrative and Institutional Framework of Urban Development in Istanbul in the Nineteenth Century

For applying these legal regulations that were necessary for the formation of modern capital city, new institutions were required. On the other side of the coin, there was an institutional and administrative framework. These steps were the basis of modern municipalities, subsequently, foundations like Comission for Road Improvement

⁹⁶ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 52

⁹⁷ *Ibid.*, p. 52

(*İslâh-ı Turûk Komisyonu*) and the Commission for the Regulation of the City (*İntizâm-ı Şehir Komisyonu*) were founded and rearranged. To understand the urban development activities in the capital city, it is necessary to know what the new institutions were and how they were worked.

The administrative arrangements of the capital which went on parallel to the regulations after the declaration of the *Tanzîmât*, was first started after the Crimean War in 1854 with the making up the new governmental municipality of the *Şhremâneti*.⁹⁸ The reasons of the foundation of the *Şhremâneti* were the problems of the capital, such as health, security, nourishment and most importantly the infrastructure problems like narrow roads or insufficient hospitals. Those problems became more evident with the huge migrations and the war equipments after the Crimean War. In addition to those problems, the English and French governments whose numbers increased after the war, wanted regular city services from the government, which was another problem.⁹⁹ Since it was understood that the old institutions could not find solutions to those problems anymore, on 16 August 1854 the *Şhremâneti* which was the translation of the French model ‘*prefecture de la ville*’, was founded with a notification published in *Takvîm i Vakayi*’ to deal with the governmental services of the capital and to modernize Istanbul.¹⁰⁰ So, an important step was achieved in the regulation of the capital government.¹⁰¹ Supreme Council of Judicial Ordinances (*Meclis-i Vâlâ*), prepared the duties and status of this institution

⁹⁸ İlhan Tekeli, “19. Yüzyılda İstanbul Metropol Alanının Dönüşüm,” p. 21

⁹⁹ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 44

¹⁰⁰ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri 1840-1880*, p. 133

¹⁰¹ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 44

with the 15 June regulations.¹⁰² The city council was supposed to prepare regulations drafts and present them to the *Meclis-i Tanzîmât* (Council of the Tanzimat), to regulate the governmental works such as road and sidewalks construction and cleaning services. *Şehremîni* was also authorized to apply the rules set by the council.¹⁰³

But in 1855, the City Council was unsuccessful in realizing the city reform. The main cause of this failure was the fact that the City Council which composed of inhabitants and members of the *Lonca* lacked information about the governmental issues.¹⁰⁴ According to Steven Rosenthal, the most important reason of the failure of *Şehramâneti* was that no foreigner was assigned to the *Şehremâneti* which was in Western style in fact.¹⁰⁵ Another reason was that, *Şehremâneti* had insufficient income which led to a poor budget. The only income of the city government was a tax taken from the horses and cars and the rest of the income was met by the central government.¹⁰⁶ Each year, 2000 *kese* of gold was given by the Treasury (*Hazîne*) to the *Şehremâneti* for the construction and restoration of the sidewalks.¹⁰⁷ As a result, because of all these reasons, the City Council couldn't succeed to realize the very much desired city reform.¹⁰⁸

¹⁰² İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri 1840-1880*, p. 133

¹⁰³ Zafer Toprak, "Şehremaneti", in *Dünden Bugüne İstanbul Ansiklopedisi*, (Ankara: Kültür Bakanlığı; İstanbul: Tarih Vakfı, 1993-1995), vol. 7, p. 148

¹⁰⁴ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 44

¹⁰⁵ Steven Rosenthal, "Foreigners and Municipal Reform in Istanbul: 1855-1865," *International Journal of Middle East Studies*, 11, no: 2 (Apr. 1980), p. 231

¹⁰⁶ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 44

¹⁰⁷ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, p. 137

¹⁰⁸ *Ibid.*, p. 139

In 1855 in May, after this failure, *Bâb-ı âlî* wanted to apply a more effective program and founded the *İntizâm-ı Şehir Komisyonu*,¹⁰⁹ whose head was Muhlis Emin Efendi, a member of the *Meclis-i Vâlâ*. In the commission there were also Ottoman subjects who spoke a foreign language, both Muslim and non-Muslim people who knew foreign countries and foreigners who lived in Istanbul with their families. In the commission, there were mostly merchants families.¹¹⁰ In this Commission it was emphasized that, Istanbul needed to be cleaned, improved and its roads enlarged, its streets illuminated.¹¹¹ The City Commission, which was similar to the ones in European cities, was given some duties such as: cleaning of the streets, enlargement of the streets, constructions of the sidewalks, and lighting.¹¹² The main contribution of this commission was to produce new rules regulating the services and networks of the roads. One of the first suggestions of the commission was to enlarge the roads in Üsküdar and the shore going from Tophane to Ortaköy.¹¹³ In the spring of 1856, the commission put lamps on the Pera Avenue and brought regular garbage collection system.¹¹⁴ This commission which was “*composed of cosmopolitan and important people*¹¹⁵ *was soon transferred to Ticâret Nezâreti.*”¹¹⁶ There, the commission kept up its studies and prepared the draft of the regulation suggesting to

¹⁰⁹ İlhan Tekeli, “19. Yüzyılda İstanbul Metropol Alanının Dönüşümü,” p. 21

¹¹⁰ Steven Rosenthal, “Foreigners and Municipal Reform in Istanbul: 1855-1865,” p. 231. İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, p. 140

¹¹¹ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 44

¹¹² Steven Rosenthal, “Foreigners and Municipal Reform in Istanbul: 1855-1865,” p. 232

¹¹³ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, pp. 44-45

¹¹⁴ Steven Rosenthal, “Foreigners and Municipal Reform in Istanbul: 1855-1865,” p. 232

¹¹⁵ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, p. 140

¹¹⁶ BOA. İ. DH. 379 / 25057, 16 L. 1273 (9 June 1857)

divide the capital into fourteen districts, before dispersing.¹¹⁷ In late 1857, the commission handed in its resignation.¹¹⁸ According to Steven Rosenthal, even though this commission had the same duties with the *Şehremâneti*, it was a new step in *Bâb-ı âlî*'s municipal reforms. This Commission was the opposite of the *Şehremâneti*, as it was made of rich merchants who know Europe very well.¹¹⁹

Immediately after this resignation, in the official newspaper, *Takvîm-i Vakayi*', a report was published in 1857. In this report, it was announced that, for the continuation of the urban development reforms of the government, the Sixth District including Pera, Galata and Tophane was constructed and was chosen a pilot area for the reforms. In this area, the issues such as regulation and care of the streets, sewer system would be regulated as suitable to European styles. It was hoped that this experience in the Sixth District will also show themselves for the other thirteen areas.¹²⁰ The selection of Galata district as pilot was explained in *Takvîm-i Vakayi*' in its report dated 1857 like that: ... *since there are the most valuable properties in it, and also those living in these area have also seen elsewhere and so know the value of the reforms, the program will be first applied in the Sixth District.*"¹²¹ A council consisting of a head assigned by *Sadr-ı a'zam* (Grand vezir) and seven members assigned by the government would manage the Sixth District. To be chosen a member of this council the candidates were expected to have at least 100,000 *kuruş* worth of property and live in Istanbul for at least ten years. The main difference

¹¹⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 45

¹¹⁸ Steven Rosenthal, "Foreigners and Municipal Reform in Istanbul: 1855-1865," p. 232

¹¹⁹ *Ibid.*, p. 233

¹²⁰ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, pp. 143-144

¹²¹ *Ibid.*, p. 143

between the previous councils and this council was the nature of the membership. For the first time, the foreigners participated actively in the capital's administration since they had the investments. This was because the Sixth District Administration intended projects would exceed the financial possibilities of the government, and borrowing from the foreigners couldn't be ignored.¹²² The first duty of Sixth District Administration was the cadastral survey of the Galata–Beyoğlu district.¹²³ Some of the other achievements of the Sixth District Administration were, the illumination of the streets by gas, laying of sewer systems, garbage collecting services and the cleaning of streets.¹²⁴ Also, two parks were created in Taksim and Muslim cemeteries here were moved out of the city, to Şişli.¹²⁵ In addition to the processes mentioned above in 1858, the Sixth District Administration decided to expropriate some properties located between Galata Bridge and Karaköy, which was an important decision. Here, one of the most important business areas of the Sixth District consisted of wharf and warehouses. Although it was one of the most crowded and busy places of Galata, its streets were too narrow.¹²⁶ According to Zeynep Çelik, the new municipality regulations were mostly in favor of the upper-classes in the Sixth District. Greek, Turkish and Armenian people living in the back streets of Kasımpaşa, Tatavla and Pangaltı did not benefit from these regulations. However, the Sixth District Administration, which was the beginning of the process

¹²² Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 45. İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, p. 145

¹²³ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 45

¹²⁴ Steven Rosenthal, "Foreigners and Municipal Reform in Istanbul: 1855-1865," p. 237

¹²⁵ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 46

¹²⁶ Steven Rosenthal, "Foreigners and Municipal Reform in Istanbul: 1855-1865," p. 236

which changed the traditional establishments into the Westernized ones,¹²⁷ was a model for the all subsequent city plannings and designs.¹²⁸

In 1866, after the Hocapaşa Fire, the government established the *Islâh-ı Turûk Komisyonu*, which was different from all the previous municipal institutions and councils. This commission was fundamentally set up to regulate the areas which burnt down as a consequence of Hocapaşa Fire and afterwards Samatya-Balat fires according to *Tarla Kaidesi* fast and easily. This was because the divisions of so many properties could not be done quickly. That was because there were mosques and kargir buildings which couldn't be torn down on the location of streets to be newly built or widened. Relocating the houses which were on the formerly narrow streets that were widened later on was quite difficult since finding precious locations similar to the prior ones was quite hard. This difficulty made the division of the plots almost impossible and caused a delay in this process.¹²⁹ As a result, a solution began to be sought as it would not be possible to leave the most famous areas of *Der-saâdet* in that condition. Due to the incessant chaos, engineers and officers were all put under the supervision of Hafız Ahmet Bey from the *Topçu Miralays* to divide plots and improve the roads. There were still conflicts between officers and property owners

¹²⁷ Ibid., p. 227

¹²⁸ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 47

¹²⁹ BOA. İ.DH. 572 / 39882, 20 Za.1284 (14 March 1868): “İşbu arsaların daha çabuk bir zamanda sahiblerine virilmesi arzu olunmuş ise de dâire-i harîkin beş milyon zirâ'a bâliğ olan vüs'atı iktizâ'sınca harîtalarının tanzîmi ve bunca emlâkın taksîmi emr-i müşkilinin serî'an itmâmı kabil olamamıştır. Farazâ hâlî bir arâzî üzerinde müceddeden bu cesâmetde bir memleket te'sîs ve binâ' idilmek lazım gelse bir gûne mevânî'-i mevki'iyyeye tesâdüf olunmayarak hemân sokakları istenildiği gibi açmak ve hâneler arsalarını kararlaştırmak buna nisbetle emr-i esheldir. Hâl-bu-ki dâhil-i memleketde böyle münâsebetsiz birtakım sokakların islâhıyla müceddeden açılacak yolların istikametleri hedmi kabil olmayan cevâmi'-i şerîfe ve metîn ve kârgîr ebniyeye tesâdüf itmemesine imkân bulunarak ana göre harîtalarının tanzîm idilmesi ve zaten yolları dar olan mahallâtda ne kadar hâne var ise sokaklar tevsî' olunduktan sonra yine birbirilerinden baîd düşmemek üzere kendü mahallerine sığıdırılmasına çare bulunması ve fi-l-asl köşebaşında ve nezâretli mevki'de bulunan hânelerin yine öyle şerefli yerlere yerleşdirilmesi misüllü zuhûr iden müşkilât arsaların irâ'esini bi't-tab' te'hîr itmiştir.”

anyhow. Nonetheless, while all burnt places were regulated and new allotments were made, the conflicts between officers and property holders could not be prevented. According to the pronouncement of the government, the main reason for the conflict between officers and property holders in these burnt areas was that some properties had to be moved during allotments and that some officers were disqualified for this job.¹³⁰ All of these problems led to the foundation of the Commission which was expected to solve the problems and regulate the burnt areas immediately and easily according to *Tarla Kaidesi*. Though the first duty of this commission was to re-arrange burnt areas, later on, the aim became regulating all the areas in the capital that needed regulation. The commission was not temporary, but permanent.¹³¹ The Commission for the Improvement of Roads (I.T.K.) was formed on 3 May 1866 under the presidency of Keçecizade Fuat Pasha¹³² its aim was to configure the areas burnt during Hocapaşa and all other fires in the capital in accordance with *Tarla Kaidesi*, form pavements and roads in highway style gradually and even widen streets which were not burnt.¹³³ In order to inform residents thoroughly, the formation of *İslâh-ı Turûk Komisyonu* was announced via the newspaper *Takvîm-i Vakayi'* and also in other newspapers. A total of 4,975,000 *kuruş* were offered to the commission in

¹³⁰ BOA. İ. MVL. 571 / 25660, 27 Z. 1283 (2 May 1867)

¹³¹ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868): “...*himmet-i bülend-mertebet-i hazret-i cihân-bânî semere-i celilesiyle nice nice me'âsir-i nâfi'a-i asrıyye resîde-i sâha-i zuhûr olageldiği misillü letâfet-i mütenevvi'a-i tabî'iyye ve muhasenât-ı mevki'iyye ile âlemde misli nâdîde İstanbul gibi bir güzel beldenin layık olduğu tanzîmât ve tezyînâtı esbâbı dahi sâye-i müceddid-vâye-i cenâb-ı şehr-yârda istihsâl olunmak için İslâh-ı Turûk Komisyonu'nun me'mûriyeti yalnız harîk mahallerin tesviyesine münhasır olmayub memleketin sâir mevki'leri dahi reftre reftre tânzîm ve islâh olunmak ve sokakların kaldırımları hüsn-i sûretle yapıdırılmak üzere komisyonun dâ'imi sarf-ı mesâ'î iylemesi....”*

¹³² Beşir Ayvazoğlu, *Bir Caddenin Hikayesi: Divanyolu*, (İstanbul: Ötüken, 2003), p. 73

¹³³ BOA. İ.MVL. 584 / 26258, 23 L. 1284 (17 February 1868)

order to design plots, roads and pavements located in some parts of Hocapaşa, Divanyolu, Demirkapı and Kumkapı.¹³⁴

Thus, although the ruined areas had priority, the *Islâh-ı Turûk Komisyonu* was responsible for all the modern planning actions in the capital. A total of 4,504,251 *kuruş* were used for the re-construction of the burned areas with wide roads and *kârgîr* buildings and to establish the infrastructure, and for the purchases needed for these operations.¹³⁵ Obviously, the committee granted most of the money for constructing new and wide roads and for the purchases needed for these roads. In the end, the commission has a profit of 4 load 70,749 *kuruş*. According to the guidance, government engineers designed a master plan which divides the streets in Hocapaşa into five classes in accordance with the 1863 Street and Building Regulation. 449,919 *zirâ*' of streets that were newly built in Hocapaşa, Demirkapı and Kumkapı were divided into 5 types according to their sizes¹³⁶: first category 25 *zirâ*' for each, second category 20 *zirâ*' for each, average avenues 15 *zirâ*' for each and some of them 10 *zirâ*' for each and side streets 8 *zirâ*' for each. They were widened for these amount. It was suggested that Divanyolu which was the main artery and the secondary arteries which were Aziziye, Mahmudiye, Kumkapı, and Nuruosmaniye Avenues.¹³⁷ In order to reduce the transportation costs, the roads on strategic points were given priority.¹³⁸ Especially some of the streets around Hocapaşa and Cağaloğlu were not completely smoothed. There were some

¹³⁴ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

¹³⁵ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

¹³⁶ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

¹³⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 57

¹³⁸ Ibid.

mosques and *kârgîr* buildings which could not be destroyed on the locations of new roads and hills made it impossible to build new roads.¹³⁹ Before wrecking the Mustafa Ağa *Medresesi* and two small mosques, Hamidiye Avenue was designed. The infrastructure construction was carried out in parallel with the road construction. 2660 meters of sewage was constructed under Mahmudiye and Kumkapı Streets.¹⁴⁰

According to Zeynep Çelik, this commission reported its above operations with the reports in 1866, 1868 and 1869: it is seen that the committee's success in solving the problems in burned areas led to the decision for realizing bigger projects. In a sense, the whole city was a practice field of the *Islâh-ı Turûk Komisyonu*. The committee wanted to bring the monuments into foreground for opening their vicinities. According to Zeynep Çelik, this idea was borrowed from Haussmann. With this decision, the houses around Çemberlitaş, the buildings around Firuzağa Mosque, and the Köprülü *Külliyesi* (Complex) and Atik Ali Paşa *Medresesi* and *Külliyesi* were wrecked. In the last *Islâh-ı Turûk Komisyonu* report which was written by Şehremîni Server Pasha the completed projects were presented and the future plans were stated in the map. The most important project among the suggestions was the one in which the articles about arrangements of the road starting from Dolmabahçe Mosque to Kabataş, and from Tophane to Austria Embassy were written. This route was very important because first impression of the foreign visitors that come to capital city would be shaped by this route. The efforts to leave a positive impact on the Western people can be noticed clearly in the last regulation

¹³⁹ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

¹⁴⁰ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, pp. 57-58

about the urban planning. When we compare it with the previous two reports, it is seen that they did not care much about this issue.¹⁴¹

Finally, it can be seen by looking at the decisions of the commission, between 1866 and 1869 was the most intense period of urban development.¹⁴² The extent of the projects that *Islâh-ı Turûk Komisyonu* had completed had never been seen before in the history of the Empire.¹⁴³ The front parts of Ayasofya, Beyazıt Square, Azapkapı-Karaköy Avenue, opening of the Beyazıt-Aksaray tramway, the arrangements in Sultanhamam and Bahçekapı were achieved by this commission. One of the most assertive projects was to destroy the Walls of Galata in 1866.¹⁴⁴ By doing this, the Yenikapı Avenue, Şişhane Street, Büyük Hendek Street, Boğazkesen Avenue, and the Yorgancılar Avenue between Karaköy and Azapkapı were expanded; the Galata Avenue that connects Karaköy and Tophane made Galata a place that has a rich road network.¹⁴⁵ However, the historian Lütfi Efendi criticizes the *Islâh-ı Turûk Komisyonu* projects in that way: “

...whether the width of the roads was suitable for our country after paying so much money for these regulations or not? It had been nearly 30 years and these constructions could not be completed, we fed up with the dust in summer and the mud in winter.¹⁴⁶

¹⁴¹ Ibid., pp. 58-62

¹⁴² Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 63

¹⁴³ Ibid., p. 58

¹⁴⁴ İlhan Tekeli, “19. Yüzyılda İstanbul Metropol Alanının Dönüşümü,” p. 26

¹⁴⁵ BOA. İ. MVL. 584 / 26275, 28 L. 1284 (22 February 1868) : According to the notes of the government, the main purpose of collapsing the walls was to find financial support which would be obtained by selling the debris of the 40,000 *zirâ*’ walls that would be 4000-5000 *kese of akçe* for the municipality.

¹⁴⁶ “.....acaba bu kadar para sarfiyla o açılan sokakların vüs’atleri bizim memleketimize göre münâsib miydi? Otuz seneye yaklaştı, hâlâ o vâsi yerlerin inşâları tekmil olamadığı delil-i müdde’adır. Yazın tozdan, kışın çamurdan hâlî olmuyor.” Ahmet Lütfi Efendi, *Vak’a-nüvis Ahmed Lütfi Efendi Tarihi*, ed. Münir Aktepe, (Ankara: Türk Tarih Kurumu Basımevi, 1988), vol : X, p. 146

On the other hand, in 1868, the government executed the 1856 plan again and decided that the municipality administration would cover the whole city and for this purpose Dersaadet Municipality Regulation (*Der-saâdet İdâre-i Belediyye Nizâmnâmesi*)¹⁴⁷ was issued and the capital city was separated into fourteen districts again.¹⁴⁸ With this regulation, the former *Şehremâneti* was reregulated, and Server Pasha was appointed as the head of the new organization. New municipality bureaus to be set up would be the branch of *Şehremâneti* as opposed to the Sixth District Administration. The foundation of the new *Şehremâneti* was in 1870. Construction jobs of the city were taken from the Ministry of Public Works (*Nâfia Nezâreti*) and were given to *Şehremâneti*. Moreover, property tax were left to *Şehremâneti*. However, *Şehremâneti* could not set up fourteen bureaus and those which could were founded had inadequate staff. According to İlber Ortaylı, *Şehremâneti* had neither enough budget nor the staff for the construction work.¹⁴⁹ But, as stated above, the initiation of operating foundation of a new municipality organization with fourteen bureaus for the capital may be seen as an important part of administrative and legal transformation.¹⁵⁰ The aim in the partition of the capital into fourteen municipal bureaus with this new regulation was to order and embellish the city upon taking

¹⁴⁷ “Der-saâdet İdâre-i Belediyye Nizâmnâmesi”, article 1, *Düstûr*, 1st ser., vol. 2, p. 450

¹⁴⁸ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 47

¹⁴⁹ İlber Ortaylı, *Tanzimat Devrinde Osmanlı Mahalli İdareleri*, pp. 157-158

¹⁵⁰ Alp Yücel Kaya and Yücel Terzibaşoğlu, “Tahrirden Kadastro’ya: 1874 İstanbul Emlak Tahriri ve Vergisi “Kadastro tabir olunur tahrir-i emlak,” p. 30

construction activities under strict control, the arrangement of roads, and construction of sewage.¹⁵¹

However, it was difficult to spread the reforms to the entire city: municipalities could be founded only in Adalar and Tarabya except Galata. Later, to implement the city reforms, according to the decision taken by *Osmanlı Mebusân Meclisi* in 1877 *Der-saâdet* Municipal Law (*Der-saâdet Belediyeye Kanûnu*) the regions of municipalities were reduced and with the addition of new ones the number of municipalities reached twenty districts.¹⁵² This decision was not realistic; the only possible explanation of this decision may be that the capital city had the same number of municipalities as in Paris.¹⁵³ Again, with this law as in the regulation in 1868, it was the responsibility of the municipality to run building activities, do road-pavement constructions and manage the expropriation works about the road expanding for the public interest.¹⁵⁴ The municipality reform in the capital city did not succeed even after the separation of the city into twenty districts, because while the separation process was being done, the population, substructure of the regions, and the integrity in the district were not taken into consideration. At the end, the number of districts were reduced to ten districts after the new regulation in 1878, and the borders of the districts were broadened. However, the municipality system did not work well again, it was not completed because of Russian War.¹⁵⁵ In 1877 *Salnâmesi* (yearbook), except the centre of *Şehremâneti*, the other municipality

¹⁵¹ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 39

¹⁵² “Der-saadet Belediyeye Kanûnu”, article 2, *Düstûr*, 1st ser., vol. 4, pp. 520-523

¹⁵³ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 40

¹⁵⁴ “Der-saadet Belediyeye Kanûnu”, articles 3 and 8, *Düstûr*, 1st ser., vol. 4, pp. 523-526

¹⁵⁵ İlber Ortaylı, Vahdettin Engin, Erhan Afyoncu, *Payitaht-ı Zemin: Eminönü Bir Dünya Başkenti*, (İstanbul: Kitap Rafi, 2008), p. 125

districts were: Sixth District, Tarabya, Kadıköy, Beykoz and Yeniköy.¹⁵⁶ During the Second Constitutional Monarchy, the election was done, and in 1910 the city separated into nine municipalities and a director (*müdü*) was assigned. As the capital city was province (*vilâyet*), the control of the city and the responsibilities of the governor were given to *Şehremîni*. In addition to this between 1912 and 1914 some roads were expanded, parks were constructed, and the first scientific map of the capital city was prepared.¹⁵⁷

Consequently, it is seen that the government tried to base the modern reconstruction and expropriation activities that it wanted to apply in the capital on legal ground with regulations which were issued as of 1848 and specified how they would be implemented. Then, it was clearly stated that the government would base expropriations made to expand roads, allotment of burnt areas again, determination of construction rules, and opening the areas where reconstruction was not allowed to settlement, in essence all new urban development activities on these new laws. While expropriations were carried out, it was emphasized that, especially when for “public interest”, the operation would be made with the consent of the landowner and after the preparation of maps. All of these can be said to be the reflections of modernity. To what degree these decisions have been put into practice will be evaluated through expropriation cases in the following chapters.

It can be stated that the administrative framework that is applied as the second stage of the process of urban development could not be generated as easily and fast as legislations. The administrative mechanism, that is the government trying to generate new institutions as the practitioners of new Regulations, is observed to

¹⁵⁶ Ibid., p. 127

¹⁵⁷ Ibid.

make many trials. By and large, while the government tried hard to set up modern administrative institutions in the capital and in its counties, due to such reasons as the scarcity of employees who were acknowledged about modern municipality tasks and scarcity of economic resources, they can be claimed to be unsuccessful in doing this. However, for example, *Islâh-ı Turûk Komisyonu* can be stated as an exception in this sense. That is because the aim in its foundation was to expand roads in burnt areas first and then in others, and to carry out expropriations for that. The fact that large amounts of money was allocated to this institution so that it could carry out these operations played the leading role in its ability to make a lot of regulations in a short period. It is seen that in the name of urban development, new organizations performed such municipal affairs as establishment of sewage systems, construction of pavements, illumination of roads, and garbage collection in the important central and commercial districts of the capital successfully. Especially, the Sixth District Administration carried out important expropriation operations and expanded many important roads around Galata, apart from conducting municipality affairs efficiently. However, the *Islâh-ı Turûk Komisyonu* can be said to have played the leading role in constructing new roads in burnt areas and in others, expansion of streets, and making necessary expropriations for these between 1866 and 1869. It is noticed that after the removal of the *Islâh-ı Turûk Komisyonu*, the operations of reconstruction and expropriation, and especially the construction of a modern transport system, in the capital city were carried out by *Şehremâneti*.

CHAPTER 3

FIRES AND EXPROPRIATIONS

In this chapter, the roles and consequences of three great fires, namely Aksaray, HocaPaşa, and Beyoğlu Fires will be analyzed comparatively in relation to the expropriations that were carried out in the second half of the nineteenth century with the aim of creating a geometrical city. That is to say, it will be examined in detail how the government applied expropriations while parceling and arranging these burnt areas after these three big fires, which destroyed central parts and important districts of the capital city. How property owners viewed expropriations and new reconstruction plans while burnt areas are rearranged will also be analyzed. Thus, the relationship between fires and expropriations is the subject of this chapter.

Three Big Fires in Istanbul in the Nineteenth Century and Their Role in Expropriations

Great fires had devastating effects in the history of the imperial capital.¹⁵⁸ In an *İrâde* from the second half of the nineteenth century, the fires that troubled the capital city for many years were described as follows:

¹⁵⁸ For a detailed chronologic list of the fires that occurred in Istanbul from the foundation period to the beginning of 20th century, see: Mustafa Cezar, *Osmanlı Başkenti İstanbul*, (İstanbul: Erol Kerim Aksoy Kültür, Eğitim, Spor ve Sağlık Vakfı, 2002), pp. 354-445

It is not necessary to look back at past cases in order to understand the damage caused by fires. Just by considering the fires in the last fifty years, we can see that half of Istanbul burnt down, was reconstructed and cost immense amount to the city.¹⁵⁹

The most important factor in the start of fires was undoubtedly the fact that housing in the city was completely made of wood.¹⁶⁰ Many edicts were issued in the capital to prevent these devastating fires from the sixteenth century onwards. In 1572, in a decree sent to the *kadı* of Istanbul, it is stated that: “From now on, balconies and bay windows and conservatories protruding to the street are banned to prevent fires. Also every household needs to keep a big barrel of water.”¹⁶¹

So far, we can see that the state issued a lot of edicts to prevent the start and spread of fires in the capital¹⁶² and it was thought that with palliative measures fires could be kept at bay. Despite all these edicts and decrees, fires increased in number instead of decreasing. Between 857-1269 (1453–1852), 109 fires broke out including the Great Cibali Fire of 1633 in Istanbul ve Galata, while between 1270–1324 (1853–1906), a total of 229 fires broke out including the Great Hocapaşa and Beyoğlu Fires.¹⁶³ The striking case here is the fact that the capital became a place where fires destroying a large area of the city were frequently seen. It should be

¹⁵⁹ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868): “*Bu yangın belâsının mazarratını bilmek için eski târihleri aramak lâzım gelmeyüb yalnız bir elli seneden berü vuku’ bulan harîkeler pîş-i nazara alınsa şu zaman içinde İstanbul’un yarısı yanub yeniden yapılmış ve bunlar için hesâbsız mallar telef olmuş olduğu meydandadır.*”

¹⁶⁰ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 50

¹⁶¹ Ahmed Refik Altınay, *Hicri Onikinci Asırda İstanbul Hayatı*, (İstanbul: Enderun Kitabevi, 1988), pp. 60-61

¹⁶² *Ibid.*, pp. 21-45

¹⁶³ Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyeye*, vol. 3, pp. 1185 - 1238

remembered that the increase in the population and construction density had an immense effect on the increase in fires.¹⁶⁴

What should be underlined is that before the 1840s, the areas which were burnt down were built in their original forms. However, the state started seeking for a radical solution in order to prevent those fires after 1840s and by uniting with the attempts of modernization, those solutions provided a new insight for the design of the city. Thus, each new area which was burnt down became a stage on which the state tested new styles passionately.¹⁶⁵ In this way, large fires that occurred in the capital became the major factor affecting the shaping of the city in the modern sense, the change of the city's pattern¹⁶⁶ and the application of expropriations. This is because after the fires in the second half of the nineteenth century, plots started to be designed according to new parcelling system and also streets were designed in accordance with more regular plan.¹⁶⁷ Especially three important fires reshaped Istanbul, and had a key role in expropriation activities: The 1855 Aksaray Fire, the 1865 Hocapaşa Fire and the 1870 Beyoğlu Fire.

¹⁶⁴ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 52

¹⁶⁵ Ibid, p. 53

¹⁶⁶ Ibid.

¹⁶⁷ Pierre Pinon, "The Parceled City: Istanbul in the Nineteenth Century", *Rethinking XIXth Century City*. Attilio Petruccioli (ed). Cambridge, Massachusetts: The Aga Khan Program for Islamic Architecture. 1998, Conference proceedings. p. 48

The Aksaray Fire of 1855

The Fire in September 1855¹⁶⁸ which occurred six months before the announcement of the first Expropriation Regulation in March 1856 provided a chance for the first expropriation activity in modern sense. As the huge fire which occurred in Aksaray in September 1855 destroyed a large number of buildings¹⁶⁹ there on account of the narrowness of roads; some arrangements were decided to be made in order to reshape the destroyed area, widen the present roads and construct new roads in line with the new style (*usûl-i cedide*) that was strongly supported by Mustafa Reşid Pasha and all other reformers. The first thing was to assign two officers from *Evkâf-ı Hümâyûn Teftîş Mahkemesi*, *Meclis-i Vâlâ* and *Ticâret Nezâreti* to form commissions made up of two officers. Those officers would inspect the area from two sections and begin the restructuring of the damaged area.¹⁷⁰

Moreover, the Italian engineer Istorari, who was a member of the *Ebniye Meclisi* was commissioned to prepare a map in order to build the new roads in the same direction and calculate the amount of area of the houses and shops to be left to roads. Actually, three maps of that area were prepared.¹⁷¹ According to the government, the first one of these three maps foresaw the construction of the burnt area in the former fashion.¹⁷² However, according to the government, Aksaray was

¹⁶⁸ BOA. İ. MMS. 6 / 195, 11 M. 1272 (23 September 1855) (See appendix A)

¹⁶⁹ Ahmet Lütî Efendi, *Vak'a-nüvis Ahmed Lütî Efendi Tarihi*, vol. IX, p. 131

¹⁷⁰ BOA. İ. MMS. 6 / 195, 11 M. 1272 (23 September 1855)

¹⁷¹ But we cannot see these maps of Aksaray Fire in the documents.

¹⁷² BOA. İ. MMS. 6 / 195, 11 M. 1272 (23 September 1855): “.....birinci numaralı harîta üzerine gidildiği halde muhterik olan mahallerin hâl-i sâbıkını ibka dimek olub hâl-bu-ki Der-sâadet'in

located in a central area of the capital and its total destruction by fire provided a chance for reformation. Rebuilding that area in its former style was not acceptable and the government required the total change of the Aksaray fire area and building it into an orderly area as indicated by the commands in maps no. 2 and no. 3.¹⁷³ In other words, according to the government, it was an opportunity for the application of a modern city design project by preparing the map of the burnt down area for the first time.¹⁷⁴ Even engineers from Paris were employed and put into the service of Istorari for the construction of the area in the new style.¹⁷⁵ A committee under the presidency of Istorari consisting İsmail Efendi from *Meclis-i Vâlâ* and Şakir Efendi from the *Nafia Meclisi*, was formed for the reformation of the burnt area.¹⁷⁶

Based on second and third maps, the borders of the burnt land that is to be arranged in the new style would be fairly measured and determined by one officer from the government of properties in mortmain, one from waqf administrators to whom the land was connected and one person among property owners. Thus, the property title deeds of all the plots were to be checked as all their borders were going to change. Moreover, a proportion of 2 % of the burnt areas that are named dead by the government would be left free of cost to new roads to be constructed under the name of *zayiât*.¹⁷⁷

bayağı merkezi makamında olan öyle memerr ve mu'teber bir mahallin bütün bütün yanmış ve ıslâhına imkân gelmiş iken yine eski fenâ'lığının ibkasını zihinler bir vechile tevcîz idemeyeceğinden ikinci ve üçüncü numero vaz' olunan harîtaların ahkâmınca bu mahallerin heyet-i sâbıkasının külliyyen tagyîr ve bir sûret-i muntazamaya idhâl olunması ez-her cihet müreccah olub”

¹⁷³ BOA. İ. MMS. 6 / 195, 11 M. 1272 (23 September 1855)

¹⁷⁴ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 45

¹⁷⁵ BOA. İ. DH. 362 / 23968. 10 R. 1273 (8 December 1856)

¹⁷⁶ BOA. İ. DH. 410 / 27159. 7 M. 1275 (17 August 1858)

The government ordered the burnt area of Aksaray to be rebuilt in line with the new style (*usûl-i cedide*); then what would be the cost of this process and how much would state treasury need to spend? According to the account book prepared by Istorari, who was the principal officer for the redesigning of the area, and Hacı Hafız Efendi ; the design of the burnt area would cost 321,283 *kuruş*. That amount included the construction of the sewage system, pedestrian way and waterways, as well as the expropriation and road construction costs. However, we are unable to find out precisely how much was allocated to expropriation. The cost of the redesign of the burnt area in Aksaray in line with the new style was too much for the government, thus the government required a lower cost for that new design. This decision was made due to the fact that only 3000 *kese akçe* could be given for the application and the rest of the cost was agreed to be paid bit by bit without giving a certain date.¹⁷⁸ If we would like to know what the property owners thought about the new design (*usûl-i cedide*), we can understand that they were not so positive about it from these statements of the government:

....some property owners without any sign of reason complain about this situation as they are not able to see the benefit that their plots' value will double or triple. As there is no doubt that they will thank for it, the construction of this area in line with the new style is the most useful and appropriate choice....¹⁷⁹

¹⁷⁷ The word “ *Zayiât* ” means damage and loss. It is the term that shows the ratio of expropriation that the government decided to carry out without payment anything. As some plots were burnt during fire and they lost value, the government made their owners to leave an amount of plot which was determined by the government. *Zayiât* which belongs to *Tarla Kaidesi* was first stated in *Ebniye Kanûnu* dated 1882. *Mecelle-i Umûr-ı Belediyye*, vol: 4, p. 1720

¹⁷⁸ BOA. İ. MMS. 8 / 314, 1273. S. 2 (2 October 1856)

¹⁷⁹ BOA. İ. MMS. 6 / 195, 1272. M. 11 (23 September 1855): “...*ashâb-ı menâzil ve dekâkinden bazı aklı ırmeyenlerin bunun kendülerince olacak fevâidini ve arsalarının kıymeti bu takrîb ile iki üç kat olacağını nazara-i evvelide göremeyerek bilâ-müceb biraz sızlanmaları melhûz ise de o ma'kulelerin dahi bi'l-âhire teşekkür ideceklerinde şübhe olmadığından mahall-i merkûmenin usûl-i cedideye tabîkan inşâ' itdirilmesi sûreti herhalde müstahsen görünerek....*”

It is seen that as for the government some property owners could not understand the benefits of “*the new arrangement tried to be implemented with justice.*”¹⁸⁰ Then why exactly did property owners take a dim view of and complain about the new arrangement? In fact, there is no clear evidence as to what lay behind the property owners’ negative attitude against the *usûl-i cedide*. That may have many causes. The most fundamental reason could be that property owners were obliged to leave 2 % of their burnt land to the roads to be newly constructed for free. But this should also be emphasized that although it was first announced by the government that 2 % of the burnt land would be abandoned to roads for free under the name of *zayiât*, later on the ratio of *zayiât* was seen to change between 6 % and 10 % in some places.¹⁸¹ The magnitude and location of the land can be said to be influential in determining *zayiât* rates. However, it should be mentioned that there is no data in the documents about how the value of properties which would be expropriated in Aksaray was decided, what the value of each property was exactly. Another important reason could be that since some streets would be completely destroyed while roads were constructed in accordance with the new regulation, properties on these streets would be located on a close street according to their positions. Therefore, since with such a regulation new lands on other streets are not given to them according to the location of old lands; property owners might have objected to the regulation. Moreover, apart from relocation of properties and free intakes, the root of the complaints can be claimed to be the fact that property owners did not like the measurement of lands and the determination process of property values.

