

AN ENQUIRY INTO THE DEFINITION OF PROPERTY RIGHTS
IN URBAN CONSERVATION:
ANTAKYA (ANTIOCH) FROM 1929 TITLE DEEDS AND CADASTRAL
PLANS

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TITLE DEEDS AND CADASTRAL PLANS**

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ABSTRACT

AN ENQUIRY INTO THE DEFINITION OF PROPERTY RIGHTS
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PLANS

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Property rights within historical urban contexts, an important aspect when considering how inhabitants create an urban pattern from an urban context, being starting point of living, using, building, designing and forming the built environment. Property rights can refer not only to the physical forms, socio-cultural structures, administrative issues, and political and economic conditions of the urban context, but also their way of defining an order between the context and its inhabitation, investigates the combination of tangible and intangible values and their continuity in an urban context, which has emerged as an important issue in urban conservation studies.

While urban conservation studies have sought rational solutions to investigating the combination of tangible and intangible values and its hidden values in the historical urban context, the thesis is to focus to research the relationship between *ownership* and the *physical urban context* so as to define the tangible and intangible values of human experiences within the urban context.

The city of Antakya (Antioch) has been selected as the case study of this thesis as not only a crucial empirical case owing to its rich

historical, multi-cultural historic urban core, but also due to the fact that the current historical urban form was affected and formed under Islamic ownership norms, and later developed under Ottoman land tenures.

Additionally, as archive documents such as title deeds have been translated into Turkish, and the cadastral plans of the urban form have been prepared during the French Mandate Period, they can be viewed as sources of reliable information on ownership norms for every single property unit, which is a key asset when attempting to decode the physical urban structure and reveal the hidden salience of the city.

Fundamentally, this research clarifies that ownership has the means of affecting something that lies beyond the existence, beyond the apparent, beyond the known and beyond the man-made settlement boundaries that define elusive historical urban forms. The Antakya case reveals clearly that property rights have major implications when attempting to understand the formation and persistence of every single component of an urban form; and accordingly, these aspects deserve greater consideration in urban conservation when attempting to make holistic assessments.

Keywords: Property Rights, Urban Conservation, Urban Form, Antakya, Title Deeds, Cadastral Plans

ÖZ

MÜLKİYET HAKLARININ KENTSEL KORUMADA TANIMLANMASI ÜZERİNE BİR ARAŞTIRMA: 1929 TAPU KAYITLARI VE KADASTRAL PLANLAR IŞIĞINDA ANTAKYA (ANTIOCH)

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Mülkiyet hakları tarihi kentsel bağlamı oluşturan yapılı çevrenin sosyo-kültürel, yönetsel, idari ve ekonomik parametrelerinin anlaşılmasına yardımcı olduđu gibi, tarihi çevrenin sakinleri tarafından nasıl kullanıldığına ve deneyimlendiđine dair kentsel dokuda var olmuş/olan yaşam prensiplerinin belirlenmesine katkı koymaktadır. Böylece, mülkiyet hakları kentsel koruma disiplininin araştırma konusu olan tarihi kentsel bağlamı oluşturan somut (maddi) ve soyut (manevi) değerlerinin tanımlanması için araç olmaktadır.

Günümüzde kentsel koruma disiplini tarihi çevreyi oluşturan maddi ve manevi değerlerin birlikteliđi ile oluşmuş ezoterik değerlerin korunmasına odaklanmakta ve bu değerlerin saptanmasına yönelik yöntem ve araçları tanımlamaya çalışmaktadır. Bu kapsamda, tezin araştırma konusu mülkiyet hakları ile fiziksel kentsel bağlamın ilişkisini araştırarak kentsel bağlamı oluşturan ezoterik değerlerin saptanmasına yönelik bir çerçeve oluşturmaktadır.

Bu amaca yönelik Antakya tarihi kent dokusu örnekleme alanı olarak ele alınmış ve tarihi dokuya ait Fransız Manda'sı dönemine tarihlenen tapu kayıtları ve kadastral planların analizi ve değerlendirilmesi ile tarihi kentsel bağlamı oluşturan ezoterik değerler tanımlanmıştır.

Kentsel koruma disiplini aısından mülkiyet haklarına odaklanan bu araştırma, tarihi çevrelerin sahip olduėu somut ve soyut deėerlerin birlikteliėinin anlaşılmasına ve korunmasına yönelik oluřturduėu yöntem ile hem kentsel koruma kuramına hemde Antakya tarihi kentsel dokusuna yönelik özgün katkılar koymaktadır.

Anahtar sözcükler: Mülkiyet Hakları, Kentsel Koruma, Kentsel Biim, Antakya, Tapu Kayıtları, Kadastral Plan

To the memory of my father-in-law Dr. Selahattin Yüksel,
and my grandfather Kasım (Rifai) Yücel

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CHAPTER 1

INTRODUCTION

This thesis focuses on the issue of property rights within historical urban contexts, and investigates the combination of tangible and intangible values and their continuity in an urban context, which has emerged as an important issue in urban conservation studies. The selection of this subject for inquiry is based not only on developments in the conservation discipline, which has taken on a more positivistic attitude in the matter of cultural property, but also the problems that have arisen as a result of this new attitude. The evolution of conservation and the problems that have emerged between the recent positivistic attitude and urban conservation studies are structured the research problem, aim and questions which are mentioned in the following.

As it is known that, architectural conservation is a comprehensive and mainly (technical) value-base decision making process that involves a study of the past, present and the future of cultural properties.

In its contemporary meaning, conservation has evolved in reaction to the destructive effects of industrialization at the end of the 19th century. Following the development of a conservation consciousness, especially after World War II, the scope of conservation evolved from an approach that dealt with the conservation of individual monuments to attempts at broader urban conservation. Inevitably, this evolution went through different principles, manners, methods and techniques, led by different guidelines and legal frameworks that were defined and applied for the conservation and management of cultural properties at both national and international levels.

However, the assessment of value has always been central to the study and practice of architectural conservation, with the intention being to deliver appropriate decisions for key elements of cultural heritage. In parallel to the development of conservation approaches, from the identification of individual monuments to considerations of broader areas for urban conservation, the definition of technical and socio-cultural values has widened, from the study of tangible (material) attributes such as construction techniques, ornamentation, workmanship, typology and architectural elements, to take in intangible (immaterial) features such as tradition, language, customs, meaning, feeling and spirit¹ (Figure 1.1). Related to these developments, urban conservation has taken on a wide perspective, considering a combination of both the tangible and intangible aspects of urban contexts, and hence defining and conserving the *spirit of place*².

¹ Rifaioğlu, M.N., Şahin Güçhan, N., 2007. "The Concept of Identity and Its Identification Process in Urban Conservation Projects", An International Conference of CSAAR on *Regional Architecture and Identity in the Age of Globalization*, 13-15 November, Tunis, TUNISIA, pp.1099-1111.

Rifaioğlu, M.N., Şahin Güçhan, N., 2008. "Understanding and Preserving the Spirit of Place by an Integrated Methodology in Historic Urban Contexts", *16th General Assembly and Scientific Symposium of ICOMOS*, 29 September-4 October, Quebec City, CANADA. (electronic publication please see http://www.international.icomos.org/quebec2008/cd/papers/all_az.html).

² This attitude has been identified and updated through international conservation declarations and guidelines. For example, in 1994 the UNESCO *Operational Guidelines for the Implementation of the World Heritage* mentioned the importance of authenticity for groups of buildings or sites, aside from such tangible attributes as design, material, workmanship and setting (UNESCO, 1994, para 24). In 2005, intangible attributes were integrated into the guidelines in order to identify authenticity, spirit of place and identity for the definition of the *outstanding universal values* of cultural properties within their cultural context (UNESCO, 2005, para.49; Jokilehto, 2006). In 2008, the UNESCO *Operational Guidelines for the Implementation of the World Heritage* stressed the "importance of understanding the conditions of authenticity, identity, spirit of place in historic urban contexts if their cultural values are truthfully and credibly expressed through tangible and intangible attributes including: form and design; materials and substance; use and function; traditions, techniques and management systems; location and setting; language, and other forms of intangible heritage; spirit and feeling; and other internal and external factors" (UNESCO, 2008, para. 82).

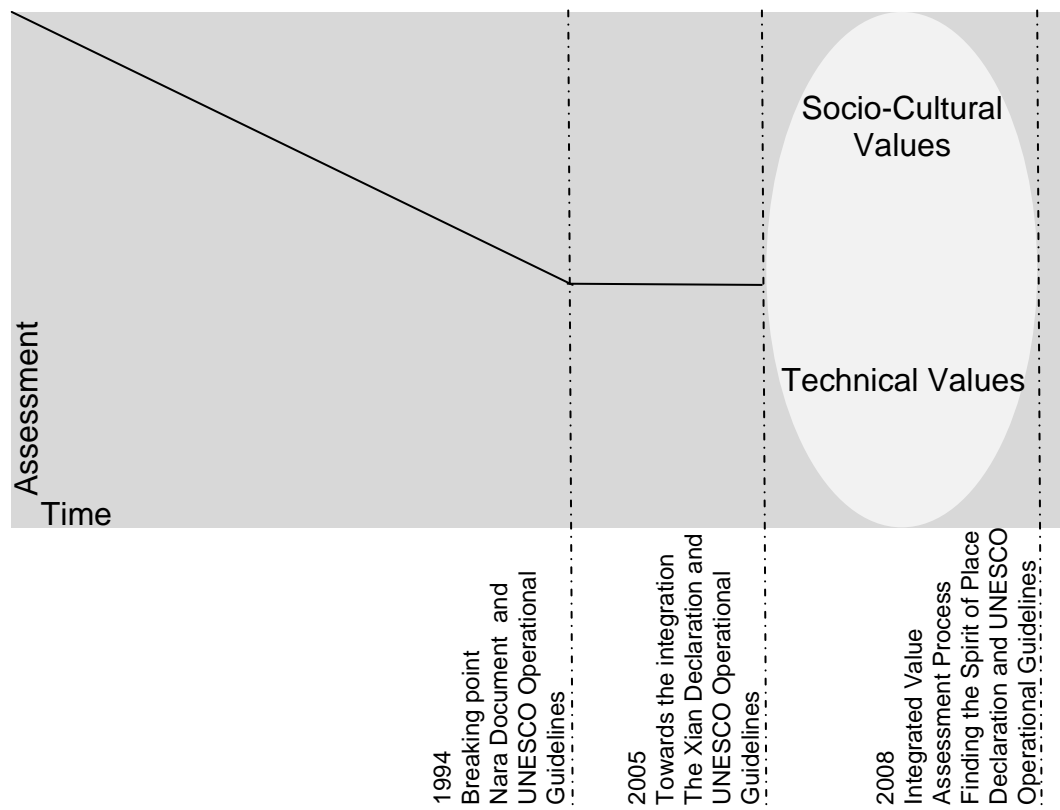


Figure 1.1. Changes to the assessment of values in urban conservation over time

Many factors, including those related to the physical, socio-cultural, economic and administrative nature of a historic urban context, such as natural elements, topography, townscape, pattern, order, culture, customs, uses, beliefs and traditions, need to be considered in the development of an understanding and appreciation. All of these combine to produce a distinctive tangible and intangible quality, helping to differentiate one place from another and create a distinctive spirit of place.

While *spirit of place* has been declared as one of the determinant conservation component of historic urban contexts,³ understanding the concept becomes important for both investigations and appropriate decision-making in urban conservation.

³ UNESCO, 2008. *Operational Guidelines for the Implementation of the World Heritage*, Retrieved from <http://whc.unesco.org/archive/opguide08-en.pdf>.
 ICOMOS, 2008. *Québec Declaration on the Preservation of the Spirit of Place*, Retrieved from: http://www.international.icomos.org/quebec2008/quebec_declaration_pdf/GA16_Quebec_Declaration_Final_EN.pdf

1.1. The theory of Spirit of Place

The spirit of (any) place is elusive. In phenomenological theory it refers to a cluster of ideas about the place and its inhabitants in the diverse fields of geography, urban planning, urban design, architecture, sociology and environmental psychology; and concerns the meaning and significance of places for their inhabitants and users. It is a subjective phenomenon that presents remarkable diversity in historic urban contexts since it refers to the complex relationship between the physical environment and human experience. Consequently, the theory of spirit of place has emerged as an important subject in holistic urban conservation studies. In the scope of this enquiry, the concept of spirit of place has been theorized both in conservation discourses and studies of urban form.

In conservation discourse, as it is discussed earlier, primary focus has been on conserving authenticity, identity and spirit of place, which is readily apparent in the charters and declarations of international conservation organizations. For example, the ICOMOS Nara Document⁴ declared that the world is being increasingly subjected to the forces of globalization and homogenization, and therefore defining *authenticity* becomes an important issue for the conservation of *cultural heritage*. The document also emphasizes the importance of defining and understanding cultural diversity, searching for cultural identity and consideration of authenticity, all of which are essential in conservation practice.

The document defines social and cultural values as being vital features for understanding the unique tangible and intangible characteristics of every item of culture. Consequently, it underlines that no permanent or general decision can be an effective tool in the conservation of authenticity of cultural heritage, and it is thus not possible to base judgements of values and authenticity within fixed criteria.⁵

The Nara Document also suggests linking a wide range of sources of information to ensure authenticity. These may include “form and design; materials and substance; use and function; traditions and

⁴ ICOMOS, 1994. *The Nara Document on Authenticity*, Retrieved from http://www.international.icomos.org/charters/nara_e.htm

⁵ ICOMOS, 1994. *Ibid*, para.11.

techniques; location and setting; and spirit and feeling, and other internal and external factors”.⁶ In this way, the use of these sources permits the elaboration of specific artistic, historical, social, and scientific dimensions of a cultural heritage place.

Although a national document, the Australian ICOMOS Burra Charter⁷ offers another example of the principles to be applied for the conservation and management of cultural significance for cultural heritage places. The Charter is particularly significant for its definition of place, which refers to the “site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views”.⁸ In addition, memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites, and spiritual places may also be included in the definition of a place. In this way, the Charter suggests that a place is formed according to its cultural significance, comprising aesthetic, historic, scientific, social and spiritual values, for past, present or future generations.

Consequently, the Burra Charter points out that places of cultural significance reflect the diversity of Australian communities, defining who they are and how their landscape has formed through the ages, and thus are irreplaceable and precious and must be conserved for present and future generations.

Another ICOMOS document, the Xian Declaration,⁹ stresses that both tangible –the setting and interaction with the natural environment– and intangible –social or spiritual practices, customs, traditional knowledge, use or activities– values contribute to the significance and distinctive character of a heritage structure. The Declaration also claims that heritage structures, sites or areas of various scales (historic cities, landscapes, seascapes, cultural routes and archaeological sites) owe their significance and distinctive

⁶ ICOMOS, 1994. *Ibid*, para.13.

⁷ ICOMOS, 1999. *The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance)*, Retrieved from http://australia.icomos.org/wp-content/uploads/BURRA-CHARTER-1999_charter-only.pdf

⁸ ICOMOS, 1999. *The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance)*, Article.1.1.

⁹ ICOMOS, 2005. *The Xi'an Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas*, Retrieved from [http://www.international.icomos.org/charters/xian-declaration .pdf](http://www.international.icomos.org/charters/xian-declaration.pdf)

character to their meaningful relationships with their physical, visual, spiritual and other cultural context and settings.¹⁰

The Xian Declaration stresses that the documentation and interpretation of a setting should cover diverse contexts, and that conserving and managing the setting should be carried out with the cooperation and awareness of local, interdisciplinary and international communities in order to understand the issues correctly and to make appropriate decisions regarding the significance of heritage structures, sites and areas.

Finally, in 2008, the ICOMOS Québec Declaration¹¹ suggested the discussion and investigation of intangible cultural heritage and its relationship with tangible heritage, with the intention being to develop new concepts, identify potential threats and elaborate sound practices in the conservation and transmission of the spirit of place, defined as the tangible and intangible elements that give meaning, value and emotion to a place.

It was in the 1960s that the concept of identity –accepted as the starting concept of spirit of place– first appeared in urban studies. Kevin Lynch¹² claimed that the image of the city has three components, always appearing together: identity, structure and meaning. He described the identity as “the identification of an object, which implies its distinction from other things, its recognition as a separable entity. It is not in the sense of equality with something else, but with the meaning of individuality or oneness”.¹³ Although, Lynch uses *meaning* as one component of the image of the city, he does not directly identify the spatial meanings of the city for its residents¹⁴. His definition of ‘identity’ refers to the noticeable features of the city, while his use of the term ‘structure’ refers to the spatial relationships of those features.

¹⁰ ICOMOS, 2005. *Ibid*, para.4.

¹¹ ICOMOS, 2008. *Québec Declaration on the Preservation of the Spirit of Place*, Retrieved from http://www.international.icomos.org/quebec2008/quebec_declaration/pdf/GA16_Quebec_Declaration_Final_EN.pdf.

¹² Lynch, K., 1960. *The Image of The City*. Cambridge, MA: MIT Press.

¹³ Lynch, K., 1960. *Ibid*, p.8.

¹⁴ Jivén, G., & Larkham, P. J., 2003. Sense of place, authenticity and character: a commentary, *Journal of Urban Design*, 8 (1), 67 – 81. Retrieved January 07, 2007, from EBSCOhost Academic Search Premier database.

Following Lynch, others began to use the concept of “spirit of place” or “genius loci” allied to the concept of identity of a place. Spirit of place was widely held to be closely linked with the form and history of a place, requiring unique methods of approach in conservation activities.¹⁵ Following this, Conzen¹⁶ stressed that the quality and quantity of tangible cultural heritage, expressed through the accumulated historical form of towns and cities, was one of the main determinants of the character of a particular place, as the spirit of place.

Accordingly, by the 1980s the spirit of place and identity being considered as related to the tangible attributes of a town or a city, formed through historical processes. By that point, Christian Norberg-Schulz had developed ideas related to the psychology of architecture,¹⁷ and defined phenomenology in architecture as appropriate for understanding places and their meanings to local residents. He stressed that place means more than merely location, as there exists a ‘spirit’ which cannot adequately be described using analytical and/or scientific methods. He proposed a phenomenological method that would allow an understanding and description of the ‘spirit’ of the place through a depiction of its physical features and an interpretation of the human experiences within that place. It is important to recognize that Norberg-Schulz defines the spirit of place as a constitutive element in a town and city. Jivén and Larkham¹⁸ defined four thematic features in Norberg-Schulz’s description of spirit of place:

- the topography of the earth’s surface
- the cosmological light conditions and the sky as natural conditions

¹⁵ Conzen, M. R. G., 1966. Historical townscapes in Britain: a problem in applied geography. In J. W. House (Ed.), *Northern Geographical Essays in Honour of G.H.J. Daysh* (pp.56-78). Newcastle upon Tyne, England: Oriel Press.

Conzen, M. R. G., 1975. Geography and townscapes conservation. In H. Uhlig & C. Lienau (Eds.), *Anglo-German Symposium in Applied Geography* (pp. 95-102).

Cullen, G., 1961. *Townscape*, London, Architectural Press.

Sharp, T., 1969, *Town and Townscape*, London, Murray.

Worskett, R. (1969). *The Character of Towns*. London: Architectural Press.

¹⁶ Conzen, M. R. G., 1975., *Ibid.*, p.98.

¹⁷ Norberg-Schulz, C., 1963. *Intentions in Architecture*, Oslo, Universitetsforlaget. Also cited in Jivén, G., & Larkham, P. J., 2003. Sense of place, authenticity and character: a commentary, *Journal of Urban Design*, 8 (1), 67 – 81.

¹⁸ Jivén, G., & Larkham, P. J., 2003. *Ibid.*, p.70.

- buildings
- symbolic and existential meanings in the cultural landscape

From this, it is apparent that Norberg-Schulz had developed the earliest definition of spirit of place by including the consideration of *symbolic and existential meanings in the cultural landscape*. In philosophical discourse, ‘existential’ refers to the conditions of existence between the physical environment and the individual person by means of their *emotions, actions, responsibilities, and thoughts*. In this way, symbolic and existential meanings between the physical environment and its inhabitants become fundamental features for understanding the spirit of place.

In parallel to Norberg-Schulz’s work, Aldo Rossi brought a new perspective to arguments on the identity and spirit of place,¹⁹ naming the memory of a place for the citizens, as a fundamental feature of the city, as the *locus solus*. *Locus solus* refers both explicitly to the particular place with its tangible features, such as location, layout, form and texture; and implicitly to its intangible features, such as feelings, meanings and memory. From this perspective, the concept of *locus solus* is distinguishable from that of spirit of place in that it emphasizes an important relation within the place and takes into account temporal dimensions by referring to memory.

Following these developments, Lynch²⁰ adapted his definition of identity and structure as given in *The Image of the City* (1960). He now classified identity and structure as the ‘formal’ components of sense, and described identity as “a sense of place”, being the extent to which a person can recognize or recall a place as being distinct from other places; as having a vivid, or unique, or at least a particular, character of its own.

The definitions of identity, spirit of place and *locus solus* have been theorized in assessments of the logical and meaningful relations between the *concrete phenomena* – the built form – and *abstract symbolic and existential meanings* –the human experiences. Fundamentally, the main aim of the theory of spirit of place relies on *subjective, hidden and dialectic* relations such as *rights,*

¹⁹ Rossi, A. (1982). *The Architecture of the City*. New York: MIT Press, p.29.

²⁰ Lynch, K. 1987. *Good City Form*. Cambridge, MA: MIT Press, p. 132.

responsibilities, actions and thoughts between a ‘place’ and its ‘inhabitants’ in the urban context.

In parallel to these theoretical developments, there has been growing interest in the practical implementation of the theory of spirit of place through phenomenological investigations in different disciplines, where the aim has been to uncover the *substance of being* and/or the *substance of existence*, and to follow the right intervention principles for the “intangible dynamics” of the “concrete phenomenon”.

The wider perspective urban conservation issue brought about practices and discussions of the theory of spirit of place, not only to understand and appreciate human experience in relation to the historic physical environment, but also to define and conserve the specific and local values of the urban context. According to the theory of spirit of place, the holistic urban conservation approach should be able to define *the substance of the historical urban context; the formation of the structure of the urban context and its interrelations; and the dialectic links between the context and its inhabitants.*

This new way of understanding and appreciating historical urban contexts rises new questions and a broad range of discussions in the study and practice of urban conservation. One major focus for discussion is the reliability of phenomenological investigations for steering urban conservation decision-making processes. As the spirit of place is a subjective and case-dependent phenomenological concept, the major questions that should be raised are;

- What are the reliable methods for investigating the spirit of place in urban conservation studies?
- Can phenomenological investigations help to understand the intimate values of urban contexts?
- How can phenomenological investigations be integrated into urban conservation studies?

The following section examines the research problem: dilemma between phenomenological investigation methods and urban conservation studies, with the intention being to find a proper method for investigating spirit of place that considered as one of the paramount aspects in sustaining and conserving the urban context in recent urban conservation discourses.

1.2. The Research Problem: Dilemma Between Phenomenological Investigations and Urban Conservation Studies

1.2.1. Phenomenological Investigations

Phenomenological investigations concentrate on the substance of being, as seen and narrated from the feelings, meanings, and view points of the individual. Environmental psychologists, philosophers, urban designers and sociologists, among others, have long been investigating spirit of place drawing upon phenomenological means of understanding. Nevertheless, there has been significant debate on how human beings, who are limited to their own experiences of the place, can relate both to each other and to the context.²¹ Asa Briggs' opinion on the subject was that;

When you start thinking about the sense of place, you have to bear in mind that the same place means quite different things to different people, according to where they live in it. If you lived in the East of London in the nineteenth century, you had very little contact with the West End, and *vice versa*.²²

Closely related to this debate, the phenomenological investigation into the *poetic image* of the house by Gaston Bachelard,²³ one of Europe's leading philosophers, is still hotly debated. According to Bachelard, the poetic image is "a sudden salience on the surface of the psyche" and "it has an entity and a dynamism of its own; it is referable to a direct ontology",²⁴ which means it cannot be understood rationally, but only through phenomenological investigations.²⁵ Bachelard claims that: "A house that has been experienced is not an inert box. Inhabited space transcends geometrical space",²⁶ defining the house as a *privileged entity* and suggesting that understanding the intimate values of the house needs new tools and approaches. He stresses that a "phenomenological study of the house, provides to integrate all the

²¹ Madanipour, A., 2003. *Public and Private Spaces of the City*, Routledge, New York.

²² Briggs, A., 1975. "The Philosophy of Conservation", *Royal Society of Arts Journal*, London, United Kingdom, p. 691.

²³ Bachelard, G., 1994. (originally 1958 in French), *The Poetics of Space*, Beacon Press, Boston, MA.

²⁴ Bachelard, G., 1994. *Ibid.*, p.xvi.

²⁵ Madanipour, A., 2003. *Ibid.*, p. 73.

²⁶ Bachelard, G., 1994. *Ibid.*, p.47.

special values in one fundamental value”.²⁷ In using this approach, he aims to go beyond the scope of analytical architectural investigations by *reading the house* or *reading the room* when attempting to define the spirit of the house.

Just as with other phenomenological investigations, Bachelard aims to explore the intimate values of the house that cannot be defined and understood through analytical architectural investigations. Nevertheless, many uncertainties underlie Bachelard’s phenomenological investigation of the house. He investigates the narratives of a user that was born and raised in the same house, with no experience of any other houses. Clearly, in contemporary society intimate values have undergone constant change, from *stabile* to much more *mobile* residents.

The major criticism of this perspective is based on the validity of phenomenological investigations in *dynamic, variable uses of urban scales* rather than *a constantly use of a single building scale*.

The fact that there are different interpretations and meanings of space in the urban context, as different groups give different meanings to a context as it becomes a multi-layered place, reflects the way that places are socially constructed.²⁸ Therefore, investigating the values of the urban context from individuals’ narratives and viewpoints may result in limited and subjective values. In the conservation context, making decisions based on subjective values can result in a delusion, going against one of the main aims of urban conservation studies, which is to conserve the real, objective and fundamental characteristic values of the context and sustain the lifestyles and cultures of places, avoiding subjective decisions and preventing places from becoming a spectacle for visitors.

Under these circumstances, if the spirit of place is closely bound to the *look of things*, and the scale is considered as urban, then the following questions can still be deemed relevant in urban conservation;

²⁷ Bachelard, G., 1994. *Ibid.*, p.3.

²⁸ Knox, P., 1995. *Urban Social Geography: An Introduction*, Longman, Harlow.

Also cited in Madanipour, A., 2003. *Public and Private Spaces of the City*, Routledge, New York.

- How can a phenomenological approach identify the intimate values of the urban context that cannot be defined and understood through analytical urban conservation investigations?
- How can experts (ie ‘outsiders’) observe the urban context and realize the intimate values of the residents that lie hidden in the urban form?
- How can the phenomenological method allow an understanding and description of the ‘spirit’ of the context through a depiction of its physical features and an interpretation of the human experiences within that context?

These questions are encapsulated in Briggs’s exclamation as a resident of a historic urban context;

What will people make of our own values in the future, when they look at us years and years from now –if they are in such a privileged position so to be able to do? When we are relating the present and the future, the key role in making that future is yours, not mine.²⁹

1.2.2. Urban Conservation Studies

The main goal of urban conservation research is to assess the values of a historic urban context in order to maintain or improve its character, and to guard it against harmful and destructive effects. It is structured on an extremely strong theoretical methodology, which consists of a careful and systematic documentation of the context, and an analysis and evaluation of data related to socio-cultural, economical, administrative, historical, and physical aspects at various scales, all of which led to guide an appropriate decision-making process.

Despite considering socio-cultural aspects and values, the current dominant methodology is unable to assess spirit of place through the depiction of user experiences within the contexts. For this reason, urban conservation investigations should aim to go beyond the previously dominant investigations of value to identify the values of plural interpretations and meanings between the physical context

²⁹ Briggs, A., 1975. *Ibid.*, p. 695.

and its inhabitants. John Pendlebury, referring to the erosion of value assessments, focused on the importance of different value assessment methodologies so as to come up with plural interpretations and meanings between the object and its environment;

There has been an erosion of the previously dominant notion of value understood as intrinsic to the object or environment and able to be revealed by correct processes of investigation that could only be conducted by a limited body of experts. In a pluralist democratic society, it is argued; definitions of value cannot be singular but must allow for plural interpretations and meaning.³⁰

Yet, as discussed previously, at an urban scale, investigating the spirit of place by understanding and identifying plural interpretations and meanings between the context and the users is a complex subject, and no widely-accepted methodology has yet been developed.

Accordingly, urban-scale conservation studies still face the question of what kind of investigations would help in understanding and identifying the values generated from human experiences within the physical context, or in other words, the spirit of place.

In fact, there have been many theoretical and practical studies on this issue that may provide some answers for the field of urban studies. As a theoretical example, Karl Kropf defined the basic investigation principles in the built form derived from Johann Wolfgang von Goethe, and applied by Gianfranco Caniggia and M.R.G. Conzen. According to Kropf, the urban context should be investigated in terms of *human choices, process of formation, arrangements of parts and as a whole, and an interpretation*. Kropf defined the human choices as *tangible* attributes –stone, brick, timber, glass, tile, etc. – and how they are put to use by humans. He noted, “(The) built form is the material in an arrangement which is the result of *human choice*, the choice of using a particular material for a particular purpose and putting it in a particular place”.³¹ From

³⁰ Pendlebury, J., 2009. *Conservation in the Age of Consensus*, Routledge, New York, p.12.

³¹ Kropf, K.S., 1993. *An Enquiry into the Definition of Built Form in Urban Morphology*, unpublished PhD thesis, Department of Geography, University of Birmingham, vol.1, p.10.

an urban conservation point of view, an assessment of human choices in the built form would allow a definition of the *technical values* of the context.

Another investigation aspect, the *process of formation*, is defined as the concrete phenomenon for understanding and appreciating the *sequence of events* and *acts of buildings* which have formed the context throughout history. In urban conservation studies, it would refer to the *historical and socio-cultural values* of the context. The arrangement of parts is another matter for investigation, being important for understanding the interrelation between individual parts, and between the individual parts and the whole. Such an investigation method would be appropriate for investigating the *physical* and *morphological values* of the context in urban conservation studies.

Finally, Kropf discusses the issue of interpretation, which is proposed for investigating the vague aspects of the sense of built environment by understanding “the forms which contribute to a whole and make the means of identifying those forms identifiable and repeatable”.³² This method refers directly to the tangible architectural features of the context, and would allow the *architectural and typological orders and/or values* of the urban context to be determined.

Although interpretation is the key means of understanding the *sense of built environment*, Kropf leav[es] aside the ontological meanings of the object and aims to understand and identify the repeatable forms of the context in an assessment of the *sense of built environment*. The logic of his aim relies on addressing the problems faced in ontological investigations which may define *subjective, expert’s and/or observer’s own viewpoints and values*. The problem is encapsulated as follows;

The intellectual, physical and emotional responses of the observer to which may be applied the labels of conception, idea, image, allusion, nostalgia, mystery, beauty, repulsion, and depression, are the result of the relation between the objects and the observer. These lie neither in the object nor in the “eyes of the beholder,” but in the relation between the two.

³² Kropf, K.S., 1993. Ibid. vol.1, p.11.

Yet, the results of interpretation can be shared, can be intersubjective and can be said to have an objective existence. What must be avoided, however, is, on the one hand, falling back on received ideas and concepts; and on the other, falling into singular viewpoints which cannot be shared, which cannot become intersubjective. That is to say, the objects which are part of existing discourse and which are considered 'natural' or self-evident, must still be examined and evaluated, and tested to determine if they remain valid and relevant. Equally, some effort must be made to determine which parts, relations, and interactions contribute to the more general or vague aspects of the sense of the built environment.³³

Essentially, urban conservation studies are almost wholly driven by *the expert*, and all of the values identified in the analysis are given by experts. Accordingly, their roles and values can be held up to criticism, since urban forms result from different value systems and shape different identities for different groups.

Yet in most national conservation systems it is the experts who observe the historic urban context, using objective tools so as to designate and conserve a very delicate and subjective subject, the spirit of built environment. It is important to find the intimate, hidden, unidentified, subjective values of the context through the use of objective tools and methods that have been created over time between the physical urban context and the experiences of different social groups, occupants and users.

Urban conservation studies normally seek to assess the character of the built environment through typological, morphological and architectural analysis. Nevertheless, although the identity of an area may persist through time, spirit of place can change as its inhabitancy or users change. This leads to the questions of how can experts understand the spirit of place and define its continuity through *observations* and/or *interpretations*, since the residents change, the way and standards of living change, the physical structures, and the overall socio-cultural context change in time?

³³ Kropf, K.S., 1993. *An Enquiry into the Definition of Built Form in Urban Morphology*, unpublished PhD thesis, Department of Geography, University of Birmingham, vol.1, p.12.

This is an important subject that is both theoretically and practically important and difficult subject to address in urban conservation studies; and after a decade of searching, still, the right tools are yet to be found for understanding and conserving the very delicate subject of the spirit of the place and its comprehensible meanings from tangible features to intangible ones.

As Pendlebury stated; "...conservation as a practice needs to evolve reflexively; it needs to embrace new understandings of the social role of heritage and its conservation, while retaining and sustaining many of its core principles. This is a difficult challenge".³⁴

1.3. The Research Aim and Questions

Ownership is an important aspect when considering how inhabitants create an urban pattern from an urban context, being starting point of living, using, building, designing and forming the built environment. It is accepted as the substance regulating the urban context and defining its character. Ownership can refer to the physical forms, socio-cultural structures, administrative issues, and political and economic conditions of the urban context, and their way of defining an order between the context and its inhabitation. As Suraiya Faroqhi states;

The urban societies of Ankara and Kayseri consisted essentially of house owners, while on the other hand, it would appear that *people do make significant statements about their culture by the way in which they arrange their houses – if only we knew how to decode these statements*³⁵.

In addition, it relates strongly to the existential meanings of the urban context, being defined as "the existential foothold of appropriators".³⁶

Moreover, ownership is a legal *right over tangible and intangible properties* and that forms *logical –meaningful– beneficial relations*

³⁴ Pendlebury, J., 2009. *Conservation in the Age of Consensus*, Routledge, New York, p.13.

³⁵ Faroqhi, S., 1987. *Men of Modest Substance House Owners and House Property in Seventeenth Century Ankara and Kayseri*, Cambridge University Press, p.5.

³⁶ Günay, B., 1999. *Property Relations and Urban Space*, METU Faculty of Architecture Press, Ankara, p. 18.

between the *object* and its *owner*. It is a fact that an object becomes more valuable when one *owns* it; more meaningful when one *uses* it; and more beneficial when one has *rights* to it, referring explicitly refers to the *terrestrial* relationships, and intrinsically to the *spiritual* relationships between the *human* and the *object*. Hence, ownership would indicate something beyond the existence, beyond the apparent, beyond the known, beyond the man-made settlement boundaries, beyond life and the realm of the senses between the owners and the socio-spatial phenomenon of the city which creates spirit of place.

While urban conservation studies have sought rational solutions to investigating spirit of place and its hidden values in the historical urban context, the aim of this thesis is to investigate the relationship between *ownership* and the *physical urban context* so as to define the tangible and intangible values of human experiences within the urban context.

This research, therefore, dwells upon the importance of the three constant parameters of *ownership*, *use* and *property rights*' order in urban contexts in order to not only investigate the dialectic links between the place and its inhabitants, but also to define and conserve the combination of tangible and intangible values of the urban context that create spirit of place (Figure 1.2).

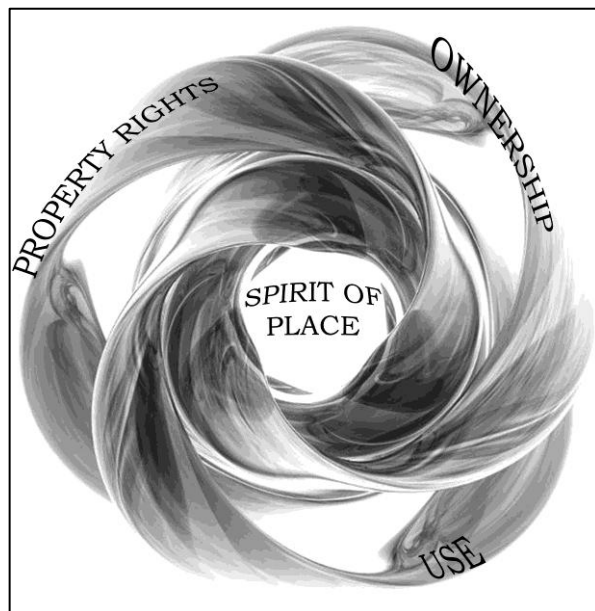


Figure 1.2 Three constant parameters of spirit of place: ownership, use and property rights.

The three constant parameters can be expanded upon as follows:

- **Use:** Referring to the use of the built environment independent from the building categories. Use is closely related to the special use principles occurring between the inhabitants and buildings, streets, public and private urban spaces. It is aimed to define the esoteric relations in the use of the urban context by drawing upon title deed data.
- **Ownership:** Referring to social life and its order within the urban context by analyzing the owner's identity information. The ownership parameter helps in the development of an understanding of the social networks and their relations with the built environment.
- **Property Rights:** Referring to user and ownership rights that affect both the tangible and intangible aspects of the urban context, and creates different user investigations and experiences on both urban and neighbouring scales.

The relationships between ownership, use, property rights and the physical form can be seen and appreciated in societies of pluralist democracies, or in societies of socialist or communist countries, when analyzing not only the related laws and judgments, but also the urban form and socio-cultural context. Therefore, they would be able to refer major aspects of urban context by the variety of property rights such as possess, use, assignment, beneficial and dispose, and accordingly, can be investigated in the urban context and referred to tangible and intangible features of the context (Figure 1.3).

TANGIBLE					PROPERTY RIGHTS	INTANGIBLE				
GEOGRAPHY	STREETS	TERRITORY	BUILDINGS	ARCHITECTURAL ELEMENTS		SPIRIT	MORALS	MEANINGS	MEMORY	AGREEMENTS
					POSSESS					
					USE					
					ASSIGNMENT					
					BENEFICIAL					
					DISPOSE					

Figure 1.3 Variety of property rights and their references to tangible and intangible features of the context

Possess refers directly to the identity of the owner of the geography, such as river, mouth, lake, landscape; streets, whether public or

private; territory; buildings and architectural elements such as common walls, doors, etc., but may also refer to the intangible features of the context. It has a primary relation with agreements between owners; and secondary links with the spiritual relations and meanings between the owner and the context. For example, the owner of a building may be a religious charitable foundation, and so it would have a special spiritual meaning for the inhabitants.

Use has primary relations with both the tangible and intangible features of the context. In some cases it is specified by law, and in others by social systems. For example, the United Kingdom's Rights of Way Act of 1932 and the Highways Act of 1959 can be put forward as examples of how the use and context may be experienced by the inhabitants (Figure 1.4 a-b, Figure 1.5 a-b). In contrast, the cul-de-sacs are used in Middle Eastern societies, which have multi-cultural, introverted social forms and organic urban contexts, has been organized around a social mechanism (Figure 1.6).

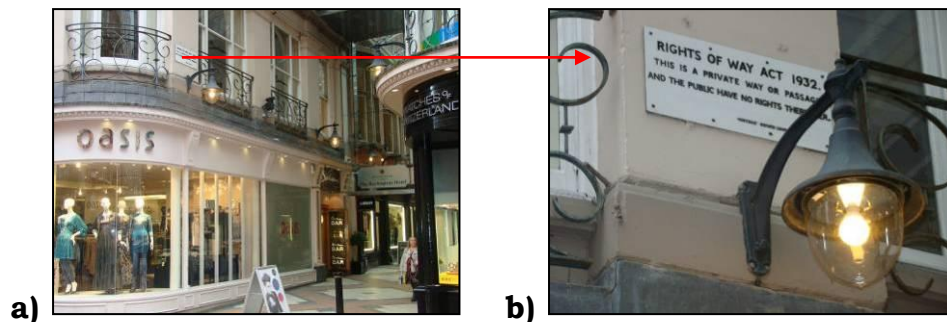


Figure 1.4 a) A passage at New Street, Birmingham, United Kingdom (Photograph taken by Rifaioğlu, M.N., 2010) **b)** An inscription panel relating the rights of way: *Rights of way act 1932: This is a private way or passage and the public have no rights there over* (Photograph: Rifaioğlu, M.N., 2010).

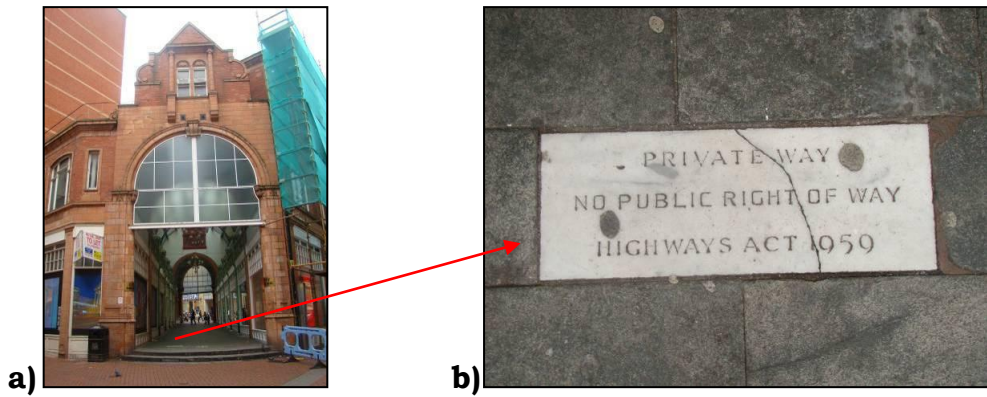


Figure 1.5. a) A city arcade, Birmingham, United Kingdom (Photograph: Rifaioglu, M.N., 2010) **b)** An inscription panel located on the ground of a city arcade (Photograph: Rifaioglu, M.N., 2010).

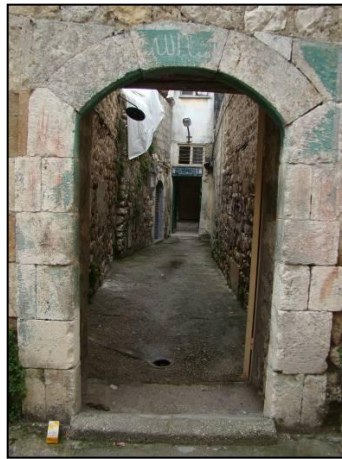


Figure 1.6. A cul-de-sac in Antakya (Antioch) (Photograph: Rifaioglu, M.N. 2009)

Parts of the urban context may be assigned for specific use. For example, a building can be assigned for inhabitants' use, or a street can serve different purposes according to its assignment. According to the aim and the content of the assignment, the inhabitants can use the urban context for different purposes, resulting in intangible values (Figure 1.7a-b, Figure 1.8 a-b).



Figure 1.7. a) The Pageant Garden street entrance, Warwick, Warwickshire, United Kingdom (Photograph: Rifaioğlu, M.N., 2010) **b)** The inscription panel on the assignment of the Pageant Garden: *This garden by courtesy of Warwick District Council is available to members of the public for rest and meditation. Anything likely to disturb such use is expressly forbidden* (Photograph taken by Rifaioğlu, M.N., 2010)



Figure 1.8 a) The Pageant Garden, Warwick, Warwickshire, United Kingdom (Photograph: Rifaioğlu, M.N., 2010). **b)** The Pageant Garden and its surrounding buildings, Warwick, Warwickshire, United Kingdom (Photograph:M.N., 2010)

A direct relationship between the tangible and intangible features of the context is beneficial, and is referred to as “beneficial owner” in which the owner who is entitled to the possession and use of the land or its income for his own benefit under the law of property.³⁷ In some

³⁷ Jonathan Law and Elizabeth A. Martin, 2009. *A Dictionary of Law*, Oxford University Press, United Kingdom. Retrieved from Birmingham City University Online Services, 16 February 2010
<http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t49.e361>

circumstances property owners have to open their property incomes or architectural and/or spatial features for use by beneficial owners. For example, in Middle Eastern societies the *waqf* institution plays a key role in assigning the income of a building or area of land for the poor people of society. This benefit approach can affect the entire urban context, as every single entity has an owner, while use of the context brings beneficial rights to the users. This may refer to morals, meanings, agreements and spiritual aspects, as well as all tangible aspects of the context (Figure 1.9 a-b).



Figure 1.9 a) Beneficial use of a public street. Traditional “Thursday bazaar” in Tire, İzmir-Turkey (Photograph: Rifaioğlu, M.N., 2008) **b)** The bazaar sets up in every Thursday in the urban core of Tire (Photograph: Rifaioğlu, M. N., 2008)

Dispose has secondary relations with buildings and primary relations with morals, meanings and agreements. The best example of this category can be found in the case of charitable buildings. In every society, charitable foundations have special meaning for the inhabitants, in that they help to people providing care and disposing their utilities.

The analysis of the three constant parameters has identified an intersection between “analytic architectural” and “phenomenological investigations” through a “reading of the context” of property rights, and is referred to as a phenomenological urban conservation method in the scope of this inquiry.

“Spirit of place” refers to the understanding of the physical, social, functional and spiritual relations in a historic urban context, and

therefore the main objective of this research is to define the physical, functional, socio-cultural and spiritual relations of the context according to the three constant parameters that shape the socio-spatial phenomenon of the city and define the tangible and intangible values of the context.

Accordingly, the hypothesis of this enquiry is that ownership, use and property rights can help to define hidden and intimate values within the context that cannot be accurately defined through technical analytical investigations; and may also help in making an objective analysis of a subjective issue with the information gathered from primary, legal written and graphical sources.

This research intends to open the “black box” and to test the hypothesis by analyzing and evaluating the “title deeds” and “cadastral plans” of a historical urban context, which has to date not been investigated in the urban conservation discipline with such a purpose.

Through this phenomenological urban conservation approach, the intention is to define the substance of concrete phenomena – the context – through a study of ownership, use and property rights, and will attempt to come up with answers to the following questions:

- Are there any rules or rights in the ownership system that affect and organize the human experience within the physical context?
- If so, do those rules also affect the formation of physical characteristics within the urban context?
- Can they also define a spirit which intrinsically has intimate values?

1.4. A Theoretical Framework on Urban Form Studies in Middle Eastern and North African Cities and the Antakya (Antioch) as a Case Study

The assessment of ownership, use and property-user rights is an intricate task that to date has not been studied sufficiently for Middle Eastern societies with multi-cultural, introverted social forms and organic urban contexts. Therefore, studies of Islamic urban forms have been an important source for defining not only the content of

the dissertation, but also constructing the methodology of the case-study phase of the inquiry.

1.4.1. The Orientalism Period (1920s-1980s): Generalizations, Revisions and Criticisms

Studies of Islamic cities first appeared at the beginning of the 20th century carried out by European (English, German and French) scholars under two main Orientalist approaches; “One who attributed the structure of Islamic cities to social and religious factors, and another who sought to describe their structure through an approach which was more dependent on an analysis of the urban structure and its physical features”³⁸ (Table 1.1.).

Historians such as William and Georges Marçais, Roger Le Tourneau, Louis Massignon and Robert Brunschvig were the first scholars to take an interest in Islamic cities, focusing on both their socio-economic structures and the physical features of the urban form, particularly in North Africa. Their interpretive-historical methodological approaches concentrated on understanding the Islamic urban form organization that then applied to all Middle Eastern cities. William and George Marçais’ studies were the first to focus on analyzing Islamic cities from the perspective of the setting rather than the single monumental approach. William Marçais’ (1928) article³⁹ introduced several characteristic elements of the city, with claims that Islam was a religion carried by nomads, but was essentially an urban religion; and that a city must have a congregational Friday mosque at its heart and a *souq* structure for the merchants, organized hierarchically in sequence from the mosque to the city gates, and associated with the presence of specialized buildings, such as public baths. The ideas of William Marçais were incorporated into two articles written by Georges Marçais⁴⁰ (1940), in which he noted the differentiation between the residential and non-residential quarters, the fact that the residential quarters were often

³⁸ Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et al., Brill Publication, Netherlands, p.3.

³⁹ Marçais, W., 1928. “L’Islamisme et la vie urbaine”, in *Comptes rendus de L’Academie des Inscriptions et Belles Lettres*, Paris, pp. 86-100.

⁴⁰Marçais, G., 1940. “L’urbanisme musulman”, in *5th Congress De La Federation des Soc. Savantes d’Afrique du Nord, Tunis, Algiers*, pp:13-24.

Marçais, G., 1945. “La Conception des villes dans L’Islam”, *Revue d’Alger 2*, Paris, pp:517-533.

segregated by ethnicity⁴¹, and the absence of any type of municipal organization⁴². From this it can be seen that the Orientalist studies of Islamic cities were focused on the physical aspects of the city, and then supported by the socio-economic structure of the urban form. They result was a definition of a general urban form that applied to all Middle Eastern cities.

This socio-economic approach in studies of the Islamic urban form was supported by Roger le Tourneau⁴³ (1949), who highlighted that souq, the Friday mosque, the citadel and the city walls were the main elements of spontaneously organized Islamic cities, and that this had persisted in different Middle Eastern cities down through time. In parallel to Tourneau, Robert Brunschvig⁴⁴ (1947) defined the Islamic city as “irrational” with no logical plan, arguing that the irrational plans relied on the legal and administrative structure of Islamic society, which over time affected the type of physical and spatial structure of Islamic cities.

French historian Jean Sauvaget’s⁴⁵ (1941-1949) studies focused on the historical-morphological nature of Syrian cities, in particular in the north of the country and were an important addition to Islamic city researches. His studies concentrated on the interpretation of medieval Syrian cities and their Islamic urban form structures, in which he attempted to define an integrated picture of the urban form and its foundation up until the 20th century. His methodological approach relied on French cadastral surveys, as “the first precise instruments for representing the urban organisms of these regions, providing a knowledge and description of the pre-modern structure and form of Middle Eastern and North African cities, and laying the foundations for later urban studies”⁴⁶. Sauvaget’s studies opened a

⁴¹Abu-Lughod, “The Islamic City – Historic Myth, Islamic Essence, and Contemporary Relevance,” *International Journal of Middle East Studies*, 19:2, 1987.

⁴²Neglia, Ibid, 2008.

⁴³Le Tourneau, R., 1949. *Fés avant le Protectorat: Etude économique et sociale d’une ville de l’occident musulman*, Casablanca.

Le Tourneau, R., 1957. *Les villes musulmanes de l’Afrique du Nord*, Algiers.

Le Tourneau, R. and Terrasse, H., 1965. “Fas”, *Encyclopaedia of Islam*, 2nd ed., pp.818-823.

⁴⁴Brunschvig, R., 1947. “Urbanisme médiéval et droit musulman”, *Revue des Etudes Islamiques* 15, pp. 127-155.

⁴⁵Sauvaget, J., 1941. *Alep; essai sur le développement d’une grande ville syrienne des origines au milieu xix^e siècle*, Paris.

Sauvaget, J., 1949. “Le plan antique de Damas”, *Syria*, 26.

⁴⁶Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et al., Brill Publication, Netherlands, p.7.

new perspective within Orientalist studies of Islamic urban form, which had previously focused on defining the esoteric and mysterious aspects of urban forms through an epistemological approach.

In Anatolia at the beginning of 20th century, European researchers were focused on the Hellenistic or pre-Hellenistic sites of Turkey, with no attempts made to study the Islamic urban form in the region in that period. The first study in the Turkish Republican Period was made by urban historian Osman Nuri Ergin (1936),⁴⁷ who published several books on the development of urbanism in Turkey and the comparative analytic studies on the role of *waqfs* in Ottoman cities and municipalities in Early Republican Period⁴⁸. He has focused on the municipalities and their influence on the cities in particular İstanbul⁴⁹.

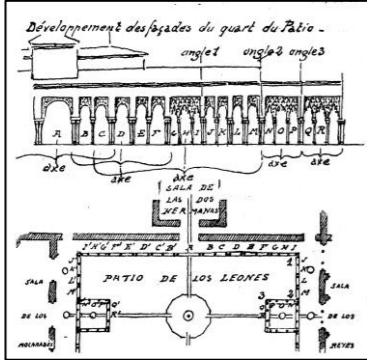
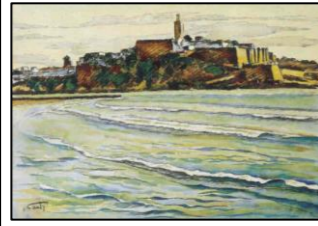
⁴⁷Ergin, O.N., 1936. Türkiye’de Şehirciliğin Tarihi İnkişafı, İstanbul Üniversitesi, İstanbul.

⁴⁸ Ergin, O.N., 1939. Türk Şehirlerinde İmaret Sistemi, Cumhuriyet Matbaası, İstanbul.

⁴⁹ Ergin, O.N., 1934. İstanbul Şehir Rehberi, İstanbul.

Ergin, O.N., 1922. Mecelle-i Umur-ı Belediye, Matbaa-i Osmaniye, İstanbul.

Table 1.1. Historical development of Islamic urban form studies

PERIOD	RESEARCHERS & INSTITUTIONS	MAIN OBJECTIVES	TERRITORY	APPROACH AND METHODOLOGY	
1920-1939 THE ORIENTALISM PERIOD					
 <p>Court of the Lions, diagram by George Marçais in “Remarques sur l'esthétique musulmane”, 1938, fig.6.</p>	<ul style="list-style-type: none"> William Marçais George Marçais Louis Massignon Roger Le Tourneau Robert Brunschvig 	<ul style="list-style-type: none"> To define architectural, urban and socio-economic features of Islamic Cities To figure-out a general urban form model for the Islamic cities 	North-African Cities	<ul style="list-style-type: none"> Interpretive-Historical Research Methodology Comperative Analysis between European and Islamic cities 	
	<ul style="list-style-type: none"> Jean Sauvaget 	<ul style="list-style-type: none"> To define the morphological continuity of urban fabric from the Late Antique period to the Islamic Period 	Syrian cities in particular to the Northern-Syria	<ul style="list-style-type: none"> Historical-Morphological Research Methodology Interpretative research by using French cadastral surveys 	
	<ul style="list-style-type: none"> Eugene E. Beaudouin Arthur Upham Pope 	<ul style="list-style-type: none"> To define the socio-political and urban features of an Islamic city 	Isfahan	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology 	
	<ul style="list-style-type: none"> Osman Nuri Ergin 	<ul style="list-style-type: none"> To define the historical developments of urbanism in Turkey 	Turkey	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology 	
1939 - 1950 THE BLANK PERIOD					
	II. World War				
1950 - 1980 THE SECOND ORIENTALISM PERIOD					
REVISIONISM	 <p>Rabat, drawn by Edmond Pauty, 1951. Retrived from www.artnet.com</p>	<ul style="list-style-type: none"> To classify the Islamic urban structure according to the geographical, historical, social and economic features 	North African Cities	<ul style="list-style-type: none"> Observational-Historical Research Methodology 	
		<ul style="list-style-type: none"> Edmond Pauty 	<ul style="list-style-type: none"> To understand the Islamic city by analyzing the origin of physical elements of urban fabric and define the socio-political and socio-economic structure 	Middle Est	<ul style="list-style-type: none"> Empirical
		<ul style="list-style-type: none"> Gustav von Grunebaum 	<ul style="list-style-type: none"> To define the Islamic city according to the different period and region 	Middle Est	<ul style="list-style-type: none"> Analytical – Emprical Research
		<ul style="list-style-type: none"> Ira M. Lapidus 	<ul style="list-style-type: none"> To stress the socio-political aspects which affect to the Islamic urban forms 	Middle Est	<ul style="list-style-type: none"> Empirical
		<ul style="list-style-type: none"> Xavier de Planhol 	<ul style="list-style-type: none"> To stress the impacts of urban autonomy in Islamic cities 	Syrian and Iraqi cities	<ul style="list-style-type: none"> Empirical-Historical Research
		<ul style="list-style-type: none"> Eliyahu Ashtor Claude Cahen 	<ul style="list-style-type: none"> To figure out the origin of Islamic city systems by analyzing urban structure 	Middle East	<ul style="list-style-type: none"> Historical-Morphological Research
		<ul style="list-style-type: none"> Shmuel Tamari 	<ul style="list-style-type: none"> To determine the social and economic factors that affect the Islamic urban form 	Damascus	<ul style="list-style-type: none"> Historical-Morphological Research

Studies into the Islamic urban form took a hiatus until the 1950s following the outbreak of World War II, after which the second Orientalism period was launched in Edmond Pauty's (1951)⁵⁰ observational-historical research of North-African cities (Table 1.1.). Pauty's work was accepted as a revision of the previous studies, in which he highlighted the geographical, historical and socio-economic differences that had played a crucial role in the formation of Islamic cities. In this way, he opened a new route of research that steered away from accepting the generalized Orientalist theoretical urban form frameworks. He suggested "a distinction between spontaneous and planned cities, concluding that in most cases Islamic cities were founded by dynasties or monarchs and, thus, did not developed autonomously"⁵¹.

This revisionist perspective was continued by Gustav von Grunebaum (1955-1961)⁵², who studied the origins of the urban form, as being centralized around the Friday mosque, in his analysis of the streets and buildings, and made an attempt to define the social life in the surrounding neighbourhood. He stressed that the absence of a European sense of community or administrative bodies affected the formation of self-enclosed and autonomous neighbourhoods, and defined the Islamic city as a place in which all of the religious duties and social ideals of the Muslim citizens were addressed⁵³.

Ira M. Lapidus'(1967-1973)⁵⁴ studies stressed the importance of defining the Islamic urban forms in different regions, periods and

⁵⁰ Pauty, E., 1951. "Villes spontanées et villes créés en Islam", *Annales de l'Institut d'Études Orientales*, 9.

⁵¹ Pauty, E., 1951. *Ibid.* Also cited in Neglia, G. A., 2008., *Ibid.*, p.10.

⁵² Grunebaum, G., 1955. "The Structure of the Muslim Town", in "Islam: Essays in the Nature and Growth of a Cultural Tradition", *Memoirs of the American Anthropological Association*, pp: 141-158.

Grunebaum, G., 1955. "The Muslim Town and the Helenstic Town", *Scientia*, pp: 364-370.

Grunebaum, G., 1961. "The Structure of the Muslim Town", in *Islam: Essays on the Culture and Growth of a Cultural Tradition*, London.

⁵³ Grunebaum, G., 1961, *Ibid.* Also cited in Aktüre, S., 1978. *19. Yüzyıl Sonunda Anadolu Kenti Mekânsal Yapı Çözümlemesi*, Ankara, p.7.

⁵⁴ Lapidus, I.M., 1967. *Muslim Cities in the Later Middle Ages*, Harvard University Press, Cambridge.

Lapidus, I.M., 1969. "Muslim Cities and Islamic Societies", Ira Lapidus, ed., *Middle Eastern Cities A Symposium on Ancient, Islamic, and Contemporary Middle Eastern Urbanism*, Los Angeles, pp.47-79.

Lapidus, I.P., 1973. "Traditional Muslim Cities: Structure and Change", *From Medina to Metropolis*, L.C.Brown (ed.), Princeton:The Darwin Press, pp.51-69.

Lapidus, Ira. 1973. "The Evolution of Muslim Urban Society," *Comparative Studies In Society and History* 15, pp: 21-50.

religion sects in a rational way. He argued that traditional Muslim cities could be understood from an analysis of the “historical context in which they have developed, the nature of the society they embodied and their cultural significance”⁵⁵. He introduced the concept of the *mosaic* society, being an organic network of ethnic and religious groups that existed on a neighbourhood scale,⁵⁶ but pointed out that “there is no evidence that the homogeneity of social classes was a basis of solidarity”⁵⁷.

The socio-political and economical aspects of cities were underlined by Xavier de Planhol (1968)⁵⁸, Eliyahu Ashtor (1975)⁵⁹ and Claude Cahen (1970),⁶⁰ who pointed out the effects of a lack of a civic administrative body and the impacts of the *rais*, *muhtasib* and *qadi* to on the urban form. In contrast to the social perspectives, Schmuël Tamari⁶¹ and Nikita Elisséeff⁶² gave importance to a morphological analysis and the physical structure of urban forms.

Albert Hourani (1970)⁶³ and Samule Stern (1970)⁶⁴ brought a different way of thinking to studies of the Islamic urban form (Table 1.2.). Hourani criticized G. Marçais’ application of a generalized North African urban model to other Islamic cities, citing the geographies, societies and cultural differences, as Lapidus had stressed previously. Stern’s focus was on making a comparison of the medieval European and Islamic urban forms that had been considered previously by Massignon, Grunebaum, Ashtor and Cahen.

⁵⁵ Lapidus, I.P., 1973. Ibid, p.49.

⁵⁶ Lapidus, I.M. 1967. Ibid, p.85-87. Also cited in Aktüre, S., 1978. *19. Yüzyıl Sonunda Anadolu Kenti Mekânsal Yapı Çözümlemesi*, Ankara, p.7.

⁵⁷ Lapidus, I.M., 1967. Ibid, p.87.

⁵⁸ Planhol, X., 1968. *Les Fondements Géographiques de l’Histoire de l’Islam*, Paris.

⁵⁹ Ashtor, E., 1975. “Républiques urbaines dans le Proche-Orient à l’époque des Croisades”, *Cahiers de la Civilisation Médiévale*, 18, Paris.

⁶⁰ Cahen, C., 1970. “Y a-t-il eu des corporations professionnelles dans le monde musulman classique?” in *The Islamic City: A Colloquium*, ed. A.H. Hourani and S.M. Stern, Oxford, pp: 51-64.

⁶¹ Tamari, S., 1966. “Aspetti principali dell’urbanesimo musulmano”, *Palladio*, nos. 1-4, pp:45-82.

⁶² Elisséeff, N., 1970. “Damas à la lumière des théories de Jean Sauvaget”, in *The Islamic City*, ed. A.H. Hourani and S.M. Stern, Oxford, pp: 157-177.

⁶³ Hourani, A.H., 1970. “The Islamic City in the Light of Recent Research” in *The Islamic City: A Colloquium*, eds. A.H.Hourani and S.M.Stern, Oxford, pp.1-24.

⁶⁴ Stern, S.M., 1970. “The Constitution of the Islamic City”, in *The Islamic City: A Colloquium*, eds. A.H.Hourani and S.M.Stern, Oxford, pp.25-50.

Anthropological studies carried by Dale Eickelman (1974)⁶⁵ and Kenneth Brown (1971,1976)⁶⁶ criticized the earlier physical and social analyses of Islamic urban forms. Eickelman's interest was in the intellectual dynamics of neighbourhoods in Islamic urban areas, being based on common unity; while Brown moved away from Lapidus' theory on solidarity, suggesting that solidarity was a very strong and important social mechanism that affected urban form.

By the 1980s, a series of conferences⁶⁷ had been organized to look deeper into the subject of Islamic cities. Robert B. Serjeant (1980)⁶⁸ studied the social structure of the southern part of the Arabian Peninsula and its socio-economic, cultural and political aspects. On the other hand, Nikita Elisséeff (1980)⁶⁹, carried out a study of Damascus, from which she deduced that the classification of the form of Islamic cities depended upon their origins, dividing them under headings of "new city", "spontaneous towns", and "medieval city" located on the shores of Mediterranean Sea.

Similar to Elisséeff's morphological studies, Eugen Wirth (1982,1985)⁷⁰ raised the importance of making separate morphological studies for different geographies. He suggested that only the *souq* structure was unique, and was an important aspect in

⁶⁵ Eickelman, D., 1974. "Is There an Islamic City? The Marking of a Quarter in a Moroccan Town", *International Journal of Middle East Studies*, 5, Cambridge University Press, pp.274-294.

⁶⁶ Brown, K.L., 1971. "An Urban View of Moroccan History: Salé 1000-1800", *Hespéris - Tamuda*,12, pp. 5-106.

Brown, K.L., 1976. *People of Salé: Tradition and Change in a Moroccan City 1830-1930*, New York.

⁶⁷ Brown, C.L., ed., 1973. *From Medina to Metropolis: Heritage and Change in the Near Eastern City*, The Darwin Press, Princeton, New Jersey.

Serjeant, R.B., ed., 1980. *The Islamic City*, United Nations Educational, Scientific and Cultural Organization, Paris.

Serageldin,I., El-Sadek,S., eds., 1982. *The Arab City Its Character and Islamic Cultural Heritage, Arab Town Organization*, Riyadh.

Germen, A., ed., 1983. *Islamic Architecture and Urbanism*, Damman.

Brown, K.L., Jolé, M., Sluglett, P., and S. Zubaida, eds., 1986. *Middle Eastern Cities in Comparative Perspective*, London.

Brown, K.L., et all., eds.,1989. *Urban Crisis and Social Movements in the Middle East*, Paris.

⁶⁸Serjeant, R.B., 1980."Social Stratification in Arabia", in *The Islamic City*, United Nations Educational, Scientific and Cultural Organization, Paris, pp. 126-147.

⁶⁹ Elisséeff, N., 1980. "Physical lay-out", in in *The Islamic City*, United Nations Educational, Scientific and Cultural Organization, Paris, pp. 90-103.

⁷⁰ Wirth, E., 1982. "Villes islamiques, villes arabes, villes orientales? Une problématique face au changement", *La ville arabe dans l'Islam*,ed.A. Bouhdiba and G.Chevallier, Tunis and Paris, pp: 193-215.

Wirth, E., 1985. "Zur Konzeption der islamischen Stadt: Privatheit im islamischen Orient versus Öffentlichkeit in Antike und Okzident", *Die Welt des Islams*, 25, pp:50-92.

the creation of the Islamic urban form, being dependent on the cul-de-sac system and an independent neighbourhood layout rather than religious aspects.

André Raymond (1974-2009)⁷¹ used archival *waqf* documents to clarify the socio-spatial and economic dynamics of Muslim urban forms. In his book *The Great Arab Cities* and his studies of different Islamic cities, Raymond stressed that the Orientalist urban form models defined by European scholars fell short in their efforts to provide an understanding of the dynamics of Islamic urban forms. Using the data obtained from the *waqf* archival documents, Raymond applied an integrated methodology that included historical interpretations and morphological investigations. Raymond stressed clearly that the urban form of Islamic cities continued during the Ottoman Period, but that this was not the case under periods of European colonization of Islamic cities.

Jamel A. Akbar (1984,1989)⁷² and Besim Selim Hakim (1986,1994)⁷³ cited the influence of Islamic law and the land tenure system on the formation process of Islamic cities, defining the general rules and regulations affecting the urban form of Islamic cities.

Janet Abu-Lughod (1987)⁷⁴ claimed that the model of the Islamic city resulting from an Orientalist perspective was primarily based on generalized observations. In her essays, “she warned of the dangers of generalizing specific morphological and geographical data that had led the so-called Orientalists to assimilate cities from widely differing geographical areas, and instead advanced an idea of the formation of

⁷¹ Raymond, A.,1974. "Signes urbains et étude de la population des grandes villes arabes à l'époque Ottomane", *Bulletin d'Études Orientales de l'Institut Français d'Études Arabes de Damas*,27, pp:183-193.

Raymond, A.,1977 "Le déplacement des tanneries à Alep, au Cairo et à Tunis à l'époque Ottomane: Un 'indicateur' de croissance urbaine," *Revue d'Histoire Maghrébine*, nos. 7-8, pp: 192-200

Raymond, A.,1984. *The Great Arab Cities in the 16th-18th Centuries: An Introduction*, New York.

Raymond, A., 2009. "The Spatial Organization of the City", *The City in the Islamic World*, ed. Jayyusi, S.K., et al., Brill Publication, Netherlands, pp:47-70.

⁷² Akbar, J.A., 1984.*Responsibilities and the Traditional Muslim Built Environment*,unpublished PhD dissertation, Department of Architecture, M.I.T., Cambridge, Massachusetts.

Akbar, J., 1989. "Khatta and the Territorial Structure of Early Muslim Towns," *Muqarnas* 6 , pp: 22-32.

⁷³ Hakim, B.S., 1986. *Arabic-Islamic Cities: Building and Planning Principles*, London.

Hakim, B.S., 1994. "The 'Urf' and its role in diversifying the architecture of traditional Islamic cities", *Journal of Architectural and Planning Research*, 11, no.2, pp:108-127.

⁷⁴ Abu-Lughod, J., 1987. "The Islamic City: Historic Myth, Islamic Essence, and Contemporary Relevance", *International Journal of Middle East Studies*, v.19, pp:155-176.

the Islamic city through a morphological process based not only on legal, political, and religious systems but also on specific cultural factors”⁷⁵. She listed on three themes that played a crucial role in the development process of Islamic urban forms:

- *Theme 1:* The distinction between community of believers (*Umma*) and the State which led to juridical and spatial distinction by neighbourhoods⁷⁶
- *Theme 2:* The segregation of the sexes, which gave rise to a particular solution to the question of spatial organization⁷⁷
- *Theme 3:* The system of property laws that governed the rights, and obligations and general regulations for land uses of various types in various places⁷⁸

French historian Jean Claude Garcin (1991),⁷⁹ another scholar of the second Orientalist approach to studies of Islamic urban form, also criticized the previous generalizations of Islamic urban models, and tried to classify Islamic urban development according to chronological phases for the case of Cairo. His definitions were summarized by Neglia⁸⁰ as follows:

- The foundation of a new urban centre or the occupation and reorganization of an existing city
- The transformation of urban centres with the advent of military aristocracies
- The formation of the traditional city, beginning with the crisis at the end of the 14th century.

⁷⁵ Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et all., Brill Publication, Netherlands, p.16.

⁷⁶ Abu-Lughod, J., 1987. “The Islamic City: Historic Myth, Islamic Essence, and Contemporary Relevance”, *International Journal of Middle East Studies*, v.19, pp:155-176.


⁷⁷ Abu-Lughod, J., 1987. *Ibid.*

⁷⁸ Abu-Lughod, J., 1987. *Ibid.*

⁷⁹ Garcin, J.C., 1991. “Le Caire se l'évolution urbaine des pays musulmans”, *Annales Islamologiques*, 25, pp: 289-304.

⁸⁰ Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et all., Brill Publication, Netherlands, pp.16-17.

Table 1.2. Historical development of Islamic urban form studies, the Second Orientalism Period

PERIOD	RESEARCHERS & INSTITUTIONS	MAIN OBJECTIVES	TERRITORY	APPROACH AND METHODOLOGY	
1950 - 1980 THE SECOND ORIENTALISM PERIOD					
CRITICISM	 <p>June Bartlett, <i>Damascus Ladies</i>, 2009. Photo courtesy of Mathaf Gallery Ltd., London, UK.</p>	<ul style="list-style-type: none"> • Albert H. Hourani • Samuel M. Stern • A.A. İsmail 	<ul style="list-style-type: none"> • Critical viewpoints to the generalizing Islamic urban form studies and comparative analyses between medieval European and Islamic urban form studies. • To stressed the importance of religion and society in Islamic cities • To figured out the regional and socio-cultural differences that affect the urban structures of Islamic cities 	Middle East	<ul style="list-style-type: none"> • Interpretive- Historical Research Methodology
		<ul style="list-style-type: none"> • Dale Eickelman • Kenneth Brown 	<ul style="list-style-type: none"> • Neighbourhood analysis and their affects on urban structure 	North Africa	<ul style="list-style-type: none"> • Socio-spatial research
		<ul style="list-style-type: none"> • Robert b. Serjeant • Nikita Elisséeff • Eugen Wirth 	<ul style="list-style-type: none"> • Social stratification • To define the urban form according to their origin 	Arab Peninsula Middle East	<ul style="list-style-type: none"> • Empirical • Morphological
		<ul style="list-style-type: none"> • André Raymond 	<ul style="list-style-type: none"> • To reject the orientalist assumptions by analyzing archival documents in order to understand dialectic dynamics of Islamic urban forms 	Middle East	<ul style="list-style-type: none"> • Historical-interpretive research • Morphological investigations
		<ul style="list-style-type: none"> • Jamel A. Akbar • Besim Selim Hakim • Janet Abu-Lughod • Jean Claude Garcin 	<ul style="list-style-type: none"> • To critise the generalization of Islamic urban models • To figure-out the local identities • To stress on the affects of Islamic laws, statutory rules and regulations on the geographically different urban contexts 	Middle East	<ul style="list-style-type: none"> • Socio-spatial research • Emprical-Observational research • Historical-interpretive research • Morphological investigations
		<ul style="list-style-type: none"> • Aga Khan Development Network • Aga Khan Award for Architecture • Aga Khan Historic Cities Programme 	<ul style="list-style-type: none"> • To study physical aspects of Islamic cities and architecture 	Sub-Saharan Africa, Central and South Asia, and the Middle East	

1.4.2. The Regionalism Period (Post - 1980s): Anatolia, Middle East and North Africa

Urban form studies, in particular of Islamic and Ottoman cities, have been carried out by different scholars, schools and institutions in cities located in the wide geography that stretches from North Africa to the Middle East; Central Asia to Anatolia; and Spain to the Mediterranean. These earlier studies have left a wealth of valuable knowledge on both general and specific aspects of Islamic cities. By the 1980s, these studies had started to focus on defining the regional differences and characteristics of cities. In this context, mainly morphological, historical and typological investigations carried out by French and Italian scholars and institutions, largely drawing upon the works of André Raymond, Philippe Panerai, Aldo Rossi and Saverio Muratori.

Robert Mantran (1962,1965)⁸¹ was the first foreign scholar to focus on the structure of Turkish cities, in particular Istanbul, with the intention of clarifying the relations between the social life of different religious and ethnic groups and their inhabitation within Turkish cities⁸². Additionally, he studied archive documents to understand the economic and administrative aspects of the cities (Table 1.3.).

Doğan Kuban (1962-1983)⁸³, speaking about the fundamental assumption that the homogeneity and unity in Islamic architecture was the creation of Western scholarships, called the notion ‘faulty’⁸⁴:

⁸¹ Mantran, R., 1962. *Istanbul dans la seconde moitié du XVII^e siècle. Essai d’histoire institutionnelle, économique et sociale*, Paris.

Mantran, R., 1965. *La vie quotidienne à Constantinople au temps de Soliman le magnifique et des ses successeurs (XVI^e et XVII^e siècles)*, Paris.

Mantran, R., 1982. “Foreign Merchants and the Minorities in Istanbul during the Sixteenth and Seventeenth Century”, in *Christian and Jews in the Ottoman Empire*, vol.1, *The Central lands*, ed. B.Braude and B.Lewis, Holmes and Meier Publishers, New York, pp: 127-137.

⁸² Mantran, R., 1982. *Ibid*, p.128.

⁸³ Kuban,D., 1962. *Anadolu Kentlerinin Tarihsel Gelişimi Üzerine Gözlemler, Türk ve İslam Sanatı Üzerine Denemeler*, Arkeoloji ve Sanat Yayınları, İstanbul.

Kuban, D., 1968. “Anadolu-Türk Şehri Tarihi Gelişmesi, Sosyal ve Fiziki Özellikleinde Bazı Gelişmeler”, *Vakıflar Dergisi*, 7, pp.53-78.

Kuban, D., 1982. “Anadolu Kentlerinin Tarihsel Gelişimi Üzerine Gözlemler”, *Türk-İslam Sanatı Üzerine Denemeler*, İstanbul, pp: 141-170.

Kuban,D., 1983. “The Geographical and Historical Bases of the Diversity of Muslim Architectural Styles: Summary of a Conceptual Approach”, *Islamic Architecture and Urbanism*, A. Germen (ed.), King Faisal University, Dammam.

⁸⁴ Kuban, D., 1983. *Ibid*, p.1.

claiming rather that Turkish cities had been influenced by the Islamic Central Asian, Iranian and Byzantine cultures.

W. Müller-Wiener's (1977,1980)⁸⁵ studies of Izmir and Istanbul concentrated on the urban and architectural structures of the cities, in which he defined the urban structures of Istanbul from phases using cartographic sources.

Sevgi Aktüre's (1973-1987)⁸⁶ studies focus on the late Ottoman Anatolian cities, analysing and defining fundamental aspects of the transformations of their spatial structures in relation to their socio-economic structures.

Mustafa Cezar (1977,1987)⁸⁷ defined the major aspects of Islamic cities and their role in the formation of Turkish cities. He stressed on the impacts of the *waqf* institution and the individuals' construction activities that were important in the formation of Turkish cities in the Ottoman Period.

⁸⁵ Müller-Wiener, W., 1977. *Bildlexikon zur Topographie Istanbul: Byzantion-Konstantinopolis-Istanbul bis zum Beginn des 17. Jahrhunderts*,Tübingen.

Müller-Weener, W., 1980. "Der Bazaar von Izmir: Studien zur Geschichte und Gestalt des Wirtschaftszentrum einer ägäischen handelsmetropole",*Mitteilungen der Fränkischen Geographischen Gesellschaft*, 27-28, pp:420-454.

⁸⁶ Aktüre,S., 1973. "17.Yüzyıl Başından 19.Yüzyıl Ortasına Kadarki Dönemde Anadolu Osmanlı Şehrinde Şehrsel Yapının Değişim Süreci", *METU - Journal of the Faculty of Architecture*,1/1, Ankara.

Aktüre,S.,1978.*19.Yüzyılın Sonunda Anadolu Kenti Mekansal Yapı Çözümlemesi*,Ankara, ODTÜ.

Aktüre,S., 1984."16.yy Öncesi Ankara'sı Üzerine Bilinenler",*Tarih İçinde Ankara*, E.Yavuz and Ü.N.Uğurel (eds.), Ankara: ODTÜ Mimarlık Fakültesi, pp:1-47.

Aktüre, S., 1987. "Anadolu Kentinde Türkleşme-İslamlaşma Süreci, Mekansal Yapı Değişimi ve İslam Mimari Mirası", *İslam Mimari Mirasını Koruma Konferans, Bildiriler*, İstanbul.

Aktüre,S., 1989."The Islamic Anatolian City", *Environmental Design*, n.1-2, pp:68-79.

⁸⁷ Cezar, M.,1977. *Anadolu Öncesi Türklerde Şehir ve Mimarlık*, İstanbul.

Cezar,M. 1987."Geçen Yüzyıllardaki Türk Şehri", *İslam Mimari Mirasını Koruma Konferansı-Bildiriler*, İstanbul.

The studies of Suraiya Faroqhi (1979-1987)⁸⁸, Özer Ergenç (1980-1995)⁸⁹, Haim Gerber (1983,1988)⁹⁰ concentrated on archive documents, from which they tried to understand the common and individual characteristics of Anatolian cities. Their studies concerned mainly the relationship between the city and its socio-economic structures.

Maurice Munir Cerasi (1985-1999)⁹¹ attempted to define Ottoman cities in different geographies under the different cultural contexts, using morphological and spatial relational analyses to highlight their different and common fundamental aspects. He declared that Ottoman cities were developed under aspects that differed from region to region. According to Cerasi, the common morphological formation in Ottoman cities was derived mainly from functional zonings, residential preferences, trade and religious-cultural zones.

⁸⁸ Faroqhi,S., 1979-1980. "Taxation and Urban Activities in Sixteenth Century Anatolia", *International Journal of Turkish Studies*, v.1., n.1, pp.19-54.

Faroqhi,S., 1981. "Urban Development in Ottoman Anatolia (16-17 centuries)", *METU Journal of the Faculty of Architecture*, v.7., n.1 (Spring),pp.35-51.

Faroqhi,S., 1984. *Towns and Townsmen of Ottoman Anatolia-trade, Crafts and Food Production in an Urban Setting, 1520-1650*, Cambridge University Press.

Faroqhi, S., 1987. *Men of Modest Substance House Owners and House Property in Seventeenth Century Ankara and Kayseri*, Cambridge University Press.

⁸⁹ Ergenç,Ö., 1980. "17.y.y.Başlarında Ankara'nın Yerleşim Durumu Üzerine Bazı Bilgiler", *Osmanlı Araştırmaları*, v.1.,pp:85-108.

Ergenç,Ö., 1980. "Osmanlı Şehrinde Esnaf Örgütlerinin Fiziki Yapıya Etkileri", *1.Uluslararası Türkiye'nin Sosyal ve Ekonomik Tarihi Kongresi Tebliğleri* (Ed. Okyar,O., İnalçık,H.), pp:103-109.

Ergenç,Ö., 1984. "16.Yüzyıl Ankara'sı: Ekonomik, Sosyal Yapısı ve Kentsel Özellikleri", *Tarih İçinde Ankara*,(Ed.E.Yavuz, Ö.N. Yavuzel), Ankara, pp:49-59

Ergenç, Ö., 1990. "Mimar Sinan'ın Yaşadığı Dönemdeki Osmanlı-Türk Kenti Hakkında Kısa Bilgiler", *Mimarlık*, n.242, pp.22-25.

Ergenç, Ö., 1995. *Osmanlı Klasik Dönemi Kent Tarihçiliğine Katkı, 16. Yüzyılda Ankara ve Konya*, Ankara.

⁹⁰ Gerber, H., 1983. "The Waqf Institution in Early Ottoman Edirne", *African and Asian Studies*, 17.

Gerber, H., 1988. *Economy and Society in an Ottoman City: Bursa 1600-1700*, Jerusalem.

⁹¹ Cerasi,M.M.,1985. "Open Space, Water and Trees in Ottoman Urban Culture in the 18th-19th Centuries, Environmental Design", *Journal of the Islamic Environmental Design Research Centre*, no.2, Rome.

Cerasi,M.M., 1999. "The Problem of Specificity and Subordination to External Influences in Late Eighteenth Century Ottoman Architecture in Four Istanbul Buildings in the Age of Hassa Mimar Mehmed Tahir", *EJOS*, IV, M Kiel, N Landman, H. Theunissen (eds.), *Proceedings of the 11th International Congress of Turkish Art*, Utrecht, The Netherlands, No:11,pp:1-23.

Cerasi,M.M., "The Formation of Ottoman House Types: A Comparative Study In Interaction With Neighbouring Cultures",*Muqarnas*.

Cerasi,M.M., "Late Ottoman Architects and Master Builders", *Muqarnas* .

Cerasi,M.M., 1999.*Osmanlı Kenti: Osmanlı İmparatorluğu'nda 18.ve19.Yüzyıllarda Kent Uygurluğu ve Mimarisi*, İstanbul.

Cerasi, M.M., 1999. "Tarihselcilik ve Osmanlı Mimarisinde Yaratıcı Yenilikçilik / 1720-1820", *Osmanlı Mimarlığının 7 Yüzyılı, Uluslarüstü Bir Miras*, Yapı Endüstri Merkezi Yayınları, İstanbul.

Uğur Tanyeli (1984,1987)⁹² classified Anatolian-Turkish cities according to their physical structural evolutions between 11th-15th centuries. According to Tanyeli, the development of Anatolian cities was influenced by Turko-Iranian urban models and the relations of the nomadic urban culture. He categorized Anatolian cities into three types: enclosed and open (without defensive walls or fortifications), which could mainly be found in Eastern Anatolia; and end (*uç*) cities, which existed mainly in the principality period in the South-west and Western Anatolian cities, resettled on Byzantine ones. He stressed that public and private functions within Anatolian cities were distributed throughout the city in a homogenous way⁹³. He described the salient features of Anatolian-Turkish cities as Inner citadel (*Ahmedek*); Street network and cul-de-sacs; Districts; Squares; Palace; Friday Mosque, Mosque and Small Mosque (*Mesjid*); and Foundation Institutions.

Pierre Pinon and Stephen Yérasimos' (1989-2004)⁹⁴ studies based mainly on surveys of cartographic documents and historical data, with the intention being to identify the common aspects of urban forms and their various phases of urban development in Anatolia by applying morphological investigations. They used cadastral maps and defined the morphological origins of the cities that had derived from the Hellenistic periods. According to Pinon, commonalities with the Hellenistic grid street pattern existed in Eastern Anatolian cities, with

⁹² Tanyeli, U. 1984. "Anadolu Yerleşme Tarihi", *Yurt Ansiklopedisi*, vol.11, İstanbul, pp: 8792-8814.

Tanyeli, U.,1987. *Anadolu Türk Kentinde Fiziksel Yapının Evrim Süreci, (11-15 yüzyıllar)*, İstanbul.

⁹³ Tanyeli, U., 1987. Ibid.

⁹⁴ Pinon, P., 1989. "Les tissus Urbains Ottomans entre Orient et Occident", in *Proceedings of the 2nd International Meeting on Modern Ottoman Studies and the Turkish Republic*, Leiden, pp:15-45.

Pinon, P., Borie, A., Yérasimos, S., 1991. "Tokat:essai sur l'architecture domestique et la forme urbaine", *Anatolia Moderna*, 1, pp: 239-273.

Pinon, P.,1991. "Essai de definition morphologique de la ville Ottomane des XVIII^e - XIX^e siècles", in *La culture urbaine des Balkans*, vol.3, *La ville des Balkans depuis la fin du Moyen Age jusqu'au début du XX^e siècle*, Paris and Belgrade, pp:147-155.

Pinon, P. and Yérasimos, S., 1993. "Relevés après incendie et plans d'assurances: les précurseurs de cadastre stambouliote", in "Environmental Design: Urban Morphogenesis, Maps and Cadastral Plans", ed. A. Petruccioli, *Environmental Design: Journal of the Islamic Environmental Design Research Centre*, 1-2, pp:112-129.

Pinon, P., 1999. "Anadolu ve Balkanlar'daki Osmanlı Kentlerinde Kentsel Dokular Tipolojisi Üzerine Bir Deneme", *Osmanlı Mimarlığının 7 Yüzyılı, Uluslarüstü Bir Miras*, Yapı Endüstri Merkezi Yayınları, İstanbul.

Pinon, P., 2004. "Survivances Et Transformations Dans La Topographie D'Antioche Apres L'Antiquite", *Topoi*, Suppl. 5, pp. 191-219.

Antakya being an important example⁹⁵. They stressed upon the division of plots according to the divisions in the ownership pattern, which had resulted in the characteristic organic urban form.

Following a similar line, Italian architect and morphologist Attilio Petruccioli (2008)⁹⁶ studied Mediterranean Islamic urban forms and defined the fundamental typologies and morphological aspects of Islamic cities using typo-morphological investigations, following Italian tradition. Petruccioli considered the city as a living organism that could be analyzed using epistemological tools. As Neglia⁹⁷ stressed: “Petruccioli’s research is based on the idea that the history of every city is inscribed in its urban fabric, so it is possible to decipher the various phases of its transformation through a structural reading of the building fabric”. These studies constituted an important source, not only for defining the morphological characteristics of Anatolian cities, but also typological definitions on an architectural scale. Pinon, Yérasimos and Petruccioli’s studies are based mainly on readings of cadastral surveys, and correlating the data obtained from cadastral surveys with historical research.

Ottoman historian Halil İnalçık (1990)⁹⁸ described Istanbul’s salient urban features in relation to the structure of the Islamic city. Using the term “Islamic Ottoman”, he referred to a social model based on the *qadi* and *waqf* system and the idea of privacy, describing an urban model divided spatially into residential districts with autonomous functions, and public and commercial zones, planned and controlled by a central power, serving to connect the residential districts. Likewise, Gülru Necipoğlu’s (1991)⁹⁹ studies are based on an analysis of archival documents, which were used to reconstruct the architectural history on an urban scale. In her studies on Topkapı Palace in Istanbul, by examining the Topkapı scrolls she was able to elucidate its spatial structure in relation to the urban context and Turkish and Islamic cultural traditions.

⁹⁵ Pinon, P., 2004. Ibid, p. 196.

⁹⁶ Petruccioli A. 2008. *Bellek Yitiminin Ardından, Akdeniz İslam Kent Dokusunun Öğrettikleri*, (B. Kutukcuoğlu trans.) İstanbul: Yapı endüstri Merkezi Yayınları.

⁹⁷ Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et al., Brill Publication, Netherlands, p.21-22.

⁹⁸ İnalçık, H., 1990. “Istanbul: An Islamic City”, *Journal of Islamic Studies* 1, Oxford University Press, pp:1-23.

⁹⁹ Necipoğlu, G., 1991. *Architecture, Ceremonial and Power: The Topkapı Palace in the Fifteenth and Sixteenth Centuries*, New York and Cambridge, USA.

Cânâ Bilsel (1996-2001)¹⁰⁰ studied on the morphological evolution of late-Ottoman and early-Republican Izmir, mediating between urban culture and urban form, and highlighting the relationship between the two and their affect in transforming each other.

Ataman Demir's (1996, 2000)¹⁰¹ monographic study of the city of Antakya clarified the salient features of the architectural and urban characteristics of the city within a historical perspective. His monographical study described the spirit of Roman Period Antioch and its features through the history by analyzing travellers' accounts.

Koray Özcan's (2005)¹⁰² dissertation focused on Turkish settlement systems during the Seljuk Period, and attempted to define their urban models; while Çağla Caner Yüksel's (2009)¹⁰³ studies concentrated on the urban forms in the western part of Turkey in the principality periods, where she analyzed their primary socio-economic backgrounds so as to understand the role of trade activities, trade relations, trade routes and urban networks. She offered an explanation of the spatial formations and transformations in Western Anatolian settlements after analyzing the influences of the architectural formation of the settlement of Tire.

¹⁰⁰ Bilsel, F. Cânâ, 1996. "Cultures et Fonctionnalités: L'Evolution de la Morphologie Urbaine de la Ville d'Izmir aux XIXe et début XXe Siècles", un-published Ph.D. at the Université de Paris X – Nanterre, Paris, France.

Bilsel, F. Cana, 1999. "A specific urban form between sea and city: the 'Frank quarter' of Izmir", R.

Corona, G. L. Maffei (eds.), *Transformations of Urban Form from Interpretations to Methodologies in Practice*, ISUF' 99 (International Seminars on Urban Form), Florence July 1999, ALINEA Editrice, Italy, pp. 8-12.

Bilsel, F. Cânâ, 2001. "The Ottoman Port City of Izmir in the 19th Century: Cultures, Modes of Space Production and the Transformation of Urban Space", Afife Batur (ed.), *7 Centuries of Ottoman Architecture, A 'Supra-National Heritage'*, International Congress Papers, Turkish Chamber of Architects, Yapı Endüstri Merkezi, Istanbul, pp. 225-233.

