IBN HALDUN UNIVERSITY
ALLIANCE OF CIVILIZATIONS INSTITUTE
DEPARTMENT OF CIVILIZATION STUDIES

MASTER THESIS

THE LEGITIMACY OF POLITICAL POWER IN THE NEW OTTOMAN THOUGHT: THE CASE OF HÜRRİYET NEWSPAPER

FURKAN ACERBAŞ

THESIS SUPERVISOR

ASSIST. PROF. VAHDETTİN IŞIK

ISTANBUL, 2022

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ISTANBUL, 2022

APPROVAL PAGE

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Arts in Civilization Studies.

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ÖZ

YENİ OSMANLI DÜŞÜNCESİNDE SİYASİ İKTİDARIN MEŞRUİYETİ: HÜRRİYET GAZETESİ ÖRNEĞİ

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Osmanlı siyaset düşüncesi çoğunlukla felsefe, tarih, fıkıh, kelam, tasavvuf ve adab literatürleri üzerinden incelemektedir. Ancak Osmanlı siyaset düşüncesi bu edebi türlerin haricinde kalan kaynaklarda da aranabilir. Bu düşünceden hareketle mevcut literatürden farklı olarak bu tez; değişim, dönüşüm ve yenilenme hareketlerinin meydana geldiği Tanzimat sonrası dönemde, Osmanlı siyaset düşüncesini Yeni Osmanlıların çıkardığı Hürriyet gazetesinde yayınlanan makaleler üzerinden ele almaktadır. Yeni Osmanlılara dair mevcut literatür çoğunlukla biyografik, lengüistik, edebiyat ve tarih çalışmaları tarafından işgal edilmiştir. Literatürdeki hâkim durumdan farklı olarak bu tezde Yeni Osmanlı düşüncesinin yeterince aydınlatılmamış siyasi veçhesini, siyasi iktidarın meşruiyeti meselesine odaklanarak gün yüzüne çıkarmaya çalışıyorum. Siyaset teorisinin temel kavramlarından biri olan meşruiyet, siyasetin varlık nedenini izah ettiğinden, meşruiyet kavramına odaklanmak hem Yeni Osmanlıların siyaset düşüncesini kavramak hem de Tanzimat sonrası dönemde Osmanlı siyaset düşüncesinin gelişimini izlemek açısından faydalı olacaktır.

İktidarın meşrulaştırılması sürecinde birtakım normatif ve olgusal unsurlara başvurulduğundan meşruiyet sadece tek bir boyuta indirgenerek kavranamaz. Bu sebeple, Yeni Osmanlı düşüncesinde iktidarın meşruiyetini incelerken; siyaset bilimi,

felsefesi ve teorisinin perspektiflerini dikkate alan çok boyutlu bir yaklaşımı benimsiyorum. Böylece onların modern siyaset düşüncesini Osmanlı ve İslam siyaset geleneklerine göre nasıl yorumladıklarını keşfetmeye çalışıyorum. Tezin odak noktasının Batılı meydan okumaya cevap veren ilk modern Osmanlı aydın hareketi Yeni Osmanlılar olması bu sorgulamayı daha da kıymetli kılmaktadır. Ayrıca, gazete makalelerinde keşfedilmemiş siyasal düşünceleri gün yüzüne çıkarmak Osmanlı siyaset düşüncesi dair çalışmaların kapsamını da genişletecektir.

Anahtar Kelimeler: Osmanlı siyaset düşüncesi, Yeni Osmanlılar, siyaset, iktidar, meşruiyet, Hürriyet Gazetesi.

ABSTRACT

THE LEGITIMACY OF POLITICAL POWER IN THE NEW OTTOMAN THOUGHT: THE CASE OF HÜRRİYET NEWSPAPER

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Ottoman political thought has been studied through philosophy, history, fiqh, kalam, Sufism, and adab literature. However, Ottoman political thought can be investigated beyond these genres. Contrary to existing literature, this thesis examines Ottoman political thought through articles in the New Ottomans' *Hürriyet* newspaper that were published in the post-Tanzimat period, a period of changes, transformations, and renewal for the Ottoman Empire. The literature on the New Ottomans is mainly dominated by biographical, linguistic, literary, and historical studies. However, in this thesis, I endeavor to unearth the political dimensions of their thought by focusing on the legitimacy of political power. Legitimacy, as one of the key concepts of political theory, explains the raison d'être of politics. Therefore, focusing on legitimacy would be useful both to grasp the New Ottomans' political ideas and to trace the development of Ottoman political thought in the post-Tanzimat era.

Because legitimation of power includes normative and factual aspects, legitimacy cannot be understood from a one-dimensional perspective. For this reason, in examining the legitimacy of power in their thought, I adopt a multidimensional approach that considers the perspectives of political science, political philosophy, and political theory. Thus I try to explore how the New Ottomans reinterpreted modern political thought according to Islamic and Ottoman traditions. Also, I think, studying the New Ottomans, who formed the first modern Ottoman Muslim intellectual

movement that responded to the challenges of the West, makes this investigation more valuable. Moreover, digging out the undiscovered political ideas in newspaper articles would widen the scope of the studies on Ottoman political thought.

Keywords: Ottoman political thought, The New Ottomans, politics, power, legitimacy, the Hürriyet newspaper.

DEDICATION

To my lovely mother and father who taught me the virtue of justice.

ACKNOWLEDGMENT

Writing a thesis, especially in the history of political thoughts, is mostly a product of a lonely student who endeavors to make sense of a large number of messy materials challenging always researcher's efforts to reveal their interconnections and thus to form a systematic and coherent whole. If your research object is a newspaper, which presents mainly unsystematic materials unlike a book, this process becomes more difficult. As one such researcher, I felt this difficulty in making the political thoughts hidden in the articles of the *Hürriyet* a meaningful whole. Specifically, I faced the trap into which many researchers fall: interpreting thinkers and works according to our intellectual background and thus turning them into agents to convey the researcher's own ideas. Therefore, I was attentive to being self-critical during this study in order to put a distance between my research object and me. Fortunately, I was lucky to find many people who cleared my doubts during this expedition full of uncertainties.

First and foremost, I would like to express my gratitude to my advisor Vahdettin Işık who always encouraged me with his cheerful provocations, provided a free environment, and gave inspirations about how to think outside the box. I benefited from his guidance and valuable comments a lot. I am also grateful to members of my thesis committee Ercüment Asil, who taught me how to organize one's ideas, write better and made it possible to address a broader audience, and Ateş Uslu, who contributed my methodology and approach by his book. A very special thank you goes out to Serhat Aslaner, who is the Coordinator of the Centre for Turkish Studies at the Foundation for Sciences and Arts (BİSAV), due to fruitful discussions about my study and books he gifted and advised. I owe a debt of gratitude to my dear friend political scientist Mansur Bakır due to his comments, advice, critics, and hosting me in his house for a while. I am also grateful to political scientist İlyas Çalışkan for his comments and advice.

A famous proverb says "choose the companion before the road." Accordingly, I think it is essential to bear an incalculable debt of gratitude to my friends whose existences and comradeship has sustained me in life and throughout my years of graduate school, especially Burak Koç, Melike Sıla Acar, and Muhammed Asil Türk Doğutaş. Besides,

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I would also like to acknowledge my grandfather Hüseyin Acerbaş from whom I have received financial support during my graduate years. My gratitude is also extended to Alliance of Civilizations Institute for awarding me a fellowship as well as providing a humble and free academic environment. Thanks to their funding, I was able to focus on my education and research rather than worrying about material issues in which a period my beloved country has been grappling with a heavy economic crisis.

My heartfelt thanks also go to my uncle Dursun Demir since he proofread my thesis.

I want to thank the staff of ISAM Library and BİSAV Library for providing a clean and safe environment for research and writing during the pandemic.

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Furkan ACERBAŞ

ISTANBUL, 2022

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CHAPTER I

INTRODUCTION

To date, many scholars have studied Ottoman political thought through history, philosophy, *fiqh* (Islamic law), Sufism, *kalam* (Islamic theology), *nasihatnâme* (the book of advice), *ıslhatnâme*[1] (the book of reform or memorandum) genres. However, Ottoman political thought can be examined beyond these genres for acquiring a broader perspective of it. In his article concerning the sources of Ottoman political thought, Cemal Kafadar states that these sources do not suffice for grasping Ottoman political thought thoroughly, and therefore he proposes poems, fairy tales, and visual artworks as untouched sources for tracing Ottoman political culture.[2] Although this suggestion has not received sufficient attention so far, I think, we can add another source to the scope of Ottoman political studies for a better understanding: the newspaper. While the aforementioned genres mostly involve the classical Ottoman political texts, newspaper articles enable us to explore Ottoman political thought in the post-Tanzimat period, that is, in the modern era. Adopting newspaper articles as one of the sources of political thought, we can trace how Ottoman political thought evolved and developed in the nineteenth century. Thus, we can take a sharper photo of Ottoman political thought.

Although history, *nasihatnâme*, political philosophy, and theology books involve systematic forms of political thoughts, newspapers involve unsystematic political thoughts scattered throughout articles written by different authors. However, this does not mean that newspaper articles are worthless to study. In terms of political thought, they constitute a rich source of archives. Political thought can be defined as the

[1] Coşkun Yılmaz, "Osmanlı Siyaset Düşüncesi Kaynakları ile İlgili Yeni Bir Kavramsallaştırma: Islahatnâmeler," *Türkiye Araştırmaları Literatür Dergisi* 1, no. 2 (2003): 299–338, accessed September 9, 2019, https://dergipark.org.tr/tr/pub/talid/issue/43383/528550#article_cite.

[2] Cemal Kafadar, "Osmanlı Siyasal Düşüncesinin Kaynakları Üzerine Gözlemler," in *Modern Türkiye'de Siyasi Düşünce: Tanzimat ve Meşrutiyet'in Birikimi* (İstanbul: İletişim Yayınları, 2009), 23–28.

reflection about the origins of society, political structures, state, governance, and conducting of state. It is also closely related to philosophy, culture, and morality.[3] In his book on the methodology of the history of political thoughts, Uslu states that political thought is involved in literary texts, court records, lyrics, and newspaper interviews besides books of political philosophy, political theology, and political ideology.[4] Despite their disorganized structure, newspaper articles can enhance studies on political thoughts. Because newspaper articles are written in a specific period, they include both records of events of their time and how thinkers of that period analyzed and interpreted those events; namely, they bear factual, normative, and theoretical dimensions of political thinking together. This multi-dimensional structure of newspaper provides us tracing the adventure of political thoughts in a detailed way. Therefore, we can accept newspapers as one of the primary sources of political thought, which can enrich and extend our perspective on political thoughts.[5]

Embracing this understanding, in my study, I seek an answer to the question of how political power was legitimized in the post-Tanzimat era. In the period following the promulgation of the Tanzimat Edict, the Ottoman Empire entered into a period of change (*tebeddül*), transformation (*tahavvul*), and renewal (*teceddüd*) in different areas of life, and politics was no exception. In the late eighteenth century, Sultan Selim III officially declared the New Order (Nizâm-ı Cedîd) reforms in the military and opened the way for subsequent reform programs in various fields under Western influence. From the early nineteenth century onwards, European political concepts permeated Ottoman political thought and Ottoman political vocabulary became a medium in which both European and Ottoman weltanschauungs met and blended.[6] This confrontation of both worldviews undoubtedly displayed its influence on the grounds of political thinking as well. The change in the ground of politics altered the

[3] Antony Black, "Toward a Global History of Political Thought," in *Western Political Thought in Dialogue with Asia*, ed. Thakashi Shoigmen and Cary J. Nederman (Lanham: Lexington Books, 2009), 25–42.
[4] Ateş Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri* (İstanbul: Tarih Vakfı Yurt Yayınları, 2017), 13.
[5] Sudhir Hazareesingh and Karma Nablusi, "Using Archival Sources to Theorize About Politics," in *Political Theory*, ed. David Leopold and Marc Stears (New York: Oxford University Press, 2008), 150–70.
[6] Alp Eren Topal, "From Decline to Progress Ottoman Concepts of Reform 1600-1876" (PhD diss., Ihsan Doğramacı Bilkent University, 2017), 9.

political imagination of the Ottoman bureaucracy. Changing understanding in political thinking compelled the Ottoman bureaucrats to rethink state-society relations in the Empire. This reevaluation of the state-society relationship, in turn, manifested itself through the Tanzimat Edict and the Reform Edict of 1856. This reconsidering of the state-society relationship amount to change and transformation in the legitimation of political power; namely, Ottoman bureaucrats were seeking new ways for legitimizing imperial governance in the eyes of its subjects. Seeking new legitimator instruments for political power, they mostly appealed to European political concepts and institutions and this caused remarkable innovation in the history of Ottoman political thought.

In the Tanzimat period, the reform projects referencing the West were unwelcomed and criticized by different segments of Ottoman society such as ulema, leaders of confessional communities (millets), and nascent Tanzimat intellectuals. These dissidents mainly criticized the reformers' highly West-oriented attitude and invoked the Islamic heritage of the Empire. One of those dissenting circles was new intellectuals grown in the ranks of Ottoman bureaucracy, particularly in the Translation Bureau. The first exemplar of this new-emerged group was the New Ottomans, who were prominent figures of the Ottoman literati in the nineteenth century.[7] They were aware that the Empire was undergoing a dissolution process. For this reason, they sought a remedy for this crisis. Regarding their solution-seeking for the predicament of the Empire, in their newspapers, they set forth their ideas regarding how to change, renew, and transform the disrupted Empire. In other words, they investigated how to save the state from the sovereignty crisis encountered. For, political thought blossoms where legitimacy is absent, under challenge, or contested. Disruption of order and unstable periods stimulate intellectual activity and force intellectuals to reflect on problems more than stable periods.[8] Likewise, the dissolution of the order triggered the New Ottomans to deliberate political issues. Therefore, they dealt with political concepts such as representation, constitutionalism, rule of law, separation of powers, freedom, equality, justice, sovereignty, legitimacy, etc. By discussing these concepts,

[7] İlber Ortaylı, "Bir Aydın Grubu: Yeni Osmanlılar," in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi 6* (İletişim Yayınları, 1985), 1703.
[8] David Beetham, *The Legitimation of Power* (London: Macmillan, 1991), 39.

in fact, they were seeking solutions for strengthening the fading away legitimacy of the Empire. Articles that they penned in their newspapers, specifically in the *Hürriyet* (Liberty), display their intellectual endeavor in this regard.

In my study, I focus on articles, writings, and letters published in the New Ottomans' newspaper *Hürriyet* to dig out their ideas on the legitimation of political power. The New Ottomans issued many newspapers during their struggle against the Sublime Porte (*Bâb-ı Âli*), but none of them became as consistent and influential as the *Hürriyet*.[9] The *Hürriyet* was published weekly as the voice of the New Ottoman movement in London, where they fled from the oppression and censorship of the Sublime Porte, between 1868 and 1870. In their proses in the *Hürriyet*, the New Ottomans developed quasi-political theory. They did not only publicly discuss new modern political concepts and ideas but also the question of the legitimacy of the Ottoman Empire much more than before.[10] Their inquiry on how to restore the diminishing legitimacy of the Empire can give us considerable information about new legitimation ways of political power influenced by the European political thoughts after the first half of the nineteenth century. Also, in their writings, "they combined journalism with political philosophy"[11] and this is what makes the *Hürriyet* worth studying in terms of political thought.

1.1. Literature Review

Studying the ideas of the New Ottomans enables us to trace the development of Ottoman thought. Also, we can explore how the New Ottomans' political imagination that was influenced by European political thought flourished. But before that, let us cast a glance at the literature about the New Ottomans.

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[9] Alp Eren Topal, "Sunuş," in *Sürgünde Muhalefet: Namık Kemal'in Hürriyet Gazetesi 1 (1868-1869)*, ed. Alp Eren Topal (İstanbul: Vakıfbank Kültür Yayınları, 2018), 17–44.
[10] Florian Riedler, *Opposition and Legitimacy in the Ottoman Empire: Conspiracies and Political Cultures* (New York: Routledge, 2011), 26.
[11] Topal, "From Decline to Progress Ottoman Concepts of Reform 1600-1876", 147.

Previous studies over the past decades have provided significant information about the New Ottoman movement. In the study edited on the occasion of the centennial of the Tanzimat Edict, İhsan Sungu published one of the early studies on the New Ottomans.[12] In his study, Sungu includes many long citations from the newspapers of the New Ottoman movement such as the *Hürriyet*, the *İbret*, and the *Hadîka*. Through these quotes, he unearths their ideas and interprets them under the influence of the ideology of the early republican era. However, his study points out the importance of the New Ottoman idea academically and became the forerunner for other studies in the field. Subsequently, Tanpınar, in his book covering the nineteenth-century history of Turkish literature,[13] deals with different aspects of the New Ottoman thought, ranging from literature and journalism to politics. In doing this, he also gives an account of the period and social milieu in which the New Ottoman movement occurred. Mentioning the historical context they lived, he touches upon the lives of prominent members of the group and thus sheds light on the background of their ideas. This makes it easy to trace from where the New Ottomans' opinions originate.

These leading studies paved the way for other studies on the New Ottoman movement. In the subsequent period, Mehmet Kaplan studied the biography of Namık Kemal in his doctoral thesis that was supervised by Tanpınar.[14] His work specifically helped me understand the background of Kemal's political ideas. Another work focusing on Namık Kemal is Mithat Cemal Kuntay's voluminous work.[15] He examines the social milieu that shaped Kemal's character and opinions. While he mentions people around Kemal throughout his life, he also gives information about members of the New Ottoman movement. Kuntay's comprehensive work gave me valuable information to be familiar with members of the movement. Fevziye Abdullah Tansel studied Kemal's ideas on the law[16] in an article and published Kemal's letters in her four volume-

[12] İhsan Sungu, "Tanzimat ve Yeni Osmanlılar," in *Tanzimat I: Yüzüncü Yıldönümü Münasebetiyle* (İstanbul: Maarif Matbası, 1940), 777–857.
[13] Ahmet Hamdi Tanpınar, *19. Asır Türk Edebiyatı Tarihi* (İstanbul: Çağlayan Kitabevi, 1942, 1988).
[14] Mehmet Kaplan, *Namık Kemal Hayatı ve Eserleri* (İstanbul: İstanbul Üniversitesi Edebiyat Fakültesi Yayınları, 1948).
[15] Mithat Cemal Kuntay, *Namık Kemal: Devrin İnsanları ve Olayları Arasında* (İstanbul: Maarif Matbası, 1944, 2010).
[16] Fevziye Abdullah Tansel, "Namık Kemal'in Hukukî Fikirleri," *Türk Hukuk Tarihi Dergisi*, no. 1 (1944): 51–66.

book,[17] which presents us information about the formation of the New Ottomans. Besides Tansel, Ömer Faruk Akün also published Kemal's letters.[18] Kaya Bilgegil contributed to the field by publishing their writings in French.[19] Bilgegil also corrected the misunderstanding about the initial phase of the New Ottoman movement by demonstrating that the Patriotic Alliance (İttifak-ı Hamiyyet) and the Vocation Group (Meslek) are different organizations from the New Ottomans. His work fed me regarding the history of the movement.

Works mentioned so far mainly focus on historical and literary dimensions of the New Ottoman thought and ignore the political dimension of it. However, in 1962, Şerif Mardin's *The Genesis of the Young Ottoman Thought*[20] filled this gap in the field. In his book, Mardin analyzes Western political thought introduced into Ottoman intelligentsia and gauges its influence on the New Ottomans' political thought. Within this framework, he describes the historical context in which the New Ottomans emerged and then analyzes the political ideas of each member of the New Ottomans. More importantly, he investigates the Islamic intellectual heritage that the New Ottomans inherited and its reflections on their political imagination. No previous study had investigated their political thinking in such a detailed way before. Thus, *Genesis* brought their political thought up for discussion. I drew upon his book about all aspects of the New Ottoman movement. Although it uncovered the New Ottoman thought, it could not focus on specific issues since it was the first study digging out their political thought. However, in this thesis, I endeavor to discover this unclear aspect of the New Ottoman thought by studying the *Hürriyet* in terms of the legitimation of political power.

In the following years, Hüseyin Çelik published his comprehensive study on the zealous figure of the New Ottomans, Ali Suavi.[21] What is valuable is that Çelik deals

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[17] Fevziye Abdullah Tansel, *Namık Kemal'in Husûsî Mektupları* (Ankara: Türk Tarih Kurumu Basımevi, 1967, 2013).
[18] Ömer Faruk Akün, *Nâmık Kemal'in Mektubları* (İstanbul: Edebiyat Fakültesi Matbaası, 1972).
[19] M. Kaya Bilgegil, *Yakın Çağ Türk Kültür ve Edebiyatı Üzerinde Araştırmalar I: Yeni Osmanlılar* (Ankara: Baylan Matbası, 1976).
[20] Şerif Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas* (New Jersey: Syracuse University Press, 2000).
[21] Hüseyin Çelik, *Ali Suavî ve Dönemi* (İstanbul: İletişim Yayınları, 1994).

with Suavi's political thought, which differentiated him from Kemal and Ziya during their self-imposed exile in Europe and drove Suavi to publish the *Muhbir*. Türköne, in his doctoral dissertation that he wrote in 1990 and published in 1991,[22] investigates the origin of Pan-Islamism as a political ideology and argues that the signs of Pan-Islamism firstly appeared in the New Ottoman thought before Jamal al-Din al-Afghani. But, he also notes that because their thought is eclectic, it cannot be boiled down to Pan-Islamism merely. He describes the New Ottoman idea as the turning point of the transition from traditional Islam to Pan-Islamism. His study, thus, demonstrates their Islamic intellectual origins after Şerif Mardin. Türköne's work contributed to this study in terms of the Islamic background of the New Ottoman political thought. In 2005, Namık Kemal's articles in *İbret* and *Hadika* were compiled and published by Nergiz Yılmaz Aydoğdu.[23] This work also contributed to discovering their thoughts through primary sources. Şemsettin Şeker published his work on Mustafa Nuri Bey,[24] who is not famous as other members of the New Ottomans, such as Ziya, Kemal, and Suavi. Nuri Bey was among the founders of the *Hürriyet*, but, later, he also issued the *İttihad* with Mehmed and Suavi. In his book, Şeker mentions Nuri Bey's thoughts on morality, literature, journalism, and politics; but most significantly, it includes his booklet on the economy, *Mebâhis-i İlm-i Servet* (Matters in the Science of Economy). In many articles in the *Hürriyet*, Kemal and Ziya discuss economic problems the Ottoman Empire faced, but their ideas are scattered throughout different writings. For this reason, Nuri Bey's booklet on the economy becomes important for those researchers interested in the economic thoughts of the New Ottomans.

Nazan Çiçek deals with the influence of British orientalists on the New Ottomans, state-subject relationships through Cretan insurrection, and the Eastern Question in her book.[25] She grounds the Eastern Question on the foundation of all issues that the New Ottomans discussed; namely, places the New Ottoman opposition in the context of the Eastern Question, a question that is the indication of the sovereignty of the Empire.

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[22] Mümtaz'er Türköne, *Siyasi İdeoloji Olarak İslâmcılığın Doğuşu* (İstanbul: İletişim Yayınları, 1991).
[23] Nergiz Yılmaz Aydoğdu and İsmail Kara, eds., *Osmanlı Modernleşmesinin Meseleleri: Siyaset, Hukuk, Dini İktisat, Matbuat* (İstanbul: Dergâh Yayınları, 2005).
[24] Şemsettin Şeker, *Sadık Bir Muhalif: Yeni Osmanlılar'dan Menapirzade Nuri Bey* (İstanbul: Dergâh, 2012).
[25] Nazan Çicek, *The Young Ottomans: Turkish Critics of the Eastern Question in the Late Nineteenth Century* (London and Newyork: Tauris Academic Studies, 2010).

Another noticeable work is Burak Onaran's study that deals with the Kuleli (1859) and Meslek (1867) incidents.[26] In his book, Onaran unearths the interrogation protocols of the failed rebellion of the Meslek. He also proves that the Meslek and the New Ottomans' Patriotic Alliance are different organizations. His study provided useful pieces of information for my thesis both in terms of the opposition tradition in Ottoman history, particularly in the Tanzimat period, and the historical background of the New Ottoman movement.

Various facets of the New Ottoman thoughts were also studied in some dissertations in Turkish and other languages. Adan Akgün analyzed the *Hürriyet* linguistically for the first time.[27] In the appendix of his dissertation, he gives the index of concepts, hadiths (the tradition of Prophet Muhammad), verses, and names in the *Hürriyet*. Thus, his study provides conceptual contents of the *Hürriyet* for other researchers. Christiane Czygan analyzed the *Hürriyet* philologically. But unfortunately, because her thesis is in German I could not make use of it. However, her publications in English can give us hints about her ideas.[28] Aaron Johnson studied fervent member of the New Ottoman movement, Ali Suavi, in his thesis.[29] Madeleine Elfenbein examines the New Ottoman thought in connection with international geopolitical developments.[30] She reads the New Ottomans' intellectual endeavor as a solution-seeking for the sovereignty crisis of the Empire. Elfenbein's work contributed to exploring the sovereignty issue in the New Ottoman thought and the European background of their ideas. Yusuf Tekin, in his thesis written in 1997 and published in 2020,[31] studied the New Ottomans' thoughts

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[26] Burak Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, trans. Saadet Özen, (İstanbul: İletişim Yayınları, 2018).

[27] Adnan Akgün, "Hürriyet Gazetesinin Sistematik Tahlili" (PhD diss., Marmara Üniversitesi, 1990).

[28] Christiane Czygan, "Reflections on Justice: A Young Ottoman View of the Tanẓīmāt," *Middle Eastern Studies* 46, no. 6 (2010): 943–56, accessed April 23, 2021, https://www.jstor.org/stable/27920329?seq=1#metadata_info_tab_contents; Christiane Czygan, "The Young Ottomans and Their Journal Ḥürriyyet (1868–1870) Revisited," in *Eine Hundertblättrige Tulpe-Bir Şadbarg Lāla: Festgabe Für Claus Schönig*, ed. Gisela Prochazka and Martin Strohmeier (Wien: Lit Verlag, 2020), 48–60, accessed April 12, 2021, https://www.academia.edu/19396604/048_Czygan_Hürriyet_revisited.

[29] Aaron S. Johnson, "A Revolutionary Young Ottoman: Ali Suavi (1839-1878)" (PhD diss., McGill University, 2012).

[30] Madeleine Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878" (PhD diss., University of Chicago, 2017).

[31] Yusuf Tekin, "Osmanlı Devletinde Siyasal Sistemin Meşruluğu Sorunu Çerçevesinde Birinci Meşrutiyetin Tartışılması" (master's thesis, Gazi University, 1997); Yusuf Tekin, *Şeriat, Meşruiyet ve Meşrutiyet: Yeni Osmanlılar'da Demokrasi Tartışmaları* (İstanbul: Pınar Yayınları, 2020).

on legitimacy and constitutionalism through the articles in the *Muhbir*, *Hürriyet*, *Ulûm*, and *Basiret*. Tekin integrates discussions on legitimacy into the process going toward the declaration of constitutionalism in the Ottoman Empire. Within this framework, he gives an account of legitimator elements in the classical era of the Ottoman Empire, specifically religious legitimation. He argues that religious legitimation saves its place in the New Ottoman thought, but in a constitutionalist and democratic form, which is an innovation for the Ottoman thought. In this regard, he concludes that the leitmotif of their legitimation discourse mostly developed under the influence of religion. While Tekin contributes to the conceptual background included in the New Ottoman texts by focusing on the notion of legitimacy, his study suffers from a lack of theoretical basis for the legitimation of power. However, considering the insufficiency of works in the field at that time, this can be tolerated. In my study, unlike Tekin, I set out a conceptual framework on the legitimacy of political power by drawing from Western and Islamic sources to gain further understanding of the legitimacy matter in the New Ottoman thought. Another work is Gözde Top's thesis that goes beyond the literary, historical, and political dimensions of the New Ottoman thought and explores their economic approaches toward economic liberalism.[32] Thus, Top sheds light on the political economy aspect of their political thought. Her thesis contributed to my study in discovering their criticisms about the economy, which I evaluate as a delegitimizing factor. Büşra Savaş deals with Namık Kemal's conceptual framework through the *Hürriyet* and *İbret* newspapers, but her study lacks a historical context in which their ideas developed.[33]

Finally, Alp Eren Topal transliterated the whole collection of the *Hürriyet* into the modern Turkish alphabet in 2018.[34] By transliterating it, Topal gifted researchers a rich source to tease the various dimensions of the New Ottomans thought out of its pages; and thus he paved the way for future studies, like my thesis. Also, Topal, in his doctoral dissertation, studied various Ottoman reform concepts used from the late

[32] Gözde Top, "The Young Ottomans' Approaches Toward Economic Liberalism (1860-1875)" (master's thesis, Middle East Technical University, 2019).
[33] Büşra Savaş, "İbret ve Hürriyet Gazeteleri Bağlamında Namık Kemal'in Kavram Dünyası Fert, Cemiyet, Devlet, Millet, Vatan" (master's thesis, Kocaeli University, 2020).
[34] Alp Eren Topal, ed., *Sürgünde Muhalefet: Namık Kemal'in Hürriyet Gazetesi 1, 1868-1869* (İstanbul: Vakıfbank Kültür Yayınları, 2019); Alp Eren Topal, ed., *Sürgünde Muhalefet: Namık Kemal'in Hürriyet Gazetesi 2, 1869-1870* (İstanbul: Vakıfbank Kültür Yayınları, 2019).

sixteenth century to the promulgation of the first Ottoman constitution in 1876. I benefited from his work in tracing both the Ottoman reform tradition and the background of reform concepts that the New Ottomans used in their writings.[35]

As it is clear from this literature review, the earliest studies on the New Ottomans either examine them in terms of historical and literary or deal with biographies of members of the movements, dominantly Kemal. For the first time, Mardin's *Genesis* broke this ruling attitude in the field; but, presumably because of its regnant position, no other study addressed their political thought appeared in the ensuing years – which is a fact that creates uncertainty concerning their political dimension. Even in the Turkish academy, Mardin's work could not leap the researchers' attention to the topic unless it had not been translated into Turkish in 1996. Therefore, the field was mainly dominated by biographical, linguistic, and historical works with a few exceptions. Over the past decade, with the publication of İsmail Kara and his students' unfinished work regarding Kemal's articles, some studies concentrated on specific matters and concepts. However, there has been no sufficient detailed investigation on the political dimension of the New Ottoman thought. This vagueness about the New Ottoman thought hampers the tracing of the course of the history of Ottoman political thought. Likewise, we are not able to sketch out the contours of the New Ottoman thought, which bridges traditional and modern intellectual accumulation. In addition, because of its geographical positions and territories – despite being shrunken in the nineteenth century compared to its glorious past – in the European continent, the Ottoman Empire occupied geography that modern Western and Islamic thought encountered and interacted with one another. For this reason, this ambiguity also impedes decoding how Muslim intellectuals reacted to the challenge of the prevailing Western paradigm in terms of political thinking. Leaving philosophical and theoretical discussions on politics in newspapers undiscovered, we cannot apprehend the reconstruction of Islamic political thought "congruent with the necessities of present times" in the word of the New Ottomans. With this study, I endeavor to fill this gap in the field as far as I can do.

[35] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876."

Moreover, this vagueness in the horizon of Ottoman political thought prevents us to detect how politics is understood by the Tanzimat intellectuals. The concept of legitimacy explains on what basis the right to govern depends. Legitimacy justifies and validates the sovereignty of political power. By doing this, in essence, it states the nature of the political organization. In other words, it constructs the normative, moral, and legal ground of politics. Hence, any reconstruction attempt in the ground of politics leads to change in principles of politics, a change that might alter the whole political thought fundamentally. Within this framework, because legitimacy founds the ground on which politics constructed, the New Ottomans' reinterpretation of the legitimation of power becomes crucial. I argue that finding out the ingredients of the legitimacy of power in their thought can contribute to grasping the reconfiguration of Ottoman political thought in the post-Tanzimat era.

There is little knowledge on legitimizing the order in the Ottoman political thought out of the governmental ranks. We mostly know the supply side of legitimacy, but do not have enough knowledge about the demand side.[36] In the nineteenth century, changes and innovations initiated by reform programs were not limited to military, economic, administrative, and political fields. New transportation and communication technologies were also introduced into Ottoman society. After the first quarter of the nineteenth century, the newspaper emerged as a new medium in which ideas circulated. In 1831, the *Takvim-i Vekâyi* was established as the official newspaper for informing internal and international public opinion. In 1840, the *Ceride-i Havâdis* fallowed the *Takvim* as the first non-governmental newspaper, and its office became a center for lettered bureaucrats and intellectuals according to Cevdet Paşa.[37] Nascent intellectual strata criticized the Sublim Porte regarding reforms, economic crisis, corruptions, arbitrariness in the state conduct, domestic and international politics as well as proposed their ideas salvage the Ottoman state. In doing this, indeed, Ottoman intellectuals implicitly set forth their opinions on legitimacy as the demanding side. While their criticisms indicate de-legitimator factors, their suggestions point out legitimator factors in their thought. In this thesis, I place the New Ottomans on the

[36] Hakan Karateke and Maurus Reinkowski, "Introduction," in *Legitimizing the Order: The Ottoman Rhetoric of State Power*, ed. Suraiya Faroqhi and Halil İnalcık (Leiden and Boston: Brill, 2005), 4.
[37] Enver Koray, "Yeni Osmanlılar," in *150. Yılında Tanzimat* (Ankara: Türk Tarih Kurumu Basımevi, 1992), 548.

demand side and argue that their articles in the *Hürriyet* may show us the public opinion concerning the legitimacy of the political power, at least in part.

This study aims to set out a better understanding of the New Ottoman political thought by focusing on the concept of legitimacy. I study the legitimation of political power according to the New Ottomans because I want to find out how they theorized making of legitimate power, sustaining the sovereignty of the state, justifying the right to govern, and transformation of absolute sovereignty from crude power into legitimate authority. For this purpose, I tease their disorganized legitimacy theory out of the *Hürriyet* and make sense of it. In addition to this uncovering, I want to dig out what are the concepts corresponding to the legitimacy of power in their political lexicon to explore values and knowledge that lie behind their political perspective. Discovering the philosophical and theoretical background of their thought, I also want to cast light on to what extent they were influenced by the European political concepts, and molded these concepts with traditional Islamic thought together. I argue that they do not only emulate modern Western political thought but also comprehend and reconceptualized it within the Islamic framework; thus, I mean that this interaction is not a unilateral process.

In studies of the history of political thought, there is a growing body of literature that recognizes the significance of non-Western political thought. Scholars who are interested in this field argue that non-Western approaches to politics can broaden our perspective on political thought and facilitate understanding and finding solutions to the present problems of the modern world. In this regard, I argue that the New Ottomans' political perspective can provide us with another way of thinking about politics. According to Black, from around the eighteenth century, political thought in non-Western societies ceased to be considered without referencing the West.[38] His claim is valid for Ottomans as well. The Tulip Period (1718-1730) in which Ottomans began to interact with the Western culture more closely, İbrahim Müteferrika (d. 1747), who was a Hungarian convert, uttered the necessity of a new order (*nizâm-ı cedîd*) in the army for the first time in his treatise *Usûlü'l-Hikem fî Nizâmi'l-Ümem*

[38] Black, "Toward a Global History of Political Thought," 34.

(Rational Bases for the Order of Nations). Back to the topic, this diffuse of Western ideas into the non-Western world met with reaction. It can be said that Japan's defeating Russia in 1905 and the savagery of the First World War dispelled the myth of absolute European military invincibility and cultural superiority and stimulated the emergence of the non-Western perspective.[39] With the blossoming of the non-Western approach, political thought began to discover new territories. The term political thought traditionally refers to ideas about the nature of the state, the basis of authority, ways of founding and the manner of conducting state affairs, but some non-Western societies do not interpret political concepts in this sense. For this reason, from the Western perspective, their political thought can be misconstrued and described as non-political.[40] For Köse, this misconception mostly depends on the "historical" and the "disciplinary" fallacies.[41] But, overcoming the Western-centered approach to politics, – though the coinage of non-Western itself is the Westcentric – Western political theorists have begun to engage with non-Western political thoughts in order to find solutions to the predicament of the modern world since current ways of teaching and studying political thought is dysfunctional for both practical policy-making and scholarship.[42] For Dallmayr, such an inquiry can also provide political scientists finding universal principles or yardsticks of human conduct toward common and shared humanity.[43] In my opinion, studying the New Ottoman political thought can contribute to rethinking common problems of humanity and finding solutions for them.

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[39] Bhiku Parekh, "Non-Western Political Thought," in *The Cambridge History of Twentieth Century Politcal Thought*, ed. Terrence Ball and Richard Bellamy (Cambridge: Cambridge University Press, 2005), 553.
[40] Ibid., 554–55.
[41] Hızır Murat Köse, "İslam Siyaset Düşüncesini Yeniden Okumak: Eleştirel Bir Giriş," *Divan: Disiplinlerarası Çalışmalar Dergisi*, no. 27 (2009): 1–19, accessed November 13, 2019, https://www.divandergisi.com/tr/Dergi/Makale/28/287. According to Köse, on the one hand, "the historical fallacy" generalizes the European historical experience and assumes that other societies, including Muslims, have a similar experience; on the other hand "the disciplinary fallacy" that the fragmented and narrowly specialized Western social sciences produced elude the internal coherence of Islam depending on the principle of tawhid.
[42] Black, "Toward a Global History of Political Thought," 31–32.
[43] Fred Dallmayr, "Comparative Political Theory: What Is It Good For," in *Western Political Thought in Dialogue with Asia*, ed. Thakashi Shogimen and Cary J. Nederman (Lanham: Lexington Books, 2009), 18–19.

1.2. Methodology

Political studies are usually examined under three categories: political science, political philosophy, and political theory. Although it is not accepted as an independent discipline like this trio, there is also the history of political thought. The history of political thought, on the one hand, investigates changes and transformations of political thought in the historical context,[44] on the other hand, it interacts with science, philosophy, and theory. Political science describes, analyzes, and explains government and other political organizations by depending on observation, empirical verification, descriptive explanation, value-free statements, and segmentation and cumulability of knowledge.[45] While political science focuses on the *isness* of politics, political philosophy focuses on the *oughtness* of politics. Political philosophy, therefore, deals with normative, evaluative, and abstract dimensions of politics. Focusing on concepts, values, and principles, philosophy addresses itself seeking universal and fundamental truth by deductive and inductive forms of reasoning; aims to justification rather than explanation; makes value-laden interpretation about politics.[46] As for political theory, the word theory comes from *theorien* in antique Greek that means to see, insight, and vision. Therefore, theory can be defined as a point of view.[47] Political theory, in this sense, involves systematic reflection on the character of politics, the causes of stability and change in political concepts, the values or objectives that political activity might realize, and the analytical study of political ideas and doctrines.[48] In doing this, political theory draws upon history. On the one hand, it elucidates political events, cultures, structures, and organizations by looking at history. In a sense, it uses history as a laboratory for developing theories,[49] which is the retrospective aspect of political

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[44] Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 2.

[45] Giovanni Sartori, "Philosophy, Theory and Science of Politics," *Political Theory* 2, no. 2 (May 19, 1974): 138–39, accessed November 18, 2020, doi:10.1177/009059177400200202; Andrew Heywood, *Political Theory: An Introduction* (New York: Palgrave Macmillan, 2004), 6–9.

[46] Sartori, "Philosophy, Theory and Science of Politics," 137, 139; Heywood, *Political Theory: An Introduction*, 10–11; Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 9.

[47] Sartori, "Philosophy, Theory and Science of Politics," 139–49; Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 15.

[48] Mark Philip, "Political Theory and History," in *Political Theory*, ed. David Leopold and Marc Stears (New York: Oxford University Press, 2008), 129; Heywood, *Political Theory: An Introduction*, 9–10.