¹⁸⁰ BOA. İ. MMS. 6 / 195, 1272. M. 11 (23 September 1855): “...*bu usûli inâyet-i hakkaniyyet vechiyle icrâ’ itmek...*”

¹⁸¹ BOA. İ. DH. 426 / 28211, 3 Ş. 1275 (8 March 1859)

Despite property owners negative attitudes, the decision for the start of the road construction in that area starting from Mecidiye Avenue was given in 1856, a year after the Aksaray Fire.¹⁸² Istorari¹⁸³ decided to build the street network of the burnt area in Aksaray in the following manner: the main artery Aksaray Avenue was to be 9.50 m wide, other streets were to be 7.60 m and 6 m wide.¹⁸⁴ So, one can note that streets in Aksaray were planned in accordance with the 1848 Building Regulation.¹⁸⁵ Moreover, the street widening works were first applied in this area and them were continued in the following years as it proved to be useful.¹⁸⁶

As a result, it is certain that in Aksaray fire place, Mecidiye and Aksaray Avenues were subjected to new regulations. As stated in documents, while new parcellations were made, free expropriations were applied between 2% and 10%. However, it cannot be traced from the documents how exactly these avenues were regulated and how exactly expropriations were carried out here. Moreover, it cannot be seen whether streets other than these were regulated and whether expropriations were implemented if any regulations were made.

After the Aksaray Fire in 1855, it is seen for the first time that, the arrangement of the burnt areas started only after the design of the map . The most interesting thing here is that the government started to expropriate the areas without

¹⁸² BOA. A. MKT. NZD. 200 / 24, 13 Ra. 1273 (11 November 1856)

¹⁸³ BOA. İ. DH. 430 / 28443, 24 N. 1275 (27 April 1859): Monsieur Istorari was even rewarded with a *Mecîdiyye Nişanı* fifth-class as he successfully prepare the maps which were the most important equipments for the design of burnt areas in Aksaray in line with the new style in 1859. For a detailed account of *Mecîdiyye Nişanı*, see Edhem Eldem, *İftihar ve İmtiyaz: Osmanlı Nişan ve Madalyaları Tarihi*, (İstanbul: Osmanlı Bankası Arşivi ve Araştırma Merkezi, 2004), pp. 176-215

¹⁸⁴ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century* , p.53

¹⁸⁵ İlhan Tekeli, “19. Yüzyılda Metropol Alanının Dönüşümü,” p. 25

¹⁸⁶ Ahmet Lütfi Efendi, *Vak'a-nüvis Ahmed Lütfi Efendi Tarihi*, vol. IX, p. 131

any payment under the reason of *zayiât* in order to build new roads apart from paying the cost of burnt areas while they were being redesigned in line with the new style.

It is noticed that after Aksaray Fire central government had an opportunity to apply the modern city plan and expropriations in this central district of the capital. After this fire the capital, for the first time in its history, drew a systematic map of a burnt area, and prepared and put a new city concept into practice.¹⁸⁷ While the modern city plan was applied, the idea of taking advantage of European employees, which was supported by Mustafa Reşit Pasha, was implemented with the appointment of engineer Istorari and other European engineers. It should be emphasized that while this fire caused an important district of the capital to be destroyed to a great extent, it provided the administration with the opportunity to carry out free expropriations with proportions changing from 2 % to 10 % while regulating burnt areas. While, in the rearrangement of these burnt areas, the regulations were made according to 1848 Building Regulation during the expansion of streets, the free expropriation application named *zayiât*, which was clearly determined by 1882 Building Law and *Tarla Kaidesi*, can be said to have been carried out without being based on laws.

¹⁸⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century* , p.53

The Hocapaşa Fire of 1865

Due to the wind, the fire which started on 30 July 1865 in Elvan quarter located in Hocapaşa spread into 5-10 branches. It burnt all the buildings around Hocapaşa, most of the districts in Cağaloğlu, Kadirga harbor and all the buildings on the avenue up to the Sultanahmet Square.¹⁸⁸ Thus, the biggest fire (*harîk-i kebîr*) which started in Hocapaşa also devastated Gedikpaşa and Sultanahmet and made many people homeless.¹⁸⁹ After Hocapaşa Fire, an area of 5,000,000 *zirâ'* was destroyed and made field. Thus, a big opportunity emerged for the government to reconstruct the capital in a distinctive way after the fire, which was the biggest wish of the government. After the big fire in Hocapaşa, the government sent four officers from *Ebniye İdâresi* and they decided to draw the map of the burnt area from Hocapaşa to Kumkapı. Two of these officers would start measuring from Hocapaşa and the other two officers would start from Kumkapı.¹⁹⁰ The headmen and *imâms* of the places to be surveyed, would be informed two days prior to the survey so that the owners of the plots would make preparations.¹⁹¹

Another action taken by the government was to facilitate the rebuilding of the properties of the citizens hit by the Hocapaşa Fire.¹⁹² The government was in

¹⁸⁸ *Takvîm-i Vakayi'*, no: 815, 27 Ra. 1282 (20 August 1865)

¹⁸⁹ Ahmet Lütî Efendi, *Vak'a-nüvis Ahmed Lütî Efendi Tarihi*, vol. IX, pp. 145-146

¹⁹⁰ *Tasvîr-i Efkâr*, no: 331, 28 R. 1282 (20 September 1865)

¹⁹¹ *Tasvîr-i Efkâr*, no: 334, 7 Ca. 1282 (28 September 1865)

¹⁹² *Takvîm-i Vakayi'*, no: 824, 22 B. 1282 (11 December 1865): Aid Committee (*Yardım Komisyonu*) was founded in order to heal the damage faced by the unfortunate people. In *Sadâret Dâiresi in Bab-ı âlî*, a committee headed by the foreign affairs minister Ali Pasha and consisting of *Zabtiye Müşîri* Mehmet Pasha and other important government officials, would collect *akçe* for the fire victims, record and then announce it in newspapers. First the *Sultan* donated 2000 *kese* into the aid box. Then

favor of the idea that using *kârgîr* for buildings was the most essential factor for increasing the civilization level and preventing fires.¹⁹³ Firstly a committee consisting of the *Ebniye Müdüri*, *Zabtiye Müşîri* and several building officers was assembled. It was decided that all of the plans of constructing wooden buildings would be cancelled and all the buildings would be made of *kârgîr*. However, brick was necessary for buildings made of *kârgîr*. As the construction of *kârgîr* buildings would cost higher because of the use of bricks, the price of bricks had to be decreased. The quantity of bricks that the capital would need annually was calculated to be 15 million *kuruş*. The government would provide wood needed for brick quarries for 10 *kuruş* per kilogram. In doing so, they aimed to decrease the price which was 200 *kuruş* for standard 1000 pieces of brick and to make it 100-110 *kuruş*, “*the price in Europe as well.*”¹⁹⁴ However, as there were not big brick factories “*like those in Europe*”, it was not possible to make so many bricks in a short time.¹⁹⁵ So, the price of 1000 bricks was set at 140 *kuruş*, and residents would buy them at this price.¹⁹⁶ “*The government had to sacrifice 140,000 kuruş annually, and this was not such a big amount (şey-i kalîl) for them.*”¹⁹⁷ That burden was also going

80,000 *kuruş* was donated by prime minister, 75,000 *kuruş* was donated by the foreign affairs minister and many other government officials donated substantially for the victims of the fire. In the end, 429.452 *kuruş* were collected thanks to the donations of the Armenian patriarchate, foreign merchants, embassy officers, companies and the citizens of Sivas and Cyprus.

¹⁹² BOA. İMMS. 31 / 1287, 3 Ş. 1282 (22 December 1865)

¹⁹³ BOA. İMMS. 31 / 1287, 3 Ş. 1282 (22 December 1865)

¹⁹⁴ BOA. İMMS. 31 / 1287, 3 Ş. 1282 (22 December 1865): “*Avrupa gibi burda tuğlanın bin adedi yüz yüz on guruşa doğru i’ mâl olunması şimdilik kabil olamayacağı gibi bunun için büyük mikyâsda bir tuğla fabrikası kumpanyası dahi henüz teşkil itmemiş olduğundan*”

¹⁹⁵ BOA. İMMS. 31 / 1287, 3 Ş. 1282 (22 December 1865)

¹⁹⁶ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p.56

¹⁹⁷ BOA. İMMS. 31 / 1287, 3 Ş. 1282 (22 December 1865): “*...taraf-ı devlet-i âliyyeden yüz kırk bin guruş senevi fedâ’ idilmek lazım gelerek bu dahi sâye-i ma’ müriyet-vâye-i hazret-i pâdişâhîde şey’-i kalîl olduğundan bu sûretin icrâ’sının nezd-i âlîde kabûl ve tensîb buyurulduğu....*”

to be paid by the *Der-saâdet* tax. It was decided that the prices of gravel and lime which were necessary for kargir buildings would not be increased. *Kârgîr* buildings were even exempted from 8 % lime tax and 12 % lumber tax. Despite these efforts, there was still a huge gap between the price of wooden houses and that of *kârgîr* buildings. It was found out that the government had to spend 1,000,000 *куруş* in order to stop the construction of wooden houses totally. Thus it was decided that the transformation from wooden to *kârgîr* would be gradually and the building of *kârgîr* buildings would start with the areas which were burnt down. Consequently, the price gap between *kârgîr* buildings and wooden houses had to be eliminated by the government in order to replace the building of wooden ones with the *kârgîr*. Without doubt, wooden houses were very vulnerable to fires. It became obligatory that buildings be made of *kârgîr* and the outer walls of buildings be designed in good order.¹⁹⁸

However, *kârgîr* buildings were not an adequate solution for creating a prosperous Istanbul, which was the ultimate aim of the government. Designing streets; building new streets were the most essential need of the capital to reach the desired level of affluence. After the great fire, to parcel the burnt area of 5,000,000 *zirâ*' and rearrange roads as well as expand them, their maps¹⁹⁹ were drawn by *Ebniye İdâresi Yangın Odası* officers.²⁰⁰ However, the divisions of so many properties could not be done quickly. This was because of the fact that there were mosques and *kârgîr* buildings which couldn't be torn down on the location of streets to be newly built or widened. Relocating the houses which were on the already

¹⁹⁸ BOA. İ. MMS. 31 / 1287, 3 Ş. 1282 (22 December 1865)

¹⁹⁹ However, just as we cannot access the maps of Aksaray Fire; we cannot access to the maps considered to be prepared for the designing of the burnt area in accordance with the new building plan.

²⁰⁰ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868) (See appendix B)

narrow streets but widened later on was quite difficult since finding precious locations similar to the prior ones was quite hard. This difficulty made the division of the plots almost impossible and caused a delay in the process.²⁰¹ In the end, as stated by the government, due to the big Hocapaşa fire and afterwards Kumkapı and Samatya fires the most beautiful parts of Istanbul were destroyed and many property owners suffered a lot. Finally, the government, who want the immediate solution of these problems and regulation of burnt areas according to *Tarla Kaidesi*,²⁰² set up a *İslâh-ı Turûk Komisyonu*. If we look at how burnt areas were regulated following the foundation of that commission, we realize the following: The government emphasized the fact that at first: “*The burnt area should be built like a chess which resembles to the newly constructed cities in the world.*”²⁰³ Then, how were the burnt plots in Hocapaşa, Demirkapı, Divanyolu and Kumkapı designed? The government had to expropriate in order to redesign these areas. Firstly, the government wanted property owners to leave 25 % of the plots for the roads that were going to be newly built and widened. This was a way big burden for the property owners when compared with their status prior to fires.²⁰⁴ Whereas, according to the government,

²⁰¹ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

²⁰² In fact, the term “*Tarla Kaidesi*” first appeared in the Building Law dated 1882. According to the 20th article of this law, if the whole area or more than ten houses (*hâne*) burnt; then that area would be regarded as field and the plots would be reallocated and designed. A map, which would show the status of the area prior to fire (its roads and the dimensions of plots), was going to be prepared and the allocation of the plots was going to be carried out after a certain amount of area was taken without payment at a certain rate under the name of *zayiât* during the widening of roads. Apart from the areas that were expropriated without payment, area’s value would be determined with regard to the location (*şeref*) and former value of the plots. So, we can say that the carrying out of leaving certain amount of burnt plots to roads without any payment in Hocapaşa, like Aksaray, were not based on laws at that time. Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediye*, vol. 4, p. 1720

²⁰³ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

²⁰⁴ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p.56

...each *zirâ* ' of a plot in Hocapaşa before the fire would cost 20-30 *kuruş*, so 100 *zira* ' plot would cost 3000 *kuruş* at most. With their new designs after the fires, each *zirâ* ' of a plot would now cost 50 *kuruş*. Thus, after 25% *zayiât*, it is apparent that the plot will cost 3750 *kuruş* and gain 750 *kuruş* in the end. As property owners are aware of the benefit, no one raised any objections while leaving 25% *zayiât* taken in accordance with the new arrangement.²⁰⁵

Thus the *zayiât* that would be taken due to the laws to be applied for burnt districts was estimated and announced as 25 %.²⁰⁶ Following the inspections done by the *Hendeshâne* with the order of the *Islâh-ı Turûk Komisyonu*, it was agreed that the amount of *zayiât* in Hocapaşa starting from Divanyolu would be 23 % on the Mediterranean side and 31 % on the Black Sea side. So, the average amount of *zayiât* that each plot should grant increased up to 27%.²⁰⁷ As a matter of fact, as the Demirkapı area was flatter than the other areas and the roads to be built in there would be wide, the rate of *zayiât* to be taken from that area increased to 31%. This highlights the fact that the *zayiât* was applied in line with the rules.²⁰⁸ But it is not clear what rules were used in the collection of *zayiât*. Because of this areas would be taken from burnt areas for free as *zayiât* were not included in the regulations up to then. So, there were cases in which more *zayiât* were taken than predetermined, in widening the roads of some areas.

²⁰⁵ BOA. İ.DH. 572 / 39882, 20 Za. 1284 (14 March 1868): “...*kabl-el-harîk Hocapaşa'da yüz arşun bir arsa beher zirâ'ı en ziyâde yirmi otuz guruşdan ancak üçbin guruş ider iken oralarda bugünkü gün arsaların beher arşunı için lâ- akall elli guruş bahâ' takdîr olunsa yüzde yirmibeş zayiâtından sonra ol arsanın üçbin yediyüzelli guruş ideceği yani yediyüzelli guruş kazanacağı emr-i müsellem olub vesâir mevki'lerde dahi bütün arsaların kıymetlerinin kesb-i tezâyüd ve terakki itdiğine mebnî bu sebeble husûle gelen fevâid-i âdiyyeyi arsaların sahibleri dahi anlayarak hasbet-tânzîm alınan yüzde yirmibeş zayiâtı virmekde hiçbir kimesne tarafından artık bir şey denilmemiştir.”*

²⁰⁶ According to Osman Nuri Ergin, not all of the 25 % *zayiât* that was collected for the arrangement of streets in the burnt areas in Hocapaşa was used for extension of roads. He claims that the some lands collected as *zayiât* but not used for roads was sold to claimants by *Islâh-ı Turûk Komisyonu* and thus was an income to it. Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyeye*, vol. 2, p. 950

²⁰⁷ BOA. İ. MVL. 555 / 24935, 21 S. 1283. S (5 July 1866)

²⁰⁸ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

In conclusion, if we take a look at the regulations done after the fire in Hocapaşa, they first started in Divanyolu and four kargir shops which were not destroyed without burning were expropriated and destroyed by the government in order to enable widening the avenue for *25 zîrâ'*. Also, other four shops were also destroyed and rebuilt by the commission. Elçi Hanı's front side which had a view of the Çemberlitaş Square was cut. Moreover, some shops adjacent to Dâr-ül-fünûn were expropriated and the hamam (bath) was cut as it was blocking the road's direction. The direction of the road became proper after the shelter of the cemetery at the opposite it and the shops up to the new avenue were destroyed. Two rooms of Atikali Paşa *Medresesi* were cut as they were blocking the direction of the road. As some buildings, in Etmeydanı on Divanyolu, except for Firuzâğa Mosque were blocking the route from Divanyolu to Sultanahmet Square, it was decided that these kinds of buildings had to be torn down for “public interest” (*nef'an li'l-umûm*) to connect the new avenue with the square.²⁰⁹

Since the road in Mahmutpaşa was very crowded due to the clients of shops and since also the road itself was very narrow, the fronts of forty shops had to be cut. Those shops were rebuilt by the commission. Even the inclination of the road decreased with the design. In order to decrease the prices of materials needed for *kârgîr*, it was decided that the constructions of *kârgîr* buildings would be exempt from tax.

All in all, Hocapaşa fire which was considered to be a disaster eventually brought prosperity to Istanbul since it gave rise to the foundation of *Islâh-ı Turûk Komisyonu*. Babiali, Hocapaşa, Demirkapı and Divanyolu which were actually the

²⁰⁹ BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

best reconstructed areas of Istanbul could only be redesigned following the fire.²¹⁰ It is possible to agree with this idea because it was only after this disaster that the government really felt obliged to prevent fires which had been a problem for ages. So, as opposed to the previous fires, the government did more than carrying out expropriation activities to realize the new construction plan in Hocapaşa: It also took many serious decisions and tried to apply them seriously in order to replace completely with the building materials to *kârgîr* as soon as possible.

As opposed to the regulation of the former Aksaray fire place, in Hocapaşa while the expropriations were carried out it was emphasized that this was for the public interest and the rate of *zayiât* was very high. In fact, it is also claimed that not all the *zayiât* collected were used for roads and became an income for the commission. Despite this, (as stated by the government) it is quite interesting that property owners never opposed to expropriation or the new regulations.

The Beyoğlu Fire of 1870

The fire which occurred between 24 May and 5 June 1870²¹¹ spread around by dividing into 5-6 branches due to the effect of the wind in Beyoğlu. When one of the branches forged ahead from Taksim to Tarlabası, it spread through Galatasaray and the other branch went through Kasımpaşa, and another branch ended in Iskordalya

²¹⁰ Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediye*, vol. 3, p. 1222. Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 63

²¹¹ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870)

quarter , including areas from B lb lderesi to the English Embassy.²¹² This fire burnt down more than 3000 properties in Beyođlu.²¹³ According to Steven Rosenthal, in 13 hours, 63 streets and 103 districts and also Rue de Pera in which there were rich and commercial properties (3500) were ruined as a consequence of the fire.²¹⁴ However according to Osman Nuri Ergin, the fire did not only burn out about 3000 buildings, but also caused the death of 104 people.²¹⁵ And according to the traveller Edmondo de Amicis who came to Istanbul in 1874, two thirds of Beyođlu was destroyed, 9000 houses were burnt down and 2000 people died due to the fire in six hours. For him, the lack of water was the reason why buildings were burnt in Beyođlu although most of the houses were *k rg r*.²¹⁶ 5000 liras which was allocated to people who were harmed in the fire in order for them to cure their wounds, as soon as possible. It was reported that *Hidiv* İsmail Pasha subsidised a large sum.²¹⁷ After this fire, *B b-ı  l * announced a new plan so that the burnt area could be reconstructed and rearranged. This plan included the arrangement of streets in the burnt area, the flattening of slopes and the extermination of many dead ends.²¹⁸

²¹² Osman Nuri Ergin, *Mecelle-i Um r-ı Belediyye*, vol. 3, p. 1225

²¹³ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870)

²¹⁴ Steven Rosenthal, *The Politics of Dependency: Urban Reform in Istanbul*, (Westport, Conn: Greenwood Press, 1980), p. 186

²¹⁵ Osman Nuri Ergin, *Mecelle-i Um r-ı Belediyye*, vol. 3, p. 1126. As stated by Osman Nuri Ergin there were properties with fire insurance in Pera (the number and types are not stated, though). According to him, prior to this fire, fire insurance agencies were set up and owners of burnt property were paid 300,000 liras in compensation.

²¹⁶ Edmondo de Amicis, *1874'de İstanbul*, trans. Reşad Ekrem Koçu (İstanbul:  ıđır Kitabevi, 1938), p. 252

²¹⁷ Ahmet L tfi Efendi, *Vak'a-n vis Ahmed L tfi Efendi Tarihi*, vol. 13, pp. 94-95

²¹⁸ Steven Rosenthal, *The Politics of Dependency: Urban Reform in Istanbul*, p. 186. Zeynep  elik, *The Remaking of Istanbul*, p. 53

According to this new plan, it was decided by the government that burnt areas would be arranged in accordance with *Tarla Kaidesi* and this arrangement would be made by the Sixth District Administration. According to *Tarla Kaidesi*, *Hendeshâne* was made by Sixth District Administration to draw a map with the name of “*General Plan*”,²¹⁹ which would show how burnt areas were to be arranged. In this map, it is seen that the construction of wide roads and allotment of burnt areas in accordance with the new regulation were decided. Tarlabası Avenue was planned as the widest street which is followed by Valideçeşmesi Avenue and then Pera Avenue. Actually, it is also seen that it was planned to construct two small squares and a big central square to which many wide streets and avenues were connected like those in European cities, especially in Paris of Haussmann period, which was taken as an illustration by European cities. Beyoğlu, which would be arranged that way, was tried to be made the liveliest place of the capital just like the examples in the European cities. It is seen that Beyoğlu, which is central and where trade happens intensely, was tried to be made more beautiful while being organized. However, in new parceling, it is seen that in the road which opens to Valideçeşmesi Avenue, Galatasaray neighborhood and Pera Avenue where there is highly precious commercial property; many properties stay in roads which were planned to be enlarged. This means that many properties in these roads and streets needed to be expropriated to enlarge the roads.²²⁰ According to this plan, the *zayiât* of the areas which would be organized according to *Tarla Kaidesi* was determined to be 38 % in the first place. But then, it is seen that the amount of *zayiât* was pulled down. The reason is that the widths of roads which were calculated as 30 *zirâ*’, 20 *zirâ*’ and 12 *zirâ*’ in the first place were given up. According to the new decision, the widths of

²¹⁹ See appendix E

²²⁰ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870)

these roads were decreased to 25, 15 and 12 *zirâ*'. Moreover, it was given up to construct theaters, squares and bazaars and 20,000 *zirâ*' of land behind Topçu Square and 10,000 *zirâ*' of Tepebaşı land which is government property was added to the burnt area. As a result of all these, the amounts of *zayiât* of land decreased to 17 %, meaning that property holders needed to leave 17 % of their land to roads for free. According to government, this amount of *zayiât* was appropriate for the regulations of *zayiât*' made before.²²¹

However, in the piece of writing that was sent to *Şehremâneti* by Sixth District Administration, which would carry out the arrangements of the burnt area according to *Tarla Kaidesi*, these were stated: The arrangement of burnt place in Beyoğlu would be very difficult for the Sixth District Administration. Since road arrangements were made for one or two times before that date (but previous arrangements' date is indefinite), there were properties here that were left to the road earlier.²²² It was unclear whether the properties that were added to roads earlier would be included in the arrangement or not. Moreover, if the burnt area in Beyoğlu had been arranged according to *Tarla Kaidesi*, then Sixth District Administration would have been obliged to spend total 23,461,157 *kuruş* for the arrangement of burnt areas.²²³ 12,724,557 *kuruş* of this sum was the compensation price that would be paid to various properties that had to be expropriated only for the extension of roads. The rest of this sum would be spent on the construction of new roads, pavements, gas pipes, and sewer system. What is more, if the Büyük Taksim Street, as seen on the map, was to be increased to 20 *arşın* from 15 *arşın*, 2.5 million *kuruş*

²²¹ BOA. İ. DH. 618 / 43001, 29 Ca. 1287 (27 August 1870)

²²² Steven Rosenthal, *The Politics of Dependency: Urban Reform in Istanbul*, p. 187

²²³ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870) (See appendix C)

would be needed to be added to the compensation and expense. Moreover, as for the Sixth District Administration, “ *The arrangement of more than 3000 burnt properties according to the Tarla Kaidesi would be torture for property owners.*”²²⁴ Finally, the Sixth District Administration wanted the government to immediately give up the decision of the regulation of burnt areas according to the *Tarla Kaidesi* since there were many complaints from people. We can understand the reason why the people here opposed to the new plan by looking at the petition (*arz-ı hâl*)²²⁵ given to the

²²⁴ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870): “...üç binden mütecâviz emlak tarla heyetine vaz’ olunarak yeni resimde inşâ’ olunabilir ise de bu sûret ashâb-ı emlakâ gadr geleceği ve bu cihetle bunların biçok sızlanmaları dâimî ve müstelzem olacağından...”

²²⁵ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870): “Ma’rûz-ı çâker-i keminelidir ki Bu defa Beyoğlu harik-i kebîrinde muhterik olan ebniye mahallinde bulunan turûk diğer taraflara nakl ile yirmibeşer ve kırkar arşun genişliğinde bulunacağından arsaların nisfi mahv olacağı ve olvechle Altıncı Dâire-i Beledîyye İdâresi tarafından hâritası bi-t-tânzîm Bâb-ı âlî’ye takdîm kıldığı rivâyet olduğuna ve bu ana değin ta’ mîr kabul ider bir takım kârgîr ebniyelerin inşâ’ına izn virilmediğinden başka mazarratı olub olmadığı usûleten keşf ve muâyane itdirmeksizin sahiblerine malûmât vermeksizin aceleten bir takım ebniyelerin sağlam divarlarının hedm olunmasına nazaran her ne sebebe mebnî ise idâre-i mezkûr ol vechile tasavvur itmekte bulunduğu anlaşılmaqda olub çâkerleri ise düçârile beraber sefâlet çekmekte iken bu yüzden dahi vuku’ bulacak zarara tahammül olunamayacağı ve kaldı ki Doğruyol’ dan harik mahalline sapacak sekiz aded yollardan birincisi olan Galatasaray karşısu Hammalbaşu ve ikincisi Tiyatro ve üçüncüsü Garnovole Sokak’larını doğrultmak ve ilerdeki yollara benzedüb birleştirmek elzem ise de dördüncüsü Sakızağacı beşincisi İmam ve altıncısı ve yedincisi Bekar ve sekizincisi Taksim Sokak’ları Tarlabası Caddesi’ne değin vaktiyle doğrultmuş ve genişlikleri dahi mürûr ve ubûr iden halka göre nizâmân kâfi görünmüş ve mezkûr yollar ile yine harikin ol mahallinde tûlen bulunan bunca doğru sokakların kâffesinde vaktiyle muntazam olarak inşâ’ olunmuş olan su ve gaz ve lağım yolları ile kaldırımları battâl kalacağı cihetle yeniden inşâ’ olunacaklarından dâire tarafından yüzelli bin lira masârifâta düçâr ve birkaç seneler îrâdından dûr olunacağı gibi bu kadar yerde su kuyuları ve sahrınç ve mahzenler ile taş ve tuğla gibi edavâtımız mahv olacağı ve birkaç seneler ötede berüde sefâlet çekerek fâhiş icârlar vireceğimizden nâşi bir kat daha inkırâzımıza mücib olacağı emr-i tabî’î bulunmuş ve bu mahallât arasında bu misüllü yolların menfaat-i umûmiyyeye müceb bir hâli görülmediğinden başka bu yolların tathîr ve ta’ mîrleri ile sulanmaları husûsî usûlen icrâ’ ve idâre olunmayacağından vakt-i sayfde toz toprak ve harâretten ve vakt-i şitâda kar ve çamur ve borandan gerek mürûr ve ubûr ve gerek etrâf hânelerde ikame idecek ahâlî mu’azzeb hâlinde bulunduğu ma’lûm-ı âsaf-ânelerine buyruldukda bu misüllü inkırâz-ı hâle rızâ-yı bârî ve adâlet-i pâdişâhiye mugayir bulunduğu cihetle dâire idâresinin bu misüllü tasavvurnamei men’ ile fakat inşâ’ olunacak ebniyenin kâffesi kârgîr olduğunda harikden sâlim olacağı gibi tahammül-i âciz-ânemize göre ve lâyük vechile bir netîce virilmesi emr-i âlî-i rahîmânelerine muhtâc olduğundan ber vech-i ma’rûz icrâ’-yı icâbına müsaade-i mekârim-âde-i âsaf-âneleri sezâvâr buyrulmak rızâsı bâbında ve herhalde emr ü fermân hazret-i veliyy-ül-emrindir. Fî 28 Cemâzi-yel-evvel 1287 ve fî 13 Ağustos 1286 İmâmEdhem Efendi

Birinci Doğruyol
İkinci Sakızağacı
Üçüncü Tarlabası
Dördüncü Çukur Caddesi
Beşinci Şişli Sokağı
Altıncı Bekar Sokağı
Yedinci Davarcı Sokağı

Sadr-ı a'zam by all the people from the fourteen streets²²⁶ that were planned to be arranged according to the new plan. The people of Beyoğlu stated these in briefly in the petition they sent to the *Sadr-ı a'zam*: They objected to the fact that since roads were planned to be expanded by 25 *zirâ* ' and 40 *zirâ* ' after the fire, half or the properties would be destroyed. The Sixth District Administration even had a map of burnt places prepared to show that properties would be destroyed thus, and presented it to *Sadr-ı a'zam*. As for them, even the strong walls were destroyed without being checked, and they were not allowed to repair *kârgîr* buildings. For that reason, they had misery. Since eight streets that were among the roads to be expanded, had also been expanded earlier, the width of these streets was enough in both sides of the road. According to property owners, only Hammalbaşı, Garnovole and Tiyatro Streets needed to be widened. If these eight broad streets were to be reconstructed, the pavements-sewerage and gas pipes would be destroyed and therefore the Sixth District Administration would have to spend 150,000 liras. During this regulation they would have to pay high rents as they would be transferred to new places and this would mean more burden for them. In fact we can understand why exactly the people in burnt areas of Beyoğlu opposed to the new order to be applied from this single sentence in the petition: "...here roads of that width are not necessary for the public interest."²²⁷ Finally people here demanded that the government immediately

Sekizinci Taksim Sokağı
Dokuzuncu Karacehennem Sokağı
Onuncu Çubukçeşmesi Sokağı
Onbirinci Lale Sokağı
Onikinci Misk Sokağı
Onüçüncü İmam Sokağı
Ondördüncü Ağa Câmi'i Sokağı"

²²⁶ According to the Latin signatures on the petitions, it can be alleged that the owner of the properties were most probably foreigners. (See appendix D)

²²⁷ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870) : "...bu mahallât arasında bu misüllü yolların menfaat-i umûmiyyeye müceb bir hâli görülmediğinden başka"

abandoned the application of this new reconstruction plan with petitions. Thus the government encountered an opposition in burnt areas of Beyoğlu that was greater and in a different style than it had been in the former two fire places. People in the fire place in Aksaray were only seen not to be content with the new plan even though their reasons were not clear.

However, gathering together, property owners in fourteen streets in Beyoğlu wanted the cancellation of the decision of the new arrangement stating that it was not for the “public interest”. That is, property owners had a strong opposition to the new reconstruction plan by explaining their disbelief in government’s argument about public interest. Two points are important in this opposition. Firstly, instead of giving private petitions, property owners tried to get their rights collectively. The second one is that property owners here opposed through the concept of “public interest” to the new city plan. When it is taken into consideration that most of the people here who worked in commerce and Levantine were non-Muslims, and they knew about Europe, they can be said to be more aware of “public interest” compared to people in the other districts of the capital. However, we should consider whether being conscious of public interest is all in such strong and systematic opposition of the people here.

As a result of all of these, that is, due to the intense objections of the property holders and request for the withdrawal of exercise of *Tarla Kaidesi*²²⁸ from the Sixth District Administration, which is responsible for the application of the new city plan in Beyoğlu, the government made a new decision. According to the government, for the sake of their monetary benefits the property holders in Beyoğlu objected to the

²²⁸ *Basîret*, no: 305, 18 Z. 1287 (11 March 1871)

new city plan, which was actually an expression for civilization, and demanded the burnt place to be restored in the same way as it was. After the government abandoned the exercise of the *Tarla Kaidesi*, according to their new decision, all the properties burnt in Beyoğlu would be expropriated. The government regarded this way as the best solution, because the government thought that constructing the burnt area in an old fashioned way (*resm-i kadîm*) as the residents wish would mean that the streets which are 3-4 *arşın* would remain the same. Also according to government, reconstructing the narrow burnt streets would mean “*constructing a city upon the traces caused by the passing of the pack animals.*”²²⁹ Thus, the government found the defense of the Sixth District Administration, which was “*the regulation of the 3000 and more properties according to the Tarla Kaidesi will be a torture for the property owners*” very rightful.