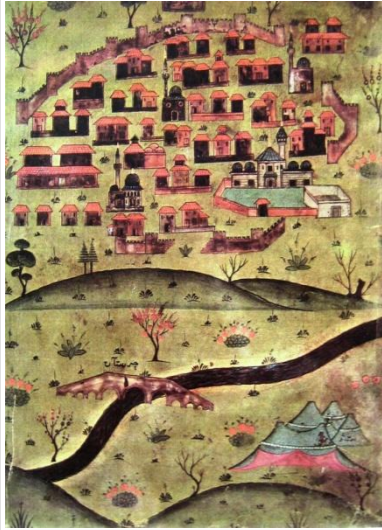
¹⁰¹ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul.

Demir, A., 2000. "Antakya Eski Konut Yerleşmesi", *Papers Submitted to International Symposium Ottoman Heritage in the Middle East*, vol. 1, Publication of Atatürk Culture Center, Hatay, pp.205-209.

¹⁰² Özcan, K., 2005. *Anadolu'da Selçuklu Dönemi Yerleşme Sistemi ve Kent Model(ler)i*, un-published Phd dissertation, Department of Architecture, Selçuk University, Konya, Turkey.

¹⁰³ Yüksel Caner, Ç., 2009. *A Spatial Inquiry into Western Anatolian Urban Centres: Tire in the Making (14th and 16th Centuries)*, un-published Ph.D. dissertation, Department of Architecture, Middle East Technical University, Ankara, Turkey.

Table 1.3. Historical development of Islamic urban form studies: After 1980s

PERIOD	RESEARCHERS & INSTITUTIONS	MAIN OBJECTIVES	TERRITORY	APPROACH AND METHODOLOGY
AFTER 1980s THE REGIONALISM PERIOD				
 <p>İznik in 16th century by Matrakçı Nasuh</p>	<ul style="list-style-type: none"> Robert Mantran 	<ul style="list-style-type: none"> to clarify the relations between the social life of different religious and ethnique groups and their way of inhabitations within the Turkish cities 	<ul style="list-style-type: none"> Anatolia in particular İstanbul 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> Doğan Kuban 	<ul style="list-style-type: none"> to define the Turkish city under the Islamic, Central Asian-Iranian, Byzantine influences 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> W. Müller-Wiener 	<ul style="list-style-type: none"> To define the urban structures by using cartographic sources 	<ul style="list-style-type: none"> Western Anatolia 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> Sevgi Aktüre 	<ul style="list-style-type: none"> To analyze and define the fundamental aspects on the transformation of the spatial structure of cities 	<ul style="list-style-type: none"> Anatolia in particular Ankara, Tokat, and Afyon 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> Mustafa Cezar 	<ul style="list-style-type: none"> To define the major aspects of Islamic cities and their role on the formation of Turkish cities 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> Suraiya Faroqhi Özer Ergenç Haim Gerber 	<ul style="list-style-type: none"> To classify common and individual aspects of Anatolian cities by studies on particularly socio-economic structures of them. 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Interpretive- Historical Research Methodology
	<ul style="list-style-type: none"> Maurice Munir Cerasi 	<ul style="list-style-type: none"> To focus on the definition of Ottoman cities in different geographies under the different cultural contexts 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Urban historical research
	<ul style="list-style-type: none"> Uğur Tanyeli 	<ul style="list-style-type: none"> To classify the Anatolian cities within the framework of their physical structural evolutions between 11th-15th centuries 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Urban historical research
	<ul style="list-style-type: none"> Pierre Pinon Stephen Yérasimos Attilio Petruccioli 	<ul style="list-style-type: none"> to figure out the persistent aspects of urban forms and their various phases of urban developments To defined the fundamental typologies and morphological aspects of Mediterranean Islamic cities 	<ul style="list-style-type: none"> Anatolia 	<ul style="list-style-type: none"> Morphological Investigations Typo-Morphological Investigations
	<ul style="list-style-type: none"> Halil İnalçık 	<ul style="list-style-type: none"> To describe İstanbul's salient urban features in relation to the structure of the Islamic city 	<ul style="list-style-type: none"> İstanbul 	<ul style="list-style-type: none"> Historical Research
	<ul style="list-style-type: none"> Câna Bilsel 	<ul style="list-style-type: none"> To define the morphological evolutions/transformation of late Ottoman city 	<ul style="list-style-type: none"> İzmir 	<ul style="list-style-type: none"> Urban history and morphological investigation
	<ul style="list-style-type: none"> Ataman Demir 	<ul style="list-style-type: none"> To clarify the salient features of architectural and urban characteristics of the city 	<ul style="list-style-type: none"> Antakya 	<ul style="list-style-type: none"> Monographic research
<ul style="list-style-type: none"> Koray Özcan Çağla Caner Yüksel 	<ul style="list-style-type: none"> To focus on the Seljuk Period Turkish settlement systems and define their urban models To define the primary socio-economic backgrounds of Western Anatolian cities, by understanding the role of trade activities, trade relations, trade road and urban networks 	<ul style="list-style-type: none"> Anatolia Western Anatolia 	<ul style="list-style-type: none"> Urban historical research 	

Besides the studies of urban form in Anatolia, North Africa and the Middle East, studies that were more regional in scale were made by other scholars and institutions, who drew upon various techniques and data sources to understand the main aspects behind the principles of Islamic urban forms.

The Middle East has been studied by many foreign scholars, many of which were French or German (Table 1.4.). Studies of Syrian cities have developed from the research of Aleppo by Heinz Gaube and Eugen Wirth (1984)¹⁰⁴, in which a close examination of literary sources and inscriptions was combined with an extensive survey of specialized buildings in the ancient city, from which they were able to reconstruct the urban fabric from the early centuries of the Islamic conquest onwards. The different approaches of these two German scholars, being respectively historical and geographical, have been combined in the redaction of a series of thematic maps showing the urban structure of Aleppo in the pre-modern era, especially the route system and the religious, public and commercial structures.

A further contribution to our knowledge of Aleppo has been made by Jean-Claude David (1977-2000).¹⁰⁵ Using a different methodology in his reading of the building fabric, especially the structure of the *souq*, pious foundations and courtyard dwellings, David has been able to make morphological and typological deductions that can be applied more generally to other cities in the same region.

Numerous other scholars concerned themselves with the physical structure of Aleppo. Anette Gangler (1993),¹⁰⁶ in her monographic work based on an extensive architectural survey of residential buildings, which she then used in the compilation of descriptive maps of the urban aggregation, analyzed the physical structure of the

¹⁰⁴ Gaube, H., Wirth, E., 1984. *Aleppo. Historische und geographische Beiträge zur baulichen Gestaltung, zur sozialen Organisation und zur wirtschaftlichen Dynamic einer vonderasiatischen Fernhandelsmetropole*, 2 vols., Beihefte zum TAVO, B, Nr. 58, Weisbaden.

¹⁰⁵ David, J.C., 1977. "Alep, dégradation et tentative actuelles de réadaptation des structures urbaines traditionnelles", *Bulletin d'Études Orientales de l'Institut Français d'Études Arabes de Damas*, Tome 28.

David, J.C., 1982. "Urbanisation spontanée et planification; le faubourg ancien nord d'Alep (XV^e-XVIII^e siècle)", *Les Cahiers de la recherche architecturale* 10-11.

David, J.C., and M. al-Dbiyat, 2000. "La ville en Syrie et ses territoires: héritages et mutations", *Bulletin d'Études Orientales de l'Institut Français d'Études Arabes de Damas*, 52.

¹⁰⁶ Gangler, A., 1993. Ein traditionelles Wohnviertel im Nordosten der Altstadt von Aleppo, Tübingen.

Bānqūsā district. Using historical data, Yasser Tabbāa (1993,1997)¹⁰⁷ produced a reconstruction of the urban structure of Aleppo in the Ayyubid period.

When Aleppo taken into consideration, André Raymond's (1974-1990)¹⁰⁸ study of the city's commercial and urban structure in the Ottoman period is given an important example. In his study of Aleppo he often compares it with Tunis and Cairo, and through a study of *waqf* documents, travellers' accounts and historical topography, he has demonstrated its urban growth in the Ottoman period.

Following Raymond's studies, other architectural historians have used *waqf* documents to reconstruct the urban fabric of Aleppo in the same period. Antoine Abdel Nour¹⁰⁹ analyzed the physical structure of the city's residential buildings between the 16th and 18th centuries, using sharia-court registers. On the basis of an analysis of archival documents and field research, Jihane Tate¹¹⁰ reconstructed the history of a *waqf* and its relation to the district. Likewise based on a reading of the *waqf* documents, Heghnar Watenpaugh (2004)¹¹¹ has put forward a theory of the decentralization of the urban structure of Aleppo in the Ottoman period.

In the 1980s the most exhaustive research on Damascus was carried out by Dorothee Sack (1985,1989),¹¹² who used an approach to

¹⁰⁷ Tabbāa, Y., 1993. "Circles of Power: Palace, Citadel, and City in Ayyubid Aleppo", *Ars Orientalis* 23,pp: 181-200

Tabbāa, Y., 1997. *Constructions of Power and Pico in Medieval Aleppo*, Philadelphia.

¹⁰⁸ Raymond, A., 1974. "Signer urbains et étude de la population des grander villes arabes à l'époque ottomane" *Bulletin d'Études Orientales de l'Institut Français d'Études Arabes de Damas* 27 pp: 183-193

Raymond, A., 1977. "Le déplacement des tanneries à Alep, au Caire et à Tunis à l'époque ottomane: Un 'indicateur' de croissance urbaine", *Revue d'Histoire Miaghrebine* 7-8 pp: 192-200.

Raymond, A., 1980. *La Syrie d'aujourd'hui*, Aix-en-Provence, no:62.

Raymond, A., 1990. *La ville arabe, Alep à l'époque ottomane, XVI^e —XVIII^e siècles*, Damascus.

Raymond, A., 1990. "Alep a l'époque ottomane, XVI^e—XIX^e siècles," in "Alep et la Syrie du Nord," *Revue du Monde Musulman et de la Méditerranée*, Aix-en-Provence, no. 62.

¹⁰⁹ Abdel Nour, A., 1979. "Types architecturaux et vocabulaire de habitat en Syrie au XV^e et XVII^e siècle," in *L'espace social de la vibe arabe*, ed. D. Chevallier, Paris.

Abdel Nour, A., 1982. "Habitat et structures sociales à Alep aux XVII^e et XVIII^e siècle d'après des sources arabes inédites," in *La ville arabe dans l'Islam*, ed. A. Bouhdiva and D. Chevallier, Tunis.

¹¹⁰ Tate, J., 1990. *Une waqfiyya du XVIII^e siècle à Alep. La waqfiyya d'al-Hāgg Mūsa al-Amīrī, traduction et commentaire*, Damascus.

¹¹¹ Watenpaugh, H. 2004. *The Image of an Ottoman City: Imperial Architecture and Urban Experience in Aleppo in the 16th and 17th Centuries*, Leiden.

¹¹² Sack, D., 1985. "Damaskus, die Stadt intra muros", *Damaszener Mitteilungen*, 2.

urban studies that combined historical and archival research with measured drawings of the urban fabric and principal monuments. Her work described the urban transformation of Damascus through a compilation of historical and thematic maps of the route systems, mosques, and *souqs* in different periods, and identifies in the streets, neighbourhoods, water systems and *souqs* the basic elements of the urban structure.

Michael Meinecke's¹¹³ work on a district of the ancient city is more closely linked to the study of architecture, as is that of Stefan Weber (1997-2009)¹¹⁴, who has shown a typological interest in 19th century Damascus. Jean-Paul Pascual's (1983,1990)¹¹⁵ approach to historical inquiry, on the other hand, is through an analysis of *waqf* documents. Applying the same methodology as Nelly Hanna in her research on Cairo, Pascual's work on Damascus has continued that of Raymond on Aleppo and Cairo, producing an accurate description of its urban form at the end of the 16th century.

In parallel to studies of the Middle East, since the mid-1980s there have been numerous urban studies on North African cities that have involved a reading of the city as a physical entity. These studies have used the cadastral surveys compiled in the first decades of the 20th century as their main documentary source, and have often complemented these records with detailed measured drawings of the urban fabric and architecture (Table 1.4.).

The cartographic representation of the urban organism based on this extensive corpus of measured drawings of the urban fabric and architecture has been carried out not only by European scholars, but also by many local research centres concerned with the renewal and conservation of North African *medinas*, and has resulted in the

Sack, D., 1989. *Damascus: Entwicklung und Struktur einer orientalischen Stadt*, Mainz.

¹¹³ Meinecke, M., "Der Surveys des Damaszener Altstadtviertels as-Sālihiya", *Damaszener Mitteilungen*, 1, pp:189-247.

¹¹⁴ Weber, S., 1997-1998. "The Creation of Ottoman Damascus. Architecture and Urban Development of Damascus in the 16th and 17th centuries", *ARAM*, 9-10, pp:431-470.

Weber, S., 2000. "The Transformation of an Arab-Ottoman Institution: The Suq (Bazaar) of Damascus from the 16th to the 20th Century", in *Seven Centuries of Ottoman Architecture: A Supra-National Heritage*, ed. N.Akın, S.Batur, and A. Batur, İstanbul, pp:244-253.

Weber, S., 2009. *Damascus Ottoman Modernity and Urban-Transformation 1808-1918*, Proceedings of the Danish Institute in Damascus, AARHUS University Press.

¹¹⁵ Pascual, J.P. 1983. *Damas á la fin du XVI siècle d'après trois actes de waqf Ottomans*, Damascus.

Pascual, J.P., 1990. "Villes au Levant: Hommage a André Raymond", Numéro Spécial de la *Revue du Monde Musulman et de 12a Méditerranée*, 55/56.

redaction of numerous plans of the ground floors in the *medinas*. For example, Serge Santelli (2004)¹¹⁶ used the measured drawings of residential buildings as source when attempting to define the salient features of the urban structures of Tunisian cities.

Additionally, a tradition of urban studies that focused on the measured drawings of aggregates of residential buildings, as a tool for describing urban form was initiated in North Africa by the work of Jaques Revault (1967-1979)¹¹⁷, who classified residential buildings in North Africa into four types, with each type based on the same compositional principles.

Amongst the works closely linked to a reading of the physical structure of North African Islamic cities as an aggregate of residential and public buildings are Roberto Berardi's (1989)¹¹⁸ studies of Tunis. Berardi came up with an important methodological point of reference for a reading of North African cities based on a syntactical deconstruction of the urban fabric, and the application of simple operations that allowed him to determine the *souqs* and dwellings.

Interest in Cairo as a physical entity has developed from the studies of Laila 'Ali Ibrahim' (1984)¹¹⁹ and André Raymond, the most eminent scholars of the architectural and urban history of the city in the Mamluk and Ottoman periods. Beginning with studies of *waqf* documents, they developed a new methodological approach to reading of the city's urban structure. By studying the composition of the inhabitants, the spatial organization, the urban economy and the facilities in Cairo in the Mamluk period, Laili 'Ali Ibrahim demonstrated that, different from the common Orientalist notion, the residential buildings and *souq* grew in an ordered, rather than chaotic manner in this phase of urban expansion.

¹¹⁶ Santelli, S., and Revault, Ph., 2004. *Harar, une cite musulmane d'Ethiopie/Harar, a Muslim City of Ethiopia*, Paris.

¹¹⁷ Revault, J., 1967. *Palais et demeures de Tunis (XVII^e et XIX^e siècles)*, Paris.

Revault, J., and Maury, B., 1977-1979. *Palais et maison du Caire du XIV^e au XVIII^e siècle*, 3 vols., Cairo.

¹¹⁸ Berardi, R., 1989. "On the City", in "Urban Fabric", ed. A. Petruccioli, *Environmental Design: Journal of the Islamic Environmental Design Centre*, 1-2, pp: 8-17.

¹¹⁹ Ibrahim, L.A., 1984. "Residential Architecture in Mamluk Cairo", *Muqarnas* 2, pp: 47-59.

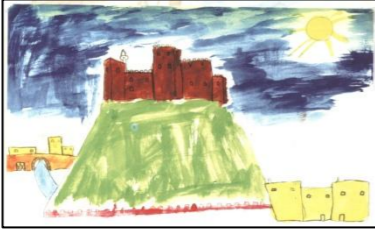
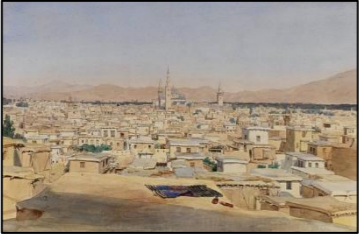

Studies of Cairo and other Egyptian cities have also been carried out by scholars from various disciplines. Sylvie Denoix¹²⁰ used a historical approach based on an analysis of archival and archaeological documentation; while Philippe Panerai's (1989)¹²¹ interest was in the morphology of the Islamic city, basing his research on measured drawings as well as on an analysis of cadastral plans and the structural relations between the different parts of the city. Robert Ilbert (1987)¹²² studied Cairo and Alexandria from an historical perspective, and morphological aspects.

¹²⁰ Denoix, S., 1992. *Décrire le Caire –Fustat –Misr d'après ibn Duqmaq et Maqrizi: L'histoire d'une partie de la ville du Caire d'après deux historiens égyptiens des XIV^e - XV^e siècles*, Cairo.

¹²¹ Noweir, S., and Panerai, P., 1989. "Cairo: The Old Town", in "Urban Fabric", ed. A. Petruccioli, *Environmental Design: Journal of the Islamic Environmental Design Research Centre*, 1-2, pp:60-67.

¹²² Ilbert, R., 1987. "Entre deux mondes: Archives et lecture d'une ville", *Revue de l'Occident Musulman et de la Méditerranée*, 46, pp: 9-12.

Table 1.4. Historical development of Islamic urban form studies (Cont.)

PERIOD	RESEARCHERS & INSTITUTIONS	MAIN OBJECTIVES	TERRITORY	APPROACH AND METHODOLOGY	
AFTER 1980's THE REGIONALISM PERIOD					
THE MIDDLE EAST and NORTH AFRICA	 <p><i>Aleppo from a child perspective.</i> Courtesy of Adli Qudsi, Representative of Aga Khan Trust for Culture</p>	<ul style="list-style-type: none"> • Heinz Gaube • Eugen Wirth 	<ul style="list-style-type: none"> • To define the antique period urban structure of Islamic urban form 	<ul style="list-style-type: none"> • Aleppo 	<ul style="list-style-type: none"> • Interpretive-Historcal Research • Geographical investigations
		<ul style="list-style-type: none"> • Jean-Claude David • Anetta Gangler • Yasser Tabbaa • André Raymond • Abraham Marcus • Antoine Abdel Nour • Jihane Tate • Heghnar Watenpaugh • Pierre Pinnon • Alain Borie • Hugh Kennedy 	<ul style="list-style-type: none"> • To define typologies and morphological formations of historic urban core • To investigate the Islamic urban forms by analyzing historic topography, waqf documents, travellers' accounts • To analyze physical aspects of residential and commercial zones 	<ul style="list-style-type: none"> • Aleppo 	<ul style="list-style-type: none"> • Typo-Morphological Investigation • Interpretive-Historcal Research • Geographical investigations • Typo-Morphological Investigation
		<ul style="list-style-type: none"> • Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) 	<ul style="list-style-type: none"> • Conservation, rehabilitation and monitoring of Old city of Aleppo 	<ul style="list-style-type: none"> • Aleppo 	
	 <p>Max Schmidt, <i>Damascus</i>, 1844. Photo courtesy of Mathaf Gallery Ltd., London, UK.</p>	<ul style="list-style-type: none"> • Dorothee Sack • Michael Meinecke • Stefan Weber • Jean-Paul Pascual • Nelly Hanna 	<ul style="list-style-type: none"> • To use an approach to urban studies that combined historical and archival research with measured drawings of the urban fabric and the principal monuments • To work on a district of the ancient city • To analyze the waqf documents • 	<ul style="list-style-type: none"> • Damascus 	<ul style="list-style-type: none"> • Typo-Morphological Investigation • Interpretive-Historcal Research
		<ul style="list-style-type: none"> • Institut Farançais de Damas • Deutsches Archäologisches Institut 			
	 <p>Hubert Sattler, <i>Jerusalem from the Mounth of Olives</i>, 1847. Photo courtesy of Mathaf Gallery Ltd., London, UK.</p>	<ul style="list-style-type: none"> • Serge Santelli • Jaques Revault • Roberto Berardi • Laila 'Ali Ibrahim • Sylvie Denoix • Philippe Panerai • Robert Ilbert 	<ul style="list-style-type: none"> • To apply measured drawings of residential buildings in order to define the salient features of urban structures of Tunisian cities. • To read of North African cities, due to their syntactical deconstruction of the urban fabric 	<ul style="list-style-type: none"> • North Africa 	<ul style="list-style-type: none"> • Typo-Morphological Investigation • Interpretive-Historcal Research

Studies of urban form have evolved out of the Orientalist perspectives derived from European scholars into revisionist approach, and have continued with regional approaches. Commonly, studies have concentrated on understanding and identifying the salient features of Islamic urban forms under different socio-economic, cultural, religious, geographical, administrative, morphological and typomorphological aspects, and so forth.

Additionally, methodological approaches have been generally supported by different sources, such as cadastral surveys; waqf documents; typological, archaeological and socio-spatial investigations; and measured drawings. However, while the subject has been the analysis of the urban form in its different phases, their penetration has been evidently changeable (Figure 1.10). For example, the data coming from cadastral surveys would give reliable information on previous phases of the urban form, while waqf archival documents may be used for defining the socio-spatial and economic dynamics of the following phases. Consequently, it is important to find common denominator sources when the aim is to understand the main aspects that lie behind the urban form.

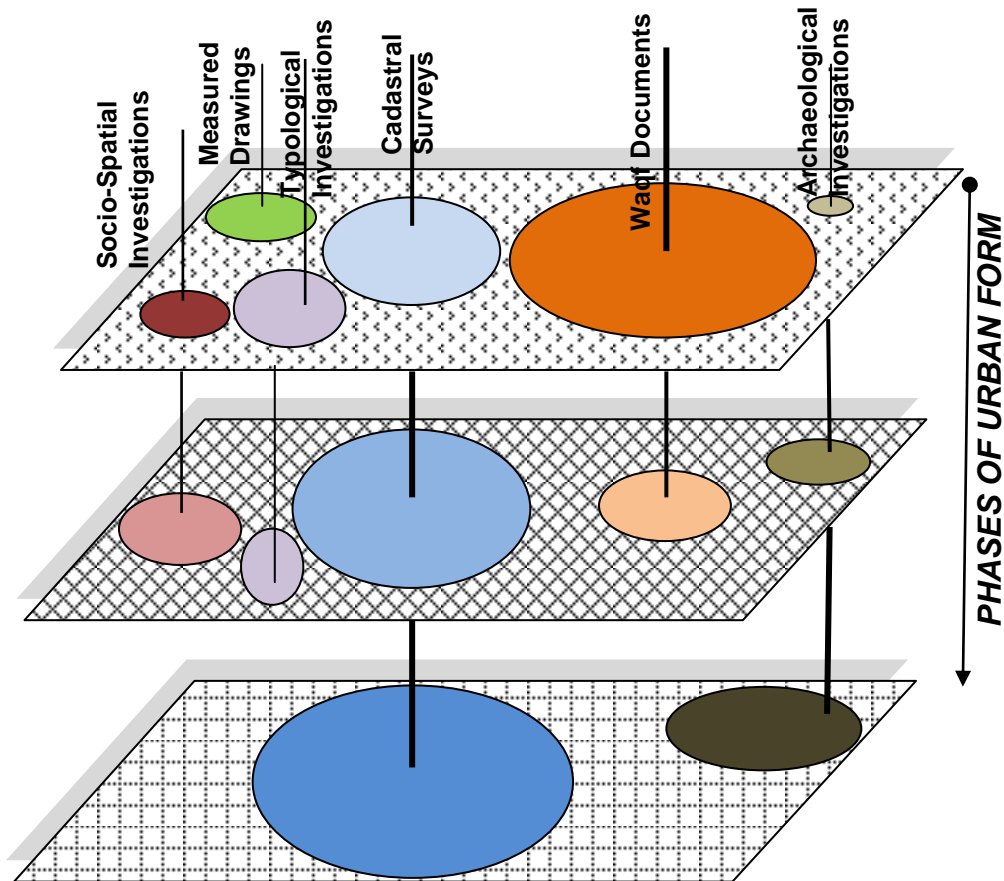


Figure 1.10. The penetration effects of different investigation sources in different phases of urban form

In this context, the validity of methods and sources used in studies of Islamic cities are still hotly debated, and whether they give reliable data for understanding the main aspects that lie behind the urban form. Neglia, commenting on this subject, said:

“In Islamic cities cadastral surveys were only introduced in the twentieth century as a direct result of European colonization. Prior to this time there were other methods for the registration of landed property and for taxation, such as the endowment property registers, called waqf in the Middle East and harbours in North Africa. While they did not provide a cartographic reconstruction of the urban fabric, they did nevertheless give the data necessary for any

attempt to reconstruct the individual property units. These registers, which have represented the main source for important studies on the Islamic city, do not allow one, however, to describe the physical urban organism as a whole, since the waqf registers did not cover all the property in a city. Moreover, their descriptions are codified in such a way that it is not always possible to reconstruct the plan of the property in question”¹²³.

A review of previous literature reveals a lack of studies into individual property registers at an urban scale. Although the ownership system and its institutional mechanism has been studied in a historical-interpretive way using *waqf* archive documents and cadastral surveys, no studies to date have been able to analyse every single individual property register, and thus assess their influence on the formation of the urban form.

To address this gap in academic literature, this research seeks to throw light on the principles of the ownership system and its relations with the historical Middle Eastern cities in the Islamic and Ottoman Periods. In doing so, the intention is to not only garner a broad knowledge of the relationship between the physical context and the ownership system, but also to develop a background knowledge that will allow an understanding and appreciation of the individual property units investigated in the case study phase of the thesis. The first part of the research will attempt to find answers to the following questions:

- What were the principles of ownership in historical urban contexts in Middle Eastern societies?
- What kinds of ownership rights affect the physical urban context in Middle Eastern Islamic and Ottoman cities?
- How did these affect the way the urban form was used and formed?

¹²³ Neglia, G. A., 2008. “Some Historical Notes on the Islamic City With Particular Reference to the Visual Representation of the Built City”, *The City in the Islamic World*, ed. Jayyusi, S.K., et al., Brill Publication, Netherlands, p.7.

1.4.3. The City: Antakya (Antioch) as the case study

A case study has an important role to play in developing or testing the theory of an inquiry, while also allowing a generalization of the theory. For this reason it can be considered as a crucial empirical ground for “investigating a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident”¹²⁴.

The city of Antakya (Antioch) has been selected as the case study of this thesis as not only a crucial empirical case owing to its rich historical, multi-cultural historic urban core, but also due to the fact that the current historical urban form was affected and formed under Islamic ownership norms, and later developed under Ottoman land tenures.

Additionally, as archive documents such as title deeds have been translated into Turkish, and the cadastral plans of the urban form have been prepared during the French Mandate Period, they can be viewed as sources of reliable information on Islamic ownership norms for every single property unit, which is a key asset when attempting to decode the physical urban structure and reveal the hidden salience of the city.

Under these circumstances, the historic urban core of Antakya and its powerful archive documents will help to clarify the theory of the inquiry and test it at all levels, from micro scale, for every single unit of property: to the macro scale, for the whole urban form, which has to date not been investigated.

The cadastral maps allow a clarification of clarify the original circumscriptions¹²⁵ and lot patterns, while the title deeds¹²⁶ provide useful information on the pattern of the original circumscriptions-lots, as well as data on the original features of real estate property;

¹²⁴ Groat, L., and Wang, D., 2002. *Architectural Research Methods*, John Wiley and Sons, United States, p.346.

¹²⁵ The author uses the terminology of the original French Cadastrate Maps, in which circumscription is used rather than *circonscription*. The English equivalent would be ‘survey’.

¹²⁶ The terminology used is based on exact translations of the original title deeds terminology. The author consciously wishes to retain the original title deed terminology instead of adapting it to the terminologies used in urban form studies and related professions.

ownership patterns; the religious/ethnic identities of both the judicial owners and, if possible, the inhabitants; unifications and divisions in lots throughout history; rights and responsibilities, such as benefits and liabilities between the lots and their neighbours; the original borders of districts and so forth.

In summary, data collected during a systematic and objective research of the Antakya historical urban core using the cadastral maps and registers of title deeds, and a site survey of the current urban core of Antakya, can help provide an understanding of the relationships in the formation of a dialectic link between the urban context, place and its inhabitants. This is the substance behind the spirit of place and defines the physical, functional, socio-cultural and spiritual values of the current historical urban core. Accordingly, the aim of this investigation is to find answers to the following questions:

- What is the relationship between property rights and the historical urban core in Antakya?
- Can property rights shape and give identity to the historical urban core of Antakya?
- Is there any relation between spirit of place and property rights?
- If so, do those relations define intimate tangible and intangible values?

1.5. The Structure of the Thesis and Research Methodology

The thesis is structured in five complimentary chapters and their supplementary appendices, with the core of the thesis structured around two main themes and their sub-issues. The first theme covers the theory and philosophy of the main goal presented in the Introduction and the second chapter; while the third and fourth chapters focus on the second theme, being the case-study, which attempts to investigate the theory and the philosophy behind the thesis on an empirical ground.

Chapter one offers an Introduction to the subject of the thesis, with the intention being to clarify the roots of the main theme. The chapter begins with an explanation of the theory of *spirit of place* that has emerged in parallel to developments in the urban conservation discipline, and has become a holistic way of understanding urban

contexts. Additionally, the chapter focuses theorizing the concept of spirit of place, both in conservation discourses and in urban form studies. This theoretical investigation forms a base for establishing the research problem, which is focusing on the dilemma that exists between phenomenological investigations and current urban conservation studies. This is followed by an explanation of the research aim and questions is defined by understanding the current discourse; its theory and the problems that have emerged in the conservation discipline.

Addressing the research aim and the context of the inquiry, chapter one presents a review of previous scholarly studies of Islamic urban forms and their investigation methodologies; leading to:

- justification of the need for a new study
- definition of the case-study area
- an appropriate methodology for the thesis

By apprehending the theoretical and methodological framework and defining the aim of the study, the chapter lastly mentions the reasoning behind the selection of Antakya as a case-study area and the thesis research methodology.

Chapter two contains a comprehensive inquiry into the property rights and the shaping of historical urban contexts. The begins by focusing on *Julian of Ascalon's Treatise of Construction and Design Rules* written in 531-533 AD. The impacts of the treatise on the formation of the built-environment are explained, after which the chapter focuses on the main aspects of property rights and the shaping urban form in Islamic urban forms, with references to treatises and Islamic civil laws. In this respect, the study attempts to provide an understanding of the main issues and control mechanisms related to property rights in traditional Islamic cities. The matter of property rights in Islamic cities is covered in two sections; the first of which focuses on the pre-modern property rights influenced by tradition and religion, and structured under the main tangible and intangible issues in the following framework:

- *The root*: land surrounding and within the city that is a fundamental aspect of the city
- *The body*: property rights within the built environment

- *The branch*: liabilities and benefits of public streets and cul-de-sacs
- *The fructus*: rights of intervention and preventing damage to building materials and architectural elements

The second section focuses on the modern property rights that emerged under the Westernized Ottoman Codes. The chapter continues by presenting land ownership rules and regulations in the Turkish Republic; and concludes with the evolution of property rights under the three dominant factors of religion, state and politics, and their effects on the formation of the physical urban context.

Chapter three begins with an investigation of the case study of the thesis, with the intention being to figure-out the relationship between property rights and the historic urban core of Antakya. The chapter begins by defining the general aspects of the city of Antakya and its historical development, focusing on the physical developments, the Ottoman land tenure and the social strategies, after which the development strategies and activities during the period of the French Mandate are mentioned. The chapter concludes with an explanation of the development plans and activities in the Turkish Republican Period, in particular those related to the historical urban core of Antakya.

Chapter four presents an analysis and evaluation of the case study of the thesis. An analysis of archive data gathered from the title deeds and cadastral plans from 1929 is carried out in order to understand the dialectic links between property rights and the formation of the historical urban core of Antakya. The ownership, use and property rights which are passing; use; construction; visual interaction; charity and spiritual benefits and liabilities are defined, along with their relation with to the historical urban core of Antakya. This is followed by an evaluation of the historical urban core of Antakya in accordance with the three main components of ownership, use and property rights. These are correlated with other in order to define the esoteric relations within the formation of the physical urban context. In this sense, the invisible links and values of the urban context are defined with an evaluation of property rights, which are investigated within the urban form through a site survey.

Chapter five is the conclusion of the thesis, concentrating on the importance of analyzing and evaluating property rights which derives the conducted results of the thesis and its effective use of the holistic urban conservation studies.

1.5.1. Research Methodology

When the major topic of an inquiry emerges from the concept of spirit of place, the phenomenological way of understanding and appreciating the urban form with the intention of establishing certain parameters for conserving the combination of tangible and intangible features within the concrete phenomenon is, naturally, through a qualitative research method.

However, the thesis also focuses the problems encountered when using qualitative methods when the topic of inquiry is the urban conservation issue. In this sense, in qualitative research “the researcher’s background, gender, point of view, and so forth, all come into play”¹²⁷. Actually, “this does not mean that personal elements can randomly affect the findings, but it does not promote the view – and it is essentially a philosophical stance – that “pure objectivity is impossible”¹²⁸. Therefore, it is not possible to define the subjective values and their investigations using qualitative methodologies, and for this reason when conducting conservation studies, experts should avoid this illusion so as to ensure objective decisions are made for *sine que non* features of urban forms, and the current facts and tactics are developed in line with current holistic urban conservation practices.

In this respect, this thesis proposes a combination of interpretive-historical and case-study research methods for analyzing and evaluating urban forms in order to form dialectic and subjective links between the urban form and its users. The thesis establishes its own methodological grammar, which has been designed following a holistic, accurate and factual methodology in order to understand better the difficult and esoteric dialectic links within the urban context through an analysis of property rights.

¹²⁷ Groat, L., and Wang, D., 2002. *Architectural Research Methods*, John Wiley and Sons, United States, p.88.

¹²⁸ Groat, L., and Wang, D., 2002. *Architectural Research Methods*, John Wiley and Sons, United States, p.8.

Tactically, the interpretive-historical research makes use of empirical evidence from the past from a wide variety of sources, including archival materials, public and private documents and sources available at the site, which are related to the archival sources and perceived by the observer according to the empirical evidence contained within the archival materials.

Naturally, when urban conservation studies are faced with the theoretically and practically important, difficult and delicate subject of spirit of place and its comprehensible meanings, including both its tangible and intangible features, the proposed methodology of the thesis and its sources would be able to help in defining objective conservation criteria for the subjective issue.

The research methodology is composed of two main complimentary phases: the literature and content analyses phase, and the case-study phase, comprising archival studies, office work and a site-survey, the details of which are defined below.

1.5.1.1. The Literature and Content Analyses Phase

The literature and content analyses phase of the research methodology is a key step, not only for defining the topic of inquiry, but also for the definition of tactics, strategies, facts-ideas, and results of inquiry. It is primarily used to understand and define:

- key theories related to the research area
- major issues and debates related to topic of inquiry
- the research aim, problems and questions

The literature survey covers both published and un-published works under the headings of:

- Urban Conservation Issues and Methods
- The Theory of Spirit of Place in Urban Form Studies
- Islamic Urban Form Studies
- Property Rights and their Affects on the Formation of Urban Forms
- The City of Antakya and its Surroundings

Following the main headings of the literature survey, a broader survey is made of international and national libraries; databases; references-syllabuses; and institutions (Table 1.5.).

Table 1.5. International and national sources for the literature survey

LIBRARIES	DATA BASES	REFERENCES and SYLLABUSES	INSTITUTIONS (Governmental and Non-Governmental)
INTERNATIONAL	<ul style="list-style-type: none"> • BRITISH LIBRARY http://www.lib.umi.com • ICCROM LIBRARY http://www.theses.org • UCL LIBRARY http://international.icomos.org • ENGLISH HERITAGE http://getty.edu • MCGILL UNIVERSITY http://www.uoguelph.ca • BCU LIBRARY http://www.sciencedirect.com • UNIVERSITY OF BIRMINGHAM http://www.ebscohost.com • FRENCH NATIONAL LIBRARY http://www.harvard/middleeaststudies.edu http://www.yale.edu http://www.mit.edu http://www.historic-cities.huji.ac.il http://www.inlink.itlinklinkarchivio.phpact=erca 	<ul style="list-style-type: none"> • Larkham, P.J., 2009. <i>Selected Bibliography on Conservation</i>, Birmingham City University Press, Birmingham, UK. • University of Arizona-<i>The Middle Eastern City and Islamic Urbanism</i>, Lecture Bibliography. • Oberlin College-<i>The Islamic City: Urban Form and Society</i> Lecture Bibliography 	<ul style="list-style-type: none"> • DAMASCUS ORIENT INSTITUTE • ENGLISH HERITAGE • ICOMOS - CANADA • CSAAR (The Center for the Study of Architecture in the Arab Region) • BRITISH MUSEUM • LUEBECK MUNICIPALITY, GERMANY • UMRG (Urban Morphology Research Group, Birmingham, UK)
NATIONAL	<ul style="list-style-type: none"> • METU http://tez2.yok.gov.tr • BILKENT http://www.lib.metu.edu.tr • TTK http://bliss.bilkent.edu.tr • ITU • NATIONAL LIBRARY • YTU • MSU 	<ul style="list-style-type: none"> • Aktüre, S., Karabay, I., Özdi, H., 1993. <i>The Middle Eastern and North African Cities A Selected Bibliographies (1970-1992)</i>, METU, Ankara. • REST 522- <i>History of Architecture in Middle East Lecture Bibliography</i>, Prof. Dr. Ömür BAKIRER, METU. • REST 518-<i>Techniques of Conservation of Historic Urban Environment Lecture Bibliography</i>, Assoc. Prof. Dr. Neriman ŞAHİN GÜÇHAN, METU. • 18.Yüzyıl Osmanlı Mimarlığı Lecture Bibliography, Prof. Dr. Uğur TANYELİ, YTU. 	<ul style="list-style-type: none"> • ANTAKYA MUNICIPALITY • GENERAL DIRECTORATE OF LAND REGISTRY AND CADASTRAL OF TURKEY • HATAY LAND REGISTRY AND CADASTRAL • ADANA REGIONAL CONSERVATION COUNCIL • MINISTRY OF CULTURE AND TOURISM • ANTAKYA MUSEUM

The sources gathered from the literature survey are systematically grouped and classified so as to provide a useful and accurate literature database for the thesis. The literature database is formed under the headings of Books; Papers and Articles in Journals; Theses; Maps and Visual Documents; and Other Written and Visual Documents (Table 1.6.). Each source is given with its reference name, location, catalogue ID, web address and availability.

In parallel to the literature survey, a systematic reading and commentary of studies is made in order to form the outline and the content of the thesis. In this way, the literature survey, content analyses and the literature database is reviewed and updated throughout the thesis process as a core data-set of the thesis.

Table 1.6. An example of a literature database

LITERATURE DATA-BASE for ISLAMIC & OTTOMAN URBAN FORM STUDIES-----BOOKS				
Reference Name	Location	Catalog ID/ web address	Availability	Notes
- İncalcık H., <i>Osmanlı İmparatorluğu Klasik Çağ (1300-1600)</i> , İstanbul, 2003.	Private Library	METU LIBRARY	A	Readed
- Serjeant, R.B., ed., 1980. <i>The Islamic City</i> , United Nations Educational, Scientific and Cultural Organization, Paris.	Private Library	METU LIBRARY	A	Read and Cited
Tanyeli, U., <i>Anadolu Türk Kentinde Fiziksel Yapının Evrim Süreci, (11-15 yüzyıllar)</i> , İstanbul, 1987.	Private Library	METU LIBRARY	A	Read and Cited
- Jairazbhoy,R.A., <i>Art and Cities of Islam</i> , London, 1964	Private Library	REST 522 Bibliography		Read
Serageldin,I., El-Sadek,S., eds., 1982. <i>The Arab City Its Character and Islamic Cultural Heritage, Arab Town Organization</i> , Riyadh.	Private Library			Read and Cited
-Raymond,A., <i>Cairo</i> , Cambridge, 2000	Private Library	METU LIBRARY		Read and Cited
Baker, J., 1876. <i>Syria and Egypt Under the Last Five Sultans of Turkey</i> , London	British Library	77/18403 DSC	A	Requested from Library Loan Services OBTAINED
Bartlett, W.H., <i>Syria, The Holy Land, Asia Minor</i> , Fisher, Son and Co., London, Paris, America, 1936.	British Library	Wq1/8097 DSC	A	Requested from Library Loan Services OBTAINED
Faroqhi,S., 1984. <i>Towns and Townsmen of Ottoman Anatolia-trade, Crafts and Food Production in an Urban Setting, 1520-1650</i> , Cambridge University Press.	Private Library	METU LIBRARY	A	Read and Cited
Stefano Bianca, <i>Urban Form in the Arab World: Past and Present</i> . New York:Thames & Hudson, 2000. Chap 5: "Components of Urban Form II: The Mosqueand Related Welfare Buildings," pp. 101-121.	Private Library	BRITISH LIBRARY	A	Read

1.5.1.2. Case Study

The case-study research method has been structured in three main phases:

- documenting phase, comprising archive studies conducted in the research
- digitizing phase, covering the office work
- analysis and evaluation phase, comprising correlations and site surveys

Following the overall aim of the thesis, the case-study phase began by obtaining special and unique permission for access to the 1929 title deeds of the historic urban core of Antakya from the General Directorate of Land Registry and Cadastral Records of Turkey, which was given on 11th January, 2008, but with certain provisions: Owner names had to be hidden, and could not be mentioned in the thesis: and it was only permitted to investigate the title deeds in the Hatay Regional Directorate of Land Registry and Cadastral Office, and digital copies could not be made.

Consequently, the methodology of the documentation phase of the research became an important issue, as only conventional techniques could be used to gather every single plot title deed from the archive.

- **Documentation Phase: Archive Studies**

The documentation phase of the research comprised a study of the archives at the Hatay Regional Directorate of Land Registry and Cadastral Office, where all records for the thesis had to be made by hand. This turned the study into a long and arduous task, since the plots in the historical urban core of Antakya numbered 10.000, with around 130.000 pieces of related data. The data was collected between January, 2008 and February, 2009.

Before starting to archive study a single chart was prepared on which data of every single plot would be recorded. The chart contained the

main headings of the title deeds, under which the details title deed were recorded (Table 1.7).

Data was collected under the headings¹²⁹ of Building Block Number, Plot Number, District, Area, Feature of Real Estate Property, Ownership, The Way of Acquiring Real Estate Property, Status of Registration, Unification and Division of Lots and Property Rights, otherwise known as Benefits and Liabilities.

Table 1.7. An example of note-taking chart for title deed records

Plot Number	District	Area (m ²)	New Plot Number	Feature of Real Estate Property	Ownership Status	Owner Name & Ethnic Identity	The way of Acquiring	Date	Benefits and Liabilities	Notes
519	Zenginler	136	—	EV	M		Alım Alım	2.6.1939 19.9.1945	B: 514 aleyhine su akitına hakkı	520 pars. müst. terak su kuyusu Eski Eserdir : 8.2.1983
520	"	170	—	EV ve 519 parselle müst. su kuyusu	M.		Kad. Int.	27.10.1939 26.3.2003	A: 525 lehine kıs suyu akitına hakkı.	Eski Eserdir 8.2.1983.
521	Mutlu	184	—	EV	M.		Alım Satış	4.6.1939 18.11.2004	B: 522 aleyhine kıs suyu akitına L: 525 lehine kıs suyu akitına	Eski Eserdir 16.1.1990.
522	"	148 24 124	Yol terak	EV 19.2.2004 Arsa	M.		ibka Int. Satış	25.6.1940 4.6.1976 25.2003	L: 523, 524, 525 lehine kıs suyu akitına hakkı.	
523	Zenginler	203	1666	EV 19.7.1991 Arsa	M.		Kad. Satış	16.10.1929 35.1988	L: 524 lehine su akitına B: 524, 522 aleyhine su akitına	Tevhid nedeniyle kapatılmıştır 19.7.1991.
524	"	272		EV	M.		Kad. Sat.	13.10.1929 31.8.2000		
525	"	321	1397	EV			Alım	14.12.1935.	L: 530 p. lehine gayme hakkı	
526	fevkaliler	49		Hususî Yol.		Owners 893-894-895 plots.	Kad.	27.10.1929.	L: 898-901.903 parsellerin lehine gayme hakkı.	

In parallel to the collection of data from the title deeds, the 1929 French Cadastral Maps were obtained from Antakya Municipality (Figure 1.11). The maps covered the historic urban core of Antakya, formed out of four

¹²⁹ The terminology used for the headings is an exact translation of the original title deeds. The author consciously wishes to use original title deed terminology instead of terminologies used in urban form studies and related professions.

circumscriptions¹³⁰ namely the second, third, fourth and fifth circumscriptions.

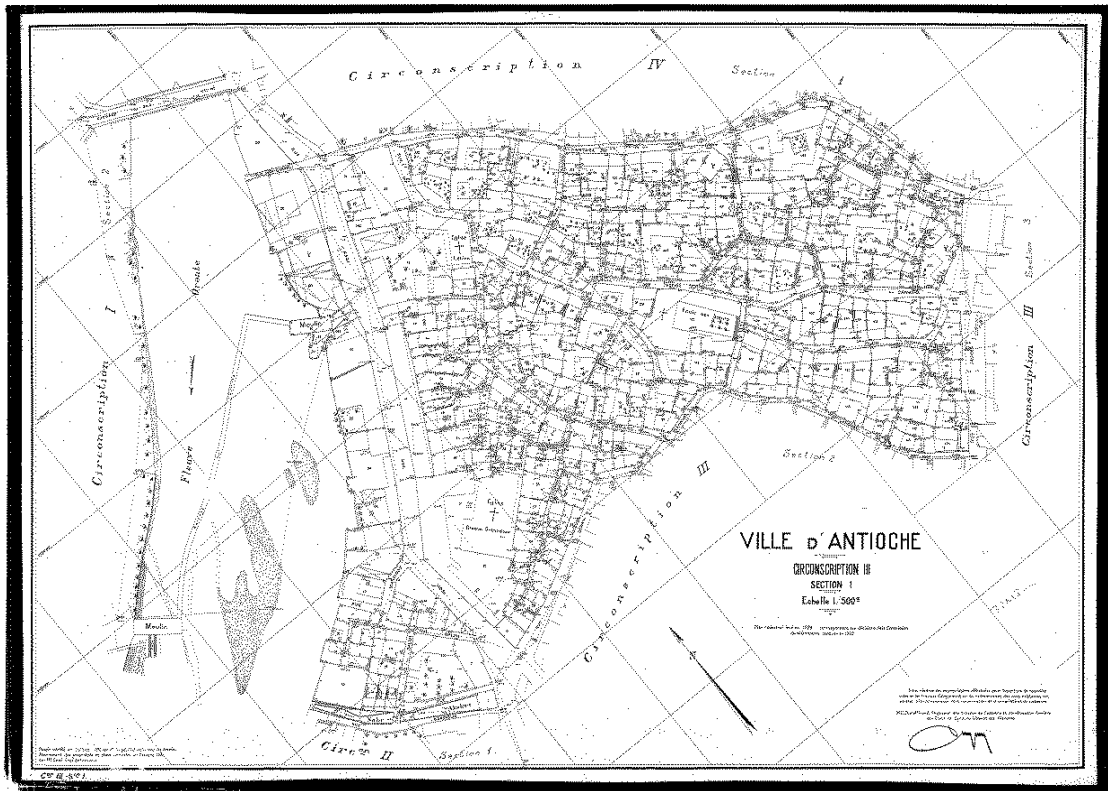


Figure 1.11. An example of the French Cadastral Maps prepared in 1929

The first circumscription covered what were new development areas in 1929 on the western side of Asi River, and was not considered as falling within the scope of this research. The second circumscription has three cadastral maps, one at 1:500 scale and the others at 1:1000. The third circumscription has again three cadastral maps, all at 1:500 scale. The fourth circumscription has five cadastral maps, the fifth being at 1:2000 scale and the others at 1: 500 scales. The fifth circumscription has four maps, all at 1:500 scale (Table 1.8).

¹³⁰ The author wishes to use original French Cadastrate Map's terminology in which circumscription is used instead of circonscription.

Table 1.8 French Cadastral Maps for 2nd, 3rd, 4th, 5th Circumscriptions

Name	Scale	Year
Ville D'Antioche Circonscription 2 - Section 1	1/500	1929
Ville D'Antioche Circonscription 2 – Section 2	1/1000	1929
Ville D'Antioche Circonscription 2 – Section 3	1/1000	1929
Ville D'Antioche Circonscription 3 - Section 1	1/500	1929
Ville D'Antioche Circonscription 3 – Section 2	1/500	1929
Ville D'Antioche Circonscription 3 – Section 3	1/500	1929
Ville D'Antioche Circonscription 4 - Section 1	1/500	1929
Ville D'Antioche Circonscription 4 – Section 2	1/500	1929
Ville D'Antioche Circonscription 4 – Section 3	1/500	1929
Ville D'Antioche Circonscription 4 – Section 4	1/500	1929
Ville D'Antioche Circonscription 4 – Section 5	1/2000	1929
Ville D'Antioche Circonscription 5 - Section 1	1/500	1930
Ville D'Antioche Circonscription 5 – Section 2	1/500	1929
Ville D'Antioche Circonscription 5 – Section 3	1/500	1930
Ville D'Antioche Circonscription 5 –Section 4	1/500	1930

- **Digitizing Phase: Office Work**

The documentation phase continued with works to put all of the collected data and cadastral maps into digital form. The aim of this phase was to create a holistic digital database containing the written and cartographic data elements and the geographical aspects of the study area. In the creation of the digital database, ARCGIS software was used as the main digital tool, with supported by AutoCAD, Microsoft Office, and Adobe Photoshop Elements 8.0.

The individual data elements from the archive study and the literature survey numbered around 130.000, from title deeds on one side and from the 15 French cadastral maps of different scales, and various historical maps gathered from the literature survey, on the other. Additionally, other documents, such as a current map of Antakya; a satellite view; and conservation and development plans for Antakya were obtained as support information for the research inquiry.

The study began to create a personal geographical data-base entitled “Antakya_title_deeds” using *ArcGIS 9.1*. The data-base is correlated with the *WGS_1984_UTM_Zone_37N* projected coordinate system, since Antakya is located on the 37 North UTM Zone (Figure 1.12).

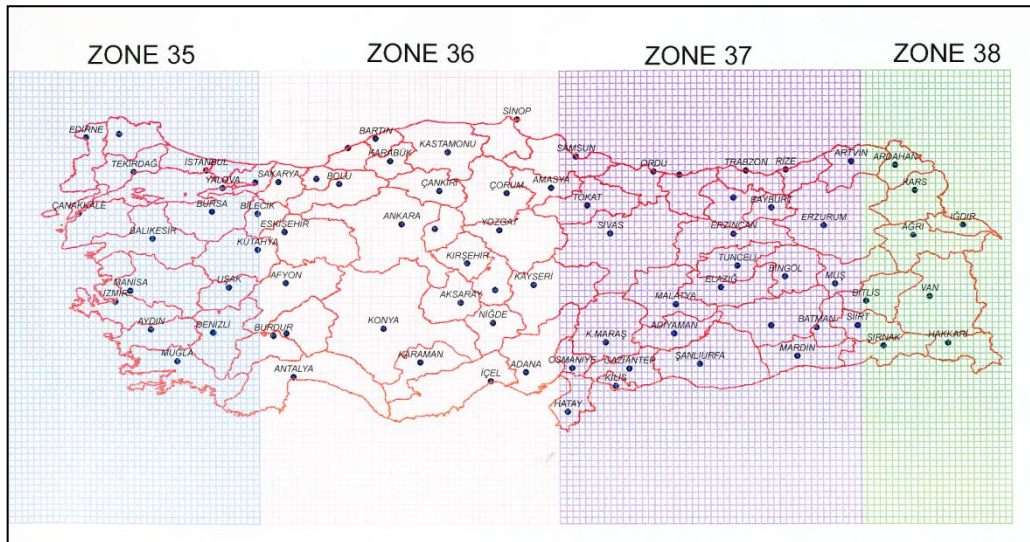


Figure 1.12. The UTM Zones of Turkey

The personal geographical database comprises different feature datasets, being the 2nd, 3rd, 4th and 5th Circumscriptions; the Antakya and Conservation Status (Table 1.9). Each data-set has its own feature classes. For the circumscriptions, they show plots and private_streets indicating their circumscription number. The Antakya data-set has river_1929, ethnic zones in 1931, current map, current districts, and streets feature classes. The Conservation data-set has Urban Site, Natural Site, Natural & Archaeological Site, 1st Degree Archaeological Site, and 3rd Degree Archaeological Site feature classes (Table 1.9).

Additionally, the circumscriptions feature data-set has attributes that are prepared according to the collected data from the title deeds (See Appendix A), which is crucial in helping to transfer the 130.000 data points into the GIS medium. Therefore, all data is classified and coded under the headings of “Original Features of Real Estate Property” such

as residential, residential and commercial, residential and religious, religious, commercial, social and commercial, services, streets, education, administrative, military, land, garden, barn, olive grove, orchard, cemetery, hospital, river band, rocky, mountain, tannery and their sub-divisions; Ownership and Religious-Ethnic Identity Info; The Way of Acquiring Real Estate; Status of Registration; Unification and Divisions of Lots and User Rights which have two sub-headings, such as benefits and liabilities between the plots (See Appendix A).

Table 1.9. The elements of the geographical data-base

Feature Data-Set	Feature Class	Geometry	Attributes
2nd Circumscription	PLOT_2	Polygon	See Appendix A: Attribute List
	Private_Street_2	Polygon	
3rd Circumscription	PLOT_3	Polygon	See Appendix A: Attribute List
	Private Street_3	Polygon	
4th Circumscription	PLOT_4	Polygon	See Appendix A: Attribute List
	Private_Street_4	Polygon	
5th Circumscription	PLOT_5	Polygon	See Appendix A: Attribute List
	Private_Street_5	Polygon	
Antakya	River_1929	Polygon	
	Ethnic Zones in 1931	Polygon	
	Current_Map	Line	
	Current Districs	Polygon	See Appendix A: Attribute List
	Streets	Polygon	
	Topography	Line	
Conservation Status	Urban Site	Polygon	
	Natural Site	Polygon	
	1 st Degree Archaeological Site	Polygon	
	3 rd Degree Archaeological Site	Polygon	
	Natural & Archaeological Site	Polygon	

After preparing the core data-set of the system the digitizing phase continued with the conversion of the French cadastral Maps into the

GIS medium. Each cadastral map was transferred into GIS using inherent software tools, and rectified according to the coordinate system (Figure 1.13). At the end of this process, each cadastral map was transformed into a geographically referenced raster image, related with the *WGS_1984_UTM_Zone_37N* zone and also well-correlated with the current digital projected city maps of Antakya. Finally, each cadastral map was placed over their exact location within the historical urban core of Antakya.

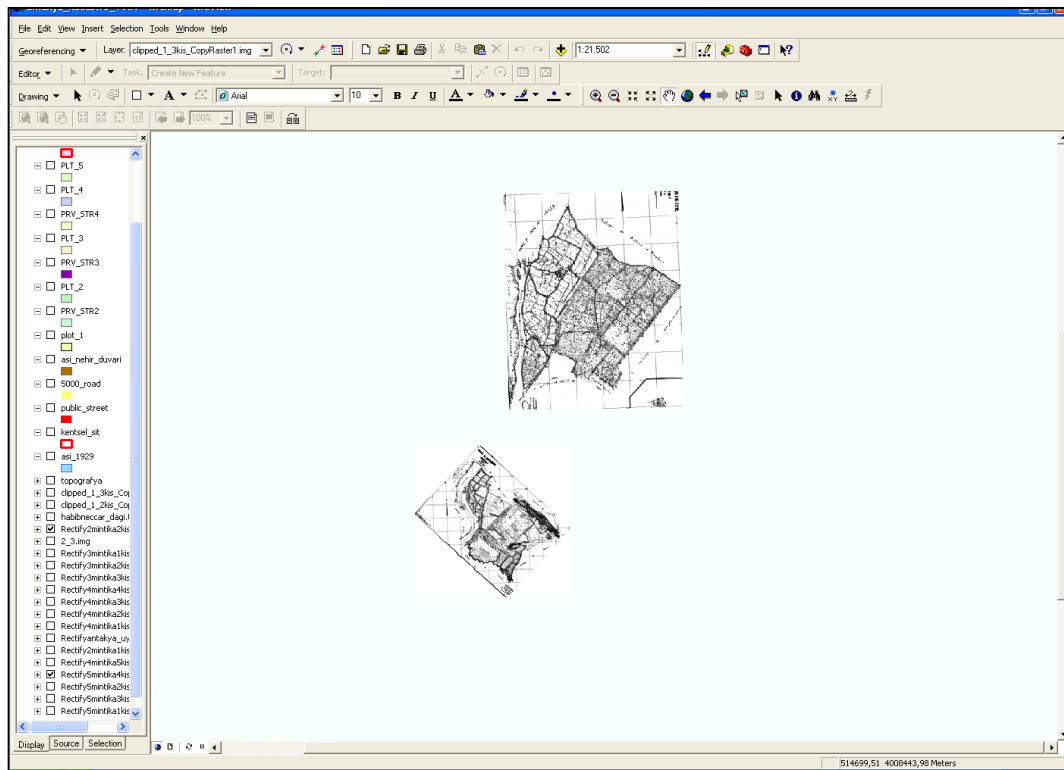


Figure 1.13. The rectifying process of French Cadastral Maps into the GIS medium.

At the end of rectifying process of the French cadastral maps, each georeferenced raster map was clipped using a raster image clipper from their counters, resulting in one correlated cadastral map covering the area of the 15 French cadastral maps (Figure 1.14).

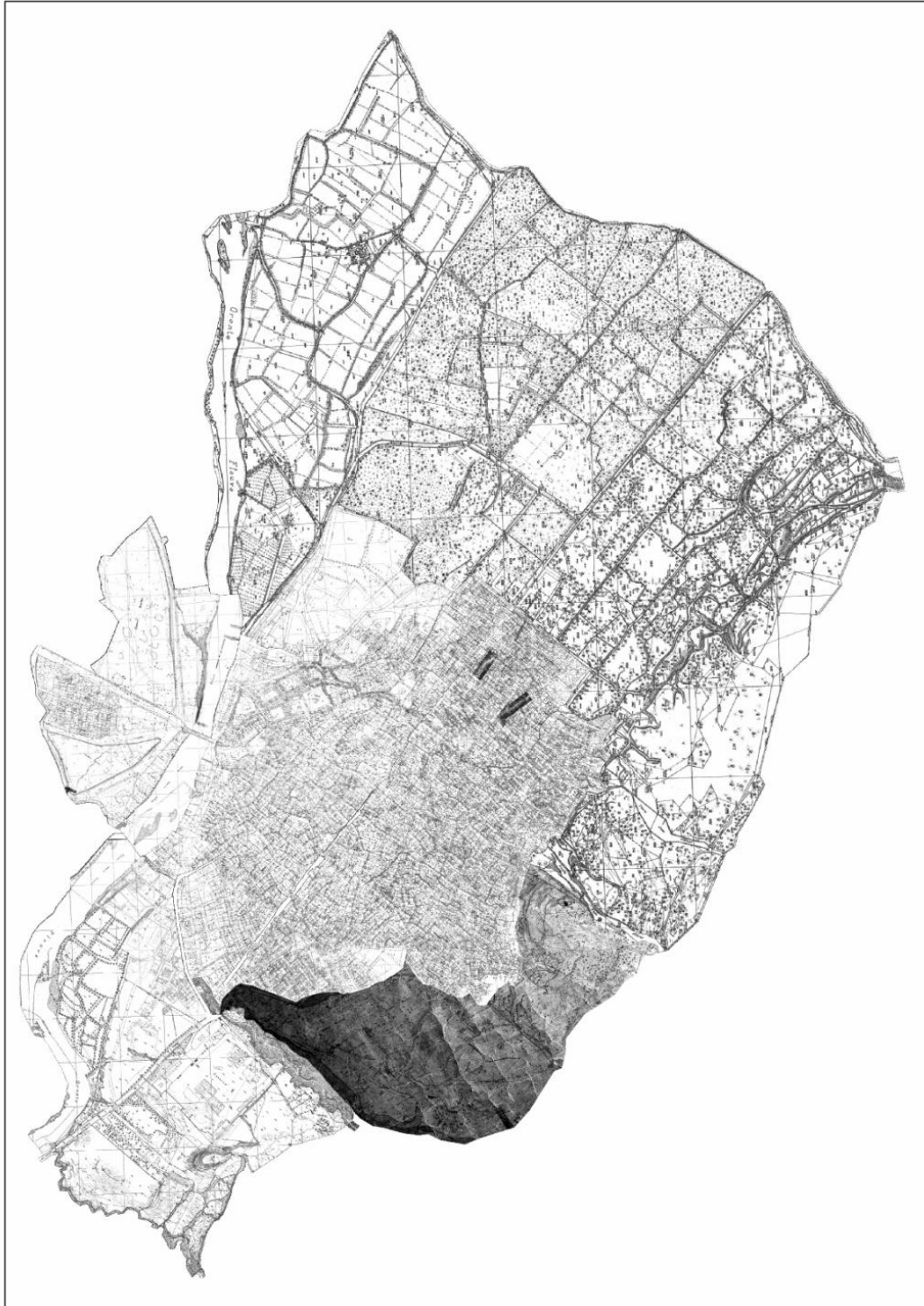


Figure 1.14. Fifteen geo-referenced French cadastral maps of the historical urban core of Antakya

After obtaining the geographically referenced cadastral maps, a drawing of every single plot was begun using polygon geometry, and based on the border lines indicated on the cadastral maps.

The borders of each plots are indicated with arrows on the cadastral maps, and each plot has its own plot number, which is also indicated on the maps (Figure 1.15). Each circumscription is drawn under its feature-data-set (Figure 1.16), allowing each circumscription to be differentiated from the others. This method was chosen so as to allow the study of individual circumscriptions when required.

With the completion of the drawing stage, a completed record of all plots in the historic urban core of Antakya, geo-referenced to the coordinate system, was achieved. Besides the plots, all natural elements, streets, topographical contour lines were also drawn within the GIS medium (Figure 1.17).

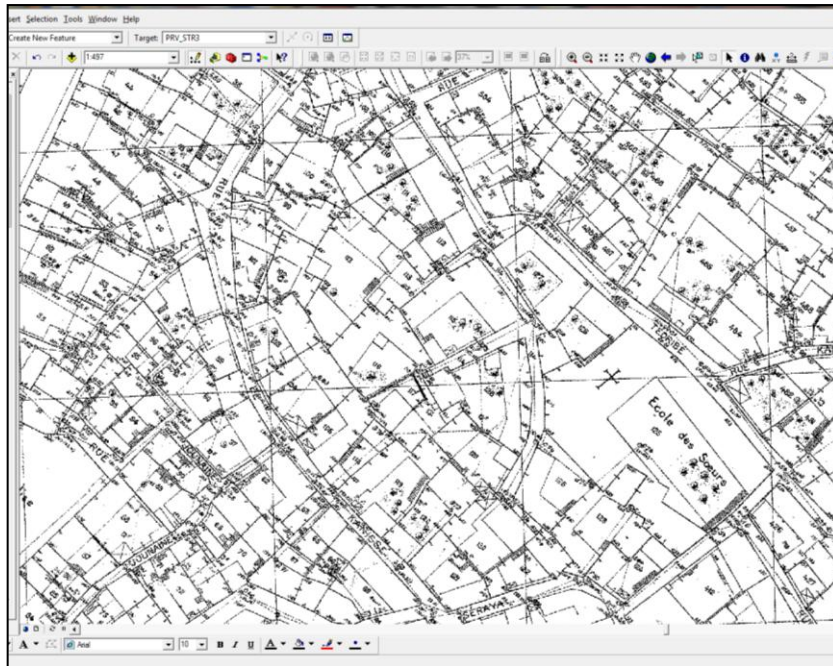


Figure 1.15. An example of the cadastral map which is showing the plot numbers and borders

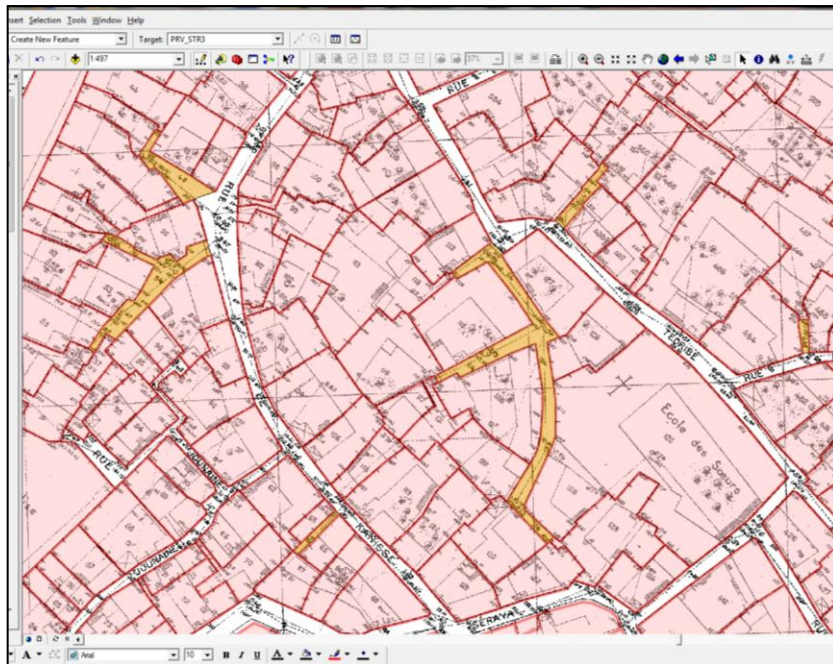


Figure 1.16. Drawn plots according to the cadastral map

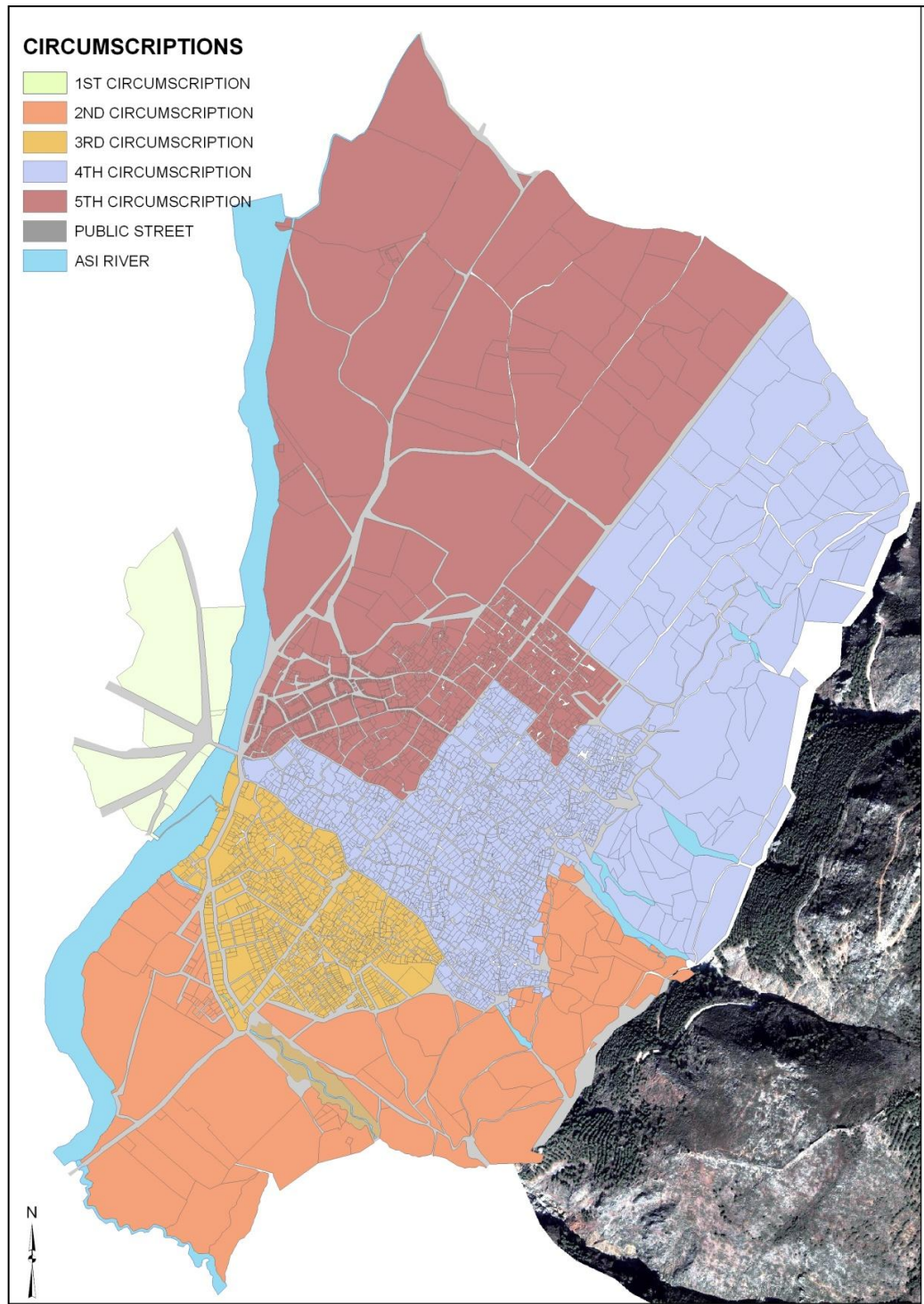


Figure 1.17. The completed drawn geo-referenced plots and other features of the historical urban core of Antakya

Following the preparation of the geo-referenced cadastral maps and the drawing of the plots, the study continued with the preparation of the attribute data of each plot, which were collected from the title deeds records (See Appendix A). The collected data was firstly grouped and categorized, then each group of data was given a specific codes to allow their transfer into the designed database.

The process of transferring the collected data from the title deeds into the every single plot started with the preparation of data charts in Microsoft Office Exel 2003. The topics for the data charts mirrored the attribute list of the collected data, and were recorded according to their circumscriptions. Firstly, data on each plot was coded into the data charts by guiding the attribute list codes (Figure 1.18), with around 130.000 data elements coded into the charts.

Plot Number	District	Area (Current)	Feature of Property	2nd Feature of Property	Ownership	Identity Info	Acquiring Real Estate	Owner Name	Register Status	Unification	Division	Yola Terkasis Benefits	Liabilities
1	A11	A12	B1		M7		2A	1 B71	N			4E	B5 L7
2	A11	A5b	A1		G1A				N			4E	B5
3	A11	A5b	C1		d		9B		N			4E	B5
4	A11	A5b	C1		d		9B		N			4E	B5
5	A11	A5b	C1		d		9B		N			4E	B5
6	A11	A5b	C1		d		9B		N			4E	B5
7	A11	A5b	A1		M7		2A		N		2C	4E	L7
8	A11	A5c	A1		M6		3B		N			4E	L7
9	A11	A5c	A1		M6			1	N			4E	L7
10	A11	A5c	A1		M6B				N			4E	L7
11	A11	0 A2c	A1		M6		3A		N			3E_4E	
12	A11	A2c	F7f		A1		M6B	2A	N			4E	B5
13	A11	A2c_A7b	A1		M7			1	N		2B		L6
14	A11	A7f_A5b_A7b	A1		M6B		2A		N		2D		
15	A11	0 A5c	A1		M5A		2B		N			3F_4E	B7 L7
16	A11	0 A5c	A1		G2			1	N			3F_4E	L7
17	A11	0 A5c	A1		G1A			1	N			3F_4E	L7
18	A11	0 A5c	A1		M6B			1	N			3F_4E	L7
19	A11	0 A5c	A1		M7		2B		N		2B	3G_4F	L7
20	A11	0 A5c	A1		M7			1	N			3G_4F	
21	A11	0 A5a	A1		M5A			1	N			3G_4F	
22	A11	0 A5c	A1		M5A			1	N			3G_4F	
23	A11	0 A5c	B1		c		1 B72		N			3G_4F	B5
24	A11	A5c	A1		M7			1	N			3G_4F	
25	A11	A5c	A1		G2			1	N		2C		
26	A11	0 A5c	A1		M7			1	N			3G	
27	A11	0 A2c_A14	A1		M7		2A		N			3G_4F	B5
28	A34	A1d	A1		M5A			1	N		2C		
29	A11	0 A12	A1		c		1 B72		N			3G_4F	L1_L7
30	A11	0 A5c	A1		M7		2A		N			3G	L1_L7
31	A11	A5c	A1		M6B			1	N		2B		
32	A11	A5c	A1		M7			1	N		2F		
33	A11	A5c	A1		M6B			1	N			4F	
34	A11	A5c	A1		M7		3A		N			4F	
35	A11	A5c	A1		M7			1	N			4F	
36	A11	A5c	A1		M6B			1	N		2G		
37	A11	A5c	A1		M6B		3A		N			4F	
38	A11	A5c	A1		M7		2A		N		2G		
39	A11	A5c	A1		M7			1	N			4F	
40	A11	A5c	A1		M7		2A		N		2G		

Figure 1.18. The data chart of collected data from the title deeds

Secondly, the data charts were converted to the “data base folders (.dta)” using Microsoft Office Exel 2003. Finally, the database folders were correlated to the 2nd, 3rd, 4th and 5th circumscription feature class attributes (Figure 1.19). Finally, all of the data collected from the title deeds was transferred and correlated to each plot, as geo-referenced in the GIS medium. The result was an accurate, consistent and valuable

dataset, structured so as to allow an investigation and analysis of the influence of property rights on the urban form of Antakya.

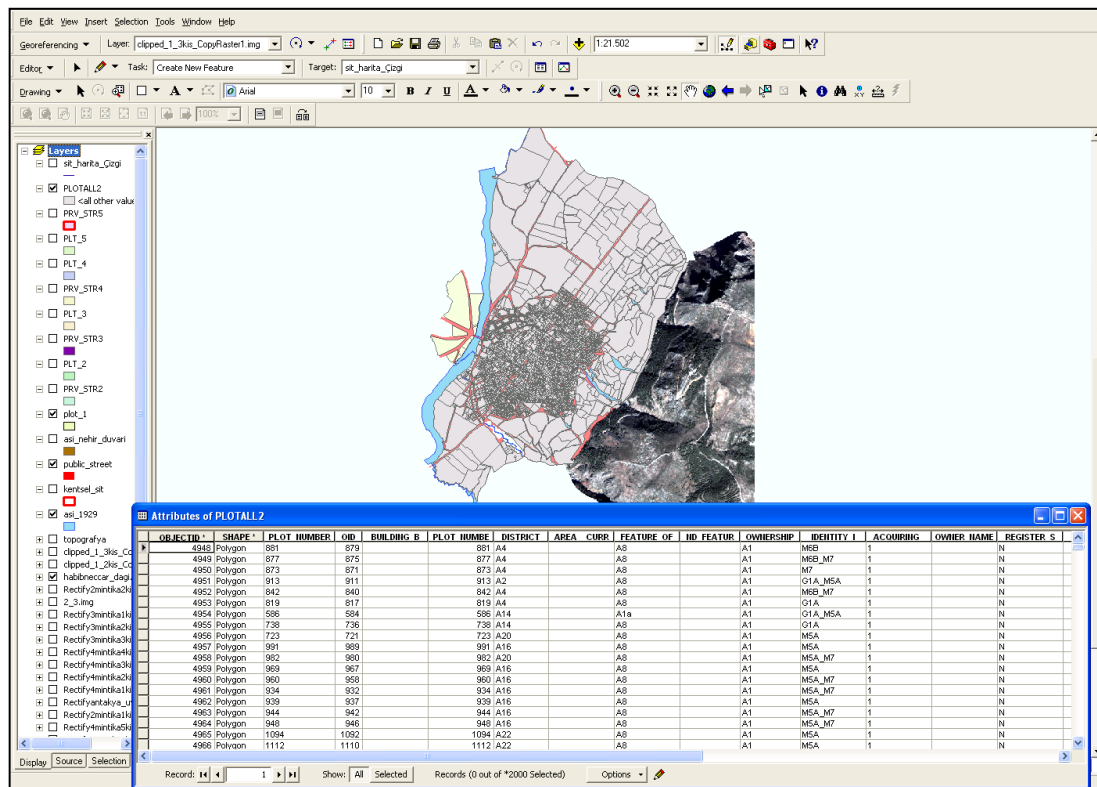


Figure 1.19. Geo-referenced plots, natural elements, streets and dead-end streets in their attribute table.

- **Analysis and Evaluation Phase: Correlations and Site Surveys**

The research continued with an analysis and evaluation of the data on the title deeds and the historical cadastral maps. The circumscription plot pattern, area of plots, districts in 1929, the features of real estate properties, the way of acquiring real estate, ownership patterns, religious-ethnic identity patterns, and benefits and liabilities of plots were mapped and analyzed.

After the analysis, a co-relational research was carried in the evaluation and assessment phase, in which the relationships between ownership

use and property rights were recorded in order to provide original data on the formation of a dialectic link between the urban context, place and inhabitants (Figure 1.20).

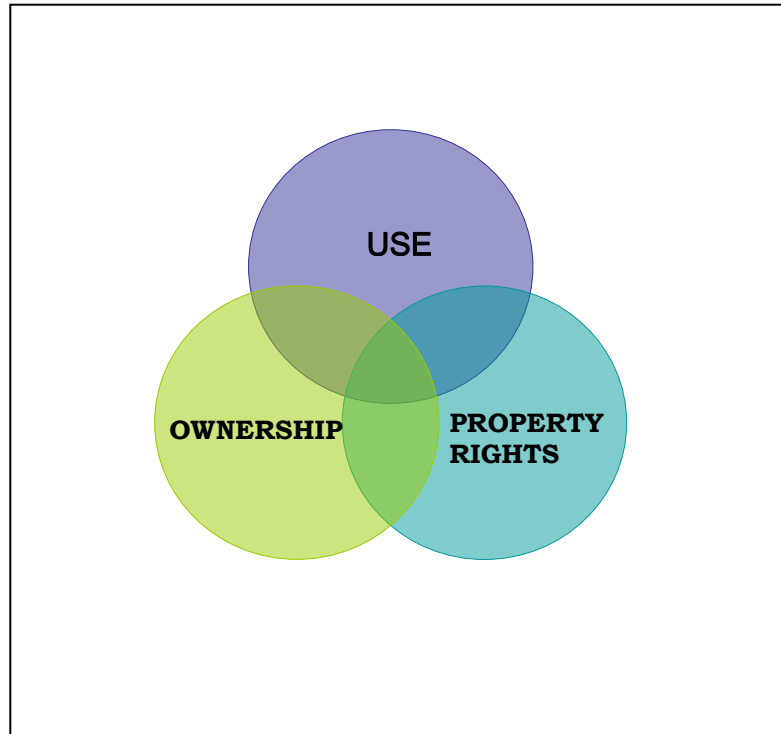


Figure 1.20. The three aspects of the evaluation phase of the research

The data gathered from the analysis and evaluations of the 1929 title deeds and cadastral maps was surveyed within the historic urban core of Antakya during a site-survey, during which two site survey sheets were prepared: one for the buildings (Table 1.10), and the other for private cul-de-sacs (Table 1.11).

Table 1.10. The survey sheet for buildings

Survey Sheet for Buildings February, 2009 Mert Nezih RİFAİOĞLU		
Circumscription:	Plot Number:	ID:
Key Map	Category:	
	Number of Buildings:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used:	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....	
	Relation with the Social Environment:	
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Table 1.11. The survey sheet for Private Cul-de-Sacs

Survey Sheet for Private Cul-de-Sacs February, 2009 Mert Nezih RİFAİOĞLU		
Circumscription:	Plot Number:	ID:
Key Map	Category:	
	# of Dwellings that uses the street:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used:	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:.....	
	Relation with the Social Environment:	
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) :		

CHAPTER 2

PROPERTY RIGHTS AND THE SHAPING OF HISTORIC URBAN CONTEXTS

Property rights have been a common feature of different civilizations since medieval times. In the English and Roman law systems, they were defined in Common Law as “upwards to infinity and downwards to the centre of the earth”¹³¹ in the middle ages. This is a strict right of use (usus), collection of fruits (fructus), and use to the exhaustion (abusus) of the object of property¹³².

However, codes and treatises were, throughout history, defined to regulate property rights in accordance with the shaping of urban form. The earliest example of these dates back to the Eastern Roman Empire, being *Julian of Ascalon’s Treatise*, written in 531-533 AD which is the oldest document discovered to date defining property rights and their effects on the shaping of cities (Figure 2.1).

¹³¹ Umur, Z., 1990. *Roma Hukuku*, Beta Basım Yayın Dağıtım, İstanbul.

Lawson, F.H., 1958. *Introduction to the Law of Property*, Oxford at the Clarendon Press, Greate Britain. Cited in Günay, B., 1999., *Property Relations and Urban Space*, METU Faculty of Architecture Press, Ankara, p.5.

¹³² Günay, B., 1999. *Property Relations and Urban Space*, METU Faculty of Architecture Press, Ankara, p.5.



Figure 2.1. Map showing the location of Julian’s Treatise and its geographical border in the Eastern Roman/Byzantine Empire (Reproduced from the base map which is in McEvedy, C., *The Penguin Atlas of Medieval History*, Penguin Books, UK, 1961.)

Controlling the process of change and growth within the built environment was the main intention of Julian’s treatise, which was only the subject of a study by Besim S. Hakim, in particular its construction and design rules for the built environment. Accordingly, Hakim’s study is the main source for understanding the issues of the Julian treatise related with the shaping of the built environment for that period. Hakim¹³³ declared the main intention of the treatise as being;

“...to deal with *change* in the built environment by ensuring that *minimum damage* occurs to pre-existing structures and their owners, through stipulating fairness in the *distribution of rights and responsibilities* among various parties, particularly those who are proximate to

¹³³ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 8.

each other. This ultimately will ensure the *equitable equilibrium* of the built environment during the process of change and growth”.

The intentions of the treatise are grouped into seven categories. The first group focuses on the changes in the built environment, defined as “an accepted and also natural and healthy phenomenon”¹³⁴. An important requirement for this is that an equitable equilibrium should be in the maintained within the on-going process of change of the built environment.

The second group again deals with the issue of change, but occurs at the scale of proximate neighbours, and is defined as “the change which creates potential for damages to existing dwellings and other users”¹³⁵.

The third group gives importance to the freedom of property owners. According to the treatise, property owners are free to do whatever they like to their own properties, with most uses allowed, particularly those related to the livelihood of the owner. On the other hand, “the freedom to act within one’s property is constrained by pre-existing conditions of neighbouring properties, neighbours’ rights of servitude, and other rights associated with ownership for certain periods of time”¹³⁶.

The assurance of interdependence between citizens is covered in the fourth group, which considers the compact built environment of ancient towns. It is principally concerned with proximate neighbours and the allocation of responsibilities among them, particularly with respect to legal and economic issues¹³⁷.

The fifth group deals with maintaining the built environment in a way that uplifts the spirits, feelings and senses of its citizens, for which the treatise stressed:

¹³⁴ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 10.

¹³⁵ Hakim, B.S., 2001. *Ibid*, p. 10.

¹³⁶ Hakim, B.S., 2001. *Ibid*, p. 10.

¹³⁷ Hakim, B.S., 2001. *Ibid*, p. 10.

“Certain views should be preserved, especially those that give pleasure to the beholder or bear cultural significance. Making use of the bounties of nature within one’s property, such as collecting rainwater and planting fruit trees and vineyards, should be encouraged”¹³⁸

Another important group in the treatise encourages of the use of improved building materials and construction techniques, since in doing so, “the burden of preventive setbacks from property boundaries will be reduced, thus maximizing the potentials of the land”¹³⁹. Finally, the public realm will be protected from damage resulting “from activities or waste originating in the private realm, or from the placement of troughs for animals”¹⁴⁰.

The fundamental technical aspects of the treatise give reliable informations on property rights and their impacts on the formation of cities in pre-Islamic, Late Roman period (early 6th century A.D.) and Besim S. Hakim (2001) have developed a framework in order to clarify them within the built environment (For detailed information please see Appendix B).

After the Julian treatise, there were various other treatises declared in the Islamic period that affected the shaping of urban forms. Imam Malik’s code was prepared in the 8th century in Medina and the Arabian Peninsula, which was followed in sequence by the treatises of Ibn Abd Al-Hakam, Ibn Dinar, Ibn Abu Zaid, Ibn Al-Imam, Al- Thaqafi and Ibn Al-Rami, and Armenopoulos’s *Hexabiblos*. (Table 2.1.)

¹³⁸ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 10.

¹³⁹ Hakim, B.S., 2001. *Ibid*, p. 10.

¹⁴⁰ Hakim, B.S., 2001. *Ibid*, p. 10.

Table 2.1. The treatises of property rights in chronological order

TITLE	AUTHOR	TERRITORY	DATE	DESCRIPTION
Julian of Ascalon's Treatise of Construction and Design Rules	Julian of Ascalon	Palestine /Eastern Roman Empire	533 A.D.	The process of change and growth through the built environment and its control is forming the main intention of the Julian's treatise
Justinian's Code (<i>Coropus Iurus Civilis</i>)	Justinian 1/ Byzantine Emperor	Eastern Roman Empire	6th century	It is the collection of laws and legal interpretations which prepared during the Justinian Emperor
Imam Malik's Code	Imam Malik	Medina / Arabian Peninsula	8th century	The major source for Islamic law
Ibn Abd Al-Hakam's treatise (It is lost)	Ibn Abd Al-Hakam	Cairo	9th century	The earliest treatise in Islamic period on city, neighbourhood and building construction
Ibn Dinar's treatise (It is lost)	Ibn Dinar	Cordoba	9th century	The treatise on city, neighbourhood and building construction
Ibn Abu Zaid's treatise	Ibn Abu Zaid	Kairouan - Tunisian	10th century	In particular to the urban development and change
Ibn Al-Imam's treatise (It is lost)	Ibn Al-Imam	Mediterranean	10th century	An early treatise from Islamic culture in Spain which mentioned on urban and construction activities
Al- Thaqafi's treatise	Al- Thaqafi	East of Baghdad	10th century	The first Hanafi School of Law's treatise
Ibn Al-Rami's treatise	Ibn Al-Rami	Tunisia	14th century	Building and urban codes and related customary laws
Armenopoulos' s <i>Hexabiblos</i>	Lawyer Armenopoulos	Thessaloniki	14th century	The treatise on urban and building construction activities which have affected Balkan countries and Greece into the late 19th and early 20th century

In the following section, focus is on the main aspects of property rights and the shaping of the urban form in the Islamic period, which evolved under the influence of the pre-modern property rights and Westernized rules and regulations.

2.1. Property Rights and the Shaping of Traditional Islamic / Pre-Modern Ottoman Cities

Everything that exists, both in the sky and on earth, is owned by God¹⁴¹.

It is clearly apparent that Islamic cities were shaped under property rights that were essentially based on the traditional Islamic rights and a Westernized modern law of property, while also retaining some of the characteristics of the traditional rights of property.

Under Islamic belief, the State's involvement in the matter of property rights is seen only as supervision of the property that ultimately belongs to God for the benefit of the community. The State controlled property efficiently and fairly in accordance with God's laws and the ethical and moral principles of society.

Consequently, the property mechanism is based on the Islamic tradition, ethical and moral principles and religious judgments derived from the school of laws of Islamic rites. They affirm their respect for both "the Qur'an and Sunnah of the Prophet, the opinions and scholarship of the Imams, and the precedents set by the righteous caliphs"¹⁴².

There are two major sects of Islam, namely Sunni Muslims and Shia Muslims, that existed where the believers are lived (Figure 2.2).

¹⁴¹ Al-Majallah al-Ahkam al-'Adaliyyah An 'Uthmani Hanafi Shari'ah-Court Text, 26 Sha'baan, 1293 AH. Retrieved from British Library by Birmingham City University Loan Services, UK.

¹⁴² Hakim B.S., Ahmed, Z., 2008. *The Sub-Saharan City: Rules and Built Form*, The City in the Islamic World, Jayyusi, S.K. (general editor), Brill Publication, The Netherlands, Vol.2, p.664.

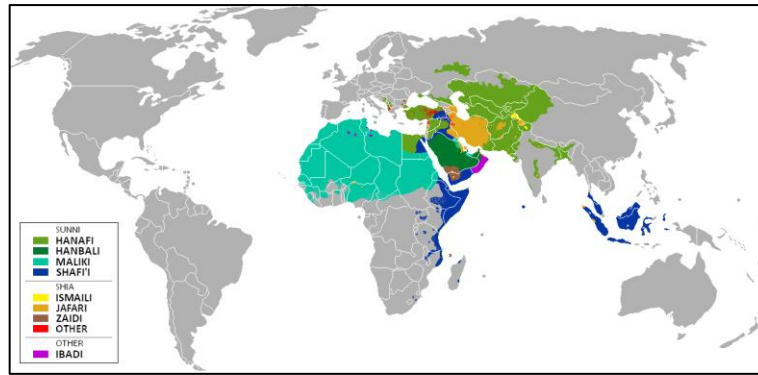


Figure 2.2. The geographical distribution of Islamic groups and their rites ¹⁴³

There were different schools of laws, depending on the different rites of different Muslim sects that affected the property right mechanisms of Islamic cities. Sunni Muslims followed Maliki, Hanafi, Hanbali and Shafi; while Shia Muslims followed the Ismaili, the Jafari, and the Zaidi School of laws. These schools are named after their leading jurists, and each is the dominant authority in different parts of the world (Figure 2.3).

