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TURKISH LAND MANAGEMENT AT HISTORICAL PROCESS

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***EMBRACING OUR SMART WORLD WHERE THE CONTINENTS CONNECT
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Content

- Introduction
- Turkish States in History
- Land Management in Seljuks
- Land Management in Ottoman Empire
- Land Management in Republic of Turkey
- Conclusions





Introduction

Land Management (LM):

is the process of managing the use and development of land resources. Objectives that must be addressed by LM policies today include (FIG, 1995):

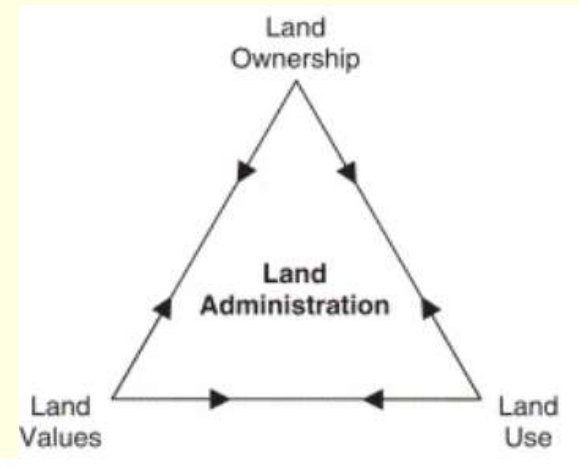
- improving the efficiency of land resource use,
- providing incentives for development, including the provision of residential housing and basic infrastructure,
- protecting the natural environment,
- supporting government services through taxation and fees



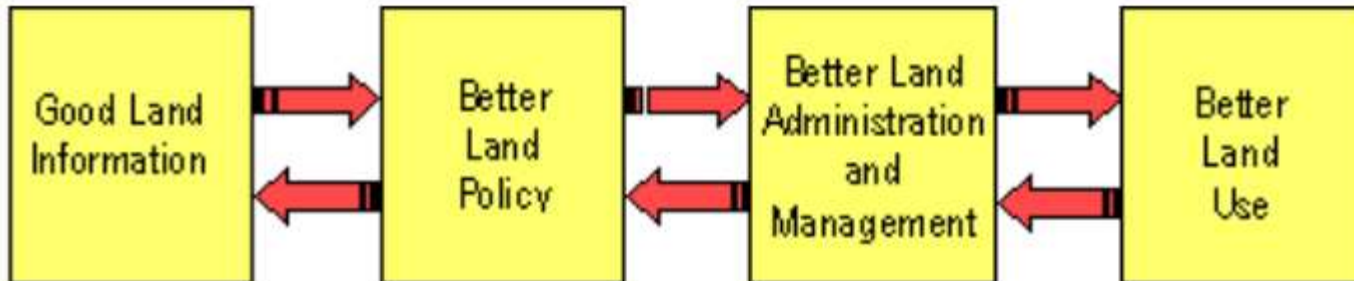


Introduction

A prerequisite for achieving these objectives is having effective access to information about land, e.g. information about land resource capacity, land tenure and land use.



Sustainable development is not attainable without sound land administration.



(UN and FIG, 1999)





Turkish States

Although the beginning of the Turkish History is known as the **Great Hun Empire**, which was the first major Turkish state established in Central Asia since the 3rd century (BC), it has been understood from the archaeological excavations and researches made in recent years that the Turks came from much earlier years.









Covering the geography from Asia, Europe to Africa, the Turks set up **17** great states that ruled from the 3rd century (BC) to the present day, the continuation of each other, as well as the same periods.





Turkish States

Table 1: Great Turkish states established before Islam

Great Hun Empire	B.C. 220 - A.D. 216	
Western Hun Empire	48 - 216	
European Hun Empire	375 - 469	
Ak Hun Empire	420 - 552	
Gokturk Empire	552 - 745	
Avar Empire	565 - 835	
The Caspian Empire	651 - 983	
Uighur State	745 - 1368	





Turkish States

Land Management in Turkish States before Islam

Despite the fact that the Turks have their own writings (Gokturk writings, Uighur writings, etc.), the unwritten law rules developed especially for land management have existed.