To sum up, in order for the burnt properties to be expropriated, it was necessary to detect the property values, so a commission of the officials for value-guessing was assigned. It was announced that through this commission the value of the properties would be defined in a fair way, and the plots would be measured and re-parceled. However, since this way proved to be too expensive to purchase, that is to expropriate, all the burnt property, this decision has also been withdrawn. In the end, it was decided that – in accordance with the monetary limitations of the Sixth District Administration- only the most beneficial streets and the streets with the highest possibility for widening will be constructed.²³⁰ However, it is not followed in the documents which streets were widened.

²²⁹ BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870): “...üç dört arşın arzında bulunan sokakları eski hey’etleri üzere ifâ itmek yük hayvanlarının mürür ve ubûri ile hâsıl olmuş izler üzerine bir şehri binâ’ itmek demek olacağından...”

²³⁰ BOA. İ. DH. 623 /43351, 24 S. 1287 (26 May 1870)

As a result, it can be spotted that after the great Beyoğlu Fire, the government tried to construct the burnt area in accordance with the new plan and map. However, in Beyoğlu it was not that easy to realize this new regulation, because with the new regulation and the expropriations the financial benefits of the properties would be diminished and the loaded money for this could not be supplied.²³¹

Last of all, if we want take a look at the benefits and the effects of the three great fires, which were between 1855 and 1870, for the exercise of the modern reconstruction implemented by the central government of Istanbul, we can see this: These three great fires, all of which occurred in the main districts of the capital city, gave the government a chance to exercise the expropriations which are the main tools for the modern urban development. Moreover, thanks to these fires, while re-parceling the plots, the government found the opportunity to expropriate burnt plots without payment under the name of *zayiât* with the ratios ranging from 2 % and 31 %. Therefore, the government escaped the large amount of payment for the expropriations that required loaded amounts of money. Actually, the situation of without payment under the name of *zayiât* (of the burnt plots) according to the *Tarla Kaidesi* was firstly stated and explained in 1882 Building Law. According to it, one can say that between 1855 and 1870 the administration found an easy way of implementing expropriations that were without charge, and this was through illegal

²³¹ BOA. İ. DH. 623 /43351, 24 S. 1287 (26 May 1870): “*Atûfetlü efendim hazretleri Ma'lûm-ı âlî buyrulduğu vechle Beyoğlu harîk mahallinin tarla kaidesine tevfikan tesviyesi ve mîrîye aid ba'zı yerlerin ilâvesi ile inşâ'sı mukararrer olduğu halde bunda muahharen zuhûr iden müşkilâtdan bahisle ba'zı ifâdâtı hâvî Şehremâneti'nin muhâbereli tezkiresi ve Emânet-i mûmâ-ileyhâ meclisinin mazbatası evrâk-ı müteferri'a ile beraber arz ve takdîm olundu. Meâl-i mazbataya nazaran mahall-i mezkûrun tarla ittihâziyla ve sokaklarının taksîmi yirmiiç milyon dörtyüzaltmışbir bin yüz elliyedi gurus masrafla husûle geleceği icrâ' olunan keşfinden anlaşıldığı misüllü bu sûret-i tesviyenin Beyoğlu halkının menâfi'-i maddiyelerine dokunacağından dolayı ârzü-gerdesi olmayub mahall-i mezkûrun hey'et-i sâbıkası vechiyle tesviyesini kemâl-i kerîmetle istihâm itmekde bulunduklarına ve emr-i tesviyede bu yola gidildiği hâlde hem şu masraftan kurtulunub hem de ashâb-ı emlâkın is'âf-i niyâz ile hoşnudluğu istihsâl olacağına mebnî tarla kaidesinden sarf-ı nazarla mahall-i mezbûrun mezkûr mazbatada gösterildiği vechle sokaklarının tevsi' meh-mâ-emken tesviye olunarak”*

ways which were not stated in the Regulations. Another point is that, after the modern urban development exercises and expropriations initiated by the fires, it is only in Hocapaşa fire zone, where they emphasized that the process was for the “public interest”.

After emphasizing the role of three great fires in modern city plan and the exercises of expropriation, it is necessary to stress especially the Beyoğlu Fire because this fire offers differences in reconstruction of the capital and the exercises of expropriation. Contrary to the other two fire, since we have a fire map of the fire zone, which was called “*General Plan*”, we can clearly see how the fire area was supposed to be re-constructed. According to this map, the parceling of the burnt plots was done quite perfectly (either square or rectangular). Besides this, the places for the expropriations, which were necessary Beyoğlu fire area to be arranged according to the modern city plan, were stated. According to this, the expropriations were supposed to be exercised mostly in Beyoğlu and even in Pera Avenue, in which it has even the most valuable commercial property, and then Valideçşmesi Avenue and Galatasaray.

At first, it should be emphasized that compared to the other two fire zone regulations, the government seemed to experience more difficulty with the Beyoğlu. The biggest evidence for this is that first the government tried to regulate the fire zone according to the *Tarla Kaidesi*, and then abandoning this decision, they tried to purchase all the properties. This means that in this situation the government wanted to apply modern city plan, but the government was never able to realize their projects thoroughly. That is, the property-owners clearly shown how needless it was for public to have the new city plan and expropriations by offering their petition to the

Sadr-ı a'zam. It can be said that the main reason for the property-owners' such an objection could be the governments' will for free while parceling their firstly 38 %, then 17 % burnt plots. However, why did the property-holders here object in such a different and wild way, and why did the government have so much difficulty while applying its favorite new city plan? The reason for this situation can mainly stem from this paradox: It was the Sixth District Administration which have a map prepared for Beyoğlu to be reconstructed in accordance with the new plan, and which would run the new construction plan. These Sixth District council members consisted mostly of property owners of the burnt areas (Most of the members of the municipality were non-Muslim and foreign merchants).²³²

Then it can be said that this factor had an important role in preventing the total application of any modern city plan in Beyoğlu. This is because the Sixth District Administration demanded the abolishment of the *Tarla Kaidesi* since while the new reconstruction plan was being implemented in Beyoğlu, as opposed to earlier fires, the application of the *Tarla Kaidesi* would mean torture for property owners and with this arrangement half of the lands would be destroyed. Therefore, it is possible to state that the officers in the Sixth District Administration were between both the people to apply the new plan and property owners whose tangible benefits would be damaged if this plan was to be applied. That is exactly the paradox. For that reason, actually a financial conflict of interest took place through the use of public interest between the government and property owners who realized that their financial interest would be damaged by the new city plan in Beyoğlu and who took

²³² In 1880s, the population ratio in Sixth District, which included Galata-Beyoğlu and Tophane, was as such: 47% Foreign, 32% Ottoman non-Muslim, and % 21 Muslim. Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 38

the support of the Sixth District Administration. Here, as a consequence of all of these, the desired city plan could never be implemented in Beyoğlu, and only the streets with the highest possibility for widening would be constructed. Unfortunately, it cannot be seen how employees carried out expropriations during the arrangements on the streets.

CHAPTER 4

PUBLIC INTEREST AND EXPROPRIATIONS

In this chapter, the relation between “public interest” and modern expropriations will be discussed. However, the expropriations applied before 1856 Regulation will be briefly examined for a better understanding of both the concept of “public interest” and their relation with expropriations done after the regulations. The question of why and by whom the expropriations were done before the regulations will be addressed. Thus, the breaking point between the expropriations done for “public interest” and the former ones will be explored by this comparison. The first expropriation, which was carried out by emphasizing that it was for the sake of “public interest”, was implemented to enlarge the street in Karaköykapısı in 1858, and then the expropriations continued to be carried out in the some (central) districts of the capital for the same purpose. From 1870s, the aim of expropriations also included the construction of modern transportation systems and a modern infrastructure in addition to road enlargement purposes. Since the mid 1880s, it was observed that the number and reasons of expropriations increased. Besides “public interest”, some expropriations were carried out for other purposes. In the last part of the chapter, diversification of expropriations along with the reasons and the results of them are discussed.

Expropriations applied until the 1856 Expropriation Regulation

It would be wrong to say the expropriation activities started in Dersaadet after the first Expropriation Regulation of 1856 because the Ottoman Empire had been expropriating some properties since the beginning of 1784-5. For instance, back in 1795 during the construction of *Darphâne-i âmire*, a few houses were expropriated for 15,350 *kuruş*.²³³ However, we can not see their values separately. In 1803, the state expropriated the plots around *Bâb-ı âlî* after a fire that destroyed houses there by paying 6 *kuruş* for every *zirâ*'.²³⁴ In 1811, around Taksim four houses on state property in *Dergah-i Ali Topçuları* were demolished because they had been built illegally. The owners, Nikoğos, was paid 1500 *kuruş*, Anastaş got 8715 *kuruş*, Avakim got 2000 *kuruş* for their plots. However, it can not be understood why these houses' expropriation costs were not equal. However, a woman named Taktuhi could not get her compensation cost of 4000 *kuruş* for expropriation although a long time had passed, thus, she wrote a complaint petition and demanded that the cost be paid to her as soon as possible.²³⁵ It is not seen that why these houses' expropriation costs were not equal. Like in 1847, in Gümüşsuyu, İsmail Efendi's garden was expropriated for the reason that a military barrack was going to be built near the place, but the expropriation cost was not paid though much time had elapsed. İsmail Efendi submitted a petition and demanded that the cost be paid to him.²³⁶ Also, in 1837, in Bahçekapı four shops that prevented custom's (*gümrük*) measurement field

²³³ BOA. HAT. 1386 / 55042, 30 Za. 1209 (18 June 1795)

²³⁴ BOA. C. DH. 23 / 1145, 15 C. 1218 (2 October 1803)

²³⁵ BOA. C.BLD. 20 / 991, 7 Z. 1226 (23 December 1811)

²³⁶ BOA. A. MKT.MHM. 71 / 69, 29 Ra.1263 (17 March 1847)

got expropriated and demolished immediately.²³⁷ However, we cannot see whether the expropriation costs of those four buildings were equal or all different; in other words we cannot know their values. According to another example regarding the designation and the payment of expropriation costs, it was decided that Artin was going to be given a summer house lot in Tarabya in exchange for his bostan which was expropriated for adding to *Emlâk-ı hümâyûn* in Ortaköy in 1849.²³⁸

Another example demonstrated that in 1852, the house and stable of Edhem Efendi were expropriated because he did not pay off 65,000 *kuruş* of his tax debts which he took from *Istanbul Rüşumâtı* and totalled 501,000 *kuruş*.²³⁹ All of those expropriations were made without the consent of the property owners, but it can also be seen that for example Agob the owner of the garden (*bostan*) which was expropriated for the construction of *Demirhâne* and *Tophâne* on Piripaşa district in Hasköy in 1796, objected to the determined cost. Yet he could not get any results.²⁴⁰

It is clear that before 1856 Expropriation Regulation, if the plot was expropriated, the values of the land were being decided on *zirâ'*. On the other hand, if there is a building destroyed and expropriated, in this case for the debris of this building the price was paid as the expropriation value. In some cases, whether value determination or payment is done or not, cannot be understood. Furthermore, we cannot figure out the identity of the officers and the names of the institutions that estimated the value of properties exactly. Thus, it is impossible to mention about a specific and general application for the decision and the payments of the

²³⁷BOA. C. ML. 151 / 6396, 23 Ş 1253 (22 November 1837)

²³⁸ BOA. A.MKT.MHM. 16 / 67, 8 L 1265 (27 August 1849)

²³⁹ BOA. A. MKT. NZD, 48 /16, 14 Z. 1268 (29 September 1852)

²⁴⁰ BOA. C. AS. 271 / 11243, 19 Ş.1210 (28 February 1796)

expropriation costs. In some examples, property owners submitted complaint petitions the reason being that the expropriation costs were not paid to them for a long time. As a matter of fact property owners complained about the low expropriation costs although expropriations were carried out without any regard to their consent, and they were not granted the right to object. Moreover, it can be seen that expropriation costs were paid by giving another property in exchange for the expropriated property instead of paying in cash.

All in all, these examples show that expropriation activities were executed in order to demolish unlicensed buildings, to secure some important (state) buildings, to collect back taxes, to add to *Sultan's* properties and prevent fires. The important point here is that it was emphasized in the documents “*expropriation costs were paid thanks to Sultan's grace and gift.*” Another important point here is that the state executed these activities whenever it felt compelled without resorting to issuing laws or procedures. That is to say, the state did not necessarily follow a plan, or get the approval of the property owner, but rather acted according to the contingencies of the situation.

The First Major Expropriation For Public Interest: The Expropriation of Properties in Karaköykapısı in 1858

The first expropriation, implemented for the sake of public interest by 1856 Expropriation Regulation, was done without waiting for fire by Sixth District

Administration in 1858 in Karaköykapısı.²⁴¹ Karaköykapısı was one of the most important and crowded commercial centres. However, the streets of the district were so narrow that it could not provide the necessary service and many of them were dead end streets.²⁴² That is why, Sixth District Administration decided that properties in Fermeneciler Çarşısı in Karaköykapısı, Karaköy Çarşısı, Balıkpazarı, Çadırcı Hanı and Bıçakçı Hanı be expropriated by the commission consisting of the officials chosen from *Bâb-ı âlî*, *Evkaf-ı Hümayûn* and the *Ticâret Nezâreti* in the name of 1856 Expropriation Regulation. The evaluation done by these officials was:²⁴³ 7000 *kuruş* were determined for each *zirâ*’ of the properties in Karaköy Çarşısı; 6000 *kuruş* were determined for each *zirâ*’ of the properties in Fermeneciler Çarşısı; 2365 *kuruş* were determined for each *zirâ*’ of the properties in Çadırcı Han; the amount between 2300 and 7000 *kuruş* was determined for each *zirâ*’ of the properties in Balıkpazarı according to the construction material of the buildings, namely *kârgîr* or wood and 2364 *kuruş* were determined for each *zirâ*’ of properties in Bıçakçı Han. The appraisal of expropriations was done in this systematic way. This means that the location of properties determines the price of expropriation. It was decided that 9,673,491 *kuruş* were paid to the owners of the expropriated shops. According to this calculation, 227 *zirâ*’ from Karaköy Çarşısı, 277 *zirâ*’ from Fermeneciler Çarşısı, 512 *zirâ*’ from Çadırcı Han, 391 *zirâ*’ from Balıkpazarı and 190 *zirâ*’ from Bıçakçı Han were going to be expropriated. It was obvious that the valuation of expropriated properties was done by the measurement of *zirâ*’. This method was the same with the one implemented in the expropriation of burned properties. However, there was also a different case: there were four shops (*zahire*, *attar*, *fermeneci* and *saatçi*) consisting

²⁴¹ BOA. İ. DH. 413 / 27332, 22 M. 1275 (1 September 1858)

²⁴² Steven Rosenthal, “Foreigners and Municipal Reform in Istanbul: 1855-1865,” p. 231

²⁴³ BOA. İ. DH. 413 / 27332, 22 M. 1275 (1 September 1858)

of *gedik* (legally meant the capital assets necessary to practise a trade)²⁴⁴ and property.

According to the regulation, *Îrâd Hesâbı*,²⁴⁵ in the capital generally, the value of properties and *gedik* were decided separately and expropriated in this way. Accordingly, it was very probable that the owner of a property would take as much money as the rental income for expropriation. For this reason, the shares of the property owners would be expropriated by paying 30 years rental value of the store. For instance, expropriation value of an property (shop) which has 20 *kuruş* rental income would be 600 *kuruş* with 30 years *Îrâd Hesâbı*. After that, the expropriation values of the remaining shares of the shops would be paid to *gedik* owners.²⁴⁶ In the valuation of shops with *gedik*, the value was determined according to the yearly rental incomes of stores and *gediks* separately. In this way, the impression that a *gedik* was evaluated like an property while a *gedik* with its valuation made was being expropriated.

After explaining the valuation of the expropriated properties, according to many property owners, the price offered by the Sixth District Administration was so little that it could not provide even price of plots. The Sixth District Administration responded to these objections: “*The property owners demanded exorbitant prices.*”²⁴⁷

²⁴⁴ For a detailed information about *gedik* see, Engin Deniz Akarlı, “Gedik: A Bundle of Rights and Obligations for Istanbul Artisans and Traders, 1750-1840,” in *Law, Anthropology, and the Constitution of the Social: Making Persons and Things*, (ed.) Alain Pottage and Martha Mundy, (Cambridge: Cambridge University Press, 2004), pp. 166-200

²⁴⁵ BOA. İ. MMS. 16 / 641, 25 M. 1276 (24 August 1859) :“.... bu sûret herhalde mülk sahipleri hakkında fâidelü düşeceği cihetle buna hiçbir diyecekleri olmamak lazım geleceğinden zikr olunan dört bâb dükkanın bedellerinden dört bâb dükkan ve mağazaların mülk sahiplerinin hisseleri almakda oldukları kirâ'ların mikdârına göre otuz seneliğine îrâd hesâbıyla ifrâz ve i'tâ ile bakisinin gedikât asâbına virilmesi.....”

²⁴⁶ BOA. İ. MMS. 16 / 641, 25 M. 1276 (24 August 1859)

To sum up, the Sixth District Administration decided to take the consent of property owners and begin to expropriate. If the property owners did not give their title deeds to the administration in fifteen days and did not taken the purchase money, ten days of additional time would be given according to regulation (it was not clear which regulation it was because giving additional time in 1856 Expropriation Regulation was not stated). After that, even if the property owners did not give consent, in the end of twenty five days and destruction of expropriated properties would start.²⁴⁸

Despite this precise decision of the Sixth District Administration, it was observed that the destructions were not completed in five years. Apart from the fact that the property owners did not accept the purchase money, the event that the purchase money could not be paid to property owners was also crucially important because the Sixth District Administration could not afford to pay the expropriation price of properties in Karaköy kapısı. That's why the Sixth District Administration took loan of 8,000,000 *akçe* with 15% interest from the Ottoman Bank²⁴⁹ in return for its 2,300,000 *kuruş* annual income. This borrowing was done by the consent of *Hazîne*.²⁵⁰ Moreover, it was announced that the place expropriated in Karaköykapısı and built an inn on was going to be auctioned and the money would be used for paying for the expropriated lands. *Bâb-ı âli Deavi Muavinbaşı* Azmi Bey was appointed for this post.²⁵¹ The Sixth District Administration planned to pay the debt

²⁴⁷ BOA. İ. DH. 413 / 27332, 22 M. 1275 (1 September 1858): “ komisyonun kıymet-i hakikiyyelerinden olan takdîr ve teklîf itdiği bedeli kabul itmeyüb fevk-al-âde ve hakk-ı kabûlden pek ziyâde bahâ' matlûbe itmekde bulunduklarından....”

²⁴⁸ BOA. İ. MVL. 428 / 18813, 16 Ca. 1276 (11 December 1859)

²⁴⁹ Ottoman Bank was founded with the presidency of Henry Layard on 13 June 1856 and it functioned as the state bank until the foundation of Bank-ı Osmani Şahane. Edhem Eldem, *Osmanlı Bankası Tarihi*, trans. Ayşe Berktaş, (İstanbul: Osmanlı Bankası 1999), pp.52-53

²⁵⁰ BOA. İ. MMS. 27 / 1186, 27 Ca. 1280, (9 November 1863)

from the income of the Han's shops which would be built in the expropriated land. Despite the loan taken from the bank, the expropriation purchase money could not be paid even in 1863.

In conclusion, although Karaköy was one of the most important and crowded commerce centres, the width of its streets was not enough to deal with this density. Hence, the streets had to be enlarged immediately. The expropriation of many properties was started by the Sixth District Administration. However, it was obvious that this expropriation procedure was not implemented very easily. Many property owners objected to the price of their properties' expropriation. Yet, Sixth District Administration declared that it expropriated their properties fairly and for the sake of public interest and did this procedure according to the Expropriation Regulation. Despite these efforts, many property owners did not give consent to the expropriation. Although the Sixth District Administration did state that expropriations were not complete even in 1863, it was not clear how many properties had been expropriated until this year. It could be argued the main reason was that the Sixth District Administration could not afford to pay the expropriation money. The Sixth District Administration took loan from the Ottoman Bank to pay the purchase money. It signifies that banks had had an important role in the modernization process of city.

We can take the fire in Aksaray in 1855 as the starting point of expropriation activities in the modern sense. The areas that were burnt by the following fires were designed in accordance with the *Tarla Kaidesi* and their compensations were paid during their design. Many plots were also taken from their

²⁵¹ BOA. İ. MMS. 17 / 715, 29 C. 1276 (23 January 1860)

owners as *zayıât* as a requirement of the prepared map. Moreover, it was seen that property owners -especially in Beyoğlu - were discontented because of the designs in this new type. However, the design of some areas and roads in capital was started without waiting for the fire to destroy them in 1858 with the widening of Karaköykapısı road.

Then, the greatest project, which was planned to be made by government without waiting for a fire, was allotting 9,700,000 *kuruş* from the *Hazîne* in 1869 for the widening, decorating and cleaning of areas of the capital with utmost care.²⁵² When the expropriation cost of the properties which was expropriated for the widening of the roads in this area was paid with the 4,400,000 *kuruş* of this amount, (it was not certain how many properties were expropriated), 2,550,000 *kuruş* was going to be spent for the design and widening of the roads, 1,900,000 *kuruş* was going to be used to install pavements and cesspits. 850,000 *kuruş* which was the rest of the money was going to be used to pay for the cleaning, repair and brick capital sum which was being spared for the city itself.

The design planned to be made by widening the roads whose design and widening were needed urgently and the calculation of the amount necessary for the required expropriation, was determined by negotiations with *Islâh-ı Turûk Komisyonu* in 1869, and its account book and plan were prepared. According to the report which was prepared by this committee, although the buildings next to Çırağan were torn down to build the harbor first of all and in this way road in width of 20 *zirâ*' from Valide Mosque upto the end of Kabataş and nearly half of the road which was going from Tophane to Avusturya Embassy was arranged before, the rest of the

²⁵² BOA. İ. DH. 592 / 41216, 13 S. 1286 (25 May 1869)

area was preventing the smooth running of the traffic and “*additionally in this area which would be visited by European travellers first.*”²⁵³ Thus, it was decided that the design of that place was necessary urgently.

It can be understood from here that the government arranged the districts according to their importance during the application of modern city plan and they put the reconstruction process into practice in the areas that they regarded as the most important. In fact, in capital the width and direction of Divanyolu were arranged from Bâb-ı Hümâyûn to Mahmut II Türbesi. However, there were a great deal of areas which needed to be designed between the rest of the area beyond and Bayezid Square. It was necessary to show example of a great city to public by designing the roads for motor vehicles-pedestrians similar to the systems in European cities.

After the above mentioned road was designed and the narrow roads on the side of Kökçülerkapısı which were preventing the merge of Beyazid Square and Divanyolu were destroyed, a road extending to Bab-ı Seraskeri with a width of 25 *zirâ*’ was opened. Moreover, Vezneciler street in Direklerarası would be designed to be 25 *zirâ*’ wide just like Divanyolu. The rest of Fatih road which would pass through Şehzade Avenue and Saraçhane would be designed the following year. After building a new road in Bulvar valley from Bâb-ı Hümâyûn to Edirnekapısı, the area around Fatih and Sultan Selim, which were among the most beautiful places of Istanbul then, but suffering from loss of reputation due to lack of reconstruction, would be well-built and hopefully reputable. Those mentioned roads and places were

²⁵³ BOA. İ. DH. 592 / 41216, 13 S. 1286 (25 May 1869): “..... ve seyyâhîn-i ecnebiyyenin birinci derecede görecekleri mahall olmasıyla tesviyesi lâ-büdd olduğundan anın dahi tanzîm ve tevsî’ Tophane cihetince ehemmi-i islâhâtıdan add olunarak üç numeroyla harîtası takdîm kılındı.”

among the most important and outstanding areas of Istanbul and the government started to design those kinds of places. As most of the primary places would have been constructed, the costs for those were estimated to be 9 million *kuruş*. The construction and design were decided to start as soon as possible by *Islâh-ı Turûk Komisyonu*. However, most of the pavements in the city were destroyed and even the pavements in most of the burnt areas were not constructed. Moreover, there were lack of engineers and there was a need for brick stock. Thus the cost was indicated to reach 12 million *kuruş*.²⁵⁴ Was this big project that could be done in the cost of 12 million *kuruş* put into practise ? Unfortunately, we could not find any proof to find the answer.

Then, expropriations of many areas were continued in quarters which are especially the centers of the capital such as Eminönü, Mahmutpaşa, Beşiktaş, Beyazıt, Vefa, Şehzadebaşı after 1870s with the purpose of making the roads larger for public interest. Even in 1874, from Şehzadebaşı to Saraçhane totally 136 properties were expropriated to widen the 15 *zirâ*’ road to 20 *zirâ*’.²⁵⁵ Interesting point here is that police stations and even cemeteries which were not expropriated before were included into the expropriation process which was aimed for making the roads larger. On the basis of these examples it is clear that the government stated that they ranked the districts according to their importance so that they could put the modern urban development plan into action. This decision can be based on the fact that the government considered carrying out the reconstruction activities only in the districts that they considered to be most important as they were aware of the fact that

²⁵⁴ BOA. İ. DH. 592 / 41216, 13 S. 1286 (25 May 1869)

²⁵⁵ BOA. ŞD. 681 / 3, 18 Ra.1291(5 May 1874)

there would not be enough funding for the application of the new city plan and expropriation operations all over the city.

Expropriations for Tram Lines

It is seen that only opening new ways and expanding existent ones were not enough to apply the modern city plan on the capital. Moreover, it was decided that new rearrangements would be made in transportation system in the capital because of the increasing population and trade capacity. It was decided that trams would be used in Istanbul as well and the operation privilege of this intercity transport system would be given to Konstantin Karapano Efendi on 22 March 1870. In accordance with the fourth article of the treaty which was signed with this company, it was decided that the value of the streets which would need to be widened as 12 *zirâ'* and the properties in the places which were needed to be expropriated to constitute the lines which reached Galata Road and Ortaköy and ended there, would have been calculated and their compensation would be paid by *Şehremâneti*.²⁵⁶

The destinations on which the streetcar lines in Istanbul were going to operate were decided as follows: the first line was going to start from the Galata Mahmudiye Avenue and go to Ortaköy by passing through Beşiktaş and Azapkapısı. The second line was going to firstly come up to Divanyolu Avenue and the end of the Yusufpaşa Çeşmesi in Aksaray. The third line was going to go to Samatya and Yedikule by separating from the second line in Aksaray. Lastly the fourth line was going to end in Topkapı by separating from the second line in Aksaray.²⁵⁷ Cutting

²⁵⁶ BOA. İ. MMS. 38 / 1592, 19 Z. 1286 (22 March 1870)

²⁵⁷ BOA. İ. MMS. 38 / 1592, 19 Z. 1286 (22 March 1870)

these roads on which these lines were going to pass, to widen them, the expenditure of building the properties which needed to be destroyed and buildings and lands which had to be purchased here were calculated with the help of *keşfkomisyonu* upon the request of *Şehremâneti*. The building expenditure of the building which was going to be cut on the road which was going to be from Köprübaşı to Hasanpaşa Police Station and the areas which needed to be purchased by expenditure of arrangement was 1,254,142 *kuruş*. The widening expenditure of the road which was going from Aksaray to Topkapı was 2,072,746 *kuruş* and the widening expenditure of the road which was from Celladçeşmesi to Yedikule was 1,640,065 *kuruş*. The expenditure of these three constructions and the areas which were going to be expropriated was totally 4,966,954 *kuruş*. In addition, the value of the road which passed in front of the *Şehremâneti* department and Salkımsöğüt, Soğukçeşme roads and the properties which needed to be purchased to widen the road which was going to Büyük Ayasofya Square was 487,500 *kuruş*. The value of properties which needed to be purchased from the Bakrakçılarkapısı, which was in Bayezid Square before, to the Bayezid *Hamamı* was 57,500 *kuruş*. The value of properties which needed to be purchased on the road from Davudpaşa road to Kürkçübaşı quarter including Yedikule was 372,000 *kuruş* and the cost of expropriations was totally 917,000 *kuruş*.²⁵⁸

It can be concluded that in addition, the number of the properties which were expropriated is not known exactly. It can be said that in terms of the price the most valuable properties were around Ayasofya in these three areas. The general expenditure of constructions and purchases were totally 5,883,954 *kuruş*. Since, the lines were going to first be built on the Mahmudiye Avenue which extended from

²⁵⁸ BOA. İ. MMS. 38 / 1592, 19 Z. 1286 (22 March 1870)

Bedesten to K rk ler corner and on the Top ular Avenue which was from G mr k Street corner to Tophane by the Streetcar Company in Dersaadet in 1871 in order that the streetcar lines were constituted by * hrem neti*. The government had to widen these avenues which were 10 *zir *’ as 12 *zir *’ in accordance with the fourth article of the * artn me*. However, the amount of the cost that would be incurred by the widening of the roads would be too high for the government. Thus, the roads would only be widened on Mahmudiye Avenue as only that avenue would have a streetcar line and affording the costs would be easier.²⁵⁹

In 1872, expropriation activity was needed so as to be able to build a streetcar line in another important point of Istanbul and that point was Koska Avenue. All shops here had been destroyed by being expropriated and some of them had been pulled back in order that the road could be widened as 12 *zir *’.²⁶⁰ Moreover, officers urged the shop owners everyday to leave their shops for the street to be widened to the state, “*for free*.”²⁶¹ Because of this, complaints were received about pressures through a large number of petitions submitted by the shop owners. Also, building of streetcar lines and designing of some of the present lines were continued in the following years.

The road on which the fourth tram line was located from Aksaray to Topkapı, had to be widened for 15 *zir *’ regarding the regulation in 1875. However, widening the road for 15 *zir *’ would be very expensive for the government and 15 *zir *’ of area would not be wide enough, thus there would be a need for widening again. Moreover, as the expropriation cost of the area would be expensive as it had

²⁵⁹ BOA.  D. 675 / 2, 14 L. 1288 (27 December 1871)

²⁶⁰ BOA.  D. 676 / 29, 4 M. 1289 (14 March 1872)

²⁶¹ BOA.  D. 676 / 35, 24 M. 1289 (3 April 1872)

gained “*şeref*” on account of the first design, the design was quit in the end. Instead of this, the building of new road which was 25 *zirâ*’ according to its map was decided by steering through the *bostans* (gardens) and lands from Yusufpaşa Çeşmesi to Topkapı with 4,548,580 *kuruş* expenditure and 140,000 *kuruş* of that was the amount (*Şerefiye*)²⁶² which owners of gardens had to pay to the government since their gardens which intersected with the new road increased in value as a result of that.²⁶³

In 1879, the government had *kârgîr* shops in front of *Gümriük* which belonged to Abdülkadir Efendi were and destroyed for the construction of the tramline from Köprübaşı to Bahçekapısı and the needed land was left to the road by means of the decision that 9500 *kuruş* was going to be paid.²⁶⁴ Also, the properties of the famous Banker Düzoğlu who was the owner of the 192-194 and 196 numbered buildings and 16 and 18 numbered Royal Hotel in the seven buildings which intersected with the Galata-Şişli tramline and needed to be cut in 1883.²⁶⁵ The building of the tramlines continued for a long time and expropriation of the butcher’s shop belonging to Papas Oğlu Hristo was necessary to widen the road on Kasab Street on Karabaş quarter in Tophane in 1893.²⁶⁶

Finally it can be said that, the government wanted to build a comprehensive transportation network with tramways, but it could be accomplished partially. As it

²⁶² The properties, value of which went up when they had a good view thanks to the destruction of properties nearby, behind or in front of them, gained a better location and government levied *Şerefiye* tax on such buildings. For detailed discussion of *Şerefiye* see pages: 99-100

²⁶³ BOA. ŞD. 679 / 7, 28 Ra. 1292 (4 May 1875)

²⁶⁴ BOA. ŞD. 689 / 22, 13 B. 1296 (3 July 1879)

²⁶⁵ BOA. ŞD. 702 / 25, 26 S. 1300 (6 January 1883)

²⁶⁶ BOA. ŞD. 764 / 4, 12 B. 1310 (30 January 1893)

understood from the expropriations, the reason of this was the difficulty of that the government faced in meeting the prices of expropriations which were to be done for tramway lines. For this reason, the routes which could be done with less amount of money were chosen by the government who chose to be pragmatic. Even, in some place it is seen that the owners were forced to leave their properties without compensation to decrease the amount of money paid. In 1873, Azapkapı-Ortaköy, Eminönü-Aksaray and Aksaray-Yedikule lines were opened in the capital, and in the years to follow with the addition of lines such as Şişli-Taksim, cable railway system was tried to be expanded. It is seen that building tramway lines, which is seen as one of the most distinctive elements of modernization, was a very important factor in acquiring modern-looking streets in Istanbul especially in Galata.²⁶⁷ (Voyvoda Street was the primary one of these streets. With the expropriation for tramway line building, the street had a modern and vast looking in a while.)²⁶⁸

Expropriations for the Construction of Tünel

The concession of building an underground railway from Galata, which was the commercial and financial center and accommodated a crowded population at that time, to Beyoğlu, to improve the transportation system of the capital was assigned to a French engineer named Gavand on 10 June 1869.²⁶⁹ The Tünel contract, which

²⁶⁷ Zeynep Çelik, *The Remaking of Istanbul Portrait of an Ottoman City in the Nineteenth Century*, p. 96

²⁶⁸ Edhem Eldem, *Bankalar Caddesi, Voyvoda Street from Ottoman Times to Today*, (İstanbul: Osmanlı Bankası Bankacılık ve Finans Tarihi Araştırma Merkezi, 2000), p. 22

²⁶⁹ French engineer Gavand who came to Istanbul to travel in 1867, observed the round trip of lots of people between Galata in which there was stock market-custom house and shops and Beyoğlu in

consisting of 34 articles, was signed by Gavand and Nafia Nazırı Davut Pasha on 6 November 1869. According to the ninth article of the contract, the terrain where the Tünel was to be built was to be bought by giving the prices by the franchise owner (Gavand). The approximate prices of the properties were to be defined with the help of experts and by looking at Sixth District Administration's cadastral survey register (*emlâk defteri*). Besides this, the franchise owner was to pay 20 % more of the approximate price to the owners of the properties to compensate the loss that property owners will suffer. For the real detection of the properties, owners of both properties and grandholder will have the right to apply to *Şûrâ-yı Devlet*. Gavand made little part of the expropriations required for the building of the Tünel in June, 1871 before the construction began. He kept the reason for the expropriations secret to prevent increase in the prices, so he could buy 1/3 of the properties. However, after a while, in October 1871 as there were nobody who property owners to approach expropriation, Gavand applied to Ministry of Public Works to expropriate twenty three needed property. After this, a commission was established in the Sixth District Administration. This commission defined the expropriation prices as 28,199 liras with addition of 20% compensation amount, but this price was not accepted neither by property owners nor Gavand and the commission fell apart.²⁷⁰ After two months, Gavand stated that he accepted the prices that were agreed on, but property owners did not approve again. Later, disagreement between Gavand and owners of property continued, expropriation matter was resorted to *Şûrâ-yı Devlet*, the prices

which there were embassies-hotels-entertainment venues. On average, 40,000 people had to pass through the Yüksekaldırım which connected those two centers to each other when they went and returned between those two places. However, that avenue wasn't enough for that density and its width was already 6 meters and in some parts of that it was 4 meters. The solution that Gavand came up with was; An underground railway, in another words metro, was going to be built and pedestrian traffic was going to be relieved. In this way he would earn income, since he would undertake that project. Vahdettin Engin, *Tünel'den Füniküler'e*, (Istanbul: Yapı Merkezi, 2007), p. 36

²⁷⁰ BOA. ŞD. 681 / 13, 13 Teşrin-i evvel 1289 (25 October 1873)

were determined as 39,000 liras there, and Gavand did not accept this payment again. Gavand even asked for help by applying to French Ambassadorship for the expropriation to be done quickly.²⁷¹ In 1873, the expropriations were seen to be starting again in Nergis Street. After the resistance of the owners of houses numbered 4-6, the expropriation process was seen to be gone into negligence. However, expropriations continued in the same year in Billur, Mertebani, Yenicami Streets, furthermore the whole Kameri Street's expropriation was determined for the station construction. The government, following the map prepared in *Hendeshâne*, thought that the properties on that area had to be taken and according to the inspection made on Kameri Street, the government did not find any objections with regards to the destruction of the properties. Since the street would already be under the ground of the line because of the Tünel, expropriations were started immediately.²⁷² However, property owners insisted on not giving their properties without getting their payment. For this reason, the company submitted a petition because of the passing time to purchase the properties and because of this, those properties would be given to the company with the help of the officers from *Zabtiyye* (police) by force.²⁷³ However, although the opening of the Tünel was made in 1875 it was seen that the required properties in those streets couldn't be expropriated entirely yet and Galata Station couldn't be finished even in 1876. The reason behind the fact that the determined lands couldn't be expropriated in that time undoubtedly was the disagreement which arose in estimating the value of the properties. The 195 *zirâ'* which was the land of the properties on the entire of Kameri Street was purchased by the company. For this

²⁷¹ Vahdettin Engin, *Tünel'den Füniküler'e*, p. 41

²⁷² BOA. İ. MMS. 52 / 2277, 13 R. 1292 (19 May 1875)

²⁷³ BOA. ŞD. 680 / 8, 28 R. 1290 (25 June 1873)

reason, the expropriations that compelled Gavand the most were in this street, because the strongest objections were seen in this street.