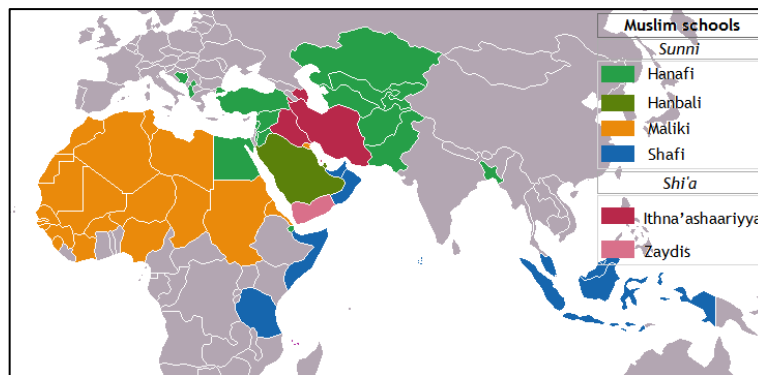


Figure 2.3. The geographical distribution of Islamic schools of law ¹⁴⁴

¹⁴³ http://uoload.wikipedia.org/wiki/8/8d/Madhab_Map2.pnd, Retrieved 25.02.2011.

¹⁴⁴ http://uoload.wikipedia.org/wiki/b/b3/Muslim_schools.png, Retrieved 25.02.2011.

There may be variations in practices within schools, for example, as Sait stressed, “Hanafism, the most widespread of the four schools, is considered the most flexible and open to innovative interpretations of its core doctrines while ...the Hanbali School is known for its strictness in terms of ritual”¹⁴⁵.

Nevertheless, from the property rights perspective, the schools of law were very similar and were a major authority in the decision-making process that shaped the urban form according to God’s laws and ethics. Generally, there are more similarities than differences in the judgements related to the built environment made by the various schools of law. They include the right of access and uses of land and property, underwritten by a known set of rules that are to be legally protected¹⁴⁶. Tenure can only be realized in line with “constitutional and legal frameworks, social norms, cultural values, and, to some extent, individual preferences”¹⁴⁷.

Essentially, as Sait discussed, “land, property and housing rights are an integral part of not only Islamic law but also the religious, ethical and social matrix”¹⁴⁸. In this way, “land is more than an asset, commodity or a claim and is to be addressed in the larger context of socio-cultural and religious norms”¹⁴⁹.

2.2. The Pre-Modern Property Rights: Tradition and Religion

The general ownership mechanism in the pre-modern period of Islamic cities is based on three main aspects: the establishment of ownership through appropriation, which is *the logical origin of any ownership* in the Islamic property system; transfer of ownership through sale or donation by an individual or the government; and continuity of ownership through inheritance.

¹⁴⁵ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi, p.27-30.

¹⁴⁶ Sait, S., 2010. *Ibid.*, p.26.

¹⁴⁷ Sait, S., 2010. *Ibid.*, p.26.

¹⁴⁸ Sait, S., 2010. *Ibid.*, p.27.

¹⁴⁹ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

Pre-modern property rights in the ownership mechanism are furthermore shaped by three main interrelated provisions: traditional Islamic principles, public interest and personal reasoning (Figure 2.4). In particular, it is the public interest rights that address the tangible and intangible benefits to the community, such as the property rights of the landless poor, slum dwellers and squatters; the use of public zones and services within and around the urban form; and beneficial rights for worship and the morals and customs of the public¹⁵⁰ (Figure 2.5)

On the other hand, it is personal reasoning that addresses the benefits and liabilities of neighbours, inheritance, morals, customs, welfare, and so forth. These are related closely to society; the shape of the urban form; and geographical cultural differences, and accordingly, property rights that derive from personal reasoning can vary from one case to another. They bear witness to the needs of society that are derived from the ownership mechanism and affect the shaping of the Islamic urban form in both its tangible and intangible aspects.

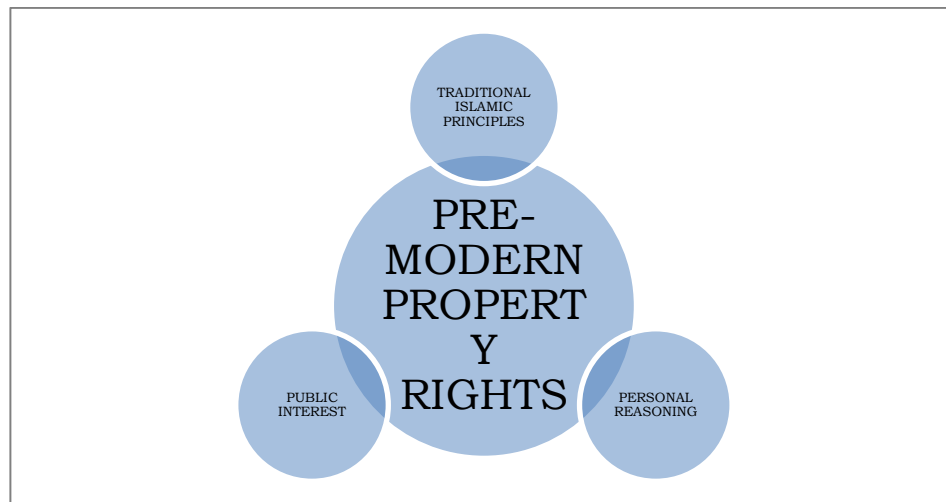


Figure 2.4. The main determinants of pre-modern property rights (Prepared by Rifaioğlu, M.N., 2010).

¹⁵⁰ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi, p.32.

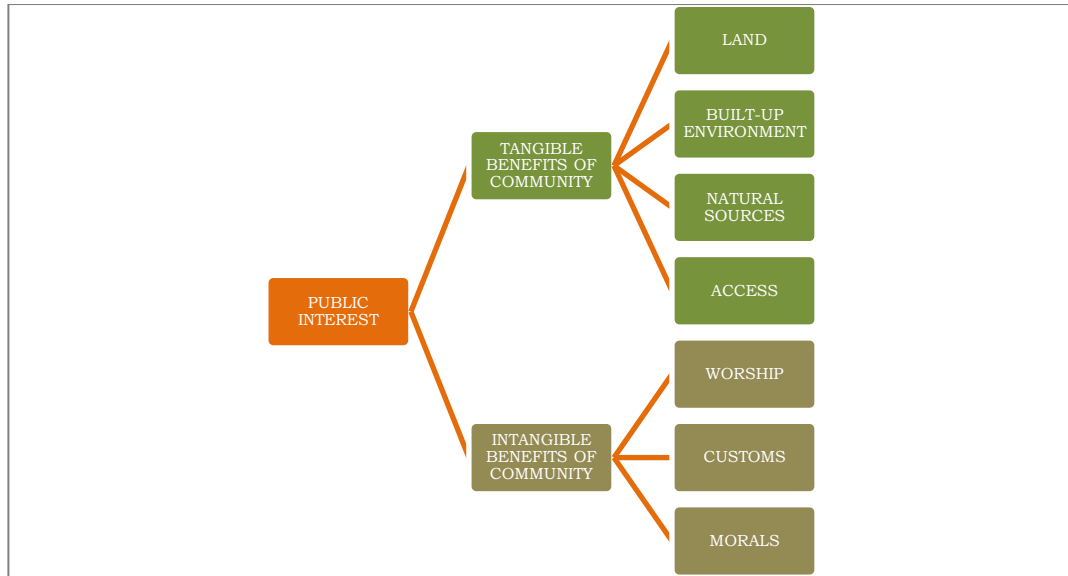


Figure 2.5. The general aspects of public interest in pre-modern property rights (Prepared by Rifaioğlu, M.N., 2010).

Property rights are designed to control and shape the tangible and intangible aspects of the urban form; and their study will allow an understanding of the structure of the traditional Islamic built environment from an existential point of view.

Finally, pre-modern Islamic property rights evolved out of the Islamic theology, in which everything above and below the ground is owned by God and thus can only be used by believers according to His wishes.

The pre-modern Islamic property rights can be likened to a tall tree, which has influence both below and above the earth. It rises from the ground, which is the source of its existence; then it forms its body – the trunk; and finally becomes a source of benefit for believers by providing fructus. The analogy of the tall tree is used in this research as a philosophical tool to explain the rules and rights related to property, and their role in managing the process of growth and shaping the urban form under the main tangible and intangible aspects in the following framework:

The root: The lands within the city and in its surroundings, as a fundamental aspect of the city

The body: Property rights within the built environment

The branch: Liabilities and benefits of public streets and cul-de-sacs

The fructus: The rights of intervention and the prevention of damage to building materials and architectural elements

The users: The owners and tenants, and their liabilities and responsibilities.

2.2.1. The Root: Land

*Whoever takes the land of others unjustly, he will sink down the seven earths on the Day of Resurrection.*¹⁵¹

During the early-Islamic period, land ownership and use were a common undertaking for all schools of law. Since the towns were expanding and the cities were forming, the issue of ownership and use of lands was discussed extensively, and thus certain rights were established related to them.

Land rights were closely related to the productive use of land. Generally, an individual who worked unutilized lands would have priority over another in terms of access to the land and the benefit to be gained from it. However, unutilized land could not be owned by individuals. Land came in two forms, namely: protected lands (*Harim*) and dead lands (*Mawat*), which were established and defined with certain property rights by the Islamic school of laws in order to develop and control the urban form.

¹⁵¹ Sahih Al- Bukhari, *Prophet Muhammed's Hadith*, translated by M. Muhsin Khan, University of Southern California, Centre for Muslim-Jewish Engagement, <http://www.usc.edu/schools/college/crcc/engagement/resources/texts/muslim/hadith/bukhari/>, Retrieved from Birmingham City University Library data-base, 14.01.2010.

Harim lands were assigned both for the surroundings of a city or village and within the built environment which were not owned by the inhabitants, but were necessary for the inhabitants' viability. As Hakim and Ahmed stressed, *Harim* lands surrounding the city were established to a distance "based on walking back and forth in one day, which is about 10 kilometres each way, for a total of 20 km. Sometimes the area for collecting firewood lay beyond the grazing area or within it, and in that situation the *Harim* includes the further two"¹⁵².

Harim lands can be listed as offering as the main benefits to inhabitants in the following aspects: Lakes, for fishing, hunting, etc.; Clean rivers for washing tasks; Abundant springs; Well-used areas for livestock and agriculture; Areas for free access to occupied areas; Land for the accumulation of soil for the construction and maintenance of the built environment; Space for the discharge of rainwater and waste water; Land around the edges of orchards and other trees allowing access; Space within the minimum width of the streets¹⁵³.

These lands were assigned for the benefit of the inhabitants, and therefore any damage or development activities were prohibited by the schools of law.

Another definition was given for the unowned, unused and unutilized lands, known as *mawat*, meaning literally *dead*. Dead lands contained "no trace of buildings or cultivation, so long as it is not used by the neighbouring locality as, for example, a burial ground"¹⁵⁴ or as *Harim* land. Therefore, under the development conditions that applied in Islamic cities, the property rights for dead lands became an important issue in the shaping of the urban form. Evidently, they were able to affect the development and formation of the Islamic cities, since they were available for use and ownership by the inhabitants.

Therefore, the Islamic tradition and religious doctrines were cited when making rational judgments for the utilization of dead lands. Seemingly,

¹⁵² Hakim, B., Ahmed, Z., 2008. *The Sub-Saharan City: Rules and Built Form*, The City in the Islamic World, Jayyusi, S.K. (general editor), Brill Publication, The Netherlands, Vol.2, p.664.

¹⁵³ Hakim, B., Ahmed, Z., 2008., *Ibid.*, p.665.

¹⁵⁴ Akbar, J., 1988. *Crisis in the Built Environment the Case of the Muslim City*, New York, p. 27.

the dead lands definition was applied to the urban fringe in non-urbanized areas; however unutilized lands within the urban form could also be considered as dead lands.

There were two ways of establishing temporary ownership over the dead lands in Islamic cities: revivification and allotment. The revivification principles were based on Islamic customs and religious doctrines. According to custom, dead lands, whether within the urban area or non-urbanized areas, could be revived and consequently owned by the reviver. In Islamic tradition revive means *life-giving* (Ihyā) and the reviver is a *life-giver* to a piece of *dead land*. Therefore, anybody who acts as a reviver to a piece of dead-land through, for example, cultivation or the construction of a permanent structure on it becomes the owner of that land. As Akbar cited: “The Prophet said, ‘The people are God’s people, the land is God’s land, he who revives a piece of dead land will own it, and the unjust root has no right’ while also declaring, “He who revives dead land will be rewarded by God (on the day of judgment)”¹⁵⁵.

In this regard, the Islamic schools of law encouraged inhabitants to improve dead lands. Essentially, any improvements made by a reviver had to be beneficial and fair both for the community, and this would bring some liabilities to the reviver, such as:

“Supplying water to dry lands; finding water within the land by digging a well or opening up a spring so that it is possible to cultivate the land; draining water from a marsh then ploughing the land; substantial planting on the land; supporting the neighbour’s lands or buildings through shared infrastructure; repairs to the vacant buildings; building a permanent structure on the land; removal of trees from the land through cutting or burning; breaking up stones on the land and levelling its

¹⁵⁵ Akbar, J., 1988. *Crisis in the Built Environment the Case of the Muslim City*, New York, p. 27.

steep slopes; building walls or fences around the land, and so forth”¹⁵⁶.

An example is given of a discussion between a reviver and the fourth caliph Ali: “A man who had revived dead land came to Ali and said, “I came across a land that was ruined or its (former) inhabitants had left it, and I dug streams and cultivated it”. Ali responded, “Eat pleurably (enjoy it) you are righteous not impious, a reviver not destroyer”¹⁵⁷. If a reviver destroyed a dead land or utilized it unfairly, he faced punishment by the Islamic jurists.

Under some circumstances, owned lands could be classified as dead lands, and thus could have been subjected to revival by a reviver. However, there were differences of opinion among jurists regarding the revival of unutilized but owned lands, for example:

“Unused land that is owned by someone through purchase, for example, but not utilized by him. It is agreed that such land may not be revived; Land that is owned by someone who revived it, that has since been neglected and consequently has become, over time, dead land again. Mālik’s opinion is that such land may be revived once again and owned by others. Abū Hanifah maintains that if the original owner is unknown, then it may be revived and owned. Ash-Shāfi’I states that it cannot be revived; All jurists agree that if land that was owned and urbanized by non-Muslims becomes a dead land over time, it may be revived and owned, such as the remains of the Roman period”.¹⁵⁸

Consequently, the main aim of the revivification is to develop unowned, unutilized and unused lands. Therefore, revivification brings benefit to the reviver through use, utilization and ownership of the dead land. Nevertheless, reviving dead land was not an easy way to gain ownership

¹⁵⁶ Hakim, B., Ahmed, A., 2008. *The Sub-Saharan City: Rules and Built Form*, The City in the Islamic World, Jayyusi, S.K. (general editor), Brill Publication, The Netherlands, Vol.2, p.666.

¹⁵⁷ Akbar, J. 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p.28.

¹⁵⁸ Akbar, J. 1988. *Ibid.*, p.28.

of a property, as it brings some liabilities to reviver who has to fulfil his liabilities for the common benefit of society. Some liabilities were related to organizing the beneficial rights of neighbours, and some were used to regulate and shape the urban form.

On the other hand, revivification was also used for the control of the properties already owned by individuals. If they neglected their properties or failed to utilize them, then they could become dead lands again, available for revival by revivers, unless rejected by the schools of law. Additionally, all school of laws agreed that “lands overtaken by non-Muslims become dead-lands and they can be revived and owned by the revivers”¹⁵⁹.

The second means of establishing ownership of dead lands in Islamic cities was through allotment. This was practiced mostly on dead lands, and rarely on land owned by the State, such as areas of land given voluntarily to the State by the original owners and lands owned by those who used to rule the conquered areas, such as those properties that formerly belonged to the Persian king and his family. Allotment in Islamic cities is defined by Akbar as “The act of the ruler of bestowing or allotting a piece of land to an individual”¹⁶⁰. The mechanism of allotment is formed by two principles;

- Allotting fiefs to be owned through revival
- Allotting land with the right of utilization but not ownership

The important aspect in allotment is that the ownership authority does not have the right to allot public lands to individuals. Mainly allotment principles were applied to the dead lands, but rarely to lands owned by the State.

If people were able to revive dead lands, then what was the purpose of allotment? Allotment was practiced mainly in cases of new towns, where allotting lands was a “common and well-understood mechanism

¹⁵⁹ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

¹⁶⁰ Akbar, J. 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p.28.

practiced by all rulers at all times for establishing ownership of what previously had been dead land or land owned by the State”¹⁶¹.

From the principles of ownership it can be concluded that unutilized lands were not considered as being owned by individuals or the State, and that lands outside towns and villages were consequently dead lands. Revivification and allotment were the mechanisms used for establishing ownership in most, if not all, urban areas¹⁶².

Additionally, in all of these principles of allotment and revivification, one fact is evident: that land is never sold by the State, but rather is taken at no cost by those who are willing to exert efforts to make it usable. This basic concept implies incentive, meaning that individuals are encouraged to act in order to own properties under these incentives, as can be understood from the following Akbar’s statement¹⁶³

“If an individual realizes that he can claim property without permission from the authority he will do so, simply because for most individuals owning property is a desirable accomplishment. If an individual, as a reviver, knows that he will not only own the land by reviving it, but will also be rewarded by God on the Day of Judgment, he can act. If an individual realizes that land revived by others but neglected by them becomes dead and can be owned through revivification, he will be stimulated to act. If an individual recognizes that if he does not utilize his own revived land other individuals may revive and take it away, he is apt to act. If an individual recognizes that he can build by using what others have neglected and left behind, such as wood or bricks, he may act. If an individual that is allotted a fief knows that unless he utilizes the land within three years, he will lose it, he will be provoked to act. If an individual knows that his

¹⁶¹ Lambton, Ann K. S. 1953. *Landlord and Tenant in Persia: A Study of Land Tenure and Land Revenue Administration*, London: Oxford University Press, p.24.

¹⁶² Akbar, J. 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 29.

¹⁶³ Akbar, J. 1988. *ibid*, p. 32.

allotted or demarcated land is not yet owned by him and that there is a possibility such land can be taken over by other individuals through revivification, he is more likely to act. If an individual knows that if he acts and puts in effort, such effort will not be wasted even if it turns out that the land belongs to another, he will be stimulated to act.”¹⁶⁴

The inevitable disputes that arose between motivated expanding individuals were resolved traditionally through *communication* and *dialogue*, leading to agreement. The resulting built environment was one in which ownership was based on *conventions* between neighbours rather than legal documents. Many historical incidences demonstrate that “most lands were owned without the authority’s permission”¹⁶⁵.

Another important land type in Islamic urban forms was agricultural lands. The study of agricultural lands is important when they were located in the periphery of an urban area, since they would likely be transform over time into urban areas (Figure 2.6). Agricultural land in general was dealt with in two major sections of the legal system: agricultural land owned by the state and benefited by individuals; and agricultural land is owned by individuals and benefited by others.



Figure 2.6. Agricultural Lands in Jerusalem (Hubert Sattler, Jerusalem from the Mounth of Olives, 1847 (Photo courtesy of Mathaf Gallery Ltd., London, UK).

¹⁶⁴ Akbar, J. 1988. *Ibid*, p. 32.

¹⁶⁵ Siddiqui, M. Z., 1993. *Hadith Literature: its origin, development and special features*, London: Islamic Texts Society.

2.2.2. The Body: Built Environment

The built environment of Muslim cities was derived from the responsibilities that were allocated and negotiations between individuals affected by the notion of property rights. At the level of neighbourhood formation, Muslim schools of law established the *qawa'id fiqhiyya* – meaning “overarching legal principles that formed the framework within which the Muslim community that set out rules that people understood, respected and followed when making decisions that affected the design of their houses and the manner in which those decisions affected adjacent buildings”¹⁶⁶. All schools of law agreed that the basic principles were the starting point of the establishment of secondary principles and rules to form and change the built environment. The *qawa'ids* came with a set of rules and rights related to formations and alterations to dwellings in the Islamic urban form that included: the freedom to act in the built environment; prevention of damage to others, while it may sometimes be necessary to tolerate lesser damages so as to avoid greater ones; older established facts must be recognized, and adjustments made that take into account their presence and condition; and the customs of the inhabitants must be respected and followed, although over time those customs may change, and new solutions may be needed.

Considering the built environment at the single unit level, the origin of the principles was based upon the maxim of *do not harm others, and others should not harm you*, which become the leading rule in the organization and control of the built environment. This applied to every single formation and change to each single unit in the built environment, with the intention being not to harm to one's neighbours or other citizens, and vice-versa.

Additional rights and conditions applied at the scale of the single unit within the built environment, such as dwellings, commercial units, etc., can be grouped and defined as follows:

Precedence Right: Precedence is an important aspect of gaining benefits for control and change within the built environment. Edifices created by

¹⁶⁶ Hakim, B., S., 2010. “The Generative Nature of Islamic Rules for the Built Environment”, *Archnet-IJAR International Journal of Architectural Research*, Volume 4, Issue 1, March,, p.209.

earlier inhabitants and used by the current inhabitants were accepted as precedent physical formations, and had to be respected by those that followed. For example, if person builds a new building adjacent to or across from an existing structure, the original structure's openings, such as windows and doors, must be taken into consideration so as to control any visual interaction between the old and new structures.

Additionally, if a person built his building before the adjacent buildings, than he would be able to claim precedent rights in the event of any damage to his property. That is to say, "the earlier building or facility exercises control over what a subsequent builder can do when building next to it"¹⁶⁷.

Use Right: A neighbour has the right to site his building against the wall of an existing structure, provided no harm is done to the pre-existing wall or structure. As houses were built around inner courtyards that provided light and air, this right facilitated the clustering of buildings adjacent to one another on more than one side.¹⁶⁸

Access Right: Access to a structure is through a space called fina (or harim) that is approximately 1-1.5 metres wide and runs along all exterior walls of a building (Figure 2.7). This space also extends vertically along the walls of the building. The owner or tenant of a building has the right to use the fina for temporary purposes, provided such use does not obstruct traffic in the street. He is also responsible for keeping his part of the fina clean and safe from any obstructions and preventing the accumulation of rainwater or snow. The vertical extended fina allows upper level projections in the form of balconies, enclosed bay windows and Sabats (rooms bridging the public right-of-way).

¹⁶⁷ Hakim, B., S., 2010. "The Generative Nature of Islamic Rules for the Built Environment", *Archnet-IJAR International Journal of Architectural Research*, Volume 4, Issue 1, March., p.209.

¹⁶⁸ Hakim, B., S., 2010., Ibid.



Figure 2.7. Fina space in Sidi Bou Sa'id, Tunisia (Photograph: Rifaioğlu, M.N., 2007).

A Sabat (*Kabalti*) was allowed under different circumstances, such as when the two properties were owned by the same person and the public street was not affected, such as through narrowing. It would also be allowed if the property owners were not the same, but had made an agreement to construct a Sabat between their properties. If the purpose of building a Sabat was related to the public good, for example, as a children's school for teaching the Qur'an and religion, then it would be allowed directly under the school of laws¹⁶⁹. The property rights of the Sabat are also defined for cases in which the properties are sold to different persons. In this case, the Sabat is owned by one person, and he has the privilege of using the commonly owned wall of the Sabat for structural support (Figure 2.8).

¹⁶⁹ Siddiqui, M. Z., 1993. *Hadith Literature: its origin, development and special features*, London: Islamic Texts Society.



Figure 2.8. Sabat over a public street in Aleppo (Photograph taken by Rifaioğlu M.N., 2005).

2.2.3. The Branch: Streets

The street is an important element of the urban form that serves to shape and control the built environment. Akbar¹⁷⁰ stressed that:

'Ibn Qudamah states: "The streets and the roads in urban areas, whether spacious or narrow, may not be revived by any person, whether it annoys people or not, since they are shared by all Muslims and relate to their interests, as do mosques".

Factually, there were two types of street that existed in Islamic urban forms: streets and cul-de-sacs, each with their own property rights.

¹⁷⁰ Akbar, J. Crisis in the Built Environment The Case of the Muslim City, New York, 1988, p.47.

Streets are classified as open and continuous urban elements that are open to everybody, and controlled by rules of public right-of-way. Cul-de-sacs, on the other hand, are classified as no-exit streets that in some cases do not belong to the public, and as such could be considered as part of adjacent or bordering properties. Accordingly, they have different property rights than public streets and their use, sharing and control are specified under the cul-de-sac property rights in Islamic urban forms¹⁷¹.

The height of public streets should not prevent the easy passage of pedestrians, and should allow for the passage of a person riding a fully-laden camel or a riding box for women. Therefore, “the optimum height for enclosed parts of the streets should be more than 3 metres”¹⁷². This condition affected the formation of projections, Fina spaces and Sabats (*Kabalti*) within the built environment.

Harm and obstruction were the key issues dictating the rules of public rights-of-way. If any physical intervention harmed or obstructed people who are passing through a public street, it would certainly be demolished. For example, extending buildings into a public street was forbidden.

Additionally, planting trees and feeding animals in a public right-of-way was not allowed. A Hakim stressed that “if a property owner has a mature tree within his premises and its branches extend over the public right-of-way and harm people passing under it, then that portion of the tree has to be trimmed by the owner”¹⁷³.

Especially in the *souq* areas, slaying an animal in front of a butcher’s shop and polluting street with blood was also not allowed according to the rules of public right-of-way. Additionally, any activities causing a narrowing of the streets, such as storage of wood, food and other loads,

¹⁷¹ This situation will be investigating in the case study phase of the research, as there is a of information in the archives. As such, the subject will be defined and detailed from the title deeds records of the case study.

¹⁷² Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.34.

¹⁷³ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.34.

was not permitted. Finally, the disposal of garbage on a public street and the discharging of water from the walls directly onto the streets was not allowed, as this would result in splashing, thus inconveniencing passers-by.

Cul-de-sacs were owned by adjacent or bordering property owners, and their use was essentially based on agreements between the owners of the cul-de-sacs and other individuals. The right of use of a cul-de-sac was limited to the area around the main entrance to the properties and the beginning of the cul-de-sacs. Therefore, property owners were liable according to their usage area within the cul-de-sac. However, the *Majallah* School of law gave passers-by on the main roads the right to enter private cul-de-sacs in cases of crowding¹⁷⁴. The owners of cul-de-sacs did not have the right to sell them, even if they agreed to do so among themselves; nor could they divide it. Traditionally, all of the above rights were possible, since the cul-de-sac was owned and controlled by its residents.

2.2.4. The Fructus: Building Materials and Architectural Elements

Small and invaluable objects that exist within the urban form could be taken if neglected by the owner for a long time. An example of such objects would be building materials, which could be picked up, since the person who picks them up may derive benefit from them. This principle does not apply in such cases as when objects fall from a building without the owner's knowledge. However, the rights of interventions and the prevention of damage to architectural elements are an important matter, focusing on the rights of ownership and usage of the walls between neighbours and the architectural elements. (Figure 2.9)

¹⁷⁴ Al-Majallah al-Ahkam al-'Adaliyyah An 'Uthmani Hanafi Shari'ah-Court Text, 26 Sha'baan, 1293 AH, Article 142.



Figure 2.9. The usage of walls between neighbours (Source: Hakim, B., 1986).

The property rights to ownership and the use of neighbouring walls derived from the following four aspects:

Aspect 1: A party wall between two neighbouring properties, with each owner claiming possession

Aspect 2: A wall that is owned by one neighbour and provides privacy for the other.

Aspect 3: A wall that is jointly owned by two neighbours

Aspect 4: Other aspects of the rights and usage of jointly owned walls

All of these aspects have sub-groups as well as sub-conditions and each may result in different solutions according to the specific case. The aspects and their sub-groups and sub-conditions can be listed as follows:

- **Aspect 1** is divided into four sub-groups which are referred to as Wall1, Wall2, Wall3, and Wall4 in the following table. Wall 1 is classified as an attached building or part of a building with no architectural elements. Wall 2 is defined by architectural elements, but has no building attached to it. Wall 3 has both attached buildings and architectural elements, and Wall 4 has neither of them.

Table 2.2. The sub-groups of walls between two neighbours

GROUPS	ATTACHED TO BULDINGS	WITH ARCHITECTURAL ELEMENTS
WALL1	■	
WALL2		■
WALL3	■	■
WALL4		

Ownership of Wall 1 was deemed to belong to the house to which it was attached. If the upper level of the wall was not attached to any building other than that of the owner of the lower portion, that owner owned the whole wall.

In the case of the second group, ownership was identified from the architectural elements of the common wall, however there was no common principle applied by the different Schools of law¹⁷⁵. Within the Maliki School, ownership was classified according to the wall elements and their relation to the ownership of the wall. The Hanafi School utilized only the door and wooden beams as elements for ownership classification¹⁷⁶. Finally, the Shafi School prescribed joint ownership for this kind of wall¹⁷⁷.

¹⁷⁵ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

¹⁷⁶ Al-Majallah al-Ahkam al-'Adaliyyah An 'Uthmani Hanafi Shari'ah-Court Text, 26 Sha'baan, 1293 AH.

¹⁷⁷ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

There were different ways of establishing the ownership of common walls according to the architectural elements of the wall. For example, if a common wall contained a door and is claimed by both neighbours, then the wall was identified as being owned by the person who controlled the door, usually the side onto which the door opened¹⁷⁸. On the other hand, when there were two doors, each swinging in an opposite direction, that is, when each door was controlled by a different user, then the wall was deemed to be jointly owned.

Another ownership status emerged for common walls related to the existence of a built-in recess in a wall, provided it was part of the original wall and not created after. This recess, or *Taqa*, which was primarily used as a cupboard, governed the ownership of the wall. If there was one on each side of the wall, then the wall was considered to be jointly owned. However, if there was only one recess on one side and no other element on the other side, then the wall was considered to be owned by the side with the recess¹⁷⁹.

Structural elements were also considered when establishing the ownership status of a common wall. For example, if the wall in question had beams on one side, then the side with the beams determined ownership. The beams could be used for identification only if they were built as part of the wall, and not inserted at a later date through holes created for that purpose¹⁸⁰. However, when both a door and wooden beam are simultaneously used by either side to claim ownership, the architectural elements took precedence. For example, should a wall between two neighbours have a door belonging to one side and wooden beams on the other, then the wall was deemed to be the property of the side with the door, while the other was to be allowed to use it for his beams. In the event of the collapse of such a wall, the owner (the person who controls the door) would be obliged to rebuild it, and if the beams were part of the original wall, that is, if they were added during initial construction, then the neighbour would be allowed to reinstate his

¹⁷⁸ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

¹⁷⁹ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.40

¹⁸⁰ Hakim, B., S., 1988. *Ibid.*

beams in the rebuilt wall. However, if the beams were determined to have been inserted into the original wall after construction, then the neighbour cannot claim its re-use for his beams. He could, however, make use of the wall if he contributed to its rebuilding¹⁸¹.

When one neighbour used a wall for load bearing or spanning, and there was no other element for ownership identification, then he was deemed to be the owner of the wall. However, if both neighbours used the wall for spanning purposes, and assuming that they have an equal or near equal number of beams, then they were considered joint owners of the wall.

The third wall group comprised walls with both architectural elements and attached buildings. In this case, if one of the neighbours had an attached building and architectural elements on the common wall, then he could claim ownership of the wall. If each neighbour had the same aspects, then joint ownership was established. However, in the case of one of the neighbours having an attached building and the other having an architectural element in the common wall, three sub-conditions were set up in order to clarify the situation:¹⁸²

When one neighbor has attached building and the other has a wall recess or a door controlled by his side, then the wall is deemed jointly owned; When one neighbor has the bond and the other has wooden beams resting on the wall, then the neighbor with the bound is deemed owner, and the others has the right to locate beams and to replace a broken beam if necessary; When one neighbor owns an attached building at ground level and the wall continues to the second level acting as a party wall between the rooms on the upper storey, then the bond determines ownership of the upper portion of the wall as well. It is owned by the neighbor who owns an attached building. However, if there is no attached building at the

¹⁸¹ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.40

¹⁸² Hakim, B., S., 1988. *Ibid.*

upper level, then the wall belongs to the owner of its lower portion¹⁸³.

Walls in the Wall4 category are mostly jointly owned. Joint ownership was established by asking each neighbour to make an oath to its ownership. If both neighbours jointly made an oath or jointly abstained from the oath, then it was deemed to be jointly owned. However, if one neighbour made an oath and the others abstained, then the wall was deemed to be owned by the former¹⁸⁴.

- **Aspect 2:** There were three conditions in the second aspect that

focused on a wall that is owned by one neighbour, but which provided privacy for another. The first condition relates to a wall that was in good structural condition, but the owner wanted to take it down. This would be allowed under the following circumstances: the intention of the owner in wanting to take the wall down was neither to inflict harm nor to bring benefit to himself; the owner would not be allowed to take the wall down if his intent was to inflict harm.¹⁸⁵ If he had already taken it down, and it could be proven that he did it to inflict harm, and then would be ordered to rebuild it. In the case where the owner of the wall had taken it down for his own benefit, would he be obliged to rebuild it? This situation can be addressed by way of one of four approaches:

“If he took it down for good reason and had intended to rebuild it, but certain circumstances prevented him from doing so, or if he then felt that he did not need to, then he would not be forced to rebuild it, and the neighbour would have to provide for his own privacy if he so desired; He would be forced to rebuild, it even if he had limited means. The reason given for this is that the neighbour may have assumed the wall was permanent when he first built his house adjacent to it; He would be forced to rebuild it, but would not be rushed to do so, while the neighbour could use a temporary screen to protect his

¹⁸³ Hakim, B., S., 1988. Ibid.

¹⁸⁴ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

¹⁸⁵ Kamali, H.M. 1991. Ibid.

privacy. However, if the neighbour found it difficult to create a temporary and effective privacy screen, then the owner would be forced to rebuild the wall as soon as possible, regardless of his wishes; If the owner of the wall could afford to rebuild it, then he would have been forced to do so. However, he would not be forced to do so if he was of limited means. The latter solution was the one most often adopted”¹⁸⁶.

The second condition applies if the wall was dilapidated, and the owner feared its collapse and wanted to take it down. The Maliki School “agrees that the owner should take such a wall down; if he refuses, thereby endangering his neighbour, then he is forced to demolish it regardless of his means”¹⁸⁷.

Most often, the owner would not be forced to rebuild it, and resembles the first approach condition. That is, if he took it down as a protective measure and had intended to rebuild it, but for certain reasons felt he could not or did not need to anymore, then would not be forced to rebuild it.

This condition could be advantageous to the neighbour, for example, if a wall between two neighbours is dilapidated and in danger of collapse, the neighbour who does not own it may ask or be asked to take it down and rebuild it.

The third condition relates to dilapidation due to an act of God,¹⁸⁸ for which three approaches were established:

“The owner is not obligated to rebuilt it, and either neighbour could build a privacy screen if he so desired; The owner is forced to rebuild the collapsed wall; the owner is not forced to rebuild and the other neighbour is

¹⁸⁶ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London.

¹⁸⁷ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.45

¹⁸⁸ Al-Majallah al-Ahkam al-‘Adaliyyah An ‘Uthmani Hanafi Shari’ah-Court Text, 26 Sha’baan, 1293 AH.

told to create a screen for his privacy. However, the owner is obligated to rebuild the wall if the circumstances of the neighbour do not allow him to protect his privacy”¹⁸⁹.

- **Aspect 3:** This is related to third parties who neither owned nor

shared a common wall between two neighbours. This raises the question of in the case of a wall being owned jointly by two neighbours, can one use the wall without the permission of the other?

Two conditions were identified for this third aspect. The first would be applied if one of the neighbours wanted to benefit from the full width of the wall without his neighbour’s permission. This would not be allowed, and if the neighbour actually built on the wall without the permission of his neighbour, then he must demolish his construction, regardless of its size and magnitude¹⁹⁰.

The second would apply in the case of a neighbour taking half of the wall to build on, leaving the other half to his neighbour. There were two approaches in the case of this condition:

Neither of the two partners who own a wall jointly can use it to build on or insert beams or any such use without the consent of the other partner. If one of the partners wanted to use the wall for spanning or building on and such action would not preclude the other partner from utilizing the wall in a similar fashion; but if the wall was too weak for the proposed use and he wanted to demolish it and build a stronger wall instead, is he allowed? He is, and his partner will continue to have the same right as before¹⁹¹.

- **Aspect 4:** There are three cases that were classified as other

aspects relating to the rights and usage of a jointly owned wall. The first

¹⁸⁹ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.45

¹⁹⁰ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

¹⁹¹ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.42.

case related to a jointly owned load-bearing wall with wooden beams inserted into it at two levels. In this case, if one neighbour had a higher ceiling level than the other, and the neighbour with the lower ceiling level wanted to raise his wooden beams to the same level as his neighbours, he could do so, and the joint owner could not prevent him from doing so.

The second case related to the collapse of jointly owned walls, and who would be responsible for rebuilding the collapsed wall. As Hakim¹⁹² stressed, “the solution to this solution depends on the nature of the wall before its collapse”. “The solution to this problem depends on the nature of the wall before its collapse”. The criteria to be determined were as follows: If the wall was load-bearing, then the Maliki School concurred that both neighbours must collaborate to rebuild it.¹⁹³ If the wall was not load-bearing and no element was resting on it, then there are three approaches to be followed: “Both co-owners must collaborate to rebuild the wall; Neither of the two co-owners is forced to do anything; Each co-owner is forced to rebuild it with his partner. However, if one of them cannot afford his share, then he is obligated to raise the money even if he must sell part of his house to do so”¹⁹⁴.

The third case, related again to the collapse of a jointly owned wall, is applied when one of the joint owners rebuilds it and prohibits the other owner from utilizing the wall until he pays his half of the cost of rebuilding. According to Hakim:¹⁹⁵ “Malik said that the partner who did not collaborate in rebuilding the wall should be told that he cannot utilize the rebuilt wall unless under one of the following conditions: either the wall is demolished and he rebuilds it with his partner, or he pays him half the cost of the wall in its demolished state”.

- ***Drainage of rain and waste water***

Rainwater was regarded as a gift from God to be utilized and shared,

¹⁹² Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.44.

¹⁹³ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

¹⁹⁴ Hakim, B., S., 1988. *Ibid*.

¹⁹⁵ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.45.

whereas waste water was viewed as an unavoidable harmful substance to be dealt with accordingly. The drainage of rainwater is divided into two main aspects in the urban form: one being the drainage of rainwater between neighbouring houses; and the other related to problems and usage arising from rainwater in cul-de-sacs and streets.

There were five conditions to the principles of rainwater flow between houses:

“The case of rainwater flowing from the roof of one neighbour to another; The case of the rainwater being contested between two neighbours with different roof levels; The case of rainwater spouts directed onto a neighbour’s property; The case of increases in the height of a rainwater spout directed onto a neighbour’s property; The case of a neighbour who wanted to create a room adjacent to a party wall and discharge the rainwater from its roof onto the neighbour’s property”¹⁹⁶

In the first case, the general attitude towards the flow or overspill of rainwater from one neighbour’s roof to another’s is that it is to be considered harmful. However, in this case “the person with the higher roof wanted to divert rainwater from a neighbour’s lower roof. The neighbour protested, claiming that he used it for his cistern and that the benefits of the rain flow on his roof exceeded its harm. In this instance the neighbour with the higher roof was prevented from diverting the flow of rainwater”¹⁹⁷.

The second case relates to the condition in the case of two adjacent houses, one with a section that is at a higher level than the other, when the rainwater from the higher portion flows onto the roof of the other property and is then collected in a cistern. As Hakim stressed, “the following approach ascertained the principles of early usage”¹⁹⁸. If the

¹⁹⁶ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York.
Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London.

¹⁹⁷ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.45.

¹⁹⁸ Hakim, B., S., 1988. *Ibid.*

situation could be determined as “old” (*Qadim*), then it is ordered to be maintained as it is. However, if it is determined that the flow to the lower property was “recent” (*Hadith*), and then the owner of the higher roof would be allowed to re-divert the rainwater onto his property.

In the third case, if the condition of rainwater spouts pouring from one property onto another had existed for a long time, then the owner of the property receiving the rainwater would not be allowed to change the pattern or direction of flow without the consent of the owner of the house from which the rainwater originated. Any method devised by the receiver of the rainwater must be designed so as not to harm the other.

The fourth case related to a man who wanted to build on his roof from where the rainwater originated, and to reconstruct the spout in the same direction from the new roof. The neighbour protested, against the proposed new location for the spout, and was supported by the Kadi¹⁹⁹. The principle used was that the level of harm would increase due to the increased splashing and related nuisances. The solution to the problem was “to discharge the water in such a way that it does not create harm, or at least not increase the level of harm previously accepted by the neighbour”²⁰⁰.

The fifth case is an example of when a neighbour who wanted to create a room adjacent to the party wall and discharge the rainwater from its roof onto his neighbour’s property. There were two conditions that applied in this case: The intervention would be disallowed if the neighbour could establish that it will create harm; while it would be allowed if the person who desired to create the spout obtained his neighbour’s permission, even if he could provide evidence that no possible harm would come from it.

2.2.5. The Users: Owners and Tenants

The principles of the use of the urban form and rights and responsibilities between owners and tenants reflected the specific

¹⁹⁹ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

²⁰⁰ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London, p.45.

dialectic links within the experience of the urban form, and can be studied at two scales: the single dwelling scale, and the neighbourhood scale.

At the dwelling scale, the tenants were evidently responsible for what makes a property usable and functional. They are responsible for maintaining the walls, doors and other architectural elements; and also for the functionality of the well and its safe use by the household. In a case in which “a cat fell into a well in a leased dwelling in Cordoba ... the tenant has to remove the cat from the well and has to clean it, making it ready for use”²⁰¹.

Tenants are also responsible for the privacy of the dwelling, and no interventions would be allowed that affected to the privacy of the dwelling. In such a case, the tenant would have to remove the unwanted interventions and retain the dwelling privacy, or face losing his tenancy²⁰².

A number of rights and responsibilities were also established for property owners. The owner must rebuild a wall if it collapses, exchange a wooden beam if it breaks, fix doors and ensure a constant water supply, since such repairs keep the property usable.

In cases of dispute, the concept of usability was a decisive factor. For example, “If a wall is threatening to collapse in a rented house, or if the water in its well is depleted, then the tenant has the right to terminate the lease”²⁰³.

The concept of usability in the resolution of disputes deals implicitly with the different levels of the physical form. The owner is responsible for providing functional walls, roofs, columns, beams, stairs, etc. This practice of referring to the physical elements as “a decisive tool in cases of dispute provides freedom to both parties, and most importantly

²⁰¹ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 36.

²⁰² Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

²⁰³ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London.

clarifies their limits”²⁰⁴.

The physical condition of the building overruled the stipulations of the owner. If the owner stipulated at the outset of the lease that the tenant should reside alone, then in cases of dispute such a stipulation would not be considered, so long as no damage had been caused to the building.

At the same time, contract stipulations by the tenant overruled the physical condition of the building elements. Therefore, the tenant “may change the function of a leased shop to a bleacher or blacksmith, even if such change would damage some physical elements, as long as it is stipulated in the contract”²⁰⁵.

At a neighbourhood scale there are different rights and responsibilities that apply within the urban form. For example, “if a person builds a building on a land owned by others while the owners witnessed but did not react, then the owner must compensate the builder in cases of dispute”.²⁰⁶ If, on the other hand, the land owner objected, then the builder must demolish what he has built and has the right to take away what he has built.

Regarding controllability as a determining principle of ownership, jurists debated the issue of selling a space on one’s roof as a piece of land. Some schools of law considered the selling of heights-right as a selling of the air above a territory, which is not controllable and therefore illegal.²⁰⁷ Other schools of law considered it as an ownership and rule matter, that an owner could sell the space on top of his house, as long as an agreement could be reached between the concerned parties. Additionally, “All schools of law agree that an owner can sell the upper floor(s) or any part of his building – such as cantilevered parts – as long as it is built, since anything built is well defined and controllable.”²⁰⁸

A different example exists at the neighbourhood scale of ownership

²⁰⁴ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 36

²⁰⁵ Akbar, J., 1988. *Ibid*, p. 36

²⁰⁶ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 31.

²⁰⁷ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

²⁰⁸ Akbar, J. *Ibid*, 1988., p. 27.

rights related to the condition of when two houses exist, one inside the other, in which the internal house residents have the right to pass through the external one to reach the street.²⁰⁹ Additionally, if the owners of the external house decided to relocate the door, and the owners of the internal house objected, as long as the relocation did not harm the internal owners, it could be done. If the relocation was radical, such as shifting the door to the other side of the house, then that could be prevented if the internal owners raised an objection. These cases indicate that “regardless of any change in the external property, the *servitude right* may not be hindered. Hence dominance is greatly minimized, if not eliminated, bringing stability to the internal property”.²¹⁰

According to ownership rights in Islamic urban form, a property owner or tenant would be able to have right to discharge rainwater through the neighbours roof; or the residents of a property would have the right to pass through their neighbour's house; or residents would be able to have the right to discharge their waste water through the neighbours courtyard. In other words, sometimes, parts of properties had to be shared by neighbours. Three mechanisms determine the user's rights in these overlapping domains:

“The first is subdivision, in which a property is subdivided and part of the subdivision is provided with an access through the other one; The second mechanism is incremental growth, in which a property owner precedes others in establishing a path, and then the other property owners should respect that path; The third is related to conventional transactions. An owner may sell the right of passage through his property to his neighbours”²¹¹.

Right of way is defined as “an exclusive benefit of an immovable (or property) over another (adjacent) immovable in which the two immovables are owned by different individuals, while the benefit belongs

²⁰⁹ The examples of this situation will be investigating in the case-study phase of the research.

²¹⁰ Akbar, J., 1988. Ibid, p.34.

²¹¹ Hakim, B., S., 1988. *Arabic-Islamic Cities: Building and Planning Principles*, Kegan Paul International, London

to the first immovable even if its owner changes, unless it was relinquished through conventional transaction”.²¹² It is also defined as “the right of passing over real property held in absolute ownership belonging to another”.²¹³

The basic principle applied in the urban form is that “the owner of a thing held in absolute ownership is also the owner of the things indispensable to the enjoyment of such a thing”.²¹⁴

2.3. Modern Property Rights under the Influence of Ottoman Codes: Tradition and Westernization

Over 600 years of Ottoman land administration developed highly sophisticated property regimes, and affected the traditional Islamic ownership norms that were applied widely across the Middle East, North Africa and Eastern Europe, to some extent. This system was based on Islamic traditions, religious aspects and local principles, which have been explained earlier in the chapter.

Major changes came about under the Ottoman Empire, which encompassed many Islamic countries, the most significant being the *Miri* system of the Ottoman Empire. In Islamic land tenure, the State’s role was to control the property that ultimately belongs to God for the benefit of the community. Therefore, in Islamic countries, God was the owner of the earth, and the State controlled such property efficiently and fairly in accordance with God’s laws and the ethical and moral principles of society.

Nevertheless, in the Ottoman Empire, the State, or in other words, the Sultan, was the sole owner of the land, and property was distributed to feudal tenants (*Sipahi*) as a *tmâr* land at the bidding of the Sultan, making the system philosophically and practically very different to the pre-modern Islamic property regime.

²¹² Akbar, J., 1988. Crisis in the Built Environment The Case of the Muslim City, New York, p. 34.

²¹³ Al-Majallah al-Ahkam al-‘Adaliyyah An ‘Uthmani Hanafi Shari’ah-Court Text, 26 Sha’baan, 1293 AH, Article 142.

²¹⁴ Al-Majallah al-Ahkam al-‘Adaliyyah An ‘Uthmani Hanafi Shari’ah-Court Text, 26 Sha’baan, 1293 AH, Article 49.

The *timar* system was a prominent feature of the Ottoman land system. In return for military service, *sipahi* were granted *timar*, which is defined as a grant for an income derived from agricultural taxation, generally for the support of members of the provincial military, and were revocable grants given by the Sultan. The *timar* system was the backbone of the administrative and military organisation of the Ottoman Empire, based on a territorial unit called a *sanjak*. A *sanjak* was composed of one or more villages in which the holders of *timar* lived. Lands held by feudal tenants were cultivated by peasants, with the feudal tenants or delegated authority over the peasants reporting to a *sanjak bey*, being the administrator and chief military officer of a *sanjak*. A group of *sanjaks* was known as a *beylerbeyliği*, and was controlled by a *beylerbeyi* who reported to the Sultan²¹⁵.

The relationship between the *timar* holder and the authority was based on *tahrirs* (cadastral surveys). Each conquered region was surveyed, and all sources of revenue for each *sanjak* were listed. From these cadastral surveys other documents were established which spelled out the obligations of the *timar* holders and their responsibilities²¹⁶. That is to say, “the Sultan or the state owned the property, while the peasants had the hereditary usufructuary rights on the land. Between the peasant and the sultan were many administrative mediators, such as *timariots*, *sanjakbeys*, and *beylerbeyi*”²¹⁷.

This system was built upon the power of the Empire and the Sultan, with *centralization* being the key aspect in the Ottoman ownership system.²¹⁸ The relationship between the State and the users of *miri* land came to be increasingly regulated.

The *timar* system changed slightly when the Ottoman Empire was unable to collect taxes from the far eastern Sanjacks at the end of 16th century, evolving into the *iltizam* system. In this case, *iltizam* owners –

²¹⁵ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York.

²¹⁶ Ziadeh, F. J., 1979. *Property Law in the Arab World: Real Rights in Egypt, Iraq, Jordan, Lebanon, Libya, Syria, Saudi Arabia, and the Gulf States*, Graham & Trotman, London.

²¹⁷ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 50.

²¹⁸ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

Multezims – were responsible for paying the taxes in advance to the Empire, and thus became tax collectors over their authorized lands.

However, the *timar* system was a broken part of the *miri* land ownership regulations, since the power of the central authority declined, and with rise of the *iltizam* system, *local feudal tenants* would transform into *feudal proprietors* of the lands, from here on referred to as *local feudal lords* of the Ottoman Empire.

An attempt to solve this problem involved making a deal between the Sultan and the *local feudal lords*, under which the state offered private property rights to the *local feudal lords* with a *deed of agreement* (*sened-i ittifak*), which emerged in 1808. This was an important development for the advent of private property within the Ottoman ownership system; however it had a detrimental effect on the development of society, since the *local feudal lords* gained more power, while the peasants became weaker. This situation resulted in a crisis within the *sanjaks* between the inhabitants; the peasants, who had no rights to private property; and the *local feudal lords*.

2.3.1. The Land Ownership after the Tanzimat Period

A new era began with the *Tanzimat Period* (1839-1876) which institutionalisation efforts were undertaken in Ottoman Empire, paralelly land reforms were introduced with the Ottoman Land Codes of 1858, aimed at “converting customary or tradition rules into a legal framework”.²¹⁹ In 1858 three broad levels of land ownership emerged in the Ottoman Empire: land under full ownership (*mülk*); state-owned land (*miri*); and *waqf* (pious foundation) or endowed lands.²²⁰ The first level referred to private property owned by the inhabitants of towns and villages; the second group covered the State property, which was possessed and appropriated by the peasants; and *waqfs* included religious uses and lands used for the needs of these institutions.²²¹

²¹⁹ Günay, B., 1999. *Property Relations and Urban Space*, METU Faculty of Architecture Press, Ankara, p.235.

²²⁰ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

²²¹ Günay, B., 1999. *Property Relations and Urban Space*, METU Faculty of Architecture Press, Ankara, p.235.

These categories are closely linked to the classical Islamic division between Muslim owned lands on which a *tithe* is paid (*öşür*), and land under State control upon which a tax is paid (*haraç*) by those in possession.²²²

Other classifications existed, such as unused State lands liable to be confiscated (*mehlu*), and unused or dead land (*mawat*) that may be converted into private land through reclamation, as well as common land (*metruk*). *Metruk* land was commonly assigned to the villages and towns, while dead land was land with no owner.²²³ In practice, communal lands and other forms of collective ownership that were based on customs were also recognised.

Mülk refers to property of any kind, meaning anything that is able to be owned. *Mülk* land existed generally inside or close to towns, and could be land with buildings on it, commercial premises or agricultural lands and gardens. *Mülk* land has sometimes been translated as subject to full private ownership, or in Western terminology, freehold.²²⁴ In the Ottoman system the term *mülk* when referring to land signifies more than merely an individual's property, as it is also their permanent temporal place.

However, in the Islamic ownership system, *mülk* is protected by individual property rights. It is subject to an "overall social responsibility, and the extensive rights in *mülk* land can be acquired through sale or inheritance through the Islamic law of succession".²²⁵ The private property rights relating to *mülk* land are similar to freehold rights in the Western legal system; however unlike freehold, there is a barrier to the free disposal of *mülk* land, being *precedent right*. As seen in pre-modern Islamic property rights, this system is sustained,

²²² Forni, N., 2005. *Land Tenure Policies in the Middle East*, Rome: FAO.

Forni, N., 2001. "Land Tenure Systems: Structural Features and Policies", *FAO Technical Report GCP/SYR/006/ITA*, Rome, FAO.

²²³ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

²²⁴ In most of the Western ownership systems, for example in the United Kingdom, freehold land is referred to as land that the Crown has granted to an individual. The freeholding individuals come under minimum restriction from the Crown. Therefore, the freehold land is no longer called the Crown's land, and the Crown cannot apply conditions to the use of the land.

²²⁵ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

meaning a co-inheritor or neighbour may use a privileged option to purchase land when it comes up for sale. As Ziadeh stressed, “The main logic behind this ownership system can be defined as being to keep foreigners outside the local communities, and limiting certain kinds of economic development”.²²⁶

Miri land is defined as property owned by the State over which the users have the right of usufruct. The user controls the land under the State’s regulation. For example, under the Ottoman Land Codes of 1858, the owner of the right of usufruct was not authorized, except with the State’s permission, to use the soil of the land to make bricks, plant trees, and erect buildings, use part of the land as a burial place, or bequeath, transfer or mortgage it.²²⁷ Furthermore, the State started to use the rights and responsibilities of specifications in establishing *miri* land in a bid to increase its lands, and created new regulations to that end. Under the Ottoman Land Codes, for example, properties owned by individuals who died with no heirs reverted to State ownership.

Additionally, lands that had been conquered by Muslims and abandoned by their original inhabitants that later were occupied by non-Muslims were deemed the property of the State. Properties of which the ownership was unknown would also belong to the State. Additionally, all *miri* properties could be rented by the Sultan to individuals, but the tenants could not sublet the property to others without the Sultan’s permission²²⁸.

These regulations changed in 1867 with a law that granted the right of inheritance to *miri* land, followed by a series of regulations controlling the succession of *miri* lands.²²⁹ In 1911, the State allowed the owner of usufruct to erect buildings, plant trees and use the soil to make bricks, it being in the State’s interest to “increase revenues, [and thus] the state affirmed its ownership of *miri* lands and replaced old regulations which

²²⁶ Ziadeh, F. J., 1979. *Property Law in the Arab World: Real Rights in Egypt, Iraq, Jordan, Lebanon, Libya, Syria, Saudi Arabia, and the Gulf States*, Graham & Trotman, London.

²²⁷ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 50.

²²⁸ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi.

²²⁹ Sait, S., 2010. *Ibid.*

did not work”.²³⁰

Accordingly, the description of State land became slightly different in Islamic cities in the Ottoman Period. Under traditional Islamic property rights, *miri* land most commonly referred to plain lands; while in the Ottoman period, the State was accepted as a representative of God, and thus held the land in trust for the Muslim community. Additionally, State lands were referred to as “covering a complex set of different kinds of land holding and conditions of tenure”.²³¹ For example, land could be converted by the State into property for general public use, for such purposes as roads, or into property for use by a particular community, such as for marketplaces or cemeteries.²³²

In the Ottoman Empire, another type of ownership was assigned to the left-over lands, known as *Metrūk* lands. This was defined as land “which is owned by the State, so no one can own it or possess it”.²³³ *Metrūk* is divided into two types: lands in cities that are left for the use of the public, including roads, markets and squares; and lands, such as pasture lands, that are assigned to the inhabitants of a village or group of villages for collective use.²³⁴ These lands could not be sold or manipulated by the inhabitants, meaning that it was forbidden to build on *Metrūk* land, thus preventing any kind of beneficiary agricultural facilities. State lands were controlled for the public benefit, meaning that roads, squares, *Metrūk* lands and plain lands were considered to be for the collective use of the inhabitants²³⁵.

Mawat lands are empty or dead lands that are unused or uncultivated that can be converted into private land through reclamation. *Mawat* land was important in the Ottoman world, where the State was concerned with ensuring that land produced a regular supply of food. It was defined as undeveloped land at a distance from towns or villages

²³⁰ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p.48-49.

²³¹ Ziadeh, F. J., 1979. *Property Law in the Arab World: Real Rights in Egypt, Iraq, Jordan, Lebanon, Libya, Syria, Saudi Arabia, and the Gulf States*, Graham & Trotman, London.

²³² Sait, S., 2010. *Ibid*.

²³³ Akbar, J., 1988. *Ibid*, p. 49.

²³⁴ Sait, S., 2010. *Ibid*.

²³⁵ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York.

that, in accordance with Islamic legal theory, could come into leaf through cultivation or irrigation.²³⁶ Any occupier who reported effective use of such land could be granted rightful possession by the State.

Ottoman land strategies ranged from following traditional Islamic property principles to acceptance of customary practices. As Sait stressed: “This is well evidenced by Ottoman approaches to empty or *mawat* land, which exhibited both creativity and flexibility. In contrast to the modern situation in many Muslim countries, the Ottoman state was not concerned with any ‘shortage of land’; rather, it was keen to encourage the cultivation and use of land to ensure the continuance of subsistence farming and a regular supply of provisions to urban dwellers”.²³⁷

To summarize the changes in the ownership system under the Ottoman Empire, the basic objective of the Ottoman land ownership system was related to centralization and regulation. *Miri* lands, for example, became more regulated; and streets, squares and pasture lands became more centralized. The amount of property belonging to the authority was increased, and the level of control of individuals over the built environment was consequently reduced.

It is important to distinguish between the different land categories, but from the perspective of the individual granted usufruct rights on State land, the practical differences between those rights and those with respect to *mülk* land under full ownership were fairly narrow. One key difference was that traditionally, State land (*miri*) lay outside the compulsory succession rules of Islamic law.

Additionally, the influence of Ottoman Land Tenure throughout the Middle East can be understood from the following. The regulation of property in most Middle Eastern countries was influenced by the Ottoman administration, as those countries, excluding Egypt, were under the rule of the Ottoman Empire until the end of World War I. Property law in the Ottoman Empire was based on the Hanafi School of

²³⁶ Kamali, H.M. 1991. *Principles of Islamic Jurisprudence*, Cambridge: Cambridge Texts Society.

²³⁷ Sait, S., 2010. *Land, property and housing rights in the Muslim world*, United Nations Human Settlements Programme (UN-HABITAT), UNON Publishing Services, Nairobi, p.92.

law, which was codified in 1869 and published under the title of Majallah.²³⁸

Although the Majallah is based on Shari'ah law, "it defines and organises information in a format which eliminates the need for interpretation and dialogue among concerned parties".²³⁹ For example, an Article reads: "The harim (the protected area which may not be revived by others) of the tree that was planted (by the reviver) through the Sultan's permission on a dead land is five cubits from each side; and no one other than him (the reviver) is allowed to plant any tree within such distance".²⁴⁰ This article not only stipulates the necessity of gaining permission to plant a tree in dead land, but also eliminates dialogue between parties by establishing a five cubit limit, as the distance from the tree from all sides, regardless of its size. The Majallah, by increasing the authority's responsibility was, in effect, a first step towards centralization.²⁴¹

Akbar stated that: "Until World War I, Lebanon, Syria, Jordan and Iraq followed the Ottoman land codes and Majallah. While the Ottoman system was, compared to the traditional system, already quite centralized, it becomes even more so when those regulations were replaced or modified by a set of others influenced by the West".²⁴² In 1926, Lebanon and Syria, under the French Mandatory Government, introduced a system of land survey and title registration; and in 1930 the French commissioner established the Property Law, abolishing all Ottoman land codes, excluding the property rights, which were based on the traditional Islamic ownership system.²⁴³

²³⁸ Ziadeh, F. J., 1979. *Property Law in the Arab World: Real Rights in Egypt, Iraq, Jordan, Lebanon, Libya, Syria, Saudi Arabia, and the Gulf States*, Graham & Trotman, London.

²³⁹ Akbar, J., 1988. *Crisis in the Built Environment The Case of the Muslim City*, New York, p. 50.

²⁴⁰ Al-Majallah al-Ahkam al-'Adaliyyah An 'Uthmani Hanafi Shari'ah-Court Text, 26 Sha'baan, 1293 AH, Article 60.

²⁴¹ Akbar, J., 1988. *Ibid.*

²⁴² Akbar, J., 1988. *Ibid.*p.50.

²⁴³ "The French Cadastre derives from the Napoleonic Cadastre and applies to all urban and rural properties (built or not). The literal information is strictly linked to the geographical one. A plot is defined as an entity linked to an owner and to a fiscal division, following the Napoleonic concept. Basically, the cadastre has a fiscal function evolving to an informative function and having, additionally, a certain probative function. The "Conservation des Hypothèques" Bureau

2.3.2. Building Regulations under the Tanzimat Reforms

In parallel to the industrial developments in Europe, the larger harbour cities of the Ottoman Empire, especially İzmir and İstanbul, were able to develop close trade relations with European merchants²⁴⁴. This injected new socio-economic and demographic aspects into the cities, which as a consequence experienced significant changes/transformations to their traditional urban structures²⁴⁵. At that time, the Ottoman Empire launched a political restructuring of its state institutions as the *Tanzimat Reforms* (1839-1876) under the influence of Western models²⁴⁶.

The reforms saw the creation of new institutions in İstanbul to deal with public affairs, bringing about a significant change in the management of the city, in which the traditional *Kadı* system was abandoned, to be replaced by institutionalized municipalities. Accordingly, a number of new legislations were enacted, such as the Building Regulations (1848 and 1849), the Road and Building Regulations (1864) and the Building Act (1883), with the intention being to set out new directives and parameters not only for new development areas, but also for the traditional urban forms of Ottoman cities. These regulations dealt primarily with the construction of buildings and roads, and were mostly applied in İstanbul since the city was facing rapid development and change, both in its urban structure and in its socio-economic conditions.²⁴⁷

The aim of first Building Regulations (1848) was to set out modern provisions for new development areas and to organize the road networks of the larger cities ²⁴⁸. Certain parameters were defined in the

keeps and manages the Land Register (Supplimentary document on French Land Administration).

²⁴⁴ Ortaylı, İ., 2000. *Tanzimat Devrinde Osmanlı Mahalli İdareleri (1840-1880)*, Türk Tarih Kurumu, Ankara.

²⁴⁵ Seyitdanloğlu, M., 2010. *Tanzimat Döneminde Modern Belediyeciliğin Doğuşu*, Türkiye İş Bankası Kültür Yayınları, İstanbul.

²⁴⁶ Şahin Güçhan, N., Kurul, E., "A History of the Development of Conservation Measures in Turkey: From the Mid 19th Century Until 2004", *METU Journal of the Faculty of Architecture*, Vol. 26. No:2, Ankara, pp. 19-44.

²⁴⁷ Denel, S. 1982. *Batılılaşma Sürecinde İstanbul'da Tasarım ve Dış Mekanlarda Değişim ve Nedenleri*, ODTÜ Mimarlık Fakültesi Ara-Yayınları, Ankara.

²⁴⁸ Madran, E., 2002. *Tanzimat'tan Cumhuriyet'e Kültür Varlıklarının Korunmasına İlişkin Tutumlar ve Düzenlemeler: 1800-1950*, ODTÜ Mimarlık Fakültesi Basım İşliği, Ankara, p. 17.

regulation, covering new residential and commercial buildings, new architectural elements, and interventions into the traditional urban fabric and streets.

In particular, a number of new parameters were defined for new residential and commercial buildings: timber frame houses were limited to 15 m. in height, while masonry buildings were limited to 22.5 m.; furthermore, projections could only be constructed at a minimum of 3.8 m. above street level. The construction of new single one-room dwellings was prohibited both in the traditional districts and the trade zone of the urban fabric; and new shops were limited in height to 5.3 m. for one storey buildings, and to 7.58 m. for two storey buildings.²⁴⁹

Also contained in the regulations were detailed definitions for architectural elements, primarily aimed at preventing the spread of fire through the urban fabric. The materials and construction techniques to be used for masonry walls, chimneys and ceilings were determined and defined²⁵⁰.

The regulation contained several conditions related to interventions into the urban fabric, including provisions for an addition a room for shop workers if they lived on the premises²⁵¹.

The regulation also contained directives that could be considered as having a conservation perspective. For example, any mass addition to the plots of monumental buildings was prohibited, and in this way the original lot-plot-built-up relations was to be preserved²⁵².

The regulation also contained provisions for the widening of the streets, and included a street classification system that differentiated between primary (major roads), secondary and tertiary streets, as well as cul-de-

²⁴⁹ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Code No:10, 19, 29, 21.

²⁵⁰ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Code No: 25, 18.

²⁵¹ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Code No: 22.

²⁵² Madran, E., 2002. Tanzimat'tan Cumhuriyet'e Kültür Varlıklarının Korunmasına İlişkin Tutumlar ve Düzenlemeler: 1800-1950, ODTÜ Mimarlık Fakültesi Basım İşliği, Ankara, p. 17.

sacs. According to the regulation, primary streets could be up to 6.8 m. wide; secondary streets, 5.4 m.; and tertiary streets, not less than 4 m. Additionally, cul-de-sacs had to be widened as much as possible²⁵³. The regulation stressed heavily on maintaining set-back dimensions from the streets. Planning permission would not be granted for new buildings unless the defined set-back dimension from the street was followed, and it was clearly stated that any buildings constructed in contravention of the regulations would result in expropriation of the property.²⁵⁴

The Building Regulations were revised in 1849 with only minor changes, the most significant of which was a reduction in permitted building heights: to 10.61 m. for timber frame buildings, and to 15.16 m for masonry²⁵⁵.

Another change focused on new buildings. The revised Building Regulations encouraged the construction of masonry buildings, and limited the construction of timber framed buildings by defining a construction budget. If the cost of a new building exceeded 500 Akçe, then the building had to be masonry construction²⁵⁶.

In 1864, the Road and Building Regulations were published with the intention of preventing the spread of fire through the urban fabric and creating a new built environment with Western influences. The regulations determined many obligations for the streets, which had to be wide and straight, requiring the application of new set-back dimensions for new buildings. The regulation declared that all dilapidated buildings had to be destroyed and rebuilt to the new set-back dimensions. It was also forbidden to create any new cul-de-sacs in the urban fabric, with the further intention being to close off any existing cul-de-sacs and demolish the adjacent buildings²⁵⁷.

²⁵³ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Code No: 1.

²⁵⁴ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Code No: 3,4.

²⁵⁵ Denel, S. 1982. Batılılaşma Sürecinde İstanbul'da Tasarım ve Dış Mekanlarda Değişim ve Nedenleri, ODTÜ Mimarlık Fakültesi Ara-Yayınları, Ankara, p.57-58.

²⁵⁶ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayi Osmaniye, İstanbul, Please see first and second building regulations Code No: 11.

²⁵⁷ Madran, E., 2002. Tanzimat'tan Cumhuriyet'e Kültür Varlıklarının Korunmasına İlişkin Tutumlar ve Düzenlemeler: 1800-1950, ODTÜ Mimarlık Fakültesi Basım İşliği, Ankara.

The Road and Building Regulations were implemented to create a grid-iron street system within the traditional organic street layout of Ottoman cities²⁵⁸, which according to Denel was the key driver of the change to the original street layout of Ottoman cities into a grid-iron street system of straight roads.²⁵⁹

To prevent the spread of fire through the urban fabric, the use of timber in buildings was limited, and in some cases prohibited altogether. For example, the use of timber for exterior cladding was prohibited, while masonry construction replaced timber-frame construction in the majority of cases²⁶⁰.

The use of timber was also limited in monumental buildings, especially for khans. Large-scale timber-framed additions to the khans' plots was prohibited, with timber only allowed for floors and cupboards within rooms²⁶¹.

These regulations were strictly applied in İstanbul, especially after the great fire in Hocapaşa in 1866. After the fire, the municipality expropriated many traditional buildings in order to create wide and straight streets throughout the urban fabric, resulting in many districts, including Hocapaşa, Kumkapanı, Fener and Balat, being regenerated with a grid-iron street formation to replace the organic street layout. However, these regulations were not applied in other Ottoman cities extensively. They were commonly applied for the developing areas as in the Ankara Boşnak district²⁶² and the fired districts for example Beypazarı historic commercial centre.²⁶³

²⁵⁸ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayı Osmaniye, İstanbul, Code No: 12.

²⁵⁹ Denel, S. 1982. Batılılaşma Sürecinde İstanbul'da Tasarım ve Dış Mekanlarda Değişim ve Nedenleri, ODTÜ Mimarlık Fakültesi Ara-Yayınları, Ankara, p.62.

²⁶⁰ Madran, E., 2002. Tanzimat'tan Cumhuriyet'e Kültür Varlıklarının Korunmasına İlişkin Tutumlar ve Düzenlemeler: 1800-1950, ODTÜ Mimarlık Fakültesi Basım İşliği, Ankara.

²⁶¹ Ergin, O.N., 1934. Mecelle-i Umur-u Belediye, I, II, Matbaayı Osmaniye, İstanbul, Code No: 25.

²⁶² Aktüre, S., 1978. *19. Yüzyılın Sonunda Anadolu Kenti Mekansal Yapı Çözümlemesi*, Ankara, ODTÜ.

²⁶³ Genca, Ö.S., Design Guidelines for Shop Buildings in Beypazarı Historic Commercial Centre, un-published Master Thesis, Department of Architecture, METU.

In 1882, the Building Act was published and implemented, replacing the Road and Building Regulations. The act contained detailed directives for the construction of streets, buildings and districts for not only to prevent the spread of fire, but also to provide better infrastructure and services throughout the urban fabric.

The Building Act brought a new street formation to the urban fabric, featuring straight, wide and perpendicular streets without any cul-de-sacs. The Act did much to alter the face of the original Ottoman districts, and allowed the injection of many new functions, such as police stations and schools²⁶⁴.

Thus it can be concluded that Tanzimat Reforms created a new urban structure both through the historic urban fabrics and in new development areas. The influences of the regulations can be perceived on grid-iron street pattern within the organic street layout.

2.4. Turkish Republic: The Property Between Politics and Developments

The foundation of the Turkish Republic in 1923 brought changes to the Ottoman land ownership regulations. Turkish Civil Law (*Türk Medeni Kanunu*), first adopted in 1926, abolished Ottoman legislation related to private property and fully recognized and legitimized private property.²⁶⁵

However, the change was not easily implemented. At the beginning of the Turkish Republic there still existed *local lords* who were a later version of the local *feudal lords* that had emerged during the *Iltizam* system of the Ottoman Empire. They were a significant part of the land regime, since they owned large areas and many properties in the cities, and had many peasants working for them. The peasants were effectively owned by the local lords, and had no opportunity to own a piece of land, or even a small house. Additionally, the Turkish Republic faced World

²⁶⁴ Madran, E., 2002. Tanzimat'tan Cumhuriyet'e Kültür Varlıklarının Korunmasına İlişkin Tutumlar ve Düzenlemeler: 1800-1950, ODTÜ Mimarlık Fakültesi Basım İşliği, Ankara. Also cited in Batur, A., 1985. "Batılılaşma Döneminde Osmanlı Mimarlığı", *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, c.4, pp. 1038-1090, İstanbul.

²⁶⁵ Günay, B., 1999. Property Relations and Urban Space, METU Faculty of Architecture Press, Ankara.

War II in its early years, as well as the resulting economic crises. This resulted in a division of society into two opposite classes, one of which was wealthy and owned the land, and the other that was poor.

İsmet İnönü, head of the *Cumhuriyet Halk Partisi*, attempted to put new legislation into place, namely the *Çiftçiyi Topraklandırma Kanunu*, in 1945. The main objective of the new legislation was to support farmers by appropriating lands of the local lord over 5,000 decares, and any lands not used for agricultural purposes for more than three years. However the legislation was rejected by the local lords that had taken seats in Parliament, namely Celâl Bayar, Adnan Menderes, Refik Koraltan and Emin Sazak, who went on to establish another party, namely the *Demokrat Parti*, on 7th January, 1946. (Figure 2.10)

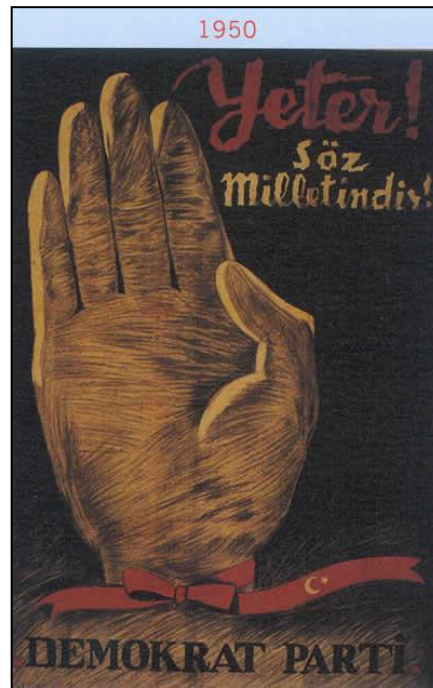


Figure 2.10. The poster used by the *Demokrat Parti* in the 1950 election

Instead of the proposed legislation, the government took place in the Marshall Plan between 1948–1951 (Figure 2.11), and gave financial and mechanical support to the small farmers.

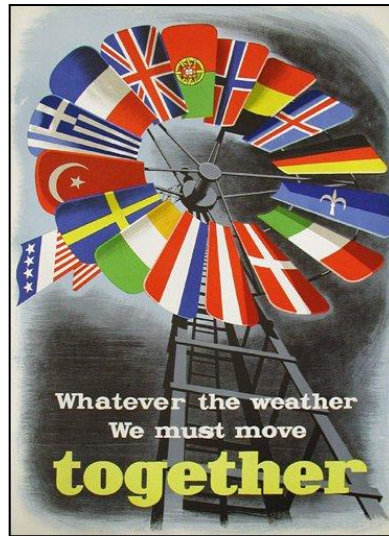


Figure 2.11. The Marshall Plan Poster

The Democrat Party won the 1950 elections, and the new term was referred to as the White Revolution. The party governed Turkey for 10 years, after which the military took over power in 1960 and installed a military government.

Coming to the present day,, the Turkish government established and extended full ownership rights under Turkish Civil Law as defined in the 718th article of the Law, in which ownership of land embraces “the air above it and the layers of the earth beneath it, as long as it is beneficial to use”.

In summary, the property rights and the land tenure system have evolved through time under the influence of religion, the State and politics. It was the main parameter in the formation of cities, ruling the inhabitants and governing the countries, and as such is a crucially important aspect when used in a positive way.

CHAPTER 3

ANTAKYA (ANTIOCH)

3.1. General Topographical and Natural Aspects of Antakya and its Historic Urban Core

Antakya, the capital of Hatay province, is located in the South-Eastern part of Turkey, 25 km east of the Mediterranean Sea and 20 km northwest of the Syrian border at an altitude of 80 m. Harbiye (Daphne) lies to the south, while Samandağ (Seleucia Pieria) lies to the south-west, İskenderun (Alexandretta) to the north, Reyhanlı to the east and Kırıkhan to the north-east. Its closest international neighbours are Aleppo to the east and Latakia to the south.

The city is surrounded by Mount Amanos (Nur Mountains) to the north, Mount Kel (Cebel-i Akra) to the south, Mount Habib Neccar (Silpius Mountain) to the east and the Amik plain to the north-east; with the Eastern Mediterranean Sea lying to the south-west of the city. The city is located beside the Asi River, which originates in Bekaa Plain between the Lebanon and Antilibanus Mountains. After passing Apamea (Syria) it diverts to the south-east by the spurs of Mount Amanos, and then follows a line of myrtle-clad hills that are part of the Casian range, where it is joined by a tributary, the Karasu, the waters of the Amik plain.²⁶⁶ The river then flows into Antakya, with 2 km of its route lying within the city boundary at a width of 30–35 m. It then flows in a south-

²⁶⁶ There was a large lake known as Lake of Antioch in history in the middle of the plain, which was dried by the national water authority (DSİ) from 1955 to 1980 to be opened as farmland due to its high alluvial content.

Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford, p.2.

westerly direction, reaching the Mediterranean Sea a few kilometres south of Samandağ (a harbour town of the Seleucia). Additionally, it is located close to such archaeological sites as Tell Tayinat and Tell Açına (Alalah) to the north-east and Seleucia Pieria (Samandağ) to the south-west.

The settled area of the city is divided into two sub-city areas by the Asi River. The western part of the city dates back to the mid-19th century, and is linked to the eastern part over the river by seven vehicular and pedestrian bridges. The western part has main road access to İskenderun (Alexandretta) and Samandağ (Seleucia Pieria). The eastern part contains both the historic urban core of the city, known as “Old Antakya,” and new areas that developed especially after the first quarter of the 20th century. It has road access to Aleppo, Reyhanlı and Harbiye (Daphne).

The historic urban core of the city is located on the west declivity of Mount Habib Neccar (Silpius Mount). The ruins of the citadel walls to the east of the historic core on the steep slopes of Mount Habib Neccar, St. Peter’s Grotto Church to the north, the Trajan Aqueduct (Memekli Bridge) to the south, and the Iron Gate to the north-east are important archaeological landmarks and structures related to this historic core.

The geographical borders of the historic core itself are formed by Mount Habib Neccar and Asi River to the west; Hacı Kürüş River, which flows north-east of historic core and passes close to St. Peter’s Grotto Church and the Iron Gate; and Hamşen (Akakir) River, which flows southwest of the core and passes beneath Memekli Bridge.

The Aleppo-Harbiye (Daphne) road is a major traffic axis that separates the historic core into two areas and – according to many sources²⁶⁷ – was originally a Roman colonnaded street.

²⁶⁷ Downey, G., *Ancient Antioch*, Princeton University, 1963.

Demir, A., *Through the Ages Antakya*, Akbank Publications, İstanbul, 1996.

Pinon, P., “Survivances Et Transformations Dans La Topographie D’Antioche Apres L’Antiquite”, *Topoi*, Suppl. 5, 2004. pp. 191-219.



Figure 3.1. Satellite view of Antakya, 2009 (Source: Antakya Municipality)

3.2. Historical Development of Antakya (Antioch)

The first settlements around the Antioch date back to 4000 B.C.,²⁶⁸ when it was an important geographical location in the *Fertile Crescent* in which many civilizations interacted and merged, in the sense that their spatial experiences intertwined, setting in motion an expansive process that continues to this day.²⁶⁹ This locational aspect of Antioch inspired William Shakespeare to write:

This city then, Antioch the great
Built up for his chiefest seat;
The fairest in all Syria;
This king unto him took a pheere,
Who died and left a female heir,
So buxom, blithe, and full of face,
As heaven had lent her all his grace

William Shakespeare²⁷⁰

From the early days of its formation, the city of Antioch had evidently political, economic, social and religious importance in the Fertile Crescent. Politically, Antioch was an important city both in the Seleucid Empire as a capital city of the kingdom after 285 B.C.; in the Roman Period, when it was one of the capitals of the Eastern Roman Empire, known as *Queen of the East*; and in the Crusades Period as a principality. Religiously, it is an important city for Christianity since it was one of the earliest places in which the Christian church was established,²⁷¹ and was where the term “Christian” was first coined to describe followers of the faith.²⁷² Consequently, the city is a common destination for Christian pilgrims in the world. Besides, it was home to the “Patriarch of Antioch” before he took up residence in Damascus.

²⁶⁸ Rado, Ş., 1973. *Yeni Hayat Ansiklopedisi*. Doğan Kardeş Matbaası, İstanbul, pp.267-270.

Şenyürek M., Bostancı, E., *Hatay Vilayeti'nde Prehistorya Araştırmaları*, Belleten XXII, S. 86, 1958, pp.147-156.

²⁶⁹ Bosworth, A., 1995. *The March of Cities: The Evolution of a World-City System from 3000 BC to 2000 AD*, unpublished PhD thesis, Department of Political Science, University of Washington, p. 17.

²⁷⁰ Steevens, G., *The Dramatic Works of William Shakespear; Pericles, Prince of Tyre Act 1*, Mc Carthy and Davis: Philadelphia, Vol. II, 1824, p. 337.

²⁷¹<http://www.biblegateway.com/passage/?search=acts%2011-11&version=KJV> Holy Bible “King James Version”, Acts 11:19, 21, 24.

²⁷² Holy Bible “King James Version”, Acts 11:26

Today, Antakya has multi-ethnic and multi-cultural demography, and is known as one of the most multi-cultural cities in Turkey. Different ethnic and religious groups, such as Turkish Christians, Arabic Christians, Jewish, Alawites, Sunnis and Armenians all live together in harmony in Antakya. Accordingly, the city can be given as an example of a good and well-preserved united socio-cultural life in Turkey. Evidence of this can be seen from the invitation of Pope Jean-Paul II to a former woman mayor of Antakya in 2002, who went to the Vatican as the first mayor to be invited from Turkey to talk about Antakya's rich multi-cultural demographic structure and its geographically and spiritually important aspects for Christianity. The invitation of the Pope²⁷³ was due to Antakya's importance for Christians as a pilgrimage site.²⁷⁴

The following sections of this chapter introduce the historical socio-physical developments that took place within the complex and wide history of the city of Antioch.

3.2.1. Hellenistic Period: Formation of Antioch by the Seleucid Empire (300 B.C. - 64 A.D.)

The city of Antioch²⁷⁵ was founded by one of Alexander's most able generals, namely Seleucus Nicator 1, in Syria by the River Orontes²⁷⁶ on the west declivity of Mount Silpius²⁷⁷ near the Lake of Antioch, and

²⁷³ <http://www.habervitrini.com/haber.asp?id=46197>

²⁷⁴ In 1963 the Vatican declared Antakya to be a Christian place of pilgrimage, like Jerusalem and Rome, and every year, on 29th June, Christians gather at the Grotto church of St. Peter's for their pilgrimage ceremony.

²⁷⁵ The origin of the name of the city differs according to different sources. Some sources claim that the name "Antioch" comes from Seleucus Nicator's father's name, while others suggest that it was named after his son. Additionally, the name of the city changes in different sources too, being referred to as "Antioch the Great"; "Antioch on the Orontes"; "Antioch of Syria"; and "Antioch by Daphne". Commonly, the name Antioch is used for the period between 300 B.C. and 528 A.D. by scholars (Bouchier, E .S., 1921); and so for the purpose of this thesis, the name Antioch is used until the end of the Crusader Period, after which, according to the historical developments, Antakie or Antakya are used.

²⁷⁶ Axios, River of Macedonia, Dracon and Typhon, Al Urunth or Al Maklub (the overturned), Nahr-el-Asi are alternative names of the River Orontes in history. In the Crusaders Period it was identified with the Pharphar, or Chrysorroas, of Damascus rivers (Bouchier, E . S., 1921). Commonly, Antioch was identified with the River of Oronte until the Mamluk Period. Accordingly, Orontes is used in this dissertation up until the Mamluk Period, and thereafter Asi River is used.

²⁷⁷ Silpius is the antique period name of Mount Habib Neccar. As with the name of the city and the River Orontes, Silpius is used in the dissertation up until the Mamluk Period, after which Mount Habib Neccar is used.

about 25 km east of the Mediterranean Sea. Orontes River, Mount Silpius and the Lake of Antioch are important geographical features for the city of Antioch. The River Orontes “ceased to be navigable for large ships, and the harbour of Seleucia became silted up”²⁷⁸ in the early Middle Ages. The Lake of Antioch was an incredible source of alluvial soil and fish, while Mount Silpius was an important geographical feature that rose to nearly 440 metres above sea level. Both afforded great geographical, economic and strategic importance to the city.

The city was designed as a Hippodamian plan, with straight streets intersecting at right angles, applied by the architect *Xenarius* to the west declivity of Mount Silpius, being roughly parallel to the Orontes River. The streets that lie roughly parallel to the Orontes River were laid out 112 metres apart, and the streets intersecting at rights angles to those streets were 56 metres apart. This 1:2 ratio in the street layout was typical for Seleucid cities in Syria and Mesopotamia.²⁷⁹

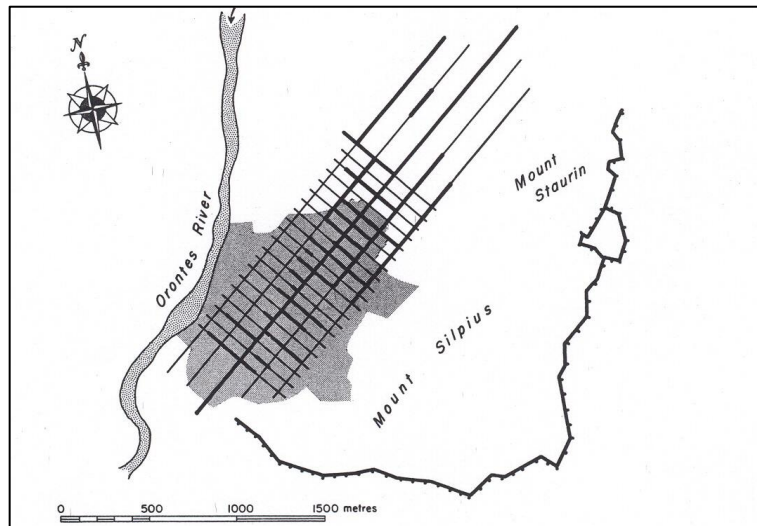


Figure 3.2. The Hippodamian plan applied by the Seleucid Empire ²⁸⁰

²⁷⁸ Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford, p.3.

²⁷⁹ Demir, A., *Through the Ages Antakya*, Akbank Publications, İstanbul, 1996.

Pinon, P., “Survivances Et Transformations Dans La Topographie D’Antioche Apres L’Antiquite”, *Topoi*, Suppl. 5, 2004. pp. 191-219.

²⁸⁰ Downey, G. 1963. *Ancient Antioch*, Princeton University.

The current analysis of the historical urban street pattern shows that there is a resemblance to the Hellenistic grid street pattern to the north-east of the historic urban core of 112 m x 58 m.²⁸¹ Pinon (2004) shows that Antakya offers important evidence of the continuation of the Hellenistic street layout.

In contrast to the precise information on the street layout of the city, there is, unfortunately, no clear information on the development activities in the Seleucus I Nicator period (312–280 BC). According to previous literature, the city walls enclosed an irregular rectangle consisting of two quarters to the north-west and south-east, and a 160 m x 147 m agora²⁸² was built near the Orontes River to the north-west of the city. In addition, according to the needs of the Hellenistic cities, there would have been a temple to Zeus, a public bath, a palace, public buildings around the agora, a theatre, and aqueducts from nearby water sources.

Some elements from this early period still remain, including the agora site, which lies in what is still the traditional commercial district in the modern city.²⁸³ According to Bouchier,²⁸⁴ the names of the quarters were Rhodion (more likely rose gardens) and Hereclea. Today, one of the quarters in the historic core is called “Rose Gardens,” located to its north-east.

After the city became a capital, development activities increased under the rule of Seleucus II Callinicus, Antiochus III, Seleucus IV Philopator and Antiochus IV Epiphanes. In that period, the settlement extended over the island in the Orontes River to the west of the city, where a library, public buildings, a bouleuterion, a new agora and several temples were built, and a new urban quarter, named *Epiphania*, was

²⁸¹ Sauvaget, J., “Le Plan de Laodicee-Sur-Mer, Institut Francais de Damas”, *Bulletin d’etudes Orientales*, vol4, Cairo, 1935.

Downey, G., 1963. *Ancient Antioch*, Princeton University.

Pinon, P., “Survivances Et Transformations Dans La Topographie D’Antioche Apres L’Antiquite”, *Topoi*, Suppl. 5, 2004. pp. 191-219.

²⁸² Demir, A., *Through the Ages Antakya*, Akbank Publications, İstanbul, 1996, P. 27.

²⁸³ Downey, G., *Ancient Antioch*, Princeton University, 1963.

Demir, A., *Through the Ages Antakya*, Akbank Publications, İstanbul, 1996.

²⁸⁴ Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford, p.5.

formed to the south-east.²⁸⁵ As Bouchier stressed, “The principal east-and-west streets, as well as those intersecting at the centre of the city, from early in the Empire were adorned with colonnades on each side. The columns were in many cases adorned with statues and bronzes, and some were applied with gilt or covered with gold leaf”.²⁸⁶ The city was enclosed by walls in an irregular oblong, stretching from the bay of River Orontes to the steep sides of Mount Silpius.

3.2.2. Roman Period: Antioch before and after its Imperial distinction (64 – 395 A.D.)

During the Roman Period (64–395AD), Antioch was annexed by Rome and became the capital of the Empire’s Syrian province. The earliest development activities included the building of a palace, a tetrapylon and a circus on the Orontes River Island in 67 BC. The island was connected to the city by bridges, one of which was later given a roof. Following that, a temple, the Caisarion, an amphitheatre, an aqueduct and public baths were built upon the order of Julius Caesar when he visited the city in 47 BC.²⁸⁷ The grid plan was improved and the colonnaded Herod and Tiberius Street, two Roman miles long (1 Roman mile = 1,478 metres), was built, covered with marble and lined with bronze sculptures and mosaics.²⁸⁸ New districts were developed to the east and west of the colonnaded street.

²⁸⁵ Downey, G., 1961. *A History of Antioch in Syria: From Seleucus to the Arab Conquest*, Princeton University Press.

²⁸⁶ Bouchier, E.S., 1921. *Ibid*, p.5-6.

²⁸⁷ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul.