[49] Philip, "Political Theory and History," 130–31.

theory.[50] On the other hand, while political theory appeals to history for building a theory, it also influences current thinking and practices by organizing different competing narratives of the past.[51] Because interpreting history is directly connected with the researcher's concerns about the present and future, political theory affects our present. Thus, with this prospective projection,[52] political theory enters into the territory of both philosophy and science. This intersection of theory with history points out that the historian of political thought might be regarded as a political theorist as well. Besides, in deciding on his/her research objects, correlating and interpreting them, the researcher of political thought inevitably draws upon his/her intellectual background and thereby evaluates them subjectively.[53] As such, the interconnectedness of science, theory, and philosophy becomes evident and the history of political thought is no exception in this regard.

This interconnectedness of political disciplines indicates that studying political thought requires a multi-dimensional approach. In this thesis, for studying the legitimacy of political power in the New Ottoman thought, I take such a multidimensional approach. I think, both social scientific and philosophical approaches would separately fall short of examining legitimation. While the first one accentuates the importance of a particular social and historical context that differentiates one society from others regarding the legitimacy of power; the latter, rather than social and historical context, emphasizes rational, universal, moral, and normative principles in legitimation.[54] In other words, the analysis of legitimacy cannot be boiled down to one discipline since the separation of facts from values seems impossible. Instead of making the problem of legitimacy the exclusive property of one

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[50] According to Sartori, there is a distinction between retrospection and prospection, between reconstruction and projection. While retrospective aspect makes political theory undoubtedly a *teritum genus*, prospective aspect makes political theory as a third kind seems prone to be reabsorbed into philosophy or science. See: Sartori, "Philosophy, Theory and Science of Politics," 141; Poccock also indicates relation between philosopy and the hisorty of political thought. For him, the historian of polirical thought engages both in a historical reconstruction and in a kind of philosophical reconstruction to understand passt political thought by raising it to higher levels of reality and abstraction. Thus, the history of political thought is always prone to become philosophy. See: J.G.A Pocock, "The History of Political Thought: A Methodological Enquiry," in *Philosophy, Politics and Society*, ed. Peter Laslett and W. G. Runciman (Oxford: Basil Blackwell, 1994), 187.
[51] Philip, "Political Theory and History," 131.
[52] Sartori, "Philosophy, Theory and Science of Politics," 141.
[53] Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 31.
[54] David Beetham, *The Legitimation of Power* (London: Macmillan, 1991), 5–6.

discipline, we should adopt a multi-disciplinary stance.[55] For instance, while the casual understanding of political science facilitates grasping the explanatory aspect of legitimacy, evaluative understanding of philosophy facilitates grasping the normative aspect of legitimacy. The benefit of the multidimensional approach is that it unfolds the matter of legitimacy thoroughly. For this reason, in analyzing the legitimacy of power throughout the *Hürriyet*, I adopt a multidimensional perspective that enables me both to pay regard to the period in which the texts were written and interpret the intellectual ground on which these texts were built.

Political thought flourishes in a specific time and space. Therefore, we should place political thought in a proper historical context and then analyze it. Historical context includes the conditions that thoughts take shape under the pressure of immediate events. Because the activity of thinking, of conceptualizing, of abstracting takes place in a particular environment, historical conditions should be taken into consideration. Thus, we can detect stabilities, changes, and modifications of concepts employed in the texts.[56] The New Ottomans penned their political ideas when the Ottoman Empire was challenged by European Great Powers and therefore its existence was at stake. This matter of survival stimulated them to seek a remedy for the salvation of the state. In seeking a solution, they reviewed and reevaluated Ottoman history and tradition. Having reconsidered the Ottoman legacy they inherited, they either modified some traditional political concepts or coined new ones in conjunction with that tradition.

Putting thought in its historical context makes a thought sensible for us. "Historicizing a political thought means studying it in connection with political events, social and economic transformations, and other political thoughts. Historicizing, thus, by uncovering a thought, makes it a social problem that open to criticism."[57] Based on

[55] Jean-Marc Coicaud, *Legitimacy and Politics: A Contribution to the Study of Political Right and Political Responsibility*, trans. David Ames Curtis, (Cambridge: Cambridge University Press, 2004), 6, 10.
[56] Pocock, "The History of Political Thought: A Methodological Enquiry," 194–95.
[57] Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 34.

this argument, I examine the New Ottomans' ideas on legitimacy with historical facts of their period.

Taking Uslu's warning into consideration,[58] I also avoid both adopting a teleological approach and reading the history of political thought as consisting of abrupt breaking points. Teleological approach to a matter can mislead us in studying it since we know its development process and its outputs. For this reason, I will pretend to be blind to the New Ottoman thought and historical facts after the date that the *Hürriyet* ceased to be published. Another wrong approach is reading the changes in the history of thought as abrupt breaking points. We should read changes in the history of thought not as abrupt breaks, but as breaks that take place in continuity. I think, the New Ottomans' political thought gives a good example for this approach since this kind of change can be seen both in their effort to integrate European political thought into an Ottoman and Islamic framework and their reinterpretation of Ottoman and Islamic political traditions in accordance with European political thought.

Another point that I want to highlight is that the duty of a historian of political thought is not to judge but to unearth and analyze political thought in its particular context. In this thesis, I approach the political thought of the New Ottomans in this way as far as possible. Being aware of the possible impacts of my intellectual background, I just try to cast light on how the New Ottomans evaluate the legitimacy of political power. That is, I do not investigate whether their ideas are true or false. Instead, I endeavor to explore what are the most or less recurring ideas, concepts, and themes in terms of legitimacy. By utilizing their ideas, theorizing a new political vision or imagination is not a part of my work.

Lastly, as for the issue of the authors of the articles in the *Hürriyet*, I follow Alp Eren Topal's recent detects that go beyond the Sungu, Kaplan, Kuntay, and Tanpınar's findings.

[58] Ibid., 152, 164.

1.3. Outline of Chapters

The overall structure of this thesis is composed of five chapters. Except for the introduction and conclusion, there are three main chapters that focus on different themes.

In the second chapter, having touched upon the aim of this thesis, existing literature about the New Ottomans, and my methodology in the introduction, I discuss the conceptual framework about the legitimacy of political power. Firstly, I touch upon the concept of power. In this regard, I mention how power is defined by Western and Islamic political perspectives so that I can cover both Western and Islamic origins of the New Ottoman thought. Then, I deal with the notion of sovereignty on which political authority is based its right to rule. In doing this, I mention the differences between Western and Islamic understandings of sovereignty. Later, I deal with the concept of authority as a legitimized form of naked power and absolute sovereignty. Subsequently, I discuss the concept of legitimacy in terms of its meaning, content, different dimensions, sources, and reproduction. Having mentioned how to become a legitimate power, I mention what leads to erosion of legitimacy. Also, I refer to Islamic and modern Western meanings of being legitimate. In doing all these, I occasionally touch upon the New Ottomans' opinions concerning legitimacy. Last but not least, I discuss the bedrock for the divergence of legitimizing discourses in Islamic and Western political thoughts to grasp correctly the legitimacy of political power according to the New Ottomans.

In the third chapter, I give a general landscape of historical conditions that paved the way for the emergence of the New Ottoman movement and their political ideas. I argue that renewal initiatives and constitutionalist ideas did not only emerge as a result of European influence in the Tanzimat period but also as a continuation of an Ottoman political tradition from the late sixteenth century onward. In this regard, I draw upon works of Rifʿat Ali Abou El-Haj, Şerif Mardin, Hüseyin Yılmaz, and Baki Tezcan that

read reforms of the Tanzimat era as products of developments of previous centuries and of an Ottoman constitutionalist tradition that has its own genuine concepts, restrictive instruments, and history. Thus, I aim to show that the New Ottomans' emphasis on a restricted political power and constitutional order with the *usul-i meşveret* (the method of consultation) is not only inspired by European ideas but also has an Ottoman background. Within this framework, firstly, I deal with reformist ideas and renewal initiatives before the declaration of the Tanzimat Edict of 1839. This section begins with a little reference to the *ıslahatnâme* literature (book of memorandum) to show the beginning of distortion in the Empire, which paves the way for the renewal initiatives of the early eighteenth century in the Ottoman Empire. Then, passing through the renewal movements of the early eighteenth century and the Nizâm-ı Cedîd reforms, I give an account of the *Hüccet-i Şer'iyye* and *the Sened-i İttifak* and arrive at the promulgation of the Tanzimat Edict. Secondly, I focus on the reforms of the post-Tanzimat period through the Tanzimat Edict and the Edict of 1856. Finally, I mention the history of the New Ottoman movement and the *Hürriyet*.

In the fourth chapter that is the focal point of this thesis, I dig out the materials concerning the legitimacy of power from articles and writings published in the *Hürriyet* and interpret these materials by depending on the framework drawn in the previous two chapters. This chapter is divided into two parts: normative and factual ingredients of legitimacy in the New Ottoman thought. Here, I embrace Hakan Karateke's conceptualization that distinguishes "normative" and "factual" aspects of legitimacy in his article about the legitimacy of the Ottoman sultanate.[59] Of course, there is not a certain division between normative and factual aspects of legitimacy and these two aspects intertwine with and feed each other. By normative dimension, I mean elements that are regarded as basic normative concepts, values, and principles of being legitimate in the articles such as the *usul-i meşveret, nezaret-i ümmet* (people's oversight), equality, freedom, justice, and consent. By factual dimension, I mean elements that are regarded as concrete, practical factors, and positive achievements such as the *terakki* (progress), economy, and meritocratic practices. In discussing

[59] Hakan T. Karateke, "Legitimizing The Ottoman Sultanate: A Framework for Historical Analysis," in *Legitimizing the Order: The Ottoman Rhetoric of State Power*, ed. Suraiya Faroqhi and Halil İnalcık (Leiden and Boston: Brill, 2005), 13–52.

normative and factual elements of legitimacy in the New Ottoman thought, I also compare their ideas with classical Islamic and Ottoman political thoughts and try to detect changes and continuities. Thus, I try to understand their effort to reconstruct European political concepts and institutions within the framework of Ottoman tradition.

In the final chapter, I summarize their ideas on the legitimacy of political power and evaluate what the main themes are regarding legitimation and which one is more dominant than others.

CHAPTER II

THE LEGITIMATION OF POLITICAL POWER

Power is one of the major concepts in politics, which is defined in many ways by different political perspectives. This difference of definitions, I think, originates from the definition of the legitimacy of relevant perspective; that is, the legitimacy makes power meaningful and transforms it into legitimate authority. Legitimacy, thus, attributes a nature to power. Based on that ascribed nature, power is made reasonable, proper, explainable, and justifiable so that people accept complying with it as a legal or moral obligation. Power needs such attributes since it is naked and crude in its natural form. To differentiate the brute form of power from the legitimate one I use the word "force". While force is the factual form that imposes itself, on the other hand, power is the normative form. In other words, force denotes the subjection of the ruled to the ruler as a severe unequal relation. To mitigate that inequality, tyranny, and brute power that force bears, crude power, i.e., force, should be tamed by normative values and principles so as to become a legitimate authority,[60] that is, political power. As a result, power inevitably becomes a value-dependent concept.

2.1. The Concept of Power

Power can be defined basically as the ability or capacity to influence others in order to achieve a goal. This capacity manifests itself in various ways and therefore power is defined differently. These different definitions might facilitate comprehending the New Ottoman thought. Bertrand Russel, making an analogy between physics and social sciences, states that power is the fundamental concept of social sciences like energy in physics. Power, like energy, continuously changes its form from one to

[60] Abdurrahim Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet* (İstanbul: Klasik, 2020), 13, 111–12.

another.[61] Therefore it takes different shapes. According to Heywood, power may appear in three different faces. Firstly, power becomes manifest through its ability to influence decision-making processes, and thus it is understood as decision-making. Secondly, it may show itself in the form of agenda-setting. Thirdly, it may take the form of thought control, namely, manipulating individuals' decisions and preferences.[62]

Steven Lukes, in his book investigating how the powerful secure the compliance of those he rules, argues that having the capacity of power does not necessitate exercising it; namely, power is a matter of capacity, not exercising it. In this regard, he indicates that defining power by observable acts, such as decision-making, falls short. He calls this behaviorist approach the one-dimensional view, which sees power as an observable subjective conflict of interest in decision-making processes. Having argued the one-dimensional view is insufficient because of its limited behavioral attitude, he mentions the two-dimensional power that incorporates nondecision-making (preventing a potential decision before being taken) into the content of power. However, since nondecision-making itself implies a kind of decision-making, Lukes proposes the three-dimensional view states that power relations may occur in the absence of any actual, observable conflict of interests. Hence, the three-dimensional view indicates that the capacity of power may remain unexecuted. For this form of power, he coins "power as domination", which points out to least visible hidden appearances of power. Power as domination means having the capacity of restricting the choices of others in order to guarantee their compliance.[63]

Power also means control over resources to reward or punish those who are controlled. The allocation of resources should be carried out by a legitimate authority so that subjects acknowledge willingly their dispensation of sources. Legitimizing the distributive authority with recognition of people is also beneficial for both the ruler and the ruled. As noted before, the pure form of power, namely force, cannot garner

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[61] Bertrand Russell, *Power: A New Social Analysis* (New York: Routledge, 2004), 4–5.
[62] Andrew Heywood, *Key Concepts in Politics* (New York: Palgrave Macmillan, 2000), 35–36; Heywood, *Political Theory: An Introduction*, 122.
[63] Steven Lukes, *Power: A Radical View.* (New York: Palgrave Macmillan, 2005), 12–29, 85–88.

legitimacy. One reason that makes force unbearable is its costs. In the lack of legitimate authority, because instability reigns, costs increase and this makes circumstances disadvantageous for everyone; i.e. the use of force, naked or pure power jeopardizes both those who exercise power and those whom power is exercised. This so to speak impotent power cannot effectively use its instruments of force, such as the army and police, since it is deprived of justified order. This ineffectiveness increases costs since resources cannot be allocated efficiently. To mitigate costs and allocate resources justly, pure power (force) should be converted to legitimate power. Otherwise, inequality in the allocation of resources may cause civil dissatisfaction, unrest, and disorder. For this reason, the establishment of legitimate power becomes obligatory since it ensures a more economic and stable situation for all. All these demonstrate that the definition of power involves the allocation of resources.[64] In chapter 4, we will see that New Ottomans touch upon this facet of power in criticizing the despots of the Sublime Porte corrupted in the allocation of resources of the state.

In Islamic thought, the concept of power is expressed by various words originated from Arabic, such as *walayah* (guardianship), *hukûma* or *hükümet* in Turkish (government), *khilâfa* (caliphate), imamate, *tadbîr*, *siyâsa* or *siyaset* in Turkish (politics), and sultanate. The word *hukûma* derives from the root *h-k-m* that means judgment, knowledge, wisdom, adjudication, and arbitration in classical Arabic. The term was used in various fields such as jurisprudence, logic, philosophy, linguistics, literature, and politics. In classical political texts, the *hukûma* denotes the government office, an office that carries out the obligations of dispensing justice, commanding good and forbidding evil, protecting and defending religion, maintaining order for people to fulfill their religious obligations, and constituting the public weal (*maslahat*).[65] In the nineteenth century, it acquired a new meaning with Sadık Rıfat Paşa's (d.1857) use: members of governing authority.

[64] Moris Zelditch Jr., "Legitimacy Theory," in *Contemporary Social Psychological Theories*, ed. Peter J. Burke (Stanford: Stanford University Press, 2006), 324–25.
[65] Emad El-Din Shahin, "Government," in *Islamic Political Thought: An Introduction*, ed. Gerhard Bowering (New Jersey and Oxfordshire: Princeton University Press, 2015), 69, 75.

In Islamic law literature, the concept of *walaya* is used for the legal dimension of power, and I think, it may clarify what power means in Islamic thought. *Walaya* coming from trilateral *w-l-y* is the most used concept for power.[66] In the dictionary, the word *w-l-y* means "to be near", "to be adjacent", "amity", and its derivation *walayah* means "to be a friend", "to be in charge", "to take over the government". Hence, the word *wilayah* denotes, "sovereign power", "rule", and "an administrative district headed by a governor."[67] In Islamic law, *walaya* has two different types: the specific guardianship (*al-walayah al-khâssa*) and the general guardianship *(al-walaya al-'âmma*). While the first one means taking the personal and economic responsibility of someone who has no legal capacity or has deficient legal capacity, the latter means undertaking the responsibility of people living in a country. In other words, the general guardianship covers conducting state affairs in the name of people. Also, the imagery of closeness to the governing authority in the meaning of *walaya* indicates that power relationships are considered horizontally, rather than vertically.[68] The New Ottomans highlight this subtle semantic detail through the difference in meanings of words of *sâhib* and *mâlik* in their writings as well.

In classical Islamic political thought as well as in Western political thought before modernity, the notion of the state is not considered as an independent and institutionalized entity since the state or power is not separated from the ruler. Therefore, the notion of power can be represented in the personality of the ruler.[69] The source of power, therefore, is divided into two as the personal guardianship (*al-walayatu'z-zâtiyye*) and the impersonal guardianship (*al-walayatu gayru'z-zâtiyye*). The impersonal guardianship is also called the delegated (*tafwîdî*) guardianship. The personal guardianship is based on the personality and charisma of the ruler. In this type, the ruler can enjoy his power on the condition that he fulfills his administrative duties properly. Otherwise, if he does not perform his governmental obligations or misconducts, he may be deprived of his authority, which indicates that the personal guardianship is not merely grounded on the charisma of the ruler, but also on laws. As

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[66] Bernard Lewis, *The Political Language of Islam* (Chicago: University of Chicago Press, 1988), 12; Shahin, "Government," 68.
[67] *A Dictionary of Modern Written Arabic* ed. Hans Wehr and J. Milton Cowan, 3rd ed. (Spoken Language Service Inc., 1976), s.v. "ولى."
[68] Lewis, *The Political Language of Islam*, 11–13, 22–23.
[69] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 32.

for the delegated guardianship, it is delegated to the ruler by legal action, such as *bay'at* (the oath of allegiance).[70] This form of power is more inclusive since it is legitimized by the confirmation of the public through the mutual pledge of allegiance. Then, it is understood that even if power is based on the personality of the ruler, it is actually a legal concept on the ground of sharia. Thus, power connotes a kind of guardianship for observing sharia and enabling people to practice their religious obligations, rather than domination over people.

Other concepts used for power in Islamic political thought are *şevket* (*shawka*) and *menea* (*mana'a*). Two terms are used in different contexts. While *şevket* denotes power relations in society, *menea* denotes power relations at the international level. The concept of *şevket* means "thorn", "spike", "prickle", "might", and "power". In political language, it connotes the social force that assigns executive power to the political one. In this sense, those who have *şevket* become notables of society. Those people bearing-*şevket* have the capacity to dominate and prevail over others in socio-political issues. *Şevket* gives them dignity, authority, trust, prestige, and power so that they can mobilize and lead masses in normal or turbulent times.[71] Regarding the concept of *şevket*, Lewis claims that *şevket* only indicates physical military might irrespective of any question of legitimation effort,[72] but Şen's detailed work dealing with power and legitimacy in Islamic law disproves such claims, including Lewis', by proposing the concept of *menea*. *Menea* was used in different meanings such as "to prevent", "resistance," "power," "force," and "glory" in Islamic history. In the political context, it signifies the physical dimension of power, specifically against external threats.[73] In this sense, power is the ability to protect the life, property, and chastity of people residing in a country through its deterrent instruments. As such, considering *şevket* and *menea*, in classical Islamic political thought, power comprises both social and physical forces that maintain the internal and external affairs of society.

[70] Talip Türcan, *Devletin Egemenlik Unsuru ve Egemenlikten Kaynaklanan Yetkileri* (Ankara: Ankara Okulu, 2001), 205–7.
[71] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 15, 79–100.
[72] Lewis, *The Political Language of Islam*, 37–38.
[73] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 113–27.

In Islamic political thought, power also denotes punishment of crimes. In the sense of punishment, the term *siyâsa* (politics) is used. Especially in Ottoman usage, the term *siyaset* mostly means the physical punishment for offenses against the state, and the term *siyâset-i şer'iyye* exclusively denotes its penal aspect.[74] In Arabic, the word *siyaset* is derived from the root *sâsa*, which means taming, training, or managing animals, specifically horses. In politics, it mostly connotes administering, governing, or conducting state affairs. In terms of philosophical literature, politics (*tedbîru'l-mudun*) is placed under the practical philosophy along with ethics (*tedbîru'l nefs*) and the household management (*tedbîru'l menzil*) in the classification of sciences. Like farming, building, tailoring, etc., politics is a science of government that orders and maintains the collective life of people. However, in the context of Islamic law, as for *siyâset-i şer'iyye*, it connotes the authority of making regulations, administering affairs of the ruled society, and legislating according to the principles of sharia. It includes penalties that are not prescribed by sharia, namely, out of *hadd*. These penalties are decided and executed by the discretionary power of the ruler on the condition that not to transgress the borders drawn by sharia regarding punishment. Beyond the legislative function given by sharia, it additionally authorizes the ruler to correct corruptions, moral laxity, nonobservance of sharia in society, and ameliorate the world order (*nizâm-ı âlem*) for public welfare – especially in the fields of organizational, administrative, tax, and penal laws.[75] Thus, power becomes the ability to prescribe severe penal codes for breaches of law and enforce them if necessary.

It is understood that the Islamic vision of power cannot be divorced from religion, i.e. sharia. Ontological understanding of religion shapes the content of political power. It means that power is not only determined by social and historical facts in the material level of existence but also by the transcendental authority of God. One of the major figures in Islamic history considered the renewer of Islamic thought and the proof of

[74] For a general genealogy of the term siyâsa see: Bernard Lewis, "Siyâsa," in *In Quest of an Islamic Humanism: Arabic and Islamic Studies in Memory of Mohamed Al-Nowaihi*, ed. A. H. Green (Cairo: The American University in Cairo Press, 1984), 3–14; For the usage siyaset in the Ottoman context, Sariyannis presents a pithy account in his book covering the Ottoman political thought up to the Tanzimat era: Marinos Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century* (Leiden and Boston: Brill, 2019), 432–35.

[75] H. Yunus Apaydın, "Siyâset-i Şer'iyye," in *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, accessed April 4, 2019, https://islamansiklopedisi.org.tr/siyaset-i-seriyye; Asım Cüneyd Köksal, *Fıkıh ve Siyaset: Osmanlılarda Siyâset-i Şer'iyye* (İstanbul: Klasik, 2016), 32–36.

Islam, Abu Hamid Al-Ghazzali (d.111) epitomizes this unity of religion and politics in his succinct words: religion and state are twin brothers. This interlocking between ontological transcendency and political power in Islam, namely spiritual and temporal, originates from the Qur'an and the hadiths (traditions of Prophet Muhammad). The famous Qur'anic verse enjoins believers "to Obey God, obey the Messenger, and those charged with authority among you."[76] This ontological dimension of politics is what differentiates the concept of power from the other approaches to politics.[77]

Grounding politics on the reported knowledge, the Qur'an and the hadiths, Islamic thought ascribes a moral framework to politics since its ontological understanding brings about its axiological understanding. Admittedly, this moral dimension determines limits, aims, and duties for political power, which is totally incompatible with modern political understanding. I argue that this difference constitutes the main cleavage between Islamic and Western perspectives about politics and thereby legitimation of political power.

2.2. The Concept of Sovereignty

The concept of sovereignty may support our conceptual basis for apprehending the problem of legitimacy in the New Ottoman thought since "by the nineteenth century, sovereignty had become a prerequisite for the pursuit of freedom, justice, and participation in the broader human community."[78]

Sovereignty is the principal trait that distinguishes the state from other societal organizations. In this sense, sovereignty constitutes the core of the state.[79] As a political concept, sovereignty emerged in the sixteenth and seventeenth centuries. For the first time, Jean Bodin used the concept of sovereignty in its modern sense by

[76] The Qur'an, 4:59
[77] Ahmet Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory* (Maryland: University Press of America, 1994), 151–52.
[78] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 224.
[79] Mehmet Ali Ağaoğulları, "Bodin'den Hobbes'a Doğru," in *Sokrates'ten Jakobenlere Batı'da Siyasal Düşünceler*, ed. Mehmet Ali Ağaoğulları (İstanbul: İletişim Yayınları, 2015), 407.

attributing perpetuity to it.[80] However, though sovereignty has been a significant central concept in public law, political philosophy, and political science, it has maintained ambiguity in its connotation. ~~What is clear~~ It is clear that sovereignty as a modern concept, overcame the theocentricity and established a secular, abstract, and superior authority in politics.[81] Therefore, in its basic sense, sovereignty denotes the superior, absolute, and unlimited authority in a country. It gives the right to command, employ the force of the state, i.e., imperium, to the political authority. Strictly speaking, if there is no sovereignty, we cannot talk about any governmental organization.

Sovereignty is also the will that confers legislative function upon political authority. This is the legal dimension of sovereignty. What makes an entity a legal political structure is its function to procure justice in society. This legal order derives its legislative power from a constitutive authority. In a country, the will that grants political power the right to lawmaking is called sovereignty. For Bodin, giving law to subjects is the first prerogative of sovereignty.[82] In this sense, sovereignty is a legal normative concept, which connotes the constituent will of the state.[83] In other words, sovereignty as the constituent will of the state explains the legality of the nature of the state, that is, the legitimacy of establishing a political organization.

Concerning its constitutive and legal dimensions, sovereignty is mostly divided into two types: legal and political sovereignty. Political sovereignty refers to superiority, indivisibility, inalienability, and unlimitedness. In terms of politics, sovereignty is the only and last resort that has the right to command obedience. Legal sovereignty refers to superiority in the jurisdiction, that is, sovereign power establishes the supreme and unchallengeable legal authority over the territory it controls.[84] Legal sovereignty gives the capacity of producing laws to the state, without which a structure cannot be

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[80] Jean Bodin, *On Sovereignty: Four Chapters From The Six Books of the Commonwealth*, trans. Julian H. Franklin (New York: Cambridge University Press, 1992), 1, 3.
[81] Münci Kapani, *Politika Bilimine Giriş* (Ankara: Bilgi Yayınevi, 2007), 58; Cemal Bâli Akal, *İktidarın Üç Yüzü* (Ankara: Dost Kitabevi, 2019), 72.
[82] Bodin, *On Sovereignty: Four Chapters From The Six Books of the Commonwealth*, 92.
[83] Türcan, *Devletin Egemenlik Unsuru ve Egemenlikten Kaynaklanan Yetkileri*, 100, 121.
[84] Heywood, *Key Concepts in Politics*, 37.

conceived as a state.[85] These two aspects of sovereignty, indeed, pertain to its two functions. While legal sovereignty corresponds to establishing rules and regulations, that is, legislation; political sovereignty corresponds to enforcing laws, that is, execution.

Sovereignty is also divided into two types as external and internal sovereignty. Sovereignty itself is a legitimacy issue and these two facets of sovereignty are discussed by the New Ottomans since the Ottoman Empire was undergoing a sovereignty crisis in the nineteenth century. In the modern period, sovereignty became an element that was not only an absolute property of the state but also a property contingent on recognition by the citizens of the state on the one hand, and by other states and their citizens on the other. Therefore, no state, including the Ottoman Empire, could be considered without reference to its place in the international arena.[86] Within this framework, external sovereignty refers to the independence of the state in the international arena concerning its relations with other states. Sovereign is recognized as a legitimate member of international order so long as it is potent to act independently. However, external sovereignty is propped up by internal sovereignty. Internal sovereignty underlies the concept of sovereignty and it is used in two different meanings. The first one refers to its abstract and normative attributes, such as superiority, indivisibility, absoluteness, inalienability, and unlimitedness. In this sense, it explains traits of sovereign power. The second one involves the concrete contents of sovereignty such as lawmaking, declaring war or making peace, coining money, judging in the last sentence, and granting pardon.[87] In their writings in the *Hürriyet*, New Ottomans implicitly discuss the crisis of sovereignty in the Empire through their critics regarding the economic dependence of the Empire to European powers via foreign debts, its impotency to quell internal uprisings, the interference of European powers to the domestic issues of the Empire (specifically, judiciary processes), and the

[85] Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2012), 29.
[86] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 112.
[87] Heywood, *Political Theory: An Introduction*, 90–95; Kapani, *Politika Bilimine Giriş*, 61–62; For a detailed account of the marks of sovereignty see: Bodin, *On Sovereignty: Four Chapters From The Six Books of the Commonwealth*, 46–88.

lack of communication and transportation infrastructure. All these matters concerning internal or external sovereignty, in essence, are a legitimacy problem.[88]

It is understood that sovereignty is a modern concept that arose in the post-Machiavellian period. For the first time, Bodin attributed perpetuity to it independent from the personality of the ruler. Traits such as oneness, indivisibility, absoluteness, and inalienability made it a superior abstract authority apart from God. Besides, as the founding will, it constitutes the legislative monopoly of the state. It also denotes the sole executive authority that implements this legal will. Thus, the sovereign will of the state stands as the God of the gods.[89] In the words of Hobbes, it is the Mortal God. However, this modern secular character of sovereignty does not fit the Islamic thought, and thereby the New Ottomans' political understanding. This pushes us to dwell on how sovereignty is conceived in Islam.

In Islam, the concept of absolute sovereignty, be it in the ruler or in the state, is rejected since society and politics are based on divine revelation. The only omnipotent sovereign over all creation is God. In Qur'anic verse, God says that He is Owner of Sovereignty (*mâliku'l-mülk*) and gives sovereignty (*mülk*) to whom He will and takes sovereignty away from whom He will since He is most capable of everything (*'ala kulli şey'in qadîr*).[90] This demonstrates that all legitimate political orders or rulers are restricted with the divine law, i.e., sharia. In line with this understanding, neither Muslim legists nor political thinkers have ascribed an absolute power to the sovereign in Islamic political thought. It is true that in history, there were jurists who validated the reigns of some absolute rulers once they had ascended to power and stated that it was the religious obligation of subjects as well as a political necessity to obey that established authority. Nevertheless, however much the authority of rulers is exalted, they are subjected to the limitation of sharia.[91] As such, sovereignty does not grant an

[88] Elfenbein, in her dissertation, argues that the New Ottomans put sovereignty problem at the center of their political vision. See: Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878."
[89] Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*, 30.
[90] The Qur'an, 3:26. For other Qur'anic verses regarding the Omnipotent sovereignty of God: The Qur'an, 5:17, 50; The Qur'an, 7:54; The Qur'an, 12:40; The Qur'an, 18:26.
[91] Lewis, *The Political Language of Islam*, 31.

unlimited right to command obedience to political power as in Bodin and Hobbes. In contrast, sovereign power in Islam is just an administrative branch of the state that implements the commands of sharia.

Mentioning the legislative aspect of sovereignty, the sovereign will has no legislative authority in Islam since legislation depends on the two fundamental sources of Islam: the revealed Qur'an and the Sunna of the Prophet. Strictly speaking, legislative sovereignty belongs to sharia, namely God, not to the state. In other words, sharia precedes the state and the government. Accordingly, the state is stripped of its legislative function, which means that sharia-based legislation becomes independent from political authority. The government and the ruler are subordinated to sharia. Hence, the duty of the government is not to legislate new laws but to observe sharia and its implementation.[92] However, there is also human legislation on the basis of the Qur'an and the Sunna. In case of the language of the Qur'an and the hadiths are not clear, unequivocal, and needing interpretation, to solve every new case encountered, jurists who mastered in Islamic law appeal some legal reasoning and interpretation methods, that is, *ijtihad*.[93] But in the last instance, *ijtihad* works within the boundaries of sharia, so does sovereign power.[94]

Given this absolute sovereignty of God over execution and legislation, the owner and source of sovereignty are not distinguished in Islam. God is the sole sovereign dominating whole created beings. However, using this sovereign power in the world is incumbent upon human beings as a divine responsibility. Beginning from the nineteenth century, Western political thought has been circulating among Muslim intellectuals. The notion of sovereignty was reconceptualized in the Islamic way by visiting the legacy of the traditional knowledge. According to Islamic understanding, absolute sovereignty belongs to God, but the institution of the divine sovereign will on

[92] Shahin, "Government," 72–73.
[93] Wael B. Hallaq, *An Introduction to Islamic Law* (New York: Cambridge University Press, 2009), 19, 173.
[94] In this divinely determined legal order, no one can repeal any law. Lewis states that there are many words for law in the technical language of sharia, but there is no word for "enactment", since legislating is not a human activity and is accomplished by God alone through revelation. See: Lewis, *The Political Language of Islam*, 114.

the earth is realized by the Islamic nation, i.e. umma. Thus, while the source of sovereignty belongs to God, the umma becomes the subject who exercises that sovereignty within the limits of the absolute will and sovereignty of God. This divine responsibility of man (*teklîf*) makes human being a vicegerent authority (caliph) on the earth.[95] According to Ibn Khaldun, human beings are God's vicegerents (caliphs) on the earth to procure justice and good morality. To realize God's vicegerency, a socio-political organization is necessary. In this regard, sovereignty belongs to human beings by nature and it is realized through ideas and politics.[96] Thus, sovereignty as the divine responsibility derives from the covenant between God and man, a covenant that gives birth to a political covenant for exercising this obligation. This political covenant, executing the divine responsibility, is conferred to political authority through *bay'at*, which is the articulation of free will of the umma.[97]

To sum up, what Western and Islamic conceptualizations of sovereignty demonstrate is that, in political thought, sovereignty is a central notion that gives an organization the right to govern. But what is remarkable is that political authority justifies absolute sovereign power at the same time. Political power predicates its government on this legitimized sovereignty. In other words, while sovereignty is the pure and absolute form of power, it becomes the contained form of power with the institution of political authority. In modern political theory, without referencing any divine transcendent authority, sovereignty is legitimized through the notion of the social contract. Regarding contractarian theories, people lay down their rights to the ruler by covenant to end the state of nature. In Islam, there is no absolute sovereignty for any government or ruler. Human beings, as God's vicegerents undertaking the divine responsibility, have the right to govern but this is also bounded by sharia. In a sense, political power is established by an ontological covenant between God and man.[98] The right to execute

[95] The Qur'an, 2:30-35; The Qur'an, 33:72.
[96] Ibn Khaldun, *Mukaddime*, trans. Z. K. Ugan, vol. 1, (İstanbul: MEB, 1969), 102-104, 368. cited in Vahdettin Işık, "The Vision of Order and Al-'Umrân as an Explanatory Concept in the Debates on Civilization," in *Debates on Civilization in the Muslim World: Critical Critical Perspectives on Islam and Modernity*, ed. Lutfi Sunar (New Delhi: Oxford University Press, 2017), 117–43.
[97] Ejder Okumuş, *Meşruiyet Ekseninde Din ve Devlet* (İstanbul: Pınar Yayınları, 2003), 185; Türcan, *Devletin Egemenlik Unsuru ve Egemenlikten Kaynaklanan Yetkileri*, 123, 148, 151, 237; Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 106.
[98] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 106.

divine responsibility is transferred to the ruler through election (*bay'at*) by people on the condition that observing sharia. In this way, sovereign authority is impeded from instituting a despotic rule. As such, both perspectives, despite differences in their theory, describe sovereignty as a limitless superior force that should be legitimized by political power.

2.3. The Concept of Authority

Having examined the concepts of sovereignty and power, now, I focus on the concept of authority. The notion of authority has a broad sense. It may refer to a body or a person that has sufficient competence in a particular subject. This competence vests that body or person with a capacity to influence, guide, control, and shape ideas or activities of others. In politics, authority refers to the legitimized political structure that has control over a population living in a territory through its jurisdiction, i.e. political power. For this reason, some use the term political power in lieu of authority. Similarly, I use both terms in the same meaning.

While sovereignty denotes the absolute and superior authority that gives the right to rule, political power basically denotes one's ability to influence the behaviors of another. After absolute sovereignty being justified and brute power being tamed, authority emerges as the right to rule. Whereas power expects compliance from people through pressure, threats, coercion, or violence; authority founds itself on a popularly acknowledged right to rule. Thus obeying authority becomes a legal or moral obligation. In other words, authority means the legitimized form of power.[99] Authority is distinguished from the crude form of power with legitimation, a legitimation that depends on either some specific rules, consensus or consent of people.[100] Then authority validates the use of power by explaining or justifying it through a set of legal or moral rules or a covenant between the ruler and ruled. In this way, authority

[99] Heywood, *Key Concepts in Politics*, 15; Heywood, *Political Theory: An Introduction*, 129–30.
[100] Nur Vergin, *Siyasetin Sosyolojisi* (İstanbul: Doğan Kitap, 2013), 46; Beetham, *The Legitimation of Power*, 49.

transforms absolute sovereignty and pure power into the publicly recognized right to rule.

In modern political theory, one of the most defining traits of political power is being the sole and absolute superior authority in a country. Beginning from the early sixteenth century, the modern state has been depicted in accord with this understanding. Machiavelli, in *Il Principe*, took the first step toward thinking of the state and politics as superior autonomous concepts independently from religion and other spheres of life. Subsequently, the state was separated from the body of the prince with Bodin's conceptualization of perpetual sovereignty. Eventually, Hobbes' *Leviathan*, which is the Mortal God, set forth the state as supreme sovereign power distinct from both the personality of the ruler and the religious moral values.[101] Thus the idea of the modern state began to rise as an institutional complex body that claims the supreme and absolute political authority within a defined territory. As the highest authority in a country, the modern state established its monopoly over legislation, execution, jurisdiction, and the legal use of physical force.[102] In this sense, the modern state appeared merely as qua state, not an instrument serving God's divine will.

Contrary to modern political theory, in Islam, all authority derives from God because He is the sole creator of the whole existence. This ontological understanding depending on the Muslim profession of faith (shahada) "there is no God, but God and Muhammad is His messenger" impacts political understanding as well. Literally, "Islam" means submission to God's authority alone. In the socio-political level, as the divine responsibility, authority is represented by the umma since the umma is considered infallible. The authority of the infallible umma rests on a famous hadith of Prophet Muhammed "My community (umma) will never agree on error." For this reason, in the political sphere, authority is constituted with *bay'at*, which reflects the infallible authority of the umma. As for the legal sphere, the authority of the umma is materialized through the *ijma* (consensus) of the *mujtahids* (masters of Islamic law

[101] In the last heading of this chapter, I give a more detailed account of this transformation.
[102] Colin Hay and Michael Lister, "Introduction: Theories of the State," in *The State: Theories and Issues*, ed. Colin Hay, Michael Lister, and David Marsh (London: Palgrave Macmillan, 2006), 5–7.

who have the capacity of legal reasoning).[103] Likewise, the Qur'an provides justification for the proper use of authority by the umma, such as Prophet Muhammad's consultation with his Companions.[104] Separating God's absolute sovereignty from political power, Islam indicates that notions of sovereignty and political power are considered differently. In other words, in Islamic political thought, the state does not hold its own source of legitimacy as in the modern state. There is a distinction between the source of politics and political power,[105] which means political authority cannot bring legitimacy to itself. As such, it is understood that political authority in Islam does not derive from the secular concept of absolute sovereignty. Hence the modern concept of the state, as the legitimized form of absolute sovereign power, did not occur in the Islamic world since Muslim thinkers did not disjoin religion from the state as their European counterparts.

Having understood that the concepts of authority or political power are used for the legitimized form of pure power, and the absolute sovereignty materializes as a justified order in the political power. Now, I focus on how that pure power is legitimized in the subsequent section.

2.4. The Legitimacy of Political Power

Legitimacy as one of the major concepts in political thought explains the raison d'être of state. It justifies political order by referring to some set of knowledge and values. Strictly speaking, legitimacy grounds the foundation for politics. All political authorities therefore, seek for legitimacy to maintain their existence. Otherwise, without legitimation, political power cannot exist since naked, pure, or brute form of power is unbearable for people. Then it becomes clear that "the entire house of cards

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[103] Recep Şentürk, "Between Traditional and New Forms of Authority in Modern Islam," in *Tradition and Modernity: Christian and Muslim Perspectives*, ed. David Marshall (Washington DC: Georgetown University Press, 2013), 45–56, accessed January 7, 2021, https://www.jstor.org/stable/j.ctt32b68d.9. Also, in Islam, there is not a specific organized authority to interpret divine revelation, but all Muslims, men or women, are responsible to study Qur'an. The only specialized authority to interpret the Qur'an and hadiths is ulema, which is a loose and unorganized class in Islamic society.
[104] The Qur'an, 3:159.
[105] Türcan, *Devletin Egemenlik Unsuru ve Egemenlikten Kaynaklanan Yetkileri*, 207.

is founded on legitimacy because, without legitimacy somewhere, it remains true that power is perilous, costly, unstable."[106]

The word legitimate in English originates from Medieval Latin *legitimatus* that means "to make lawful", "declare to be lawful", or from Latin *legitimus* that means "fixed by law" and "in line with the law."[107] As for Islam, in Arabic, the word legitimate originates from the word *shara'a* that means "to reveal", "to explain", "to embark on", "to enact religious law", and "to make laws".[108] Given these definitions in both languages, its meaning includes a legal dimension. However, in Arabic, being legitimate also means complying with religious rules, which indicates its relation to morality.

