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## The Prohibition on Trading Monopolies in Istanbul During Selim III's Regime : The Case of Vegetable Trade

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### Abstract

This paper examines a prohibition on trading monopolies of artisans and retailers issued in Istanbul in 1789. First, the *hatt-ı hümayûn* document that Selim III (r. 1789–1807) authored is scrutinized to understand the intent and purpose of the prohibition. Next, the enforcement of the prohibition and its impact is examined in detail. The focus is on the vegetable trade of Istanbul, which was emphasized most in *hatt-ı hümayûn*. Using court registers from Istanbul as the main historical source, the monopoly over vegetable trade and changes in the system are presented following an analysis of lawsuits brought by vegetable retailers (*sebzeçi*) and others.

### Introduction

In Ottoman Istanbul, since the conquest of 1453, the government had allowed certain artisans and retailers to exclusively purchase, produce, and sell specified goods.<sup>1</sup> From around the beginning of the seventeenth century, professional guilds with appropriate institutions began to be organized. In the seventeenth and eighteenth centuries, these monopolies gained strength with the development of the guilds, which gradually began to establish the officer and *gedik* systems, with which the numbers of

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<sup>1</sup> For example, saddlers were granted a monopoly on the production and sale of saddlery at the harness market (*Saraçhâne, Serrâchâne*) by the decree of Mehmed II (r. 1444–46, 51–81). See M. Çağatay Uluçay, “İstanbul Saraçhanesi ve Saraçlarına Dair Bir Araştırma,” *Tarih Dergisi*, 3/5-6 (1951-52), pp. 151-152; Suraiya Faroqhi, “Urban Space as Disputed Grounds: Territorial Aspects to Artisan Conflict in Sixteenth- to Eighteenth-Century Istanbul,” in id., *Stories of Ottoman Men and Women: Establishing Status, Establishing Control*, İstanbul: Eren Yayıncılık, 2002, p. 226.

shops and workshops were regulated.<sup>2</sup> The monopolization of trade and production became the economic foundation for the guilds. However, as the shortage of goods and price hikes became increasingly severe in Istanbul in the late eighteenth century, Selim III (r. 1789–1807) prohibited monopolies over trade in some goods in 1789.<sup>3</sup>

Selim III's regime has been investigated from various perspectives. In recent years, social history research focusing on the supply of goods, population growth and control, and artisans and retailers and their guilds has been attracting attention.<sup>4</sup> However, the antimonopoly order issued by Selim III has mostly been overlooked in the literature. With the exception of Ergin's study, which introduced relevant historical documents, and the studies of Aynural, Akarlı, and Turna, which examined it in connection with the *gedik* system, this order has hardly been mentioned.<sup>5</sup> Our task is to clarify the content, purpose, background, and effectiveness of the order, and to this end, it would be helpful to pursue case studies focusing on specific professions.

This study first scrutinizes the content of the *hatt-ı hümayûn* document that Selim III authored to prohibit trading monopolies.<sup>6</sup> Then, it focuses on the vegetable

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<sup>2</sup> Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage*, Leiden; Boston: Brill, 2004, pp. 105-110, 148-163; Suraiya N. Faroqhi, "Guildsmen and Handicraft Producers," in id. (ed.), *The Cambridge History of Turkey Volume 3: The Later Ottoman Empire, 1603–1839*, Cambridge: Cambridge University Press, 2006, pp. 352-354; Suraiya Faroqhi, "Introduction: Once Again, Ottoman Artisans," in id. (ed.), *Bread from the Lion's Mouth: Artisans Struggling for a Livelihood in Ottoman Cities*, New York; London: Berghahn Books, 2015, pp. 14-19.

<sup>3</sup> For the shortage and price hikes in Istanbul at that period, see Betül Başaran, *Selim III, Social Control and Policing in Istanbul at the End of the Eighteenth Century: Between Crisis and Order*, Leiden; Boston: Brill, 2014, pp. 66-70; Ethan L. Menchinger, *The First of the Modern Ottomans: The Intellectual History of Ahmed Vâsîf*, Cambridge: Cambridge University Press, 2020, p. 134.

<sup>4</sup> Başaran, *Selim III, Social Control and Policing*; Fatih Yeşil, "İstanbul'un İfaşesinde Nizâm-ı Cedid: Zahirî Nezâreti'nin Kuruluşu ve İşleyişi (1793-1839)," *Türklük Araştırmaları Dergisi*, 15 (2004), pp. 113-142; Suraiya Faroqhi, *Artisans of Empire: Crafts and Craftspeople Under the Ottomans*, London; New York: I.B. Tauris, 2009, pp. 18-20, 108-112, 118, 156-157; id., "In Quest of Their Daily Bread: Artisans of Istanbul under Selim III," in Seyfi Kenan (ed.), *Nizâm-ı Kâdîm'den Nizâm-ı Cedîd'e: III. Selim ve Dönemi*, İstanbul: İSAM, 2010, pp. 167-182.