²⁸⁸ Downey, G. 1963. *Ancient Antioch*, Princeton University.

According to the ancient map of Antioch, the city contained four districts three of which were inside the citadel walls, and one outside (Figure 3.5). The actual settled area resembled the letter *D* letter in plan, located to the south of the tetrapylon and the forum and expanding the east part of the colonnaded street.

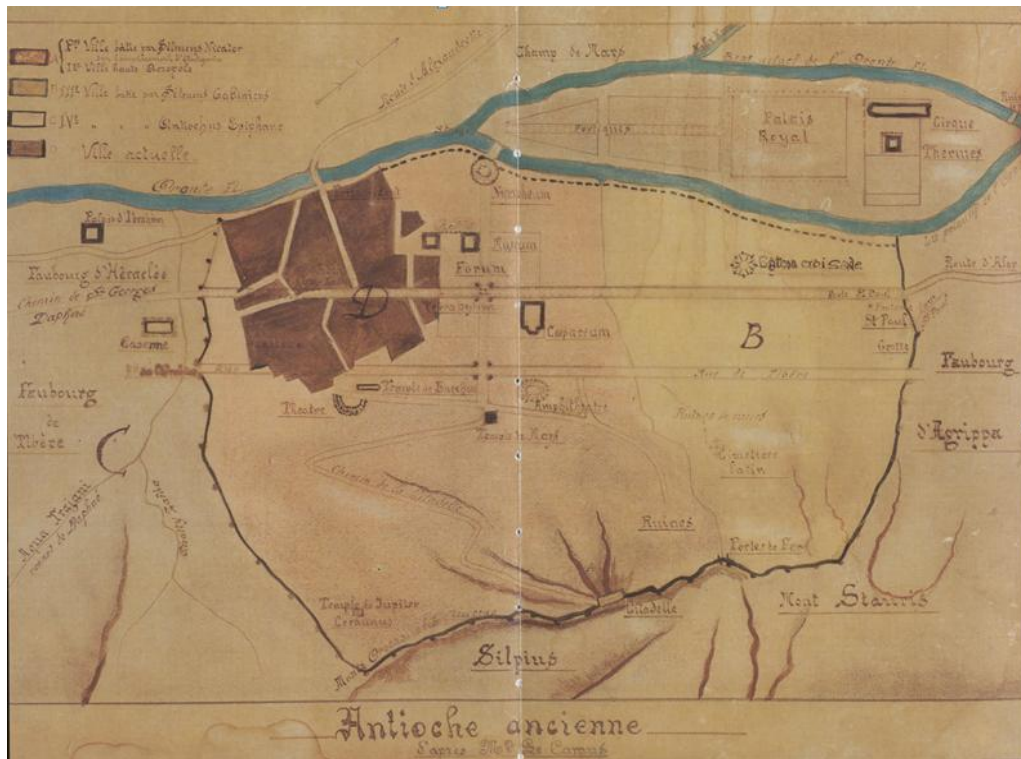


Figure 3.5. A map of Antique Antioch, found in the archives of the coven of the Caphuchins of Mersin (Source: Zambon, Bertogli, Granella, 2010).

During the rule of Emperor Vespasian (69-79) construction activities were carried on the Daphne do to its rich natural resources (Figure 3.6). A large aqueduct was built between Daphne and Antioch at the time of Emperor Trajan (98-117)²⁸⁹.

²⁸⁹ Downey, G., 1961. *A History of Antioch in Syria: From Seleucus to the Arab Conquest*, Princeton University Press.



Figure 3.6. Daphne drawn by Abraham Ortelius

Antioch faced many disasters in its history that brought about its destruction several times, and also affected the geography and topography of the city itself. In the period of Emperor Cladius a very large earthquake hit the city in 115AD, many citizens died and the city was destroyed. As recorded by Bouchier: “The great earthquake at the end of 115, one of the most violent on record, occurred while Trajan was wintering at Antioch after the conquest of Mesopotamia. The Casian Mount seemed about to overwhelm the whole city, and the emperor found it desirable to remain for some days in the open circus, as less dangerous than the palace, from which, according to legend, he was lifted through a window by a supernatural agency.”²⁹⁰

After the earthquake the city was repaired, especially the colonnaded street and the monumental buildings, and temples to Zeus and Artemis were constructed at Daphne. The large bath known as the Centenarium collapsed in the 115 earthquake, and Emperor Marcus Aurelis built a

²⁹⁰ Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford, p.110.

large bath to replace it.²⁹¹ Emperor Commodus built a further four baths, a temple and a *xytus*, where Olympiad athletes exercised.²⁹²

Persian attacks were another threat to the prosperity of Antioch. In 260 they invaded Antioch, destroying many monuments and burning the city. Eight years later Antioch was regained by the Roman Empire, after which extensive construction began throughout the city. During this period five new baths, a manufactory for weapons and granaries were built.²⁹³

Construction of a spectacular two-storey temple with an octagonal plan was launched by Constantine the Great, and was completed in 341. According to Demir,²⁹⁴ “the temple had a stone floor, a wooden dome, the interior surface of which was decorated with gold leaf, many statues, and columns of glittering marble”.

The other significant earthquake that occurred in the Roman era in 365AD destroyed the city walls and the monuments as well. French traveller Vital Cuinet described Antioch’s earthquakes in his *La Turquie D’Asia* work, “Antioch’s earthquakes were so terrible that they were able to change the river bed and the topography of the city”.²⁹⁵

At the end of the Roman Empire, while Antakya was under the rule of Theodosius I (379–395), a wrestling stadium (plethrion) and a palace at Daphne were built. In this period, a campaign was launched to demolish the pagan temples and re-use their construction materials in the repair of the city’s superstructures.²⁹⁶ That was the end of the Roman period, when the city gained a new religious vision, becoming a Christian city in the East.

²⁹¹ Downey, G., 1961. *A History of Antioch in Syria: From Seleucus to the Arab Conquest*, Princeton University Press.

²⁹² Downey, G. 1963. *Ancient Antioch*, Princeton University.

²⁹³ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul, p.49.

²⁹⁴ Demir, A., 1996. *Ibid*, p. 49.

²⁹⁵ Cuinet, V., *Syrie, Liban, Paletsine*, Paris, 1896.

²⁹⁶ Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford.

aqueducts, one reservoir, a *stoa*, several basilicas and the Church of St. Ignatius, dedicated to the bishop of Antioch, were built.²⁹⁷

Earthquakes and fires were the most destructive natural disasters for Antioch. A major earthquake occurred in 458 and was followed by a fire, devastating the city once again. Although there was huge campaign to restore the city, the efforts were not very successful, since the island in particular had suffered extensive damaged, the geography and topography of the city shifted, and the route of the river changed. In 525 the city experienced another fire that killed a large number of people, and was followed a few months later by a large earthquake that left hardly a single building standing. These disasters brought about the end of Antioch's prosperity.²⁹⁸

Accordingly, while the city had a big struggle, the Persian attacks were carried on and the city was loosed its defensives. Parallel to the Persian attacks and the natural disasters, the Byzantine emperor sent construction masters, goods, and army support to the Antioch²⁹⁹. Nevertheless, all these efforts were exhausted by the last series of earthquakes occurred in 588. Than the city were unable to carry through the bad and destructive forces. Finally, the city was occupied by the Arabs, and a new era begins.

3.2.4. The Arab Period: The city in between the trade routes (638-968)

Antioch was occupied by Arabs and therefore, that was the result of the end of ruling by the Roman and Byzantines Empires which had lasted for six centuries. During the Arab Period, Antioch was faced a transformation in political, religious and economical aspects and had a minor important despite its importance of the previous empires³⁰⁰. The citizens of Antioch were focused to enhance their own strengths in order to have a place in the trade origin Arabian cities. Therefore, silk production is developed; the agricultural facilities and the spice

²⁹⁷ Bouchier, E.S., 1921. *A Short History of Antioch, 300 B.C. – A.D. 1268*, Blackwell, Oxford.

²⁹⁸ Ersoy, Ş., "Antakya'da Meydana Gelen Depremler, *Bilim Teknik*, pp: 8-10.

²⁹⁹ Downey, G., 1961. *A History of Antioch in Syria: From Seleucus to the Arab Conquest*, Princeton University Press.

³⁰⁰ Türkmen A.F. 1937. *Mufassal Hatay*, İstanbul, Cumhuriyet Matbaası.

production were increased³⁰¹. Those were sustained the city's important location on the trade routes from Baghdad to Alexandretta which was the Mediterranean port city near the Antioch.

Nevertheless, Antioch could not be as important city as Baghdad, Harran and Aleppo. There were the most important trade centres in the Arab world, and Antioch was became self-sufficient, and economically and politically a minor city.

Seemingly, because of the decline of the prosperity and importance of the city, the interest on the construction facilities and the development activities were relatively declined. Virtually, there are no detailed information on the physical structure of the city can be found in sources dating from this period.

The basic information was related with the major earthquake which was hit the city in 865³⁰². According to Demir³⁰³, the earthquake was damaged in both Antioch and Latakia in Syria. It was destroyed 1500 buildings, and the city walls.

3.2.5. II. Byzantine Period: Revive the past glory (968-1084)

Antioch was regained by Byzantine Empire on 28 October 968. Immediately, the restoration facilities were began in order to revive the past glory of religiously most important Empire's metropolitan city of the Middle East. From the beginning, the city gates and the fortification walls were restored and renewed with four hundred arrow towers.³⁰⁴

³⁰¹ Türkmen A.F. 1937. Ibid.

³⁰² Ersoy, Ş., "Antakya'da Meydana Gelen Depremler, *Bilim Teknik*, pp: 8-10.

³⁰³ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul, p.57.

³⁰⁴ Downey, G. 1963. *Ancient Antioch*, Princeton University.



Figure 3.8. The city fortification walls in II. Byzantine Period (Downey, 1963)

Another violent earthquake was occurred in 1053 and it was damaged the city and many citizens were died³⁰⁵. Soon later, the city was captured by the Seljuk Turks and the city has started to have Turkish influences for fourteen years.

During the Seljuk Period, churches converted into mosques and one bath was constructed. In this period, Antioch had faced with an extensive earthquake in 1091 which destroyed the city walls, and the houses of the city.

3.2.6. The Crusader Period: Principality of Antioch (1098-1268)

During the Crusader Period, the principality of Antioch was founded and ones more it was became politically and religiously an important city. The trade and commercial activities were the major political strategy of the Crusaders in order to have secure and consisted trade relations with the western merchants and to increased economic prosperity in the

³⁰⁵ Ersoy, Ş., "Antakya'da Meydana Gelen Depremler, *Bilim Teknik*, pp: 8-10.

North Syrian region. Therefore, in the early years of the Crusaders this sense was expanded rapidly between the east and west and the cities which were ruled under the Crusaders had economic prosperities and that affect the welfare of the cities and the inhabitants as well³⁰⁶.

Under these circumstances, the city of Antioch had been centre of the silk production and fine fabrics which was woven in Antioch especially in Seleucia Pieria and Daphne regions. These fabrics and the products of the silk were exported to the Europe from the Alexandretta port.

Antioch was faced with two important earthquakes in 1157 and 1169 respectively. They were damaged the city and the city walls were restored after them.

3.2.7. The Memluk Period (1268-1516): Transformation from Christian city to the Islamic Urban Form

During the Memluks period, Antakie had started to lose its religious, economic, and political importance as much as in Christian era. European traders were shifted to particularly Aleppo and the centre of Orthodox churches of Syria was moved to Damascus.

According to the inscription panel placed on the wall of Habib Neccar Mosque's madrasa it was built in Memluk Period, therefore, the mosque was converted from Christian church.

During the Dulkadiroğlu Principality, several mosques, madrasas, tombs, *imarets*, *zaviyes*, and several monuments were constructed. Some of the watermills (Naura) on the Asi River (Orontes River) were dated in this period. Also, the Cindi Turkish Bath was thought to be constructed by Baybars.³⁰⁷

³⁰⁶ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul.

³⁰⁷ Tekin, M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara.

Under the Memluks, the city was occupied by Turkmens and Arabs which was one of the administrative districts of the province of Damascus, and sub-ordinate to the district of Aleppo³⁰⁸.

3.2.8. The Ottoman Period: The city developed under the influence of land tenure and social strategies (1516 – 1918)

Antakya was ruled by the Ottoman Empire for four centuries under the sanjak of Aleppo. At the beginning of this new era, Antakya was an important city, being located on the army routes from the Ottoman capital of Istanbul to the Middle East. After the Ottoman army was conquered in Egypt, the military importance of the city decreased,³⁰⁹ but it retained its significance as a rest stop for travellers on their way to *haj* in the Middle East. According to previous literature,³¹⁰ this transformation affected the city's urban form, where several *waqfs* were established and donated mosques, imarets, khans and baths throughout the city.

Before continuing with the physical developments that were carried out within the urban form of Antakya during the Ottoman period, the influence of land tenure and social strategies need to be investigated, being accepted as generators in the forming of the urban fabric.

Antakya is located on the north-eastern arch of the Fertile Crescent. It is ecologically diverse, and has a history that is characterized by different empires that resulted in great ideological, linguistic and ethnic diversity. The area lies on the main east-west trade routes of the Middle East, and therefore constituted a flashpoint for many wars in history between eastern and western empires.

The significance impacts on the urban form of Antakya between East and West has often fallen within the city and it is polarizing oriented towards the West and the city of Aleppo, oriented towards the East. Factually, ecological and geographical factors affect the degree to which

³⁰⁸ Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul, p.81.

³⁰⁹ Türkmen A.F. 1937. *Mufasssal Hatay*, İstanbul, Cumhuriyet Matbaası.

³¹⁰ Tekin, M., 2000. *Ibid.*

local societies were organized and influenced by the Ottoman Empire land tenure system and social strategies in the region of Antakya.

The Ottoman land control and administration, which was connected with commerce on the periphery of the State, was based on religious affiliations and major societies. Antakya's inhabitants had diverse origins: some were locally powerful and rural in origin; while others were from bureaucratic and military backgrounds and had been exiled from northern areas in the Ottoman Period. They were "mixed ethnically, those of local origin being Arabic and Turkish. The majority of the population belonged to Sunni Islam, the official Ottoman sect ... the major local societies commonly found in this region were the Qadiriya, Naqshabandi and Rifai".³¹¹

The Ottoman land tenure and tax system that was operated in Antakya "had a close relationship with the major local societies, and to some extent, the bureaucratic and military strata. Since the region was extremely rich in cotton, olives, soap and wheat, the tax farming system was operated to a great extent, and because of that the State naturally gave importance to the city".³¹² Its importance extended far beyond its key location on the *haj* route, since the Asi River plain contained rich alluvial soil and was extremely fertile and was one of the best sources of cotton, which became known as white gold. The region was also the largest supplier of olive oil and soap to the Ottoman Empire.

Under these circumstances, the original land system of the Ottoman Empire relied on the *timar* system, was modified in which taxes were collected by Sipahis, or cavalry men, who took their salaries from the surplus produce of villages from which they collected taxes.³¹³

Accordingly, the politic-economic system of tax farming operated until the mid-19th century, being focused on the *iltizam* and *iqta*. This led to a decentralization of State power and gave rise to a local group of notables called the *ayan*. Their classification was correlated with the ecological

³¹¹ Aswad, B. C., 1971. *Property Control and Social Strategies in a Middle Eastern Plain*, University of Michigan Press, p. 6.

³¹² Aswad, B. C., 1971. *Ibid.*, p.8

³¹³ Aswad, B. C., 1971. *Property Control and Social Strategies in a Middle Eastern Plain*, University of Michigan Press, p. 9.

and geographical conditions of the city and its region. The *Iltizam* was applied in “lands of need more direct control of the Empire; and the *Iqta* operated in the outlying regions of control, primarily the mountainous areas and plains under the major society’s control”.³¹⁴ Therefore, the majority group, being Sunni Muslims, became *multizams*, or tax farmers. Other occupational categories in the urban area were divided among the Christians and Jews; however other Muslim sects had migrated to the foot of Mount Habib Neccar, close to the Asi River valley, where they worked as rural sharecroppers.³¹⁵ *Iqta* lands were common in Antakya, and there were several Sunni Muslim societies, primarily living in the mountainous areas, who had close relations with urban markets both in Antakya and Aleppo, being familiar with both Arabic and Turkish.³¹⁶ These major religious societies retained hereditary, temporal and spiritual power as well as economic privilege in the Ottoman Empire, acting as mediators between different social, cultural, economic and geographical groups.

The city of Antakya was subjected to the influence of all the above up until the time of the *Tanzimat* reforms in the Ottoman Empire. Following that, the Mandate period was moved the stones from their places and a new “bureaucratic elite” class emerged that influenced the urban form of Antakya in different ways.

Waqfs were important institutions in the formation of the city of Antakya in the Ottoman Period. By the 16th century the city contained four endowment baths, namely Meydan, Cindi, Saka and Beyseri; a covered bazaar, or *bedesten*; two khans, namely Han-ı Sebil and Sokullu Mehmet Paşa’s endowment khan;³¹⁷ and three mosques. It is apparent from the types of tax collected from the inhabitants and the archive documents that the city in the 16th century also contained a bazaars for

³¹⁴ Aswad, B. C., 1971. *Ibid.*, p.10

³¹⁵ Tekin, M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara

³¹⁶ Aswad, B. C., 1971. *Ibid.*, p.10

³¹⁷ Çelenk, Y., 1996. *Antakya Sokulu Mehmet Paşa Hanı Restorasyonu*, unpublished Master’s thesis, İstanbul: İTÜ, p. XVII.

the trading of horses, slaves and rope, as well as a slaughter house, a dye house, a gunpowder workshop and a tannery.³¹⁸

There were nine water- and animal-powered mills in the city at that time, four of which were located on the banks of Asi River, and the others within the urban core. They were named Sultan Mill, Yeni Mill, Zerruniye Mill, Mıslah/Sabuniye Mill, Cindi Mill, İbn-I Özeriye Mill, Rekkabiye Mill, Meşeryka Mill, and İbn-I Mualla Mill³¹⁹. Ottoman traveller Evliya Çelebi³²⁰ claimed that the water mills were important architectural elements of the city, since they were used for the transport of water to the urban fabric. A study of old photographs confirms that the *Nauras*, or watermills, were not only used for grinding wheat, but also for carrying water to the urban core for personal use and to serve the baths. (Figure 3.9)

³¹⁸ Tekin, M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara, p. 14

³¹⁹ Türkmen A.F. 1937. *Mufassal Hatay*, İstanbul, Cumhuriyet Matbaası.

³²⁰ Çelebi, E, 1972. *Seyahatname*, transcribed by Zuhuri Danişman, İstanbul.

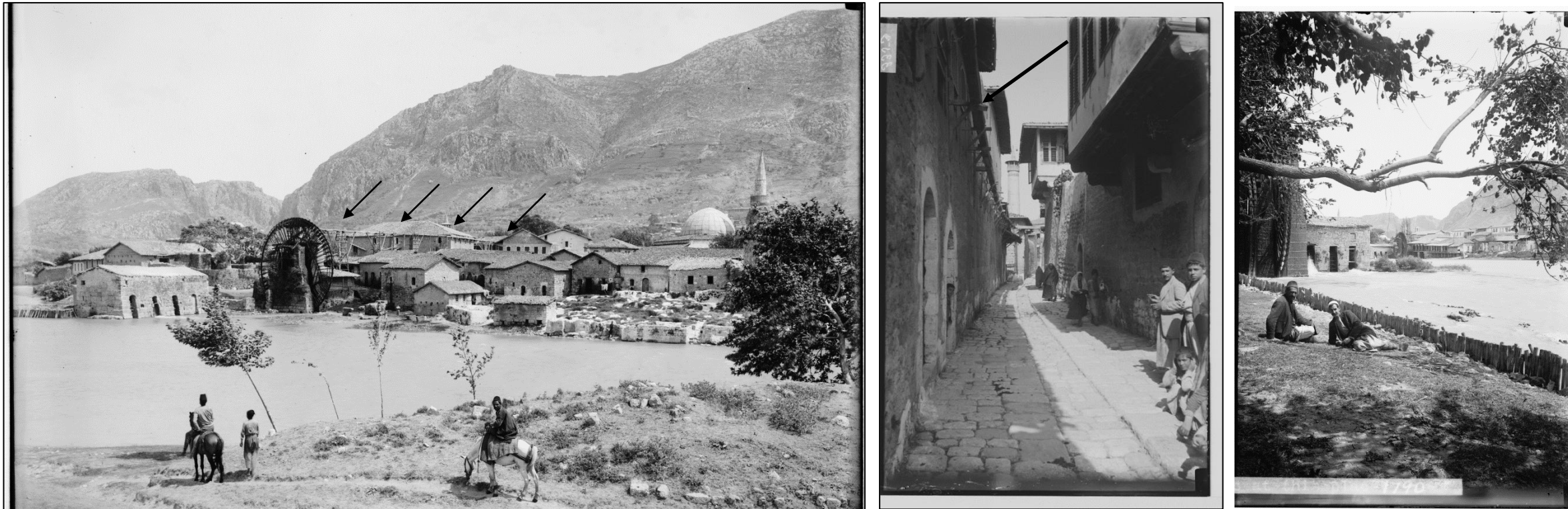


Figure 3.9. The *Nauras* along the banks of Asi River which carried water to the historical urban core (Source: Library of Congress)

During the 16th century, the city was made up of 24 districts, three of which (Debbus, Haraccı Bekir and Hallâbünnemle) were established after the Ottoman conquest.³²¹

It is apparent that up until the 18th century, the construction activities were focused in the trade zone and in its neighbouring districts, which made up the core of the city. At that time, more than 20 mosques and mesjids were built within the settled area, as well as two more khans; a bath, namely *New Bath* (1671); and several *Nauras*, or water mills. The city was largely developed by the newly established *waqfs*, however development was concentrated within the settled area, and so the expansion of the city towards the western edge of Mount Habib Neccar was limited to two districts during the 17th century.

During the 18th century the city began to expand towards the south. New mosques were established along Kurtuluş Street (Herod or Collonaded Street in Roman Times), including Sarimiye Mosque in 1718 and Şeyh Muhammed Mosque in 1724, and new districts were established around them.³²² According to the *tahrir* records, there were 900 owned properties and 1,255 rented properties in the city, and the numbers of districts increased, despite the seventeenth century.³²³

The 19th century was the most active century in the development of Antakya. The city grew towards its north, south and west under different influences, which are described hereunder.

The Ottoman Governor of Egypt, Mehmet Ali Paşa, controlled Antakya until 1839. Mehmet Ali Paşa's son was ordered to build an army barrack and a palace in 1833 to the south of the urban core, for which he reclaimed the materials from the city walls, which had collapsed during an earthquake in 1822 (Figure 3.10). According to Demir (1996), "The last remaining Roman, Byzantine and Crusader

³²¹ Demir,A., 1996. Ibid.

Tekin, M., 2000. Ibid.

³²² Tekin,M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara

³²³ Özdemir, R.,1994. "Osmanlı Döneminde Antakya'nın Fiziki ve Demografik Yapısı 1709-1860", *Bellekten*, no:221.

buildings, including the city walls, provided convenient ready-dressed stone for both the barracks and palace”.³²⁴



Figure 3.10. Antakya from the West showing the ruins of the city walls and the city in 1836 (Bartlett, W.H., 1836)

In parallel to the revolutions that had occurred following the *Tanzimat* reforms in the Ottoman Empire, the city’s local administrative units started to draw influence from the West, and Western influences were thus injected into the urban core. The office of the deputy governor (*kaymakam*) and the government palace were built on the Sultan’s land. The Palace Road (*Saray Caddesi*) was opened, leading from the palace to the Great Mosque; and new buildings, social facilities, restaurants, shops, and *Nauras* along the banks of Asi River were built along the road, turning the area into a social hub of the city. (Figure 3.11)

³²⁴ Demir, 1996. *Through the Ages of Antakya*, Akbank Publication, Istanbul, p. 90.



Figure 3.11. The Nauras located on the banks of Asi River (Source: Library Congress)

Cevdet Paşa's book *Tezâkir*³²⁵ provides vital information about the city in the second half of the 19th century. The book explains that there were many mosques, *meşjids* and schools, eight khans, and around 1,000 shops located within the trading zone of the city. It also states that there were 9,904 households, of which 8,775 were occupied by Muslims and 1,162 by non-Muslims. The book also claims that the local economy of Antakya was based on olive oil, soap and silk production, especially silk cocoons.³²⁶ (Figure 3.12)

³²⁵ Cevdet Paşa, *Tezâkir*, Tezkere No. 36, pp.222-230.

³²⁶ Cevdet Paşa, *Tezâkir*, Tezkere No. 36, pp.222-230.



Figure 3.12. Silk cocoons producers in Antakya (Source: Library of congress).

The city gate located on the Roman Bridge over the Asi River still existed up until the third quarter of the 19th century (Figure 3.13). However, in 1872 there were violent earthquakes that damaged the city gate, destroyed many buildings and killed a thousand people. An old wooden Christian school and church located next to Cindi Bath collapsed and was re-built in stone masonry, two-storeys high, and became “Antakya’s most famous monument”.³²⁷ (Figure 3.14) A new municipality building was constructed in front of the Church on land owned by the Church,³²⁸ after which the land ownership was divided and transferred to the municipality by order of Sultan Abdulhamit.³²⁹

³²⁷ Weulersse, J., 1934. *Antioche Essai De Géographie Urbaine*, Bulletin D’Etudes Orientales Institute Français de Damas, p.51.

³²⁸ Tekin, M., 1993. *Antakya Tarihinden Yapraklar ve Halefzade Süreyya Bey*, Antakya, p. 21.

³²⁹ Tekin, M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara

church, and the minaret of the Great Mosque (Kasim Rifai personal archive).

Following the earthquake, the Ottoman Empire entered into a war against Russia, resulting in many Circassian refugees coming to Antakya to settle. Since the city had suffered under recent earthquakes, and the population increased unexpectedly, the establishment of a new district became necessary. The opposite bank of Asi River was selected as the site for the establishment of a new district to house the refugees, to be established at least 500 metres from Antakya on the Sultan's land. Between the settlement and Asi River there were green areas and Muslim cemeteries. The new district was designed with small one- or two-storey buildings in a grid-iron settlement pattern.³³⁰ (Figure 3.15)

³³⁰ Tekin, M., 2000. *Hatay Tarihi Osmanlı Dönemi*, Atatürk Kültür Merkezi Başkanlığı Yayınları, Ankara

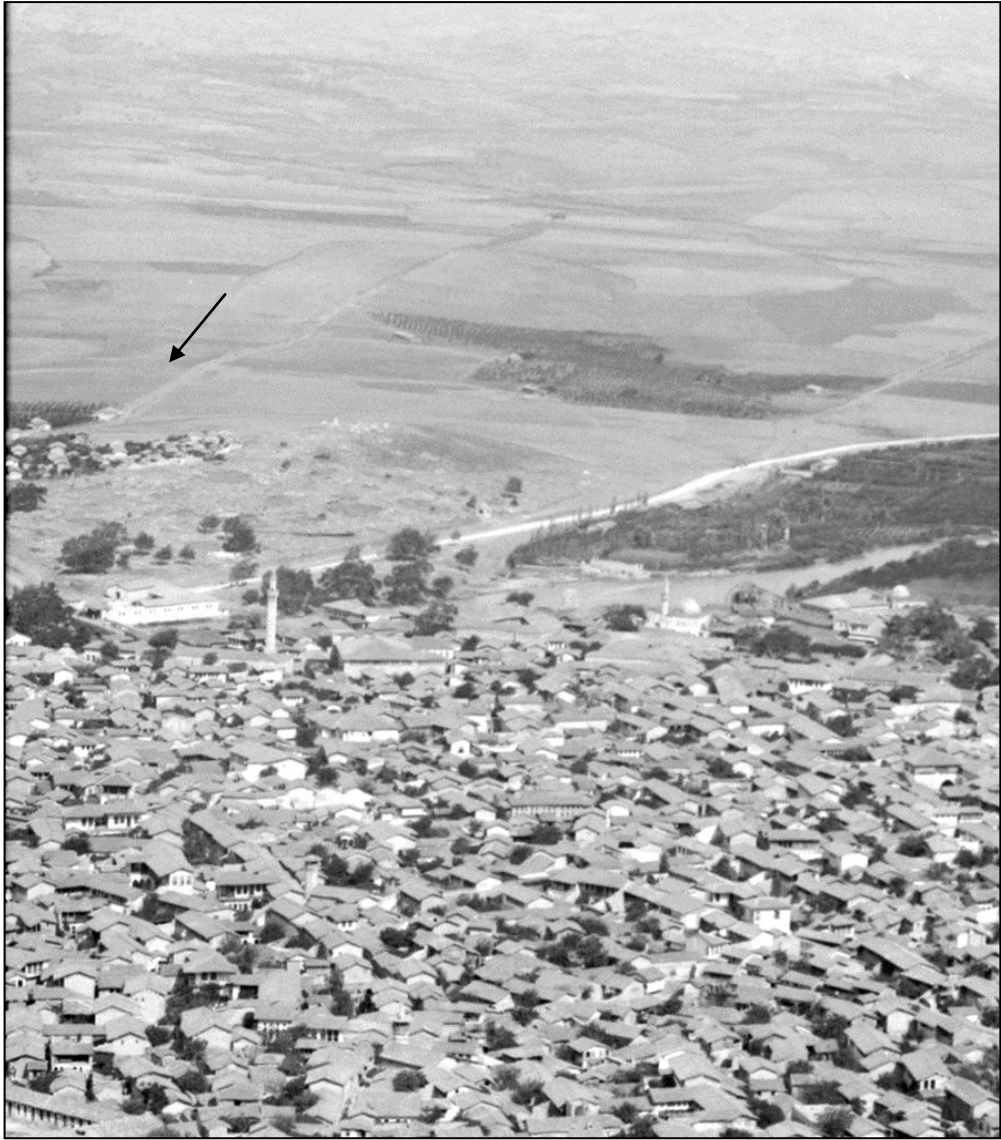


Figure 3.15. The new district, highlighted by the arrow (Source: Library of Congress).

In parallel to Aleppo's increased trade activities in the 19th century (Figure 3.16), Antakya's agricultural products became more important for export to Istanbul and Western countries.

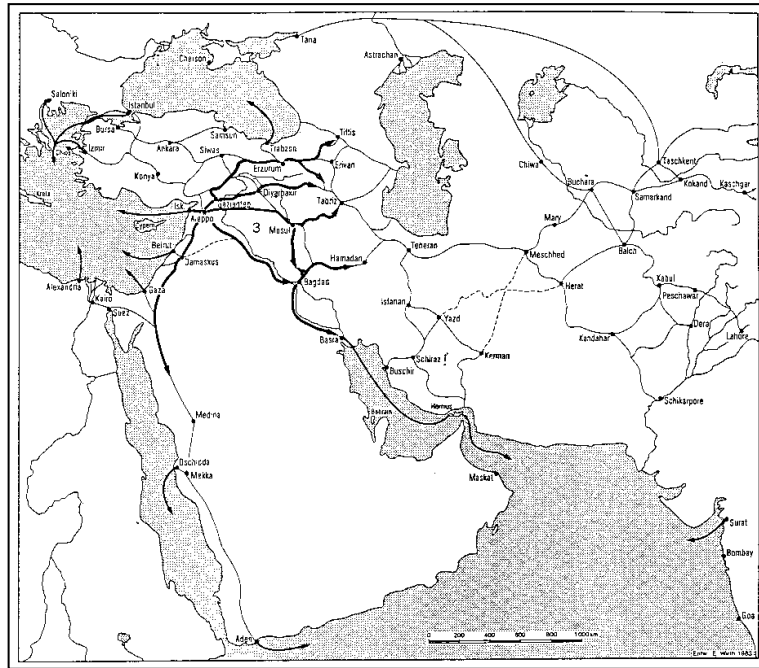


Figure 3.16. The trade routes in 1812³³¹

The main agricultural products were olives, olive oil, soap, cotton, tobacco, oil-yielding crops, grapes, figs and silk. This economic development influenced the urban form of Antakya where at the end of 19th century there were 20 khans, five water mills, nine soap factories (*Sabunhane*) and 13 silk factories (Figure 3.17). Additionally, there was a military barrack, 24 mosques, 28 *mesjids*, 42 schools, 14 coffee houses, three hotels, 3,374 houses, 1,452 shops, 35 wholesalers, 25 bakeries, three churches and one pharmacy.³³²

³³¹ Wirth, E., 1982. "Villes islamiques, villes arabes, villes orientales? Une problématique face au changement", *La ville arabe dans l'Islam*, ed.A. Bouhdiba and G.Chevallier, Tunis and Paris, pp: 193-215.

³³² Demir, 1996. *Through the Ages of Antakya*, Akbank Publication, Istanbul, p. 95.



Figure 3.17. Experts purchasing silk cocoons for export to France (Source: Library of congress).

In the first quarter of the 20th century the population of Antakya comprised Jews, Christians, Armenians, Alewite Muslims and Sunni Muslims, settled around the religious buildings they had established in their territories. Many mosques and mesjids were constructed in 1907 within the Alewite districts, such as Orhanlı mosque and Affan Mosque.

In 1914, the city faced the problem of access to clean, drinkable water.³³³ Water was sourced from a nearby spring called *Zugaybe*, and some 150 fountains were constructed in the urban core of Antakya by religious foundations.

³³³ Tekin, M., 1993. *Antakya Tarihinden Yapraklar ve Halefzade Süreyya Bey*, Antakya, p. 39.

3.2.9. French Mandate Period (1918-1938)

Following World War I Antioch came under the French mandate of Syria (1918–1938). Although it was a short period, Antakya again faced significant changes on both architectural and urban scales.

In March 1920, Halefzade Süreyya Bey became the mayor of Antakya municipality, instigating several important development activities in Antakya. Prior to any development, the French Government conducted an extensive and precise cadastral survey between 1926–1929, drawing up 1:500-scale cadastral plans under the direction of *Cadastré et d'amélioration foncière des États de Syrie, du Liban et des Alaouites*. Accordingly, the title deeds in the city were prepared and updated.

The first important act of Halefzade Süreyya Bey was to sign an agreement between the Antakya Municipality and *La Société Antioche Electrique* in 1929 that would lead to the provision of electricity to Antakya.³³⁴ The company built a power plant in the Armutlu district, which was completed in April 1931, and during the construction of the plant electrical installations were made to both public buildings and dwellings. The power plant was activated on 3rd November, with the first recipients of electrical power being Saray Street, followed by public buildings such as the Tourism Hotel; the Governmental Palace; Grande Syria; and the Lebanon Bank, after which private properties were supplied.³³⁵

Halefzade Süreyya Bey continued making improvements to the infrastructure of the city. In order to solve the water problem of the city, a system was constructed to bring water from the Daphne source, approximately 10 kilometres from the city. The system was completed in August 1931, after which the use of wells in private dwellings was prohibited due to their detrimental impacts on health.³³⁶

Infrastructural improvements continued with the enlarging and/or re-arranging of the Roman Colonnaded Street, namely *Herod*; Rue Jadid in French Mandate period; and today's Kurtuluş Street. This

³³⁴ Tekin, M., 1993. *Antakya Tarihinden Yapraklar ve Halefzade Süreyya Bey*, Antakya, p. 48.

³³⁵ Tekin, M., 1993. *Ibid.*

³³⁶ Tekin, M., 1993. *Ibid.*

was an important development activity, since the road was a prestigious urban element dating from the Hellenistic period.

Works to this end started in 1927 with expropriations and demolitions, and the street was finally opened in 1935 to vehicular and pedestrian traffic.³³⁷ Following the opening of the new street, the new European architectural style was projected onto the facades of the buildings lining the two sides of street, which soon became the location of choice of the bureaucratic elite and rich families of Antakya.

Besides the infrastructural improvements to the city, a number of important monumental buildings were constructed by the Ministry of Antakya, one of which was a slaughterhouse with modern equipment. Construction started in February 1928 and it was completed in September 1928.

Additionally, a hospital was built on the western declivity of Mount Habib Neccar in 1931–1932 with the financial support of the *Congrégation des Soeurs de St. Joseph de l'Appatition*.

The urban pattern of the historical urban core of Antakya was not well suited to the modern European principles of urbanism. In contrast, the opposite bank of Asi River was mostly un-occupied, and the vacant lands served as a suitable area for French mandate expression and Western urbanism principles. Large streets, intersecting at oblique or right angles, squares, and Western style monumental buildings were started to be built on the western side of Asi River.³³⁸

The Antakya High School was built by the Georges Moussalem enterprise, designed by M. Kowalski, who was hired by the sanjak.³³⁹ Although earlier studies cite the date of construction of the school as 1929–1930, the assignment prepared by *Republique Française*

³³⁷ Tekin, M., 1993. *Antakya Tarihinden Yapraklar ve Halefzade Süreyya Bey*, Antakya, p. 48.

³³⁸ Aslanoğlu, İ., 2000. "Fransız İşgal ve Manda Döneminde İskenderun Sancağı: Kentsel ve Mimari Değişimleriyle İskenderun, Antakya ve Kırıkhan Kazaları", *Papers Submitted to International Symposium Ottoman Heritage in the Middle East*, vol. 1, Publication of Atatürk Culture Center, Ankara.

³³⁹ Açıkgöz, Ü.F., 2008. *A Case in French Colonial Politics of Architecture and Urbanism: Antioch and Alexandretta During the Mandate*, un-published Master Thesis, METU-Faculty of Architecture, Ankara.

Ministère de L'Instruction Publique et des Beaux-Arts and given to the first director of the school, namely Mehmet Lutfi Rifai, in 1925 shows that the school was built before 1929. (Figure 3.18)

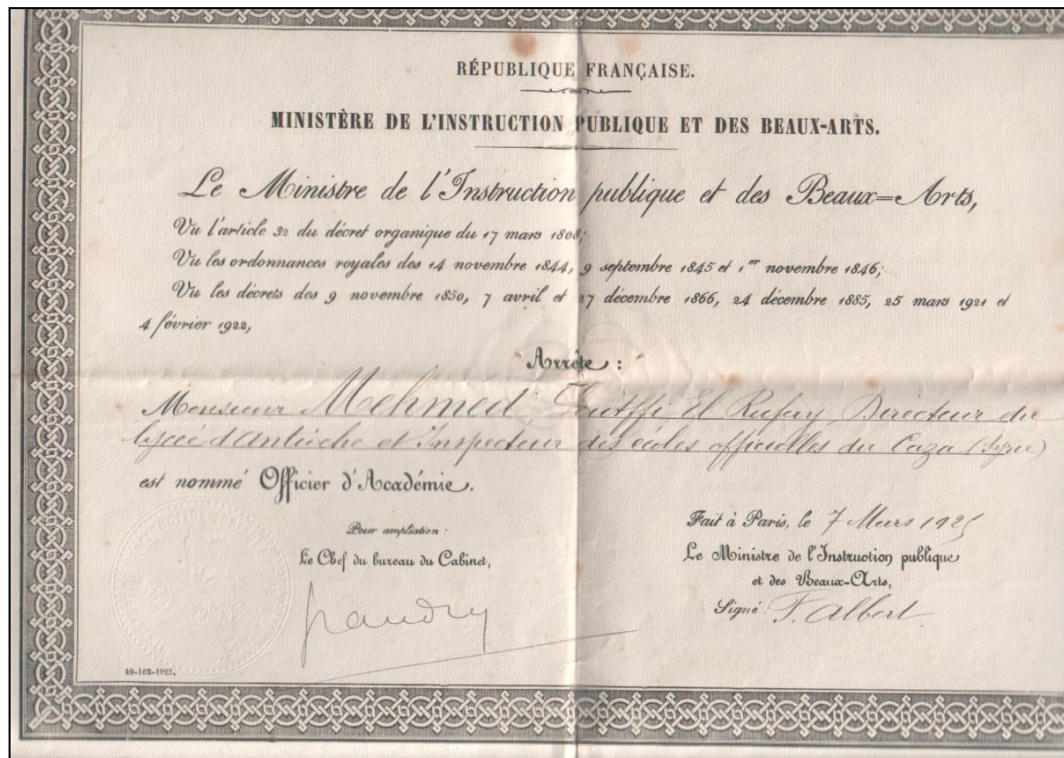


Figure 3.18. The official assignment of the first director of Antakya High School, Mehmet Lutfi Rifai (Kasım Rifai personal archive)

The school was located in the new district that had been established during the Ottoman Period (Figure 3.19). After which a public square was designed at the intersection of the İskenderun (Alexandretta) and Samandağ (Seleusia Prieria) roads, linked directly to the Roman Bridge over Asi River. The square was surrounded by such public buildings as municipality offices; Cine Empire, located in the place of Municipal khan, a bank, a museum and a post office, as well as the private homes of the Adalı family and the Governor. (Figure 3.20, Figure 3.21, Figure 3.22)

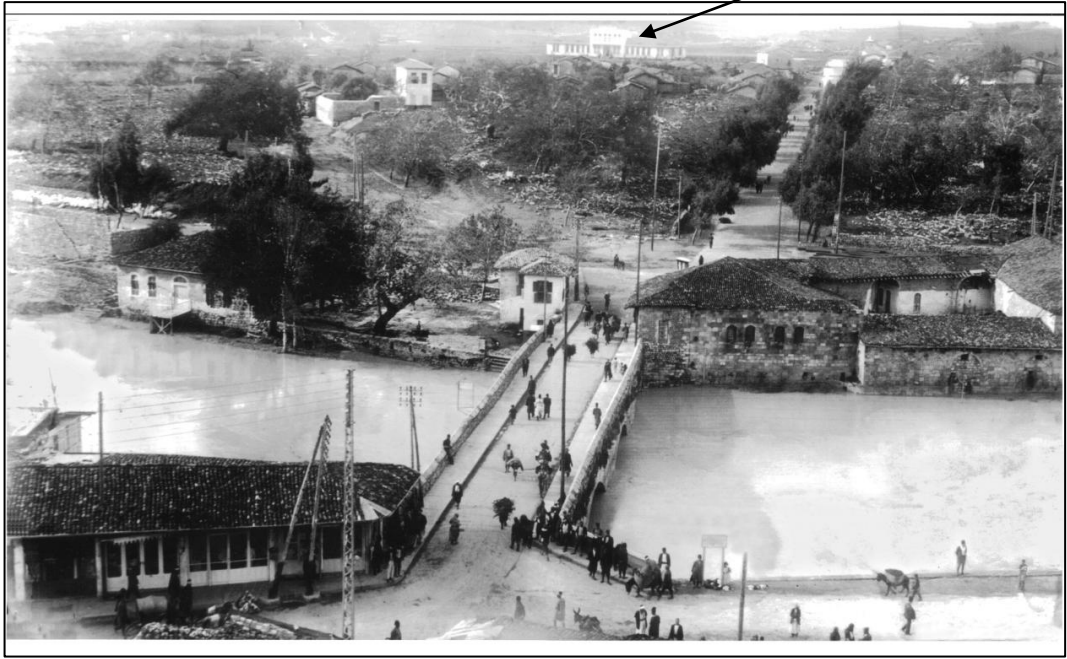


Figure 3.19. Antakya High School, seen on the left side of the straight axis highlighted by an arrow. On the right corner of the bridge is Municipality Khan (Kasım Rifai personal archive).



Figure 3.20. The square, around which can be seen the Municipality building and the Cine Empire, which constructed in the place of Municipal Khan. Antakya High School can be seen behind the Municipality building (Kasım Rifai personal archive).



Figure 3.21. The Municipality building on the right, and the Agricultural Bank on the left (Kasım Rifai personal archive).



Figure 3.22. The city development towards İskenderun (Kasım Rifai personal archive).

3.2.9.1. The first development plan of Antakya: The Danger Plan

Réne Danger, who was the principal city planner of the French Mandate, prepared 1:10 000 urban development plans for Antakya in 1932.³⁴⁰ The plan suggested two main developments:

- The development of the road network, and the connection of the two parts of the city via a circular highway (Figure 3.23, Figure 3.24)
- Functional zonings for the old and new urban pattern of Antakya (Figure 3.25, Figure 3.26)

For the development of the urban road network, Danger proposed three squares in the nucleus of the city, two of them in the old city in front of the Great Mosque and the Habib Neccar Mosque on Kurtuluş Street; and the other in the new city where the new public buildings had been constructed (Figure 3.24). Additionally, the plan widened Saray Street to 15 m through some expropriations, and connected it to the Daphne road (Figure 3.24).

The proposed square in the middle of the historical urban core in front of Habib Neccar Mosque was to be connected to a new street, proposed to run perpendicular to the proposed square in front of Great Mosque (Figure 3.24). The rationale behind this decision was that it would re-define the Roman Period *Tetrapylon*.

The plan proposed a circular highway to connect the Aleppo, İskenderun, Samadağ and Daphne roads, including the construction of two more bridges over the Asi River. (Figure 3.24)

³⁴⁰ Pinto, V., 1938. *L'Evolution de Antioche, son passé, son état actuel, son avenir*, unpublished Master thesis, Institut d'Urbanisme de Paris, Paris.

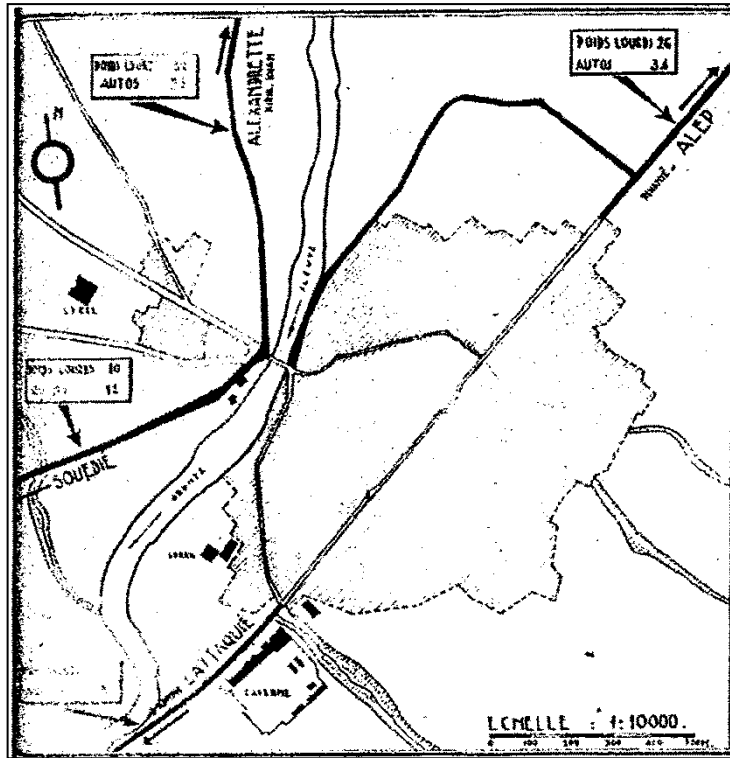


Figure 3.23. The existing street network of Antakya in 1932 (Source: Pinto, V., 1938)

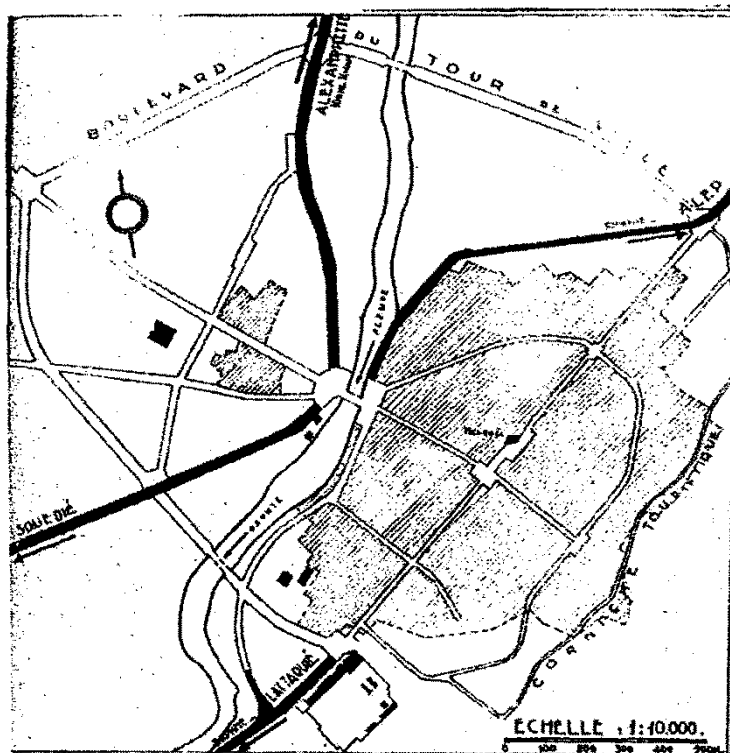


Figure 3.24. The proposed street network (Source: Pinto, V., 1938)

The plan also defined functional zones throughout the historical urban core of Antakya, and the new area to be developed on the west bank of Asi River. The plan proposed the creation of a trade zone, industrial zone, residential zone and collective habitation zone in the historical urban core. (Figure 3.25, Figure 3.26)

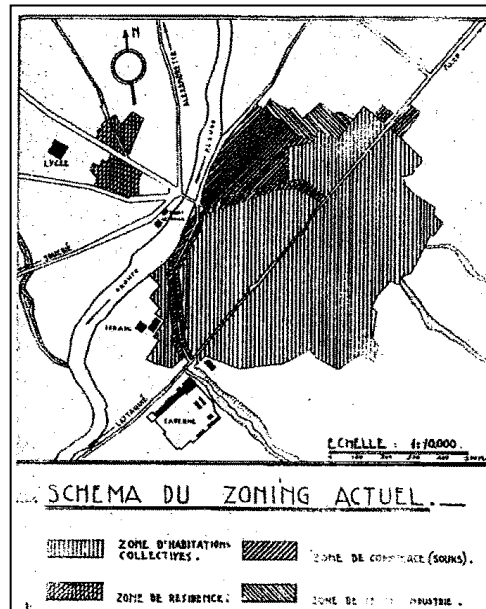


Figure 3.25. The zones in Antakya in 1932 (Source: Pinto, V., 1938)

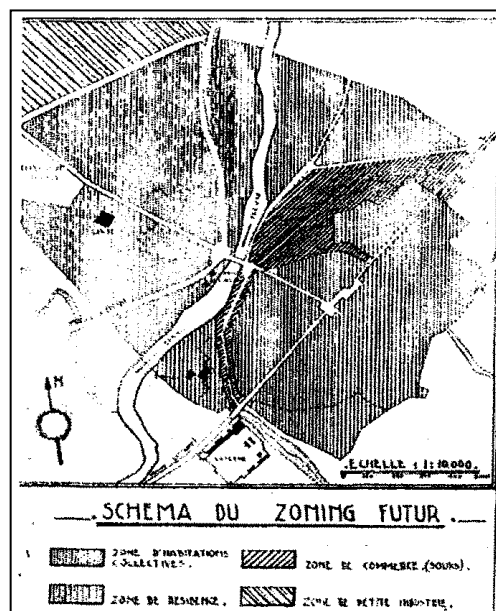


Figure 3.26. The proposed zones (Source: Pinto, V., 1938)

The plan was approved by Antakya Municipality, and most of the proposed developments to the west of the Asi River were carried out; however, the plan was only partially implemented in the historical core of the city. (Figure 3.27)

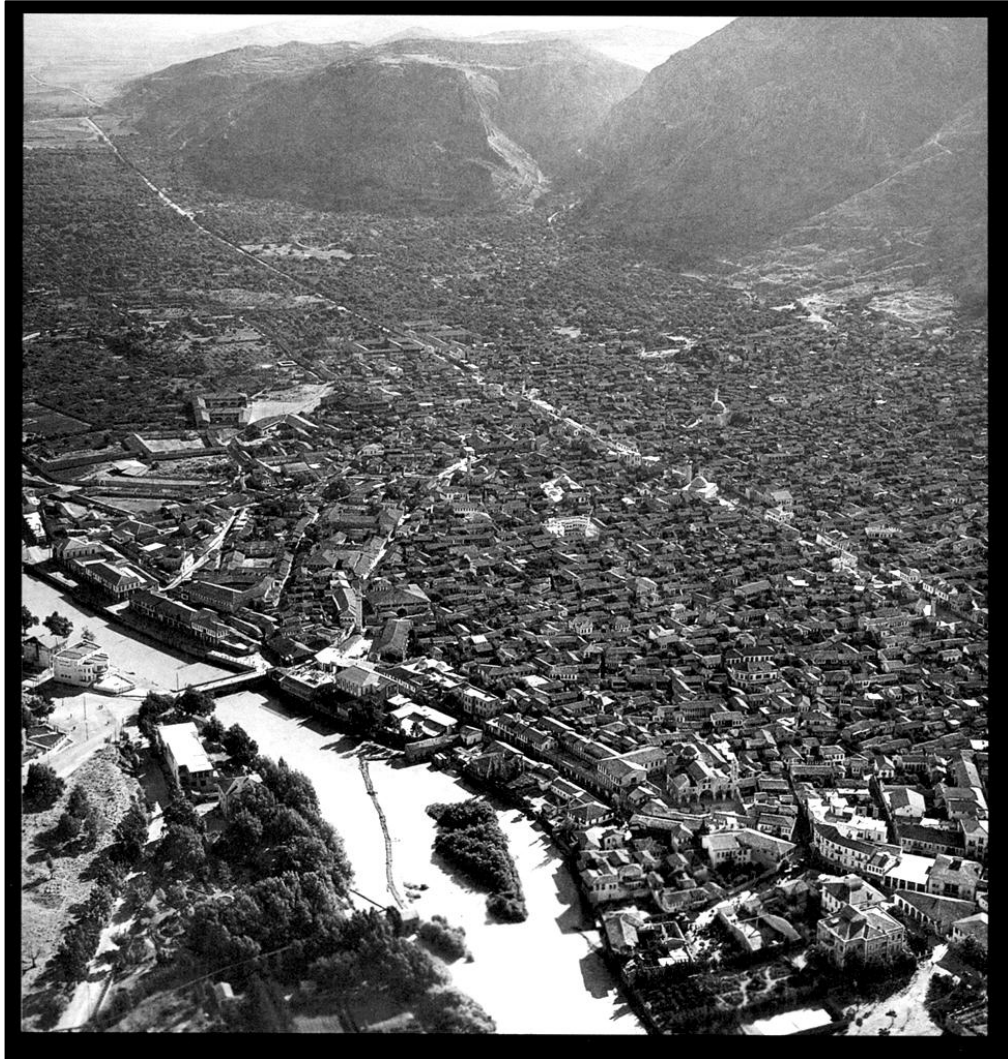


Figure 3.27. Antakya in the French Mandate Period (Source: Kondoleon, C., 2001, p.2)

3.2.9.2. Development Strategies: Tourism, Archaeology and Orientalism

During the first half of the 20th century, the Middle East attracted many Western scholars and tourists hoping to gain an understanding of the Oriental culture. European visitors first came to countries in North Africa, especially Egypt and Tunisia, and to the Eastern

Mediterranean, and a culture of mass tourism started after the founding of *Société Oriental de Tourisme* in 1930.³⁴¹

The French Mandate gave priority to increasing tourism activities in Syria, particularly in the north of the country, as a geographically and historically important region dating back to the times of the Roman Empire. In 1871, one of France's largest cruise companies, *La Compagnie des messageries maritimes*, was established and started to organize tours to the Malta, Alexandria, Port Saïd, Beirut, Alexandretta and Syria. (Figure 3.28)



Figure 3.28. Poster advertising tours of Mediterranean harbours (Source: La Compagnie des messageries maritimes)

Initially, it was French visitors that started exploring the Eastern Mediterranean and Oriental culture, and to accommodate them, Hotel Silpius (Figure 3.29) and Hotel du Tourisme opened. Hotel du Tourisme was converted from a neo-classic mansion, managed by

³⁴¹ Açığöz, Ü.F., 2008. *A Case in French Colonial Politics of Architecture and Urbanism: Antioch and Alexandretta During the Mandate*, un-published Master Thesis, METU-Faculty of Architecture, Ankara.

Société des Grands Hotels du Levant, which was the responsible body of the French Mandate throughout Syria.³⁴²

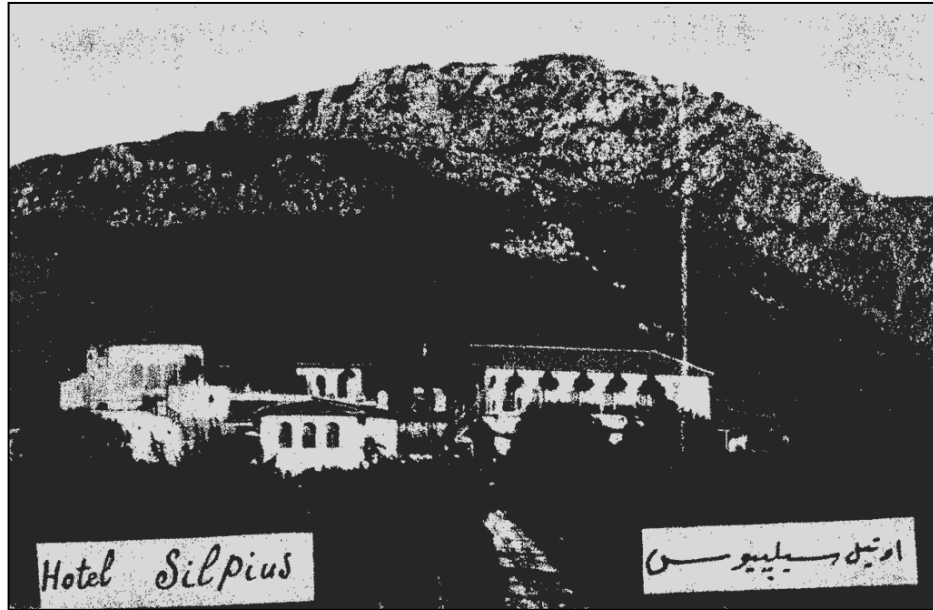


Figure 3.29. Hotel Silpius in Antakya (Source: Jacquot, P., 1931)

It is well known that Antakya and its environs were an important tourism destination in Syria, based on its rich historical, archaeological and religious backgrounds as one of the holiest place of Christianity, its importance as the eastern capital city of the Roman Empire and the Crusader Kingdom, and its Ottoman urban form. For this reason, the *Comité du Tourisme*, established in 1930, gave priority to the development and promotion of tourism in Antakya and its surrounding area. To this end, the Comité charged Paul Jacquot³⁴³ with compiling a tourist guide for Antakya, which was published in 1931 in three volumes under the title *Antioche, Centre de Tourisme*. The book contained extensive information about Antakya and the region stretching from Alexandretta to the Reyhanli. The history of each town was described in detail, with information on the archaeological edifices and monuments in Antakya. The guide also highlighted French development activities, including those related to public services, investment for commerce, development of

³⁴² Jacquot, P. 1931. *Antioche: Centre de Tourisme*, Comite de Tourisme d'Antioche, Antakya.

³⁴³ Jacquot, P. 1931. *Antioche: Centre de Tourisme*, Comite de Tourisme d'Antioche, Antakya.

infra-structures and super-structures of the city, etc. Accordingly, Antakya became a key destination for French tourists, who came in their droves to the region and intermingles with the city's inhabitants during the French Mandate (Figure 3.30). The guide had particular focus on the historical identity of Antakya and its roots in the Roman Empire, while the *Comité du Tourisme* gave priority to archaeological investigations in order to promote Antakya's touristic potentials.



Figure 3.30. Tourists in the streets of Antakya (Source: Library of Congress)

The 14th Article of the 20-Article League of Nations Convention³⁴⁴ for the French Mandate of Syrian and the Lebanon highlighted the necessity of excavations and archaeological research; defining an obligation to set up a law of antiquities in conformity with the following provisions:

- “1) Antiquities mean any construction or any product of human activities earlier than the year 1700 A.D. ; 2) The law for the protection of antiquities shall proceed by encouragement rather than by threat; 3) No antiquity may be disposed of except to the competent

³⁴⁴ The American Journal of International Law, Vol. 17, No.3, supplement: Official Documents (Jul., 1923), pp.177-182.

department, unless this department renounces the acquisition of any such antiquity. No antiquity may leave the country without an export license from the said department; 4) Any person who maliciously or negligently destroys or damages an antiquity shall be liable to a penalty to be fixed; 5) No clearing or ground or digging with the object of findings antiquities shall be permitted, under penalty of fine, except the persons authorized by the competent department; 6) Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archaeological interest; 7) Authorization to excavate shall only be granted to persons who show sufficient guarantees of archaeological experience. The Mandatory shall not, in granting these authorizations, act in such a way as to exclude scholars any nation without good grounds; 8) The proceeds of excavations may be divided between the excavators and the competent department in a proportion fixed by that department. If division seems impossible for scientific reasons, the excavator shall receive a fair indemnity in lieu of a part of the find”³⁴⁵

Accordingly, *Services d’antiquités* was established, which conducted several excavations throughout Syria and Antakya in collaboration with Institut Français de Damas. In Antakya and its surroundings, several archaeological surveys and excavations were carried out by Princeton University, Louvre Museum and the Chicago Oriental Institute (Figure 3.31).

³⁴⁵ The American Journal of International Law, Article 14, p. 181.



Figure 3.31. . Princeton University Antiokhiea excavation (Source: Hatay Kültür Envanteri, 2011, p. 23).

The findings made during archaeological excavations in Antakya made it the most important city in regards to Roman and Hellenistic Period artefacts. Consequently, the French Mandate gave utmost priority to excavations and their findings with the intention of re-defining the historical importance of Antakya. In the 1932–1936 periods, 40 excavations were carried out throughout Antakya (Figure 3.32).

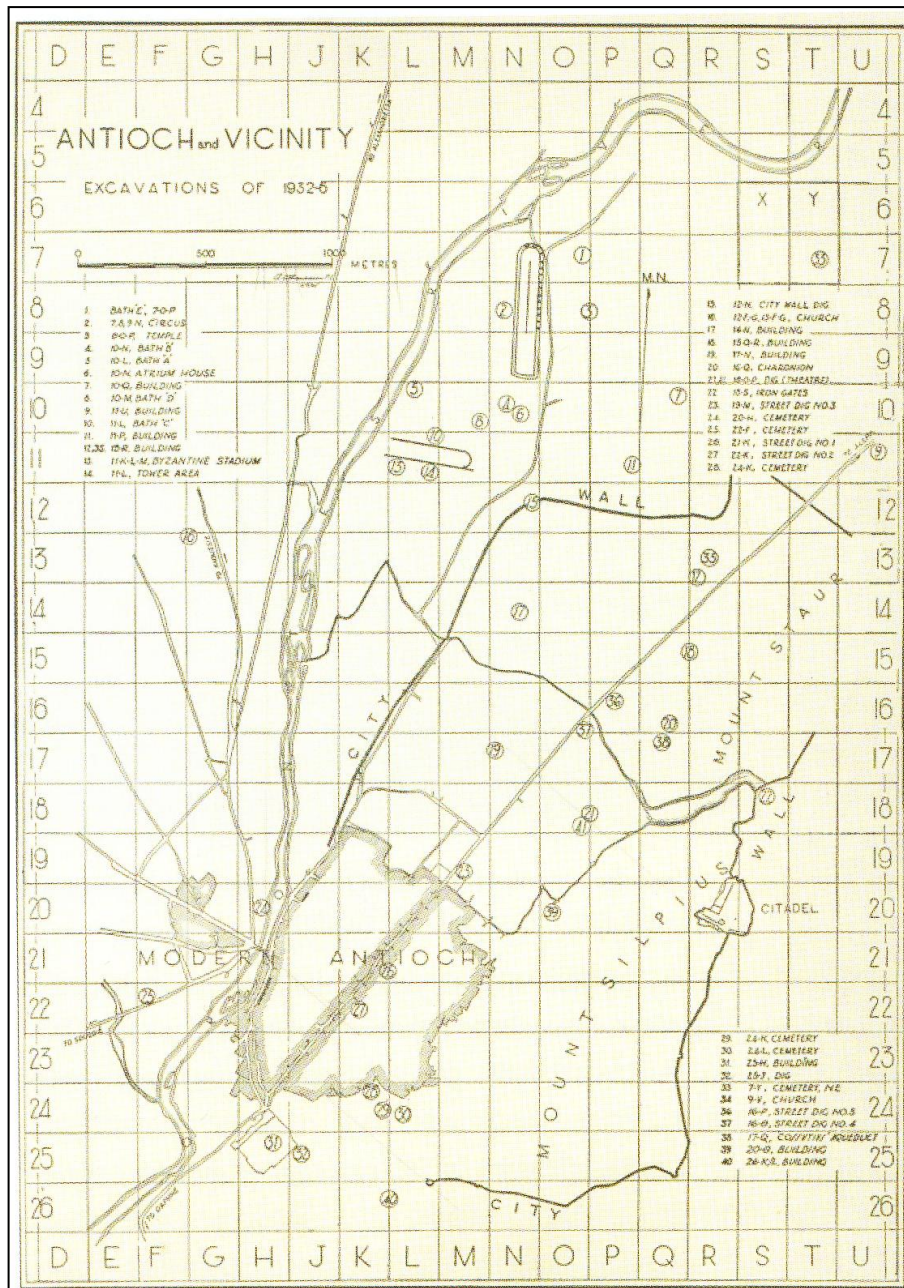


Figure 3.32. The location of excavations carried out between 1932-1936 in Antakya during the Princeton University Antiokhia works (Source: Hatay Kültür Envanteri, 2011, p. 25).

In parallel to the excavations, the conservation and display of archaeological findings was another important task for the French Mandate. The archaeological findings were initially exhibited at

Antioch High School and in the Antakya Municipality building,³⁴⁶ however owing to the large quantity of archaeological finds, *Service d'Antiquités* began considering the construction of a purpose-built museum. Architect Michel Ecochard was appointed to design the museum, and a site was selected on the corner of Public Square to the west of Asi River. The major design concept of the museum was based on housing the large-scale archaeological finds, including the many huge Roman mosaics. The design project was finished in 1933 and construction of the museum began in 1934, and the museum was opened to the public in 1939. An annex entrance was added to the front façade of the building in 1975.³⁴⁷ (Figure 3.33)



Figure 3.33. The Archaeological Museum of Antakya, showing the later annex entrance (Photo taken by Rifaioğlu, M.N., 2007).

Service d'urbanisme conducted several surveys under the French Mandate to investigate the current urban forms and aspects of the

³⁴⁶ Jacquot, P. 1931. *Antioche: Centre de Tourisme*, Comite de Tourisme d'Antioche, Antakya

³⁴⁷ Aslanoğlu, İ., 2000. "Fransız İşgal ve Manda Döneminde İskenderun Sancağı: Kentsel ve Mimari Değişimleriyle İskenderun, Antakya ve Kırıkhan Kazaları", *Papers Submitted to the International Symposium Ottoman Heritage in the Middle East*, vol. 1, Publication of Atatürk Culture Center, Ankara.

Oriental city form. Urban geographer Jacques Weulersse³⁴⁸ conducted a survey of Antakya in an attempt to define its Oriental character, the results of which were published in 1934.

The survey took the form of a morphological analysis of the relationships between the ethnic structure and the districts; the religious monuments and their surroundings; and the formation of the trade zone and its urban structures. He highlighted the differences between the Roman Antioch and the Islamic urban form with giving references to the urban elements of the grid plan from Roman Antioch³⁴⁹ (Figure 3.34).

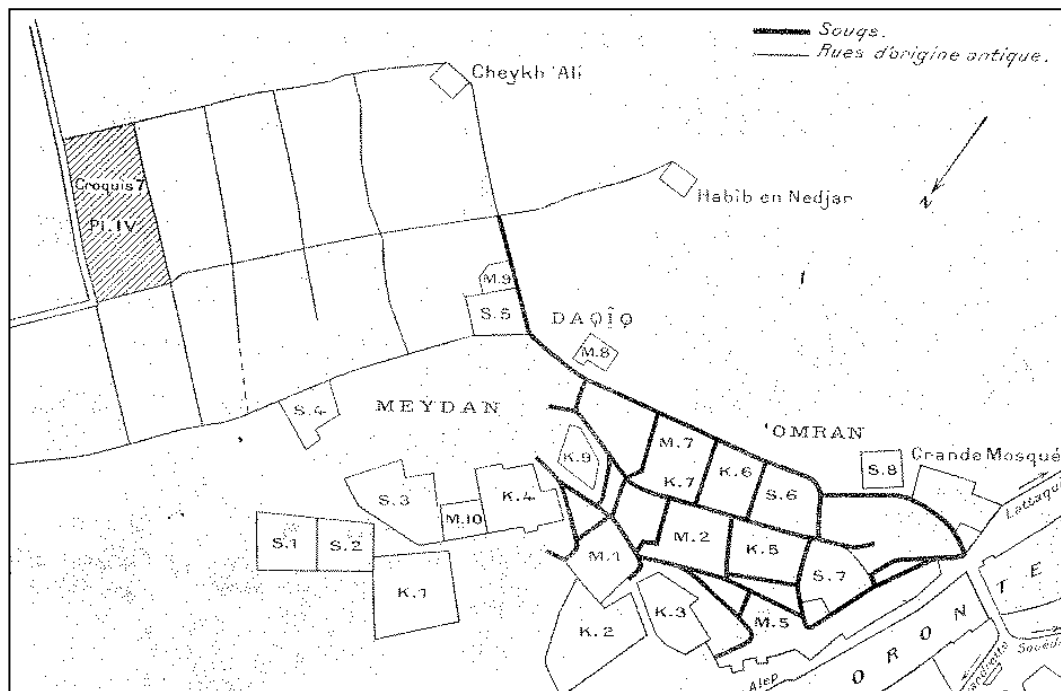


Figure 3.34. The thin lines indicate the grid plan from the Roman Antioch period (Weulersse, J., 1934).

According to Weulersse, the current city was formed under Islamic urban form principles, and it an important example of a city that was converted from a Roman form to an Islamic urban form. Weulersse stressed that, “The Islamic rules and regulations were an affective parameter throughout the physical urban fabric, and thus it was

³⁴⁸ Weulersse, J., 1934. “Antioche Essai de géographie urbaine”, *Bulletin d'Etudes Orientales*, Tome IV, Damas.

³⁴⁹ Weulersse, J., 1934. *Ibid.*

strengthened with the land ownership rights of the Ottoman period”.³⁵⁰

Weulersse’s analysis indicated that there were strict separations throughout the urban form along ethnic, religious and economic lines, characterizing the separate districts and zones. He claimed that this separation was typical of Oriental cities, and defined them as *closed urban units*.³⁵¹

Weulersse noted that the Christian community was located around the Saray Street, the Sunni Muslims (Turks, using Weulersse’s definition) were located in the *souq* area and the Habib Neccar Mountain, and the Alewites were located on the fringes of the urban core, since they were in the lower income group and carried out labouring work. (Figure 3.35)

Lastly, Weulersse analyzed the trade zone of the urban form, and the *souqs*, khans and soap factories (savonnaries). He claimed that the trade zone of Antakya had been influenced directly by the norms of the Islamic urban form, and was formed by religious monuments and trade buildings.

³⁵⁰ Weulersse, J., 1934. “Antioche Essai de géographie urbaine”, *Bulletin d’Etudes Orientales*, Tome IV, Damas, p.40.

³⁵¹ Weulersse, J., 1934., *Ibid*, p.37.

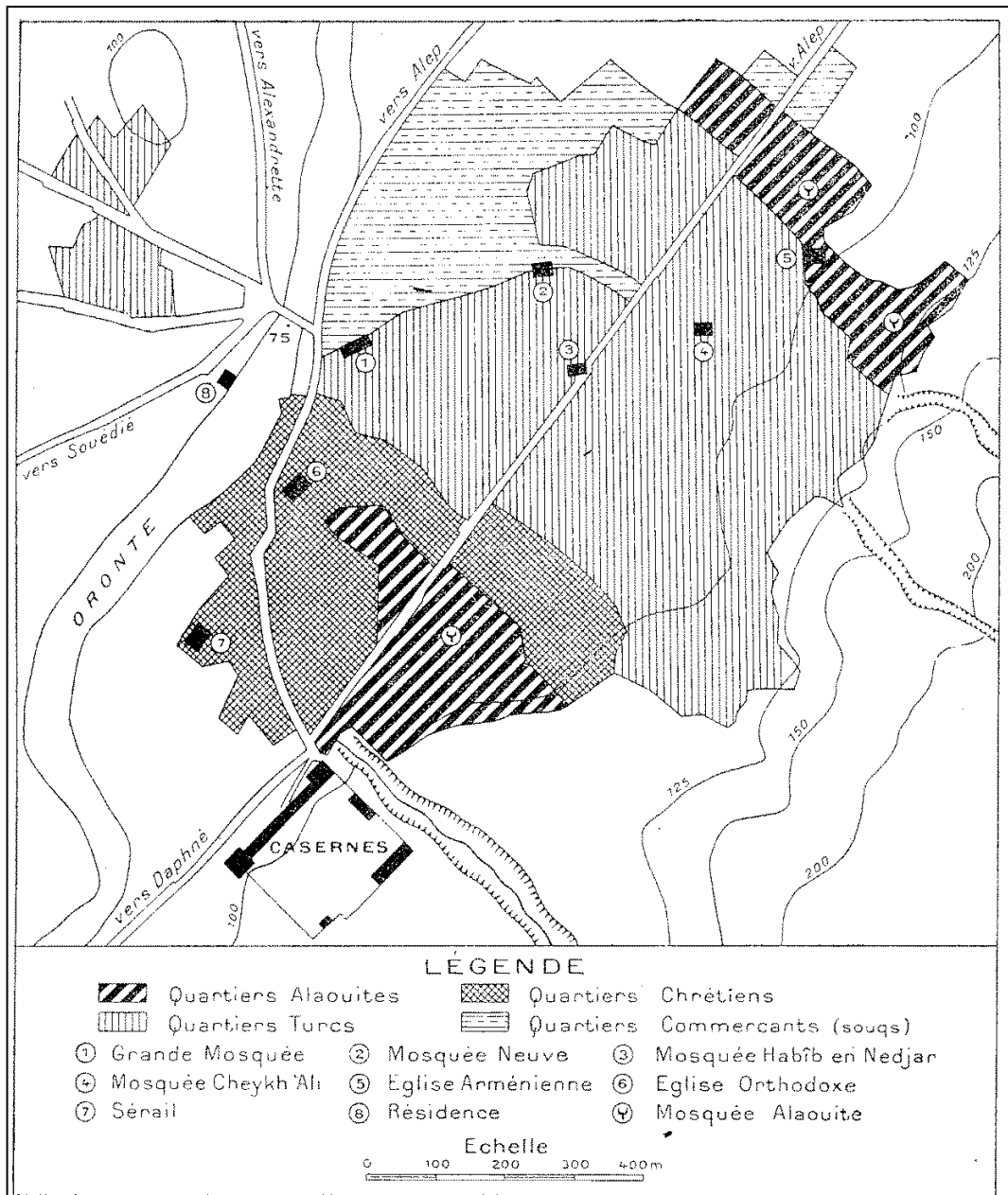


Figure 3.35. Ethnic and religious quarters of Antakya (Weulersse, 1934, p. 39)

Following the French Mandate Period, Antakya came under the independent Hatay State (1938–1939) which only lasted for one year, and so the city saw no significant physical development, rather only political change. During the period of the Hatay State, the *Cine Empire* was used as the Hatay Parliament building, and Tayfur

Sökmen was elected as the president of the Hatay State. Thereafter, Antakya was unified with the Turkish Republic as the last city to join the new Republic of Turkey.

3.2.10. Turkish Republic Period (since 1939)

During the early years of the Turkish Republic, Antakya's development faced a contrary with the development activities of new urban areas and the conservation of the historic urban core. The first urban development plan for Antakya was prepared by Asım Kömürcüoğlu on the instruction of the Cities Bank (İller Bankası) of Turkey in 17th May, 1948. However the plan was not implemented and another urban development plan was prepared by Assoc. Prof. Gündüz Özdeş, working for Antakya Municipality.

The Özdeş urban development plan, prepared in 1:5000; 1:1000; and 1:500 scales, was completed and approved on 1st January, 1957. The 1:5000 scale plan showed the current settlement area expanded in a south-west direction from the historical core and centrally spread to the west part of Asi River. The plan appointed new settlement areas in the northern part of the historical trade zone, and in the south, part where the military barracks had existed since the Ottoman Period. Heavy and light industrial areas were located in the northern part of the historical core, on a site formerly used for orchards and agriculture. (Figure 3.36)

The plan also proposed an extensive change to the street system of the urban core, with several roads, including Kurtuluş Street, marked for widening to 20 metres (Figure 3.37) and new streets to be established in the core through expropriations within the current urban fabric. The plan also proposed a new road system in the new development area to the west of Asi River, connecting it to the historical core of Antakya.³⁵²

³⁵² Antakya Urban Development Plan, Assoc. Prof. Gündüz Özdeş, 1957.

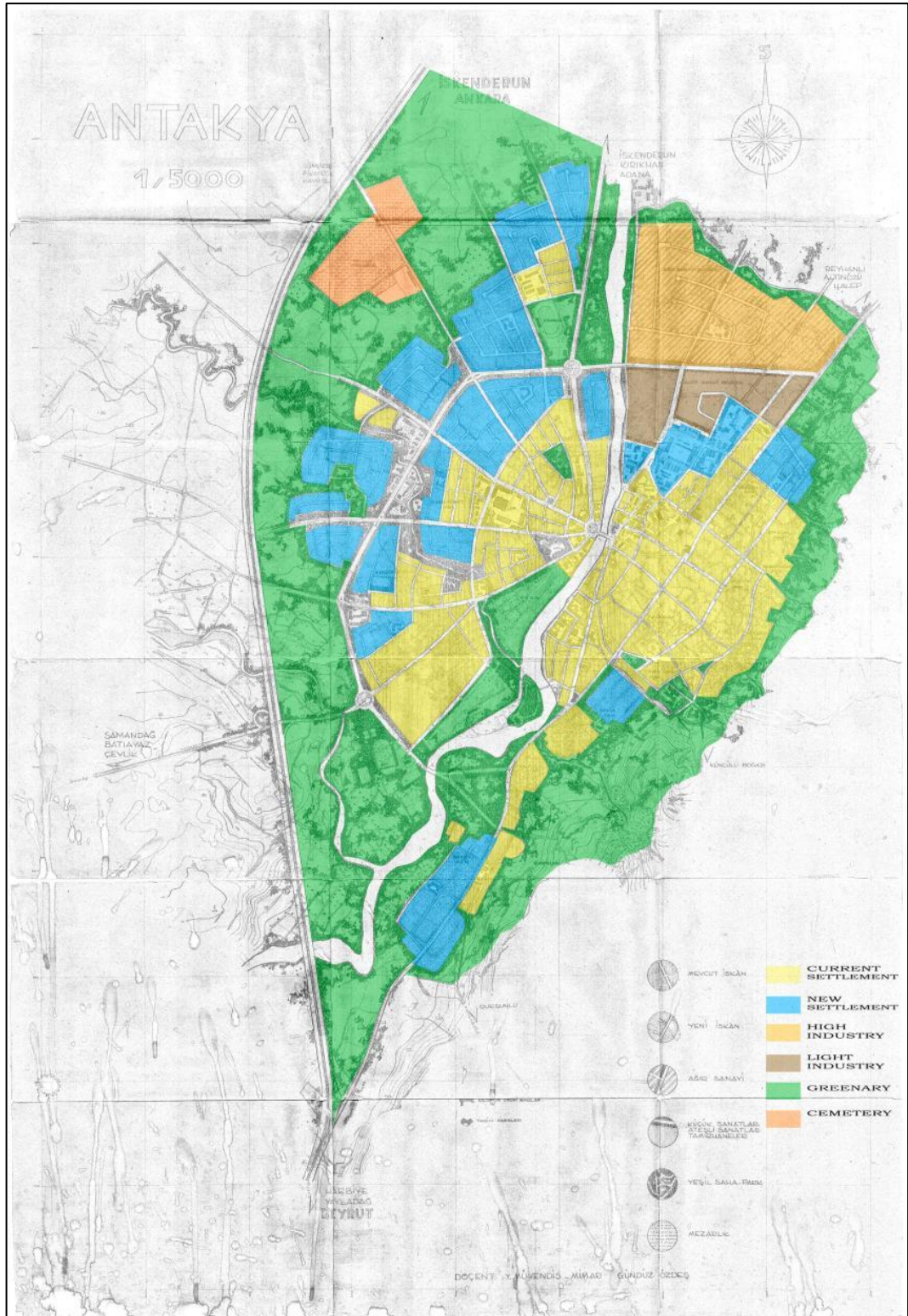


Figure 3.36. 1/5000 scale Land Use decisions on the urban development plan of Antakya (Reproduced by Rifaioğlu, M.N., after Özdeş, G.).

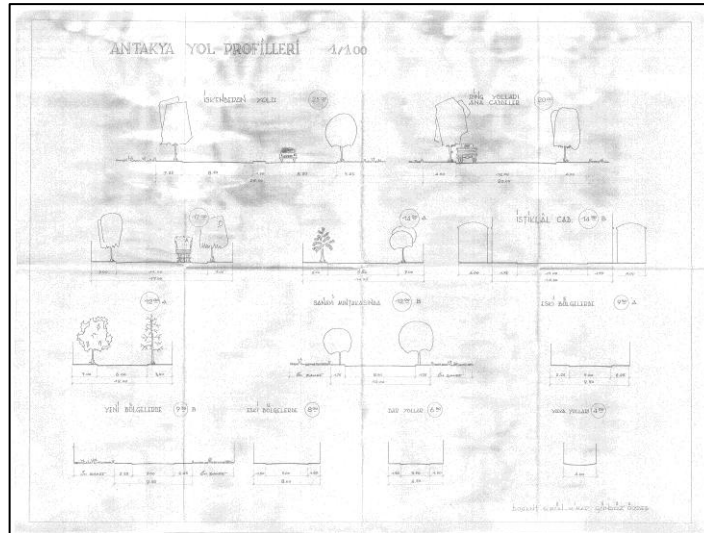


Figure 3.37. Proposed street sections in the development plan (Source: Antakya Municipality)

The main objective of the proposed street layout was to create large building blocks throughout the urban core, and to provide easy vehicular access by eliminating the winding and narrow street layout. (Figure 3.38)

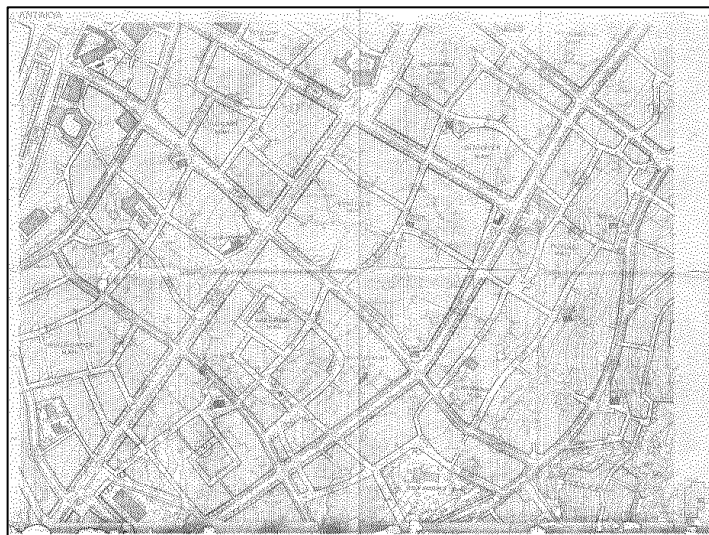


Figure 3.38. The proposed street layout in the historical urban core (Source: Antakya Municipality)

In line with the plan, some decisions were implemented in the historical urban core. Firstly, expropriations were made in the historical trade zone to make room for an inter-city coach terminal, a wholesale fruit and vegetable market, a contemporary open bazaar and office buildings. (Figure 3.39)

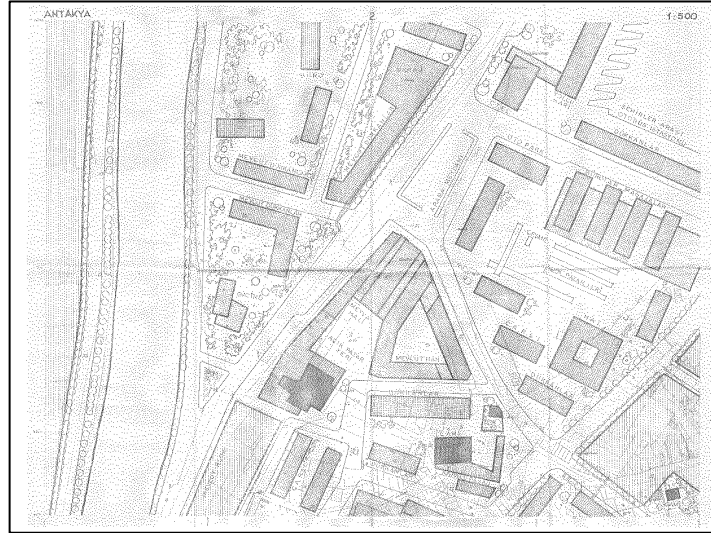


Figure 3.39. Detail of the 1:500 scale urban development plan (Source: Antakya Municipality)

Secondly, a road was opened perpendicular to Kurtuluş Street leading towards Asi River, for which many traditional houses were expropriated and demolished. Additionally, expropriations were made around the Great Mosque to clear the way for a new development block and a Republic Square. (Figure 3.40).

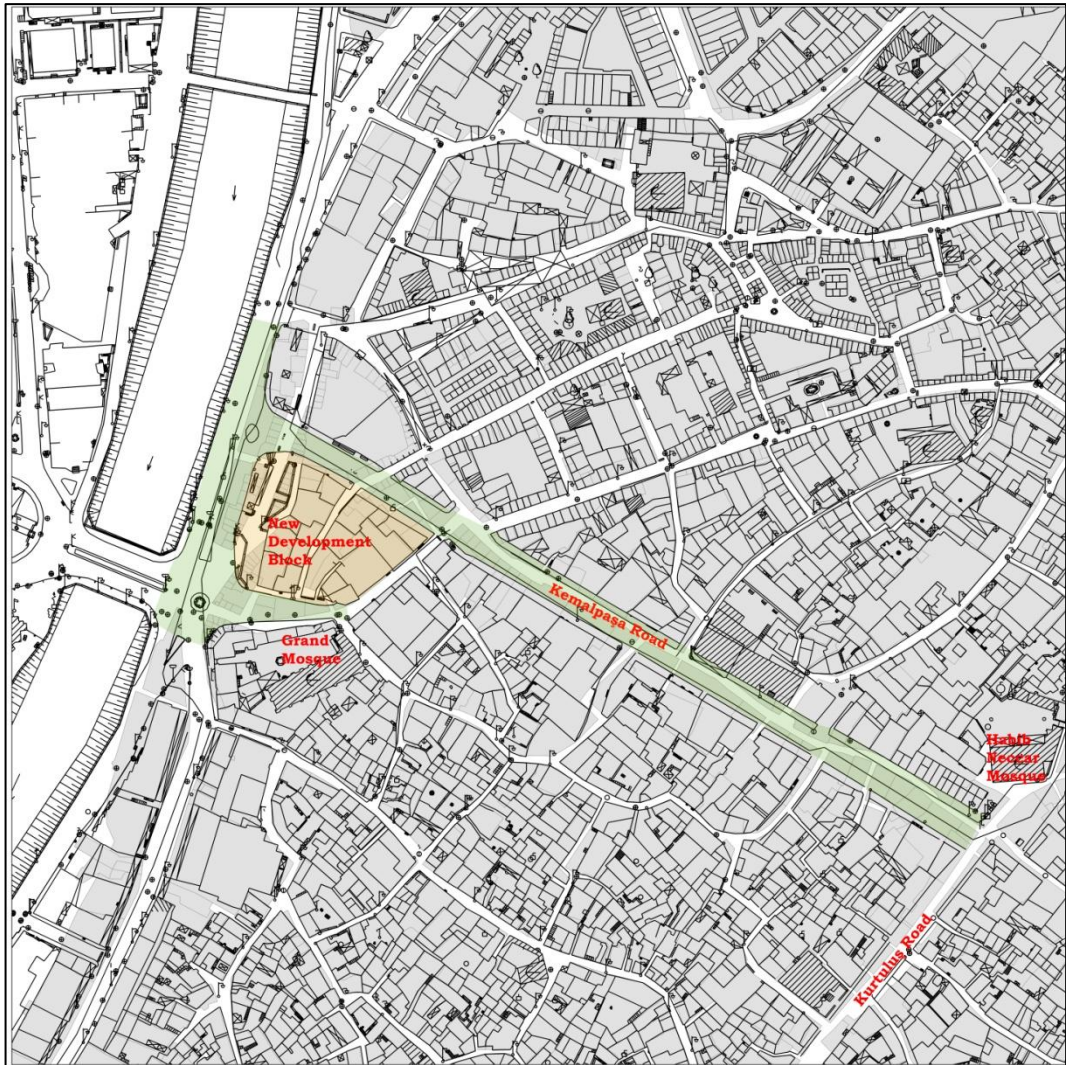


Figure 3.40. The Kemalpaşa Road and a new development block were built after expropriations. The grey plots showed the location of the former historical urban fabric (Prepared by Rifaioğlu, M.N. personal geo-data-base, 2011)

For the historical urban core itself, the plan did not define any conservation requirements, as the intention was rather to change the traditional urban fabric, and therefore affecting the traditional character which needed to conserve. The plan was followed until 1978, and many expropriations were made within the historical urban core that destroyed the unique physical characteristics of the urban form. The destruction of the 10-metre, 4-arched Roman Bridge

to make way for a reinforced concrete bridge in 1970 was the most striking example of this.³⁵³ (Figure 3.41)



Figure 3.41. The Roman Bridge and Asi River (Source: Kasım Rifai personal archive)

Following this destruction of the historical urban core, *the High Council of Immovable Old Assets and Monuments (GEEAYK)*³⁵⁴ announced that, “as a world famous city it is important to conserve all of its values as far as possible for the next generations. Thus, a new development plan should be prepared defining the historical buildings, urban site, archaeological and natural sites according to the 1710 Old Assets Law, from which conservation decisions should be taken”.