As for the concept of legitimacy, in the broadest sense, it denotes explanation, validation, and justification of a given situation, act or structure in the eye of society.[109] According to this definition, I think, legitimacy is embedded in our whole social relations. Put it more clearly, legitimacy is everywhere. Our attitudes and behaviors are tested for legitimacy at any moment in society. The criterion of this legitimacy test is mainly determined by prevalent traditions, laws, ideologies, religion, socio-cultural norms, or rules of etiquette in society. For this reason, in daily life, wittingly or unwittingly, we are attentive to act legitimately in our social relations.

In the political sphere, legitimacy transforms crude power into justified authority. It explains, validates, and justifies the right to govern that political power holds. In doing this, legitimacy answers the question of why some people rule and others, i.e. the ruled, subject to those who rule. Legitimacy is thus the mutual relation between the ruler and the ruled. To augment his/her political legitimacy, the ruler should observe socially

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[106] Zelditch Jr., "Legitimacy Theory," 328.
[107] *Online Etymology Dictionary*, s.v. "Legitimate," accessed June 29, 2021, https://www.etymonline.com/word/legitimate.
[108] Bilal Aybakan, "Meşrû," in *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, accessed October 17, 2020, https://islamansiklopedisi.org.tr/mesru.
[109] Ejder Okumuş, "Meşruluğun Sosyolojisi," in *Meşruluğun Toplumsal Gerçekliği*, ed. Ejder Okumuş (İstanbul: İnsan Yayınları, 2010), 14.

accepted norms and values. In this way, legitimacy transforms the subjection of people to the ruler from an unexplained routine into ethically and normatively justified political obligation. By making obedience the publicly accepted obligation, legitimacy establishes an effective and ordered government where subjects feel secure.[110] In order to make political power legitimate socially, the ruler observes beliefs, norms, and values to which subjects attribute importance. This is what makes legitimacy a mutual process between the ruler and the ruled.

Legitimacy is not a unilateral process. If the right to govern is the core of the definition of legitimacy, we can deduce that legitimacy denotes a reciprocal relationship since governing necessitates both the ruled and the ruler. Hence, legitimacy cannot be derived without considering the endorsement of the ruled. In this reciprocal relationship, although the exact equality of both sides is not at stake, the mutual nature of legitimacy requires an agreement between the ruler and the ruled to build a legitimate government. This means that the dominant and the subordinate draw a common framework to constitute a justified authority. Within this common framework, on the one hand, the ruler garner legitimacy, on the other hand, subordinates control the ruler as the legitimacy-conferring side. The contour of this common framework is determined by socially accepted beliefs, values, and norms. In other words, legitimacy means fitting to the epistemological and axiological imagination of society.[111] Observing social norms, political power founds a philosophical, ethical or moral ground on which it can justify itself. On that ground, acts and commands of power become normatively binding for people. Thus both the right to govern and the legitimacy of political power are maintained by social reality being taken into consideration. Otherwise, political power cannot establish its legitimate rule if it is not endorsed by individuals or communities over which it rules. Likewise, people cannot live in peace and security without the rule of law and a

[110] Karen Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (New York: Cambridge University Press, 2008), 98; Ahmet Okumuş, "Modern Siyaset Düşüncesinde Meşruiyet Fikrinin Serencamı," *Divan: Disiplinlerarası Çalışmalar Dergisi* 1, no. 8 (2000): 105–22, accessed September 15, 2020, https://dergipark.org.tr/tr/download/article-file/254360; Karateke and Reinkowski, "Introduction," 1.
[111] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 112.

legitimate order to which they transfer their rights. As such, we can deduce that legitimation is a reciprocal process between the ruler and the ruled.

In legitimation theory, there is a discussion on what political authority should base its right to govern to expect obedience from subordinates: consent of people or exercising coercion. Let us touch upon briefly both ways of legitimation.

Determining the main issue of legitimacy as justifying the right to rule, we accept that legitimation has a reciprocal nature. This mutuality state indicates that the consent of people is involved in legitimacy.[112] Consent means persuading people to obey the power. To the extent that government respects the rights and values of individuals or communities and ensures a safe and free environment to perform their rights and beliefs, people become more consented to lay down their political rights to the power. Also giving consent requires a free environment so that people act independently with respect to subjecting power; namely, people should be counted as free and independent.[113] Consent creates a feeling of obligation about obeying authority,[114] and thus obeying political authority becomes a duty that subordinates willingly fulfill. Through this feeling of obligation, governors reap the obedience of people easily. This makes the garnering consent of people safer and less costly than using force for

[112] According to Beetham, some theorists claim that consent is a modern concept for legitimation, which is mostly highlighted in liberal or individualist approaches and therefore it cannot be proper to understand legitimacy in pre-modern or traditional societies. Likewise, I think that such a claim misses the core of the issue of legitimacy by boiling down it to liberal or individualist theories and thus ignoring the originality of other cultures. Other societies may have used different terms for consent or they may have implicitly pointed out the importance of regarding public opinion. For instance, in Ottoman political thought, Taşköprîzade (d.1561) lists the rights of Muslims and non-Muslims and strenuously advises the sultan to observe these rights. Observing the rights of people and fulfilling them is a duty of the sultan. Otherwise, the non-fulfilment of his duty will be punished by God hereafter. Moreover, I think, the circle of justice (*dâire-i adalet*), which is a frequently cited idea in Islamic political thought, indicates the significance of the ideas of people about the political order. See: Beetham, *The Legitimation of Power*, 18; Taşköprîzâde, *Şerhu'l Ahlâki'l-Adudiyye* (İstanbul: Türkiye Yazma Eserler Kurumu Başkanlığı, 2014), 248–52; Taşköprîzâde Ahmed Efendi, *Ahlak ve Siyaset Risaleleri* (İstanbul: İstanbul Medeniyet Üniversitesi Yayınları, 2016), 48–66.

[113] Beetham, *The Legitimation of Power*, 60. As for the topic of this work, the New Ottomans insist on freedom for all in Ottoman society. They frequently call to the Sublime Porte for recognizing freedom as a political right that people bear intrinsically. Their insistence on freedom should not be considered independently from their ideas about legitimation. I elucidate their ideas on freedom in Chapter 4.

[114] Coicaud, *Legitimacy and Politics: A Contribution to the Study of Political Right and Political Responsibility*, 13.

expecting obedience from people for the government. Both governors and subordinates enjoy the consent-based understanding of legitimation.

Political power may appeal to the use of force to secure its authority. This coercion-based interpretation of legitimation underscores the importance of security to maintain order. In contrary to the consent-based interpretation of legitimacy, the coercion-based approach refers to the use of force and oppression in legitimation instead of voluntary obedience of people. Mutuality of consent fades away and gives its place to the absolute authority of the sovereign. Because there is no reciprocity between the ruler and the ruled, power is not restricted by social norms and values; namely, legitimation is perceived as a unilateral process. According to this absolute and unlimited understanding, coercion makes obedience to authority as the compulsory duty of people. Forcefully subjugation replaces convincing people for recognizing the right to rule. In the coercion-based understanding, because the state is the only agent, power justifies itself without any concern to obtain the consent of people. Putting the state at the center, the only concern of the coercive power is to keep the present order safe for its interests.[115]

Should political power make a choice between consent and coercion for deriving its legitimacy? I argue that political power merely depends on neither consent nor coercion. There is a middle way which indicates that legitimation has a multiplex structure. Power should both convince and force people to obey its rules and commands.

[115] Halis Çetin, "Siyasetin Evrensel Sorunu: İktidarın Meşruiyeti-Meşruiyetin İktidarı," *Ankara Üniversitesi SBF Dergisi* 58, no. 3 (2003): 61–88; Halis Çetin, "Siyasal İktidar ve Meşruiyet: Meşruiyetin Tipolojisi, Fonksiyonları ve Araçları" (Gazi Üniversitesi, 2001), 66–71. Halis Çetin describes, on the one hand, consent-based legitimacy as libertarian legitimacy, on the other hand, coercion-based legitimacy as constituent legitimacy. The coercion-based approach aims to transform the mutuality in the nature of legitimacy to unilateral. While consent-based understanding draws on free individuals and the constitutionally restricted state, coercion-based understanding draws on authoritarian and totalitarian ideologies. For him, power cannot be legitimized through coercion. Strictly speaking, the coercion-based understanding amounts to a deformed legitimacy.

Likewise, Zelditch mentions the multiplex structure of legitimacy. For him, legitimation of power is a complex process that has multiple levels. In his consent-based approach, the multidimensional nature of legitimacy is explained through concepts of propriety and validity. These concepts refer to norms, values, practices, or beliefs that are socially accepted but at different levels. While propriety refers to approving of legitimacy at the individual level, validity refers to approving of legitimacy at the group level. Both propriety and validity affect the stability of authority through compatibility with widely accepted social norms. However, validity is more influential than propriety since it accentuates collective approval of political power. Incompatibility to social norms and practices may damage individual beliefs in the propriety of authority but beyond the individual level, others may believe the propriety of authority. Therefore, validity underpins the influence of propriety; i.e. propriety is effective when validity is present. Moreover, validity has two functions as authorization and endorsement, which indicates hierarchal levels of legitimation. While the ruler authorizes the use of force through its sense of what is proper, subordinates endorse that authorization. Thus social norms, values, or practices regulate the use of power if both authorization and endorsement create validity.[116] To sum up, propriety, validity, authorization, and endorsement collaborate for the legitimation of political power. This demonstrates the multidimensionality in the nature of legitimacy theory.

As mentioned at the beginning of this section, the meaning of legitimacy contains a legal dimension. For this reason, one can claim that legitimacy is equivalent to legality, but it is not. The way of being legitimate passes through justice, which is the essential condition of being a legitimate authority. Because a just order is procured by making laws, legislation becomes an indissociable ingredient of legitimacy. Legality amounts to acknowledging the rule of law in the conduct of the state. According to the positivist approach, there is no distinction between legality and legitimacy. Legitimate order is sustained by abiding laws in administration.[117] Weber, in his types of legitimacy, states that legality precedes tradition and charisma in modern politics. However, laws may not bring legitimacy to political order alone. They just ground procedural and

[116] Zelditch Jr., "Legitimacy Theory," 328–37.
[117] Kapani, *Politika Bilimine Giriş*, 88.

mechanistic levels of legitimation, but legitimacy means more than conforming to laws and procedures. Widely accepted social norms, beliefs, values, practices, traditions or economic expectations of society also contribute to legitimation. Accordingly, the problem of legitimacy transcends legality. Legality, then, constitutes only one dimension of the legitimacy of political power.

As for the Islamic perspective concerning the relation between legality and legitimacy, in Arabic, which is the lingua franca of Islamic law, there are no different words for legal and moral. As I will discuss in detail in the last heading of this chapter, by virtue of the principle of tawhid, there is no distinction between *is* and *ought*, fact and value, real and ideal, and therefore moral and legal in Islamic thought. For this reason, the legal dimension goes hand in hand with the normative dimension of legitimacy. This indicates that the legitimacy of political power cannot be boiled down to legality alone.

Emphasizing the legal dimension of legitimacy is derived from the shift in legitimacy from values to rationality. With the divorce of legitimacy from normative references, procedural and mechanistic understanding pervaded in legitimacy theory. As a consequence of this distinction between morality and politics, the normative dimension of legitimacy was set aside. At the same time, bureaucratization and rationality advanced in the modern state with the dissolution of traditional political institutions. Rationality-based new modern bureaucracy laid emphasis on methods, procedures, and mechanisms rather than content in the issue of legitimacy. Mechanisms and formal procedures controlling socio-political life occupied the central place in legitimation. Thus modern politics began to focus on method rather than foundation and goal in legitimacy.[118] Hence, in modern political thought, how to legitimize political power replaced the question of why political power should be legitimized.

There is a relation between legitimacy and institutionalization. Legitimacy is derived and conferred through institutions and the New Ottomans underline this institutional

[118] Okumuş, "Modern Siyaset Düşüncesinde Meşruiyet Fikrinin Serencamı," 105–106.

aspect of legitimacy as well. Being institutionalized or non-institutionalized refers to, in turn, legitimacy and illegitimacy.[119] For instance, justice, which is indispensable for being legitimate order, is dispensed through the judiciary; security is ensured by the legal organization authorized with the use of force such as police and military; public opinion is represented through parliament in modern democracies, and through local, confessional, popular assemblies, or guilds in traditional societies. Beyond that, educational and religious institutions, press, radio, television, literature, art, and so on work as ideological state apparatus that legitimizes the order.[120] All these demonstrate how institutions work for legitimacy. The New Ottomans, too, frequently call on establishing a consultative assembly composed of elected members to check the Sublime Porte politically, legally, and economically in the name of people.

Institutions indicate the mechanistic dimension of legitimacy with designated procedures for the use of power. Institutions, on the one hand, define terms and conditions for ascending to power, on the other hand, check those who are in authority whether they break the previously legislated laws. For instance, in Western political thought, ideas of consent and contract reflect the mechanistic understanding that gives weight to procedures instead of values.[121] In other words, institutions oversee the implementation of normatively prescribed rules.[122] Thus, the mechanistic dimension comes to the fore in legitimation.

2.4.1. Sources and Reproduction of Legitimacy

Without seeking for legitimacy, all authorities are doomed to perish. That is to say, legitimacy is ontological for political power. Therefore, political power is always in

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[119] Ejder Okumuş, *Dinin Meşrulaştırma Gücü* (İstanbul: Ark, 2005), 15.
[120] H. Birsen Örs, "İdeoloji: Karmaşık Dünyayı Anlaşılır Kılmak," in *19.Yüzyıldan 20.Yüzyıla Modern Siyasal İdeolojiler*, ed. H. Birsen Örs (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2014), 24.
[121] Okumuş, "Modern Siyaset Düşüncesinde Meşruiyet Fikrinin Serencamı," 116.
[122] This does not mean that contractarianism does not appeal to moral values in legitimizing political power. In the moral theory of contractarianism, morality stems from the idea of contract or mutual agreement. Contractarians avoid grounding politics in either divine will or the perfectionist ideal of human nature. But, they emphasize the significance of contracts in securing political order. For a more detailed discussion about the moral dimension of contractarianism see: Ann Cudd and Seena Eftekhari, "Contractarianism," in *The Stanford Encyclopedia of Philosophy*, accessed July 3, 2021, https://plato.stanford.edu/entries/contractarianism/.

dire need to derive legitimacy to justify its right to govern since legitimation is not one-off construction. Political power should provide a perpetual explanation, validation, and justification for convincing people to endorse its right to govern. In other words, power needs to reproduce its legitimacy continuously since the consent of people for obeying power cannot be considered granted.[123] For this reason, those who govern have to renew their explanation of why they bear the right to govern. It means that legitimation requires a continuous effort. Reproduction of legitimacy repeats and reminds legitimator explanations. Through this continuous reproduction, the legitimacy of power is sustained for generations. Specifically, in the social crisis periods, reproduction of legitimacy becomes crucial since the legitimacy of power is mostly battered.[124]

The New Ottomans also lived in such a crisis period. Their intellectual effort, I argue, can be read as an effort for reminding legitimizing elements and reproducing legitimacy of the moribund empire. Their articles in the *Hürriyet* can be considered as an attempt to reproduce the legitimacy of the Empire in part due to their invoking Ottoman history and tradition in part due to their theorization of a new legitimacy understanding in line with that tradition.

Legitimacy gives an explanation and justification to political power. These two aspects of legitimacy indicate that legitimation includes both knowledge and value. In other words, legitimation has cognitive and normative dimensions. On the one hand, it ascribes the normative dimension to actions of power through value-laden statements. On the other hand, these normative statements imply a set of knowledge that explains the meaning of actions. Even, knowledge precedes values in legitimation.[125] Speaking with philosophical terms, axiology originates from a particular epistemology. The essence of political legitimacy cannot be grasped without considering the

[123] Ahmet Öztekin and Hülya Öztekin, "İktidarın Meşruiyeti ve Rıza Üretimi: Masallardan ve Mitlerden Kitle İletişimine Toplumsal Bilincin İnşası," *OPUS Uluslararası Toplum Araştırmaları Dergisi* 16, no. 30 (2020): 2924, accessed December 8, 2020, doi:10.26466/opus.758822.
[124] Okumuş, *Meşruiyet Ekseninde Din ve Devlet*, 40.
[125] Peter L. Berger and Thomas Luckmann, "Legitimation," in *The Social Construction of Reality: A Tratise in the Sociology of Knowledge*, ed. Peter L. Berger and Thomas Luckmann (London: Penguin Books, 1991), 111; Okumuş, *Dinin Meşrulaştırma Gücü*, 24.

epistemological understanding. Therefore, this epistemologico-axiological dimension is essential to validate political power.[126] Knowledge and values, then, produce necessary elements for the legitimation of political power.

Regarding multiple levels of legitimation, Karateke classifies legitimacy as normative and factual. Normative and factual aspects of legitimacy are closely intertwined and support each other. According to this classification, political authority appeals to normative values and concepts, which concern people only to a limited degree due to their abstract nature. Normative way of legitimation constitutes philosophical and theoretical grounds of legitimacy by focusing on *ought* rather than *is*. For this reason, it is mostly discussed among the political elite, policymakers, political philosophers and theorists, intellectuals, and the ulema and preachers in the mosques in Islamic civilization. Normative legitimacy founds pillars on which political thinking and structure rest through concepts, language, political rhetoric, ceremonies, and symbols it produced. However, because the normative dimension discusses politics through abstract notions, it is insufficient to explain the legitimacy of power to common people, except in times of crisis. Therefore, it needs to be underpinned by factual measures. At this point, factual legitimacy, which builds legitimacy through concrete observable actions, comes into being. Factual legitimacy denotes de facto actions that political power takes to respond demands of people. Public services such as providing education, healthcare, security, and building communication and transportation infrastructures are factual actions that foster normative claims of political power. In this way, factual and normative ways of legitimation complement each other. For a political power, then, using both normative and factual elements to prop up its authority is the ideal way of garnering legitimacy.[127]

Meanwhile, the multidimensionality of legitimation becomes visible by normative and factual aspects of legitimacy; while the first aspect is examined in political philosophy or theory, the latter is examined in political science.

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[126] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 111.
[127] Karateke, "Legitimizing The Ottoman Sultanate: A Framework for Historical Analysis," 36.

If we mention legitimation, then, some actors undertake the reproduction of legitimacy. These actors are called legitimator actors. In Ottoman society, the ulema, who are defined as heirs of prophets in a famous hadith, had a legitimator role.[128] Particularly, with the firm establishment of the post of şehyülislam in the sixteenth century, their influence increased in legalizing dethronements and enthronements of sultans by issuing fetvas. Also, the preachers in mosques and sheiks in Sufi lodges can be considered other legitimator actors. I argue that, with the emergence of newspapers in the nineteenth century, nascent modern intelligentsia gathering around the newspaper bureaus became the new legitimator figures in the Ottoman public and the New Ottomans were no exception in this regard.

For producing legitimacy, from the beginning of the history of humanity, religions have played a crucial role by prescribing what is good and evil. Determining what is good and evil, religious prescriptions present norms about attributes of human deeds. These norms determine what is legal or illegal and moral or immoral; namely, legitimate and illegitimate. This legitimizing function of religion guides humans in their daily lives. Coming to the political sphere, religion operates in convincing people to obey the rulers and governments.[129] The opposite is also the case; that is, religion restricts the rulers in the conduct of the state. For instance, in Islam, the condition of being legitimate is observing the rules of sharia. In brief, legitimation has been drawing upon religion from ancient times, specifically in the value-dependent normative level of legitimation.

The fundamental element of legitimation is justice, which is the basic duty of the state to be fulfilled. Justice and power are closely related concepts that complete each other and operate harmoniously.[130] Justice constitutes both normative and factual dimensions of legitimacy. While its determinative aspect about what is just or unjust indicates the normative dimension of justice, practices for procuring justice in society

[128] Okumuş, *Meşruiyet Ekseninde Din ve Devlet*, 29.
[129] Ibid., 84.
[130] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 156.

through juridical institutions indicate the factual dimension of justice. Justice also appeals to some notions like religion, tradition, morality, law, freedom, and equality as its sources.[131] The New Ottomans, too, utilize these notions for legitimation since justice is a key term for legitimation in Islamic and Ottoman political thoughts. Besides, justice is considered as the basis of the rulership. For Fakhr al-Din al- Razi (d.1209), who is a prominent commentator on the Qur'an, justice is a concept that elucidates the entire Qur'an.[132] Furthermore, in Islamic political thought, because the ruler will be punished by God hereafter in any lack in the fulfillment of justice, rulership is described as a perilous profession. The ruler gains legitimacy if only he procures justice, which is a divine obligation. Consequently, it would be proper to say that justice and power mutually feed each other in the legitimation of power.

Tradition is another source for producing legitimacy. Tradition denotes customary ideas, behaviors, and activities that are accepted by the majority of society.[133] In legitimation, tradition attributes historical origin and continuity to political power. It brings past to present and aims to maintain the future with the guidance of the historical experience.[134] These retrospective and prospective aspects of tradition point out its normative dimension. Tradition reminds some customary values, concepts, and institutions. In Ottoman political thought, the notion of the old law (*kanun-i kadîm*) is repeated in many political writings as a traditional legitimator element denoting laws made by the great sultans.[135] The New Ottomans, likewise, appeal to the Ottoman history and heritage when discussing the legitimacy of power. On the other hand, some claim that traditions are unchanging, which is a misconception. If tradition means merely the transmission of unchanging elements or sheer habits, then, it cannot sustain itself against any change of circumstances.[136] However, traditions have a nature that keeps up with the necessities of the present time. Therefore, traditions currently

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[131] Ejder Okumuş, "Meşruiyet Ekseninde Adalet," in *Meşruluğun Toplumsal Gerçekliği*, ed. Ejder Okumuş (İstanbul: İnsan Yayınları, 2010), 190.
[132] Shahin, "Government," 70. Shahin also states that the Qur'an contains about 300 verses that directly relate to justice and a similar number dealing with injustice. This demonstrates the justice occupies central place in Islam.
[133] Vergin, *Siyasetin Sosyolojisi*, 71.
[134] Çetin, "Siyasal İktidar ve Meşruiyet: Meşruiyetin Tipolojisi, Fonksiyonları ve Araçları," 107–8.
[135] Concerning the notion of the old law in Ottoman political thought see: Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 441–44.
[136] Marshall G. S. Hodgson, *The Venture of Islam: Conscience and History in a World Civilization 1: The Classical Age of Islam* (Chicago: The University of Chicago Press, 1974), 79.

continue to confer legitimacy to the actions of individuals and institutions as well as political power.

In the modern era, science began to denote more than mere scientific concerns. Scientific discourse pervaded all spheres of life including economy, sociology, and politics. Compliance with the laws of science began to be sought in different fields of life. Thus, science became a legitimator factor and its influence on the political sphere can be seen in Ottoman society. Science draws upon views of expert authorities and technical understanding to explain rules of social organizations. Hence, scientific legitimation excludes normative justification in politics. However, Beetham, in his schema of legitimacy, places science under normative legitimation as the external authoritative source of legitimacy that replaced transcendent justification of religion in the process of secularization. However, he states that science is incapable of generating normative principles.[137] Science, then, provides a casual understanding that focuses on explanation rather than justification. I think that implications of scientific discourse can be observed in Ottoman political thought. In this regard, I argue that the concept of progress (*terakki* or *ilerleme*) includes a legitimizing function in social and political spheres. In chapter 4, I deal with the New Ottomans' use of scientific discourse for legitimation in detail.

Another legitimizing element introduced in the modern era is the principle of popular sovereignty, which conditions the consent of the people. In modern political thought, the principle of popular sovereignty is expressed with the notion of the social contract that ends the state of nature to set up a commonwealth for the common good. The idea of social contract accentuates the consent of people as the source of legitimacy. Consent does not only legitimize political power but also reproduces its rightfulness by providing perpetuity for power.[138] Locke makes consent the basis of legitimate power in his political theory. For him, popular sovereignty conditions freedom and

[137] Beetham, *The Legitimation of Power*, 71–74.
[138] Filiz Zabcı, "John Locke: Siyasal Liberalizmin İlk Adımları," in *Sokrates'ten Jakobenlere Batı'da Siyasal Düşünceler*, ed. Mehmet Ali Ağaoğulları (İstanbul: İletişim Yayınları, 2015), 497.

equality of men to give their consent by the compact.[139] However, one who underscores popular sovereignty strenuously is Rousseau in modern political thought. According to him, legitimate social order is based on agreed conventions since might does not make power right.[140] Thus, the principle of popular sovereignty first appears in modern political thought with contractarian ideas and makes general will the source of legitimate politics.

According to Berger and Luckman, there are four levels of legitimation. At the end of the four-level legitimation process, there occurs the symbolic universe for legitimacy. First, incipient legitimacy denotes the phase that linguistic objectifications of human experience are transmitted from one to another. This level founds intellectual ground on which future theories rest. In the second level, rudimentary theoretical propositions of legitimation emerge. There are sets of objective meanings that explain pragmatic and concrete actions, such as proverbs, moral maxims, and wise sayings. In the third level, explicit theories of legitimation appear. There is a complex, comprehensive, differentiated body of knowledge for legitimation, namely, specialized legitimizing theories. At the end of objectification, sedimentation, and accumulation of knowledge, symbolic universes come into being, in the fourth level. The symbolic universe works as the matrix of legitimation discourses by gathering all socially objectivated and subjectively real meanings. The symbolic universe provides a comprehensive framework to attribute meanings to human deeds, that is to say, legitimizes their actions. It is a cognitive construction of humans that operates at individual, social, and institutional levels. Theory is also included in this cognitive construction. Through theories it constructed, symbolic universes work for universe-maintaining when society encounters another society having a different history, namely, a different symbolic universe. In this confrontation, both societies use their symbolic universes to protect themselves. However, the triumphant is determined not by the theoretical strength of the symbolic universe, but by the weapons they have.[141]

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[139] John Locke, *Second Treatise of Government; and a Letter Concerning Toleration* (Oxford: Oxford University Press, 2016), 8–13, 43–49.
[140] Jean-Jacques Rousseau, *The Social Contract*, trans. Christopher Bettes, (New York: Oxford University Press, 1999), 46, 49.
[141] Berger and Luckmann, “Legitimation,” 112–35.

For me, in the nineteenth century, the Ottoman symbolic universe of legitimation confronted the European symbolic universe and this can readily be seen in the New Ottoman thought. However, the Ottomans' universe is not only a human construction but also a divine construction.

2.4.2. Legitimacy Crisis

Legitimacy is a mutual process between the ruler and the ruled. Political power should substantiate the right to rule that it holds by appealing to some sets of knowledge and values. Knowledge and values set up plausible and persuasive explanations and justifications for those who govern in order to validate the rightfulness of their authority. These explanations and justification may originate from divine revelation, socially objectivated or subjectively meanings. What is of prime importance here is that power must conform to socially accepted norms. In this way, the rulers establish a surefooted authority. Otherwise, if it does not observe social reality, legitimacy of power comes under question regarding its rightfulness, which leads to the delegitimation of power, that is, legitimacy crisis.

How does the legitimacy of political power wither away? What makes legitimate authority illegitimate? Being legitimate means conforming to laws, rules, and socially accepted norms and values. The process of being illegitimate, then, begins when political power cannot achieve its purposes and expectation of society.[142] Erosion of legitimacy, thus, occurs when political power either does not obey laws and violates them deliberately or does not fit the norms widely accepted in society. However, there is another reason for the loss of legitimacy: the understanding and belief of legitimacy in society might change or decay within time and this causes the delegitimation of power. Such a change in the understanding of legitimacy generates various legitimacy discussions in society, which might engender a clash of different legitimizing discourses.[143] In other words, when the symbolic universe of legitimation dissolves and encounters another symbolic universe. Legitimacy crisis also outbreaks when

[142] Beetham, *The Legitimation of Power*, 28.
[143] Kapani, *Politika Bilimine Giriş*, 90, 95.

agreed principles between the ruler and subordinates about the legitimacy of power are broken.[144] Another reason for diminishing legitimacy is that government cannot meet the interests of subordinates.[145] As such, it would be correct to say that a legitimacy crisis arises when a political power does not set up its right to rule based on the consent of people, but coercion or usurpation.

Waning legitimacy certainly brings about its opponents since political power cannot respond to the demands of society. The New Ottoman movement emerged in such a context in the nineteenth century, a century when the legitimacy of the Ottoman Empire was on shaky ground. To the degree that legitimacy of power diminishes, opposition gains strength and wants to accede power.[146] In the nineteenth century, Ottoman Empire underwent a sovereignty crisis. The Empire was far from the glorious victories of the past. It was unable to respond to neither external occupations of many parts of it by the European Great Powers nor the internal uprisings. In terms of economy, for the first time in its history, the Empire borrowed debt from abroad. It promulgated different reform programs such as the Tanzimat Edict and the Reform Edict of 1856 to prevent nationalist separatist movements and intervention of European powers to domestic issues of the Empire. All these indicate that the Empire was in a legitimacy problem. The New Ottomans were aware of the predicament of the Empire. For them, the misconduct of the Sublime Porte was consolidating the crisis of the state. For this reason, they mostly criticized the oppressive and arbitrary rule of the bureaucrats of Sublime Porte, specifically Âli and Fuad paşas. They accused them of undermining the social legitimacy of the state. However, the New Ottomans did not intend to acquire power since their movement was not a political opposition but a dissent about how to reorder and renew the moribund empire. Indeed, they reacted in a period when the Empire was inept in meeting essential duties of the statehood.

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[144] Okumuş, *Dinin Meşrulaştırma Gücü*, 35–36.
[145] Beetham, *The Legitimation of Power*, 109.
[146] Okumuş, *Meşruiyet Ekseninde Din ve Devlet*, 47.

2.5. The Bedrock of Differences in Legitimacy Discourses of Islamic and Western Political Thoughts

To comprehend the New Ottoman thought on the legitimacy of political power, we should probe into what essentially differentiates modern Western political thought from Islamic political thought. If we remember that the New Ottomans carry the banner of the first intellectual movement introducing Western political concepts into the Ottoman society, such an inquiry becomes crucial for the scope of this work.

The formation of modern political thought can be dated back to the early sixteenth century. But, before explaining the florescence of modern political thought, we should answer the question of what makes modern political discourse different from the political thought of the pre-modern period. According to Davutoglu, in the post-Renaissance era, a new intellectual paradigm began to emerge by virtue of the development of nature-centered cosmology and anthropocentric epistemology. Theocentric ontology of classical ages faded away in time and gave its place to humanized knowledge. This humanization of knowledge engendered epistemologically defined ontology, i.e. epistemology became the center of philosophy. In his book investigating the origins of Western and Islamic weltanschauungs and their impact on their political perspectives, he argues that the development of the heliocentric conception of the universe and the new astronomy led to the occurrence of this new nature-centered paradigm. This nature-centered cosmological understanding decentered God and man in thought. This was a radical breaking point in medieval physics centering man in the universe and teleologically subordinating whole nature to him. By the passage of time, as a result of this paradigmatic transformation, the nature-centered and anthropocentric philosophy substituted the theocentric ontology and revelation as a source of knowledge.[147]

[147] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 11, 25–26, 37–39; Syed Muhammad Naquib Al-Attas, *Islam and Secularism* (Kuala Lumpur: Art Printing Works Sdn. Bhd., 1993), 35–38.

Of course, some political thinkers maintained theorize politics by referring to religion in the West from the early modern period onward, but there occurred also some political thinkers who penned their political ideas without referring to religion. The second did not occur in the Muslim world. This difference distinguished the modern Western political perspective from the Islamic one. Now, I want to touch upon some Western political thinkers who are seen as exemplars of this paradigmatic change to understand differences in legitimacy discourses of Islamic and Western political perspectives.

This paradigmatic shift from theocentric to nature-centered ontology had an impact on political thought. In the early sixteenth century Florence, Niccolo Machiavelli (d.1527) exemplified this paradigmatic change in politics. With Machiavelli, politics began to be grounded differently from religion and morality. By disconnecting politics from religion and morality, Machiavelli rendered politics an autonomous field that had its own laws applied by statesmen. Thus, politics began to rise as a self-sufficient science.[148] Divorcing politics from its lofty transcendent origin, contrary to classical political tradition, he did not only make politics independent from religious dogmas but also developed a non-speculative political theory.[149] In his own words:

> Many writers have imagined republics and principalities that have never been seen nor known to exist in reality. For there is such a distance between *how one lives* and *how one ought to live*, that anyone who abandons what is done for what ought to be done achieves his downfall rather than his preservation.[150]

In this way, focusing on *isness* rather than *oughtness*, he eliminated the ethical concern of politics and politics became a science that explains observable facts. This political understanding broke away the ties between ontological, axiological, and political spheres.[151] Hence, in contrast to the religion-based political understanding of the classical ages, the Machiavellian perspective subordinated religion to political power,

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[148] Giovanni Sartori, "What Is Politics," *Political Theory* 1, no. 1 (1973): 11, accessed November 20, 2020, doi:https://doi.org/10.1177/009059177300100102.

[149] Mehmet Ali Ağaoğulları, "Niccolo Machiavelli: Prensin İktidarından Devlete," in *Sokrates'ten Jakobenlere Batı'da Siyasal Düşünceler*, ed. Mehmet Ali Ağaoğulları (İstanbul: İletişim Yayınları, 2015), 324–25.

[150] Niccolo Machiavelli, *The Prince*, trans. Peter Bondanella, (New York: Oxford University Press, 2005), 53.

[151] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 137.

i.e. the state. Undoubtedly, his approach altered legitimacy theories. As a result, the separation of politics from other disciplines first took place in Machiavelli's thought.

Machiavelli's *Il Principle* was criticized and accused of disseminating disbelief and immorality in society. One of his opponents was Jean Bodin (d.1596) who was seeking a way out for France suffering from religious and political conflicts. He dissented the Machiavellian differentiation of ethics and politics. In his opinion, Machiavelli caused political chaos by founding the state on a secular basis that ignores morality and justice.[152] Therefore, Bodin highlights the importance of morality and justice in politics. However, despite his emphasis on moral values, the decentralization of theocentric justification of politics manifests itself in his political writing *The Six Books of the Commonwealth*. Unlike God-centered Medieval understanding regarding the origin of power, he grounds the nature of state on power and violence coming from the desire of subduing others. But, as for the function and legitimation of the state, he mentions religion[153] for curbing the rule of absolute and arbitrary princes by divine and natural laws.[154] Nevertheless, according to the concept of perpetual sovereignty he coined, the sovereignty of the ruler is unique, indivisible, inalienable, and impossible to interfere in from outside. This imagination of sovereignty reflects the impact of the political philosophy free from transcendental justification on his thought. Thus, Bodin's notion of perpetual sovereignty leads to the process of secularization, dethroning God, and enthroning the law in His place in politics.[155]

In the post-Machiavellian era, another thinker who dealt with politics as an independent and autonomous science is Thomas Hobbes (d.1679). Like Machiavelli, Hobbes was influenced by the scientific development of his time and wrote his book in line with the new-emerged science that proposed a nature-centered ontology. In the sixteenth century, Galileo (d.1642) developed a mechanistic understanding on which motions of the physical world depend. Having been influenced by this mechanistic

[152] Abdurrahman Saygılı, "Jean Bodin'in Egemenlik Anlayışı Çerçevesinde Kralın İki Bedeni Kuramına Kısa Bir Bakış," *Ankara Üniversitesi Hukuk Fakültesi Dergisi* 63, no. 1 (2014): 187, accessed January 21, 2021 https://dergipark.org.tr/tr/pub/auhfd/issue/42418/510817.
[153] Ağaoğulları, "Bodin'den Hobbes'a Doğru," 404–5.
[154] Bodin, *On Sovereignty: Four Chapters From The Six Books of the Commonwealth*, 13, 25, 39, 45.
[155] Akal, *İktidarın Üç Yüzü*, 16.

universe understanding, Hobbes explained human nature within the physical world. According to this material understanding of existence, human knowledge is acquired through sense perception and thus, intellectual activity derives from the material world. Embracing this mechanistic approach in science, he theorized a political system not referencing metaphysic or religious concepts. For this reason, he redefines philosophical terms at the beginning of his masterpiece Leviathan, which is a kind of lexicon for Hobbesian political thought.[156] In doing this, he cut ties of politics with transcendent ontology and reduced it to the material world, namely, ontic level. In this sense, politics became more pure, autonomous, and self-sufficient than the Machiavellian perspective, which Sartori calls "panpoliticism." While religion is considered as a prop for politics by Machiavelli, in Hobbesian politics, religion is subjected to the state by means of the new scientific paradigm.[157] All in all, Hobbes certainly demarcated between theology and philosophy, hereby, contributed to the formation of modern political thought.

With the emergence of modern political thought, metaphysics began to be set aside in terms of the nature of politics. It means disregarding ontologically predetermined normative values as the basis of political thought. This divorcement of politics from normative values or morality created the distinction between *is* and *ought* in thinking and political thinking was no exception in this regard. This does not only mean a separation between *oughtness* and *isness* but also between morality and politics, a separation that echoes the collapse of classical political philosophy.[158]

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[156] Sartori, "What Is Politics," 12; Eray Yağnak, "Human Nature, Ethics and Politics in The Philosophies of Thomas Hobbes and Immanuel Kant" (PhD diss., Middle East Tecnical University, 2013), 9–10; Filiz Zabcı, "Thomas Hobbes: Devlet ya da 'Ölümlü Tanrı'ya Övgü," in *Sokrates'ten Jakobenlere Batı'da Siyasal Düşünceler*, ed. Mehmet Ali Ağaoğulları (İstanbul: İletişim Yayınları, 2015), 430–31.

[157] For Sartori, although Hobbes theorized according to the new mechanistic or deterministic universe understanding, his science was not science. See: Sartori, "What Is Politics," 12–13; Marchart disagrees with Sartori in his claim that the political has more supremacy in Hobbes than Machiavelli. Marchart argues that, by restricting the moment of politics to the orginary fiat by which the order of Leviathan is established, Sartori missed what is more important: the order of Leviathan is established for a single reason: to do away with politics altogether. See: Oliver Marchart, *Post-Foundational Political Thought: Political Difference in Nancy, Lefort, Badiou and Laclau* (Edinburgh: Edinburgh University Press, 2007), 50.

[158] Coicaud, *Legitimacy and Politics: A Contribution to the Study of Political Right and Political Responsibility*, 77.

By means of the differentiation of *is* and *ought*, the modern political perspective underscores the specificity of politics and its autonomy from other social realms such as economy, religion, and morality. Islamic thought, admittedly, would not recognize such an understanding. Because Islam depends on the principle of tawhid, it is impossible to occur such a difference. Basically, tawhid is witnessing God as one, the absolute, and transcendent creator of the whole existence. This principle of the oneness of God prevails in whole aspects of life. It establishes the ontological, epistemological, and axiological understandings of Islam, namely the Islamic paradigm. This constituent principle gives Islamic civilization its identity, which binds all its components and thus makes an integral body.[159] This Islamic holistic perspective does not leave room for the separation of spheres of social life. On the contrary, tawhid proposes an understanding that sees all spheres of life as an interwoven fabric.

