Sovereignty, governance, and political community in the Ottoman Empire and North Africa

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In January 1834, over two thousand citizens of Constantine, the ancient Numidian capital that since the sixteenth century had been the principal town of the eastern districts of Ottoman Algeria, and inhabitants of the surrounding countryside put their names to a petition. Addressed to the British parliament, the lengthy text invoked ‘the law of nations and the interests of humanity, and the upholding of the fraternity of mankind’ with which the petitioners associated the parliament that, a few months previously, had abolished slavery in the British colonies. While reaffirming their obedience and loyalty to ‘the Ottoman Sultan of the Muslims’ who, religion dictated, was their only legitimate ruler, the writers requested British intervention against the French invasion of the Ottoman vice-royalty that had already seized Algiers and its hinterland, and was now threatening their own city. Passed on to London via the British consul in Tunis and translated for its addressees by a Syrian Christian who had grown up in Egypt and who had been the British navy’s envoy to Algiers in 1816, the petition went (of course) unanswered, and lay in the archives until it was discovered there by a Tunisian historian in the 1970s. It might be seen, though, as marking something of a watershed in Mediterranean history.

An old-established kind of text—a shikaya, a ‘complaint’ or petition of doléances, an expression of a practice long central to the relationship of local urban populations to distant centres of power in the Ottoman empire and North Africa—it mobilised a new kind of language, somewhere between the idioms of the ‘law of nations’, the droit des gens of the
mid-eighteenth century, and those of human rights, a phraseology (as *shurūṭ al-insāniyya*, the laws or charters of humanity, and *ḥuqūq al-bashar*, ‘the rights of humankind’ or ‘of persons’, probably translating the French *gens*) used here perhaps for the first time in Arabic.¹ Invoking a ‘fraternity of mankind’ (*ikhwat al-adamiyya*) underpinning common basic laws and interests that could be imagined across the sea and across religious or cultural lines, the petitioners laid claim to a putatively shared understanding of the proper regulation of conduct between peoples, especially the rights to security of property, persons, religion and commerce. They thus expressed what might seem to us a strikingly modern worldview, of universal rights in international society, through a strikingly democratic document, in which names of ‘some of the masses of the inhabitants’ (*baʿd al-awām al-ḥādirīn*) figured alongside those of the city’s notables, judges, scholars, and recognised community leaders, identified in the traditional Islamic idiom as ‘the people who loosen and bind’ (*ahl al-hall wa’l-rabt*).² But they did so at a moment when in fact the previously existing grounds for such an understanding, on the part of the inhabitants of the southern and eastern Mediterranean—that they lived in a world of relatively equal, reciprocal relations, of norms and expectations in such matters that, although expressed in only partially overlapping idioms, were reasonably shared with interlocutors to the north and west—were being rapidly and brutally cut from under their feet. Rather than a precocious adoption, or strategic deployment, of ‘modern, Western’ values by Arabs, in other words, this was a last gasp of an older, more equally shared early modern world that was about to be extinguished.³

¹ On the centrality and longevity of petitioning in Ottoman political culture, Nora Lafi, ‘Petitions and accommodating urban change in the Ottoman empire’, in Elisabeth Özdalga, Sait Özervals, and Feryal Tansuğ (eds), *Istanbul as seen from a distance. Centre and provinces in the Ottoman empire* (Istanbul, 2011), 73-82. Thanks to Peter Hill and Adam Mestyan for discussion of the novelty of this document’s language.

² Given that the city’s total population probably stood at around 20,000, and assuming that signatories were male heads of households, they might well represent almost the entire population.

That extinction, not coincidentally, occurred alongside the crystallisation of European-and North Atlantic-centred understandings of international legality and legitimate government as being vested in a community of ‘civilised nations’ to which the Arab and Ottoman worlds, among others, did not belong. Liberalism and democracy as well as the rule of law and the protection of property would eventually, though not without considerable struggle, come to be central to the self-image and to the histories of those European and Atlantic nations through their own social and political struggles in the nineteenth and early twentieth centuries. Such self-contained (and sometimes complacent) ‘genealogical’ histories of democracy or of liberalism have thus often been central to the self-definition of European history as distinct, most especially from its nearest ‘Other’ in the eastern and southern Mediterranean. In the 1770s, it was old-fashioned religious scruple that served as the justification for Russian diplomats’ refusal (overlaying more hard-nosed expansionist ambitions) to agree with their Austrian counterparts’ suggestion that the Ottomans be included as a ‘legitimate’ polity in the calculation of Europe’s balance of power. It was arguably in the seven decades between the Congress of Vienna (1814-15) and the Berlin Conference (1884-5) that, as Europe reshaped itself and its narratives of itself in response to the political and social earthquakes of the hundred revolutionary years after 1770—as Greek independence and south-eastern European nationalisms became humanitarian causes for Western Europeans, as the Ottoman empire was, in 1856, (re-)‘admitted’, under highly unequal terms, to a re-imagined international society, and as European capital and empire spread around Asia and Africa—that the new vision of an ‘Enlightened’ and ‘civilised’, quintessentially ‘Western’ international

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4 Faroqhi, The Ottoman empire, 68-9.

community, constructed in large part in opposition to images of the Muslim and ‘Oriental’ worlds, became entrenched.

But recent scholarship on earlier periods of Ottoman history, between the sixteenth and eighteenth centuries, as well as revealing aspects of that history previously buried under the long-dominant ‘decline paradigm’, can help us better to understand the abruptly changing world of the late eighteenth and nineteenth centuries, too. As historians of that earlier period now routinely insist, whether considering diplomacy and statecraft, trade, religious conversions, or cultural expressions of love and desire, ‘the early modern Ottoman empire constituted an integral component of Europe, and ... neither the Ottoman polity nor Europe makes a lot of sense without the other.’ Writing of the need to appreciate the ‘entangled’ nature of Ottoman history, as an histoire croisée within the broader web of world history, Pascal Firges and Tobias Graf point out that ‘on the whole, historians today conclude that the Ottoman empire participated in many of the major developments which European historiography once considered unique to Europe.’ In part, this has meant re-integrating the early modern Ottoman empire (especially the ‘central’ lands of the empire in Rumelia—southeast Europe—and Anatolia, rather less its more peripheral Arab provinces in the Levant, let alone North Africa) into a broader view of European history. Perhaps more productively, it has given substance to the agenda, first articulated by Ottomanist trailblazer Rifa’at Abou-El-Haj in the 1980s, of setting Ottoman history in a global, comparative context with other early modern states from Europe to China. But just as significantly, it also provides an opening for reconsidering narratives of European history as quintessentially or path-dependently opposed to those of the Middle East and North Africa, or ‘the Islamic world’.

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6 Daniel Goffman, *The Ottoman empire and early modern Europe*, xiv; see also Linda T. Darling, ‘Political change and political discourse in the early modern Mediterranean world’, *Journal of Interdisciplinary History* 38, 4 (Spring 2008), 505-31.
From this perspective, what is important is not showing that Ottoman and Arab societies ‘too’ were capable of endogenously producing forms of limited government and popular representation, rationalised belief, commercial capitalism and the rule of law—or ‘proto-democratization’, ‘Islamic Enlightenment’ and the ‘Islamic roots of capitalism’, as historians have variously proposed—as functional equivalents of the developments conventionally seen as central to the European genealogy of democracy. Rather, the point, as this volume more generally demonstrates, is to recover the ways in which contests over sovereignty, representation, popular movements and the form of rule, as they played out in the uneven, entangled and changing worlds of the eighteenth and nineteenth century Mediterranean, cannot adequately be contained within neat, smooth, and linear, ‘genealogical’ narratives of democracy and progress, any more than in those of despotism and decline, as they have often been construed with regard, respectively, to the north/western or to the south/eastern shores of the sea. These narratives, like so much of the mental furniture manufactured in the eighteenth and nineteenth centuries and inherited by the twentieth and twenty-first, were themselves products of changing relations between different world regions in this period, changes of which the Mediterranean was a particularly intense theatre.