<sup>5</sup> 'Osmân Nûrî Ergin, *Mecelle-i Umûr-ı Belediye*, İstanbul: Matba'a-ı 'Osmâniyye, 1338/1922, pp. 647-648; Salih Aynural, "18. Yüzyılın Sonunda İstanbul Esnafının Alım ve Satım Tekeli ve Gedik Hakkı," *Türk Dünyası Araştırmaları*, 130 (2001), pp. 215-216; Engin Deniz Akarlı, "Gedik: Implements, Mastership, Shop Usufract, and Monopoly among Istanbul Artisans, 1750-1850," in *Wissenschaftskolleg zu Berlin Jahrbuch*, 1985/86, p. 228; id., "Gedik: A Bundle of Rights and Obligations for Istanbul Artisans and Traders, 1750-1840," in Alain Pottage & Martha Mundy (eds.), *Law, Anthropology, and the Constitution of the Social: Making Persons and Things*, Cambridge; New York: Cambridge University Press, 2004, pp. 191-192; Nalan Turna, *The Artisans and Janissaries of Istanbul: Before and After the Auspicious Event, 1808-1839*, İstanbul: Libra, 2022.

<sup>6</sup> *Hatt-ı hümayûn*s are official notes or statements written by the Ottoman sultans. For more details, see

trade, which was highlighted in the *hatt-ı hümayûn* as one of the trades that had to be improved, and examines the monopoly of the vegetable trade and changes in the system before and after the order was imposed, through an analysis of lawsuits brought by those involved. The main historical sources here are the court registers from Istanbul.<sup>7</sup>

### The Issuance of the Antimonopoly Order

Selim III wrote a document addressed to the acting grand vizier (*kā'im-makām paşa*) concerning the trading monopolies that many artisans and retailers in Istanbul had enjoyed.<sup>8</sup> This *hatt-ı hümayûn*, which is paleographically classified as a type of “On Blank Paper” (*beyaz üzerine*), has no date, as is the case with most *hatt-ı hümayûns*.<sup>9</sup> However, it was quoted in the order document (*buyuruldu*), which was recorded in the Istanbul court register with a date of Zî'l-ka'de 2, 1203 (July 25, 1789).<sup>10</sup> This shows that the *hatt-ı hümayûn* was prepared at least between Selim III's accession (Receb 11, 1203/April 7, 1789) and the date mentioned above.<sup>11</sup> The full text of the *hatt-ı hümayûn* is as follows.

The acting grand vizier

I asked why the prices of things were rising. Certain artisans and retailers (*esnâf*) have monopolized [trade in] any goods that arrived [in Istanbul], and have requested orders (*fermânlar*) [allowing their monopolies], creating a situation where others are unable to purchase them. For the kind of food that can be stored (*erzâk*), such a regulation (*nizâm*) is no issue. If all who wished [to stock up] did

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Mübahat S. Kütükoğlu, *Osmanlı Belgelerinin Dili (Diplomatik)*, İstanbul: Kubbealtı Akademisi Kültür ve San'at Vakfı, 1998, pp. 172-183; Yoichi Takamatsu, “Osmanlı Belge Yönetiminde Kesilmiş Hatt-ı Hümayunlar,” *Osmanlı Araştırmaları*, 51 (2018), esp. pp. 118-129.

<sup>7</sup> For the general features and importance of the Ottoman court registers, see e.g. Ekrem Tak, *XVI-XVII. Yüzyıl Üsküdar Şer'iyeye Sicilleri: Diplomatik Bilimi Bakımından Bir İnceleme*, Ankara: Türk Tarih Kurumu, 2019.

<sup>8</sup> Türkiye Cumhuriyeti Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı, Osmanlı Arşivi (henceforth BOA), HAT 9342.

<sup>9</sup> Kütükoğlu, *Osmanlı Belgelerinin Dili*, pp. 175-178, 181; Takamatsu, “Osmanlı Belge Yönetiminde,” pp. 124-126.

<sup>10</sup> İstanbul Mahkemesi Şer'iyeye Sicil Defterleri (henceforth İŞS) no. 65, fol. 70B.

