AN APPRAISAL OF THE IMPACT OF REFORM ON SOCIETY:

THE CASE OF THE EARLY TANZIMAT, 1839-1856

by

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ABSTRACT

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The early Tanzimat era (1839-1856) constitutes an important period in Ottoman history studies. However, many studies were based on state-oriented analyses and do not give adequate attention to social history. In order to understand the era in full terms and within the boundaries of state-society relations, societal segments should also be included and carefully examined. This thesis aims to examine concerning the era from the lens of social history and focuses on the Ottoman public opinion formation in nineteenth century against the political and economic changes. Specifically, it investigates inter-communal relations between Muslim and non-Muslim groups over spy reports collected in İstanbul on 1840-1844. The first two chapters are based on the state level analyses and legal background in order to have concrete basis of the reactions. The third chapter proposes micro-political analysis for the reactions of non-elite segments within a broader historical conjuncture of the period and investigates the possible causes behind the public opinion formation process in nineteenth century İstanbul.

ÖZET

REFORMLARIN TOPLUM ETKİLERİ ÜZERİNE BİR ÇALIŞMA:

ERKEN DÖNEM TANZİMAT ÖRNEĞİ (1839-1856)

KÜBRA İYİŞ

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raporları

Erken Tanzimat dönemi Osmanlı tarihi çalışmalarında önemli bir yer tutmaktadır ancak, yapılan çalışmaların önemli bir kısmı dönemi sadece devlet odaklı incelemekte ve sosyal tarih kısmına yeterince önem atfetmemektedir. Dönemi devlet-toplum ilişkileri bağlamında bütün yönleriyle anlayabilmek için toplumsal kesimler de analize dahil edilmeli ve dikkatli bir biçimde incelenmelidir. Bu tez sözkonusu dönemi sosyal tarih açısından incelemeyi amaçlamakta ve bununla bağıntılı olarak siyasi ve ekonomik değişimlere yönelik olarak şekillenen ondokuzuncu yüzyıl Osmanlı toplumunun kamuoyu dinamiklerine odaklanmaktadır. Spesifik olarak da Müslümanlar ve gayrimüslimler arasındaki cemaatler arası ilişkileri 1840-1844 yılları arasında İstanbul'da toplanmış olan hafiye raporları üzerinden incelemektedir. Çalışmanın ilk iki bölümü tepkileri daha somut bir düzlemde incelemek amacıyla devlet düzeyindeki analizlere ve hukuki altyapıya ayrılmıştır. Son bölüm ise toplumun elit olmayan kesimlerinin tepkilerinin incelenmesi için tarihsel bağlam içerisinde mikro-politik bir inceleme önermekte ve ondokuzuncu yüzyıl İstanbul'undaki kamuoyunun şekillenmesinin ardında yatan potansiyel sebepleri araştırmaktadır.

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INTRODUCTION

> "Who built the seven gates of Thebes?
> The books are filled with names of kings."[1]

When "history" was considered as a particular discipline, at least for the ones who do not claim to be a historian or not engaged with history to a specific extent, the first idea that comes to the mind would be most likely political or diplomatic history. What is meant by political history is the evaluation of the historical events from a perspective that bring out its research questions from the state level. Wars, treaties, meetings, declarations and many other events or documents are considered both source and topic of the political history. Most importantly, names are indispensible part of the political history. They could be politicians or they could be influential figures whose profession is not on politics. This is valid for almost all the societies in the world and does not leave Ottoman history as an exception. Within the framework of this general historical need, Ottoman studies require another outlook in addition to the existing valuable literature regarding the diplomatic history as well as other historical studies.

The significance of the political or diplomatic history is not open to question; however taking a particular society's history only through political history poses a problematic perception. Leaving outside the unknown names harms our understanding in both historical and political terms. It would block the way for understanding the full story and fruitful analysis that can shed a light upon the "present". Present in here is particularly important regarding the history of a particular society and it has a very strong bond with the present. This bond is significant in the sense that knowledge produced by history could only be questioned on the basis of its relation with the present. Accordingly, it is also in a strong correspondence with politics and political

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[1]Bertold Brecht, *A Worker Reads History*

science as well.[2] The repercussions of the past over present create the curiosity and research questions in academic sense for present individuals. It is also beyond the curiosity, it brings the accurate process of making sense of the current time and society. In addition, as Hobsbawm argues, being member of a society means to position yourself according to the past even by through negating it.[3] While the importance of history is clear, a one dimensional perspective harms the accuracy in an irreversible sense since the discourses that shapes the perception towards issues becomes even concrete with repeating over and over. Therefore, special need arises for the ones who focus on political and social phenomenon should also turn their attention to the society and "unknown people's history". This perception constitutes a proposal to overcome this drawback and it is to focus on social history.

Recent history studies started to work on these problems and studies related to social, cultural and intellectual history began to emerge and gave fruitful analyses that widen our perspectives regarding the political events. The main genres under the social history studies could be categorized as demography and kinship, urban studies, classes and social groups, history of "mentalities" and culture, transformation of the societies (modernization or industrialization) together with social movements and phenomenon of social protest.[4] The increasing number of studies that focuses on history of women or history of labor could be indicated as the signs of increasing importance of social history as examples together with many other spheres.

The characteristics of the social history, as indicated by Stearns, could be regarded as firstly focusing upon social groups that are out of power since "these groups display some capacity to change and therefore some capacity to influence wider historical processes". This characteristic is particularly important in a sense that it helps to destroy the static understanding of societies especially for the ones who are stuck in the Western historical conceptualizations and undermine the perception that stipulates society as an homogenous entity that is mainly in line with the manipulation of the state except for grand and radical break-ups such as revolutions. Secondly, rather than focusing on pure political issues, interrelations between social functions should also be examined. Lastly, it approaches the history as "patterns and processes of culture, power

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[2]E. Attila Aytekin, "Siyaset Bilimi ve Tarih" in *Siyaset Bilimi Kavramlar İdeolojiler Disiplinlerarası İlişkiler*, ed. E. Attila Aytekin and Gökhan Atılgan (İstanbul: Yordam Kitap, 2012), 433.
[3] Eric Hobsbawm, *On History*, (New York: New Press, 1997), 10.
[4] Ibid., p. 83

relationships and behavior rather than series of events".[5] It does not contradict the understanding of diplomatic history; rather it functions as a complementary. The significance of social history could be also regarded as "democratization of history" with these characteristics and it emphasizes the alternative paths that could be taken rather than implying "necessities" in a teleological manner.[6] Regarding the sources many different tools including oral history elements could be counted.

The research question of this thesis rose from such concerns and aims to adopt a social historical perspective. It takes the nineteenth century Ottoman state and society within the period of early *Tanzimat* as its research subject. The *Tanzimat* era in Ottoman history was examined in many ways but mostly within the confines of diplomatic history. It was taken as a grand political change with critiques naturally. Nevertheless, the segment that was affected from the changes most was generally ignored: the non-elite people. In this sense, the concepts of elite and non-elite together with their meaning in the Ottoman context should be clarified in order to have a more accurate understanding of this research.

The main literature that deals with elites bases their studies on a basic distinction: the ones who rule and the ones who are ruled. As one of the leading scholars of the elite theory Mosca states:

> "The first class, always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings, whereas the second, the more numerous class, is directed and controlled by the first, in a manner that is now more or less legal, now more or less arbitrary and violent, and supplies the first, in appearance at least, with material means of subsistence and with the instrumentalities that are essential to the vitality of the political organism".[7]

According to the classical studies of the elites, it could be stated that an individual or a group who holds political power meaning that the ones who has the authority to be effective on the decision making mechanisms that affects and regulates the functioning of a particular society forms the ruling elite. The source of political power has been discussed by the political powers and several explanations that are outside the scope of this thesis were produced. However, the main point regarding the

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[5] Peter N. Stearns, "Social History and History: A Progress Report." *Journal of Social History* 19 (1985): 322.
[6] Aytekin, "Siyaset Bilimi", 435.
[7] Gaetano Mosca, *The Ruling Class* (New York: McGraw-Hill Book Company, 1939), 50.

description of elites in the society was formed around "the possession of force by a minority".[8] This minority is commonly named as elites. In addition to this basic distinction, the studies also indicate the relations with "the ruled" segments in terms of compliance or discontent as well as the legitimacy structures that enables the ruling class to hold on political power.

The classical formulation of the Ottoman class structure is indicated by İnalcık in a similar manner through the basic distinction of the ruler and the ruled and this system is continuation Middle Eastern state practices. The ruler group constituted by the Sultan together with viziers and governors whose power was delegated from the former; whereas the ruled group was formed by tax-payers.[9] The Ottoman system was categorized by these two groups as *askeri* and *reaya*. *Reaya* was not differentiated according to religion or territory and regarded as tax-payers while *askeri* class was exempted from taxation.[10]

Core of the Ottoman elites were composed by different social sets rather than a monolithic structure. The first and foremost social set comes from the hereditary rule of the Ottoman sultans. Kinship based nobility, as also the case for many other societies in the world, composed a crucial part of the Ottoman elites. In addition, state officials or members of bureaucracy constituted another social set included to the elites. Contrary to kinship based system, joining to elite group was based on success and service to the state. As Mardin states, the power balance between the nobles and state officials formed a source of instability for the elites in themselves and it continue in the Ottoman system which was also seen in their ancestors *Oğuz*s.[11] The Ottoman bureaucracy was consisted of different branches which were classified under the professional spheres. As Reyhan argues, triple-functional distinction could be made namely *ilmiyye* (state officials dealing with religious issues), *seyfiyye* (high level customary officials and military members) and *kalemiyye* (state officials dealing with administrative issues).[12] Therefore, the Ottoman state elites were based on religious, military and administrative distinctions. However, the power balance between these sets was not equally separated.

[8] Robert E. Dowse, and John A. Hughes, *Political Sociology* (London: John Wiley & Sons, 1972), 22.
[9] Halil İnalcık, *Osmanlı İmparatorluğu Klasik Çağ (1300-1600)* (İstanbul: Yapı Kredi Yayınları, 1995), 74.
[10] Ibid., p. 75
[11] Şerif Mardin, "Historical Determinants of Stratification: Social Class and Class Consciousness in Turkey" *Siyasal Bilgiler Fakültesi Dergisi* 22, no. 4 (1967): 115.
[12] Cenk Reyhan, "İlim-Kılıç-Kalem: Osmanlı Kamu Personeli Rejiminde Üçlü İşlevsel Ayrışma" *Belleten* 72, no. 263-265 (2008):120.

Regarding the nineteenth century as the main focus of this thesis, a new bureaucratic elite rose to power during the reign of Abdülmecid and Abdülaziz by arrogating itself to the political power that was concentrated in the hands of Selim III and Mahmud II for a short time.[13]

However, considering holding power and decision-making mechanism side of the elite theory, it could be also argued that there were also segments of the society who holds power whether in political or economic terms but not directly related to the state as in the case of bureaucracy. When the main distinction of the ruler and the ruled is taken as ground rule for being part of the elites, exceptional situations should be also considered.[14] An important group is *ayan*. This term was used for urban notables in sixteenth and seventeenth centuries, whereas in eighteenth century it also denoted semi-official brokers between the Ottoman state and society mainly through taxation issues.[15] The political and economic power possessed by *ayan*s in the provinces of the Empire points to their position in the system in terms of social stratification. Another significant social set is consisted of commercial bourgeoisie and these could be regarded as part of the elites in economic terms. Considering the nineteenth century, thanks to the increasing trade with the West the Ottoman provincial notables, artisans, Janissaries, and foreign residents of the empire along with the non-Muslim Ottoman merchants gained remarkable economic wealth and generated the seeds of Ottoman commercial bourgeoisie.[16] *Beratlı* merchants, as it will be examined following parts of this work, were also considered within the commercial bourgeoisie and part of the elite group respectively.

As it can be seen in the aforementioned framework, the Ottoman elite in the nineteenth century composed of Palace household and state servants together with the political and economic actors at the provincial level. Therefore, the Ottoman subjects who are not a part of this framework could be taken as "non-elites". In line with the theoretical description of "the Ottoman non-elite", several questions will be taken as basis for this thesis in order to have a view regarding reactions of the Ottoman society.

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[13] Şerif Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas* (Princeton: Princeton University Press, 1962), 109.

[14] Mardin, "Historical Determinants", p. 120

[15] Yücel Özkaya, *Osmanlı İmparatorluğu'nda Ayanlık* (Ankara: Ankara Üniversitesi Basımevi, 1977), 22-23.

[16] Fatma Müge Göçek, *Rise of the Bourgeoisie, Demise of Empire: Ottoman Westernization and Social Change* (New York: Oxford University Press, 1996), 89-90.

How did the people who were living under Ottoman Empire react against political changes in the nineteenth century? What was the dynamics that shaped their opinions regarding the concerning issue? And specifically, how did these reactions were formed with respect to Muslim and non-Muslim relations? This study aims to propose answers to these questions acknowledging that conclusive opinions would be problematic due to the nature of the issue. Understanding the era in question requires an outlook in both political and social terms. Therefore, the organization of this thesis is based on three main chapters. It was argued that diplomatic history is a complementary part of an accurate analysis. Hence, the first chapter was reserved to the examination of political events of the era with a critical point of view. The historical background and political events creates the basis for the reactions and public opinion formation process of the elites. In addition, *Tanzimat* reforms as a part of the Ottoman modernization process evaluated with reference to the debates related to it. Secondly, pre-Tanzimat period will be examined within the legal framework. Understanding the pre-Tanzimat legal system with a special emphasize on Muslims and non-Muslims will provide a clearer perception in order to understand the reactions to changes.

The last chapter of this study was assigned for the study of the non-elite reactions on the basis of Muslim and non-Muslim opinions. The data derived from the extensive and valuable study of Cengiz Kırlı that was based on the examination of spy reports collected in İstanbul between the years of 1840-1844.[17] In his study, Kırlı brought these significant sources into the light and carried an analysis based on the changing political practices of administration with its relation regarding formation of public opinion and the perception of public visibility on the side of the Ottoman ruler. He argues that the extensive surveillance practices conducted with the help of spies (*hafiye*) in the nineteenth century denote the different character of the Ottoman administration practices in contrast to the earlier social control mechanisms. Rather than making a choice between the discussions of the existence and non-existence of the public opinion in non-Western regions and sociological analyses of the issue within the boundaries of development of public opinion against the state; Kırlı states that "public" and "public opinion" became an important part of the Ottoman state mentality after the second half of the nineteenth century and it should be considered within the framework

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[17]Cengiz Kırlı, *Sultan ve Kamuoyu: Osmanlı Modernleşme Sürecinde "Havadis Jurnalleri" (1840-1844)* (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2008).

of new political practices.[18] He points out to the surveillance practices as constructive ones since it maintains tools for intervening, forming and administrating the society in addition to its social control function. After 1840s, the aforementioned practices were being conducted for leakage of the state authority to the daily life spheres of the society by extending itself from the traditional forms of politics for social control. As argued by Kırlı, the "discovery" of the public opinion by the state indicated a new political mentality. The spy reports were the documents that rumors turned into news and become a part of the political power.[19] Acknowledging the significance of the changes in the state mentality and its reflections on the Ottoman society, this thesis aims to concentrate on the societal level thanks to the information contained in the spy reports revealed in Kırlı's highly respectable work.

The scope of this thesis is based on the reactions of the people and it specialized on the daily relations between Muslims and non-Muslims. In addition, this work also makes an effort to understand the potential dynamics that shapes the reactions. The spy reports that are used as the data set instrumentalized to have more concrete arguments. However, it would be possible to argue the accuracy of the reports. These reports were collected by the state; therefore their usefulness is open to discussion. However, their value comes from this point. They reflect a kind of bridge between state and society that remarkable knowledge related to both sides could be produced. They can be considered as narratives to a certain extent together with its relation to Ottoman state and their content have crucial facets namely being chronological, meaningful and social[20] which provides a highly useful source for the research question in here.

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[18] Ibid., p.16-17
[19] Ibid., p.25-26
[20] Jane Elliott, *Using Narrative in Social Research Qualitative and Quantitative Approaches* (London: Sage Publications, 2005), 4.

CHAPTER I

THE *TANZİMAT* ERA: THE *GÜLHANE* EDICT OF 1839 AND REFORM EDICT OF 1856

1.1 The *Gülhane* Edict

On November 3, 1839, an edict was read to the public which was consisted of prominent Ottoman state officials including ministers and *ulema*, the representatives of artisans and guilds, foreign diplomats and a big crowd of Ottoman population. Then, a ceremonial path was pursued through sacrifices, gun salutes and imperial festivities. More importantly, the sultan and the prominent state officials took part in an oath-taking ceremony in which they assured that they will obey the specifications of the edict[21]. One of the names that were used to describe it was taken from the place where it was declared by Mustafa Reşid Paşa: *Gülhane* Park. It was published in the official gazette of *Takvim-i Vekayi* and a week later it was issued to each governor (*eyalet valisi*) and district deputies (*sancak müstesellimi*) expecting that each specification in the edict shall be immediately enforced except for the ones related to military duty and taxation. Another requirement that was expected to be performed by the state officials in the districts was the declaration of the edict to the public and to be sure that its specifications were understood correctly by public (*ahali*) and *reaya*[22]. The content of the *Gülhane* Edict was important in a sense that it offered different notions and ideas that were not common in the earlier Ottoman political system. The ceremonial, elaborative and determined manner of the government was also showing that it was taken seriously as a symbol of a new era in the Ottoman political and social life.

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[21] Enver Ziya Karal, "Gülhane Hatt-ı Hümayununda Batı'nın Etkisi" in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2008), 113.

[22] Halil İnalcık, "Tanzimat'ın Uygulanması ve Sosyal Tepkileri" in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2008), 171.

Although the genre of the *Gülhane* Edict is open to argumentation as it can be seen later parts of this study, the effect of it is remarkable without leaving any further room for discussion. Furthermore, this effect does not only include the long-term influences over the history of the Ottoman Empire and Turkey but also its immediate effects over elite and non-elite segments of the Ottoman society were significant. This thesis is dedicated to the exploration of the non-elite reactions to the *Gülhane* Edict and other reforms that were undertaken afterwards in terms of Muslim and non-Muslim relations. However, in order to have a comprehensive outlook regarding the non-elite reactions its historical, legal and political context should be examined and analyzed. If the reactions should be analyzed accurately, first of all certain basic questions should be answered. What were political conditions that the edict was born in? What were the promises it was offering? What was its legal genre and what difference does it make? More importantly, what was the main motive behind the declaration of the *Gülhane* Edict? Answering these questions will provide a fruitful basis to analyzing the reactions of the non-elite segments of the Ottoman society.

1.1.1 The Historical Background of the *Gülhane* Edict

The *Gülhane* Edict is commonly known as "*Tanzimat Fermanı*" and the period initiated by it lasted from 1839 (the Edict) to 1876 (the declaration of constitutional monarchy and *Kanun-i Esasi* as the first Ottoman constitution) is defined as *Tanzimat* period in its most intensive form. Some authors[23] also state that the period starts earlier than 1839 *Gülhane* Edict and extends the time period until 1908 Young Turks Revolution[24]. Zürcher states that it is possible to argue that the age of reforms was ended in 1871[25]. Although periodization is also point a of discussion that will not be a part of this study, it is preferable to briefly analyze the events that lead to *Gülhane* Edict will help to have an accurate perception of the Edict and the other reforms made later.

Although it is not possible to discuss to dynamics that led to the proclamation of the *Gülhane* Edict without referring to the reigns of Selim III and Mahmud II, for practical reasons this study will take certain events as the crucial factors through the

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[23] Ziyaeddin Fahri Fındıkoğlu, "Tanzimatta İçtimai Hayat" in *Tanzimat*. 2nd ed. Vol. 2. (İstanbul: Milli Eğitim Bakanlığı Yayınları, 1999), 619.
[24] Also see Aykut Kansu, *The Revolution of 1908 in Turkey* (Leiden, Brill, 1997) for the discussion related to the characteristics of the Young Turk movement.
[25] Eric Jan Zürcher, *Turkey: A Modern History*. 3rd ed. (New York: I.B. Tauris, 2004), 50.

way to the Edict and reforms that were undertaken later. The most significant reason is related to the topic that was chosen for this study in terms of Muslim and non-Muslim relations after the *Gülhane* Edict. Therefore, Serbian Rebellion in 1804, Greek War of Independence in 1821, Mohammad Ali Incident or Egyptian Question in 1831-1840 and Anglo-Ottoman Trade Agreement in 1838 will be taken as the key events.

The independence movements in the Balkans are one of the events that had an effect on the public opinion of the time especially for the Muslim side. Therefore, it would be helpful to briefly examine these movements. It could be argued that these movements have started with the Serbian Revolt. However, at first, the main aim was not to gain independence but it was against the maladministration and the oppressive acts of the local Ottoman officials and the Janissaries. By 1804, the Ottoman rule in Belgrade was confined to *yamaks* (the janissary garrison) and to their officers, *dahis*.[26] It has to be noted that the Serbian Revolt should not be understood as a movement which was waiting for a spark to bloom for independence. Rather, as Stavrianos noted, "the uprising at the outset was not a revolutionary affair directed against the Ottoman rule" and "the Serbs wanted not a new order but a return to the old order with its autonomy and security".[27] It shows some clues related to the state-society relations of the period and the attitude of non-Muslim subject's of the Empire to the central administration. The secessionist movements were not only based on nationalist urges. More importantly, this movement indicated crucial reflection of the Ottoman state-society relations. Karal indicates that "the Serbian insurrection demonstrated the extreme weakness of the Ottoman government" since it took nine years to put down a local rebellion. In addition, it led to the realization of the necessity of an extensive administrative reform throughout the empire.[28] Another result could be considered is that the problematic relations between state and society became evident.

The Greek War of Independence was another event that has important effects on both Ottoman administration and the public opinion of the society. The importance of the independence of the Greeks for the Ottoman history comes from the point that it

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[26] Stanford J. Shaw, "The Ottoman Empire and the Serbian Uprising 1804-1807" in *War and Society in East Central Europe The First Serbian Uprising 1804-1813*, ed. Wayne S. Vucinich. Vol. 8, (New York: Columbia UP, 1982), 71.

[27] Leften Stavros Stavrianos, *The Balkans, 1815-1914*, (New York: Holt, Rinehart and Winston, 1963), 20.

[28] Enver Ziya Karal, "The Ottoman Empire and the Serbian Uprising 1807-1812" in *War and Society in East Central Europe The First Serbian Uprising 1804-1813*, ed. Wayne S. Vucinich. Vol. 8, (New York: Columbia UP, 1982), 224.

denotes the beginning of the Ottoman Empire's disintegration process.[29] However, comparing to Serbian uprising it was different in other senses. Firstly, it brought Great Powers into the picture due to the strategic location of Greek lands compared to the local character of the Serbian uprising. Secondly, as argued by Stavrianos, "the Greek insurrection had widespread and lasting repercussions; the reason being that the Greeks had played a much more important role in imperial affairs than had the Serbs".[30] The Greek Phanariots were highly influential in the Ottoman state affairs starting from the translation affairs.