This chapter, then, explores—albeit in terms that are necessarily both brief and broad—how norms of sovereignty, languages of rights as well as of duties, ideas of the ‘natural’ order, justice, equity, and the rule of law, assertive local demands for representation, popular movements of petition or rebellion, and practices of rule and its attempted or effective limitation, contestation, and reformulation, developed in the southern and eastern

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9 Such scholarship, prompted in response to neo-Orientalist work articulated around the Muslim world’s ‘lack’ of what supposedly ‘went right’ for Europe (e.g. Bernard Lewis, What went wrong? The clash between Islam and modernity in the Middle East (London, 2002); Dan Diner, Lost in the sacred: Why the Muslim world stood still (Princeton NJ, 2003)), is too broad to summarise, but see e.g. Peter Gran, Islamic roots of capitalism: Egypt, 1760-1840 (Austin TX, 1979), Reinhard Schulze, ‘Was ist die islamische Aufklärung?’, Die Welt des Islams 36, 3 (Nov. 1996), 276-325, Nehemia Levtzion and John O. Voll, Eighteenth century renewal and reform in Islam (Syracuse NY, 1987) cf. R.S. O’Fahey and Bernd Radtke, ‘Neo-Sufism reconsidered’, Der Islam 70, 1 (Jan. 1993), 52-87. The use of ‘proto-democratization’ is one of the more provocative elements in Baki Tezcan’s important The Second Ottoman empire. Political and social transformation in the early modern world (Cambridge, 2010).
Mediterranean across a ‘long’ eighteenth, and a ‘short’ nineteenth, century. The 1830s, which saw Greek and Serbian independence and Egyptian sub-imperialism at one end of the Ottoman Mediterranean, French invasion at the other, and the beginning of the most concerted drive to reconstruct the Ottoman imperial state from the centre, from this perspective mark a general turning point. On the high plains of eastern Algeria, Constantine had in the eighteenth century been the centre of a lucrative grain trade across the Mediterranean; Algerian wheat supplied French revolutionary armies in Italy in the 1790s. In 1837, a French army would cannonade, seize, and then pillage Constantine after house-to-house fighting from which its inhabitants fled, falling in panic from the edges of the cliff on which the city is built. This dramatic change of fortunes, emblematic in miniature of the seismic nineteenth century shift in relations across the Mediterranean, points to the need for a simultaneously longer and more fine-grained perspective in our view of the commonalities and divergences of state-society relations in European and Middle Eastern histories, as well as to the need for escape from some of the central historical categories (Ottoman decline, Oriental despotism, Western democracy) that came out of this shift, that naturalised its surprising suddenness, and forgot what had come before. Thus, although as noted in the introduction to this volume, the Ottoman lands and North Africa sit somewhat counter-intuitively within a history of democracy in the (otherwise conventionally ‘European’) Mediterranean, their inclusion has much to suggest about that history and its historiographies, and how, in this period, they too came to be re-imagined.

A long eighteenth, and short nineteenth, century

To grasp the significance of this period in the southern and eastern Mediterranean, a shift of perspective is required not only in spatial but in chronological terms. Historians of the Ottoman empire have long debated how best to frame a history that has often been
constructed only along a chronology of military defeats, deteriorating foreign relations and territorial erosion.\textsuperscript{10} The end of Ottoman territorial expansion into Europe in the mid-sixteenth century, its rollback after the second siege of Vienna in 1683, humiliating defeat by Russia in 1774, and the near-collapse of the empire before expansionist Egyptian forces in 1833, from which the Ottoman government was saved only by British and French intervention, have often been used to trace an inexorably downward curve. The reconstruction and ‘reordering’ of the empire by the \textit{tanzimat} reformers from 1839 (seen as ‘Westernising’ reform initiated under diplomatic pressure, especially from the British), followed by the modernising autocracy of Abdülhamid II (r. 1876-1909), in this view, were unable to halt the inevitable fragmentation of a polity unable to adapt to the Western ‘challenge’ of modernity, undermined as they were by implacable forces of conservatism and unable, in any case, to implement sufficiently secularising and rational change in a society dominated by Islam and a political culture of despotism. Such views not only implicitly judged Ottoman political and social history against a wholly idealised Western European trajectory whose assumptions no longer provide a very compelling account of European, much less of Ottoman, history.\textsuperscript{11} They also, often, emphasised external relations, depending largely on an ‘old’ diplomatic history and the perspectives of European observers. When addressing Ottoman sources, they often took Ottoman elite perspectives—expressing nostalgia for a ‘golden age’ that Ottoman elites themselves imagined into being—at face value,\textsuperscript{12} and underestimated or, arguably,

\textsuperscript{10} To summarise from a vast literature: Halil Inalcik expressed the conventional periodisation of a ‘classical age’, 1300-1600, followed by four centuries of decline; Suraiya Faroqhi sees an ‘empire of conquest’ succeeded by ‘sedentary monarchy’ in 1600-1830s; Donald Quataert distinguishes ‘long centuries’ of expansion (1683-1798) and contraction (1798–1922); Virginia Aksan and Daniel Goffman stress the ‘period of dramatic transformation’, 1750-1850; Rif’at Abou El Haj sees greater continuity from 1650 to the 1820s/30s.


\textsuperscript{12} Quintessentially, Bernard Lewis, ‘Ottoman observers of Ottoman decline’, \textit{Islamic Studies} 1, 1 (March 1962), 71-87. More recent re-readings of Ottoman \textit{nasilhatname} (‘mirrors for princes’) literature have transformed
misconstrued internal political developments such as the rebellions of 1703, 1730, and 1806-7, the so-called ‘Auspicious Incident’ (*vaqa-i hayriye*) of 1826, when Sultan Mahmud II destroyed the janissaries in Istanbul, and the internally-generated as well as the European-influenced imperatives of the reform movement from the 1830s that culminated in the formal promulgation of constitutions in Tunis in 1861 and in Istanbul in 1876.

Building on three decades of scholarship that has revised these older accounts, Baki Tezcan has proposed the most ambitious attempt to reconstruct a general picture of Ottoman history. In place of a ‘golden age’ or ‘classical’ period succeeded by four centuries of decline, in the years from 1453 to 1580 Tezcan sees a ‘patrimonial empire’, marked by the centralisation and personalisation of power around the person of the Sultan. This was an empire constructed as a vastly extended household, run by the bureaucracy of ‘household slaves’ (*kapikulları*) who had been picked out by the *devşirme*, the levy of Christian boys taken for training in the palace school, brought up as Muslims and promoted to high office, but remaining in their persons and property dependent on the Sultan. But as the households (*kapılar*) of leading state servants in turn constructed their own networks of loyalty, patronage, and preferment, the sultans lost their exclusive control of the bureaucracy, and a struggle ensued between multiple centres of power within the state.\textsuperscript{13} To the rise of the *kapılar* were added pressures for limited government emanating from the *mevâlî*, ‘lords of the law’ intent on asserting a primacy of religio-legal authority vested in the *ʿulamā* (Islamic scholar-jurists) rather than in the throne. Social stresses, too, broke down the old division of privilege between the *askeri* (military-administrative) ruling class and their *reʿâyâ* (subjects). Increasing numbers of the state elite were drawn from *ecnebi*, ‘outsider’ or commoner, Muslim-born status, as an increasingly monetised, unified and market-oriented economy,

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changes in fiscal practices from ‘fiefs’ (*timars*) to tax-farms, the transformation of the janissary infantry from a standing army to a ‘political pressure group’ in the capital, and the rise of provincial families and military entrepreneurs able to impose themselves on the central state, generated economic and social opportunities open to wider social groups.\textsuperscript{14}

For Tezcan, the patrimonial empire of Mehmed Fâṭih, ‘the Conqueror’, and of Sulayman Qânûnî ‘the Law-giver’ (known to Europe as ‘the Magnificent’) was thus succeeded by a dynamic, more open and participatory ‘second empire’, which would endure from 1580 to 1826. Central to its development was a struggle between absolutist and ‘constitutionalist’ factions at the imperial centre in the late sixteenth and seventeenth centuries. This struggle was bookended by decisive crises, beginning in 1622 with the regicide of Osman II, the first and most dramatic assertion of the jurists and janissaries against the throne, and concluded in 1703 by the major uprising in Istanbul that defeated the last attempt by Mustafa II to reassert absolutist primacy. After 1703, which also saw the end of the *devşirme* and hence the abandonment of the last remnants of the patrimonial system, the eighteenth century saw a stabilisation of internal political relations between the dynasty and the corporate centres of power that had emerged to create a limited government: janissaries, ‘*ulama*, and *kapılar*. Well-known, though atypical, European observers of the empire in the eighteenth century, like the Italian scholar and Habsburg statesman Count Luigi Marsigli or the British diplomat Sir James Porter, thus characterised the Ottoman polity as ‘a species of limited monarchy’, and considered its subjects’ liberties to be relatively extensive by comparison with those of European states. By the mid-nineteenth century, this system of limited government could be seen by another British observer, Adolphus Slade, as having

\textsuperscript{14} Tezcan, *Second Ottoman empire*. 

formed the empire’s ‘ancient constitution’, a constitution that after 1826 was being torn up by reforming autocrats in a ‘subversion of the liberties of [the sultan’s] subjects’.\textsuperscript{15}

