

# OTTOMAN LAND LAW

1	Course Title:	OTTOMAN LAND LAW
2	Course Code:	TAR5143
3	Type of Course:	Optional
4	Level of Course:	Second Cycle
5	Year of Study:	1
6	Semester:	1
7	ECTS Credits Allocated:	6.00
8	Theoretical (hour/week):	2.00
9	Practice (hour/week):	0.00
10	Laboratory (hour/week):	0
11	Prerequisites:	None
12	Language:	Turkish
13	Mode of Delivery:	Face to face
14	Course Coordinator:	Dr. Öğr. Üyesi Zeynep AKAN YETİŞİR
15	Course Lecturers:	Prof. Dr. Zeynep DÖRTOK ABACI
16	Contact information of the Course Coordinator:	E-mail: zeynepakan@uludag.edu.tr Tel: 02242941745 Adres: Fen-Edebiyat Fakültesi, Tarih Bölümü, Görükle Kampüsü, 16059 Bursa
17	Website:	uludag.edu.tr/tarih
18	Objective of the Course:	The aim of this course is to teach students the sources of Ottoman land law, its founders, its development and its impact on the Ottoman land system. This course aims to introduce the students to the basic texts and concepts of Ottoman land law, including the actors who created these texts and concepts. Although the focus of the course is on mîrî lands, the legal regime of other types of land will also be emphasized.
19	Contribution of the Course to Professional Development:	To be able to comprehend the Islamic and pre-Islamic origins of Ottoman land law. To be able to comprehend the transformation of Ottoman law regime.
20	Learning Outcomes:	
	1	To be able to comprehend the Islamic and pre-Islamic origins of Ottoman land law
	2	To be able to recognize the founding actors of Ottoman land law
	3	To be able to recognize the basic sources of Ottoman land law
	4	To be able to follow and comprehend the historical development of Ottoman land law
	5	To be able to distinguish the types of land in the Ottoman Empire and their legal regimes
	6	To be able to comprehend the discussions on Sharia and customary law
	7	To be able to comprehend the regulations made in the field of land law in the Tanzimat Period
	8	To be able to comprehend the regulations made in the field of land law in the post-Tanzimat period
	9	
	10	

<b>21</b>	Course Content:			
	<b>Course Content:</b>			
<b>Week</b>	<b>Theoretical</b>	<b>Practice</b>		
<b>1</b>	Introduction to the Debates on Sharia and Customary Law			
<b>2</b>	The Founding Actors of Ottoman Land Law: Nişancı and Şeyhülislam			
<b>3</b>	The Construction of the Mîrî Land Regime: Ebussuûd Efendi and the Law of Budin			
<b>4</b>	Basic Texts of Ottoman Land Law I: General Kanunnames			
<b>5</b>	Basic Texts of Ottoman Land Law II: Sanjak Kanunnames			
<b>6</b>	Expansion and Standardization in Land Law: The Influences of Celâlzâde, Zekeriya Yahya Efendi and Pir Mehmed Üskübî			
<b>7</b>	A New Era, a New Law: Kanun-i Cedîd			
<b>8</b>	Eighteenth Century: The Relationship between Fatwa/Nawazil Literature and Kanunname			
<b>9</b>	Towards Modern Law: Land Law in the Tanzimat Period			
<b>10</b>	1858 Land Code. Repetition? The Beginning of the End?			
<b>11</b>	Following Ottoman Land Law in the Post-			
<b>Activites</b>		<b>Number</b>	<b>Duration (hour)</b>	<b>Total Work Load (hour)</b>
<b>13</b>	An Attempt that Remains on Paper: 1911 Pasture and Forest Law	14	2.00	28.00
Practicals/Labs		0	0.00	0.00
Self study and preperation		1	30.00	30.00
Homeworks		5	10.00	50.00
Projects		0	0.00	0.00
Field Studies		0	0.00	0.00
Midterm exams		0	0.00	0.00
Others		5	15.00	75.00
Final Exams		0	0.00	0.00
Total Work Load				183.00
Total work load/ 30 hr				6.10
ECTS Credit of the Course				6.00

