

# Emerging of the Reperesentative Councils and New Organisations within the Administrative System of the Ottoman State in the Tanzimat Era

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## Abstract

Democratic organisations and elected councils are vital to embody the democratic regimes shaped by the “rule of law principle” of the modern times. The initial traces of democratic change can be found in the moments when the elected organs and elected representatives started to become effective. Such organisations and councils have started to emerge during the modernization periods such as the Tanzimat Era in the last century of the Ottoman Empire and played a significant role in political and administrative structuring. When considered from this point of view, modernization of Ottoman administration was not only a movement initiated and handled by the central authority, but a time period where the organisations and councils were the determinants shaped by the genuine conditions of the periphery. These reformist and representative structures were the most important milestones of the modernization process until the establishment of Turkish Republic.

## Keywords

Modernization, Tanzimat, administration system, province, representation, assembly

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## 1. Introduction

Various stages have been encountered within the modernization period of Turkey. However the beginning is determined with the Tulip Era (*Lâle Devri*). Accordingly, the “undefeatable Empire” perception of Ottoman’s as well as considering the further reforms “unnecessary” came to an end at the 18th century, and a new period started when the monarchs effectually became powerful in modernization efforts. Despite some support groups and subordinate officers, the only determinant was the Monarch, all powerful (Zürcher 2010: 31) .

After Mahmut II (1808-1839), the sovereignty of monarch was replaced with a regeneration period known as Tanzimat, during which modernist bureucrats have come into prominence, covering the years between 1839-1876. This term is generally accepted as the “real beginning of the modernization period of Turkey” by most researchers.

In this period, efforts to strengthen the centralization and establishment of a new Western-like style administrative system increased; new laws and legislations were introduced and prepared by the administrators and elite staff of the Tanzimat period to help the modernization of the system.

The main argument constituting the principal axis of this study is that the most flourishing practices of this new regime were the councils established both in the centre and in the provinces; holding the first traces of representative democracy, have been influenced both from internal dynamics and external factors. In order to support this argument, some newly established organisations and the councils of the time shall be scrunitized. These organisations and councils, being representatively pioneering and having distinctive characteristics, take place within the reformist practices and legal arrangements of the aforementioned period relevant with the understanding of election of the era.

## 2. Modernisation

In order to make an accurate assessment of these newly emerged councils and organisations of the administrative system, it is vital to well understand the internal and external dynamics of the period. The modernization process which was shaping the new world system of the era, also influenced the Ottoman State strongly as a part of the States of the Europe.

The “modernization” phenomenon as a product of the “Age of Enlightenment”, has become a dominant determinant in a wide scope, i.e. the life-style of the people, arts, literature, economy; and influenced the whole world, primarily the Western societies. Modernization as a fact of comprising the re-organization of the community and enhancing to reach a new relationships system, was at the same time a process, enabling the old and traditional communities to reach a new level of civilisational progression.

It is accepted that the modern civilization emerged in 19th century, concurrent with the initial views on modernization which appeared in Europe for the first time, and gradually spread to other countries.<sup>1</sup> During the spread of modernization, different forms and strands have also come out with the influence of both various international and indispensable internal dynamics.

## 2.1. Modernization Movements in Turkey

Modernization or Westernisation movements in Turkey began with the economic and political decline of the Empire and technological appeal to European countries for advancement. The idea of modernization began as an approach to save the Empire from underdevelopment, against the progress and consolidation of the West.

Initial alterations against the Western civilisation raised from the concerns for the survival and continuity (*beka*) of the State, became evident after the Treaty of Karlowitz which substantiates the Ottoman defeat in 1699. The western style of life and ethos have started to be adopted after this aforementioned Treaty, and “West” became a model of culture (prestige- culture) to be imitated or an aim to be reached (İnalçık 2006: 142).

## 2.2. Different Prospects on the Modernization Process of Turkey

A number of models have been developed in order to explain the modernization of Turkey following the Ottoman period. One of the most known model is the “centre-periphery model”, based on the contradiction of these two concepts. While Centre was enforcing the one-way, from top to down (*deus ex machina*) enlightenment with the central power formed by the bureaucracy, intelligentsia and soldiers; the periphery which became prominent with its provincial bureaucracy and bourgeoisie on the other hand, has always been in conflict with the centre all through the modernization period.

The “State–Sovereign Model” based on the understanding inherited from Ottoman to Republic, defends the state-obeidance and dominancy of the state with the belief of “State being the representative of God in the World”. Explanations of this model are based on the blessing of the State and need of everything being under the control of State. This model in a way, is considered as the complementary of the “centre-periphery” model and starts from the assumption that all the power belongs to the State thus substantially to centre (Kahraman 2010: 102-114).<sup>2</sup>

To some scholars, Ottoman owns the “historic- bureaucratic empire” tradition. They believe that the arrangements made in some specific periods of the Ottoman State, are the result of the preferences of the political-bureaucratic elites holding the power in hand, rather than the social needs and demands. According to Heper (1973: 32), “The high bureaucracy has always been the focus of the political struggles that seal the fate of the country” (from Eisenstadt 1963).

On the other hand, the approaches and models attributing the modernization process of Turkey to the unilateral pressure of the centre, have been admitted long since. However, new assessments and critical thinking approaches of some researchers about the subject, the accuracy of which has almost been pronounced by some segments, are remarkable.

It should be stated that, while analysing the modernization process of Turkey, the models which tend to ignore the alteration needs and demands of change raised from the history and own dynamics of the society, generally obscure the correct results. The Empire, like every other society, has also been experiencing its own “organic” modernization even though in slow state, while monitoring and imitating the modernization process of the proceeding Western civilisations at the same time. In other words, it could be argued the Empire was superseded with an external “inorganic” modernization process, alternative to its “organic” modernisation which was thought to be “insufficient”. Thus, the existing alteration has been transformed, and gained a new impetus and direction (Ortaylı 2012: 15).