This review of early modern Ottoman history is necessary if we are satisfactorily to account for state-society relations and political thinking in the eighteenth and nineteenth centuries in the southern and eastern Mediterranean. Within this longer chronology, as Virginia Aksan and Daniel Goffman have observed, the years from 1750 to 1850 marked a ‘period of dramatic transformation’\textsuperscript{16} in geopolitical terms. But despite the empire’s worsened international and economic position after 1768, there are good reasons for situating the onset of internal ‘crisis’, in the sense of a decisive turning point, towards the end of that century, or at least in its second half, beginning perhaps with the Russo-Ottoman war of 1806-12 that signalled a real threat to imperial integrity from centrifugal provincial lords (‘\textit{āyāns}) especially in Iraq, Anatolia and the Balkans, and becoming acute from 1821 with the Greek war of independence which, it has been suggested, more than anything sounded the death-knell of the janissaries and announced the curbing of local autonomy in the provinces.\textsuperscript{17} The settled internal status quo after 1703, which can be seen as having been maintained rather than undermined by periodic upheavals like the 1730 Patr\' ona Halil rebellion,\textsuperscript{18} came under

\textsuperscript{15} Marsigli, \textit{L’état militaire de l’empire ottoman, ses progrès et sa décadence} (The Hague, 1732), Porter, \textit{Observations on the religion, law, government, and manners of the Turks} (London, 1771); Tezcan ‘Lost in historiography: An essay on the reasons for the absence of a history of limited government in the early modern Ottoman empire’, \textit{Middle Eastern Studies} 45, 3 (2009), Peter Hill, ‘From Ottoman despotism to Islamic constitutionalism’, unpublished manuscript, 2015; quotations from Bernard Lewis, commenting on Slade’s \textit{Turkey and the Crimean war} (London, 1867) in Tezcan, ‘The second empire: The transformation of the Ottoman polity in the early modern era’, \textit{Comparative Studies of South Asia, Africa and the Middle East} 29, 3 (2009), 556-72. The contrary view, most influentially developed by Montesquieu in \textit{L’Esprit des lois} (1748), has usually received more attention, but as Peter Hill (‘From Ottoman despotism...’) notes, had not put an end to the debate in Europe by the end of the eighteenth century.
\textsuperscript{16} Aksan and Goffman, ‘Introduction’ in Aksan and Goffman (eds), \textit{The early modern Ottomans}.
\textsuperscript{17} H. Sükrü Ilicak, ‘A radical rethinking of empire. Ottoman state and society during the Greek war of independence, 1821-1826’, PhD diss., Harvard University, 2011.
\textsuperscript{18} The 1730 rebellion that put an end to the cosmopolitan cultural flowering of the ‘Tulip period’, conventionally seen as a reactionary defeat of early reforming ‘Westernisers’, can be better understood as a defence of the status quo, and of ‘responsible’ government as popularly understood, in the name of a conservative, quasi-puritanical moral economy, against the rising conspicuous consumption among the elite that characterised the ‘Tulip period’ from a popular perspective. Ariel Salzmann, ‘The age of tulips: Confluence and conflict in early modern consumer culture (1500-1730)’, in Donald Quataert (ed.), \textit{Consumption studies and the history of the Ottoman empire, 1550-1922} (Albany NY, 2000), 83-106; Karen Barkey, \textit{Empire of difference: The Ottomans in comparative perspective} (Cambridge, 2008), 213-17. For an older interpretation of Patr\' ona Halil within the
increasing pressure from disastrous foreign wars after 1768, but was only undone between 1826 and 1839. These years thus mark a real watershed between a long eighteenth century of relative stability and the expansion of the ‘political nation’, and a ‘fifty years’ crisis’ that began in the years up to 1830 and culminated in the empire’s bankruptcy before its foreign creditors in 1875, the creation of the Public Debt Administration in European hands in 1881, and the gathering pace of partition in the Mediterranean as well as in southeast Europe, with the cession of Cyprus to Britain in 1878, the occupation of Tunisia by France in 1881, and that of Egypt by Britain in 1882.19

These were serious erosions of Ottoman sovereignty that came alongside the loss of a third of its overall territory with the independence of Bulgaria and Romania, the loss of Bosnia-Herzegovina, and a dramatic demographic reshaping of the empire that would sharply accentuate religious and ethnic tensions among its peoples, and emphasise its vulnerability to foreign interference. As we shall see, while the ‘ancient constitution’ of the eighteenth century had provided protections for certain kinds of liberty and status under the throne, its radical reordering—less a movement of ‘reform’, in fact, than a revolution from above—in the nineteenth heralded new norms of governance that sought to weld the empire’s disparate communities together by dissolving their differences before the law and creating a single, loyal and fraternal body of ‘protocitizens’.20 At the same time, and inextricably, the nineteenth century crisis brought a return of the sultan’s centralising power on a hitherto unparalleled scale, exercised, in place of the palace absolutism of old, through a much expanded state under a modernising autocracy with military and bureaucratic coercion to

19 For the conjuncture and importance of the 1875 crash and the early 1880s, Edhem Eldem, ‘Ottoman financial integration with Europe: Foreign loans, the Ottoman Bank and the Ottoman public debt’, European Review 13,3 (July 2005), 431-45.
20 The term is Ariel Salzmann’s: Salzmann, ‘Citizens in search of a state: the limits of political participation in the late Ottoman Empire, 1808-1914’, in Michael P. Hanagan and Charles Tilly (eds), Extending citizenship, reconfiguring states (Lanham MD, 1999), 7-65; also Ilıcak, ‘A radical rethinking.’
match. After 1876, like the only somewhat less embattled Russia of the Romanovs, the Ottoman empire would become a police state. And also at the same time, and perhaps more decisively for the course of popular liberties, the possibilities of more representative and participatory government were radically curtailed by the pattern of ‘Great Power’ intervention. As Ariel Salzmann has argued, in the Ottoman case there was a particularly intractable ‘conundrum posed by citizenship itself: how to maintain the loyalty of rights-demanding individuals and the cohesion of political communities within a state whose jurisdictional boundaries and human [inhabitants] remained vulnerable to repeated redefinition from outside.

**Sovereignty, (dis)order, and consent, 1703-ca.1830**

Before considering the years of crisis and revolution from above, then, we must begin with a sketch of the eighteenth century *ancien régime*. Adopting the revised perspective on Ottoman early modernity presented by Tezcan and others in setting the background to this period, it is possible to consider the languages and practices of politics in the Ottoman Turkish and Arab provinces and in North Africa in terms of struggles to acquire or preserve privilege, exert local and sectional interests, uphold ‘equity’, ‘justice’, and ‘the rule of law’ as understood from below as well as by the ruling class, and to dispute access to—and the spoils of—power as well as to ‘strengthen the state’ against foreign threats by adopting foreign techniques and ideas. Around the long Mediterranean shoreline and its hinterlands from the Bosporus to Tangier, however, such developments, and the institutional, cultural, and material contexts within which they occurred, were very uneven indeed. There was even greater variation—and in many respects more significant subsequent change—in the provinces of south-eastern Europe that represented the empire’s richest and most populous territories. The

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21 Salzmann, ‘Citizens in search of a state’, 57.
focus, in what follows, on the imperial centre, the Arab provinces, and North Africa is not meant to disregard the importance of Greece, the Balkans, and the Danubian lands, but reflects only limitations of competence and space. It is doubtless regrettable that the Ottoman empire’s history in this period should be partitioned between Balkan and south/eastern European and Middle Eastern historiographies, with few historians capable of working equally well in each; like so much else, this is also a product of the different trajectories of different parts of our region in this period and afterwards. But such practical difficulties also reflect the great diversity—social, cultural, linguistic, geographical, economic and ecological—between and within the larger regions of the empire, such that to deal adequately with only one part of it (the ‘Muslim Mediterranean’, with all that was Christian or Jewish in it, or south-eastern ‘Europe’, with all that was Muslim in it) still represents a considerable challenge.

Even within only the Turkish and Arab provinces (still a vast, and vastly differentiated, space) indeed, the intensely uneven political as well as physical topography of the region is perhaps the principal underlying factor in shaping the social processes at issue here. To be sure, ‘connectivity’ of various kinds and in many directions, across sometimes very long distances, was also at work and was, indeed, generated by the wide dispersal and limited resources of the especially fragile micro-ecologies of this part of the Mediterranean. Such fragility was much less marked in Anatolia or Egypt than in much of the Maghrib, for example, but zones of reliable irrigation and agricultural production sufficient to support relatively high population densities stand out as ‘islands’ in the region as a whole. Even in Egypt, as Alan Mikhail points out, ‘famine, wind, flood, drought, inflation and revolt’ as well as plague were all ‘accepted and expected element[s] of the environment and of life’ in this

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period. The projection of power and the recognition of sovereignty, like the movement of people and goods, thus moved across difficult terrain and through often narrow channels, both socially and geographically speaking. Many different actors, in a variety of geographical and institutional locations, were able to inflect, deflect, appropriate or reinforce it. What is remarkable about the Ottoman state, in these circumstances and over the long period from the early sixteenth century to the early nineteenth, is less its weakness than its tenacity, less its unaccountable absolutism than the extent to which its authority was constantly, flexibly negotiated.