<sup>11</sup> The date of the Selim III's accession is based on Kemal Beydilli, “Selim III,” in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, vol. 36, İstanbul: Türkiye Diyanet Vakfı İslâm Ansiklopedisi Genel Müdürlüğü, 2009, p. 421. O. N. Ergin claimed that this *hatt-ı hümayûn* was sent to the grand vizier's office (*bâb-ı 'âlî*) in the same year of the sultan's accession, but the basis for this claim is unclear. Ergin, *Mecelle*, p. 647.

so [freely], the store of grain (*zahîre*) would soon be depleted. But what good is it to give middlemen (*madrabazlar*) a monopoly (*inhisâr*) over [trading] vegetables (*sebzevât*), to restrict [trade in] all other goods, such as an Ankara camlet (*Engürü şâlîsi*) and their ilk, to individual artisans and retailers, or to prevent others from trading in them?<sup>12</sup> Maintain [trade monopolies over] such goods as animal fats (*don yağı*) and similar things, because they are necessities of life (*havâyic-i zarûriyye*) and would be harmful to the servants of Allâh (*‘ibâdullâh*) if they were found lacking. As for the others, have relevant records taken out one at a time, and invalidate regulations that would be harmful if they maintain, by petition (*‘arz*) in my presence. What was legitimate is now illegal. It is my hope that regulations will be made for all of these [goods] so that no harm will be done to the servants of Allâh. This is to be appropriately watched.<sup>13</sup>

In this *hatt-ı hümayûn*, Selim III pointed out that price hikes in Istanbul at the time resulted from trading monopolies that were officially granted to artisans, retailers, and middlemen. Then, he questioned whether it was appropriate to maintain these monopolies. While recognizing the need for trading monopolies for storable food and necessities, he invalidated those for perishable food like vegetables and non-living necessities such as camlets, and declared the past regulations and records authorizing them invalid. The *hatt-ı hümayûn* provides little explanation as to why free trade would deplete or result in the lack of storable food and necessities of life. However, this sultan may have thought that their free trade would lead to shortages and price hikes owing to hoarding and outflow beyond the city.<sup>14</sup>

Following the *hatt-ı hümayûn*, the aforementioned *buyuruldu* was sent to the Istanbul court judge. It ordered him to revise the regulations for vegetable retailers (*sebzeçi*) and camlet merchants (*şâlicî*) in keeping with the *hatt-ı hümayûn*, and to examine those for other professions as necessary.<sup>15</sup> However, the *buyuruldu* and the *hatt-ı hümayûn* did not clearly specify the goods on which the prohibition of trading

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<sup>12</sup> *Şâlîs* are thin woolen fabrics made from Angora goat hairs (*tiftik*). Mübahat S. Kütükoğlu (ed.), *Osmanlılarda Narh Müessesesi ve 1640 Tarihli Narh Defteri*, İstanbul: Enderun Kitabevi, 1983, p. 362; Mehmet Zeki Pakalın, *Osmanlı Tarih Deyimleri ve Terimleri Sözlüğü*, vol. 3, İstanbul: Millî Eğitim Basımevi, 1983, p. 307; Reşad Ekrem Koçu, *Türk Giyim Kuşam ve Süslenme Sözlüğü*, İstanbul: Doğan Kitap, 2015, pp. 217-218.

<sup>13</sup> BOA, HAT 9342. This document was quoted in the *buyuruldu* mentioned above (İŞS no. 65, fol. 70B) and BOA, C.İKTS 1085.

<sup>14</sup> For the illicit selling and outflow in eighteenth-century Istanbul, see Nurhan İsvan, “Illegal Local Trade in the Ottoman Empire and the Guilds of Istanbul, 1725-1726: Suggested New Hypotheses,” *International Journal of Turkish Studies*, 5/1-2 (1990), pp. 1-26; Faroqhi, *Artisans of Empire*, p. 111.

<sup>15</sup> İŞS no. 65, fol. 70B.

monopolies would apply and the manner in which it would do so. Therefore, those decisions seemed to have been left to the judge.<sup>16</sup> The following sections in this paper focus on the vegetable trade, which was emphasized in the two documents mentioned above. They evaluate how the judge enforced this antimonopoly order and how the workers involved reacted to it. The paper also presents the ensuing impact on the vegetable trade monopoly.