Another point to be mentioned is that the approaches scrutunizing the modernization of Turkey which based on the “centre-periphery” model, generally emphasize the deterministic characteristics of the central administrators, and

ignore the historical-social conditions of the provinces, which is also another part of the whole. According to those who were opposing these approaches, the effects of internal dynamics should also be taken into consideration; such as mechanisms of “representativeness” from provinces towards the centre, as well as the internal economical dynamics of the country.<sup>3</sup>

However, evaluations in the framework of the developments in Tanzimat period ignore the “local pressures” which shaped the innovative policies while highlighting the economic and political support of Europe, and presented these policies as the display of a modernization, which was ideologically and materially inspired by the West (Kasaba 1988: 52-53).

The relation between the centre and the periphery that was taking place with confrontation and conciliation was neither a unilateral power relation, nor shaped on a unilateral hegemony of the centre. Centralization of the administration should not be evaluated as a process of imposing the opinions of central bureaucracy unilaterally to provinces, but an entire process in which the confrontations and conciliations between the central and peripheral wings of the dominants mingle (Önen vd. 2011: 32-45).

Another point to be highlighted is that the social change and transformation is in fact a matter totally related to the State and the power of the State. In other words, dynamic and mutual interactions are determined by state-society (governing-governed) relations; any change is always fundamentally state-centered and state focused (Toksöz 2012: 212). Furthermore, this is not a period and method only specific to Turkey. It should be remembered that similar methods have been implemented in ‘Russia of Petro’ and ‘Japan of Meiji’ which experienced similar modernization processes. It is noticed that these findings were not considered by the “center-periphery” modelists, even though they were also valid for other modernization- process practiced countries.

Another significant point is that some historians being under the illusion of the belief that a “unique Ottoman modernization project also makes the process uniform”. In fact, this process has not been implemented by the State all over the country simultaneously and particularly. Different practices could have been followed especially in places i.e. harbour cities with development level gaps and in different global interactions with the world. A region accommodating such a city was a part of modernization efforts of the State from

one side, and it was a part of the governance and interaction network with its global connections via that harbour city, on the other side. According to Toksöz (2012: 212-217) “we could study the modernization of Ottoman Society in the framework of the parties of such a governance system network, i.e. international actors, Ottoman Central Administration, regional and local political, social and economic changes”.

### 3. Efforts for Modernization of Administration in Pre-Tanzimat Period

The Modernization of the Empire has aimed the alteration of the individuals and the society, in addition to the alteration in the administration and structure of the State as the centre of the social and political organization. Fundamental changes were accomplished especially between 1826-1839, the sovereignty years of Sultan Mahmut II. Administrative and judicial bodies started to dissociate, while new local and central organisations were emerging. Some reforms which were thought to have started with Tanzimat period, have either been initiated or their infrastructures have been set in this era.

Mahmut II was aware of the facts of the failure of previous reforms; therefore he aimed to establish the central administration with the support of a reliable army and to initiate the economic development based on this new structure. Financial resources were the main requirement for setting up the new army, therefore an efficient taxation system together with a modern, efficient central and provincial bureaucracy were also essential to ensure needs were met (Zürcher 2010: 67-68).

#### 3.1. A Council in the Centre

Among these reforms, structuring of a new council was remarkable which would deeply affect later developments, which was even described as the pioneer of the later parliamentary system by some writers (Shaw 1970: 51). This Council was like a type of extended Advisory Committee tied to the Palace, named as the Supreme Council <sup>4</sup> (*Meclis-i Vâlâ*). It can be considered as the fundamentals of the councils established in Tanzimat Era. It was constituted by experts, with broad authorities in state administration, and was a core centre to raise and train the modern administrators of Tanzimat Era.<sup>5</sup>

The old Consultative Committee (*Divân*) has existed since the establishment of the Empire and was replaced by the Consultative Assembly (*Meclis-i Meşv-eret*) in 18th century. These were all substituted by the Supreme Council; a

Council as the “generator” of all the reforms initiated by the Tanzimat. Thus, the history of the Tanzimat in a way is said to be the history of Supreme Council (Seyitdanlioğlu 1999: 2).

This Council was mainly designed and established by the contributions of Mustafa Reşit Paşa. While designing these councils to execute future reforms, similar structures of the Western countries were taken as a model. Then the sovereignty has been put into force via such Councils and Ministries similar to constitutional monarchies in Europe, but not alone by the Monarch (Padişah) himself (Çadırcı 2007: 59-60).

It can be said that the “Constitutional Monarchy”, beginning with the the First Constitutional Era (*1. Meşrutiyet*, 1876-1878), was based on the “heritage” of the Supreme Council. It can be said that the “climate” created by these councils and provincial councils had a great affect on the period sustained throughout the time until Meşrutiyet. The Supreme Council was neither a parliament, nor a body in the status of a non-representative consultative committee. It was a body authorized by the Gülhane Decree (*Gülhane Fermanı*) which had a constitutional power; however accepting the Supreme Council within the framework of the “history of democracy” was not be a mistake (Seyitdanlioğlu 1999: 140).