The Ottoman reaction to the uprising did not consider it as national uprising initiated by Christians but they saw it as an example of rebellion against the state. According to them, Greeks were abrogating the protection agreement that regulate Muslim and non-Muslim relations. As Erdem argues, "nationalist or not, for the Ottomans the Greeks had abrogated the *zimmet* pact" and the repudiation of the pact necessitated a return to the state of affairs prior to the entry of the Greeks and made them once more *harbis* (warring non-Muslims).[31] The Greek War of Independence, apart from its conjectural and global effects, was highly influential on the changing tone of the Muslim and non-Muslim relations in the empire at the non-elite level. Quataert argues that:

> "There had been revolts but, generally, these had worked within the system, claiming as their goal the rectification of problems within the Ottoman universe, such as the reduction of taxes or better justice. But in the nineteenth century – in the Balkan, Anatolian, and Arab provinces alike – movements emerged that actively sought to separate particular areas from Ottoman rule and establish independent, sovereign states subordinate to no higher political authority".[32]

In addition, the internal weakness of the empire was another reason behind the rising movements in the Balkans. Mazower argues that "In the case of the rise of the Balkan nation-state, their grand explanatory schemes attribute the success of Christian nationalism to emergent merchant diasporas and the impact of Western ideology. None of this would have counted had it not been for Ottoman military and administrative

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[29] Oral Sander, *Anka'nın Yükselişi Ve Düşüşü: Osmanlı Diplomasi Tarihi Üzerine Bir Deneme*, (Ankara: İmge Kitabevi, 1993), 184.
[30] Leften Stavros Stavrianos, *The Balkans since 1453*, New York: Holt, Rinehart and Winston, 1958), 269.
[31] Hakan Y. Erdem, ""Do Not Think of Greeks as Agricultural Labourers" Ottoman Responses to the Greek War of Independence" in *Citizenship and the Nation-State in Greece and Turkey*, ed. Faruk Birtek and Thalia Dragonas, (London and New York: Routledge, 2005), 68.
[32] Donald Quataert, *The Ottoman Empire, 1700-1922*, 2nd ed. (New York: Cambridge University Press, 2000), 55.

weakness – especially at the empire's fringes – and the changing international balance of power. The Serbs were militarily defeated by 1810, the Greeks by 1827, but they won their statehood nonetheless".[33] When British, French and Russian navies destroyed the Egyptian forces at Navarino, 1830 Treaty of London which was signifying the independence of Greece was signed. The effects of the changing nature of the uprisings in the Balkans towards an independence movement showed itself on the Muslim side of public opinion as one of the bases for dissident and increasing interreligious tensions. It contributed to the creation of a basis for a long-lasting distrust towards non-Muslims among Muslim community and it became intensified with *Gülhane* and Reform Edicts.

Another issue combined these movements and the problems within the state. The results of Mohammad Ali Pasha issue made indirect contributions to the formation of public opinion. Defeat of Ottoman armies in Konya by Mohammad Ali Pasha was traumatic crisis for the Ottoman side. However, foreign diplomatic intervention stopped the armies of İbrahim Pasha. Fahmy states that "eventually, however, Mehmed (Mohammad) Ali rose above the narrow confines of Ottoman politics and realized that his acts had truly global implications".[34] The resolution was the Kütahya Treaty proposing the territories of Crete and Hijaz to Mohammad Ali Pasha and governorship of Syria to İbrahim Pasha. However, this was a verbal commitment which was not found very dependable for Mohammad Ali Pasha. Mahmud II asked for aid from Russia and it was resulted in the Treaty of Hünkar İskelesi which involved a secret article that prescribed closing the Straits to foreign ships in case of an attack to Russia. It was signed in order to block the expansion of Mohammad Ali and preserve Ottoman territorial integrity and it would be the new policy of Russia towards İstanbul.[35] In 1838, Mohammed Ali Pasha declared his wish for independence to Great Powers but he was declined since the European powers were not leaning towards any act that might lead to the collapse of the Ottoman Empire. By London Treaty, Mohammad Ali Pasha was granted the hereditary rule of Egypt.

Again, the combination of the Ottoman state's weakness and his organizational military superiority became a source of trouble for the administration. Militarily speaking, the success of Mohammed Ali was great and it was possible through

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[33] Mark Mazower, *The Balkans: A Short History*, (New York: Modern Library, 2000), 87.
[34] Khaled Fehmy, *Mehmed Ali From Ottoman Governer to Ruler of Egypt*, (Oxford: Oneworld, 2009), 94.
[35] Virginia Aksan, *Kuşatılmış Bir İmparatorluk Osmanlı Harpleri 1700-1870*, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2010), 397.

inflexible Ottoman response to an unexpected attack.[36] It also intensified the intervention of Great Powers on the Ottoman Empire. An interesting point related to the Egyptian Question is referred by Cevdet Pasha. He argues that Mustafa Reşid Pasha was trying to handle two issues (*Tanzimat-ı Hayriyye* and Egyptian Question) at once. Some conservative (*efkar-ı atika*) statesmen were not pleased with the reform idea but since it would not be possible to blocking the reforms while the problem in Egypt was continuing they allowed the Edict.[37]

The political issues were influential on both the *Gülhane* Edict and formation of the public opinion; however economic transformations were also requires attention considering the effects that they produced in later periods. The Anglo-Ottoman Treaty of 1838 created a crucial turning point in Ottoman economics since it denoted the integration of Ottoman economy to the capitalist world economy.[38] In pre-1838 period, customs tariff ratio over imports and exports was 3 percent. The ratio for the domestic trade within the Ottoman Empire was 8 percent for merchants. With the Treaty of 1838, the customs tariff ratio over export increased to 12 percent and import to 5 percent respectively. In addition, domestic tariff continued to be applying for local merchants whereas foreign merchants were exempted. Therefore, as argued by Pamuk, foreign merchants gained significant privileges contrary to the local merchants. More importantly, the Ottoman administration accepted the Treaty irreversibly. Regarding Ottoman raw materials, monopoly system (*yed-i vahit*) which enables the central state to practice special limitations and extra tariff customs was eliminated. It meant loss of a significant revenue source for the Ottoman administration in the case of emergency periods.[39] However, it has a political and practical reason against the crucial enemy of Mahmud II: Mohammad Ali Pasha. A new commercial code without monopolies would ruin Mohammed Ali financially and reassert the power of the Sultan in Egypt[40].

Cevdet Pasha, as an inner elite voice, indicates that in the old system of monopoly the state profited around seventy thousand for annually. Although with trade

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[36] Khaled Fehmy, *Paşanın Adamları: Kavalalı Mehmed Ali Paşa, Ordu ve Modern Mısır* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2009),74.

[37] Ahmed Cevdet Paşa. "Tezkire No. 6." in *Tezakir*, ed. Cavid Baysun, Vol. 1. (Ankara: Türk Tarih Kurumu, 1986), 7.

[38] Şevket Pamuk, *Osmanlı Ekonomisi ve Dünya Kapitalizmi (1820-1913)*, (Ankara: Yurt Yayıncılık, 1984), 18-19.

[39] Ibid., p. 20

[40] Frank Edgar Bailey, *British Policy and the Turkish Reform Movement: A Study in Anglo-Turkish Relations 1826-1853* (New York: Howard Fertig, 1970), 124.

liberation (*serbesti-i ticaret*) the state treasury lacked this profit, Egypt was damaged much more since most of the revenue which Egypt collected was coming from the profit from state monopoly. The need for extensive armies against Ottoman forces was creating huge expenditures that put the Egyptian state finance into jeopardy. More importantly, as Cevdet Pasha argues, the declaration of the Edict of *Tanzimat-ı Hayriyye* turned the public opinion in Aleppo and Damascus on the side of the Ottoman sultanate.[41] As for the economic actors of the empire, the change in the composition of the merchant class was not surprising. There was a decrease in the number of the Muslim merchants during the eighteenth century when foreigners and Ottoman non-Muslims were becoming dominant in the foreign trade.[42] With the Treaty of 1838, the difference considering the mutual ratio became widened. It constituted another crack between the relations of Muslim and non-Muslim communities.

Considering the incidents that are indicated above, they laid the basis for change in the state mentality and contributed to the formation of public mind. Deringil argues that "it became necessary, and even imperative, for the remaining Christian subjects of the empire, the *reaya*, particularly those in Rumelia, to be integrated into a new scheme of governance".[43] Both international and domestic changes in the political environment of the Ottoman Empire are combined and created the basis for the arising need of reform. Ortaylı states:

> "This principle of equality was adopted out of practical considerations seeking to find a solution for the crises created by structural changes in the Empire. These considerations were primarily the nationalist revolts and regional uprisings which had shaken the empire since the beginning of the century and it particularly related for those of the Balkan peoples provoked by the foreign powers".[44]

The principle of equality is open to discussion; however the incidents showed that the political and structural changes which the Ottoman Empire was facing required some radical reforms to cope with them. The independence of Greeks and abrogation of the *zımmi* pact, other revolts all over the territory of the empire including the uprising of Mohammad Ali Pasha from Kavala created the basis for new considerations regarding the *zımmi* population. The most concrete result was much-discussed document declared

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[41] Ahmed Cevdet Paşa, "Tezakir I", p.7

[42] Quataert, "The Ottoman Empire", p. 127

[43] Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire* (New York: Cambridge University Press, 2012), 29.

[44] İlber Ortaylı, *Tanzimattan Sonra Mahalli İdareler, 1840-1878* (Ankara: Sevinç Matbaası, 1974), 1.

in 1839, the *Gülhane* Edict. The next sub-chapter is reserved to the content of the document for a clear understanding for its implications.

1.1.2 The Content of the *Gülhane* Edict

The Edict starts with the justification provided by the reformers regarding the declining socio-economic position of the Ottoman Empire[45]. It is pointed out that as a state that was administrated under the rule of the Shari'a the Ottoman rule was powerful and the population was in welfare. Yet the prosperous conditions started to be upside-down approximately 150 years ago since Shari'a rules and legal code (*kanun*) were violated due to several reasons. It is stated in the Edict that it is not possible for a state to survive with disobeying the rules of Shari'a. In addition, on the condition that necessary regulations were met the Ottoman state and society would ride out the storm within few years and reach a prosperous level. In this first introduction part, the rationale behind the edict was connected primarily to the worsening socio-economic condition of the empire. The reason of the worsening seems to disobeying the religious legal code of Shari'a and *kanun* at the first glance but it also refers to the several conditions that have no account in the original text but it implies territorial losses with and decreasing political power and economic effectiveness in both domestic and international terms. After the current problematic condition and the requirement of a change were stated, the reforms that are going to be held and their content were listed.

Firstly, the essence of the new laws were based on the protection of life, honor, dignity and property together with the issues of taxation and military recruitment and time in service (*emniyyet-i can ve mahfuziyyet-i ırz ve namus ve mal t'ayin-i vergi ve asakir-i mukteziyyenin suret-i celb ve müddet-i istihdamı*)[46]. These were evaluated as the crucial concepts that will strengthen the bond between the state and society. If these are protected by the state, according to the Edict, individuals will not attempt to betray his/her state and work for its well-being and prosperity.

Taxation is important for the state revenue but it has to be collected in a way that suits better for tax payers. The significant point is that it refers to "monopoly trouble"

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[45] The content of the Gülhane Edict and the extensive summary are provided from Halil İnalcık, "Sened-i İttifak ve Gülhane Hatt-ı Hümayunu" in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2008), 99 and the translated text from the same book (p.13-16).
[46] Ibid., p.13-14.

(*yed-i vahit beliyyesi*)[47] which was eliminated and "destructive *iltizam* application" (*iltizamat usul-ı muzırrası*)[48] which was still in effect. Elimination of monopolies refers to the 1838 Anglo-Ottoman Treaty or Treaty of Balta Liman in other words[49]. The Edict defines *iltizam* as an application in which crucial political and financial issues of the empire was left in the hands of a man who cannot be always reliable and honest. Therefore, the new regulation would be based on an equity principle in terms of taxation.

For the military recruitment and time in service, more regular procedure and shorter military service were prescribed in the Edict. This part of the Edict is the most remarkable one in the sense that it brought new concepts to the Ottoman political understanding. Although, the protection of the *tebaa* by the Sultan not a new perception which was seen in the form of "circle of justice" (*daire-i adalet*) and in line with this understanding there is a similar form of state-society relations which was put into words in the Edict. As Somel states, according to the understanding of circle of justice, unjust oppression of the political ruling class on the population would cause decrease in the amount of tax income collected from the latter and it would led to the deterioration of the primary power source of the state meaning the army.[50] The well-being and protection of the people were taken as the primary duty of the state. The essence of these principles that were bind with the oath of the ruler was under the influence of the constitutional monarchy ideas of the 1830-1840 Europe.[51]

Secondly, the necessity of the "regulated laws" (*kavanin-i nizamiyye*)[52] is underlined for strengthening the state and it is in line with the main idea of regulation (*nizam*) which constituted the core of the word used to define the reform era, *Tanzimat*. A significant part of the Edict is related to the crime and punishment issues. With the new regulations, the Edict supposes, there shall be no punishment without public trial according to Shari'a laws. Nobody shall give harm to anyone's honor and everyone shall have a complete freedom concerning their property. The legator's crime shall have

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[47] Ibid., p.14.
[48] Ibid., p.14.
[49] Carter V. Findley, *Turkey, Islam, Nationalism, and Modernity: A History, 1789-2007* (New Haven and London: Yale University Press, 2010), 44.
[50] Selçuk Akşin Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi (1839-1913)" in *Modern Türkiye'de Siyasi Düşünce*, Vol. 1. (İstanbul: İletişim Yayınları, 2001), 89.
[51] İnalcık, Sened-i İttifak ve Gülhane Hatt-ı Hümayunu, p. 106.
[52] "Tanzimat Fermanı", p.15

no effect on the inheritor and the state shall not practice confiscation regarding these kinds of cases.

Thirdly and most importantly for the topic that will be discussed in this study, the new regulations mentioned in the Edict regarding the protection of life, honor, dignity and property will be effective and assured for both Muslims and other *millets* (referring to the non-Muslims communities). The text refers to the both sides as "*ehl-i İslam*" and "*milel-i saire*"[53]. It is also stated that the changes were done in line with the necessity of Shari'a verdict (*hükm-i şer'i iktizası*)[54]. The remarkable point is that this part does not pose equality of Muslims and non-Muslims per se. Only an implicit reference could be made with the phrase of *milel-i saire*. However, this does not mean that equality of Muslims and non-Muslims were taken as a principle since the principles mentioned in the Edict was limited to life, property and honor which was also a protection given to the non-Muslims through *zimmet* pact. However, although the Edict does not make a commitment regarding the equality of Muslims and non-Muslims in essence, it was tried to be instilled by the Sultan and grand vizier in public speeches at the discursive level. As an illustration, grand vizier Rıza Paşa explained the mentality of the Edict to Greek, Armenian and Jewish community leaders came from İzmir, Sakız and Kavala:

> "You can be Muslim, Christian or Jewish it does not matter; you are the subject of a single ruler and children of a single father. Our Sultan ordered that rules of life, honor, dignity and protection shall be executed in each part of the empire. Therefore, if there is anybody among you who is oppressed he should apply for the administration of justice. Whole Ottoman *tebaa*, Muslim or Christian, rich or poor, military officials, state officials or religious officials, should be assured from the Sultan's auspicious deeds who reflects mirror of the justice for everyone"[55].

In here, also, only equality that was promised was the one applied way before the Edict. There was nothing new related to the equality between Muslims and non-Muslims. However, taking *tebaa* as a whole entity was underlined; equality between the state elite and *tebaa* is not the case[56]. Davison points out to the nuance between text of the Edict in Turkish and French. While in Turkish text, there is a distinction between Muslim and non-Muslim subjects; in the French text it states as "These imperial

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[53] Ibid., p.15
[54] Ibid., p.15
[55] Enver Ziya Karal, *Tanzimat-ı Hayriye Devri: 1839-1856*, (Cumhuriyet, 1999)
[56] İnalcık, Sened-i İttifak ve Gülhane Hatt-ı Hümayunu, p. 107.

concessions are extended to all our subjects, of ·whatever religion or sect they may be". Davison argues that it could arouse curiosity in the context that texts were prepared with their respective domestic and international audiences.[57] This point also leads to the discussions over the degree of Western influence over the declaration of the Edict. Nevertheless, all in all, these concessions were not brand new in essence. The equality principle came with the Reform Edict of 1856 with its all new regulations in many spheres.

The principle of life, honor and property protection could be related to the reformist cadre itself. Zürcher argues that this principle was connected to the desire for protecting their status which was open to danger as the servants (*kul*) of the Sultan in addition to repeating classical liberal thought learned from Europe.[58] In addition, transfer of the properties as inheritance (*tereke*) of the state officials to the Sultan upon their death was also a problem that has reflections on the women in the families' of the officials.[59]

Another part is related to the functioning of the advisory council that was established during the reign of Mahmud II named as Supreme Council of Judicial Ordinances (*Meclis-i Ahkam-ı Adliyye*).[60] It is stated in the Edict that since other laws which will elaborate the specifications also requires unanimity voting, the number of the members shall be increased and it shall be guaranteed that all members could express their opinions without any fear. The new regulations related to military issues shall be discussed and concluded in *Bab-i Seraskeri Dar-i Şura*. Each law shall be submitted to the Palace.

Lastly, it is underlined that these laws shall be within the legitimacy of Shari'a and they will be only for the sake of well-being of the state and people. Therefore, all the high state officials will take the pledge not to violate these laws. Accordingly, a new criminal code of laws shall be arranged in a way that equal punishment will be hold for the specified crimes without nepotism. Bribery, which is both invalidated by Shari'a and one of the main causes of the decline of the state, shall be hindered by a law.

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[57] Roderic Davison, *Reform in the Ottoman Empire, 1856-1876* (Princeton, N.J.: Princeton UP, 1963), 40.
[58] Zürcher, "Turkey", p. 51
[59] Findley, "Turkey", p. 46
[60] Davison, "Reform in the Ottoman Empire", p. 28

1.1.3 The Genre of the Edict

One of the debates that are related to the Edict is its genre. What is meant by genre is here refers to the form and meaning which possessed. Is it one of the regular legal documents that were declared before as an expression of the Sultans' *irade*? Or does it contain a constitutional core? The answer of these questions is important in the sense that its potential novelty could have an effect on the reactions of the non-elites towards the Edict and changes brought by it.

İnalcık defines the Edict as an example of a document of order (*nizamname*) which was common in earlier periods of the Ottoman history. The Sultan was capable of declaring customary law (*örfi hukuk*) apart from Shari'a by depending on his authority of absolute execution in order to make required regulations required by state needs. Of course, they cannot be against Shari'a and it should be for the benefit of Islamic community. He argues that *Gülhane* Edict is an illustration of this genre.[61] Considering from this angle, it is quite clear that its main motive is regulation. However, as accepted by İnalcık, the modern elements and the ideas contained by the Edict may imply some differences comparing to the earlier *nizamnames*. Davison does not consider *Gülhane* Edict as a constitutional charter based on the idea that it does not reflect effective constraints on the power of Sultan rather than calling down the curse of God if anybody violates the new principles including the Sultan. Although the Edict mentions to basic principles of life, liberty and property of the European reforms of 1776 and 1789 and constitutes a fruitful basis to further reforms and constitution of 1876, he argues that "the edict of 1839 did not reflect the further progress of the ·French and American revolutions toward constitutional government, except in one particular".[62] The problem in here comes from the idea that the author takes the European documents and historical path taken by them as the single sign and argues that the low degree of resemblance shows falling behind. However, "small" steps should also be taken into account and considered within the boundaries of the certain time, space and condition in order to give meaning to the happenings.

Regarding the genre of the Edict, Abadan argues that since it includes the relations between individuals and the state and the dynamics of the state administration

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[61] İnalcık, Sened-i İttifak ve Gülhane Hatt-ı Hümayunu, p. 104
[62] Davison, "Reform in the Ottoman Empire", p. 41

it is a real "*Charte Constitutionelle*" similar to the European experiences.[63] Again here, there is a certain comparison with the European experiences but his analysis stays within the frame of time and place specificity. He states that in order to be a legal document to be a charter it does not have to be production of a revolution. This comes from the situation that a charter is declared by an actor who has the capacity of unilateral dominance competence to form the principles of organization. Since it was not a product of an organ which was granted competence by the population such as an assembly, the change or termination of the principles in the charter is not dependent on special procedures. However, their principles are bound by law unless they are changed or terminated. It does not have the modern understanding of principles of organization but it does not devaluate the significance of the document[64] and it should be considered within the boundaries of its time and place. Rather than making a simple comparison, it is important to analyze deeper and looking to the essence of the document is more important and required. Findley agrees to the constitutional character of the *Gülhane* Edict by stating that it accepted the requirement for new laws in order to keep its promises and eliminate certain abuses. In addition, suggested reforms and criticized abuses resemble the European and American charters.[65] The promises based on new laws mentioned by Findley and implementation of rule of law together with the protection of basic rights in a written form has a crucial role when discussing the genre of the Edict is considered. Leaving aside the resemblance with the European and America practices, the constitutionality of the document comes from these points. The motive for them could be for the sake of radical changes or a kind of restoration but the result contains a constitutional framework; although it is small scaled and in a preliminary form.

1.1.4 Debates of the Motives behind the *Gülhane* Edict and Reforms

The process called *Tanzimat* era in general starting from the 1839 *Gülhane* Edict specifically brought many discussions in the historiography of the Ottoman Empire. The main arguments are focused upon the motives behind the Edict and reforms afterwards including the Reform Edict (*Islahat Fermanı*) which was declared in 1856. The

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[63]Yavuz Abadan, "Tanzimat Fermanı'nın Tahlili" in *Tanzimat*, Vol. 1 (İstanbul: Milli Eğitim Bakanlığı Yayınları, 1999), 41.
[64] Ibid., pp. 41-42
[65] Findley, "Turkey", pp. 44-45

problematique is mainly focused around few questions. The primary one is related to the position of the Ottoman Empire in the modernization process in global terms. Many of the classical studies related to the history of Turkey named after this crucial point and they mainly took the changes in the long nineteenth century of the Ottoman Empire as the inception of the modern Turkey's birth[66]. The existence of the changes is obvious; however the nature and motives of the changes poses a good research question primarily in terms of modernization understanding. Although it requires an extensive work, this question will be addressed in this study briefly. What was the main dynamics that lead to "modernization" of the Ottoman Empire? To what extent, international or domestic factors were effective initiating the political changes in the form of extensive reforms? Or was there another impulsion other than the internal or external factors? Trying to understand the dynamics that created the basis for the political changes could help to have a more clear perception for making sense of the reactions of the non-elite segments of the society in the later parts of this study.

To begin with, Anscombe states that the dominant perception of the era is framed within the boundaries of the modernization theory and primarily proposed in the works of Bernard Lewis and Roderic Davison[67]. What is meant by modernization stems from the idea that accepting the pioneering role of Europe as an a priori phenomena and explaining the modernization process of the non-European countries as the "followers" of European civilization. Inevitably, this brings the fallacy of equating Westernization with modernization understanding which was frequently encountered in the historiography of the Ottoman Empire along with the other non-European states' histories.

This model neither explains the modernization of Europe nor the development of the non-European states and societies. Accordingly, this tendency does not take modernity and its development in Turkey not as it is but within the confines of belated modernity. Belated modernity refers to a general understanding which is not unique to Turkey but also used to explain the political, economic and social development of most of the "non-Western countries". As it is put by Mitchell, what comes to mind when the

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[66] "The Emergence of Modern Turkey" (Bernard Lewis, 2002), "Turkey, Islam, Nationalism, and Modernity/A History, 1789-2007" (Carter V. Findley, 2010), "Turkey, A Modern History" (Erik Jan Zürcher, 1993) and "The Making of Modern Turkey" (Feroz Ahmad, 1993) could be given as examples.
[67] Frederick F. Anscombe, "Islam and the Age of Ottoman Reform" in *Past & Present* 208, no. 1 (2010):161.

definition of modernization considered is the West and Europe in particular and its export to the non-Western societies. More importantly, he states that "the destiny of these regions has been to mimic, never quite successfully, the history already performed by the West"[68] as a direct linkage to the notion of belated modernity. For Turkey, Ahıska uses the metaphor of "catching the train of modern civilization"[69] and the reform efforts that start from the reigns of Selim III and Mahmud II could be considered the first steps to trying to catch the train of Europe which departed years earlier. Belated modernity as a notion stems from the understanding that takes "the West" as a benchmark in world civilization and accordingly positions "the others" that were not able to reach the level of civilization realized by the West and particularly by Europe. They are the late-comers of world civilization in this sense and usually confined to be a copy of the Western model.