From the point of view of tawhid, then, Islamic political thought intrinsically rejects differentiation of politics from God-centered ontology; in other words, the modern separation between *is* and *ought*, between fact and value, and between real and ideal. For this reason, Islamic political thought is scattered throughout different genres, from philosophy to Sufism, from Islamic theology (kalam) to Islamic law (fiqh), from history to the mirror for princes. It means that politics cannot be divorced from religion and morality. Said Halim Paşa (d.1921), who is a descendant of Kavalalı Mehmed Ali Paşa and an Ottoman grand vizier, articulates this unity of temporal and spiritual in Islamic thought in his succinct words: "Islam is a perfect human religion that involves a distinctive belief system, a morality established on that belief system, a sociology arising from that morality, and finally a political understanding resulting from that sociology."[160] Said Halim Paşa's words encapsulate the inseparable integrity of ontology, axiology, sociology, and politics in Islam.

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[159] Ismail Raji Al-Faruqi, *Al Tawhid: Its Implications for Thought and Life* (Virginia: The International Institute of Islamic Thought, 2000), 17.

[160] Said Halim Paşa, "İslâmlaşmak," in *Said Halim Paşa Külliyâtı*, ed. Vahdettin Işık (İstanbul: Ketebe, 2019), 327. "*İslâmiyet'in kendine has i'tikâdiyâtı, o i'tikâdiyât üzerine müesses ahlâkiyâtı, o ahlâkiyâttan mütevellid ictimâ'iyâtı, el-hâsıl ictimâ'iyâttan doğan siyâsiyâtı ihtiva etmek i'tibariyle en mükemmel ve en nihâ-î kemâli hâiz bir din-i insanîdir*."

This fragmentation of social life also derives from the modern social scientific approach, which is the result of secular differentiation of religion, society, and politics. Islamic thought does not acknowledge that limited perspective of specialized social sciences. Therefore, Islam combines ideal and real in its political understanding. Because Islam is founded upon an ontology establishing a bond between God, man, nature, and society, its political understanding cannot be conceived with the lenses of social science, otherwise, it would be "the disciplinary fallacy."[161] Moreover, Islamic law, which considers human acts all-encompassingly, does not accept the *is* and *ought* separation. Unlike positivist social sciences, because there is not a distinction between metaphysic and epistemology, it does not only deal with the explanation but also normative statements. Furthermore, the Arabic language, which is the lingua franca of Islamic law, does not include different notions for moral and legal. This means what is moral is legal in Islam, and vice versa. Sharia, then, does not only prescribe a legal doctrine, beyond that, also an order that pervades whole life economically, socially, morally, and politically, i.e. a way of living and of seeing the world in unity.[162] With respect to its all-inclusive nature, ideal and real are not considered two opposing forces that cannot be reconciled. Indeed, Islam incorporates ideal with real. Therefore, asking whether Islam is idealist and realist does not make sense since such a question gauges Islamic governmental understanding according to non-Islamic standards.[163] Given this intermixed texture of Islamic thought; value and fact, temporal and spiritual, and finally ontological and ontic, are regarded together in Islam.

Consequently, the difference of Islamic way of legitimation from that of Western is that Islamic thought does not distinguish between spiritual and material, value and fact, and morality and politics.

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[161] Köse, "İslam Siyaset Düşüncesini Yeniden Okumak: Eleştirel Bir Giriş," 10–16; Hızır Murat Köse, "Siyaset," in *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, accessed December 25, 2021 https://islamansiklopedisi.org.tr/siyaset.

[162] Recep Şentürk, *İslam Dünyasında Modernleşme ve Toplumbilim: Türkiye ve Mısır Örneği* (İstanbul: İz Yayıncılık, 2018), 102, 114; Hallaq, *An Introduction to Islamic Law*, 19–20; Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*, 163–64.

[163] Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam*, ed. M. Saeed Sheikh (California: Stanford University Press, 2013), 7–8; Ebulfazl İzzeti, *İslâm'da Siyaset Teorisi*, trans. Yasin Demirkıran (İstanbul: İnsan Yayınları, 2014), 148–49; Gerhard Bowering, "Introduction," in *Islamic Political Thought: An Introduction*, ed. Gerhard Bowering (New Jersey and Oxfordshire: Princeton University Press, 2015), 4.

CHAPTER III

HISTORICAL BACKGROUND OF THE NEW OTTOMAN MOVEMENT AND THOUGHT

To understand thoughts accurately, historical context should be taken into consideration since the social, political, and economic conditions of each period constitute the zeitgeist that shapes the mentality of thinkers. For, context is not a mere background, but an active and dynamic factor that influences the identity and mentality of political actors, thinkers, and the formation of political discourses and thoughts.[164] Therefore, to discover subtleties of the New Ottomans' political thought, particularly their views on the legitimacy of political power, the historical legacy that they inherited and the period in which they lived should be considered.

With the promulgation of the Tanzimat Edict of 1839, the Ottoman statesmen commenced a reform period to reorder the state and rejuvenate the past "golden ages" of the Empire. The Tanzimat Edict was a reform program that aimed to modernize the Ottoman statecraft to this end but it was not the first reform initiation in the history of the Empire. In the eighteenth and nineteenth centuries, the world underwent serious changes and revolutions and the Ottoman Empire was no exception in this regard. According to Ortaylı, it is hard to determine a specific date and geography in which the Ottoman modernization began in such a turbulent period of world history. However, the origins of the Ottoman modernization can be dated back to the establishment of the printing house by İbrahim Müteferrika, to the reforms of Sultan Mahmud II, to the declaration of the Tanzimat Edict, or the failed reform attempt of Sultan Osman II. But, indeed, it is obvious that Ottoman statesmen noticed the necessity of a renovation program in the Empire after the defeat of the Ottoman army in the Vienna siege. All these developments paved the way for the Tanzimat

[164] Hazareesingh and Nablusi, "Using Archival Sources to Theorize About Politics," 154.

reforms.[165] This means that the Tanzimat reforms and the New Ottomans' propositions for reordering the distorted state order were not only caused by external actors but also succeeded an Ottoman reform tradition. For this reason, I will deal with the historical conditions and developments that prepared circumstances for the emergence of the New Ottomans to grasp their ideas in two parts: the legacy that the Tanzimat reformers inherited and the post-Tanzimat era.

3.1. Renewal of Order: Reformist Developments and Ideas before the Tanzimat Era

Tanzimat reforms were declared in the nineteenth century as the conclusion of a continuous Ottoman reform tradition. While the Tanzimat Edict refers to one hundred and fifty years ago as the starting point of deterioration in its preamble, it implicitly points out previous reform attempts in Ottoman history. According to Abou El-Haj, Tanzimat reforms can be considered as the synthesis of two hundred years of experiments and ad hoc solutions.[166] Likewise, Hüseyin Yılmaz argues that constitutional reforms of the nineteenth century are not products of the westernization process, but results of the Ottoman constitutionalist tradition that produced its own genuine political concepts, values, legal documents, restrictive mechanism, and government structures before the Tanzimat era.[167] Similarly, Baki Tezcan, in his book, scrutinizes the development of the idea of limited government in the Ottoman Empire of the seventeenth and eighteenth centuries. He argues that there was an unwritten constitution that was developing from around 1580 onward about the limits of what a ruler was supposed to do and not to do.[168] This demonstrates that the Ottoman reforms

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[165] İlber Ortaylı, *İmparatorluğun En Uzun Yüzyılı* (İstanbul: İletişim Yayınları, 2001), 28–29.

[166] Rifa'at Ali Abou-El-Haj, *Formation of The Modern State: The Ottoman Empire, Sixteenth to Eighteenth Centuries* (New York: Syracuse University Press Syracuse, 2005), 65.

[167] Hüseyin Yılmaz, "Containing Sultanic Authority : Constitutionalism in the Ottoman Empire Before Modernity," *The Journal of Ottoman Studies* 45, no. 45 (2015): 231–64, accessed, April 12, 2021, https://dergipark.org.tr/tr/pub/oa/issue/45436/570012; Hüseyin Yılmaz, "Osmanlı Devleti'nde Batılılaşma Öncesi Meşrutiyetçi Gelişmeler," *Divan: Disiplinlerarası Çalışmalar Dergisi* 24 (2008): 1–30, accessed April 2, 2020, https://www.divandergisi.com/tr/Dergi/Makale/25/267.

[168] Tezcan argues that there were two political groups – the absolutist and the constitutionalists – that did not exist as such in the seventeenth century and are his invention. The first group – absolutist – is based on the idea that public law, the law that defines how the Ottoman state is supposed to function, recognizes the royal prerogative, a ruler with no restrictions. The second group – constitutionalists – is built upon the denial of such an unlimited source of authority to the sultan. Constitutionalists uphold the idea of limiting the royal prerogative by reinforcing the power of the law. See: Baki Tezcan, *The*

were not only imported from Europe but also based on the Ottomans' own historical experiences –like the New Ottomans' political thought.

The deterioration in the Ottoman Empire first was detected by Ottoman authors in the late sixteenth and first half of the seventeenth century. They dealt with corruption and disruptions in the highest echelons of bureaucracy, timar system, and military.[169] Long before the reforms of the eighteenth and nineteenth centuries, Hasan Kâfî Akhisâri (d.1615) highlights the importance of military technology in his treatise written in 1596. He states that whereas the infidels invented new weapons and began to use them on battlefields, the Ottoman army neglected to follow and use new military technologies and therefore defeated in the battles.[170] Thus, Akhisarî's remark appears as the earliest example regarding Ottoman backwardness in military technology compared with Europe.

After Ahkisarî's advice, there did not come any similar call for the reordering of the military until the eighteenth century. It was the Treaty of Karlowitz (1699) that made a strong impact on the Ottoman bureaucrats for renewal. The Ottoman Empire lost much of Hungary to Austria and the European borders of the Empire regressed to Bosnia; namely, its Balkan territories were in jeopardy. In the north, Russia gained access to the Black Sea by capturing the fortress of Azov. Following these developments, Ottoman statesmen noticed the military superiority of Russia and Austria and felt the danger the state encountered. This was a turning point in Ottoman history since Ottoman bureaucrats left their traditional underestimating attitude regarding the West and recognized the superiority of European powers in civilization, technology, and military. In 1718, the Empire signed the Treaty of Passarowitz that leaves its substantial lands in the Balkans to Austria and Venice. Afterward, these

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Second Ottoman Empire: Political and Social Transformation in The Early Modern World (Cambridge: Cambridge University Press, 2010), 48–78.

[169] For a detailed account of the Ottoman decline literature see: Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 144–235.

[170] Hasan Kâfî Akhisarî, "Hasan Kâfî Akhisarî ve Devlet Düzenine Ait Eseri Usûlü'l-Hikem Fî Nizâmi'l-Âlem," *Tarih Enstitüsü Dergisi*, ed. Mehmet İpşirli, no. 10–11 (1981): 239–78; Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 183.

defeats consolidated the predicament of the Empire and awoke the Ottoman statesmen to embark on a serious renewal.[171]

This mood of renewal became manifest in intellectual works as well. *Su'âl-i Osmânî ve cevâb-ı Nasrânî*, which is a real or imaginary discussion between an anonymous Muslim statesman and a Christian officer just after the Treaty of Passarowitz, represents the first example of these texts. In this discussion, a Muslim statesman defends the old law and traditional institutions. For him, there is nothing that failed in the economic, social, religious, and cultural spheres. He only recognizes the necessity of renewal in the military.[172] In the following years, Müteferrika's *Usûlu'l Hikem fî Nizâmi'l Ümem* was published. Müteferrika primarily criticizes the undisciplined and corrupted army and the bigotry and ignorance of Muslims regarding scientific development in Europe. He emphasizes the importance of the disciplined regular army that makes Europeans victorious in wars and thus recognizes the superiority of European military art and techniques. This makes him one who first mentioned establishing the *nizâm-ı cedîd* (the new order) for the military.[173] His call for the *nizâm-ı cedîd*, however, was responded to more than half a century later in the reform program of Selim III.

There were also concrete initiatives concerning renewal. The first proposal for renewing the army in accordance with European military techniques came from the French Huguenot Rochefort, who was a Protestant that escaped Catholic oppression in France and sought asylum from the Ottoman Sultan, but his proposal was stifled by the efforts of the French ambassador to prevent Huguenots from taking refuge in Ottoman lands. These reform projects were encouraged by the grand vizier Nevşehirli İbrahim Paşa (1718 – 1730). Subsequently, in 1720, İbrahim Paşa advised Sultan Ahmed III to send an envoy to France for following and learning the latest scientific

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[171] Halil İnalcık, *Devlet-i 'Aliyye: Osmanlı İmparatorluğu Üzerine Araştırmalar-IV Ayanlar, Tanzimat, Meşrutiyet* (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2016), 3–6.

[172] Niyazi Berkes, *The Development of Secularism in Turkey* (London: Hurst & Company, 1998), 30; Niyazi Berkes, *Türkiye'de Çağdaşlaşma* (İstanbul: Yapı Kredi Yayınları, 2012), 45; Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 389–90.

[173] İbrahim Müteferrika, *İbrahim Müteferrika ve Usûlü'l Hikem Fî Nizâmi'l Ümem*, ed. Adil Şen (Ankara: Türkiye Diyanet Vakfı Yayınları, 1995), 147, 150–51; Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 384–89.

discoveries and developments in all spheres of life. In this regard, Yirmisekiz Çelebi Mehmed Efendi (d.1732) was sent to France.[174] Later, his son Yirmizekiz-zâde Said Efendi succeeded his father and introduced the printing press to Ottoman society with Müteferrika.[175]

This period that coincided with the grand vizierate of Nevşehirli İbrahim Paşa, which was called the Tulip Period later, was a term that Ottomans began to become familiar with European culture in many fields. However, this period ended with a revolt. In the Tulip Period, Ottoman high strata were obsessed with luxury, debauchery, extravagance, and pleasure. The influences of the European lifestyle also became popular among the high classes. In an empire consistently defeated by European powers and amid financial, economic, and political difficulties, the luxurious and Western-style lives of high classes and the Ottoman court were seen as unpleasant by people and caused unrest in society. Eventually, a revolt, which was led by Patrona Halil who was a janissary leader, broke out in 1730. Whereas the revolt was started by disgruntled soldiers, artisans, and shopkeepers, rebels were able to gain the support of high elites, and specifically some members of the ulema who legitimized the revolt by issuing fetvas. At the end of the revolt, İbrahim Paşa was killed in his mansion and Sultan Ahmet III was dethroned by rebels. Thus, reform initiatives were disrupted.

The idea of renewing the army is closely related to the legitimacy of the sultan's authority. In previous times, specifically in the fifteenth and sixteenth centuries, the Ottoman Sultan had an image as gazi, the protector of Muslim lands, and the conqueror of new lands for the dissemination of Islam. Military achievements were supporting his authority. Although the Ottoman dynasty was not descended from the lineage of the Prophet Muhammad, capturing new lands, serving holy cities of Islam, and protecting Muslims from attacks of infidels as caliph made Ottoman sultans legitimate rulers. However, after conquests stopped and sultans were defeated on battlefields,

[174] Çelebi Mehmed Efendi penned his Sefâretnâme (the book of embassy) including his observations during his diplomatic travel in France. His travel would lead to increase interactions between France and Ottoman Empire in diplomatic, political, and cultural fields. See: Yirmisekiz Çelebi Mehmed Efendi, *Fransa Sefâretnâmesi*, ed. Abdullah Uçman (İstanbul: Dergâh Yayınları, 2017).
[175] İnalcık, *Devlet-i 'Aliyye: Osmanlı İmparatorluğu Üzerine Araştırmalar-IV Ayanlar, Tanzimat, Meşrutiyet*, 6.

they lost their image as the brave champion of Islam that was part of their factual legitimacy.[176] Sultan was, now, appealing to infidels to renew the Muslim army and thus, increasing the *menea*[177] of the state against foreign powers in the international balance of power.

The defeat of the Ottomans in the Russo-Turkish War of 1768 – 1774 contributed to the acceleration of the reforms in the Empire. For the first time in its history, the Ottoman Empire lost land that mainly dwelled by Muslims, Crimea, with the Treaty of Küçük Kaynarca (1774) signed at the end of the war. Moreover, the Ottomans conceded Russian protection over the Ottoman orthodox Christians. This was a sovereignty problem for the state. Ottoman statesmen once again realized that equipping the army with new weapons was insufficient for strengthening the military power. This drove them to take military consultancy from France. In 1774, France Baron de Tott was invited for military consultancy. De Tott tutored gunnery and trained artillery officers. After the Patron Halil revolt, France convert Comte de Bonneval (d.1747) or Humbaracı Ahmed Paşa had brought necessary knowledge to reorder the bombardier crops in accordance with European techniques. Bonneval also had established the first military school of engineering (*Hendesehâne*) in the Empire. This school was re-established in 1769 and finally, the Imperial School of Naval Engineering (*Mühendishâne-i Bahrî-i Hümâyûn*) in 1773 and Imperial School of Military Engineering (*Mühendishâne-i Berrî-i Hümâyûn*) were founded in 1795 to train qualified engineer-officers.

In 1787, the Ottoman Empire waged war against Russia upon the annexation of Crimea by the Russians contrary to the Treaty of Küçük Kaynarca. The aim of the military campaign was to recapture the lands lost to Russia in 1774. Because the Ottomans did not take lessons from previous defeats, they were disappointed at the end of the war in 1797. During the war, Sultan Abdülhamid I died upon the sad news coming from the front and Selim III acceded to the throne in 1789. Having seated on the throne, Selim III conducted a *meşveret* (consultation) with bureaucrats, soldiers, and the ulema for

[176] Karateke, "Legitimizing The Ottoman Sultanate: A Framework for Historical Analysis," 42–43.
[177] For the concept of *menea* see: Chapter 2, p.25.

discussing the current predicament of the state in the war. He also asked for writing *lâyihas* (memoranda) on how to reform the army and state from prominent bureaucrats and members of the ulema. The majority of authors advised recruiting a new army other than janissaries. However, military reform was not sufficient, it had to be bolstered by financial, technical, and educational reforms. Therefore, the Nizâm-ı Cedîd (the new order) reforms were declared.[178]

Selim III could not reap the fruits of the new order reforms because of internal and external difficulties. Internally, such a comprehensive reform program necessitated the well-qualified bureaucrats and money, which the Ottoman lacked both. There were also continuous internal tumults and factional competition in the government ranks. The provincial ayans increased their power as the centrifugal figures against the court with the deterioration of the timar system after the sixteenth century. In fact, the new order was declared against these opponent forces in the Empire. Likewise, the decayed janissary corps did not want their interests to be spoiled. Besides, the Wahhabi revolt in the Arabian peninsula jeopardized the sovereignty of the state at borderlines in the East. Externally the dynastic change in Iran, increasing pressure coming from Russia and Austria posed a considerable threat to the state.[179] As such, the new order was not able to take root under these severe conditions.

To avoid the institution of a new army for maintaining their vested interests, janissaries revolted and deposed Selim III and thus the new order reforms were set aside. In 1807, Mustafa IV ascended to the throne with an agreement signed by the sultan, janissaries, and the ulema, which is the first constitutional document that restricts the sultan: *Hüccet-i Şer'iyye*. According to the *Hüccet*, the sultan acknowledged the legitimacy of the janissary revolt and guaranteed them not to be prosecuted because of their disobedience. Thus, *Hüccet* made janissaries separate and legitimate political part in

[178] Berkes, *Türkiye'de Çağdaşlaşma*, 91–92.
[179] Sina Akşin, "1839'da Osmanlı Ülkesinde İdeolojik Ortam ve Osmanlı Devleti'nin Uluslararası Durumu," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 83–90; Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 330.

Ottoman polity alongside the sultan.[180] Janissaries emerged as a balancing power against sultanic decisions. This balancing role of janissaries was described as an indication of the quasi-constitutionalist tradition in the Ottoman past by the New Ottomans six decades later in their writings.

Soon after the *Hüccet*, the *Sened-i İttifak* occurred as another document that raised the consciousness about the idea of a restricted sultanic authority. The deposition of the Selim III by the anti-reform janissaries was perceived as a threat by the ayans who increased their power with the institution of the life-term tax farming in the eighteenth century. Under the leadership of Alemdar Mustafa Paşa, the ayans of Rumelia and Anatolia marched to Istanbul to enthrone Selim III again for re-establishing reforms since the political turmoil in the capital was ruining Balkans that feels Russian threat to the bone. However, because Selim III was executed, they installed Mahmud II to the throne with a contract among the sultan, the ayans, the janissaries, and the ulema: *Sened-i İttifak*. With the *Sened*, while the sultan recognized the privileged positions of the ayans in their regions, the ayans showed their loyalty to the state. In other words, it reinforced the order at the center in return for recognizing the regional authority of the ayans.[181] Thus, the *Sened* contributed to the idea of a restrictable and checkable governmental authority. The New Ottomans inherited this legacy with a difference of emphasis: restricting not the personality of the sultan but the Sublime Porte government.

Alemdar Mustafa installed Mahmud II to the throne and made himself the grand vizier vested with the absolute representative of the sultan. As soon as he took the office, he initiated to restore the Nizâm-ı Cedîd but he faced the reaction of traditional conservative circles. Alemdar instituted the *Sekbân-ı Cedîd* army as a part of the *kapıkulu* army in appearance to prevent the janissary opposition. However, he could not avoid the outrage of the janissaries, and eventually, the janissaries made the boilers

[180] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 250; Yılmaz, "Osmanlı Devleti'nde Batılılaşma Öncesi Meşrutiyetçi Gelişmeler," 20.
[181] Barkey, *Empire of Difference: The Ottomans in Comparative Perspective*, 218–22.

burst, i.e. rebelled. By killing Alemdar and banning the *Sekban* army, the janissaries interrupted the reforms again but for the last time.

The Janissaries wanted to re-enthrone Mustafa IV but Mahmud killed his brother and became the sole alive male member of the dynasty. He kept this janissary challenge against him in mind and waited the appropriate time to take action. Mahmud II must have supported the reforms but he was impotent to embark on any reform because of the increasing power of the ayans and the conservative opposition coming from the army and partly from the ulema. The janissaries had eliminated Alemdar, who was a restrictive force over Mahmud. Now, it was time for the *kapıkulu* army to be eliminated. The janissary inability to defeat enemies and suppress revolts came to light once again in the campaigns against Greek, Persians, and the modern disciplined Egyptian army.[182] Also, in Istanbul, the janissaries gained the hatred of the townspeople and the ulema because of their oppressive acts.[183] In 1825, Mahmud instituted the *Ekşinciyan* corps within the *kapıkulu* army. In response to this reform attempt, the janissaries overturned boilers for the last time at the Et Meydanı in Istanbul in June 1826. Upon this rebellion, Mahmud II exterminated the janissary army with the support of the *Ekşinci* army, townspeople, the madrasa students, and the ulema. The abolition of the *kapıkulu* army was called the *Vakâ-yı Hayriye* (the Auspicious Event) For the first time, an old institution was destructed for the sake of embarking on reformation.[184] With the abolition of the janissary army, Mahmud II eliminated the last obstacle to reforms. Thus, to a considerable extent, the matter of military reforms came to an end in the Ottoman modernization, and thereafter, the focus of reforms shifted from the army to governmental apparatuses.[185]

This means that the *Vakâ-yı Hayriye* removed one of the influential de-legitimator elements that hinder reforms. Sultan Mahmud II did not want to share his authority

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[182] Stanford J. Shaw and Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.* (New York: Cambridge University Press, 2002), 19.
[183] Ortaylı, *İmparatorluğun En Uzun Yüzyılı*, 38.
[184] Shaw and Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.*, 21.
[185] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 146–47.

with other power foci. The legitimacy of his decisions should not be questioned. Having destructed the janissaries, now, he could turn to a comprehensive reform program.

After Mahmud II had held the reins of government, he initiated reforms in all aspects of life to centralize state power. The motive behind the centralization was to end the threat of the ayans and of other rebellious elements in the empire[186] and to consolidate the sovereignty of the state, i.e. the legitimacy of power. In this direction, a new army, *Asâkir-i Mansûre-i Muhammediye* (The Trained Victorious Muhammadan Soldiers) was instituted after the *Vakây-ı Hayriyye*. However, previous reform experiences had proven that a successful reform required more than a new army. Therefore, foreign military advisers were brought for modern war strategies and techniques. Reforming the army also engendered innovations in the fields of education, medicine, and natural sciences, which are closely related to the military. The military and naval engineering schools were reordered, the Imperial School of Medicine (*Mekteb-i Şâhâne-i Tıbbiye*) was founded for military medicine. The new modern army also triggered the institution of arms and textile industries. Beyond the military, schools for training well-informed and multilingual civil bureaucrats, the *Mekteb-i Maarif-i Adliye*, the *Mekteb-i Maarif-i Edebiye*, and the *Mekteb-i İrfaniye*, were established; the wages and salaries in the bureaucracy became regular; the central, provincial, and municipal administrations were reorganized; the post office was founded; the first official newspaper the *Takvim-i Vekâyi* was issued. All these reforms were embarked to centralize the conduct of the state but Mahmud II also maintained the classical *meşveret* (consultation) tradition through three new perpetual consultative state mechanisms in the court, government, judiciary, and military bureaucracies. Though these councils did not function as they should be, they became precursors of forthcoming calls for a democratic consultative system, for instance, the New Ottomans' *usul-i meşveret*.

[186] Kemal H. Karpat, "The Transformation of the Ottoman State, 1789–1908," *International Journal of Middle East Studies* 3, no. 3 (1972): 253, accessed November 21, 2020, doi:10.1017/S0020743800025010.

Mahmud II's intention was to augment his central power over statecraft by establishing the rational modern bureaucracy. This absolutist approach can be seen in his fight with the ayans and the janissaries, making officers the servants of the state instead of the slave of the throne, establishing the *Evkaf* (pious foundations) administration to divert their revenues for government expenditures, incorporating the office of *Şehyülislam* in the government bureaucracy with the creation of the *Bab-ı Meşihat* (the house of *fetva*), restricting the authority of the grand vizierate, turning people from *reaya* into *tebaa*, abolishing the timars, and instituting a modern army.[187]

These reforms for centralizing the state on the one hand paved the way for rethinking the new ways for legitimizing the order, on the other hand, drew heavy criticisms from various circles of society. The New Ottoman movement assumed such a critical attitude against the Tanzimat reforms. Though they welcomed the innovative efforts, at the same time, they criticized the lack of implementation and the bureaucratic domination over the state apparatuses. For them, reforms were misguided and undermined by the arbitrary and absolutist conduct of the Porte. The despotic rule of the Porte was delegitimating Ottoman governance.

What is noteworthy in terms of the focal point of this work is that Mahmud II reimaged the sultanic authority and this inevitably influenced the legitimation of the rulership. He set aside the image of secluding sultan in the court and showed himself by stepping out of the palace often and traveling empire-wide. This indicates that he took note of public opinion for his power. He also issued the first official newspaper, the *Takvim-i Vakâyi*. Though the *Takvim* was a state-run newspaper, its function of informing both the internal and international public about the latest regulations and decrees was indicating the increasing effect of public opinion on power. The public sphere was gradually becoming the medium in which the legitimacy of the sultan was built. This transformation would determine how and where opposition to the sultan was made.[188] In the following years, the New Ottoman dissent emerged within this context.

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[187] Ibid., 251–56; Berkes, *Türkiye'de Çağdaşlaşma*, 171.
[188] Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 91.

3.2. The Tanzimat Era: Reordering the Imperial Authority and Legitimacy

Ottoman bureaucratic authors' observation and solution-seeking regarding the deterioration of the old order began in the late sixteenth century, passed throughout the quest of the New Order in the late eighteenth and early nineteenth century, and culminated with the declaration of the Tanzimat Edict. Tanzimat reforms, on the one hand, sustained the spirit of the previous reform movements, on the other hand, represented a break in the goals of reforms. From the late sixteenth century to the abolition of the *kapıkulu* army, the reforms aimed to restore power, but Tanzimat reforms aimed to restore broken relations between the state and the society.[189] This shift in the goals of the reforms is intimately connected to the legitimation of political power.

In the Tanzimat era, problems that jeopardized state sovereignty continued in different aspects of life. Insurrections broke out from Arabian Peninsula to Rumelia. The nationalist movements consolidated the impacts of insurrections. In 1832, Greeks became the first nation that gained their independence. Besides, the economic situation cemented the predicament of the state. The Porte signed the Anglo-Ottoman Commercial Convention of Balta Limanı (1838) that privileged Great Britain and destructed Ottoman domestic manufacturers in return for British help in suppressing Mehmed Ali's revolt and this treaty propelled the downhill slide of the state.[190] Financially, the Ottoman Empire run into debt first time in its history. Indebtedness became a problem for the Porte throughout the century in terms of financial policies, which the New Ottomans heavily criticized. European powers constantly were interfering with the internal affairs of the Empire on the pretext of protecting the rights of non-Muslims. Indeed, the Empire was undergoing a sovereignty crisis both internally and internationally. In other words, the legitimacy of the state was fading away. Ottoman bureaucrats understood that the dissolution of the Empire could not be

[189] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 124.
[190] Carter Vaughn Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte 1789-1922* (New Jersey: Princeton University Press, 1980), 161–62.

forestalled without reordering the state. Decayed institutions of the Empire had to be reinstituted to be able to withstand the attacks of the overwhelming superiority of European powers.[191] However, against the imperialist expansion of European powers, the Empire was not in a passive position. Ottoman bureaucracy was still considering the state as potent to renew and reorder itself in accordance with the new legitimacy structures of the present time.[192] With this motivation, the Tanzimat Edict and the Edict of 1856 were promulgated to overcome the dissolution of the order.

In November 1839, the Tanzimat Edict was proclaimed at the square of Gülhane adjacent to the walls of Topkapı Palace. Its declaration ceremony gives us significant pieces of evidence regarding a change in understanding of legitimacy. At first glance, the Edict seems fitting to the *adaletnâme* that is a decree penned by the sultan in person to procure justice for people in the classical Ottoman tradition. However, the Tanzimat Edict, despite being signed by the sultan, was mainly laid out and read by foreign minister Mustafa Reşid Paşa, which indicates fundamental changes in the statecraft.[193] Moreover, in the proclamation ceremony, there were the ulema, senior officials, leaders of confessional communities as well as foreign ambassadors. The Edict was also published in *Takvim-i Vekâyi* and its French translation was sent to foreign missions in Istanbul and some European states. Consideration of foreign powers indicates that international legitimacy was taken into account to legitimize the order.

Likewise, the content of the Tanzimat Edict enables us to trace the legitimacy understanding in the Ottoman political thought in the post-Tanzimat era. The Edict pledged to the security of life, property, honor, and chastity of every Ottoman subject regardless of ethnicity and religion. Besides, it reordered the taxation system and methods of recruiting soldiers to settle injustices in these fields. Indeed, basic rights and liberties such as protection of life, honor, and property already existed in the legal

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[191] İnalcık, *Devlet-i 'Aliyye: Osmanlı İmparatorluğu Üzerine Araştırmalar-IV Ayanlar, Tanzimat, Meşrutiyet*, 13–14.

[192] Cemil Aydın, "Emperyalizm Karşıtı Bir İmparatorluk: Osmanlı Tecrübesi Işığında 19. Yüzyıl Dünya Düzeni," *Divan: Disiplinlerarası Çalışmalar Dergisi* 12, no. 22 (2007): 43, accessed December 8, 2020 https://www.divandergisi.com/tr/Dergi/Makale/22/237.

[193] Halil İnalcık, "Senedi-i İttifak ve Gülhane Hatt-ı Hümâyunu," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2011), 99.

Ottoman system. The Edict only declared that these rights were officially guaranteed.[194] It is true that Ottoman reformers were influenced by the contemporary European legal, social, and political ideas,[195] but Islamic background also shaped their ideas.[196] Back to the topic, the Gülhane rescript aimed to restore and reorder the relationship between the state and society, or the ruler and the ruled. While the Edict stated that those imperial concessions were granted to all Ottoman subjects, it implied equality before the law,[197] which the Edict of 1856 emphasized greatly later. In this way, the state-society relationship was tried to be found upon Ottoman citizenship. The authority of the state desired to be justified by virtue of the principle of equality, which was the essential goal of the Tanzimat reforms.[198] This demonstrates "the Tanzimat reformers were poised to reconstruct a new legitimacy based on liberal notions of citizenship, yet they were seriously hampered internally and externally."[199]

The idea of equality-based Ottoman citizenship points out the Western influence. That is to say, the concept of the Western symbolic universe of legitimation was introduced into Ottoman politics. However, the idea of toleration also pre-existed in Islamic and Ottoman traditions – which is an issue that the New Ottomans touch upon as well. In classical Ottoman political thought, the toleration for diverse ethnicities and religions is legitimized by religion and the policy of accommodation (*istimalet*). The Qur'anic verse clearly states that "there is no compulsion in religion"[200] and non-Muslims, particularly the people of the book consisting of Christians and Jews, are given the status of *dhimmi* that guarantees the right to practice their religion freely. Thus, diversity is legitimized through creed rather than race, which is a good Muslim

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[194] Bilal Eryılmaz, *Tanzimat ve Yönetimde Modernleşme* (İstanbul: İşaret, 1992), 243.
[195] Şerif Mardin, "Tanzimat Fermanı'nın Manâsı Yeni Bir İzah Denemesi," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 91–106.
[196] In Islam, the objectives of sharia (*the maqâsıd al-sharia*) are explained as the protection of life, intellect, property, lineage, and religions. This means that Ottoman reformers did not only referred to European ideas but also Islamic legacy.
[197] "What is remarkable is that while the principle of equality developed as the equality between classes and citizens in the Western nation-states, it developed as the equality of subordinate nations and non-Muslims in the Ottoman Empire. Undoubtedly, its development originated from the West." See: İnalcık, "Senedi-i İttifak ve Gülhane Hatt-ı Hümâyunu," 108.
[198] İnalcık, *Devlet-i 'Aliyye: Osmanlı İmparatorluğu Üzerine Araştırmalar-IV Ayanlar, Tanzimat, Meşrutiyet*, 14, 144.
[199] Barkey, *Empire of Difference: The Ottomans in Comparative Perspective*, 294.
[200] The Qur'an, 2:246.

tradition.[201] However, this religion-based toleration obviously is not the same as religious freedom in the modern sense that anybody is free to adopt whatever religion that s/he prefers.[202] On the other hand, the notion of *istimalet* is an imperial policy adopted from the early centuries of the Empire. The *istimalet* essentially means coaxing people and winning their hearts to achieve their consent to recognize Ottoman rule. It is the part of the Ottoman policy of flexibility that impedes possible fragmentations to come from difference and diversity. Through this policy of *istimalet*, non-Muslims, who make up a large segment of the population, are incorporated into the Ottoman polity.[203] However, toleration in this sense is evidently neither equality nor a modern form of multiculturalism.[204] As for the Tanzimat Edict, in the post-Enlightenment period in which limits of toleration are determined not by religion but politics,[205] despite its religious and traditional references, the principle of equality of Ottoman subjects is predicated on politics rather than religion. The New Ottomans criticize this secular justification of equality by saying that it subverts Islamic laws.

The Edict sustained the constitutionalist spirit that the New Ottomans inherited. This constitutionalist idea was to be utilized in forming their political imagination later. Some describe the Tanzimat Edict as a constitution since it includes provisions restricting arbitrary deeds of the ruler, stating natural rights and duties of people, and recognizing the principle of equality before the law.[206] However, despite its restrictive provisions, some scholars do not accept the Edict as a constitutional document, because it did not establish any legislative machinery that enforces limits on the power

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[201] Antony Black, *The History of Islamic Political Thought: From the Prophet to the Present* (Edinburgh: Edinburgh University Press, 2011), 211.
[202] Patricia Crone, "Traditional Political Thought," in *Islamic Political Thought: An Introduction*, ed. Gerhard Bowering (New Jersey and Oxfordshire: Princeton University Press, 2015), 245–46.
[203] Karen Barkey, "Political Legitimacy and Islam in the Ottoman Empire: Lessons Learned," *Philosophy and Social Criticism* 40, no. 4–5 (2014): 469–77, accessed December 25, 2021, https://www.academia.edu/10126612/_Political_Legitimacy_and_Islam_in_the_Ottoman_Empire_Lessons_Learned_Philosophy_and_Social_Criticism_2014_; Karen Barkey, "Islam and Toleration: Studying the Ottoman Imperial Model," *International Journal of Politics, Culture, and Society* 19, no. 1–2 (2007): 5–19, accessed December 25, 2021, https://www.academia.edu/25958009/Islam_and_Toleration_Studying_the_Ottoman_Imperial_Mode.
[204] Barkey, *Empire of Difference: The Ottomans in Comparative Perspective*, 110.
[205] Reinhart Kosseleck, *Kavramlar Tarihi: Politik ve Sosyal Dilin Semantiği ve Pragmatiği Üzerine Araştırmalar*, trans. Atilla Dirim, (İstanbul: İletişim Yayınları, 2016), 375.
[206] Enver Ziya Karal, "Gülhane Hatt-ı Hümâyunu'nda Batı'nın Etkisi," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 65–82.

of the ruler and it was issued by the sultan and therefore could be repealed by him.[207] Nonetheless, restricting the arbitrary actions of bureaucrats through laws was aimed.[208] At the same time, the edict indicated that Ottoman bureaucrats recognized in part the Euro-centric imperial international community and its universalist legitimizing discourse.[209] The New Ottomans were born into such a climate and assigned the constitutional system (*usul-i meşveret*) at the core of their political discourse.

In addition to the constitutionalist spirit, Tanzimat reforms aimed to centralize the conduct of the state. Centralization of the state in the Tanzimat means to reorder (*tanzîm*) the architecture of the state. Reforms aimed to establish state authority across the Empire by weakening the power of the ayans in the periphery. Thus, Tanzimat reforms sought a new foundation on which the legitimacy of the rule of central power could be based.[210] This could be achieved by instituting modern bureaucracy that stresses the rational state apparatuses and mechanisms instead of the charisma of the ruler in the Weberian sense. According to bureaucratic rule, constitutional institutions are also necessary for checking the functioning of huge and complex bureaucratic organizations and impeding any breach of the law. Beyond this bureaucratic self-control, constitutional mechanisms also prevent any arbitrary interference of the ruler to the system. In line with this understanding, after the proclamation of the Tanzimat Edict, such bureaucratic mechanisms, like the Supreme Council of Judicial Ordinances (*Meclis-i Vâlây-ı Ahkâm-ı Adliyye*) and High Council of the Tanzimat (*Meclis-i Âli-yi Tanzimat*), were established. But, within time, their effectiveness diminished by the increasing power of the Porte. Regarding the shrinking role of these councils, the New Ottomans frequently accuse the Porte of causing the ineffectiveness of these

[207] Roderic H. Davison, *Reform in the Ottoman Empire 1856-1876* (New Jersey: Princeton University Press, 1963), 41; Shaw and Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.*, 61; Berkes, *Türkiye'de Çağdaşlaşma*, 214.
[208] Yavuz Abadan, "Tanzimat Fermanı'nın Tahlili," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 37–63.
[209] Aydın, "Emperyalizm Karşıtı Bir İmparatorluk: Osmanlı Tecrübesi Işığında 19. Yüzyıl Dünya Düzeni," 47.
[210] Maurus Reinkowski, "The State's Security and The Subject's Prosperity: Notions of Order in Ottoman Bureaucratic Correspondence (19th Century)," in *Legitimizing the Order: The Ottoman Rhetoric of State Power*, ed. Suraiya Faroqhi and Halil İnalcık (Leiden and Boston: Brill, 2005), 204.

constitutional institutions and therefore, support the sultanic authority as a balancing power against the domination of Porte.

In 1856, another constitutional document was promulgated; the Reform Edict of 1856, which is also called the *Hatt-ı Hümâyûn*, *İmtiyâzât Fermanı* (the edict of concessions) or *Müsâvât Fermanı* (the edict of equality). However, the Edict is mostly known as *Islahat Fermanı* (the Reform Edict).[211] All these names that were given to the Reform Edict of 1856 also point out its content, salient features, and its perception in the public.

