



MADDE YAYIMLANDIKTAN
SONRA GELEN DOKÜMAN

(150138)

Ömer Hulusi Efendi (Gerdankıran)

Ömer Hulusi Efendi (Umar Khuluşi, d. 1292/1875), called **Gerdankıran** ("wryneck"), was an Ottoman jurist, a professor in *medreses* (*madrasas*, religious colleges), a lecturer in mosques, and one of the drafters of the Ottoman civil law code, the *Mecelle-i Ahkâm-ı Adliye* (*Mecelle-i Ahkâm-ı 'Adliye*), which was widely known as the *Mecelle*.

He was born in Gümüşhane, in the Black Sea region of Anatolia. His career in the *ilmîye* (*ilmîye*, the Ottoman Empire's official Islamic religious establishment) began in Istanbul in 1262/1846 with a post at the office of the chief *müftü* (*mufti*) of the navy. In the following years, he served in the judiciary, occupying the positions of *kadı* (*qāḍī*, judge) and *molla* (*mollā*, chief *kadı*) in Yenışehir and Edirne. In 1274/1857, he was given the *paye* (rank) *Kadı* of Mecca, and in later years he occupied additional senior judicial positions, such as the *kazasker* (*qāḍī 'askar*, chief military judge) of Anatolia and the *kazasker* of Rumeli. According to some sources, he became the *kadı* of

Istanbul in 1280/1863. Before joining the *Mecelle* commission, he was a member in the *Meclis-i Tedkikat-i Şer'iye* (*Meclis-i Tedqīqāt-ı Şer'iyye*, Council of Religious and Judicial Investigations), a *Tanzimat* (*Tanzīmāt*) judicial organ that functioned as a high court in the *şeriat* (*sharī'a*) court system.

As part of a legal codification project that started in the 1840s and lasted decades, the Ottoman government decided to promulgate a modern civil code based on the *Hanefi fıkıh* (*Hanafi fiqh*, the Hanafi school in Islamic jurisprudence), to be used in the courts of law. Ömer Hulusi Efendi was a member of the drafting commission, which was established in 1285/1869 under the leadership of Ahmed Cevdet Paşa (Ahmed, d. 1312/1895). The commission had produced sixteen books that addressed various aspects of civil law by 1293/1876, but Ömer Hulusi did not live to see the completion of this enterprise.

In 1286/1870, the commission was subordinated to the *Meşihat* (*Mashikhat*), the office of the *şeyhülislam* (*shaykh al-Islām*). In the same year, Cevdet Paşa was removed from the commission in order to serve as the governor of Bursa and was replaced