Whether analyzing the process of Turkey as a success or failure story, most of the scholarship is focused on the Turkish imitation of Western perceptions[70]. Some of the analyses challenged the celebratory understanding of Ottoman and Turkish modernization[71] but Lewis saw it as a success story criticizing European commentators' interpretation of the reforms as "born death" and he argues that despite challenges they encountered they succeeded on many things. He argues that when it comes to 1871, "the destruction of the old order had been too thorough for any restoration to be possible; for better or for worse, only one path lay before Turkey, that of modernization and Westernization" and "she could move fast or slowly, straight or deviously; she could not go back".[72] In here modernization period is depicted as a linear process with a single origin of the West.

Davison is another historian who analyses the modernization period and the reforms respectively from the lens of Westernization and set the dominant narrative of the concerning era. To illustrate, he defines the reign of Abdülmecid as a one "characterized by increased efforts at reform and Westernization along many lines" with

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[68] Timothy Mitchell, "The Stage of Modernity" in *Questions of Modernity*, ed. Timothy Mitchell, (Minneapolis: University of Minnesota Press, 2000), 1.
[69] Meltem Ahıska, "Occidentalism: The Historical Fantasy of the Modern", *South Atlantic Quarterly* 102, no. 2-3. (2003):352.
[70] Ibid., p.358
[71] Sibel Bozdoğan and Reşat Kasaba, "Introduction" in *Rethinking Modernity and National Identity in Turkey* (Seattle: University of Washington, 1997), 4.
[72] Bernard Lewis, *The Emergence of Modern Turkey*, 2nd ed. (London: Oxford University Press, 1968), 128.

an emphasis on initiative of the minister of foreign affairs Mustafa Reşit Paşa.[73] He argues that the dualism of the reforms in the sense that both new westernized institutions and traditional institutions of faith and state existed together just like the personality of the whole *Tanzimat* era. He argues that it was the result of Mustafa Reşid Paşa's concern that made reforms palatable to Muslim conservatives since it was not possible to dismiss the references of religion, law and the glorious past.[74] The same problem also rose here in the sense that it equates modernization with Westernization. This approach brings an Orientalist perception in itself and poses a problematic situation. Overall, it is a way of understanding the world but as Said argues it is a hegemonic pattern of representation of Eastern societies with characterizations such as backwardness and traditional in order to portray Europe as progressive and modern. Orientalist perception refers to all kind of features of the East in such a pejorative sense so that the West can be constructed with affirmative qualifications which brought progress and civilization to the world.[75] When the Ottoman point of view is taken, it becomes a state's struggle to imitate Western practices to get rid of the obsolete institutions and replace with the new ones that are in line with the ones in Europe specifically. The modernization process of the Ottoman Empire should be considered within the framework of its own particular progress and change. At some parts of its history, the state mentality strongly inclined to political and social change that could be called as "Westernization" line as it was the case in the Reform Edict but diffusing these particular perspectives to explain the reform period of the nineteenth century poses a problematic outlook and bring the analyses into disrepute.

Another point of discussion that was also related to the discussions above is based on the degree of Great Powers' intervention or influence regarding the declaration of the reforms. Berkes stated that the reforms were formulated and put into practice under the diplomatic intervention by the European powers.[76] Karal interpreted the Edict and the reforms following it with the strong influence of the West although he did not specifically state the degree of it.[77] The high degree of intervention or influence of the European powers over the reform process and on the rationale behind the *Gülhane* and

[73] Davison, Reform in the Ottoman Empire, p. 36
[74] Ibid., p. 39
[75] Edward W. Said, *Orientalism* (New York: Vintage, 1979).
[76] Niyazi Berkes, *The Development of Secularism in Turkey* (Montreal: McGill University Press, 1964), 144.
[77] Karal, "Gülhane Hatt-ı Hümayunu'nda Batı'nın Etkisi", pp. 113-132

Reform Edicts specifically was a powerful narrative regarding the interpretations of the nineteenth century of the Ottoman Empire. However, critical reviews challenged these interpretations later and produced different outlooks.

Davison underlined the high degree of the international effect as "In the face of Mohammad Ali's serious threat to the integrity of the Ottoman Empire, it was imperative· that Reşid secured some outside help. Given the diplomatic situation of the time, this was most likely to be forthcoming from England. But the Ottoman Empire had to appear to be worth saving, to be reforming itself, and to be as liberal as the Egypt of Mohammad Ali".[78] Although the need for international support for an issue that could have serious problems in many dimensions including domestic unrest and decrease in the authority of the state in the eyes of people, reducing an extensive reform movement to certain pragmatist expectation in the international realm is a problematic approach especially when the idea for reform dates back earlier than the *Gülhane* Edict. Zürcher also interprets the timing of the *Gülhane* Edict as a diplomatic move that was made for the sake of support hoped from the Great Powers (especially Great Britain) concerning empire's struggle with the Mohammad Ali Incident. However, he does not rule out the reformist cadre's sincere concerns headed by Mustafa Reşid Paşa regarding the necessity of reforms which were continuation of Mahmud II' policies.[79] When it comes to the promises for Ottoman Christians, Zürcher argues that it was made for impressing European powers. At the same time, it was also a result of the sincere belief of Mustafa Reşid Paşa and his colleagues' on the expectation that these promises would stop the separatist movements of Christian communities and intervention of Europeans especially of Russia. He states that the *Gülhane* Edict helped the expectations at least for short term.[80] The urgent need for extensive reform has to have some material reasoning behind it and it shows the existence of practical problems that need concrete solutions. İnalcık argues that the core of the movement comes from the practical need of strengthening the state, developing the country and restoring the peace in the society. The issues such as Serbian autonomy, Greek Independence War and Russian influence over the Balkan communities were the most important part of the *Tanzimat* era. *Tanzimat* men, he states, applied the principles of equality before law and secularization of the state institutions as a political necessity born out of internal and external

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[78] Davison, "Reform in the Ottoman Empire", p. 38
[79] Zürcher, "Turkey", p. 51
[80] Ibid.

pressures. He defines the Edict as crucial document that was prepared within a traditional framework but it brought modern concepts to state and law with the practical aims of restoring the administration.[81] The political and international landscape created the main basis for an extensive change; however it should be noted that for the Ottoman Empire crisis is not something that is unfamiliar. A deeper perception that takes each possible dynamic should be considered as well.

Structural changes in the economic sphere were also considered as one of the reasons behind the declaration of the Edict. Ahmad indicates that the reformist cadre was thinking that integrating with industrialized Europe and being a part of the expanding world market was the only way for the continuation and well-being of the empire.[82] Although this may be an exaggerated point, it is clear that the economic position of the empire was also one of the major considerations of the Ottoman administration. Finkel argues that "If the Baltalimanı commercial convention of 1838 was the price the Ottomans had to pay for British support in the settlement with Mohammad Ali, the proclamation of the *Gülhane* Edict was the cost of securing this self-interested support in the longer term."[83] Findley also points out the Edict as complementary to the liberal economic reforms in addition to the other dimension on the declaration of the Edict.[84] The economic side should also be added to the picture for the full story. However, another dimension that was discussed in the literature is related to the nature of the motives and the main actors behind the Edict. İnalcık interpreted the need for legal compliance to Shari'a underlined in the Edict was just a choice of format which was done in order to calm down the conservative population led by *ulama* and preserve the status of the Sultan as the Caliph.[85] Finkel points out to the "homegrown aspects of the Edict" as the influence of the members of the religious hierarchy and the pious character of the Sultan Abdülmecid[86]. The essence of this argument was firstly presented by Butrus Abu-Manneh. He discussed about the Islamic roots of the *Gülhane* Edict and underlined the significant role of some actors other than Mustafa Reşid Paşa. In Abu-Manneh's words, "when Sultan Abdülmecid rose to the Sultanate, both the Palace and the Porte appear to have been motivated by the ideals of Orthodox Islam,

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[81] İnalcık, "Sened-i İttifak ve Gülhane Hatt-ı Hümayunu", pp.109-110

[82] Feroz Ahmad, *The Making of Modern Turkey* (London and New York: Routledge, 1993), 27.

[83] Caroline Finkel, *Osman's Dream: The Story of the Ottoman Empire, 1300-1923* (New York: Basic, 2006), 448.

[84] Findley, "Turkey", p. 45

[85] İnalcık, "Sened-i İttifak ve Gülhane Hatt-ı Hümayunu", p. 106

[86] Finkel, "Osman's Dream", p.449

perhaps more than at any time before" and as a result "this might have helped to determine their view as to the measures needed to put an end to the prevailing malpractices and abuses of power, and to restore security and justice into the acts of the government and throughout the Ottoman lands".[87] In addition, he points out to the Sultan's own initiative over the reforms rather than focusing on only Mustafa Reşid. Abdulmecid issued an *irade* two weeks after *Gülhane* Edict to the government officials to assure "following the law of justice and equity in all matters and to observe constantly "the application of the honored *şeri'at* in all the affairs of the ex-alted sultanate ...".[88] He argues that:

> "*Adaletnames* are usual but these decrees differ from Abdulmecid's *irade* in that they were normally addressed to governors, judges, or military commanders in the provinces and concerned with abuses of authority committed by them or by their subordinates there. This *irade* of Sultan Abdulmecid was issued to his own ministers meeting in council and was concerned not with specific abuses but with general principles. This is what makes it of special interest to us here because it contains basic principles that were to appear afterwards in the Gülhane, for example, that the shari'a should be applied, that justice and righteousness should prevail, and that care should be given to "all" the subjects of His Majesty, as well as the required guarantees for their well-being. Furthermore, this *irade* was drafted at the Palace while Reşid was still in London and about two months before his return which means that such ideas were not exclusively Reşid's and his young associates but shared by others"[89]

As argued before, a deeper perception that considers each dynamic should be adopted and while doing so superficial or deterministic argumentations should be avoided. As long as such an outlook is internalized, it is possible to explain the reactions of the people accurately. Findley argues that in order to make comprehensive interpretation one needs take both Western and Islamic factors into account. To illustrate, rights may imply liberal themes at the first glance they do not represent individualistic values. They are looking from the lens of benefits to community and to state since the period could be considered as a middle form between the Islamic philosophy and nationalist ideas. Therefore, the Edict does not represent a single ideology but it evokes the themes of commonly shared politics and political philosophy.[90] This is a highly significant point in the sense that expecting a clear disconnection from years of administrative practice and a powerful political culture is

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[87] Butrus Abu-Manneh, "The Islamic Roots of Gülhane Rescript" *Die Welt Des Islams* 34, no.2 (1994): 187-88.
[88] Ibid., p.190
[89] Ibid., p. 190-191
[90] Findley, "Turkey", p. 45

neither logical nor realistic. For a reform to be great, changes in both theoretical and practical life could be the reformulation of earlier ideas in a new form. In fact, sources of the ideas in the Edict could be traced to the medieval Islamic political thinking as Abu-Manneh indicates. The linear connection between justice, security, prosperity and loyalty to the ruler and the community can be found in the Ghazali's "Council of Princes" (*Nizam'ül Mülük*) and it is not new for the Ottoman political thinking.[91] As for the equality of Muslims and non-Muslims, he argues that there is nothing against Shari'a in the Edict since non-Muslims were entitled to be protected by the Muslim ruler as *zımmis*. In addition, equality before law in here did not lead to civil or political equality and the legal status of the non-Muslims.[92] Another point is the frequent use of the description "laws in accordance with Sharia" (*kavanin-i şeriye*) for the new laws that will be going into effect. Findley argues that the state laws are named as *kavanin* in Ottoman political system apart from Sharia law. The frequent use of this expression shows the will for matching state laws and Sharia. He indicates that this point is unnoticed by scholars who have the tendency to consider the Edict as a step of Westernization.[93]

Another argument is related to the target group of the reforms. In line with the argumentation of Abu-Manneh, contrary to the common view that the reforms were primarily targeted non-Muslim population. Anscombe states that reform was fundamentally shaped by, and for, Muslim interests: healing divisions within the community of believers, reconciling their enduring goals, and concentrating their energies upon defense against external threats".[94] The point is that it does not have to have a specific target group; the structure and main content of the Edict clarifies this. The continuation of the empire is based on the both groups, the majority and minorities. It was designed to ease the dissatisfaction of both groups as a reflection of general discontent and problems. With such an umbrella framework, it is highly likely that the central administration hoped to cure the social cracks within a unifying perception. Focusing on a certain group will likely lead more problems, especially when the movements in the Balkans are considered. The cadre chose the most suitable solution of the time and space and it was not out of pure practical reasons. Abu-Manneh indicates

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[91] Abu-Manneh, "The Islamic Roots", p. 196
[92] Ibid., p.201
[93] Findley, "Turkey", p. 44
[94] Anscombe, "Islam and the Age of Reform", p.160

that "it is suggested to see the motives behind the *Gülhane* Rescript as a mixture of idealism and political expediency".[95] However, when the political climate was changed, the solution changed with it. Considering the *Gülhane* Edict as an *a priori* "great change" without analyzing its content independent from its historical context is misleading since it would be tempting to be considering it within the framework of metanarrative. As Rubin argues:

> "As it is often the case with metanarratives, the secularization narrative tends to emphasize those events or processes that are supposed to demonstrate the mega-change that can always be presented in a single word, while it simultaneously marginalizes or simply pays no heed to phenomena that suggest otherwise. By the same token, metanarratives tend to debar individual social experiences of ordinary people and present ideas of intellectual and bureaucratic elites as the sole impetus for social change."[96]

This perspective is not only the case for secularization narrative but also it is effective for the whole early *Tanzimat* period that lasted until 1856 Reform Edict. Considering the *Gülhane* Edict and comparing to the Reform Edict, a deeper glance to the context shows only promises. As for the non-Muslim rights, it does not divert from the *zimmet* pact of Islam adopted by the Ottoman administration and this pact will be elaborated in the next chapter. The essence of the document does not divert from the basic Islamic legal principles but the significance comes from the fact that they had been declared by the ruler in a written form and refers to the human rights. Therefore, it could be considered as having an inceptional constitutional character. However, it should also be noted that this constitutional character is highly preliminary and does not mean that it is a constitution. Rather, it is one of the steps on the way to the Ottoman Constitution of 1876. Refraining from metanarratives would give the chance to have a clear perspective when the reactions of the non-elite members of the Ottoman society is considered and investigated.

1.2 The Reform Edict
The Reform Edict (which is known in Turkish as *Islahat Fermanı*) was prepared in the final years of the Crimean War. Cevdet Pasha narrates that the preparation of the Edict was done by a commission consisted of some ministers and foreign ambassadors

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[95] Abu-Manneh, "The Islamic Roots", p. 198
[96] Avi Rubin, *Ottoman Nizamiye Courts Law and Modernity* (New York: Palgrave Macmillan, 2011), 59.

together with *Şeyhülislam* Arif Efendi. He argues that the privileges of the non-Muslim communities (*teba'a-ı gayr-i müslimenin imtiyazatı*) was one the most significant issues of the year of 1856. [97] It was read and declared in front of the ministers, state officials, *Şeyhülislam* (chief jurisconsult), patriarchs, chief rabbi and prominent members of the religious communities in February 28, 1856 in Sublime Porte (*Bab-ı Ali*) by *Kaymakam* Kıbrıslı Mehmed Pasha and then it was sent to the states that were working on the Treaty of Paris.[98] The historical conjuncture and the preparation of the Reform Edict represents striking differences compared to the *Gülhane* Edict. The reference to it in the Paris Treaty is one of the examples. However, the differences were not limited to its formal character but also its content and the influence that it created for both Muslim and non-Muslim communities in the Empire.

1.2.1 The Background of the Reform Edict: Crimean War

Although many other events could be counted as important in the period between 1839 *Gülhane* Edict and 1856 Reform Edict, the most significant and long-term influential issue was the Crimean War started in 1853 following the disputes over Holy Sites in Jerusalem. In 1850, the president of the French Republic Prince Louis-Napoleon reinstated a claim of custody over the Holy Sites aiming to have support from Catholic clerics at home. In 1852, their demand was accepted and keys of Church of the Nativity were given to the Catholics in Jerusalem with restrictions to satisfy Russia due to the Orthodox dissident.[99] However, there was a significant meeting between British ambassador and the Tsar of Russia that gave ground for extensive problems for the Ottoman Empire in 1853. In the meeting between London and St. Petersburg, the Ottoman Empire was referred as "the Sick Man of the Europe" for the first time with the Tsar Nicholai's hope to gain the Danubian Principalities, Bulgaria and Serbia while leaving Egypt and Crete to the British.[100] It was not something out of thin air. The general condition and weakness despite its efforts to show otherwise gradually led to "gaining" this title. Concerning the Europe-oriented international climate of the time, the Ottoman Empire was the object of the "Eastern Question" since it did not play an

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[97] Cevdet Paşa, "Tezkire I", p.67
[98] Karal, "Tanzimat-ı Hayriye Devri", p. 36
[99] Finkel, "Osman's Dream", p. 457
[100] Ibid., p.457

influential role in the European politics.[101] Relying on this tacit agreement however London was hesitant, Russia declared its claims over the recognition of Russia's rights over the Orthodox subjects and the Holy Sites in 1853. Their claim was rejected by the Ottoman administration. As Sander argues, the dispute over Holy Sites was the sudden and close reason behind the Crimean War rather than being the crucial one.[102] From Russian point of view, "the Sick Men of the Europe" was an easier target to break it down. However, the British were not eager to help collapse of the Ottoman Empire and gave her support against Russia. In line with the dispute over the Holy Sites, France also supported the Ottomans. The result was the conflict between the Ottoman Empire together with Anglo-French support against Russia and Crimean War broke out in 1853.[103] Nonetheless, portraying the Ottoman Empire as a pure victim of the European power politics might be misleading. Badem argues that:

> "At present most historians (except for the new Russian Orthodox nationalists) accept that the question of the holy places was no more than a pretext for the Crimean War. That the issue of the holy places was a fabrication to conceal the imperialist aims of the tsarist Russia, or that the defense of the Ottoman Empire by Britain and France was simply because of imperialist rivalry, is a commonplace in contemporary Turkish historiography. While these factors appear true, one has to be consistent and apply the same skepticism to the actions of the Ottoman Empire as well. Many Turkish historians like to perceive the Ottoman state as a simply victim of the great powers, without itself having any imperialist or expansionist aims or practices (…)"[104]

A perception that includes both Ottoman and European cases would produce more fruitful and accurate analysis. Notwithstanding, it is out of the scope of this study and requires further research.[105]

The Crimean War was ended with the defeat of Russia in 1856. The peace settlement was made by Treaty of Paris which was signed between Russia and the alliance of Ottoman Empire, British Empire, French Empire and Kingdom of Sardinia in the Congress of Paris. The Danubian European Commission was established in order to put the river under international supervision for avoiding its blockage. The Black Sea

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[101] Candan Badem, *The Ottoman Crimean War (1853-1856)* (Leiden: Brill, 2010), 46.
[102] Sander, "Anka'nın Yükselişi ve Düşüşü", p.229
[103] Akşin, "From Empire to Revolutionary Republic", p. 31
[104] Badem, "The Ottoman Crimean War", p. 65
[105] For further information, see Ussama Makdisi "Rethinking Ottoman Imperialism: Modernity, Violence and the Cultural Logic of Ottoman Reform" and Selim Deringil "They Live in a State of Nomadism and Savagery": The Late Ottoman Empire and the Post-Colonial Debate".

region was neutralized.[106] The most significant part of the Congress and the Treaty for this study was related to the non-Muslim communities in the Ottoman Empire. Article 7 of the Treaty poses a significant position to the Ottoman state:

> "His Majesty the Emperor of France, His Majesty the Emperor of Austria, Her Majesty the Queen of United Kingdom of Great Britain and Ireland, His Majesty the King of Prussia, His Majesty the Emperor of all the Russians and His Majesty the King of Sardinia declare the Sublime Porte admitted to participate the advantages of the public law and concert of Europe. Their majesties engage each on his part, to respect the independence and territorial integrity of the Ottoman Empire and guarantee in common the strict observance of this engagement and will, in consequence, consider any act tending to its violation as a question of general interest."[107]

As a victor of Crimean War, the Ottoman Empire was admitted to the Concert of Europe with the Treaty of Paris with this article. The independence and the integrity of the empire were taken under the guarantee of the European states. Another article was more closely related with the topic of this study:

> "His Imperial Majesty the Sultan having, in his constant solicitude for the welfare of his subjects, issued a Firman, which, while ameliorating their condition without distinction of Religion or of Race, records his generous intentions towards the Christian population of his Empire, and wishing to give a further proof of his sentiments in that respect, has resolved to communicate to the Contracting Parties the said Firman, emanating spontaneously from his Sovereign will. The Contracting Powers recognize the high value of this communication. It is clearly understood that it cannot, in any case, give to the said Powers the right to interfere, either collectively or separately, in the relations of His Majesty the Sultan with his subjects, nor in the Internal Administration of his Empire."[108]

More importantly, the Treaty was referring to the Reform Edict in Article 9 as "the powers 'recognized the high value' of the Edict which the Sultan had communicated to them and declared that this communication gave them no right to intervention in the internal affairs of the empire".[109] As Badem indicates, the position of the Ottoman statesmen was vulnerable vis a vis the reform demands and pressures from the European powers due to the war and their support to Ottoman side against Russia; in

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[106] Clive Ponting, *The Crimean War:The Truth Behind the Myth* (London: Chatto & Windus, 2004), 325-327.
[107] As cited in Mustafa Serdar Palabıyık, "The Emergence of the Idea of 'International Law' in the Ottoman Empire before the Treaty of Paris (1856)," *Middle Eastern Studies* 50, no. 2 (2014): 233.
[108] As cited in Henry Nemo, *War and Peace: Or, at Glance at the Progress of the Recent Hostilities in the East* (London: Bosworth and Harrison, 1856), 47-48.
[109] Davison, "Reform in the Ottoman Empire",p. 4

return they demanded improvements for the non-Muslim subjects of the empire.[110] The resulting document was the Reform Edict whose content will be analyzed in detail below.

1.2.2 The Content of the Reform Edict

During the meetings in Paris related to the peace conditions, a commission in İstanbul was gathering in order to discuss and prepare the content of the Reform Edict. The British ambassador Stratford Canning de Redcliff was making efforts for these discussions. The commission was including Grand Vizier, Minister of Foreign Affairs, and some other high state officials together with the ambassadors from Britain, France and Austria. As Yeniçeri states, the commission was dominated with different theses over the non-Muslim population living under Ottoman Empire. The British thesis was defending full freedom of religion and rule of law; while French arguments were based on the abolitions of the differences between Islamic and non-Muslim *tebaa* in terms of community, rights, taxation, military service, education and state officialdom. The Ottoman perception was arguing that the concessions given to the non-Muslim tebaa started from the reign of Mehmed II (the Conqueror) and they were consisted of two parts. One is related to freedom of conscious and the Sublime Porte was ready to renovate them. However, the second part was including the concessions related to civil rights, justice and autonomy. Since the *Gülhane* Edict accepted the equality between Muslims and non-Muslims, the Sublime Porte cannot give these concessions.[111] Although the equality issue in *Gülhane* Edict is open to discussion as indicated in the earlier sections of this work, the arguments were shaped in this framework. This also shows the mentality of the state at the time and explains the fears experienced by Mustafa Reşid Paşa.