In such circumstances, government could not but be limited, in some quite obvious ways, simply by constraints on the effective exercise of direct authority that were even more pronounced across the vastly sprawling, multilingual and multi-confessional Ottoman realm than they were in contemporary European states. More significantly, insurgents’ evocations or tacit reference to ‘a theory of legitimate revolt’ as well as jurists’ and historians’ formulations of good order and the means of securing it, and the ritualised practices of recognising sovereignty as well as of containing or avoiding its demands, point to important ways in which different social actors participated in the making, framing, and contestation of sovereignty in the Islamic Mediterranean. The soldiers who overthrew the governor of Egypt in a ‘constitutional’ coup in 1676, for example, ‘not only believed that they had a right of legitimate rebellion, they also believed that the Ottoman governor’s authority was limited by law, and they were able to use Ottoman legal institutions to enforce these limits.’

Around this region, there were also important differences as well as commonalities between the Ottoman centre, its disparate and sometimes effectively autonomous Arab

23 Alan Mikhail, ‘Plague and environment in late Ottoman Egypt’, in Mikhail (ed.) Water on sand, ch. 5.
24 For an account focusing on regional political topography, though one perhaps ultimately too reliant on a model of path-dependency, see Cem Emre, Remapping the Ottoman Middle East: Modernity, imperial bureaucracy, and the Islamic state (London, 2012).
territories, and the distinct sultanate of Morocco whose rulers, of course, always considered themselves as supreme heads of the community of the faithful in their own right, with claims to dynastic legitimacy rooted in an ancestry traced back to the Prophet, irrespective of the claims of the sons of Osman in Istanbul. In Algiers (the Ottomans’ Cezayer-i garp), Tunis and Tripolitania, as well as in Egypt, by 1750, effectively autonomous governors, sometimes elected by a ruling oligarchy, as in Algiers, sometimes establishing their own local dynasties, as in Husaynid Tunisia, conducted their own foreign relations, occasionally fought against one another, and looked to the Sultan in Istanbul as a distant and nominal overlord. Ottoman dignitaries in the imperial capital for their part looked down at the faraway Maghribi regencies as being under little better than mob rule, as the historian and statesman Nâ’imâ (d.1716) wrote, ‘an assembly of the masses and a state of the crowds’ (cumhur cemiyyeti ve tecemnî devletî). On a smaller scale, locally prominent dynasties in the Arab provincial capitals—Aleppo, Damascus, Jerusalem, Mosul, Baghdad—entrenched themselves in the decentralised government of the eighteenth century as indispensable interlocutors between local populations with their taxable goods and the legitimate sovereignty of the central state with its resources of symbolic capital and coercive capacity.

While the unimpeachable legitimacy of dynastic monarchy remained deeply rooted in Ottoman political thinking, ‘the state’ itself had emerged into this period, from the power struggles of the seventeenth century, as a more complex agency than that of the person of the sultan himself. In the earlier Ottoman centuries, the word that would come to designate the state in Turkish, devlet, was used to denote the ‘fortune’ of a prince in contention for the


28 Nâ’imâ, Tarih, quoted in Marinos Sariyannis, ‘Ruler and state, state and society in Ottoman political thought’, Turkish Historical Review 4 (2013), 83-117, quote at 94; on the difficulties of translating these terms, see ibid., n.41. Cf. on the same passage, Tezcan, Second Ottoman empire, 223.
throne: a claimant to sovereignty had to demonstrate his devlet by martial prowess against rivals—usually, his brothers—in order to secure recognition of his right to rule. This was an important feature of Ottoman succession policy from early on: unigeniture, by maintaining territorial integrity and avoiding the fragmentation common in rival statelets, played a key role in the emergence of the dynasty from the fissiparous world of thirteenth century Anatolia. In late medieval Arabic usage, the cognate dawla, meaning a dynasty, was derived from a closely related notion of the ‘turn’ of fortune and of successive claimants to power, an idea most fully developed in Ibn Khaldun’s cyclical theory of state formation and dissolution. This idea was itself adopted by Ottoman thinkers from the seventeenth century onward as being in consonance with their own understandings of historical change. The ‘patrimonial empire’ of the consolidated Ottoman state did away with open fratricidal war at the end of the sixteenth century, ‘domesticating’ it within the private apartments of the palace, and the earliest instances of the use of devlet with a meaning separated from the personal charisma of the sultan, as a more impersonally instituted ‘state’, have been found in the 1560s, when Kınalızade Ali Celebi (d.1572), ‘one of the most significant Ottoman intellectual figures of the sixteenth century’31, wrote of ‘the pillars of the state and the notables of the kingdom’ (erkân-ı devlet ve ayan-ı memleket)32. At the same time, elsewhere the term still seems to denote dynastic power, or the quality of rulership.

The legitimacy of such rule, beyond the individual prowess of a military leader and his ability to reward the loyalty of his followers, depended also on well-established formulations of the rights and responsibilities of government in Islamic political thinking. In the volatile

29 Cemal Kafadar, Between two worlds: The construction of the Ottoman state (Berkeley CA, 1995), 120-1.
32 Quoted in Sariyannis, ‘Ruler and state’, 89.
political environment of the thirteenth through the fifteenth centuries into which the Ottomans originally came, divine sanction could be claimed as proven by the successful exploits of an emerging military entrepreneur, but maintaining the authority of a state depended less on the individual ruler’s mandate from God than on his upholding the rule of law, that is, shari’a (Turkish şeriat), grounded in the Qur’an and the Prophet’s sunna, as the ‘way’ laid down by God for humanity to follow, interpreted by properly qualified men of religion. Classical conceptions of the ‘circle of equity’, transmitted from Aristotle through medieval Islamic scholarship, that were prominent in Ottoman thinking up to the late eighteenth century emphasised this basic logic: justice is grounded in God’s law, the law is upheld by the state, the state by the soldiery, and the soldiery by the produce of the people, which depends on their welfare and contentment, which is guaranteed by the rule of justice. Assorted metaphors of sovereignty as the hedge of the world garden, or as the good shepherd of the flock in an irrigated pasture, protecting the people from injustice and oppression (ẓulm, mazalim), provided Muslim states with various idioms of good governance.33

All such images fundamentally depended on the dialectical coupling (not, as has often been supposed, the elision) of din ü devlet, ‘religion and state’, in which religion and God’s justice are primary, and temporal sovereignty exists to guarantee their upholding in human society; the authority to enunciate the norms of law and religion belong under the authority of the sultan whose strength alone can make them respected among men, but the sultan himself is subject to, not the arbiter of, God’s law.34 Other metaphors of the state as a body reflected such ideas, with the sultan depicted as the head of both the vezir and of the şeyhülislam, themselves the heads respectively of the bureaucratic-administrative and of the religio-legal authorities. But the sultan was no Hobbesian absolutist at the head of Leviathan, able to

33 Darling, ‘Political discourse’.

dictate ‘civil religion’; even less was he a monarch by divine right. Unlike European Christian monarchs, no Mediterranean Muslim prince symbolically rested his sovereignty on ‘anointment’ and signs of divine grace—while Capetian kings down to Louis XVI received holy oil and acclamation in the cathedral of Reims and held out the ‘royal touch’ against scrofula, Ottoman sovereigns were first ‘seated’ in the enthronement ceremony (ciülus, ‘seating’) wherever the previous sultan happened to pass away (and before his funeral could take place), whether in Istanbul, in the provinces or on campaign, and received there the allegiance (baʿya) of the state’s leading dignitaries, before being girded with the sword of Osman.35 Ottoman enthronement thus symbolised the unbroken continuity, less of the embodiment of sovereignty in the divinely-ordained person of the monarch (as in the European king’s two bodies), than of the guardianship of the rule of law by a sultan properly invested with his powers by the leading men of the state: ‘ulama, ministers and generals, and representatives of the descendants of the Prophet (sharifs).