### Vegetable Trade Before the Antimonopoly Order

Most vegetables consumed in eighteenth-century Istanbul were supplied from the central and peripheral areas, and from the coast of the Bosphorus, the eastern coast of the Marmara Sea, and the Izmit Bay. Vegetables harvested in various vegetable gardens (*bâğçe*, *bostan*) were brought to the city by pack animals (*dâbbe*) or small boats (*kayık*). They were collected at or in front of *Sebzehâne*, which was the wholesale market for vegetables and fruits, located in the Eminönü district on the coast of the Golden Horn. By the late seventeenth century at the latest, vegetables brought to Istanbul had to be delivered to *Sebzehâne*.<sup>17</sup>

According to court records from the second half of the eighteenth century, the main production areas were inside and outside the Langa Yeni and Yedikule gates in the center of Istanbul, and on its periphery, including the districts of Eyüp (Eyyûb), Galata, Üsküdâr, Kâsımpaşa, Kadıköy (Kadı karyesi), Yenibahçe, and Bayrampaşa; the Bosphorus coast, including Göksu, Sarıyer (Sârıyâr), Büyükdere, and Beykoz; the eastern coast of the Marmara Sea and the Izmit Bay coast, including Tuzla, Tavşancıl, Darıca, Gebze (Gekbüze), Kartal, Pendik, and Yalova (Yalâk-âbâd); and the Prince's Islands (Adalar) in the northeastern Marmara Sea.<sup>18</sup>

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<sup>16</sup> According to Taylesânîzâde Hâfız ‘Abdullâh Efendi’s (d. 1209/1794-95?) chronicle, a *hatt-ı şerif*, which is a synonym for *hatt-ı hümayûn*, was sent to the judge in Istanbul, that he summoned all artisans and retailers and allowed them to sell their goods wherever they wished, and that he invalidated previous documents related to the regulations in their possession. However, this *hatt-ı şerif* was sent in Zî’l-hicce 1203. See Taylesânîzâde Hâfız Abdullah Efendi, Feridun M. Emecen (ed.), *İstanbul’un Uzun Dört Yılı (1785-1789): Taylesânîzâde Hâfız Abdullah Efendi Tarihi*, İstanbul: TATAV, 2003, p. 414.

<sup>17</sup> Robert Mantran, *Istanbul dans la seconde moitié du XVIIe siècle: Essai d’histoire institutionnelle, économique et sociale*, Paris: Librairie Adrien Maisonneuve, 1962, p. 201; İŞS no, 58, fol. 24A; no. 65, fol. 62A.

<sup>18</sup> İŞS no. 37, fol. 30B; no. 38, fol. 5B; no. 40, fol. 44A; no. 42, fol. 54A; no. 45, fol. 17B; no. 56, fol. 63A; no. 58, fol. 24A. According to Mantran, in the late seventeenth century, Thrace and Egypt supplied broad beans, dried vegetables, and peas. Mantran, *Istanbul dans la seconde*, p. 201. For product gardens in Istanbul and its environs, see Arif Bilgin, “Osmanlı Dönemi İstanbul Bostanları (Bir Giriş Denemesi),” *Yemek ve Kültür*, 20 (2010), pp. 86-97; Suraiya Faroqhi, “Migration into Eighteenth-Century “Greater

Court records from the 1770s–1780s tell us that the following vegetables were collected at *Sebze hâne*: vegetable marrow (*kabak*), eggplant (*bâdincân*) and dried eggplant (*kuru bâdincân*), sour unripe grapes (*koruk*), cabbage (*lahana*), spinach (*isfânâh*), turnip (*şelcem*, *şalgam*), garden cress (*tere*), onion (*soğan*), garlic (*sarımsak*), broad beans (*bakla*), tarragon (*tarhun*), radish (*türb*), celery (*kerefs*), pickle leaves (*turşu yaprağı*),<sup>19</sup> borage leaves (*lisân-ı sevr yaprağı*), leeks (*pirasa*), beets (*pancar*), tomato (*frenk bâdincân*), purslane (*semizotu*), parsley (*mağdanos*), okra (*bamya*) and dried okra (*kuru bamya*), Jew’s mallow (*mülhiye*) and dried Jew’s mallow (*kuru mülhiye*), cucumber (*hıyar*), kidney beans (*fasulye*), peas (*bezelye*), cauliflower (*karnabit*), pumpkin (*balkabağı*), artichoke (*enginar*), and carrots (*havuç*).<sup>20</sup>

These vegetables were transported to Istanbul from the production area by workers called *bâğçevân* or “gardeners.” The occupational name suggests that they were responsible for transporting vegetables and were involved to some extent in the management and production of vegetable gardens. As far as the court records show, they organized a guild with the officers of *kethüdâ* and *yiğitbaşı*, on the lines of those that urban artisans and retailers organized. However, unlike most guilds, the *bâğçevân*’s guild had one *kethüdâ* plus “a provincial *kethüdâ*” (*taşra kethüdâsı*) and eight *yiğitbaşıs*. These *yiğitbaşıs* were collectively called “the eight branch *yiğitbaşıs*” (*sekiz kol yiğitbaşısı*), and each was called, for example, *Üsküdâr yiğitbaşısı*, with the place names of Üsküdâr, Kâsımpaşa, Kartal, Yenibahçe, Çengelköy (Çengâl karyesi),