The introduction of the Edict refers to beginning of a new era (*zaman-ı hayriyyet iktiranın mebdei*) which starts with stabilization of the foreign policy thanks to the support of the allies.[112] The principle of the protection of life, honor and property which was mentioned in the *Gülhane* Edict was again assured (*te'kıd ve te'yid*) in the Reform

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[110] Badem, "The Ottoman Crimean War", p. 335

[111] Özcan Yeniçeri, "Kırım Savaşı, Islahat Fermanı ve Paris Barış Antlaşması" in *Türkler*, ed. Hasan Celal Güzel, Kemal Çiçek, and Salim Koca, Vol. 12, (Ankara: Yeni Türkiye Yayınları, 2002), 849-850.

[112] The content was provided from the summary from İsmail Hami Danişmend, *İzahlı Osmanlı Tarihi Kronolojisi*, Vol. 4, (İstanbul: Doğu Kütüphanesi, 2011), 239-243.

Edict with an emphasize. With this reference, *Gülhane* Edict was officially approved again. The first glance shows continuation and tenacious connection with the *Gülhane* Edict. Nonetheless, the Reform Edict has a perspective beyond to be complementary of the earlier *Gülhane* Edict.

The concessions (*imtiyazat*) given to non-Muslim communities and religious exemptions shall continue and if there would be new needs arising from changing conditions; special assemblies shall be created in the patriarchates and they would be presented to the Sublime Porte.[113] With this article, representation principle was regulated with a legal document. Their tenure would be life-long.[114] Election procedure of the religious leaders shall be reviewed and they shall take an oath of loyalty to the Ottoman state. The fees that the communities were paying to their leaders, *cevaiz* and *aidat* shall be abolished and the leaders shall be put on the payroll.[115] Just like the abuses in the *iltizam* system, collecting more money from the population was also a problematic case regarding the religious leaders under these fees. The solution was found in the enrollment to the regular monthly payments from the state. Thus, it created a dissident among some of the religious members. The instant reaction came from the metropol of İznik after the Edict was read and put in its silk pouch: "God shall allow that it will never come out again".[116]

The community issues shall be transferred to assemblies consisted of both religious and civil members. This brought a civilian voice in the communitarian issues. Repair of the public places belonged to non-Muslim communities such as schools or hospitals shall be allowed but reconstruction shall need permission from the government. In the places where the population was consisted of only one sect public religious ceremonies shall be allowed. Regardless of the magnitude, all sects shall have the religious freedom. Humiliating idioms regarding non-Muslim sects shall be prohibited. No one shall be forced to conversion.[117] Before the Edict, communal public places were strictly under control in terms of repairing and reconstruction.

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[113] Original text was provided from "Islahat Fermanı" in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Halil İnalcık and Mehmet Seyitdanlıoğlu, (İstanbul: İş Bankası Kültür Yayınları, 2008).

[114] Musa Gümüş, "Anayasal Meşrûtî Yönetime Medhal: 1856 Islahat Fermanı'nın Tam Metin İncelemesi" *Bilig* 47. (2008): 220.

[115] "Islahat Fermanı", p.6

[116] Engelhardt. *Tanzimat* (İstanbul: Milliyet Yayınları, 1976), 95.

[117] "Islahat Fermanı", p.7

Regardless of the race and sect, each *tebaa* shall have the right to be a state official. Anyone who has the required qualities shall have the right to enroll in military and administration schools (*mekatib-i askeriyye ve mülkiye*).[118] Minority schools shall be allowed on the condition that their programs and teachers were scrutinized and approved by an assembly of education (*Meclis-i Maarif*). This part is the most crucial point in the Reform Edict regarding the non-Muslim populations. Opening the state institutions to the excluded segments of the society is a grand change that has repercussions over both state and society. There were non-Muslim originated officials even in the highest ranks of the state mechanism; however it was the result of *devşirme* system which requires extensive assimilation to the Ottoman structure including conversion and more importantly it was done with the direct initiative of the state. Nonetheless, with this Edict it becomes possible for non-Muslim individual to be a part of state mechanism through their individual initiative. As Somel remarks, before the Edict, except for the community schools, the only way to build a school for non-Muslims could only be possible with a *ferman* from Sultan. Establishment of *Meclis-i Maarif* is a part of the process that includes the integration of non-Muslim schools into state education system and as supervision institution it is also a central administrative unit.[119]

Considering the murder and trade trials caused by hostilities between Muslims and non-Muslims, the hearing will be done by mixed courts in public (*aleni*). Prisons shall be reformed in accordance with justice and human rights (*hukuk-ı insaniyyeyi hukuk-ı adalet ile*). All kinds of torture and abuse shall be prohibited.[120] *Nizamnames* shall be prepared in order to hinder corruptions and injustices in the mixed assemblies in provinces and districts. As stated by Davison, before this idea each individual would take an oath according to their formulae but with these statements in the Edict "implied the removal of *millet* barriers and the substitution of a common citizenship for all peoples of the empire".[121]

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[118] Ibid., p.7-8
[119] Selçuk Akşin Somel, "Kırım Savaşı, Islahat Fermanı ve Osmanlı Eğitim Düzeninde Dönüşümler" in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2008), 695.
[120] "Islahat Fermanı", P.8
[121] Davison, "Reform in the Ottoman Empire", p.56

Non-Muslims shall also be liable to fulfillment of mandatory military duties just like the Muslim population. Nevertheless, they shall have the option of fulfilling this duty through paying fee (*bedel*).[122]

On the basis of the regulations with other states (*suver-i tanzimiyye*) foreigners could have possess real estate (*tasarruf-u emlak*) on the condition that they obey the rules established for local *tebaa*.[123] This part was another important section that gives significant economic rights and means entitled to foreigners in Ottoman Empire. In this sense, 1858 Land Code would lead to a more secure system and in 1867 foreigners would gain the right to have real estate in cities and suburbs.[124]

With the abolition of *iltizam* system, taxes shall be collected directly by state.[125] This was a repetition and emphasized in the *Gülhane* Edict. The religious leader of the each community shall participate in the meetings of *Meclis-i Valay-ı Ahkam-ı Adliye* in the issues related to all *tebaa*. The members of the *Meclis-i Vala* shall speak freely. Although freedom of speech in this sense seems to be highly unusual in Ottoman case, the sultans such as Selim III were also interested in the opinions of the other bureaucrats in consultancy assemblies (*meşveret meclisleri*). Importance shall be attached to European culture and shall be benefited from the issues of education, knowledge and capital of it (*maarif ve ulum ve sermaye-i Avrupa'dan istifade*).[126] The Westernization understanding is very clear in this statement.

In accordance with the background of the preparation conditions, the Reform Edict was mainly directed to the non-Muslim communities in Ottoman Empire and their rights. Acer argues that:

> "In the Reform Edict which aims to increase freedom of Christian minorities and in proclamation of which the effect of foreign States are clearly seen, the use of statements such as "*kâffe-i sunuf-ı tebaa-ı sahanemin*", "*cümlesi bilafark*", " *kâffe-i tebaa-i mülukaname*", "*kâffe-i tebaa-i saltanat-ı seniyyem*" shows that this edict is a discourse towards all people of the Ottoman State. In addition, the edict approaches every part of the society with an egalitarian understanding by

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[122] "Islahat Fermanı", P.9
[123] Ibid., p.9
[124] Bülent Tanör, *Osmanlı-Türk Anayasal Gelişmeleri (1789-1980)* (İstanbul: Yapı Kredi Yayınları, 1998), 96-97.
[125] "Islahat Fermanı", p.9
[126] Ibid., p.10

saying "*kâffe*". However most of decrees were in support of Christian minority except Muslim and non-Muslim equality pledged with the *Tanzimat* Edict."[127]

The Edict claims that it aimed to strengthen the "heartfelt bonds of patriotism" (*revabıt-ı kalbiye-i vatandaşi*) in order to unite all the subjects in the Ottoman Empire.[128] Although just a slight equality reference was made in *Gülhane* Edict and it was highly disputable, the equality matter is elaborated in here over state institutions. Nonetheless, there are no additional rights or changes regarding Muslims, thus it clearly shows the limited target group of the Reform Edict contrary to the *Gülhane* Edict. It was mainly directed to enhance the patriotism feeling of the non-Muslim subjects which was a reflection of the Ottomanism doctrine of the state at the time. However, the reactions were different that the expected as interpreted by Cevdet Pasha. He argues that non-Muslims were happy with the new edict at first since they were become equal with Muslims. Yet, they were not pleased with the determination of the duties' of patriarchs and religious authorities. In addition, he argues, there was an implicit hierarchy between the Greeks, the Armenians and the Jews respectively. With the principle of equality for all, the Greeks were complaining about the new situation: "The State equalized us with the Jews but we were consent with superiority of Islam".[129]

The first and foremost difference of the Reform Edict in the literature is the strong European external effect over the declaration of this reform program. Looking at the procedure and the actors involved leaves no further room for discussion. The cadre led by Mehmed Emin Ali and Keçecizade Mehmed Fuad Pashas showed European oriented inclinations towards reformation understanding and they were more eager and precipitant for greater changes than their predecessor Mustafa Reşid Pasha. The Islamic character and internal strive was dominant in the *Gülhane* Edict. In contrast, there are no Islamic references or glorious past of the Empire. However, a deeper difference was in the context. The *Gülhane* Edict was consisted of vague promises without concrete essence regarding the non-Muslim population. On the contrary, the Reform Edict is quite concrete and brought significant changes. The Reform Edict was not instantly internalized and seen as a contradiction to the old traditions. An anecdote from Cevdet Pasha illustrates the situation. After the reading of the edict, *Şeyhülislam* Arif Efendi

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[127] Zabit Acer, "A Series of Studies for Providing the Integrity of the Ottoman Empire: The Reform Edict Sample" *Ozean Journal of Social Sciences* 2, no. 2 (2009): 90.

[128] Carter V. Findley, "Tanzimat" in *The Cambridge History of Turkey: Turkey in the Modern World*, ed. Reşat Kasaba, Vol. 4. (Cambridge: Cambridge University Press, 2008), 28.
[129] Ahmed Cevdet Paşa, "Tezakir I", p.68.

asked from someone to pray as a custom. Although Fuad Pasha clarified that there would be no praying after the declaration since it was all about the equality between Muslims and non-Muslims, *Şeyhülislam* was not aware of this order. When the praying was done, the disturbance among the non-Muslim religious authorities was clear. *Serasker* Rüşdi Pasha made a metaphor to describe the situation:

> "Just like a man works hours and hours over a report but accidentally spill his inkwell all over it and he becomes so sad about his wasted efforts, this praying after the reading of this edict created the same feelings."[130]

Before going into the analyses on the social level, the perceptions at the state elite level should also be considered. Mustafa Reşid Pasha openly criticized the Reform Edict and blamed Ali and Fuat Pashas to prepare an Edict based on concessions to non-Muslim communities. Cevdet Pasha quotes his long *layiha* (memorandum) in *Tezakir*. He refers to the underlying idea in the Edict as "full equality" (*müsavat-ı kamile*). He strictly criticizes the pace and scope of the Edict and points out to the possible reactions from Muslims. He also accused the cadre for following the European demands and reference of the Edict in the Paris Treaty.[131] However, as Davison remarks, he was also arguing that the Reform Edict did not go far enough.[132] Ali and Fuad Pashas were the high state officials who followed Mustafa Reşid Pasha and they were quite effective and powerful in the Ottoman bureaucracy. Mustafa Reşid Pasha's attitude and the reason behind it is unclear however it should be noted that labeling the political actors of the period as "reformist" or "reactionist" is a problematic view. Concerning the conditions of the period, it is more likely that power politics was at work. Nonetheless, it stays as a mystery that requires specific study with more sources.

All in all, considering the *Gülhane* Edict and Reform Edict together, one could not refrain himself/herself from the debates and dichotomy of modernization and Westernization concepts. As it was argued in the beginning of this section, scholars should not base their arguments and researches over the simplistic view of Westernization when analyzing the *Tanzimat* period. However, it is also seen that Westernization phenomenon was also dominant path for the idea formation of the period approximately starts with the Reform Edict. The position and idea formation of the elites should also be taken into consideration in order to have an accurate perception and it is beyond the research question of this thesis. Nevertheless, one point should be

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[130] Ibid., p. 69
[131] Ibid., pp. 76-82
[132] Davison, "Reform in the Ottoman Empire", p. 57

mentioned. Timur argues that "the Ottoman modernization model" is not the one that was formulated comparatively under free conditions and derived from the realities of the Ottoman society. Rather, it was the sum of the actions that were imposed by European powers in a highly different power balance compared to the earlier centuries.[133] It is true that the influence of the European powers was remarkable. Yet it is not possible to condition the reforms within this mere "force" relation. The external pushes combined with the internal dynamics affected from the idea flows of primarily nationalism created such a basis for the Ottoman elite that they started to see themselves from the lens of Europe. If there were no immediate and fatal crises, it was more likely for the Ottoman Empire to follow its own alternative modernization path. The overall pragmatist state administration of the Ottoman Empire for centuries would require grand political changes at the end. It was the problem of a combined dynamics and timing problem. When the threats were not immediate, they draw a different route and created *Gülhane* Edict which could not be considered as a pure Western imitative document. However, when the threats were close enough and the political condition seemed not to be stable, as it was the case for the preparation of the Reform Edict, they looked for a short cut and found it in the Europe. Nevertheless, the problem was after a certain point, as Berktay argues, Ottoman state elite was also adopted a Euro-centric and an Orientalist perception in themselves when "the relegation" in the civilization arena started to felt itself heavily. This relationship with full admiration would turn into a love-hate relationship[134] and would show itself in the "occidentalist fantasies of the West" in contemporary Turkey.[135]

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[133] Taner Timur, "Osmanlı ve "Batılılaşma" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, Vol. I. (İstanbul: İletişim Yayınları, 1985), 139.

[134] Halil Berktay, "Birinci Lig ile Üçüncü Lig Arasında Yüksek Uygarlıklar: Küme Düşme Korkusuna Osmanlı-Türk Reaksiyonu" in *Dünyada Türk İmgesi*, ed. Özlem Kumrular, (İstanbul: Kitap Yayınevi, 2005), 187.

[135] Ahıska, "Occidentalism", p.367

CHAPTER II

THE LEGAL STATUS AND ADMINISTRATION OF THE NON-MUSLIM SUBJECTS OF THE OTTOMAN EMPIRE

The legal position of the non-Muslim population and their administration in the Ottoman state practices constitutes an important basis for the understanding of the public opinion formation. The changes at the political and legal level have a direct or indirect influence on the formation of opinions and value judgments since they generate a more concrete ground that has clear reflections on the everyday lives of the people. Without understanding the changes in the state level both in general and in particular, it is not possible and preferable to trace the reactions in social strata.

The purpose of the first chapter was to frame a bigger picture and define the stance of the *Tanzimat* reforms both in the literature and the Ottoman history. However, the main question of this study, that is the reactions of the non-elites to the reforms and the underlying causes behind them, requires a more detailed outlook to the legal and political position of the communities in the Empire. Therefore, the Ottoman system regarding the non-Muslim subjects of the society before and after the *Tanzimat* reforms should be analyzed to have a clear perception. In accordance with this aim, this chapter will be reserved to the condition of non-Muslim communities specifically. In an empire which had based its legal system on Shari'a, the "exceptional" position refers to the legal condition of the non-Muslim communities. Thus, an examination of the non-Muslim position will implicitly reveal Muslim condition that does not necessitate separate study since the former was constituted according to the latter group.

First, pre-*Tanzimat* system which is often referred as "*millet* system" will be examined. It will also include the critics related to the conceptualization of the *millet* system. Secondly, post-*Tanzimat* situation will be analyzed with respect to political and economic transformations. This part will also include the debates related to "Ottomanism" policy of the period. The debates of the Ottomanism policy is significant in the sense that it was basically targeted the non-Muslim communities in the society and the problem of the integrity of the Ottoman Empire.

2.1 Legal Status and Administration of the Non-Muslims in pre-*Tanzimat* Era

To begin with, the most crucial point related to the Ottoman legal system, there was no uniform body of law. The legal system was based on Shari'a law which constituted the legal side of Islam as a religion. Rather than to be founded by Muslim conquerors, the Islamic and theocratic character of the Ottoman Empire comes from its legal organization primarily based on Islamic law together with the secular *kavanin* of the rulers. *Kanunnames* (secular law books) "were actually enactments of written versions of customary and sultanic law, legitimized by the Islamic principle of *siyasa shar'iyya*, namely, the *Şer'i* recognition in the necessity of state legislation on specific issues not covered by the *Şeriat*, mostly in matters of criminal law, land tenure, and taxation".[136] Avi rightly argues that "the legal duality" between *kanun* and *Shari'a* law that was underlined by the literature is not realistic in the sense that "*kanun* formulations often replicated *Şer'i* legal principles while integrating them with new legal concepts" and also *kanun* was the making of *ulama*.[137] This perspective in the literature is also likely to consider *Gülhane* Edict of 1839 as a document which is completely out of Islamic framework. Dichotomous perception is not accurate when studying the Ottoman legal system. Swerving from the classical understanding of Shari'a coincides with the dissolution process of the Empire.

When the classical period of the Empire was considered, Shari'a was the primary legal source. Nonetheless, due to its primarily religious character, the first and basic distinction was made between Muslims and non-Muslims. The origin of this distinction is not originated from Ottoman practice but it took its core from Islam itself. In Islamic public law, people are considered in two main groups. First group is constituted by Muslims who has citizenship rights and duties whereas the second group is composed by non-Muslims whose political rights and law that they are subjected to is different from the first group of Muslims. The position of the second group was determined by the special agreement named as "dhimma" (*zimmet*) between the concerning non-Muslim groups and the Islamic state.[138] The direct meaning of the word *zimmet* is protection and it was referred to protection of the state.

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[136] Rubin, "Ottoman Nizamiye Courts Law and Modernity", p. 56.
[137] Ibid., p.56
[138] Gülnihal Bozkurt, *Alman-İngiliz Belgelerinin ve Siyasî Gelişmelerin ışığı Altında Gayrimüslim Osmanlı Vatandaşlarının Hukukî Durumu (1839-1914)* (Ankara: Türk Tarih Kurumu Basımevi, 1989), 7.

The practice of *zimmet* agreement dates back to the very beginnings of the Islamic state founded under the rule of Prophet Muhammad. As Bosworth indicates "when the Prophet and his followers had achieved majority power in one town at least of Arabia and, and were therefore forced to consider the question of Muslim community's relationship to minorities, in the case of Medina specifically, a Jewish minority" and he also points out that the question of dissenting minorities was also the case for Byzantine and Sassanid Empires which were the contemporaries of the Islamic state of Prophet Muhammad.[139]

However, the agreement is not made with all of the non-Muslims that are in an interaction with the Islamic state. There are certain categorizations in Islamic understanding of state-society relations and interactions with the non-Muslims. The *zimmet* pact is made up with an only specific group of non-Muslims. As Küçük explains, regarding Islamic understanding, in religious terms, non-Muslims are distinguished as the ones who are a part of *ahl-i kitab* and those who are not a part of *ahl-i kitab* group. Being a member of *ahl-i kitab* means to believe in a religion that received a holy book from God, the People of the Book. This group includes Christians and Jews since they were recognized by Quran. In political context, non-Muslims are cleaved into two groups as *ahl-i harb* (those who are in a war condition with Muslims) and *ahl-i ahd* (those who made an agreement with Muslims). *Ahl-i ahd* is consisted of three sub-categories: *zımmis* (those who accept the protection of Islamic state), *muaheds* (those who is in peace with Muslims) and *müstemins* (those who has *aman*).[140] Therefore, the *zimmet* pact applies to the non-Muslims who are subjects of *ahl-i kitab* and as a result of these gained the title of *zımmi*. The term *zımmi* is seen in the Constitution of Medina and Bosworth argues that it means that "all within the *umma* are equally protected, and all are able to give protection to other members, so that complete solidarity, with everyone in the dual role of protector and protected, is assured for all".[141] The point is that *zimmet* agreement provides equal protection for non-Muslims with Muslims as a principle.

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[139] C.E. Bosworth, "The Concept of Dhimma in Early Islam." in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. Benjamin Braude and Bernard Lewis, Vol. 1. (New York: Holmes and Meier Publishers, 1982), 37.

[140] Cevdet Küçük, "Osmanlılarda "Millet Sistemi" ve Tanzimat" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, Vol. 4. (İstanbul: İletişim Yayınları, 1985), 1007.

[141] Bosworth, "The Concept of Dhimma in Early Islam", p. 40

This is the application of Shari'a law to the non-Muslim communities under Islamic rule and the Ottoman non-Muslims were also considered within this framework. The scope of this protection is highly important. As Bayır points out "in line with the Islamic law, non-Muslim 'People of the Book' were organized under the '*millet*' structure and subjected to dhimmi (*zımmi*) status where their lives, honor, property, cemeteries and corpses, and the free practice of their religion were protected on the condition of their loyalty to the state and acceptance of their inequality and subordinate status".[142] These rights are often considered to be the proof of "Ottoman tolerance" in common literature. As Eryılmaz points out "this tolerance" was frequently related to moral attitudes of the Ottoman sultans although it is only a part of the Ottoman legal system as a whole.[143] Furthermore, as it can be seen in a closer look, the origins of the structure regarding the non-Muslim groups a certain legal status comes from the *zimmet* pact which is an early Islamic concept. "The acceptance of their inequality and subordinate status" is the most crucial part of this pact. The origin goes back to Quran again. It says "Fight against those who disbelieve in God and the Last Day, who do not account forbidden what God and His Messenger have forbidden, and who do not follow the religion of truth, from amongst those who have been given the Book, until they pay the *cizye* in exchange in exchange for a benefaction granted to them, being in a humiliated position".[144] Regarding the *zimmet* pact that lays the basis for the Ottoman non-Muslim subjects, the equal protection of them comes with the condition of being in an inferior status.

2.1.1 The Foundation of the Administrative Structure of Non-Muslim Communities

The expansion policy of the Ottoman Empire in a relatively short period of time brought varying ethnicities together especially considering the conquest of the Balkan territories under the central administration of the Empire. This multiethnic structure that the Ottoman administration faced showed the requirement of different policies than the ones considered by simple principalities or small kingdoms. The crucial point in considering the Ottoman system is that it does not have moralist (as it was in the common argument of "Ottoman toleration") but rather rationalist perception in its own terms. "The rationalism" of the system should not be confused with modernist

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[142] Derya Bayır, *Minorities and Nationalism in Turkish Law* (Surrey: Ashgate, 2013), 23.
[143] Bilal Eryılmaz, *Osmanlı Devletinde Millet Sistemi* (İstanbul: Ağaç Yayıncılık, 1992), 13.
[144] As cited in Bosworth, "The Concept of Dhimma in Early Islam", p. 41.

rationalism which became dominant with the Enlightenment. Rather, as Barkey argues, "its success was based on their intrinsic flexibility and ability to adopt".[145] Adopting a system which is both legitimized in Islamic sense since it was the practice of the Prophet Muhammad and successful considering the historical conjuncture of the time. Furthermore, it was not only the case in sociopolitical but also affected the economic sphere and it shows the general mentality of the Ottoman state system. Pamuk rightfully argues that the Ottoman Empire's economic institutions were also based on "pragmatism, flexibility, and willingness to compromise" that enabled first persisting then growing of the Empire contrary to its contemporaries.[146] The administration of the non-Muslim segments of the Empire was reflecting a similar strategy. Barkey argues that:

> "Imperial state–periphery relationships are not direct relationships between state and individual subjects; rather, intermediate bodies, networks, and elites mediate the relationships. Therefore, the authority relations flow from the central state to the local elites and from them to the local populations. Imperial power, then, has a crucially negotiated character, where different negotiations emerge from sets of relations in which state actors and elite groups are engaged."[147]

In addition to the state-periphery relations, the administrative connection between individual non-Muslims and state was provided through intermediate bodies of community organizations. In this section, the administrative relations between the non-Muslim communities and the state in pre-*Tanzimat* era will be analyzed.