Accordingly, in 1975 a site survey was carried out by appointed experts, and the historical buildings in need of conservation, as well

³⁵³ O'Connor, C., 1993. *Roman Bridges*, Cambridge University Press, Cambridge.

³⁵⁴ GEEAYK, 12 July 1975, 8521 decision number.

as the urban site and the archaeological and natural site boundaries were defined in 1:1000 and 1:5000 scales. According to the survey, 70 buildings were required to be listed as monumental buildings, comprising 24 mosques, six *mesjids*, two *khans*, four baths, three tombs, 17 fountains, one covered bazaar (bedesten), two soap factories, two churches, one synagogue and eight other buildings. Additionally, 132 traditional houses were listed.³⁵⁵

The regulations to be complied with within the urban site were defined as:

- the façade of the existing street layout should be conserved
- the height and ratio of the built-up area to plot area should be conserved, and the heights and ratios of new buildings should not exceed those of any historical buildings
- the original street layout, street sections and stone coverings should be conserved and repaired as required
- it will not be allowed to cover the streets with asphalt or concrete
- new building constructions within the urban site will only be allowed if they are compatible with the surrounding architectural characteristics
- old and deteriorated historical buildings should be repaired, conserving their architectural characteristics and using original materials as much as possible.

Additionally, the *High Council of Immovable Old Assets and Monuments* (GEEAYK) set out regulations related to the archaeological site, as defined below:

- the urban development plan now in the process of being prepared must not include any industrial development within the archaeological site
- existing industrial buildings should be relocated in time, and the establishment of new industrial buildings within the archaeological site boundary is prohibited
- public buildings are not allowed to be constructed within the archaeological site

³⁵⁵ GEEAYK, *Antakya Kültür Envanteri*, 1975.

- the construction of new residential buildings is only allowed on plots of more than 2,000 m² plots if they do not exceed two storeys in height
- during new residential building constructions, staff from the Archaeology Museum should be on hand during the foundation works of the building in case any archaeological remains are uncovered
- a division of plots is not allowed within the archaeological site.

In addition to those regulations, the *High Council of Immovable Old Assets and Monuments* pushed for the preparation of an urban conservation and development plan for the historical urban core of Antakya. The presence of many valuable historical buildings and monuments in the core necessitated a deeper survey in order to facilitate the forming of appropriate conservation decisions.

In parallel to the conservation measurements taken in the historical urban core, an urban development plan and an Antakya historical site special development plan (*Antakya Tarihi Sit Mevzii İmar Planı*) (Figure 3.42) was prepared by Yavuz Taşçı in 1978 in 1:1000 scale.

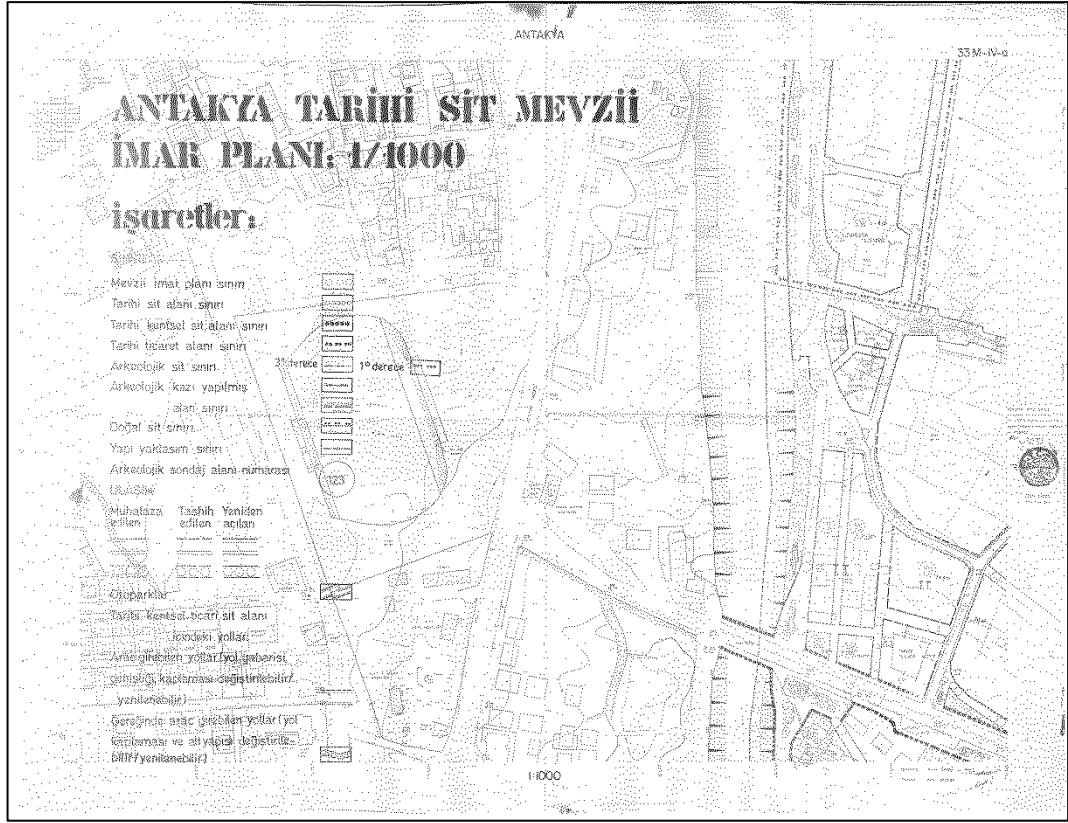


Figure 3.42. The historical site special development plan of Antakya prepared by Yavuz Taşçı, 1978 (Source: Antakya Municipality).

In line with the decisions taken by the *High Council of Immovable Old Assets and Monuments* the plan also defined the boundaries of both the urban and archaeological sites. However, the plan defined a *deteriorated urban site* where the heavy and light industrial areas existed on the northern part of historical urban core, and so the restrictions defined by the *High Council of Immovable Old Assets and Monuments* for the industrial area were invalidated.

Consequently, not only did expropriations and plot divisions continue in the industrial area, but also the construction of new industrial buildings rather than two-story residential buildings.

Additionally, the plan contained 1:500-scale urban development application proposals for the historical urban core (Figure 3.43), proposing new physical interventions and functional proposals for the historical monuments.

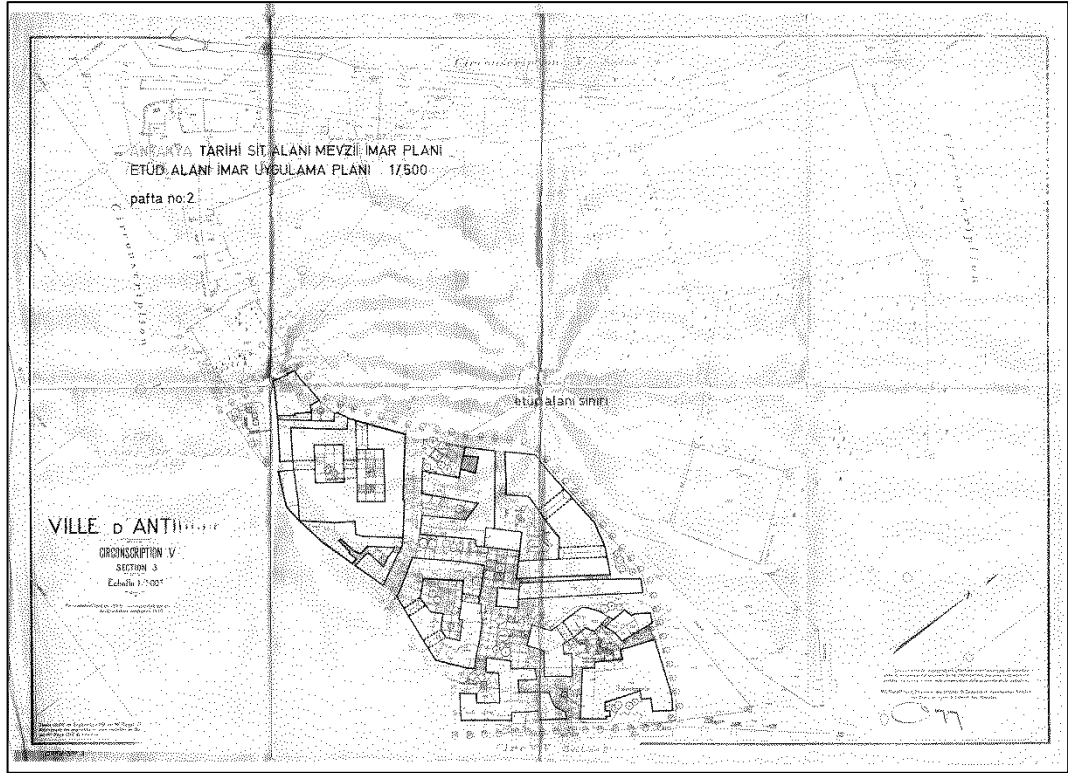


Figure 3.43. 1:500 scale urban development application proposal (Source: Antakya Municipality).

The urban conservation and development plan was prepared by Assist. Prof. Dr. Nurcan Uydaş from the Gazi University Faculty of Engineering and Architecture, under assignment to Antakya Municipality, in 1987. While the conservation plan studies were continuing, the listed building records were updated and registered by the *High Council of Immovable Old Assets and Monuments* in 1982. With this registration, the buildings listed were 24 mosques, seven *mescids*, four *khans*, four baths, seven tombs, 20 fountains, one covered bazaar (*bedesten*), four soap factories, two churches, one synagogue, and 25 other buildings, as well as 269 traditional residential buildings.

The plan and its supplementary documents were approved in January 1987, defining a 1st and 3rd degree archaeological site, a natural site and an urban site (Figure 3.44).

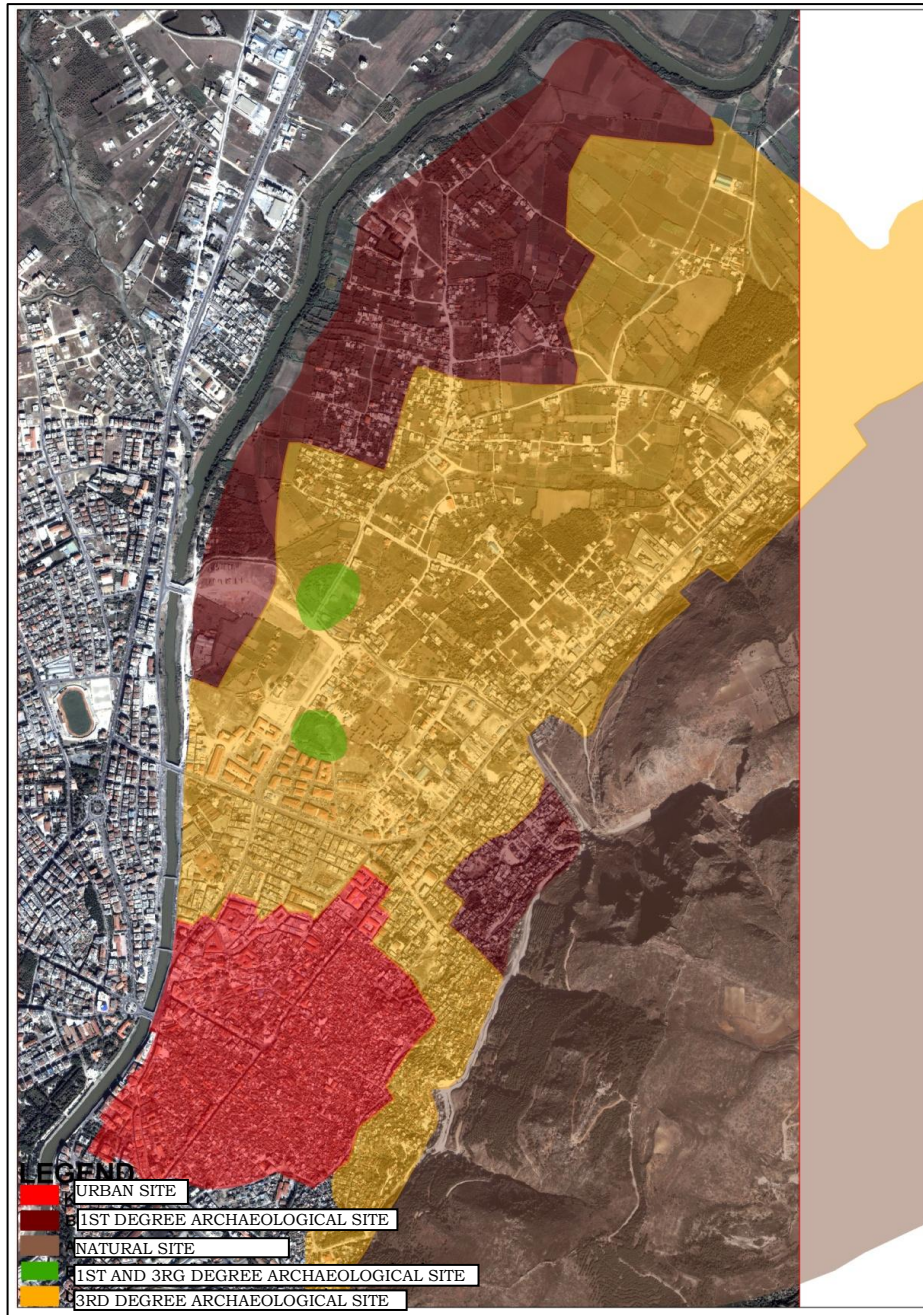


Figure 3.44. 1987 urban conservation and development plan site boundaries (Produced by Rifaioğlu, M.N., 2008).

The plan contained the following regulations: (Figure 3.45)

- a division of plots of less than 300 m² is not allowed in the 3rd degree archaeological site

- the maximum construction height for non-registered buildings on Kurtuluş Street is 13.50 metres and four storeys, and new buildings should be set 3 metres back from registered buildings
- some streets within the urban site are to be widened to 10 metres and straightened
- the population of the urban site should be constantly conserved
- secondary streets are to be conserved in their original cadastral situation
- street characteristics related to their form, pavement and slopes should be conserved
- registration covers not only the buildings on the plots, but also the gardens and courtyard, and elements such as pools, wells, fountains and other features
- original architectural elements and the form of the facades and buildings should be conserved
- new buildings within the urban site are restricted to a total building area coefficient (TAKS) of maximum 0.5, a total floor area coefficient of maximum 1.00 (KAKS) and maximum two storeys in height
- the construction of any building more than 120 m² in plan area on any plot is prohibited.

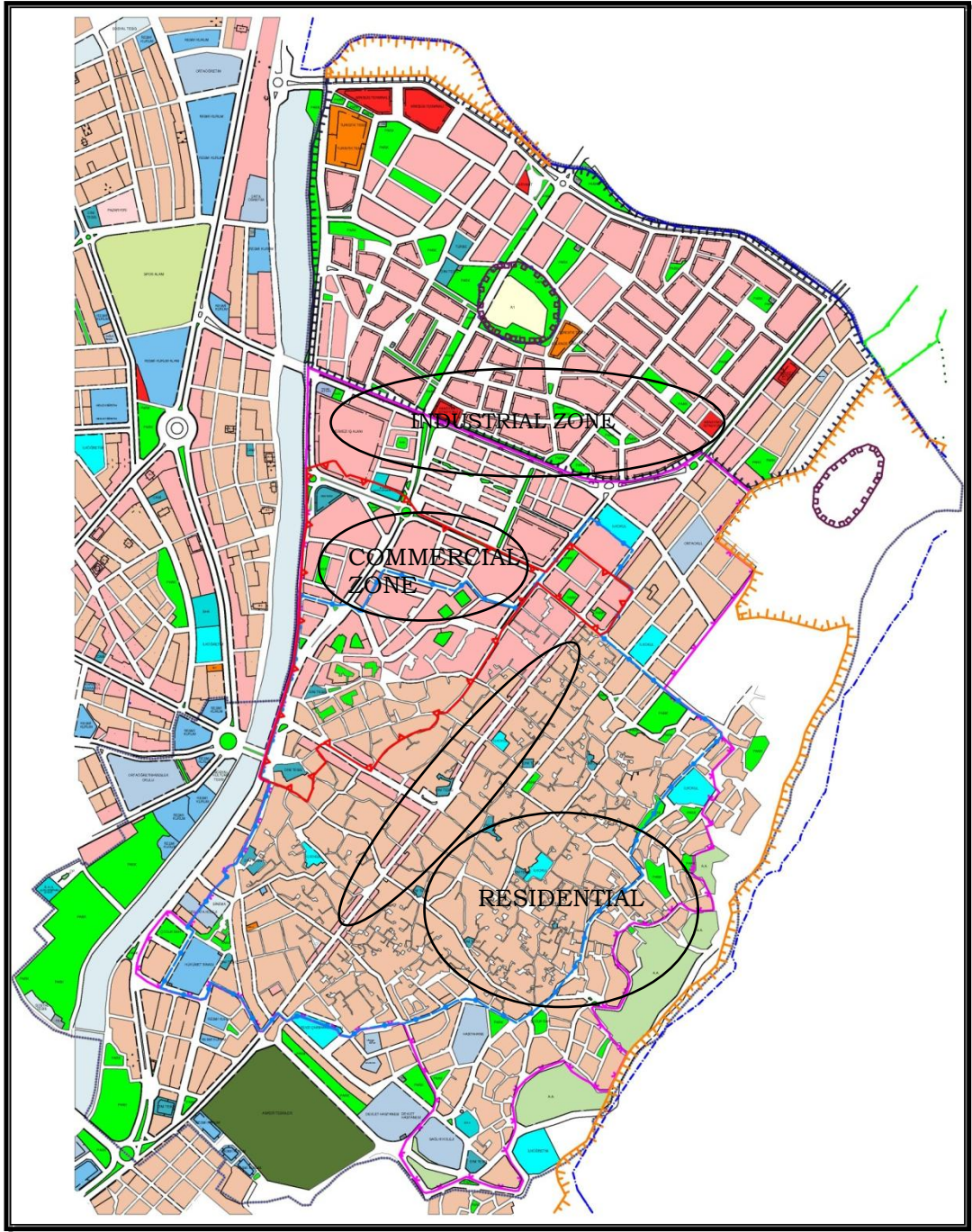


Figure 3.45. Antakya urban conservation and development plan, 1987 (Source: Antakya Municipality)

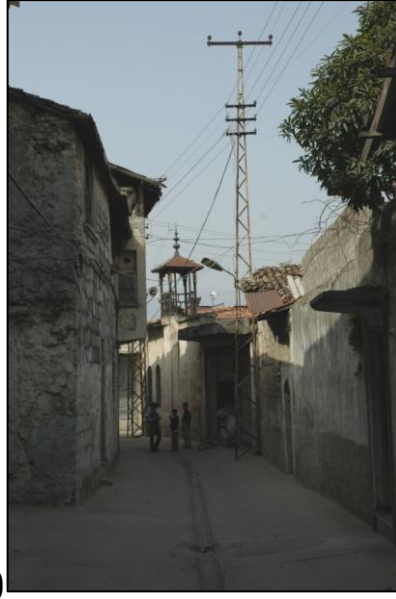
The plan covers an area of around 3 km². The residential and commercial zones accounted for approximately 43.9% of the total; while the streets covered 28.68%. (Table 3.1.)

Table 3.1. The zones and their ratio within the historical urban core (Source: Antakya Municipality)

ANTAKYA URBAN CONSERVATION AND DEVELOPMENT PLAN		
ZONES	AREA (m²)	RATIO (%)
RESIDENTIAL ZONE	703000,73	24,33
COMMERCIAL ZONE	565241,15	19,57
TOURISM FACILITIES	13972,01	0,48
MUNICIPALITY SERVICES	4206,85	0,15
OFFICIAL BUILDINGS	32338,74	1,12
HEALT FACILITIES	29758,62	1,03
SOCIAL FACILITIES	4151,97	0,14
PRIMARY SCHOOLS	29022,5	1
SECONDARY SCHOOLS	21605,09	0,75
RELIGIOUS BUILDINGS	17915,8	0,62
MILITARY ZONE	64901,38	2,25
GREENARY ZONE	37968,75	1,31
PUBLIC PARKS	162704,29	5,63
COUCH STATION	12186,12	0,42
INFRASTRUCTURE	2824,46	0,09
UN-PLANNED AREAS	303283,87	10,5
RIVER	38046,49	1,32
CONSTRUCTION BAN AREAS	10818,97	0,37
STREETS	939263	28,68
FUEL-OIL STATIONS	6789,21	0,24
TOTAL	3000000	100

The plan remained valid until a revised urban conservation and development plan was prepared in 2009. During that time, as a result of some inappropriate planning decisions and a lack of management and control over the urban conservation, much deterioration occurred within historical urban core that can be grouped under the following aspects: street layout; new architectural elements and buildings; changes to the original owners; population and functional interventions causing deterioration in the traditional materials; and construction techniques.

The street layout was affected as a result of the decision taken on the plan to widen and straighten the original streets. According to this plan decision, Gökben Street (where Uçtum Mesjid is sited), Aydın Street, Oğuzlar Street and Kutlu Street were widened to 8 metres (Figure 3.46 a-b). Going against the plan, however, Gökben Street and Güngör Street were widened to 10 metres.



a)



b)

Figure 3.46 a) Gökben Street with Uçtum Mesjid located on the corner (Photograph: Rifaioğlu, M.N., 2007) **b)** Aydın Street (Photograph: Rifaioğlu, M.N., 2007)

In parallel to the changes to the street layout, the original paving was covered with screed in 1987, in direct contravention of the regulation related to the conservation of the street characteristics in terms of their form, pavement and slopes. (Figure 3.47 a-b)

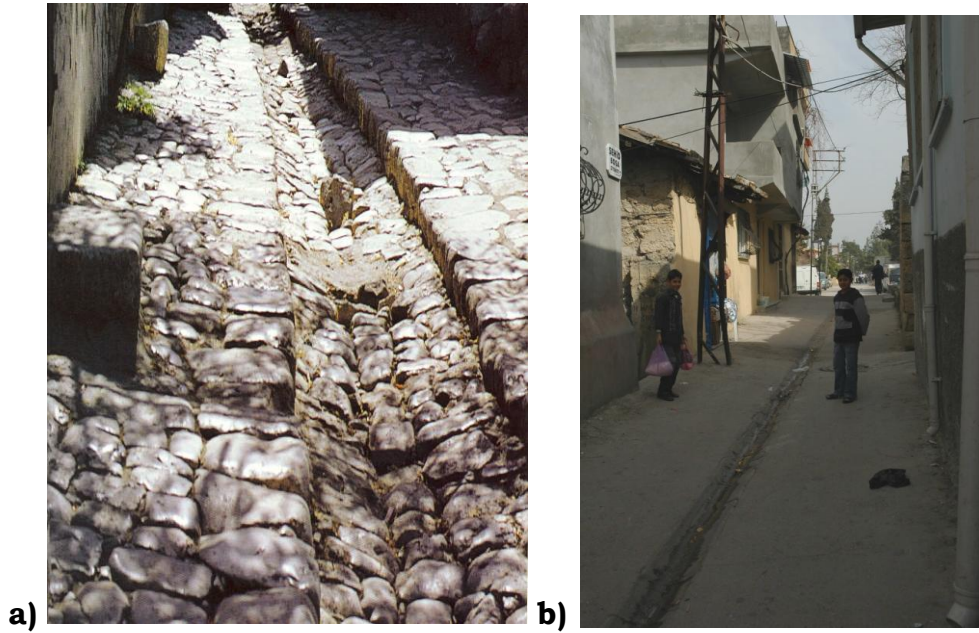


Figure 3.47. a) The street before being covered with screed **b)** The street before being covered with screed (Photograph: Rifaioğlu, M.N., 2007)

New constructions were made not only on Kurtuluş Street, but also throughout the historical urban core and in the 3rd degree archaeological site. According to the regulations within the urban conservation and development plan, the four-storey high new buildings were constructed on Kurtuluş Street. They can be constructed next to registered buildings and damaging the original character of the street. Besides, many other new buildings were constructed within the historical urban core, thus altering its traditional residential character, which was also affected by their new architectural elements and reinforced concrete structures. (Figure 3.48)

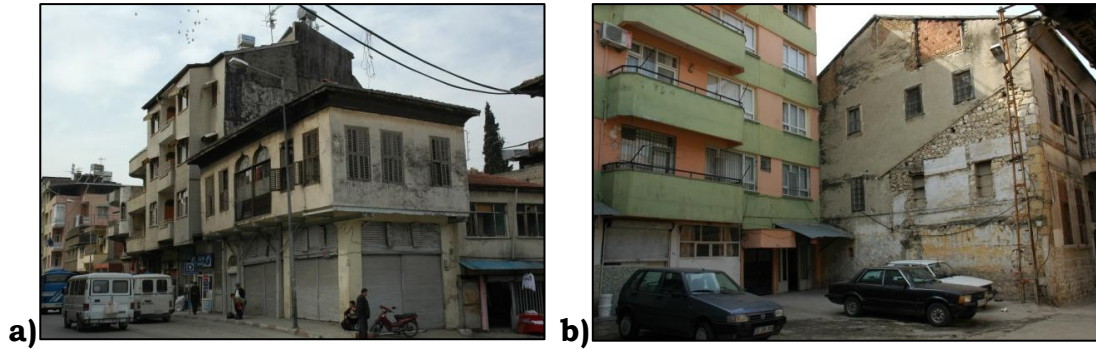


Figure 3.48. a) A new building, constructed next to a registered building on Kurtuluş Street (Photograph: Rifaioğlu, M.N., 2007). **b)** A new building constructed within the historical urban core (Photograph: Rifaioğlu, M.N., 2007).

Although the 1987 plan stressed the importance of conserving the population of urban site, no precautions were taken regarding the legal status of the population, such as owners or tenants. In parallel to the contemporary needs and the newly emerging development areas in Antakya, the major users of the historical urban core were tenants rather than owners, and had a low level of education and a lower income level. As a consequence, the traditional residential houses were usually kept in a very poor condition, as the residents could not be held liable for the proper repair and maintenance of the houses; and inevitably, the houses were subjected to inappropriate and unconscious repairs by the tenants, resulting in a loss of original architectural elements and poor structural conditions (Figure 3.49 a). Besides this, many of the properties were left unoccupied, and thus they quickly became dilapidated and in need of urgent repair. (Figure 3.49 a)



Figure 3.49. a) A traditional house in Özdemir Street: An example of a personal attempt to repair an original window (Photograph: Rifaioğlu, M.N., 2005) **b)** A deteriorated and vacant traditional house in Sokullu Street (Photograph: Rifaioğlu, M.N., 2005).

The tenant manufacturers, including shoemakers, timber workshops, etc. also used the houses very dilapidated conditions. Their use of equipment and chemicals damaged the buildings through overloading to the detriment of the structure, defects and disruption to the original materials, disappearance of the original features of the building, and dense usage of the building in its spatial organization. They tended to prefer the traditional houses due to the low rents, despite the difficulties in access to the houses through the narrow streets.

In addition to inappropriate repairs and interventions that occurred within the historical urban core, a number of restoration projects were implemented after 2004 in line with the development of a conservation drive in Turkey.³⁵⁶ Nevertheless, the inappropriate functional interventions and/or insufficiency of the restoration projects caused deterioration not only at the scale of cultural property, but also on an urban scale as well. (Figure 3.50 a-b)

³⁵⁶ Şahin Güçhan, N., E. Kurul, 2009. "A History of the Development of Conservation Measures in Turkey: From the Mid 19th Century until 2004", *METU Journal of the Faculty of Architecture*, Volume 26:2, METU, Ankara, pp:19-44.



Figure 3.50. a) A neo-classic French Mandate Period building (Photograph: Rifaioğlu, M.N., 2007). **b)** Inappropriate intervention to convert a building into a hotel, which caused deteriorations to the original floors and ceilings of the building (Photograph: Rifaioğlu, M.N., 2007).

Under these circumstances, a revision to the urban conservation and development plan was prepared and approved in 2009 that revised the conservation sites and their borders. The plan identified archaeological sites, urban archaeological sites and urban site impact zones. (Figure 3.51)

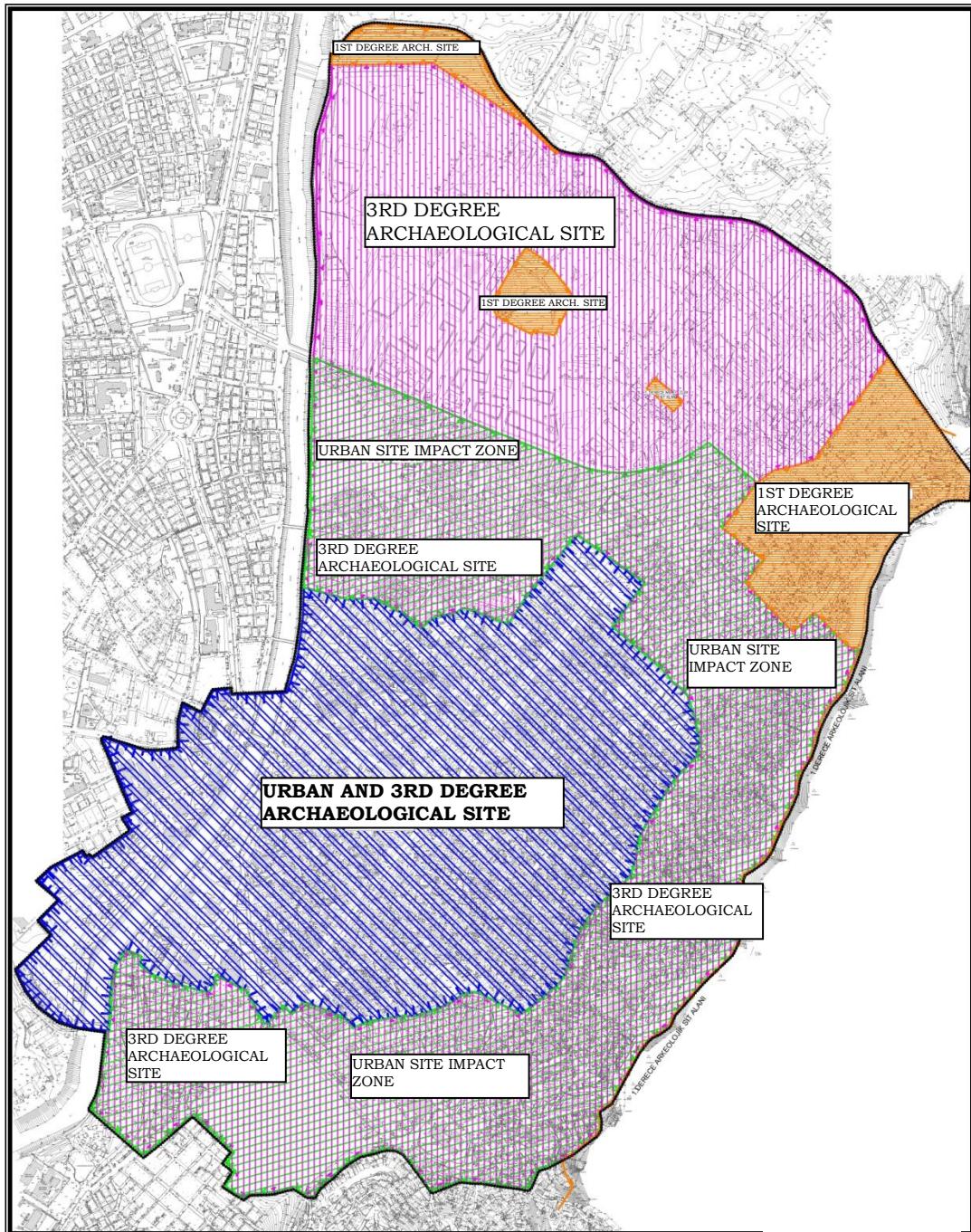


Figure 3.51. The revised site boundaries in the revised urban conservation and development plan, 2009 (Source: Antakya Municipality)

- **Archaeological Sites**

The 2009 plan defined two archaeological sites, respectively 1st degree and 3rd degree archaeological sites. The 1st degree archaeological site covers four different areas within the planned area. One of them, located to the north of the historical urban core near the Hacı Kuriş River, is currently area in use as a car-parking area. Another 1st degree archaeological site is located on the 3rd degree archaeological site where a tumulus existed. The west declivity of Habib Neccar Mountain is also registered as a 1st degree archaeological area. The north-east of the historical urban core is defined as a 1st degree archaeological site, at the site of St. Peter Grotto Church. There is currently in place a construction ban in all 1st degree archaeological sites.

A 3rd degree archaeological site is located in the north part of the historical urban core, where an industrial and commercial area existed after the 1957 urban development plan. The another 3rd degree archaeological site surrounds the urban site area, and it is also consisted the urban site impact zones.

- **Urban Archaeological Site**

The urban site has been revised and re-named as an urban-archaeological site, and now extends to the west bank of Asi River where a public park and a square were created in the French Mandate Period existed. The urban and 3rd degree archaeological site is created the historic urban core where total registered buildings existed within the site border.

- **Urban Site Impact Zones (Kentsel Sit Etkileme Geçiş Alanı)**

The entire 3rd degree archaeological site is also registered as an urban site impact zone.

- **The Plan Decisions for Accessibility**

The plan stresses that the volume of vehicular traffic and the lack of car-parks are a significant problem within the historical urban core, and so new roads and car-parks are suggested in the plan. A new 22 metre and 32 metre road has been proposed on the west side of the

historical urban core, running parallel to Kurtuluş Street. (Figure 3.52)

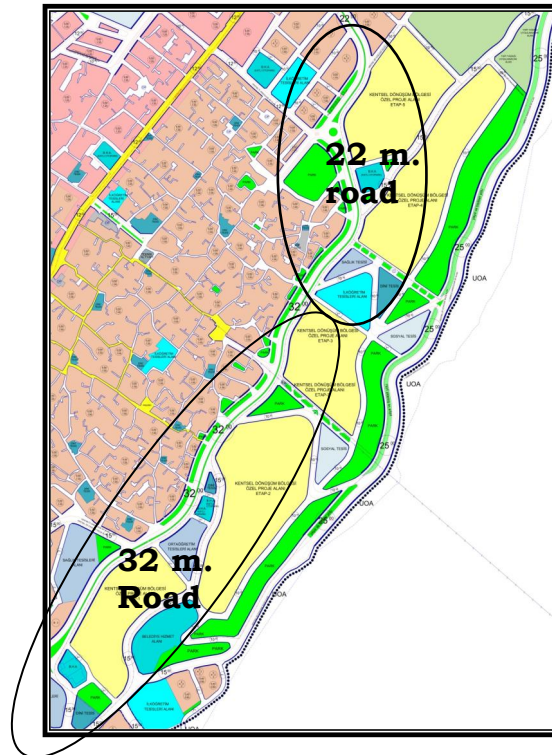


Figure 3.52. The newly proposed roads passes along the west side of the historical urban core (Source: Antakya Municipality)

Five multi-storey car parks are planned for the historical urban core, two of which are located on Kurtuluş Street, and the others on the new 22-metre road. The plan proposed a mono-rail which passes 5.500 m. through the historic urban core. The plan also proposes the construction of a 5.5 km mono-rail through the historical urban core, as well as a cable car, which is to run from next to the Şeyh Ali Mosque and rise to Mount Habib Neccar, where there are many archaeological edifices. (Figure 3.53)

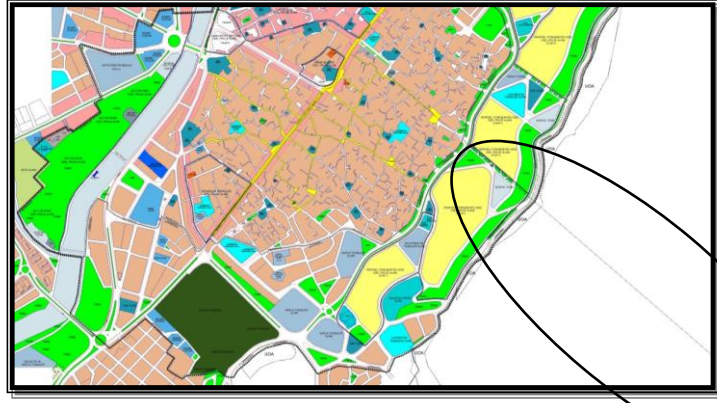


Figure 3.53. The cable car route (Source: Antakya Municipality)

- **The Special Project Areas**

The plan proposes eight special project areas, which are: 1) Urban Transformation Area; 2) Culture Park; 3) Municipality Square; 4) Republic Square; 5) Long Bazaar; 6) Habib Neccar Mosque and Square; 7) Light Industrial Zone; and 8) Zenginler District. (Figure 3.54)

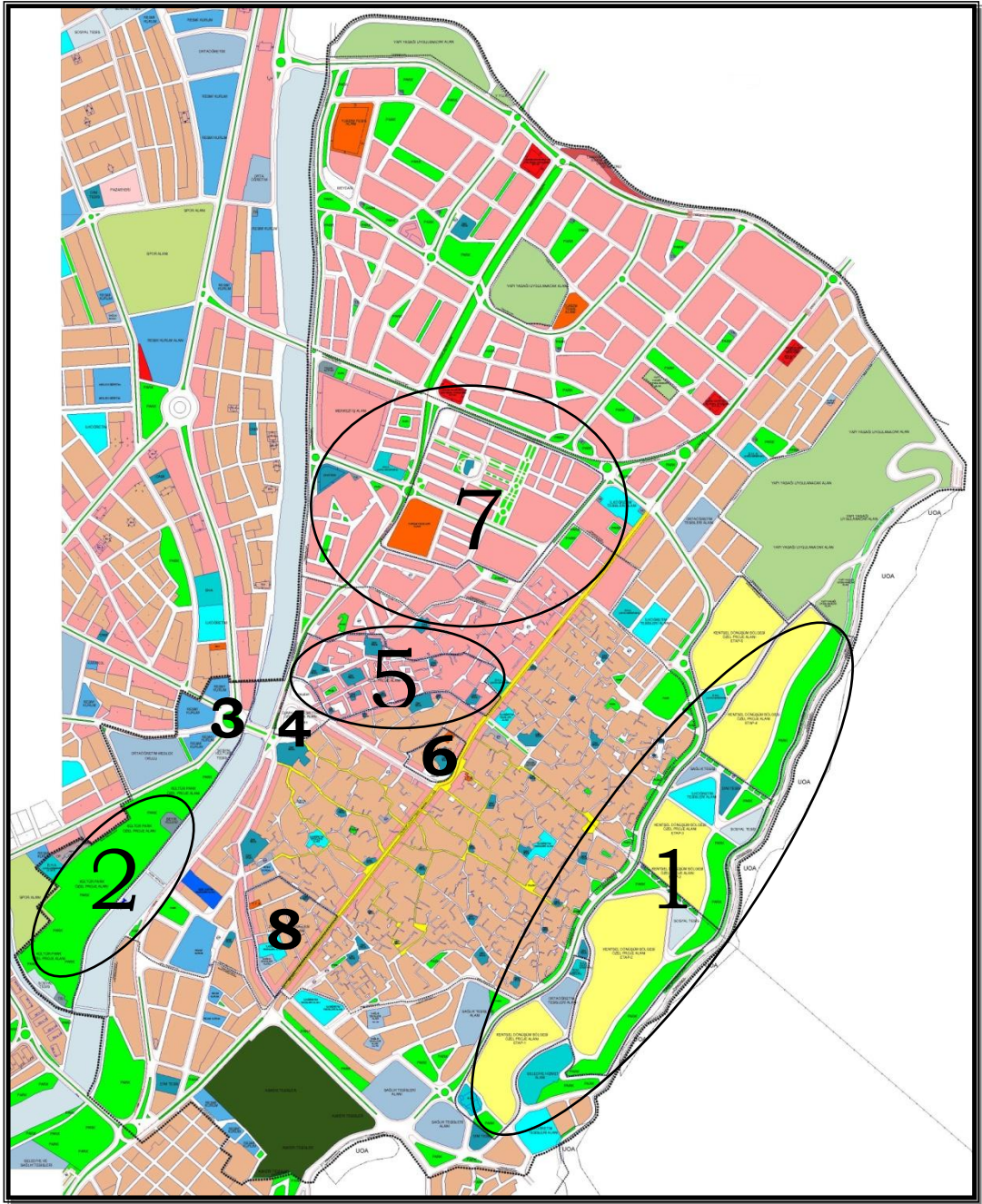


Figure 3.54. Special Project Areas (Source: Antakya Municipality)

- **1- Urban Transformation Area**

The urban transformation area is located on the west side of the historical urban core, and covers an area of 220,146 m². The plan proposes the construction of prestigious houses, for which

expropriations will be made, with the current inhabitants of the area decanted to the new development areas. (Figure 3.55)

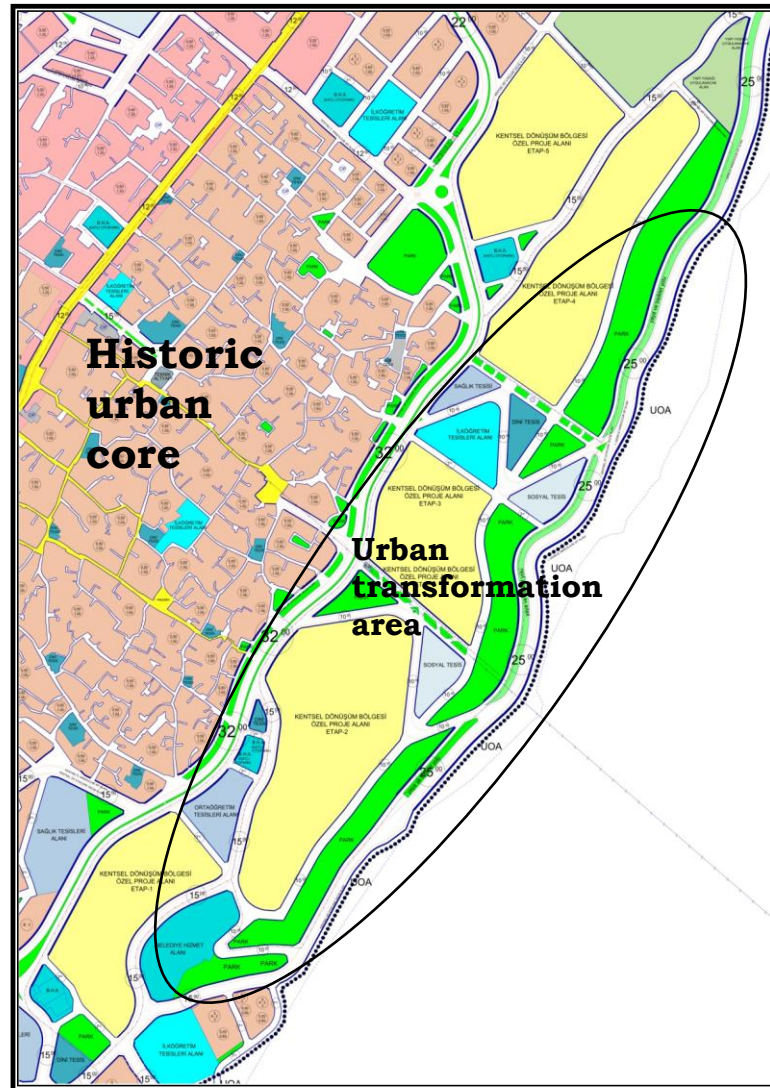


Figure 3.55. Detail of Special Project Area: Urban transformation area (Source: Antakya Municipality)

According to the plan, the current physical characteristics of the proposed area are in a poor condition, and is home mainly to people of low income. Accordingly, this area has been proposed as an urban transformation area. (Figure 3.56)



Figure 3.56. The current status of the physical characteristics of the urban transformation area (Photograph: Rifaioğlu, M.N., 2010).

- **2- Culture Park**

This special project area is located on the west side of Asi River, currently the site of the largest public park in Antakya. The plan proposes the development of social and cultural facilities within the park, and the reconstruction of the Roman Bridge and *Nauras* along the Asi River.

- **3- Municipality Square**

Municipality Square was formed in the French Mandate Period, and today it contains 10 registered public buildings. The plan proposed the registered buildings be turned into social and cultural facilities, and accordingly the *Cine Empire* and the Parliamentary building of the Hatay Government were converted into a multi-purpose hall for the city of Antakya.

- **4- Republic Square**

The Republic Square was formed after the 1957 urban development plan. Today, there are religious, commercial and gastronomic facilities around the square, which the plan stresses should remain.

- **5- Long Bazaar - *Uzunçarşı***

The Long Bazaar is the traditional commercial zone of Antakya, containing *arasta* (specialized *souqs*), khans, bedesten (covered bazaar), mosques, baths, traditional soap factories, and traditional buildings and fountains (Figure 3.57 a-b). The plan proposes

interventions to the facades and roofs of the traditional commercial units.

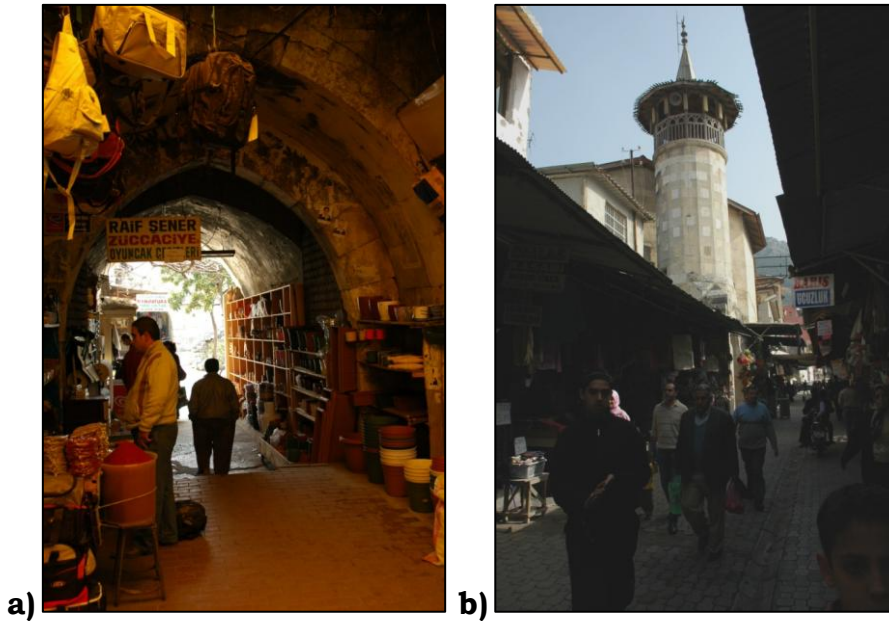


Figure 3.57. a) – b) The Long Bazaar of Antakya, (Photograph: Rifaioğlu, M.N., 2010).

- **6-Habibi Neccar Mosque and Square**

There is no clear definition in the scope of the special project for the Habib Neccar Mosque and Square (Figure 3.58), the only aspect being mentioned is that it is an important place, and thus requires a very special conservation project that takes in also its surroundings.



Figure 3.58. Habib Neccar Mosque and its surroundings (Photograph: Rifaioglu, M.N., 2010).

- **7- Light Industrial Zone**

This zone is located to the north of the historical urban core, and is registered as a 3rd degree archaeological site. It contains light industrial workshops, a wholesale market hall and an old coach station. (Figure 3.59)

The plan proposes to inject social and cultural activities and touristic functions into the zone to create a link between traditional urban fabric and this area.



Figure 3.59. The light industrial workshops (Photograph: Rifaioğlu, M.N., 2010).

- **8- Zenginler District**

The Zenginler district contains mainly traditional houses and French Mandate Period buildings. The plan proposes the development of this district into an area for touristic purposes, for which a functional transformation is encouraged. To date, two traditional buildings have been converted into hotels, and many traditional houses have been converted into cafes and shops.

Finally, according to the revised urban conservation and development plan (UCDP), the ratio of residential area into historic urban fabric is to be decreased from the 1987 UCDP levels; whereas the ratios of commercial facilities, tourism facilities and municipality services, such as multi-story car-parking areas, are to be increased. Additionally, an urban transformation area has been defined in the revised UCDP that will affect 5.11% of the total historical urban fabric, which is a considerable proportion of the traditional residential zone, itself accounting for only 19.03% of the total. (Table 3.2.)

Table 3.2. A comparison of the zones and their ratios with the historical urban core in the 1987 and revised 2009 UCDP (Reproduced after 2009 UCDP)

ANTAKYA REVISED URBAN CONSERVATION AND DEVELOPMENT PLAN				
ZONES	1987 UCDP		REVISED UCDP	
	AREA (m²)	RATIO (%)	AREA (m²)	RATIO (%)
RESIDENTIAL ZONE	703000,73	24,33	549813,25	19,03
COMMERCIAL ZONE	565241,15	19,57	582196,41	20,15
TOURISM FACILITIES	13972,01	0,48	21730,72	0,75
URBAN TRANSFORMATION AREA			147522,28	5,11
MUNICIPALITY SERVICES	4206,85	0,15	22801,86	0,79
OFFICIAL BUILDINGS	32338,74	1,12	23757,61	0,82
HEALTH FACILITIES	29758,62	1,03	32623,54	1,13
SOCIAL FACILITIES	4151,97	0,14	11574,41	0,4
PRIMARY SCHOOLS	29022,5	1	31371,84	1,09
SECONDARY SCHOOLS	21605,09	0,75	25821,72	0,89
RELIGIOUS BUILDINGS	17915,8	0,62	35150,27	1,22
MILITARY ZONE	64900	2,25	64688,15	2,24
GREENARY ZONES	37968,75	1,31		
PUBLIC PARKS	162704,29	5,63	253887,63	8,79
COACH STATION	12186,12	0,42		
INFRASTRUCTURE	2824,46	0,09	5155,48	0,18
CAR-PARKS			1528,71	0,05
SQUARE			13850,05	0,48
UN-PLANNED AREAS	303283,87	10,5		
RIVER	38000	1,32	38000	1,3
CONSTRUCTION BAN AREAS	10818,97	0,37	171979,71	5,95
STREETS	939310,87	28,68	955560,11	29,25
TRAMWAY MAINTENANCE AREA			2827,38	0,10
FUEL-OIL STATIONS	6789,21	0,24	8158,87	0,28
TOTAL	3000000	100	3000000	100

3.3. Concluding Remarks

This chapter has provided evidence that Antakya has undergone much transformation since the Hellenistic Period, and that the historical urban fabric faced different development strategies and implementations from the Ottoman period onwards. While the development plans both in French Mandate Period and in Turkish Republican period attempted to apply a new infrastructure to the traditional fabric, physically and socially, the historical urban core suffered many destructions and deformations over time.

New vehicular and pedestrian accesses have been proposed and new squares planned, for which many expropriations and unifications occurred within the urban core so as to achieve the physical interventions of the development plans.

However, the urban conservation and development plans were not sufficiently prepared, and consequently historical Antakya has been treated only as an organic and somewhat chaotic physical entity, in need of regular urban organization and contemporary interventions. Accordingly, new functional interventions have been proposed and implemented, both in the historical urban core and in the traditional residential and commercial zones.

Additionally, these planning decisions and interventions resulted in changes to the original cadastral pattern of the historical urban core. Strikingly, the number of plots registered in the city increased from 7,000 in 1929 to 10,000 in 2009 as a result of divisions of plots, and appropriations of agricultural areas and Christian and Muslim cemeteries. Therefore, as a result of the development plans, the original land-use pattern has changed, creating new residential and industrial areas.

Consequently, the decisions taken in spite of the long and diverse history of Antakya would appear to have turned the city into a stranger. Historical Antakya was not formed according to computational parameters, or with profitable development strategies in mind, but rather according to special codes and rules, which will be investigated through an analysis and evaluation of the 1929 title deeds and cadastral maps of Antakya in the following chapter. This will be followed by a definition of the substance of historical Antakya, as being more than a mere physical entity.

CHAPTER 4

PROPERTY RIGHTS AND THE SHAPING OF THE HISTORICAL URBAN CORE OF ANTAKYA

This chapter explains the analysis and evaluation stage of the research, concentrating on three main aspects: ownership, use and property rights, in an attempt to understand their effects on the shaping of the urban form. To this end, the research will endeavour to answer the following questions:

- What is the relationship between ownership, use and property rights and the historical urban core in Antakya?
- Can property rights shape and give an identity to the historical urban core of Antakya?
- Can those relationships reveal the invisible links and values that exist within the historical urban core in Antakya?

To source rational answers to these questions, the ownership, use and property rights are investigated from the title deed records and cadastral maps. The research continues by focusing on the correlations between the three aspects and a survey of their relations within the current historical urban core of Antakya

4.1. Ownership

By far the largest number of plots (92% of the total) were owned by individuals in 1929. (Table 1.1) The second-largest ownership group was religious foundations, accounting for 6% of the total, which were dispersed through the urban form, with particular concentration in the trade zone within the 5th circumscription. (Figure 4.1.)

Table 4.1. Ownership types and their distributions in the circumscriptions

Ownership	2nd Circums.	3rd Circums.	4th Circums.	5th Circums.
Individual	76	1032	1729	1411
Foundation	15	42	81	130
Municipality	6	6	10	17
Treasure	14	2	1	7
National Estate	–	–	1	–
Governorship	–	–	1	–
Hatay Hususi İdaresi	2	2	2	–
French Government Treasury	2	–	–	–

The number of foundations reached 140 in the title deed records³⁵⁷ (See Appendix A for a list of foundations), with many different classifications, including church foundations; mosque foundations; community foundations; family foundations; dervish lodge³⁵⁸ foundations; mesjid foundations; artisan organization foundations; and Alewite visitation foundations; among others.

³⁵⁷ According to provisions in the the permission granted for the investigation of the title deed records, detailed information on the foundations at the time is unable to be declared, such as the number of owned properties, type of properties, and so forth. That said, some evaluations are able to be carried related to the relationships within the physical urban fabric.

³⁵⁸ Although the dervish lodges such as tekke, zaviye, and turbes was closed by legislation in the Turkish Republic in 1925, Antakya was not affected at the time, and so in 1929 there were many dervish lodges within the historical urban core of Antakya.

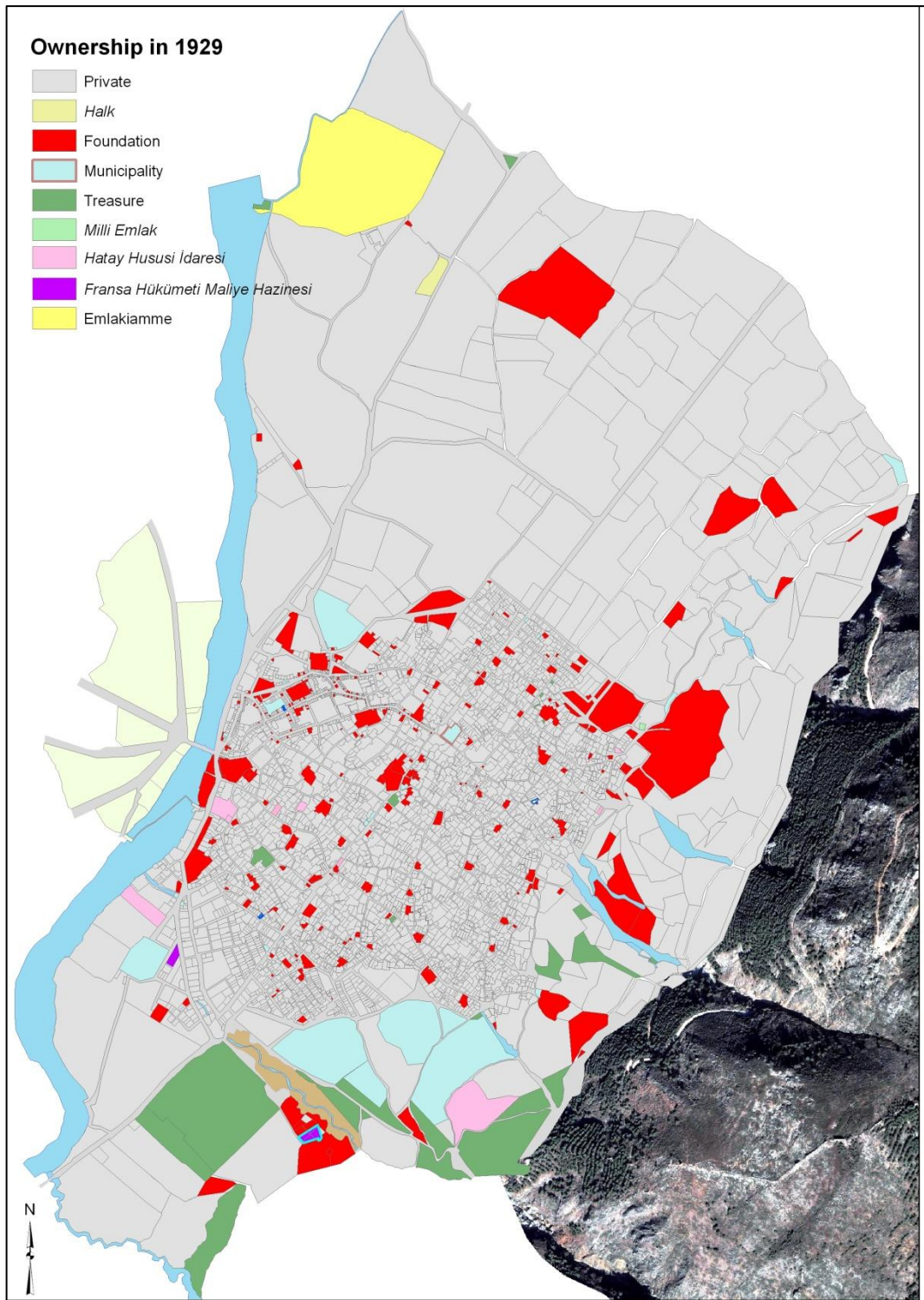


Figure 4.1. Ownership types in 1929

The owners of property in Antakya, in terms of ethnic-religious identity, may be listed as Christians, Jews, Armenians, Muslims (undefined sects), Sunni Muslims and Alewite Muslims (Figure 4.2).

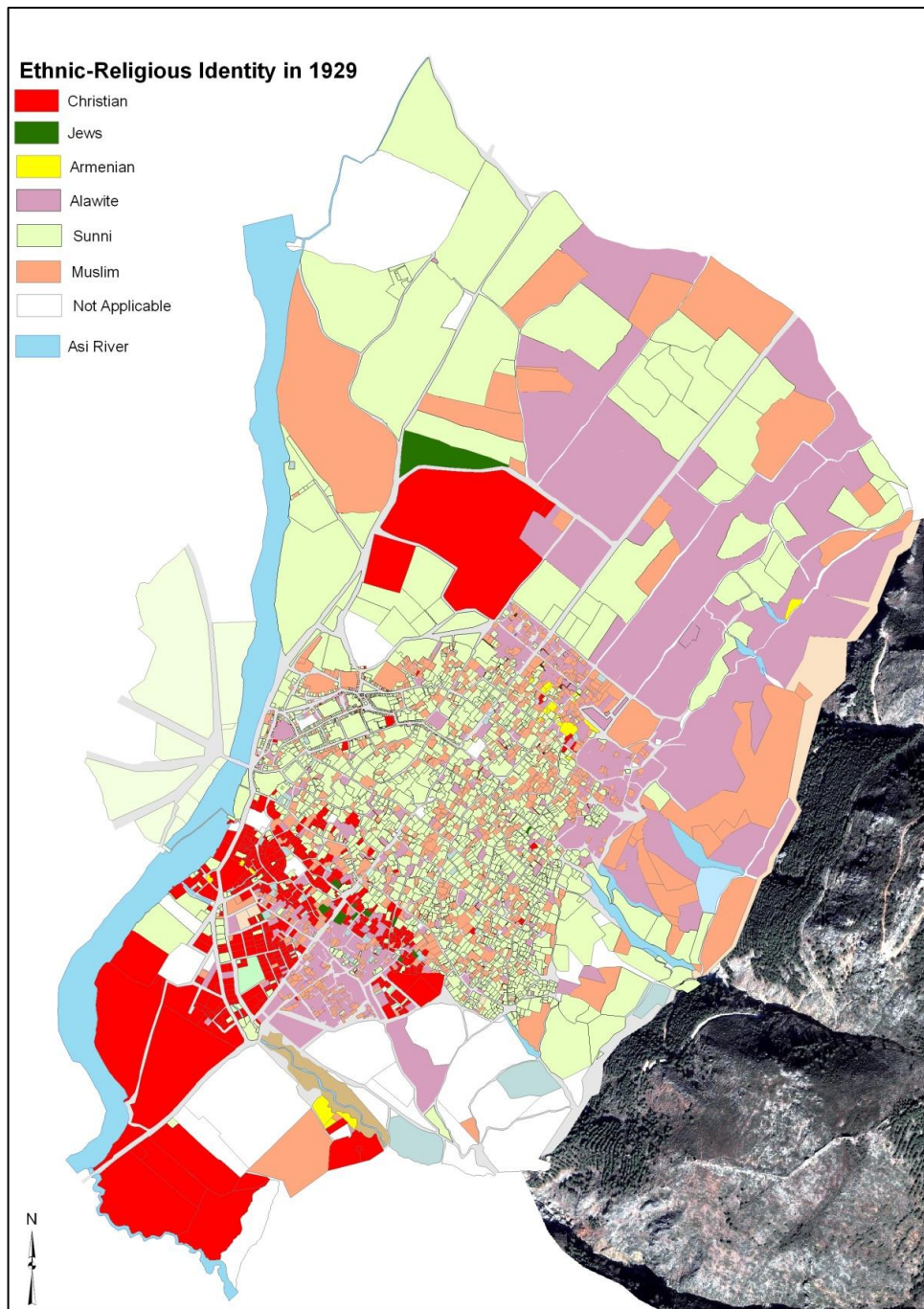


Figure 4.2. Ethnic-Religious Identity Info and their distribution within the historical urban fabric

The different ethnic-religious groups tended to reside in different zones. The south-west of the city was chiefly inhabited by Christians, Alewites and Jews; while the north-east part of the city was home to Alewites and Armenians. In the rest of the historical urban fabric, Sunni Muslims formed the dominant group; however there was no clear distinction between the different ethnic-religious identity zones, as Weulersse³⁵⁹ stressed and mapped in his study. (Figure 4.3)

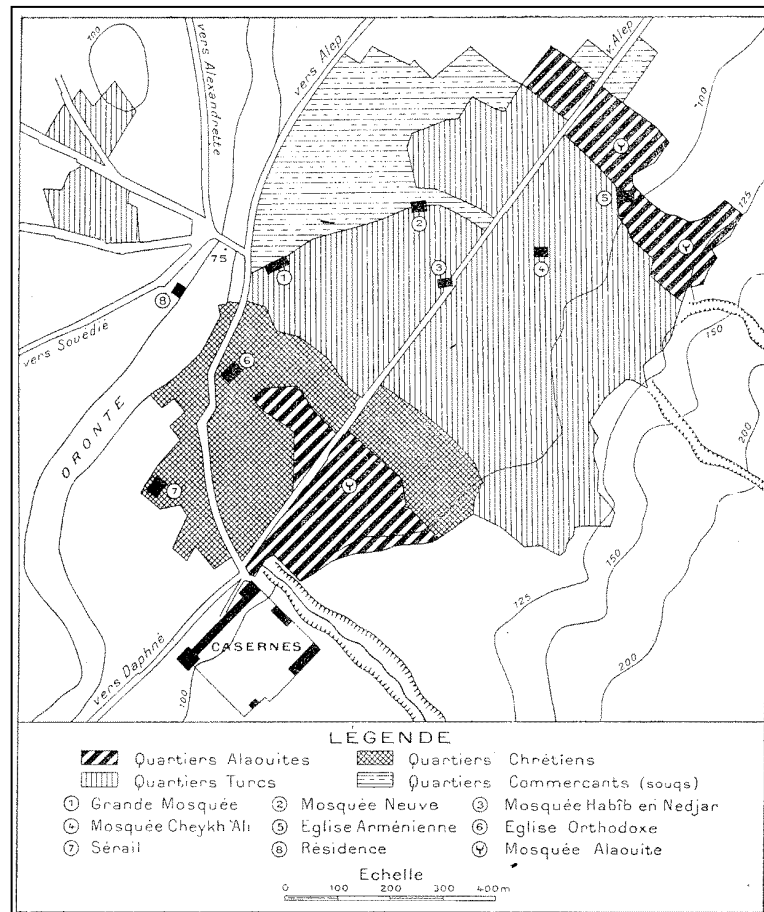


Figure 4.3. Ethnic and religious quarters of Antakya (Weulersse, 1934, p. 39).

Weulersse defined each quarter according to the religious identity of its inhabitants, defining Alewite, Turkish and Christian quarters. Locationally, the study is given the mostly precise information, but

³⁵⁹ Weulersse, J., 1934. "Antioche Essai de géographie urbaine", *Bulletin d'Etudes Orientales*, Tome IV, Damas, p.39.

according to the title deeds it is known that different ethnic-religious groups lived together throughout the urban form. (Figure 4.4)

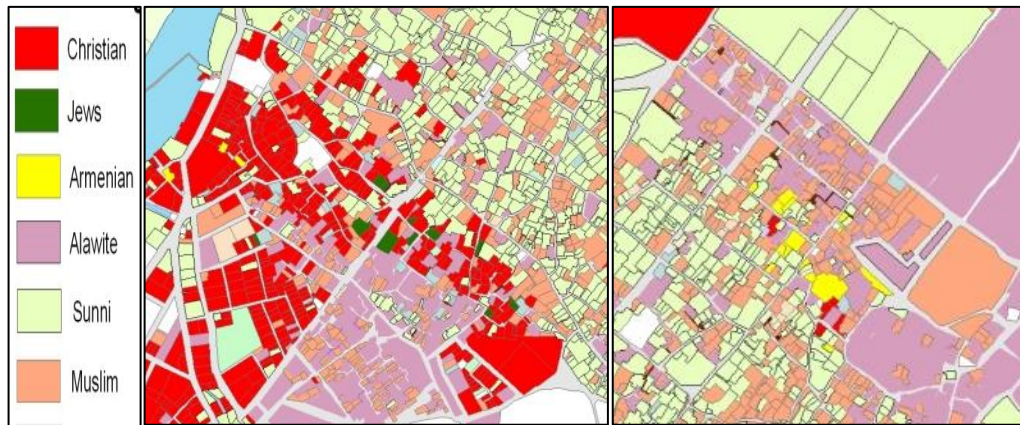


Figure 4.4. Different ethnic-religious identity owners being together.

A study of the urban plots revealed that some were very small, measuring between 3–15 m², however these were mostly concentrated in the north-west part of the city, close to the traditional trade zone. Small plots were also concentrated in the south-east and north-east parts of the urban fabric, where properties were mostly owned by Alewites (Figure 4.5). Additionally, there were large tracts of undeveloped land surrounding the urban fabric.

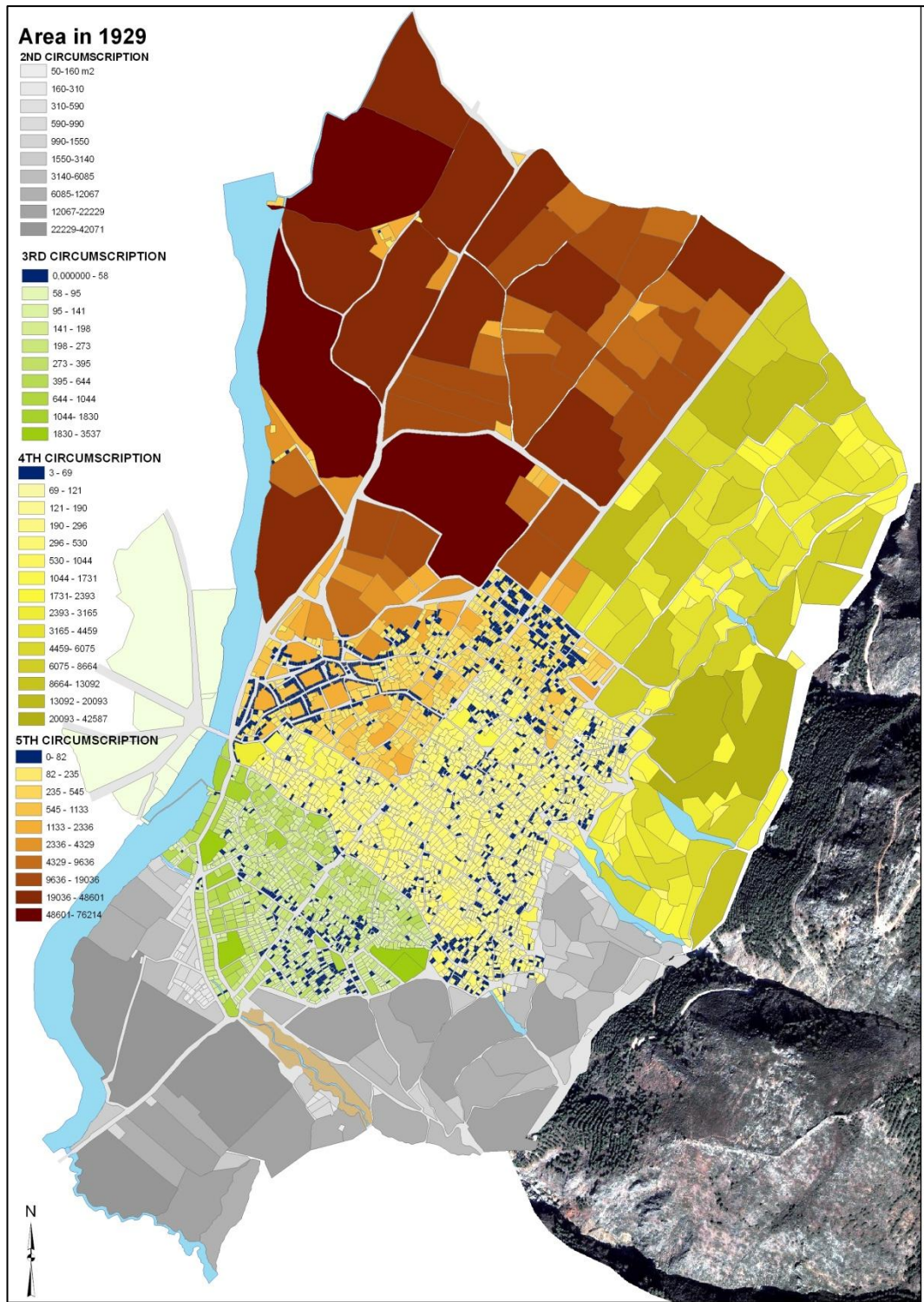


Figure 4.5. The area of plots in 1929

4.1.1. Ownership status of the street layout

An ownership analysis was carried out for the street layout. Antakya's historical city pattern mirrored the main characteristics of the Ottoman city street systems in the south-eastern part of Turkey. These are largely organic in form, comprising narrow and winding streets and cul-de-sacs. Antakya's streets vary between 2 and 3 metres in width, and featured pavements of roughly-cut stone, with a water channel running down the centre of the street. Cul-de-sac widths vary from 80 cm to 2 metres, with their length depending generally on the number of dwellings accessed from the cul-de-sac.

The analysis of the relationship between the formation of the street layout of the historical core and the ownership pattern provides new data and a new perspective for studies of the urban form. The ownership analysis of the street layout indicated that the public corporate body's ownership was dominant throughout the urban core (Figure 4.6) in both the streets and the cul-de-sacs. In addition, the relationship between the cadastral plan and the title deed records gives very important ownership status as to the street formation within the historical urban core by a special ownership status: "the individual ownership of cul-de-sacs". This ownership right is notable, in that many of the cul-de-sacs are defined as "private streets" in the title deeds and on the 1929 cadastral maps by a plot number (Figure 4.7).



Figure 4.6. The streets owned by the public corporate body in 1929

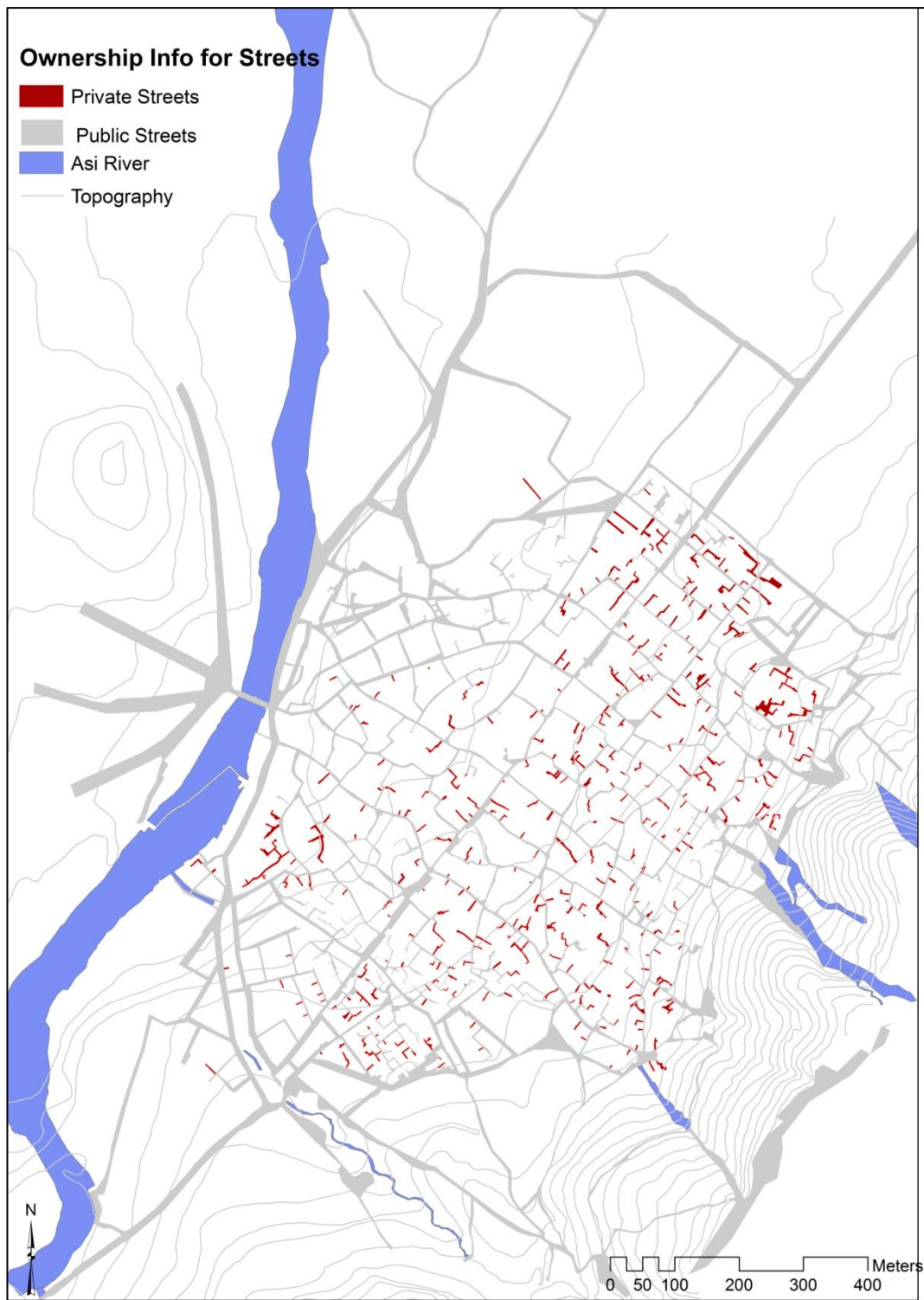


Figure 4.7. Private cul-de-sacs owned by individuals

It is interesting to note that this ownership status is not applied to all of the cul-de-sacs in the historical as core, as some are owned wholly or partially by individuals, while others are not. (Figure 4.8)



Figure 4.8. An example of Antakya’s street layout in 1929. The areas shaded in red are private cul-de-sacs.

Pinon and Borie³⁶⁰ are the only scholars to have studied the cul-de-sac system of Antakya using the typo-morphological investigation method. Their study did not define or investigate the legal status of the city’s cul-de-sacs, and so they were unable to define which were private. Some of them were defined as “sas,” meaning a transition or passing space within the public cul-de-sacs. In their study, it was noted that “sas refers a specific place or a common space for two houses. It would be interesting to find out the legal status of a sas: whether they emerged from common ownership or from a passing right?”³⁶¹

Therefore, this study is firstly investigates and then defines the legal status of the cul-de-sacs in the historical urban care of Antakya, and will attempt to reveal the logic behind the formation of private cul-de-sacs through an analysis of property rights.

³⁶⁰ Pinon, P., 2005. “Permanences, Persistance et Transformations Dans La Topographie D’Antioche”, paper presented at *1. Uluslararası Antakya Sempozyumu: Kentsel Arkeoloji, Kentsel Koruma*, Antakya-Hatay.

Borie, A., 2005. “Le Maisons Et Le Tissu Urbain D’Antakya, Caracteristiques Et Evolution”, paper presented at *1. Uluslararası Antakya Sempozyumu: Kentsel Arkeoloji, Kentsel Koruma*, Antakya-Hatay.

³⁶¹ Borie, A. 2005. “Dans tous les cas, le sas reste un espace privé ou seulement commun à deux maisons. Il serait intéressant de connaître le statut juridique de ces sas : espace privé avec droit de passage, ou copropriété ? ”

This research will, from this point onwards, differentiate between the different legal status of cul-de-sacs by type: those owned by *public corporate bodies*, and those owned *by individuals*, referred to as *private cul-de-sacs*. What are the implications of this in terms of the formation of the street layout?

In fact, the formation of private cul-de-sacs within the cul-de-sac system was related directly to divisions of the original plot layout through time. It is widely known that the formation of cul-de-sacs occurred as a result of the division of plots, and this research will analyse and understand not only the sequence of the formation of cul-de-sacs through time, but also how they were used by the inhabitants and their physical, socio-cultural aspects for the urban fabric through an investigation of property rights.

The ownership right for private cul-de-sacs offers clear evidence that at some point in time the plot divisions were different, and that new and extended cul-de-sacs emerged and began to be used in different ways by the owners and the inhabitants of the city for specific reasons.

For the case of Antakya, morphological and historical-empirical studies³⁶² have shown that similarities with the Hellenistic street layout remained in the north-east part of the historical urban fabric (Figure 4.9). Accordingly, an analysis of the cul-de-sacs in the area can help in a reconstruction of the previous plot formation of the city.

³⁶² Pinon, P., 2004. "Survivances Et Transformations Dans La Topographie D'Antioche Apres L'Antiquite", *Topoi*, Suppl. 5, pp. 191-219.

Downey, G., *Ancient Antioch*, Princeton University, 1963.

Demir, A., 1996. *Through the Ages Antakya*, Akbank Publications, İstanbul.

Weulersse, J., *Antioche Essai De Géographie Urbaine*, Bulletin D'Etudes Orientales Institute Français de Damas.

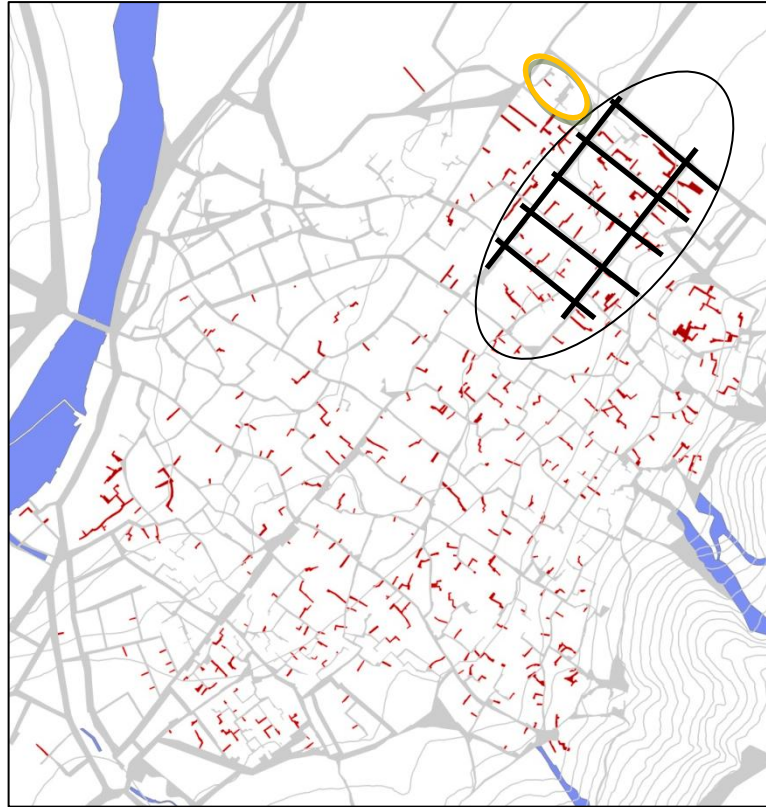


Figure 4.9. Evidence of the Hellenistic street layout in the north-east part of the historical urban fabric

Pinon and Borie³⁶³ stressed that the cul-de-sac formation had emerged out of the original Hellenistic plot divisions; (Figure 4.10) that the rectangular lots with perpendicular plot divisions had changed over time through the emergence of cul-de-sacs, and that in some areas the original lot-plot formation could easily be reconstructed. (Figure 4.11, Figure 4.12)

³⁶³ Pinon, P., 2005. "Permanences, Persistence et Transformations Dans La Topographie D'Antioche", paper presented at *1. Uluslararası Antakya Sempozyumu: Kentsel Arkeoloji, Kentsel Koruma*, Antakya-Hatay.

Borie, A., 2005. "Le Maisons Et Le Tissu Urbain D'Antakya, Caracteristiques Et Evolution", paper presented at *1. Uluslararası Antakya Sempozyumu: Kentsel Arkeoloji, Kentsel Koruma*, Antakya-Hatay.

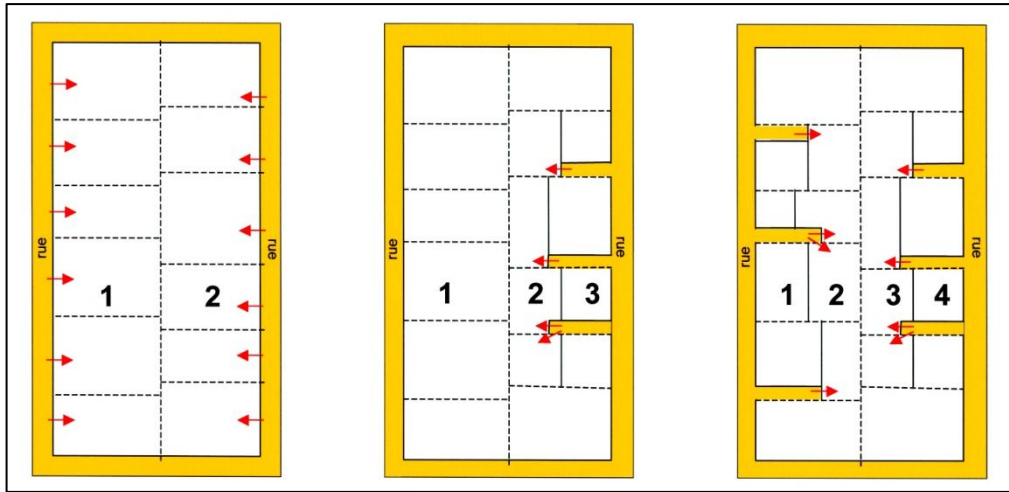


Figure 4.10. Typo-morphological analysis of the lots in order to investigate the original lot-plot formation of Antakya (Pinon and Borie, 2005).

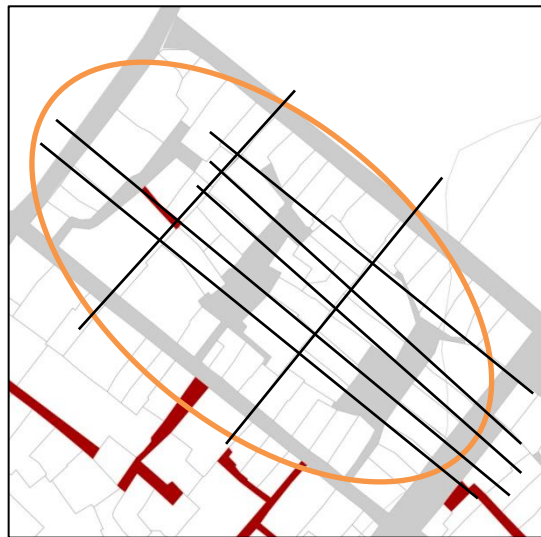


Figure 4.11. Rectangular lot divided into perpendicular plots. Public cul-de-sacs are indicated in grey, while private cul-de-sacs are highlighted in red.



Figure 4.12. Rectangular lot order, which perpendicular plot divisions and private cul-de-sacs.

This system of rectangular areas divided into perpendicular plots and private cul-de-sacs can also be found on some other lots found within the urban fabric. (Figure 4.13;Figure 4.14)

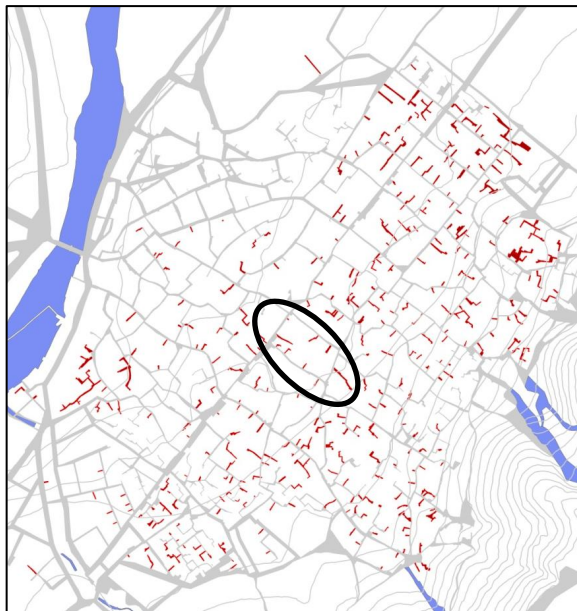


Figure 4.13. The rectangular lots and private-cul-de-sacs



Figure 4.14. The divisions of lot and plot formation

In all of these examples, it can be seen that the formation of private cul-de-sacs from the main public streets shaped the rectangular lots. In addition, there are private cul-de-sacs that emerged out of the public ones, which created a very complicated and intricate street pattern within the urban form. Therefore, how this system emerged and why all cul-de-sacs are not defined as public or private cul-de-sacs, what is the main influence of creating this system is still relevant. Additionally, when the ethnic-religious identity groups and the private-cul-de-sacs are taken into consideration, striking differences can be identified throughout the urban fabric. In the southern part of the urban fabric that emerged in the 19th century Ottoman Period and settled by the Alewite community, the plot arrangement differs and the size of the plots is smaller than in the rest of the fabric (Figure 4.15).



Figure 4.15. Different plot directions and smaller plots than in the northern part of the urban fabric

Additionally, long public cul-de-sacs formed, at the end of which, private cul-de-sacs emerged (Figure 4.16). The above factors will be investigated in the following section, with an explanation of the use and property rights in Antakya.



Figure 4.16. Long public cul-de-sacs, with private cul-de-sacs at the end

4.2. Use

It is apparent that the land use pattern that emerged was dependant on the residential, commercial, agricultural and cemetery areas, while the trade zone existed in the same area throughout history. It can also be seen that in 1929, the residential core was surrounded by agricultural areas and cemeteries (Figure 4.17).

The historical urban core of Antakya is assessed for its residential, commercial, religious, service and social uses.