<b>22</b>	Textbooks, References and/or Other Materials:	<p>-AKGÜNDÜZ, Ahmet, Osmanlı Kanunnâmeleri ve Hukukî Tahlilleri, C. I-11, Fey Vakfı Yayınları, İstanbul 1990</p> <p>- BARKAN, Ömer L., Kanunlar, C. 1, Bürhaneddin Matbaası, İstanbul 1943.</p> <p>_____, Türk Toprak Hukuku Tarihinde Tanzimat ve 1274 Tarihli Arazi Kanunnamesi, Maarif Matbaası, İstanbul 1940.</p> <p>-Turan, Osman, TURAN, Osman, "Türkiye Selçuklularında Toprak Hukuku", Belleten, C. XII/S. 47, (1948), ss. 549-574.</p> <p>- Cin, Halil, Osmanlı Toprak Düzeni ve Bu Düzenin Bozulması, Selçuk Üniversitesi Hukuk Fakültesi Yayınları, Konya 1992.</p> <p>-İnalcık, Halil, _____, "The Land Problem in Turkish History", The Muslim World, Vol. 45/Issue 3, (1995), ss. 221-228.</p> <p>-İslamoğlu, Huri, "Property As a Contested Domain: A Reevaluation of the Ottoman Land Code of 1858", New Perspectives on Property and Land in the Middle East, ed. Roger Owen, Harvard University Press, Cambridge 2001, ss. 3-61.</p> <p>-Terzibaşoğlu, Yücel, TERZİBAŞOĞLU, Yücel, "A Very Important Requirement of Social Life: Privatization of Land, Criminalisation of Custom, and Land Disputes in the Nineteenth-Century Anatolia", Les Acteurs Des Transformations Foncières Autour de la Méditerranée au XIXe Siècle, ed. Vanessa Gueno et Didier Guignard, Karthala and the Maison Méditerranéenne des Sciences de l'Homme, 2013, ss. 25-48.</p> <p>-Fatmagül Karagöz, The evolution of kânûnnâme writing in the 16th and 17th century-Ottoman Empire: A comparison of Kânûn-i `Osmânî of Bayezid II and Kânûnnâme-i Cedîd, Bilkent Üniversitesi, 2010.</p> <p>-Bünyamin Punar, Kanun and sharia: Ottoman Land Law in şeyhülislam fatwas from Kanunname of Budin to the Kanunname-i Cedid, Yüksek Lisans Tezi, İstanbul Şehir Üniversitesi Sosyal Bilimler Enstitüsü, İstanbul 2015.</p>
-----------	---	--

<b>23</b>	Assesment
-----------	-----------

TERM LEARNING ACTIVITIES	NUMBER	WEIGHT
Midterm Exam	0	0.00
Quiz	0	0.00
Home work-project	1	100.00
Final Exam	0	0.00
Total	1	100.00
Contribution of Term (Year) Learning Activities to Success Grade		100.00
Contribution of Final Exam to Success Grade		0.00
Total		100.00
Measurement and Evaluation Techniques Used in the Course		Exam

<b>24</b>	<b>ECTS / WORK LOAD TABLE</b>
-----------	-------------------------------

<b>25</b>	<b>CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS</b>															
	PQ1	PQ2	PQ3	PQ4	PQ5	PQ6	PQ7	PQ8	PQ9	PQ10	PQ11	PQ12	PQ13	PQ14	PQ15	PQ16
<b>ÖK1</b>	0	0	0	0	3	0	0	5	0	0	0	0	0	5	0	0
<b>ÖK2</b>	0	3	0	0	0	0	0	0	0	4	0	0	0	0	0	0

ÖK3	4	0	0	0	0	0	0	0	0	4	0	0	0	0	0	5
ÖK4	0	0	0	0	4	0	0	0	0	0	0	4	0	0	0	0
ÖK5	0	0	4	0	0	0	0	0	0	0	0	0	0	5	0	0
ÖK6	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0
ÖK7	4	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0
ÖK8	0	4	0	0	0	0	0	0	0	4	0	0	0	0	0	0
LO: Learning Objectives    PQ: Program Qualifications																
Contribution Level:	1 very low			2 low			3 Medium			4 High			5 Very High			