When Gavand who endeavoured to take the needed 150 *zirâ*' of land on Billur, Mertebani and Sevud Streets from their owners with their consent thought to pay 8.5 gold lira for each *zirâ*'. However, property owners wanted the estimated 11 gold lira for each *zirâ*' of their lands and submitted lots of petitions which demanded sum. Thus, concession owner and property owners couldn't agree for a long time. Moreover, the most challenging case for Gavand, who finally bought all of the needed lands and buildings in those streets by paying 8,5 gold lira for each *zirâ*', was the fact that a man named Değirmenci Haçık on Yeni Cami Street who didn't accept selling his land in spite of the approval of other property owners.²⁷⁴ The reason behind his rejection which continued for a long time was the issue of the lower price offered for his land that is 320 gold for 15 *zirâ*' of land. Thereupon, that issue was discussed in *Şûrâ-yı Devlet* and it was decided that the company was going to pay 320 gold to Değirmenci Haçık. So, the concession was given in 1869, but an agreement with the owners couldn't be reached for a long time. Thus, it was seen that the Tünel construction couldn't be completed until the end of the 1876. Finally, building of the Tünel accelerated when all of the properties were purchased by the company after the man named Değirmenci Haçık had accepted to sell his land.²⁷⁵

However, something strange which was never witnessed before in expropriation activities was seen in 1873 when the Tünel was being built: Galata *Mevlevihâne* Cemetery was expropriated in order that the Galata part of the Tünel could be built. The reason for this was stated by the government as follows: “*The*

²⁷⁴ BOA. İ. MMS. 52 / 2277, 13 R. 1292 (19 May 1875)

²⁷⁵ Vahdettin Engin, *Tünel'den Füniküler'e*, p. 78

*expropriation of 1610 zirâ' of area which belonged to Galata Mevlehinanesi cemetery was needed by agreement for the construction of station in Beyoğlu.*²⁷⁶

Thus, Gavand could expropriate each *zirâ'* of the cemetery by giving 5 lira.

Moreover, it was declared that 8050 lira which was the expropriation cost of the cemetery was donated to the Ministry of Education (*Ma'ârif Nezâreti*) in order to meet the cost of education. But Ahmet Lütî Efendi, who was a historian, criticised the expropriation of the cemetery in the following way:

As it was required by the company responsible for building the Tünel, which was being constructed between Beyoğlu and Galata, the cemetery of Muslims, in which some famous people were lying, were sold to the company by the government for 9000 liras. The company took the bones of the dead in the cemetery as if those bones were debris and transported them to the cemeteries around.²⁷⁷

In conclusion, the expropriations of the properties (located between Galata–Beyoğlu) that had to be carried out for the construction of the Tünel were realized in a long period of seven years. This long period was the result of the fact that the property owners did not think that the expropriation prices were enough. Also there were many objections during the measurement of the properties, the determination of their values and the payments of their costs. Thus they did not accept those prices.

Besides, the right for expropriations was granted to Gavand the engineer of the Tünel

²⁷⁶ BOA. İ. MMS. 47 / 2017, 1 Ş. 1290 (22 November 1873): “.... kumpanyanın mukaddemâ istediği işbu mevki mahalli ba'-zân tarike ve ekseriyâ metrük kabristân olarak mikdârı dört bin yediyüz zirâ' olduğu halde Şûrâ-yı Devlet'den bu defa verilen müzekkirede gösterildiği vechle mezbûr mevkiğin alât ve edevâtına iktizâ' iden yerlerden bir takımı kumpanya ashâbı uhdesinde bulunan emlâkdan iştirâ'idilerek şimdi yalnız mevki için arâzî-i hâli ve kabristânın bir cüz'i olmak üzere istenilen mahallin mikdârı bin altyüz on zirâ'a tenzîl itmiş....”

²⁷⁷ “Beyoğlu ile Galata arasında yapılan Tünel Kumpanyasına lüzûmu olmasıyla Galata Mevelevî-hânesi karşısında birtakım ma'rûf ve meşhûr zevâtın medfûn oldukları ve her birinin üzerinde müslimenin kemiklerini kaldırıp, moloz döker gibi civârda bulunan mezarlıklara naklettirmiş ve mebâlîğ-i mezkûre mektebler masârifine sarf olunmak üzere Ma'ârif Nezâreti'ne verilmiş olduğu ol-vakîki gazetelerde görülmüştür.” Ahmet Lütî Efendi, *Vak'a-nüvis Ahmed Lütî Efendi Tarihi*, vol. XIV, p. 61

construction, instead of *Şehremâneti* during the period of expropriations. This was the first and the only execution of its own kind.

Also the government allowed the Tünel company to expropriate the Galata *Mevlevihâne* cemetery area as it was believed that it would provide an important contribution. So, wasn't there anyone else to object to the expropriation of the cemetery other than historian Lütfi Efendi ? We cannot see follow this from the documents whether there were reactions by the citizens or not.

Expropriations for the Rumeli Railway Line

The transportation system in the capital was reconstructed in the modern sense, and the construction of Rumeli Railway lines, expanding from Bosna, Edirne, Filibe, Inos, Bergos and Selanik to Sava River; then also expanded to Küçükçekmece–Sirkeci-Yedikule line in Istanbul, started with the concession granted to Baron Hirsch in 1869 - 1870.²⁷⁸

The expropriation of the properties with which the railway coincided in Istanbul became an issue just as was the case in the construction of tram lines. The expropriation issue became a problem especially in the Sirkeci-Yedikule direction which was a city center containing residential areas.²⁷⁹ The expropriation of more than 1000 houses had to be carried out by *Şehremâneti* and those areas had to be

²⁷⁸ Vahdettin Engin, *Rumeli Demiryolları*, (İstanbul: Eren, 1993), p. 51

²⁷⁹ *Ibid.*, p. 78

granted to the Railway Company for the construction of Sirkeci-Yedikule line.²⁸⁰ As the property owners opposed the expropriations, a commission had to be formed under the presidency of *Nafia Nâzırı* Ethem Pasha. The owners called on to the *Sadr-ı âzam* for the end of the destruction, however, *Sadâret* submitted the issue to *Şehremâneti* and the oppositions did not yield any results. Thus, the destructions did not stop.²⁸¹ Meanwhile, the costs of buildings and plots were paid to their owners and even the expropriation expenses cost more than the estimated amount. This was due to the fact that only 30,000 liras was left from the amount of 200,000 liras, which was allocated to Sirkeci-Yedikule line and the government initially took 208,000 gold from the Railway Company and they took another 45,000 liras debt from this company as the initial amount was not enough.²⁸² It is clear that every possible compromise was made for the construction of the railway to be actualized. The government even borrowed money from the railway company itself.

Besides, it was decided by the commission that the K m rc  shop, the property of which belonged to Nazif, Nuri, Sinan Aĝa in  atladıkapı and the *gedik* which belonged to Behiyye Hanım would be bought by *Şehremâneti* in 1872. The property cost was 3200 *kuruş*, the *gedik* cost was 11,800 *kuruş* and the total cost was 15,000 *kuruş*.²⁸³

As a matter of fact, the garden of the mansion which belonged to second *Ordu Reisi* Faik Pasha was located around Etyemez in Davutpaşa and 264 *zirâ*’ of area were expropriated by the government by paying 50 *kuruş* for each *zirâ*’ in

²⁸⁰ BOA. İ. MMS. 41 / 1691, 26 Ra. 1288 (15 June 1871)

²⁸¹ Vahdettin Engin, *Rumeli Demiryolları*, p. 79

²⁸² BOA. İ. MMS, 45 /1874, 1 Za. 1289 (31 December 1872)

²⁸³ BOA. ŞD. 676 / 2, 13 Za. 1288 (24 January 1872)

1873.²⁸⁴ Moreover, 2947 *zirâ*’ of land were bought from the properties of Agob and Parsih in Makriköy in 1895 by paying 2 *mecidiye* for each *zirâ*’.²⁸⁵

There is a very important point to be emphasized here: an important thing, which was highlighted in the Expropriation Regulation dated 1856, is that while determining the expropriations for railways, docks, roads and widening of roads, which were needed for the public interest “*all worshiphouses would be excluded from the expropriations during the processes.*” However, it is seen that some mosques like Şadırvan Mosque, Yeşilkiremid Mosque, Şehsüvar Bey Mosque, Hacıpaşa Mosque, Cezeri Kasımpaşa Mosque, Hoca Rüstem Mosque, Karaki Hüseyin Çelebi Mosque and Vezir Mosque were expropriated for the Rumeli railway line from Sirkeci Dock to Narlıkapı in 1872.²⁸⁶

The following statement can be concluded from the examples: the difficulty faced in the expropriations for Tünel construction was not experienced in the expropriation for railway construction in spite of the need for a great number of property expropriation in a central place like Yedikule. Government had financial difficulties while doing the expropriations, but it could even easily do the expropriation of mosques which it saw needed for the line in defiance of Expropriation Regulations.

The government did not avoid any compromises in order to realize the construction of the railway. Although it was stated in the 1856 Expropriation

²⁸⁴ BOA. ŞD. 677 / 26, 6 Z. 1289 (4 February 1873)

²⁸⁵ BOA. İ. ŞE. 1313 Ca- 07, 16 Ca. 1313 (4 November 1895)

²⁸⁶ BOA. Ev. D. 22324, 3 M. 1289 (13 March 1872) : “*Rumeli Şimendüferi’nin Sirkeci İskelesi’nden Nalıkları’ya değin tarika terk ve ilâve kılınan cevâmi’ ve hayrât-ı şerife-i sâ’irenin mikdâr ve kemmiyyetini mübeyyin defterdir.*” (See appendix K)

Regulation that all of the religious buildings were excluded from the expropriation activities, some mosques were expropriated so that the railway could be constructed. How did society perceive the expropriation of mosques after the expropriations of cemeteries? Unfortunately, there is no data about perception of citizens in the documents.

Finally, it can be said that the government began expropriation of many properties in Karaköy, one of the most central and commercial places in the capital, first with the purpose of road enlargement for immediate “public interest”. Expropriation applications continued for road enlargement in the other central places of the capital city in the following years, but not all the expropriations for “public interest” were done for road enlargement. After 1869, the expropriations were continued to be done for tramway, railway and Tünel constructions, which are new transportation system vehicles. It is seen that, while new roads were being opened and new transportation system was being constructed the strongest objection against expropriations aroused in the Beyoğlu-Galata region because of the estimation and measurement of the properties to be expropriated. So, the construction of Tünel lasted a long time.

It can also be said, especially the mid 1870s is the period when the mechanism was elaborated in terms of operation expropriation and application. When expropriations done in these dates are investigated, the argument will be understood more clearly. The selection of the officials who estimates the price of properties from Sublime Porte, the Ministry of Pious Endowments and Municipals continued, but employment officials from Land Registry was determined instead of Commercial Ministry after the mid of 1870s. It can be concluded from here that the

government made a decision to go into a more rigid control in the evaluation of the property prices of the properties to be expropriated. Also, the thing should be highlighted that it wasn't stated that the operations were carried out in accordance with the articles of the expropriation or building laws especially until 1875s although expropriation laws had been announced. For example, in Yeniköy 1875; two houses were determined to be expropriated in accordance with Expropriation Regulation by Yeniköy District.²⁸⁷ Moreover, in 1882, the house possessed by Melek Hanım on İbrahimpaşa Hamamı Avenue in Emin Nurettin quarter in Silivrikapı was taken in accordance with the direction map (*istikamet harîtası*) and granted to the road.²⁸⁸ Moreover, the information that the expropriated properties which were going to be auctioned were announced through newspapers. For instance, in 1900, four shops in the part which goes from the corner of Yeniçarşıbaşı to Kulekapısı in Beyoğlu were expropriated in accordance with Expropriation Decree-Law with the help of the formed committee, since they had to be left to the road entirely and it was even decided that those expropriations would be announced via newspapers.²⁸⁹ Also the expropriation activities were not carried out by only *Şehremâneti* (and Sixth District Administration) other departments also carried out expropriations as of 1875s. It is obvious from the other examples that, in 1884, the plot of Hamide Hanım who was the wife of Ali Rıza Pasha (a member of *Tanzîmât-ı Askeri* committee) was in Sofular Avenue in Fatih. The avenue had to be widened for 10 *zirâ'* in line with the

²⁸⁷ BOA. ŞD. 684 / 6, 26 S. 1292 (3 April 1875)

²⁸⁸ BOA. ŞD. 105 / 68, 4 Z. 1299 (17 October 1882)

²⁸⁹ BOA. İ. ŞE. 12 / 1317 Z - 8, 19 Z. 1317 (20 April 1900)

map, thus value estimation was carried out by Third District and it was expropriated after its expropriation cost was determined.²⁹⁰

Another striking issue is the fact that there were two new terms regarding this issue: *Şerefiye* (Special assessment) and *Belediyye Malı* (Municipality property). The properties, value of which went up when they had a good view thanks to the destruction of properties nearby, behind or in front of them, gained a better location and government levied *Şerefiye* tax on such buildings. If we look at the examples of the *Şerefiye*, we reach at this conclusion: In 1873, some plots were expropriated in Tepebaşı Street of Beyoğlu. As the expropriation of the road required more plots than the maximum amount in the law (how to exert this situation is defined in 1863 Street and Building Regulation's 5th article), the municipality had to pay extra 9034 liras expropriation fee. But 2696 liras as *Şerefiye* was going to be taken from the owners of the properties which were found in the opposite side of the expropriated plots and the money was going to be paid to the owners of the expropriated plots. Thus, the amount of the compensation diminished.²⁹¹

In another example, in 1878, one property owner, Dr. Doroti was going to be paid 385 gold for his plot which had been expropriated more than necessary. Sixth District Administration had stated that it was going to pay the compensation to Doroti with the tax *Şerefiye* it would take from three neighbors of Dr. Doroti. That is why, 8400, 23,887 and 18,000 *kuruş* were taken from each of three homes in the name of *Şerefiye*. Thus, since the position which the properties would win after the expropriation was not the same, the amount that the property owners would give was

²⁹⁰ BOA. ŞD. 706 / 26, 29 C. 1301 (26 April 1884)

²⁹¹ BOA. ŞD. 680 / 31, 9 Za. 1290 (29 December 1873)

not the same.²⁹² However, it should be noted here that, it is not known on which basis *Şerefiye* was calculated and which amounts were given by the owners. As it was emphasized in the *İrâde* dated 1900, as the way and the amount of this tax should be based on a rule it was reported that it should be added to Istanbul Municipal Law.²⁹³ So it can be said that, the government found an important financial funding through special estimates, *Şerefiye*, when carrying out the expropriation applicants which required large sums. Because by means of that when the redemptions of the expropriated properties were being paid the *Şerefiye* amounts were included and of course were subtracted from the total sum.

In addition, according to the register (*defter*)²⁹⁴ prepared in 1879, the properties were expropriated for the widening of the roads but were not added to the road and belonged to the municipality, are categorized two in such a way that their types, names of streets and avenues are also mentioned. The first category of these are the plots that were bought for the widening of the roads but were left untouched and the other category of plots were the ones bought right after the arrangements following the fires and again were left untouched. When we look at the municipality property the largest areas in size and in number appear to be in Hocapaşa, Kumkapı and Samatya. These are the plots rearranged following the fires and again were not used for widening of the roads even though they were expropriated. The others are in places like Beşiktaş, Sultanahmet, Ayasofya, Koska, Uzunçarşı where expropriations were made for tram construction. The *defter* which shows the amount

²⁹² BOA. ŞD. 686 / 11, 11 C. 1295 (12 June 1878)

²⁹³ BOA. İ. ŞE., 12 / 1317 Z - 8, 19 Z. 1317 (20 April 1900)

²⁹⁴ BOA. ŞD. 687 / 44, 20 S. 1296 (13 February 1879): “Şehremâneti malı olarak bi-l-müzâyede fîrûht olunacak arsaların esâmîsini mübeyyin defterdir.” (See appendix F)

of those Municipality properties, in 1879, about 8,170 *zirâ* ' were the lands which were unowned as a result of the arrangements in burnt places and about 4,706 *zirâ* ' were the area of the lands which became useless and were purchased by the government after the roads were widened.²⁹⁵

For example, the amount of three shops going to be expropriated for the construction of tramway line in Bahçekapı in 1879 was 300,000 *kuruş*. 258,000 *kuruş* of this amount was paid by selling municipality plots of 51 *zirâ* ' to shop owners for each *zirâ* ' in 5000 *kuruş*. The rest, 42,000 *kuruş* was paid in cash.²⁹⁶ On the same date, six shops in Beyazıt Square were going to be expropriated for the regulation of the square. The payment to these six owners was done by exchanging the municipality shops in the same district because the purchase money of *Şehremâneti* was too high to afford. Yet, the shop owner wanted the payment in cash. Therefore, the municipality decided to pay in cash later on.²⁹⁷

Finally, it is clear that the government started to use those lands which belonged to municipality to pay the expropriation costs like the special assessment costs, *Şerefiye*, in the times when financial resources were inadequate. Also, some regulations were made such as the announcement of auction operations to people through newspapers, specific articles of the regulations, according to which the expropriations would be done, also started to be emphasized more clearly by the government by government after the mid of 1870s. It is also necessary to highlight the following paradox: while the government was carrying out the expropriations and also stating that they were based on regulations, they put special assessment,

²⁹⁵ BOA. ŞD. 687 / 44, 20 S. 1296 (13 February 1879)

²⁹⁶ BOA. ŞD. 689 / 22, 13 B. 1296 (3 July 1879)

²⁹⁷ BOA. ŞD. 687 / 44, 20 S. 1296 (13 February 1879)

municipality property into practice which was not included in the regulations at that time.

Other Expropriations

The expropriations so far to be carried out for reconstructions that were for public interest and were included clearly in the Expropriation Regulation dated 1856 (although all temples were said to be exempted from expropriations, it should not be skipped that some mosques between Narlıkapı and Sirkeci Dock were destroyed and expropriated for railway construction). In the Expropriation Decree-Law dated 1879, it was announced that expropriations would be applied for such public works as hospitals, schools, barracks, waterways, bazaar and parks as well as for the extension of roads and the construction of new roads-railways-and harbors. With the Expropriation Decree-Law that was issued in 1879, reconstruction work that was planned to be made for “public interest” was extended and the causes of expropriations were diversified. When the expropriations carried out after 1879 Decree-Law are taken into consideration, it is clearly seen that expropriations were diversified for targeted reconstruction work. As a consequence of the diversification of reconstruction work for “public interest”, the increase of expropriations is noticed to be as of late 1880s. For instance, in 1870 with the concession given to *Teşrifât Nâzırı* Kemal Bey and advisor of *Nâfiâ Nâzırı* Terneau Bey, Istanbul or Terkos Water Company²⁹⁸ was founded in order to provide water for properties from Terkos

²⁹⁸ Haydar Kazgan and Sami Önal, *İstanbul'da Suyun Tarihi: İstanbul'da Su Sorununun Tarihsel Kökenleri ve Osmanlı'da Yabancı Su*, (İstanbul: İletişim, 1999), p. 41

to Beyoğlu and those around Rumeli in Boğaziçi.²⁹⁹ The important thing about this situation is that according to the tenth article that was included in the contract when the company was founded, every property that was located on the way of water lines was going to be expropriated by the government and given to the company for public interest.³⁰⁰

For example, in Feriköy, the value the area which belonged to a woman named Çolpani and on which Terkos Water Company would put its water pipes and machines was assessed by the committee (consisting of the officers from the same estimation commissions before). They were sent for the expropriation of the area in line with twelfth and thirty fourth articles of regulation and they decided that the value of each *zirâ* ' of 3549 *zirâ* ' was 6 *kuruş* in 1888.³⁰¹

In 1889, based on the twelfth and fourteenth articles of expropriation regulation, the plot that was located in Tatavla and belonged to Hatice Hatun had to be expropriated officially by *Şehremâneti* and giving its value as it was the area on which the company was going to install the water pipes.³⁰² Thus, the expropriations were continued for the construction of water company so that the increasing needs of the capital could be met and districts such as Tatavla and Feriköy, which considered far from the center of the capital, were added to the urban development and expropriation processes.

²⁹⁹ Ibid., p. 119

³⁰⁰ Ibid., p. 121

³⁰¹ BOA. DH. MKT. 1553 / 20, 4 S. 1306 (10 October 1888)

³⁰² BOA. DH. MKT. 1606 / 6, 15 B. 1306 (17 March 1889)

Another example, as stated in first article of the Decree-Law for school construction, the following buildings were expropriated in line with the regulation for *Ma'ârif Nezâreti* in 1894: Hakkı Pasha's mansion in Yerebatan for the construction of Ayasofya Merkez Rüşdiyesi, a woman's mansion in Laleli for Kız Sanayi Mektebi (Girls' Trade School) and the last Reşid Pasha's mansion in Vefa for İnas School.³⁰³ And in 1895, the municipality bought the attar shop nearby for public interest so that Davutpaşa school could be built.³⁰⁴

Moreover, two houses were expropriated in 1897 in order to be added to Kabataş Aşiret School so that the school could be built. It was highlighted that the expropriations were done in accordance with the regulation. However, it is not seen values of these houses separately in documents.³⁰⁵ Moreover, after the construction of German Hospital in Beyoğlu, the German Hospital administration demanded that *Şehremâneti* expropriate the plot of Nakkaş Mehmed Efendi near the hospital to be added to the hospital terrain in 1889. It is unclear whether expropriations were made during the construction of this hospital. An interesting point was the fact that although the expropriation of the properties which were needed for the building of hospitals that were necessary for the public interest was stated in the Expropriation Decree-Law, the expropriation of that land wasn't found suitable since “*that hospital treated patients at a charge.*”³⁰⁶

³⁰³ BOA. DH. MKT. 268 / 9, 2 S. 1312 (5 August 1894)

³⁰⁴ BOA. İ. ŞE. 10 / 27 Ca. 1313 (15 November 1895)

³⁰⁵ BOA. İ. ŞE. 9 / 1314 Ş – 2, 12 Ş. 1314 (16 January 1897)

³⁰⁶ BOA. ŞD. 752 / 2, 8 C. 1306 (9 February 1889): “...İstimlâk Karârnameşi'nde münderic hastaneler menâfi'-i umûmiyyeye şâmil bulunanlar olub zikr olunan Alman Hastanesi'nde ise ücretle hasta tedâvî olunmakta olduğu tahkik idildiğinden bunun için alınacak mahaller hakkında mezkûr karârnameye tevfiķan muâmele icrâ'sı câiz olamayacağı”

The expropriations above are the expropriations that were carried out for the reconstruction work that was clearly included in the two Expropriation Regulations. Besides, it should also be stated that as of the mid-1880s, some expropriations were also directly applied for the reconstruction work that was not stated in expropriation regulations. When these are analyzed, these expropriations can also be said to be done for the reconstruction work that was the main goal and that was for public interest. This argument will be better understood from the following examples: The first example that was not included in Regulations but that can obviously be said to be applied for public interest is the expropriation carried out for the construction of a police station. The house of Rıza Bey who was *Dava Vekili*, and the shop under his house were expropriated for the construction of police station (*zabtiye karakolu*), one of the modern institutions, around Davudpaşa hamamı in 1896.³⁰⁷

Although not included in the Expropriation Regulation and Decree-Law, another example that can be said to be made for the public interest is that: in 1897, 17,000 *zirâ'* of land in Yedikule was expropriated for construction of landfill with a payment of 24,000 *kuruş* although it was not included in regulation.³⁰⁸ Also, the government expropriated the plots of Yanko and Aprifardi in order to build Osman Reis Mosque in Tarabya in 1898.³⁰⁹ Also, the property which belonged to Arnavut Cafer Ağa and was near to Şakir Pasha's mansion in Yenimahalle in Sarıyer, was expropriated in order to be built cemetery in 1900.³¹⁰ In 1895, *Miralay Azmi* Bey's plot on Gözlüce Ali Paşa quarter in Yeniköy was expropriated in order to build

³⁰⁷ BOA. İ. ŞE. 9 / 1314 B – 4, 12 B. 1314 (17 December 1896)

³⁰⁸ BOA. İ. ŞE. 10 / 1315 Ca – 1, 9 Ca. 1315 (6 October 1897)

³⁰⁹ BOA. ŞD. 792 / 3, 12 Z. 1315 (4 May 1898)

³¹⁰ BOA. İ. ŞE. 12 / 1317 L – 5, 23 L. 1317 (24 February 1900)

a cemetery there.³¹¹ The *Şehremâneti* continued its expropriations for cemetery in other areas too. However, we cannot see values of these properties. Moreover, it was decided by *Şehremâneti* that the plot which belonged to Agob Bey of Barutçubaşıoğulları was going to be expropriated. The plot would be used for a cemetery in Florya for Russian soldiers who died in the war in 1901.³¹² It was said that the cost would be paid by *Şehremâneti* but the price of the property is unclear. In this term, a lot of expropriations are seen to be carried out; especially for the construction of graveyards (most of them are officer's properties). However, it is very interesting that the government expropriated plots for building cemeteries while cemeteries in Şehzadebaşı, Narlıkapı and Galata were being expropriated for widening roads and the constructions of the Tünel and railways.

Although not included in the Expropriation Regulations, another example shows that, the shops numbered 142-144 on Yağcılar Avenue in Balıkpazarı in Beyoğlu in 1895 were expropriated as they were dangerous after the earthquake.³¹³ Another application similar to the example would be Sabuncu Hanı, in Eminönü in 1896, half of which was destroyed due to the earthquake, and was decided to be expropriated as it was very dangerous.³¹⁴ In 1893, K m rc  and Bah ecik villages were decided to be expropriated as they were contaminating dams, however, there were many petitions which were sent by village headmen (*muhtar*) on behalf of property owners to *Şehremâneti* and expropriations were not able to be carried out

³¹¹ BOA. İ. ŞE. 8 / 1313 B – 1, 8 B. 1313 (25 December 1895)

³¹² BOA. DH. MKT. 2452 / 40, 26 L. 1318 (16 February 1901)

³¹³ BOA. DH. MKT. 351 / 3, 6 N. 1312 (3 March 1895)

³¹⁴ BOA. İ. ŞE. 8 / 1313 B – 4, 20 B. 1313 (6 January 1896)

for a long time.³¹⁵ However, all in all, that expropriations were made is clear, but it is not clear how much they costed and how many properties were expropriated.

Moreover, Kadıköy-Üsküdar Gas Company was founded with the concession given to French fabricator and engineer Monsieur Charles Georgi in 1891 with the purpose of enlightening the streets of the Kadıköy and Üsküdar.³¹⁶ According to that concession, needed areas were decided to be expropriated by the *Şehremâneti* to place pipes. 2416 *zirâ*' land from 14 decares of field in an area called Kurbağlıdere was needed to be expropriated by *Şehremâneti* for public interest in accordance with the regulation in 1893 to place gas pipes.³¹⁷

Based on the examples given so far, it can be said that although these expropriations were not clearly stated in Expropriation Regulation and Decree-Law, they were applied for construction work that served the public interest. That is, although the frame for the construction work that was for the public interest was narrow, in practice these expropriations can be said to be applied more widely.

However, as of the mid-1880s some expropriations that can be qualified as very different from the instances above were observed. The relationship between these expropriations and "public interest" can be questioned. One of the examples that supports this argument best would be this: *Yarımhan* (inn) of Gazi Ahmet Muhtar Pasha on Bezciler Street in Mahmutpaşa in 1883, was expropriated due to the reason that "*it was ruined.*" However, eight shops near *Yarımhan* had to be added to road according to map (*istikamet harîtası*) and they were expropriated by paying 650

³¹⁵ BOA. İ.ŞE. 3 / 1311 C - 17, 16 C. 1311 (26 December 1893)

³¹⁶ Ali Akyıldız, *Osmanlı Dönemi Tahvil ve Hisse Senetleri "Ottoman Securities"*, (İstanbul: T.E.B. 2001), p. 132

³¹⁷ BOA. ŞD. 766 / 6, 24 L. 1310 (11 May 1893)

kuruş for each of their *zirâ*'. As for Gazi Ahmet Muhtar Pasha's *Yarımhan*, it was expropriated without any payment.³¹⁸ It is remarkable that this expropriation coincides with the removal of Gazi Ahmet Muhtar Paşa from Istanbul by the sultan by sending him to Egypt as a commissioner.³¹⁹ In this context, it can be put forward that this expropriation was in a way used as a political tool.

Moreover, the shops of Gazi Ahmet Muhtar Pasha's wife before Şehzade Mosque on the avenue were decided to be expropriated anyway although *Şehremâneti* emphasized clearly that “ *in fact other streets' widening and the expropriations of the properties on those streets were more needed than that avenue and 5000 kuruş of expropriation cost would be an economic burden for Şehremâneti at that time.*”³²⁰ Although *Şehremâneti* notified that this expropriation would be a big burden on their budget and there were expropriations that had to be made earlier, in its reply the Ministry of Interior Affairs (*Dahiliye Nezâreti*) announced that the properties of Gazi Ahmet Muhtar Pasha's wife should absolutely be expropriated for 2000 liras before other necessary properties.³²¹

Furthermore, we should mention the hotel expropriation in Heybeliada where no expropriation occurred in the previously examined samples and which was too far from the center of the city. Tahir Bey, who was the owner of *Malûmât* and *Şûrût*

³¹⁸ BOA. ŞD. 704 / 25, 29 M. 1301 (30 November 1883)

³¹⁹ Rifat Uçarol, *Gazi Ahmet Muhtar Paşa (1839-1919) (Askeri ve Siyasi Hayatı)*, (İstanbul: Filiz Kitabevi, 1989), p. 157

³²⁰ BOA. DH. MKT. 340 / 42, 8 Ş. 1312 (4 February 1895): “o civârda andan dar ve müsta'cel diğer caddeler muhtâc-ı tevsî' bulunduğî hâlde mücerred orasının tezyîd-i intizâmı maksadıyla bu kadar külliyetli masraf-ı ihtiyârî Emânet'in hâl-i hâzırı ile gayr-i mütenâsib idüğünden şimdilik orasının hâl-i hâzırı ile ibka'sı zarûrî idüğünden.... ”

³²¹ BOA. DH. MKT. 340 / 42, 8 Ş. 1312 (4 February 1895): “mezkûr dükkanların istimplâki zarûrî görülerek ancak bu bâbda dört bin beş bin lira raddesinde masraf-ı ihtiyârî icâb ideceğî anlaşılmasına binâen bunun Emânetçe tesviyesi mümkün olamayacağı lede-t-tebliğ iki bin lira virileceğî beyân kılındığı..... ”

newspapers, in 1903 Tahir Bey's hotel and plot in Heybeliada were expropriated without being given any reason and any payment but highlighting that it was in line with the regulation.³²²

Besides, there was another strange expropriation: The expropriations of plots of five houses which covers an area of 2500 *zirâ* were carried out by emphasizing the fact that they were in line with the regulations. The houses were on Çeşme Street and Çukur Street in Ayaspaşa and the expropriations were carried out so that *Der-saâdet* would give the expropriated areas “*as a gift for the construction of the Italian Embassy.*” The expropriations were carried out without informing property owners. They did not let the owners know so that 15,000 liras of price which was determined did not increase.³²³ Here it can be questioned that whether the expropriation of some lands without asking permission from the owners is in accordance with the idea of “public interest”. We must also state that in the Expropriation Decree-Law of 1879, it was emphasized that “*the expropriation of a property has to be in favor of public interest.*”³²⁴

³²² BOA. DH. MKT. 739 / 52, 24 R. 1321 (20 June 1903)

³²³ BOA. İ. ŞE. 13 / 1318 R-1, 5 R. 1318 (10 August 1900) : “...işbu arsaların evvel emrde hükümet-i seniyye nâmına mübâyaasıyla senedlerinin takdîmi irâde ve fermân buyrulduğuna mebnî yine bir tarafdan sûret-i mahsûsada kıymet-i hâzıraları tedkik ve tahkik olunmak üzere pazarlık suretiyle mübayaası menfaat-i hazîneye ve maksad-ı isti'câle daha ziyâde muvafık görülerek ber-mantûk-ı fermân-ı âlî bundan birkaç gün mukaddem vesâit-i münâsibe ile pazarlığa girilmiş ve caddesinde beş mükemmel hânesi bulunan ve ikibin beşyüz arşundan ibâret olan arsa ve hânelerin ashâbı güç hâl ile onbeşbin liraya iktinâ' idildiği gibi bunun yan ve arka cihetlerinde vâki' on küsur hânenin dahi mesâ'î-i masrûfa netîcesi olarak binaltıyüz, nihayet binyediyüz lira raddelerinde mübâyaası imkânı da hâsıl olmuş ise de hâneler ashâbı bunun İtalya Sefareti'ne ihdâ' olunacağını hissederlerse emsâl ve sevâbıki gibi ziyâde akçe matlubesine kalkışmaları melhûz olduğundan ve eğerçi istimlâk kaidesine tevfiқан vuku' bulacak muâmele şu matlubâta mani olur ise de daha pek yakın zamanlarda ittisalindeki alım satımları bi-t- tab' nazar-ı itibâra alacak olan muhamminlerin tahmîni şimdiki kıymeti bir hayli tecavüz ideceği bî-iştibâh olmağla buralara mahal kalmamak üzere şimdiden bunlara birer mikdâr pay i'tâsı virilmesine dair...”