The Reform Edict of 1856 differs from the Tanzimat Edict in some respects, especially in terms of its motivation and aim. The Tanzimat Edict of 1839 is a product of internal pressure rather than external pressures coming from European powers. It is true that Mustafa Reşid Paşa consulted representatives of European missions in its drafting process but that was not a dictation. Also, its religious references[212] and the composition of the issues reminiscent of the classical circle of justice, I think, indicate its local and Ottoman color. Contrary to the Tanzimat Edict, the Reform Edict of 1856 is a product of external pressures coming from the European Great Powers. First, the Edict of 1856 was drafted after intensive consultation with British, French, and Austrian missions in Istanbul. Second, religious discourse pervaded in the Tanzimat Edict disappeared in the Edict of 1856. Third, whereas the Tanzimat Edict regarded European public opinion, the Edict of 1856, beyond that, aimed at European public opinion in its essence.[213] It was issued to gain the support of the European Great Powers against Russia and become a member of the Concert of Europe. Even, Mustafa Reşid Paşa, who is the main author of the Tanzimat Edict, heavily criticized excessive foreign influence in drafting the Edict of 1856 by saying that it would lead to more

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[211] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 146–48. Topal states that "When *ıslâh* was used in the seventeenth century, it was coupled with *ihtilâl-i nizâm*, dissolution of social and political order, and came to mean its repair and restitution, whereas in the late eighteenth and early nineteenth century it pointed to tecdîd and *tanzîm*. During the late Tanzimat, *ıslâhât* stood semantically between *tedennî* (decline) and *terakki* (progress or development)."

[212] For the Islamic origins of the Tanzimat Edict see: Butrus Abu-Manneh, "The Islamic Roots of the Gulhane Rescript," *Die Welt Des Islams* 34, no. 2 (1994): 173–203, accessed December 14, 2020, doi:10.2307/1570929.

[213] Davison, *Reform in the Ottoman Empire 1856-1876*, 53–54; Hallaq, *An Introduction to Islamic Law*, 99.

concessions and foreign interferences.[214] Likewise, the New Ottomans heavily criticized Âli and Fuad paşas since they consolidated European economic and political imperialism over the Empire through concessions the Edict of 1856 gave.[215] All these demonstrate that the Ottoman bureaucracy cared about being recognized as a legitimate power in the international community.

The Reform Edict of 1856 accentuated rights and concessions involved in the Tanzimat Edict. Specifically, it stressed the equality of the whole Ottoman subjects. The Reform Edict pledged institution of an Ottoman bank, use of European capital to construct transportation structure for economic development, the establishment of lay courts (*nizâmiye*) regarding penal and commercial cases among Muslims and non-Muslims, extension of representation in local and communal assemblies, abolition of tax farming, making annual budgets, and more importantly the equality of the whole imperial subjects (*kâffe-i sunûf-ı tebaa-i şâhânemden*). To forestall nationalist separatist movements and interference of European powers to domestic issues of the Ottoman Empire, it accentuated the notion of equality. In this regard, the sharia-based poll tax (*jizya*) imposed on non-Muslims was abolished, which meant equality in taxation. Besides, the non-Muslims and Muslims would be equal in military service, admittance to civil and military schools, attending local and communal assemblies, establishing schools, and employment in the public sector. Also, the use of any humiliating epithet regarding non-Muslims was banned be in society or bureaucracy.

The emphasis of the Reform Edict on equality indicated the establishment of a kind of Ottoman citizenship. Through equal Ottoman citizenship, Ottoman senior officials were striving to construct a new legitimating discourse. This new legitimizing discourse is the policy of Osmanlılık[216] (Ottomanism), which is an uneasy mix of old

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[214] Bayram Kodaman and Ahmet Turan Alkan, "Tanzimatın Öncüsü Mustafa Reşid Paşa," in *150. Yılında Tanzimat*, ed. Hakkı Dursun Yıldız (Ankara: Türk Tarih Kurumu Yayınları, 1992), 1–10 Mustafa Reşid Paşa also wrote a *lâyiha* (memorandum) including his critics regarding the Reform Edict of 1856 and presented it to Sultan Abdülmecid. ; For Mustafa Reşid Paşa's *lâyiha* see: Topal, *Sürgünde Muhalefet: Namık Kemal'in Hürriyet Gazetesi 2, 1869-1870*, 447–53.

[215] Şerif Mardin, *Türk Modernleşmesi: Makaleler IV* (İstanbul: İletişim Yayınları, 1991), 88–89.

[216] There is no word "Osmanlılık" in the Reform Edict. Instead, some phrases recur throughout the text such as *tebaa-i şâhânem* (imperial subjects), *tebaa-i saltanat-ı seniy*ye (subjects of lofty sultanate), *tebaa-i Devlet-i Aliyye* (subjects of the Sublime State). These usages deprived of religious qualifiers imply the building of an inclusive Ottoman identity or citizenship.

Ottoman culture, Islam, and modern nationalism.[217] I argue that Osmanlılık is a reformed version of the classical pragmatic *istimalet* strategy that encourages the cohabitation of members of different ethnicities and religions. It is a tactic to readapt the understanding of governing with justice ongoing for centuries to the necessities of the nineteenth century. However, it also represents a breaking point in the Ottoman tradition since it was inspired by notions of citizenship and equality before the law that emerged after the French Revolution.[218] Ottoman statesmen sought new legitimation ways under the pressure of a dual legitimacy concern; on the one hand, building a new legitimacy within the multi-religious and multi-national structure of the Empire, on the other hand, becoming a legitimate member of the international community consisting of the European Great Powers.[219]

The Tanzimat Edict and the Reform Edict of 1856 made some changes in the perception of legitimacy. Both edicts contributed to constitutionalist ideas ongoing from the past. Thus, they facilitated the growth of ideas such as restricted political authority, consultation, publicly checkable administration, and political rights. Promulgations of these edicts, particularly that of the Reform Edict, also showed the influence of the international order on being a legitimate power. However, these edicts had internal concerns as well as external ones regarding the legitimacy of the imperial rule since they were declared to prevent foreign interference in problems related to non-Muslim subjects. Although equality pledged in both decrees was not put into practice properly because of the constant pressure from the Great Powers,[220] the equality of all Ottoman subjects indicated a new concept instead of the millet system regarding the state-subject relationships.[221] As such, a new legitimacy understanding,

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[217] Abou-El-Haj, *Formation of The Modern State: The Ottoman Empire, Sixteenth to Eighteenth Centuries*, 69.

[218] Selçuk Akşin Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi (1839-1913)," in *Modern Türkiye'de Siyasi Düşünce: Tanzimat ve Meşrutiyet'in Birikimi* (İstanbul: İletişim Yayınları, 2003), 88–116.

[219] Aydın, "Emperyalizm Karşıtı Bir İmparatorluk: Osmanlı Tecrübesi Işığında 19. Yüzyıl Dünya Düzeni," 45.

[220] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 15.

[221] Contrary to expectations, the principle of equality consolidated the borderlines of millets. Recognition of the right to establish their own schools and to make elections to lay people to millet administration underscored the separation between millets. Also, secular education feeding from Europe and secularization of millet administration with participation of common people contributed to the growth of nationalist feelings among non-Muslims. Thus, recognition of equality caused the rise of

which considers contemporary political ideas and international order, occurred through these edicts. These developments gave birth to a favorable climate for the articulation of the pro-constitutionalist, libertarian, and egalitarian New Ottoman thoughts.

In addition, the Ottoman Empire received the support of France, Britain, and Sardinia against Russia in Crimea and issued the Reform Edict to be admitted to the Concert of Europe for ensuring its territories from interferences of Great Powers. However, in the subsequent years, internal insurrections and external pressures continued to threaten the Ottoman authority. These developments set the suitable stage for the formation of the New Ottoman movements. In Lebanon, where there is multinational and multireligious geography, problems escalated among Muslims, Maronites, and Druzes. Despite Fuad Paşa's suppression, the French and British intervened under the pretext of supporting the Ottomans and observing the Peace of Paris (1860). Lebanon gained an Organic Statue that made it a privileged province. Besides, in Egypt, Ismail achieved to establish a succession from father to son in return for his support in the Cretan insurrection as well as a considerable increase in the annual tribute (1866). A year later, he took the status of the khedive, which gave him the right to issue decrees without confirmation by the sultan. Coming to the Balkans, the Ottomans withdrew their military presence in Serbia (1867) and thus Serbians achieved their de facto independence. Also, with the encouragement of Serbia and Russia, an alliance was instituted among Rumania, Montenegro, Greece, and a group of Bulgarian revolutionaries to free the southern Slavs from Ottoman and Habsburg dominations. These developments sparked uprisings in Bosnia-Herzegovina and Montenegro. In the Mediterranean, the Cretan revolt broke out (1866) with the Greek agitation and the

separatist movements instead of increasing the loyalty of non-Muslims to the state and bounding the Ottoman peoples to each other. See: Cevdet Küçük, "Osmanlı İmparatorluğu'nda 'Millet Sistemi've Tanzimat," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 375–85; Davison, *Reform in the Ottoman Empire 1856-1876*, 132.

support of Russia and France.[222] The Cretan insurrection, particularly, became a watershed for the formation of the New Ottoman movement.[223]

3.3. The Emergence of the New Ottoman Movement

In the nineteenth century, the Ottoman Empire underwent constant problems and crises. The world order (*nizâm-ı âlem*), which is described as the eternal and essential duty of the Empire, turned upside-down. There was the dissolution of order (*ihtilâl-i nizâm*) now. The Empire was shaken by incessant military defeats, insurrections, economic breakdowns, and challenges of the European Great Powers. The state was going through a rough period. As Ortaylı puts it, "the nineteenth century is the longest century of Ottoman history in which a society progressed towards an inevitable end with its traditions and statesmen, virtue, enlightenment, and negligence coexisted, and the decline grappled with progress."[224] These challenging circumstances brought forth the offers for the solution and the New Ottoman movement was one of them.

The New Ottoman movement came into being in such a hard time of the Empire and became the first modern intellectual movement seeking solutions for the salvation of the state. As Ziya Paşa defines, the New Ottomans are those who foresee the consequences of threats that the state has been stricken due to the government in power and seek an ameliorating remedy for this predicament.[225] Regarding seeking solutions for the predicament, the New Ottomans are the first Muslim organization that developed a broad new style of theoretical politics, justification, and an ideology for the emerging centralized modern state considering traditional Islamic and Ottoman principles of government. In this sense, they can be regarded as the first modern

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[222] Shaw and Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.*, 143–52.
[223] Çicek, *The Young Ottomans: Turkish Critics of the Eastern Question in the Late Nineteenth Century*, 76.
[224] Ortaylı, *İmparatorluğun En Uzun Yüzyılı*, 31.
[225] Ziya, "Ziya Bey Efendi'nin iltifatnamesi," *Hürriyet* 2, July 6, 1868. "*Mahlasları 'Yeni Osmanlılar', yani devletin ve vatanın idare-i hâzıra sebebiyle düçar olduğu mehâlik ve muhâtarâtının avâkıbını dehşetle görüp ilac-ı muslih arayanların sırasında bulunmakla….*"

intelligentsia in Ottoman history.[226] Also, they were the first who attempted to cultivate public opinion through their newspapers. Some define them as the first revolutionary-democrat intellectual movement[227] but this is not a correct definition. The aim of the New Ottomans was not to root out the Ottoman bureaucratic organization. Their respect and obedience to the sultan's authority suffice to rebut such a claim. Rather than the revolution, they upheld the renovation (*tecdîd*) of the Empire in accordance with the necessities of the present time and did not ignore tradition in doing this. To this end, they tried to influence the public through their writing so as to achieve public support for their political vision to salvage the state, because they were well-aware of the rising importance of public opinion regarding politics.

There were several phrases used for naming the movement such as the Patriotic Alliance (*İttifak-ı Hamiyyet*), Young Turks (*Türkistan'ın Erbâb-ı Şebâbı*), Young Turkey Party, Jeune Turquie, and the New Ottomans in their period. Describing them as "young" probably derived from nationalist, revolutionist, and republican youth movements of Europe in the first half of the nineteenth century. For Ali Suavi, the word "young" was used to emphasize the vitality of the Empire against European belief that the Ottoman Empire was in its death throes.[228] Kemal also used the word "young" (*erbâb-ı şebâb*) in an article for the same reason as Suavi,[229] that is, to de-emphasize the discourse of the Ottoman decline (*tedenni*). However, stressing the "youngness" was an unprecedented situation in Ottoman history. Because the Ottoman Empire was a traditional society, being aged and experienced was more prestigious than being young for intellectuals.[230] Moreover, in that period, the word "jeune" denoted hostility to both religion and the state.[231] For these reasons, they decided on calling themselves "the New Ottomans." The word "new", I think, fits both to their seeking for renewal (*teceddüd*) and emphasis on attaining the necessities of the present time (*ber-muktezâ-yı vakt u hâl*). In English literature, because of the leading role of

[226] Erik J. Zürcher, *Turkey: A Modern History* (New York: I.B. Tauris, 2004), 70; Karpat, "The Transformation of the Ottoman State, 1789–1908," 262.
[227] Türköne, *Siyasi İdeoloji Olarak İslâmcılığın Doğuşu*, 93.
[228] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 22.
[229] Kaplan, *Namık Kemal Hayatı ve Eserleri*, 52–53.
[230] Şerif Mardin, "Yeni Osmanlı Düşüncesi," in *Modern Türkiye'de Siyasi Düşünce: Tanzimat ve Meşrutiyet'in Birikimi* (İstanbul: İletişim Yayınları, 2003), 42–53.
[231] Berkes, *Türkiye'de Çağdaşlaşma*, 281–82.

Mardin's *Genesis* in the field, the usage of "the Young Ottomans" is prevalent to describe them. However, I prefer to use "the New Ottoman" since the word "new" reflects the motivation of the movement better; and more significantly, I think that how they defined themselves is more important than how others defined them.[232]

The New Ottoman movement is a loose group rather than being a well-ordered tight organization. There did not exist any document explaining the aims of the movement. Ebuzziya, who was a member of the New Ottomans, wrote the first history of the movement. He mentions a document of statute inspired by Italian Carbonari society,[233] but no evidence of it has been found in this regard so far. They did not gather around a common strict idea, ideology, or goal. Therefore, the disintegration of the movement by itself did not take a long time.[234] What gathered them was their dissent to the despotic rule of the Porte, specifically personal enmity to Âli and Fuad, and their will to advocate a regime depending on the *meşveret*. The movement was instituted under the guidance of Mustafa Fazıl Paşa at a meeting to which Kemal, Ziya Paşa, and Agah Efendi attended in Baden-Baden in August 1867.[235] It was Mustafa Fazıl Paşa who invited them to Baden-Baden, but he was not the leader of the alliance.[236] In this regard, in his unpublished article written in response to an article of *Gazette du Levant*, Kemal states that: [237]

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[232] Mardin's *The Genesis of Young Ottoman Thought* was also translated into Turkish as *The Genesis of "The New" Ottoman Thought*.

[233] Ebuzziva Tevfik, *Yeni Osmanlılar Tarihi* (İstanbul: Hürriyet Yayınları, 1973), 78.

[234] Koray, "Yeni Osmanlılar," 562.

[235] While Kemal, Ziya, Agah, and some foreign attendees were drafting the statute of the New Ottomans in Baden-Baden, Suavi was involved in issuing the *Muhbir* in London. It ıs possible that he did not attend this meeting intentionally. At this meeting, there was also Austrian socialist Simon Deutch and Polish exile revolutionist Wladyslaw Plater. They also put their signature on the statute. This shows the New Ottomans' relationship with the European opposition movements of that time. See: Çelik, *Ali Suavî ve Dönemi*, 100–101; In the Baden-Baden meeting, the statute of the movement was drafted. Two aims of the movement were determined as (i) maintaining reforms, changing the oppressive regime and despots of the Porte; (ii) resisting Russian threat in the East. For a more detailed account see: Adam Lewak, *Dzieje emigracji polskiej w Turcji (1831-1878)*, (Warsaw, 1935), 214 cited in Davison, *Reform in the Ottoman Empire 1856-1876*, 213–14.

[236] Mithat Cemal Kuntay, *Namık Kemal: Devrin İnsanları ve Olayları Arasında* (İstanbul: Türkiye İş Bankası Kültür Yayınları, 2010), 377; Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 36.

[237] Kuntay, *Namık Kemal: Devrin İnsanları ve Olayları Arasında*, 2010, 290–91. The article of *Gazette du Levant* to which Kemal responded was published on February 19 in 1867. Then, Kemal must have penned his response in February or March 1867. This corresponds to a date just before they fled to England. Kemal might have written this article also in response to Mustafa Fazıl Paşa's representation of himself as the leader of the Young Turkey Party in his article published in *Le Nord* (February 25,

> There was no bond among the members of the alliance other than conformity of opinion (*uhuvvet-i efkâr*) and fellow feeling (*karabet-i kalb*)… In fact, many members of this party appreciate Mustafa Fazıl Paşa's patriotic and benevolent fame that he achieved during his recent living in Istanbul. However, so far from recognizing him as our president, the majority of us even are not familiar with him.

This demonstrates that the New Ottoman movement did not occur as a tightly organized group since the very beginning of their formation.

Mustafa Fazıl Paşa was not their leader but he played a key role in the formation of the New Ottoman movement. In Egypt, Kavalalı Mehmed Ali Paşa had instituted the hereditary system for the governorship. However, the throne was passing to the oldest and most mature male of the Egyptian dynastic family, not from father to son. Ismail Paşa, brother of Mustafa Fazıl, was the ruling governor of Egypt at that time, and Mustafa Fazıl was the next heir to the throne in line. Ismail desired to change the line to secure the throne for his son and achieved his goal in 1866. In the same year, Mustafa Fazıl was also fired from the presidency of the Council of Treasury (*Meclis-i Hazâin*) and asked to leave Istanbul since he criticized the Grand Vizier Fuad Paşa's financial policies. All these pushed Fazıl Paşa to the opposition and communicate with the New Ottomans. Meanwhile, the New Ottomans intensified their criticisms on the occasions of Ottoman withdrawal from the Belgrade fortress, the Cretan crisis, and foreign debts. To prevent such criticisms, Âli Paşa issued a decree (known as *Kararnâme-i Âli*) allowing the government to close down newspapers that "threatened" the regime in March 1867. Afterward, Kemal, Ziya, and Suavi were appointed to governmental posts in Erzurum, Cyprus, and Kastamonu, respectively, which meant exile for them. Thereupon, Fazıl Paşa invited these three prominent figures of the movement to Paris and stated that he would support them financially in their cause against Âli Paşa. They accepted Fazıl Paşa's offer and escaped to Paris in May 1867. Thus, their paths crossed with Fazıl Paşa in the struggle with the despots of the Porte.

1867). Mustafa Fazıl Paşa might have presented himself as the representative of the party in order to take the nascent New Ottoman association to his side and cooperate against the Porte.

The origin of the New Ottoman movement is one of the most confusing issues in their history. According to Ebuzziya's account, the movement was established on a picnic organized at Belgrade forest in Istanbul in the summer of 1865, to which Mustafa Fazıl Paşa, Mehmed Bey, Reşad Bey, Nuri Bey, Ayetullah Bey, and Agâh Efendi attended. For Ebuzziya, this organization was called as the İttifak-ı Hamiyyet at this meeting. The organization was inspired by Italian Cabonaria and aimed at opposing the Porte. Also, according to this account, Kemal and Ziya were members of this association from the outset.[238] However, Kaya Bilgegil proved that this association is not the İttifak-ı Hamiyyet, but a conspiracy group called Meslek (The Vocation Group).[239] In fact, Kemal and Ziya were not members of this organization. The New Ottoman movement was instituted in Paris in 1867 after their fleeing. Mehmed, Reşad, and Nuri, who were ringleaders of the Meslek, fled to Paris by accepting Fazıl Paşa's invitation just after the premeditated revolt of the Meslek to overthrow the government had been disclosed at the beginning of June 1867. They joined the New Ottomans after they had arrived in Paris.[240] In the *Hürriyet*, Kemal also states that the New Ottoman movement was formed after the İttifak-ı Hamiyyet.[241] Thus, it becomes clear that the Meslek and the New Ottomans are not the same organizations; but the New Ottomans drew upon human resources and experience of the Meslek.[242]

Understanding the reasons behind their fleeing abroad may give us hints about their mentality. In the Ottoman Empire of the 1860s, oppression on the press had increased

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[238] Topal, "Sunuş," 26.

[239] Bilgegil, *Yakın Çağ Türk Kültür ve Edebiyatı Üzerinde Araştırmalar I: Yeni Osmanlılar*, 355–407.

[240] Riedler, *Opposition and Legitimacy in the Ottoman Empire: Conspiracies and Political Cultures*, 30–34; Şemsettin Şeker, *Sadık Bir Muhalif: Yeni Osmanlılar'dan Menapirzade Nuri Bey*, 30–33; Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 263–78.

[241] Namık Kemal, "Courrie d'Orient ile La Turqie beyninde usul-i meşveretin kabulüne dair zuhur eden nizâ' üzerine mütâlaa," *Hürriyet* 43, April 19, 1869. "…*bahsettiği İttifak-ı Hamiyet İstanbul'da onun neşriyâtından evvel mevcuttu. Müttefikler ise girdükleri işin muhâtarasından gafil değillerdi ve tasavvurları itidâlin nihayet derecesinde olduğu hâlde (hemen her işte en büyük vasıtası irtikâb u kizbden ibaret olan) hükümetin eline geçerlerse ne kadar şiddet göreceklerini düşünürler idi. İşe yalnız ümid-i muvaffakiyet ile girmediler; asıl arzuları ikaz-ı efkâra ibtidâ idi. Kimi zindana gitti, kimi gurbete düştü, fakat himmetleri maksadın karşılanmasına pişva oldu. Bu fedakarlığı etmesinler de ne yapsınlar idi? Yeni Osmanlılar Cemiyeti teşekkül etmemişti ki, Avrupa'ya çıkılsın, neşriyata başlasın da hükümet-i ezhân-ı umumiyenin tazyiki altına düşürsün*."

[242] Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 261. Burak Onaran's meticulous work is the latest and right source that elucidates the Meslek organization by unearthing the interrogation protocols of members of the organization. His work also shows differences between the Meslek and the New Ottoman movement clearly.

with the decree of 1864 (Matbuat Nizamnâmesi) demarcating the freedom of the press. Conditions in Istanbul were worsened for the journalists with Âli Paşa's issuance of the decree of 1867 to oppress heavy criticisms of opponents about foreign debts, the Cretan revolt, and crisis in the Balkans. On the other hand, the plot of the Meslek to overthrow the government was disclosed, and some members of it were arrested.[243] All these developments aggravated the situation for the opponents of the Porte who upheld a constitutionalist regime depending on principles of the *meşveret*, freedom, equality, justice, and will of people. They were aiming to constitute a checkable and accountable administration instead of the Porte's arbitrary despotic conduct. Therefore, they left the country to voice their cause and opinions freely.

The New Ottomans found a suitable environment in Europe to express their ideas and they continued journalism.[244] In this regard, Ali Suavi's *Muhbir* became the first voice of the movement in Europe in August 1867. The *Muhbir* was started to be published in London because British press law was more liberal than that of the French. Also, when Sultan Abdülaziz visited Paris, the New Ottomans were asked to leave France, and as a result, they moved to London. During the sultan's trip, Mustafa Fazıl Paşa agreed with the sultan and returned to Istanbul with him. Fazıl Paşa's return to the capital disappointed some of them but the continuation of Fazıl Paşa's monetary assistance made them forget this disappointment. Besides, they regarded his return and taking a ministerial duty in the government as an opportunity to influence decision-making processes in the Porte. However, Suavi refused Fazıl Paşa's financial support due to his return and cooperation with the sultan, but Kemal and Ziya continued to take their monthly stipend. Later, when Suavi questioned the political integrity of the movement, Kemal and Ziya Paşa attacked Suavi by describing him as an unstable,

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[243] Cavit Orhan Tütengil, *Yeni Osmanlılar'dan Bu Yana İngiltere'de Türk Gazeteciliği (1867-1967)* (İstanbul: Belge Yayınları, 1985), 22; Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 328–29.

[244] Newspapers that the New Ottomans issued in exile: The *Muhbir* (Reporter) and the *Hürriyet* (Freedom) were issued in London, the *İttihad* (Union) and the *Ulûm* (Science) in Paris, the *İnkılâb* (Revolution) in Geneva, and the *Muvakkaten Ulûm Müşterilerine* in Lyon. Tütengil, *Yeni Osmanlılar'dan Bu Yana İngiltere'de Türk Gazeteciliği (1867-1967)*, 24; For detailed information about the *İtithad* and the *İnkılab* see: Bilgegil, *Yakın Çağ Türk Kültür ve Edebiyatı Üzerinde Araştırmalar I: Yeni Osmanlılar*, 106–37, 138–86; For detailed information about the *Hürriyet* see: Topal, "Sunuş," 24–41. For detailed information about the *Muhbir* see: Tütengil, *Yeni Osmanlılar'dan Bu Yana İngiltere'de Türk Gazeteciliği (1867-1967)*, 31-51.

ignorant troublemaker.[245] After a while, Suavi's *Muhbir* was not welcomed by Fazıl Paşa because of Suavi's radical and evident political stance and Fazıl Paşa ordered Suavi to cease issuing the *Muhbir* and remove the seal of the New Ottomans on it.[246] Subsequently, he asked Kemal and Ziya to issue another newspaper and thus the *Hürriyet* appeared in June 1868.

As noted before, the New Ottoman movement is a loose group. The fact that various newspapers were published by members of the movement confirms this fact. Their intellectual backgrounds also caused this difference among them. Three prominent figures of the movement represented three different Ottoman traditions: Kemal drew upon the Sufistic perspective defining human nature as the most honored of all creatures, Ziya represented bureaucratic reformist mentality, and Suavi emphasized the Islamic notion of justice.[247] Because of differences in their origin and intellectual background, they disagreed about the literary style and language of newspapers. While Suavi mentioned the Islamic society, others referred to contemporary European thinkers and revolutionists besides Islamic heritage.[248] Likewise, whereas the majority of the New Ottomans did not overtly criticize the sultan following Ottoman opposition tradition, only Mehmed deliberately assaulted the sultan's personality and authority.[249] This difference in their approaches and ideas split the movement into factions.

The New Ottomans represented the first organized modern intellectual movement in Ottoman society. The emergence of this nascent intelligentsia that grew in bureaucratic ranks and clustered around journals was an innovation in Ottoman history. In the classical Ottoman ages, there were two types of intellectuals: the ulema who grew up in the madrasa and the Sufi sheik (*veli*) in the lodge; which both stand against the

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[245] Kemal Karpat, *The Politicization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State* (New York: Oxford University Press, 2001), 127.
[246] Riedler, *Opposition and Legitimacy in the Ottoman Empire: Conspiracies and Political Cultures*, 35; Topal, "Sunuş," 26.
[247] Şerif Mardin, "Yeni Osmanlılar ve Siyasî Fikirleri," in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi 6* (İletişim Yayınları, 1985).
[248] Çelik, *Ali Suavî ve Dönemi*, 101.
[249] Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 353.

temporal power of the ruler as spiritual powers.[250] The ulema in Islam is regarded as the heirs of the prophetic knowledge and they are independent of the political class. Likewise, the Ottoman ulema mainly functioned as a balancing factor by impeding the arbitrariness in government.[251] However, in the post-Tanzimat era, with the formation of nascent Ottoman Turkish middle class or bourgeoisie, a new type of intellectual came into being as the new opinion leaders who were capable of filling the intellectual leadership vacuum that had been left by the abdication of the ulema and thus shook the ulema's traditional role of cultural leadership in the society.[252] Unlike the ulema and Sufi sheiks, these new Ottoman intellectuals, despite being knowledgeable about Islamic sciences, went to Tanzimat's civil schools, were trained in governmental ranks, and learned Western languages and sciences. The instrument through which these new intellectuals communicated with people was also new, the newspaper. The New Ottomans, despite their loose structure, became the first organized exemplar of this new intelligentsia in Ottoman history.

The emergence of this new intelligentsia also corresponds to the rise of the notion of public opinion. The concept of public opinion took place in Europe in the seventeenth and eighteenth centuries. However, this does not mean that public opinion was not regarded in the classical ages. What was new is that public opinion brought about mass politics as a form of social control and created a medium in which legitimation or de-legitimation were realized.[253] In the classical ages, politics was the domain of nobles, jurists, and clergies, but this changed in the eighteenth century with the fading away of theology from the scene in favor of politics. Accordingly, the political sphere

[250] Mehmet Kaplan, "Mustafa Reşid Paşa ve Yeni Aydın Tipi," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 317–24.
[251] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 248.
[252] Bedri Gencer, "The Rise of Public Opinion in the Ottoman Empire (1839–1909)," *New Perspectives on Turkey* 30, no. March 2004 (2004): 144, accessed October 18, 2020. doi:10.1017/s0896634600003939; Çicek, *The Young Ottomans: Turkish Critics of the Eastern Question in the Late Nineteenth Century*, 24; Shaw and Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.*, 128.
[253] Gencer, "The Rise of Public Opinion in the Ottoman Empire (1839–1909)," 115–16.

became a medium in which any literate and well-educated one could argue, and thus publications of journals increased. As such, appealing to the public became crucial.[254]

In the Ottoman Empire, public opinion developed with the issuance of official and private newspapers in the Tanzimat era but this does not mean that public opinion was not considered by the government before the Tanzimat. In the classical Ottoman ages, people were manifested their content or discontent regarding the actions of the government and the sultan through popular rebellions and janissary uprisings. The sultan was obliged to observe the opinions of people to save his throne, that is, there was a "tacit contract" between the sultan and his subjects.[255] As noted before, the ulema was also a part of this "tacit contract" with their fetva-giving. The sultan would hear his subjects and receive their complaints in the imperial council (*divân-ı hümâyûn*) and after the Friday prayers, and prescribe the *adaletnâmes* to impede oppressions of officers. Public opinion regarding political matters would take shape in places such as coffee houses, mosques, Sufi lodges, and janissary barracks. However, in the Tanzimat era, newspapers emerged as a new place for public discussions about political issues. İbrahim Şinasi was the first to utilize the newspaper as a forum to influence public opinion and to enlighten people[256] through his journal *Tasvir-i Efkâr* in 1862. Şinasi also introduced Western concepts such as public opinion (*efkâr-ı umumiye*), freedom, and human rights (*hukuk-ı nâs*) to Ottoman literati.[257] In this way, the modern way of casting public opinion appeared in Ottoman society.

New Ottoman intelligentsia accepted educating society as a socio-political mission[258] and used the newspaper to express their ideas about the salvation of the state from the decline and inform the public in this regard.[259] Adopting such a mission, these

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[254] Kosseleck, *Kavramlar Tarihi: Politik ve Sosyal Dilin Semantiği ve Pragmatiği Üzerine Araştırmalar*, 84–85.
[255] Şerif Mardin, "Freedom in an Ottoman Perspective," in *State, Democracy, and The Military: Turkey in the 1980s*, ed. Metin Heper and Ahmet Evin (New York: Walter de Gruyter, 1988), 23–35.
[256] Şerif Mardin, *Türkiye, İslam ve Sekülerizm* (İstanbul: İletişim Yayınları, 2011), 18–19.
[257] Berkes, *Türkiye'de Çağdaşlaşma*, 263.
[258] İlber Ortaylı, "Tanzimat Adamı ve Tanzimat Toplumu," in *Tanzimat: Değişim Sürecinde Osmanlı İmparatorluğu*, ed. Mehmet Seyitdanlıoğlu and Halil İnalcık (Ankara: Phoenix Yayınevi, 2006), 218–316.
[259] The problem of salvage of the state was not only dealt with in newspapers by the Ottoman intellectuals but also in novels, stories, plays, and poems in modern Turkish literature from Tanzimat

intellectuals substituted the ulema's position in the Tanzimat era in some way. They were seeking an answer to the question of "how to save the state," which is the "big question" of the nineteenth-century intellectuals.[260] For this purpose, these new intellectuals mostly reinterpreted the tradition, tried to reconstruct society and politics, and sought ways to ensure the unity and solidarity of Muslims.[261] They were well-aware of the power of public opinion and the importance of the newspaper for imbuing people with ideas. According to Kemal, they were living in a period that no one could resist public opinion[262] and the newspaper was one of the primary vehicles to express ideas.[263] Having this understanding, they made journalistic agitation to cast a new public opinion.[264] Educating society about political issues is also necessary to reinforce the principle of popular sovereignty on which legitimate government is based in terms of their political vision.[265] Thus, the New Ottomans became the first modern intellectual and ideological movement that aimed to shape public opinion in Ottoman society.

This new intelligentsia expressed their ideas about political developments like the ulema did in the classical ages. They interpreted and evaluated the actions and policies of the government in social, economic, financial, juridical, cultural, and economic matters. In this sense, they emerged as new intellectual figures who legitimize or delegitimize political power in Ottoman society alongside the ulema. The New Ottomans can be regarded among these new legitimator figures as well. Referring to the classical Islamic political vocabulary, the New Ottomans were new kinds of prominent figures who had *şevket*[266] to influence and shape ideas of people in political issues, including the legitimacy of political power.

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up to the republican era. Tanzimat literature presents us fruitful examples to see how the Ottoman intellectuals accepted educating society as a socio-political mission.

[260] Vahdettin Işık, *Türk Düşüncesinde İstikamet Arayışı* (İstanbul: Mahya, 2020), 35.

[261] Vahdettin Işık, "Osmanlı'nın Yeniden Yapılanması Sürecinde Aydınların Tutumu," in *Türkiye'nin Toplumsal Yapısı ve Sosyal Değişme*, ed. Hür Mahmut Yücer and Y. Sinan Zavalsız (Ankara: Ekin Yayınevi, 2021), 159–170.

[262] Namık Kemal, "Ve şâvirhum fi'l-emr," *Hürriyet* 4, July 20, 1868. "*Bir zamandır ki hiç kimse efkâr-ı umumiyeye karşı duramaz*."

[263] Namık Kemal, "Hubbü'l-vatan mine'l-iman," *Hürriyet* 1, June 29, 1868. "*Gazete ise dünyada ızhâr-ı efkârın birinci vasıtalarından addolunur.*" .

[264] Davison, *Reform in the Ottoman Empire 1856-1876*, 218–19.

[265] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 84.

[266] For the concept of *şevket* see: Chapter 2, p.25.

3.3.1. The *Hürriyet* Newspaper

In the second half of the nineteenth century, newspapers created a new forum for public discussions and debates regarding socio-political issues. However, Ottoman newspapers functioned differently from those in the West. In the West, the newspaper emerged in industrialized class society as the voice of classes and that of established social institutions. It developed as a social product that disseminates ideas. However, in Ottoman society, the newspaper was not constituted by society. On the contrary, the newspaper was used to educate and enlighten society top-down. It did not result from social and historical conditions but was imported from the West during the modernization process. Also, in contrary to the West, newspapers did not represent social classes. In the Ottoman case, the newspaper worked as an instrument that introduced Western knowledge and notions to society.[267]

To address large masses, the newspaper had to use a simplified language. Therefore, the duty of simplification of language was undertaken by intellectuals to communicate with commoners to convey news and ideas. The New Ottomans, too, struggled to simplify the language. Indeed, simplification of language was stimulated with the establishment of modern civil and military schools. Also, the growing modern bureaucratic state started to regulate more and more spheres of life in time. Hence, increasing red tape required more literate people in modern life. In other words, simplified language was indispensable for creating citizens and making of the modern state. Ottoman intellectuals were aware of this situation and therefore, they preferred to use unsophisticated language rather than the lexiphanic and ornamental language of classical Ottoman poets which included Arabic and Persian words.[268] In this regard, the New Ottomans were no exception and they contributed to the simplification of language.[269] Namık Kemal's articles demonstrate successful examples of simplified

[267] Tanpınar, *19. Asır Türk Edebiyatı Tarihi*, 249–50; Türköne, *Siyasi İdeoloji Olarak İslâmcılığın Doğuşu*, 45, 57.
[268] Ortaylı, *İmparatorluğun En Uzun Yüzyılı*, 72.
[269] Mardin, *Türkiye, İslam ve Sekülerizm*, 143–44; For contribution of the New Ottomans in the reform of language see: Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 225–46.

Ottoman Turkish and Ziya also published an article, *Şiir ve İnşa*, in the *Hürriyet* regarding the issue.

I think simplified language is closely related to the legitimation of power. In an age in which public opinion emerged, governments had to explain the symbolic universe of legitimation to people to justify their authority. Ottoman intellectuals were conscious of the importance of using simplified language as well since it enabled them both to de-legitimize and legitimize political power in an easier way.

The emergence of the newspaper altered the opposition pattern as well. A new opposition style grew up by means of the newspaper and the New Ottoman movement spearheaded this new form.[270] The classical type of opposition of discontent bureaucrats started to give its place to a kind of modern political one. In this sense, opposition stopped being a struggle between different factions in the governmental ranks, and thus, it was transformed into a political grouping that had its specific program.[271] The opposition found a new course to voice popular and intellectual discontents and critics. Just as the newspaper and intellectuals did not function in the same way as in Europe, the new opposition type developing through the newspaper was different from that in Europe. Whereas opposition in Europe denotes struggle between different social classes to attain power, in the classless Ottoman society, this new form of opposition undertakes the mission of salvaging the state.[272] The New Ottomans pioneered this new opposition style as the first organized modern intelligentsia and their emphasis on the *usul-i meşveret* (the method of consultation) is an offer to save the state in a sense. By publishing newspapers in multiple languages ranging from Ottoman Turkish to English and French and circulating these newspapers

[270] In fact, I do not describe the New Ottomans as an opposition movement aiming at destructing its enemy. Rather, I argue that they disagree with the Porte regarding the contents of reforms. In other words, they are dissenters rather than mere opponents. Both the Porte and the New Ottomans accept that the state must be renewed and reordered in accordance with the necessities of the present time. However, the New Ottomans find the Porte, specifically Âli and Fuad paşas diffident with respect to embark on libertarian and democratic reforms, such as holding elections and instituting the People's Parliament (*şura-yı ümmet*). Contrary to the arbitrary despotic rule of the Porte's, the New Ottomans uphold a constitutionalist system depending on freedom and equality of people.
[271] Ortaylı, "Bir Aydın Grubu: Yeni Osmanlılar," 1702.
[272] Gökhan Çetinsaya, "Kalemiye'den Mülkiye'ye Tanzimat Zihniyeti," in *Modern Türkiye'de Siyasi Düşünce: Tanzimat ve Meşrutiyet'in Birikimi* (İstanbul: İletişim Yayınları, 2003), 54–71.

in the major cities of both Europe and the Ottoman Empire, the New Ottomans differed from previous dissident movements.[273]

The New Ottomans' newspaper *Hürriyet* epitomizes a fruitful example for us to insight into the nascent public opinion in the Ottoman society and its reflections in social and political spheres. Not all members of the movement indeed wrote in the *Hürriyet* but core and fundamental political theories of two prominent figures of the movement (like Kemal and Ziya) are found in the articles published in the *Hürriyet*.[274] For Kosseleck, because newspapers are ad hoc texts that deal with current issues and concern a short period, they include theoretically low-level writings. In other words, newspapers are sources that have a single temporal layer that deals with the period in which they are published pragmatically.[275] Kosseleck is right in his argument but the New Ottomans, in the *Hürriyet*, besides stating their pragmatic ideas regarding present issues, penned the full-fledged articles and article series going beyond pragmatic, current, and ad hoc concerns. That is, the *Hürriyet* involves their political thought and program that they developed gradually[276] and this is what makes the *Hürriyet* remarkable in terms of scrutinizing the political perspective of the New Ottomans.

The *Hürriyet* began to be published on 29 June 1868 after Fazıl Paşa's order to institute a new journal because of his discontent about Suavi's harsh attitude against the government in the *Muhbir*. Besides, Kemal and Ziya disagreed with Suavi's intention of transforming the *Muhbir* into the propaganda office of the Ottoman Empire in Europe,[277] and the *Hürriyet* appeared. The *Hürriyet* was published as a four-page newspaper in its issues from one to ten. The first five issues were published under Reşad's signature and later, Kemal took of its editorship. From the 11th to the 63rd issue, a period when Kemal left the editorship of the *Hürriyet* because of Âli Paşa's pressure, it was published as an eight-page paper. Kemal's leaving in the middle of

[273] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 24.
[274] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 286, 341.
[275] Kosseleck, *Kavramlar Tarihi: Politik ve Sosyal Dilin Semantiği ve Pragmatiği Üzerine Araştırmalar*, 97.
[276] Topal, "Sunuş," 31.
[277] Çicek, *The Young Ottomans: Turkish Critics of the Eastern Question in the Late Nineteenth Century*, 62.