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Istanbul” as Reflected in the Kadi Registers of Eyüp,” *Turcica*, 30 (1998), pp. 174-176; id., “Supplying Seventeenth- and Eighteenth Century Istanbul with Fresh Produce,” in Brigitte Marin & Catherine Virlouvet (eds.), *Nourrir les cités de Méditerranée: Antiquité-Temps modernes*, Paris: Maisonneuve & Larose, 2003, pp. 284-286; id., “Producing Grapes and Wine on the Bosphorus in the Eighteenth Century: The Testimony of Domenico Sestini,” in Onur İnal & Yavuz Köse (eds.), *Seeds of Power: Explorations in Ottoman Environmental History*, Winwick: The White Horse Press, 2019, pp. 58-77; Aleksandar Shopov, “When Istanbul Was a City of Bostâns: Urban Agriculture and Agriculturists,” in Shirine Hamadeh & Çiğdem Kafescioğlu (eds.), *A Companion to Early Modern Istanbul*, Leiden: Brill, 2022, pp. 279-307.

<sup>19</sup> According to Bilgin, it refers to *kavata yaprağı*, or green tomato leaves with strong acidity. Arif Bilgin, “Osmanlı İstanbul’unda Yemek Kültürü,” in Coşkun Yılmaz (ed.), *Antik Çağ’dan XXI. Yüzyıla Büyük İstanbul Tarihi*, vol. 4, İstanbul: İBB Kültür AŞ.; İSAM, 2016, p. 190.

<sup>20</sup> İŞS no. 29, fol. 49A; no. 34, fol. 66B; no. 37, fol. 30B; no. 38, fol. 5B; no. 40, fol. 44A; no. 45, fol. 17B. Cf. Mübahat S. Kütükoğlu, “XVIII. Yüzyıl Sonlarında İstanbul Piyasası,” in İstanbul Üniversitesi Tarih Araştırma Merkezi (ed.), *Tarih Boyunca İstanbul Semineri, 29 Mayıs - 1 Haziran 1988: Bildiriler*, İstanbul: Edebiyat Fakültesi Basımevi, 1989, pp. 231-238; Faroqhi, “Supplying Seventeenth- and Eighteenth Century Istanbul,” pp. 278-279; Bilgin, “Osmanlı İstanbul’unda Yemek Kültürü,” p. 190; Arif Bilgin, “From Artichoke to Corn: New Fruits and Vegetables in the Istanbul Market (Seventeenth to Nineteenth Centuries),” in Elif Akçetin & Suraiya Faroqhi (eds.), *Living the Good Life: Consumption in the Qing and Ottoman Empires of the Eighteenth Century*, Leiden; Boston: Brill, 2018, pp. 259-282.

Eyüp, Yedikule, and Bayrampaşa. This indicates the possibility that each *yiğitbaşı* was responsible for the vegetable gardeners in a particular district. The court records show that both the *kethüdâ* and the *taşra kethüdâsı* were always Muslims, whereas the *yiğitbaşıs* sometimes included non-Muslims.<sup>21</sup>

Under the regulation in effect at the time, the purchase of vegetables collected at or in front of *Sebzehâne* was peculiar (*mahsûs*) to vegetable retailers (*sebzeçi*), and the intervention of others was prohibited.<sup>22</sup> They had 164 shops (*dükkân, dekâkîn*) in Istanbul and organized a guild with a *kethüdâ* and a *yiğitbaşı*.<sup>23</sup> The guild members mentioned in the court records were mostly non-Muslims. The *kethüdâ* seems to have been Muslim only, but non-Muslims sometimes served as the *yiğitbaşı*.<sup>24</sup> After purchasing vegetables exclusively at *Sebzehâne*, the guild, under the supervision of the *kethüdâ* and elders (*ihtiyâr*), distributed them equally among its members, who sold them to consumers at the official price (*narh*).<sup>25</sup> However, from the mid-eighteenth century onward, fruit retailers (*manav*) began to purchase vegetables at *Sebzehâne*, in violation of the above regulation. They stored them in their shops or warehouses (*mahzen*), and then sold them along with peddlers (*küfeci*) at higher prices than the prevailing *narh*.<sup>26</sup> There was an outrageous act of sale in front of a vegetable retailer's shop.<sup>27</sup> The guild of vegetable retailers countered these violations by filing a lawsuit. According to a court record dated Rebi'ü'l-evvel 13, 1181 (August 9, 1767), in a trial, the previous regulations were confirmed in response to the guild's complaint, but it was declared reasonable for fruit retailers and peddlers to purchase vegetables left at *Sebzehâne* after vegetable retailers purchased the required amount of vegetables.<sup>28</sup> Thereafter, although similar violations occurred several times, the judge always tried to enforce this new decision by confirming it, warning (*tenbîh*) the violators, or requesting an imperial decree. Sometimes, the judges would appeal to the government for the punishment (*te'dîb*) of violators.<sup>29</sup>

<sup>21</sup> İŞS no. 56, fol. 63A; no. 58, fol. 24A.