³²⁴ BOA. İ. MMS., 64 / 3047, 18 Z. 1296 (3 December 1879): “...işbu kanûn mücebince iştirâ'-yı emlâk husûsunda menâfi'-i umûmiyye nâmına bir şahsın mülk-i meşrû'undan hakk-ı tasarrufi mübâyaa olunacağı cihetle alınacak mülkün hakikaten menfaat-i umûmiyye için olması ”

There are also some strange expropriations. The best two examples would be the followings: in 1892, the decision of the expropriation of Salih Pasha mansion's plot in Beyoğlu because “*it would negatively affect the air of Nisa Hospital*”³²⁵ which was built in 1878. Also, in 1894, the 700 *zirâ*’ land of civil servant (*Adliyye Nezâreti ser-veznedarı*) Hüseyin Efendi was expropriated based on the reason that “*it would prevent Nisa Hospital to get enough air*” in Cerrahpaşa.³²⁶ Both of these two expropriations were performed after the property prices were set. However, since there is long time between the expropriations and the construction of the hospitals,³²⁷ it can be questioned whether the public interest is upheld or not. In the Decree-Law, it was stated there would be expropriations for the construction of the hospital but the houses were not expropriated during the construction and a twenty years of time was necessary. Considering these examples, we can say these were executed in favor of public interest, however some other factors may also been thought.

It should be noted that we do not claim all expropriation examples in the nineteenth century are included in this thesis. We tried to make some general deductions based on the examples examined. As a consequence, when the relation between the concept of “public interest” and applied expropriations is looked into, the conclusions are; initially, in Karaköy in 1858, expropriations were implemented for road extension in some districts by stressing the public interest (without waiting for fires). By asserting the importance of “public interest”, expropriations were continued to be implemented in upcoming years, especially in extension of some

³²⁵ BOA. ŞD. 763 / 27, 12 Ca. 1310 (2 December 1892): “*bu arsanın hastane cihetinde bulunmak mülâbesesiyle derûnuna yapıdırılacak hânelerin cereyân-ı havâya mâni’ olacağı*”

³²⁶ BOA. İ. ŞE. 5 / 1312 S – 01, 8 S. 1312 (11 August 1894): “*... Nisa Hastanesi’nin ciyâdet-i havâsını ihlâl ideceği cihetle mübâyaası lazım gelmiş.....*”

³²⁷ *Beyoğlu Nisa Hospital* was built in 1878, and *Cerrahpaşa Haseki Nisa Hospital* was constructed in 1869. Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediye*, vol. 6, pp. 3413-3428

roads (particularly in central districts) construction of Tünel-tramway-railway lines, and infrastructures. In addition to this, in 1870s by putting “public interest” forward, for the construction of Tünel and road widening, graveyards, for the construction of railway network, mosques (despite the fact that mosques were excluded from expropriations) were expropriated. Also, it is seen that, some regulating were made such as announcement of auction operations to people with newspapers, some new payment regulations as paying by municipal property and instead of cash in the payments of expropriation amounts by government after the mid of 1870s. Furthermore, at this time, according to which regulation’s which clause the expropriations would be done was also started to be emphasized more clearly by the government.

However, especially in the middle of 1880, compared to the previous years, expropriations and the concept of “public interes” had noticeable differences, because in this date the borders of “public interest” and reconstruction were extended, in spite of not being documented in regulations, there had been many expropriations that were said to be done for “public interest”. After the 1880s, reconstruction activities were extended to include more districts. And both purposes and areas of the expropriation applications were enlarged. For example, some areas like Tatavla, Feriköy and Florya where no expropriation was performed were included in the expropriations. It is seen that in this period many expropriations were done to evoke government authority on public, which is one of the most important features of a modern state for the construction of schools, police offices, hospitals. On the other hand, since the mid of the same year, although the number was low, expropriations which were done for free and without any reason were said to be done for political purposes instead of “public interest”. Thus, it is possible to say that some

expropriations were executed in favor of not only public interest but also for government interest and for certain political purposes. In the same years again, although the reasons for expropriations of some properties were stated, the relation between these expropriations and “public interest” can be discussed. Consequently, the 1880 period can be said to be the year of contradictions in terms of the correlation between expropriations and “public interest”, because as seen, in spite of the fact that this period is the most intensive period of expropriations done for “public interest”, it can be alleged that the public interest side of these expropriations are contradictory, and even for some of the expropriations they were said to be done totally ignoring the public interest. So, the reign of Abdülhamid II period can be labeled as the period in which both reasons and numbers of expropriation activities increased highly, almost reached its climax. Therefore, it can be inferred that the 1880s, the reign of Abdülhamit II, was a turning point because of the change and transformation in the expropriations.

CHAPTER 5

DIFFERENT URBAN ACTORS AND THEIR RESPONSE TO EXPROPRIATIONS

In this chapter, expropriations which were implemented during the modern reconstruction process will be examined in a more detailed way, especially by looking at the economic and social aspects. First of all, how and according to what criteria property values were determined will be analyzed by comparing expropriation values in different districts. What were the resources for expropriations that necessitate a large amount of money for the Ottoman government which started to become indebted to foreign countries starting from the middle of 1850 onwards, what were the internal sources, and the role of the banks and bankers in this process? Secondly, expropriations of foreigners' properties will be looked at by keeping the political conjuncture of that period in mind. Finally, with special emphasis on property owners (both Ottoman subjects and foreign property owners) and newspaper accounts, how expropriations and reconstructions were perceived by the public how were the public will be analyzed in more detail.

The Problem of Value Estimation

During the expropriations, the most complicated issue was the valuation of the properties to be expropriated. The reason behind is that while the values are settled, mortgaged property and the value assessment of the shops with *gedik* also come into play. It is seen until now that many properties were exposed to expropriation procedures. So, then how were the values of properties determined and which criteria was used for this process? How were the expropriation costs paid? The government graded the districts “according to their importance” (*takdîm ’ül ehemm ale’l-mühimm*)³²⁸ and then carried out the regulations. Did this process occupy an important role during the determination of expropriation values?

It is seen that in general the valuation of the properties to be expropriated was made according to the *zirâ’* of the land. While the valuation was made according to the *zirâ’* of the land, it was also considered whether the property was wooden or *kârgîr*. However, although among the examples that were examined few examples were observed, it is also seen that shops with *gedik* were included in the expropriation process. In the valuation of shops with *gedik*, the value was determined according to the yearly rental incomes of stores and *gediks* separately. In this way, the impression that a *gedik* was evaluated like an property while a *gedik* with its valuation made was being expropriated.

The common application, the compensations of the properties would be paid after the commission determined their estimated values according to their locations

³²⁸ BOA. İ.DH. 572 / 39882, 20 Z. 1284 (14 March 1868)

(*konum*), the market price (*râyic*) and their precedent (*emsâl*). As a result, we can clearly claim that the values of the properties that would be expropriated by the government were tried to be done by taking the comparison between the precedent and location criteria as a basis. Though they were not explained in the documents, these three criteria can be detailed on the examples. The expropriation prices of properties determined by comparing with precedents can be explained by this way: the contemporary expropriation of a property was done according to the previous applications. That is to say, it was clear that, in the process of value determination according to precedent there was a parallelism in terms of construction type and material between the previously expropriated property and the properties to be expropriated. Other important factors that affect the value determination according to precedent were whether the property was burnt or not, and whether it would be expropriated partly or totally.

Location of the buildings was another criteria that affected evaluation. When looked at several examples it was revealed that the value of the property according to location is determined mainly by its being at central and commercial district and being at the district where the modern transportation system runs. In addition to this, it can be said that if the property is on the street, near the seaside, or close to the market-center, it becomes more advantaged in price determination. It could be inferred from these examples: some differences in the expropriation payments can be observed although the properties were in the same district and were expropriated synchronously.

For instance, although each *zirâ'* of plots in Nergis and Sevud Street was 8 gold lira for the construction of subway in 1870s in Beyoğlu where the highest

expropriation was paid, each *zirâ*’ of the burned plots of Kurdale and Şerbethane Street in the same district was 81 *kuruş* in 1894. That is to say, if a plot even in Beyoğlu which was the most central and commercial district of the capital was burned, its expropriation payment was decided much less than the unburned plots’ one.³²⁹ The same occasion was seen in other districts. For instance, in 1906, each *zirâ*’ of the summer house’ plots in Rumelihisarı was 70 *kuruş* for a road expropriation of 84 *zirâ*’. According to this document, the expropriation payment of every *zirâ*’ in neighbouring plots around this expropriated plot was 1.5 lira. The reason why the former plot was expropriated for 70 *kuruş* per *zirâ*’ was that the plot had been burned. The *zirâ*’ of another synchronously expropriated plot in the same district was 40 *kuruş*.³³⁰

Another example shows that, in 1895, 20 *zirâ*’ from Yusuf Ağa’s plot in Tophane was necessary for road enlargement. Each *zirâ*’ of Yusuf Ağa’s plot was expropriated at the cost of 200 *kuruş*.³³¹ On the other hand, the each *zirâ*’ of shops below Çavuşbaşı Mosque was expropriated at the cost of 275 *kuruş* for road enlargement of 12 *zirâ*’ in Tophane in 1876.³³² In the middles of 1890s, each *zirâ*’ of two properties in Nişantaşı which were expropriated for road enlargement was 19 and 27 *kuruş*.³³³ We can conclude from these examples that the expropriation payment of a property can be different from other properties’ payments in the same district. Whether the property was burned or not was a big factor in determining the

³²⁹ BOA. İ. ŞE. 6 / 1312 Ca - 1, 16 Ca. 1312 (15 November 1894)

³³⁰ BOA. İ. ŞE. 19 / 1324 S - 8, 16 S. 1324 (11 April 1906)

³³¹ BOA. İ. ŞE. 8 / 1313 Za - 4, 18 Za. 1313 (11 December 1895)

³³² BOA. İ. ŞD. 30 / 1467, 7 Ra. 1293 (2 April 1876)

³³³ BOA. İ. ŞD. 7 / 29 B. 1311(5 February 1894)

expropriation payment. Moreover, being near the sea and close to such centers as mosque and bazaar are other important factors in payment determination.

However, determination of values according to market value which was more complex and difficult to understand than the previous two criteria was also an issue. How the prices were determined according to market? When Ottoman capital city properties were considered in the nineteenth century, it is clear that multiple value determination was used because, in the capital city the ownership of properties was on waqfs but in application the people who made use of these properties paid rent to the waqfs as a return, this was the legal price of the property.³³⁴ However for some reasons the rent was below the market value. Thus, there was difference between registered value in the waqfs that could be said as the legal value of the properties, and the market value. For example; with Cadastral Survey of Istanbul (*İstanbul Emlâk Sayımı*) in 1874, it was attempted to equalize the legal value and market value of the properties, and officials would determine the value again without ignoring the market value. In this way, a written price (cadastral survey value) was formed.³³⁵ While deciding the expropriation cost, instead of this written value decided as a consequence of Cadastral Survey, a new value determination was applied by the officials and new market value was tried to be decided. Moreover, after 1858 (with the cadastral survey of Galata district) proportional tax like municipal property tax (*emlâk vergisi*) was being taken from the properties. According to 1874 Cadastral Survey, property tax was taken 0.4% on the properties real values and 4% on the rent revenue.³³⁶ While valuating the properties, whether

³³⁴ Alp Yücel Kaya and Yücel Terzibaşoğlu, “Tahrirden Kadastro’ya: 1874 İstanbul Emlak Tahriri ve Vergisi “Kadastro tabir olunur tahrir-i emlak,” pp. 38-39

³³⁵ *Ibid.*, p. 39

the property tax was taken into consideration or not, and if they considered, how they were calculated is not clear.

In the determination of expropriation value according to market value, which the valuation was made according to the previous cadastral survey for some examples is the most problematic issue of the valuation process. It is not states in documents whether the cadastral survey was carried out in 1866 or in 1874. However, it can be put forward that the implied cadastral survey is the one dated 1874 since it was the one that contained many districts of the capital and the examples belonged to dates after 1880.

For example, the expropriations of eight shops (*tömbekeci, kahveci, kasap, kaymakçı, kadayıfçı, sebzeçi, sarraf, bakkal*) were decided in 1882 on the basis of the widening of Hacıkadın Avenue and Beşiktaş Avenue in front of Sinanpaşa Mosque in Beşiktaş. Although the written values in the previous cadastral survey were looked at, these shops' values were determined by *muhammins* according to market price. For instance, while the value of *kadayıfçı* shop was 50,000 *kuruş* according to the former cadastral survey register, market value at that time was determined as 67,250 *kuruş*. Once again, while the value of the *kaymakçı* shop, according to the register was 40,000 *kuruş*, its market value at that time was determined as 59,000 *kuruş*. The expropriations of those eight shops were carried out by a payment of 446,250 *kuruş* according to market.³³⁷

Also in 1895, for the purpose of designing the square on Vefa Avenue in Molla Hüsrev quarter, 38, 40 and 80 numbered shops needed to be expropriated

³³⁶ Ibid.

³³⁷ BOA. Y. PRK. KOM. 3 / 54, 1 C. 1299 (20 April 1882)

according to the map. After the written values in the previous cadastral survey made for this activity were looked at, their values were reassured for expropriation. These shops' written values were 6000 *kuruş*, 6000 *kuruş* and 12,000 *kuruş* respectively. It was decided that 38 and 40 numbered shops were going to be expropriated by giving 100 *kuruş* for each *zirâ*' of them and 80 numbered shop was going to be expropriated by paying 120 *kuruş* for every *zirâ*' of it according to market.³³⁸ In addition, in 1895 when the values of the shops which needed to be expropriated for widening the avenue opposite of Şehzade Mosque of the wife of Gazi Ahmet Muhtar Pasha were being estimated, it was demanded that the previous cadastral survey register be checked. It was then noticed that the values of those buildings were 5000 liras in that register. But those buildings expropriated for 2000 *kuruş* because “5000 *kuruş* of expropriation cost would be an economic burden for Şehremâneti.”³³⁹ In 1895 when the value of the property which would be expropriated to widen Çubukçular Avenue in Tophane according to its direction map was being determined, it was stated that the land's written value was 8000 *kuruş* and it was decided that it was going to pay 200 *kuruş* for each *zirâ*' of it according to the “circumstances of the day.”³⁴⁰ Lastly, this contradiction should be emphasized: although in this examples the previous cadastral survey was considered during the determination of expropriation values, it is seen that in the end the expropriation values were determined by *muhammins* according to the market of the day as in other examples. However, an answer cannot

³³⁸ BOA. ŞD. 776 / 24, 9 Za. 1312 (4 May 1895)

³³⁹ BOA. ŞD. 775 / 6, 7 N. 1312 (4 March 1895): “..... mezbûr defterde muharrer kısm-ı tahrîriyyeye nazaran bu bâbda dört bin beş bin lira arasında bir meblağın sarfına ihtiyac ideceği istinbât kılınmış olmasıyla müzâyaka-i hâzır-ı maliye ilcâ'sıyla masârif-i mezbûrenin Emânetce tesviyesinin mümkün olamayacağı tebliğ idilmesi üzerine bunun için iki bin lira virileceği beyân kılınmış...”

³⁴⁰ BOA. İ.ŞE. 8 / 1313 C – 4, 23 C. 1313 (11 December 1895): “....mezkûr arsanın sekiz bin guruş kıymet-i tahrîriyyesi olup hâl-i hâzırda beher zirâ'inin iki yüz guruş kıymete mütehammil olduğunun dâire muhamminleri tarafından lede-l-muâyene tahakkuk itdiği anlaşılmasıyla....”

be given to the question of why it was in only in these examples that the valuation was made after the previous cadastral survey was checked.

Another unclear point in value determination is that what type of procedure were practiced in value determination of some mortgaged properties is not clear. The government in 1893 stated (with special reference to railway construction) that if there are mortgaged properties among the buildings to be expropriated it would be inconvenient to make a general expropriation of the region according to the second article of the Expropriation Decree-Law. That is why, the need for a regulation that would determine the rules of expropriating mortgaged properties was accentuated. However, it is unclear whether such a law was made or not and as a result how the mortgaged properties were expropriated before and after 1893 is unknown to us.³⁴¹ In addition to this, according to Osman Nuri Ergin, there were properties in Beyoğlu which had fire insurance but it cannot be understood what kind of process was applied in the value determination of these insured houses or shops.³⁴²

This should be stated also, in 1880 in the determination of expropriation values a new decision was tried to implemented. In 1880, if waqf properties were expropriated for constructions of hospital, for each 100 *zirâ* of these waqf properties, 65 *kuruş mukataa*³⁴³ allocation were decided.³⁴⁴ On the examples whether this decision accepted in 1880 was applied or not is not clear in documents.

³⁴¹ BOA. DH. MKT. 2046 / 125, 12 B. 1310 (30 January 1893): “.... *temiryolu için iştirâ*’ olunacak mahcûz ve merhûn mahaller için [İstimlâk]kanûn-nâme-i mezkûrın ikinci maddesi hükmüne tevfik muâmele olunmasında tereddüt hâsıl olduğundan bahisle bunlar hakkında olacak muâmele için Şûrâ-yı Devletce bir karar ittihâz idilerek iş’ârı hakkında Defter-i Hâkanî Nezâret-i Celilesi’nden me’bûs tezkire leffen takdîm kılınmış olmağla icrâ’-yı icâbı vâ-beste-i müsâde-i aliyeye-i sadâret-penâhileridir.”

³⁴² Osman Nuri Ergin, *Mecelle-i Umûr-ı Beledîyye*, vol. 3, p. 1212

On the other hand, in 1887, *Evkâf-ı Hümayûn Nezâreti* wanted *Şehremâneti* to allot *mukataa* with computation of 10 *kuruş* out of 1000 (*Binde 10 kuruş Hesâbıyla*) for the waqf properties which would be expropriated for widening of roads and hospital construction. Yet, *Şehremâneti* did not approve this demand because *mukataa* was necessary for the expropriation of waqf properties for hospital construction; but not for street enlargement. As *Şehremâneti* reported, *mukataa* allotment had not been done for the properties expropriated so far for the newly constructed streets. That is why, it was found appropriate that expropriation price was paid to a waqf property only one time for street enlargement.³⁴⁵

After all, if we compare the expropriation values according to the districts ranging from the expropriations carried out from the design of Karaköykapısı road (In fact, the modern expropriations were done after Aksaray Fire. However, we cannot find the determination process of the payments in this example.) When we look at the payments of expropriations from 1858 to 1910 in the capital, it was emphasized that the values of expropriated properties in Beyoğlu-Galata, were too high. This is because generally each *zirâ'* of the properties in Beyoğlu was purchased with amounts ranging from 2 to 10 golds (except burnt properties) between 1870s and 1910s. However, when we take a look at the other areas of the capital between 1870–1910s, approximately in the same years that the area which had the highest expropriation value apart from Beyoğlu were Makriköy, Karaköy, Ayasofya and Bahçekapı. For example in the districts like Makriköy, which was not commerce

³⁴³ *Mukataa* means that the properties whose ownership belong to government or waqfs that were given individuals for rent, and the amount of rent. *İslâm Ansiklopedisi*, (İstanbul: Türkiye Diyanet Vakfı, 2006), vol. 31, p. 132

³⁴⁴ BOA. ŞD. 689 / 26, 16 C. 1297 (26 May 1880)

³⁴⁵ BOA. ŞD. 712 / 7, 10 Za. 1304 (31 July 1887)

centre payments were much higher than the payments of other districts. In 1895, each *zirâ*’ of plots in Makriköy, was 1-2 *mecidiye*³⁴⁶ This price was quite high. It could be inferred from these examples: a value of 2300-7000 *kuruş* for each *zirâ*’ of a plot in Karaköy was determined for the expropriation of shops in Karaköy for the widening of road in 1858. In 1879, each *zirâ*’ of store's plots were valued as 950 *kuruş*, those stores were needed to be bought and added to road as they were on the direction of the tram line in Bahçekapı near Ayasofya.³⁴⁷ In 1893, one butcher's shop had to be added to road on Karabaş quarter in Tophane for the construction of tram lines and 30 *zirâ*’ of land had to be taken. Each *zirâ*’ of the area was valued for 700 *kuruş* and it was decided that that area would be expropriated for 21,000 *kuruş*.³⁴⁸

Besides, the house on Lüleçiler Street in Tophane had to be destroyed and added to the road in 1896. The house was expropriated by being purchased for 180 *kuruş* for each *zirâ*’ of it. It shows that there were value differences among the streets in the same district.³⁴⁹ 22.5 *zirâ*’ of the water shop in Mimar Kemaleddin quarter in Koska Avenue in 1895 had to be completely added to the road as required by the direction map for the widening of the tram lines upto 12 *zirâ*’. It was approved that the area would be expropriated for 250 *kuruş* value for each *zirâ*’.³⁵⁰ In 1883, eight shops on Bezciler Street in Mahmutpaşa next to Yarımhan had to be left to the street. Thus, they were going to be expropriated by giving 650 *kuruş* for each *zirâ*’ of their plots equally.³⁵¹ In 1893, 9 *zirâ*’ of land that were needed for the widening of the

³⁴⁶ BOA. İ. ŞE. 8 / 1313 Ca – 07, 16 Ca. 1313 (4 November 1895)

³⁴⁷ BOA. ŞD. 689 / 22, 1296. B. 13 (3 July 1879)

³⁴⁸ BOA. ŞD. 764 / 4, 1310. B. 12 (30 January 1893)

³⁴⁹ BOA. İ. ŞE. 8 / 1313 Za - 4, 18 Za. 1313 (1 May 1896)

³⁵⁰ BOA. İ.ŞE. 8 / 1313 B - 3, 14 B. 1313 (31 December 1895)

road on Bozdoğan Street in Vezneciler was expropriated by giving the estimated value of 30,500 *kuruş*.³⁵²

However, we do not see such high expropriation values when we take a look at the other areas of the capital. In 1894, it was decided that 25 *kuruş* would be paid for each *zirâ*' of the required property which was needed for the adding to Nisa Hospital in Cerrahpaşa.³⁵³ Another example shows that in 1895 during the design of Vefa Square; the purchase of three shops' plots became obligatory and it was decided that they would be expropriated by giving 50 *kuruş* for each *zirâ*' of those plots by First District.³⁵⁴ Expropriation of the houses which needed to be added to the road for the widening of Zeyrek Avenue of the Kilise Mosque Street by paying 90 *kuruş* for each *zirâ*' was decided in 1886.³⁵⁵ Another example is that the 9000 *zirâ*' of plot which belonged to Fuad Bey and which was near the barracks in Kireçburnu, was expropriated for 45,000 *kuruş* by paying 5 *kuruş* for each *zirâ*' 1909.³⁵⁶

The purchase of the properties wasn't necessary every time during the widening or design of the road. There were times when only certain parts of the properties were cut and the expropriation cost of those parts was paid. For example, in 1891 the house on the corner of the street which was leading to *Şehremâneti* in Firuzağa quarter in Divanyolu had to be purchased partly according to the committee which was organized for expropriating to widen the road and also in line with the

³⁵¹ BOA. ŞD. 704 / 25, 29 M. 1301(30 November 1883)

³⁵² BOA. DH. MKT. 40 / 16, 13 Ra. 1311 (24 September 1893)

³⁵³ BOA. İ. ŞE. 5 / 1312 S - 01, 8 S. 1312 (11 August 1894)

³⁵⁴ BOA. ŞD. 776 / 24, 9 Za. 1312 (4 May 1895)

³⁵⁵ BOA. ŞD. 718 / 4, 18 B. 1303 (22 April 1886)

³⁵⁶ BOA. İ. ŞE. 24 / 1327 Ca - 1, 23 Ca. 1327 (12 June 1909)

Expropriation Regulation. And the payment of 12,890 *kuruş*, for the part which would intersect with the road, was decided.³⁵⁷

In addition, some places which were part of the areas to be considered far from the center of the city and today have high property costs had such a low property cost then, that they couldn't be compared with the costs of today. For instance, the value of two lands in Nişantaşı which were totally 1536 *zirâ*' and needed to be purchased for the purpose of designing the road from Taksim, was estimated to be 27 *kuruş* for each *zirâ*' in 1895.³⁵⁸

Finally, it can be said that expropriation costs in the capital change dramatically from one district to the other. Moreover, property costs are observed to be different among properties in the same district. The properties whose locations are different have the biggest share in that; and also whether the property is burnt or not has nearly the same importance. Generally, the biggest expropriation costs are in Beyoğlu and Galata, which are the most central districts and in which commerce and foreign population are intense. Another important feature of these districts is that modern transportation systems such as Tünel and Cable railway pass through them. It is already clearly seen that in districts through which tunnel-cable railway and railways pass expropriation costs are more than other districts. For this reason, it is remarkable that even in Makriköy, which was far from being a central district; expropriation costs were higher than some districts which can be said to be central.

³⁵⁷ BOA. DH. MKT. 1858 / 84, 7 M. 1309 (13 August 1891)

³⁵⁸ BOA. İ. ŞD. 7 / 29 B. 1311(5 February 1894)

The Role of Banks and Bankers

In this section, the roles of banks and bankers in the process of reconstruction and expropriation will be evaluated in the light of these questions: What way did the government, which started borrowing foreign debt, followed in creating resource for the municipalities that carried out expropriations? How were banks and bankers included in this process and which banks and bankers played which roles?

The required expropriations in Galata-Beyoğlu were carried out by the Sixth District Administration, the Sixth District Administration was not able to pay the expropriation costs of shops that had to be taken for the widening of the road in Karaköykapısı in 1858 for the first time. It had to borrow 8,000,000 *akçe* from the Ottoman Bank.³⁵⁹ As there were not enough financial resources in the treasury for the expropriations which were being carried out quickly by *Şehremâneti* after 1868, in 1872 *Şehremâneti* had to borrow 150,000 Osmanlı liras to pay after one year with 6 % interest from banks such as the Ottoman Bank, Bank de Constantinople and Galata Bankers Group including well known bankers such as Monsieur Zarifi,³⁶⁰ Hristaki Efendi and Agob Efendi. *Şehremâneti* was not able to pay the costs of many properties which had to be expropriated for widening of some roads for three years

³⁵⁹ BOA. İ. MMS. 27 / 1186, 28 Ca. 1280 (10 November 1863)

³⁶⁰ Moreover, according to Zarifi, the famous banker of Abulhamid II “*Not all of the fires in Poli occur accidentally. Most of the fires were caused by Şehremâneti's sabotages. Because Şehremâneti wanted to widen very narrow streets of Poli. However it did not have the necessary amount of money that it would have to pay as expropriation to the owners of properties .It found out that sabotaging was the most cost free way of applying city planning.*” It should be highlighted here as a paradox that the banker Zarifi in whose memories written by his grandson he talked about *Şehremâneti* and expropriation so badly, while he was going to become one of the bankers who provided money to *Şehremâneti* so that it would apply the expropriation activities in 1870s. Y. L. Zarifi, *Hatıralarım: Kaybolan Bir Dünya İstanbul 1800-1920*, trans. Karin Skotiniyadis, (İstanbul: Literatür Yayınları, 2005), p. 126

as their incomes were not enough. It had to borrow some debt in order to end the property owners' increasing complaints and pressures (7,435,000 *kuruş* was needed urgently for the properties expropriated for tram lines and there was a shortage of 56,284 *kese kuruş*, in their budget). *Şehremâneti* put its surplus against this debt and if it was not able to pay that amount within one year, then they would have to pay for the left amount with 12% interest for the first six months' delay and another 12 % interest thereafter.³⁶¹

Additionally, the economic distress of *Şehremâneti* was increasing since they could not get enough financial funding from the *Hazîne* and the road construction and expropriations costed a large sum. Thus, it borrowed 10,000 liras with the undertaking of *Hazîne* from Ottoman Bank in 1894.³⁶² Furthermore, *Şehremâneti* demanded that 20 % of *Der-saâdet* property tax would be left for them as their income was not enough to close the increasing deficit.³⁶³ That tax was taken from the *Hazîne* and it was left to the use of municipality when Sixth District Administration was founded. It was then left to the use of *Şehremâneti* when it was founded in 1868, however, according to a decision taken in 1875; property tax was going to be left to the government again.³⁶⁴ 10% of the tax was left to *Şehremâneti* in 1887 and *Şehremâneti* got 700,000 *kuruş*. As the costs that it had to spend was not enough for services, including expropriations in the first place, the request of *Şehremâneti* was rejected, but it was decided that 10,000 liras would be given to it from the *Hazîne*. *Şehremâneti* did not have enough resources for the things that they

³⁶¹ BOA. İ. MMS. 45 / 1870, 12 L. 1289 (13 December 1872)

³⁶² BOA. İ. ŞE. 4 / 1311 Ş – 10, 15 Ş. 1311 (21 February 1894)

³⁶³ BOA. İ. MMS. 89 / 3792 4 B. 1304 (29 March 1887)

³⁶⁴ Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyeye*, vol. 3, pp. 1366-1367

had to do it had to borrow money from the Ottoman Bank again in 1898. It would borrow 20,000 liras with 7% interest for that time and *Kantar* tax would be taken as a reserve and that debt was going to be paid within one year.³⁶⁵ In 1902, *Şehremâneti* announced that *Der-sââdet* property tax had to be left to it until the arrival of *Öküüz* and *Davar* taxes in order to end its 8 -year -old budget deficit because 10,000 liras which was given before was not enough for carrying out the processes. It was reported that *Şehremâneti* would have to borrow 160,000 liras of a huge debt if that tax would not be left for them. However, it was not allowed to have the tax.³⁶⁶

As a consequence, *Şehremâneti* still did not have enough income in 1909 and it requested that 50% of property tax would be left to them in order to put an end to its budget deficit caused by the insufficient income and the high amount of projects to complete. Its request was not accepted. *Şehremâneti* had already borrowed 20,000 liras from the Ottoman Bank in 1909³⁶⁷ and they had to borrow from another bank for the first time as that amount was not enough: It borrowed 1,000,000 liras from Nasyonel Bank with 7% interest and this was the biggest amount of debt so far.³⁶⁸ It is noticed here that *Şehremâneti*, which was executing the expropriation activities in the capital, and its resources were not enough for arranging their income in accordance with the government and carrying out the required expropriation practices. Thus, it had to borrow money from banks and Galata bankers mainly. Banks, especially the Ottoman Bank have the important role of lending money for the expropriations.

³⁶⁵ BOA. İ. ŞE. 10 / 1315 Ş – 2, 22 Ş. 1315 (16 January 1898)

³⁶⁶ BOA. İ. ŞE. 13 / 1318 M – 7, 21 M. 1318 (21 May 1900)

³⁶⁷ BOA. İ. ŞE. 24 / 1327 M – 2, 14 M. 1327 (5 February 1909)

³⁶⁸ BOA. İ. ŞE. 25 / 1327 Za – 4, 23 Za. 1327 (6 December 1909)

Based on all these, we can conclude that the *Hazîne* could not provide the funds necessary for the expropriations and had to borrow from foreign countries in order to pay back the internal debts since the beginning of the expropriations. Because of that situation, *Şhremâneti* and the Sixth District Administration had to borrow money for a number times firstly from the Ottoman Bank, then from other banks and from some Galata bankers between the years 1858-1910s. Apart from those borrowings, *Şhremâneti* tried to persuade the government to allot some amount from *Der-saâdet* property tax to them. However this was only possible five years later. Consequently, it is seen that not only the municipality tried many a time to borrow from banks and bankers to apply the expropriations but also some taxes were used as resource to pay for the expropriation costs.

Assessment and Expropriation of Foreign Properties

The increase in the number of expropriations as of the mid-1880s can be explained by the relatively easy expropriation of the properties disposed by foreign people. In fact, a separate regulation wasn't introduced for the expropriations of the properties belonging to foreigners. However, that was highlighted in the regulations which were introduced about the possessions of foreigners in Ottoman territories, except in Hicaz, in 1867: “*The foreigners will be subjected to the laws which the property owners who are the citizens of Ottoman Empire are subjected to and they will be obliged to the laws which the property owners who are the citizens of Ottoman Empire are obliged to.*”³⁶⁹ So, the way for expropriating the properties of the

³⁶⁹ “*Düvel-i ecnebiyye tebaası Memâlik-i Şâhâne'nin arâzî-i Hicaziyye'den ma'ada her tarafında Tebaa-i Devlet-i âliyye misillü ve başka bir şart tahtında olmayarak mevâdd-ı âtiyede mezkûr olduğu vechile anların bu husûsta tâbi' oldukları nizâmât ve vezâife ittibâ' kaydıyla dâhil ve hâric-i müdün ve*

foreigners in Istanbul and other Ottoman cities was justified by the clause about their possessions. But, the expropriation activities for foreigners started to be carried out from the middle of 1880s.

However, the interesting point was that the government's expropriations of the foreigners' properties could be applied, even though ambassadors more and more interfered with the Empire's internal affairs. Just like the expropriation of the properties of the Ottoman citizens, except for the increase in the reasons for expropriations in 1885s, the properties of the foreigners were expropriated for reasons like enlargement of roads, building hospitals and providing security to police stations. One of the first expropriation activities for foreigners was carried out by expropriating a land belonging to a citizen of Iran government without receiving his approval to open a road next to *Hesdeshâne* in Hasköy in 1883 for the purpose of public interest. However, the person whose land was expropriated without his permission appealed for asking help from the Iran Embassy and the expropriation process was decided to be examined by a committee sent to that place thanks to the support of embassy. However, as a result of inspection, whether the expropriation was implemented or discarded cannot be traced from the document.³⁷⁰

A mill (değirmen) belonging to merchant Kupe brothers who were English citizens was expropriated in Tarabya during the widening of the road by paying its compensation (but their mill's expropriation cost cannot be found) cost in 1892.³⁷¹

kasabâтта tasarruf-ı emlâk hukûkından istifâde etmeğe kabul olunmuşlardır.” “Tebea-i Ecnebiyyenin Emlâk İstimlâkine Daire Nizâmnâme”, article 1, Osman Nuri Ergin, Mecelle-i Umûr-ı Belediyye, vol. 4, p. 1772

³⁷⁰ BOA. ŞD. 703 / 35, 6 N. 1300 (11 July 1883)

³⁷¹ BOA. DH. MKT. 1937 / 42, 28 Ş. 1309 (28 March 1892)

In 1897, the house of a German citizen was decided to be expropriated for the purpose of building a hospital and its cost was estimated. But the thing that was interesting was that the expropriation was carried out only after a German ambassador was found and permission was received from him.³⁷² In addition, in 1895, 1642 *zirâ*' area of the land belonging to Monsieur Erş Moro who was a French citizen was expropriated to be added up to railway line in Makriköy.³⁷³ The expropriation of the properties of foreigners continued for a long time.