Religion and state were thus entwined in this conception of legitimacy, but over the early modern period there was also a gradual autonomisation and impersonalisation, or ‘desacralisation’, of the latter, at least in the case of the central Ottoman state.36 In Morocco, the Alawi sultans, and in Tunisia and Algeria the at least nominally Ottoman viceroy s (with the title of beys and deys respectively), similarly received their investiture as rulers through recognition, expressed in the baʿya, by the state’s principal corporate groups—ministers, the army, urban jurists, and the chiefs of the tribal aristocracy—but here, where the state apparatus was much less well-developed, the individual, properly pious ruler as the embodiment of sovereignty remained perhaps more significant. Late nineteenth century Algerian folktales, for instance, associated state corruption and, eventually, European takeover with the imagined personal impiety of particular deys, and earlier nineteenth century

36 Sariyannis, ‘Ruler and state’, idem, ‘Ottoman ideas on monarchy’; Darling, ‘Political discourse’.
revolts mobilised religious idioms of right guidance and the re-establishment of justice against the Ottomans’ imputed religious deviance, which alone could explain the oppression they were said to exert. In Morocco and western Algeria, a specific, ‘sharifian’ model of sovereignty located the leadership of the community in a ‘prince of the faithful’ (amīr al-mu’minīn) who combined the quality of command (wilāya) with that of ‘nearness’ to God (walāya). Here, genealogical descent from the family of the Prophet, personal ‘uprightness’ and saintliness as well as recognition as an effective war captain were attributes rooted in the medieval figure of the murābiṭ, the committed, ascetic frontier defender of the faith. This was a model that remained crucial to local conceptions of legitimacy well into the nineteenth century, as the career of the Algerian emir Abd al-Qadir, who led resistance to the French conquest in western Algeria in 1832-47, and the threat he came to pose to his reluctant ally, the Moroccan sultan Mawlay Abd al-Rahman, demonstrated.\textsuperscript{37} In Morocco and Tunisia, sovereignty was physically displayed through the seasonally peripatetic movements of the ruler, his court, and his fiscal expeditions (the mahalla), which in Morocco shifted between the distinct imperial capitals of Marrakesh, Fez, and Meknes, each of which had both geographical and symbolic significance, and in Tunisia similarly covered the beylik from north to south. The ‘royal progress’ of the mahalla still functioned into the nineteenth century both to display the ruler and his physical force to the people across the territorial extent of his effective rule, and to extract tribute and tax from them; if the sovereign still needed thus to move, it was because a more permanent apparatus of sovereignty was otherwise thin on the ground. In the Maghrib, even more than in Egypt or in most of the Levant and Anatolia, physical and political topography—daunting mountains, semi-arid steppes, long distances and low population densities, seasonal semi-nomadic ecologies and tenaciously maintained local

autonomies, relatively few and small urban centres—limited the reach of central government very substantially.

Yet even here, as in the more central or more easily policed Ottoman provinces, there was recognition of sovereignty, and to some degree participation in its exercise of governance, even among the most remote populations. Even tax avoidance and occasional revolt were more ritualised means of negotiating and coming to terms with the authority of the makhzen—the state imagined as ‘the treasury’, a basically extractive and punitive agency—than outright refusals of it. Despite a long-entrenched view of Morocco as geographically divided between bilād al-makhzen and bilād al-ṣibā, the ‘lands of government’ and those of ‘dissidence’, not only did the actual territorial extent of the government’s effective control vary with time and circumstance, thus perpetually altering the division between zones of ‘order’ and ‘dissidence’, the was also ‘a wide variety of kinds of relations which tribes could have with the makhzen, from full-fledged acceptance of government rule, to the exchange of letters, the periodic sending of embassies to court, the supply of troops at moments of external threat, and the occasional contribution of gifts at the principal Muslim festivals.’ Even early colonial French observers, those most responsible for the dichotomous ‘tribes-versus-state’ image of pre-Protectorate Morocco, admitted on occasion that ‘even in the most distant parts of bled al-siba there is no tribe which is not in relations with the makhzen’.

And, important and largely autonomous as local urban notables and nomadic rural populations were in the decentralised Ottoman provinces, as Ariel Salzmann points out, there too ‘astute appointments, sporadic military intervention, and fiscal blandishments placed conditions on the autonomy of a wide array of provincial actors that included not only the gentry but also tribes, military units, churches, and agricultural producers.’ What Salzmann

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terms ‘vernacular politics’, the regular interactions at local level on these terms between the sovereign state and its far-flung territories with their widely-dispersed, disparate populations, can thus be seen to have bound local interests into state systems throughout the region in this period. Vernacular politics thus practised ‘from the ground up’ implied limitations on government, but also enabled the government’s means of coping with the frictions of distance, topography and social diversity, precisely through providing the idioms and practices through which many different subjects of the state could engage with it:

‘Vernacular politics subsumed diverse social, economic, and cultural relationships that spanned the gap between provincial practice and the official order. Merchants, peasants, guildsmen, and tribes, individually and in groups, defended themselves in vernacular terms against exploitation and abuse at the hands of both Istanbul and local officials; they employed vernacular means to carve and maintain a protective niche within local sociopolitical hierarchies and organizational arrangements.’

Some of the most striking contributions of recent Ottoman historiography, in the absence of local sources to demonstrate the everyday functioning of such systems in most areas of life or of the empire, have drawn, first, on the crucial exception of court records, the examination of which has unearthed a wealth of information about family and gender relations, and the social, economic and political agency of women, in particular. We also have the abundant evidence of petitioning which, as the primary means of ‘mediation, accommodation, negotiation and adaptation’ between the centre and localities in the provinces not only expressed local social groups’ interests and understandings of their relationship to the state but ‘played a role in the construction of the bureaucratic apparatus itself.’

On the political level, scholars have focused on the evidence for ‘normal’ sociopolitical behaviour produced in the exceptional circumstances of its absence, i.e. by the breakdown of normal conditions, at

40 Lafi, ‘Petitions’, 75.
moments of unrest and rebellion. In all these areas, Ottoman rule can be seen as having been marked by flexibility and negotiation, within a widely understood and stable framework of accepted norms, duties and legal entitlements.\(^{41}\)

This ‘model’, of course, was dynamic, not static, and was subject to significant change in our period. As regional economies became relatively more integrated and their relations with external markets expanded (again, of course, very unevenly), state prerogatives and ambitions grew, membership of the ‘political nation’ broadened, and—towards the end of the eighteenth century—serious reversals of fortune in foreign wars accumulated pressure on Ottoman elites, these conceptions of (good) governance, the nature of the state and its interests, and the tropes of classical political thought began to run up against new limits. As Virginia Aksan suggests, in late eighteenth century Ottoman political writing, ‘the model of social and political harmony embodied in the “circle of equity” lost its force as a literary convention.’\(^{42}\) For Ottoman reformers after the 1770s, such older, more stable notions of sovereignty as guarantor of a moral economy, of statesmanship as protection of a divinely settled order, proved unequal to the task of securing the empire either against Austrian and Russian encroachment from without or against centrifugal forces within. At the same time, the norms and expectations established in the ‘vernacular politics’ of notables, janissaries, ‘ulama and others set up serious obstacles to the top-down reforming agenda that sought increasingly to recapture a greater freedom of decision and action for the centre.


Ever since the defeat of absolutist reassertion in 1703, through the stoutly plebeian moralising ‘corrective’ (as its participants must have seen it) of the 1730 revolt, to the janissaries defending their rights and liberties (as they must have seen them) against Selim III in 1806-7 as their forebears had done against Osman II in 1622, the ‘disorders’ of the Ottoman empire have conventionally been taken as episodic scree falls accelerating the long slide of decline. But they might better be seen as repeated assertions of the ‘second empire’ order itself as its popular and corporate constituents understood it, worked out in the bargains of vernacular politics and legitimised by idioms of properly pious rule, law, and historic precedent that commanded widespread social support as well as being grounded in the classical idioms of Islamic and Ottoman good governance. The sened-i ittifâk (‘Deed of Agreement’) signed in the autumn of 1808 by sultan Mahmud II and a coalition of Balkan, Anatolian and Istanbul power-brokers led by the grand vizier, Mustafa Alemdar Pasha, envisaging a formalised constitutional monarchy that was never implemented, from this perspective is less an early failure of nineteenth century ‘modernisation’ than a late attempt to put the old regime on a firmer footing. It broke new ground in formal terms by seeking to make the sultan a contractual partner with the regional notables rather than recognising him as absolute monarch over and above them, but in this regard it reflected, and was perhaps the culmination of, the realities of the ‘second empire’ system: it marks a radical break in Ottoman theories of sovereignty, but only a transitional moment in practice. As it turned out, the transition failed to materialise (Mustafa Alemdar was killed in another janissary revolt within months), and instead of turning into a constitutional monarchy, the sultanate was driven down an alternative route to reformist state-building. Increasingly from the 1780s, the old order was unable to cope with the pressures forced upon it by changing regional and geopolitical imbalances of economic, military, and diplomatic power. Re-forging it meant

43 Ali Yaycioğlu, ‘Provincial power-holders and the empire in the late Ottoman world: Conflict or partnership?’, in Woodhead (ed.), The Ottoman world, ch. 29, quote at 449-50.
both opening up new avenues and idioms of participation and legitimation, and disavowing and destroying old ones.