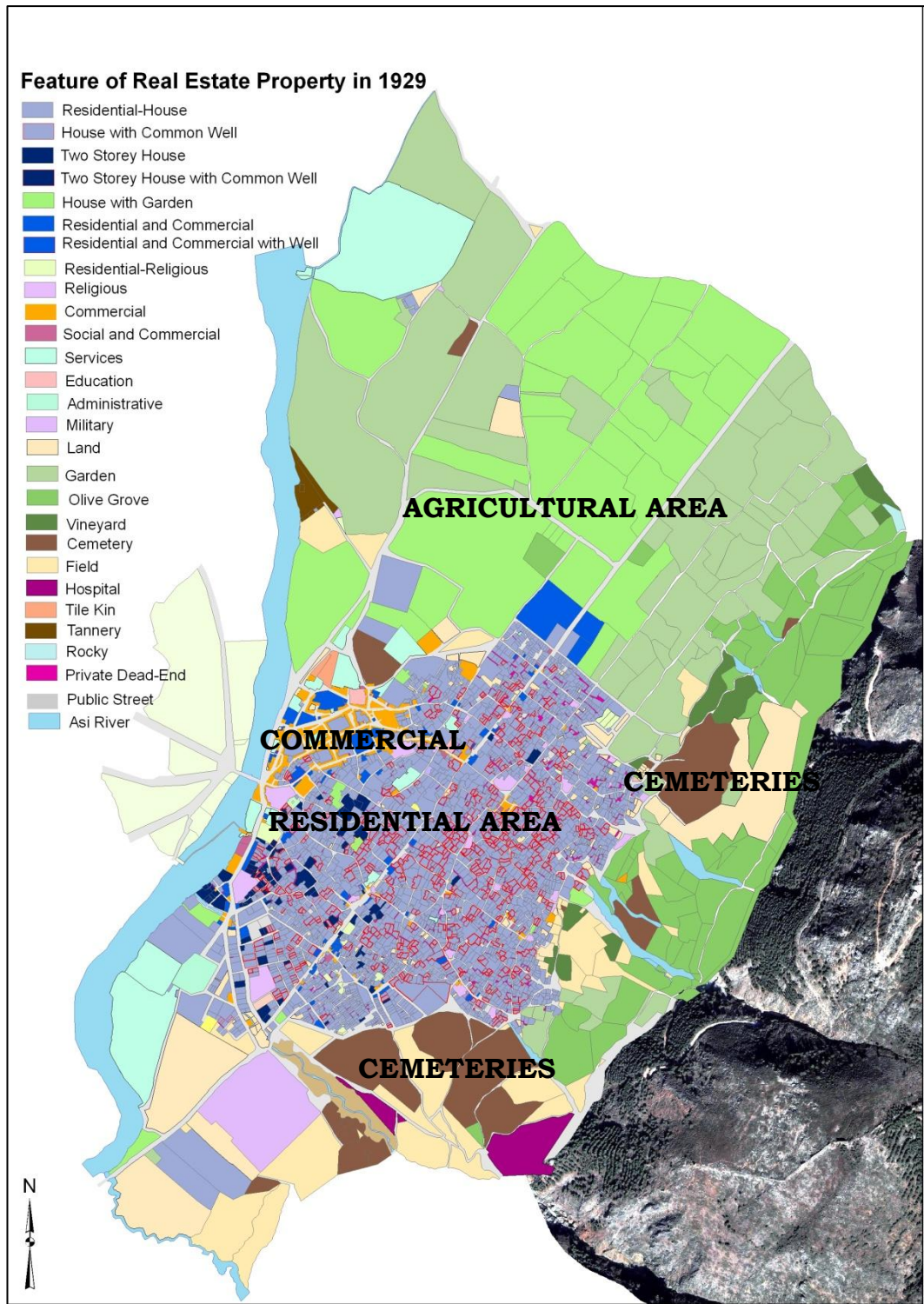


Figure 4.17. The land-use pattern of Antakya in 1929

4.2.1. Residential Use

The residential area is concentrated around the core of the historical urban fabric. (Figure 4.18)

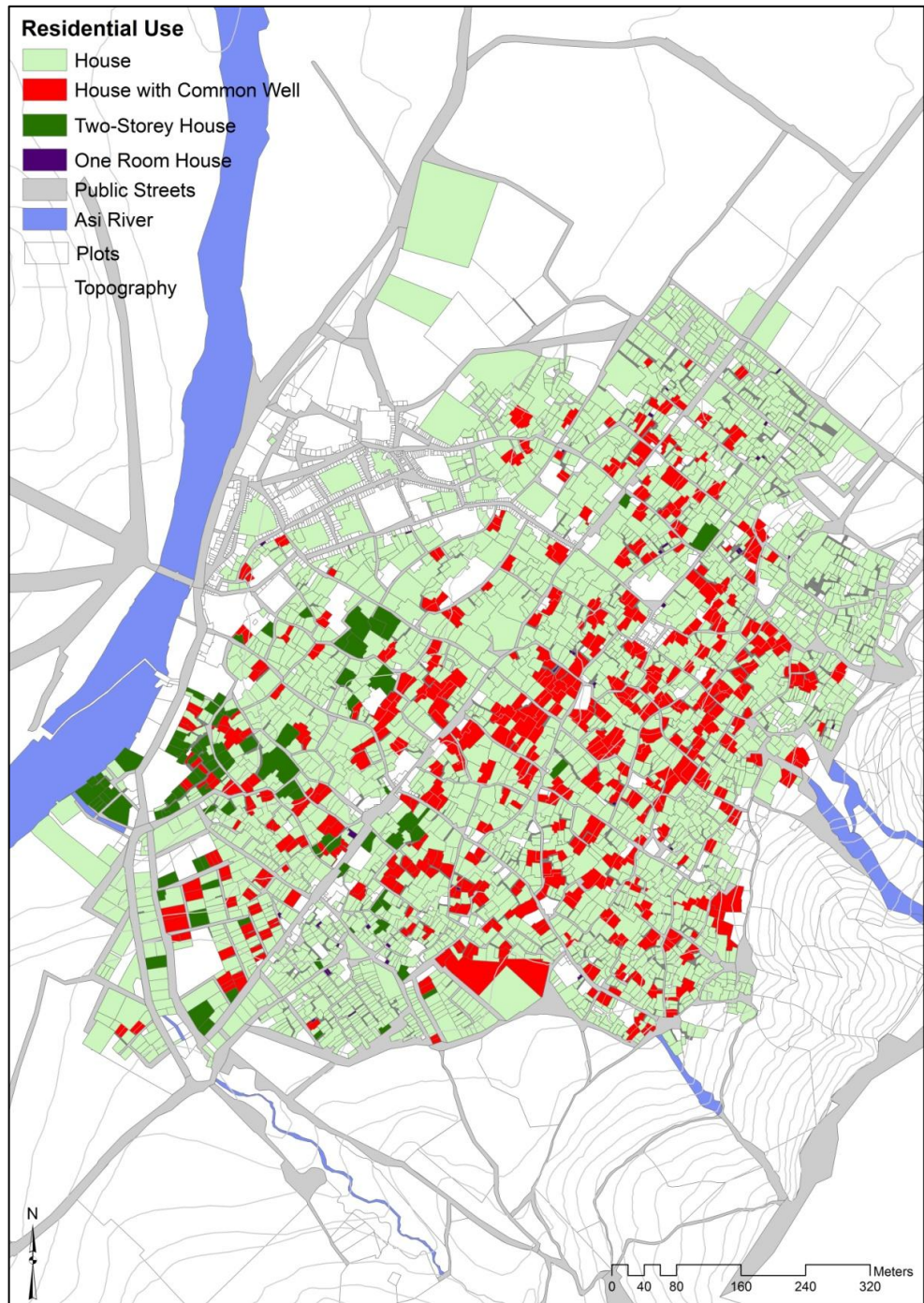


Figure 4.18. Residential use and its distribution throughout the urban fabric

According to the title deed records, 96% of the total residential area was taken up by houses, with the remainder being two-storey houses (3%) and one-room houses (1%). The majority of dwellings were located in the 3rd and 4th circumscriptions, alongside some commercial properties has also dwelling units and mapped them accordingly.

The houses can be grouped under two sub-headings: *houses* and *houses with a common well*. This definition is clearly stressed on the title deeds under the topic of “features of real estate property”. Houses with common wells were concentrated on the west of Kurtuluş Street, on the west declivity of Mount Habib Neccar.

The “one-room house” classification referred to small dwellings around 10–15 m², which were clustered in the south-east and north-east of the urban fabric, and chiefly inhabited by the Alewite community. (Figure 4.19)

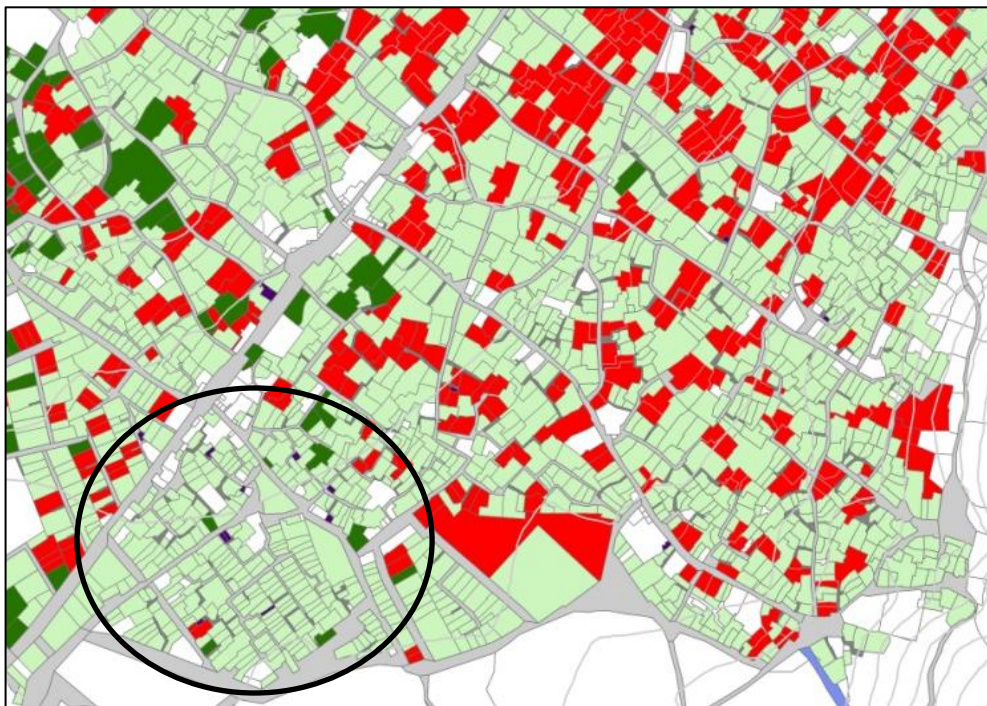


Figure 4.19. One-room dwellings located in the north-east of the urban fabric

4.2.2. Commercial Use

The commercial area was shown to be located in north-east part of the urban fabric, in the same location that it is known to have existed in the Hellenistic period. (Figure 4.20)

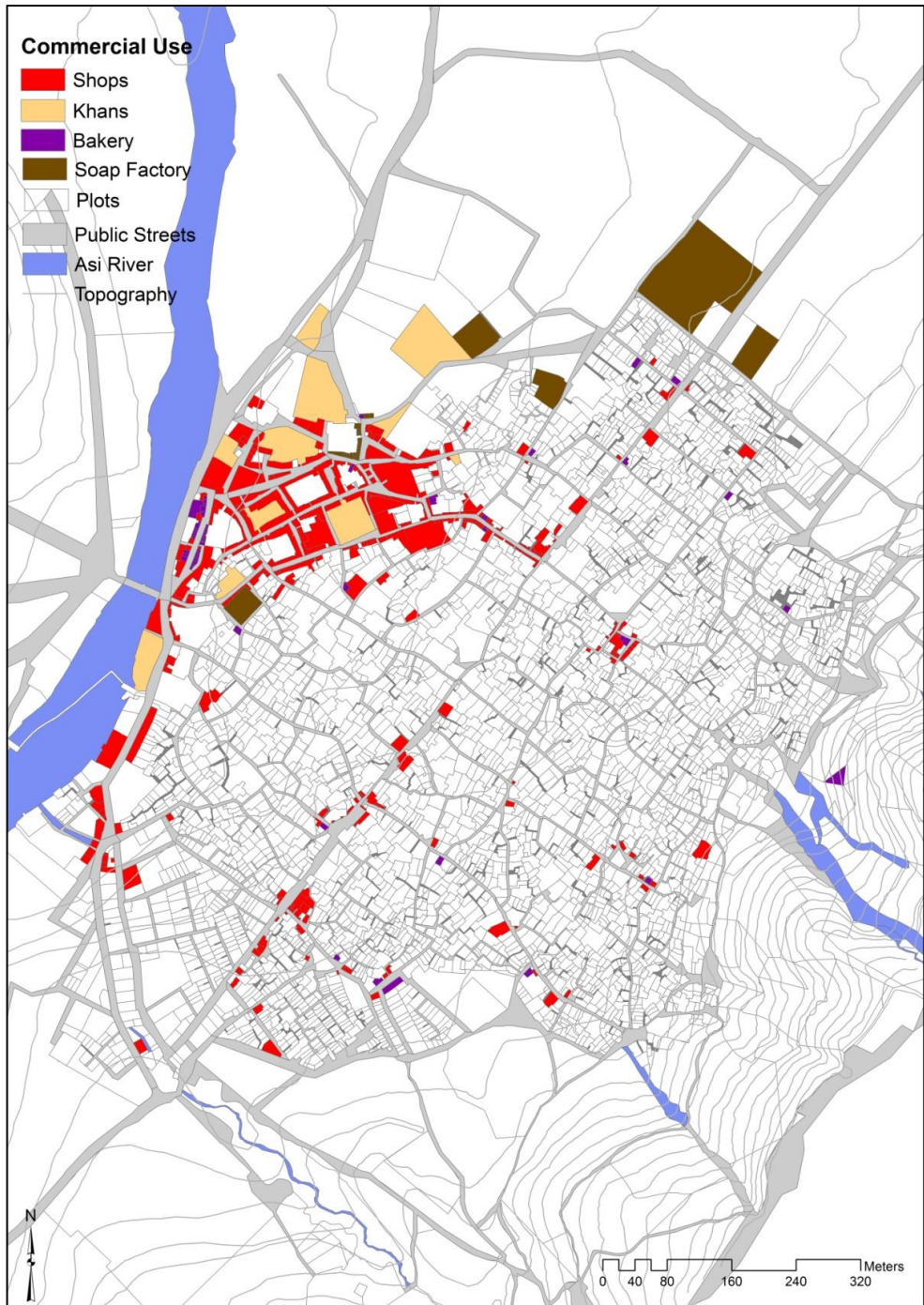


Figure 4.20. Commercial use within the urban fabric

In the title deeds, the main commercial uses are listed as shops, khans, bakeries and soap factories. The commercial zone comprised mainly khans, shops and bakeries; while the soap factories extended in a northerly direction close to the agricultural area where the olive groves existed in 1929.

Throughout the urban fabric there are small commercial nuclei containing shops and bakeries located next to each other. (Figure 4.21)

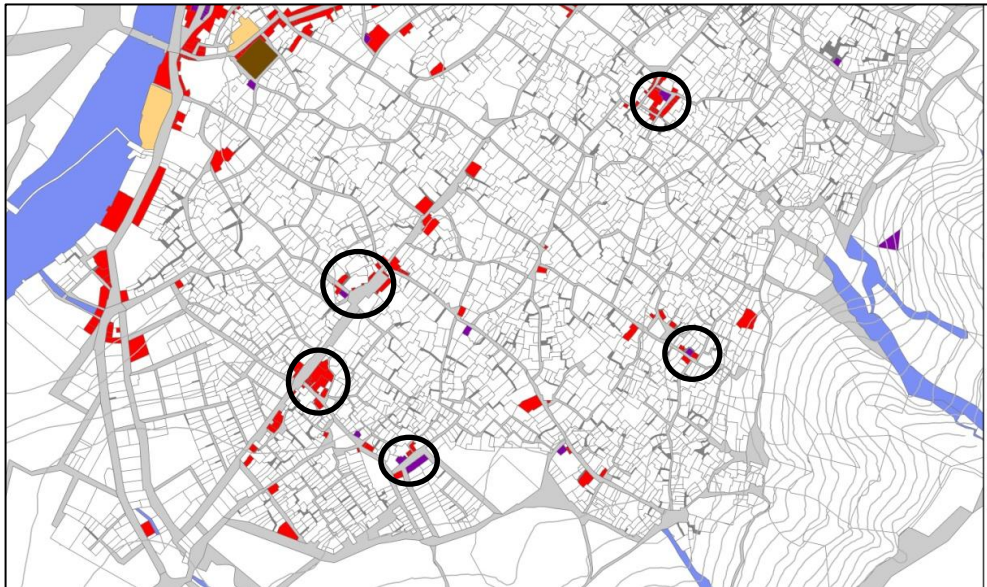


Figure 4.21. Small commercial nuclei throughout the urban fabric

4.2.3. Religious Use

Antakya has a city of several different religious groups. Religious use is a significant aspect, as followers of a particular tenet tend to accumulate around their religious buildings throughout history. As a result, the city has numerous churches, mosques, mesjids and visitations (Figure 4.22).

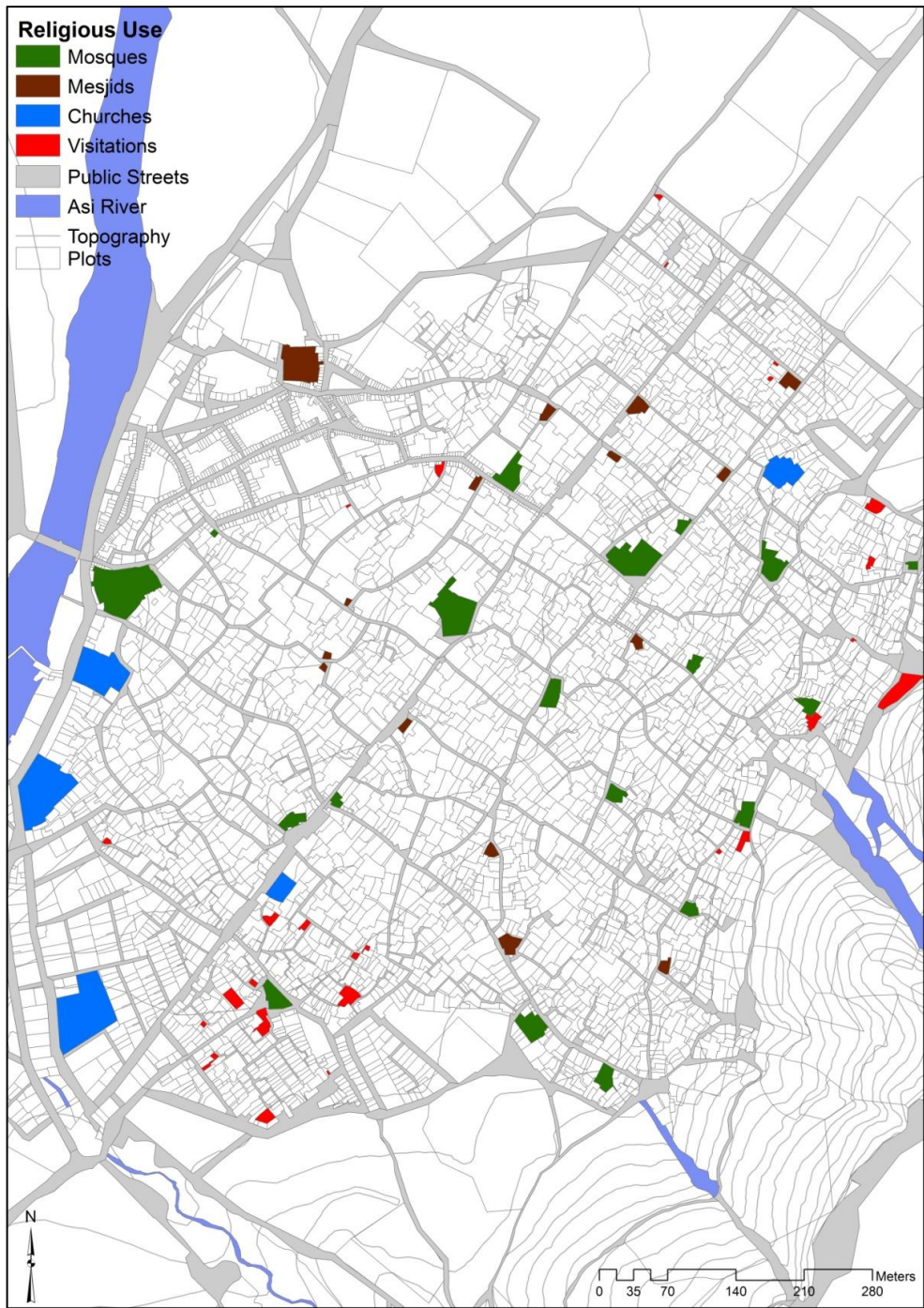


Figure 4.22. Religious buildings and their distribution in the urban fabric

There are many mosques and mesjids spread throughout the urban fabric, since the majority of inhabitants are Sunni Muslims, however follow a certain order, and are concentrated along through the main

thoroughfare, Kurtuluş Street, and on the streets on the western declivity of Mount Habbib Neccar (Figure 4.23).

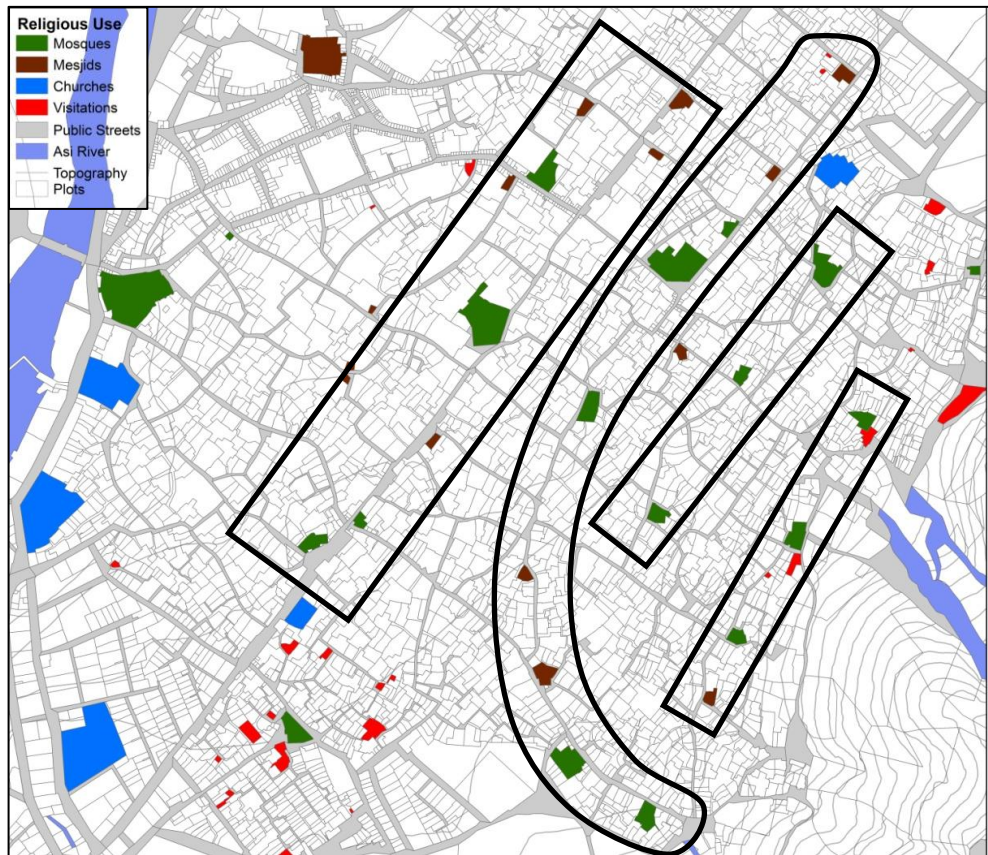


Figure 4.23. The locations of mosques and mesjids

Churches are concentrated along the Asi River, where Christian community lived. Additionally, there is a single church on the north-east part of the fabric where the Armenians lived (Figure 4.23).

There are Alewite visitations on the south-west and north-east edges of the urban fabric, being more densely distributed in the south-west. Around the visitations, mosques were constructed in the late-Ottoman Period between 1907–1910. (Figure 4.24)

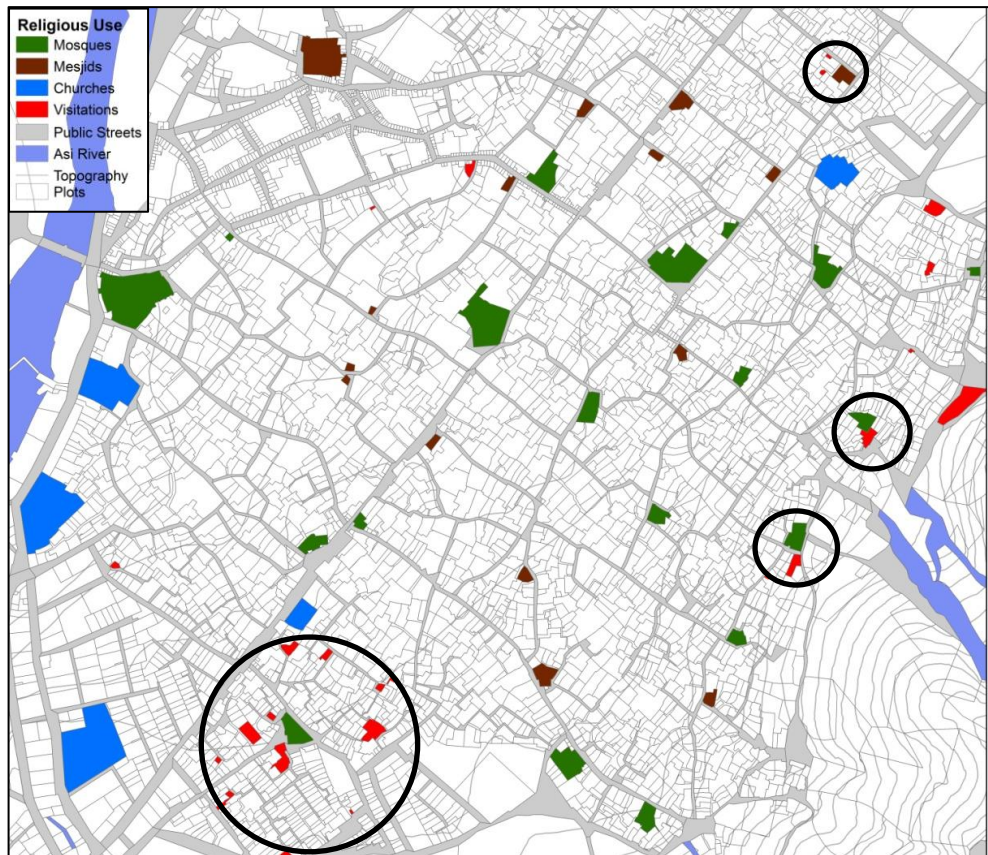


Figure 4.24. Pattern of visitations and mosques

4.2.4. Social Use

The banks of Asi River featured a city club, restaurant and hotels; with a number of coffee shops spread throughout the urban fabric (Figure 4.25).

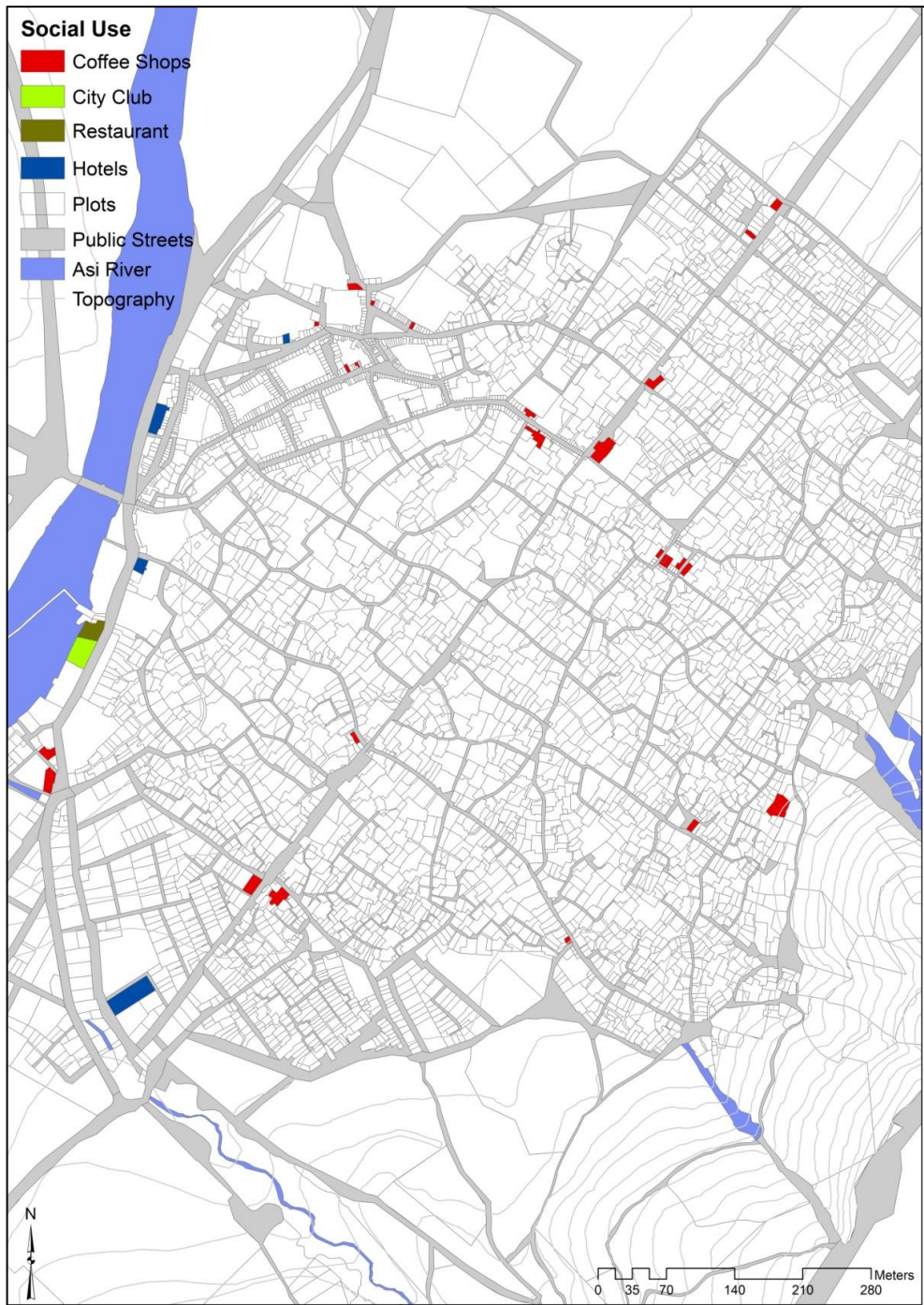


Figure 4.25. Social places and their distribution within the urban fabric

4.2.5. Service Use in the Built-Up Area

These included public baths, public toilets and wells, used as service points throughout the urban fabric. (Figure 4.26)

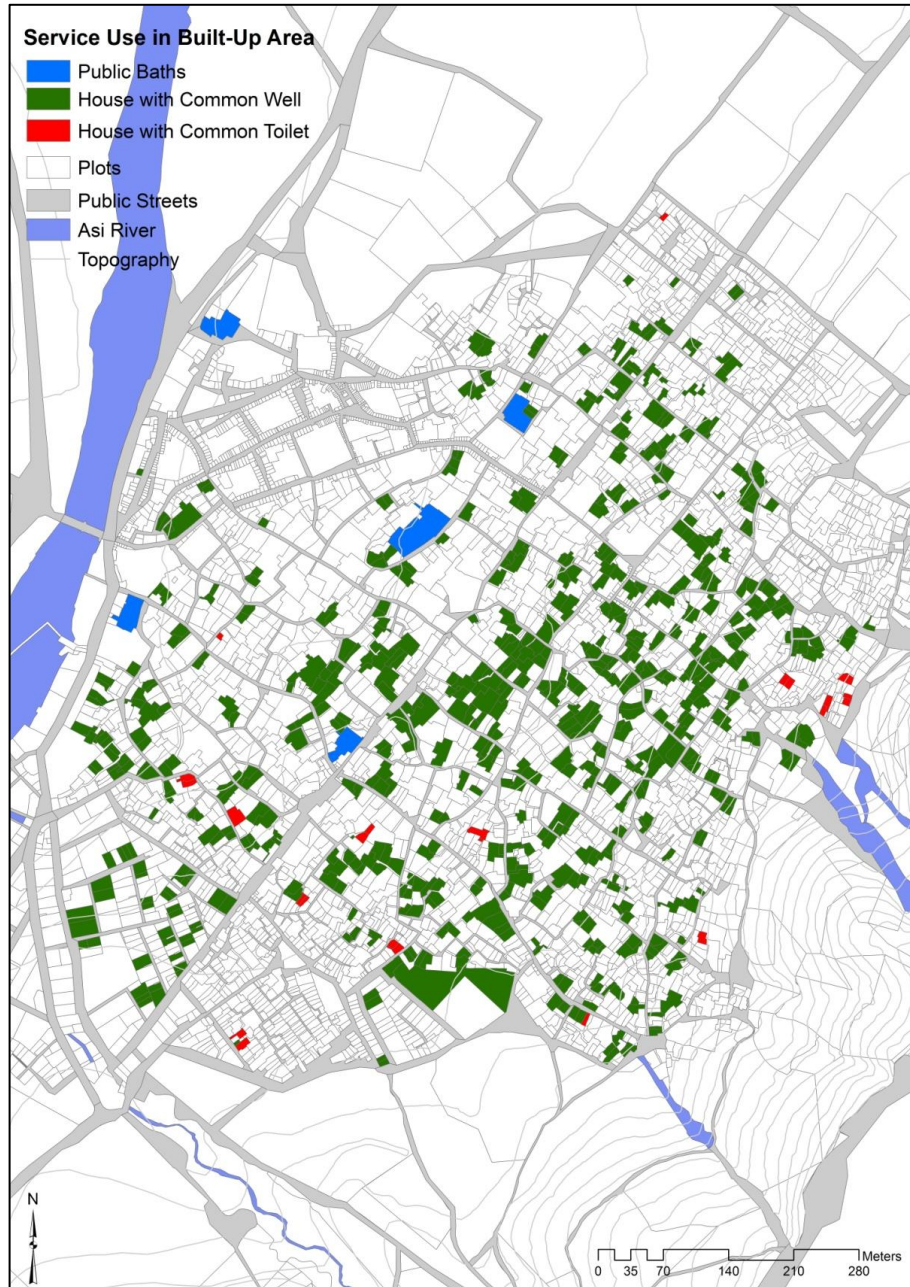


Figure 4.26. Service use in built-up area

Public baths were located on the west side of Kurtuluş Street. There were four such baths in Antakya in 1929; two of which were located around the trade zone, and the others in the residential area. Geographically, they were sited close to rivers flowing from Mount Habib Neccar to Asi River. (Figure 4.27)

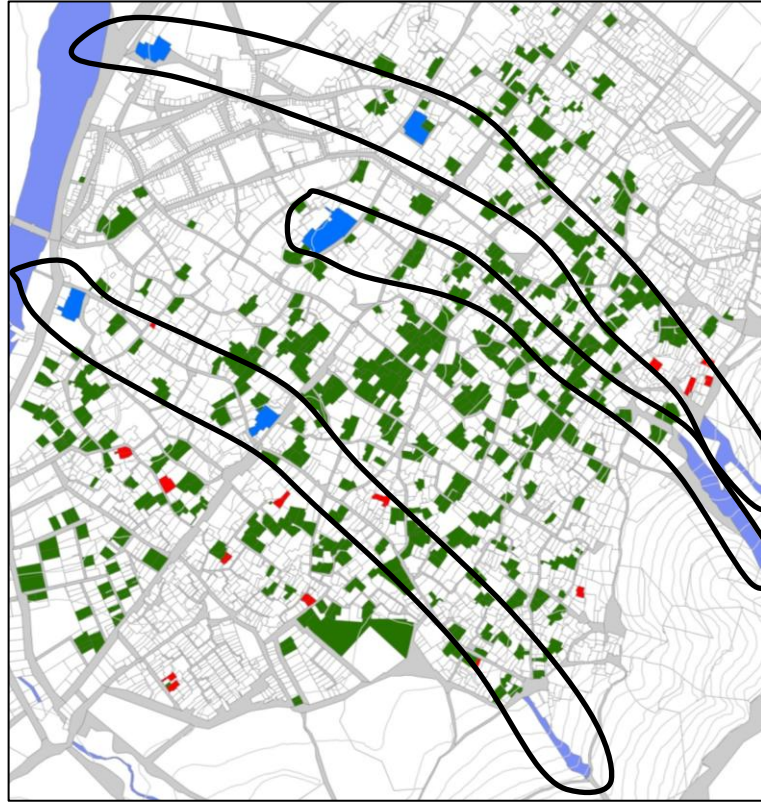


Figure 4.27. The geographical relationship public baths and rivers

Common wells and public toilets were prevalent on the eastern part of Kurtuluş Street, with such facilities assigned for use by specific houses. These facilities were assigned for use by two or more houses, and resulted in a solidarity between the benefit owners of commonly used services. The way these services were shared will be investigated in the following property rights section of the research.

4.2.6. Use in Private Cul-de-Sacs

The investigation, drawing upon information in the title deeds and cadastral maps, provided a deeper understanding of the private cul-de-sacs. The private cul-de-sacs had their own physical forms,

generally with a common toilet and well, and less commonly a kitchen, barn and/or depot. (Figure 4.28)

The commonly used services in private cul-de-sacs were densely located on the east side of Kurtuluş Street; while in the southwestern part of the urban fabric there existed long cul-de-sacs with toilets and wells. (Figure 4.28) Factually, the use of services in cul-de-sacs was particular for the residential zone of the fabric, as no such service use existed in the commercial area.

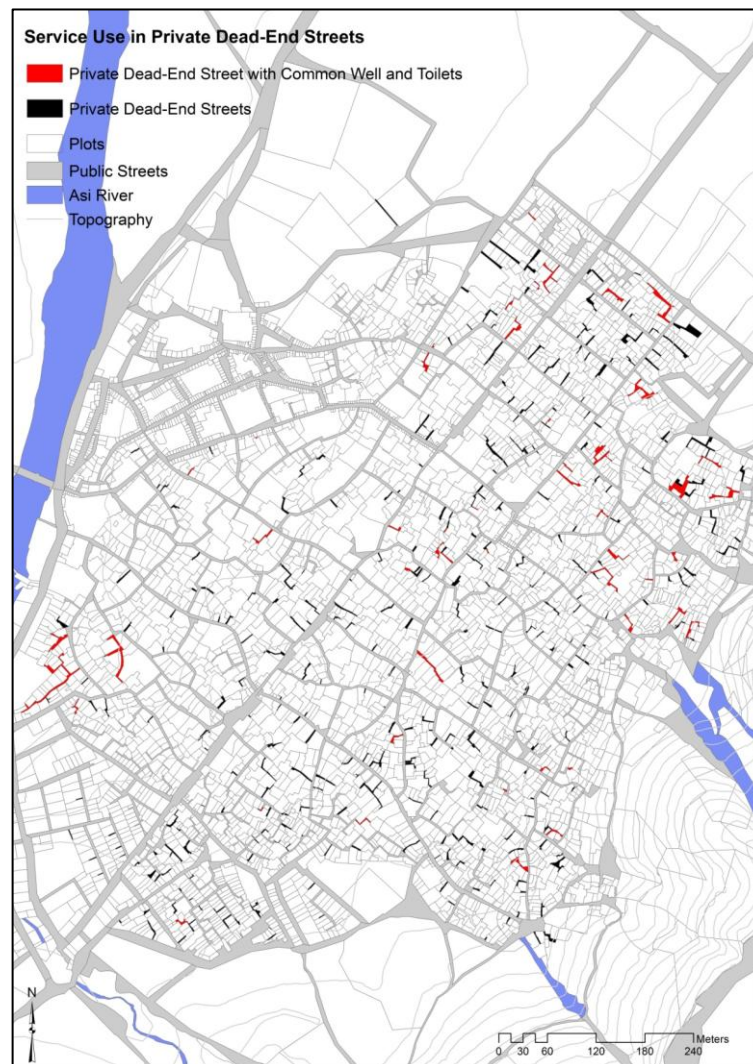


Figure 4.28. Service use in private cul-de-sacs

4.3. Property Rights

As in the case of Islamic cities, as mentioned in the second chapter of the thesis, the historical core of Antakya was influenced by property rights.

This research into the relationship between the ownership system and urban form focuses on a conceptually new and contextually rational, effective and orthodox control mechanism that contributed to the formation of the historical urban core of Antakya. These are understood and defined as property rights in this research, and are identified as “benefits” and “liabilities” in the title deeds.

Ownership benefits and liabilities are the specific descriptions and obligations not only for the plot owners, but also the city’s inhabitants. According to the title deeds, plot owners may have different benefits and/or liabilities relating to a specified plot, which take the form of detailed, strict and enforceable rights over the tangible and intangible features of the urban form. They play a key role in creating rational solutions for the physical, morphological, social and cultural aspects of the urban core, such as the property rights for:

- the relationships between topography and the urban form
- the formation of the street layout and the built environment
- the physical interventions throughout the urban core
- the movement of inhabitants within an introverted and complex urban form
- considering the natural elements in the formation of the urban form
- the formation of services, such as wells, toilets, etc., and their use
- spiritual and socio-cultural activities within the urban form, and so forth.

The benefits can be defined as beneficial rights over somebody else’s property; by which the owners of the beneficial right can only act as directed in the title deeds.

Following an investigation of the title deeds of the historical urban core of Antakya, the benefits can be defined as:

- the right to pass through a common private cul-de-sac
- the right to pass or enter a neighbours' plot
- the right to pass through a plot to access a water well in another plot
- the right to pass over somebody else's property from a specific place, such as the entrance part of the house, under the staircase, etc.
- the right to pass through a plot to access a toilet located at the side plot of a passed plot
- the right to enter somebody else's plot to access a toilet
- the right to drain winter water
- the right to air passing through the common walls of plots
- the right to discharge water
- the right of use of a common well
- the right of use of a common wall
- the right of use of a toilet
- the right to use of somebody else's well
- the right of use of a barn
- the right to use somebody else's pits located on his/her plot
- the right to rest a timber wall on another's plot/building
- right to construct an upper floor above the side plot's WC
- the right to construct an upper floor over somebody else's plot or passage (such as street or cul-de-sac)
- the right to construct a room over a passage
- the right to construct a building over somebody else's well
- the right to construct a cupboard against a common wall
- the right to overlook somebody else's plot (Sometimes given a specific place)
- the right to have a window opening onto somebody else's plot
- the right to give property incomes to the poor, written specifically as "Antakya's poor inhabitants".

These varied benefits defined in the historical urban core of Antakya are assigned into groups in this thesis, with the description of each right supported by sketches in order to clarify them in a better way and correlate them with the urban form. Accordingly, the benefits are grouped under six main topics, which are: (Figure 4.29)

- passage benefits, including both spatial and non-spatial passage benefits
- use benefits
- construction benefits
- visual interaction benefits
- charitable benefits
- spiritual benefits.

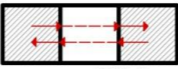
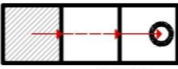
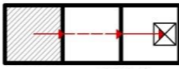
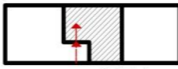
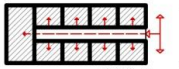
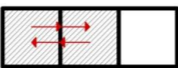
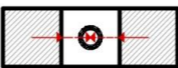
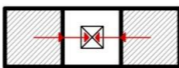
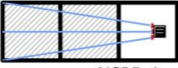



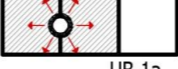
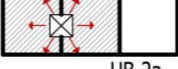
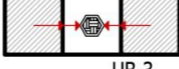
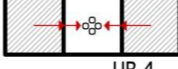

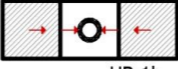
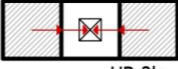


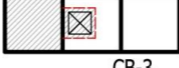
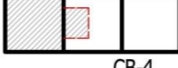
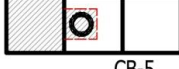



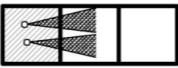
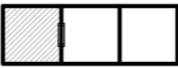

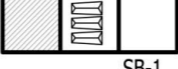
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		 SPB-1b	 SPB-2b	 SPB-3b		
	NON SPATIAL	 NSPB-1	 NSPB-2	 NSPB-3	 NSPB-4	
USE BENEFITS		 UB-1a	 UB-2a	 UB-3	 UB-4	 UB-5
		 UB-1b	 UB-2b			
CONSTRUCTION BENEFITS		 CB-1	 CB-2	 CB-3	 CB-4	 CB-5
		 CB-6				
			 CB-7	 CB-8		
VISUAL INTERACTION BENEFITS		 VIB-1	 VIB-2			
CHARITY BENEFITS		 CHRTB-1				
SPIRITUAL BENEFITS		 SB-1				

Figure 4.29. The groups of benefits and their schematic drawings (Prepared by Rifaioğlu, M.N.)

Liabilities are obligations to permit the beneficial owners to act in line with their benefits, and are defined in the title deeds as:

- the liability to give permission to a specific person to pass through the plot to obtain water from another plot
- the liability to give permission to a specific person to pass through the entrance porch of a property
- the liability to give permission to a specific person to pass under his/her staircase
- the liability to give permission to specific plot owners to pass to and from their own plot
- the liability to give air passing permission from a specific place
- the liability to give air passing permission from an unspecified place
- the liability to give permission for the drainage of winter water
- the liability to give permission for the drainage of water from somebody else's plot onto another plot
- the liability to give permission for the passing of a river band under the plot
- the liability to give permission for discharging water over one's own plot
- the liability to give permission for use of a WC
- the liability to give permission for the use of pits
- the liability to give permission for use of a well
- the liability to give permission for resting a timber wall on another's wall
- the liability to give permission for the construction of a barn on somebody else's plot
- the liability to give permission for construction of an upper floor over somebody else's plot or passage
- the liability to give permission for the construction of a building over a well
- the liability to give permission for overlooking a neighbour's plot from own plot
- the liability to give permission to somebody to bury his/her relatives.

As in the case of the defined benefits, these are assigned into groups in this thesis, with each right defined and supported by sketches in

order to clarify them in a better way and correlate them with the urban form. Accordingly, the liabilities are grouped under six main headings: (Figure 4.30)

- passage liabilities, comprising both spatial and non-spatial passage benefits
- use liabilities
- construction liabilities
- visual interaction liabilities
- charitable liabilities
- spiritual liabilities.

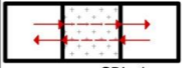
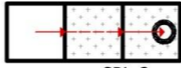
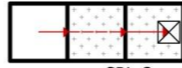
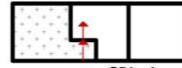

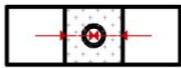
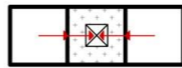
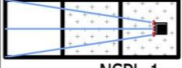
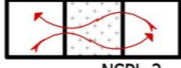


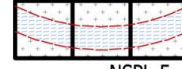
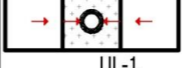

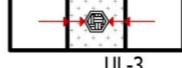
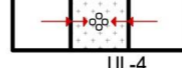
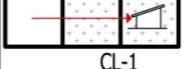


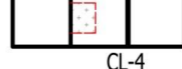

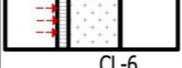






LIABILITIES						
PASSING LIABILITIES	SPATIAL	 SPL-1	 SPL-2a	 SPL-3a	 SPL-4	 SPL-5
		 SPL-2b	 SPL-3b			
	NON SPATIAL	 NSPL-1	 NSPL-2	 NSPL-3	 NSPB-4	 NSPL-5
USE LIABILITIES		 UL-1	 UL-2	 UL-3	 UL-4	
CONSTRUCTION LIABILITIES		 CL-1	 CL-2	 CL-3	 CL-4	 CL-5
		 CL-6	 CL-7	 CL-8		
VISUAL INTERACTION LIABILITIES		 VIL-1	 VIL-2			
CHARITY LIABILITIES		 CHRTL-1				
SPIRITUAL LIABILITIES		 SL-1				

Figure 4.30. The group of liabilities and their schematic drawings (Prepared by Rifaioğlu, M.N.)

4.3.1. Passage Benefits and Liabilities

4.3.1.1. Spatial Passage Benefits and Liabilities

Passage benefits and liabilities are grouped under two sub-headings: passage benefits and liabilities to which are referred a spatial reference; and referred non-spatial references.

The spatial passage benefits and liabilities allow an understanding of the way the inhabitants moved through and experienced the urban form. One of spatial passing benefits and liabilities investigated in this research is *passage benefit from commonly owned cul-de-sac*. Private cul-de-sacs are commonly owned, and the benefit is given as the right to pass through the private cul-de-sac. (Figure 4.31)

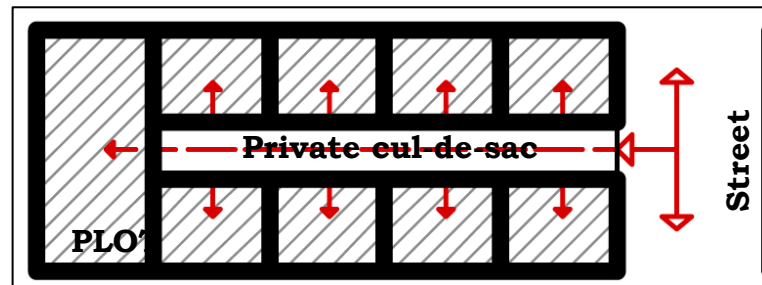


Figure 4.31. Passage benefit for a private cul-de-sac

This benefit is given to those who need to pass through a private cul-de-sac, by which the benefit owner has the right to pass. (Figure 4.32 a-b).



Figure 4.32. a-b) Inhabitant passing through private cul-de-sacs (Photos: Rifaioğlu, M.N., 2009).

For this benefit, there is a liability defined in the title deeds, defined as the liability to give permission to specific property owners who need to pass through commonly owned private cul-de-sacs. (Figure 4.33)

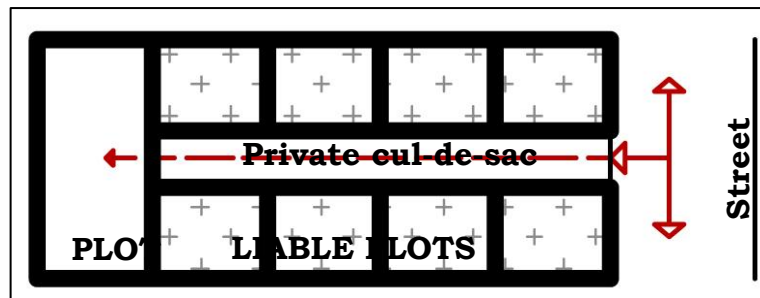


Figure 4.33. Passage liability for private-cul-de-sacs

This liability is generally given for those with a direct access to their house from the private cul-de-sacs, but are not a co-owner of the cul-de-sac. In this case, the owners of the cul-de-sac is liable to give

permission to them. The owners of private cul-de-sacs cannot obstruct the passage of those with the right to pass through that cul-de-sac.

Another passage right is related to the case of two adjacent plots, defined as *passage or entry right to a neighbours' plot*. In this case, the owners of the adjacent plots are both beneficial owners, and are liable for giving permission for passage. (Figure 4.34)

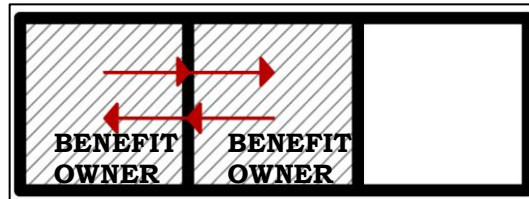


Figure 4.34. Passage or entry to adjacent plot benefit and liability

This property right can be applied in cases of non-adjacent plots. According to the property right, the benefit owner can enter somebody else's property not located adjacent to his/her property, passing through another's property. (Figure 4.35) In this case, according to the property right, the property owner located between two plots is liable to give permission for movement, (Figure 4.36) by which the benefit owner will be able to pass from one plot in order to access another specified plot.

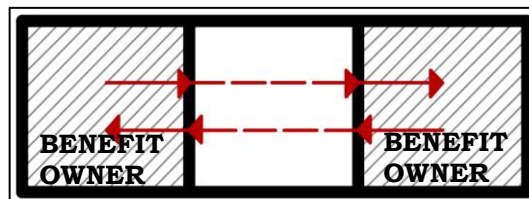


Figure 4.35. Entering somebody else's property benefit

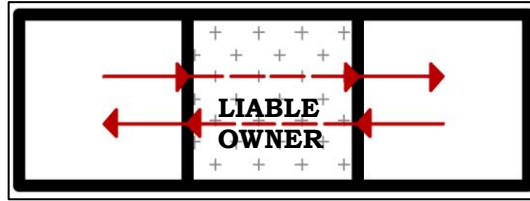


Figure 4.36. Liability of owner to give permission for movement between two benefit owners

While spatial passage property rights are detailed according to the purpose of movement, they are also clearly mentioned and defined in the title deeds. One such beneficial right is for *passage through a plot to obtain water from a well located in another plot*. According to this benefit, the beneficial owner can only pass through the plots to take water from another specified plot. Accordingly, the owner of the well is to share his well with the beneficial owner. (Figure 4.37)

A liability defined so as to ensure the realization of the benefit, in this case for a specific purpose. The benefit owner may only pass through the liable plot to take the water from the other plot; and the liable owner is not obliged to give permission for passing through his/her property for other purposes. (Figure 4.38)

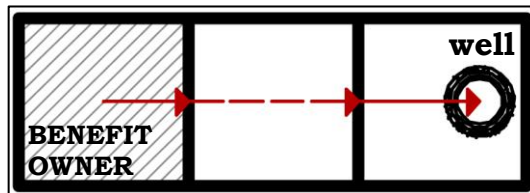


Figure 4.37. The passage benefit for obtaining water from a well

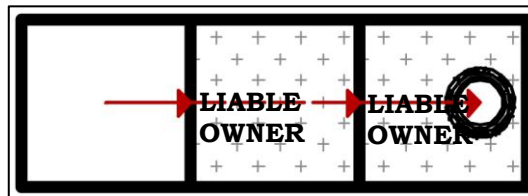


Figure 4.38. The liable owners in giving passage benefit for obtaining water from a well

The passage benefit for obtaining water is also defined in *passage through a plot to obtain water from the water well*. This time, the well is located on the adjacent plot, and the benefit owner cannot pass through any another plot in order to reach the well. (Figure 4.39)

In this case, the owner of the well, being the liable owner, has to give permission to the benefit owners to obtain water from the well (Figure 4.40).

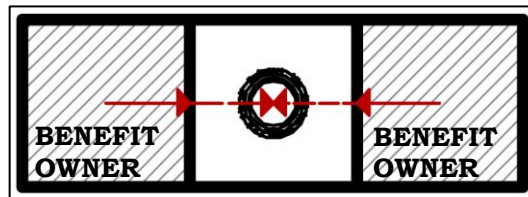


Figure 4.39. The benefit owners in the use of a well

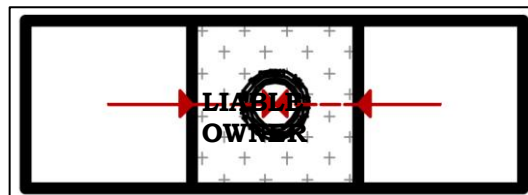


Figure 4.40. The liable owner in the use of a well

Besides those benefits and liabilities related to accessing a well to obtain water, there are other benefits and liabilities defined for accessing a toilet. According to the benefit, the benefit owner can pass through somebody else's plot in order to reach to the plot on which the specified toilet is located. (Figure 4.41)

In this case, the owner of the toilet would be liable to give permission to the benefit owner for use of the toilet. Additionally, the other plot owners located on the passage route between the benefit owner's property to the toilet are obliged to give permission to the benefit owner to access the toilet. (Figure 4.42)

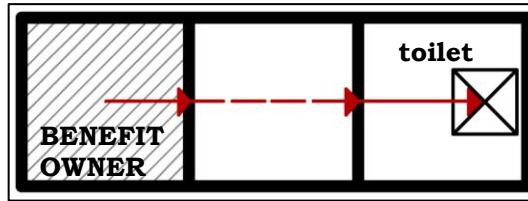


Figure 4.41. The benefit for access to a toilet

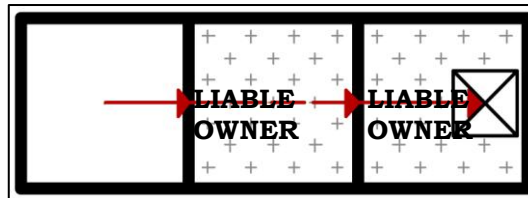


Figure 4.42. Liable owners in passage rights to a toilet

The passage right for access to a toilet may also apply for adjacent plots. The benefit owner should be able to pass through an adjacent plot in order to access the toilet. In this case, the owner of the toilet is naturally a liable owner in giving permission to the benefit owner to pass through his/her plot to access the toilet. (Figure 4.43, Figure 4.45)

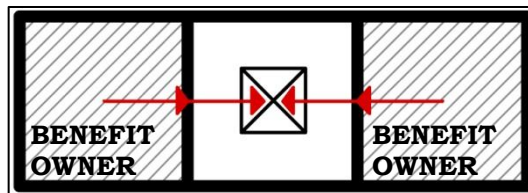


Figure 4.43. The passing benefit for accessing a toilet on the adjacent plot

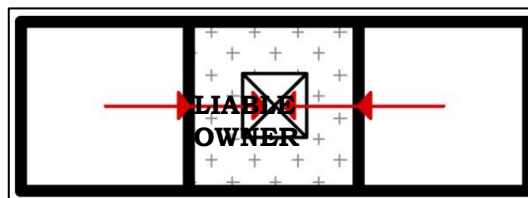


Figure 4.44. The owner of the toilet becomes a liable owner

In some cases, the passage benefit is defined for a specific place as a benefit right for *passage through somebody else's property from the*

entrance part of the house or under the staircase. This right is given in very intricate plot formations, where the benefit owner can only access to his/her property by passing through an adjacent property. (Figure 4.45) In this case, the adjacent property owner becomes liable for giving permission to the beneficial owner to access his/her property through a specified place. (Figure 4.46)

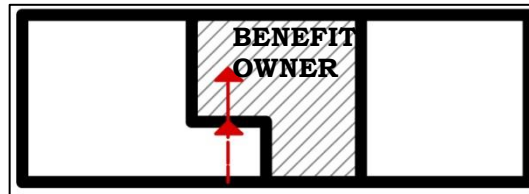


Figure 4.45. The passage benefit through a specific place in an adjacent plot

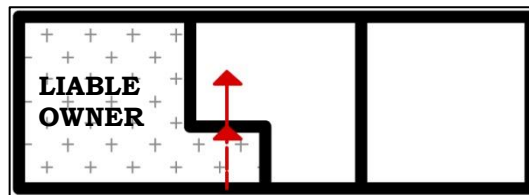


Figure 4.46. The liable owner for the passage benefit from his/her plot

Such spatial passing benefits and liability rights were common property rights throughout the historical urban core of Antakya. However, locationally it is created zones through the urban form. (Figure 4.47) Spatial passage benefits and liabilities were defined mostly for the residential area of the fabric; however some properties in the historical commercial zone also required spatial passage benefits. For whatever the reason, passage from one plot to another was very common, especially on the west side of Kurtuluş Street towards the north-east of the fabric. On the western declivity of Mount Habib Neccar, spatial passage benefits for access to toilets and wells were quite common.

Although the passage benefit for commonly owned cul-de-sacs was defined for many private cul-de-sacs, such situations were most common on the south-west and north-east side of the urban fabric,

in the Christian and Alewite settlements, where the private cul-de-sacs were very long. (Figure 4.48)

On the south-west of the urban fabric, characterised by long public cul-de-sacs and differently arranged plots from the rest of the fabric, spatial passing benefits were extremely rare. (Figure 4.49)

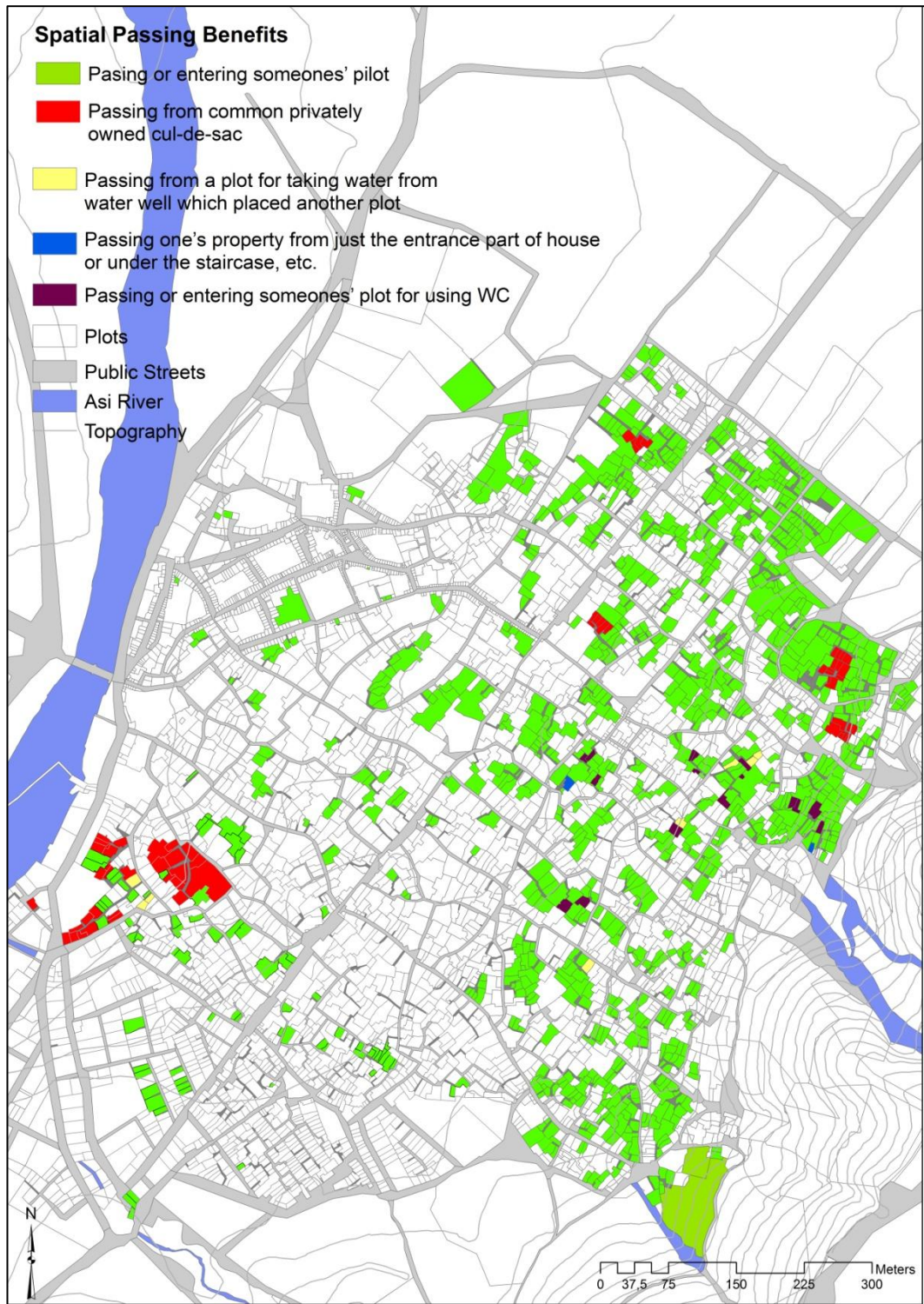


Figure 4.47. The distribution of spatial passage benefits throughout the historical urban core



Figure 4.48. The spatial passage benefits in the commonly owned private cul-de-sacs

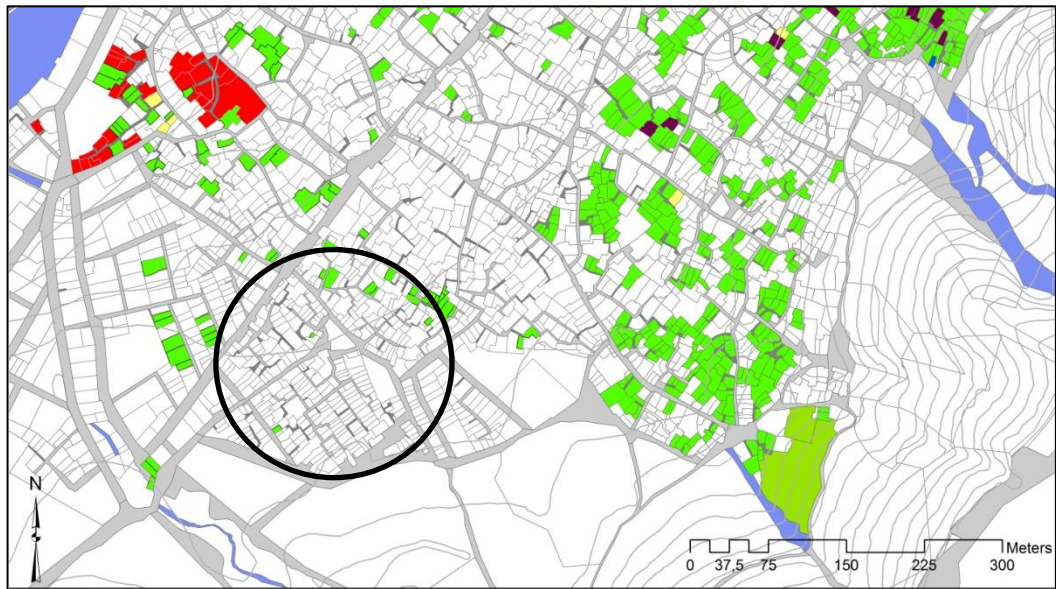


Figure 4.49. Spatial passage benefits and liabilities were scarce in the south-eastern part of the urban fabric

4.3.1.2. Non-Spatial Passing Benefits and Liabilities

Non-spatial passing benefits and liabilities are related to the flow of natural aspects throughout the urban form, rather than the movement of inhabitants. Different property rights are defined related to the drainage of water between properties, natural ventilation and the flow of rivers under the urban form.

One of the most common non-spatial property rights defined in the title deeds is *the right to discharge and drain winter water and/or the water right*. According to this property right, the benefit owner would be able to discharge winter water or normal water onto the neighbouring plot, (Figure 4.50), with the relevant plot specified in the title deeds. The benefit owner would be prohibited from discharging winter water onto any other plot.

Under these circumstances, the neighbouring plot owner has a liability to accept the drained water onto his/her plot. Additionally, the neighbouring plot owner can be able to have draining the water to the other neighbouring plot. In this way, the first neighbouring plot owner can be both a liable owner and a beneficial owner in the discharge of winter water. (Figure 4.51)

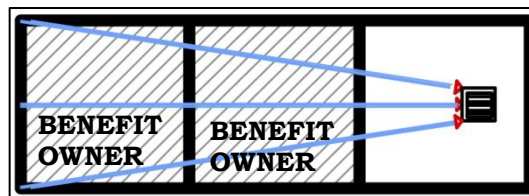


Figure 4.50. The non-spatial passage right for draining the winter water

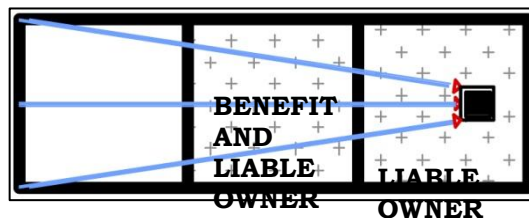


Figure 4.51. The centre plot owner has both benefits and liabilities for the discharge of winter water

Although there are a small number of individual cases seen in the historical urban core, this property right is more concentrated in the

commercial zone and on the west side of Kurtuluş Street in the residential zone. In the commercial zone, the water discharge right is primarily given to the soap factories, and is related with the topography. Soap factory owners have the right to discharge water towards the inclined topography, and the neighbouring plot owners are liable to allow such water discharges over their properties. (Figure 4.52)

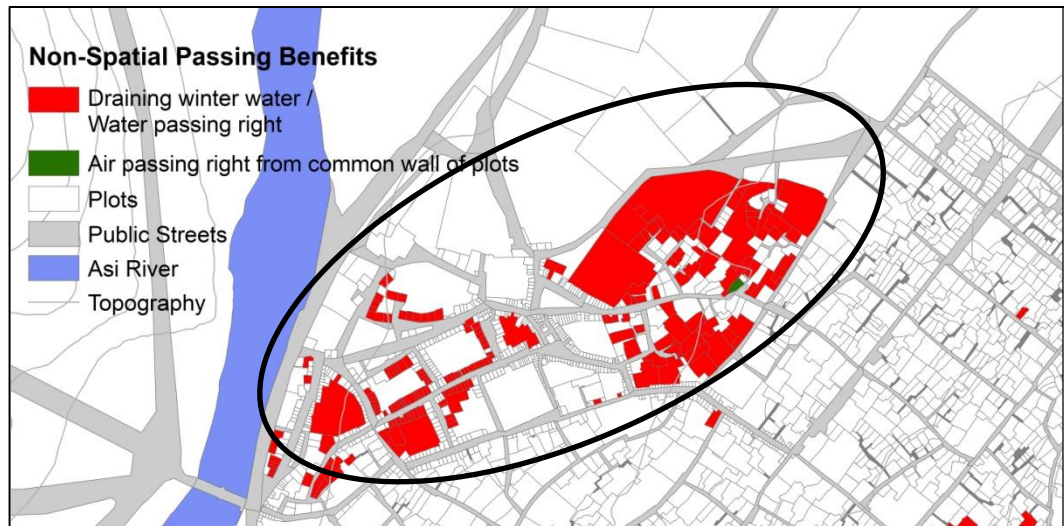


Figure 4.52. Winter water/water drainage right in the commercial zone of the historical urban core

In the residential zone, again according to the topography, property owners have the right to discharge winter water onto other houses. In this case, the property owners have both beneficial and liability rights. (Figure 4.53)

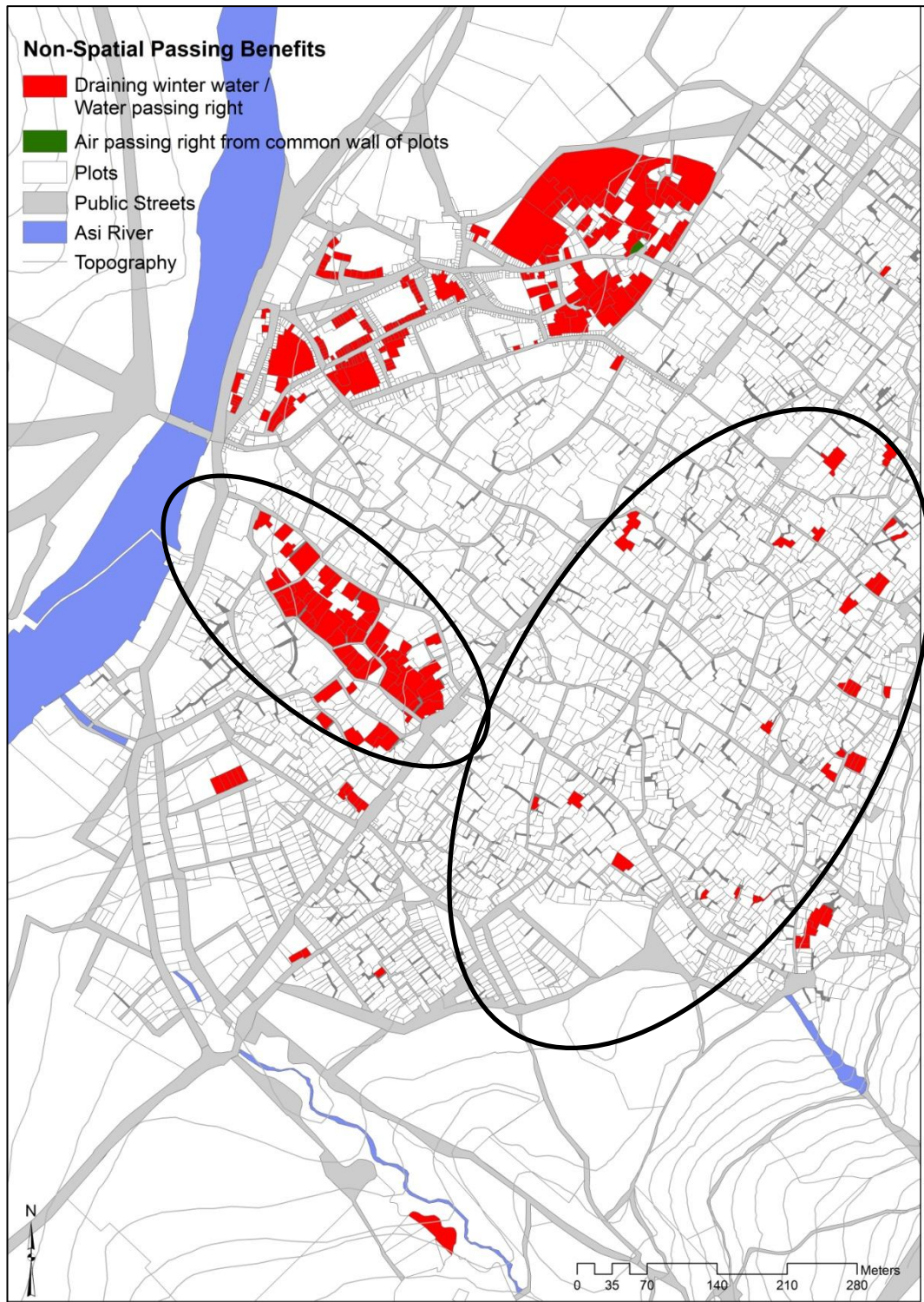


Figure 4.53. Rights related to the drainage of winter water in the residential zone of the historical urban core.

Another non-spatial passing right is related to the passage of air between neighbouring plots and the plots located at a distance

between them. Air passage rights are defined in the title deeds as *air passing right between the common wall of neighbouring plots* (Figure 4.54). In this case, the neighbouring plot owners have the right to benefit from the air passing between their properties.

This property right is also defined as *air passing right from a specific location* within the urban fabric. In this case, the beneficial owner can take air from a specific place at a distance from his/her property. Under these circumstances, in the case of air flowing in a specified direction, the plots located on the route of the flow of air are liable for allowing air to pass. (Figure 4.55)



Figure 4.54. The air-passing benefit between the walls of neighbouring plots

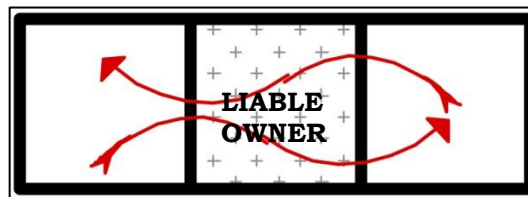


Figure 4.55. Air-passing direction, and the plots located on the route of flow that are liable for allowing it.

A further property right exists related to an established water channel between two plots. (Figure 4.56) Any plot where located between them is liable to give permission for the passing of a water channel through his/her property. (Figure 4.57)

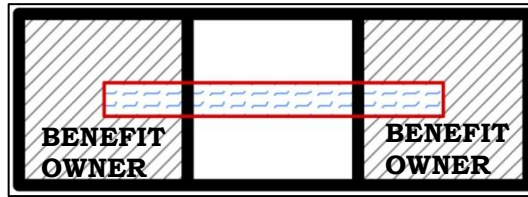


Figure 4.56. The water channel right between two plots

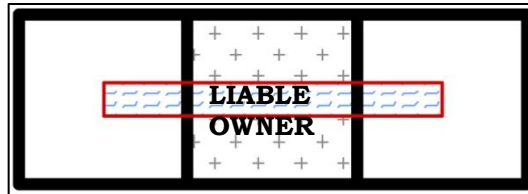


Figure 4.57. The liable plot for the granting of permission for the water channel

There is only one example of the discharge of water onto an adjacent plot. This property right occurred between two residential properties, one of which was a beneficial owner (Figure 4.58) and the other the liable owner of the property right. (Figure 4.59)

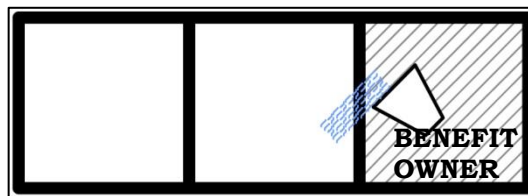


Figure 4.58. The beneficial owner of the right to discharge water onto the adjacent property



Figure 4.59. The liable owner of the discharge of water right

Property rights are applied not only to the built environment and how it is used by the inhabitants, but also to natural elements, the earth and below ground as well.

In Antakya's historical urban core, there are special passage rights defined for properties under which a river passes. The property right is defined in the liability section of the title deeds as *liability for giving permission for the passage of a river band under the plot*. (Figure 4.60)

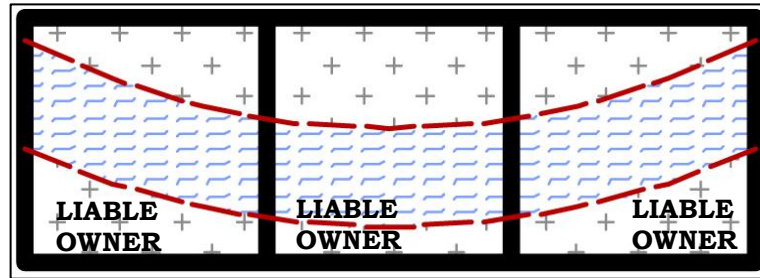


Figure 4.60. The liability of a river band passing under a plot

This liability is based on any intervention to the flow of a river passing under plots. The plot owners have responsibility for the ground below their plots, and the foundations of the buildings must be designed according to the liability.

This liability is seen in south-western part of historical urban core, which was developed in the Ottoman Period, and is related with the Akakir River that flowed from Mount Habib Neccar to Asi River. The owners of the row of plots that were developed over the river have a responsibility to ensure no un-wanted interventions are made to the river, and according to the liability, the river must be allowed to pass underneath them. (Figure 4.62)

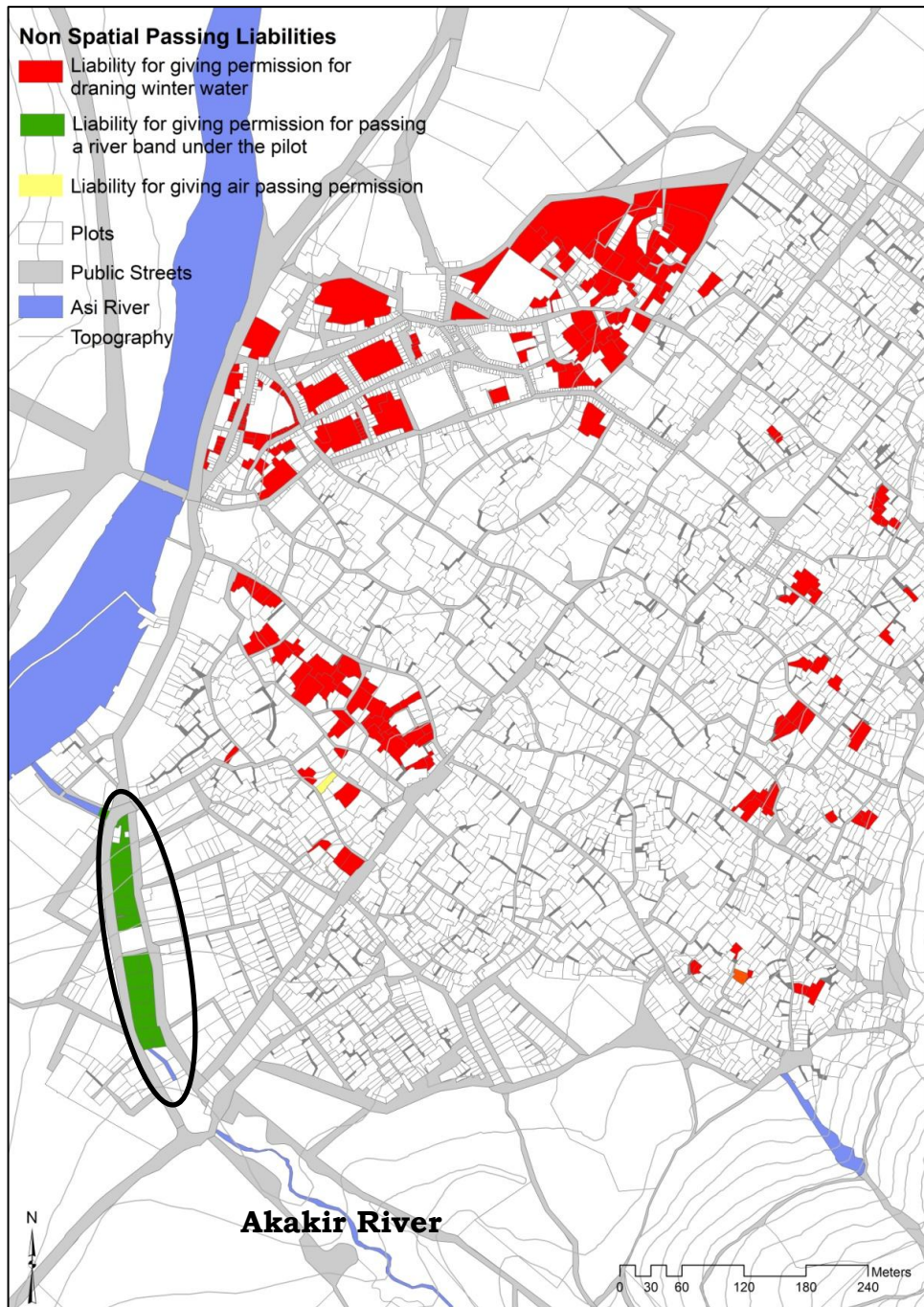


Figure 4.61. Non-Spatial passing liabilities. The green shading denotes the area in which there is a liability to give permission for the passing of the river below the plot.

4.3.2. Use Benefits and Liabilities

Benefits and liabilities related to use are related to two situations: the use of a commonly owned well, toilet or wall; and use of somebody else's well, toilet or barn. For such cases, the ownership of architectural elements and their principles of use are defined in the title deeds.

Commonly owned water wells, toilets and walls existed throughout the residential area of the urban fabric, and were generally owned by adjacent properties. There are only two situations in which a commonly owned well and toilet existed between two separately located plot owners.

Commonly owned toilets, wells and kitchens were common in private cul-de-sacs. (Figure 4.62) The ownership of the well, toilet or wall would be noted in the title deeds, and the use principle would be specified in the description of benefits and liabilities.



Figure 4.62. A kitchen and toilet in a private cul-de-sac

Benefits are only defined for commonly owned wells, toilets and walls, when located on adjacent plots with all owners having the benefit of their use. (Figure 4.63, Figure 4.64)

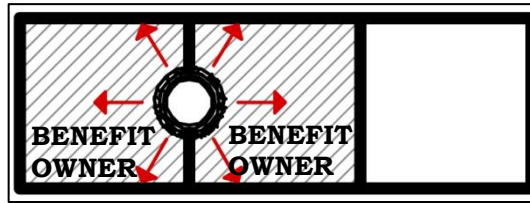


Figure 4.63. The beneficial owners in the use of common wells and toilets

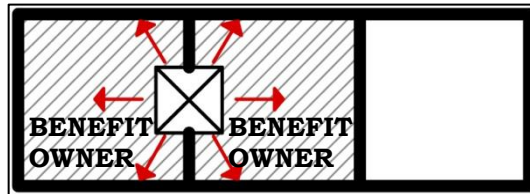


Figure 4.64. The beneficial owners in the use of common wells and toilets

An ownership right and use benefit is defined for common walls. The ownership of the wall is defined according to the exact locations and the lengths noted in the title deeds, and accordingly, the benefit. (Figure 4.65) According to Islamic property rights, the owners of wells, toilets and walls have an obligation to maintain them.

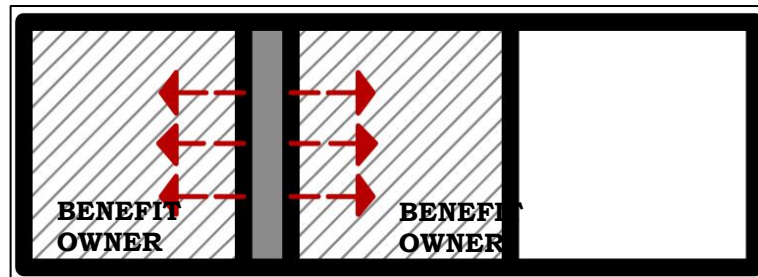


Figure 4.65. The beneficial owners in the use of a commonly owned wall

Use benefits and liabilities are also defined for somebody else's wells, toilets, barns and pits. In this case, the beneficial owner is not a common owner, having rights only related to their use under beneficial rights. Therefore, the owners are obliged to give permission

for the use of their architectural elements by beneficial owners. (Figure 4.66, Figure 4.67, Figure 4.68) Such situations in regarding the use of somebody else's well, toilet or barn can be seen in the residential zone of the historical urban core.

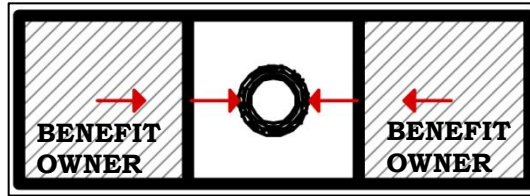


Figure 4.66. The beneficial and liable owner in the use of somebody else's well

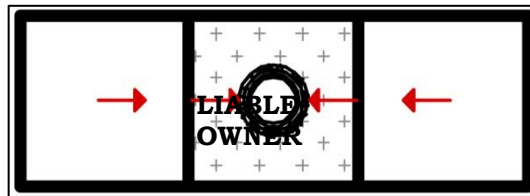


Figure 4.67. The beneficial and liable owner in the use of somebody else's well

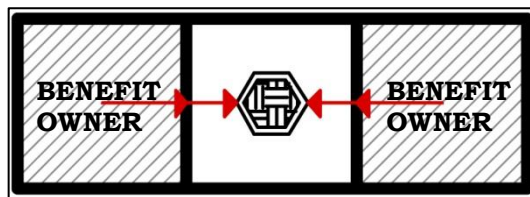


Figure 4.68. The beneficial and liable owner in the use of somebody else's barn

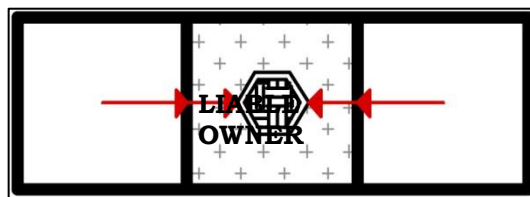


Figure 4.69. The beneficial and liable owner in the use of somebody else's barn

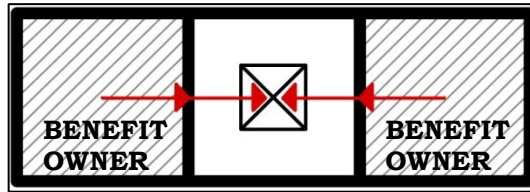


Figure 4.70. The beneficial and liable owner in the use of somebody else's toilet

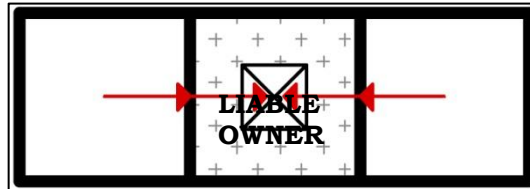


Figure 4.71. The beneficial and liable owner in the use of somebody else's toilet

The use benefit for somebody else's pits is only defined for the tanneries in the northern part of the urban core, with the beneficial owners being artisans, who have the right to use the pits located on the plots of tanneries (Figure 4.72, Figure 4.73).

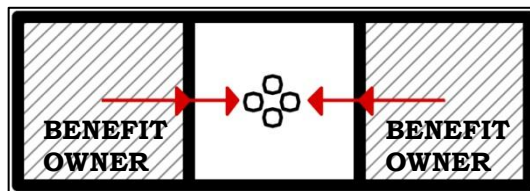


Figure 4.72. The beneficial owner in the use of somebody else's pits

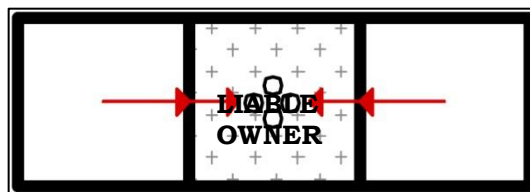


Figure 4.73. The liable owner in the use of somebody else's pits

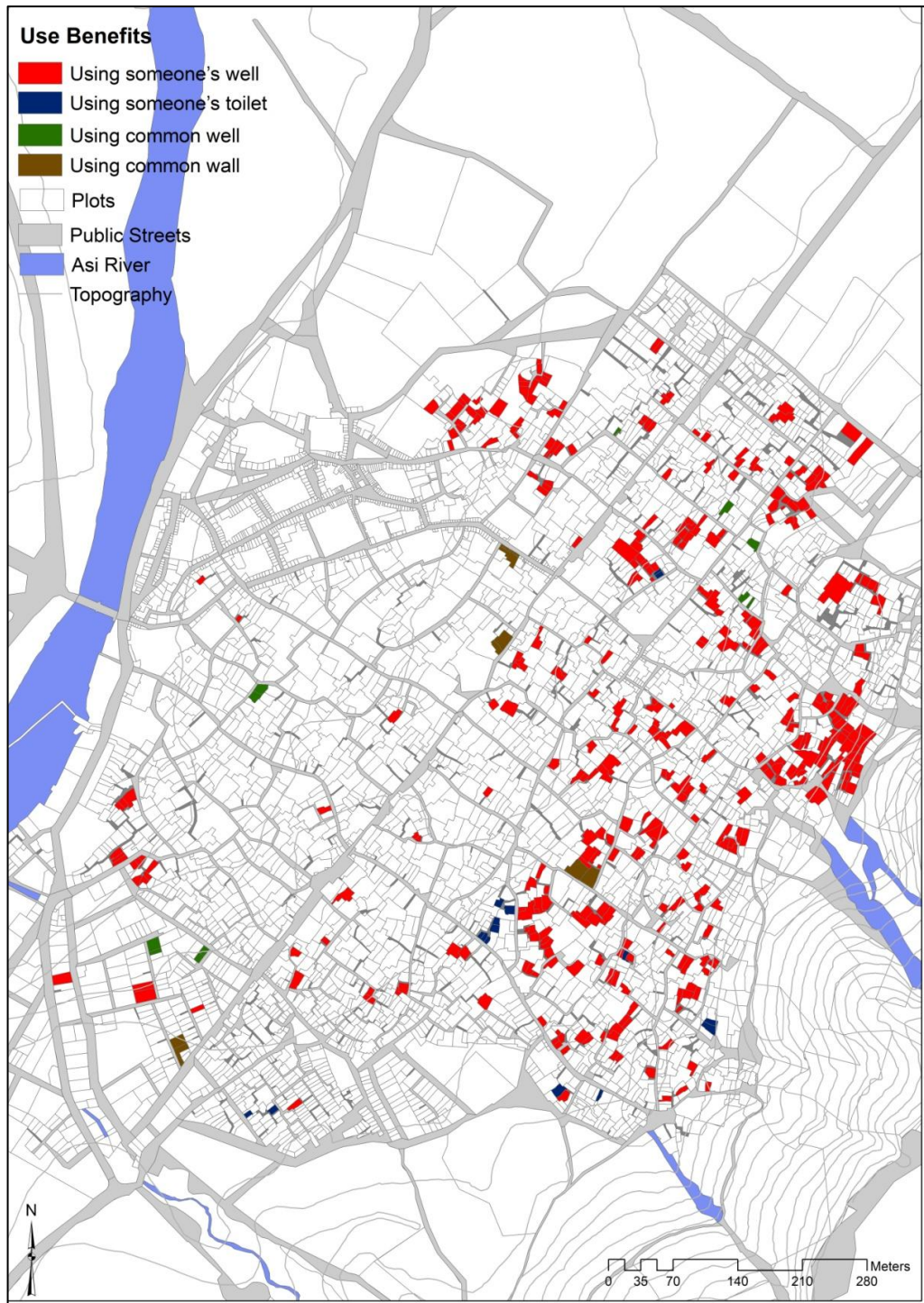


Figure 4.74. Use benefits in the historical urban core of Antakya

4.3.3. Construction Benefits and Liabilities

Construction benefits are generally related to building activities on empty plots or in development areas throughout the historical urban core. In the case of Antakya, however, they are found more frequently than would be normally be expected, as they may allow specific intervention principles and/or solutions with in the complex, introverted and organic historical urban form. Accordingly, they have a crucial role to play not only in controlling specific construction activities, but also in allowing additions or alterations to properties and preventing uncontrolled physical interventions.³⁶⁴

One of the construction benefits investigated in this research is *projection benefits*, which generally occur in traditional dwellings when an owner wishes to make an addition to their property that projects over someone else's property. These are classified under two sub-groups in this research namely: "projection benefits over cul-de-sacs" and "projection benefits over someone else's plot".