In 1904, two properties of Monsieur Levi, who was an Austrian citizen, in Şişli were decided to be expropriated for 45 *kuruş* to be included in the cable-railway line.³⁷⁴ In 1908, the land near Hamidiye Etfal Hospital which belonged to a woman named Tailor Rozzi who was a Greek citizen, was decided to be expropriated to be added to the hospital.³⁷⁵ Also, in the same year, the land that belonged to French citizen Madam Jorun was decided to be expropriated completely for providing security for *Baruthâne* by paying 200 *kuruş* for each decare of that according to the assessment of the investigation committee. And although an extravagant price as 40 lira for each decare was demanded by its owner, the expropriation of the land was carried out with the negotiated 200 *kuruş*. In the end, the costs of some of the foreign properties that were subject to expropriation were not seen to be included in documents.³⁷⁶

³⁷² BOA. Y. PRK. ŞH. 7 / 84, 8 Z. 1314 (10 May 1897)

³⁷³ BOA. ŞD. 778 / 9, 8 Z. 1317 (9 April 1900)

³⁷⁴ BOA. DH. MKT. 766 / 21. L. 1321 (10 January 1904)

³⁷⁵ BOA. DH. MKT. 2632 / 8,15 B. 1326 (13 August 1908)

³⁷⁶ BOA. MV. 119 / 61, 15 Ca. 1326 (15 June 1908)

All in all, this should be emphasized at this point: The expropriations of some foreign properties were started during the rule of Abdülhamit II. They were carried out both for the reconstruction plan such as widening roads, construction of tram lines, railway lines and hospital. Thus, foreigners in the capital could not avoid expropriations.

Conflicts

In this part, firstly the perception of expropriation by those whose properties were subject to expropriation will be evaluated based on their petitions. And then, in general the perception of people in the capital about expropriations and reconstruction activities will be tried to be understood by analyzing some newspapers of the time. What was the response of people whose lands and properties were expropriated and whose shops were destroyed or relocated as a result of those legal arrangements like ? We should examine what reasons lay behind their objections. If we categorize the reasons for those oppositions, we can observe the following;

The most distinct reason for those oppositions was the fact that the property owners found the appreciated values of their properties low. The most clear example of this was seen in 1858. When the owners of shops which needed to be purchased for widening the area in Karaköykapısı didn't accept the expropriation costs that were estimated by the committee until 1863, and the road couldn't be designed by the municipality as it was desired to do.

Another example of the oppositions about the appreciated values was seen during the expropriation of the eight shops for the widening of the Hocakadın and

Beşiktaş Avenues in 1882 in Beşiktaş. The owner of *kaymakçı* shop demanded 100,000 *kuruş* instead of the appreciated amount 59,000 *kuruş* for his shop, but, the property owner's demand was considered to be extravagant and was rejected.³⁷⁷

Moreover, in 1875 in Yeniköy, the expropriation of the house of a woman named Susanne was needed for widening the road, but when Susanne didn't accept the compensation cost, the necessary design was belated considerably. The value of that house was estimated again by *Şehremâneti* so that this opposition didn't set an example for other property owners but the cost was paid according to the previous assessment.³⁷⁸

But, especially from the end of 1860s to 1875s, the neighbourhood where the government faced with the most intense oppositions because of expropriations was Beyoğlu-Galata during purchasing of the properties and lands in the process of assessment of their amounts and values. Also, it is clear that the greatest factor behind these oppositions was the construction of the Tünel. This is because when the Tünel was being built, the values of the properties couldn't be estimated in a large number of streets. Additionally, the property owners didn't accept the appreciated values for a long time. Therefore, the expropriation activities couldn't be carried out for a long time and the construction of the Tünel was delayed. Another conflict that was faced with during the expropriation process in Galata resulted from the fact that the costs of some plots which were expropriated for road widening were not totally paid. Another reason was due to the fact that some of the owners of the plots which were expropriated for the construction of the Tünel in Galata, objected to borders and area meters and demanded the solution for that conflict.

³⁷⁷ BOA. Y. PRK. KOM. 3 / 54, 1 C. 1299 (20 April 1882)

³⁷⁸ BOA. ŞD. 684 / 6, 26 S. 1292 (3 April 1875)

Apart from those, the fact that the owners did not receive their expropriation payments after a long time was among the most recurring complaints. For example, in his petition Hacı Mehmet Efendi, whose bakery was expropriated during road widening in Ayasofya in 1871, stated that he had not been able to get his expropriation compensation for three years. Thus, he complaint about it and demanded that “*the expropriation compensation would be paid to him as soon as possible.*”³⁷⁹ In a similar way, in 1872, the expropriation compensations of şekerçi shops belonging to Mustafa and Cafer Ağa, which cost 140,000 *kuruş*, were not still paid. Thus, they submitted petitions and demanded their money.³⁸⁰ On the same date, the shop owned by Hüsniğül Hanım had been expropriated two years ago, however, its value was not still paid. This was the response of the petitions that she submitted to *Şehremâneti* for this reason: “*The expropriation compensation of her shop would be paid when the other expropriations and other unpaid costs were being paid;*” on an uncertain date in other words.³⁸¹ In the same way, in 1876, the 7300 *kuruş* compensation cost of Ruşeb Hanım's plot in Acımusluk had not been paid for eleven years. Thus, Ruşeb Hanım submitted a petition and it was stated in the response that “*the compensation cost would be paid in the future.*”³⁸² Another example shows that, in 1889, the property of Ali Haydar Beyefendi, who was *Dâhiliyye Nezâreti Evrâk Müdiri*, in Yeniköy was expropriated in order to be added to road and the payment of

³⁷⁹ BOA. ŞD. 675 / 37, 24 B. 1288 (9 October 1871): “...*hedm olunan ebniye için ashâbına tazmînât i'tâsı nizâmen câiz olamayacağı melfûf takrîrde gösterilmiş olduğundan ba'dehû icâbına bakılmak üzere...*”

³⁸⁰ BOA. ŞD. 676 / 32, 26 Z. 1288 (7 March 1872)

³⁸¹ BOA. ŞD. 676 / 36, 10 M. 1289 (20 March 1872): “...*beyân olduğu üzere bu makule diyyünât-ı atfkanın tesviye ve i'tâsı sırasında meblağ-ı mezkûrun dahi te'diyesine ibtidâr olunacağı*”

³⁸² BOA. ŞD. 685 / 8, 15 S. 1293 (12 March 1876): “...*mârr-üz-zikr arsanın emsâli misüllü meclisce tahmîni bil'âhire bedelâtı tesviyesi kararlaştırılmak vaki' olacak hale göre icâbı ifâ kılınmak üzere..*”

the expropriation cost was even requested via petition as it was not paid for six years.³⁸³

On the other hand, in 1872, Rafed Pasha's property across Fincanlar Hanı in Uzunçarşı, Eminönü, was expropriated for 50,000 *kuruş* that is 50 *kuruş* for each *zirâ*', to be included in the road. But in this petition that he presented to *Şûrâ-yı Devlet*, he stated that although one year had passed and his property was used by *Şehremâneti*, the cost was not paid. He also wanted his property to be expropriated with the same prices as other surrounding properties, stating that these properties were expropriated for 70 *kuruş* for each *zirâ*'. After the investigation in *Şûrâ-yı Devlet*, Pasha's wish was decided to be right and his land was expropriated for 70 *kuruş*, its market price.³⁸⁴

There was another reason for property owners' petitions: All of the shops on Koska Avenue had to be destroyed for the building of tram line in 1872. The shop owners did not complain about low values or that the values were not paid for a long time. They complained about the fact that the officers that were sent by *Şehremâneti* were forcing them to leave their shops to the *Şehremâneti* for "free." Thus, they stated in their petitions that "it would not be just if the municipality would observe only the interests of the tram company and not theirs." In the reply given to the petitions of shop owners, it was stated that shops had to be immediately withdrawn for road expansion for the construction of cable-railway system, but it was not specified how much the costs were and when they would be paid.³⁸⁵

³⁸³ BOA. DH. MKT. 1648 / 81, 18 Z. 1306 (15 August 1889)

³⁸⁴ BOA. ŞD. 677 / 22, 26 Ca. 1289 (1 August 1872)

Apart from these, there was another reason for the complaints: The expropriation costs of six shops, which were destroyed and expropriated next to Bayezid Mosque in 1883, were not paid in cash and the value was not accepted by their owners for a long time. The owners submitted a lot of complaint petitions in order to indicate their objections. Moreover, *Şehremâneti* tried to pay the expropriation costs with the areas it expropriated but did not add to road and areas left. Thus, from 1880s property owners submitted petitions to *Şehremâneti* for the fact that *Şehremâneti* was trying to pay the compensation costs in this way for a long time.³⁸⁶

However, the most clear cut example of objection which was submitted by property owners from 1858 to 1910s is the following: Hacımihaloğlu Kostantin indicated that his shop which was located on crossroads on Tutiodaları Street near the Embassy of England in Beyoğlu and his plot were expropriated by Sixth District Administration in 1873. Konstantin stated that “*the municipality did not need my plot but it was expropriated at a low price because it was going to be given to the brother of İsmail Bey who was a member in Şehremâneti Council.*”³⁸⁷

We have tried to emphasize up to this point why the property owners whose properties were expropriated objected. So, it can be seen that such property owners

³⁸⁵ BOA. ŞD. 676 / 35, 24 M. 1289 (3 April 1872) “*Koska Caddesi 'nde tramvay güzer-gâhı olan tarik-i amm vüs 'at ve kifâyesi mülâbesesiyle mahall-i mezkûrde vaki' dükkanlarımızın hedmiyle girüye çekdirilerek tevsi' ve meccânen tarike terki me'mûrîn tarafından her gün kemâl-i icbâr ile tazyikat-ı mübremeye ibtidâr olunmakta bulunmuş ve tramvay kumpanyasının menâfi '-i mahsûsası yoluna fukarâ '-yı ahâlînin fevâidi fedâ' idileceği ...*”

³⁸⁶ BOA. ŞD. 700 / 30, 10 L. 1300 (14 August 1883)

³⁸⁷ BOA. ŞD. 680 / 19, 20 C. 1290 (15 August 1873) “*...arsa-i merkûmenin belediyyeye lüzumu kat'iyen münâsebeti olmayub bu arsanın ittisalinde İsmail Bey'in bir bakkal dükkanı arsası olduğundan mûmâ-ileyh İsmail Bey'in biraderi Şehremâneti Meclisi 'nde reîs bulunduğundan arsa-i âciz-ânem dîn fiyatla elimden alınub mûmâ-ileyhe virileceği der-kâr ve âşikâr bulunmuştur.*” (See appendix G)

initially stated their objections against expropriations by writing to *Şehremâneti*, *Sadr-ı a'azam* and *Şûrâ-yı Devlet*. In the end, the petitions were determined in *Şûrâ-yı Devlet* which made the last decision, and it is also obvious that the reason of all those complaints and objections were the economic effect of expropriations.

Even if for a few times, it is seen that foreigners opposed to expropriations - that expropriation costs were low and they were not paid-by applying to courts, *Sadr-ı a'azam*, *Şûrâ-yı Devlet* and *Şehremâneti* like the Ottoman subjects did. During the term under investigation, only four of the foreigners whose properties that they disposed of were expropriated were seen to oppose to expropriations. The first one of these is the opposition that an Iranian property owner made through Iran embassy when his property in Hasköy was expropriated for the expansion of roads. In 1886, another one is the objection that Italian Garçolo made for the payment of the expropriation cost of his property that was expropriated for cable-railway construction. Although Garçolo sought for justice in the Beyoğlu First Primary Court (*Beyoğlu Birinci Bidâyet Mahkemesi*) his application was rejected and the expropriation was executed. But it is unclear for how much his property was expropriated and his objection was rejected without a clear explanation as to what it was rejected.³⁸⁸ Another one is Levi's objection to the expropriation decision of his two properties for 45 *kuruş* for the construction of cable-railway in 1903. Levi wanted each *zirâ'* to be expropriated for 1.5 lira. In the reply given to his objection, the government stated that the properties surrounding that of Levi were expropriated for 40 *kuruş* and decided that the expropriation would be made for 45 *kuruş*.³⁸⁹ The other instance of objection was that: In 1904, to provide the security of the police

³⁸⁸ BOA. DH. MKT. 1386 / 15, 23 Ra. 1304 (20 December 1886)

³⁸⁹ BOA. DH. MKT. 766 / 21, 11 L. 1321 (31 December 1903)

station that was adjacent to the two shops in Üsküdar that belonged to Russian Kapriyel, the expropriation of it was decided. However, since the expropriation was not carried out although ten years had passed, Kapriyel protested *Şehremâneti* via the Russian ambassador as he could not make use of his shops meanwhile. He asked for compensation as he had lost 1450 liras. After investigation, the expropriation was decided to be carried out but there was no valuation.³⁹⁰ Then, we can infer these; in some instances foreign ambassadors were observed to deal with the expropriation process, especially because of the objections.

As a consequence, against the modern reconstruction and especially for this purpose applied expropriations in the second half of the nineteenth century, there had been many objections and negative attitudes by many of the property owners. It can be truly said that the initial reason for the property owners to object to the expropriations was the anxiety of getting economic harm from them. Therefore, generally the severe objections towards the expropriations were witnessed in central and commercial districts like Beyazıt, Galata, Karaköy, Beşiktaş, Beyoğlu which were places that had the valuable properties, too. The most challenging objection for the government was the one made by the property owners in Beyoğlu through petition demands the removal of expropriation activities altogether. The only reason lying behind these objections made by property owners in Beyoğlu was the apprehension of harming their economic interests. In Beyoğlu, the big difference was that; contrary to property owners in other districts, the property owners in Beyoğlu was against the expropriations because they claimed that the application totally has nothing to do with public interest.

³⁹⁰ BOA. İ. ŞE. 17 / 1322 N – 1, 2 N. 1322 (10 November 1904)

Here, another point should be made clear: from 1870 to 1910 many property owners raised their petition to the *Sadr-ı a'azam*, *Şehremâneti* and *Şûrâ-yı Devlet* because of their dissatisfaction. On the other hand, officially the property owners gained the right to object to the expropriations for the first time with the Expropriation Decree-Law of 1879. According to the eighth, ninth, tenth, eleventh and twelfth articles of this Decree-Law,³⁹¹ the property owners who were dissatisfied by the expropriations (expropriation means here the value of the properties because whatever happens the expropriations were not given up) could object to the affairs in eight days to the municipality or court and their objection would be evaluated. As seen, before 1879, despite the lack of legal settings, in practice, objection to the expropriations namely owners looking for justice, went to the government institutions. Majority of these applications were taken to evaluation (it is interesting in 1858, in Karaköykapısı, it was clearly stated by the government that the objections of the property owners to the expropriations were not taken into consideration).

Another point that attracts our attention here is that actually, with the Expropriation Regulations the property ownership will not be invalid without paying the price determined for it. Despite this, the government made the expropriations without actually paying the absolute value of the properties. The effective point here

³⁹¹ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879): “İstimlâk olunacak emlâkın resmleri ashâbının esâmisi ve takdîr olunan bedel üzerlerinde muharrer olduğu halde emlâkın bulunduğu dâire-i belediyyede kâin ma'bed veya belediyye konağı kapularına ta'lik ile sekiz gün müddet durur ve keyfiyyeti gazetelere derc ile ilan olunur. Ve istimlâk olunacak mülkin bir mahal münâsibine dahi varaka-i mahsûsa yapışdırılır. İstimlâk hakkında idâre-i belediyye ve hükm encümenince tutulan zabıtlar ve ceryan iden muâmelât indel mehâkime mu'teberdir. Ashâb-ı emlâkın sekizinci maddede muharrer sekiz gün zarfında şifâhen ve tahrîren vuku' bulacak ifâde ve i'tirâzlarını dâire-i belediyye re'îsine beyân idecek ve re'îs ifâdât-ı vâkı'ayı bi'l-istimâ' zabt itdirerek belediyye meclisine havale iyleyecekdir. Belediye Meclisi ashâb-ı emlâkın veya istimlâk idecek dâire tarafından vuku' bulan i'tirâzâtı tedkik ve sekiz gün zarfında lüzümü görür ise ashâb-ı emlâki davetle mütalaât ve ifâdâtını istimâ' idüb re'yini beyân ider ve bu meclisde bedeli takdîr iden muhamminler vesair memûrlar dahi bulunur. Keyfiyyet belediyye meclisinde tedkik ile karar virildikden sonra esbâb-ı mûcibe mazbatası tanzîm olunarak Der-saâdet'de makam-ı celil-i sadârete ve taşralarda vali-i vilayete gönderilir.”

is that; the government claimed the expropriation issues were done for public interest for making the capital city a place which had a geometrical, modern shape and technological opportunities namely, with the perception that the expropriations were done for “public interest” had been successful.

Another point that should be stressed here is that; it was decided by the government in every expropriation area to draw a direction map (*istikamet harîtası*) according to which expropriation issues were going to be implemented. Unlike Paris which was the city taken as an example in the process of expropriations, in Istanbul, preparation of a general reconstruction map was not seen. However in a few cases some maps were reached which show the situation of lands before and after the expropriations.

After examining these examples, it seems that the most important purpose of preparing these maps was to prove to the owners of properties how important and obligatory to implement these expropriations. By looking all these maps the new-wider-straight road web can be noticed immediately.

In 1879, for regulating the area in front of the Beyazıt Mosque and expanding the road, expropriation some stores were decided. By giving place from the *İmâret* side to the six shops the price determined for these six shops were paid by this way. However the store owners claim that the places in *İmâret* side could not compensate the price of their previous places and they object this decision with a petition. The government had prepared a plan for the overview of this area which includes the appearance of the place before and after the expropriations. Both indications of the necessity for expropriations of the stores for road expansion and to where the stores would be placed in *İmâret* side also were indicated in plans.

Because of the severe objections the government decided to pay the value of properties in cash.³⁹²

Another case shows, in 1876, that still not getting paid for her plot which was located in Acımusluk in Eminönü and was burnt in Hocapaşa Fire, Ruşeb Hanım demanded that 7300 *kuruş* in return for 73 *zirâ*' of her plot. The plan of that area was drawn by the government and it was shown that the expropriated plot was not covered in line with the new parcelling system. It was stated that the redemption would not be paid as it was not a plot in that respect and that there were no precedents as such. According to this plan; new parcels were done much larger than the previous ones and the land of Ruşeb Hanım was added to the new parcel that was expanded. In these areas public buildings like mosques and fountains were constructed with new regulations and this is quite interesting.³⁹³

Also, according to the new expropriation map which was prepared in line with the map prepared for Beyoğlu fire in 1873, it is seen that Konstantin's 120 *zirâ*' plot had to be expropriated for the widening of the road as the plot was located in middle of the road which was going to be widened. So, it can be said that these plans were made right after the objections of the property owners either to the expropriations or to the fact they were not paid and consequently, the government managed to prove the necessity of the expropriations.³⁹⁴

Moreover, in 1892, garden (*bostan*) of *Keresteci İstavro*, Simonaki and Bedros in Gazhane Avenue at Dolmabahçe was decided to be expropriated by

³⁹² BOA. ŞD. 687 /44, 20 S. 1296 (13 February 1879) (See appendix I)

³⁹³ BOA. ŞD. 685 / 8, 15 S. 1293 (12 March 1876) (See appendix H)

³⁹⁴ BOA. ŞD. 680 / 19, 20 C. 1290 (15 August 1873) (See appendix G)

Tophâne-i âmire administration for the construction of some buildings. The administration offered 2500 *kuruş*; however, property owners objected to that price and demanded 7000 *kuruş*, instead. Also the garden map showing its location was drawn.³⁹⁵

Up to this point we have been examining the approaches of the people whose properties were expropriated to the issue of expropriation itself. However, what about the the rest of the public? It would be beneficial to have a look at the newspapers then, to have an idea about the public's perception of the construction and expropriation activities. Here, one should draw his attention to one of the important newspapers of that time, for example *Basîret* which announced that the expropriations were within the realm of the construction and infrastructure plans and so they had to be adhered to.³⁹⁶ If we take a look how was the expropriations and new city order reflected in newspapers; with the articles written in *Basîret* and *Tasvîr-i Efkâr* which were important newspapers at that period, new urbanization affairs, new municipal institutions, and municipal affairs were supported.

For example, in the *Tasvîr-i Efkâr* newspaper, the cleaning, illumination,³⁹⁷ and regulation of the streets in the capital city made by Sixth District Administration were stated as very efficacious affairs.³⁹⁸ Especially in the *Tasvîr-i Efkâr* newspaper, enlargements of some narrow roads from 2-3 *zirâ'* to 6-15 *zirâ'* with expropriations

³⁹⁵ BOA. BEO. 96 / 7173, 5 R. 1310 (27 October 1892) (See appendix J)

³⁹⁶ *Basîret*, no: 1128, 20 Za. 1290 (9 January 1874)

³⁹⁷ *Tasvîr-i Efkâr*, no: 188, 13 Za. 1280 (20 April 1864)

³⁹⁸ *Tasvîr-i Efkâr*, no: 192, 28 Za. 1280 (5 May 1864)

in Beyoğlu, Karaköy and around Galata (such as Tutiodaları Street, Haraççı Street) by the Sixth District Administration were praised.³⁹⁹

Moreover, in *Basîret*, we can reach more detailed comments related to modern city plan and expropriations. For example, a citizen whose plot was located at the opposite of the the Fatih Mosque tried hard to prevent the expropriation plan which would unite his land with the road. The *Basîret* newspaper claimed that it is futile to be against the laws and the citizens have to abide with them cooperatively. At present the Sixth District Administration and *Şehremâneti* were thought highly beneficial of and it was announced to public that for “*the capital to be as orderly as European cities* ” they had to pay public taxes.⁴⁰⁰ No matter how hard *Şehremâneti* tried to make the capital a modern city just like London or Paris, as a result of the fact that not enough funds were allocated to most of the roads were narrow, did not have a proper sewage system or street lamps.⁴⁰¹ Even in centers like Süleymaniye there were muddy roads with no pavements⁴⁰² and there were old buildings which were about to collapse and which were left so, because the *Şehremâneti* could not pay the expropriation costs.⁴⁰³

One point drawing attention here is the positive outlook of the city residents on modern vehicles like tram and train. The roads were enlarged and thus citizens were now more comfortable and felt safer.⁴⁰⁴ However despite the expropriation of

³⁹⁹ *Tasvîr-i Efkâr*, no: 23, 20 Ra. 1279 (15 September 1862)

⁴⁰⁰ *Basîret*, no : 761, 22 Ş. 1289 (25 October 1872)

⁴⁰¹ *Basîret*, no : 791, 28 N. 1289 (29 November 1872)

⁴⁰² *Basîret*, no : 791, 28 N. 1289 (29 November 1872)

⁴⁰³ *Basîret*, no : 392, 27 Ra. 1288 (16 June 1871)

⁴⁰⁴ *Basîret*, no: 521, 2 N. 1288 (15 November 1871)

cemeteries while the tram - railway lines were made, no objections were or could not be raised against the government in the *Basîret* and *Tasvîr-i Efkâr* newspapers. As the last thing to say; the citizens in Istanbul did not react negatively to the modern city plan (except Beyoğlu citizens) except the affairs about value determinations of expropriations and late payments of the prices. One very important reason for that is; the citizens of capital city perceived expropriation as the door that would save them from muddy-narrow-dead ended streets and make the city to have a modern appearance in general they thought they would meet with technology and civilization.

In conclusion, the system of deciding the values of the properties had a complicated structure in Istanbul. Generally, the same criteria such as expropriation according to location, precedents and market value, were taken as a basement. The expropriation values of the properties were paid in *zirâ'*. With *Îrâd Hesâbı*, in the process of expropriation value determination of the properties with *gedik*, the value was determined separately as both *gedik* and property prices. Besides, except for the Expropriation Decree-Law used for the expropriation price determination of the mortgaged properties, coming up with new regulations was considered. It is not clear whether this decision was applied or not. However, in the process of value determination of some properties, there was an exceptional condition. For example, value determination of some properties (the reason could not be understood from the examples, because despite checking the old documents value determination was done by looking the market value) were done by looking the previous cadastral survey register. When expropriations were considered according to the districts, expropriation values showed dramatic differences from one district to another; the districts that had the most valuable properties were the central, commercial ones and

these districts had modern transportation system. Furthermore, the location of the property such as closeness of the property to the mosque or centre or being on the shore of the sea, played an important role in value determination for expropriation. The fires should be stressed because they played the most crucial role in decision making process about expropriation values because there was a big amount of difference in the expropriation value of the burned properties and not burned properties. When the finance of the expropriations checked, it is clear that as the *Hazîne* could not separate enough sources for expropriations to the municipalities, the Ottoman Bank, Galata bankers and other banks were big players in the process of expropriations. As the resources for expropriations were not satisfactory, urban development and expropriations were not done in all parts of the city, but only in places which were economically and commercially important. On the other hand, especially, starting from the mid of 1880, the properties of foreigners were exposed to expropriations. The examples are rare; however, the properties of foreign people were expropriated for road extension, tramway and hospital construction.

On the other side of the coin, when the perception of property owners and the media considered, it is noticed that most of the expropriations were objected to by the property owners. Again, a big part of these objections were done for not taking the promised money for their properties. There had been objections for low expropriation values and payments not done in cash. It can be said that the most challenging objection, apparently done for “public interest” but in reality for their economic interest, for the government was done by the property owners in Beyoğlu to the *Sadr-ı a'zam*, because the role of this severe objection was really big in not being able to apply the city plan. It is obvious that the districts which witnessed the most severe objections to the expropriations were places that were central and

commercial areas like Galata, Beyoğlu, Karaköy which the most valuable properties at the time. One more thing to be underlined here is that, until the Expropriation Decree-Law of 1879; actually, the property owners did not have the right to object to the expropriations but the petitions which were made before this date and handed in *Sadr-ı a'zam* or *Şûrâ-yı Devlet* were evaluated. The objections after 1879 were mainly done by foreigners who took the support of ambassadors. One point that should be stated about the objections is that from the explanations of the government about the city plans prepared for places that took severe objections before and after the expropriations, it can be understood that impression is that the government tried to demonstrate that with these new regulations in the city- centre the properties of the people would stay in the middle of the roads. As the last point if we check the media and public opinion to understand the effects of the expropriation and urban development, we can note that in these two newspapers both the new city plan and expropriations were glorified incredibly and it was stressed that the public should not oppose to the reconstruction plan and expropriation. However this should also be emphasized, the perception and attitude of the public about expropriations and reconstruction plan could not be fully understood by just looking these two newspapers. For a better understanding of the attitude of both media and citizens a more comprehensive research on the media of the time should be done.

CHAPTER 6

CONCLUSION

This thesis focused on studying the Ottoman government's modern urban development in the second half of the nineteenth century through its expropriation applications. What kind of changes took place in Istanbul which was subjected to modern reconstruction activities carried out by the central government in Istanbul around the aim of creating "*a city, built like a chess, which resembles to the newly constructed cities in the world*"⁴⁰⁵ especially after the *Tanzîmât* Edict, can be understood by examining the expropriation activities.

According to the central government, there was a capital city model that they were aiming at, and this model was mentioned in the documents as follows: the capital city would have a chessboard like appearance which would include buildings made of *kârgîr*. The government pursued this aim in two phases. Initially, regulations were accepted which would enable the government to expropriate and regulate the city's construction works, and provide a framework as to how and according to what the reconstruction plan would be processed. New institutions were founded to implement these regulations. It is clear that the government tried to put reconstruction and expropriation into action both with the new legislative and the administrative system.

⁴⁰⁵ BOA. İ. DH. 572 / 39882, 20 Za.1284 (14 March 1868): ".....en yeni tanzîm olunan memleketlere şebîh olmak üzere şatrançvari ve pek münkasim olarak...."

The first important point is that in the period of modern urban development, the expropriation activities, which can be seen as a major tool for the government also had a background apart from this practical use. The reason why expropriation was implemented by the government was the following: the government stated clearly that it was necessary to construct new and wider roads that had sidewalks, to widen the existing roads, to build tram lines, and to build hospitals, schools, barracks. These were among the most urgent needs of urban regulation because of the increasing population and commercial capacity of the capital city. In this way, the capital city would have the chessboard like appearance that the government, a fervent supporter of *Tanzîmât*, dreamed of. Actually, the efforts for rearranging the capital city in a geometrical shape, and the expropriation activities that were accepted for this purpose were the practical side of this intention and a reflection of the government's perspective which was changing gradually towards modernization and centralization, especially in the second half of the nineteenth century. Thus, Istanbul would be a visible and also an interfered in city. In this period, the government tried to hold a central power for the purpose of designing the city. The community which was initially named *reâyâ*, then called *tebaa* was accepted as a political subject and finally recognized as a public. One of the clearest proofs of this transformation was the emergence of the new concept of "public interest". In this way, in regulations which were legal arrangements, expropriations were done for "public interest". Expropriations would only be achieved after the consent of the owners of the properties, and the owners were given objection rights to the value determined by officials. The new expropriations were different from the previous ones mainly because of the use of border-maps.

As we have seen, before the declaration of the *Tanzîmât* Edict, the lack of any legal, written or general procedure meant that the properties of the owners were expropriated from time to time without the consideration of their consent. Most importantly, it was stressed in the documents that the payment of expropriation costs depended solely on the *Sultan's* grace. Namely, the public was not accepted as a valid entity, and the property owners were given the expropriation costs not because it was their right, but because it was a favor of the *Sultan*.

Thus, this thesis has tried to illuminate the profound difference between the new and the old type of expropriations. In this sense, modern urban development and expropriation processes in the capital and the other cities were the natural results of the ongoing mentality change and the legal and political transformations stemming from this change. In other words, modern urban development and the expropriation processes were the products of many interconnected transformations. Therefore, we can say that the effect on the cities of modernization and centralization in the second half of the nineteenth century concretized after the reconstruction and expropriations.

The topics specifically analyzed in this thesis were: problems of the government's intention regarding the "public interest" while applying expropriations; how and where the government did expropriations which used the "public interest" concept, and the perceptions of property owners. In this context, the connection between "public interest" and expropriations were discussed through the examples. The concept of "public interest", which took place in the Expropriation Regulation initially and in the Expropriation Decree-Law later, was used as a means by which the government could undertake services such as expanding the roads, constructing new roads, building new hospitals, schools, barracks in the expropriation processes.

However, as the exact definition “public interest” was not indicated in regulations, it is not obvious how this concept was perceived by the government. As a result, it can be alleged that the concept of “public interest” was legally obscure. It can also be said that the uncertainty of the concept of “public interest” becomes very clear when expropriation issues such as those in the regulations are examined.

In the process of urban development of Istanbul, the three big fires (Aksaray, Hocaapaşa and Beyoğlu) played a relatively important role. When we question the regulations in the burned areas and the relation between these regulations and the “public interest”, we come across the following picture: the government got the chance to expropriate these burned places after the fires in Aksaray and Hocaapaşa under the name of *zayiât*, which ranged from 2% to 31%. This means that the government had the opportunity to parcel these fields without paying any money. Additionally, another important thing should also be stressed: although the application of *zayiât* was indicated in the Building Law of 1882, the government carried out expropriations without payment. Based on this, we should question how the relation between “public interest”, claimed as a main goal by the government, and payment-free expropriations done under the name of *zayiât*, could be explained. Expropriations without payment were beneficial for the government without any doubt. However, it is clear that they were not for the “public interest”. As a result, we can say that when faced with specific situations like fires, the government made its own definition, according to circumstance, of “public interest”, whose limits were not otherwise legally clarified.

Lacking legal definition, the concept of “public interest” continued to be used by the government according to circumstance even after 1880. At that date,

however few their numbers were, some expropriations were used as a political means while totally ignoring the concept of “public interest” and without having any public service purpose such as a road expansion or the construction of modern transportation system, or the construction of public places like schools or hospitals. In this context, it should not be forgotten that besides administrative, legal, economic, and social aspects, expropriations and urban development also have a political dimension. Where, why and how expropriations would be applied in the city was also affected by political decisions. We can assert that the fact that the legal definition of concept of “public interest” was inadequate eased the work of the government. Eventually, the government expropriated burned places by using the concept of “public interest” without paying anything. Starting from the end of the 1880s, however few they were, some places were expropriated for free for political interest due to the lack of definition of “public interest”. On the other hand, on this date, in spite of not being documented in regulations, there had been many expropriations that were said to be done for “public interest”. It is seen that in this period, many expropriations were done to evoke the government authority on the public, which is one of the most important features of a modern state in the construction of schools, police offices, hospitals. Therefore in this thesis, we determined that during expropriation processes, the concept of “public interest” continued to lack legal definition, and was deliberately kept obscure so that the government could use it in expropriations as necessary according to the place, the conditions the time and the situation.

What was the perception of property owners about expropriations and the concept of “public interest”? The answer of this question is that whereas the government in Aksaray and HocaPaşa accomplish urban development and

expropriations without payment, it could not accomplish the same in burned areas in Beyoğlu. This was because the government desired to regulate burned buildings according to the *Tarla Kaidesi*, and initially demanded 38% and then 17% payment-free expropriation as *zayiât*. However, the property owners objected severely to these expropriations unlike in other places that were expropriated. These objections were not individual efforts, and the people of fourteen streets together gave a petition to the *Sadr-ı a'zam*. It is clear that in urban development the most challenging place for the government was Beyoğlu. The most important point here is that when the petitions are examined, it is clear that made by the people of Beyoğlu in the new urban reconstructions and parceling was the first in which “public interest” was used as starting point.

During the urban development of the capital city, many property owners (even before the acceptance of the legal objection right in 1879) informed against the expropriations with petitions to the *Sadr-ı a'zam*, the *Şehremâneti*, and the *Şûrâ-yı Devlet*. The reasons that forced people to make these objections were the late payment of expropriation costs, the low value determination, and wrong measurement of expropriated places. It can be said that the point of these objections was generally about expropriation costs. However, the petition made by the property owners in Beyoğlu was the first and only example of objection petitions using the “public interest” concept and starting from the point of “public interest”. When this petition in Beyoğlu is examined carefully, it becomes clear that the property owners defended that expropriations and new regulations were not necessary for “public interest”, and that the source of their concern was their economic interest. When we look into why objections to the new regulation on “public interest” only came from the property owners in Beyoğlu, we find that most of the people living there were

foreigners, or non-Muslims who had been to foreign countries, and that they knew what the concept of “public interest” meant better than the inhabitants of other districts. Another important point to note is that while in their collective petitions, the property owners used the same legal language as that which the government used during the expropriations.