**Sultan and slaves, subjects—and citizens? 1830s-1870s**

The recognition, in the negotiations for the treaty of Karlowitz in 1697-9, of the Ottoman state as one among others, with whom it was obliged to deal on terms of reciprocity, forced an unpalatable but ultimately quite bearable rethinking of the nature of the state, its hitherto ‘ever-victorious frontier’, and its internal self-image, on Ottoman soldiers and statesmen. The realisation, after the Russian annexation of Crimea in 1783 and the French invasion of Egypt in 1798, that the terms of reciprocity themselves were becoming rapidly and alarmingly unbalanced, was more severe and less easily digestible. Over the course of the French revolutionary and Napoleonic wars, and the rapidly reformulated and globally expanding European order that succeeded them, the situation deteriorated apace. Beginning with the ambitious Mehmed Ali Pasha’s seizure of power in Cairo in 1811, after the eviction of the French occupiers, and the astonishingly sudden and unilateral action by British and Dutch naval forces, in the name of the Concert of Europe, for the ‘suppression of slavery’ at Algiers in 1816, challenges to the established norms of sovereignty in the southern and eastern Mediterranean multiplied rapidly. By the early 1830s, Mehmed Ali’s Egyptian army was occupying Syria and threatening Istanbul, French troops were in Algiers, Serbia had become an autonomous principality and the Greek revolt had led to the independent Kingdom of the Hellenes and a first widespread mobilisation of European opinion against the Ottomans’ sovereign rights, as they saw them, to suppress revolt within

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45 The British admiral of the Mediterranean fleet, Lord Exmouth, issued a peremptory ultimatum and then shelled the harbour and lower town of Algiers in August 1816. This signalled a sudden change of policy; Exmouth himself had conducted apparently successful negotiations, in older-established terms, for the redemption (in exchange for indemnities) of Italian and the release (as British-protected persons) of Gibraltarian and Maltese captives held at Algiers only four months earlier.
their own territories. The Vienna system and the newly self-conscious European language of ‘civilised nations’ acting in concert in defence of international legality did not, of course, do away with all of Europe’s own older idioms: the French Restoration monarchy’s assault on Algiers was celebrated in overtly Catholic terms of redemption and crusade. The ‘suppression of slavery’ in the Mediterranean played to northern European abolitionist sentiment, but did nothing for serfs across central and eastern Europe, let alone for slaves in the Americas and Europe’s other colonies, who would wait until 1834 or 1848 for their de jure emancipation.

The reforming Ahmad Bey in Tunisia was in this respect both prescient in seizing on the abolition of slavery in the beylicate, in 1846, as a means of protecting his own sovereignty against European interference, and ahead of most of the European powers themselves. But the rules of engagement, and the relative positions from which interlocutors across the sea could speak or be heard, had shifted decisively.

In the face of this rapidly mounting adversity, the apparatus and the ambitions of the state in the eastern and southern Mediterranean expanded just as its sovereignty—symbolic and economic as well as territorial—was increasingly eroded. Modernising autocracy replaced the polycentric ‘second empire’ system in Tunisia, Egypt, and at the Ottoman centre. In this context, the language of politics combined new notions, and new meanings of older ones, with embattled but nonetheless resilient norms of legitimacy, sovereignty, consent, and rulership that had long been effective across the Islamic ecumene. Practices, too, like petitioning, that had long been constitutive of relations between the centre and the provinces, were now used to resist, inflect or accommodate the increasingly intrusive forms of

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government being imposed by Istanbul on local élites in Tripoli, Damascus and elsewhere.\textsuperscript{48} At the same time as defensive developmentalism—establishing state monopolies, expanding production for export, rationalising revenue and building new armies—and centralisation, older idioms of rule were also remobilised in response to direct European incursions. Reinvigorated norms of Islamic sovereignty as the rule of divine law in defence of the integrity of community and territory animated tribal support for the ‘new order’ (\textit{nizam-i cedid}) state-building of Abd Al-Qadir in Algeria, but were available too, when his experiment was crushed by French expansionism, to the messianic leaders of millenarian movements that would punctuate the course of France’s long conquest of Algeria up to the 1880s. Claiming to represent a truly ‘pure’ return to the Islam of the Prophet’s own community, the Wahhabi movement that first combined with the local emirate-building of the Al Saud family in Najd, on the remote imperial periphery of the Arabian peninsula, in the 1750s was easily dismissed as an upstart sectarian rebellion by the Ottomans, and was put down by an Egyptian army in 1811, but the resonance of their claims would remain to be revived at the end of the century (before gaining then-unimaginable traction across the Muslim world in the following century). The legitimising language of precedent, tradition, and the imagined golden age of greatness that fed oppositional movements could also justify and build support for reforming measures, as the 1808 \textit{sened-i ittifak} and then the principal declarations of the \textit{tanzimat} would constantly reiterate. While speaking of ‘renewal’ by ‘new legislation’, the Gülhane decree of 1839 and the \textit{islahat fermani} in 1856 were nonetheless framed as providing above all for the restitution of the empire’s former greatness by returning it to the straight path from which, supposedly, it had deviated.\textsuperscript{49}

\textsuperscript{48} Lafi, ‘Petitions’.
The primary concerns for Ottoman statesmen and subjects alike in the ‘fifty years’ crisis’ after 1830 were not those preoccupying Europeans—of legitimism against democracy, or even ‘order’ (in the sense of the parti de l’ordre) against the threat of instability posed to the polity and the propertied classes by nationalism, liberal or socialist revolution, religious or political dissent—but the protection or the reconstitution of nizâm, ‘good order’, by means of ışläh, ‘reform’ in the sense of ‘putting aright’, a term loaded with the connotation of morally ‘upright’, ethical as well as disciplined ‘orderliness’, against the threats of faudā (disorder, anarchy), fitna (strife), and fasād (corruption), all terms that carried heavy religio-ethical charges. While tanzimat bureaucrats and local reformers from Istanbul to Tunis and Morocco alike deployed this vocabulary, local movements of revolt and rebellion espoused them too: against the ‘corruption’ of the established order by foreign forces, their local allies, and the misguided ministers who aped their ways, older idioms of legitimate leadership of the community as both popularly mandated and justified by notions of fundamental law could also draw on this same ethico-political register. So while rural insurgents in Lebanon in 1858-61 brandished the Gülhane edict as legitimation for their uprising against local landlord oppression, those in Tunisia in 1864 were led in their revolt by a local saintly murābit, Ali ibn Ghdahem, who styled himself ‘the bey of the people’ and (successfully) demanded the abrogation of the constitution as well as alleviation of taxes and reversals of centralising reform measures. In a sense, the millenarian revolts led by charismatic figures claiming the mantle of mahdi (‘rightly-guided’ saviour) or mawl al-sāʾa (‘lord of the hour’), and who offered radical action imagined as ushering in a redemptive age of justice, which proliferated across North Africa throughout the nineteenth century, were variations on this same theme. Such movements began as ‘internal’ rebellions against the Ottomans in Algeria and Tunisia,
and against the Moroccan dynasty, before becoming anti-colonial insurrections against the French later in the century.\textsuperscript{50}

At the same time, the ‘constitutionalism’ of the pre-1826 ancien régime, as a system of accepted and respected sectional rights and liberties, to the preservation of which the relative autonomy of the law was central, came under unprecedented pressure from socioeconomic stresses that unsettled local social hierarchies as well as from the new ideas of community, loyalty, rights, duties and progress propounded by the newly influential bureaucrats of the tanzimat generation (broadly speaking, between 1830 and 1870). The mutual dependence of religion and state now meant something new: din \_\_ devlet, in the language of the era of crisis, became an imperilled object of solicitude, which each individual had a duty to save, rather than denoting the immutable principles of an overarching system whose stability guaranteed each individual’s particular place and rights under properly constituted government.\textsuperscript{51} As the Gülhane hatt-ı şerif of 1839 claimed and 1856 ‘reform decree’ more substantively repeated, the Sublime State—still an Islamic state, constituted by dint of God’s law and upholding it here below—now guaranteed equality before the law to all the subjects of the sultan. As this language indicated, and as the Ottoman constitution would eventually proclaim in 1876, ‘all subjects of the Ottoman empire (devlet-i osmaniye ta'biyetinde) are... Ottomans, without distinction whatever faith they profess... They have the same rights, and owe the same duties towards their country, without prejudice to religion.’\textsuperscript{52}


\textsuperscript{51} Aksan, ‘Ottoman political writing’.