1869 inevitably affected the prestige and content of the *Hürriyet*. After Kemal's leaving, the number of pages diminished and it was published again as a four-page paper until the last 100th issue. However, there is an exception: in its 68th and 69th issues in which Ziya's famous *Rüya* was published. From the 64th to the 100th issue, the *Hürriyet* was published under the Arif's signature, which was probably the pen-name that Ziya Paşa used to avoid Sultan Abdülaziz's anger. Because Suavi said that Âli Paşa should be sentenced to capital punishment due to his oppressions in his article published in the 78th issue, Âli Paşa sued for Ziya Paşa in London. After that, Ziya Paşa had to leave London for Geneva. Therefore, from the 89th issue, the *Hürriyet* started to be published lithographically in Geneva. However, after Fazıl Paşa had closed with the Porte by accepting to become the minister of justice in April 1870, Ziya Paşa became angry and ended the publication of the *Hürriyet* with the 100th issue on 22 June 1870.[278]

The *Hürriyet* includes discrete or serial articles, news, and letters. Almost all of the articles and letters were published anonymously. However, it is possible to detect the authors of articles from the style of writing and issues dealt with.[279] Concerning the reader's letters coming from the different regions of the Empire, we can easily predict that some of these letters were written by Kemal and Ziya. However, there are also some real letters that inform readers about local developments and mention the latest political gossips in the capital. The remarkable amount of readers' letters also indicates that the *Hürriyet*, despite the fact that it was forbidden,[280] resonated in all over the Empire and became successful in taking the readership on board.[281] By publishing these letters in the *Hürriyet*, the New Ottomans were displaying their influence on the

[278] Fevziye Abdullah Tansel, *Namık Kemal'in Husûsî Mektupları I* (Ankara: Türk Tarih Kurumu, 2013), 172; Tevfik, *Yeni Osmanlılar Tarihi*, 359; Topal, "Sunuş," 28–29.
[279] For the list of Kemal's articles in the *Hürriyet* see: Kaplan, *Namık Kemal Hayatı ve Eserleri*, 73–77; For Ziya Paşa's literary style for detecting his articles in the *Hürriyet* see: Tanpınar, *19. Asır Türk Edebiyatı Tarihi*, 319–25; For an overall evaluation regarding detecting the authors of articles see: Topal, "Sunuş," 35–37.
[280] The New Ottomans enjoyed the terms of the capitulations privileging foreign post offices when sending the Hürriyet to the Empire see: Shaw and Kural Shaw, *History of the Ottoman Empire and Modern Turkey: Volume 2, Reform, Revolution, and Republic.*, 131.
[281] Czygan, "Reflections on Justice: A Young Ottoman View of the Tanẓīmāt," 946.

public and thus consolidating their position against the Porte, although they were in exile far away from the capital.[282]

The audience of the *Hürriyet* mainly consisted of the governmental ranks, officers, and the high society familiar with the West.[283] As for the European audience of the newspaper, the *Hürriyet* reminded them Paris-based daily *La Liberté* that led the liberal opposition to Napoleon III. Beyond that, the name of the newspaper also conveyed their allegiance to the liberal principles, such as freedom and representation, embraced by liberal parties and movements throughout Europe.[284]

As I noted before,[285] I do not depict the New Ottomans as mere opponents aiming at destructing their enemies, but dissenters to the Porte regarding how to renew and reorder the state. It means that there are two different conflicting approaches to the course of reforms. One is the New Ottomans' libertarian and democrat constitutionalist system, namely, the *usul-i meşveret*, and the other is the Porte's prudent, diffident, and arbitrary attitude. According to Ülken, there are two groups against the New Ottomans' libertarian and constitutionalist ideology. The first one is the statesmen who desired to maintain the spirit of the Tanzimat, and the second one is the intellectuals who supported the first group ideologically. Both groups supported attaining the level of contemporary civilization and progressive ideas but with a difference. While the first group upheld a romantic and revolutionary change, the second one defended a gradual transformation depending on the dissemination of education and knowledge.[286] Being aware of this dichotomy between the New Ottoman and bureaucrats of the Porte, I think, it is important to understand their political ideas since the New Ottoman movement draws upon this tension.

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[282] Czygan, "The Young Ottomans and Their Journal Ḥürriyyet (1868–1870) Revisited," 58.
[283] Mardin, "Yeni Osmanlı Düşüncesi," 51.
[284] "*La Liberté* was also a journal that had lent its voice to the Young Ottoman cause by reprinting Mustafa Fazıl Pasha's open letter to the sultan in March of 1867." Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 97.
[285] See footnote 270.
[286] Hilmi Ziya Ülken, *Türkiye'de Çağdaş Düşünce Tarihi* (İstanbul: Ülken Yayınları, 1994), 64.

CHAPTER IV

THE LEGITIMACY OF POLITICAL POWER IN THE NEW OTTOMAN THOUGHT

Meşveretsiz kim ki bir iş işleye

Şol nedâmet parmağın çok dişleye

Zarîfî (d.1795)

To comprehend a thought or a theory, I think, we should take into consideration the conception of human nature in that theory at first. It is true that the New Ottomans were inspired by Western political thought and drew upon it, but they essentially referred to Islamic thought in their political understanding. For this reason, to grasp the legitimacy of political power according to the New Ottomans in the *Hürriyet*, we should deal with the Islamic conception of human nature since theories of human nature have an important role to play in philosophical debates about legitimacy.[287]

According to Ömer Türker, there are two basic principles that set the ground for the contour of Islamic political thought: the principle of *teklîf* (responsibility) and the principle of the need for divine assistance. These two principles determine the problems and issues of Islamic political thought. In any discipline of Islamic thought, Muslim thinkers think that a metaphysical understanding of responsibility gives meaning to human life and this is called *teklîf* in religious thought. The principle of *teklîf* includes a belief in the covenant between God and man that encircles all spheres of life. Through this understanding that indicates the spiritual dimension of the human being, the principle of *teklîf* engenders the understanding of responsible (*mükellef*) man that undertakes the divine mission on earth. The principle of *teklîf* also brings about

[287] Beetham, *The Legitimation of Power*, 73.

the second principle stating that human being is in need of divine assistance to order socio-political life justly.[288] According to these principles, the human being is the vicegerent of God on earth[289] who undertook the divine trust that the heavens, the earth, and mountains declined to bear it and fear it.[290] However, this does not mean that the human being should be presumptuous enough to regard himself as a "copartner with God in creation" in Islamic thought.[291] According to Faruqi, this divine responsibility requires man to obey God and fulfill his commands on earth, which is the raison d'être of humanity. In other words, the principle of *teklîf* founds the basis of humanity and its meaning. Carrying out of this divine responsibility, i.e. vicegerency for God, is considered as the only condition for the salvation of humanity. Realizing the divine will of God makes man the most honored of all creatures.[292] Fulfillment of the divine responsibility comprehends whole spheres of life (tawhid). This means that the principles of *teklîf* and of the need for divine assistance found the ground on which morality, society, and politics are predicated.[293]

Admittedly, the principle of responsibility requires the ability to decide and implement decisions. In other words, freedom is necessary for the realization of divine responsibility.[294] Freedom constitutes the basis of the vicegerency of human being for God on earth with his/her intellect and particular will (*al-irâda al-juz'iyya*) since being responsible necessitates acting freely in his/her deeds.[295] As noted before, there is no distinction between morality and politics in Islam. However, to be regarded as a moral being, man has to be free to choose. It means that attributing morality to the actions of human beings requires the freedom of the agent.[296] Therefore, in Islamic political thought, a free and responsible man is regarded as the main agent of all political actions

[288] Ömer Türker, "İslam Siyaset Düşüncesinin Yeniden İnşası Üzerine Bir Deneme," in *İslam Siyaset Düşüncesi: Adil Devlet, Erdemli Şehir, Mükellef İnsan*, ed. Lütfi Sunar and Özgür Kavak (Ankara: İlem Kitaplığı, 2018), 51–91.
[289] The Qur'an, 2:30
[290] The Qur'an, 33:72.
[291] Al-Attas, *Islam and Secularism*, 38.
[292] Al-Faruqi, *Al Tawhid: Its Implications for Thought and Life*, 4, 7, 61–63.
[293] In the Islamic law (fiqh), all actions of legally responsible humans (*af'al al-mukallaf*) are examined and categorized according to five norms (*al-ahkam al-khamsa*): forbidden (*haram*), obligatory (*fard, wajib*), recommended (*mandub*), neutral (*mubah*), and disapproved (*makruh*). See: Hallaq, *An Introduction to Islamic Law*, 19–20.
[294] Türker, "İslam Siyaset Düşüncesinin Yeniden İnşası Üzerine Bir Deneme," 55.
[295] Raşid Gannuşi, *Laiklik ve Sivil Toplum*, trans. Gülşen Topçu, (İstanbul: Mana, 2018), 31,50.
[296] Al-Faruqi, *Al Tawhid: Its Implications for Thought and Life*, 91.

since he has the ability to choose with his free will.[297] This freedom of man in choosing good or evil makes him the trustee of divine responsibility.[298] In this regard, though the notion of freedom was incorporated into Islamic thought from the West in the nineteenth century, it was interpreted verily in a different way from freedom in the Western sense. In Islamic interpretation, freedom is the condition to practice religion, seek the truth, and implement God's divine will on earth as being His vicegerent.[299]

Of course, considering freedom together with the divine responsibility of man is a modern conceptualization, but this should not avoid us evaluating the New Ottoman thought within this framework if we remember that the New Ottoman movement is the first modern Muslim intellectual movement. Also, in his work examining the issue of will in the late Ottoman religious thought through concepts of intellect (akl), will, and freedom in terms of kalam, Rıdvan Özdinç argues that the idea of responsibility has begun to play a central role in the modernization process. The reason for increasing emphasis on the idea of responsibility, rather than being considered a religious obligation, is related to the backwardness of Muslims, efforts to keep state and religion alive and salvage the Islamic nation (umma).[300]

Another concept that is related to the principle of *teklîf*, freedom, and morality of human actions is the particular will (*al-irâda al-juz'iyya*), which is dealt with in Islamic theology (kalam). According to Rıdvan Özdinç, the particular will was one of the most discussed concepts in the intellectual milieu of the late Ottoman period. The concept of particular will was developed to denote that the human being is the agent

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[297] Hızır Murat Köse, "İslam Siyaset Düşüncesinin Temelleri: Bir Giriş Denemesi," in *İslam Siyaset Düşüncesi: Adil Devlet, Erdemli Şehir, Mükellef İnsan*, ed. Lütfi Sunar and Özgür Kavak (İlem Kitaplığı, 2018), 28.

[298] Iqbal, *The Reconstruction of Religious Thought in Islam*, 76.

[299] Until the eighteenth century, the Islamic notion of freedom was primarily considered legally and meant one who was regarded as a free man, not a slave according to Islamic law. Neither the term "free" nor "slave" was used in a political context as the Western use of the notion of "freedom" meaning citizen's rights. Also, the oppressive rule is unknown to the classical Islamic political vocabulary and thought. See: Lewis, *The Political Language of Islam*, 65.

[300] According to Özdinç, though this emphasis on human responsibility has very strong religious and moral dimensions, one aspect of it,which can be regarded as dangerous, is the encouragement of human intervention in life, that is, destiny. However, in the classical Ahl al-Sunna understanding, human actions were based on God's will and divine providence without looking at their attributes such as belief, unbelief, and obedience. Rıdvan Özdinç, *Akıl, İrade, Hürriyet: Son Dönem Osmanlı Dinî Düşüncesinde İrade Meselesi* (İstanbul: Dergâh Yayınları, 2013), 182–83.

of his/her actions and responsible for the conclusion of his/her actions in the Maturidi literature. In the Ottoman context, the religious basis of the emphasis on freedom was discussed around the concept of the particular will. Due to the necessities of the time, the concept of particular will became the anchor point to explain the freedom of man on the ground of the notion of responsibility.[301] As for the moral dimension of the issue, interpreting the concept of particular will on the moral and legal ground has been an attitude since the classical ages. In the modern period, the appeal of the concept of particular will comes from the fact that it bears the possibility of finding a religious explanation for the notion of freedom within the Sunni framework. According to Sunni kalam, God is the creator (khaliq) of human actions and human being is the acquisitor (kasib). Human acquisition is considered the essential condition for human responsibility. However much the concepts of particular will and acquisition (kasb) are mainly used to denote human responsibility about his/her actions in the hereafter according to Ash'arite and Maturdite theology, the idea of responsibility also founds the grounds of moral and legal regulations of human beings on earth. In the modern era, the issue of freedom, which is related to human responsibility, has ceased to be a concept that revolves around the idea of crime in the moral and legal fields. Thus, the concept of freedom was tried to be transformed into a concept that is characterized on the basis of social duty. In this period, the New Ottomans founded their opposition upon the ground of a politically interpreted freedom understanding and an active responsible human conception. In their struggle to become a partner in political power, the religious basis of freedom is based on the idea of emphasizing the human will.[302]

The New Ottomans mention implicitly both the divine responsibility of man and the importance of freedom to fulfill the divine obligation. The divine responsibility of man at the socio-political level is carried out by the ruler or government. Regarding this socio-political dimension, in Kemal's article that is entitled with a famous hadith of

[301] Özdinç states that the increase in the emphasis on the concept of particular will during the modernization period is mostly related to Ottoman Istanbul since the Maturidi sect is not prevalent in other geographies of the Muslim world. Therefore, in other Muslim geographies, the capacity of the concept of particular will to solve existing problems is mainly interpreted on the ground of a Mutezili understanding of freedom. However, in the Ottoman intellectual milieu, the religious basis of the emphasis on freedom was discussed around the concept of particular will. Ibid., 185.

[302] Ibid., 185, 186–87, 196 Also, Özdinç states that there is not enough evidence to argue that the New Ottomans based their thought on the concept of the particular will. I hope that my thesis may contribute to illuminating this facet of their thought.

Prophet Muhammad stating that "you are all shepherds and you are all responsible for your flock", it is stated that this great trust and mighty vicegerency (*emânât-ı kübrâ ve hilafet-i uzmâ*) are held by the Ottoman state currently. In accordance with the divine responsibility, to pledge the security of life, property, and honor of people is incumbent on the state.[303] As for the freedom of man, there is no direct connection between the principle of responsibility and freedom in their expressions, but there is some evidence that indicates this relationship. It is possible to see these kinds of explanations of freedom both in Kemal and Ziya's articles, but Kemal's writings touch upon more evidently the importance of freedom concerning man's will and responsibility. This approach of Kemal derives from his Sufistic background under the influence of Sufi Leskofçalı Galib whom he met before Şinasi.[304] Kemal's Sufistic explanations regarding freedom and politics, I think, can be seen in the concepts he used throughout his articles in the *Hürriyet*. Likewise, Kaplan states that Galib did not only influence Kemal's poetry, but also his political conceptualizations like freedom.[305] Mardin also mentions how Kemal's definition of freedom was influenced by the Sufistic understanding that defines the human being as God's vicegerent on earth.[306] All humans are created free and therefore they must benefit from freedom, which is a divine grant (*atâ-i ilahi*), by the necessity of their nature.[307] In this regard, Ziya also considers freedom as God's grace to humanity (*nimet-i ilahiyye*).[308] Because freedom is a fundamental right of human beings by nature, it cannot be granted by any authority except God; but freedom can only be recognized as the natural right of humans.[309]

Moreover, freedom is correlated with morality. It is stated that freedom (*şeref-i hürriyet*) enhances the morality of humans.[310] Though this explanation does not

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[303] Namık Kemal, "Küllüküm râ'in ve küllüküm mes'ûlün an ra'iyyetihi," *Hürriyet* 13, September 21, 1868.
[304] Ömer Faruk Akün, "Nâmık Kemal," in *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, accessed October 21, 2020, https://islamansiklopedisi.org.tr/namik-kemal.
[305] Kaplan, *Namık Kemal Hayatı ve Eserleri*, 36–40.
[306] Mardin, "Yeni Osmanlılar ve Siyasî Fikirleri," 1700–1701. Of course, Kemal was inspired by Western ideas regarding freedom, but this does not mean that his conceptualization of freedom is a mere imitation. As Mardin puts it, whereas freedom in the Western sense depends on the value of the human being as human, Kemal's freedom certainly dissents to that understanding.
[307] Namık Kemal, "Ve Şâvirhum Fi'l-Emr." "*İnsan ki kudretten hürriyetle meftûrdur, bittabi o atâ-i İlahi'den istifadeye mecburdur.*"; "Hâtime," *Hürriyet* 100, June 22, 1870.
[308] Ziya, "Ziya Bey Efendi'nin iltifatnamesi."
[309] Namık Kemal, "Hürriyet," *Hürriyet* 37, Mach 8, 1868.
[310] "Hürriyet'i teşvik eden İstanbul'dan vârid olan iltifatname," *Hürriyet* 11, August 31, 1868.

explicitly denote the necessity of freedom to choose for attributing morality to deeds of humans, their emphasis on morality in many articles in the *Hürriyet* indicates the significance of being moral for them. Furthermore, in Arabic, "to create", the word "moral," and the word man or people originates from the same root "*kh-l-g*."[311] When they state that all men are created free by nature, they use the word "*mütehallik*", which originates from the word "*kh-l-g*", for the meaning of "to create".[312] I argue that they consciously chose these words in mentioning freedom. We can deduce from these lines that, despite not systematically as in books, they place man, as the free bearer of the divine responsibility, on the ground of their political vision in their articles.

The principle of the need for divine assistance can be seen in their political thought. In many articles, they explicitly state that religion constitutes the basis of their political vision. In compliance with this principle, they argue that Islam set forth a just base for politics.[313] More clearly, sharia is defined as the water of life (*mâyeü'l-hayat*) for the state:[314]

> Europeans should know that if the survival of the Exalted State in the East is required for [international] general equilibrium, its foundation must not be touched. Since this state is founded upon Islam, its existence is jeopardized when its foundation changes… In brief, if our state wants to live long, it cannot depart from compliance with sharia and being an Islamic state. This means that sharia is the water of life of our state.

Accordingly, the non-observance of the sharia leads to the waning of the state and oppressions.[315] Besides, observing the rules of sharia also brings forth freedom of people.[316] Strictly speaking, religion is an ontological issue for the New Ottoman

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[311] *A Dictionary of Modern Written Arabic* ed. Hans Wehr and J. Milton Cowan, 3rd ed. (Spoken Language Service Inc., 1976), s.v. "خلق."

[312] Ziya, "Ziya Bey Efendi'nin İltifatnamesi"; In addition, Kemal uses the word "*meftûr*", which originates from the word "*fatara*" meaning "to create" in Arabic, for corresponding to "to create". Another word that derives from the same root, the word "*fitra*" means "nature" and "character". These words are also used by Sufis to indicate human nature. See: Namık Kemal, "Ve şâvirhum fi'l-emr."

[313] Namık Kemal, "Usul-i meşverete dair altıncı mektup," *Hürriyet* 18, October 26, 1868.

[314] Namık Kemal and Ziya, "Devlet-i Aliyye'yi bulunduğu hâl-i hatarnâktan halâsının esbabı," *Hürriyet* 9, August 24, 1868. "*Avrupalılar bilmelidirler ki eğer Devlet-i Osmaniye'nin şarkta bekası muvâzene-i umumuiye için lazım ise kat'an esasına dokunmamalıdır. Zira bu devlet İslamiyet üzere kurulmuş olduğundan her ne zaman esasına tagayyür gelirse vücudu muhâtarada kalır… Hülâsa-i kelâm devletimiz muammer olmak isterse şeriat-ı Ahmediye'ye ittibâdan ve devlet-i İslamiye hâlinde kalmaktan ayrılmaz. Demektir ki şeriat devletimizin canı ve mâyeü'l-hayatıdır.*"

[315] Namık Kemal, "Usul-i meşverete dair sekizinci mektup," *Hürriyet* 22, November 23, 1868; Kemal and Ziya, "Devlet-i Aliyye'yi bulunduğu hâl-i hatarnâktan halâsının esbabı."

[316] "Vükelâ-i hâzıranın Yeni Osmanlılar hakkında kullandıkları politika," *Hürriyet* 11, August 31, 1868.

thought and this demonstrates the centrality of the principle of the need for divine assistance in their political thought.

4.1. Normative Ingredients of Legitimacy in the New Ottoman Thought

I classify the materials that I dig out concerning the New Ottomans' ideas on the legitimacy of political power from articles and writings published in the *Hürriyet* according to Karateke's theoretical approach that examines legitimacy in two aspects: normative and factual aspect of legitimacy. As I explained his conceptualization in chapter 2, while the normative aspect of legitimacy encompasses abstract elements and principles on which political authority rests, the factual aspect of legitimacy encompasses concrete elements and practices on which political authority rests. These two aspects of legitimacy do not function independently of each other. They are two intertwined legitimizing strategies.[317] Then, it is quite normal that the normative dimension may include factual ingredients or the factual dimension may include normative ingredients as well.

4.1.1. The *Usul-i Meşveret* as a New Legitimate Order

In the *Hürriyet*, one of the most recurring concepts is the *usul-i meşveret*, which constitutes legitimate politics for the New Ottomans. For this reason, to fathom out how political power is legitimized in their thought, we should take into consideration how the notion of *meşveret* was considered in Islamic political thought and Ottoman political tradition. This would be conducive to grasping the legitimacy of political power according to them.

The concept of *shura* (consultation) is one of the most referred principles in Islamic political thought. The importance of the principle of *shura* is based on the Qur'an and

[317] Karateke, "Legitimizing The Ottoman Sultanate: A Framework for Historical Analysis," 17.

hadiths of Prophet Muhammed. Two Qur'anic verses refer to the principle of *shura*[318] and it is a known fact in Islamic history that Prophet Muhammed frequently consulted with his companion concerning various social issues. The shura as command of the Qur'an and the implementation of the Prophet was sustained by companions of the Prophet and the rightly guided caliphs (*hulefa-i raşidûn*). Omar, who is the second of the rightly guided caliphs, accentuated the importance of the *meşveret* by saying that "when one pledges allegiance to a man without consulting with Muslims, it is not allowed to subject neither to the one who obeys nor to the one who is obeyed, and both are sentenced with capital punishment" and "there is no caliphate without consultation."[319] We know that many consultative assemblies were constituted for discussing state affairs in Islamic history. Muslim thinkers are also advised to consult with learned men and experienced statesmen regarding governmental issues. For instance, "Maliki scholar Abu 'Abdallah al-Qurtubî (d.1273) asserts 'when [a ruler] does not consult with the learned scholars, then it becomes necessary to depose him. There is no disagreement among the scholars on this [issue]'."[320]

Likewise, the significance of *meşveret* is emphasized in Ottoman political thought. In various Ottoman political treaties, the *meşveret* is recognized as indispensable for the conduct of the state.[321] For instance, Hasan Kâfî Akhisarî counts the non-observance of the *meşveret* among the four principles leading to the dissolution of the order.[322] According to Yılmaz, despite much emphasis on the principle of *meşveret* both in theory and practice, the *meşveret* was considered only as consultative and was conducted by a limited attendance of a few officials during the sixteenth century. However, the seventeenth century became a turning point for the *meşveret* with the fragmentation of governmental political power and the *meşveret* arose as an indispensable component for decision-making.[323] This increasing emphasis on the

[318] The Qur'an, 3:159; The Qur'an, 42:38.
[319] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 42.
[320] Shahin, "Government," 72.
[321] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 255; Yılmaz, "Osmanlı Devleti'nde Batılılaşma Öncesi Meşrutiyetçi Gelişmeler," 25.
[322] Akhisarî and İpşirli, "Hasan Kâfî Akhisarî ve Devlet Düzenine Ait Eseri Usûlü'l-Hikem Fî Nizâmi'l-Âlem," 263–67.
[323] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 257; Yılmaz, "Osmanlı Devleti'nde Batılılaşma Öncesi Meşrutiyetçi Gelişmeler," 27.

meşveret, both in theory and practice, continued throughout the eighteenth century.[324] From the nineteenth century forward, the influence of consultative bodies extended and was underpinned with the declaration of reform programs and institutions of consultative assemblies. Demands for a consultative system for the governmental order were also voiced in this century as the New Ottomans did.

In the Ottoman tradition, the *meşveret* was conducted in terms of legal and practical purposes by some particular people. The required qualities of people to whom consulted are counted such as wisdom, religious knowledge (*ilim, irfan*), insight (*ferâset*), expertise in a profession (*ihtisas*), religiosity and morality, experience, trustworthiness, and discreetness.[325] As for the benefits of conducting *meşveret*; legally, it aimed to ensure that decisions were taken in accordance with the law, practically, it aimed to achieve the most appropriate decisions.[326]

All these indicate the importance of the principle of the *meşveret* in Islamic and Ottoman political traditions. However, for scholars, the nature and implementation of *the meşveret* is a debated issue. They dissented about whether the *meşveret* was of an obligatory or advisory nature, whether it constitutes a binding statute in decision-making.[327] According to Kara, the *meşveret* or *shura*, which is included in two Qur'anic verses and many hadiths, is a moral concept that involves politics as well. In classical Islamic thought, the *meşveret* was interpreted as a recommended (*sunnah, müstehab*) principle on the grounds of Qur'an and hadiths rather than being obligatory and binding.[328] However, although the *meşveret* was not binding and restrictive check upon the acts and decisions of the government in the Ottoman classical period, it

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[324] Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 452.
[325] Coşkun Yılmaz, "Osmanlı Siyaset Düşüncesinin İlkeleri," in *Osmanlı'nın İzinde Prof. Dr. Mehmet İşpirli Armağanı*, ed. Feridun M. Emecen, İshak Keskin, and Ali Ahmetbeyoğlu (İstanbul: TİMAŞ Yayınları, 2013), 531.
[326] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 256; Yılmaz, "Osmanlı Devleti'nde Batılılaşma Öncesi Meşrutiyetçi Gelişmeler," 26.
[327] Shahin, "Government," 72.
[328] İsmail Kara, *İslâmcıların Siyasî Görüşleri 2* (İstanbul: Dergâh Yayınları, 2019), 50; İsmail Kara, "Hilafetten İslam Devletine Çağdaş İslam Siyasi Düşüncesinin Ana İstikametleri ve Problemleri," *Divan: Disiplinlerarası Çalışmalar Dergisi* 24, no. 47 (2019): 44; İsmail Kara, "İslâm Düşüncesinde Paradigma Değişimi: Hem Batılılaşalım Hem Müslüman Kalalım," in *Modern Türkiye'de Siyasi Düşünce: Tanzimat ve Meşrutiyet'in Birikimi* (İstanbul: İletişim Yayınları, 2003), 258.

nevertheless enabled non-governmental figures to influence and participate in the decision-making process.[329] In brief, the traditional understanding of the *meşveret* was considered neither obligatory nor binding in terms of decision-making for the ruler.

The New Ottomans put the *meşveret* at the center of their political thought. The notion of the *usul-i meşveret* (the method of consultation) denotes their demands for a consultative system in the conduct of the state. Properly speaking, the *usul-i meşveret* is regarded as the condition of legitimate government.

Setting forth what are the functions and purposes of the *usul-i meşveret* according to them would present us the main framework to understand their political thought. The function and purpose of a thing are often intertwined and therefore, functions and purposes of the *usul-i meşveret* I count here may substitute each other. In their opinion, the *usul-i meşveret* would work for impeding oppressions and corruptions of the government (the Sublime Porte), checking the economic and financial transactions, ensuring the rule of law, constituting the separation of powers, establishing meritocracy in whole levels of administration, and gaining the acceptance and confidence of people for political authority. Coming to the purposes of the *usul-i meşveret*, it would prevent political troubles with which the state grappled, economic frauds and waste, arbitrariness and misconduct in administration, facilitated achieving the level of contemporary civilization, and procured justice. In my opinion, they considered the *usul-i meşveret* as the ground of a legitimate political order.[330] In fact, all these were for an end: to salvage the Ottoman Empire from the dissolution.[331]

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[329] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 255–56.

[330] According to Yusuf Tekin, there are four meanings that are ascribed to the *usul-i meşveret* by the New Ottomans: (i) the *usul-i meşveret* as a solution to lack of constitution (nizâm-ı esasî); (ii) the usul-i meşveret as a parliament that represents people and oversees the government; (iii) the *usul-i meşveret* for correcting the misconducts in administration; (iv) the *usul-i meşveret* as a system that ensures a free system (nizâm-ı serbestâne or hürriyet). Tekin, *Şeriat, Meşruiyet ve Meşrutiyet: Yeni Osmanlılar'da Demokrasi Tartışmaları*, 113–48; Tekin, "Osmanlı Devletinde Siyasal Sistemin Meşruluğu Sorunu Çerçevesinde Birinci Meşrutiyetin Tartışılması," 87–116 While Tekin counts meanings (purposes) of the usul-i meşveret, I think, he misses the essential intention of the New Ottomans: the *usul-i meşveret* as a system that would impede the decline and salvage the Ottoman state.

[331] Namık Kemal, "Sekizinci numeromuzdaki maliye bendine zeyl," *Hürriyet* 10, August 31, 1868; Namık Kemal, "Sadaret," *Hürriyet* 36, March 1, 1869.

From this point of view, we can infer that the *usul-i meşveret* is upheld for a constrained political power. In other words, a constitutionalist system is desired to avoid the tyranny of government and establish a just rule. Because the New Ottomans gathered around the opposition of the arbitrary rule of the Sublime Porte, their emphasis on a restricted power manifests itself throughout articles in the *Hürriyet*. For them, despotism (*istibdad*) in government causes the predicament of the state. Despotism leads to deficiencies in whole spheres of life such as lack of human and economic resources.[332] The arbitrary rule (*idâre-i istiklaliye*), i.e. ascending to power by force (*alâ-tarikü't-temellük*), is not approved by the Qur'an and hadiths.[333] Moreover, in Islamic history, those states that constituted arbitrary rule could not escape decline (*tedenni, inkıraz*).[334] For these reasons, contrary to implicit connotations of the Edict of Tanzimat and the Reform Decree of 1856, a constitution should be declared to contain the arbitrary despotic rule and procure justice. The institution of a constitutionalist rule can be realized through the *usul-i meşveret*. Only in this way, justice can be achieved.[335]

In this constitutional system that the *usul-i meşveret* would bring about, the separation of power is required to impede absolute and arbitrary use of power. The separation of power is one of the classic mechanisms fragmenting government power to defend the freedom of people and avoid tyranny.[336] In some articles, they explicitly state that the *usul-i meşveret* aims to save legislative power (*kudret-i teşri'*) from the domination of executive power (*kudret-i tenfiz*)[337] in order to keep the government in the circle of justice.[338] There is no doubt that the idea of the separation of power was inspired by Western political thought. Particularly, their emphasis on independent legislative power from executive power evokes Locke and Montesquieu's political theories.[339]

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[332] Namık Kemal, "Hasta adam," *Hürriyet* 24, December 7, 1868.
[333] Ziya, "Hâtıra-yı ûlâ," *Hürriyet* 25, December 14, 1868.
[334] Ziya, "Yirmi beşinci numarada olan hâtıraya zeyl," *Hürriyet* 28, January 4 1869; "Hâtime."
[335] Namık Kemal, "Ve şâvirhum fi'l-emr."
[336] Heywood, *Key Concepts in Politics*, 230.
[337] "Mısır'a dair makale-i mühimme," *Hürriyet* 37, March 8, 1869.
[338] Namık Kemal, "Ve şâvirhum fi'l-emr."
[339] Locke, *Second Treatise of Government; and a Letter Concerning Toleration*, 73; Charles de Secondat Montesquieu, *The Spirit of the Laws*, trans. Thomas Nugent, (Ontario: Batoche Books, 2001), 173–74.

However, their inspiration from the Western political concept is not a mere aping of the West. They argue that the separation of power is not only recommended in modern law (*fenn-i hukuk*) but also in Islamic law (fiqh) and, even, taking opinions of people (*telakk-i ümmet*) into consideration in legislating is one of the indispensable conditions for being legitimate. Moreover, their approach regarding the separation of power manifests itself in their reinterpretation of Ottoman history. According to them, the ulema, viziers, prominent people in society, and janissaries were balancing powers that oversee actions of the sultan in the classical Ottoman ages but this balance deteriorated within time.[340] Besides, historical circumstances, like pressures coming from internal crises and European powers, and the Porte's domination over the Ottoman state apparatus, drove them to defend the separation of power in the administration. However, now, they uphold reinstituting such a balance as in the Ottoman past to curb arbitrary rule but with a difference: by a mechanistic mean like the separation of power.

The *usul-i meşveret* also includes a parliament that constitutes a balancing power against the executive branch, i.e. the Porte. For the New Ottomans, parliament enacts legislation, represents people, oversees government whether its action violates the constitution, procures justice, and thus confers legitimacy to the political system. It is obvious that the idea of a parliament that consists of representatives of people to make laws and act as a balancing power was inspired by Europe. They clearly articulate that they regard Europe as a wise teacher (*üstad-ı hikmet*) to be imitated.[341] However, they are aware that every nation should consider their socio-cultural values and customs in constituting a political order. Otherwise, political power cannot establish a legitimate authority unless it fits the cultural codes of society. Embracing such an approach, they cast the modern idea of parliament in an Islamic mold. For parliament, they coin the phrase *Meclis-i Şura-yı Ümmet* (People's Parliament) that refers to the principle of *shura* in Islam and ground this consultative assembly on two Qur'anic verses that command consultation. In this sense, it is argued that there is no government of personal rule (*saltanat-ı müstakille-i şahsiye*) in sharia; on the contrary, the legitimate

[340] Namık Kemal, "El-hakku ya'lu ve-lâ yu'lâ aleyh," *Hürriyet* 1, June 29, 1868; Namık Kemal, "Usul-i meşverete dair dördüncü mektup," *Hürriyet* 16, October 12, 1868; Namık Kemal, "İnnallahe ye'muru bi'l-adli ve'l-ihsan," *Hürriyet* 30, January 18, 1869; Namık Kemal, "Şura-yı devlet mazbatası üzerine mülâhazât," *Hürriyet* 49, May 31, 1869; Namık Kemal, "Sadaret."
[341] "Mısır'a dair makale-i mühimme."

government is based on popular elections (*intihâb-ı cumhur*) and the national consultation (*meşveret-i milliye*).[342] Besides Islamic justification, they bring evidence from the Ottoman past. Like the ulema, prominent figures, and statesmen, the janissary army is defined as a balancing power over the sultan. The janissary barracks are described as a kind of armed consultative assemblies that oversaw acts of government in the name of people, but it is stated that with the abolition of the janissary army the government became free of this containment.[343] However, the *Meclis-i Şura-yı Ümmet* consists of representatives of people since sovereignty rests with the nation (*ümmet*). According to them, the oversight of people on political and economic issues in the parliament impedes the arbitrariness of the Porte and thus ensures a just order.[344] As such, through separation of power and the *Meclis-i Şura-yı Ümmet*, public opinion would be reflected in the administration and deeds of government would become legitimate.[345]

The parliament and the separation of power are desired to procure justice. In this regard, it is argued that the basis of a just order can only be found on the ground of the *usul-i meşveret* (consultative system).[346] Justice is defined as impeding the sultan (government) from oppressing people[347] and, in line with Islamic law, making two things equal without preferring one over the other.[348] For them, the *usul-i meşveret* occurs as a condition to establish justice since it sets the ground for making precise laws (*muntazam kanun*). As Kemal puts it: "Justice is achieved through the equality of whole Ottoman individuals before the law. Equality before the law is procured by the *usul-i meşveret* that is in exact agreement with reason and tradition (*akl ve nakl*)."[349] Within this framework, constitution, parliament, and the separation of power become

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[342] "Hâtime."
[343] Namık Kemal, "Usul-i meşverete dair bir mu'terize cevaben yazılmış mektup," *Hürriyet* 12, September 14, 1868.
[344] Namık Kemal, "Mülkümüzün servetine dair geçen numerodaki makaleye zeyl," *Hürriyet* 8, August 17, 1868; Namık Kemal, "Yine Girit meselesi tazelendi," *Hürriyet* 24, December 7, 1868; "Vükelâ-i hâzıranın Yeni Osmanlılar hakkında kullandıkları politika."
[345] Namık Kemal, "Usul-i meşverete dair ikinci mektup," *Hürriyet* 13, September 21, 1868.
[346] "Avrupa Şark'ın asayişini ister," *Hürriyet* 24, December 7, 1868; "Nutk-ı hümayun," *Hürriyet* 50, June 7, 1869.
[347] "Yeni Osmanlıların ilan-ı resmîsi," *Hürriyet* 16, October 12, 1868.
[348] Namık Kemal, "İnnallahe ye'muru bi'l-adli ve'l-ihsan."
[349] Namık Kemal, "Hubbü'l-vatan mine'l-iman." "*Adalet ümmet-i Osmaniye efrâdının müsâvât-ı hukukuyla hâsıl olur. Müsâvât-ı hukuku ise akıl ve nakle mutabakat-ı kâmile ile mutâbık olan usul-i meşveret temin eder*."

necessary mechanisms and procedures to establish a just order. As they state: "it is obvious that, today, in the world, there is no state that establishes justice and improves in science without the *şura-yı ümmet*."[350] All these demonstrate that modern constitutional mechanisms are regarded as proper means to establish a just order, that is, a legitimate political power.

The constitution of the *usul-i meşveret* is also considered in terms of international legitimacy. According to them, the *usul-i meşveret* would both strengthen external sovereignty and raise the international political legitimacy of the Ottoman state. As noted earlier, sovereignty became an element that was not only important in terms of internal politics but also international politics in the modern period. Recognition by other states and their public gained importance concerning sovereignty in international power structures.[351] The external sovereignty of a state, thus, became influential on its legitimacy at the international level. However, external sovereignty is also propped up by the internal sovereignty of the state. In the *Hürriyet*, the *usul-i meşveret* is regarded in terms of external sovereignty of the state and that of deriving legitimacy at the international arena:[352]

> It is impossible to find another solution other than the *usul-i meşveret* in order to ward troubles off. [With the establishment of the *usul-i meşveret*], it comes to light that everyone is free, and Europe [begins to] treat us as a civilized nation. [Europeans] cannot regard [the Ottoman Empire] as a scarecrow beaten by Russia anymore. People of a province cannot make Europe listen to their claims if they take up arms on the pretext of oppressions when their deputies are in the *Meclis-i Şura-yı Ümmet*. Hereupon, however much the external threat the state has encountered, almost all of them disappear.

Accordingly, the *usul-i meşveret* is described as a means that would appease nationalist uprisings by popular representation throughout the empire and thus, impede foreign interventions to Ottoman domestic issues. This would not only consolidate the legitimacy of the imperial authority in its domestic politics but also in international politics.

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[350] "Reybü'l-menûn," *Hürriyet* 43, April 19, 1869. "… *ve bugün şura-yı ümmetsiz ızhâr-ı adalet ve neşr-i marifet eder, dünyada bir devletin vücudu olmadığı bedâhette iken…*"

[351] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 112.

[352] Namık Kemal, "Ve şâvirhum fi'l-emr." "*Belaları def etmeye usul-i meşveretten başka çare bulunamaz. O zaman herkesin hür olduğu meydana çıkar, o zaman Avrupa bize bir mütemeddin millet suretinde muamale eder. Yoksa şimdiki gibi Rusya'ya karşı dökülmüş (döğülmüş?) bir bostan korkuluğu nazarıyla bakamaz. O zaman bir eyaletin halkı Meclis-i Şura-yı Ümmette mebusları mevcut iken mazlumiyet namıyla silaha sarılırsa Avrupa'ya iddiasını dinletemez. Binaenaleyh, devletin haricen ne kadar mehlekesi var ise hemen bütün bütün mahvolur*."