<sup>22</sup> İŞS no. 29, fols. 49A, 63B; no. 34, fol. 66B; Ahmet Kal'a (ed.), *İstanbul Ahkâm Defterleri İstanbul Esnaf Tarihi*, vol. 1, İstanbul: İstanbul Araştırmaları Merkezi, 1997, pp. 123-125. However, other historical documents indicate that retailers of onions or garlies (*soğancı, sarımsakçı*) and *bağçevâns* were also able to sell some vegetables to consumers. See e.g. İŞS no. 24, fols. 11B, 62A; no. 29, fol. 83B.

<sup>23</sup> İŞS no. 56, fols. 59A, 63A; no. 58, fol. 24A.

<sup>24</sup> İŞS no. 42, fol. 54A; no. 56, fols. 59A, 63A; no. 58, fol. 24A.

<sup>25</sup> Kal'a, *İstanbul Ahkâm Defterleri*, vol. 1, pp. 123-125.

<sup>26</sup> These peddlers are currently unknown in detail, but a court record dated Cemâziye'l-âhir 15, 1190 (August 1, 1776) indicates that more than 40 peddlers, including six Muslims and five Jews, appeared before the court. İŞS no. 38, fol. 37A.

<sup>27</sup> İŞS no. 29, fol. 49A; Kal'a, *İstanbul Ahkâm Defterleri*, vol. 1, pp. 123-125.

<sup>28</sup> İŞS no. 29, fol. 63B.

<sup>29</sup> İŞS no. 34, fol. 66B; no. 37, fols. 30B, 33B; no. 38, fols. 5B, 37A.



Later, other merchants, called *sermâyecî*, were also allowed to purchase vegetables at *Sebzehâne*.<sup>30</sup> Based on the court record dated Zî'l-hicce 7, 1194 (December 4, 1780), the *sermâyecîs'* strong request to enter the vegetable trade resulted in a ruling that allowed them to purchase vegetables after vegetable and fruit retailers and peddlers had purchased their shares. However, the *sermâyecîs* were not allowed to retreat the vegetables to their shops or warehouses. Instead, they had to place them in front of their shops and sell them to people at a lower price. The judge indicated that this change in the regulation was not contrary to the terms (*şürût*) of the previous regulation and was not disadvantageous to anyone.<sup>31</sup>

Purchasing vegetables at *Sebzehâne* was monopolized by vegetable retailers until the mid-eighteenth century, but by 1780, fruit retailers and peddlers, followed by *sermâyecîs*, were allowed to do so. However, existing interests and the monopoly over vegetable retailers was generally maintained and protected because of the priority given to them. As for why these rulings were made, one judge expressed the following view in 1777.

Surplus vegetables are wasted (*telef*) and discarded (*zâyi* ' ). This would result in undue damage (*magdûr*) to the owners (*ashâb*, i.e., *bâğçevâns*). Some residents cannot come to any market (*çarşı*) or bazaar (*pazar*). [The absence of peddlers] would bring them indigence (*zarûret*) and difficulty (*müzâyaka*) in procuring vegetables.<sup>32</sup>

This description clearly shows that intention behind the partial deregulation of the vegetable trade mentioned above was to reduce unsold vegetables and enhance their supply.

About 10 years after the above ruling was made, things took another turn when *bâğçevâns* filed a suit. According to the record of the imperial decree dated late Cemâziye'l-evvel 1202 (early March 1788), *bâğçevâns* appeared before the court and complained about the devastation of *Sebzehâne*, where many unsold vegetables were still left, and asked that *bâğçevâns* be free to sell their vegetables to those they wished.<sup>33</sup> The judge's final ruling on this came in a later trial following the issuance

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<sup>30</sup> *Sermâyecîs* were merchants which used their own funds (*sermâye*) to have cooperatives (*şerik*) procure agricultural products at the gardens and transport them to Istanbul. Some of *sermâyecîs* also retailed them in Istanbul. They had a privilege to procure and sell products harvested ahead of the season. These products were called *turfanda*. See İŞS no. 24, fols. 13A, 33B; no. 40, fol. 44A; no. 58, fol. 22A; BOA, C.İKTS 382, 4233; Kütükoğlu, "XVIII. Yüzyıl Sonlarında İstanbul Piyasası," p. 235.