### 3.2. New Councils and Organisations in the Province

Besides the Supreme Council established in the centre, Sultan Mahmut II needed a new and effective form of bureaucracy. Thus he generated a class of civil officials that were to replace scribal service (*kalemiye*) constituted by “clerks”, whose only task were to keep the records, who were to be effective in government. These “elite” class were named as “civil officials” (*mülkiye memurları*). They were equipped with the understanding of modern bureaucracy and carried out vital tasks both in central government and in provinces during the reforms of the Ottoman State.<sup>6</sup>

These “elites” have been entrusted with extensive authorities, in order to neutralize and break the power of the powerful groups namely “notables” (*âyan*) in provinces. The establishment of a modern provincial governance system by these authorized civil servants instead of local judges (*kadı*) and soldiers, has been proceeded even after Mahmut II (Findley 2011: 40-42).

**3.2.1. 'Being Elected' from "Âyanlık" to "Muhtarlık":** From the foundation till the downfall of the Ottoman State, the control over the provincial governance had been hold by local groups which consisted of the top brass persons, called notables. Furthermore, the organization comprised by elected notables was named as *âyanlık* (âyanship). They conducted duties such as collection of taxes and mediation in military service in the towns and villages depending on the characteristics of the region; they were paid a salary called as *âyaniyye*, until this organization was abolished.

*Âyan* (notables)<sup>7</sup> would be elected by the local power groups, such as *kadı* (local judge), *müftü* (local agent of the State, learned in İslamic Law, mufti), *müderrisler* (professors of madrassah), *nakibü'l-eşraf kaymakamı* (head of the city-dwelling descendants of the Prophet), *lonca yöneticileri* (the guildmasters) and the leaders of the community; this is different from the appointed provincial administrators namely *vali* (governor) or *mütesellim* (governer's deputy). Even in exceptional cases when they were assigned by the governor, *âyan* have existed within the structure of Ottoman administration, as a kind of historic organisation of the public participation in governance (Çadircı 2007: 127-128).

In due course, the corruptions in collection and distribution of taxes, engaging in affairs to the detriment of the public, together with blemishes over elections and entering of the provincial people into hard struggles to be elected as *âyan*, caused trouble in the governance and led the *âyanlık* organisation to be abolished. Consequently, following the Auspicious Event (*Vaka-yı Hayriyye*), the abolition of Janissary (*Yeniçeri*) infantry corps in 1826, Mahmut II intended to re-organize the *âyanlık*, by transmitting some of its duties and responsibilities to the some newly established organizations in *sancaks* (the second highest juristic echelon in provincial administration system). In 1829, the organisation of *muhtarlık* (mukhtarship, mukhtar's organization) have been established in Eyüp and Üsküdar quarters of İstanbul, the capital. In 1833, *âyans* have been replaced by *muhtars* (the elected head of a village or of a neighbourhood within a town or city) in all provinces and took charge as an intermediary between the government and the public (Çadircı 2007: 129).

The first implementations of the election system in Kastamonu Sancağı have been followed as a leading practice and repeated in other cities, small towns and villages. Two local outstanding people in each quarter were elected as

the first muhtar and second muhtar, and each muhtar had been appointed as the voucher for the public at the same time while *imams* (prayer leaders) had been delegated as the vouchers for muhtars. Moreover the notables of the quarters had been vouched to each other. Therefore such a practice which can be interpreted as a “local self-governance”, put the responsibility of the governance of the quarter on each individual of the public. In non-Muslim communities, persons elected on behalf of muhtars were called as *kocabaşı*.

The election process of muhtars was completed with the approval of the Padişah and they were accountable to the administrator of the sancak. The primary task of muhtars was to ensure the security of the quarter. Keeping the birth records and reporting them to the related central institutons, representing the public of the quarter, helping the collection of taxes and keeping the other registers of the quarter were among the other liabilities of the muhtars. The muhtarlık had been established all over the country in 1833, and persisted up to date without major changes in their scope of work and responsibilities (Çadırcı 2007: 130-131).

The election of muhtars among the residents of the settlements, at first in the Capital city, and then in other cities and towns, has been evaluated as a “first and surprising democratic step in the case of its age” for the administration of villages and neighbourhoods (Findley 2011: 42).

The muhtar’s organization can be said to contain the first traces of what is called “subsidiarity” and “governance” principles today; specific to its era with muhtar and other elected people. However, the importance of this civic and elected organization has not been emphasized enough throughout history; especially from the principle of “subsidiarity” point of view.<sup>8</sup>

#### **4. The Era of Reformist Bureaucrats: Tanzimat**

Tanzimat as a centralization and defence aimed modernization initiative, has a meaning more than reforms in administration and politics. The most significant feature of Tanzimat, was granting of “equality” rights to all citizens of the State, regardless of whether or not they were Muslim; as the reflection of the understanding of law and citizenship of the Western world (Yücel vd. 242-243).

#### 4.1. Administrative System in Tanzimat

The administration system has completely fallen under the influence of modernist philosophy of the bureaucracy during the Tanzimat Era and it was aimed to make new arrangements with a holistic approach; to cover the defence, legal and administrative systems, even the changes in social life. The other specific aspect of Tanzimat was to adopt all the requirements of being a state of law. Therefore, all the legislations would have to be written, announced systematically and should be binding for everyone (Ortaylı 2008: 467-474).

On the other hand, the governed communities (public) were encouraged to participate in decision-making processes and this was partially ensured. “Organisationalization” of the Consultation (*Meşveret*) Principle in state government was the most remarkable progress of the day. Tanzimat means the establishment of councils, various specialized boards and courts both in the centre and in the provinces; and as a result, the occurrence of a “parliament” in our political life, distinctive to our country (Ortaylı 2008: 470).