The New Ottomans' severe and steady emphasis on the *usul-i meşveret* represents a shift from the classical Ottoman political thought since the *usul-i meşveret* associates justice and legitimacy of the political system with mechanisms, procedures, and processes. The key concept of classical Ottoman political thought is justice. In many classical political texts, the notion of the circle of justice is cited explicitly or implicitly. The exact meaning of justice in usages of classical Ottoman authors is not clear but justice primarily means protecting subjects, particularly the peasants, from the oppressions and illegal uses of power by official servants or unofficial people.[353] While, in the philosophical tradition, justice means maintaining the balance between the various segments of society, equity in the allocation of resources or social rank, and knowing and determining the middle way, in the *adalatnâmes* and the *ıslahatnâme* tradition, justice means observing the old laws on taxation to protect the reaya.[354] As the main concept of Islamic political thought, justice accentuates actions of power rather than the origin of power. It means that the legitimacy of power is related to actions of power rather than how the rulers ascend to power.[355] However, according to Kara, the notions of the *meşveret* and *shura* were reinterpreted by Muslim thinkers in the modern era, as did the New Ottomans. In modern reinterpretation, the *meşveret*, which is considered a moral and recommended principle in the Qur'an and hadiths, is elevated to the level of an absolute obligation (*fard*) and rendered a binding principle. Thus, the idea of parliament was legitimized. This led to a mechanistic and procedural understanding concerning justice and the legitimacy of power.[356] This conception, indeed, is derived from the modern political thought that divorced legitimacy from philosophy and reduced it to conformity with formal and procedural processes.[357] In the Weberian sense, legal procedures became sufficient to establish political

[353] Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 54; Yılmaz, "Osmanlı Siyaset Düşüncesinin İlkeleri," 528.
[354] Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 439–40.
[355] İsmail Kara, *İslamcıların Siyasî Görüşleri I: Hilafet ve Meşrutiyet* (İstanbul: Dergâh Yayınları, 2001), 164; Kara, "İslâm Düşüncesinde Paradigma Değişimi: Hem Batılılaşalım Hem Müslüman Kalalım," 259; Kara, "Hilafetten İslam Devletine Çağdaş İslam Siyasi Düşüncesinin Ana İstikametleri ve Problemleri," 49; Kara, *İslâmcıların Siyasî Görüşleri 2*, 54.
[356] Kara, "İslâm Düşüncesinde Paradigma Değişimi: Hem Batılılaşalım Hem Müslüman Kalalım," 258–59.
[357] Okumuş, "Modern Siyaset Düşüncesinde Meşruiyet Fikrinin Serencamı," 105–6.

legitimacy.[358] This increasing importance of the mechanistic approach to legitimacy is indicated in the New Ottomans' emphasis on the institution of a constitutional system.

In addition, Cemil Oktay claims that the pronoun "*hum*" (them), i.e. the people, which is indicated in the Qur'anic verse (*ve şâfirhum fi'l-emr*), had not been considered as the popular participation in the use of power in the Ottoman political tradition and therefore, the "*hum*" could not be the basis of politics[359] in contrast to the New Ottomans' interpretation. It is true that, in the classical Ottoman period, there did not occur an institutionalized consultative mechanism for popular participation in government, but, as Mardin argues, there was a "tacit contract" that works through popular and janissary revolts, and the ulema was also a part of this revolt pattern by their *fetvas*, to curb the tyrannical actions of the sultan. The New Ottomans, too, point out this revolt tradition by describing it as a kind of restrictive mechanism. However, there was not a parliament in the Western sense and therefore, the New Ottomans' explanations of the pre-modern Ottoman past concerning that there was a kind of a constitutional agreement between the sultan and his subjects seem exaggerated at some points. Nonetheless, they devoured sources of Ottoman history to find out a historical underpinning for political protest, representation, and constitutionalism and presented the early modern Ottoman state as an exemplary constitutional monarchy despite all its shortcomings.[360] Reinterpreting Ottoman history and tradition loosely in accordance with their purposes was providing them with a weapon by which to attack the bureaucrats of the Porte at their weakest point: that of legitimation of their policies and of their administration.[361]

The fact that the idea of a parliament was inspired by the European symbolic universe of legitimation does not mean that the New Ottomans' *usul-i meşveret* is a mere aping. They strive to bring the European idea of parliament conformity with the Islamic principle of *shura*. Western parliament as a procedural means of the legitimacy of

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[358] Coicaud, *Legitimacy and Politics: A Contribution to the Study of Political Right and Political Responsibility*, 20.
[359] Cemil Oktay, *"Hum" Zamirinin Serencamı* (İstanbul: Bağlam, 1991), 41–42.
[360] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 150.
[361] Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte 1789-1922*, 217.

political power does not refer to any transcendental justification since it is the social product of Europe's socio-historical circumstances. For, legitimation is considered as a human product in modern political theory.[362] However, as noted in chapter 2, because legitimacy is intimately connected to religion in Islam, it is not evaluated only as a social construction. Beyond the social dimension, there is a metaphysical construction of legitimacy supported by divine revelation and hadiths. As Davutoglu puts it, Islamic procedural means (*shura*) is based on an epistemologico-axiological basis that is closely related to ontological transcendency and therefore philosophically and methodologically different from Western political institutions.[363] The New Ottomans embrace this understanding and the *usul-i meşveret* is based on sharia following the principle of the need for divine assistance different from the Western parliament.[364]

I argue that the *usul-i meşveret* was intended to constitute constant principles and procedures to forestall the despotic tendencies of the Porte or the sultan. The legitimacy of political power should be checked whether the actions of the government conform to rules and procedures in this way. In the *Hürriyet*, there are latent statements that imply their intention for establishing firm mechanisms to control power. For Ziya Paşa, there did not emerge any nation that lived in a society that was not laid down by either well-ordered (*muntazam*) or disordered (*gayr-i muntazam*) laws in history.[365] In respect of impeding arbitrariness in government, Kemal states that establishing a political order on the ground of the will of one person is an undesirable situation since that person's opinions can change anytime.[366] In these kinds of expressions, I argue, the necessity of establishing firm bureaucratic mechanisms and principles is indicated to keep political authority in the field of legitimate politics. For, Kemal says "when the sultan's robe is taken off, there remains an ordinary man."[367] A similar understanding is seen in Ziya's famous *rüya*: Ziya describes how Âli lost face when

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[362] See: Berger and Luckmann, "Legitimation," 145–46; Beetham, *The Legitimation of Power*, 9, 100–114.
[363] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 111, 133.
[364] Nonetheless, we should keep Kara's reservation that modern Muslim thinkers' interpretation of the principle of the *meşveret*/*shura* constitutes a deviation from the classical Islamic and Ottoman thought in mind.
[365] Ziya, "Ziya Bey Efendi'nin İltifatnamesi."
[366] Namık Kemal, "El-Hakku ya'lu ve-lâ yu'lâ aleyh."
[367] Namık Kemal, "Küllüküm râ'in ve küllüküm mes'ûlün an ra'iyyetihi" "*Her ne zaman o hil'at arkasından alınsa bayağı bir adam kalır*."

Ziya goes to Âli Paşa's mansion to inform Âli's deposal by the sultan and take the privy seal (*mühr-i hümâyun*) from him.[368] This means that what is important is the post, not the personality of rulers.[369] In the Weberian sense, what is legitimate is the bureaucratic rule rather than the charismatic rule.

Despite their mechanistic understanding, they occasionally lay emphasis on the human factor in the political system. For instance, Ziya clearly states that "it is not the rules (*nizâm*) that ameliorate the conditions, but, perhaps, people who employ that rules."[370] In some articles, they praise some Ottoman or foreign political statesmen such as Mithat Paşa or a Prussian prince to humiliate Âli and Fuad Paşa's ineptitude in statecraft. I think such explanations should be evaluated as natural outcomes of the journalistic style. Besides, they refer to some great Ottoman sultans like Mehmed II, Selim I, Suleiman I, and the reformer one like Mahmud II. At first glance, it seems there is a contradiction in their understanding. However, I think, this may be interpreted differently. I argue that their mentioning of the sultans of the Ottoman "golden ages" is closely related to their opposition to the Porte's domination over the Ottoman statehood. I think they saw the great or reformer sultans mentioned in articles as a strong balancing power against the bureaucracy in their period. Accordingly, they wanted a more active, dominant, and powerful sultan as a counter-power to the Porte since there was not a bourgeoisie class from which Ottoman intellectuals can take support[371] for their democratic ideals as in the West. For these reasons, such statements can be interpreted as a contradiction in their political thought or as an effort to find historical and political underpinnings for their cause. But, the second one seems more plausible to me.

Their emphasis on procedural means also constitutes a remarkable shift from moral values to mechanisms in terms of the legitimacy of power different from classical

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[368] Ziya, "Sultan Abdülaziz Han, Ziya Bey, Âli Paşa," *Hürriyet* 69, October 18, 1869.
[369] For the development of dissociation of the personality of the ruler from the state apparatus in the early modern Ottoman period see: Marinos Sariyannis, "Ruler and State, State and Society in Ottoman Political Thought," *Turkish Historical Review* 4, no. 1 (2013): 83–117, accessed February 12, 2020, doi:10.1163/18775462-00401004.
[370] Ziya, "Hâtıra zeyli," *Hürriyet* 40, March 29, 1869.
[371] Işık, *Türk Düşüncesinde İstikamet Arayışı*, 32.

Ottoman political thought. However much they refer to religious justifications in theorizing the *usul-i meşveret*, procedural understanding would unavoidably outweigh against morality regarding legitimation.

In addition, the *usul-i meşveret* indicates the importance of being institutionalized in terms of legitimacy. Institutions, on the one hand, define terms and conditions for ascending to power, on the other hand, they checks whether those who are in power observe legal procedures. If we remember that one purpose of the *usul-i meşveret* is to oversee (*nezaret*) the government politically and economically in the name of people, we can conclude that institutions play a key role in terms of the legitimacy of power.

As it is clear from the saying above, they uphold the *usul-i meşveret* against the absolute arbitrary power of the Porte. According to them, despotism (*istibdad*) causes the decline of the state. In classical Islamic political thought, the word *istibdad* had not a pejorative connotation. Rather, it meant like Latins' dictator, which is a necessary element of the government. Instead of the *istibdad*, the words *zulüm* (oppression) or *zâlim* (oppressor), which are opposite of justice, were used to denote tyrannical administration.[372] Moreover, ascending to power by military might (*kahr*, *galebe*, *cebr* or *istila*), without the endorsement of those who unbind and bind (*ehlü'l-hal ve'l-akd*) and realization of the oath of allegiance (*bay'at*), was legitimized on the condition that the ruler shares his authority with others and conducts *meşveret*.[373] However, the New Ottomans attributed a pejorative meaning to the notion of *istibdad* and thus made it a de-legitimator element.[374] The Sublime Porte, specifically Âli and Fuad paşas, is described as a despotic government that throws obstacles in the way of the development of a constitutionalist system envisaged in previous reform programs. Also, because one aspect of being legitimate is to conform to the rules and laws, they must have thought that the arbitrary administration of the Porte violating the rule of law may cause erosion of legitimacy. In this context, the *usul-i meşveret* is considered

[372] Ortaylı, "Bir Aydın Grubu: Yeni Osmanlılar," 1702.
[373] Kara, *İslamcıların Siyasî Görüşleri I: Hilafet ve Meşrutiyet*, 122.
[374] We know that they read Montesquieu. Regarding this new meaning of the word *istibdad*, they must have been influenced by Montesquieu's conceptualization of despotic government in the *Spirit of the Laws*. Also, they refer to the *Spirit of the Laws* in the *Hürriyet*.

as a panacea to the problems caused by despotic rule, namely to the dissolution of the state.

4.1.2. The *Nezaret-i Ümmet*: People's Oversight on the Government

Another mechanism that would control the Porte's arbitrary use of power is the *nezaret-i ümmet* (people's oversight), which is a function of the *usul-i meşveret*. Through its check on government, the *nezaret-i ümmet* constitutes popular sovereignty in the administration and thus confers legitimacy to actions of the government. For them, the *nezaret-i ümmet* would enable people to participate in decision-making processes and impede the use of power as mere domination, as in the Ottoman past. According to their retrospective reinterpretation of the Ottoman history, the janissary army in the classical period did not only work as an armed *meşveret* but also as an effective check on government actions and decisions since people were laying down their right to oversee government (*hakk-ı nezaret*) to janissaries until their abolition in 1826.[375] However, it would be erroneous to consider the *nezaret-i ümmet* equal to the janissaries' function. For, the *nezaret-i ümmet* is defined on the ground of rights and modern political mechanisms. As Kemal puts it:[376]

> Political rights (*hukuk-ı siyasiye*) mean the people's oversight on the actions of the government. This is realized through the *usul-i meşveret.* Because operating in accordance with the laws is incumbent upon the government, the laws should not be made by those who enforce them and should be approved by people so that the laws can procure justice. For this reason, either in Islamic law or modern law, the legislative power and the executive power are separated.

These lines clearly state that the *nezaret-i ümmet* requires popular participation in politics (*hukuk-ı siyasiye*) and the separation of powers to establish justice. These procedural means are also necessary for the rule of law. For, "the current predicament

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[375] Namık Kemal, "Usul-i meşverete dair bir mu'terize cevaben yazılmış mektup"; In classical Ottoman political thought, there is also the principle of *murakabe* (supervision). The *murakabe* denotes the sultan's assignment of some officials to supervise whether local administrators and officers misconduct or oppress people. Through the *murakabe*, the sultan is also informed about people living in the countryside. Thus, the murakabe is considered as one of the essential principles to procure justice. For this reason, many Ottoman thinkers advised the sultan to conduct the *murakabe*. See: Yılmaz, "Osmanlı Siyaset Düşüncesinin İlkeleri," 531–32.

[376] Namık Kemal, "El-Hakku ya'lu ve-Llâ yu'lâ aleyh." "*Hukuk-ı siyasiye ise ümmetin ef'âl-i hükümete nezaretidir. Bu nezaret usul-i meşveret ile hâsıl olur. Çünkü hükümetin borcu kanun tahtında hareket etmektir, kanun ise icrasına memur olanlardan başka bir fırkanın elinde tanzim olunmalı ve halkın kabulüne mazhar olmalıdır ki makrûn-ı adl olsun. Bunun içindir ki gerek fıkıhta gerek fenn-i hukukta emr-i teşrî ile emr-i tenfiz birbirinden ayrı tutulmuştur.*"

cannot be ameliorated without the *usul-i meşveret* even if there are good rules."[377] Therefore, to establish a just political order, which is one of the essential conditions for legitimacy, the *nezaret-i ümmet* should be constituted.

The principle that gives people the right to participate in politics is popular sovereignty. Sovereignty belongs to people in the New Ottoman thought. According to them, the nation (*ümmet*) is the real sovereign (*hâkim-i tabiiye*) and the sultan is only the executor of people's sovereignty (*hâkim-i fiilî*).[378] The principle of popular sovereignty is based on factual and religious justifications. Firstly, because people both pay taxes and go into the army, and thus confer power to the government, sovereignty rests with the nation.[379] Secondly, as for the religious basis of popular sovereignty, they refer to Islamic history. It is stated that the Prophet neither constituted a hereditary system (*sultanate*) nor appointed a successor for his place, instead, He left the political leadership to the election of His companions (*intihâb-ı ashab*). In this regard, the rightly guided caliphs were elected by the majority of opinions of His companions. Accordingly, there is no monarchy (*saltanat-ı mütakille*) in Islam[380] and the legitimate form of government is based on the election of the people and the *meşveret*.[381] Moreover, there is no priesthood in Islam and Muslims did not recognize any vicegerent for the spiritual authority of the Prophet. Within this framework, they refer to the Islamic notion of *bay'at* (the oath of allegiance) as a mechanism that people lay down their rights to an authority. In discussing the *bay'at*, they reinterpret it by substituting the people for the *ehlü'l-hal ve'l-akd*, and thus, concepts like public interest and public opinion come to the forefront.[382] In the Ottoman context, it is the Ottoman dynasty to which people lay down the right to govern through the *bay'at-ı meşrûa*.[383] Popular sovereignty, then, indicates a reciprocal understanding regarding the legitimacy of power. As Kemal puts it, "just as the maintenance of the social organization of a community rests upon an imam who is the bearer of authority, the

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[377] "Terakki'de münderiç bir makale üzerine mülâhazat," *Hürriyet* 47, May 17, 1869. "*Nezaret-i ümmet olmadıkça velev nizamlar güel olmuş, ıslah-ı ahvalce ne tesiri görünebilir?*"
[378] Namık Kemal, "Usul-i meşverete dair beşinci mektup," *Hürriyet* 17, October 19, 1868.
[379] Namık Kemal, "Yine Girit meselesi tazelendi."
[380] "Reybü'l-menûn," *Hürriyet* 47, May 17, 1869.
[381] "Hâtime."
[382] Türköne, *Siyasi İdeoloji Olarak İslâmcılığın Doğuşu*, 123.
[383] Namık Kemal, "Usul-i meşverete dair bir mu'terize cevaben yazılmış mektup."

government of an imam rests upon the existence of that society."[384] Furthermore, the government is considered as the servant of the people as a hadith states that "leaders are servants of their people."[385] This means that legitimate sovereignty (*hâkimiyet-i meşrûa*) should be founded on the general will of the people.[386]

The principle of popular sovereignty is emphasized to impede arbitrary use of power, namely, a despotic rule (*istibdad*). The New Ottomans highlight the subtle difference in the meanings of the words "*mâlik*" and "*sahib*" to shore up their arguments regarding instituting a contained political authority. This subtle difference also implies the reciprocal nature of legitimacy. While the word "*mâlik*" is derived from the verb "*m-l-k*" that means "to take in possession", "to dominate", or "to reign"[387]; the word "*sahib*" is derived from the verb "*s-h-b*" that means "to escort", "to accompany", or "to become a companion" in Arabic.[388] Kemal touches upon this difference: "…in our tradition, it is incumbent upon the sultan to govern according to the will of the people and the principle of freedom. His title is called as *the sahib-i mülk*, not the *mâlikü'l-mülk*…"[389] In another article, he says that "the person who occupies the post of the sultanate is only our ruler, not our owner in any sense."[390] From these sentences, we can infer that, in their thought, the sultan is not an absolute sovereign. Rather, the sultan is the trustee of the sovereignty in the name of the people. Hence, popular sovereignty is regarded as a means that prevents arbitrariness in government. However, what is remarkable is that the power relationship is conceived horizontally rather than vertically.[391] Hence, the meaning of the word *sahib* points out that the

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[384] Namık Kemal, "Küllüküm râ'in ve küllüküm mes'ûlün an ra'iyyetihi." "*Bir cemaatin devam-ı cemiyeti bir imamı sahib-i emrin vücuduna muhtaç olduğu gibi, imamın hükümeti dahi cemaatin devamına mevkûftur*."

[385] Namık Kemal, "Ve şâvirhum fi'l-emr."

[386] Namık Kemal, "Hasta adam." "*…ahali denildikçe hâkimiyet-i meşrûa manaları anlaşılmalıdır*."

[387] *A Dictionary of Modern Written Arabic* ed. Hans Wehr and J. Milton Cowan, 3rd ed. (Spoken Language Service Inc., 1976), s.v. "ملك."

[388] *A Dictionary of Modern Written Arabic* ed. Hans Wehr and J. Milton Cowan, 3rd ed. (Spoken Language Service Inc., 1976), s.v. "صحب."

[389] Namık Kemal, "Ve şâvirhum fi'l-emr"*…bizde padişahın hakkı irade-i ümmet ve usul-i hürriyet üzerine icra-yı hükümet etmektir. Unvanına sahib-i mülk derler mâlikü'l mülk değil….*

[390] Namık Kemal, "El-hakku ya'lu ve-lâ yu'lâ aleyh." "*Makam-ı saltanatta bulunan zat bize hâkim olur, mâlik olamaz*." .

[391] For the horizontal nature of power relationships in Islam see: Lewis, *The Political Language of Islam*, 11–13, 22–23.

power relationship between the ruler and the ruled is not unilateral, but reciprocal. This means that the legitimacy of power has a reciprocal nature in their thought.

This difference in the meanings of *sahib* and *mâlik* also indicates that the legitimacy of political power should be based on the consent of the people. In an article, this is clearly expressed:[392]

> At the present time, the wise ruler who wants to govern with ease should endeavor to be the father of his subjects and should consider himself as a civil servant, not as the lord of the people according to the zeitgeist. Otherwise, it would be a great mistake if he thinks that "I can utilize the people as if they were slaves by force."

Then, the legitimacy of power should be garnered by convincing people rather than coercing them to submit political power.

I argue that, in their thought, the constitutional system (*usul-i meşveret*) and the participation of people in decision-making (*nezaret-i ümmet*) are upheld to augment the legitimacy of the Ottoman state in the public eye. In this regard, popular sovereignty is defended as a principle that sets the ground for the *nezaret-i ümmet*, that is, the *usul-i meşveret*. They proposed these ideas in an age when the Ottoman Empire grappled with many difficulties such as economic crisis, internal revolts, challenges of European Great Powers, and nationalist-separatist movements. I think the New Ottomans thought that involving people in decision-making processes could prevent the decline of the Empire. For them, the *usul-i meşveret* could have gained the consent of whole Ottoman peoples by making them effective actors, regardless of their ethnicity and religion, in deciding political and economic issues. As such, the social legitimacy of the Empire could have been reinforced.

[392] "Fransa İhtilali," *Hürriyet* 52, June 21, 1869. "*Şimdiki zamanda safâ-yı bâl ile icra-yı hükümet edeyim diyen hâkim-i âkil mizaç-ı asr üzere tebaasının pederi olmaya himmet etmeli ve kendini hâkim-i memur bilip mâlik zannetmemeli. Yoksa cebr ü zor ile ben halkı esir gibi kullanırım itikadında bulunursa büyük hatadır.*"

4.1.3. Equality: Making of Equal Citizens for Legitimizing the Imperial Authority

Equality, which is one of the three mottos of the French Revolution alongside liberty and fraternity, is another legitimator element that is introduced from the European symbolic universe of legitimation into the Ottoman political vocabulary in the nineteenth century. The notion of equality is closely related to pluralism and tolerance in society. For good governance, specifically for liberal democracy that developed from the late nineteenth century onward, pluralism and tolerance are considered constitutive factors, and therefore, these concepts have been widely discussed among modern Muslims,[393] including the New Ottomans.

In the New Ottoman thought, equality should be considered as a required element of the *usul-i meşveret* for the equal representation of whole Ottoman peoples in the *Meclis-i Şura-yı Ümmet.* Therefore, equality should be counted among the basic elements of the new symbolic universe of legitimation that the New Ottomans cast for the Empire. But before examining equality in the New Ottoman thought, let me mention briefly how equality is dealt with in Western and Islamic thoughts.

As a political concept and ideal, equality means not to prefer one person or class to another.[394] The notion of equality has various implications according to how it is justified. For Gaus, equality can be explained by referring to theological claims about God's equal love for each human being, which is called fundamental equality. Besides, equality can be explained by depending on the basic sameness of people, namely, a shared human nature. This basic human equality claims that because people have a shared characteristic, they are the same and therefore it does not make sense for preferring one to another. Therefore, the common needs of people should be satisfied

[393] Gudrun Krämer, "Pluralism and Tolerance," in *Islamic Political Thought: An Introduction*, ed. Gerhard Bowering (New Jersey and Oxfordshire: Princeton University Press, 2015), 169.
[394] Gerald F. Gaus, *Political Concepts and Political Theories* (Colarado and Oxford: Westview Press, 2000), 128.

equally. There are also secular approaches that propose some core, shared human characteristic that determines the human essence.[395]

As for the purpose of the principle of equality, there are social, economic, and political benefits that are aimed. Equality aims to provide equal welfare, equal satisfaction of needs, equal distribution of resources, to establish equal civil status involving political and social equality, and to constitute equality of opportunity meaning non-preferential treatment in competition for governmental ranks and posts for all people.[396] With respect to the scope of this study, the New Ottomans specifically lay emphasis on civic equality and equality of opportunity. Civic equality refers to equal citizenship that means no group of citizens will be preferred to others or be ranked lower than others because of their group membership.[397] The New Ottomans mention civic equality when discussing equality before the law and political equality of Ottomans, which are two aspects of the concept of civic equality. Equality of opportunity, which is intimately related to equal citizenship, is also dealt with concerning the issue of the appointment of non-Muslims to governmental posts and election to parliament.

Though the concept of equality was imported from European political vocabulary, Muslim thinkers reconceptualized equality by referring to Islamic tradition. Their reconceptualization of equality reminds the theological explanation of fundamental equality. The distinctive feature of Islamic socio-political and socio-economic egalitarianism is its ontological dimension that premises every human being is on the same ontological level.[398] This understanding, which is the normative/moral constitutive of Islamic egalitarianism, rests on the belief in one creator and in the equal nature of whole human beings regardless of their religion, ethnicity, gender, or social status.[399] This religious justification of equality is based on the Qur'an and the Prophet's tradition. The Qur'anic verse states that "O people, fear your Lord, who created you from a single soul, and created from it its mate, and propagated from them

[395] Ibid., 137–41.
[396] Ibid., 145–54.
[397] Ibid., 150–51.
[398] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 152.
[399] Shahin, "Government," 71; Al-Faruqi, *Al Tawhid: Its Implications for Thought and Life*, 80.

many men and women. And revere God whom you ask about, and the parents. Surely, God is Watchful over you."[400] Regarding equality in creation, in his farewell sermon, the Prophet also declared that "All mankind is from Adam and Eve, an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a White has no superiority over a Black nor a Black has any superiority over a White except by piety and good action (*taqwa*)." Another religious justification is related to the principle of responsibility. According to Ghannouchi, the belief in the human being as God's vicegerency, which comes from equality of people in creation, grounds equality on a firm basis and roots away sexual, ethnic, and national factors that stir up discrimination among people.[401] However, we should bear in mind that Islam considers the inevitability of distinctions between people deriving from reason, knowledge, functions, and faith.[402] To sum up, Muslim thinkers did not emulate the modern Western political concept of equality but reinterpreted it in the Islamic framework, which can be evaluated as religious reasoning (*ijtihad*) according to the necessities of the time.

In the *Hürriyet*, the New Ottomans deal with equality. To grasp why they uphold equality as a legitimator element, we should pay attention to historical circumstances of the period. In their thought, the principle of equality is seen as a remedy for the damaged sovereignty of the state and a reinforcing factor for the legitimacy of Ottoman imperial authority. For them, equality would primarily forestall nationalist and separatist movements in the Empire since recognizing the equality of all Ottoman peoples would consolidate the state-subject relationship. In addition, it would prevent external interventions of European powers to Ottoman domestic issues, particularly regarding protecting the rights of non-Muslims. In many articles, they complain about interventions of European foreign missions to juridical, economic, and political issues on the pretext of protecting the rights of their citizens or non-Muslims.[403] Particularly, they must have thought that interventions of foreign powers to Ottoman jurisdiction damaged the legal sovereignty of the Empire, which should be unchallengeable. It

[400] The Qur'an, 4:1.
[401] Gannuşi, *Laiklik ve Sivil Toplum*, 49.
[402] Shahin, "Government," 71.
[403] See: "Tâbiiyet-i Osmaniye," *Hürriyet* 39, March 22, 1869; "Hâtıra zeyli," *Hürriyet* 48, May 24, 1869; "'Hukuk-ı mehakim' bendinin mâb'adı," *Hürriyet* 86, February 14, 1870; "İmtiyazât-ı ecnebiye," *Hürriyet* 98, June 6, 1870.

means that socio-historical conditions played a determinative role in their advocacy of equality. In this sense, they had pragmatic concerns in discussing equality. However, it is a fact that disruptions of order and instability stimulate intellectuals to contemplate political issues[404] and the New Ottomans are no exception in this regard since they lived in a period in which the Ottoman Empire was withering away. Within this context, recognizing the equality of all Ottoman peoples is considered as a means to augment the legitimacy of the state both externally and internally.

In Europe, equality emerged in a socially and culturally class society, in which people were unequal, and which interests of each class conflicted with each other.[405] Accordingly, parliament was a forum that unequal members of different classes were represented equally. On the contrary, the Ottoman Empire had a classless social structure and there did not occur class conflict like in Europe. Society was categorized according to either their socio-political position as the rulers (*askeri*) and the ruled (*reaya*) or their religion (the millet system). Therefore, equality of people in the Ottoman context should not be read as in the European context. Otherwise, it would be a "historical fallacy."[406]

In the Hürriyet, the New Ottomans do not only discuss equality as an abstract concept but also they touch upon its daily practice in criticizing the implementation of equality by the Sublime Porte. In these criticisms, equality of opportunity is in question. According to them, Muslims are at a disadvantage compared to non-Muslims. One factor that makes non-Muslims advantageous is that they can pay an exemption tax (*iane-i askeri*) rather than doing military service. For them, this privilege of non-Muslims unbalances the general equality (*müsâvât-ı umumiye*) among the Ottoman peoples.[407] Just at this point, justice, which is the core concept of Islamic political thought, appears beside equality. Justice and equality (*adl ü müsâvât*) should be together in this issue.[408] Otherwise, I think, because the protection of non-Muslims by

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[404] Beetham, *The Legitimation of Power*, 39.
[405] Kara, *İslâmcıların Siyasî Görüşleri 2*, 33; Kara, "Hilafetten İslam Devletine Çağdaş İslam Siyasi Düşüncesinin Ana İstikametleri ve Problemleri," 26.
[406] Köse, "İslam Siyaset Düşüncesini Yeniden Okumak: Eleştirel Bir Giriş," 2–10.
[407] Namık Kemal, "Es'ile-i muhtasara," *Hürriyet* 40, March 29, 1869.
[408] "Hizmet-i askeriye," *Hürriyet* 53, June 14, 1869.

European powers slanted the matter in favor of non-Muslims, the improper practice of equality could have delegitimized the order in the eyes of Muslims. Among the Turkish population, there had been already a reaction directed against the principle of equality that stated the sacred law of Islam was being subverted.[409] Another issue is the appointment of non-Muslims to governmental positions. From their perspective, equality cannot be secured by only appointing a few non-Muslims to high bureaucratic positions as the Sublime Porte does.[410] For exact equality, bold steps should be taken. Therefore, it is stated that "the *Hürriyet* began to be published for acquiring equality before the law for all and therefore it certainly does not object to the employment of members of other sects in official duties."[411]

Equality as a socio-political concept is explained and justified on a religious basis. This reminds fundamental equality that refers to the metaphysical origin of human beings. In the article that the New Ottomans deal with the issue of equality, it is remarked that:[412]

> Muslims know that all humans are God's created beings. Therefore, as humankind, we are different organs of the same body. No one has different rights due to sectarian differences. Muslims know that non-Muslims are also their compatriots and that they are partners in the country's interests and losses.

Besides this theological explanation, they refer to the legal dimension of Islam. According to religious rules, human beings are equal and Islam neither puts anyone in an inferior position legally[413] nor distinguishes Muslims and non-Muslims in legal issues.[414] Accordingly, because the Ottoman Empire is an Islamic state, establishing equality of her all subject is a religious obligation.[415] All these demonstrate that they revisited Islamic tradition to find out an Islamic basis for the notion of equality. According to Kara, to justify the principle of equality within the Islamic framework,

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[409] Davison, *Reform in the Ottoman Empire 1856-1876*, 43.
[410] "Yeni Osmanlılar ve Babıâli," *Hürriyet* 3, July 13, 1868.
[411] "Mecâlis ve mehâkime tayin-i aza hakkında makale," *Hürriyet* 3, July 13, 1868. "*Hürriyet ki umumun müsâvât-ı hukukunu istihsâle hizmet için zuhur etmiştir, mezâhib-i sâire erbâbının memuriyetlerde istihdamına kat'an itiraz etmez*."
[412] Ziya, "Mesele-i müsâvât," *Hürriyet* 15, October 5, 1868. "*Müslümanlar bilirler ki cümle nev'-i beşer Vâcibu'l-Vücûd'un mahlûkudur. 'Beni âdem âzâ-yı yekdiğeriz.' Kimsenin mezhebi ayrı olmağla hakkı ayrı olmaz. Müslümanlar bilirler ki tebaa-i gayrimüslime dahi vatan karındaşları ve vatanın nef' ve zararında kendilerinin müşterikleridir*."
[413] "Vükelâ-i hâzıranın Yeni Osmanlılar hakkında kullandıkları politika."
[414] Namık Kemal, "Usul-i meşverete dair sekizinci mektup."
[415] Ziya, "Mesele-i müsâvât."

Muslim thinkers interpreted religious sources and judgments by bending their context, significance, and purpose partly or completely. In Islam, there was only the statute of dhimma depending on sharia for non-Muslims, which means pledging protection for them in return for the payment of the poll tax (*jizya*).[416] However, this was not the first time that Muslims bent the statute of dhimma. In the classical ages as well, Muslims had reinterpreted and extended the scope of the people of the book when they encountered various new cultures as a result of conquests. All in all, depending on the theological basis, the New Ottomans strived to build civic equality and equality of opportunity on a religious basis.

Of course, international pressures coming from European powers stimulated the development of equality in the Ottoman context. The Tanzimat Edict, but, particularly, the Reform Edict of 1856 included judgments about recognizing the equality of non-Muslims in this regard. The idea of saving the state underlays these efforts as the main concern and the New Ottoman sought an answer to this question as well. Nonetheless, though the notion of equality entered into Ottoman political vocabulary primarily with political concerns, intellectual efforts like the New Ottomans' reconceptualization of European concepts should not be underestimated and boiled down to pragmatism merely. Pragmatism is indeed an aspect of the issue, but we should keep in mind that unstable times force thinkers to reflect on political issues. The nineteenth century was an unstable period in which Muslims were challenged by the West. As Berger and Luckman argue, maintaining the symbolic universe of legitimation arises when a society is confronted with another society having a greatly different history.[417] In the nineteenth century, Muslim thinkers encountered European culture and thought and this confrontation drove them to contemplate and develop new conceptual instruments to maintain the Islamic symbolic universe. Feeling the challenges of their period, the New Ottomans thought on the political, and, in the *Hürriyet*, they cogently discussed modern political concepts on the Islamic basis by referring to either religious sources or Islamic history, as they did for the notion of equality. Therefore, such a valuable intellectual effort, I think, should not be sacrificed to mere pragmatism-based claims that derive from the overwhelming turbulent view of the nineteenth century. In this

[416] Kara, *İslâmcıların Siyasî Görüşleri 2*, 2, 189.
[417] Berger and Luckmann, "Legitimation," 125–27. See also Chapter 2, p.47 in this thesis.

regard, the multidimensional and multiplex structure of legitimacy that bears both normative and factual concerns should be remembered.

In addition to the equality of humans depending on their divine origin, in the *Hürriyet*, they mention equality before the law (*müsâvât fi'l-hukuk*) and equality in honors (*müsâvât fi'ş-şeref*).[418] Discussion about these two kinds of equality revolves around the fact that non-Muslims had an advantageous position against Muslims in the implementation of equality because of the support of European Great Powers and the Porte's timid stance. For them, the Edict of Equality (*Müsâvât Fermanı*), i.e., the Edict of 1856, had guaranteed equality before the law for non-Muslims but its practice exceeded its purpose. Malpractices of the Sublime Porte could have caused erosion of the legitimacy of the state for Muslims, and thus equality, as a new legitimizing notion, could have backfired. As for equality in honors, it means equality of all in terms of honor and dignity. Though equality in honors is more inclusive than equality before the law, its realization is impossible since it requires equality of people in properties, wealth, prestige, social rank, and descent. Therefore, in my opinion, they upheld that equality before the law should be established properly in order to ground the state-subject relationship on a firm basis. For, this would secure the popular collective approval, i.e., validity,[419] for the empire and reinforce the social legitimacy of political power.

Equality is also considered as a principle that restrains oppression of arbitrary rule of officials. In this sense, establishing equality in society means procuring justice, which is one of the essential marks of legitimacy. Equality, which compliances with rules of sharia and reason, should be preferred to the unjust administration that depends on the desires and whims of some Ottoman bureaucrats.[420] In their opinion, recognizing the equality of all Ottomans regardless of their origin would cement non-Muslims' links with the state, namely, the social legitimacy of the Empire.

[418] Ziya, "Mesele-i müsâvât."
[419] Zelditch Jr., "Legitimacy Theory," 328–37.
[420] Namık Kemal, "Usul-i meşverete dair sekizinci mektup."

The concept of equality is not only dealt with in terms of internal politics but also international politics. This aspect of equality concerns the international sovereignty and legitimacy of the state. Here, we do not mean pressures of European Great Powers to force the Ottoman Empire to recognize non-Muslims political and social rights, but independence and equality of states within the international arena. When discussing the Cretan issue, by referring to international law, they state that nations are equal and independent in international relations. Equality between states means not to favor powerful states against those that are not. As for independence (*istikal*), it means to prevent powerful countries from any activity that causes the collapse of another country, such as the invasion of a part of a country.[421] These kinds of statements become meaningful in a period in which the Ottoman Empire was shaken by foreign interventions, internal revolts, and nationalist movements. This demonstrates that international legitimacy was in question alongside the internal legitimacy of power in their thought.

Equality, at first glance, seems like a normative notion but it is not. In terms of its implementation in socio-political life, equality has a factual aspect. As noted in chapter 2, legitimacy works on different levels by nature. Equality, as a legitimator concept in modern politics, bears this multidimensional structure. In the *Hürriyet*, this multidimensional fabric of legitimation is seen in their discussion on equality. They explain equality both normatively and factually. In other words, theory and practice operate together.

The notion of equality is a prerequisite of the policy of Osmanlılık (Ottomanism). Osmanlılık is the primary goal of the Tanzimat era together with the principle of equality before the law in order to strengthen Christian subjects' sense of belonging to the Ottoman state.[422] At the outset, the idea of Osmanlılık was set forth as a pragmatist response to the dissolution of the Empire but the New Ottomans dealt with the notion intellectually.[423] In their writings, Osmanlılık can be evaluated as a legitimator

[421] "Yunan meselesi," *Hürriyet* 27, December 28, 1868.
[422] İnalcık, *Devlet-i 'Aliyye: Osmanlı İmparatorluğu Üzerine Araştırmalar-IV Ayanlar, Tanzimat, Meşrutiyet*, 14, 144.
[423] Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi (1839-1913)," 104.

concept. In the New Ottoman thought, Osmanlılık became an integral part of a consultative system involving parliament, the separation of powers, freedom and equality of all people. In the nineteenth century, the construction of a collective identity, which could prop up imperial rule, was one of the two fundamental problems of the Empire faced alongside the defense of the realm against external threats.[424] Osmanlılık is proposed as an inclusive policy based on civic equality in this regard. Peoples of the Empire would be gathered around the term Osmanlı (Ottoman), which is a comprehensive word (*kelime-i câmia*), and thus, Osmanlılık would appear as an ideology that eliminates religious and ethnic differences among Ottomans.[425] They thought that this inclusive policy would bring about harmony among Muslims and non-Muslims. Creating a feeling of common Ottoman identity in a multireligious and multinational society, Osmanlılık casts a new form of deriving legitimacy according to the New Ottoman thought.

In the *Hürriyet*, Osmanlılık is not only argued theoretically but also pragmatically. In other words, to the extent that as Osmanlılık has a normative aspect, it has a factual aspect that considers realities in the field in terms of the legitimacy of power. Osmanlılık is a kind of reformed version of the classical pragmatic *istimalet* strategy that encourages the cohabitation of members of different ethnicities and religions.[426] It is a strategy to readapt the understanding of governing with justice ongoing for centuries to the necessities of the nineteenth century. However, it also represents a breaking point in the Ottoman tradition since it was inspired by notions of citizenship and equality before law emerged after the French Revolution.[427] In this sense, the understanding of Osmanlılık that they set forth can be seen as both a variant of the liberalism that gained global currency in the nineteenth century and an outgrowth of older ideological configurations developed to justify and legitimize the Ottoman state.[428] In their opinion, the policy of Osmanlılık would imbue non-Muslims with patriotic feelings by founding the state-subject relationship upon an equal Ottoman citizenship. By means of this restoration of the state-society relationship, they thought

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[424] Erik J. Zürcher, *The Young Turk Legacy and Nation Building: From Ottoman Empire to Atatürk's Turkey* (New York: I.B. Tauris, 2010), 60.
[425] Ziya, "Mesele-i müsâvât."
[426] See Chapter 3, p.75.
[427] Somel, "Osmanlı Reform Çağında Osmanlıcılık Düşüncesi (1839-1913)," 88–89.
[428] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 18–19.

that Osmanlılık could impede the internal revolts and nationalist-separatist movements that the Empire encountered in the nineteenth century. Thus, a collective and inclusive Ottoman identity would facilitate to reap the consent of people. Moreover, embracing Osmanlılık ideology could have enlarged scarce human resources[429] to which the Ottoman Empire was in dire need in the Tanzimat era. What is remarkable is that it would make people more obedient to the state authority. For them, these were benefits of the policy of Osmanlılık and this policy would augment the social legitimacy of the imperial authority.