For example, the unwritten law rules are still being obeyed in the utilization of land (give for the benefit of a certain people) such as grassland and pasture, in the practices such as tenancy, partnership.






“Orhun Monuments” had been erected in 8th Century by the Rulers of the State of Göktürk who wanted that their information and knowledge were transferred to the next generation.





Turkish States

Table 2: Great Turkish states established after Islam

State of Karahanlılar	840 – 1040	
State of Gaznell	962 - 1183	
Great Seljuk Empire	1040 - 1157	
Harzemşahlılar	1097 - 1231	
Altmordu State	1236 - 1502	
Great Timorese Empire	1368 - 1501	
The Babylonian Empire	1526 - 1858	
Ottoman Empire	1299 - 1922	
Republic of Turkey	1923 -	





Land Management in Seljuks

The founder (***Selcuk Bey***) gave his name to the state.

Not only the land arrangement, but also the entire system of the state was written by Alparslan's vizier ***Nizamulmulk*** in his work called ***Siyasetname***.



Map 2: Great Seljuk Empire Map





Land Management in Seljuks

The lands in the Seljuk State were subject to a management called **Ikta**. There were five types of lands in this systems:

- 1.) Has Lands:** The income is given directly to the sultan and his family.
- 2.) Ikta Lands:** It is a land in which a certain part of the country's land is separated and left for the maintenance of some state officials for a certain period in terms of its services
- 3.) Haraci Lands:** Means the lands in the hands of the non-Muslim peoples who gives taxation (called Harac).
- 4.) Vakıf Lands:** The income of these lands was allocated for public benefit and social needs.
- 5.) Mulk Lands:** While belonging to the state, these lands were given private persons for their usefulness and services

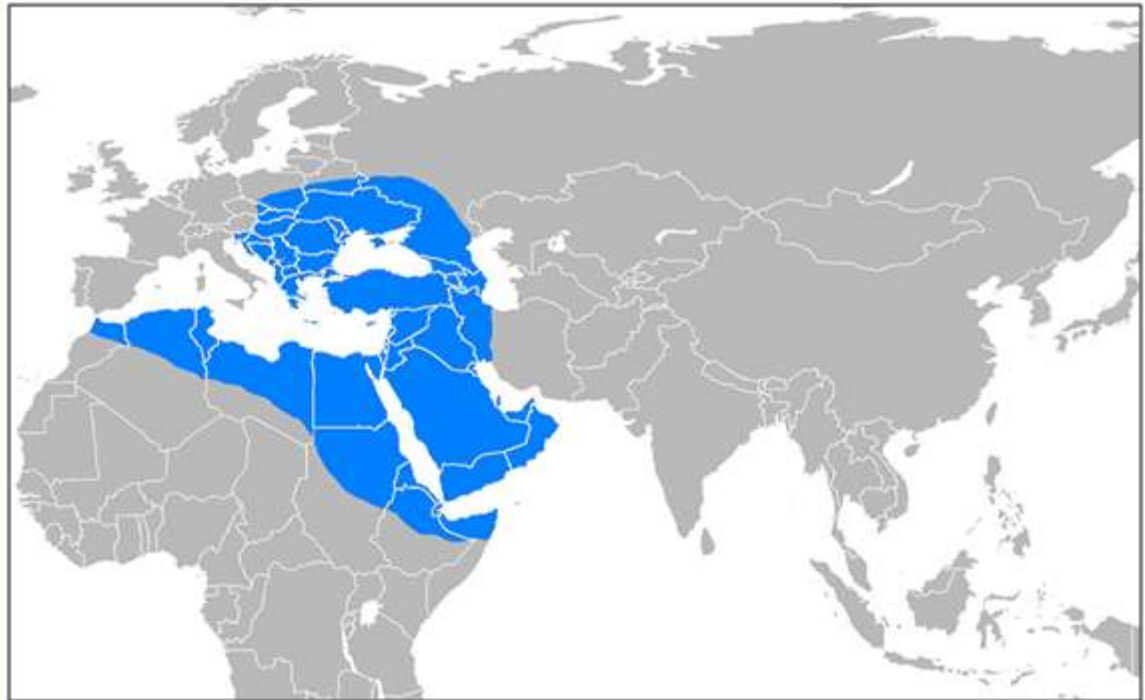




Land Management in Ottoman Empire

The Ottoman Empire was founded in **1299** by Turks near Bursa in Turkey.