\textsuperscript{52} \textit{Kanunu esasi} (1876), arts 8, 17. Texts at http://www.anayasa.gen.tr/1876constitution.htm (English) and https://anayasa.tbmm.gov.tr/1876.aspx (Ottoman and modern Turkish).
From the 1860s at least, such politics, especially as formulated in constitutionalist circles, recast existing ideas and vocabularies with new meanings. Among the ‘Young Ottomans’⁵³, in particular, whose politics aimed toward representative, parliamentary government for the better expression of liberal patriotism, the influential intellectual and activist Namik Kemal (1840-88) wrote in a register informed by restated (or reimagined) ideas drawn from older conceptions of sovereignty. The baʿya became a ‘social contract’ between rulers and ruled; vatan (Arabic waṭan), from meaning simply a place of residence, the familiar locality of a social group, became synonymous with patrie; hürriyet, from a category denoting a ‘free’ person in the sense of someone who was not a slave (kul), became the Turkish gloss for liberté; millet and umma (the confessional community) were secularised as ‘nation’.⁵⁴

This new political vision of strengthening the state by binding the loyalty of all the empire’s subjects to it as the impartial, impersonal guarantor of equality before the law not only unsettled the established norms of political community, based on notional Muslim dominance, exemption from military service for non-Muslims, and conventional means of negotiating local social hierarchies. It also jibed awkwardly with emerging social stresses as Christians and Jews discovered new benefits to their confessional community in terms of legal privilege, educational opportunity, social mobility, and commercial connections available through ties to foreign partners in the expanding international market. Even where such benefits were less rapid or less apparent, as Salzmann notes, in fully embracing their

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⁵³ A secret society created in the mid-1860s, the Yeni Osmanlılar were young intellectuals, often trained in the new tanzimat schools and expressing themselves in the new medium of the press, opposed to the centralising authoritarian dimension of tanzimat reform and advocating a mix of constitutional liberalism, patriotism and the return to Islamic principles against ‘blind’ imitation of Europe. See Şerif Mardin, The genesis of Young Ottoman thought. A study in the modernization of Turkish political ideas (Princeton NJ, 1962), M. Şükrü Hanoğlu, A brief history of the late Ottoman empire (Princeton NJ, 2008).

reformed Ottoman subjecthood Christians and Jews were ‘asked to wager the vestiges of a system based on equity in the past on an imperfectly delivered equality in the present.’

As the nineteenth century unfolded, and other imperial subjects, particularly Muslims, ‘experienced a relative loss in social status before they could appreciate new social and political rights’, sociopolitical demarcations along confessional and sectarian lines took on new meanings, and were deepened and aggravated. The formalisation of religious community (millet) as the basis for representation and thus as the interface with the state, far from secularising Ottoman citizenship, instead confessionalised politics. And as political communities re-formed around more tangible territorial-administrative units, larger market and migration networks, confessional groups and language communities endowed with expanded educational opportunities, print media and cultural revivals, local and confessional identity also became ethnicised. Maronites and Druze in Lebanon, Greeks and Armenians in Anatolia, Jews in North Africa, found themselves pushed by forces beyond themselves, and which they could themselves only partly direct and channel, into new political spaces that would ultimately place heavy question marks over their place in the newly proclaimed political community, even when they themselves long continued to have no alternative focus of political loyalty in mind. In some cases, notably in Syria, Lebanon and Palestine, the ‘Ottoman brotherhood’ of cross-confessional imperial citizenship proved enduring—far more so than has often been realised, up to and even beyond 1914. But if Christians in the Danubian lands in the 1770s, and Greeks in the Morea in the 1820s, were already less inclined than they had once been to conceive of their political community with the Ottoman

55 Salzmann, ‘Citizens in search of a state’, 57. For military service, and a useful comparative discussion of Russian imperial parallels, see Howard Eisenstatt, ‘Modernization, imperial nationalism, and the ethnicization of confessional identity in the late Ottoman empire’ in Stefan Berger and Alexei Miller (eds), Nationalizing empires (Budapest, 2015), 429-60.
56 Salzmann, ‘Citizens in search of a state’, 56.
framework, the factors exacerbating such feelings among different groups of Ottoman subjects elsewhere undoubtedly became stronger even as the empire recast its politico-legal form to integrate them more firmly in its fold.

And at the same time, the newer languages of constitutional liberalism, and even of incipient nationalism, when they began to emerge from mid-century (and initially, among ‘Young Ottoman’ Turkish elites, in opposition to the bureaucratic centralism of the tanzimat) were more usually expressions of elite vanguardism rather than anticipations of popular participation in government. The entire adult male population was to be admitted to the political community, as constituting the ‘political nation’, only to the extent that it was now wanted in its full force for mobilisation in defence of the state. (And among other things, it would be—mostly quite unfounded—suspicions about the doubtful commitment to the defence of the state imputed to some of its subjects qua citizen-soldiers, most notably Armenians, that would destroy the promise of cross-confessional common belonging by 1915.) To bring about this levelling of the socio-legal landscape, the older norms of consent (and its revocation) and participation, such as those dear to the janissaries before 1826 or to local notables and ‘ulama long thereafter, had to be broken. The effective exercise of sovereignty would thus increasingly, in the later nineteenth century, come to include more sustained assertion of territorial integration, most fully demonstrated by the campaigns of Mawlay Hasan (r. 1873-94) across the mountains of southern Morocco and by those of Abdülhamid II (r.1876-1909) at around the same time in eastern Anatolia, but also, earlier, by the aggressive sub-imperialism of Mehmmed Ali and his dynasty in Egypt, Syria, and along the upper Nile valley, and by the Ottomans’ own re-occupations of Tripolitania, Yemen, and the eastern fringes of the Arabian peninsula from 1837 onwards. Equally, and earlier still, an increasing emphasis on a centralised monopoly of violence was evident from the suppressions of existing socio-military groups by reforming administrations, not only (though most
famously) the massacre of the janissaries by Mahmud II in Istanbul in 1826, but also the suppression of the same corps by Hammūda Pasha Bey in Tunis in 1811 and by Ali Khodja Dey in Algiers in 1817, and the destruction of the mamluks by Mehmed Ali in Cairo, also in 1811. Such moves everywhere signalled an unprecedented assertion of the central state’s prerogatives—or pretentions—to uncontested sovereignty of a new kind as well as to a new degree.

Alongside this aggressive expansion of the direct control of space and of coercive capacity, the older concepts of the ‘rule of law’ underwent radical change. Long existing ideas of the state as founded on ‘basic laws’ (kanun as state law, as well as siyasat, the law as the edict or the governing will of the Sultan) now gave way to more institutionalised, formalised and codified legal instruments that were more ‘rational’ but not necessarily more transparent, and certainly much less open to flexible application and negotiation between the centre and its various, changing constituencies. The domain of law itself, so central to the ‘second empire’ dispensation by which the mevâlı had asserted their prominence, was bureaucratised and ‘functionalised’ in Istanbul with the institution of a Ministry of Religious Affairs, and the compiling of the mecelle as a formalised code of law took the independent guardianship of the şeriat out of the hands of the ‘ulama. But once again, alongside such dramatic change there were elements of continuity: regional and urban networks of families of ʿulamā and ʿayān preserved their importance by sending their sons to the empire’s new professional schools (of medicine, engineering, the military academy...), taking seats in local and provincial councils like those established by the tanzimat reforms in Damascus and Beirut, and ultimately (if briefly) in the Ottoman parliament.58 Their role in mediating the sovereignty of the centre was certainly curtailed and recast, but their continued role in urban governance and the rural

transmission of central power meant that, at least to a degree, older forms of ‘vernacular politics’ were reconstituted in new forms.

Similarly, the social and symbolic spaces of towns and cities, coffee-houses and gardens, public squares and streets that since the sixteenth century had been central to political participation and popular movements were newly expanding and newly important. The politics of ‘the crowd’ did not, perhaps, develop into organised urban mass politics until the Young Turk revolution in 1908: in Tunis, the first major urban demonstrations took place in 1911, while in Egypt and elsewhere in North Africa, they awaited the aftermath of the First World War. But as riots in Aleppo in 1856 and in Damascus in 1860, and the popular mobilisation around Ahmad Urabi’s revolt in Egypt in 1879 demonstrated quite clearly, the urban environment as well as the countryside could incubate a rapidly developing popular assertiveness available for mobilisation.

Central, above all, to new formulations of politics by mid-century was the idea of the constitution. Despite the fragility and indeed the novelty of written constitutional regimes within most of Europe, Muslim reformists concurred on the role of constitutional rule as key to European states’ success in achieving the ‘good order of their affairs’ (intizām umūrihim, in the words of one Algerian writer\(^\text{59}\)) that so impressed them. This is clear from the most-read accounts of Muslim statesmen and observers of Europe from the 1830s onwards, those of Rifa’ Rafi’ al-Tahtawi (published in 1834) and Khayr al-Din Pasha al-Tunisi (published in 1867), as well as histories like that of the Tunisian scholar-statesman Ahmad Ibn Abi Diyaf, writing in the 1860s, for whom recent Tunisian history was exemplary of a regime of legitimate authority, grounded in Ottoman-Islamic norms and tending naturally towards a formalised constitutional ‘rule bound by law.’\(^\text{60}\) Such works continued to address the question


of the religious legitimacy of ‘borrowing’ from Europe, and to mobilise a reforming agenda in
a conservative idiom of order, precedent, and the protection of the state for the better
upholding of religion. But by 1860, with armed European incursion in Algeria, renewed
Russian invasion held off at the cost of alliance with Britain and France, the unintended
consequences of tanzimat reformism playing out in violence in Lebanon and Syria, and
commercial encroachment everywhere as well as volatile internal social and political
dynamics, writings on constitutional government by the end of our period were the expression
of factional position in internal contests and of urgent anxieties among a very insecure
governing class more than they were inward-looking, academic commentaries on the religious
propriety of the politics of ‘imitation’. Khayr al-Din and Ibn Abi Diyaf themselves faced
opposition in Tunis from a palace faction around the chief minister Mustafa Khaznadar whose
ascendancy, especially after 1864, derailed Tunisia’s constitutional experiment and put Khayr
al-Din out of office for nine years.61