Such a prominent consultative approach in such a reformist period was a supportive fact for the “sense of administration” compatible with the facts of the time. Moreover, these councils which have been holding consultative qualities but in fact having considerable functional roles in administration system, were mooted to be the key element of the modernities in administration. With the new arrangements in the central and provincial administration, the structure of the State was modernized and a “participatory management approach started to root since the beginning of Tanzimat Era” (Çadırcı 2007: 95).

#### 4.2. Provincial Administration in Tanzimat Era

During this period it is noticed that some power groups gradually participated in the governance mechanism, up to the extent of the realization and strengthening of the modern central structuring. Every field related to the administration, the army, treasury and civil administration, should have to be under control; therefore new arrangements were done accordingly. In due course, the support of the local public and power groups were indispensably required.

One of the main targets of the Tanzimat Era for the solution of internal problems, was to restrict the powers and the authorities of the governors who

were “uncontrollable” by the central administration. The major discomfoting aspect about the governors who were acting independently from central government was the underachievement of the expected tax revenues. For this reason, the provincial “public power groups” which were gradually getting powerful were the supporters and collaborators of the central administration against the governors. With the establishment of the local councils the power of the governors was weakened. Thus a new understanding of local authorities started to be emerge and the local demands started to increase by a strengthening of the local sovereigns (Önen vd. 2011: 116-117).

## 5. Newly Established Councils in Tanzimat Era

In order to better understand and analyse the developments underlying the centralization efforts in the administration system in the Tanzimat Era, it is necessary to scrutinize the previous administration system in the countryside and especially in the provinces.

### 5.1. Establishment of New Power Groups in the Provinces

The land tenure system was the basic determinant of the relationship between the central and peripheral power which was indeed the foundation of the Ottoman social order and administrative structure. Major changes and deteriorations in the land tenure system led to a financial and military collapse, starting from the late “Period of Florescence”. The deterioration of the land tenure system by gifting lands to favoured people by the Padişah, selling the property ownership or rental of state-owned (*miri*) lands, or possessing by some provincial magnates actively led the power to be seized by the local seignours (İnalçık 2012: 35-42).

In the 17th century, the administration of the centre and provinces was diverged from the classical style. The administration of “sancak” which is the vertebra of the system had been modified, and their administration was handed over to *mütesellim* (governor’s deputy) as being the administrator. These mütesellims have generally been selected from prominent local families, and replaced the *tımarlı sipahiler* (fief holding provincial cavalries) and *sancak beyleri* (sancak governors), thus a new “ruler class” appeared in the Provinces against the centre. On the other hand, tendering the land revenues to *mültezims* (tax farmer) in return for specific amounts in addition to the dete-

rioration of the land system, has been a main factor helping the strengthening of the local powers against the centre (Yücel 1974: 695-696).

As a result, mütesellims and mültezims who belonged to powerful prominent local families, started to grasp the provincial administrations. Especially in the last years of the eighteenth century, these notables became a political power by having control all over the miri land which was owned by the State. These notable families gave themselves the title of *derebeyi* (usurper) using it in all official correspondances, a kind of “local Princedom”. These families were supported by the public against central administration. As they were “local”, they never put pressure on the public, unlike the administrators assigned by the centre. To the contrary of the State, they succeeded in providing security while establishing their own army (Yücel 1974: 696).

It should be stated that these land patriarchs were not constituted only by Muslim *âyan* and usurpers. There were Christian seigneurs owning vast lands and living in some border areas. Forexample, *çorbacılar* was a part of this group and they were crowded in Bulgaria. Çorbacılar were elected by the public and accepted officially by the local government. They acted like a “mayor” and as a mediator between the public and administrative-judicial authorities, concerned with issues such as tax, court etc. (İnalçık 2012: 43). It is noteworthy to have such effective organisations dealing with local public services, and the designation procedure of which was initiated by “elections”; like in the European lands of the Empire and among Christians at early times.

Alemdar Incident in 1808 (*Alemdar Vakası*) was the most striking example for the rising of both the power of these groups in provinces and their roles in State administration. Alemdar Mustafa Paşa, who was a powerful prominent (*âyan*) in Rumelia had gone to Istanbul and grasped the “governmental power” from central government, then put another Padişah in charge. At this time, the overthrowing of the government and Padişah was managed by the power developing in the Provinces, besides the central power consisted by *ulema* (religious establishment) and *yeniçeri*. Moreover, Alemdar invited those in a similar position to him to the centre. Discussing the country affairs and taking decisions with them was a heavy “coups de main” for the Padişah and the traditional authority of his government.

Provincial prominent notables signed an agreement called *Sened-i İttifak* (Covenant of Union) among themselves even though the participation was low, which was unprecedented all throughout the Ottoman history. With this agreement the “de facto” local feudal structuring within the Empire had been attempted to be legalized. However this agreement could never have come into force due to the killing of Alemdar (Yücel 1974: 696-697).

*Sened-i İttifak*, was generally explicated as a distinctive significant document without considering its real historical meaning and background. It was a document enforced by local magnates, such as the Magna Carta, and an agreement limiting the power of the Padişah. Contrary to the general belief about the Magna Carta, it has never been constituted as a foundation for liberal-democratic development. This agreement was the explicit indication of the degradation of the power of Padişah and rise of the local powers (İnalçık 2006: 73).

Mahmut II took the lead after Alemdar and the *Sened-i İttifak* reign, developing some measures and precautions in order to get the administrations of the provinces from the local seignours back to the control of the central government. Despite all the centralization efforts carried on over throughout the following periods, the major roles of notables in the provincial administration remained. These factors had strong effects on the social structure which always existed and influenced political life with their philosophy and mutual benefits even though they were named differently (Yücel 1974: 697).