<sup>31</sup> İŞS no. 47, fol. 21B.

<sup>32</sup> İŞS no. 40, fol. 44A. Cf. İŞS no. 45, fol. 17B; no. 46, fol. 88A.

<sup>33</sup> İŞS no. 65, fol. 62A.

of the imperial decree. The trial, dated Şevvâl 11, 1202 (July 15, 1788) in the court records, summoned vegetable retailers and *bâğçevâns*, as well as 10 Muslims and 1 non-Muslim who rented 11 warehouses (*mahâzin*) in the vicinity of *Sebzeâne*. The judge considered the abandonment and deterioration of vegetables and the return of unsold vegetables to vegetable gardens, “harm from the perspective of Islamic law” (*zarar-ı şer’î*). Then, he allowed *bâğçevâns* to sell their goods to whomever they wished, and declared the record of the past orders that the vegetable retailer possessed null and void (*terkîn*), for the sake of “the current order and relief” (*nizâm-ı hâl ve istirâhat*). He ordered the 11 warehouse lessees mentioned above to purchase unsold vegetables, transfer them to their warehouses, and sell them to vegetable retailers, peddlers, and others from there, at the official price.<sup>34</sup> The judge tried to reduce unsold vegetables by utilizing those warehouses.

Between the mid-eighteenth century and 1780, the regulation of the vegetable trade was revised several times in the Istanbul court. These revisions followed the previous regulation that had allowed the monopoly of vegetable retailers, while allowing others to purchase under certain conditions. However, a ruling by the judges in 1788 radically changed this policy and allowed *bâğçevâns* to sell freely. Thus, in the vegetable trade at *Sebzeâne*, even before Selim III’s antimonopoly order, there were attempts to eliminate monopolies and liberalize trade. This seems particularly noteworthy. As indicated by *bâğçevâns*’ complaint and the judge’s opinion, this drastic revision was probably because the previous ones had not been sufficiently successful in improving the vegetable supply in Istanbul.

### Vegetable Trade After the Antimonopoly Order

In 1789, the antimonopoly order was conveyed to the judge of the Istanbul court in the form of the *buyuruldu* document, which ordered him to revise the regulations of the vegetable and camlet trades, and to investigate those of other trades. He summoned *bağçevâns*, vegetable retailers, and *sermâyecis* to the court and explained what the order was about as follows:

The various kinds of vegetables are carried by their owners and sold to “servants of Allâh” (*ibâdullâh*), vegetable retailers and others at the current market value (*râ’ic-i vakt*). When someone makes “a claim of monopoly” (*inhisâr iddi’âsı*), [the judge] is to scrutinize which regulation (*nizâm*) and conditions (*şerâ’it*) that claim is based on, and to ensure that such a claim does not cause injustice (*gadr*)

<sup>34</sup> İSS no. 56, fol. 63A; no. 65, fol. 62A.

or damage (*hasâr*) to anyone, by following “the bright path” (*şerî‘at-ı garrâ*) and in accordance with the *hatt-ı hümayûn* written in this matter. [The regulation] is to be made (*tanzîm*) as such.<sup>35</sup>

The court appearances agreed to support the policy of the order, stating that by prohibiting the monopoly, the buyers would be free from monopoly claims and from “hoarding and profiteering” (*iddihâr ve ihtikâr*). Subsequently, the judges and court appearances reaffirmed free trade by *bâğçevâns*, and made “a promise and agreement” (*‘ahd ü mîsâk ve kavl ü ittifâk*) against “monopolies on buying and selling” (*inhisâr-ı bey‘ ve şirâ*). Thus, the judge reported to the government that the vegetable trade regulation had been revised. He requested the issuance of an imperial decree ordering that the records of previous imperial decrees be declared invalid and retrieved and kept in the prescribed department (*kalem*).<sup>36</sup> The word “monopoly” (*inhisâr*) seen in Selim III’s *hatt-ı hümayûn* was often used in this court record, instead of “peculiar” (*mahsûs*), which had been common in previous court records and other documents.