Not incidentally, both Khayr al-Din and Khaznadar were of mamlîk (palace slave)
origin, brought to Tunis from the eastern Mediterranean: Khaznadar, born Georgios
Stavrelakis, was a survivor as a child of the Ottoman repression on the Greek island of Chios
in 1822. Both married into the beylical family and reached the highest offices of state,
representing the continuity of a very old pattern of social and political mobility almost to the
end of Ottoman Tunisia (which would fall into bankruptcy in 1869 and to foreign occupation
in 1881). Their careers thus marked the coincidence of new political dilemmas, and new

61 Khayr al-Din left office in 1862, in opposition to the policy of raising foreign loans. He returned as prime
minister in 1873 and headed a reforming ministry until 1877, after which he retired to Istanbul, briefly serving as
grand vizier before his death in 1889. Khaznadar died in 1878. See L. Carl Brown, The Tunisia of Ahmad Bey,
1837-1855 (Princeton NJ, 1974), Perkins, History of modern Tunisia; on Khayr al-Din and Ibn Abi Diyaf,
Clancy-Smith, Mediterraneans: North Africa and Europe in an age of migration, c.1800-1900 (Berkeley CA,
2011), 315-41 and James McDougall, ‘Crisis and recovery narratives in Maghrebi histories of the Ottoman
period (c.1870-1970)’, Comparative Studies of South Asia, Africa and the Middle East 31.1 (Spring 2011), 137-148.
idioms in which to articulate them, with much older patterns of elite socialisation and the constitution of the state by still-relevant patrimonial norms of personal loyalty and factional palace politics. The significance of these, despite the far-reaching changes taking place, ought not to be underestimated: both reformers and their opponents in this period could still themselves be representatives of very particular, vertiginous pathways of social and political ascent, and of much older and narrower conceptions of political community than the expansive and horizontally integrative language of subjecthood-on the way to-citizenship suggested.

In this context, the local uses of broader political vocabularies, such as those around property rights, guaranteed rights before the law, the nature of the state and of its peoples, also merit closer examination. Tanzimat statesmen themselves could not be indifferent to their own interests and corporate standing as formally ‘servants’ (in the older idiom, kulları, ‘slaves’) of the sultan and of the patrimonial state. The bureaucratisation of government that both drove and resulted from the tanzimat was, to an important degree, the ‘modernisation’ of their corporate legal position within the state and its elite, guaranteeing the standing of their own persons, professions and property. There is nothing surprising, either, in the fact that it was leading men of ‘commercial society’ in Algiers, wealthy and well-connected merchants well-versed in both Islamic norms of good governance and in liberal idioms of the ‘law of nations’ and the protection of property, who emerged—albeit very briefly—in the first years of the French occupation in the 1830s to attempt to negotiate relations with the new overlords. Citing Benjamin Constant and Emerich de Vattel against the abuses of the early occupation, Hamdan ibn Uthman Khodja and his colleagues sought to promote a commercially-based relationship and an elective oligarchy of the existing, cross-confessional urban notability under French suzerainty as the best and most peaceful new regime for the former Ottoman Regency, complete with a periodically convened representative assembly, schools, and
vernacular Arabic newspapers to spread useful knowledge, commercial exchange, and peaceful relations throughout North Africa.\textsuperscript{62}

The politics of ‘reform’, then, ought to be understood in the terms of its proponents’ intentions, carrying as it did their own aspirations for themselves and their society: not as ‘Westernisation’ understood as a failed effort to converge with a European norm (which in any case was far from normalised within most of Europe), but as defensive developmental state-building, state expansion, the (re)centralisation of a monopoly of legitimate violence and its more effective projection. Above all, this meant the construction of a military-fiscal and administrative-legal apparatus directed at enforcing sovereignty—which thus became much less flexibly negotiated than it had been heretofore—internally, as much as at defending it against European threat. This was true even of such emblematic heroes of anti-colonial resistance as Abd al-Qadir in Algeria, whose nizāmi troops, in the course of his consolidation of power, employed French instructors and French rifles against Algerian tribal dissidents refractory to his rule. All the more was it true of the highly authoritarian state-building of Mehmed Ali in Egypt, with its peasant corvées and conscript soldiers, and of the military as well as fiscal duties toward their country that all Ottoman subjects, equal before the law, were now expected to discharge.

Horizons were opening as well as closing in this period, new liberties were proclaimed and seized, old ones restated and reasserted, even as the grip of the state became firmer, more widely felt, and less receptive to the kinds of negotiation in which it had once regularly engaged, and on which, indeed, it had long largely depended. The nineteenth century was not simply a period in which an older, beneficent early modern ‘constitution’, unwritten but nonetheless effective, was torn up, paving the way to decline and collapse; as has been the

case for the sixteenth through eighteenth centuries, much remains to be re-investigated in the Ottoman nineteenth century in this sense. But the age of crisis, from the 1820s onward, did usher the Ottoman empire and North Africa into a series of processes that, while in one respect tending toward the formalisation of constitutional rule, culminating at least symbolically in Tunis in 1861 and in Istanbul in 1876, also laid the ground for other dimensions of modern state-building, ones that would culminate much later, in the years after World War I: étatiste, bureaucratic, and, to borrow Jacques Rancière’s provocative terms, less about ‘politics’, as participation in political relations, than about ‘police’.

From ‘constitutionalism’ to the police state

This chapter has sketched the outlines of a move, in the eastern and southern Mediterranean, from what Tezcan has characterised as the ‘relative democratization’ of the Ottoman empire after the sixteenth century—practices and circumstances that opened the political sphere to new (ecnebi) entrants and that instituted lasting forms of limited government, but which also drew new lines between Muslim and non-Muslim subjects (reʿâyâ)—toward a more formal, centralised constitutionalism, but also towards the incipient shape of the police state with its modernising autocracy, bureaucracy, and constitutional freedoms limited by the requirements of an imperilled state security. At the same time, attempts to create a single, horizontal political community of rights and duties irrespective of religion or the older forms of status (askeri or reʿâyâ, kullart or hüriyet, soldier, scribe, merchant or peasant) led nolens volens towards confessional politics.

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63 Tezcan, Second Ottoman empire, ultimately slips into a reiteration of the ‘golden age-to-decline’ paradigm, only relocating the transition from ca.1566 to ca.1826.
This is not how the region’s political trajectory in this period has usually been construed. Instead of a simple tale of ‘decline’ ending in dysfunctional ‘ideological politics’, we have a more complex story, one that traces a path from a form of (unwritten) ‘constitutional’ government towards a more centrally powerful, coercively capable state that aspired to give relatively liberal constitutionalism more effective form and force as well as, and as a means to, increasing the state’s capacity for the effective monopolisation and projection of force, but which, crucially, ended up failing to create open, institutionalised channels for popular participation to replace the more closed, informal, but effectively participatory ‘vernacular politics’ of the old regime. At the end of the nineteenth century, more stably representative government failed to emerge both because ‘reform’ was felt by too many of those subjected to it to be a top-down revolution that demanded too much, delivered too little, and did both much too fast, and because in any case, the possibility was foreclosed by overstretch, financial collapse, indebtedness, and occupation or the threat of partition. Into the first third of the twentieth century, more expansive representative government and more genuinely popular forms of sovereignty would be seen either as threats to the colonial order that had replaced defunct Ottoman sovereignty in North Africa and the Levant, or as brakes on the necessarily unimpeded pursuit of renewed, progressive, top-down modernisation in Kemalist Turkey, as in Pahlavi Iran and elsewhere. The constitutional dimension of the new dispensation—popular, now coded as ‘national’, participation in sovereignty and independence—that would remain the central aspiration of oppositional politics after the fall of the Ottomans, was overwhelmed by the harder, coercive and securitising, edges of the state-strengthening project, which colonial (French and British) and Kemalist regimes alike would intensify in North Africa and the Middle East after 1923.

The kinds of practices that in Europe, meanwhile, had ended up being smoothly incorporated into the progressive histories of democracy—the multiplication of centres of power and of social groups contesting the supremacy of monarch and court, assertive popular politics, claims to ensure the rule of law, equity, justice and the ‘constitutional’ rights of subjects that, over time, gradually enabled their enfranchisement into citizenship—came to carry very different meanings in histories of the beleaguered Ottoman state. On the southern and eastern sides of the Mediterranean, these would be seen as having been factors of conservatism and reaction, of disruption and disorder, all inevitably tending towards the systemic decline of the empire. A decline to which modernising autocracy and the languages it deployed—of reform, recentralisation, efficient power-projection and technocracy, redolent of the more étatiste side of contemporary European development—as well as, or rather more than, those of guaranteed rights of equality before the law and representation in the making of it, had been a necessary, but also an inadequate, remedy.