## **5.2. Arrangements Between the Years 1839 and 1856**

In the first years of Tanzimat Era just after the Gülhane Decree, which was also the eponym for the regime, a number of vital decisions were taken in order to re-centralize the provincial administrations which were under the control of empowered notables. Even though the central government always consulted or asked the help of the local empowered groups or the representatives of the communities, these consultation and collaboration activities have started to get “organizationalized” with the establishment of the Muhassılship Councils (*Muhassıllık Meclisleri*) in 1840.

**5.2.1. Muhassılship Councils:** One of the primary initiatives of Tanzimat Era was to re-regularize the failing parts of the taxation system. As a beginning, the *iltizam* (tax farming) system that was in force in the provinces was

abrogated and new officers from the centre called *Muhassıl* (tax collector) were assigned to be in charge for the collection of taxes (Kasaba 1988: 50-51). In provinces Muhassılship Councils were established in order to be executed under the directorate of Muhassıl.

The Muhassılship Council was envisaged to be constituted of ten members in total: these were two clerks, a local judge (*kadı*), doctor of İslamic law (*müftü*), local military commander (*zaptieh*) and 4 local notables of the region besides Muhassıl. Furthermore, in the settlements where non-Muslim communities live, a participation of 3 additional members to the councils, one from the metropolit the other 2 from *kocabası* (headmen of the non-Muslim villages or quarters) have been provided (Kırlı 2015: 30-45).

These Councils were quite different from the local councils functioning under the chairmanship of the Local Judge.<sup>9</sup> Leaving up the chairman post to a non-religious person, providing the representation of non-Muslim community with the same amount of representatives as Muslims, giving them equal rights with Muslims, and selecting the representatives by election were the main differences (Yücel vd. 1990: 242).

Even though a wide participation could not been ensured in the elections for the Muhassılship Councils and the elections could not been held everywhere as ought to be, prescription and legalization of an election system was the significant issue of concern. This means that provincial public people have also become effective representatives by means of these elections, together with the high administrators representing the sovereignty of the state alone in Provinces. Despite these are not comparable with today's elections, the significant point to be considered is the level of democracy and the election system standarts of today's democratic countries in those times. In most regions of both the Russian and Austrian Empires, a broader participation in the elections for the representatives of the administrative councils, was even out of the question (Ortaylı 2007: 89).

Even though re-shaped and re-named differently later on, these "System of Councils" in the provincial administrations had been initiated by the Muhassılship Councils, and revealed similar contemporary organizations in the Ottoman State where more modernized administration models were being searched for (Çadırcı 2007: 287). According to those researchers who have

further developed this approach, these provincial councils could be regarded as the first step towards “the representative government” in the country (Davison 1990: 100).

It was aimed to bring a new system for the government; envisaging a systemized and hierarchical structure to be composed of five levels with the Muhasilship Councils. The scope of tasks of these councils comprising *Eyalet* (Province), *Sancak* (second echelon), *Kaza* (District), *Küçük* (Small) and *Köy* (Village) Councils were extended to include other duties as well, while formerly covering only the tax issues.

However these new arrangements could not have been put into force in all over the country and the first pilot implementations launched in the vicinities of the centre, have failed. Despite this failure, the selection of the members by election, would still be esteemed as a big step forward in the administration system. This idea was the reflection of the efforts to seek a stability in the relationship between the centre and the provinces, and the new positioning of the local powers in this new stability at the same time (Önen vd. 2011: 125-132).

**5.2.2. Local Administrative Assemblies:** The Muhassılık system couldn't get the expected amount of revenues and failed in the collection of taxes. The main reasons for this failure can be stated as the resistance of the local powers to this new system, who had been holding the authority to collect taxes in hand in the previous administration system and percieveance of *Muhassıls* (Tax Collectors) as a dual executive like a second Governorate (*Valilik*) in the provinces. Consequently, Muhassıls have been abrogated after one year of their establishment and the system reverted back to “iltizam”, the old tax order (Shaw 1977: 86).

Nevertheless, the Muhasilship Councils subsisted even though their names were changed. Eyalet and Sancak Councils altogether entitled as Local Administrative Assemblies (*Memleket Meclisleri*). The 1842 arrangements formed a new administrative structure such as eyalet, sancak and kaza, and led to two significant outcomes in the provincial administration.

One of them was the re-structuring and transformation of district (*kaza*) into an administrative unit which was formerly a judicial unit, and the second one was the change in the management of these districts. With the new arrangements, districts would be headed by a director that would be elected by the

local powered people, which was quite important. Even though the approval of the central administration would have been required after the election for these “elected” district directors (*kaza müdürü*), they were significant in terms of “representation” in the administration system. However with the new regulations in 1864, they were replaced by the “Sub-governorates” (*Kaymakamlık*) where all the administrators were “appointed” (Çadırcı 2007: 64).

These reformist approaches of the Tanzimat Era, aiming to restructure the provincial administrations, deserve further assessments and evaluations. The new regulations for the election of district directors by the local notables are quite noteworthy, following the system enabling the election of muftars, the election of public representatives to Muhassılship Councils and participation of the public in administration partially via these elected representatives. However, at the level of provincial administration, bringing up the “elections” which are the “sine que non” for democracy to the agenda at this early stage and making legislative arrangements for its implementation should be counted as a significant milestone.

**5.2.3. Provincial Councils<sup>10</sup>:** With the amendments in the administration structure in 1849, it was aimed to increase the central power on local councils as well as breaking the influence of the governors, who were seen as an obstacle by the central administration, to put control on the provinces. The president and some members of the Provincial Councils (*Eyalet Meclisleri*) which were ranked on top of the hierarchy of councils, were assigned from the centre and the governors were gradually passivized by expanding the powers of the councils. In that sense, 1849 Regulation was somehow a reflection of the reconciliation between the central administrators and provincial notables (Önen vd. 2011: 137-141).