Essentially, there are two types of projection benefits defined for cul-de-sacs; one being "the benefit for constructing a projected room over a cul-de-sac" and the other being "the benefit for constructing a projecting facade over a cul-de-sac". (Figure 4.75, Figure 4.76 a-b)

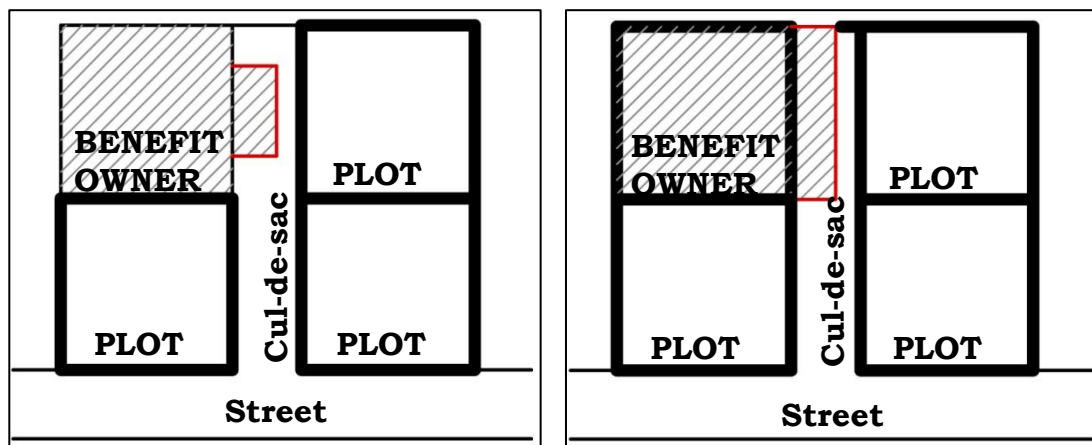


Figure 4.75. A schematic figure for the benefits which are for a projected room and a projected facade

³⁶⁴ Rifaioğlu, M.N., Şahin Güçhan, N. , Larkham P.J., 2010. "The influence of Land Ownership and Control on Urban Form in the Historic Urban Core of Antakya (Antioch)", *Formation and Persistence of Townscape*, 17th Conference International Seminar on Urban Form - ISUF -, 20-23 August, Hamburg/Lübeck, GERMANY. (electronic publication please see <http://www.isuf2010.de/Papers/Rifaioglu Mert.pdf>).



Figure 4.76 a) A private cul-de-sac gate on the left, **b)** a projected room benefit over the private cul-de-sac on the right (Photos: Rifaioglu, M. N., 2009).

It is important to note that these type of ownership benefits are commonly used for privately owned and used cul-de-sacs rather than semi-private ones, and that there are also liabilities to be applied in this benefit. For example, if a plot has a projection benefit over a cul-de-sac of multiple ownership, the owners of the cul-de-sac have to allow and/or not obstruct the construction of the projection. (Figure 4.77)

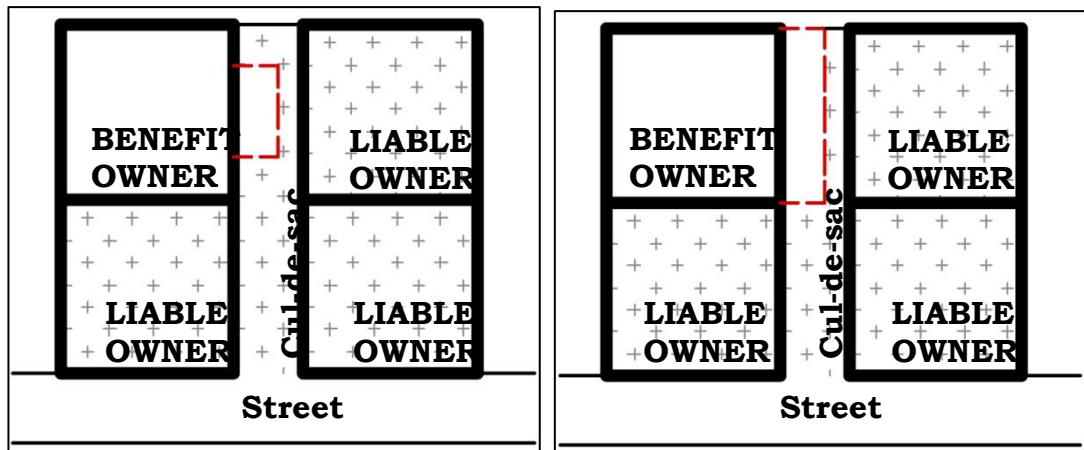


Figure 4.77. Liable plots in the case of a projection benefit over a cul-de-sac, represented by hatching.

The other sub-group covers projection benefits over somebody else's plot. The owner of this benefit can construct a projection over an adjacent plot, and the neighbouring plot owner is obliged to give permission for the construction activity. In some cases, this benefit is defined according to a particular place, location, etc. For example, it is clearly written in the title deeds that the projection can only be built over the toilet or well of the neighbour's toilet or well, and accordingly the benefit owner would be prohibited from building a projection in any other place. Also, the neighbour has to give permission for the construction of a projection as a liable owner. (Figure 4.78 a-b)

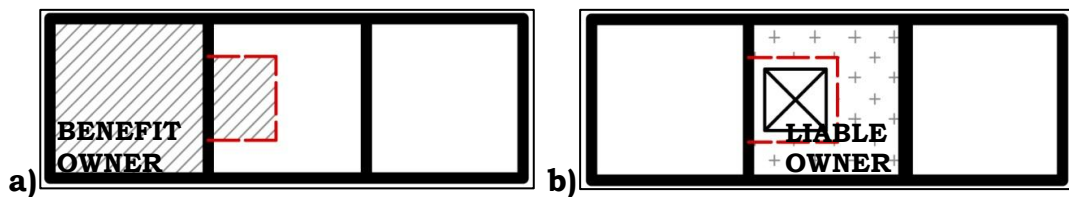


Figure 4.78. a) Projection right over an adjacent plot. **b)** The specific place for the projection is defined in the right example, while the crossed box indicates a well or a toilet.

In Antakya, projection benefits are concentrated on the east part of Kurtuluş Street, where there are more private cul-de-sacs than in the rest of the core. Fundamentally, they still exist throughout the urban

core as a characteristic feature of Antakya's historical urban form that developed over time, especially by influencing and enabling ownership rights. (Figure 4.79)

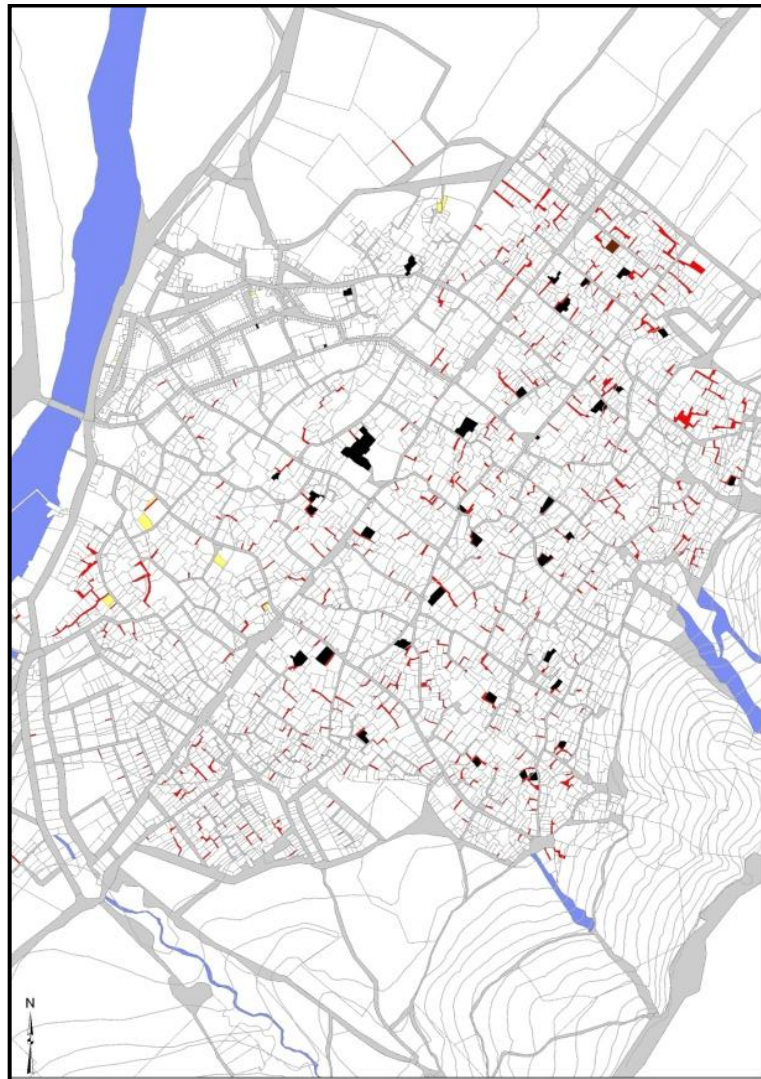


Figure 4.79. Projection benefits throughout the historical urban form, represented in black.

Another construction benefit and liability group relates to building construction benefits. This group of benefits not only deals with building activities on the benefit owner's own plot, but also those related directly to building activities on somebody else's plot. These deal with benefits for constructing a building on somebody else's plot; benefits for the construction of a barn on somebody else's plot; and

the construction of a building over somebody else's well. (Figure 4.80 a-b; Figure 4.81) The plots belonging to others can be adjacent plots or any specified plot in the urban form. In this case, if other the plots of others are affected by the construction activity, they may also be liable for it (for example, allowing access – Figure 4.80).

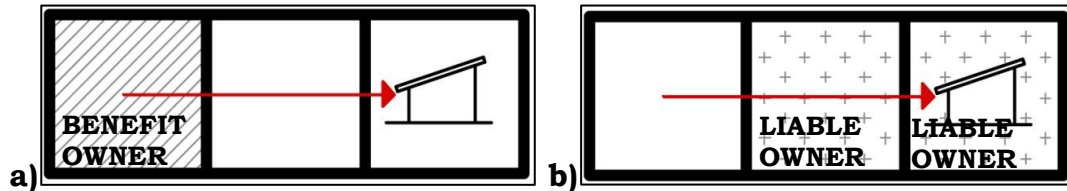


Figure 4.80. a) Construction of a building benefit on somebody else's plot. b) The centre plot has an access liability to the benefit owner to allow the construction of a building.



Figure 4.81. Constructing a toilet on somebody else's plot. The centre plot has an access liability to the benefit owner to allow the construction of a toilet. (Photograph: Rifaioğlu, M.N., 2009)

In addition to the building construction benefits, there are other construction benefits applying to small-scale physical interventions and/or alterations to the urban form. Strikingly, these benefits are not only related to interventions that occur between neighbouring plots, but also have strong enforcements for alterations that occur

both inside and outside the dwellings that are indirectly affected to the adjacent plots.

The resting timber wall benefit is used in the case of one owner wishing to build a timber structure against a common wall. According to the benefit, the plot owner can build a timber-framed wall against (i.e. supported by) a neighbour's wall. The owner of the neighbouring plot is obliged to give permission for such a construction. (Figure 4.82 a-b; Figure 4.83 a-b)

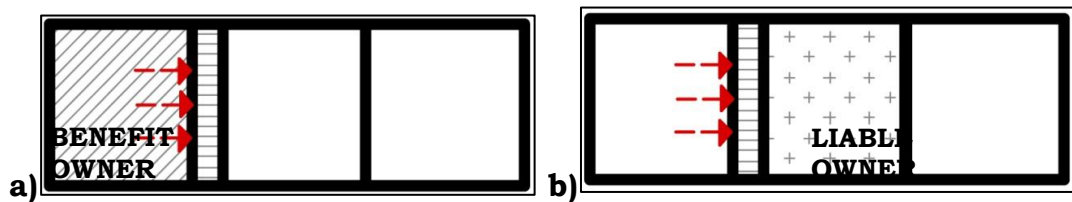


Figure 4.82. a-b) Resting timber wall benefit on a common wall of an adjacent plot.



Figure 4.83. a-b) Resting timber wall benefit examples. The benefit owner's building has been altered in the left example. (Photo: Rifaioglu, M. N., 2010)

Constructing a cupboard against a common wall and opening a window through to the neighbouring plot are other small-scale alteration benefits for dwellings. This benefit enables the construction of embedded cupboards against a common wall. (Figure 4.84; Figure 4.85)

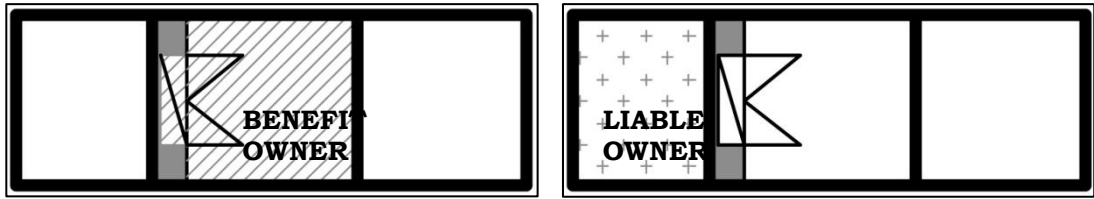


Figure 4.84. Constructing a cupboard against a common wall benefit.



Figure 4.85. Examples of cupboard construction benefits (Photos: Rifaioglu, M. N., 2010)

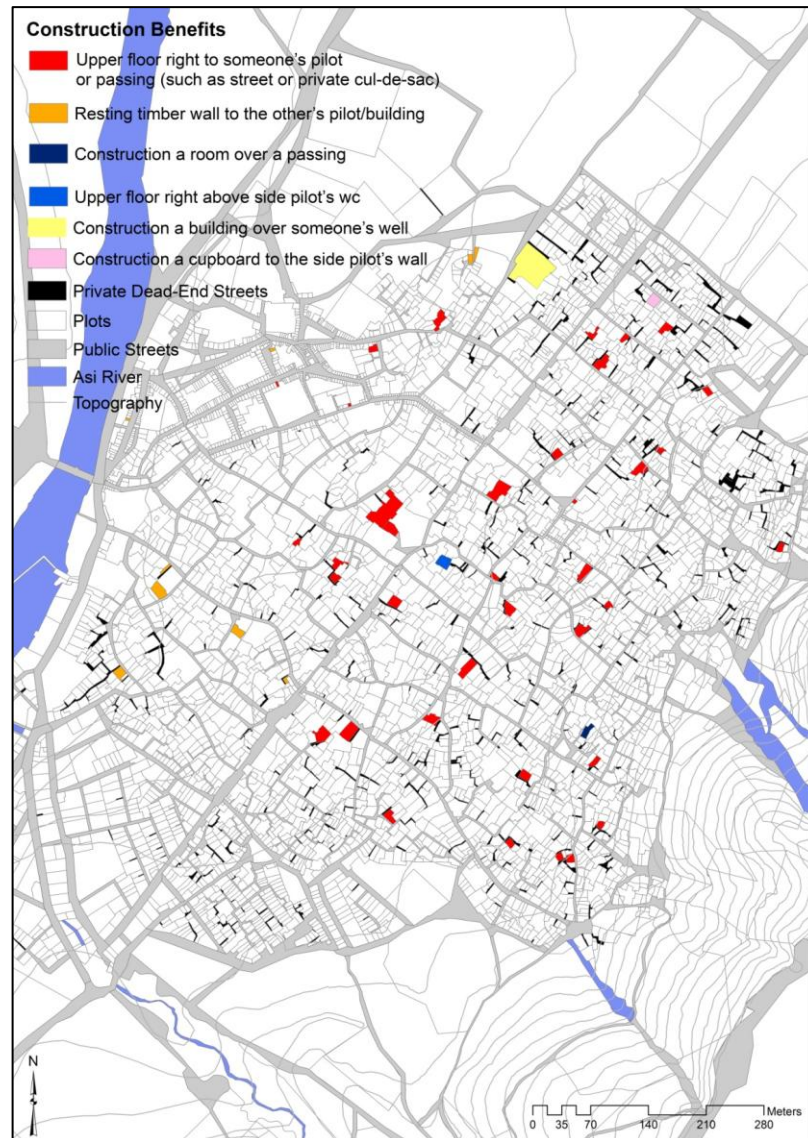


Figure 4.86. Construction benefits throughout the historical urban core of Antakya.

4.3.4. Other property rights

Other individual property rights that existed throughout the historical urban core include the benefit right for *overlooking somebody else's plot*. This benefit right, in some cases, is given for a specific place – for example the benefit of overlooking somebody else's courtyard from an upper-floor window, or a private cul-de-sac. (Figure 4.87)

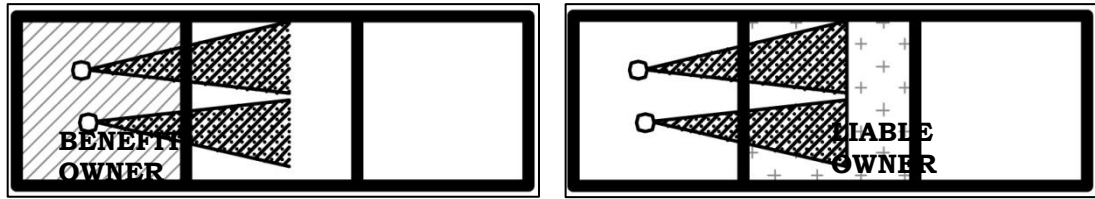


Figure 4.87. The benefit and liability related to the overlooking of somebody else's plot.

A benefit is also defined for *opening a new window that that will overlook somebody else's plot*. In this case, the benefit owner can open a window, as specified in the title deed record, and therefore can look through the window onto somebody else's plot. Under these circumstances, the liable owner has to give permission for the creation of the opening. (Figure 4.88) These property rights are classified in this research as visual interaction benefits and liabilities.

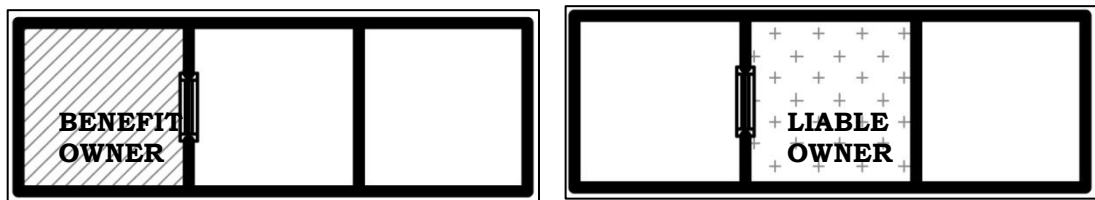


Figure 4.88. The benefit and liability of opening a new window.

Another unique property right is defined as *giving property incomes to the poor, written specifically as "Antakya's poor inhabitants"*. This property right applies to some of the shops located in the commercial zone of the historical urban core. According to the property right, the benefit owners are the inhabitants, and the owners of specified shops are obliged to give a proportion of the income of the shop to Antakya's poor inhabitants. (Figure 4.89) This property right is referred to as charitable benefits and liabilities in this research.

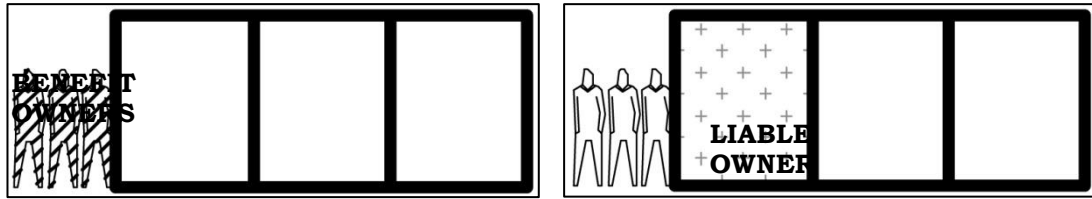


Figure 4.89. Charitable benefits and liabilities.

The final property right is related to the *burying of her relatives on somebody else’s plot*. This benefit is clearly written who are to be buried in which specific plot, with their names and family information. The liable plot owner has to give permission to the specified person to bury his/her relatives’ (Figure 4.90). This property right is referred to as spiritual benefits and liabilities in this research.

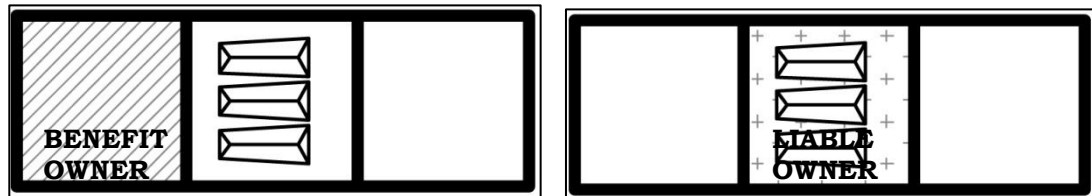


Figure 4.90. Spiritual benefits and liabilities

4.4. Evaluations on Ownership, Use, and Property Rights: The invisible links and values throughout the historical urban core

This phase of research concentrates on identifying the invisible links and values that exist within the historical urban core through a combined evaluation of ownership, use and property rights. By using this method, the thesis aims to reveal the esoteric relations that exist between the physical context and the experiences of the inhabitants. It is worth mentioning here that these relations provide very important clues as to the “spirit of the settlement,” as well as to the “spirit of the place” in a historical urban context, and in defining the hidden values of Antakya.

4.4.1. The Correlation between Ownership and Use

The correlation between ownership and use reveals a different kind of building group (category) that cannot be defined through a survey of the current fabric, namely the residential-religious building category.

If the owner of a dwelling was a religious foundation, and the title deeds clearly state that the dwelling was to be used for religious purposes, then the users would have a spiritual connection with the building. These are referred to as residential-religious buildings in this thesis (See Appendix B – Site Survey for Buildings ID:45).

A number of different religious-residential buildings existed within the urban fabric, including those belonging to the foundations of minority groups like the Alewites and Christians; while other residential-religious buildings were owned by dervish foundations. The Alewites' residential-religious dwellings were concentrated in the southern part of the urban fabric (Figure 4.91), and today some of them are used for residential purposes, while others lie vacant. (Figure 4.92; Figure 4.93)

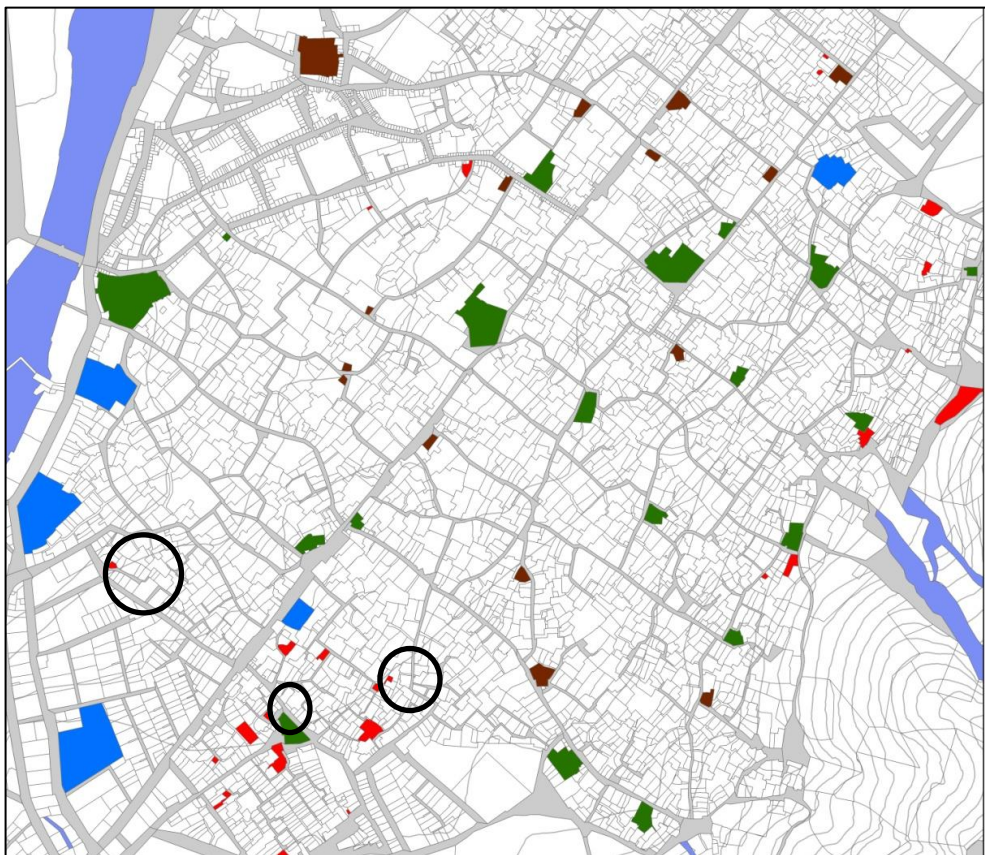


Figure 4.91. Religious-Residential dwellings used by Alewites



Figure 4.92. A residential dwelling used for religious purposes (Photos: Rifaioglu, M. N., 2009)



Figure 4.93. A vacant residential-religious dwelling (Photos: Rifaioglu, M. N., 2009)

Although Christian foundations owned monumental Churches spread throughout the historical urban core, there were only a small number of Christian foundations, such as the Caphuchins Priests Foundation, which owned dwellings for religious purposes in the form

of house-churches. (Figure 4.94) Additionally, dervish lodge foundations owned dwellings for religious use. (Figure 4.95)



Figure 4.94. A house-church (Photos: Rifaioğlu, M. N., 2009)



Figure 4.95. Dervish lodges were residential-religious dwellings, which were located at the end of private cul-de-sacs (Photos taken by Rifaioğlu, M. N., 2009)

In addition, different sized residential buildings, many of them small (around 10–15 m²) are defined in the title deeds as one-room dwellings owned by Alewite foundations and citizens. Their locations within the urban fabric give reliable clues to the social and spiritual interactions between the owners and users of the dwellings. The resolution of these two different aspects shows that the small one-

room dwellings are located generally in the south and north of the historical urban core, where the Alewite citizens lived. (Figure 4.96)

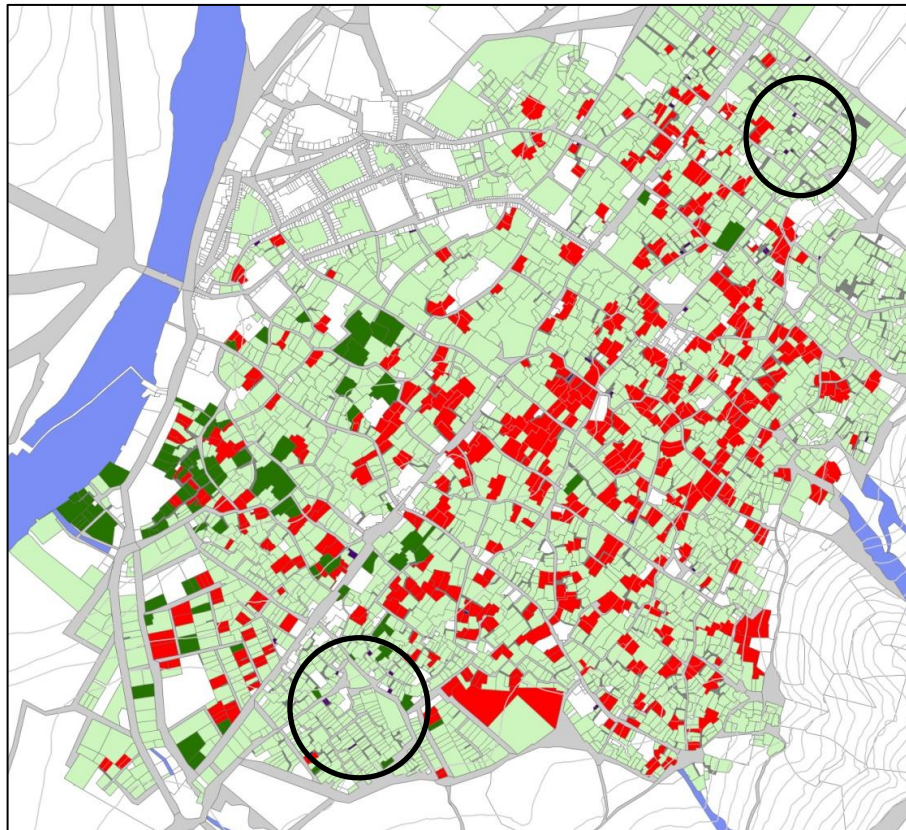


Figure 4.96. Small dwellings clustered in the south and north of the historical urban core

These single-room dwellings are clustered around the religious and/or religious-residential buildings of the Alewites. A deeper investigation shows that one-room dwellings were used mostly by religious Alewites (See Appendix B – Site Survey for Buildings ID:3). Most of them still exist, and some of them are in normal occupation, (Figure 4.97 a-b) while others are vacant or have been demolished (Figure 4.98) during urban development activities.



Figure 4.97. a) Two adjacent one-room dwellings located next to an Alewite visitation. **b)**The dwellings have been modified with a later addition of an upper floor (Photos: Rifaioğlu, M. N., 2009)



Figure 4.98. A ruined one-room dwelling located at the end of a private cul-de-sac (Photos: Rifaioğlu, M. N., 2009)

Additionally, there are single-room dwellings that were owned by Muslim foundations, located close to the mosques and occupied by Imams. Today, they are no longer in use, and while most of them still exist, (Figure 4.99) others have been demolished (Figure 4.100) (See Appendix B – Site Survey for Buildings).



Figure 4.99. A single-room dwelling located next to a mosque (Photo: Rifaioglu, M. N., 2009)



Figure 4.100. A demolished single room-dwelling owned by a Mosque foundation (Photo: Rifaioglu, M. N., 2009)

The plots of some single-room dwelling were narrow and rectangular, and have suffered total collapse, and have since been replaced by public cul-de-sacs (Figure 4.101) (See Appendix B – Site Survey for Buildings ID:5; ID:40).



Figure 4.101. The plot of a single-room dwelling located near to a mosque that has been demolished and replaced with a public cul-de-sac (Photo: Rifaioğlu, M. N., 2009)

Most of the religious buildings owned by foundations are still used for religious purposes. Alewite visitations are commonly located in private cul-de-sacs, and retain their function today. (Figure 4.102)



Figure 4.102. Visitation located in a private cul-de-sac (Photo: Rifaioğlu, M. N., 2009)

Next to the visitations, mosques were constructed in 1906 and 1907 in the Ottoman Period. According to previous literature, the intention

behind this was to encourage the Alewite community to use mosques for their worship rather than the visitations.

The correlation between ownership and use continues within the commercial nuclei, where shops and bakeries are located next one another. It can be seen that the commercial nuclei are located next to religious buildings and have a generic formation in the districts of all of the different ethnic-religious groups within the urban fabric. Most were owned by individuals and they are still in use. (See Appendix B – Site Survey for Buildings)

According to the urban development plan prepared by Gündüz Özdeş in 1957, one of the commercial nuclei, containing two bakeries and other shops, was expropriated and the buildings demolished to make way for a park, and to allow for the widening of the streets within the urban core.

Strikingly, the site today is home to a Public Bread (Halk Ekmek) kiosk, (Figure 4.103, Figure 4.104) which can be classified as a continuity of daily use for the inhabitants.

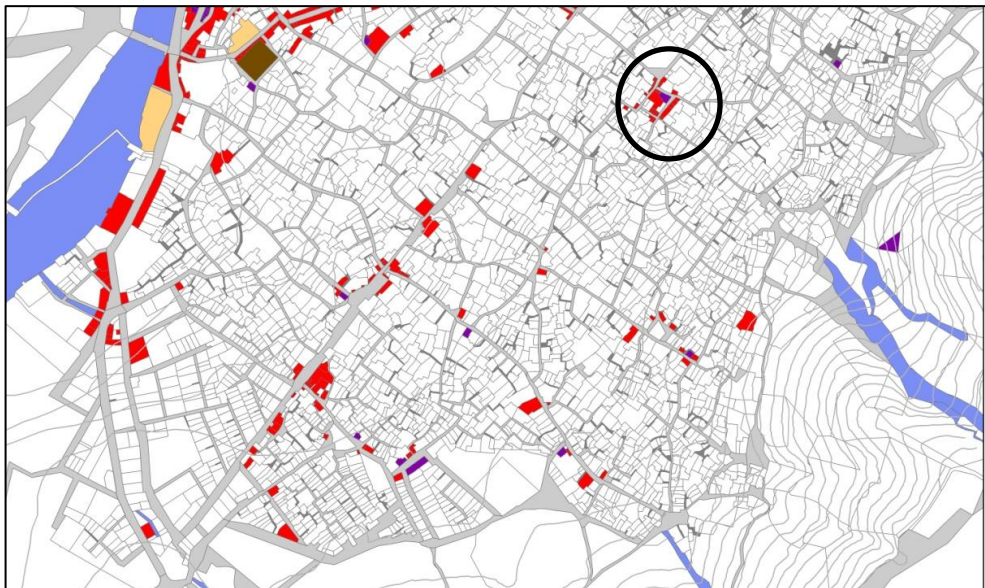


Figure 4.103. Location of the commercial nucleus



Figure 4.104. The Public Bread kiosk on the site of the bakeries that existed in 1929 (Photo: Rifaioğlu, M. N., 2009)

The use of bakeries throughout the urban core has remained stable, however their ownership status has changed. For example, a bakery owned by the Armenian population of Antakya in 1929 is still in use, and is owned by the Alewites today (Figure 4.105) (See Appendix B – Site Survey for Buildings ID.4). Haysem, the owner of the bakery said, “The bakery was abandoned by the Armenians, and since then it has been used in its original function”.



Figure 4.105. The continuity of bakeries throughout the urban core (Photos: Rifaioğlu, M. N., 2009)

The commercial zone of the historical urban core was used by all different ethnic-religious groups, with individual ownership being common in the area. However, differences existed in the way trade

activities were conducted related to the ethnic-religious identity of the owners. The minority Jews commonly owned the fabric workshops; Christians owned the jewellery workshops; and the Alewites generally owned the bakeries and grocery shops. The large monumental commercial buildings, such as soap factories and khans, were most often owned by the majority group – the Sunni Muslims.

There are sub-commercial zones, or *arastas*, within the commercial area of the urban core in which many souks were established for the trade of specific goods. (Figure 4.106)



Figure 4.106. The commercial zone of the historical urban core (Photos: Rifaioğlu, M. N., 2007)

The investigation made a deeper evaluation of private cul-de-sacs through the use of title deeds and cadastral maps, and an assessment of how they were used. It has been revealed that private cul-de-sacs have their own physical forms, generally with a gate, and commonly with a toilet and a water well; and less commonly with a kitchen, barn and/or depot. Therefore, they define an inner sphere with their original characteristics, ownership norms and their means of use. (Figure 4.107)



Figure 4.107. A private cul-de-sac in the Christian quarter of the city, located behind an Orthodox Church (Photo: Rifaioğlu, M. N., 2009).

Locationally, private cul-de-sacs are concentrated on the eastern part of the Kurtuluş main road leading to Mount Habib Neccar where the socio-economic conditions are relatively poor, and all within the residential zone of the historical core. Although there are cul-de-sacs in the trade zone of the historical core, none are private.

Furthermore, all of the private cul-de-sacs provide valuable original data on how “territories” formed within the historical urban core through the division of plots; and the way in which common spaces were owned and used, in reference to both the physical forms of the city and the socio-cultural and economic conditions of society.

Private cul-de-sacs are commonly owned by the inhabitants, however their form and use differs throughout the urban core. On the west declivity of Mount Habib Neccar, inhabited by the majority Sunni Muslim group, the private cul-de-sacs are short and serve no more than five dwellings. (Figure 4.108)



Figure 4.108. Private cul-de-sacs on the western declivity of Mount Habib Neccar

The existence of a gate at the beginning of a cul-de-sac is common to all private cul-de-sacs. According to the ownership status, some private cul-de-sacs have formed more than one private cul-de-sac, therefore there are different common owned private cul-de-sacs being together and they would be able to have their own gates. Accordingly, where a private cul-de-sac ends can be identified by its gate, with the physical formation being based on the different ownership rights. (Figure 4.109)



Figure 4.109. A sequence of gates in a private cul-de-sacs (Photo: Rifaioğlu, M. N., 2007)

In Antakya, private cul-de-sacs are intended to be more than a mere passing space or a space for accessing a dwelling, being rather cultural formations in which a semi-private space is formed within private introverted dwellings. They comprised wells, toilets and kitchens, used not only by the owners of the private cul-de-sac, but also by specified dwelling owners indicated by property rights.

The ownership statuses and forms of private cul-de-sacs differ slightly within the minority groups, where they are longer and owned by more than eight dwellings.

One example of this kind of private cul-de-sac can be seen in the Alewite district on the north-east part of the urban core; where a private cul-de-sac is owned by sixteen dwellings, and is referred to as a gated community within the urban core. (Figure 4.110)

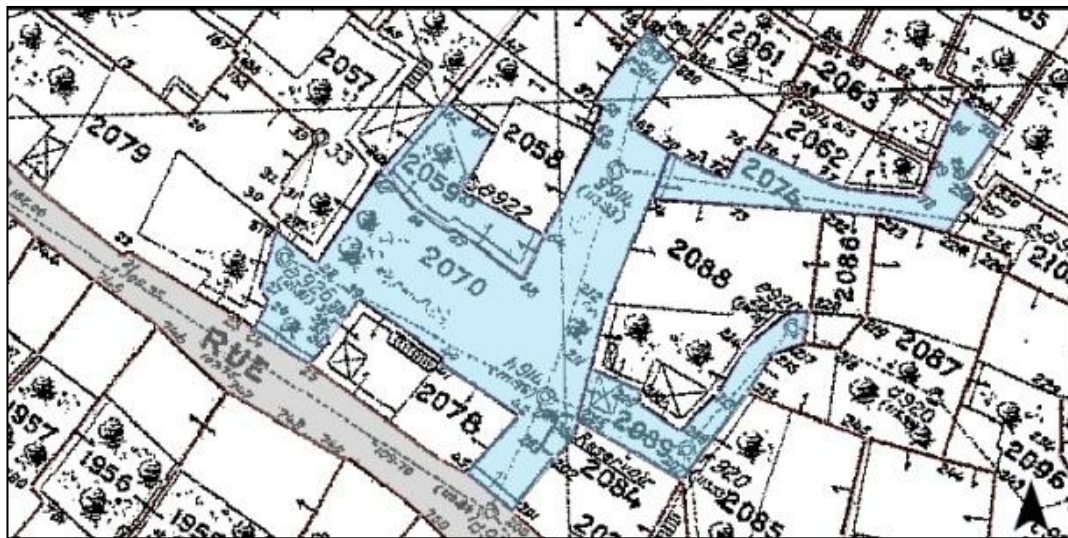


Figure 4.110. The private cul-de-sac known as Şimşek

This is a unique urban formation that comprises four private cul-de-sacs, featuring a gate, a square in which the community can gather, and water well, kitchen and toilet. (Figure 4.111)



Figure 4.111. The square and the fountain in the private cul-de-sac (Photos: Rifaioğlu, M. N., 2009)

Two further private cul-de-sacs have formed around the Şimşek cul-de-sac on a plot owned by Alewites. (Figure 4.112)



Figure 4.112. Private cul-de-sacs in the Alewite district

Another private cul-de-sac is located in the Christian quarter behind the Orthodox Church. This example is owned by eight dwellings, but is used by 14. (Figure 4.113) It has a gate, toilet and well, and is

formed by long and narrow cul-de-sacs. Around it are two more private cul-de-sacs, also owned by Christians. (Figure 4.114)



Figure 4.113. The private cul-de-sac in the Christian quarter (Photos: Rifaioğlu, M. N., 2009)



Figure 4.114. Private cul-de-sacs in the Christian quarter

Private cul-de-sacs can also be used for religious purposes. There are two private cul-de-sacs used for the Alewites worship, containing a visitation and a single-room dwelling next to it. (Figure 4.115)

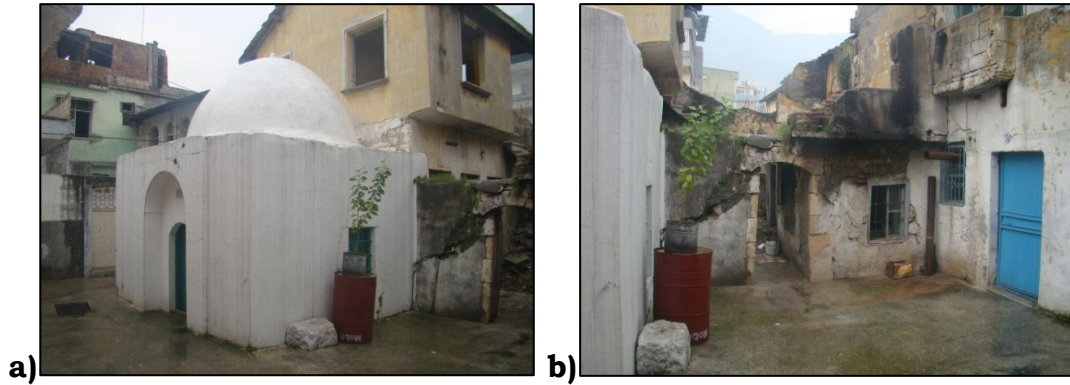


Figure 4.115. a) The Alewite visitation located in the private cul-de-sac, and b) the adjacent one room dwelling (Photos: Rifaioğlu, M. N., 2009)

4.4.2. The Correlation between Property Rights and Use

The evaluation of property rights and the use of the urban core by the inhabitants revealed different invisible links and values that have affected the shaping of the urban form of Antakya.

According to the spatial passage benefits and the use of the services, there is a dense movement of inhabitants through the introverted urban core, concentrated on the western declivity of Mount Habib Neccar. The common reason for the movement of inhabitants is to obtain water from the well and to access the toilet. It is significant that the beneficial and liable owners are commonly from the same ethnic-religious groups. (Figure 4.116)

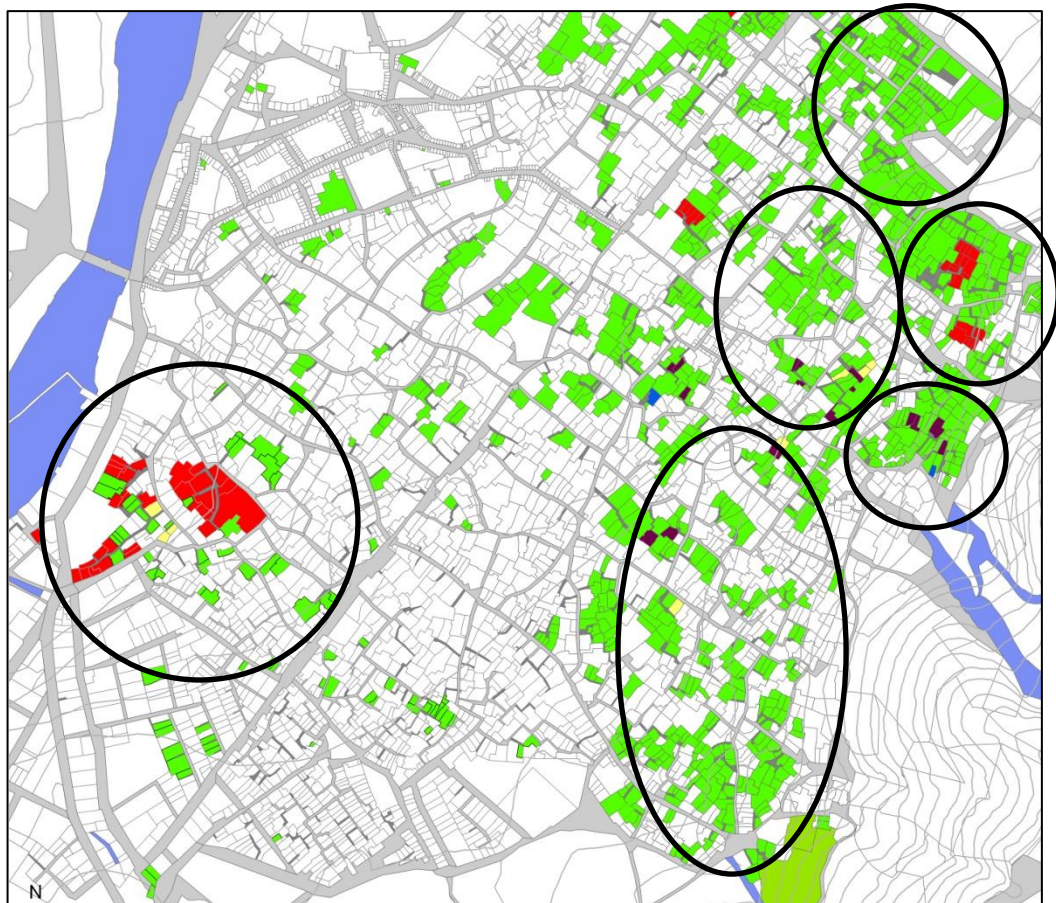


Figure 4.116. The spatial passage benefits to allow the use of services

Another aspect worthy of note is movements that are not limited to adjacent plots or to plots located next to one another. According to the property rights, there can be a movement from a different part of the urban form. For example, the beneficial owners of the passage right through the private cul-de-sac of the Alewite visitation can be from any part of the urban form. Accordingly, owners of the passage right can enter private cul-de-sacs to access a place of worship.

The correlation between the service buildings and the non-spatial passage benefits indicates an orthodox solution for sustaining the public bath by orienting winter waters towards it.

In the residential zone, there is only one area in which the winter water discharge benefits and liabilities are concentrated. When the

area is co-related with the use of public baths, it can be seen that the direction of the drainage/passage of winter water is towards to the Cindi public bath. (Figure 4.117)

There are two public baths located on the river, of which the Cindi Bath is the second. After the first public bath, there is a property right in place to increase the amount of water discharging towards the Cindi Bath.

The combination of benefits and liabilities throughout the urban core offers a clear perspective of use and the forming of the physical fabric, and the way in which inhabitants experience that fabric.

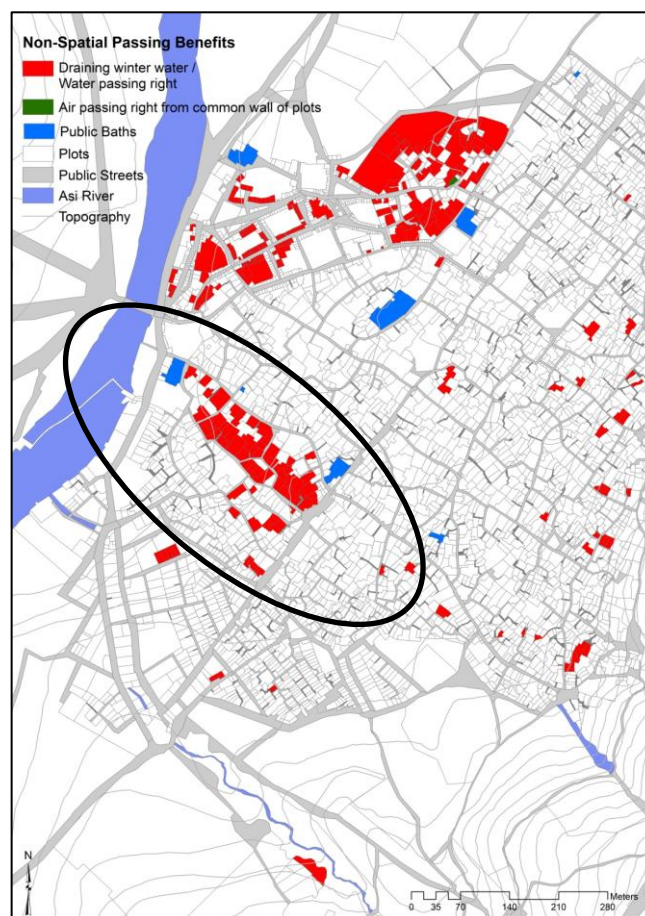


Figure 4.117. The winter water passage benefit, and the Public bath at the end of the beneficial owners

4.5. Concluding Remarks of the Chapter

This research into the influence of property rights as a control mechanism on the urban form in historical Antakya has demonstrated that ownership norms played an important role in defining how the urban form was created by the inhabitants. Rational discussions are put forward related to the usage of the urban form and its persistence, not only in the formation of the street layout, but also their form and usage patterns, and the underlying effects on the physical formation of the urban form under the influence of property rights.

Fundamentally, this research clarifies that ownership has the means of affecting something that lies beyond the existence, beyond the apparent, beyond the known and beyond the man-made settlement boundaries that define elusive historical urban forms. The Antakya case reveals clearly that ownership, use and property rights have major implications when attempting to understand the formation and persistence of every single component of an urban form; and accordingly, these aspects deserve greater consideration in urban studies such as morphology, design and conservation when attempting to make holistic assessments.

Last but not least, ownership norms help one to understand and identify the esoteric features and their effects on the formation of the urban form, which is something that cannot be clarified through the survey methodologies of other urban disciplines. Accordingly, the persistence and effectiveness of ownership, use and property rights is also an important issue for sustainability and in the conservation of the character of the historical urban form of Antakya.

CHAPTER 5

CONCLUSION

This thesis has aimed to investigate how ownership rules and property rights have affected the formation of common historical urban contexts in Islamic urban forms, and particularly in the historical urban core of Antakya. To this end, the thesis clarifies the *physiognomy/physis*, the nature; and *gnomon*, the interpreter – of the historical urban core of Antakya, referring to the ontology of the physical environment and its builder.



Figure 5.1. Walter F. R. Tyndale, *A Cairo Street Scene*, 20th century, Photo courtesy of Mathaf Gallery, Ltd., London, UK.

The physiognomy of a city derives from and/or is influenced by the ownership rules and rights that brought *order* to the creation of the urban form and built *consensus* within the users of the urbanised

environment. As Aristotle³⁶⁵ stressed, “order becomes custom,” and has a crucial impact on the creation of logical and meaningful relations between the *concrete phenomena* – the built form – and the *abstract symbolic and existential meaning* – the human experience.

The introduction to the thesis clarifies the starting point of the inquiry, which is based on recent discourses in urban conservation. The urban conservation issue has begun take on a wide and holistic perspective, aiming to practice and discuss the theory of *spirit of place* not only to understand and appreciate human experiences in relation to the historical physical environment, but also to define and conserve the intimate and custom-based values of the urban context.

Accordingly, the introduction investigates the theory of the spirit of place and defines the research problem, which derives from the dilemma that exists between the methods of investigation of the spirit of place and urban conservation studies. The main dilemma centres around how urban conservation studies are able to define *the substance of the historical urban context; the formation of the structure of the urban context and its interrelations; and dialectic links in between the context and its inhabitants*, since the theory of spirit of place is reliant upon the *subjective, hidden and dialectic* relations, such as *rights, responsibilities, actions and thoughts* between a “place” and its “inhabitants”.

Urban conservation studies are faced with a need to integrate subjective theory into their well-designed analytical investigation methods of urban contexts, which are aimed traditionally at defining objective values and decisions. It would not be possible to overcome this problem through definitions of only the intangible values of the historical urban context, because the theory requires deductive and inductive inferences into the way urban contexts are formed, designed, inhabited and used by their inhabitants. In conservation studies this has been a difficult subject to address, both theoretically and practically, and after a decade of searching, the discipline has yet to come up with the right tools for understanding and conserving the delicate subject of *spirit of place* and its comprehensible meanings, both tangible and intangible.

³⁶⁵ Aristotle, *Nicomachean Ethics*,
Retrieved from <http://classics.mit.edu/Aristotle/nicomachaen.html>.

Scale is another important input in the assessment of urban contexts within the holistic urban conservation issue; and becomes more intricate and more difficult when dealing with urban scale historical urban contexts rather than rural ones. This is due to the fact that the parameters that form urban fabrics are much more complex than in rural cases, being exposed to many more interventions and/or transformations, both physically and socially. As a consequence, on an urban scale the urban conservation issue needs a conceptually and contextually different and well-defined investigation method that has evolved reflexively for defining the spirit of place, while at the same time retaining and sustaining its core principles.

This thesis proposes that the *ownership, use and property rights* in an urban setting merit investigation in an attempt to define the invisible links and values that have emerged between the urban form and its inhabitants. This consideration of how an urban form is created and regulated according to ownership rights is a subject that has to date not been investigated in the urban conservation discipline.

Accordingly, the hypothesis of this inquiry is focused on defining the relationships between ownership, use and property rights within an urban form, which will help to reveal the hidden and intimate values of the context. This will also help in the making of an objective analysis through information gathered from primary legal written and graphical sources for a subjective issue.

The introduction chapter of the thesis contains an analysis and evaluation of previous literature on Islamic urban form, so as to realise and define not only the content of the dissertation, but also help in the construction of the methodology for the case-study phase of the inquiry.

It is apparent that studies of urban form have evolved out of the orientalist perspectives of European scholars and the studies of revisionists, and have continued following regional approaches. Earlier studies have on the whole concentrated on understanding and identifying the salient features of Islamic urban forms in terms of their socio-economic, cultural, religious, geographical, administrative, morphological and typo-morphological aspects, and so forth. These methodological approaches have been generally supported by such sources as cadastral surveys, *waqf* documents, typological,

archaeological and socio-spatial investigations and measured drawings.

Studies of *waqf* documents, cadastral surveys, travellers' accounts and archive documents are held on Islamic urban forms by using different methodologies and therefore have led to definitions of Islamic urban forms in terms of their physical, socio-cultural, economic and administrative aspects. The main objectives of earlier studies into Islamic urban forms can be grouped as:

- to define a general urban form model for Islamic cities
- to define the architectural, urban and socio-economic features of Islamic Cities
- to define the morphological continuity of urban fabric, from the Late Antique period to the Islamic Period
- to study measured drawings of residential buildings in order to define the salient features of urban structures
- to understand the impacts of urban autonomy in Islamic cities
- to stress the importance of religion and society in Islamic cities
- to understand the regional and socio-cultural differences that affect the urban structures of Islamic cities
- neighbourhood analyses, and their effects on urban structure
- to explain the effects of Islamic laws, statutory rules and regulations on geographically different urban contexts
- to define typologies and morphological formations of historical urban cores
- to investigate Islamic urban forms through analyses of historical topographies, *waqf* documents and travellers' accounts
- to analyse the physical aspects of residential and commercial zones.

Although these have all been very valuable researches, their common objectives in defining Islamic urban forms are derived from general inferences, and as such fall short of defining urban contexts in terms of ownership norms and the property rights of the individual according to plot registers. It is the intention in this study to understand the effects of property rights on the formation of an urban form through an analysis of ownership information of each individual plot within an urban context.

The city of Antakya (Antioch) was selected for the case study due to its rich historical and multi-cultural urban core, which was first affected and formed under the influence of Islamic ownership norms, and then developed under the Ottoman land tenure system. The most significant hurdle in the case study was obtaining official permission to analyse the title deeds of the 10,000 plots that formed the historical urban core of Antakya. The author was able to obtain special permission to access the archives, never before granted to a researcher, but with some limitations on the use of the information. This permission proved to be an important factor in achieving the aim of the study, in that it allowed access to the most valuable source for the realisation of the inquiry.

The thesis is a comprehensive inquiry into property rights and the shaping of historical urban contexts, and how they were affected by the Islamic tradition, the Ottoman Empire, and finally the Turkish Republic. For the inquiry, the strong effect of both tradition and religion on the ownership system of Islamic urban forms needs to be addressed. Under Islamic belief, the State acts only as a supervisor of property, as all property ultimately belongs to God, and thus the State can rule only for the benefit of the community according to religious doctrines. These doctrines derive from the Islamic rite school of laws, which have played a leading role in the property right mechanisms of Islamic cities.

In the traditional Islamic system, property is thought of as more than just a tangible, concrete phenomena. Islamic theology claims that everything that exists above and below the earth is owned by God, and is bestowed by God to His believers. Accordingly, believers are not the owners of the earth, but are endowed people who are permitted by God to use the earth according to the ethical and moral principles of society. In this respect, the State is only a supervisory body, and establishes the rights and thoughts related to the use of everything below and above the earth for the benefit of the community according to God's law.

Community benefit was a key factor in the sustainability of property relations in pre-modern Islamic cities, which were formed around traditions and religious doctrines, all of which were controlled by the State. For example, a person may have the right to use a piece of land if he uses it for the benefit of the community.

Islamic property theology may be expressed using the analogy of a tall tree, being influenced from both below and above the ground, and owned by God. The tree rises from out of the ground, which is the main power source for its existence; then it forms its body; after which it becomes a meaningful and beneficial object by bearing fructus for believers. The analogy of the tree is accepted in this research as a philosophical tool to refer to the Islamic property theology, being structured in the following framework as follows:

- *The root*: The land, being the fundamental source of power in the formation of the city
- *The body*: The built environment, which derives from the root and is formed by the property rights
- *The branch*: The streets, as intimate spaces for common use
- *The fructus*: The rights to make interventions and the prevention of damage to building materials and architectural elements, ensuring the long life of the tree.

The pre-modern property regime in Islamic cities relied on the productive use of lands for the benefit of the community. In this sense, ownership of a piece of land was not absolute ownership assigned to the inhabitants; but rather temporal ownership that lasted only as long as it was used to benefit the community.

In the case of the built environment, *responsibilities* and *consensus* were the key factors in the forming of the urban form. Traditional property rights affected the change and control on a neighbourhood scale, and were based on the principle “*do no harm to others, and others should not harm you*”. There were many principles defined for the built environment that had a significant impact on the creation of order throughout the urban context.

The streets were privileged urban elements in which life goes on, being public and semi-private spaces in which members of the community interacted within the introverted and private urban realm. Accordingly, Islamic property rights related to the streets concentrated on public right-of-way sanctions. Any obstacles or any interventions that harm people passing through the streets were prohibited. Cul-de-sacs were primarily for use by the adjacent dwellings, however they were not allowed to be closed to the public,

who were free to enter them from the public street in the case of, for example, overcrowding in the street.

The pre-modern Islamic property regime established and defined basic rules for physical interventions and the relationship between owners and tenants. The principles for the use of the urban form and the rights and responsibilities of owners and tenants reflected the specific dialectic links in their experiencing of the urban form. Specific obligations were defined for both parties, with the intention being to eliminate any sources of conflict.

Philosophically, the pre-modern property regime was based on the orders of God, in which the well-being of the community was the primary factor in the establishment of property rights. Accordingly, there was constant consensus between the inhabitants, who were encouraged into a privileged position by doing beneficial works in the creation of a better, more useful and lively living environment. All inhabitants are considered equal in the eyes of God, and land is given as a gift to his believers, who are obliged to keep it in justice and improve it for the community.

Islamic pre-modern property rights underwent an evolution under the Ottoman land tenure system. In the Ottoman system, the Sultan, as the sole owner of all land, distributed property to feudal tenants (Sipahi) as tımar land according to the benefits of the Sultan; which was a significant departure, both philosophically and practically, from the pre-modern Islamic property regime.

In the Ottoman Empire, the Sultan allotted land to timariots, *sanjakbeys* and *beylerbeyi*, resulting in the rise of new social classes in which peasants worked for the local feudal tenants.

From this point onwards, land was more than a gift from God, becoming an entity for the peasants' survival, a tool by which local feudal tenants could rise in position to become local feudal lords, and a source of power for the Sultan. The system underwent a slight change when the Ottoman Empire became unable to collect taxes from the far-eastern Sanjacks at the end of 16th century, bringing about a period of economic crisis. The tımar system evolved into the *İltizam* system, under which the *İltizam* owners, *Multezims*, were responsible for paying taxes in advance on the land they had been

granted to the Empire, and became tax collectors over their authorised lands. Related with this system, the *timariots* were not be able to active and the *Iltizam* owners were able to exercise increased power over the peasants who they were made unbalanced force to them in order to collect the taxes and sustain their territories. The advent of this system can be accepted as the launching point for both the full ownership system and the rise of *local feudal lords* in the Sanjacks. The state began offering private property rights to the *local feudal lords* with a *deed of agreement* in 1808; after which, as a result of the land reforms that came out of the enactment of the Ottoman Land Codes in 1858, rights to full ownership emerged within the legal framework.

In the early years of the Turkish Republic, the local feudal lords that had emerged during the *Iltizam* system of Ottoman Empire were replaced by *local lords*, who were both politically and economically involved in the land regime since they had seats in the new Parliament, owned large areas of land, had many properties and had many peasants working for them. In this system, the peasants were effectively possessions of the local lords, and had no opportunity to obtain land of their own, or even a small house. At that time, the Turkish Republic was facing World War II and the related economic hardship, causing a further rift in society between two opposite classes; one of which was wealthy and owned the land, and the other made up of the poor inhabitants. Turkish Civil Laws were enacted in an attempt to resolve the rift, and it is more extend overstepped.

In summary, the property rights and the land tenure system evolved over time under the influence of tradition and religion in the pre-modern Islamic property regime, and then further under the orders of the Sultan as the representative of God's law in the Ottoman Empire. This brought about a rise in economic and political problems in the early years of the Turkish Republic (Figure 5.2). It can be seen that the issue of ownership played a defining role in the formation of cities, the ruling of the inhabitants and the governing of the empire, and is a crucial important aspect when it uses in a positivist way.

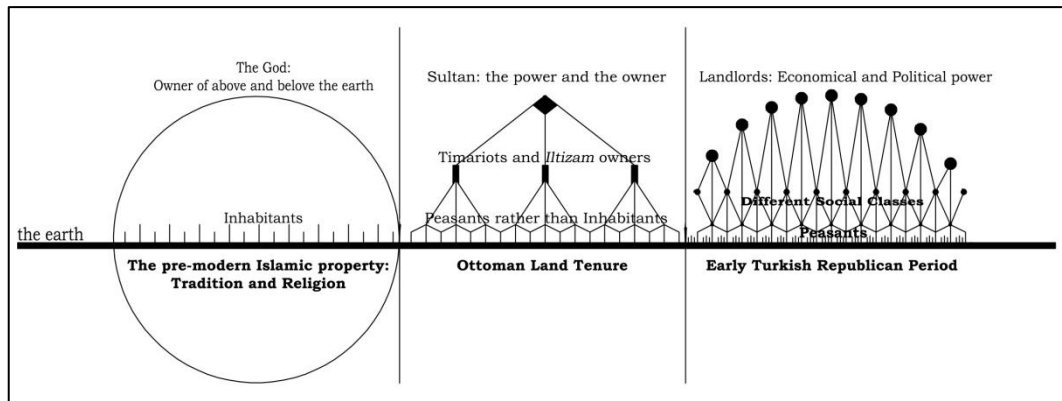


Figure 5.2. The evolution of society and the property regime, from the pre-modern Islamic period to the early Turkish Republican period (Produced by Rifaioğlu, M.N., 2012).

The case study selected for the thesis aims to provide an understanding of the relationship between property rights and the formation of the historical urban core of Antakya. Antakya has been home to many different civilizations throughout its history, during which it has been subjected to a diversity of successes, significant upheavals and disasters. A few archaeological edifices still exist from ancient times, and the historical urban core of Antakya in the present day still contains characteristics that date from the Memluk era to Ottoman period.

Ecological, geographical and economic factors affected the degree to which local societies organised and formed the city under the influence of the land tenure system of the Ottoman Empire and the social strategies put in place for the region of Antakya. The *Iltizam* system, which had derived from the Ottoman land tenure system and the social strategies applied in Antakya, can be considered as the dominating factor in this regard. Under the *Iltizam* system, privileged societies emerged and many *waqfs* were established, constructing many buildings throughout the city. The *waqfs* were a driving force in the development and expansion of the urban form, and at the end of the Ottoman Period there were more than 140 *waqfs* in the city.

During the period of the French Mandate, the city was much affected by the development strategies. The first development plan for Antakya was prepared by René Danger, after which the development strategies

targeted development related to tourism, archaeology and orientalism. Many construction programmes were launched in line with the goal of the development strategies. In particular, the Danger plan proposed a new urban street network and the connection of the two sides of Asi River through the construction of new roads and bridges. A new wide street layout was proposed for the historical urban core of Antakya, passing from the western declivity of Mount Habib Neccar and looping from the northern part of the historical urban core. The city, being famous for its archaeological history, saw many excavations by American and French archaeologists, and an Archaeological Museum was constructed, in particular to house the Roman Mosaics that had been uncovered. This period lasted until 1939, after which the city became the last city to be united with the Turkish Republic.

During the Turkish Republican period, different development and conservation plans were prepared in 1948, 1957, 1978, 1987 and 2009. An overall evaluation of these plans reveals that the planning decisions did much to change the character of the historical urban core, with proposals for new streets; the expropriation of original plots to make way for straighter and wider streets within the organic street layout; new and incompatible intervention principles for the original character of the historical urban core; inappropriate development strategies on the original historical urban morphology; proposals for new and inharmonious functional injections through the urban context; and so forth.

The current historical urban fabric faced different development strategies and implementations from the Ottoman period onwards. It is clear that the development plans were targeting the creation of a new structure at the expense of the traditional characteristics of the city, resulting in many destructions and deformations to both the social and physical structure over time.

Additionally, the urban conservation and development plans were insufficiently prepared, and treated historical Antakya only as an organic, and somehow chaotic physical entity that was in need of regular urban organisations and contemporary interventions.

As a result of this the historical urban core of Antakya is now suffering an *amnesia* that penetrates to its very roots in all aspects:

topographical, physical, socio-cultural, geographical, and the experiences of the original inhabitants. An investigation to restore the *memory* of the historical urban core is made in the fourth chapter of the thesis, in which the relationships between ownership, use, property rights and urban form are investigated.

The analysis and evaluation part of the case study is based on a study of archive data gathered from title deeds and cadastral plans from 1929. The intention of this analysis is to reveal the dialectic links between property rights and the formation of the historical urban core of Antakya. In the analysis, the ownership, use and property rights are evaluated and correlated with each other in order to reveal the esoteric relationships under the formation of the physical urban context. The invisible links and values that exist within the urban context are defined through an evaluation of property rights, which are investigated throughout the urban form through a site survey.

The data collected during the systematic and objective study of the cadastral maps and title deeds of the historical urban core, which are transferred to, and then analysed within, the GIS medium, can help to provide an understanding of the spiritual, physical, and economic-functional and socio-cultural relationships between the place and its inhabitants. These constitute the *substance* behind the *spirit of place* and help to restore the memory of the historical urban form.

The study of the cadastral maps and title deeds allowed a unique perspective of the interrelations between the physical and social aspects of the urban core. It should be mentioned here that these aspects provide very important clues when attempting to uncover the “spirit of the settlement” as well as the “spirit of place” in a historical urban setting.

The personal database created during the study of the title deeds is a valuable resource that will prove useful for any future analyses or evaluations related to the historical urban core of Antakya. The data presented in this thesis is closely related to the aim of the research. Inquiries into the subject will continue with post-doctorate studies in order to make use of the wealth of valuable information garnered from the title deeds. As an example, future studies may focus on the transformations to the original cadastral pattern throughout history

by correlating it with the title deed records; *waqf* buildings, and their effect on the socio-cultural and economic aspects of the city; and detailed architectural analyses to define typologies and morphological formations within the historical urban core of Antakya under the influence of property rights. Additionally, the history of the ownership mechanism and its influence of the formation of urban forms in European cities will be investigated, as well as their reflections on Ottoman cities. To this end, the basic differences and similarities between Ottoman and European cities will be defined and tested on urban forms, including the historical urban core of Antakya.

This research into the relationship between the ownership system and the urban form is based on a conceptually new and contextually rational, effective and orthodox control mechanism related to urban formation and the persistence of the historical urban core of Antakya. These mechanisms are defined as “property rights” in this research, and are described as “benefits” and “liabilities” in the title deeds.

The ownership benefits and liabilities are the specific descriptions and obligations not only for the plot owners, but also for the inhabitants of the city. According to the title deeds, plot owners may be subject to different kinds of benefits and/or liabilities related to a specific plot in the form of detailed, strict and enforceable rights over both the tangible and intangible features of the urban form. They have a key role to play in the forming of rational solutions for the physical, morphological, social and cultural aspects of the urban core, such as:

- Ownership rights relating to relationships between topography and the urban form
- the formation of the street layout and the built environment
- physical interventions throughout the urban core
- the movement of inhabitants within an introverted and complex urban form
- consideration of natural elements in the formation of the urban form
- the formation of services such as wells, toilets, etc. and their use
- spiritual and socio-cultural activities within the urban form, and so forth.

The analysis of the relationship between the formation of the street layout of the historical urban core and the ownership pattern offers a new perspective and a wealth of new information for future studies of urban form. The ownership analysis of the street layout has revealed a dominance of public corporate body ownership throughout the urban core. In previous urban morphological and urban design studies the main and secondary streets of the historical urban core have been classified as public spaces, while cul-de-sacs have been defined as semi-public/semi-private spaces. In contrast, this analysis of the ownership pattern of the street layout goes beyond the existing general street layout classifications, and offers very important clues as to the street formation within the historical urban core based on special ownership rights, being individual ownership rights for cul-de-sacs. This ownership right is notable for many of the cul-de-sacs in Antakya, which are defined as “private streets” in the title deeds, and by plot number in the 1929 cadastral maps. It is significant that this ownership right does not apply to all cul-de-sacs in the historical core, as some are wholly or partially owned by individuals, while others are not.

In short, this research has made a reclassification of the legal status of cul-de-sacs, with those owned by public corporate bodies defined as semi-public/semi-private, and those owned by individuals as private. What have been the implications for this in terms of the formation of the street layout? In fact, the formation of private cul-de-sacs within the cul-de-sac system has resulted from the division of original plots throughout history. While it is common knowledge that the formation of cul-de-sacs is generally due to divisions of plots, in this case this research outcome can help provide an understanding of the sequence of the formation of cul-de-sacs over time. The ownership right for a certain part of a cul-de-sac is a clear indication that at some point in time, plots were divided, creating new and extended cul-de-sacs. An analysis of privately-owned cul-de-sacs can help in a reconstruction of the original plot formation of the city. This is an important input, coming from the ownership information, in that it permits an understanding of the evolution of secondary private cul-de-sacs within the cul-de-sac system.

It is a fact that ownership is the starting point for the living, using, building, designing and forming of the built environment. It plays a key role in regulating the urban context, and hence defining and

maintaining the character of the urban form. Ownership may refer to the physical forms, socio-cultural structures, administrative issues, or political and economic conditions of the urban context, and the way in which they create order between the urban form and its inhabitants, relating strongly to the existential meaning of the urban context.

In the Antakya case, an analysis and evaluation of the influence of ownership, use and property rights would allow a clarification of the combination of tangible and intangible values that exist within the urban context and make it significant. Property rights are not only an important factor in the formation of urban form, but also for identifying and conserving the dialectic links between the inhabitants and the historical urban context, creating spirit of place. This investigation into three constant parameters creates a foundation of knowledge on the underlying, hidden aspects and beliefs at work in the formation of urban form, and will be of great benefit in current holistic urban conservation studies. It is also an important input for the understanding and assessment of historical urban contexts, and may help in the elimination of generalisations and illusions. As Charles Sanders Peirce³⁶⁶ stresses:

“Natural beliefs, if they generally have a foundation of truths, also require correction and purification from natural illusions”.

³⁶⁶ Peirce, C.S., 1958. “The Doctrine of Necessity,” *Selected Writings*, edited by Philip P. Wiener, New York: Dover Publications Inc.

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APPENDIX A

ATTRIBUTE LIST OF TITLE DEEDS RECORDS

Table A.1. Attribute table for Anakya Title Deeds Records

CIRCUMSCRIPTIONS			
2: 2nd Circumscription			
3: 3rd Circumscription			
4: 4th Circumscription			
5: 5th Circumscription			
BUILDING BLOCK NUMBER			
PLOT NUMBER			
CURRENT AREA			
DISTRICTS / A Districts in 1929			
1 Güllü	15 Sarılar	28 Altı Ok	38 Barbaros
2 Fevzi Paşa	16 Güney	29 Şirince	39 Uncular
3 Mutlu	17 İmren	30 Selçuk	40 Meydan
4 Şehitler	18 Oruç	31 Sunalar	41 Yolbaşı
5 Güngör	Bölüğü	32 Sakarya	42 Orhan
6 Saka	19 Acun	33 Cinci	43 Turgut
7 Gazipaşa	20 Kuyulu	Bölüğü	44 Altay
8 Künlük	21 Atabey	34 Harap	45 Alvan
9 Kubilay	22 Yeniler	Arası	46 Beynel
10 Kantara	23 Sanlılar	35 Kuyu	Harap
11 Ulu Cami	24 Koca Abdi	Bölüğü	47 Altınöz
12 Dört Ayak	25 Dut Dibi	36 Karaali	48 Şeyh
13 Zenginler	26 Akbaba	Bölüğü	Mehmet
14 Tuntaş	27 Biniciler	37 Kardeşler	

Table A.2. Attribute table for Anakya Title Deeds Records
(Continued)

DISTRICTS / B Districts in 2008			
1 Kışla Saray	13 Barbaros	24 Akbaba	
2 Güllü Bahçe	14 Harap		
3 Gazipaşa	Arası		
4 Şehitler	15 Sofular		
5 Fevzi Paşa	16 Orhanlı		
6 Kuyulu	17 İplik		
7 Şirince	Pazarı		
8 Karaali	18 Meydan		
Bölüğü	19 Zenginler		
9 Kantara	20 Ulu Cami		
10 Duttibi	21 Koca Abdi		
11 Biniciler	22 Şeyh Ali		
12 Kardeşler	23 Yeni Cami		
FEATURE OF REAL ESTATE PROPERTY			
A Original Features According to the First Records			
1 Residential			
a House			
b Two-storey house			
c Unfinished house (<i>Natamam ev</i>)			
d House with garden			
e Land			
f Draw well (<i>Su kuyusu</i>)			
g Water tank (<i>Su deposu</i>)			
h Annex (<i>Müştemilat</i>)			
i Kitchen (<i>Mutfak</i>)			
j Toilet (<i>Hela</i>)			
k Courtyard (<i>Avlu - Havlu</i>)			
l Depot (<i>Depo</i>)			
m Barn (<i>Ahur</i>)			
n Garage (<i>garaj</i>)			
o Single room house (<i>Bir odalı ev</i>)			
p Common kitchen (<i>Müşterek mutfak</i>)			
q Common toilet (<i>Müşterek hela</i>)			
r House in ruined (<i>Harabe ev</i>)			
s Hut and stair (<i>Külübe ve Merdiven</i>)			

Table A.3. Attribute table for Anakya Title Deeds Records
(Continued)

<p>2 Residential + Commercial</p> <ul style="list-style-type: none">a Cafe (<i>Kahve</i>)b Depot (<i>Depo</i>)c Shop (<i>Dükkân</i>)d Store (<i>Mağaza</i>)e Annex (<i>Müştemilat</i>)<ul style="list-style-type: none">f Two storey house (<i>İki katlı ev</i>)g Draw well (<i>Su kuyusu</i>)h Bakery (<i>Fırın</i>)i Sabunhanej ahır <p>3 Residential + Religious</p> <ul style="list-style-type: none">a Visitation (<i>Ziyaret</i>)b Annex (<i>Müştemilat</i>)c Church (<i>Kilise</i>) <p>4 Religious</p> <ul style="list-style-type: none">a Church (<i>Kilise</i>)b Tekyec Small Mosque-Masjid (<i>Mesjid</i>)d Visitation (<i>Ziyaret</i>)e Mosque (<i>Cami</i>)f Annex (<i>Müştemilat</i>) <p>5 Commercial</p> <ul style="list-style-type: none">a mağaza<ul style="list-style-type: none">1 mahzeni müştemil mağazab dükkânc furund sabunhanee depof değirmeng arsah ahır : binek hayvan barınağıj odak garajl müştemilatm ticarethanen basım evio sabun deposup eczane <p>6 Social + Commercial</p> <ul style="list-style-type: none">a lokantab kahvehanec klüpd dükkân
--

Table A.4. Attribute table for Anakya Title Deeds Records
(Continued)

için)	7 Services
	a Hamam
	b Hela (Müşterek kullanılan helalar için)
	c Su dolabı
	d Su kuyusu (Müşterek kullanılan su kuyuları için)
	e müştemilat
	f otel
	g han
	1 rıhtım hanı
	h değirmen
	8 Private Dead-End Street
	a Hela
	b Su kuyusu
	9 Education
	a Okul
	b müştemilat
	c medrese
	10 Administrative
	a Hükümet Konağı
	b Cezaevi
	11 Military
	a kışla
	b müştemilat
	12 Land
a su kuyusu	
13 Garden	
a Sulu bahçe	
b Susuz bahçe	
14 Barn	
15 Zeytinlik	
16 Bağ	
17 Mezarlık	
18 Havkere (Hakura) : Küçük boş alan	
a Sulu havkere	
19 Tarla	
a Sulu tarla	
b Susuz tarla	
c Ağaçlı tarla	
20 Hastane	
21 Duvar	
22 Kiremit Ocağı	
23 Tabakhane	
24 Nehir mecrası	

Table A.5. Attribute table for Anakya Title Deeds Records
(Continued)

25 Kayalık
26 Dağ
B 2nd Record _ C 3rd Record _ D 4th Record _ E 5th Record _
F Current Record up to 2008
1 Residential
a Ev
b İki katlı ev
c Natamam ev
d Bahçeli ev
e arsa
f Su kuyusu
g apartman (kâgir bina)
h natamam avlulu kâgir
i kâgir ev
j havuzlu ev
k avlu
2 Residential + Commercial
a kahve
b depo
c dükkan
d mağaza
e müştemilat
f apartman (kâgir bina)
3 Residential + Religious
a ziyaret
b müştemilat
4 Religious
a Kilise
b Tekye
c Mesjid
d Ziyaret
e Cami
f müştemilat
5 Commercial
a mağaza
b dükkan
c furun
d sabunhane
e depo
f değirmen
g arsa
h ahır : binek hayvan barınağı
i han

Table A.6. Attribute table for Anakya Title Deeds Records
(Continued)

j oda	
	k iş hanı
	l garaj
	m müştemilat
	n kâgir dükkan
	o Prina yağı ve sabun fabrikası
6	Social + Commercial
	a lokanta
	b kahvehane
	c klüp
	d dükkan
	e müştemilat
	f oda
7	Services
	a Hamam
	b Hela
	c Su dolabı
	d Su kuyusu
	e müştemilat
	f otel
8	Private Dead-End Street
	a Hela
	b Su kuyusu
9	Education
	a Okul
	b müştemilat
10	Administrative
11	Military
12	Land
13	Garden
14	Barn
15	Road
16	Social
	a Park

Table A.7. Attribute table for Anakya Title Deeds Records
(Continued)

OWNERSHIP AND RELIGIOUS/ETHNIC IDENTITY INFO		
Mülkiyet Bilgisi	Türü	Dinsel – Etnik Kimlik Bilgisi
A. GERÇEK KİŞİ	<ol style="list-style-type: none"> 1. Şahıs 2. Şirket 3. Halk 	G. Gayri Müslüman <ol style="list-style-type: none"> 1. Hristiyan <ol style="list-style-type: none"> A Arap B Türk C Rum 2. Musevi 3. Ermeni 4. NI
B. ÖZEL HUKUK TÜZEL KİŞİSİ	<ol style="list-style-type: none"> 1. Vakıf 2. Oda 3. Dernek 4. Konfederasyon 	M. Müslüman <ol style="list-style-type: none"> 5. Alevi <ol style="list-style-type: none"> A Arap B Türk 6. Suni <ol style="list-style-type: none"> A Arap B Türk 7. NI <p>c. NI</p>
C. KAMU HUKUK TÜZEL KİŞİSİ	<ol style="list-style-type: none"> 1. Belediye 2. Hazine 3. Milli Emlak 4. Vilayet 5. Hatay Hususi İdaresi 6. Fransa Hükümeti Maliye Hazinesi 7. Emlakiamme 	d. NA

Table A.8. Attribute table for Anakya Title Deeds Records
(Continued)

THE WAY OF ACQUIRING REAL ESTATE			
1.	Cadastre		
2.	Purchase		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
3.	Succession		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
4.	Expropriation		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
5.	Legally registration ³⁶⁷		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
6.	Disposal		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
7.	Compulsory purchase ³⁶⁸		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		
8.	Remaining ³⁶⁹		
	A 1930-1940	B 1941-1950	C 1951-1960
	D 1961-1970		
	E 1971-1980	F 1981-1990	G 1991-2000
	H 2001-2008		

367 Yabancı uyruklu (genellikle Suriye uyruklu) kişilerin mallarının Hazine tarafından el konulması.

368 Mahkeme kararı ile alın.

369 Kalan, adına kalan.

Table A.9. Attribute table for Anakya Title Deeds Records
(Continued)

9. Tashihen tebdil / Trampa³⁷⁰		
A 1930-1940	B 1941-1950	C 1951-1960
D 1961-1970		
E 1971-1980	F 1981-1990	G 1991-2000
H 2001-2008		
10. Tashih		
A 1930-1940	B 1941-1950	C 1951-1960
D 1961-1970		
E 1971-1980	F 1981-1990	G 1991-2000
H 2001-2008		
11. Bağış		
A 1930-1940	B 1941-1950	C 1951-1960
D 1961-1970		
E 1971-1980	F 1981-1990	G 1991-2000
H 2001-2008		
12. Kayyum Şerhi³⁷¹		
A 1930-1940	B 1941-1950	C 1951-1960
D 1961-1970		
E 1971-1980	F 1981-1990	G 1991-2000
H 2001-2008		
13. Mübadele		
A 1930-1940	B 1941-1950	C 1951-1960
D 1961-1970		
E 1971-1980	F 1981-1990	G 1991-2000
H 2001-2008		

370 Değiştirmek, bir parseli başka bir parselle değiştirmek, takas.

371 1929'dan beri el değiştirmemiş parsel sahiplerine yönelik 10 yıl boyunca yapılan araştırma sonucunda bulunamayan vatandaşın malının, devlet mirasçı olduğundan, mahkeme kararı ile devlete intikali.

Table A.10. Attribute table for Anakya Title Deeds Records
(Continued)

<p>OWNER NAME³⁷²</p> <p>Aa GERÇEK KİŞİ</p> <p>1 İlk sahibinin ismi</p> <p>2 İkinci sahibinin ismi</p> <p>3 Son sahibinin ismi</p> <p>Ab GERÇEK KİŞİ (ÖZEL MÜLKİYETLİ ÇIKMAZ SOKAKLAR İÇİN)</p> <p>1 XXX nolu parseller</p> <p>2 Son sahibi</p> <p>B ÖZEL HUKUK TÜZEL KİŞİLER</p> <p>1 Antakya Alevi Cemaati Vakfı</p> <p>2 Antakya Rum Ortodoks Kilisesi Vakfı</p> <p>3 Antakya Türk Ortodoks Kilisesi Vakfı</p> <p>4 Ulu Cami Vakfı</p> <p>5 Halil Ağa Cami Vakfı</p> <p>6 Sarımiye Cami Vakfı</p> <p>7 Karmele Cami Vakfı</p> <p>8 Serveli Cami Vakfı</p> <p>9 Mustafa Züriyet Vakfı</p> <p>10 Nakip Cami Vakfı</p> <p>11 Musevi Cemaati Vakfı</p> <p>12 Zahra Cami Vakfı</p> <p>13 Evkaf İdarisi</p> <p>14 Nakşibendi Tekyesi Vakfı</p> <p>15 Servili Cami Vakfı</p> <p>16 Civelek Cami Vakfı</p> <p>17 Sadık Mesjidi Vakfı</p> <p>18 Abdulkadir Züriyet Vakfı</p> <p>19 Kurmalı Cami Vakfı</p> <p>20 Antakya Kabusen Papazları Vakfı</p> <p>21 Antakya Terziler Odası</p> <p>22 <i>Antakya Marangozlar ve Hızarcılar Odası</i></p> <p>23 <i>Caferiye Cami Vakfı</i></p> <p>24 <i>Keremit Cami Vakfı</i></p> <p>25 <i>Sipahi Cami Vakfı</i></p> <p>26 <i>Oruç Bölüğü Mahallesi Cami Vakfı</i></p> <p>27 <i>Antakya Gazeteciler Cemiyeti Derneği</i></p> <p>28 Amatör Spor Klüpleri Konfederasyonu</p> <p>29 Mehmet Şah Zirriyet Vakfı</p>

372 Tapu ve Kadastro Genel Müdürlüğü'nden alınan izin doğrultusunda gerçek ve tüzel kişilerin isimleri araştırma kapsamında beyan edilmeyecektir. İsimler, sadece veri tabanında araştırmaya yardımcı olabilecek sorgulamalarda kullanılmak üzere yer alacaklardır. Hiçbir yerde yayınlanmayacaklardır.