In a significant time the empire expanded its territory. In 1566, the Ottoman empire had its largest territory on the Anatolia, Europe, North Africa, Middle East, and Southeast of Asia.



Map 3: Map of the Ottoman Empire





Land Management in Ottoman Empire

As stated in the Land Code of 1858 ('Arazi Kanunnamesi' in Turkish), the land was classified into five groups in the Ottoman Empire (**Dirlik**):

- 1.) Miri (State) lands:** Miri land is a land that forms part of the arable lands of the country. The operation of these lands, also called Dirlik, has been left to the Ottoman State officials.
- 2. Mulk (Private) lands:** Mulk land is the land that held by individual ownership.
- 3.) Waqf :** is trust land whose revenues go to the religious or charitable bodies.
- 4.) Metruk** (Tribal and collective) land is the communally owned property and includes several variations.
- 5.) Mevat** (Waste) is the land that cannot be used in effective way. Such lands are rocky and clay areas.





Land Management in Ottoman Empire

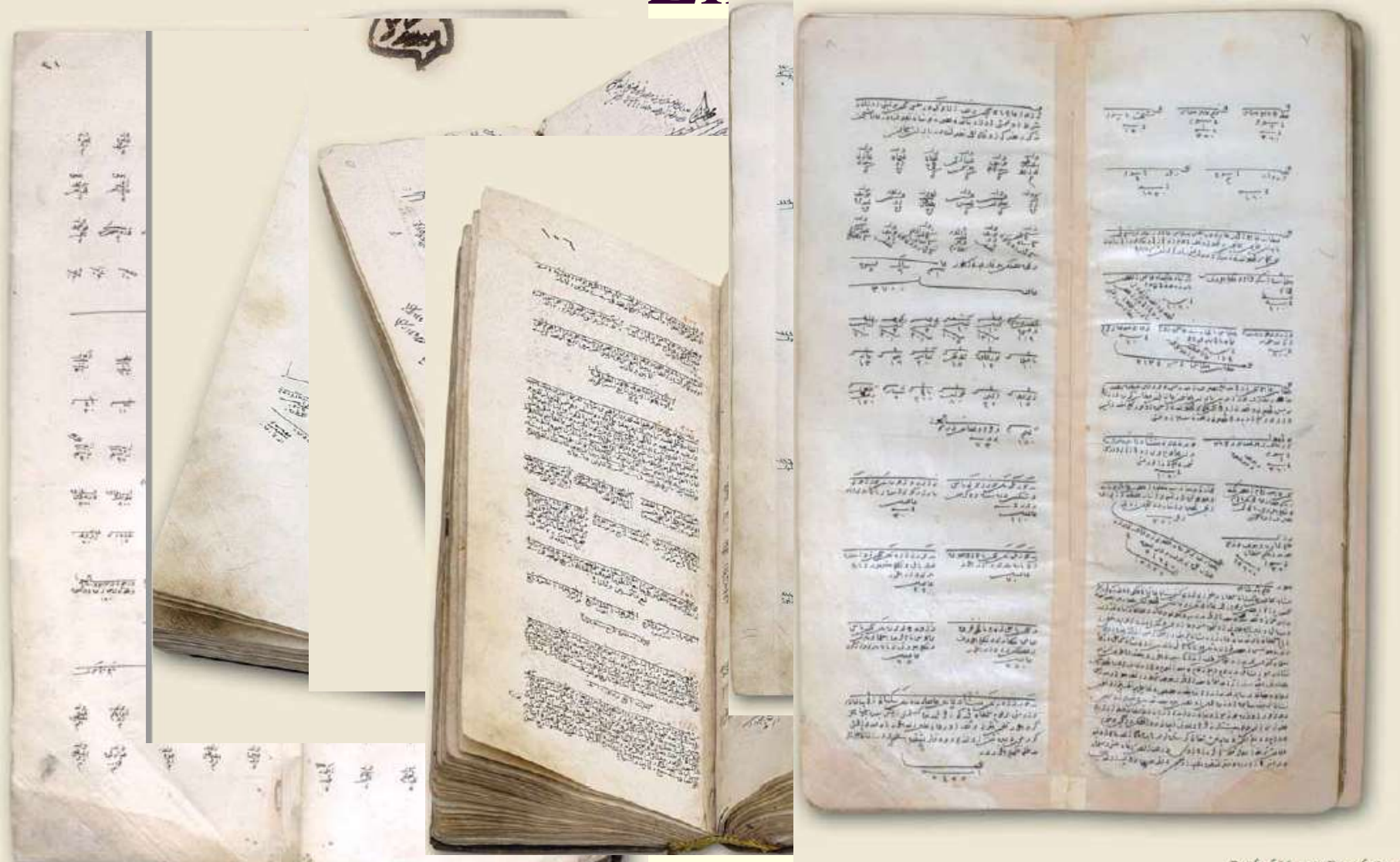
The registration of land was mainly started in 1534 by the Magnificent Suleyman. A land registration book called ***Kuyud-u Hakani*** was used to record the land interests with the following information;