The regulation known as “1849 Regulation” constituted of 68 articles, has comprehensively described the establishment conditions, scope of duties and liabilities of the provincial councils. With a clean break in the provincial administration, duties and responsibilities have been assigned to councils in the fields of administration, justice, inspection, health, education and public works, which were previously carried out by the Vali, Mütesellim, Âyan etc. (Çadırcı 2007: 283).

However, the implementations of 1849 Regulation did not have the expected results. Appointment of the President of the Provincial Councils by the centre left the governors fully dysfunctional and lead to a number of conflicts. The Councils, practicing under the domination of the local notables, were perceived as a more significant threat against the modernization efforts of Tanzimat, comparing to the governors. Thus, the central administration which was refrained from local notables not only returned back some of the powers of the governors, but extended their powers in the fields of public safety and maintenance of security as well by declaring a new regulation in 1852 (Önen vd. 2011: 142-143).

### **5.3. Regulations between the Years 1856-1876**

In line with the scope of the Islahat Decree released in 1856, studies have been initiated for the arrangement of non-Muslims' rights and elimination of the inconsistencies in the administration system. The Provincial Regulation has been released in 1858, stating that all the governmental officers should obey the laws and legislation, and enacting to leave all the administrative authorities to governors in the provincial administrations. With that Regulation, governors were designated as the only authority "accepted" by the central government. Thus, the central government which degraded the authorities of governors at the beginning of the Tanzimat Era, restored its trust to governors for their loyalty and strengthened their power again (Shaw 1977: 87-88).

**5.3.1. 1864 Law on Provincial Administration:** Although a general centralization was being aimed with the new regulations in administration after the Tanzimat, different and "roller-coaster" new strategies had to be followed with the influence of the interior and exterior developments. The establishment of a regular tax collection system was one of the targets by strengthening the central structure from one side, while local demands of the local sovereigns that were gaining power and a desire for a "decentralized administration", as articulation in Europe were revealing, on the other side.

Upon the requirements for re-structuring the provincial administration and setting it on a more organisational basis; and with the effects of the external pressures, "1864 Law on Provincial Administration" (*1864 Vilayet Nizamnamesi*) was created. With this Law, the "Eyalet System" was abrogated and replaced by the "Vilayet System". The hierarchy was ranked as vilayet, sancak,

kaza, karye (*village*) and a new administration level called *nahiye* (commune, subdistrict), by merging of the rural villages (Shaw 1977: 88-91).

The administration of the rural villages, the roots of which stand in history have been re-structred with the new arrangements in 1864 Law. While establishment of the villages, neighbourhoods, the structure of Muhtar and village council organization have all been identified in this Law, their status together with their extended scope of duties and responsibilities, have been elaborated in 1871 Law on Provincial Administration (Keleş 2012: 161).

By 1864 Law, the “appointed and elected” membered structure of the councils which have been existing since Muhasilship Councils was also being sustained in the newly established councils at these four administrative levels. Besides the Council of Administrations (*İdare Meclisleri*), established at all levels of administration, Provincial Councils (*İl Genel Meclisleri*) were set up in the provinces in 1864 (Davison 1990: 103-104). These Councils still exist today with some modifications and changes in their scope of duties, responsibilities and election methods.

The native members of the Council of Administrations were the civil administrator, officers and religious leaders. In total four members were in charge by election, half of them being Muslim, the other half being non-Muslim, as the representatives of the community. The latter was the indication of a significant improvement and change in the traditions of the Ottoman State. Non-Muslims were also participating in the governance and decision-making processes within specific rules. In other words, councils were leading a secular development even though their establishment was not the consequence of secularism (Ortaylı 2012: 187).

The president of the Provincial Council was the governor, where each sancak under vilayet was represented by four members, two being Muslim and the other two being non-Muslim. Although the councils were headed by the governor, with the belief that the control of the centre could only been determined via governors, the existence of “elected” representatives was the indicator of a revolutionary transformation, at least in theory (Önen vd. 2011: 167).

Further interpretations have been made about this transformation in the administrative system due to the representation of Muslim and non-Muslim communities via their religious leaders in the councils. Pursuant to some

researchers, the effectiveness of these community representatives in these councils since Muhasilship Councils put an end to the absolute sovereignty of the government representatives. By the virtue of those representatives, the public was informed about the topics and subject matters of the councils and had the right to comment on the decisions. According to Çadircı (2007: 309) “despite some lacking and problematic issues, this was a big step for the local administration to establish public awareness and to enable public participation, compared to the previous periods”.

**5.3.2. 1871 Law on Provincial Administration:** The successful implementation of 1864 Law as a “pilot practice” in Tuna Province created a will for its extensification to all other Provinces. A new Law (*1871 Nizamnamesi*) was prepared in early 1871 in order to be implemented all over the imperial territory.

Pursuant to this Law, it was required to establish a “Provincial Council” in each Province and an “Administrative Board” (*İdare Kurulu*) in each vilayet, sancak and kaza respectively, similar to the ones provided with 1864 Law. Due to becoming obsolete of the formerly prepared legislation, “Communal Administrative Council” in nahiyes, and “Village Council of Elderlies” in rural villages were envisaged with 1871 Law.

In 1876, another arrangement was made only specific to “nahiye”s, which is a small unit of the public administrative structure and specifically considered by European countries. According to the new regulation, nahiyes as an administrative level would be established by the unification of villages and farms attached to the districts, according to their level of inter- relations and geographic proximity. Every nahiye would be governed by a council constituted by a head and eight members, four of which would have been elected. In communities where Muslims were the majority, head would be a Muslim person while the deputy would be a non-Muslim; and in the places where non-Muslims were dominant, then it would be vice versa (Keskin 2009: 207-208). However, nahiye administrations that were entrusted with some local power could not fully function, especially elected nahiye councils could have never been established.