Table A.11. Attribute table for Anakya Title Deeds Records
(Continued)

30	Gorani Mesjidi Vakfi
31	Necip Müftü Züriyet Vakfi
32	Hasan Züriyet Vakfi
33	Haffe Züriyet Vakfi
34	Habib Neccar Vakfi
35	Uçtum Cami Vakfi
36	İbrahim Züriyet Vakfi
37	<i>Kürt Faki Cami Vakfi</i>
38	<i>Şeyh Ali Cami Vakfi</i>
39	<i>Sırmaye Cami Vakfi</i>
39	Ahmet Züriyet Vakfi
40	<i>Zuğaybe Vakfi</i>
41	<i>Şeyh Ali Ziyareti Vakfi</i>
42	<i>Hünkar Mescidi Vakfi</i>
43	<i>Faka Cami Vakfi</i>
44	<i>Nevbahar Cami Vakfi</i>
45	Şeyh Mehmet Cami Vakfi
46	Ermeni Ortodoks Cemaati Vakfi
47	Antakya Evkaf İdaresi
48	Şeyh Abdullah Mağavri Ziyareti Vakfi
49	İslam Cemaati Vakfi
50	Şeyh Mehmet Ziyareti Vakfi
51	Abdulgazi Cami Vakfi
52	Kantara Cami Vakfi
53	Şirinci Emirler Cami Vakfi
54	Ağçe Cami Vakfi
55	İsmail Ağa Cami Vakfi
56	Şekerci Cami Vakfi
57	Şeyh Şaar Ziyareti Vakfi
58	Deveci Bekiroğlu Cami Vakfi
59	Zilli Mescidi Cami Vakfi
60	Yeni Cami Vakfi
61	Şeyh Garib Ziyareti Vakfi
62	Şeyh Gayibe Cami Vakfi
63	Şeyh Gayibe Tekyesi Vakfi
64	Yusuf Garib Ziyareti Vakfi
65	Sofular İslam Cami Vakfi
66	Musa Ziyareti Vakfi
67	Erbaa Meşayin Ziyareti Vakfi
68	Barbaros Cami Vakfi
69	Abdurrahman Ziyareti Vakfi
70	Ahmet Gorani Cami Vakfi
71	Hindiye Tekkesi Vakfi
72	Tabaklar Vakfi

Table A.12. Attribute table for Anakya Title Deeds Records
(Continued)

73 Halep Rum Katolik Cemaati Vakfi
74 Antakya Mevlevi Tekyesi Vakfi
75 Kantara Halil Ağa Cami Vakfi
76 Protestan Cemaati Vakfi
77 Necip Müftü Züriyet Vakfi
78 Fakih Cami Vakfi
79 Mustafa Mulla Züriyet Vakfi
80 Mustafa Mevlana Züriyet Vakfi
81 İhsaniye Cami Vakfi
82 Hayri Vakfi (Zuğaybe Suyu Mecrası Menfaatine)
83 Bereket Cami Vakfi
84 Yemeniler Çarşısı Mescidi Vakfi
85 Hayri Müessesesi Vakfi (Eskici Amelelerine ait)
86 Antakya Semerci Cami Vakfi
87 Ali Cami Vakfi
88 Hasbe Zade Ahmet Züriyet Vakfi
89 Hasan Habtut kızı Saide Vakfi
90 Ahmedi Cami Vakfi
91 Usta Mehmet Cebara Vakfi
92 Hayri Mukbil Vakfi; İslâm Mahallelerindeki kutsal Cihetine
93 Körkadı Züriyet Vakfi
94 Mahramiye Cami Vakfi
95 Hacı Mualla Cami Vakfi
96 Sadık Çeşmesi Vakfi
97 Vahide Şemsettin Vakfi
98 Emrah oğlu Züriyet Vakfi
99 Orhaniye Cami Vakfi
100 Antakya Hasan Ziyareti Vakfi
101 İsa Ziyareti Vakfi
102 Şehid Veli Vakfi
103 Hıdır Ziyareti Vakfi
104 Halep Çelebi Züriyet Vakfi
105 Baranis Saray Mescidi Vakfi
106 Mahbub Züriyet Vakfi
107 Gışım Ziyareti Vakfi
108 Osman Mahbub Züriyet Vakfi
109 Tuveyiroğlu Cami Vakfi
110 Habib Neccar Ziyareti Vakfi
111 İdris Nebi Ziyareti Vakfi
112 Bilal Habeşi Ziyareti Vakfi
113 Hasan Kirşe kızı Rakiye Vakfi

Table A.13. Attribute table for Anakya Title Deeds Records
(Continued)

- 114** Cemaliye Mahallesi Cami Vakfi
115 Halef kızı Fatma Vakfi
116 Mahremiye Cami Vakfi
117 Zer Mahbub Vakfi
118 Antakya Cedid Cami Vakfi
119 Hüseyin Çavuş Zürriyet Vakfi
120 Hoca Zade Mahmud Vakfi
121 Sekakin Mescidi Vakfi
122 Cedid Zeheriye Cami Vakfi
123 Osman Bülbül Vakfi
124 İsmail Mescidi Vakfi
125 Derbuz Mescidi Vakfi
126 Ali Çavuş Mescidi Vakfi
127 Zahariye Mescidi Vakfi
128 Nacarin Mescidi Vakfi
129 Mahmut Ziyareti Vakfi
130 Mehmet oğlu Ali Vakfi
131 Mesud kızı Safiye Vakfi
132 Şaban Nakib Cami Vakfi
133 Antakya Meydan Cami Vakfi
134 Ermeni Protestan Kilisesi Vakfi
135 Şaban kızı Nazife Vakfi
136 Antakya Tabakhanesinde Çalışan Sanatkarlar Vakfi
137 Mehmet Sabit Vakfi
138 Zülfikar Mescidi Vakfi
139 Selveli Cami Vakfi
140 Abdurrahman Miski Mehmet Vakfi

C KAMU HUKUK TÜZEL KİŞİLERİ

- 1** Hatay İdaresi Hususi İdaresi (İl Özel İdaresi)
2 Bağ-Kur Genel Müdürlüğü
3 Hatay Vilayeti Hususi İdaresi
4 Maliye Hazinesi
5 Milli Emlak
6 Vilayet
7 Belediye
8 Fransa Hükümeti Maliye Hazinesi

Table A.14. Attribute table for Anakya Title Deeds Records
(Continued)

STATUS of REGISTRATION			
R Registered			
1 Koruma İmar Planı (1987) öncesi tescil edilen			
a anıt			
b sivil mimarlık örneği			
c eski eser			
d Korunması gerekli taşınmaz kültür varlığı			
e Asarı atikeden sayılır			
2 Koruma İmar Planı (1987) ile tescil edilen			
a anıt			
b sivil mimarlık örneği			
c eski eser			
d Korunması gerekli taşınmaz kültür varlığı			
3 Koruma İmar Planı (1987) sonrası tescil edilen			
a anıt			
b sivil mimarlık örneği			
c eski eser			
d Korunması gerekli taşınmaz kültür ve tabiat varlığı			
X Tescilden düşürülenler_(19xx)			
N Not Registered			
UNIFICATION AND DIVISION OF LOTS			
1 Unification			
A 1930-1940	B 1941-1950	C 1951-1960	
D 1961-1970			
E 1971-1980	F 1981-1990	G 1991-2000	
H 2001-2008			
2 Division			
A 1930-1940	B 1941-1950	C 1951-1960	
D 1961-1970			
E 1971-1980	F 1981-1990	G 1991-2000	
H 2001-2008			
3 Yola terk			
A 1930-1940	B 1941-1950	C 1951-1960	
D 1961-1970			
E 1971-1980	F 1981-1990	G 1991-2000	
H 2001-2008			
4 İstimlak			
A 1930-1940	B 1941-1950	C 1951-1960	
D 1961-1970			
E 1971-1980	F 1981-1990	G 1991-2000	
H 2001-2008			

Table A.15. Attribute table for Anakya Title Deeds Records
(Continued)

5 İmar Uygulaması
A 1930-1940 B 1941-1950 C 1951-1960
D 1961-1970
E 1971-1980 F 1981-1990 G 1991-2000
H 2001-2008
6 NA
BENEFITS
B1: Müşterek su kuyusu kullanma hakkı
B2: Müşterek hususi yoldan geçme hakkı
B3: Aleyhine geçme hakkı
B4: Heladan istifade hakkı
B5: Kış suyu akıtma hakkı
B6: Aleyhine bakma hakkı
B7: Aleyhine ahşap/duvar dayanma hakkı
B8: Aleyhine su kuyusundan su almak
B9: Müşterek duvar hakkı
B10: Bir parseldeki kuyudan su almak üzere başka bir parselden geçiş hakkı
B11: Başka bir parselde ki helanın üstüne kat çıkma hakkı
B12: Aleyhine merdiven altından geçme hakkı
B13: Başka bir parsel aleyhine ahır hakkı
B14: Başka bir parsel ve/veya geçit üstüne üst hakkı
B15: Parseller arasındaki duvar üzerine hava hakkı
B16: Geçit üstünde oda hakkı
B17: Bir parsel aleyhine medhalden (girecek yer, kapı) geçiş hakkı
B18 : Bir parsel aleyhine pencere açma hakkı
B19: Aleyhine kuyu üzerine bina hakkı
B20: Aleyhine başka bir parsel içinde bulunan çukurlardan istifade hakkı

Table A.16. Attribute table for Anakya Title Deeds Records
(Continued)

<p>B21: Aleyhine su geçirme hakkı</p> <p>B22: Gayrimenkulun gelirinin fakirler yararına tahsis etme hakkı /Gallesi Antakya fakirlerine sarf olunacaktır</p> <p>B23: Parsel aleyhine duvarında dolap açma hakkı</p> <p>LIABILITIES</p> <p>L1: Lehine geçme hakkı</p> <p>L2: Lehine heladan istifade hakkı</p> <p>L3: Lehine ölülerini gömme hakkı</p> <p>L4: Lehine kuyudan su verme hakkı</p> <p>L5: Lehine (xxx/xxx/xxx) noktalar üzerinde kısmen hava hakkı</p> <p>L6: Lehine ahşap/duvar dayanma hakkı</p> <p>L7: Lehine kış suyu akıtma hakkı</p> <p>L8: Bir parseldeki kuyudan su almak için başka bir parsel lehine geçiş hakkı</p> <p>L9: Lehine merdiven altından geçme hakkı</p> <p>L10: Başka bir parsel lehine ahır hakkı</p> <p>L11: Başka bir parsel ve/veya geçit üstüne üst hakkı</p> <p>L12: Bir parsel lehine başka bir parselden gelen suyun geçme hakkı</p> <p>L13: Bir parsel lehine su dökme hakkı</p> <p>L14: Bir parsel lehine medhalden (girecek yer, kapı) geçiş hakkı</p> <p>L15: Parselin altından dere mecrasının geçme hakkı</p> <p>L16: Lehine bakma hakkı</p> <p>L17: Lehine kuyu üzerine bina hakkı</p> <p>L18: Lehine parselinde bulunan çukurlardan istifade hakkı</p> <p>L19: Lehine su verme hakkı</p>

APPENDIX B

**JULIAN OF ASCALON'S TREATISE OF CONSTRUCTION AND
DESIGN RULES**

Julian of Ascalon's Treatise of Construction and Design Rules studied by Besim Selim Hakim and it is presented as in the follows. The fundamental aspects of the treatise are grouped under five themes, which are:

- Land use
- Views
- Houses and condominiums
- Drainage for rainwater and waste water
- Planting of greenery

The main intention of Julian's treatise is to control and bring order to advert potential social and physical damages that could occur in the built environment. Physically, it has proposals for preventing uses that "can inflict damages to nearby existing buildings due to fire sparks, smoke, offensive odours, and vibration that can harm adjacent walls" ³⁷³. Public and private baths, glassmaking, vegetable-oil making, gypsum workshops, kilns for lime burning workshops for dyeing cloth, baking ovens, pottery kilns, preparing marinades, and rope making can be considered in this category. Socially it forbids undesirable uses such as brothels, stables, and taverns in the dwelling areas.

According to the treatise, modest and greater distances are to be left between new land uses and the existing dwellings. For example, baths, bakeries, pottery kilns, or gypsum workshops can be located a modest (10-20 metre) distance from existing dwellings (Figure B.1); while lime burning facilities and socially undesirable uses are to be located at greater distances. Glassmakers, glassblowers, and makers of axes and sickles are forbidden within a town due to the severe dangers their fires may pose³⁷⁴.

³⁷³ Hakim, B.S., 2001. "Julian of Ascalon's Treatise of Construction and Design Rules from Sixt-Century Palestine", *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 11..

³⁷⁴ Hakim, B.S., 2001. *Ibid*, p. 11.

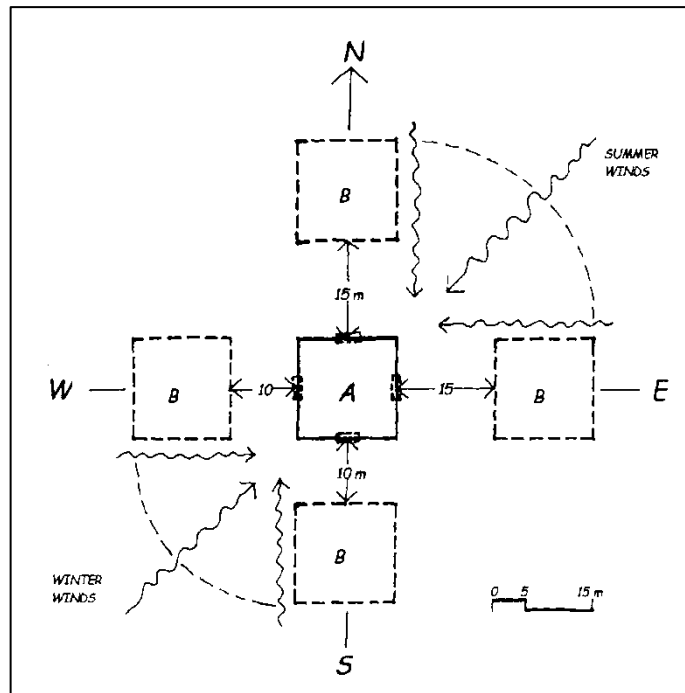


Figure B.1. A is the existing dwellings and B shows the setback dimensions in the case of proposed bath. The setback dimensions can vary according to the height of the existing dwellings (Hakim, B.S., 2010, p.11)

The treatise assigns importance to viewpoints within the built environment. It is not permitted to construct a new building if it obstructs views of the sea, gardens, trees and groves, also views of public paintings. Accordingly, there must be an unobstructed line of sight from a window. “An oblique view is considered indirect and cannot legally be used as a basis for challenging obstruction”³⁷⁵ (Figure B.2).

³⁷⁵ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 13.

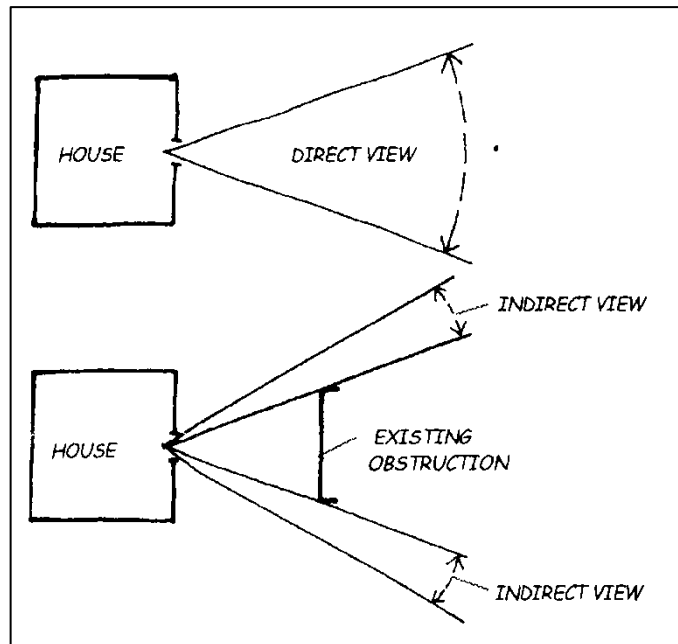


Figure B.2. Direct and indirect views (Hakim, B.,S., 2010, p. 13).

In the case of the views of mountains and the sea, a minimum setback of 30 metres is allowed in which no new construction is allowed (Figure B.3).

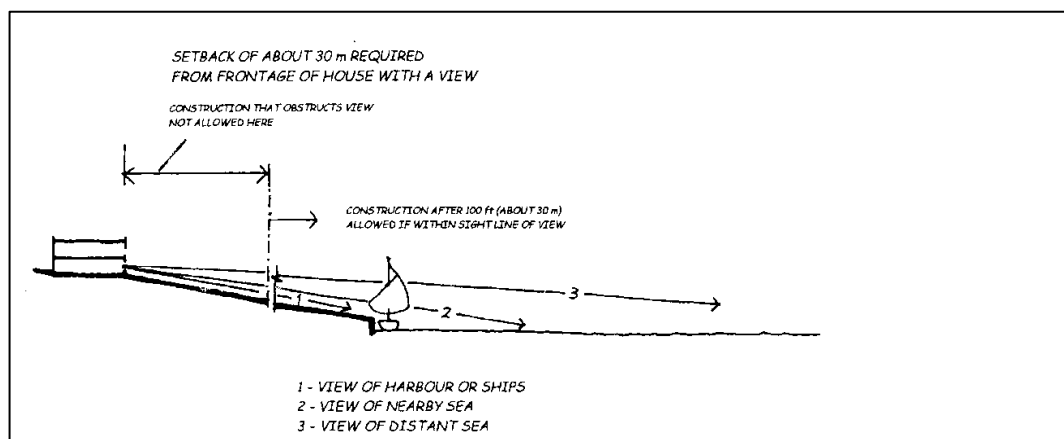


Figure B.3. The setback distance towards the sea in order to have a direct view from the house to the sea (Hakim, B.,S., 2010, p. 13).

On a neighbouring scale, there are three basic principles established for nearby dwellings, namely; *overlooking the houses of others*; *opening a window onto a blank wall*; and *construction of a balcony*.

The main intention of the principle “overlooking the houses of others” is to “prevent the construction of nearby new houses, based on the fear that they would overlook the other houses’ windows and doors and invade their owners’ privacy”³⁷⁶.

The principle related to *opening a window onto a blank wall* is slightly different to the former case. Should the owner of house (A) has a window that faces the blank wall of a neighbour (B), as Hakim stresses “If (B) wants to open a window for ventilation and/or light, he can do so, provided the proposed window sill is about 1.75 metres above the floor level of the room, that is, above the eye level of a person standing in (B)’s room”³⁷⁷.

For the final principle, relating to the *construction of a balcony*, “if an existing owner (A) of a window with a balcony that faces the public realm, such as a street or square, has a neighbour (B) across the street who wants to construct a balcony, then (B) should be allowed to do so, provided a minimum distance of 3 metres is maintained between the two balconies”³⁷⁸.

Matters related to houses and condominiums are another aspect mentioned in the Julian treatise which can be grouped under the following headings;

- Acts that may affect the value of surrounding properties
- Problems that may occur between the common shared walls of neighbouring properties
- Issues related to multi-storey condominiums that may affect the built environment

The first topic has four aspects, relating to increases in building height; opening or enlarging a door or window; replacing piers with a column; and additional doors to a communal courtyard. The first of

³⁷⁶ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 15.

³⁷⁷ Hakim, B.S., 2001., Ibid, p. 15.

³⁷⁸ Hakim, B.S., 2001., Ibid

these refers to the situations in which the owner of a building wants to add an additional floor to his building without affecting the values of the surrounding buildings. In this case, the Julian treatise offers some solutions. For example:

“When an existing two-storey house (A) is near an existing house (B) whose owner wants to add another story: the two houses must appear to be of similar status in appearance and plot size; and a minimum distance of about 3 metres must separate them. If both conditions are met, then the owner of (B) can add a second story to his house, thereby matching in appearance house (A) without diminishing its value. However, if there is a minimum space of about 6 metres between two neighbouring buildings, and if (A) is two, three or more stories high, whereas (B) is a one-story building, then the owner of (B) can build additional stories to his house and can open a window facing (A) regardless of whether or not (A) has windows looking towards (B). In villages, the minimum distances may be reduced by one-half”³⁷⁹.

Opening or enlarging a door or window is another common intervention within the built environment, and the treatise again contains principles for such alterations. For example, in a two-story building, the owner of the ground floor is (A) and the owner of the first floor is (B). If (A) wants to open or enlarge a window or door in the ground floor wall, it may cause structural problems on the upper floor. The treatise deals with this situation as follows:

“Assuming (A)’s door and/or window is small and he wants to enlarge it or open a new one, the treatise stipulates that (A) is not permitted to do so unless (B) has a window above the door or window of (A). The requirement then is that (A) may open a new door or window or enlarge the existing one, provided it is about 10 cm narrower on each side of the opening above; (A) must notify (B) in writing of the changes to (A)’s wall

³⁷⁹ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p. 15-16.

and (A) must also assume full responsibility for any damage that may occur to (B)'s wall within a period of two months after the completion of the changes in (A)'s wall. (A) must, in addition cover all expenses due to potential damage to the crossbeams and doorframes in (B)'s apartment"³⁸⁰ (Figure B.4).

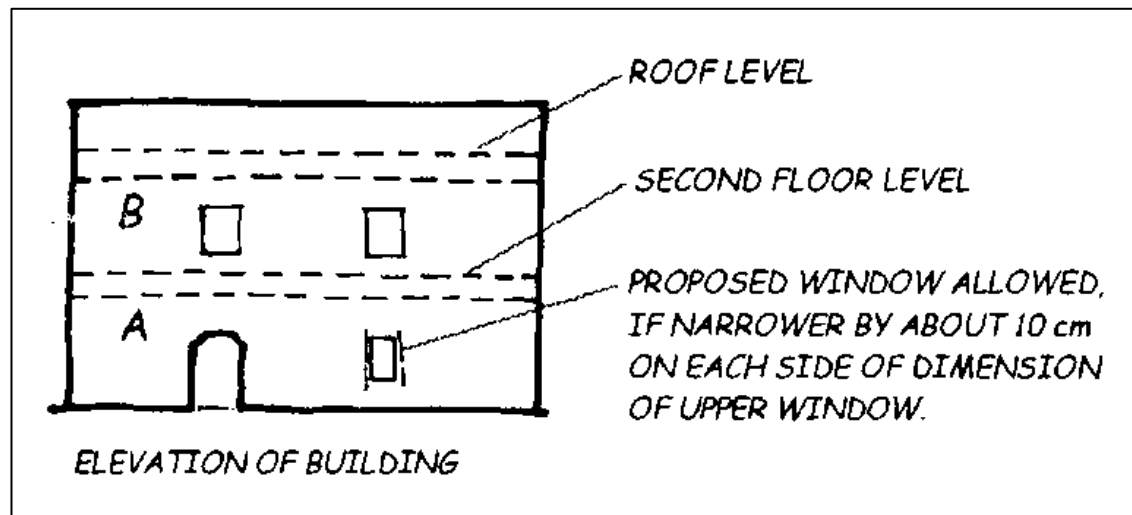


Figure B.4. The principle for the proposed window in the treatise (Source: Hakim, B., 2001, p.16.)

Interventions to exterior walls in the form of replacing piers with columns is not prohibited, since columns are more elegant and consume less space. Therefore, original piers in buildings may be replaced with ornamental and refined columns, according to the ownership rules of Julian's treatise. That said, there are some specific regulations defined for interventions of this kind in the treatise:

“In the case of (A)'s lower apartment, the only stipulation is that the diameter of the column that replaces the pier should be one-half of the diameter of the pier. If owner (B) of the upper apartment wants to replace his pier, he is allowed to do so only after installing a beam under the column to distribute the

³⁸⁰ Hakim, B.S., 2001. “Julian of Ascalon's Treatise of Construction and Design Rules from Sixth-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p.16.

weight evenly on the lower portion of the wall. The beam must have a minimum thickness of about 13 cm”³⁸¹.

It can be seen that the privacy and serenity of other inhabitants is given the highest priority in the treatise, and any intervention that may affect the privacy of others is not allowed. For example, in the case of additional door openings onto a communal courtyard, is will not be allowed if the current human and vehicle traffic would be increased as a result, as this would affect the serenity and privacy of other inhabitants. What the treatise would allow is the replacement of an older door with a newer one, or opening the door indirectly onto the communal courtyard via a warehouse or workshop.

The second issue related to houses and condominiums addresses the problems that may occur between the common shared walls of neighbouring properties. This issue is dependent on the property rights and responsibilities on the common walls of adjacent property owners, in which cases are grouped into two sub-headings; *excavations* and *constructions*.

In the case of excavations, the treatise contains some precautions aimed at protecting the owner of the adjacent wall. If the adjacent property’s owner wants to build a wall adjacent to an existing wall, then it has to have a higher foundation level than the existing wall (Figure B.5).

³⁸¹ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p.16.

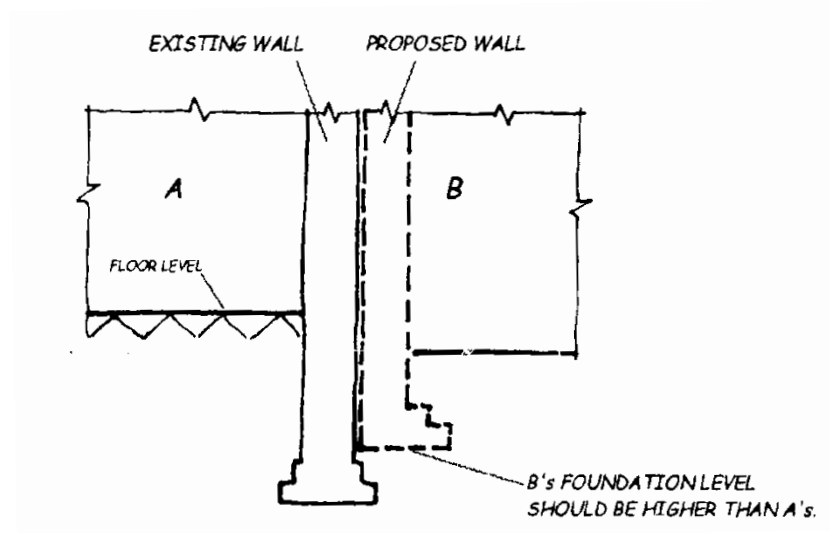


Figure B.5. A schematic illustration of the rights regarding the building of a new wall adjacent to an existing wall (Source: Hakim, B., 2001, p.17).

Additionally, if the adjacent property owner wants to dig a pit on his property, he should allocate a distance of 3.25 metres from the neighbour's wall and it is not allowed to pile the extracted soil next to the neighbour's wall, unless given permission by the neighbour, and only then for a few days. This is to prevent the neighbour's wall from incurring any damage from the wet excavated soil (Figure 2.7). However, if the common wall has a berm facing the adjacent property, then the adjacent property owner cannot modify the berm under any circumstances (Figure B.6).

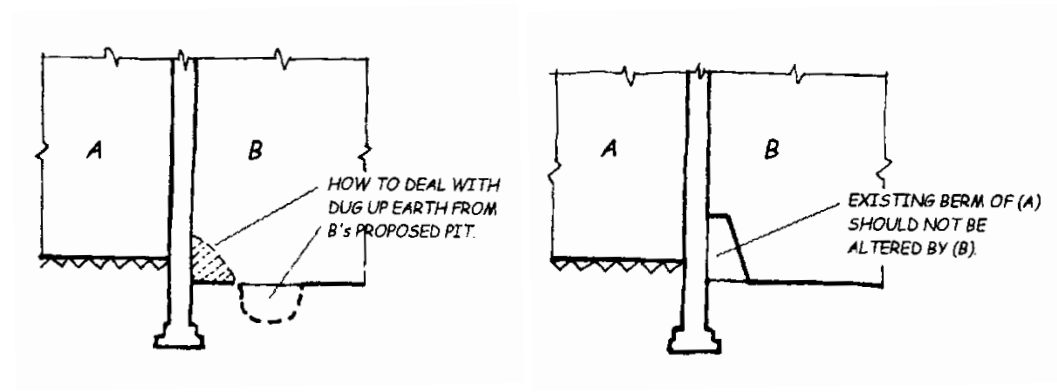


Figure B.6. It is forbidden to pile excavated earth next to a common wall (Source: Hakim, B., 2001, p.17).

In the construction case, Julian's treatise highlights different interventions that may affect the common wall of two property owners. If the common wall encloses the property owner's courtyard and the neighbouring property owner wants to build a new building on his lot that uses the common wall structurally, he can do so, but must pay one-half of the cost – defined by an expert – of the common wall to its owner. (Figure B.7)

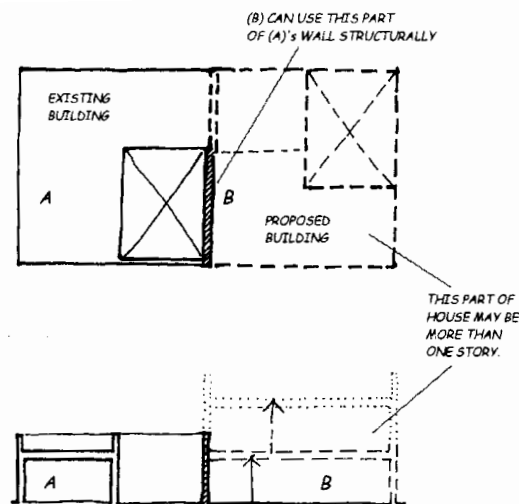


Figure B.7. The condition of using a common wall in the construction of a new structure as a supporting wall (Source:Hakim, B., 2001, p.17).

Additionally, if the common wall is part of a building and the neighbour wants to build a new building adjacent to it, he can do so, so long as he does not use the common wall structurally. It can be used only as an enclosing wall for the new building. In this case, the neighbour has to pay one-third of the value of the wall to its owner. In this case, there are also some limitations to using the wall as an enclosing architectural element. If the owner of the common wall has an opening in it which that has existed for more than 10 years, then the neighbouring plot owner cannot use the common wall as an enclosing architectural element, and has to build any new building beyond the setback area, which is about 1.66 meters.

In the case of two adjacent properties of the same height and with a shared common wall between them, should one owner desire to add a penthouse to his property, the treatise has specific definitions for the conditions of the properties. If neither property has a penthouse, then the addition of one by one owner would be prohibited, as the situation “would encourage squabbles between the neighbours”³⁸². An owner can add a penthouse to his property only if he builds a parapet wall at least 1.50 meters in height separating the two roofs (Figure B.8). In this case, if the neighbour wants to build a penthouse at a future time, then he has to pay one-half of the cost of the parapet wall.

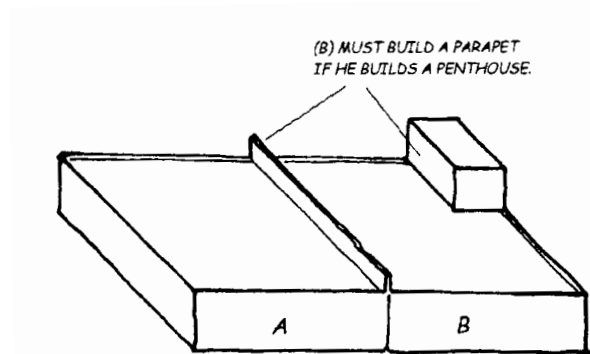


Figure B.8. A property owner that wishes to add a penthouse to the roof of his property must construct a parapet wall between his and the adjacent property (Source: Hakim, B., 2001, p.18).

³⁸² Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p.17.

However, if the aim of constructing a penthouse on the roof will result in frequent use, then it will only be allowed if the difference in levels between the two roofs is at least 2.25 metres. If the current roof levels are the same, then the proposed penthouse can only be built after a second floor is constructed. (Figure B.9)

(B) MUST HAVE A SECOND STORY,
OR BUILD ONE IF HE WANTS A PENTHOUSE.
MINIMUM DISTANCE BETWEEN TWO ROOFS IS ABOUT 2.25 m.

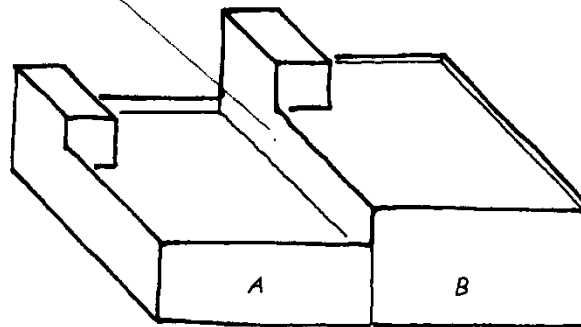


Figure B.9. A second floor is needed if the penthouse is to be used frequently (Source: Hakim, B., 2001, p.18).

Issues related to multi-storey condominiums focus on the principles of shared ownership and responsibilities for repairs and uses of the multi-storey condominiums. There are certain rules and responsibilities defined for different levels of the buildings. Uses of a roof terrace are divided into types by the residents of multi-storey buildings who are not owners of the terrace, but who have access to it. According to the treatise, different rental fees are described according to the purpose of use. For example, “if the terrace is used for drying clothes or cooling bread, then the renter must pay the owner the equivalent of one-third the cost of the terrace. If, however, the residents are to use the terrace for sleeping during the summer, then the payment is to be one-half its cost”³⁸³.

Responsibilities in shared ownership differ according to location. Shops are located on the ground floor, and are defined by the public portico. As a result, the owner of the shop is liable for repairs to the

³⁸³ Hakim, B.S., 2001. “Julian of Ascalon’s Treatise of Construction and Design Rules from Sixt-Century Palestine”, *Journal of the Society of Architectural Historians*, Vol. 60, No.1, University of California Press, March, p.17.

public portico and the underside of the portico, because he benefits most from it. (Figure B.10)

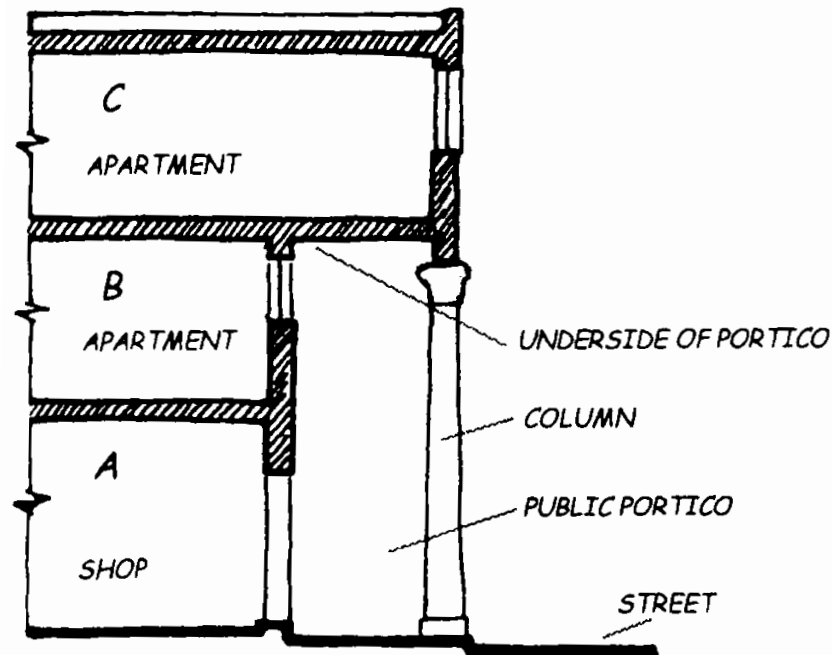


Figure B.10. A schematic section of a multi-storey condominium (Source: Hakim, B., 2001, p.19).

The first floor apartment owner is less responsible for repairs to the public portico if he has less direct light as a result of a projecting upper floor. If the owner of the first floor wants to project over the public portico, it will only be accepted if it is going to be a semi-open space. In this case, the ground floor owner has right to extend his shop into the public portico. Such a situation can be observed in the city of Chester in the United Kingdom, which was originally a Roman city. The main characteristic of the city is its public porticoes and their ownership rights. The first floor semi-open spaces are owned by the first floor apartment owners, and the ground floor owners have consequently gained the right to extend their properties into the public portico. (Figure B.11; Figure B.12)



Figure B.11. Multi-storey building units in Chester, UK, and their relation to the public portico (Source: Author's private archive).

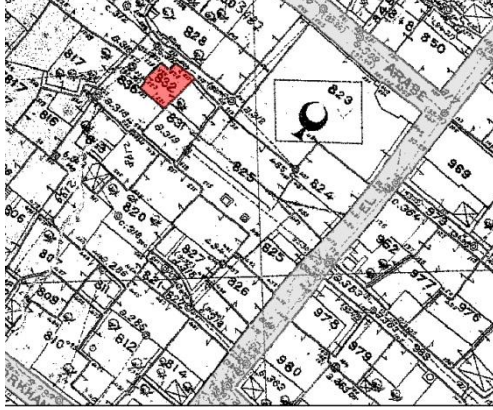


Figure B.12. Interventions into the public portico under the rights of 1607 proclamation (Source: Author's private archive).

APPENDIX C

SURVEY SHEETS FOR BUILDINGS

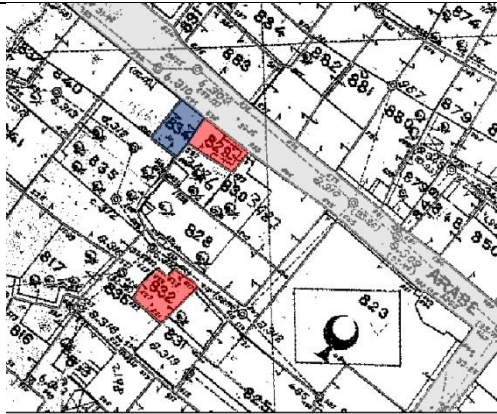
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 5	Plot Number: 832	ID: 1
Address:		
	Category: Religious - Visitation Number of Buildings: 1 Current Ownership: Current Function: Visitation Used / Not-Used: Used Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
	Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near traditional dwellings	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....	
Relation with the Social Environment: Associated wit a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : It is well preserved religious building. It locates in the dead-end street, therefore it's not perceived from the public street.		

Photos:



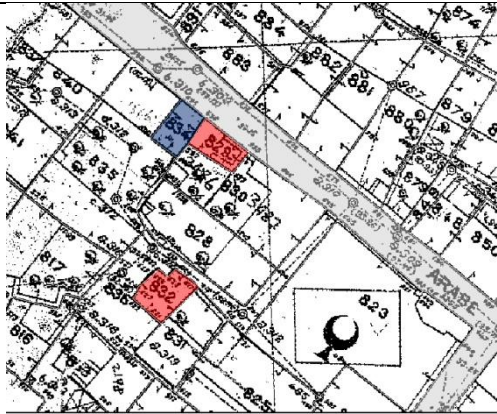
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 829	ID: 2
Address:		
	Category: Religious- Visitation	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Visitation	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : It's preserved visitation.		

Photos:



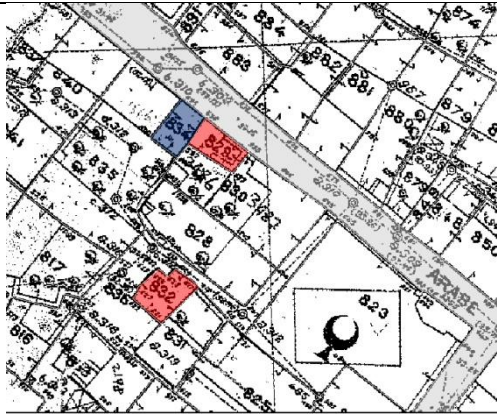
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 829	ID: 2a
Address:		
	Category: Religious- Visitation	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Visitation	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : It's preserved visitation.		

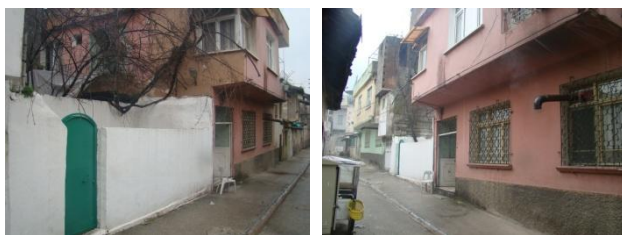
Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 829	ID: 2b
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Apartment	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : Collapsed - x New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : There is an apartment block instead of single room house.		

Photos:

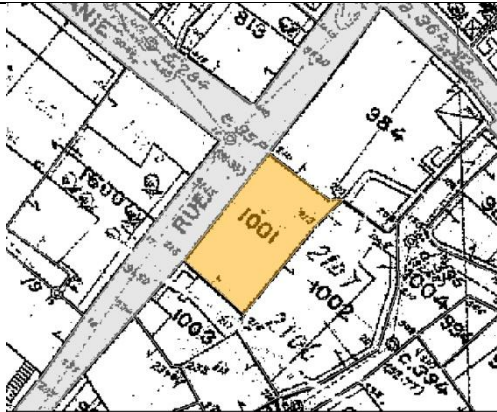


Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:5	Plot Number: 821	ID: 3
Address:		
	Category: Single room house	
	Number of Buildings: 2	
	Current Ownership: Private	
	Current Function: Dwelling	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially :New dwellings are added <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : X Period - New <input type="checkbox"/> Function of Addition: Living space		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Zehra Biçer, who is the owner of house said that; “This house was used as a room house for single grandfathers’ of <i>Alawite</i> namely Suphi, Şerif and Mustafa Biçer. After they married, they were added a first floor and removed the wall in between two single room houses”. It is a preserved house. The current owner of house is living here since 1976.		

Photos:

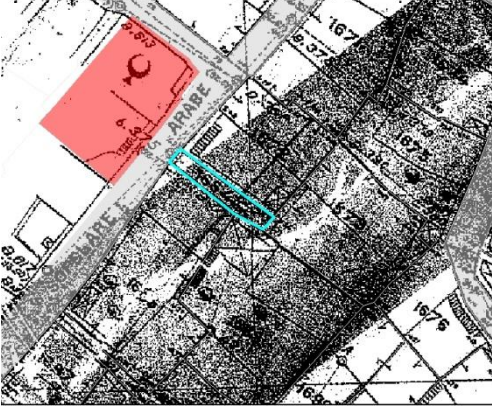


Circumscription:	Plot Number:	ID: 4
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership: Private	
	Current Function: Bakery	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : Period - x New <input type="checkbox"/> Function of Addition: Dwelling
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : There were additions and alterations occurred both on the facade and the interior of the bakery. A trace, most probably related with the original entrance is perceived on the facade. Baker Haysem said that; “the bakery has left from Armenians in the French Mandate Period and since then it has been used as an original function”.		

Photos:



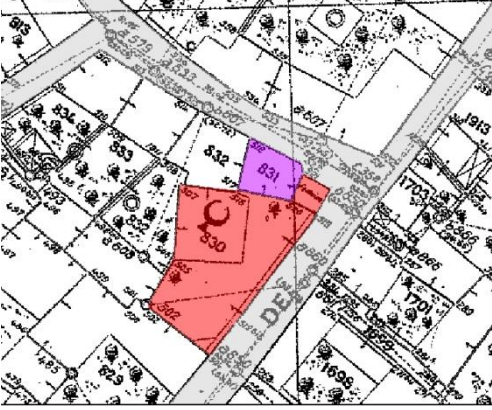
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 1664	ID: 5
Address:		
	Category: Small house	
	Number of Buildings:	
	Current Ownership:	
	Current Function: Passage to the dwellings	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
	Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a	
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially:..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....	
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Small house was demolished.		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezh RİFAİOĞLU

Circumscription: 4	Plot Number: 831	ID: 7
Address:		
	Category: Barn	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Not Observed	
	Used / Not-Used: Not Observed	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces): A corner of the barn is collapsed, but the building is in good condition. There is a closed arch on the street facade. Currently, the entrance of it from inside of the Mosque.		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 1683	ID: 9a
Address:		
	Category: Small House Number of Buildings: 1 Current Ownership: Current Function: House Used / Not-Used: Used Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a	
	Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : X Period - New <input type="checkbox"/> Function of Addition: Dwelling
	Relation with the Social Environment: Associated with a living environment	
	Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Small house exist but a new floor was added. It is in good condition.	

Photos:

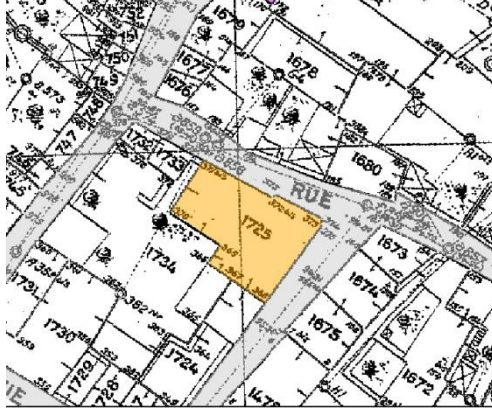


Circumscription: 4	Plot Number: 1928	ID: 9b
Address:		
	Category: Barn Number of Buildings: 1 Current Ownership: Current Function: Grocery Used / Not-Used: Used Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
	Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:
	Relation with the Social Environment: Associated with a living environment	
	Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The function of barn is changed to a grocery.	

Photos:



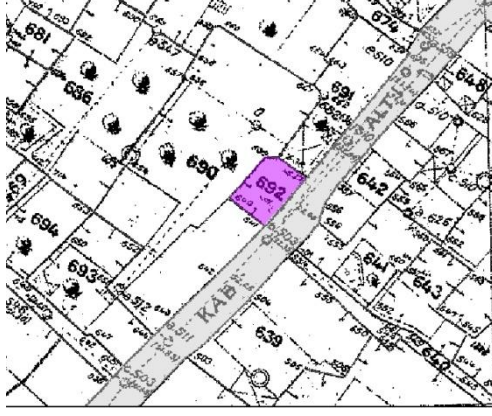
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 1725	ID: 10
Address:		
	Category: Bakery	
	Number of Buildings:	
	Current Ownership: Municipality	
	Current Function: Open area	
	Used / Not-Used:	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input type="checkbox"/> Additions : Period - <input type="checkbox"/> New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Bakery was collapsed. A "Halk Ekmek" kiosk is placed instead of bakery.		

Photos:



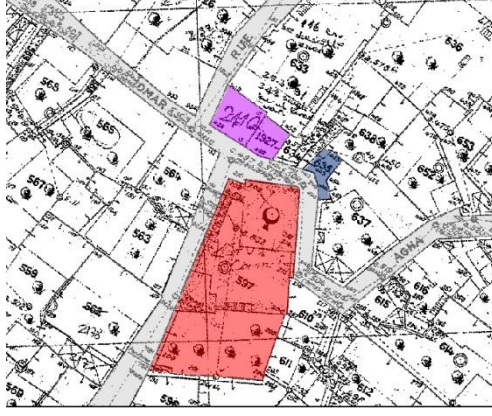
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 692	ID: 11
Address:		
	Category: Barn	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Open space	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot:		
<input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout:		Changes in Open-Built Up Areas:
<input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		<input checked="" type="checkbox"/> X Totally : X Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The barn was collapsed.		

Photos:



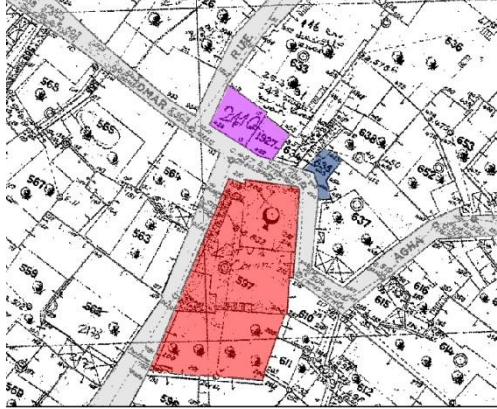
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 1927	ID: 12
Address:		
	Category: House with barn	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
	Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : 		

Photos:

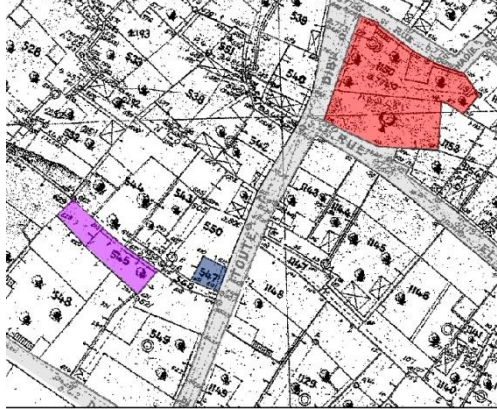


Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 635	ID: 14
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Not Observed	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Single room dwelling locates at the <i>kantarma</i> section of the dead-end street.		

Photos:

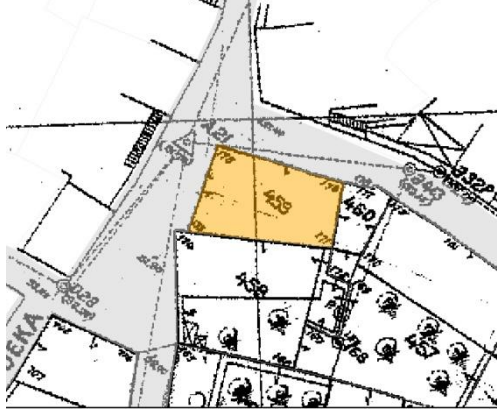


Circumscription:	Plot Number: 547	ID: 16
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Depot	
	Used / Not-Used: Used	
	Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : Single room house used as a depot. It is closed, therefore interior of it could not be observed. There was a barn in the dead-end street. Currently, it is used as a dwelling.		

Photos:



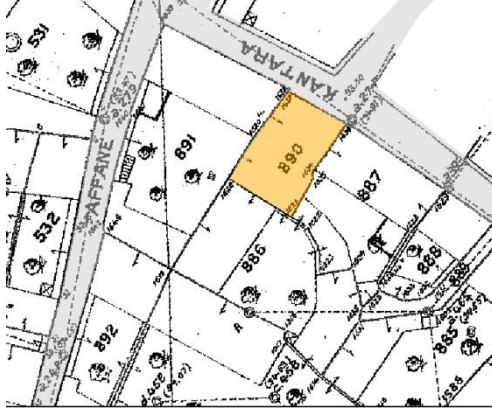
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 459	ID: 17
Address:		
	Category: Bakery Number of Buildings: 1 Current Ownership: Current Function: Bakery Used / Not-Used: Used Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
	Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : Period - x New <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The bakery is still active. A new floor was added on the bakery.		

Photos:



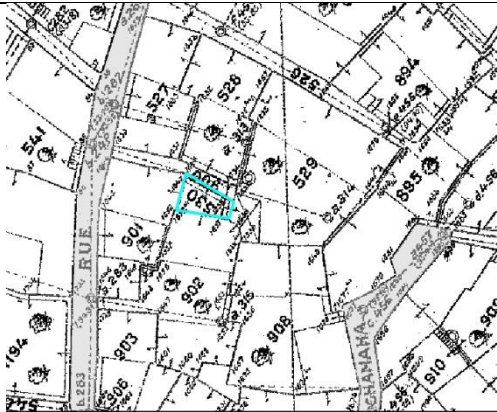
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 890	ID: 18
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : It is closed. The chimney of the bakery exists.		

Photos:



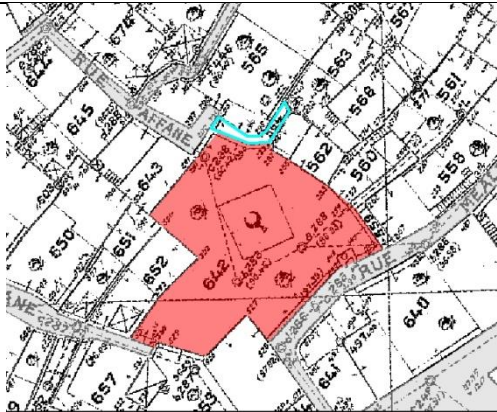
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 530	ID: 20
Address:		
	Category: Small house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input checked="" type="checkbox"/> Additions : Period - <input checked="" type="checkbox"/> New <input type="checkbox"/> Function of Addition: Dwelling
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



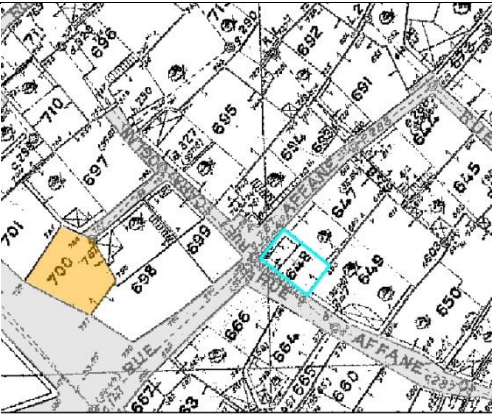
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 564	ID: 22
Address:		
	Category: Single room house	
	Number of Buildings:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used:	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The single room dwelling was destroyed. The buildings around the visitation do not existed.		

Photos:



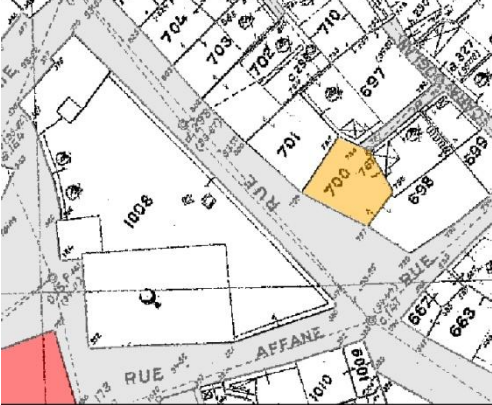
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 648	ID: 23
Address:		
	Category: Small house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House (Apartment	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : Period - <input checked="" type="checkbox"/> New <input type="checkbox"/> Function of Addition: Apartment
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : 		

Photos:



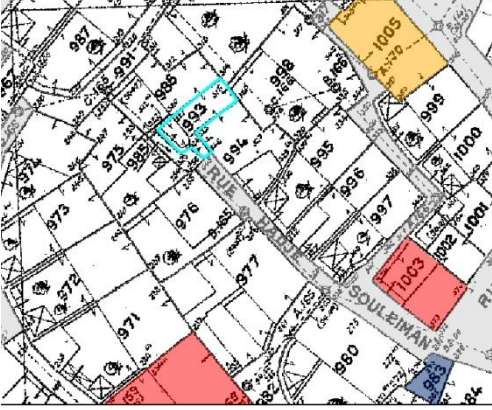
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number:700	ID: 24
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



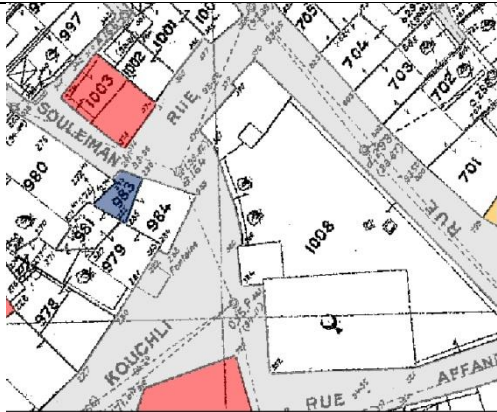
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 993	ID: 25
Address:		
	Category: Small house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : 		

Photos:

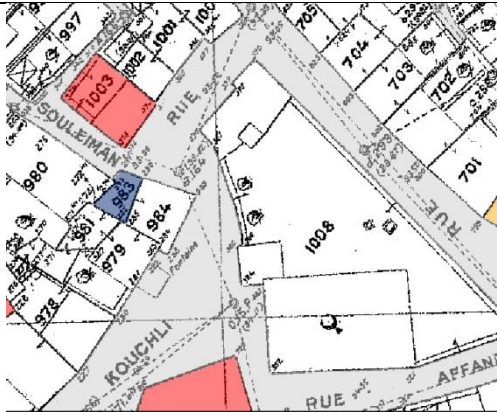


Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 1003	ID: 26
Address:		
	Category: Residential - Religious	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input checked="" type="checkbox"/> Additions : Period - x New <input type="checkbox"/> Function of Addition: Dwelling		
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



Circumscription:	Plot Number: 983	ID: 27
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Apartment	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : Collapsed - x New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : A new apartment constructed on the site of single room dwelling.		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 1092-1093	ID: 28
Address:		
	Category: Small house	
	Number of Buildings: 2	
	Current Ownership:	
	Current Function: Not Observed	
	Used / Not-Used: Not Observed	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially : <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



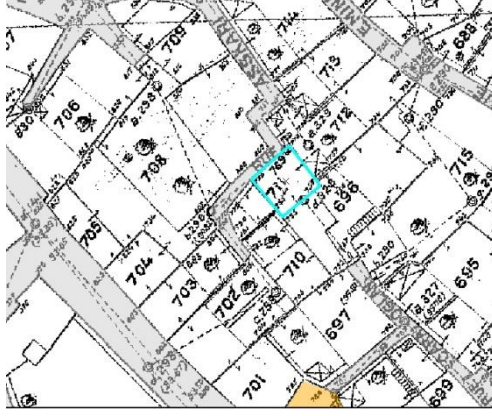
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 1005	ID: 30
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Bakery	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....	
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The bakery stil active.		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 711	ID: 31
Address:		
	Category: Small house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not-Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : x Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The small house was destroyed.		

Photos:



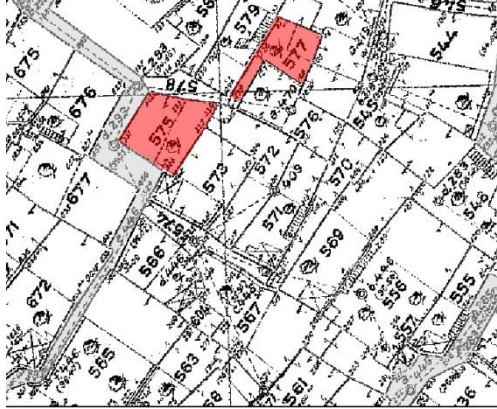
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 719	ID: 32	
Address:			
	Category: Religious-Residential Number of Buildings: 1 Current Ownership: Current Function: Used / Not-Used: Used Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
	Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		
	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
	Relation with the Social Environment: Associated with a living environment		
	Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : The building is in good condition.		

Photos:



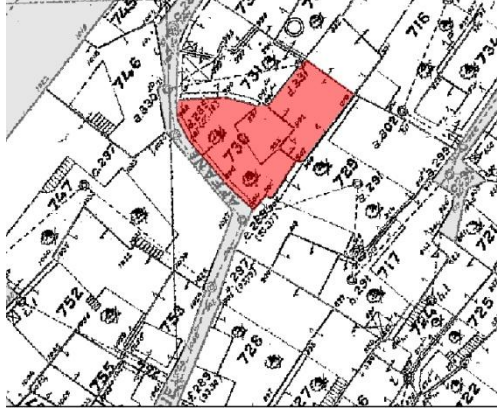
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 577	ID: 33
Address:		
	Category: Religious-Residential	
	Number of Buildings: 1	
Current Ownership:		
Current Function:		
Used / Not-Used:		
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input type="checkbox"/> Additions : Period - <input type="checkbox"/> New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



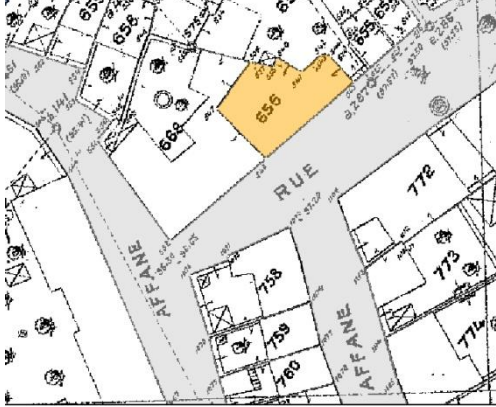
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number:	ID: 34
Address:		
	Category:	
	Number of Buildings:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used:	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
	Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a	
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....	
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



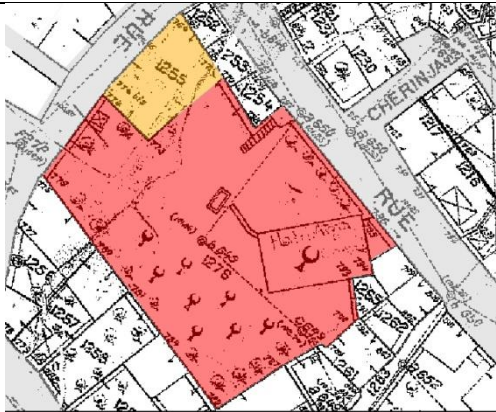
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 656	ID: 35
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input type="checkbox"/> Additions : Period - <input type="checkbox"/> New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



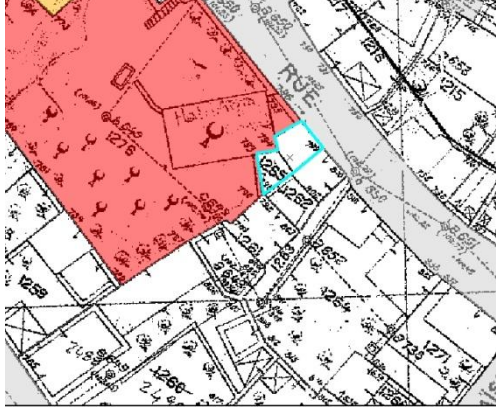
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 1255	ID: 36
Address:		
	Category: Bakery	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Bakery	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environments		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : It is stil active. There are some alterations occurred.		

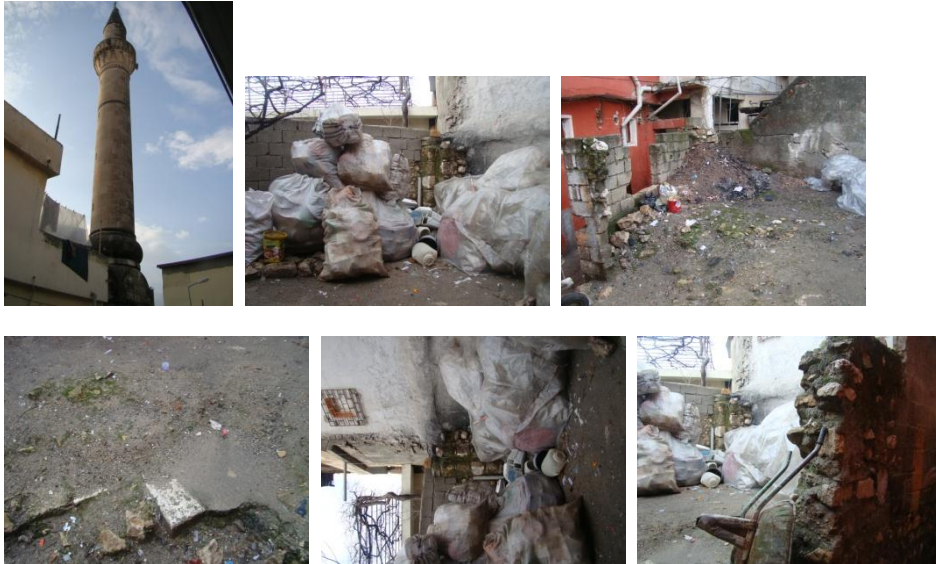
Photos:




Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 1265	ID: 38
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input type="checkbox"/> Additions : Period - <input type="checkbox"/> New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription:	Plot Number: 1308	ID: 40
Address:		
	Category: Single room house	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : <input checked="" type="checkbox"/> Collapsed - <input type="checkbox"/> New <input type="checkbox"/> Additions : Period - <input type="checkbox"/> New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



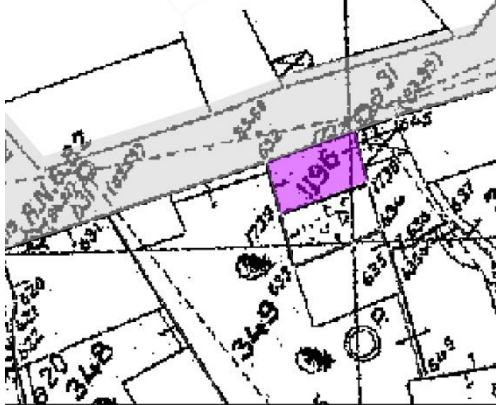
Survey Sheet for Buildings | February, 2009 | Mert Nezh RİFAİOĞLU

Circumscription:	Plot Number: 394	ID: 42	
Address:			
	Category: Residential-Religious Number of Buildings: Current Ownership: Current Function: House Used / Not-Used: Used Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
	Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input type="checkbox"/> Not-Changed		
	Changes in Open-Built Up Areas: <input checked="" type="checkbox"/> Totally : Collapsed - <input checked="" type="checkbox"/> New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
	Relation with the Social Environment: Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) : New house was built.		

Photos:



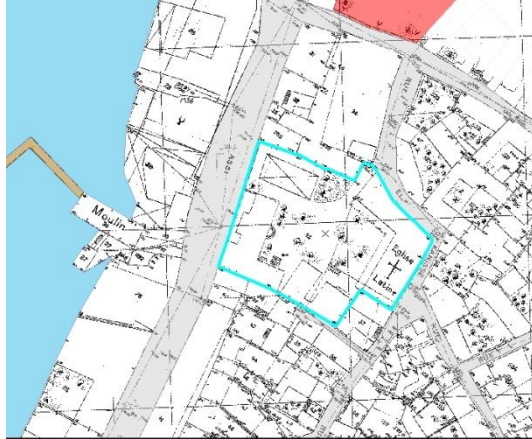
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 1196	ID: 43
Address:		
	Category: Barn	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Grocery	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: xTotally : Collapsed - x New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		
New grocery was built on the plot of barn.		

Photos:



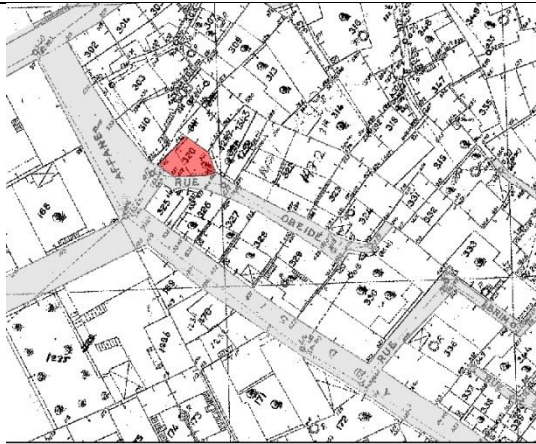
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 35	ID: 44
Address:		
	Category: Religious and Residential	
	Number of Buildings:	
	Current Ownership:	
	Current Function: Office block	
	Used / Not-Used:	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot:		
<input type="checkbox"/> Near a Monumental/Religious Building		
<input type="checkbox"/> Near a Service Building		
<input type="checkbox"/> Near a		
Changes in Lot-Plot Layout:		Changes in Open-Built Up Areas:
<input type="checkbox"/> Totally		<input type="checkbox"/> Totally : Collapsed - New
<input type="checkbox"/> Partially :.....		<input type="checkbox"/> Additions : Period - New
<input type="checkbox"/> Not-Changed		<input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		
An Office block was built on the plot of church. Nevertheless, there are traces still existed.		

Photos:



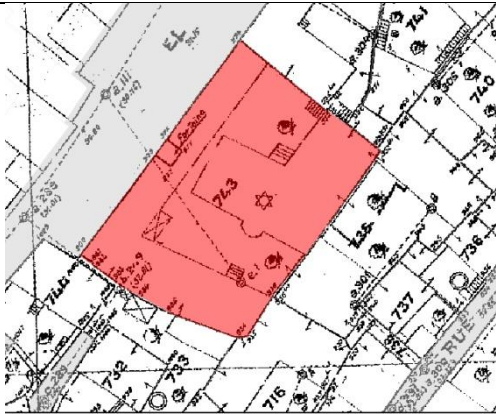
Survey Sheet for Buildings | February, 2009 | Mert Nezh RİFAİOĞLU

Circumscription: 3	Plot Number: 320	ID: 45
Address:		
	Category: Religious-Residential	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially : <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



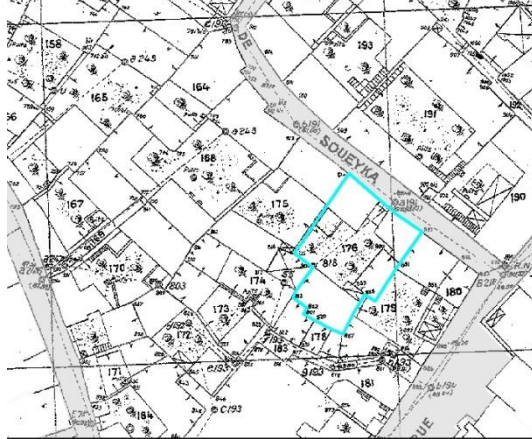
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 743	ID: 46
Address:		
	Category: Religious-Residential	
	Number of Buildings: 1	
	Current Ownership:	
	Current Function: Religious - Synagog	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Location of the Plot: <input checked="" type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		
Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....		
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



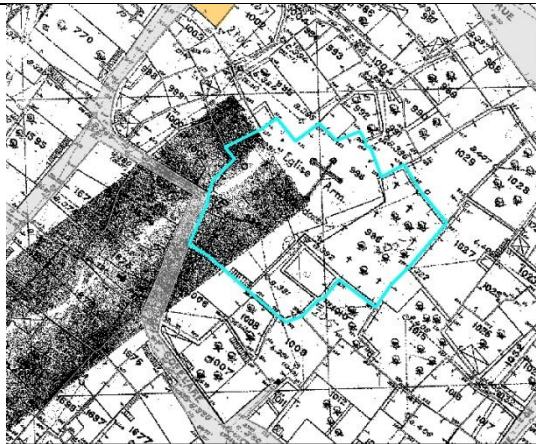
Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 4	Plot Number: 176	ID: 47
Address:		
	Category: Residential	
	Number of Buildings:	
	Current Ownership: Private	
	Current Function: House	
	Used / Not-Used: Not Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot: <input type="checkbox"/> Near a Monumental/Religious Building <input type="checkbox"/> Near a Service Building <input type="checkbox"/> Near a		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially :..... <input checked="" type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: <input type="checkbox"/> Totally : Collapsed - New <input type="checkbox"/> Additions : Period - New <input type="checkbox"/> Function of Addition:.....
Relation with the Social Environment: Associated with a living environment		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		

Photos:



Survey Sheet for Buildings | February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 5	Plot Number: 988	ID: 48
Address:		
	Category: Religious - Church	
	Number of Buildings:	
	Current Ownership:	
	Current Function: House	
	Used / Not-Used: Used	
	Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New	
Location of the Plot:		
<input type="checkbox"/> Near a Monumental/Religious Building		
<input type="checkbox"/> Near a Service Building		
<input type="checkbox"/> Near a		
Changes in Lot-Plot Layout:		Changes in Open-Built Up Areas:
<input checked="" type="checkbox"/> Totally		<input checked="" type="checkbox"/> Totally : Collapsed - <input checked="" type="checkbox"/> New
<input type="checkbox"/> Partially :		<input type="checkbox"/> Additions : Period - New
<input type="checkbox"/> Not-Changed		<input type="checkbox"/> Function of Addition:
Relation with the Social Environment:		
Significance of the Building (Type and condition of original architectural elements, common-used buildings and spaces) :		


Photos:



APPENDIX D

SURVEY SHEETS FOR PRIVATE CUL-DE-SACS


**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 395	ID: 1
Address:		
	Category: Private Dead-End with Well	
	# of Dwelling that uses the street: 6	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially : Dwelling Added <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) : - The border of the original dead-end can be read - The well is disappeared - The original stone pavement covered with concrete		

Photos:



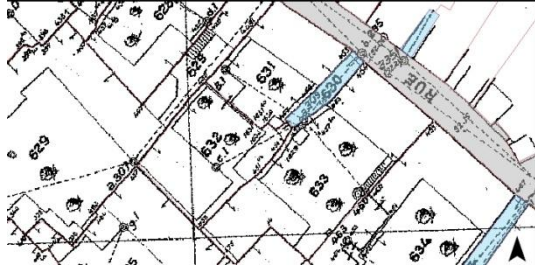
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 393	ID: 2
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 3	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially : Apartment Added <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) : - The border of the original dead-end can be read - The original stone pavement covered with concrete		

Photos:



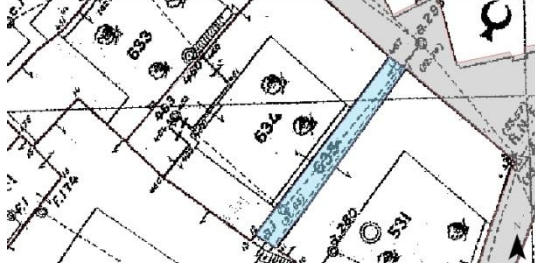
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 3	Plot Number: 630	ID: 3
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 4	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) : - The original border of the dead-end is conserved - The original stone pavement covered with concrete - The door frame of the dead-end is conserved - The door wing is altered		

Photos:



Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU

Circumscription: 3	Plot Number: 635	ID: 4
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 2	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Not Observed		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) : - The original border of the dead-end is conserved - The original stone pavement covered with concrete - The door frame of the dead-end is partially collapsed - The door wing is missing - The user rights' of parcel 634 " <i>geçit üstüne üst çıkma hakkı</i> " is exist - The original terracotta water pipe is observed		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 3	Plot Number: 889	ID: 5
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 3	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces) : - The original border of the dead-end is conserved - The original stone pavement covered with concrete - The stone door frame of the dead-end is partially collapsed - The door wing is missing		

Photos:



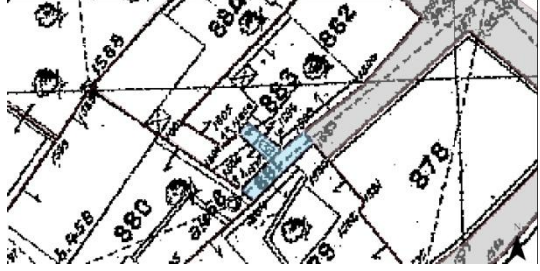
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 384	ID: 6
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 2	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is conserved - The original stone pavement covered with concrete - Only a small part of stone door frame exist - The door wing is missing		

Photos:



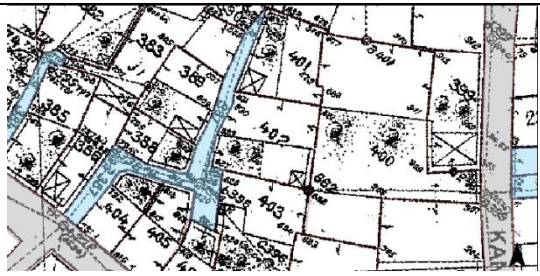
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 3	Plot Number: 881	ID: 7
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 3	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is conserved - The original stone pavement covered with concrete - Only a small part of stone door frame exist - The door wing is missing		

Photos:



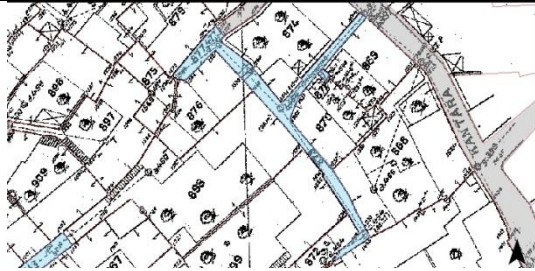
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 387	ID: 8
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment:		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is not exist - The original stone pavement is covered with concrete		

Photos:



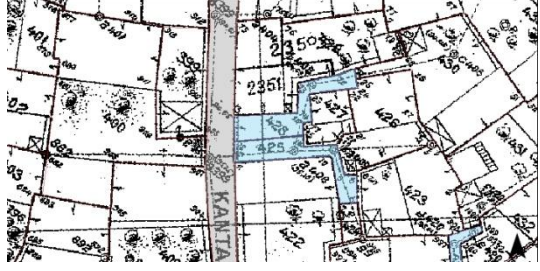
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 879	ID: 9
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 5	
	Current Ownership: Personal	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment:		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is not exist - The original stone pavement is covered with concrete		

Photos:



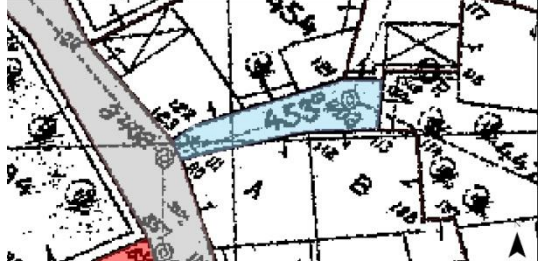
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 425-427	ID: 10
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End and AutoPark	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The common wall between 425 and 427 is destroyed - The original stone pavement is covered with concrete		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 453	ID: 11
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 3	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end can be read - The original stone pavement is covered with concrete - One dwelling is added		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number:	ID: 12
Address:		
	Category: NEW DEAD-END	
	# of Dwelling that uses the street: 2	
	Current Ownership: NO OWNERSHIP	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dead-End	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - New Dead-End		

Photos:



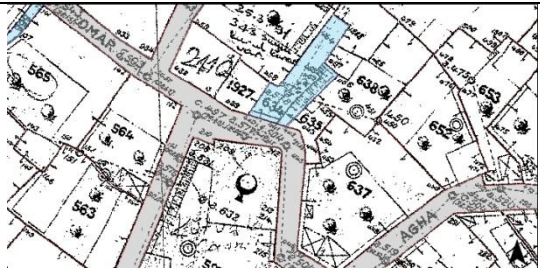
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 520	ID: 13
Address: Koca Yusuf Çıkmaızı		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 9	
	Current Ownership: Private	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is conserved - The original stone pavement is covered with concrete - The dwellings are in good condition		

Photos:



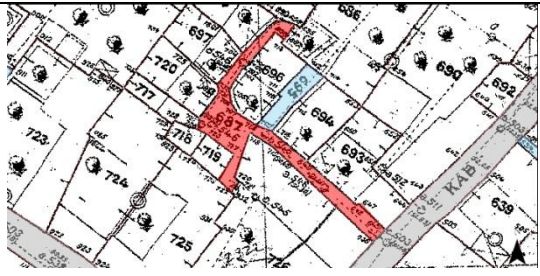
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 634	ID: 14
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 8	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The entrance of the dead-end is covered by vault. It is called as “ <i>Kantarma</i> ” by the citizens. - The original stone pavement is covered with concrete - The stone door frame is conserved but the door wing is missing.		

Photos:



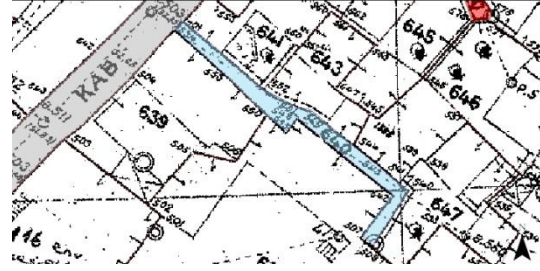
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 687-695	ID: 15
Address:		
	Category: Private Dead-End with Well	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is not legible - The original stone pavement is covered with concrete - The drainage still exists.		

Photos:



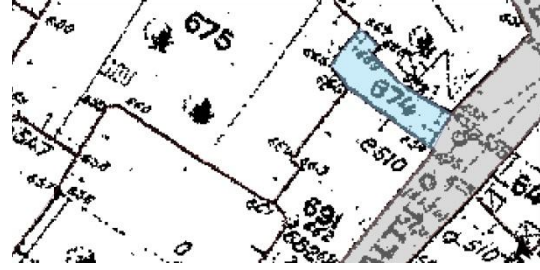
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 640	ID: 16
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The trace of the stone door frame is seen - The original stone pavement is covered with concrete		

Photos:



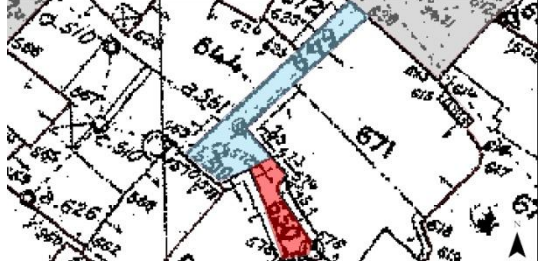
Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU

Circumscription: 4	Plot Number: 674	ID: 17
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border of the dead-end is conserved but there are many new buildings and/or altered dwellings exist. - The original stone pavement is covered with concrete		

Photos:



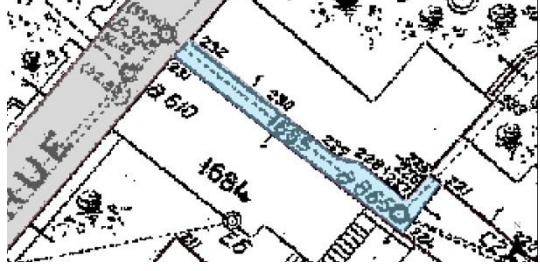
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 649-650	ID: 18
Address:		
	Category: Private Dead-End and Dead-End with Well	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The stone door frame of private dead-end street with well is exist - The well is missing or a new building is covering of it. - The original stone pavement is covered with concrete		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1685	ID: 19
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 3	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the dead-end is conserved - The original stone pavement is covered with concrete		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1691	ID: 20
Address: Kazım Efendi Çıkmaızı		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End with Well	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input checked="" type="checkbox"/> X Services <input type="checkbox"/> Function of Addition: WC	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border of the street is conserved - The original stone pavement is covered with concrete - WC is added at the end of the street - Well is removed		

Photos:



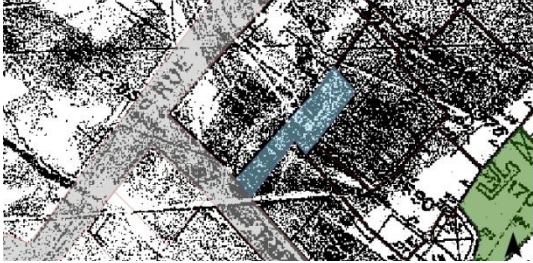
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1699	ID: 21
Address:		
	Category: Private Dead-End with Well	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border of the dead-end is conserved - The original stone pavement is covered with concrete - There are some gaps on the pavement - A part of stone door frame exist		

Photos:



**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number:	ID: 22
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original stone pavement is covered with concrete - A part of stone door frame exist		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1705	ID: 23
Address:		
	Category: Private Dead-End With Well and WC # of Dwelling that uses the street: Current Ownership: Current Function: Dead-End Used / Not-Used: Used Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New	
	Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Service Unit <input checked="" type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling
	Relation with the Social Environment: Associated with a living environment	
	Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original border of the street is changed - The original stone pavement is covered with concrete - The north-west part of the street filled by dwellings	

Photos:



**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

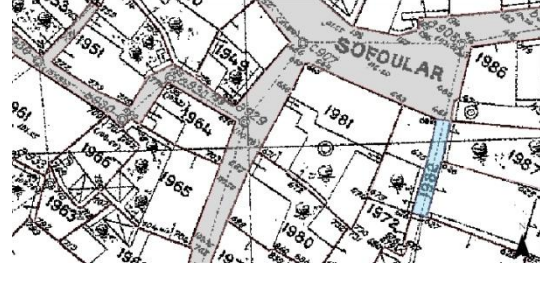
Circumscription: 4	Plot Number: 1682	ID: 24
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 2	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border of the street is conserved - The original stone pavement is covered with concrete - The trace of the stone door frame is seen		

Photos:





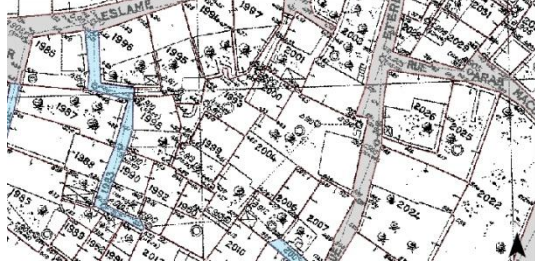
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1982	ID: 26
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border is conserved - The original stone pavement is covered with concrete		

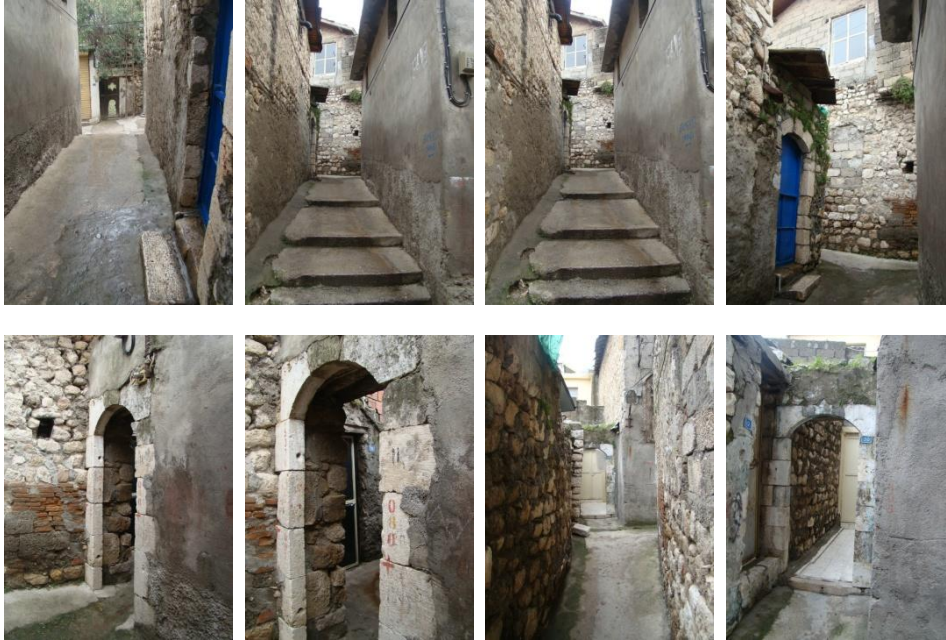
Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 1983	ID: 27
Address: Ekmekçi Çıkması		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border is conserved - The original stone pavement is covered with concrete - One dwelling is destroyed and it's area used by neighbors - The oldest women namely Fikriye was lived in the dead-end with her relatives. - Stone doors are missing		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 2100	ID: 28
Address: Asuva Çıkmaızı		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - New buildings exist around the dead-end - The original stone pavement is covered with concrete - The border of the street is conserved - A new visitation exist at the end of dead-end street		

Photos:



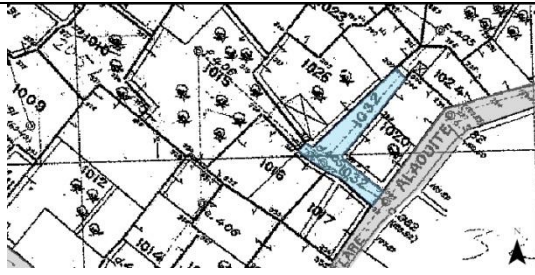
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 4	Plot Number: 2043	ID: 29
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street: 6	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border of the dead-end is not legible - The original stone pavement is covered with concrete - New buildings exist around the dead-end		

Photos:



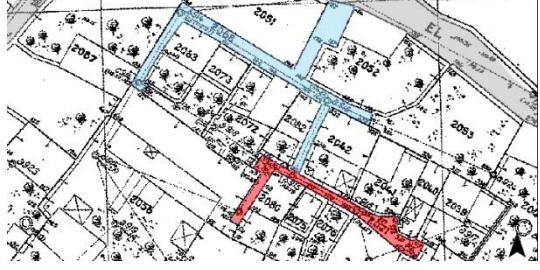
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number: 1032	ID: 30
Address:		
	Category: Private Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not-Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input checked="" type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment:		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The dead-end and it's buildings were destroyed		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number:	ID: 31
Address:		
	Category: Private Dead-End and Private Dead-End with Well	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function:	
	Used / Not-Used: Not Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input checked="" type="checkbox"/> New		
Changes in Lot-Plot Layout: <input checked="" type="checkbox"/> Totally <input type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:	
Relation with the Social Environment:		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - New buildings were constructed on the dead-end streets		

Photos:



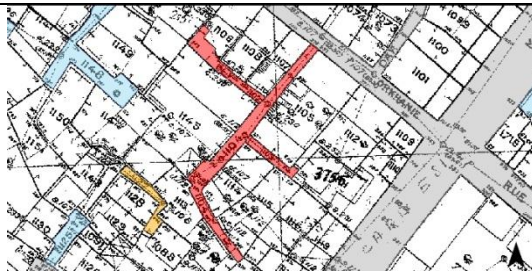
**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number:	ID: 32
Address: Dar El Salame		
	Category: Public Dead-End	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input type="checkbox"/> Partially <input checked="" type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input checked="" type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input checked="" type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwellings	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces):		

Photos:




**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezih RİFAİOĞLU**

Circumscription: 4	Plot Number:	ID: 33
Address:		
	Category: Private Dead-End with Well	
	# of Dwelling that uses the street:	
	Current Ownership:	
	Current Function: Dead-End	
	Used / Not-Used: Used	
Nearby of the Plot: <input type="checkbox"/> Traditional Env. <input checked="" type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed	Changes in Open-Built Up Areas: Removal : X Part of Street X Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : X Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition: Dwelling	
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The original stone pavement is covered with concrete - The well is not exist		

Photos:



**Survey Sheet for Private Cul-de-Sacs
February, 2009 | Mert Nezh RİFAİOĞLU**

Circumscription: 3	Plot Number:	ID: 34
Address: Kilise Sok. 1. ve 2. Çıkmazlar		
	Category: Private and Public Dead-End	
	# of Dwelling that uses the street: 14	
	Current Ownership:	
	Current Function: Dead-End and AutoPark	
	Used / Not-Used: Used	
Nearby of the Plot: <input checked="" type="checkbox"/> Traditional Env. <input type="checkbox"/> Altered Env. <input type="checkbox"/> New		
Changes in Lot-Plot Layout: <input type="checkbox"/> Totally <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Not-Changed		Changes in Open-Built Up Areas: Removal : <input type="checkbox"/> Part of Street <input type="checkbox"/> Building <input type="checkbox"/> Service Unit <input type="checkbox"/> Well Addition : <input type="checkbox"/> Building <input type="checkbox"/> Services <input type="checkbox"/> Function of Addition:
Relation with the Social Environment: Associated with a living environment		
Significance of the Dead-End Street (Type and condition of original architectural elements, common-used buildings and spaces): - The border is legible - The original stone pavement is covered with concrete - The stone door frame exists - The area looks like a closed district		

Photos:



CURRICULUM VITAE

PERSONAL INFORMATION

Surname, Name: Rifaioğlu, Mert Nezh

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EDUCATION

Degree	Institution
M.Arch 2003	Department of Architecture, Çukurova University-
B.Arch 2000	Department of Architecture, Eastern Mediterranean University

PROFESSIONAL EXPERIENCE

2001-2003: Research Asissistant, Department of Architecture,
Çukurova University (Home University: Mustafa Kemal University)

2004-2012: Research Assistant, Department of Architecture, Middle
East Technical University (Home University: Mustafa Kemal
University)

2009-2010: Research Fellow, Centre for Environment and Society
Research, Birmingham City University, United Kingdom

FOREIGN LANGUAGES

Advanced English, Basic French

PUBLICATIONS (International)

- **Books and Book Chapters**

AYKAÇ, P., **RİFAİOĞLU, M.N.**, ALTINÖZ BİLGİN, G., ŞAHİN GÜÇHAN, N., **2009**. “Design Interventions As Regenerators in Historic Towns; Proposals For Ayvalık Historic Depots Region”, in Van Duin, L., Cavallo, R., Claessens and F., Engel, H. (eds.), *The Urban Project – Architectural Interventions in Urban Areas*, Delft University Press - Volume 39 Transactions on Architectural Education, Delft, NETHERLANDS, PP.24-34.

- **Journal Papers**

RİFAİOĞLU, M.N., ŞAHİN GÜÇHAN, N., **2012**. “Property Rights as a Source for Identifying and Conserving Spirit of Place”, *International Journal of Heritage Studies*, in review.

- **Conference Papers**

RİFAİOĞLU, M.N., **2004**. “A Look into the Historic Pattern of Antakya”, *Creating the Future 3rd FAE International Symposium*, European University of Lefke, Faculty of Architecture and Engineering, Lefke, NORTH-CYPRUS, pp. 35- 41

RİFAİOĞLU, M.N., Şahin Güçhan, N., **2007**. “The Concept of Identity and Its Identification Process in Urban Conservation Projects”, An International Conference of CSAAR on *Regional Architecture and Identity in the Age of Globalization*, 13-15 November, Tunis, TUNISIA, pp.1099-1111.

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PUBLICATIONS (National)

- **Journal Papers**

RİFAİOĞLU, M.N. 2006. “Yapı Kitabelerinin Konya İlinin Selçuklu Dönemi Kentsel Gelişiminin Belirlenmesinde Kaynak Olarak Kullanılması”, *Megaron – Journal of Yıldız Technical University – Faculty of Architecture*, Volume 1, Issue 2-3-, pp. 99-111, İstanbul – TURKEY.

RİFAİOĞLU, M.N., UÇAR, M., 2009. “Montréal Metropolünde Tarihi Çevrenin Korunması”, *Dosya 14.2., Tarihi Çevrede Koruma: Yaklaşımlar, Uygulamalar*, TMMOB Mimarlar Odası Ankara Şubesi Yayınları, pp.34-42, Ankara, TURKEY.

UÇAR, M., **RİFAİOĞLU, M.N., 2011.** “Yerel Kimliğin Mekânsal Temsili ve Québec Kentinde Korunması”, *İdeal Kent -Kent Araştırmaları Dergisi*, ADAMOR Kent Araştırmaları Merkezi, Sayı 3, pp. 62-81, Ankara, TURKEY

- **Conference Papers**

RİFAİOĞLU, M.N., 2011. “Tarihi Çevrede Kültürel Biçim: Antakya Tarihi Kent Dokusu Çıkmaz Sokakları” *Mekân ve Kültür 2011 VI. Kültür Araştırmaları Sempozyumu*, 8-10 Eylül, İstanbul, TURKEY.