- The name of villages and farms
- Landholders name
- Annual income of land
- Land classification
- The boundaries of public-use areas
- Property quantities with their handling purposes
- Natural resources on the land
- Population
- Paid tax





Land Management in Ottoman Empire





Land Management in Turkey

- After proclamation of the **Republic of Turkey (1923)**, the Turkish Civil Code was put into practice in 1926.
- At the same time, the Mecelle which can be accepted as Civil Code of Ottoman Empire was repealed.
- The **Miri** land regime was abolished by law, and the principle of **absolute property** was accepted.
- After that time, **private property** gained importance.
- In addition to possessory, the registration to land register was compulsory.





Land Management in Turkey

Institutional structure (land recording):

- The Turkish system includes land registration and cadastral mapping,
- Cadastral maps are part of the register and cadastral parcels are basic units in the map,
- Land registration and cadastral mapping is maintained by the same organization: (GDLRC),





Land Management in Turkey

Legal context:

- Cadastral works began in **1925** based on the “**Cadastre Law**” (No: 658).
- **1934**, “**Cadastre and Land Registry Law**”, urban areas.
- Until 1950, cadastral works carried out only in urban areas.
- **1950**, “**Land Registry Law**”, rural areas.
- In **1987**, “**Cadastre Law**” (No: 3402) was put into practice and all regulations were combined under the law.





Land Management in Turkey

Land Distribution:

- As a result of conversion of lands from Miri to Private, land distribution was needed. For this need some laws were enacted:
 - in 1925, with the Law No. 716 "Land Distribution for Landless Formers" ,
 - the laws named the Giving Land to Landless Farmers (1945) and
 - Land and Agricultural Reform Law (1973) were enacted





Conclusions

- History back to at least 2500 years ago,
- Over three continents (Asia, Europe and Africa) defended equality and justice,
- The Turkish states established before Islam, applications based on Timar system were mainly adopted,
- Efficient use of land was encouraged with taxation based on the income,
- Justice in land management is first provided by unwritten legal rules, written law applications have also been included since Seljuks,





Conclusions

- Land management became institutionalized during the Ottoman period,
- The Republic of Turkey maintained the property law of Ottoman and related it with the Turkish Civil Code.
- By completing the cadastral work, the state started to work in order to direct cadastral outputs to land management targets for the development of the country and the spreading of social welfare.





Thank you for your attention...

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