The 1871 Law is noteworthy to demonstrate the clear correlation between urban local services and local units. In cities and towns, a new council, *Meclis-i*

*Beledi* (Municipal Council), was established; its structure, members and their methods of election were all regulated with the Law (Keleş 2012: 157-162).

## 6. Central and Provincial Municipalities in Tanzimat Era as the Representative Organisations

Besides the “councils system” structured in the provinces, emerging of municipalities and municipal councils in the cities was also been important for the improvement of the “representativeness principle” that was becoming effective in administration.

In addition to the general transformations in the country during the Tanzimat Era, harbour cities were also been experiencing significant changes and problems due to their functions as becoming the centre of the international commerce and relations. They were faced with difficulties in providing the suitable sanitary requirements, regular intercity transportation and other necessary facilities both for the foreigners and commercial vessels. As a consequence, harbour cities like İstanbul and İzmir made the first move for the “municipalitim”, with the requirements of a new administration to execute modern services (Ortaylı 2008: 503-504).

In addition to the modernization requirements of the capital and harbour cities, in the summer of 1854, the Municipality of İstanbul (*İstanbul Şehremaneti*) was established and a Mayor (*Şehremini*) was appointed to deal with the chaos in İstanbul created by the Crimean War. Besides Şehremini, a Municipality Council (*Şehremaneti Meclisi*) was also formed to function mainly as a consultative organ. This aforementioned council, also called City Council, was a board of fifteen, constituted by a Mayor and two deputies, in addition to twelve other members selected from powerful officials, all stratum of the community, the guilds’ masters and then assigned by the Padişah (Seyitdanlıoğlu 2010: 4).

Besides the fundamental changes in the whole administrative structure, the 1864 Law additionally transformed the municipal structures into institutions, carrying important functions in the community life.

Finally, the 1871 Law enabled the municipal administrations to strengthen as an organisation, with their own structures and organs, and later to be extended widely all over the country. Moreover, it allowed the elected councils

based municipal organizations, to become the fundamental elements of the provincial administrations (Shaw 1977: 92).

## 7. Conclusion

During the Tanzimat Era which is known as the real start of modernization period in Turkey, a number of significant reforms and improvements had been initiated especially in the field of administration, and most of them continue to exist day. The infrastructures of these modernizations efforts and transformation were founded in the period of Mahmud II in fact; and a number of councils and organisations were established, which were “new” in both structural and functional terms. All these councils and organisations have emerged as the result of the modernization efforts and functioned as the “decision-making and modernization platforms” as well.

It cannot be ignored that these councils and organisations both in the centre and in the provinces, interrelated with each other and, functioning in various fields, were the consequence of a conscious orientation and a part of a planned renewal process. It should be kept in mind that the social, political and economic conditions of the country were also the determinants for these councils and organisations to arise, besides the external factors.

On the other hand, these councils and organisations holding a “representation” value, should be evaluated as the pioneers of a modern administrative approach in the framework of the conditions of the day. Therefore, assessments regarding these councils and organisations as the “administrative structures being governed from the centre and created as a consequence of the political rights delegated from the centre”, will be a suspicious judgement. The strengthening of the provincial power groups throughout the history and the significance of the consensus building efforts with these groups should be appreciated as well as the modernization supporting attitudes of the central administration and the governing elites.

In the new reform period initiated by the central government, it was necessary to collaborate with the provincial power groups. These provincial power groups were legalized themselves via these councils; while the notables and the public were also represented and participated in governance via these structures.

Thus, it is not possible to argue that all these councils and organisations that were established during the Tanzimat Era were fully democratic and in the status of elected local structures, as of today. However, when evaluated from the “elections and representation of the public” points of view, these initiations are noteworthy within the historical context and when compared with the organisations of the other countries of the age. Moreover, some pioneering attempts could also be noticed in these councils, as to ensure the participation of the public for governance regardless of religious differences.

Local power groups especially had a substantial contribution to manipulate the political processes in the country, including their critical role in the establishment and functioning of the councils in provinces. Consequently, it would be pertinent to interpolate the argument of “influences of the local power groups and the reflections of the internal dynamics of the country” to the approaches, which explains the progressions in the modernization period as “being a model of renewal, regulated dominantly by the central forces as a result of exterior pressures”.

## Comments

- <sup>1</sup> The values and norms of a society are created by its own experiences through the historical development process, forms Primary (organic) modernization. “Western Modernization” as an example of such kind, has happened by evolving, in other words as a natural result of the existence, traditions, ethos and tendencies of the society. Thus inorganic modernization or “secondary modernization” is related with the modern culture, that became prevalent as a result of the influence created by the success of the countries, in performing primary modernization. Further developed (modernized) Western countries, constituted a desirable model for the underdeveloped countries. “Western model” has turned to be a “clarion call” for those countries comparatively undeveloped, to achieve the better. Secondary modernization can be interpreted as an intellectual and political reply of the underdeveloped communities for this call of Western countries. See, Rzaeva 2005: 414-417.
- <sup>2</sup> For these approaches which attracted utmost interest and created the sense of located into the framework of “governing-governed” relationship at first sight, however has recently been started to be interrogated by the researchers, see Şerif Mardin (1997). *Türk Modernleşmesi*. İstanbul: İletişim Yayınları, İdris Küçükömer (1994). *Sivil Toplum Yazıları*. İstanbul: Bağlam Yayınları, Niyazi Berkes (2002). *Türkiye’de Çağdaşlaşma*. İstanbul: YKY.
- <sup>3</sup> The need for the integration of the country market for a succesful capitalist system, creates centralization as in Western economies, even though happens in different manner. Considering the influence of an evolving social structure towards capitalism and nationalist and centralist practices spreading over Europe, a generic idea such as “centralization is indispensable at a certain stage of growing capitalism” becomes acceptable for the case of Ottoman State (Önen vd. 2011: 55).