Another aspect of the matter is, if we question the perception of the press regarding urban development and especially expropriations, we find that regulations such as road expansion and pavement construction, or the illumination of the streets by the *Şhremâneti* and the *Altıncı Dâire-i Belediyye* were mentioned positively in the newspapers *Basîret* and *Tasvîr-i Efşkâr*. Especially because expropriations would enable the city to get a geometric city shape just like those of European cities, expropriations were very welcomed. The press also admonished those property owners who were objecting to expropriations to give up their petitions.

As a consequence, various questions such as where the expropriations which would give the city a chessboard-like appearance were applied; how the appearance of the city changed after the expropriations; to what extent the expropriations serve their goals could be answered by first pointing out that the central government did not subject its capital city to urban development and expropriations as a whole. This was because urban reconstruction projects were attempted in a piecemeal fashion. There was no map which showed the total area that would be expropriated in the capital. Instead, as expropriations were carried out one by one, maps (*istikamet harîtası*) were drawn to match these partial expropriations. One important point about the maps is that although in the regulations, it was stated that immediately after an expropriation, a map drawing would be created, only a few among the many

expropriation examples had a map. Additionally, when these examples expropriations are examined, it can be understood that districts were selected according to their importance, and as a consequence of this; central-commercial districts were included in urban development. Therefore, not only burned down places such as Aksaray, Hocapaşa and Beyoğlu, but also other districts such as Galata, Karaköy, Ayasofya, Bahçekapı, Sirkeci, Yedikule, Bayezid which were the centres of commerce were exposed to expropriations, and as a result had wider roads, a modern transportation, and infrastructure system. It is very evident that *Islâh-ı Turûk Komisyonu*, *Şhremâneti* and *Altıncı Dâire-i Belediyye* had important responsibilities during the urban development in the capital. It should be emphasized that the financial insufficiency of the government and the lack of sufficient experts contributed to the fact that the city was regulated part by part instead of all at once. It is seen that the government got into debt numerous times to both the Ottoman Bank and to Galata bankers as well as some others due to insufficient finances while undertaking the urban development projects and expropriations that cost big sums. On the other hand, it should also not be forgotten that experts were brought in from Europe for these urban regulations. As a consequence, it is possible to say that the city centre experienced the most important changes. The central districts became more ordered, but this transformation was unequal and incomplete. Overall, it can be said that in the capital city, when different districts were considered, reconstruction was not completed and was unequally done.

In order to decide on the dimension of the expropriations and reconstructions in Istanbul, it is essential to observe the changes that expropriations underwent through time. Abdulhamid II's reign was the period in which changes in the implementation of expropriations were clearly seen. One should first emphasize

that through the late 1870s, some administrative changes took place in the implementation of expropriations. From that time onwards, in the commission employed for the application of expropriations, employees of the Land Registry started to be selected instead of those of the Ministry of Commerce. Even though the practitioner of expropriations had previously been *Şehremâneti*, now it had become *Şûrâ-yı Devlet*. That is, in the administrative mechanisms of the expropriations, a shift took place from the municipal to the governmental, and a stricter control was in question. Moreover, at this same time, some methods like *Şerefiye* tax and *Belediye Mali* were employed to ease the financial burden of the government incurred as a result of expropriation costs. In this period, although foreign powers interfered in the internal affairs of the Ottoman Empire, expropriation of the properties of foreigners were also carried out. Moreover, especially in the period between 1879 and 1898,⁴⁰⁶ despite the negative effects on Ottoman finances of the global economic crisis, expropriations reached their peak . Until this period, it had been stated that for railroad construction, road expansion, new roads and port construction, expropriations were necessary. The decision in *Kanûn-ı Esâsi* stressed the idea that “*since the finances were stronger, expropriations should be done quickly*”⁴⁰⁷ The Expropriation Decree-Law of 1879 underlined that for schools, hospitals and barracks, construction expropriations were essential. It is seen that in this period, many expropriations such as hospitals, schools, mosques were done to evoke the government authority on the public. On the other hand, especially after the 1880s, when the number of expropriations increased significantly, and although the numbers were low, those expropriations that were done without compensation or any stated

⁴⁰⁶ Şevket Pamuk, *The Ottoman Empire and European Capitalism 1820-1913: Trade, Investment and Production*, (Cambridge; New York: Cambridge University Press, 1987), p. 33

⁴⁰⁷ BOA. İ. MMS. 64 / 3047, 18 Z. 1296 (3 December 1879)

reason were said to be done for political purposes. Here, a contrast should be underlined: during Abdulhamid II's reign, property owners had the right to go to the courts or the municipal halls to object to the expropriations either verbally or in writing.

Finally, it is essential to talk about the difficult expropriations in Istanbul. The most problematic issue about understanding expropriations is the complex structure of the assessment of the expropriated properties which created a price issue. The value of the expropriated properties were decided according to location, precedent and market value. Generally, it was announced that *muhammins* would determine the expropriation costs of the properties subject to expropriations according to these three criteria. However, in the determination of values of some properties in Vefa, Şehzadebaşı, Beşiktaş and Tophane, the detection was made according to the previous cadastral survey (*önceki tahrir bakılsın*). In fact, in the documents, references to which in the former cadastral survey was being used were not given. Because the examples were from 1890, it can be claimed that the previous written or registered values were from 1874 (or in some cases, from 1866).⁴⁰⁸ In the 1874, cadastral survey register which included many districts in the capital city, the value of properties were determined by officials. In the capital city, the ownership of properties was on waqfs, but in application, the people who made use of these properties paid rent to the waqfs, which essentially constituted the legal price of the property.⁴⁰⁹ However, for certain reasons, the rent was below the market value. Thus, there was always a difference between the registered value in the waqfs which was also the legal value of the properties, and the actual market value. In order to

⁴⁰⁸ Alp Yücel Kaya and Yücel Terzibaşoğlu, "Tahrirden Kadastro'ya: 1874 İstanbul Emlak Tahriri ve Vergisi "Kadastro tabir olunur tahrir-i emlak," pp. 37

⁴⁰⁹ Ibid., pp. 38-39

equalize the legal value and the market value of the properties, officials re-determined the value without ignoring the market value.⁴¹⁰ In this way, a written price (the cadastral survey value) was formed.⁴¹¹ In these examples, it is seen that even though the earlier cadastral survey was used, *muhammins* made the valuation according to the market of the day. Yet the question of why a valuation was made by examining the earlier cadastral survey, which is by comparison and control, stays unanswered. Moreover, among the properties subject to expropriations, there were also shops with *gedik*. During the expropriation of shops with *gedik*, the valuation was made according to a regulation named *Îrâd Hesâbı*. Although, in general, the value of the properties to be expropriated was determined according to properties' *zirâ'*, in the valuation of shops with *gedik*, rental income was used. Based on this computation, it seems that *gediks* were expropriated as if they were properties.

In addition to this, the proportions of property tax which were put into practice with the cadastral survey of Galata in 1858 were renewed with the 1874 Cadastral Survey. According to this cadastral survey, a property tax was taken at the rate of 0.4 % on the properties' real values, and 4 % on the rent revenue.⁴¹² While valuating the properties, whether the property tax was taken into consideration, and if so, how it was calculated is not clear. In addition, there were different kinds of properties in the capital city such as, mortgaged properties, or, as Osman Nuri Ergin⁴¹³ describes, the properties which had fire insurance in Beyoğlu. There were many factors that needed to be considered, and thus, it was not an easy task to

⁴¹⁰ Ibid.

⁴¹¹ Ibid., pp. 38-39

⁴¹² Ibid., p. 38

⁴¹³ Osman Nuri Ergin, *Mecelle-i Umûr-ı Belediyeye*, vol. 3, p. 1126

determine the expropriation costs of these properties. Unfortunately, we cannot find any information on how the values of these properties were decided. We don't know, whether it was the three criteria used for valuation of properties, or whether any new criteria were used.

Moreover, another unknown subject in the determination of expropriation values is that, according to the decision of 1880, if waqf properties were expropriated for the construction of hospitals, for each 100 *zirâ'* of these waqf properties, 65 *kuruş mukataa* allocation were decided.⁴¹⁴ Whether, where and how this decision was applied cannot be answered by checking the documents. In conclusion, it can be said that during the process of the determination of expropriation values, some improvements were attempted in time. However, since the application of the new decisions in valuation were not obvious, the issue of values remained.

The expropriations, which were the urban development practice to which Istanbul had been subjected in order to render it a city whose new geometric aspects could be seen and which could be interfered in, were the reflections of the attempts of the government at modernization and centralization. In this context, the expropriations that were implemented on a new legal and administrative ground and that had both social and economic aspects shed light not only on the physical change which occurred as a result of modern urban regulations in the capital, but also in a more general way, on the understanding of the city, the state and ownership issues in the nineteenth century.

⁴¹⁴ BOA. ŞD. 689 / 26, 16 C. 1297 (26 May 1880)

APPENDICES

موردی که میخواهد
 آقای جوادزاد و قوچقورلو و بیضی کزنده اولاد خانه در کلبه و سابق در بر موجب تقدم طریق ترک اهلش اقتضا ایام محمدی زکریا انسانی از آن در وقت اهل کلبه
 اینه کسی جانیتم تنظیم و ترسیم افغانه فریضه سید حسنه عصره در این راه بر استقامت مع ان شده او زره اقتضا ایام بولورک مجدداً داده صورتی که در بولورک و دیگر
 فریضه اولاد کسی رنگور در تنظیم اولاد ملک ایدر برابر نقطه و تری قشور معایوفه خدیو بی بی بر شمد و زره نقاشی تقسیم خاکایه معاً اصولی صادرین اهل کلبه و تنظیم
 بر ملک ترمیم و اجلاس مستوفی و روزنامه و کالتیله بولورک اولاد اولاد و هو صاه اروضه ماه حقیقت سه لاکدر (۱۰۰۰) صفت

۲
 ۶/۱۹۵
 ۱۶۰

عظمیٰ قندھار
اندرم حضرتی

کندره اقرای خوانده و قویلا به حریفه محرقه اولاد سازل در کابله و سازه و نه بهیچ نظم طریقہ ترک اونی اقتضای محمدک اعصہ سہل است از انہ وقت اولادہ
 بقہ بعض کندره اجلا اولادہ اصول جدیدہ و عہدہ برستفانندہ اولادہ کجا بیدہ بلارک مجرا کادی صورت کوستریک بقہ ای قطعہ خریطہ سی تجارت نصف رہ بہی معرفت
 یادریلویہ اینجکسک اولادہ اولادہ مذکرہ سہ برابر نصف سادہ ایا جانندہ باذکرہ باب عالی بہ کوزلوس و بلوکلک بہ اصول جدیدہ اولادہ نظمان مجلس طرندہ رضی دیگر
 بر قطعہ خریطہ سی تریم اندلس اولادہ بعضی کچہ کوبہ منقصا اولادہ مجلس خصوصہ در میانہ و خریطہ لرضی معایہ اولادہ چونکہ بوزخریطہ لرضی الیوم جاری اولادہ نظم و عہدہ
 توسع طریقہ نہ عبارت و دیگراری مجال مذکورہ نک محاسن عصرہ حضرتہ شاہزادہ اولادہ بہیث تنظیم و مستقیمہ انسی بولندہ اولادہ نہ فوارہ و محاسنہ برای صورتہ
 بریک عہدی لادیم کلیمہ اولادہ جریانہ ایدہ ملاحظتانک قدرکنندہ یعنی تریو خریطہ اولادہ کیرلری خالدہ محرقہ اولادہ محمدک حال بقی ابقا دریک اولادہ حال بود کہ رعایتک
 بقی مرکزی مقاصدہ اولادہ اولادہ محرم و معتبر بریکلک بونہ بونہ باسند و اصلاحہ مکاتلس ایگہ بہ انسی فالعک انقادی دھندہ و عہدہ تجیز ایدہ میکلندہ انجی در عہدی تریو
 خریطہ لرضی احکامہ بوجہ محمدک ہیث سابقہ سناک کیا تغییر و وجود تنظیم احوال انسی اھرجوت مرجع اولادہ شود کہ اصحاب سازل در کابله بعضی عقلی اربانیک بلک
 کوزلج اولادہ فوارہ بی و عہدہ لربک بقی بوتغیب ایدایک اوج قات اولادہ حق نظرہ اولادہ کورہ میرک بلا عہدہ براز سترندی معظا ایدہ اولادہ لرضی بالآخرہ
 ایدہ جکلرندہ شہ اولادہ بقندہ مجال مرقوم نک اصول جدیدہ نطقا ات ایدری صورتہ حالہ سخمہ کورہ رک فقط بواسطہ غایت حقانیت و عہدہ اربانیک بلک
 سمدی نہ محمدہ و نہ مقدار بری اولادہ اصول جدیدہ و عہدہ خطیہ تقسیمہ رضی مکملہ اولادہ رضی مہ بہ اوطنیخ و اومقدار ارضی کوستریک مجال مرقوم نک عہدہ مکاتلس
 تقسیم جدیدہ کورہ بقیدہ مجانا تمکد و بلک لادیم کلیمہ و بونک سارہ شغلا رضی اولادہ و موسم شانک تقیبا جدید اصحاب ارضی سایہ قدر توای حضرتہ شاہزادہ
 خانہ در کابلی یادری عہدہ باسلامہ خواھندہ برنہ تقسیمہ رضی حریفہ مذکورہ املاک محرقہ اولادہ اھدیہ لویوہ بوریلادہ عطیہ رسبہ و طریناہ اعانہ مخصوصہ یا تقسیم بوریلادہ
 بہ دوامد بوسیدک شغلا اوردادہ دوستی سیم برابر بلک تقسیم و سوافادک تقیضی و سدرک رجال تنظیمی سخمہ مجلس اولادہ و تجارت نظاندہ و اوقاف ہملویہ تقسیم
 حکومی طرفندہ سونوق و معتبر بر نامور و رابطہ ہا مہست تقسیمہ اولادہ رضی بوند بالذات مجال محرقہ واروب اوردادہ اجرائی اقتضای حاتم مبادرت ایدری سید اخصا تب
 اوسخ و بونک وقت کچہ درک نوبتی اچونہ تعیہہ اولادہ جوہر مآوردلک ایکسیر زاندہ عبادت اولادہ ایگہ قولندہ برودہ باشلانی سخمہ و نہ زان علما فتوا ہی وسار
 بعضی وکلای حاتم حضرتہ مناسب کنی مذکورہ سنج ایدہ اولادہ جوہر واروب اوردادہ اجرائی اقتضای حاتم مبادرت ایدری سید اخصا تب
 مبادرت قطعہ رضی و مارالبیادہ خریطہ لرضی و مذکرہ و مذکرہ ایگہ قطعہ و قتر ایدہ برابر منظور ایدہ بر شقی اچونہ عرض و تقسیم اولادہ رضی باقیمہ مذکرہ تاوری تریو قطعہ اندرم

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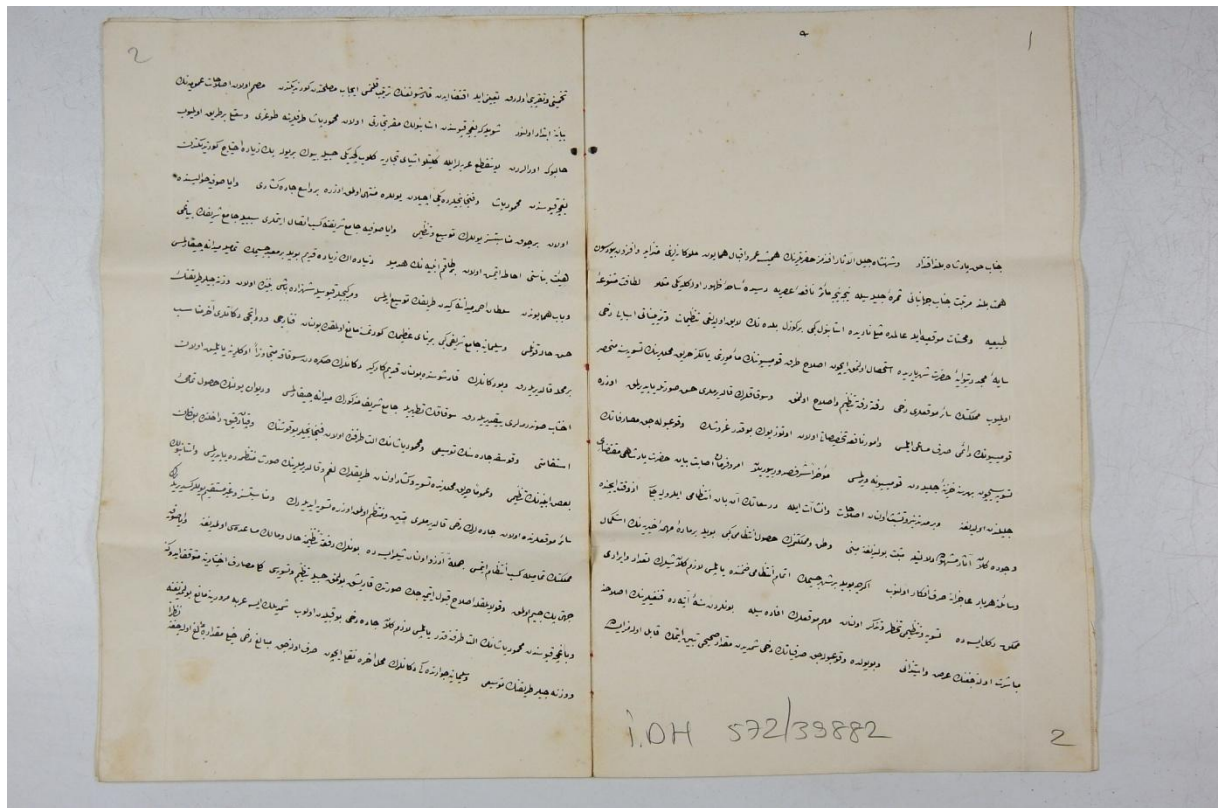
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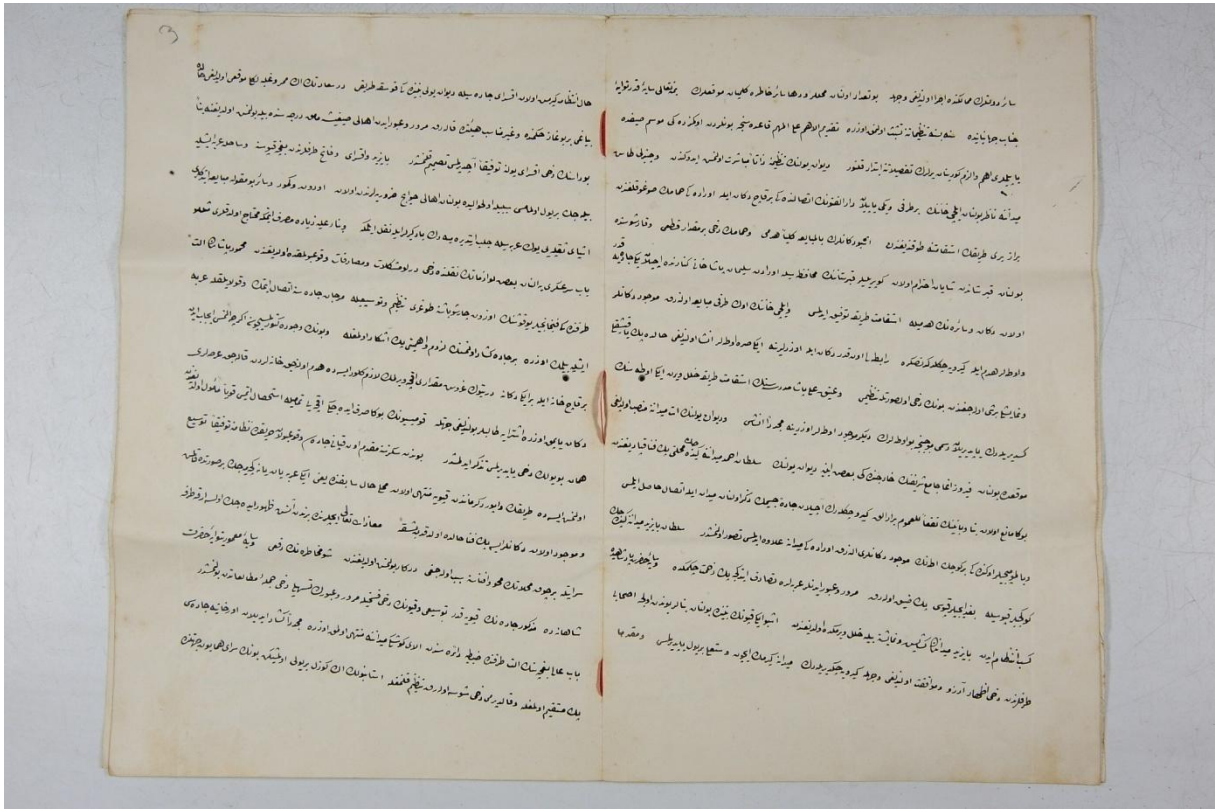
APPENDIX B

The regulations issued by *Islâh-ı Turûk Komisyonu* concerning expropriations, widening of roads and the construction of new roads in line with *Tarla Kaidesi* in Hocapaşa, Demirkapı, Divanyolu after 1865 Hocapaşa Fire.

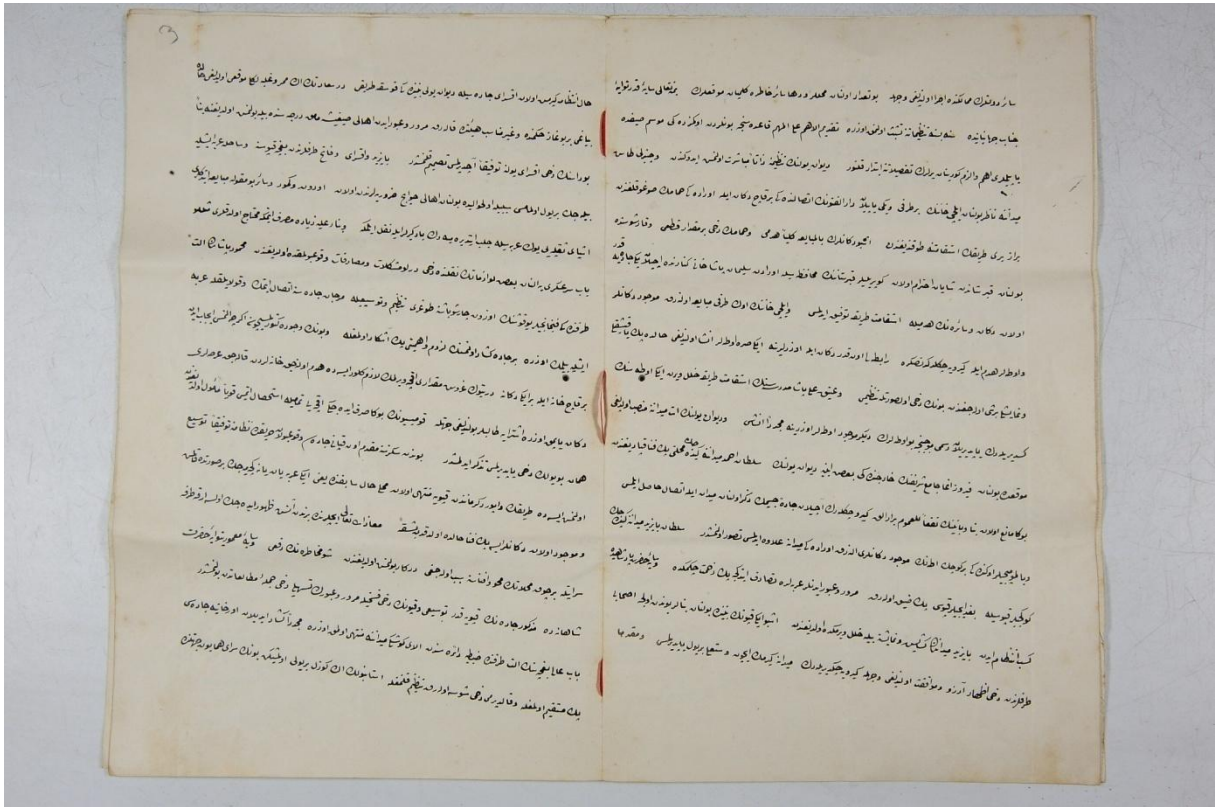


Source: BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

Third page of the document

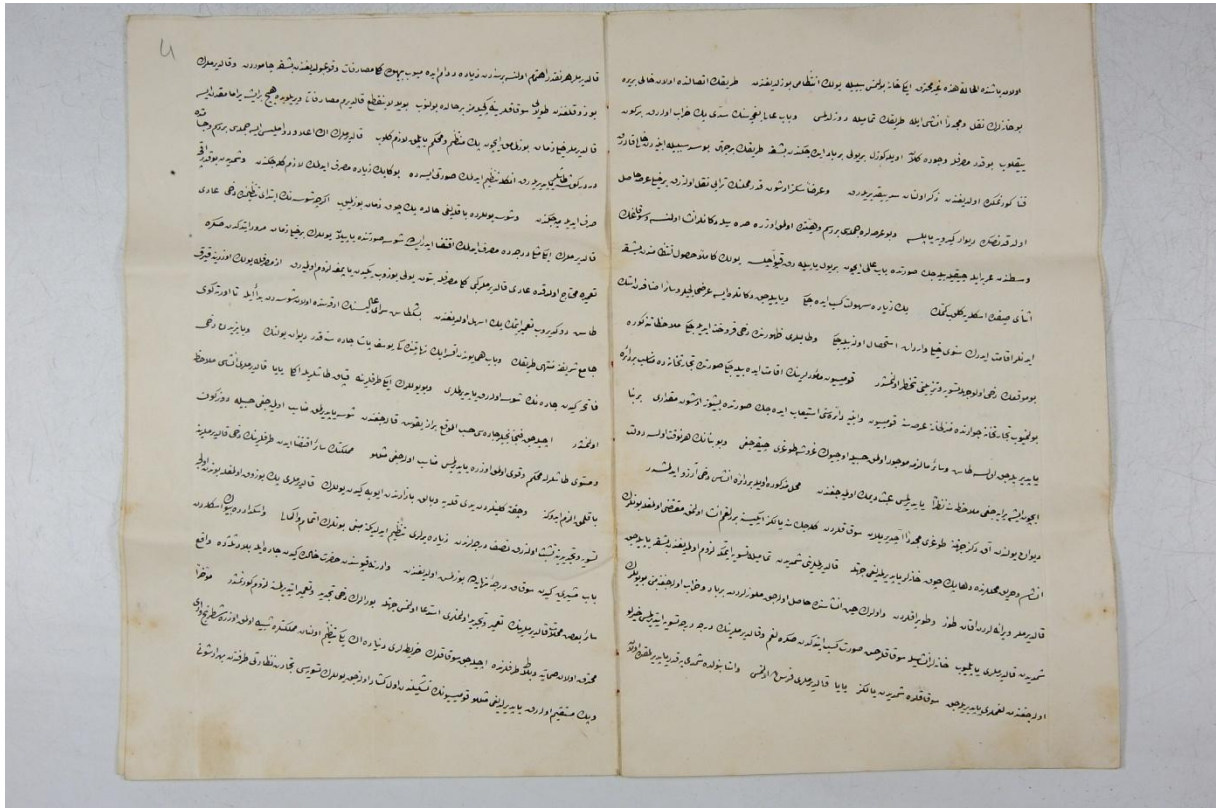


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Source: BOA. İ. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

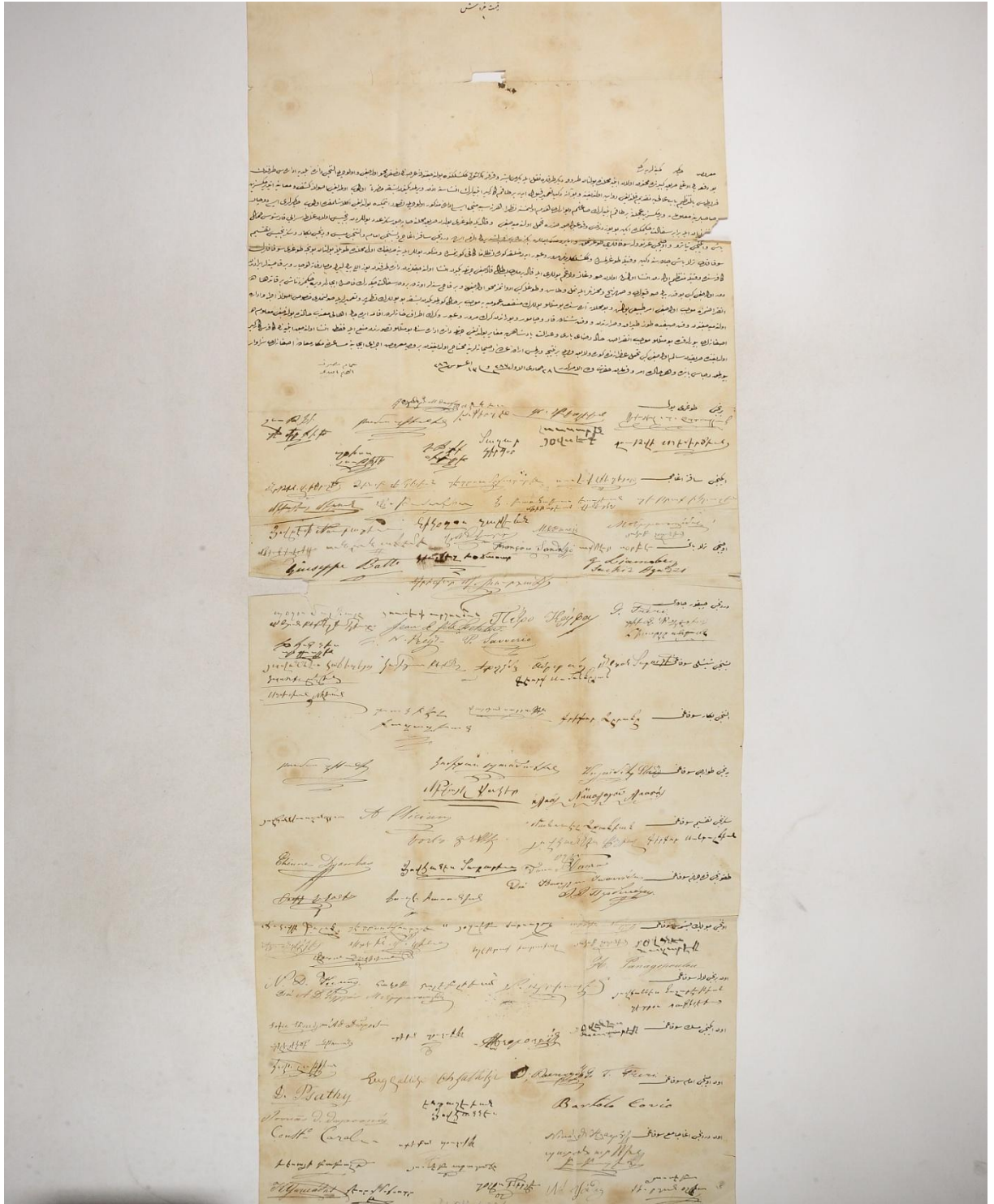
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Source: BOA. I. DH. 572 / 39882, 20 Za. 1284 (14 March 1868)

APPENDIX D

A petition presented to *Sadr-ı a'zam* by fourteen street dwellers in Beyoğlu in 1870 with the hope of stopping the regulation of the burned places in Beyoğlu according to the *Tarla Kaidesi* by Sixth District Administration.



Source: BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870)

APPENDIX E

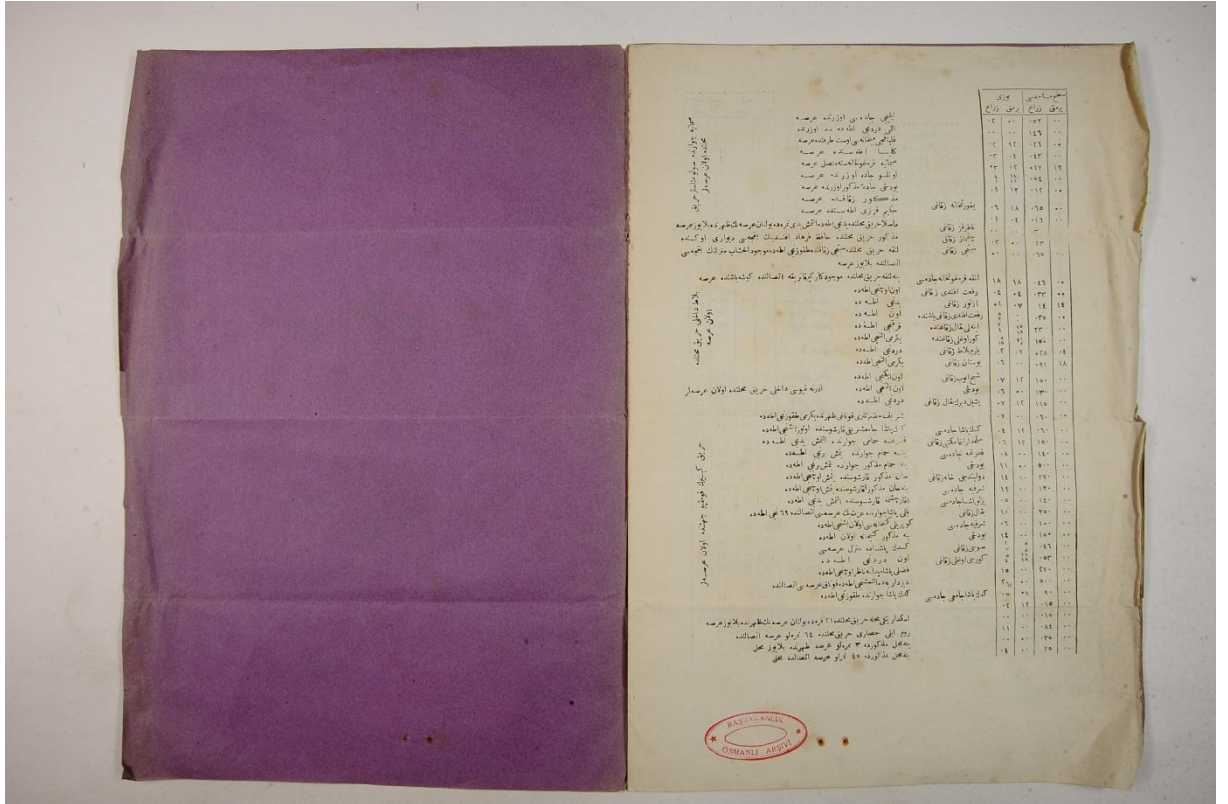
The map that was drawn by *Hendeshâne* with the order of Sixth District Administration in order for the rearrangement and parceling of the burned areas after the Beyoğlu fire of 1870.