Before going into the administrative structure, the words that are used to refer non-Muslim communities in the Ottoman Empire should be overviewed. As Ortaylı points out, the word *millet* in Ottoman language did not have the same meaning as today. The Arabic term could only be used to describe "community"[148] and it is used in this study referring to this meaning. Therefore, it is important to note that "*millet*" was only referring to religious groups and it was containing different ethnic and linguistic identities altogether. Muslim community was containing Turks, Arabs, Albanians and Muslim communities the other parts of the Empire regardless of their ethnic origins. Similarly, Greek (*Rum milleti*), Armenian (*Ermeni milleti*) and Jewish *millet*s (*Yahudi*

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[145] Karen Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (Cambridge: Cambridge University Press, 2008), 7.

[146] Şevket Pamuk, "Institutional Change and the Longevity of the Ottoman Empire, 1500–1800" *Journal of Interdisciplinary History* 35, no. 2 (2004): 246.

[147] Barkey, "Empire of Difference", p. 10

[148] İlber Ortaylı, "Osmanlı İmparatorluğu'nda Millet" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, (İstanbul: İletişim Yayınları, 1985), 996.

milleti) were based on the same logic. It is crucial to note that Greek here does not points to an ethnic origin but rather it refers to the Orthodox sect of Christianity. To illustrate, Bulgarian Orthodox groups were considered within the Greek *millet*.[149] İçduygu and Soner argue that "it was in this religiously determined legal–political and cultural context that the imperial order (*nizam*) incorporated a policy of ethno lingual indifference in its administrative policies".[150] Although cultural and linguistic differences remained, until nineteenth century they were not come to forefront.

Although the millet system conceptualization regarding the administration of the non-Muslim subjects of the Empire is mainly taken for granted in the literature, critiques were also directed. Braude argues that the terms "*millet*" was not typically used for non-Muslim communities prior to the nineteenth century but it is used today for all the periods. He remarks that one of the results of this misuse is the misunderstanding of the entire system.[151] Braude argues that the *millet* system originated from a combination of myths. According to him, Greeks, Armenians and Jews were claiming that Mehmed II had close ties with their communities respectively. Yet these stories were contradicting with the practices and the norms of the communities. He makes a comparison with Islamic traditions:

> "Just as devout Muslims ascribed all sorts of traditions to the Prophet and his Companions, so eager dhimmis sought all sorts of tolerant acts in the behavior of Mehmed. Thus there grew a self-serving patina of tradition which colored the foundation accounts of each religious community."[152]

Braude concludes his discussion with the arguments that the Ottomans had no consistent policy toward non-Muslims over centuries and when it was began to emerge accompanied with the mythmaking which create justifications with the new policies.[153] Anagnostopulu states that in line with the argumentation of Braude, even the term *millet* is started to be used in nineteenth century. She argues that the institutialization of division of the *millets* in the nineteenth century is an Ottoman necessity and it is a part of the new political and social realities. In this new Ottoman world, "middle religious-

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[149] Bozkurt, "Gayrimüslim Osmanlı Vatandaşlarının Hukuki Durumu", p. 9
[150] Ahmet İçduygu and B. Ali Soner, "Turkish Minority Rights Regime: Between Difference and Equality" *Middle Eastern Studies* 42, no. 3 (2006): 449.
[151] Benjamin Braude, "Foundation Myths of the Millet System" in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. Benjamin Braude and Bernard Lewis, Vol. 1 (New York: Holmes and Meier Publishers, 1982), 72.
[152] Braude, "Foundation Myths", p. 75.
[153] Ibid., p. 83.

ethnic realms" provide *millet*s to join Ottoman institutional structure and ensures the parallel realms that ensure legitimacy of Ottoman rule.[154]

Kenanoğlu points out to the conceptualization of the religious community administration as autonomous and discusses the questionable position of patriarchs or chief rabbis' *imperium in imperio* (state within a state) description in the literature. He argues that rather than a completely different system with autonomous *millet*s, it was another form of an *iltizam* system in which religious leaders of the communities executed the duty similar to *mültezim* in administrative, financial and penal issues of the communities.[155]

The theoretical debates related to the *millet* system and its questionable existence requires further research. However, reducing the system into a discursive level based on the name frequency is problematic. The Ottoman administration may not give a certain name to the administration of non-Muslim subjects but one should avoid from the conclusive arguments based on discursive works. As it could be seen in the next part of this study, there was a legal system in pre-reform era whether it has a specific name or not, set of legal practices regulated lives of non-Muslim populations in Ottoman territory and its pragmatist side should not be forgotten. Furthermore, it should kept in mind that the origin of the system is the zimmet pact which was based on secondary status in exchange for state protection. Next part is reserved to these practices in pre-*Tanzimat* era.

2.1.2   Legal Rights and Obligations of *Zımmis*

First of all, terms that are used to denote *zımmis* in the empire should be noted. Regarding the whole Ottoman society, the Ottoman term was *tebaa*. As Lewis explains, the origin of the word comes from Arabic *tabi'* and it meant the active participle of the verb "to follow". He argues that:

> "In classical Ottoman administrative language, it was the normal term indicating 'subordination' and 'dependence', and could be used equally of persons, places and offices. (…) In the course of nineteenth century, as the Ottoman Empire joined the 'concert of Europe' and became more and more involved in the diplomatic and other conventions which governed the relations between

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[154]Athanasia Anagnostopulu, "Tanzimat ve Rum Milletinin Kurumsal Çerçevesi: Patrikhane, Cemaat Kurumları, Eğitim" in *19.Yüzyıl İstanbul'unda Gayrimüslimler*, ed. Pinelopi Stathis, (İstanbul: Tarih Vakfı Yurt Yayınları, 1999), 2-4.

[155] Macit Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek* (İstanbul: Klasik, 2004), 396.

European powers, *tabi'* acquired a new usage, becoming the Ottoman equivalent of the English word 'subject'. In other words it denoted what we nowadays call nationality or citizenship".[156]

Zımmi was common at first but then the word *reaya* started to be used although earlier it was referring to the entire Ottoman subjects.[157] In the opinions of the people who were recorded in the spy reports generally refers to the non-Muslim Ottoman communities as *reaya*. The word "*millet*" is also problematic in nineteenth century since it has many connotations. Erdem indicates that in Mahmudian times, the word has at least five different meanings that vary from the traditional use related to non-Muslims led by a patriarch and subjected to *zımmi* status to denote a specific tribe or ethnic group without paying attention either to religion or to the political aspirations of that ethnic group.[158] The late nineteenth century differs in contextual sense. The terms *Osmanlı milleti* or *millet-i Osmaniyan* were used to denote the Ottoman subjects as a single political entity without making any religious differentiation.[159] This coinage was in line with the Ottomanism doctrine of the time.

In general, Shaw indicates, the Sultan and the dominant class around him limited their jurisdiction over non-Muslim communities in administration, public finances and military; whereas all other issues that were a part of state such as education, communication, social security and law were left to the communal organizations.[160] Nevertheless, concerning the legal issues that are related to society in general could be differentiated. Regarding the family law, *zımmis* were allowed to be judged according to their own religious jurisdiction. To illustrate, marriages and divorces among *zımmis* could be executed by the religious leaders of the communities. However, along with the other issues that were considered within the limits of the private law, they could apply to the *kadı* who were the judges of the Shari'a courts especially for the cases that involve financial conflicts resulted from divorce.[161] On the contrary to the private law applications, for criminal issues the Ottoman administration did not leave room for choice to the involved *zımmi* individuals. *Zımmis* were judged according to the Islamic

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[156] Bernard Lewis, *The Political Language of Islam* (Chicago: University of Chicago Press, 1988), 62-63.
[157] Eryılmaz, "Osmanlı Devletinde Millet Sistemi", p. 14
[158] Erdem, "Do Not Think of the Greeks", p.80
[159] Ibid., p.81
[160] Stanford Shaw, "Osmanlı İmparatorluğu'nda Azınlıklar Sorunu" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi* (İstanbul: İletişim Yayınları, 1985), 1002.
[161] Kenanoğlu, "Osmanlı Millet Sistemi", pp. 245-247

penal code. However, under some circumstances religious community leaders could demand punishment from the central state.[162]

The clothing of *zımmis* was also differentiated from Muslims. Muslims were wearing yellow quilted turbans (*kavuk*) and shoes, Armenians had red hats and shoes whereas Greeks used black and Jews were wearing blue accessories.[163] It is important to note that as Kenanoğlu argues the regulations related to the limitations over clothing, horse-riding and carrying weapon are not Shari'a features but customary (*örfi*) practices.[164] However, since these are related to the public appearances and easy to recognize in daily life, it could be argued that they have also a symbolic meaning in terms of hierarchical society order.

Regarding the obligations of non-Muslims to the Ottoman state, the crucial one was taxation. Poll tax (*cizye*) was exclusive for *zımmis* and it was collected in return for exemption from military duties. The males aged from 14 to 75 were considered as poll taxpayers. *Cizye* was collected as *maktu* (total) or *alerrüs* (per person). In addition, the residents of İstanbul and Sacred Sites were also exempted from the poll tax. Bozkurt argues that exemption from the military duty which was mandatory for Muslims was highly advantageous for *zımmis.* They did not join in wars and they could engage in arts and trade. Thanks to this exemption, she indicates, they could dominate the Ottoman trade.[165] Another tax that was only collected from *zımmis* was tribute tax (*haraç*). *Haraç* refers to a tax that was collected from *zımmi* landholders in order for them to make use of the land that they were possessing before the Ottoman conquest. This tax was collected over land (*harac-i muvazzafa*) and products (*harac-ı mukaseme*) in kind.[166] The equivalent of this tax for Muslims was called *öşür*.

Many other legal codes and *nizamnames* could also be mentioned here but a more detailed study will go beyond the purpose of this thesis. However, for the background purposes, it should be noted that in legal terms there was a clear distinction between Muslims and non-Muslims in many spheres including daily life. However, when the *kadı* system was considered, the individualistic judgments were also the case. As Davison points out, in the classical legal system of the Empire in pre-*Tanzimat*

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[162] Kenanoğlu, "Osmanlı Millet Sistemi", p.224
[163] Bozkurt, "Gayrimüslim Osmanlı Vatandaşlarının Hukuki Durumu" p. 19
[164] Kenanoğlu, "Osmanlı Millet Sistemi", p.23.
[165] Bozkurt, "Gayrimüslim Osmanlı Vatandaşlarının Hukuki Durumu" , p. 23
[166] Ibid., p. 26

period was that "law was personal rather than territorial in its basis and that religion rather than domicile or political allegiance determined the law under which an individual lived".[167]

2.2 Transformations in the Nineteenth Century: The Influence of *Tanzimat*

The nineteenth century of the Ottoman Empire has been described as "the long nineteenth century" in the literature together with other contemporary empires in the world. It was not considered a "century" in numerical terms, but it is a qualitative understanding since it is neither possible nor desirable to make superficial distinctions regarding the political history. Therefore, the term "nineteenth century" actually refers to a period that starts in late eighteenth century and ends in 1914 with the beginning of World War I. With the World War I, the Ottoman Empire passed through a new phase that could be described and analyzed in a different outlook. Due to the practical reasons and main question of this thesis, the focus will be on the transformations in the nineteenth century Ottoman Empire in the framework of *Gülhane* and Reform Edicts with a special focus on the lives of the communities.

2.2.1 Ottomanism Policy

It was mentioned in some parts of the first chapter that both *Gülhane* and Reform Edicts were based on the idea of Ottomanism (*Osmanlıcılık*). It constituted the ideological base of the reform movements started by the central bureaucracy. Before analyzing the transformations, this ideological doctrine should be reviewed. Ottomanism refers to an ideal that political, legal and social equality of *tebaa* living in Ottoman territory without having discriminated by ethnic or religious identities under the sovereignty of the Sultan. It is an ideology based on a single Ottoman community. Ottomanism policy which started in 1830s was a series of pragmatic applications at first, yet after 1868 it was subjected to deliberate ideological formulations.[168] Like many other policies of the Ottoman Empire, Ottomanism was also a response to the changing and alerting circumstances. Regarding the internal dynamics, the Ottoman elite were evaluating the regressing of the Empire as state's loss of control over the society and tax

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[167] Davison, "Reform in the Ottoman Empire", p.13
[168] Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi", p. 88.

sources respectively.[169] 1789 French Revolution and the ideas spread the world through it was influential especially in the Balkan territories of the Empire. The rising tide of nationalism was posing danger to the multiethnic structure of the Empire. Thus, problem of loyalty to the state became forefront. In order to put the genie back in the bottle, the first and foremost dichotomy had to change: the one between the Muslim and non-Muslim communities as well as the state-society dynamics.

The other reason behind the policy could be seen with respect to modernization period that the Ottoman Empire was experiencing. Thanks to modern technology, the central state could reach out the areas that were de facto autonomous and created a struggle between them and the central administration.[170] Somel indicates that for such a political project that accepts society as an indiscriminative whole, three reference points could be made. First one could be creating a loyalty focus by attributing religious sanctity to state and an institution, party or a ruler. Secondly, it could be achieved through using the discourse of patriotism over the sanctity of the land where people coexisted together in order to create a mutual emotion that could unite people. Lastly, it could be generated secular nation based on a supra-identity which is beyond religious and ethnic differences. Regarding the post-1830 period, it could be argues that Ottoman policies concentrated on the first one with a strong emphasis on state and centralization.[171]

However, the problem was that especially the Reform Edict of 1856 created segregations on the relations between Muslims and non-Muslims although the aim was to unite. Serbestoğlu indicates that Ottomanism as a result of the efforts to prevent dissolution and constituted a secular identity instilled non-Muslims to bond with their communities over ethnic ties rather than religious ones. By this way, in the age of nationalism, while the Ottoman Empire was trying to create its own nation beyond religious configuration, it sharpens the differences in terms of ethnicity.[172] Regarding the expressions and developments after the *Gülhane* Edict and especially Reform Edict, this problem reaches significance. Davison argues that:

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[169] Şerif Mardin, "19. Yy'da Düşünce Akınları ve Osmanlı Devleti" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi* (İstanbul: İletişim Yayınları, 1985), 343.

[170] Şükrü Hanioğlu, "Osmanlıcılık" in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi*, Vol. V. (İstanbul: İletişim Yayınları, 1985), 1390.

[171] Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi", p. 91-92

[172] İbrahim Serbestoğlu, *Osmanlı Kimdir? Osmanlı Devleti'nde Tabiiyet Sorunu* (İstanbul: Yeditepe Yayınevi, 2014), 48.

"Yet there was a dualism implicit in the fact that the *Hatt-ı Humayun*, with all its emphasis on equality without distinction as to religion, was in part devoted to enumerating the rights of the Christian and other non-Muslim communities, and specifically retained the *millet* organizations, although prescribing their reform. *Millet* boundaries were to be blurred, but they were still there. Complete equality, egalitarian Ottomanism, was yet to come, even in theory."[173]

2.2.2 Political Transformations in the *Tanzimat* Era

As it was indicated in the first chapter of this work, the *Gülhane* Edict were filled with promises that does not pose great changes in the practical sphere as well as theoretical sense. However, it was perceived both by the elites themselves and the population as a grand change in both political and social spheres. Nevertheless, the Reform Edict was the crucial one that has "revolutionary" changes, if one of them has to be chosen. In terms of Muslim and non-Muslim relations, *Gülhane* Edict did not bring significant changes although even Mustafa Reşid Pasha was afraid of the reactions. He was so disturbed that he thought his life was in danger when he was reading the Edict to public.[174] Although there was no significant change in the Edict, some reforms were conducted during the *Tanzimat* era.

The main changes were related to administrative and taxation issues. As pointed out by İnalcık, the influence and responsibilities of the governors were diminished, the members of the *kadı* organization were connected to the center more strictly and new assemblies were established in districts. Regarding the assemblies, if there were non-Muslim population in a certain district they would be also represented. Regarding taxation issues, new government officials namely *muhassıls* were appointed to directly collect taxes in order to reduce the influence and abuse of the governors and local notables.[175] The removal of *iltizam* system was emphasized in the Edict clearly with the description of "trouble". However, this new direct taxation system including *muhassıls* was abandoned in 1842 since salaries exceeded the amount of tax. Furthermore, the order related to the election of "sensible and distinguished people" in the regions led to notables took advantage of the system again at the disadvantage of the peasants. Non-Muslim members were also complaining that they were being ignored in the assemblies

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[173] Davison, "Reform in the Ottoman Empire", p.56
[174] Karal, "Gülhane Hatt-ı Hümayunu'nda Batı Etkisi", p.113
[175] İnalcık, "Tanzimat'ın Uygulanması", pp. 173-174

in İstanbul.[176] As it can be seen, these fiscal reforms were pointing to centralization. However, the assemblies were open to discussion mainly due to its practicality and applicability.

In terms of military duties, there was no certain expression regarding the non-Muslim subjects. However, it was mainly considered by the existing literature that the phrase stating sending soldiers for protection for homeland is a debt for people (*muhafaza-i vatan için asker vermek ahalinin fariza-i zimmetidir*)[177] is a call for each Ottoman subject without distinguishing between Muslims and non-Muslims concerning the general tune of the Edict. Nevertheless, in *Gülhane* Edict, the stress is over the irregularities and the problems during the recruitment process and service and again there is no reference to equality between Muslims and non-Muslims. On the contrary, one of the most significant parts of the Reform Edict is related to the military service. Nevertheless, before the declaration of the Reform Edict this issue was already on the agenda. The urgent need of soldier and problem of population balance was influential on the idea. The idea of abolition of *cizye* came under these concerns. As Gülsoy argues, the state took the risk of losing an important source of revenue in order to reorganize the deteriorated economic and social balance with spreading the military duty to all of its *tebaa*.[178] However, due to the problems during the practices and the opposition of non-Muslim *reaya* in Crimean War, this regulation was abandoned.[179]

In between two Edicts, several new codes were enacted including Penal Code (*Ceza Kanunnamesi*) in 1843 and Commercial Code (*Ticaret Kanunnamesi*) in 1850. These have restricted the authority of bureaucrats in interpreting the law and established a secure market for trade respectively.[180] The former also included equality in being witness during the trials but it took time to be effective in all country. In 1846, mixed trade tribunals were established in order to hear the cases between Muslims and non-Muslims, non-Muslim intra-groups and the cases between Ottoman subjects and foreigners. In 1864, in line with the legal principles in Reform Edict, Nizamiye Courts

[176] Findley, "Turkey", p. 97-98
[177] "Tanzimat Fermanı", p. 14
[178] Ufuk Gülsoy, *Osmanlı Gayrimüslimlerinin Askerlik Serüveni* (İstanbul: Simurg Kitapçılık ve Yayıncılık, 2000) 57-58.
[179] Ibid., pp. 58-60
[180] Stanford J. Shaw, and Ezel Kural Shaw. *History of the Ottoman Empire and Modern Turkey: Reform, Revolution and Republic 1808-1975*, Vol. 2. (Cambridge: Cambridge University Press, 1977), 118.

were founded for the cases between Muslims and non-Muslims for the issues apart from Shari'a, community, trade and consulate jurisdiction.[181]

As it can be seen in the aforementioned developments, Reform Edict brought significant changes for the inter-communal relations. The most remarkable regulation conducted within the years of 1862-1865, separate *nizamnames* for each group were accepted. These were considered "constitutions" by the non-Muslim communities. Greek Patriarch Regulation (*Rum Patrikliği Nizamatı*) accepted by Sublime Porte in 1862. With this regulation, the general framework of the Greek Orthodox subjects' administration was determined.[182] The reorganization of non-Muslim communities brought many new realities with it; one of them was the increasing number of non-Muslim communities to be recognized by the Ottoman state.[183] For the Armenian Gregorian *millet*, due to the strives among the community, Ali Pasha forced the patriarch for a conference that includes both religious and laymen, as a result, a *nizamname* was prepared in 1863 and it provided lay participation and representative government for Armenian community.[184] In 1865, *nizamname* was prepared for the Jewish community stating that the Chef Rabbi was civil and religious leader of Jews and an assembly shall be formed by religious and laymen.

2.2.3 Economic Transformations

The position of the non-Muslims in the Ottoman Empire was not only shaped and changed by the internal reform movements and dynamics but also international economic environment. The nineteenth century also denoted the widening of international markets and it is not possible to consider Ottoman Empire outside of this flow. The industrial and military advances in the West combined with the urbanization and changing consumption patterns changed the trade structures. As a result, Karpat states, the Ottoman Empire gradually became importer and its exports gradually shrank to agricultural commodities by the second half of the nineteenth century.[185]

The position of the non-Muslims is critical in this economic restructuring. With the changing trade dynamics and rising number of Western goods in the Ottoman

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[181] Bozkurt. "Gayrimüslim Osmanlı Vatandaşları", pp. 113-114
[182] Ibid., p.172
[183] Findley, "Turkey", p. 100
[184] Shaw&Shaw, "History of the Ottoman Empire", p. 126
[185] Kemal Karpat, "The Transformation of the Ottoman State, 1789-1908" *International Journal of Middle East Studies* 3, no. 3 (1972): 246.

markets specifically affected the non-Muslim merchants on their advantage. They managed to retain the resources they accumulated through association with the West and while office and household members could not escaped from the Sultan's control.[186] As Issawi argues, firstly, they constituted the role "entrepreneurial petty bourgeoisie" of the financial services and linked the European importers, exporters and banks with the local producers and consumers. Secondly, they possessed most of the liberal professions such as physicians, pharmacists, engineers, architects and lawyers. It was noted in earlier sections that the role of military service exemption of the non-Muslims accelerated and eased this process. And lastly, they formed the majority of the salaried middle class employed by governments or European projects of public utilities and industries.[187] It is also important that employment by the foreign embassies and through this way using the fiscal and commercial privileges granted by the trade agreements was also on the rise in the nineteenth century. These non-Muslim merchants were called *beratlı* and their increasing number caused significant fiscal problems for the Ottoman treasury.[188] This also created dissent among the Muslim population.

The *Tanzimat* reforms and Anglo-Ottoman Treaty of 1838 was domestic factors that affect the economic position of the non-Muslim Ottoman subjects. Sonyel remarks that Anglo-Ottoman Treaty and establishment of Armenian Protestant *millet* under Abraham Utudjiyan gave Armenians an ever increasing superior position but does not elaborate his argument. He also argues that *Tanzimat* reforms benefited Armenians tremendously with other non-Muslim groups. He gives place to reports of the British consul at Erzurum in 1848 and the consul J. Brant states that "it is remarkable that the purchasers of the land are universally Armenians, and the sellers almost always Muslims – a fact of strong significance as to the effect of the *Tanzimat* on the Christian part of the population, which is evidently raising prosperity". He also points out to the observations of Adolphus Slade in 1831, who was an admiral in Ottoman navy at the

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[186] Göçek, *"Rise of the Bourgeoisie"*, p. 89.
[187] Charles Issawi, "The Transformation of the Economic Position of the Millets in Nineteenth Century" in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. Benjamin Braude and Bernard Lewis, Vol. 1. (New York: Holmes and Meier Publishers, 1982), 261-262.
[188] Göçek, "Rise of the Bourgeoisie", p. 93

time, and he argues that Armenians were chief bankers of European Turkey having supplanted the Jews.[189]

Pressure from Armenian middle class was strong enough to pressure Ottoman central government. Shaw&Shaw argue that Armenian merchants, moneylenders and artisans were benefited from the financial developments from 1858 and they challenged the notables' political power but they failed at first due to the latter's strong financial position although they gained a *ferman* in 1841 stated that the civil issues should be under the control of an elected body.[190] For the Greek merchants, Anglo-Ottoman Trade Agreement of 1838 and proclamation of *Gülhane* Edict generated an impetus for Greek economic expansion in coastal and inland parts of the Western Anatolia.[191] The reforms encouraged many people from newly independent Greece to Ottoman Empire. Sonyel indicates that it led to a dramatic increase in western Anatolia in terms of Greek presence and wealth during the nineteenth century.[192] Regarding the Jewish population in economic terms, Jews played an important role until eighteenth century but they were lagged behind their Greek and Armenian competitors in all the decisive sectors such as trade, banking, manufacture, crafts and learned professions later as indicated by Dumont.[193] Yet, it should be considered within the non-Muslim community groups.