Vegetable retailers generally adhered to the new regulation for about a year thereafter.<sup>37</sup> However, violations by some fruit retailers in 1790–1791 made the judges issue an important ruling again. According to a court record dated Zi‘l-ka‘de 9, 1204 (July 21, 1790), a vegetable retailer sued five fruit retailers with shops in the vicinity of the Eminönü wharf (*iskele*). The five were Yeni-dünyâ el-Hâcc Mehmed b. Ahmed, who had one shop next to the money changer’s (*sarrâf*) shop; es-Seyyid ‘Osmân ibn Hüseyin, who had one shop next to Yeni-dünyâ el-Hâcc Mehmed’s; ‘Abdullâh b. Mehmed and es-Seyyid İbrâhîm ibn es-Seyyid Mehmed, who had one shop each under the steps (*nerdübân*) of the Vâlîde Sultân mosque; and es-Seyyid el-Hâcc Halîl b. es-Seyyid Süleymân, who had one shop next to the Janissaries’ station (*kulluk*). The plaintiff claimed that when small boats loaded with vegetables arrived at the Eminönü wharf, the five people mentioned above purchased them from the owner, concealed (*ihtifâ*) them in their shops, and resold them to vegetable retailers at a higher price than the official one (*narh-ı cârî*) to earn unjust profits. In response, the judge stated that hoarding any goods was prohibited by the Islamic and administrative law (*şer‘en ve kânûnen menhî bir hareket-i redî‘e*), and pointed out that there was a possibility that they would continue hoarding vegetables in the future because their shops were

<sup>35</sup> BOA, C.İKTS 1965.

<sup>36</sup> BOA, C.İKTS 1965.

<sup>37</sup> Although several vegetable and fruit retailers were accused of violating the regulations during this period, there is no indication that these violations had any significant impact. E.g. İŞS no. 58, fols. 22A, 69A.

close to the Eminönü wharf. Then, he ruled against their trade in vegetables.<sup>38</sup>

However, according to a court record dated Zî'l-ka'de 4, 1205 (July 5, 1791), vegetable retailers filed another suit. 'Abdullâh, İbrâhîm, and Halîl continued hoarding vegetables. Two others, es-Seyyid 'Alî, who had a shop across the street from the Janissaries' station, and Hasan, a cooperative (*müşterek*) of Velî, who had a shop near the "coffee customs" (*Kahve gümrüğü*), joined them. In response to the vegetable retailers' claim that this illegal act could cause vegetable shortages (*killet*) and price hikes (*galâ*), the judges ruled that the five should be prohibited from trading in vegetables and punished (*te'dib*) and disciplined (*gûşmâl*) as an example for others.<sup>39</sup> Since 1767, fruit retailers have been able to legally purchase vegetables, but the above rulings caused some of them to lose that right altogether. In the vegetable trade, the gradual deregulation of monopolies and liberalization of trade gave rise to a new problem: hoarding. Thus, some retailers were prevented from trading in vegetables again.

## Conclusion

In 1789, the government ordered the judge of the Istanbul Court to revise the regulations on trading monopolies. However, the order did not clarify the goods it covered and how it had to be enforced. As this study showed, at least in the vegetable trade, the discretion of the judge had a significant effect on the actual revision of the monopoly regulation, and that the workers involved played a certain role. For other goods, it will be necessary to examine whether or not the regulation was revisited and, if so, how it was actually done.

Until the mid-eighteenth century, the vegetable retailers' guild exclusively purchased a variety of vegetables collected by the *bağçevâns* at *Sebzehâne* from the center and periphery of Istanbul and the coast of the Marmara Sea. By 1780, however, fruit retailers, peddlers, and *sermâyecis* were allowed to purchase them, and in 1788, *bağçevâns* were allowed to sell wholesale freely. Thus, attempts to abolish and liberalize the monopoly over the vegetable trade at *Sebzehâne* were seen even before the antimonopoly order by Selim III. In cases other than the vegetable trade, the continuity and change in policy before and after his order also need to be examined.

Selim III's order was not innovative to the vegetable traders, who had already agreed to the abolition or liberalization of the monopoly. However, his order had at least some impact on the vegetable trade because the word "*inhisâr*" preferred by him

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<sup>38</sup> İSS no. 58, fol. 73A.

<sup>39</sup> İSS no. 59, fol. 43A.

was used frequently in subsequent court records, and his order promoted the revision of the regulation among the judges and workers involved.

Since the mid-eighteenth century, fruit retailers, peddlers, and *sermâyecis* often entered the vegetable trade, sometimes illegally, whereas this study found no evidence that vegetable retailers showed any interest in fruit or other trades. The reason for this needs to be clarified.

In Istanbul at the end of the eighteenth century, when the city faced serious shortages of food, the unsold vegetables at *Sebzeâne* were considered a problem. At least for vegetables, it is possible that the price hikes resulted not from shortage, but rather, as Selim III pointed out, from inadequate distribution owing to the monopoly of retailers. Considering this hypothesis would be important.