Source: BOA. İ. DH. 623 / 43351, 24 S. 1287 (26 May 1870)

APPENDIX F

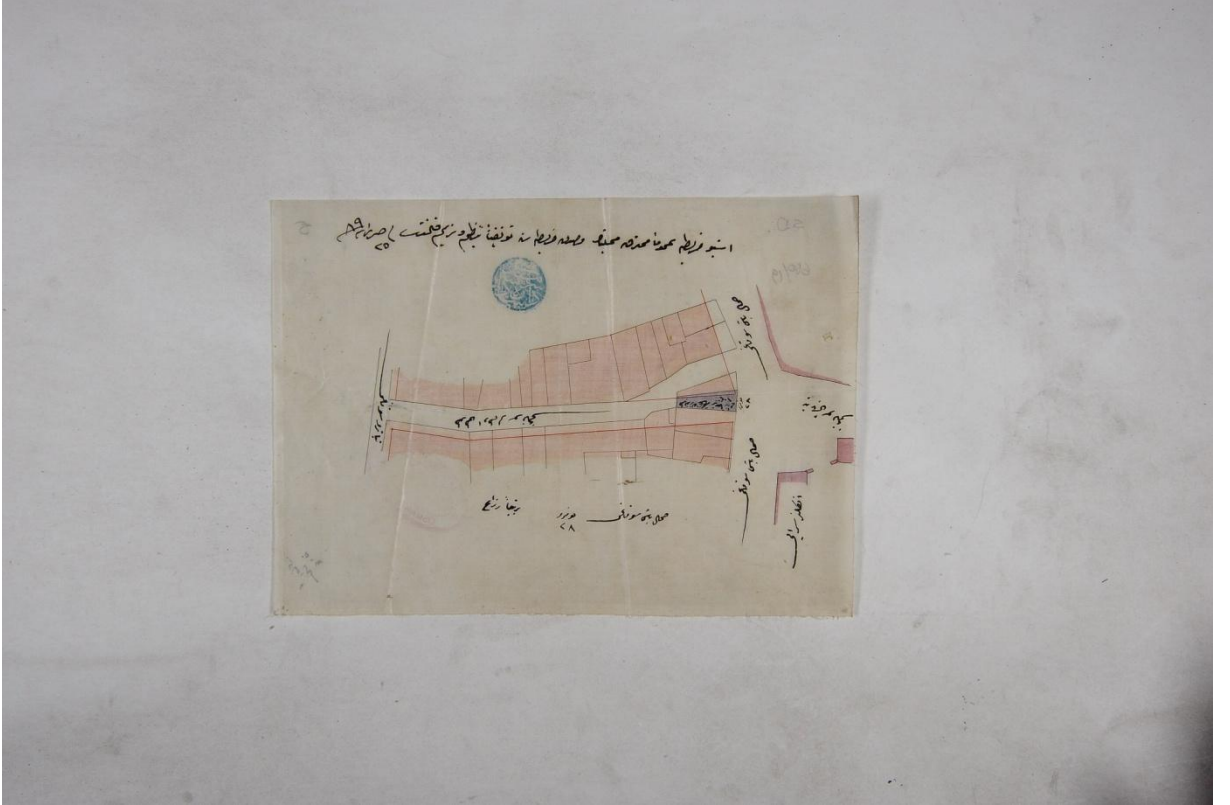
The register that includes the names of the lands (*Belediye Mali*) which belongs to the *Şehremâneti* and would be sold by auction in 1879.



Source: BOA. ŞD. 687 / 44, 20 S. 1296 (13 February 1879)

APPENDIX G

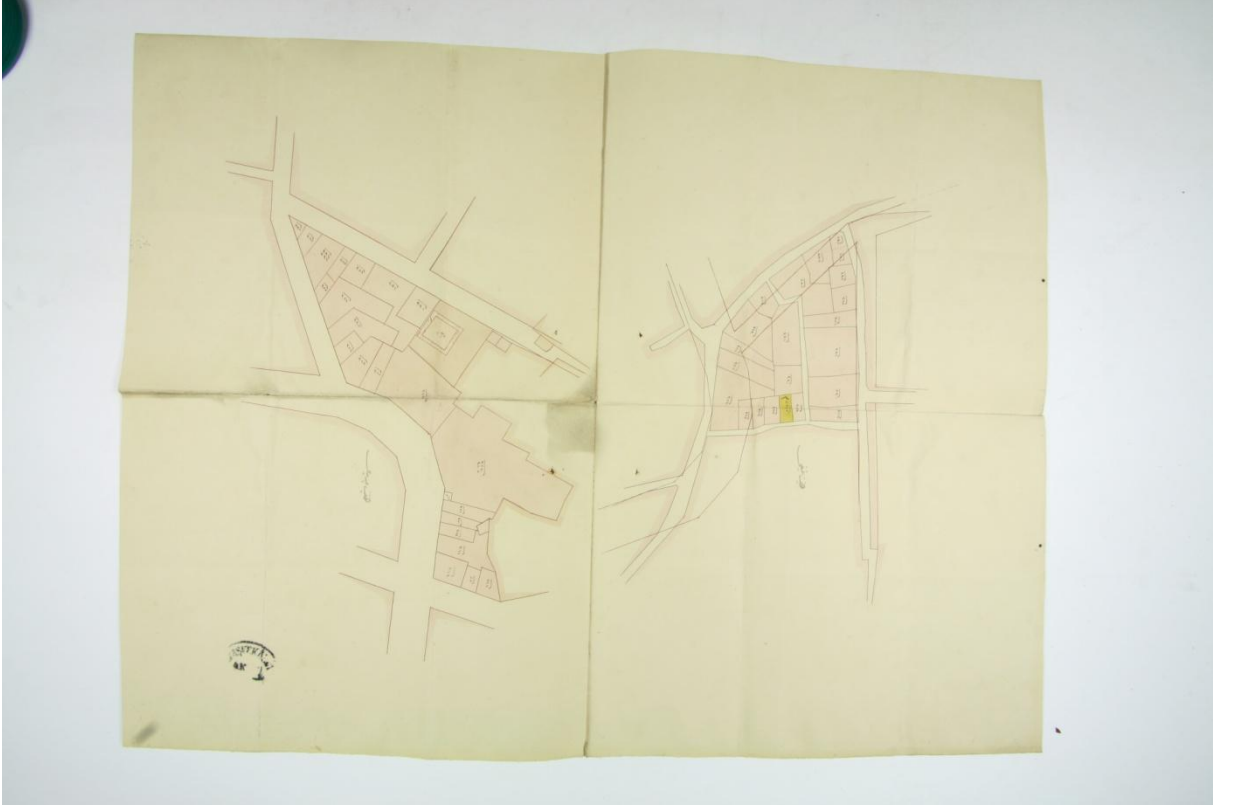
This direction map (*istikamet harîtası*) shows how Tutiodaları Street in Beyoğlu would be expanded in 1873. This plan reveals the necessity of expropriation of lands because they stayed in the middle of the road after new regulations and parceling, regardless of the property owner Konstantin's severe objections.



Source: BOA. ŞD. 680 / 19, 20 C. 1290 (15 August 1873)

APPENDIX H

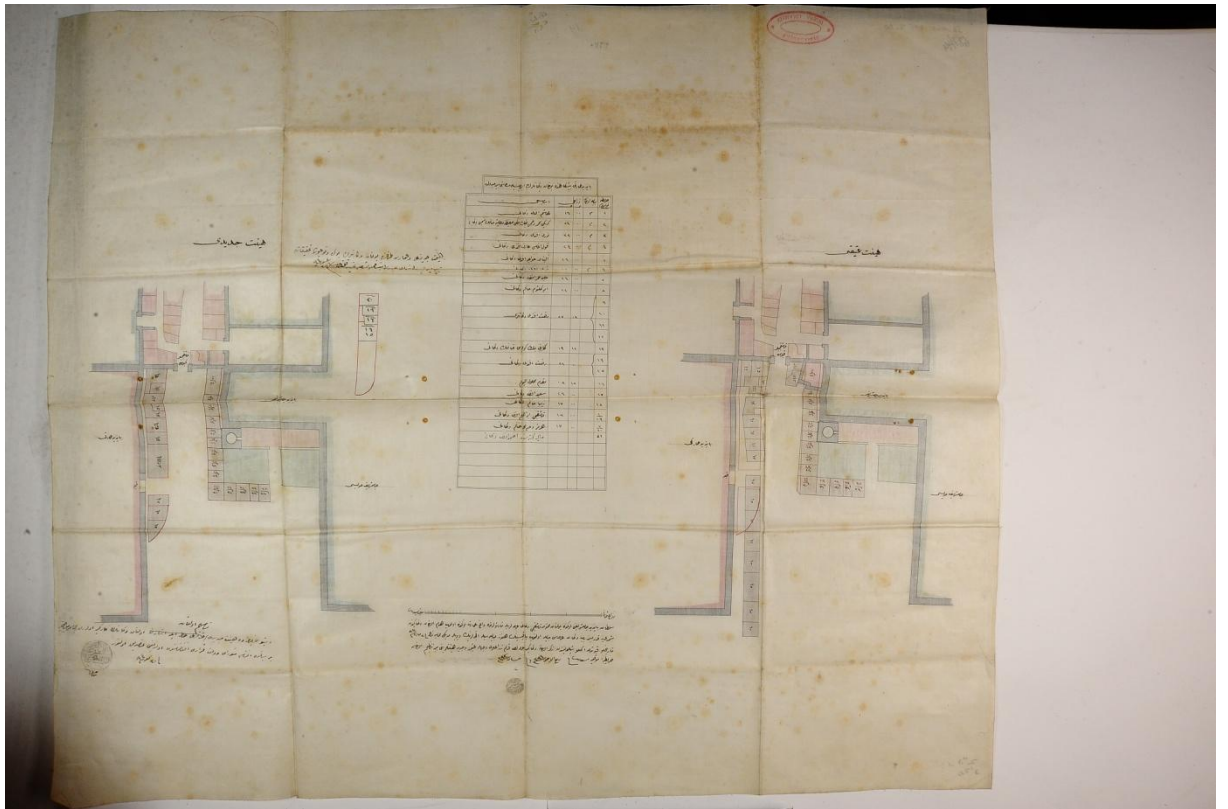
The plan that shows the old and new version of the area in Acımusluk, Eminönü in 1876. This plan shows that the land of Ruşeb Hanım who claimed that she could not take 7300 *kuruş* expropriation price for her land for eleven years even though the land was already expropriated, stays in between.



Source: BOA. ŞD. 685 / 8, 15 S. 1293 (12 March 1876)

APPENDIX I

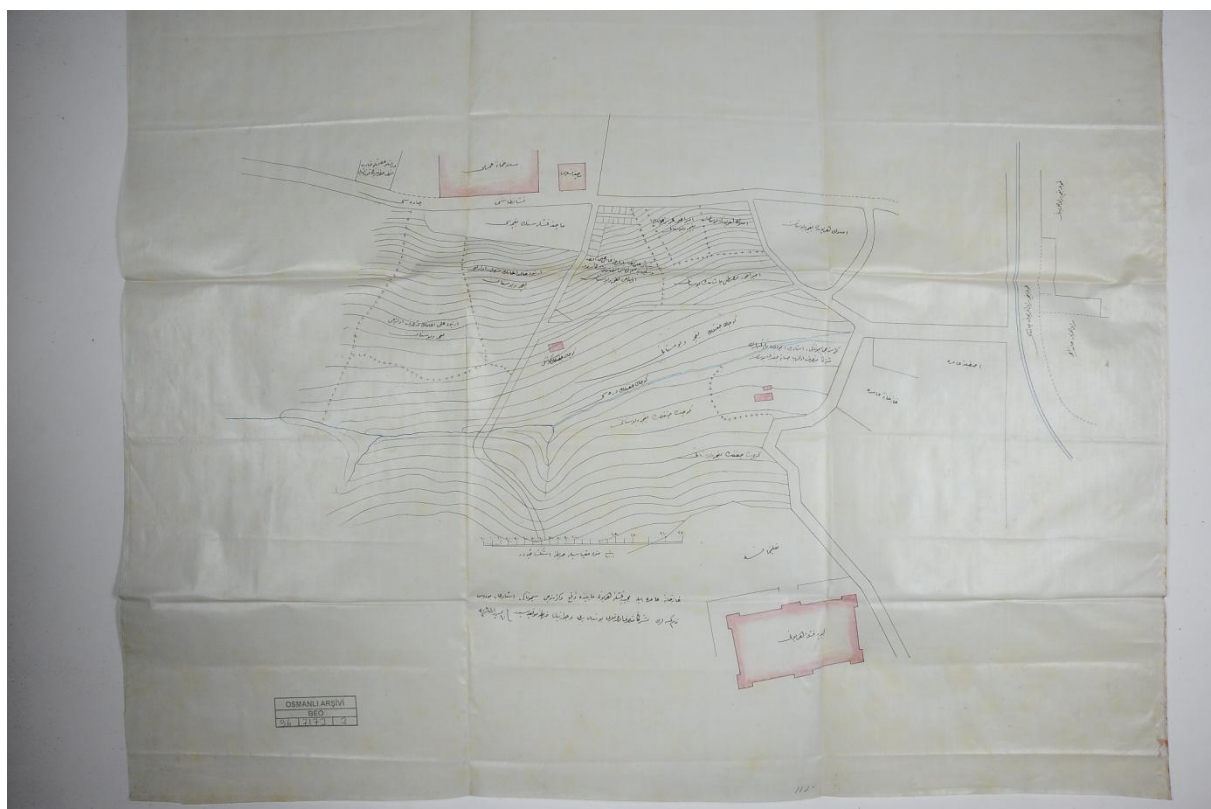
The plan shows the situation of the area next to the Bayezid Mosque and in front of *İmâret* before and after its rearrangement by means of expropriations in 1879.



Source: BOA. ŞD. 687 /44, 20 S. 1296 (13 February 1879)

APPENDIX J

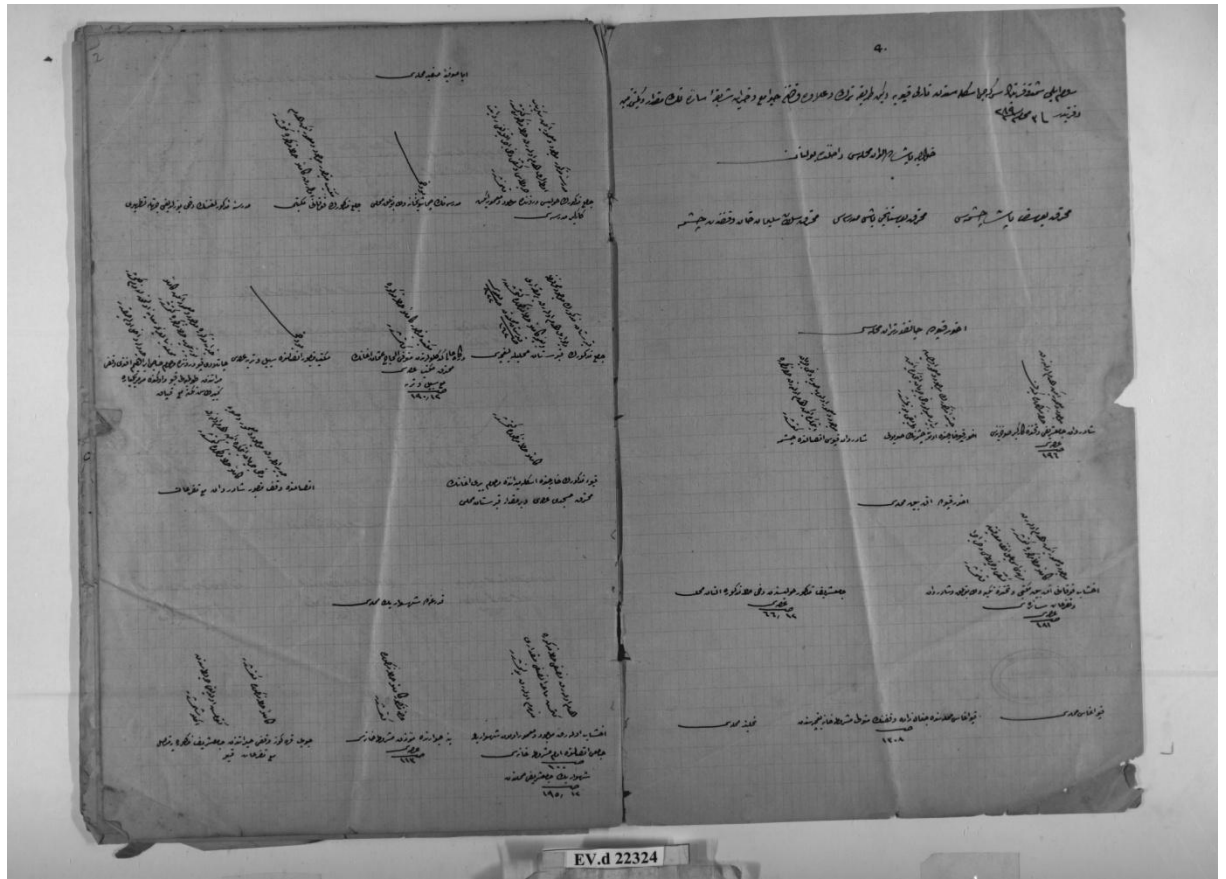
The map that shows the area including the garden of *Keresteci* Bedros, Simonaki and İstavro between Gazhane and Topçu *Kışlası*. The property owners opposed the expropriation of their garden to 2500 *kuruş*, because they demanded 7000 *kuruş*.



Source: BOA. BEO 96 / 7173, 5R. 1310 (27 October 1892)

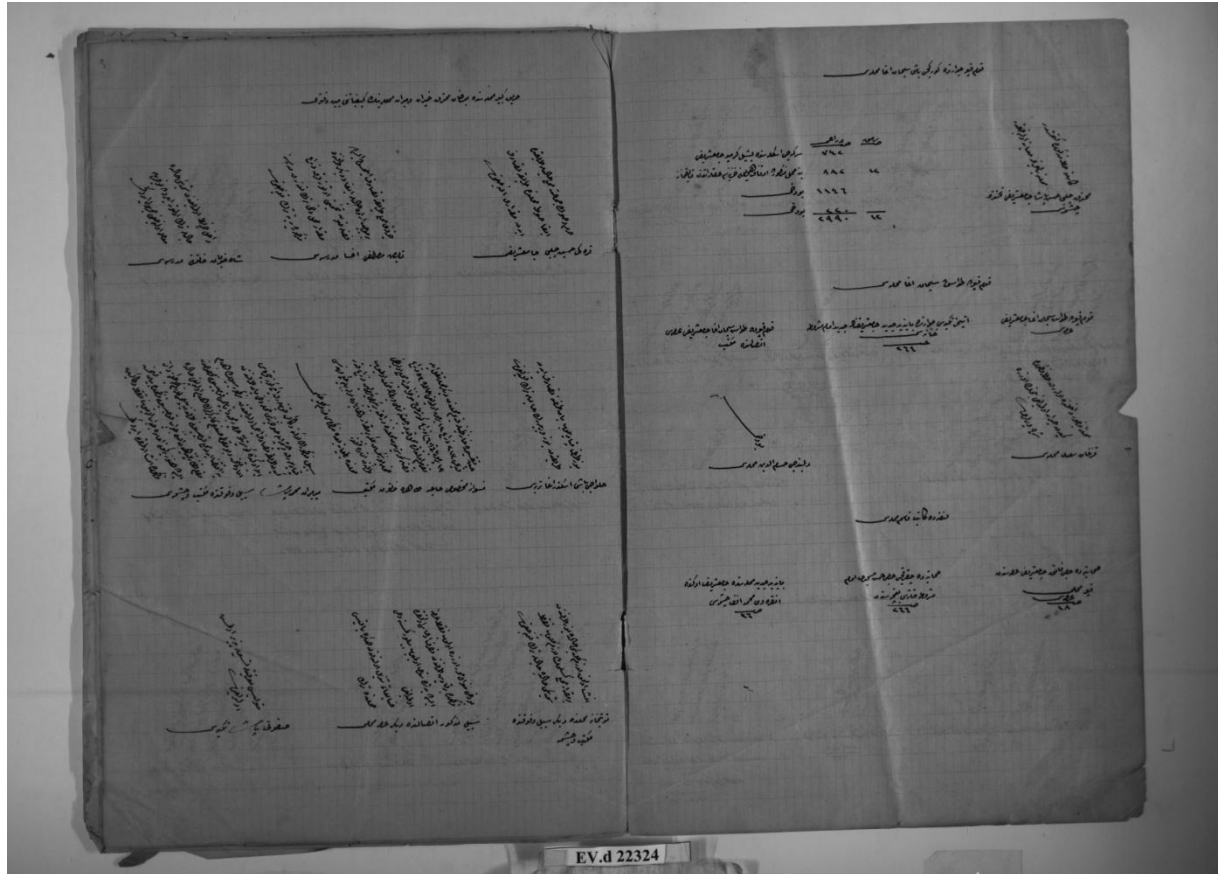
APPENDIX K

The register demonstrates the names of mosques and charities (that is some fountains, tekkes and madreses) between Sirkeci Dock and Narlıkapı that were expropriated for Rumeli Railway construction in 1872.



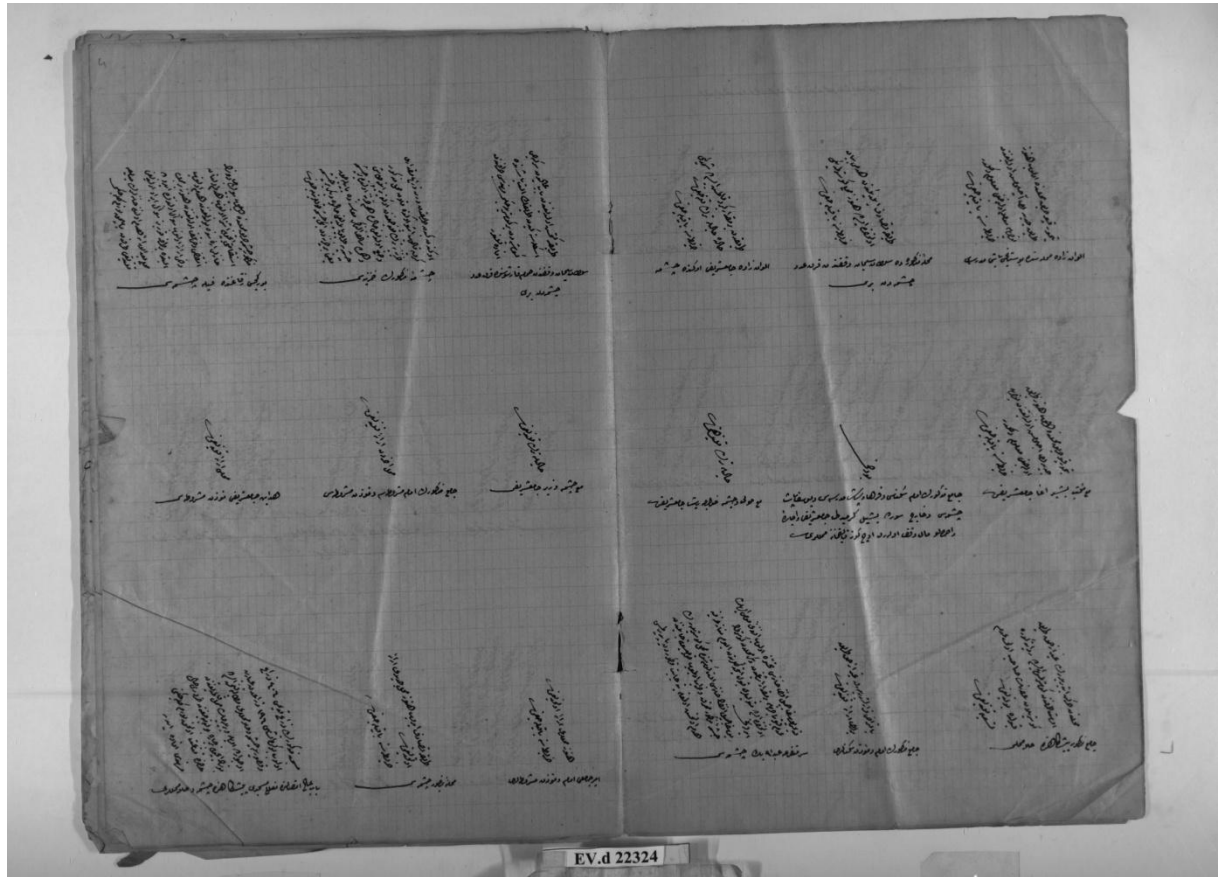
Source: BOA. Ev. D., 22324, 3 M. 1289 (13 March 1872)

Second Page of the document



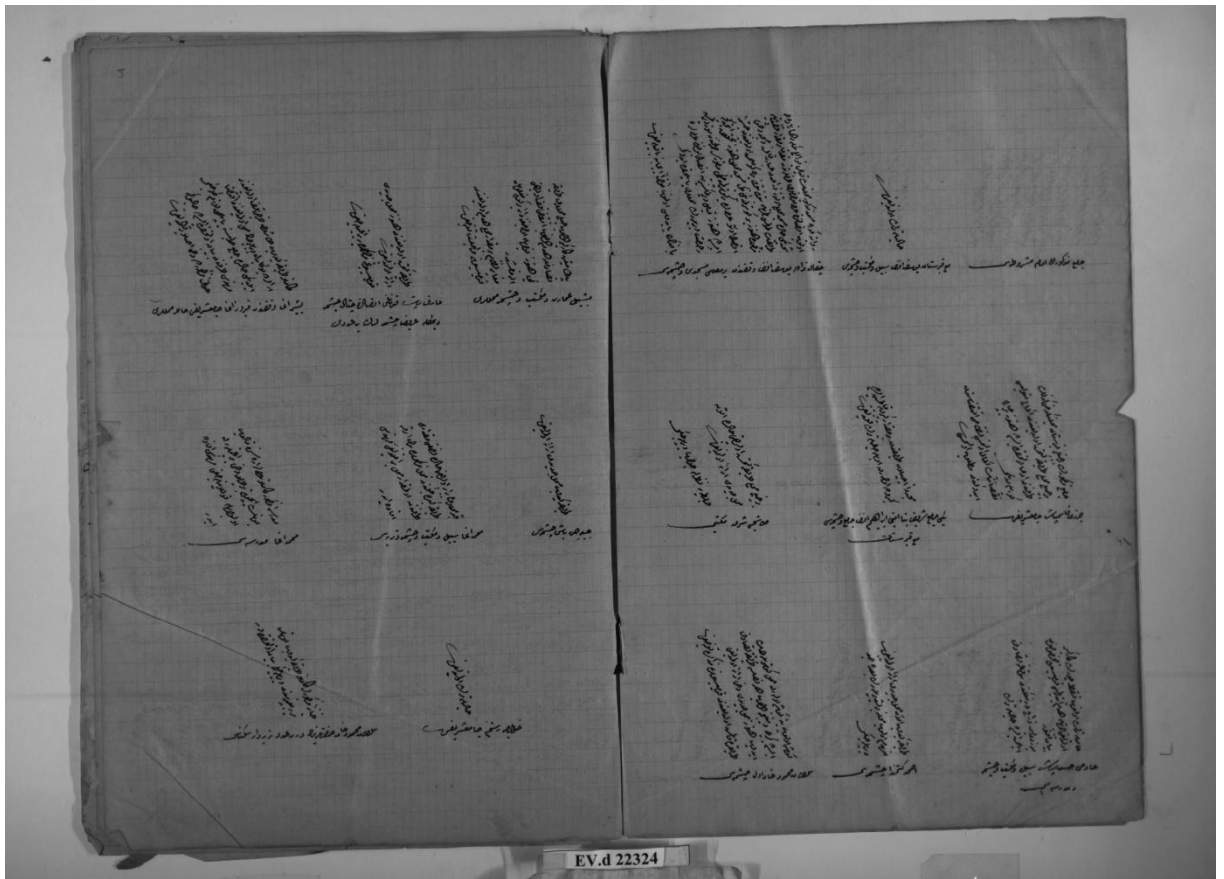
Source: BOA. Ev. D., 22324, 3 M. 1289 (13 March 1872)

Third page of the document



Source: BOA. Ev. D., 22324, 3 M. 1289 (13 March 1872)

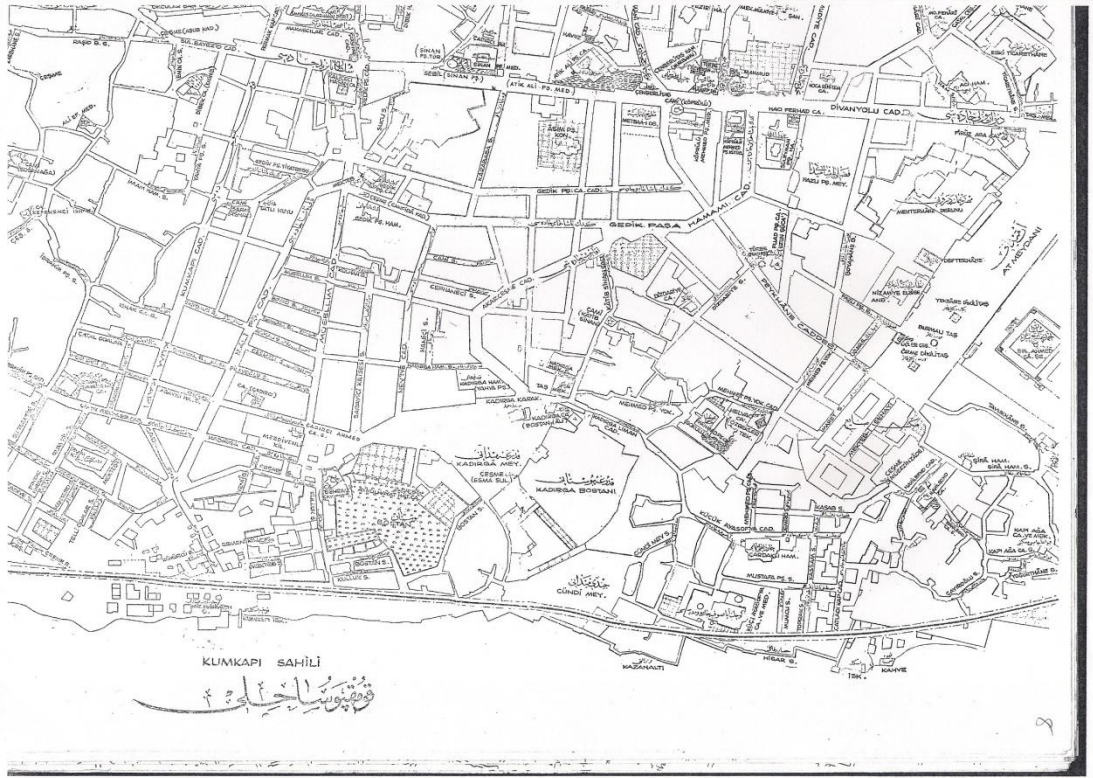
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Source: BOA. Ev. D., 22324, 3 M. 1289 (13 March 1872)

APPENDIX L

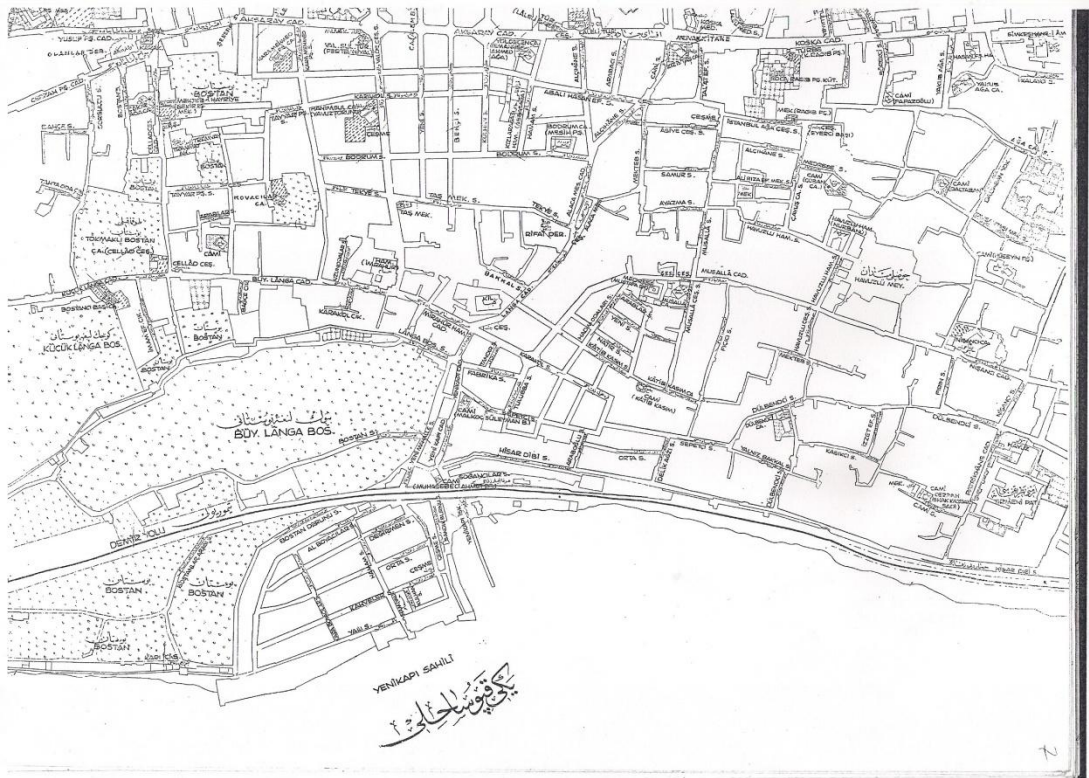
Map of Hocaapaşa in the nineteenth century



Source: Ekrem Hakkı Ayverdi, *19. Asırda İstanbul Haritası*, (İstanbul: İstanbul Fethi Derneği İstanbul Enstitüsü Yayınları, 1958)

APPENDIX M

Map of Aksaray in the nineteenth century



Source: Ekrem Hakkı Ayverdi, *19. Asırda İstanbul Haritası*, (İstanbul: İstanbul Fethi Derneği İstanbul Enstitüsü Yayınları, 1958)

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BOA. İ. MMS. (İrâde Meclis-i MaHSûs)

BOA. İ. MVL. (İrâde Meclis-i Vâlâ)

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BOA. Ev. D. (Evkâf Defterleri)

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BOA. A. MKT. NZD. (Sadâret Nezâret ve Devâir Evrâkı)

BOA. HAT (Hatt-ı Hümâyûn)

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