The political and economic changes intermingled in many ways in the daily lives of the non-Muslims. However, it is neither possible nor preferable to perceive these changes regarding only a certain segment of the Ottoman population. Although the weight of this chapter is upon the lives of non-Muslims, the opposite conditions could be implemented for Muslim communities. Of course there were differentiations regarding the Muslim groups as well. Overall, the central state became more powerful through its strong mechanisms such as bureaucracy and extended its control over

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[189] Salahi Sonyel, "Tanzimat and Its Effects on the Non-Muslim Subjects of the Ottoman Empire" in *Tanzimat'in 150. Yıldönümü Uluslararası Sempozyumu Ankara: 31 Ekim- 3 Kasim 1989* (Ankara: Türk Tarih Kurumu Basımevi, 1994), 375.

[190] Shaw&Shaw, "History of the Ottoman Empire", p. 125

[191] Alexis Alexandris, "The Greek Census of Anatolia and Thrace (1910-1912): A Contribution to Ottoman Historical Demography" in *Ottoman Greeks in the Age of Nationalism: Politics, Economy, and Society in the Nineteenth Century*, ed. Dimitri Gondicas and Charles Issawi, (Princeton: Darwin Press, 1999), 55.

[192] Sonyel, "Tanzimat and Its Effects", p. 374

[193] Paul Dumont, "Jewish Communities in Turkey during the Last Decades of the Nineteenth Century in the Light of the Archives of the Alliance Israelite Universelle" in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. Benjamin Braude and Bernard Lewis, Vol. 1 (New York: Holmes and Meier Publishers, 1982), 211.

society more deeply than ever.[194] Yet regarding the first phase of the *Tanzimat* era the political and legal changes mostly affected the non-Muslim groups. Turgay argues that:

> "In other words, while foreign trade was largely responsible for having stimulated the growth of Ottoman economy and the modernization of the cities, the same economic factor was responsible for intensifying social differentiation among the various ethnic groups in the state, particularly in port cities. Indeed, the sum of these economic developments and subsequent social changes was to stimulate ethnic consciousness on the side of both Muslims and Christians. In fact, the non-Muslim merchants, anxious to express their economic power in political terms, effectuated constitutional and structural changes in their respective *millet* systems."[195]

The next chapter will be reserved to the public opinion formation during the *Tanzimat* era with a special emphasis upon the period after the proclamation of the *Gülhane* Edict in 1839. The theoretical and historical background presented in the first two chapters will generate a fruitful basis for the understanding of the value judgment formation, opinions of the non-elite segments of the society and the possible reasons behind the formation process.

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[194] Quataert, "The Ottoman Empire", p. 54
[195] A. Üner Turgay, "Trade and Merchants in Nineteenth Century Trabzon: Elements of Ethnic Conflict" in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. Benjamin Braude and Bernard Lewis, Vol. 1 (New York: Holmes and Meier Publishers, 1982), 288.

CHAPTER III

VOICE OF "THE SILENT": NON-ELITE REACTIONS TO *TANZIMAT*

"Everyday life consisted of the little things one hardly notices in time and space… The event is, or is taken to be unique; the everyday happening is repeated and the more often is repeated the more likely it is become a generality or rather a structure. It pervades society at all levels, and characterizes ways of being and behaving which are perpetuated through endless ages."[196]

This quotation from Braudel could be used as a good inception point to understand the formation of public opinion in the 19th century Ottoman world since it is not convenient to use modern definitions of public opinion. What is meant by modern definition of public opinion in here is that they are mostly related with democracy and its derivatives and more importantly commonly related with elections and polls.

If it is not applicable to the pre-modern in transition societies, then how is it supposed to understand the reactions of the population concerning societies such as Ottoman society? Ben-Bassat summarizes a definition of public opinion that is also useful for the nineteenth century Ottoman case stating that public opinion is "the outcome of a collective behavior in which participants discuss an issue known to a wider audience".[197] He also adds that using the term public opinion would not be appropriate until the final decades of nineteenth century for Ottoman society. Many changes and developments brought by reforms and diffusion of new ideas such as liberty and equality contributed to foster changes in the expression of public opinion at least in urban areas.[198] Although Bassat's argument could be considered accurate regarding the more organized form of public opinion was the case in the final decades of nineteenth century; it would not be realistic to claim that there was no public opinion in the earlier decades.

Although there is a clear distinction between mere opinion and public opinion in Habermasian sense, Kırlı argues that "every individual opinion articulated in a public setting incited comment from others, then further disseminated through the word of

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[196] Fernand Braudel, *Civilization and Capitalism, 15th-18th Centuries The Structures of Everyday Life:The Limits of the Possible*, Vol. 1 (London: Collins, 1981), 29.
[197] Yuval Ben-Bassat. "Mass Petitions as a Way to Evaluate 'Public Opinion' in the Late Nineteenth-century Ottoman Empire? The Case of Internal Strife Among Gaza's Elite" *Turkish Historical Review* 4 (2013): 137.
[198] Ibid., p.138

mouth, and ultimately contributed to the formation of public opinion".[199] An analysis of public opinion in a case such as Ottoman society could only be based on repeating and spreading little opinions that became generality to a certain extent rather than as an expression of rational and joint standing against a particular political change.

One indicator of the existence of public opinion regarding Ottoman case in earlier decades could be given as the mosques, coffeehouses, barbershops, public baths, local bazaars etc. as the public spaces in where people come together and produce opinions related to Ottoman state and society. The foremost proof of the public circulation of opinions could be seen in the reaction of the state to these potentially "dangerous" public spaces. In this sense, coffeehouses became the first target of the central administration. As Akyazıcı Özkoçak states, coffeehouses were conceived as places in where provoking gossips were produced, dissents were shaped, expressed and directed. This potential alarmed the central state and during the first half of the seventeenth century coffeehouses tried to be controlled through closures.[200] However, they were opened up in the later periods. Other public spaces were also under control through state officials in disguise (*tebdil*) and there were even female "spies" in the public baths which were the places that women could only meet outside.[201] The state's control over the conversations related to state affairs were changing according to the ruler's and bureaucratic elites' perception.[202] However, rather than explaining the perception according to the ruler's character, it would be convenient to argue that it was mainly related to the state mentality and administrative practices as Kırlı proposes.[203]

The Ottoman state elite also considered public opinion carefully. The perspective of Cevdet Pasha is a good illustration. Neumann indicates that for Cevdet Pasha public opinion is the only source of power that could be greater than the ruler. In some countries it reveals itself openly but in some countries such as Ottoman Empire it is hidden and sometimes it shows itself through rebellions and revolutions. However, Cevdet Pasha sees the public opinion not as a part of politics but as a danger posed

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[199] Cengiz Kırlı, "Coffeehouses in the Nineteenth Century Ottoman Empire." *Public Islam and the Common Good*, ed. Armando Salvatore and Dale F. Eickelman (Leiden and Boston: Brill, 2006), 96.

[200] Selma Akyazıcı Özkoçak, "Kamusal Alanın Üretim Sürecinde Erken Modern İstanbul Kahvehaneleri" in *Osmanlı Kahvehaneleri: Mekan, Sosyalleşme, İktidar*, ed. Ahmet Yaşar (İstanbul: Kitap Yayınevi, 2009), 25.

[201] Ahmet Yüksel, *II. Mahmud Devrinde Osmanlı İstihbaratı* (İstanbul: Kitap Yayınevi, 2013), 501-502.

[202] Ibid., p. 502.

[203] Kırlı, "Sultan ve Kamuoyu", pp. 16-17

against it.[204] However, this perception was changed in the later periods until the reign of Abdulhamid II and it was more based on trying to understand the public opinion by the central administration rather than controlling the public.

When reactions of the people against certain political changes or ongoing state practices are considered, it could be rightfully argued that the most certain form of them are rebellions. The Serbian Rebellion and the Greek War of Independence were partially resulted from dissent against the state. To illustrate, as indicated in the first chapter of this thesis, the Serbian Revolt was broke out due to the maladministration of the Ottoman rule rather than as an independence movement. Uzun indicates that regarding the Revolt of Niş (1841) *reaya* was pointing to the problems of taxation and maladministration of the local officials as the cause of the conflict.[205] Similarly, although the Bulgarian subjects of the Empire were experiencing preliminary national awakenings thanks to the economic progress and national education movement in the first half of the nineteenth century, they would not find the power for a war of liberation as stated by İnalcık. Additionally, the Sublime Porte was not able to carry out the promises that it made with *Tanzimat*. These created a growing dissent among the Bulgarians and various rebellion attempts were also seen until the Revolt of Vidin in 1850.[206] The peasant uprisings in Canik (1840s-1860s) and Kisrawan (1858-1861) reflected the attitude of the people in the Ottoman Empire to the upper classes and to the state.[207] Overall, these revolts also show the reactions of the people which were reflected in physical terms. This thesis aims to concentrate upon the reactions which were not transformed to physical revolts but stayed at the discursive level.

The opinions regarding the state-society relations stand as unimportant individual expressions, but then they become "publicized" through circulating. Regarding the definitions of public opinion formation and change, its strong relation with "transformations in public structure, economic and political reform and technological advances" that societies experienced is valid throughout the time as

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[204] Christoph K. Neumann, *Araç Tarih Amaç Tanzimat: Tarih-i Cevdet'in Siyasi Anlamı* (İstanbul: Tarih Vakfı Yurt Yayınları, 2000), 201-202.
[205] Ahmet Uzun, *Tanzimat ve Sosyal Direnişler* (İstanbul: Eren Yayıncılık, 2002), 50-51.
[206] Halil İnalcık, *Tanzimat ve Bulgar Meselesi* (İstanbul: Eren Yayıncılık, 1992), 44.
[207] E. Attila Aytekin, "Peasant Protest in the Late Ottoman Empire: Moral Economy, Revolt, and the Tanzimat Reforms" *International Review of Social History* 57, no. 02 (2012).

argued by Herbst[208] but as it is argued above for the Ottoman case of nineteenth century public opinion analysis requires a different outlook. In this sense, regarding the fact that the reforms of nineteenth century Ottoman Empire commonly known as *Tanzimat* reforms shows a clear example of the transformations that Herbst point out and they should stimulated a significant change in the public opinion. Ozouf investigates the public opinion of the people right after French Revolution of 1789 and she defines the process as the expression of individuals in terms of approval to an action within a group "regular enough to serve as a reference for a specific political project". Public opinion does not only operate against the absolutism. She also points out to the modern link that it has.[209] It is important to recognize that formation of the public opinion against a certain political change cannot be only in the form of reaction, the approval side should also be examined. Furthermore, she analyses a period where political organization is strong, in this sense it is not directly parallel with the early phase of the Ottoman reform but rather appropriate with the later phases as Ben-Bassat argues.

During the second half of the nineteenth century, newspapers started to constitute the core of organized public opinion. The newspapers such as *Tercüman-ı Ahval* (1860) and *Tasvir-i Efkar* (1861) together with other examples published many articles in every respect and fulfilled the duty of establishing public opinion successfully.[210] These newspapers were highly important in the sense that they contributed to the spread of new ideas within the Ottoman public opinion and constituted a more organized form of idea flows. To illustrate, *Tasvir-i Efkar*, published by Şinasi who was a prominent figure for Young Turk ideas, became a forum for the discussions related to new political and literary ideas.[211] The articles were focused around economic, social and political discussions from different perspectives varying between conservative and progressive considerations until 1873 but in 1873 when *İbret* newspaper was closed and its authors were sent to exile newspapers started to focus on European military and political affairs rather than the domestic issues.[212]

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[208] Susan Herbst, "On the Disappearance of Groups: Nineteenth and Early Twentieth-Century Conceptions of Public Opinion" in *Public Opinion and the Communication of Consent*, ed. Theodore Lewis Glasser and Charles T. Salmon, (New York and London: Guilford, 1995), 92.
[209] Mona Ozouf, "Public Opinion" at the End of the Old Regime" *The Journal of Modern History Supplement: Rethinking French Politics in 1788* 60 (1988): 8.
[210] Necdet Kurdakul, *Tanzimat Dönemi Basınında Sosyo-ekonomik Fikir Hareketleri* (Ankara: Başbakanlık Basımevi, 1997), 111.
[211] Mardin, "Genesis of Young Ottoman Thought", p. 254
[212] Kurdakul, "Tanzimat Dönemi Basınında", p. 111

The standing of public opinion in the final phase of the nineteenth century was remarkable. Although not as organized as this period, the early Tanzimat era public opinion which was based on the unorganized circulation of the reactions also requires a closer look since they constitute the inception and core of the opinions, ideas and organizations in the later period as well as affecting the state-society relations of the time. As Farge argues,

"Words spoken and opinions pronounced could open up distances, cause displacements and organize something which was new to the spheres of saying and doing; and that is how we must take them, in the place where they were born, at the heart of the situations from which they sprang".[213]

This chapter will be based on the detailed examination of the spy reports collected in İstanbul between the dates of 1840-1844 revealed and analyzed by Cengiz Kırlı within a different framework of public space and social control. Among many other interesting clues related to the Ottoman public opinion in İstanbul during nineteenth century, the focus of this study will be on the inter-communal relations and the effects of the recently released legal document of the period, the *Gülhane* Edict. The reports will be analyzed according to both Muslim and non-Muslim subjects. I should note that the translations were made by me. Along with the examination, views that are mentioned in the literature will also be compared in order to have a more accurate perception. While the beginning of this chapter will try to understand and evaluate the reaction to the changes; the next parts will be about the analysis of the possible reasons behind the value judgments expressed in the reports. As a result, this work aims to try to shed a light upon the public opinion formation in the nineteenth century İstanbul.

3.1 The Muslim Reactions

3.1.1 "The Invention of Tanzimat-ı Hayriyye

In one of the reports, there is an interesting phrase as following:

Hüseyin Ağa and Ahmed Ağa are talking to each other: "*reaya* is rebelling everywhere, before it was not possible for them to go out. It is not their fault; the fault belongs to us. Ever since *Tanzimat-ı Hayriyye* was invented, there is no fear from the officials. It is not that surprising."[214]

They conceptualize the reforms as an invention. As indicated earlier, the reports are collected between the years of 1840-1844. Hence, what they were referring as

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[213] Arlette Farge, *Subversive Words: Public Opinion in Eighteenth-century France* (Penn State Press, 1995), VIII-IX.
[214] Cited in Kırlı. "Sultan ve Kamuoyu", p.298, report no. 689.

"*Tanzimat-ı Hayriyye*" is the *Gülhane* Edict of 1839. In the earlier chapters, it was indicated that a careful analysis shows that the promises in *Gülhane* Edict does not bring a grand change in terms of daily lives of the people contrary to the Reform Edict. The protection of life, property and honor is significant but in theory it is not completely diverted from the Islamic understanding of rule and justice. Rather than a "revolution", one may argue, it points to a restoration period. The introduction of the Edict verifies this perception. It mentions to the "good old days" when the Ottoman Empire was experiencing its glorious days but it started to decline. It needs such a restoration that it could go back to these glorious days and reach its old prosperity level once again. The administrative reforms would be undertaken in line with this arguments and protection of life, honor and property is also a branch of this outlook. However, a broker from Nemçe, İstefaki, also makes a similar judgment:

> "The security forces do not pay attention since *Tanzimat-ı Hayriyye* was invented but there are many bad manners in İstanbul."[215]

Selim Ağa from Taşköprü also argues that the state invented the *Tanzimat*.[216] Apart from the other judgments that can be pointed out in different contexts, the usage of the word invention (*icad olunmak*) here is highly interesting. It is also worth to note that "*icad etmek/olunmak*" has also a pejorative meaning in Ottoman language in line with the usage and meaning in modern Turkish. The Ottoman-English Lexicon explains the word "*icad*" as causing to exist; creating; invention, creation, production; Redhouse adds meanings as trumping up and fabricating for "*icad etmek*". "*İcad çıkarmak*" is used for abandoning a good habit. The phrases are used as "*icad edilmek*" in the reports but they are used in a negative context. Although it is neither possible nor preferable to generalize Muslim public opinion regarding *Tanzimat* reforms as an "invention", the general mood of the Muslim reactions towards the novelties brought by them reflects a negative attitude considering the changes. This labeling gives little clues about the Muslim public opinion towards *Tanzimat* reforms. Although it does not bring anything "brand new" in the daily lives and there is no reference of "invention" in the text of *Gülhane* Edict, why do the Muslim people describe it as an invention? The answer could not only be in the political and practical spheres due to the explanations in question. Therefore, it should be searched in the minds of the people. It is a psychological reaction combined with the material changes. The possible causes of

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[215] Ibid., p. 290, report no.652.
[216] Ibid., p. 393, report no. 1063

these description and the reactions in overall sense will be investigated in later parts of this thesis after the analysis of the concerning spy reports was conducted one by one in order to have the general tune of the reactions.

Turning back to the conversation between Hüseyin Ağa and Ahmet Ağa, they talk about the changes in the social order. They argue that non-Muslims would not dare to go out let alone rebelling. Pointing out to pre-reform period, they state that non-Muslims "could not go out before". It is clear that they are bothered by the increasing public visibility of the non-Muslims and they interpret it as the breakdown of old social hierarchy implicitly.[217] In terms of rebelling, it is quite likely that they have the nationalist riots in the Balkans at the background of their minds. The dramatic effects of the secessionist movements in the Balkans are effective to shape opinions regarding non-Muslim issues. They are uncomfortable with the idea of changing power dynamics in the society in terms of Muslim and non-Muslim relations. The phrase "the fault belongs to us" is also significant in a sense that it shows identification with the state. As Muslims, they see themselves as the ones who are much closer to the Ottoman state, the core of political power. They talk as if the changing conditions were created by themselves, not something superior to them. The responsible factor to blame for these changing conditions is the "auspicious" *Tanzimat* reforms. They see that the "invention" of *Tanzimat* changed the social and political order at the advantage of non-Muslims.

Another report which is highly interested and related to both inter-communal relations and social order is as following from Kasımpaşalı Abdurrahman Ağa:

> "We cannot have any other profit from *Tanzimat-ı Hayriyye*. Croatians are sacking our houses and they do not have fear of death. From now on I will do such a thing that we will see what is going to happen. I will fight with a *reaya* and kill him. If they ask me the reason I will reply that there is no death in *Tanzimat-ı Hayriyy*e so I killed him. I will tell anyone who comes to me."[218]

The expression of anger and exaggeration derived from it is remarkable. He interpreted the judicial issues in *Gülhane* Edict as if there will be no death penalty for crimes committed anymore. He also describes himself as "we" in line with the identification of the self as Muslim with the state and creating climate that was based on "us vs. them". Deringil argues that "the *Tanzimat* state was primarily the first and last

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[217] Kırlı, "Sultan ve Kamuoyu", p. 78
[218] Ibid., p.270, report no. 570.

attempt of the Ottoman ruling class to extend an invitation to its non-Muslim subjects to become true citizens, as the term *reaya* increasingly came to mean "subject" as in "British subject", eventually to be replaced by *teba*, meaning citizen.[219] Muslims are consciously or unconsciously aware of this fact and gave negative reactions since they identify themselves as the group who has the power in pre-*Tanzimat* era.

> "Soldiers from sea forces heard about church bell and state that "even if the Great Palace is here and these infidels ringing bells. When will the God let us to make them suffer a lot? Look at the heads of the children; they are wearing green, as if the emirate belongs to them now."[220]

What we see in here is the expression of anger due to the destruction of a static hierarchy in the eyes of Muslims that was at the disadvantage of non-Muslims. They are reacting to the church bell which is a direct symbol and it distinguishes itself in the eyes of these soldiers. Under normal circumstances, there was Muslim toleration for "people of the book" (*ehl-i kitab*) and it refers to believers such as Christians and Jews who possess a book of divine revelation.[221] However, the balance is about to broken now considering the changing political and social climate.

They are also pointing to a "dissent" that these bells are ringing even they are near to the Great Palace which is another symbol in terms of state and indirectly Muslim authority. Barkey points out that in Islamic empires religion was part of a political legitimacy. A Sultan was able to expand, maintain and protect the realm as well as fighting the enemies of Islam with a result of bringing supremacy to the Muslims was part of the religious and political legitimacy.[222] They see it as something disrespectful firstly to the state and secondly to the Muslims. There is a clear association with the state power and being Muslim. Furthermore, they refer to the clothing code which is an indicator of the legal regulations of the pre-*Tanzimat* era. The remarkable point is that they see clothing code as a concrete reflection of the hierarchy and they attach it to political power in the form of the word "emirate". Regarding the classical form of *millet* system, the dress code was different for non-Muslims. Quataert points to the social reflections of these laws as "clothing laws since early times served as important

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[219] Deringil, "Coversion", p. 29.

[220] Cited in Kırlı, "Sultan ve Kamuoyu", p. 259-160, report no. 536

[221] Roderic H. Davison, "Turkish Attitudes Concerning Christian-Muslim Equality in the Nineteenth Century" *The American Historical Review* 59.4 (1954): 854.

[222] Karen Barkey, "Political Legitimacy and Islam in the Ottoman Empire: Lessons Learned" *Philosophy Social Criticism* 40, no. 4-5 (2014): 471.

indicators of social mobility and marked out the differences among officials, between officials and the subject classes and also among the subjects".[223]

The legal superiority in material sense is undoubtly interpreted as social and political superiority by Muslims. The color green and the word emirate merge together as the signs of Muslims' political power at the symbolic level. Therefore, they argue that the political power passed to the non-Muslims from Muslims in the social realm. As a result, they reflect a clear hostility against non-Muslims and seek opportunity to turn this hostility into violent action. Pandey argues that "there is a violence written into the making and continuation of contemporary political arrangements, and into the production and reproduction of majorities and minorities" and she calls this condition as "routine violence".[224] At this point, physical violence is not that common in inter-communal relations but some steps of "routine violence" which will turn into physical violence show itself in this early period. The mutual interest in interethnic peace was the case although there was a potential[225] but when the conditions changed and the interests were damaged potential started to felt itself.

> The butler of *kadi* of Salonika, İsmail, states that "(…) Since *Tanzimat-ı Hayriyye* showed up, you cannot talk with *reaya*. They were very spoilt."[226]

This expression is slightly different from the previous one in the sense that he feels humiliated by non-Muslims to a certain extent. He refers to them as *reaya*. As indicated before, although the term *reaya* was used for all subjects of the empire in earlier centuries, in the later periods it was started to be used only for non-Muslim groups. In his eyes, now non-Muslims see themselves as superior than Muslims and they do not talk to them as they were doing before. He points out to change in the behavior of the non-Muslims in an arrogant form and determines the source of change as the reforms brought by *Tanzimat* just like many other Muslims. Again, this reaction should also be considered within the historical context that the empire was experiencing.

> Tatar Küçük Mustafa and Tatar Ahmed are talking to each other: "There were no *reaya* houses in here but now they are everywhere. The infidels invaded all these places. Before, it was their place and now they acquired again. Even in

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[223] Quataert, "The Ottoman Empire", p. 144
[224] Gyanendra Pandey, *Routine Violence: Nations, Fragments, Histories* (California: Stanford University Press, 2006), 1.
[225] Barkey, "Empire of Difference", p. 277.
[226] Cited in Kırlı, "Sultan ve Kamuoyu", p. 266, report no. 559

Dersaadet[227], they are seizing quarters gradually. We will see how will end this process."[228]

This was also a reflection of attributed inferiority of non-Muslims compared to Muslims and changing hands of social superiority. Non-Muslims are again called as *reaya* here and in addition they are also labeled as "infidels" (*kafirler*). They are differentiating between "us" and "them". There is a clear marginalization in here. Barkey argues that "Muslims, who were expected to be the warrior class of the empire with special privileges attached to their superior status, were bound to be disappointed by the inclusion of others".[229] It is not a problem of status degradation of status for the Muslims; rather it is a problem that stems from equalization of the excluded groups to their status.