- <sup>4</sup> For the English terminology of the terms mentioned in this study such as councils, organisations, posts and titles, see, Findley 1980: 41-68, 112-220, Findley 2010: 23-123, Shaw 1970: 51-84, Shaw 1977: 36-61, 76-95, İnalçık 2006: 17-92 and Kasaba 1988: 11-60.
- <sup>5</sup> The Council established in 1838 during the time of Mahmut II, full name Supreme Council of Judicial Ordinances (*Meclis-i Vâlâ-yi Ahkâm-ı Adliye*), had a significant role in Abdülmecit's sovereignty. The Council having power on the Ministers and considered as the real protector of Tanzimat; sealed on central administration.
- <sup>6</sup> For the developments in civil beraucratic structure and comprehensive analysis of these developments on the state management during Tanzimat Era, see Findley 1980: 151-218.
- <sup>7</sup> Different terms such as userper/feodal lord (*derebeyi*) or provincial powers/local magnates (*mütégallibe*) have been used for 'âyan' in different sources and studies. In order to avoid the confusion, the term 'notables' has been used for 'âyan' which is the popularly used term for the concept.
- <sup>8</sup> "Principle of subsidiarity" is one of the complementary principles of the European Charter of Local Self-Government which is a guidance document with a set of principles for the local authorities in Europe. According to this principle "public services shall be generally and preferably executed by the authorities closest to the citizens". Within the framework of the principle of Subsidiarity, the significance of "Muhtarlık organization" can better be perceived as being an organization established as the nearest authority to public and still surviving. In that sense, Muhtarlık organization is an asset that can be presented to the world as a contribution of the Turkish local authority experience. However, with the latest revisions in the legislation of local authorities, it is not easy to say that, Muhtarlık organization takes its place as it deserves. Within the newly developed understanding of "modern local administration", it is thought proving to witness its gradually losing function instead of gaining importance (Erbay vd. 2013: 31).
- <sup>9</sup> Before the Tanzimat Era, the Local Judge (*Kadılık*) organization in Provinces was in charge of both government, judgement and local authority. It was assigned by the central administration attached to the centre; to operate all over the country. In Tanzimat Era state affairs has started to get dissociated, and duties were delegated to newly established units while only Kadılık kept sustaining its jurisdictional function.
- <sup>10</sup> The administration levels and the naming of these levels have been changed due to the changes in the Ottoman administrative system, especially in the second half of 19th century. The main structuring in the Provinces is named either Vilayet or Eyalet. Generally, the term "province" is preferred for both vilayet and eyalet while "county" is used in some other studies.

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# Tanzimat Döneminde Osmanlı Devleti'nin Yönetim Sisteminde Temsil Kurullarının ve Yeni Kurumların Ortaya Çıkışı

Yusuf Erbay\*

## Öz

Modern çağlarda hukukun üstünlüğü ilkesine dayalı olarak biçimlenen demokratik rejimlerin hayata geçirilmesinde, demokratik kurumların ve seçilmiş kurulların (meclislerin) hayati önemi vardır. Seçilmiş kurulların ve seçilmiş kişilerin etkinlik kazanmaya başladığı dönemler, toplumdaki modern demokratik değişimin ilk işaretlerini taşırlar. Bu tip kurum ve kurullar Osmanlı Devleti'nin son yüzyılında yaşanan ve Tanzimat Dönemi olarak adlandırılan modernleşme hareketleri sırasında ortaya çıkmaya başlamış, siyasi ve idari yapılanmaların şekillenmesinde belirgin roller oynamışlardır. Bu yönüyle bakıldığında, Osmanlı modernleşmesi sadece merkezi otorite tarafından başlatılan ve yürütülen bir hareket değil, aynı zamanda taşrada gelişen özgün şartların biçim verdiği kurum ve kurulların etkin olduğu bir süreçtir. Yenilikçi özellikler ve temsil niteliği taşıyan bu yapılanmalar, Türkiye Cumhuriyeti'nin kurulmasına kadar uzanan modernleşme çabalarının önemli dönüm noktaları arasında yer almaktadırlar.

## Anahtar Kelimeler

Modernleşme, Tanzimat, yönetim sistemi, taşra, temsil, meclis.

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# Возникновение представительских органов и новых институтов в системе управления Османского государства эпохи Танзимата

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## Аннотация

Демократические институты и выборные организации являются жизненно необходимыми для создания демократических режимов, основанных на власти закона. Первыми признаками демократических изменений в обществе становятся действенность и влияние, которые приобретают в нем выбранные органы и представители. Эти организации и институты, появившиеся в ходе эпохи модернизации, или Танзимата, которую пережило османское общество в последнее столетие своей истории, сыграли важную роль в формировании политических и административных органов. Модернизация османского управления не была процессом, инициированным и проводимым только сверху, это был одновременный процесс, который шел в провинции и вырабатывал собственные формы организаций и институтов. Эти реформистские и представительские формирования были важными вехами в процессе модернизации, шедшем вплоть до самого основания Турецкой Республики.

## Ключевые слова

модернизация, Танзимат, система управления, провинция, представительство, меджлис

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