Using the term of infidels also shows an Islamic comparison. As Lewis argues, the outsider in Islam is defined by his rejection of Islam. The "*kafir*" (infidel or unbeliever) is the one who does not believe in the apostolate of Prophet Mohammed and his revelation. All religions have descriptions to denote "the other" and for Islam the alien outsider and presumptive enemy is the unbeliever *kafir*.[230] They are alienating one segment of the society that they were living in and they emphasize on an Islamic division. The expression also includes socio-spatial points. They mention to the spaces and houses that were belong to the Muslims before and argue that non-Muslims were spreading to the considering area. The use of phrase "*istila eylemek*" is remarkable here. They are simply accusing non-Muslims to invade and occupy something they do not have the right to have and express anger. Another reading that can be pointed out in the text is related to the economic sphere. They might remark to the potential of the increasing economic activity of the non-Muslims. The superiority-inferiority problem comes to light not only at the psychological level; it has also economic dimensions as well such as the following example:

Coffeeshop owner İbrahim Ağa states in a conversation:

"The rent of the grocery was eighty *guruş* but now Armenians increased it to one hundred and fifty *guruş*. The store above the candy maker was increased from

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[227] "Dersaadet" is one of the names that refers to İstanbul, the capital city of the Ottoman Empire.
[228] Cited in Kırlı, "Sultan ve Kamuoyu", p. 342, report no. 873
[229] Barkey, "Empire of Difference", p.286
[230] Lewis, "The Political Language of Islam", p. 4-5

twenty five *guruş* to fifty *guruş*. On this line there left only three Muslim stores, most of them were invaded by Armenians."[231]

The increase in the rent was related by Muslims to non-Muslim economic activity. Again, non-Muslims, Armenians specifically, are accused to "invade" the stores and decreasing Muslim existence was underlined. Barkey argues that commercialization of the empire led to politization of the communities differently.[232] This relatively small example is a result of bigger economic scale that both parties were experiencing but Muslims were considering themselves to be at the disadvantaged side in economic terms.

> A quarantine guard states that "The *reaya* could not wear fur before; even if they do, they could not go out with it. In this distribution, the fur was for *reaya* but simple cloths were left to us. If there will be another distribution, I do not know what will be our share this time".[233]

There is again an implicit social hierarchy embedded within the symbol of clothing and increasing public visibility. Yet here, the change in the hierarchy observed as being upside down. Rather than being equalized, there is an unbalanced social positioning. In addition to the change in social hierarchy, the economic restructuring for the benefit of non-Muslims is also effective behind the formation of opinions here. Wearing fur refers to both socio-political and economic value judgments comparing to wearing simple cloths. Hence, this report could be interpreted both in legalistic and symbolic terms over the old clothing prohibitions within the framework of administration of non-Muslims and socio-economic levels. Reforms are not mentioned directly in the report but what distribution meant is in here are the new changes brought by *Tanzimat* reforms. There is also a pessimistic outlook in the report in the sense that firstly they expect the continuation of the reforms. It is not impossible confront a new reform edict and their expectation realized later with the Reform Edict in 1856. Secondly, the concessions to the non-Muslims, as they are interpreted by the Muslims in the reports, will likely to continue in a way that the prestige of the Muslims is quite likely to be lowered if there will be any other regulation. They feel themselves insecure and vulnerable to the potential reforms and they express resentment accordingly.

The coffee seller Bekir and oil seller Hafız are talking to each other as "Armenians are wearing hats and they are becoming Europeans, I do not know what

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[231] Cited in Kırlı "Sultan ve Kamuoyu", p. 449, report no. 1280
[232] Barkey, "Empire of Difference", p.279
[233] Cited in Kırlı "Sultan ve Kamuoyu" p. 445, report no. 1268

happened to them. Armenian *millet* came to İstanbul in order to wipe the feet of *ehl-i İslam* but now they are employed for great jobs. If these people have opportunity, they will do everything."[234]

Here, the ones who are talking about the non-Muslim activities point out to the relations between the non-Muslims, which specifically induced to Armenians, and Europeans. They are referring to the cultural interaction again regarding wearing hats. They are symbolizing "being Western" and "being in power" comparison to the Muslims in a material form. The perception of non-Muslim inferiority is remarkable and reaction to the break of old social system is clear. They implicitly state that in the old regime they had no opportunity but when they have they will use it at the disadvantage of Muslims in the economic sphere. The resentment towards increasing economic activity of non-Muslims is pointed out. "Being employed for great jobs" is an important comparison for Muslims. There is also a comparison between the Ottoman and the European in the sense that they are accusing Armenians to be like Europeans. Barkey mentions to the unbalanced employment system by Europeans who start projects in the Empire. She argues that the employers hired cheap Muslim labor whereas manager positions with high salaries were filled by non-Muslim Ottomans or foreigners. This was an important factor for increasing interreligious tensions.[235]

Hüseyin Ağa argues that "Before, three-four hundreds of poor were making a living in Feshane and pray for the sultan. Now, Europeans are making the living for them and they will administrate the Feshane. Islam does not have any business now and all of the *reaya* are under the authority of Europeans."[236]

In here, the dissent from the increasing influence of European actors is underlined. At the micro level of state-society relations, economic power that was belong to Islam started to changing hands according to this report. Feshane in here refers to the textile factory opened by Mahmud II. The effect of changing economic conditions is again important here in a different level. The significance of production units is realized and their transfer to Europeans and non-Muslims was found alarming. It was seen as the decline of Islam and rise of non-Muslim subjects and foreigners.

The negative attitude held by Muslims was also mentioned in the literature. İnalcık argues that each group interpreted the changes differently in line with their interests. Muslims were dissented and the elite such as *ulema*, *ayans* and some

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[234] Ibid., p. 349, report no. 899
[235] Barkey, "Empire of Difference", p.285
[236] Cited in Kırlı "Sultan ve Kamuoyu", p. 265, report no. 561

governors provoked the Muslim population. He also narrates the observations of Hamlin who was a first-hand witness of the responses of the people. Hamlin mentions to the cries of the Muslims as "the Sharia law is broken, now the Muslim and the non-Muslim are on the same status" over the declaration of *Gülhane* Edict[237]. The elite were also aware of the Muslim dissent. Reşid Pasha argues that Reform Edict was sent from France and "people from Paris" do not know much about the Ottoman institutions. As a result, he continues, with the last edict Islamic fanaticism among Muslims was revived; Muslims started to blame Europeans since the edict was declared because of them and hate Russia due to the privileges they gained.[238] Davison argues that the state elite tried to explain the edicts differently according to the groups. They were introduced to Europe and non-Muslims as a significant concession whereas the edicts were launched to Muslim population underlining that there is nothing new or harming Islamic prestige. However, these shaky expectations and promises created different realities contrary to the state elite's anticipations. As Davison states, the existence of the edicts created a fertile ground of murmurs on both parties. While Muslims saw it as a dangerous concessions; Europe and non-Muslims were not happy since the promises and compromises were not realized. Cevdet Pasha interprets the Reform Edict as bringing equality in all spheres of law (*kaffe-i hukukta müsavi olmak*) and he argues that Muslim communities disturbed by this new equality. He also criticizes the Edict as "before this, one of the four articles in the peace (the Paris Treaty) was granting privileges to the non-Muslim communities with the condition of keeping the independence of the government. However, the issue of the privileges fell behind. In all spheres of law non-Muslim communities (*teba'a-i gayr-i müslime*) became equal with Muslim communities (*ehl-i Islam*) in an instance. Most of the people from ehl-i Islam argue that 'today we lost the sacred national law (*hukuk-ı mukaddese-i milliyemiz*) that was gained thanks to the blood of our ancestors. Islamic community (*millet-i Islamiyye*) was the dominant group (*millet-i hakime*) was now we are deprived of this sacred right. Today is the day for weeping and mourning for Muslims".[239]

Clearly, they were seeing themselves in a situation that the empire was undergoing some serious changes. Just like most of the big political changes, in their eyes, the balance was about to be broken on the disadvantage of them. The disadvantage

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[237] İnalcık, "Tanzimat'ın Uygulanması", p. 172.
[238] Davison, "Reform", p. 58
[239] Ahmed Cevdet Paşa, "Tezakir I", p. 67-68

in here does not stem from a condition that they were experiencing a legal degradation. Rather, it is the form of losing superiority in a certain system. The new regime (not in political but in social sense) was creating its own winners and losers; and Muslims were feeling that they were changing position from being winner. Therefore, they responded accordingly. Muslim connection of clothing and superiority/authority is an interesting point that can be inferred from the reports. They validate the material reflections of authority and superiority over the clothing code. In addition, the dissident that stems from the increasing economic activity of non-Muslims and decrease of Muslim activities in economic sphere is highly effective in terms of the formation of Muslim public opinion. Regarding the equality idea that came to forefront with the imperial Edicts of *Gülhane* and Reform, Davison argues that "the sort of Ottoman equality at which the *Tanzimat* statesmen aimed was discredited as an idea both among Muslims and among Christians". As he states, no equality of Christians and Muslim based on fusion and brotherhood but 'the corporate equality of competing national sovereign states' was the case concerning the public opinion at the time. However, an examination of the spy reports collected from non-Muslim subjects reveals a different picture.

3.1.2 The Possible Causes of the Dissent

The reactions by themselves are significant; however the underlying causes behind them are more important to understand the meaning and consider the societal clues to infer. An explanation could be found in the very basic Islamic understanding of *bid'at*. Davison argues that promotion of second class citizens to equal status was considered as *bid'at* to the popular mind even if it stays within the boundaries of popular conservatism.[240] The most general meaning of *bid'at* is innovation. However, its connotation in Islamic understanding is more significant. It is described as the innovative acts that are in contradiction with the advices and deeds of the Prophet Muhammed which are called as sunnah (*sünnet*). It is not an exact form of *küfr* (blasphemy, non-believing in Islam) but it denotes individual opposition and independence.[241] Therefore, it is not welcomed by conservative societies. The idea of equality that came to minds with *Gülhane* Edict and openly declared by Reform Edict might be considered as a form of *bid'at* that violates the basic distinction and hierarchy in Islamic understating of a multi-religious state under Muslim rule. However, it is more likely that elites rather than non-elites offended by the changes in Islamic

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[240] Davison, "Turkish Attitudes", p. 856

[241] "Bid'at." *İslam Ansiklopedisi*. Vol. 2. (İstanbul: Milli Eğitim Basımevi, 1961), 599.

framework. Davison argues that equality idea came by the Edict might encounter opposition to innovation "not only among Muslim theologians but among the ruling group of empire who traditionally served faith and state, not state alone".[242]

The Muslim reactions could be examined on the symbolic basis. Scott investigates the ordinary "weapons of the weak" groups against the changes by the elite and reaches significant underlying factors. The dissent of Muslim groups were not took the form of an actual resistance in physical terms. The rebellions in the Ottoman Empire were mostly on the economic basis primarily over excessive taxation. However, the new perception brought by *Tanzimat* was not enough to turn into rebellion especially at this very beginning but it was enough powerful to have an influence over the firstly formation of the public opinion and development of the political culture towards a different direction that would affect the following years involving the years of Republican era. The significance of the public opinion lies here: it was also transferred to the following years in a cumulative manner and constitutes the core of the public reaction even the grand changes took place. Therefore, together with the concrete and historical events, symbolic and psychological factors should be taken into account. Regarding the confrontation with the authority and struggle between rich and poor, Scott argues that:

> "It is also a struggle over the appropriation of symbols, a struggle over how the past and present shall be understood and labeled, a struggle to identify causes and assess blame, a contentious effort to give partisan meaning to local history. The details of this struggle are not pretty, as they entail backbiting, gossip, character assassination, rude nicknames, gestures, and silences of contempt which, for the most part, are confined to the backstage of village."[243]

In Ottoman case, the identity and history which was at the stake for Muslims could be the Islamic and powerful empire which ruled over the inferior non-Muslims over centuries. For Muslims, it might be the case that there was a mutual value system in which a certain legal and social hierarchy was preserved but it was done within the state mentality of protection of its *tebaa* including non-Muslims. As it was seen in the earlier chapters, the administration of the non-Muslim *tebaa* was including an inferior position regarding the non-Muslims in comparison with Muslims. Yet, certain opportunities and rights were reserved for the non-Muslim *tebaa* and the protection was

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[242] Davison, "Turkish Attitudes", pp. 855-856
[243] James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven and London: Yale University Press, 1985), XVII.

granted through *zimmet* pact. It was also a part of the political culture of the empire and its subjects. It denoted a sum of values both in political and social levels. The reforms might be seen as a tool to violate the perception of past and present especially considering the position of the Ottoman Empire in international arena. At the societal level, since the non-Muslims are seemed to be advantageous thanks to the new political realities it might also became a symbolic crisis together with the material and legal changes. Some expressions in the reports are also verifying the likelihood of this perception. The critiques related to the clothing of the non-Muslims are an example. Clothing codes was not only a legal differentiation but also denoted symbolic order which was in line with the common value system of the Empire. Wearing clothes similar to Muslims or Europeans might be considered as annoying since they were against the shared rules of the society. It is not mentioned in the reports but the famous interpretation of the reforms is a remarkable indicator: "You shall not call an infidel as infidel anymore".[244] In line with the theorization of Scott, Muslim responses could be analyzed as the reaction to the betrayal of non-Muslims to shared value system and order. This interpretation requires an internalization of the pre-reform system and it is highly likely for Muslims since they were on the superior position. The following part will try to examine the source of this superiority perception.

As it can be seen from the analysis of the spy reports that Muslim community is highly uncomfortable with developments in the Empire and position of the non-Muslim communities. The studies on the literature refer to it as Muslims' loss of superiority and status of *millet-i hakime* (the dominant group). The term is derived from the Islamic understanding of *zimmet* pact which was explained in earlier chapter. It is both clear and logical that the change of this kind of status is highly likely to produce dissident among the groups in question. However, is an Islamic perception enough to create such a dissident? Or in a more precise sense, without a political conditioning and reasoning behind it could it be that effective? In order to answer this question, mere historical analyses could not be suffice and one should turn into political theories without confining the research with time periodizations. This requires a closer look at the state-society and inter-society relations. The notion of *millet-i hakime* shows itself more on the inter-society relations deriving its power from the state. It denotes a psychological supremacy and it become itself revealed over its loss. The *zimmet* pact includes a micro

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[244] The original sentence in Turkish is as following: "Gavura gavur demeyeceksin."

form of hegemony of the Islamic state over the consent religious minorities that lives under its rule. To be brief, hegemony can be considered as domination of a particular social group over other social groups that do not only rely on force but mainly working through influence and consent. It denotes mass acceptance of prevailing social, cultural and moral values.[245]

> "The supremacy of a social group manifests itself in two ways: as "domination" and as "intellectual and moral leadership"... A social group can, and indeed must, already exercise "leadership" before winning governmental power (this indeed is one of the principal conditions for the winning of such power); it subsequently becomes dominant when it exercises power, but even if it holds it firmly in its grasp, it must continue to "lead" as well."[246]

Certain features of the power are not either visible or were not understood, researches has to use some social scientific tools to portray these hidden character of influence in terms of social structures and processes.[247] For this study regarding the analysis of public reaction to the *Tanzimat* changes, a similar perspective has to be adopted. Therefore, firstly hegemonic character of Ottoman state should be indicated. It is not only in the legal sphere, the symbolic and cultural Islamic domination was also the case such as the dress code applied to non-Muslim groups or bans over the worship places. Even restriction of the bells of the churches could be included. In one of the reports, people in question were complaining about the church bells which indicated the continuation of symbolic problematization of upside down hierarchy. More importantly, consent was given to the state whether consciously or unconsciously. The domination part is clear in legal practices. The leadership of the Ottoman case comes from the idea of creating a legitimate and ultimate power base that does not leave any further room for questioning. Regarding the pre-modern times of the Empire the power base was more relied on the factor of force but when it confronted the internal and external threats the power base had to be changed through the reforms since the legitimation crisis was on the forefront. This denoted a shift in the hegemonic groups in the both state mechanism and society. The shifts in the state mechanism leaned towards the bureaucracy while the shifts in the society were much more gradually but it worried the groups who were in power at the societal level.

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[245] Daniel Hellinger, "Paranoia, Conspiracy and Hegemony in American Politics." in *Transparency and Conspiracy: Ethnographies of Suspicion in the New World Order*, ed. Harry G. West and Todd Sanders, (Duke University Press, 2003), 205.

[246] Antonio Gramsci, *Selections from the Prison Notebooks*, ed. Quintin Hoare and Geoffrey Nowell Smith, (New York: International Publishers, 1971), 57-58.

[247] Hellinger, "Paranoia", p. 205

The power mentioned in here is not a one which was solely derived from the economic or political power as it can be seen in the cases of local notables (*ayan*). It is a one that operates on a micro-level as indicated by Foucault. The hegemonic standing of the state over other social groups is not only seen in this dimension but transferred into societal and inter-individual relations. The most concrete form is seen in the relations between majority and minorities. Each regime generates its own majority but the majority in here does not refer to a quantitative term. It has nothing to do with being numerically crowded. It is a qualitative term that if a social group at the societal level is able to exert power over the other segments of the society in both physical and psychological senses then that particular group could be referred as majority.

Then, how does a particular social group becomes "the majority"? The trick lies in the main ideology of the state. The ones who are in a compliance with the main ideology are able to perform hegemonic power over the ones who stayed outside this superior definitions and values. Inevitably, this power formation leads to an invisible asymmetrical power relation at the societal level. In Ottoman case, it refers to the Islamic understanding of superiority. It should be also noted that it being Muslim was not the only determining factor of the majority but considering the Ottoman case it the major characteristic to be possessed. Being Muslim or non-Muslim together with being part of the ruling class or being a subject was not the only qualities that determines one's individual position but was also identified by other social, economic or political realities.[248]

Muslims constituted the superior and hegemonic group in the Empire but only a potential threat to losing this superiority showed up with the *Gülhane* Edict, although it does not contain any clear equality promise, it led to aggression. They were in line with the main ideology of the Empire as the combination of Islamic main base together with the accepted inferiority of the non-Muslim groups and they were on the side of "the majority" for centuries. However, combination with the declining economic effectiveness and decrease in the political and social status produces the opinions that are seen in the reports. It not only Islamic driven process but includes power relationships at the societal level. At the concerning period of time that gained its weight with the proclamation of *Gülhane* Edict would increase the tension over time it would reach its first peak with the Reform Edict since it prescribed a full equality

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[248] Quataert, "The Ottoman Empire", p. 143

among Muslims and non-Muslims in legal and political sense. Its reflections on the societal level would be harsher since it became clear that the hegemonic majority position of Muslims which gained its power from the Islamic character of the state tended to be decrease. When the regime shifted with the Committee of Union and Progress at power, the majority-minority power dynamics in this framework changed and this regime created its own majority. The Republican Era was also a similar case with some additions and extractions on the identity of "the majority" but the essence stayed the same. The ones who are in conformity of the values and priorities formed the majority in both Ottoman Empire and Turkish Republic. When the regime was shaken and grand changes at the political level seemed to be a high potential in the eyes of the non-elites, they reacted to it with dissident and anger.

The *Gülhane* Edict was not a direct threat to their position in actual manner; however for the non-elite Muslim segments of the society quite likely reacted on psychological terms combined with the material and historical "evidences" in their minds. The old winners of the game faced the possibility of to be the loser with the new reforms in psychological terms although this was on the micro-political level. This was the core of interpreting *Tanzimat* as an "invention". In the eyes of Muslims, it was invented and it seemed not on the advantage of them this time. It is highly likely that when the individual could not express their dissident towards the state or its institutions or even state officials, it is easier to direct anger towards the ones who seems to be advantageous in this new order and blame them in many ways as it was seen in the reports.

3.2 The Non-Muslim Reactions: "We Were Living in Peace, It Is All Frenk Plot!"

The general and expected perception regarding the non-Muslim reactions to the *Gülhane* Edict is a positive one derived from the spy reports although there is no clear evidence concerning the non-Muslim public opinion. This is not surprising in a sense that considering the independence movements and general inclinations to Western superiority in both idea and material level. As indicated by İnalcık, Hamlin narrates the reactions of non-Muslims as "beginning of a new era" underlying with a clear optimism. He also mentions to fueling of national emotions in Bulgaria and Macedonia. The new arrangements were possibly interpreted as both increase in the non-Muslim rights and a new channel that may lead to separation from the empire. The relation between the separatist movements and great powers who act as guardians of the non-

Muslim Ottoman population is also one of focus points in the analyses. The second possibility along with the relations with European powers is heavily underlined in the literature. However, the spy reports that will be studied in here argue the opposite. There is a clear dissident among the non-Muslim subjects of the empire regarding the European presence in the Ottoman lands especially in İstanbul.

Priest Artin from Van states that

"Being *reaya* in the Ottoman state is a blessing. Although there is oppression in some places; being the dog of the Great State (*Devlet-i Aliyye'nin kelbi*) is better than being *reaya* in the foreign countries."[249]

There are two points regarding the expression here. Firstly, he makes a comparison between living under Ottoman and non-Ottoman rule. It can be clearly seen that living under a different rule than Ottoman is a possibility for *reaya*. However, the current sovereignty is considered as more plausible. Nevertheless, oppression in some territories is also mentioned. It can be also argued that this is a reflection of fear of uncertainty. Under the rule of Ottoman administration, a certain degree of certainty regarding the political landscape is preserved and with the declaration of *Gülhane* Edict the conditions seem to be meliorated, if the expression is taken within the boundaries of sincerity. Secondly, it is seen that living under an inferior position in a particular state was accepted and internalized. It can be interpreted as the result of *zımmi* status that was in effect for years. At this point, he does not consider living under a different state than Ottoman is unrealistic and accepts the inferior position rather than uncertainty. It does not reflect a "secessionist" tune as one might expect to see considering the general perception towards the non-Muslims in Turkish historiography. The general inclination in the official historiography is that non-Muslims were "the traitors" even at the beginning as a result of the dominant nationalist perception. Nevertheless, one has to be extremely cautious to make quick conclusions and generalizations. The nature of the spy reports complicates and limits the outlook that was needed; however, considering the fact that this is the early phase of the *Tanzimat* process the conclusions should not be made from the references of the future. Rather, the historical conjuncture had to be taken into account. The underlying reasons behind the opinions may be different and it will be analyzed later in this chapter.

Hurşid Ağa tells about the discussions between non-Muslims in a house:

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[249] Cited in Kırlı "Sultan ve Kamuoyu", p. 353, report no. 914.

"A couple of *reaya* was talking in there and they were arguing that 'our ancestors, our fathers and we were living in peace thanks to the Ottoman state. Now, foreigners leaked into our state and made it dependent to them. God shall help our state and we shall not fall into to the hands of another nation (*cins-i aher*)".[250]

What is remarkable in here is that these people were aware of the political developments and dominant discourses of the Empire. It falsifies the "static society" understanding of the Ottoman Empire. They might be directing their problems to the foreigners since they are the outsiders of a system that they were used to live in. In here again, it is seen a possibility to live under a different state that could be caused by two points. Firstly, they were aware of the secessionist movements in the Empire led by Greeks and Serbians. Hence, it is a possibility for all other religious or ethnic communities besides its practicability. Secondly, they might consider the economic dependency of the Ottoman Empire and see its relative weakness in first economic then political terms. "The Sick Man of the Europe" was known by public not as a direct term but as a condition felt by people. The nineteenth century public opinion was there, the degree and scope of it is open to question but they were most likely to aware of many political issues that the state was trying to manage. These can be seen in many other spy reports that are out of the scope of this study. Non-Muslims in this report also prefer Ottoman administration over the others.

Greek middle man Kostandi argues that:

"These British and French people stir up trouble that they tried to confuse and convince Greek population by showing holy books but head of our *millet*, the Patriarch, answered that three *millet*s swore not to follow the books of the Europeans. Now, they are trying to stir up trouble the Ottoman. They are always trying to conspire. The reason behind the conflicts in Ottoman Empire is those Europeans."[251]

In here, it may be referred to the increasing missionary activities in the Ottoman Empire territory. In addition to the commercial protection of non-Muslim Ottoman subjects, European states were also presenting religious protection to the non-Muslim communities.[252] In addition missionary activities were also significant in the nineteenth century. Ortaylı indicates that rather than the British Protestant missionaries, starting from the first Protestant missionary school opened by Americans in Beirut were

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[250] Ibid., p.198, report no.340.
[251] Cited in Kırlı "Sultan ve Kamuoyu", p. 186, report no.311.
[252] Serbestoğlu, "Osmanlı Kimdir", p. 46.

constantly proselytizing in Ottoman lands. They were criticized mostly by Ottoman non-Muslim communities rather than Ottoman administration. When the Ottoman officials recognize the complaints, they had to confront the British diplomats as the protectors of the American missionaries.[253] What is mentioned in the reports could be a similar case. Most likely being Orthodox, Kostandi complaints about the activities. However, the remarkable point is that he interprets these activities as the plots against the Ottoman order and he blames the European interference as the cause of disturbance. It is also seen here that the European powers' efforts to affect non-Muslim communities which is frequently emphasized in the literature. It was portrayed as non-Muslims are glad to have protectors apart from the Ottoman administration. However, this report can be an indicator of fragmented public opinion together with other reports regarding the foreigners issue.

Dimitri from Kayseri states that

"For a long time our property and honor are protected by the Great State and there is freedom as the subjects of the Ottoman state. I went to Büyükdere earlier day. The British bothered me and wanted me to make a British citizen. I replied them that my all family was Ottoman and it is not convenient for us to go another country. They are offering this to anyone they saw."[254]

Here, again, affirmation of the rule of Ottoman state and consent to the administration is underlined. Protection and freedom could be interpreted as the results of *zimmet* pact practices and recent developments introduced by the *Gülhane* Edict. Another point is historical and family ties with the Ottoman state together with the possibility of living under a different administration. This also shows the inclination towards political certainty. He also argues that there is a clear persuasion acts from non-Ottoman citizens and in this case it points to the British. These acts are related to the economic sphere. As it was indicated in the earlier chapters, with the nineteenth century, the Ottoman economy strengthened the economic relations with the world economy led by European economies and Ottoman markets became attractive for the European investors. However, this strengthening was not a balanced one. Not only for the Ottoman Empire but also applicable to Middle East in general, Kuran argues, this was combined with the economic underdevelopment of the region due to the lack of production or trade enterprises, inflexibility of the wakf system, lack of material

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[253] Ortaylı, "İmparatorluğun", p.136
[254] Cited in Kırlı, "Sultan ve Kamuoyu", report no. 64, p.116

security.[255] Nevertheless, it should be noted that this comparison was made according to the advent of capitalism and "underdevelopment" should be considered within this framework. This led to an increasing foreign merchant population in the Empire. Kasaba indicates that nineteenth century onwards due to the tax reductions, decreasing government control, international protection and widening control sphere of jurisdiction rendered Western Anatolia as one of the most attractive and profitable regions in the Ottoman Empire for foreign merchants.[256] This was also the case for the capital İstanbul. This was led to increasing role of the European industrialists, merchants and financiers together with the economic advances of local Christian and Jewish in relation to Muslim population mainly over the trade and sectors of banking and insurance.[257] Anglo-Turkish Convention of 1838 removed many of the barriers in the way of European merchants although "it was a continuation of the already established path of economic liberalism set in 1826".[258] Regarding their relations with the non-Muslim subjects of the Empire, *beratlı* system is also significant. Through obtaining a special exemption licenses from the Ottoman central administration, non-Muslim subjects of the Empire could be subjected to European law. They would have the same privileges that foreign merchants gained through the applications of capitulations. *Beratlı* could have a privileged status that the rest of the *reaya* could not obtain especially for the commercial issues.[259] The non-Muslims who could benefited from the *berat* system were mainly dragomans (translators who were working for foreign ambassadors and consuls) and their sons and servants, warehousemen (*mahzenci*) and brokers (*simsar*) who were needed by foreign merchants for specialized guidance in Ottoman commercial structure, moneychangers (*sarraf*) and servants of ambassadors and consuls.[260] The crucial reason behind the attractiveness of this system for non-Muslims was firstly tax exemptions such as *harac*, *avarız*, *kassabiye* and *tekalif-i örfiye* and secondly low custom taxes. However, it is only one of the choices that non-Muslim merchants could use if they want. The second one is to obtain a European passport

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[255] Timur Kuran, "Why the Middle East Is Economically Underdeveloped: Historical Mechanisms of Institutional Stagnation" *The Journal of Economic Perspectives* 18, no. 3 (2004): 78.

[256] Reşat Kasaba, *Osmanlı İmparatorluğu ve Dünya Ekonomisi On Dokuzuncu Yüzyıl* (İstanbul: Belge Yayınları, 1993), 62.

[257] Kuran, "Why the Middle East", p. 78

[258] Donald Quataert, "The Age of Reforms, 1812-1914" in *An Economic and Social History of the Ottoman Empire*, ed. Halil İnalcık and Donald Quataert, Vol. II. (Cambridge: Cambridge University Press, 1997), 763.

[259] Ali İhsan Bağış, *Osmanlı Ticaretinde Gayri Müslimler* (Ankara: Turhan Kitabevi, 1983), 26.

[260] Mauritz H. Van Den Boogert, *The Capitulations and the Ottoman Legal System : Qadis, Consuls, and Beraths in the 18th Century* (Leiden: Brill, 2005).

through becoming a European subject who could use economic privileges. It was a relatively easy procedure and some consulates actively encouraged Ottoman subjects to change their allegiances.[261] This report shows a dissident related to the issue although reliability is open to the question. Nevertheless, the ever-mounting presence of the European powers and increasing interactions with the non-Muslim population is line with these reports. It is not only direct European interference but also a potential sector related to these issues was also documented in one of the reports as following by İspiro from Nemçe:

> "If somebody from *reaya* comes to me and asks to be under another flag with passport from any country he wants, I can get the passport and made the flag for his ship. Recently, an Armenian came to me and I provided him a Wallachian passport included everything and showed at customs bureau with the help of a translator. Armenian person gave me three thousand *guruş* and I provide the same thing for anyone who comes to me."[262]

In the nineteenth century, the economic position of the non-Muslims in the Ottoman Empire points to an advantageous condition. Keyder indicates that:

> "By the end of the nineteenth century, cities and towns in Anatolia were prospering, with especially the port cities exhibiting rapid rates of population growth. Here, in the growing cities, a Greek and Armenian middle class emerged, wealthy, educated and active in attempting to define the urban public space of associations, clubs and publications; and increasingly willing to participate in the administration of the Provinces and the Empire. This group became the nascent bourgeoisie of the Empire."[263]

It was not surprising; however, the inter-communal relations were affected by these economic dynamics. As Çizakça and Kenanoğlu state, being a protégé or a subject of European powers is hard for non-Muslim merchants as opposed to the non-Muslim counterparts. There was a certain need for European businessmen to have middlemen to conduct business in Ottoman markets but for these middlemen to be Muslim was not possible due to the reluctance of both Europeans and Muslims to cooperate in economic terms.[264] Although Muslim merchants were forming the majority in economic sphere

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[261] Murat Çizakça and Macit Kenanoğlu, "Ottoman Merchants and Jurisprudential Shift Hypothesis" in *Merchants in the Ottoman Empire*, ed. Suraiya Faroqhi and Gilles Veinstein, (Louvain: Peeters, 2008), 203.

[262] Cited in Kırlı, "Sultan ve Kamuoyu", report no.416, pp. 221-222

[263] Çağlar Keyder, "Europe and the Ottoman Empire in Mid-Nineteenth Century: Development of a Bourgeoisie in the European Mirror" in *East Meets West - Banking, Commerce and Investment in the Ottoman Empire*, ed. Philip L. Cottrell, Iain L. Fraser, and Monika Pohle Fraser, (Hampshire: Ashgate, 2008), 51.

[264] Sina Akşin, *Jön Türkler ve İttihat ve Terakki* (Ankara: İmge Kitabevi, 1998), 33.

they were deprived of these advantages and this must have led an increasing tension between the inter-communal relations.[265] This part focused upon the socio-economic dynamics that could play a role in the non-Muslim public opinion formation derived from the spy reports. Although the economic position of them in the Empire drives one to be much sharper regarding their opinions towards Ottoman center and Muslim communities, the reports are showing a much more different case. The following section will be reserved to the underlying causes of the non-Muslim reactions based upon the spy reports at the micro-political level.

3.2.1 The Potential Causes of the Non-Muslim Reactions

"There is not one but many silences, and they are an integral part of the strategies that underlie and permeate discourses."[266] The analysis of the non-Muslim reactions over the spy reports that are examined in this study has to take "silences" into account. What clearly derived from the reports is the consent and contentment from the Ottoman rule in contrast with the clear dissidence perceived from the reports of the Muslims. Nevertheless, the silences are hidden in the discourses that are revealed consciously or unconsciously. The examination of the spy reports reveals declared opinions and the socio-economic and political reasoning behind the reactions were indicated in the former part of this study. However, psychological dimension should also be at least tried to examine regarding the general political landscape and the state mentality behind the *Gülhane* Edict. As indicated earlier, it is not possible to have a conclusive argument over the reasons behind these reflected opinions but a few possibilities will be investigated in this part.

First of all, before going into the micro-level political opinions one point should also be mentioned. The information presented in the reports was transmitted to the central administration through an agency. This creates limitation over the content of the reports. The problem is that spy as the agency was not copying the conversations of the people directly; rather he was making a summary of a potential long speech in a paragraph. It brings the possibility of omitting some parts of the dialogues on the basis of spy's priorities or choices. To illustrate, if there were some dissident expressed by non-Muslims towards the process of *Tanzimat* or inclination for foreign protection or even open support for secessionist movements, this would be also problematic for the

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[265] Çizakça & Kenanoğlu, "Ottoman Merchants", pp. 204-205
[266] Michel Foucault, *History of Sexuality*, Vol. 1. (New York: Vintage Books, 1990), 27.

narration of the spy as well. If there were any kind of these opinions, these would be in a direct contradiction of the one of the purposes of *Tanzimat* which is increasing loyalty to the state. The spies might also refrain from the heavy load of "bad news". However, it is very less likely that they would make direct manipulations over the reports. The expressions and phrases in the reports are most likely to be original ones.

The problem related to the interpretation of the reports is that level of sincerity is open to question since non-Muslims may not express their real thoughts freely. A few reasons may be given. Firstly, they might refrain from the reactions of the Muslims or society as a whole. Due to the reasons explained in other parts of this thesis which are varying from secessionist movements in the empire to the Muslim dissident towards new political developments, it was probably not easier for them to express themselves in real terms. Another reason could be the possibility that they might realize that they were being spied. The spy represents the state in this context and accordingly the political authority that they were subjected to. The possibility that "state may hear you" is a dangerous position for any subject of a state regardless of their status. Although the reporting mechanism of the state at the time was not based on finding and punishing those who are talking about the state, statements in some reports such as the existence of spies in disguise or prohibition of the political conversations shows that these risks were taken seriously by the people.[267] Therefore, they might change their opinions respectively as it is seen in the reports. They were insisting in the reports that they were blessed by living under the Ottoman rule. Kuran conceptualizes this condition as "preference falsification". He describes the situation as "the act of misrepresenting one's genuine wants under perceived social pressures".[268] In this case, both the potential social pressure and the possibility of being under the watch of political authority might tend them to hide their personal truths. They might be supporting secessionist movements, supporting the European presence in both political and economic senses or they might not comfortable with the policies of the Ottoman rule. However, choosing the preference falsification option seems to be "less dangerous". Social pressure is also important since they are living together. In one of the reports, a Muslim man, Hurşit Ağa, narrates the opinions of a non-Muslim group. The group might purposively falsify their preferences because of the presence of a Muslim. One might have to choose

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[267] Kırlı, "Sultan", p.9
[268] Timur Kuran, *Private Truths, Public Lies: The Social Consequences of Preference Falsification* (Cambridge: Harvard University Press, 1995), 3.

between inner and outer peace[269] and in this case this crucial choose might lead to problems that may end in ordinary violence. Regarding the analysis of the non-Muslim public opinion formation, the political and social conditions should also be taken into account. However, as it was stated in the very beginning it is not possible to have clear conclusions regarding the issue.

Along with the silences that can be highly meaningful, the potential sincerity in the reports should also be considered in order to avoid biased conclusions. Although Muslim opinions are more likely to be considered within the framework of sincerity due to the conditions and clear anger that they express, regarding non-Muslim opinions this was not the case. The former part was reserved possibilities in other way around. This part will point to the second option that is they express their opinions sincerely and the possible reasoning behind them.

Although the non-Muslims displays dissent to the European presence and appraisal for the current regime, in addition to the possible causes at the socio-political and individual level, the most likely reason that shaped the reactions is the political uncertainty that the Empire and its population was facing. Çarkoğlu and Kalaycıoğlu argue that there is a simple relationship between uncertainty and conservatism.[270] In this sense, non-Muslim reactions could be regarded within the framework of depending on values and political structure that was lived under for generations besides the problematic sides. Some of the reports underline their long term family ties lived under Ottoman administration. It is clear that something important was changing but the direction is blurred. As the relatively disadvantaged parts of the Empire, the non-Muslims do not have the luxury to decide its side at this point.

Emphasize on "plots of *Frenks*" in the Ottoman Empire is also an important point in the reports that are mentioned frequently and it is closely related to the political uncertainty possibly felt by non-Muslims. The people whom the spies were reporting their conversations are targeting non-Ottoman people as "plotters" who work on the behalf of European countries led by Britain and France in order to implicating the Ottoman state. Groh argues that people constantly fall within the situations that they no cannot understand and make sense of the world around them in a clear manner. These

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[269] Ibid., p. 44
[270] Ali Çarkoğlu and Ersin Kalaycıoğlu, *The Rising Tide of Conservatism in Turkey* (New York: Palgrave Macmillan, 2009), 72.

kinds of crisis situations led to the birth of conspiracies. Many great conspiracies around the world and throughout the history rise from crises when people were not able to give meaning to the new realities. The examples vary from witch-hunt in the late middle ages to conspiracies related to French Revolution of 1789 and to even today spring from the crises that the society was experiencing.[271] In non-Muslim Ottoman communities case two points can be made. Firstly, although the situation that the Ottoman society was living in is not a crisis it was definitely a crisis-prone environment with respect to the political climate both domestically and internationally examined in the first chapter of this work. Secondly, in this complex condition, the non-Muslim may have the urge the change the potential targeting and blaming from themselves to "outsiders" who were definitely not welcomed by Muslims as well. On the one hand, they were connecting themselves to the historical bonds with the Ottoman Empire; on the other hand they were most likely trying to misdirect potential blame over the foreigners. At the heart of this self-positioning, hegemonic inter-communal structure lies. The political, legal and finally social inferiority at the micro-political level might incline them to react in this manner. Ottomanism policy, as indicated in the second chapter of this work, tried to construct a new main ideology of the state in which non-Muslims incorporate themselves and elude from the inferior minority position first in political then in social sense. However, in addition to the relatively failure of the doctrine in practical sense especially for inter-communal relations, it was not enough to compensate and fill the cracks of the old value system in which Muslims constituted "the majority". The old hegemonic system started to fail in the context of having the consent of the minorities together with the many other political developments that are influential to shape the dynamics mentioned in earlier chapters. Accordingly, tensions and changing demands from non-Muslims started to be more effective on the communities. These tensions constituted a significant part of the Ottoman Empire' dissolution process. However, regarding the reactions after the *Gülhane* Edict, these could only be considered as one of the inception points rather than a peak.

As indicated before, *Gülhane* Edict did not bring any significant change to both political and social realms. Nevertheless, structural value system based on Islamic superiority and political culture of the Empire perceived this edict as a "threat". This

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[271] Dieter Groh, "The Temptation of Conspiracy Theory, Or: Why Do Bad Things Happen to Good People? Part I: Preliminary Draft of a Theory of Conspiracy Theories" in *Changing Conceptions of Conspiracy*, ed. Carl Friedrich Graumann and Serge Moscovici, (Springer Verlag, 1987).

was a joint perception shared by elites and non-elite Muslims at the same time and affected historians as well. This illusional tension became concrete when the Reform Edict was proclaimed with its statements regarding non-Muslims as pointed out earlier. Nonetheless, a clear tendency in Turkish official historiography as well as some scholars targets the non-Muslims as the ones who were always tried to break up their bonds with the empire. This is a biased perspective colored with a nationalist narrative. As Gürpınar argues, "this narrative perceives the developments of the late Ottoman Empire and the Turkish War of Independence (1918–22) not as belonging to a unique historical context, but as an episode in an enduring and eternal struggle".[272] It combines Europeans collaborating with non-Muslims in the Empire regarding their commercial relations with them and creates "common enemies". A closer look to the reports and a detailed analyses points to the existence of a fragmented public opinion with respect to the concerned period[273] and suggest researchers to have a cautious standing with respect to these issues in order to have an accurate viewpoint.

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[272] Doğan Gürpınar, "Historical Revisionism vs. Conspiracy Theories: Transformations of Turkish Historical Scholarship and Conspiracy Theories as a Constitutive Element in Transforming Turkish Nationalism" *Journal of Balkan and Near Eastern Studies* 15, no. 4 (2013): 416.
[273] Also argued by Kırlı, "Sultan ve Kamuoyu", p.77

CONCLUSION

Understanding and analyzing a certain political phenomenon requires the combination of examining of both diplomatic and social history. Through integrating the issues and features, the state-society relations in a certain period of time which has indisputable effects can be revealed. Intra-societal relations and as well as the relations of individuals with state with respect to political and legal senses should be examined and combined with the diplomatic history to complete the story and have a fruitful insight.

The aim of this thesis has been shaped around this perception. There are numerous valuable studies regarding the *Tanzimat* era which approach the issues from a diplomatic, economic or international angles. They provided accurate analyses and fruitful discussions that enlighten our perspective of this significant period of the Ottoman Empire. There are also studies related to Ottoman society in concerning era which focused on the different territories of the Empire as well as İstanbul with a special reference to societal relations. Accordingly, this thesis meant to investigate societal dynamics further on the basis of this literature through working on special case studies of spy reports in İstanbul. Its research question was based on the reactions given by non-elite segments of the Ottoman society upon the *Tanzimat* and its reforms particularly focusing on the Muslim and non-Muslim relations of the era. It aimed to contribute to the *Tanzimat* studies for further research and discussion from the perspective of social history combined with diplomatic history. In this sense, it proposes the necessity of building a bridge between state and society with emphasizing over the relations of the communities at the daily level.

In line with the abovementioned methodology, firstly the *Gülhane* Edict and Reform Edict were analyzed together with the debates that take place in the literature. As steps in the modernization period of the Ottoman Empire recognizing that the empire was already on the way of this process, it could be argued that the elites of the *Gülhane* Edict worked on a relatively different path of modernization for Ottoman Empire. Analyzing this Edict and the repercussions of it only from the lens of Westernization is highly problematic and it creates danger in terms of producing Orientalist outlooks that harms our insight. Nevertheless, both internal and external pressures were influential to change the direction from this somewhat alternative modernization to a more

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Westernized understanding of modernization. The Reform Edict, in contrast to *Gülhane* Edict, was the product of this mentality. At this point, Ottoman elites themselves adopted a self-orientalist position and formed their policies according to this point of view. However, it should be also noted that *Gülhane* Edict did not bring radical changes for both Muslim and non-Muslim relations and equality and the other spheres that it mentioned. It should be considered within this framework. On the other hand, the Reform Edict was changing the rules of the game. It brought the principle of equality among Muslims and non-Muslims in many spheres vary from state officialdom to the education.

In the light of these, then, how did the non-elites react to these changes? What were the basic dynamics that shaped their perspective? An examination of the spy reports separately for the communities revealed many interesting points that are open to discussion. To begin with, although there was nothing new in the *Gülhane* Edict in both theoretical and practical sense, they consider the promises in it as "invention". There are few possibilities behind this perception although the text proposes a restoration in essence. In addition, Muslims in all of the reports that are relevant reveals a clear anger towards *Tanzimat* and non-Muslims. Firstly, Muslims might consider the reforms as *bid'at* (innovation in Islam) but it is most likely to affect the reactions and the basis of argumentation for *ulama* rather than the people. It is argued in this thesis that the key dynamics of the reactions lies in the psychological basis considering the fact that *Gülhane* Edict did not bring grand changes. The first glance points to the grand political changes that were beginning the surface as in the case of secessionist movements and increasing rate of economic activities of the non-Muslims. These events might provide the material basis of the Muslim reactions. In addition to the material basis, the negative reactions might be reinforced by the symbolic order and the possibility that it was broken. As indicated in the legal administration of non-Muslims, *zimmet* pact reinforced by other legal regulations frames the relations between state and non-Muslims and it has inevitable repercussions over the communal relations. It creates a shared value system by the all segments of the society with providing Muslims a relatively superior status as *millet-i hakime*. At the first symbolic level, the combination of secessionist movements and economic cooperation with the Europeans might be perceived as "betrayal" to the shared values of the Ottoman system. Regarding the *millet-i hakime* understanding, this thesis argues that the core of the perception lies in the micro-political relations. The

ideological and legal structure of the Ottoman regime creates its own "majority" in qualitative sense and Muslims as the ones who are in line with the hegemonic value system consider themselves to be superior at the societal level. This perception requires inferior status of the non-Muslims accordingly and influences the daily interactions. The *Gülhane* Edict does not explicitly state equality but it might be considered as a threat to their superior status. This is a psychological transformation rather than reacting on concrete basis. The Edict indicates that there might be concrete and radical changes in the future course of events and this expectation was verified by the Reform Edict. Hence, this thesis suggests symbolic power and micro-political analysis for the examination of the reactions and public opinion formation for further research rather than macro-political analyses that take the transformation of perceptions in the society as granted.

For the non-Muslim reactions, the situation is more complex. Non-Muslims in the reports express blessing for Ottoman state and they blame the foreigners in the Empire for interrupting and problems experienced by both state and society. Leaving aside the problematic nature of the reports, studies should approach the reports from two main angles. If the reports considered as documents that hide some silences behind these expressions, it may be interpreted as the products of preference falsification as a tool to avoid from reactions of state and Muslims. However, this study argues that they might be a result of sincere reactions to the political uncertainty that they were living in. There was nothing precise about directions of change and expecting clear-cut opinions as Muslims have is not realistic for non-Muslims. Rather, directing their dissident towards foreigners who are outside the system is safer for them. Biased conclusions regarding the non-Muslim public opinion should be avoided. The historical conjuncture of the era has to be carefully taken into account for non-Muslim opinion analysis together with the micro-political analysis tools. Otherwise, it would only serve to the nationalist arguments based on "betrayal of the non-Muslims at the very beginning". As Hobsbawm argues, history is the essential element of the nationalist, ethnic or fundamentalist ideologies and if there is no past suitable for these ideologies it can be easily invented.[274] This study hopes to propose points and arguments for further research and discussion in order to shed a light upon *Tanzimat* era and for "the silent"

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[274] Hobsbawm, "On History", p. 5

segments of the Ottoman society whose names were not known but highly significant for our understanding of the Ottoman history.

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