4.1.4. Freedom as a Necessity for Legitimacy-conferring

In order to establish a constitutional system, freedom, which is one of the three mottos of the French revolution, is necessary alongside equality of people. As Rousseau puts it, freedom cannot subsist without equality.[430] In its broadest sense, freedom means to think or act as one wishes.[431] In terms of politics, freedom means the ability to think, speak, or act as one chooses free from any oppression and coercion. Accordingly, political freedom enables people to participate in decision-making processes.

As it is understood from the name of the newspaper that they issued, freedom is one of the major concepts for the New Ottomans. Freedom is explained through personal rights (*hukuk-ı şahsiye*) and political rights (*hukuk-ı siyasiye*). As mentioned at the outset of this chapter, according to them, freedom is a divine grace to humankind by God and therefore, human beings are free by nature. This fundamental right of humans cannot be granted by any authority but it can only be recognized as a natural right. At the political level, freedom means having both personal rights consisting of the security of life, property, honor and chastity, and political rights that amount to oversee acts of the government by people. Otherwise, a nation cannot be free.[432] As they clearly state, freedom in the New Ottoman perspective consists of attaining political rights.[433]

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[429] Namık Kemal, "Usul-i meşverete dair sekizinci mektup."
[430] Rousseau, *The Social Contract*, 86–87.
[431] Heywood, *Key Concepts in Politics*, 129.
[432] Namık Kemal, "El-hakku ya'lu ve-lâ yu'lâ aleyh."
[433] "Bir zatın mülâhazanamesiden hülâsa," *Hürriyet* 38, March 15, 1869.

Freedom is one of the fundamental ingredients of the *usul-i meşveret*. As highlighted many times before, the principle of *meşveret* is considered as a mechanism to impede oppression and tyranny of government. This consultative system can be established only through freedom of thought and expression.[434] Because their main concern is to prevent despotic rule, political freedoms should be guaranteed like in Montesquieu. Regarding the preventive effect of freedom on despotic administration, freedom is presented as a means to impede arbitrary acts and decisions of the Porte such as dismissing, imprisoning, and exiling people and officials.[435] Freedom is also required for the political participation of people in the use of power and decision-making process; that is, the *nezâret-i ümmet*. Referring to Steven Lukes' conceptualization, they oppose "power as domination", which means having the capacity of restricting the choices of others to guarantee their compliance.[436] Within this framework, their advocacy of political freedoms can be interpreted as the necessary component of preventing possible oppression of the government and of a participatory consultative political order. As such, freedom is essential to constitute the *usul-i meşveret.*

Emphasis on freedom indicates consent-based legitimacy. Those who are qualified to give consent have to be free individuals.[437] As Locke puts it, no government cannot expect obedience from people who are not freely contested to it.[438] If we remember that the New Ottomans uphold popular sovereignty, consent-based legitimacy becomes more evident in their thought. Popular sovereignty necessitates the political freedom of people and this link between freedom and the consent of people can be seen in the *Hürriyet*: "Since the human being is free, then, the owner of a country is its people. They have the right to dispose over their country, that is, the right to vote regarding the conduct of the country by their very nature."[439] As such, it becomes clear that the New Ottomans base the legitimacy of political power on consent.

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[434] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 132.
[435] "Yeni Osmanlılar ve Babıâli"; "Hâtime."
[436] Lukes, *Power: A Radical View.*, 85.
[437] Beetham, *The Legitimation of Power*, 60.
[438] Locke, *Second Treatise of Government; and a Letter Concerning Toleration*, 96.
[439] "Hâtime." "*Mademki insan hürdür, bir memleketin sahibi ahalidir. Ahalinin mülkünde tasarrufu, yani memleketin emr-i idaresince rey vermeğe tab'an ve hilkaten istihkākı vardır.*"

Freedom also provides public security. The protection of the rights of people is closely related to the legitimacy of the order. Ziya touches upon this link between freedom and public safety. According to him, "public safety is achieved by freedom, namely, relieving peoples' burdens and protecting their national rights."[440] Securing the rights of all people equally does not only consolidate the legitimacy of power internally but also internationally. A political organization that has the ability to solve its domestic issues on its own cannot be intervened externally since it maintains the order and security of the community. In this regard, Mithat Paşa's successful administration in Danube province is set an example. It is stated that, in his term of governorship, Russia failed to make the Bulgarians revolt despite all efforts since Mtihat Paşa maintained public security in the Danube.[441] What is more remarkable here is that, in their thought, freedoms preceded security in an age when the sovereignty of the Empire was threatened. This must have been due to their opinion that recognizes the freedoms of people as an inclusive common ground that gathers people. Admittedly, this would increase the social legitimacy of the Empire.

The emphasis on freedoms indicates a restricted political authority for impeding despotic rule, determines the purpose of the state as protecting freedoms, and thus bases the legitimacy of political power on free individuals.

In the *Hürriyet*, freedom is used as a political concept, which is an innovation in Ottoman political thought. In the classical Islamic and Ottoman political thoughts, freedom is considered not in politics but in the law regarding slavery. In addition, it is claimed that Islamic and Ottoman political traditions emphasize the notion of obedience rather than freedom.[442] It is true that the conceptualization of freedom as a political notion is an innovation for the Ottoman political culture, but this does not mean that people did not oppose to political authority in the classical ages.[443] As the

[440] Ziya, "Sultan Abdülaziz Han, Ziya Bey, Âli Paşa," *Hürriyet* 68, October 11, 1869.
[441] Namık Kemal, "Usul-i meşverete dair sekizinci mektup."
[442] Kara, "İslâm Düşüncesinde Paradigma Değişimi: Hem Batılılaşalım Hem Müslüman Kalalım," 256.
[443] Moreover, regarding the contemporary scholars' claims that charge the ulema, Sunni thought, and Muslim societies with absolute obedience whoever is in power, Kavak questions these kinds of

New Ottomans state several times in the *Hürriyet*, the ulema, janissaries, prominent figures in society, and people revolted against the sultan when sharia and justice were violated as a result of oppressive and tyrannical actions of the sultan and officials. What is new here is not any change in obedient behaviors of people, but on what ground unjust and illegitimate acts of government are criticized. In this regard, justice is associated with freedoms. To put it more precisely, freedom is upheld for just political order. Concerning the consideration of justice and freedom together, Topal states that, in the nineteenth century, there was a gradual shift in the consideration of justice, from a notion of balance in society to one associated with rights and freedoms.[444] Now, freedom, as a new legitimator element, was incorporated into Ottoman political vocabulary and the New Ottomans carried the banner for political freedoms from the 1860s onward.

As aforementioned, freedom is upheld in order to constitute a limited political authority for impeding abuse of the use of power since they foresaw the hazard that the modern state involved: establishment of political power as domination. In this regard, freedom is an instrument to prevent an unlimited rule. According to Gencer, in the traditional Islamic world, there was no search for freedom in the modern sense, such as freedom of will or legal freedom. However, the emergence of the modern state in the Islamic world paved the way for the struggle for freedom as in the West. During the Tanzimat era in the Ottoman Empire, the state began to transform into a power apparatus as in the West, namely Leviathan, by becoming independent from the personality of the sultan. The New Ottomans realized this transformation and commenced a multi-faceted struggle for justice against it since a traditional-style

obedience-centered claims and rebuts them in his article examining power changes in Islamic history. In his article, Kavak analyzes the changes of power in Islamic states through 129 rulers from the Umayyad period to the end of the Ottoman Empire. He critically approaches existing academic understanding that interprets the political attitudes of Islamic societies within the framework of absolute obedience and despotism. He uses the classical history books to find out how the power changes were explained. He determines that 67 rulers out of 129 examined in the work were dismissed, dethroned, or resigned voluntarily. Those who were killed and those who were dethroned via revolts are included in this number as well. Almost half of the analyzed rulers lost their powers depending on different reasons. Consequently, he classifies the changes of power under three main titles: dethronement (non-observation of sharia, health problems, and incapability), resignation, and revolution (to be regarded as a *baghi* and political conflicts/riots). See: Özgür Kavak, "Hal', İstifa ve İhtilal: İslam Devletlerinde İktidarın El Değiştirmesi Üzerine Bazı Tespitler," *Divan: Disiplinlerarası Çalışmalar Dergisi* 24, no. 47 (2019): 141–96.

[444] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 176.

struggle for justice was insufficient in the modern conjuncture. In the traditional world, it was possible to uphold justice by criticizing oppressors like rulers or bureaucrats. However, in the modern world, the state acquired legal personality independent of the personality of the ruler. For Kemal, the transformation of the state into a power apparatus with legal personality opened a dangerous way leading up to domination. Therefore, the New Ottomans considered that it was necessary to buttress the struggle of justice with the struggle for freedom as in the West.[445] This means that freedom is a necessary principle to constitute a limited political power – which means legitimate government in their thought.

4.1.5. Justice as a Legitimizing Element on the Basis of the *Usul-i Meşveret*

Justice has been one of the main legitimizing concepts in politics since ancient times. Likewise, in Islamic and Ottoman political traditions, justice is a key concept that remarks the essential mission of the state. As a legitimacy-conferring notion, it meant to protect people from oppressive and tyrannical actions of state officials in its broadest sense in classical Ottoman political thought. For the Ottoman statesmen, it amounted to stability and harmony in society by keeping each individual and each group, class, or estate in its place (within its limits or *hudûd*), without allowing anyone to transgress on the rights of others, to maintain and constitute the world order (*nizâm-ı âlem*).[446] Otherwise, if a ruler or official appealed to coercion or eroded the *hudûd* between people or groups, it would lead to oppression and the dissolution of the order.

Justice is a key legitimizing concept in the New Ottoman thought, too. The *usul-i meşveret* is essentially advocated to procure justice in the Ottoman society. As they state, "administering justice is only achieved by the *usul-i meşveret*"[447] or "what is meant by the *usul-i meşveret* is justice."[448] Within this framework, procedural means

[445] Bedri Gencer, *İslâm'da Modernleşme 1839-1939* (Ankara: Lotus, 2008), 754.
[446] Zürcher, *Turkey: A Modern History*, 13; Sariyannis, *A History of Ottoman Political Thought up to the Early Nineteenth Century*, 446, 449.
[447] Namık Kemal, "Avrupa Şark'ın asayişini ister." "*Halbuki icra-yı adalet bittiabi usul-i meşveretle hâsıl olur*."
[448] "Yeni Osmanlıların ilan-ı resmîsi." "*Usul-i meşveretten murâd adalettir*."

or political concepts such as the separation of powers, parliament, the *nezâret-i ümmet*, equality, and freedom are envisaged to constitute a just order and thus, foster the social legitimacy of the Empire. The *usul-i meşveret*, with its all elements, aims to constitute social stability and harmony by gathering all peoples in a parliament. This is clearly expressed in the *Hürriyet*, "for the public security and peace in the East, it is required to make peoples accorded with both the government and each other. If this is achieved, there will not be any detrimental effect of sectarian differences."[449] According to them, the *usul-i meşveret* is the best way to harmonize peoples with the state and each other. Within this consultative system, justice would be established and the social legitimacy of the state would augment.

In their view, injustice appears as a delegitimizing element that should be prevented. Although it is not clear and detailed, they recognize the right to resistance against an unjust administration, and thus, they define legitimation as a mutual process. In this regard, Kemal states that "if the imam does not administer justice as the community wills, then, the community has the power of installing someone else instead of him, but, the ruler is not powerful to change the community as he wishes."[450] As noted before, erosion of legitimacy begins when the government does not abide by laws and rules and procure justice in society. It seems that the injustice causes the legitimacy crisis in society and the social resistance is proposed to impede injustices deriving from arbitrary and oppressive administration in their thought. This also indicates the reciprocal nature of legitimacy.

Highlighting the importance of justice for governance, the New Ottomans follow the Ottoman tradition, but in a different way. The method through which justice is established or its connotation differs from classical understanding in their thought. According to Mardin, they wanted justice from the sultan seemingly, but, different from the tradition, the justice they demanded was a meaningful concept in itself and

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[449] Namık Kemal, "Avrupa Şark'ın asayişini ister." "*Bu hâlde Şark'ın asayişi için lazım olan, akvâmı gerek hükümetle ve gerek birbiriyle itilâf ettirmektir. O hâsıl olursa mezhepçe olan muhalefetlerin bir sû-i tesiri görülmeyecek*." .

[450] Namık Kemal, "Küllüküm râ'in ve küllüküm mes'ûlün an ra'iyyetihi." "*Şu kadar varki imâm cemaatin murâd ettiği gibi icra-yı adalet etmezse onun tebdiliyle yerine bir başkasını getirmek iktidarı cemaatin elindedir, lakin hâkim istediği gibi cemaati tebdile muktedir değildir*."

divorced from the personality of the sultan. In Islamic and Ottoman traditions, there was not such a conceptualization of justice. Though they depended on sharia, they proposed a new formula that was different from the classical one.[451] The classical meaning of justice, articulated in the circle of justice, had already begun to fade away from the eighteenth century forward.[452] Justice, now, began to be explained through procedural processes like the *usul-i meşveret*. Though its opposite is oppression and tyranny as before, the realization of justice shifted from persons towards complying with procedures, mechanisms, and protecting rights of people.

This new conception of justice shifted from the personality of the ruler to mechanisms is also related to the emergence of the modern state in the Ottoman Empire. According to Gencer, this indicates a tension between the modern notion of the legal personality of the state and the traditional Islamic political understanding. In the classical ages, the struggle for justice was against rulers who transgressed the rights of people. However, now, in the modern world, attributing personality and rights to nominal entities like the state meant denial of rights instead of their transgression by real people. Therefore, according to intellectuals like Kemal, the struggle for rights in the modern world meant to cope with the modern worldview that lays the ground for the concepts of the modern state and legal personality. For Kemal, the legal personality of the state, which is a product of a mechanistic concept of the universe, poses a great danger since it can lead to invisible domination over people.[453] For this reason, the New Ottomans do not cease to invoke sharia and to emphasize the religion-based moral explanations of justice and legitimacy. I think they consider sharia and its moral rules as a means to circumscribe the possible threat of domination that can come from the legal personality of the modern state.

In the *Hürriyet*, the New Ottomans define justice with equality and freedom. Identifying justice with equality and freedom is also related to the legitimacy of political power. In a period that non-Muslim subjects of the Empire were gravitated

[451] Mardin, "Yeni Osmanlı Düşüncesi," 47.
[452] Virginia H. Aksan, "Ottoman Political Writing, 1768-1808," *International Journal of Middle East Studies* 25, no. 1 (1993): 53–69, accessed July 13, 2020, https://www.jstor.org/stable/164158.
[453] Gencer, *İslâm'da Modernleşme 1839-1939*, 643–45.

by nationalist currents, the New Ottomans had to develop an inclusive approach. For this purpose, they embraced notions of freedom, equality, and justice to include non-Muslims in their political imagination as well. Therefore, they accentuate that the Ottoman sultan bears, on the one hand, the title of the caliph of Muslims, on the other hand, the sultan of non-Muslim peoples. To maintain his power, the sultan should instill patriotism (*hubb-ı vatan*) in his non-Muslim subjects by acting fairly.[454] Within this framework, equality of all Ottomans should be constituted. For, justice is achieved through the equality of the whole Ottoman subjects before the law and this is procured by the *usul-i meşveret*.[455] Another source of legitimacy for justice is freedom and it can be argued that freedom of society is the essential sign of justice.[456] This connection between freedom, justice, and legitimacy is clearly expressed in an article. According to Kemal, "if the Islamic government returns to its original principles and begins to govern depending on the *usul-i meşveret,* freedom, and justice, who can doubt that it will accustom everyone to its rule?"[457] As such, it becomes clear that equality and freedom both establish a just order and confer legitimacy to the political authority in the New Ottoman thought.

This change in the notion of justice inevitably influenced the meaning of being legitimate. Formal processes and procedures would unavoidably begin to come to the forefront contrary to normative and ethical references regarding legitimacy. However, the New Ottomans maintained the religion-based moral explanations and justification concerning justice and legitimacy at the same time. The *usul-i meşveret* was explained and justified via religious references, like Qur'anic verses, hadiths, and exemplary practices in Islamic and Ottoman history, with its components. These kinds of contradictions are one of the most salient features of the New Ottoman movement as the first modern Muslim intellectual movement in Ottoman history that responded to the challenges of the West.

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[454] "Buhara'nın istilası üzerine makale," *Hürriyet* 46, May 10, 1869.
[455] Namık Kemal, "Hubbü'l-vatan mine'l-iman."
[456] Okumuş, "Meşruiyet Ekseninde Adalet," 184, 188.
[457] Namık Kemal, "Lord Stanley'in nutku üzerine mülâhazât," *Hürriyet* 23, November 30, 1868. "*Yoksa hükümet-i İslamiye kavâid-i asliyesine ricatle usul-i meşveret, hürriyet, adalet üzerine idare-i umûra başlarsa herkesi kendine ısındıracağında kim şüphe eder?*"

4.1.6. Emphasis on the Consent-based Legitimacy

In the *Hürriyet*, the New Ottomans uphold the idea of gaining the consent of people for the maintenance of political power. Consent-based legitimacy in their thought manifests itself through principles of the *meşveret*, popular sovereignty, parliamentarism, the *nezaret-i ümmet*, equality, freedom, and justice that we have discussed up until this point; but there are more clear statements in this regard. They evidently state that persuading people should be preferred to coercing them to obey political authority. In an article, an opponent of the New Ottomans asks them "Don't the New Ottomans comprehend the danger of appealing to coercion?" and Kemal responds by saying that "If they did not comprehend, they would hold a banner instead of a pen."[458] In this sense, they highlight the significance of dominating the minds and hearts of people instead of using force. They also refer to history concerning how to obtain the consent of people. For Kemal, as in history, as long as great civilizations like Persian, Greek, and Roman acted in line with wisdom and justice, they reached happiness and victory; but when they used force, they run into the decline of their civilizations in a short time.[459] Such expressions unambiguously prove that legitimacy should be based on the consent of people in their thought.

If we take into consideration the period in which they lived and penned their thoughts, their emphasis on consent-based legitimacy was a historical necessity. In an empire that was incompetent to respond effectively to internal revolts, nationalist and separatist movements, any legitimation effort not depending on the consent of people would unquestionably be doomed to fail. Defending coercion-based legitimation would also conflict with the Ottoman interests. For, advocating coercion-based legitimation would mean accepting occupations of Ottoman lands by foreign powers and the rightfulness of the possible successes of popular internal uprisings that opposed the Ottoman rule. Kemal utters such concerns about the use of force for ascending to power by referring to Rousseau's *The Social Contract*. According to Kemal, if coming to power by force is justified, then, it becomes legitimate for people to ascend power

[458] Namık Kemal, "Usul-i meşverete dair beşinci mektup."
[459] Namık Kemal, "İnnallahe ye'muru bi'l-adli ve'l-ihsan."

by use of force. Moreover, claims of those rulers who declared their independence in their regions and that of foreign powers' extension by conquest, let's say Russia's possible invasion of Istanbul, become legitimate acts.[460] Consequently, the circumstances of the period should not be omitted in evaluating their approach to the legitimation of power.

Lastly, their emphasis on consent-based legitimacy can also be associated with their critiques and dissent about the Tanzimat reforms. According to the New Ottomans, the Tanzimat reforms could not take root in society since they developed on the axis of cultural imitation rather than relying on the consent of the people, and therefore, reforms could not derive legitimacy.[461] Accordingly, they aimed to overcome the legitimacy problem of the Tanzimat reforms by gaining the consent of the people.

4.2. Factual Ingredients of Legitimacy in the New Ottoman Thought

4.2.1. *Terakki* as a Factual Component of Political Legitimation

In the modern period, science went beyond the scientific concerns and scientific discourse pervaded various spheres of life such as the economy, education, sociology, and politics. This growing power of science caused normative and ethical explanations to be set aside in favor of fact-based ones. Concerning politics, the increasing importance of political science against political philosophy became a sign of the impact of scientific discourse on politics in the early twentieth century. It would be erroneous to think that this rising scientific discourse did not influence the legitimation

[460] Namık Kemal, "Usul-i meşverete dair bir mu'terize cevaben yazılmış mektup." "*Üdebâ-yı hükemâdan meşhûr Rousseau Şerâit-i İctimâ nam kitabında… hükümet-i galibâneyi tedkik ettiği sırada 'galibiyet hakkı icab ederse halkın da ashâb-ı hükümet elinden zorla ahz-ı iktidara hakkı olmak lazım gelir, yok hakkı icab etmezse o vakit erbâb-ı hükümet de zor ile idareyi ele almakta haksızdır' mealinde bir kıyas mukassem eder. Mektubun sahibine gösteriniz; hakikat-i hâl böyle değilse söylesin. O hiç düşünmemiş ki eğer hukuk-ı hükümet galibiyet üzerine tesis olunmak kazım gelse Lefter'in de İzmir sancağında saltanat sürmeye, Zambrakaki'nin de İsfakiye dağlarında padişahlık etmeye, Rusya'nın da İstanbul'u zapt eylemeye hakkı lazım olmak gelir*."
[461] Gencer, *İslâm'da Modernleşme 1839-1939*, 679.

of power. I argue that we can trace the influence of scientific discourse on legitimacy through the concept of progress (*terakki*) in the New Ottoman thought.

The idea of progress is one of the essential assumptions of modernism, which began to be uttered by European thinkers in the late seventeenth century, and it became an influential concept in Turkish thought in the nineteenth century.[462] It became prevalent to mention progress by itself and, with time, the concept of progress went beyond scientific concerns and became a term used in politics. According to Kosseleck, it turned into a political catchword that had an effect on the formation of political parties and awareness, and therefore, it has become difficult to derive political legitimacy without being progressive.[463] The notion of progress was introduced from Europe to Ottoman political vocabulary by means of translations as a result of diplomatic and cultural interactions and it was used in different meanings throughout the nineteenth century in discussions about economic development, history, Westernization, social and political reforms.[464] In the *Hürriyet*, the New Ottomans use the term *terakki* in the political context and I argue that being progressive is closely related to gaining political legitimacy in their thought.

The term *terakki* is a modern concept and it was used in governmental and religious contexts before the nineteenth century in Ottoman society. However, the meaning of *terakki* divorced from religious connotation and became a political concept as in the New Ottoman thought. According to Topal, before the modern period, *terakki* denoted promotion in the ranks of the bureaucracy and the increase in salary. Concerning its religious connotation, it was a term used to indicate a vertical movement from the earth to the heavens in a Sufi's wayfaring (*sulûk*) to elevate its moral and spiritual position (*makam*).[465] In the modern ages, not only in the Ottoman context but also in the West, the religious meaning of the notion of progress was displaced by a worldly *progressus*

[462] Necmettin Doğan, "Interaction of Concepts of Progress and Civilization in Turkish Thought," in *Debates on Civilization in the Muslim World: Critical Critical Perspectives on Islam and Modernity*, ed. Lutfi Sunar (New Delhi: Oxford University Press, 2017), 171–94.
[463] Reinhart Kosseleck, *The Practice of Conceptual History: Timing History, Spacing Concepts*, trans. Todd Samuel Presener, (California: Stanford University Press, 2002), 230.
[464] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 3.
[465] Ibid., 148.

that refers to an open future.[466] It attained political significance with time. In the Ottoman society, the New Ottomans closed the gap between the material and the political usage of the notion of progress for the first time and associated reform and progress with grand political change.[467] In articles throughout the *Hürriyet*, it is easily seen that the New Ottomans intertwine the material and political connotations of the term *terakki*.

In the New Ottoman thought, the concept of progress is a part of constituting the *usul-i meşveret* and establishing justice. This is also an understanding that reflects the understanding of the period. According to Ottoman intellectuals of the Tanzimat era, Western civilization was representing a just administration and a successful example of legitimation. Ottoman intellectuals, including the New Ottomans, thought that the physical power of the Western civilization as a product of scientific-technological and industrial development (*terakki*) was a derivative of this just social organization.[468] Coming back to our topic, according to the New Ottomans, to become a progressive and improved civilization, it is also necessary to progress in science (*ilim*) and education (*maarif*). As it is stated, "Administration of justice is only achieved by the *usul-i meşveret*. The *usul-i meşveret*, first of all, necessitates the progress of education."[469] However, this relationship between justice and progress is also reciprocal. Justice is required to attain the level of the development of Europe (*husûl-ı mamuriyet*) and the progress of civilization (*terakki-i medeniyet*).[470] For them, it is obvious that where there is justice, there are happiness and improvement.[471] Within this framework, science, education, and progress serve to happiness and continuity of society and the state. "Just as a man's well-being depends on reason, the continuity of a nation depends on science… Likewise, a nation that is not equipped with science cannot exist for a long time comfortably among civilized nations."[472]

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[466] Kosseleck, *The Practice of Conceptual History: Timing History, Spacing Concepts*, 224–25.
[467] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 163.
[468] Gencer, *İslâm'da Modernleşme 1839-1939*, 315.
[469] Namık Kemal, "Avrupa Şark'ın asayişini ister." "*Halbuki icra-yı adalet bittabii usul-i meşveretle hâsıl olur. Usul-i meşveret ise her şeyden evvel maarifin terakkisini icab eder*."
[470] Namık Kemal, "İnnallahe ye'muru bi'l-adli ve'l-ihsan."
[471] Namık Kemal, "Adlün saatün hayrun min ibâdeti elfi sene," *Hürriyet* 52, June 21, 1869.
[472] Namık Kemal and Ziya, "Türkistan'ın esbâb-ı dedennisi," *Hürriyet* 5, July 27, 1868. "*Bir insanın sıhhat ve selameti akla mevkuf olduğu gibi bir heyet-i milliyenin devam ve saadeti dahi ilme menuttur… Kezâlik ilim ile mütehallî olmayan bir kavim cemiyet-i medeniye içinde müsterihan muammer olamaz*."

These expressions demonstrate that acquiring the modern sciences and being an improved civilization enhances the power of the state. It means that the concept of progress contributes to the legitimacy of power. *Terakki* as a component of the *usul-i meşveret* establishes justice and brings prosperity to society. The relationship between progress and prosperity indicates that the notion of *terakki* is related to the factual aspect of legitimacy. Concerning the contribution of progress to factual legitimacy, the issue of education (*maarif*) comes to the forefront as a necessary ingredient of progress. This is explicitly expressed in an article that displays interconnectedness between the *meşveret*, justice, progress, and education:[473]

> Administering justice is only achieved by the *usul-i meşveret*. The *usul-i meşveret*, first of all, necessitates the progress of education… If education is concentrated in a single authority, schools unite and the use of official language becomes widespread. Unfamiliarity between peoples disappears. The purely evil bigotry is distinguished from purely good piety. Other nations learn that it is not only Turkish and Muslims that aggrandized the Ottoman nation, but also Greeks and Croatians even shed their blood for this cause. The idea of patriotism gets into the minds of everyone. Tribes adopt a sedentary life, agriculture, commerce, and crafts develop. Everyone gets comfortable and understands the meaning of participating in the administration.

Accordingly, we can infer that progress, particularly education, fosters the factual legitimacy of the state by improving the welfare of society. However, according to these lines, it is understood that improving and establishing a well-ordered education system also serves to grow the normative legitimacy of power by imbuing people with the teachings of official history. Thus, it becomes clear that there is a relation between progress and legitimacy in their thought.

Regarding the contribution of the progress to factual legitimacy, there is another topic that was dealt with several times in the *Hürriyet*: improving the transportation infrastructure of the Empire. I argue that the transportation issue is an implication of the idea of progress and is closely related to the legitimacy of the state. In many

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[473] Namık Kemal, "Avrupa Şark'ın asayişini ister." "*Halbuki icra-yı adalet bittiabi usul-ı meşveretle hâsıl olur. Usul-i meşveret ise her şeyden evvel maarifin terakkisini icab eder… Maarif dahi bir suret-i muntazamada tertip olunursa mektepler birleşir, lisan-ı resmi ilerler. Milletler beyninde şimdi mevcut olan bigânelik kalkar. Mahz-ı hayr olan diyanetten mahz-ı şer olan taassup ayrılır. Akvâm-ı saire halkı Osmanlı ümmetini büyüten yalnız Türkler olmadığını ve değil akvâm-ı İslamiye hatta Rumların, Hırvatların dahi o yolda nice kanlar döktüğünü öğrenir. Vatanperverlik fikri cümlenin ezhânına yerleşir. Aşiretler kabul-i iskan eder, ziraat, ticaret, sanat tevessü eyler. Herkes rahat bulur, herkes hâkimiyete iştirakini anlar.*"

articles, they discuss the infrastructural lack of the Empire and criticize the incapability and corruption of the Sublime Porte in this regard. In the Weberian sense, the modern bureaucratic state needs to build communication and transportation infrastructure to establish its sovereignty.[474] It is clearly stated that building railway infrastructure leads to improve countries and gives power to their peoples.[475] Recognizing the significance of transportation infrastructure, they attack the Porte because of their inability to complete road constructions in Erzurum, Trabzon, Bursa, railways in the Balkans, and a port in Salonica.[476] I think we can associate their stress on the transportation issue with legitimacy since transportation plays a key role in defending the geographical sovereignty of the realm. Developed transportation infrastructure enables the government to deploy its troops swiftly in case of turmoil, uprising, or war. If we remember that the Ottoman Empire encountered internal uprisings and external interventions in various regions and that had difficulty in implementing reforms in remote areas in the Tanzimat era, the New Ottomans' emphasis on transportation infrastructure becomes meaningful. Constructing modern transportation systems is regarded as necessary to maintain legal and legitimate rule over the empire-wide.[477]

The lack of scientific knowledge and the backwardness in education is considered as the reason for the decline.[478] Hence, dissemination of knowledge serves for the salvation of the state – which is closely related to the *usul-i meşveret.* Being improved in education and science brings civilization and welfare,[479] which the Ottoman Empire lacked. In their opinion, improvement in science would increase the social, economic,

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[474] Max Weber, *Economy and Society*, trans. Keith Tribe (London: Harvard University Press, 2019), 352.

[475] "İstanbul'dan Tahrirât," *Hürriyet* 97, May 21, 1870. "*Bakınız şu hâle ki demiryol her devletin memâlikini imar ve ahalisini ikdâra vesile olup*…" .

[476] "Ecnebilerin tasarruf-ı emlak salâhiyeti," *Hürriyet* 21, November 16, 1868; "İstikrâz-ı cedid üzerine Yeni Osmanlılar Cemiyeti'nin mütalaâtı," *Hürriyet* 22, November 23, 1868; "Babıâli'nin politikası," *Hürriyet* 56, July 19, 1869; "Nüsha-i sâbıkada münderiç İstanbul mektubunun mâba'dı," *Hürriyet,* 90 April 10, 1870; "İmtiyazât-ı ecnebiye."

[477] Concerning the relationship between bureaucratic rule, building up infrastructural power, and legitimacy in the Tanzimat era, Reinkowski also states that "The Tanzimat can be understood as the paradigmatic attempt of the state to build up and extend its infrastructural power. The Ottomans' attempt to regain control of their peripheral regions was motivated by the enormous financial needs of a modern state with its steadily growing bureaucracy and its array of self-imposed tasks." See: Reinkowski, "The State's Security and The Subject's Prosperity: Notions of Order in Ottoman Bureaucratic Correspondence (19th Century)," 212.

[478] "Hurûf bahsine dair makale," *Hürriyet* 61, August 23, 1869. "*İşte biz memâlik-i Osmaniye'de dahi envâ-ı belâyânın menşei fıkdân-ı maarif olduğunu itiraf ile beraber...*"

[479] Namık Kemal, "Burhan-ı tecrübî," *Hürriyet* 40, March 29, 1869.

military, and political capacity of the state against the challenges of European powers. However, the Porte's efforts fall short with regard to the improvement of education.[480] They also associate the Porte's unwillingness about encouraging progressive activities with the arbitrary mentality of the government since the advancement in science and education causes the opening of people's eyes.[481] In this sense, we see that progress supports impeding arbitrary power and establishing a consultative system by enlightening people. In fact, the *usul-i meşveret*, progress, improvement in sciences and education, and economic development are interrelated elements in their thought. They are complementary parts of a whole, that is, the *usul-i meşveret.* For, the *usul-i meşveret* provides a free, safe, and just climate for the development of scientific and intellectual activities to which the Ottoman Empire was in dire need in the Tanzimat era. Consequently, in the New Ottoman thought, progress does not only denote material development but also a political system towards greater freedom and representation,[482] which is intimately connected with the salvation of the state.

The notion of progress is a product of modern times that has a secular connotation. However, the New Ottomans do not omit to forge a link between progress and religion. Attaining the progress of the civilized world emerged as a secular ideal alongside sharia and became a legitimizing discourse in politics.[483] However, the New Ottomans reconcile progress with religion. They reject the claim of Islam is obstacle to progress (*mani-i terakki*). Contrarily, Islamic political principles fit justice, civilization, and progress, and therefore it is necessary to recourse to religious rules to save the state and bring freedom.[484] To support this claim, they give examples from Islamic and Ottoman history. They refer to the fact that Muslims pledged the protection of life, property, and honor of people and did not oppress people to change their religion afterward the conquest of Spain and that of Istanbul. Also, they state that those who

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[480] "Babıâli'nin Politikası." "*Devletin ümid-i ikbâl ve istikbâli neşr-i marifette iken Babıâli terakki-cûyluktan dem vurmakta ve devam ile beraber o bâbda hemen hiçbir şey yapmaz. Yalnız Selim-i Sâlis ve Mahmud-ı Sâni zamanlarında tesis olunan mühensihane ve bahriye ve tıbbiye mekteplerini mevcut bulunduğu cihetle onlara yılda külliyetli masraf eder. Maarif-i Umumiye Nezaretine ise ancak sekiz bin kese verir.*"
[481] "'İki mesele-i mühimmenin' mâba'dı," *Hürriyet* 81, January 10, 1870.
[482] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 183–84.
[483] Oktay, *"Hum" Zamirinin Serencamı*, 46–47.
[484] Namık Kemal, "Usul-i meşverete dair altıncı mektup."

improved philosophy and science throughout the medieval age were Muslims.[485] This means that Islam promotes progress and presents an inclusive political system.

4.2.2. Economy as a Legitimizing and Delegitimizing Element

One of the factors that contributed to the formation of the New Ottoman movement is the economic change that the Empire faced in the nineteenth century.[486] For this reason, the economy is one of the recurring themes in the *Hürriyet*. I think their criticisms about the economic policies of the Porte can be read related to the factual legitimacy of political power. What is more remarkable is that the economy mostly has a delegitimizing effect on the government in their writings. They use the incapability of the government in economic issues to undermine the social legitimacy of the bureaucrats of the Porte.

Regarding the economy, they mostly mention seven main problematic issues in the Ottoman economy. These are heavy and unequal taxation, incompetent economic administration, concessions given to the foreign powers, wastefulness and corruption, unplanned foreign borrowings, trade, and insufficient transportation infrastructure of the empire. Given these issues, the New Ottomans advocate savings and planned development against the bribe and debt economy.[487]

The New Ottomans draw upon these economic and financial problems to criticize the Sublime Porte, specifically their archenemies Âli and Fuad paşas. In other words, the economic crisis that the Empire had been undergoing was used to delegitimize political power. In the Tanzimat era, perhaps, one of the most significant issues that inhibited the ability of the Tanzimat statesmen to cope with problems was the economic situation and the signing of the treaty of Balta Limanı with Britain in 1838 which

[485] "Vükelâ-i hâzıranın Yeni Osmanlılar hakkında kullandıkları politika."
[486] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 4.
[487] Topal, "Sunuş," 17.

propelled the decline of the state.[488] With this Anglo-Ottoman commercial convention, Ottomans confirmed preexisting capitulatory privileges, set duties at low rates, abolished monopolies, gave British merchants the same rights as the local traders, and lost their freedom of action in the sphere of custom duties and tolls.[489] Many Ottoman intellectuals, like the New Ottomans, reacted to these concessions given to the British in line with free-trade policies by advocating protectionist policies[490]. For them, the Ottoman economy was damaged and Ottoman traders were ruined as a result of privileges given to foreigners like the French and the British.[491] Unless these economic concessions are abolished, the happiness and welfare of society and the state cannot be achieved.[492] Also, unplanned borrowings are criticized since foreign loans have a primary effect on the decline of the state (*tedennî*).[493] This debt matter is closely related to corruption, incapable economy administration, trade, and transportation issues since the borrowed money from Europe was spent in building up mansions and palaces for high-ranking officials instead of advancing the infrastructural power of the Empire.[494] Indeed, it is a historical fact that the Ottoman Empire spent only one-tenth of the loans for infrastructural investments.[495] All in all, the lack of meritocracy in economy administration, economic frauds, heavy taxes, and wastefulness worsen living conditions for people. It means that the economic crisis diminishes the factual and social legitimacy of the state. In this regard, the New Ottomans draw upon economic and financial difficulties to delegitimize the Sublime Porte government in their writings.

According to them, the *usul-i meşveret* would impede corruption and overcome economic predicament. The *meşveret* would eliminate the lack of confidence among people about the government. In other words, it is proposed as a means to remove

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[488] Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte 1789-1922*, 161–62.
[489] Zürcher, *The Young Turk Legacy and Nation Building: From Ottoman Empire to Atatürk's Turkey*, 61; Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte 1789-1922*, 162.
[490] Deniz Taner Kılınçoğlu, "The Political Economy of Ottoman Modernity: Ottoman Economic Thought During the Reign of Abdülhamid II (1876-1909)" (PhD diss., Princeton University, 2012), 44.
[491] Namık Kemal, "Servet-i mülkiyeye ve idare-i hâzıraya dair makale," *Hürriyet* 7, August 10, 1868; Ziya, "Hâtıra Zeyli," *Hürriyet* 45, May 3, 1869; Ziya, "Hâtıra Zeyli," May 24, 1869; "Ecnebilerin Tasarruf-ı Emlak Salâhiyeti."
[492] "'Hüda Kâdir'dir, eyler seng-i hârâdan güher peyda,'" *Hürriyet* 54, July 5, 1869.
[493] "Muvâzene-i maliye I – hizmet," *Hürriyet* 62, August 30, 1869.
[494] "İstikrâz protestosu," *Hürriyet* 21, November 16, 1868.
[495] Seyfettin Gürsel, "Osmanlı Dış Borçları," in *Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi 3* (İletişim Yayınları, 1984).

delegitimizing factors in the socio-economic field and thus legitimize the imperial authority in the eyes of the people. In their view, "it is only the acceptance of the *usul-i meşveret* that would abolish existing oppressions and wastes in the economy and would dispel people's lack of confidence."[496] Because deputies are authorized to check the government regarding treasury and budget in the name of people, which is the most important duty of the *Meclis-i Şura-yı Ümmet*, corruptions and wastes in the economy would be prevented.[497] This understanding indicates a liberal form of relationship between the state and subjects who are taxpayers. People are not regarded as "subjects" of the sultan anymore but, since the expenditures of the state are paid by their taxes, as "citizens" who have the right of calling the government to account for how it spent their money.[498] Accordingly, in their opinion, the economy occupies an important place in terms of the legitimacy of political power. The economic situation has an effect on legitimation and the *usul-i meşveret* is the only remedy for ameliorating the economy and thus buttressing the factual and social legitimacy of the state.

In addition, I argue that there is a close relationship between the economy and the *menea* of the state. This relation of the economy with the physical capacity of the state can be interpreted in terms of factual legitimacy. As mentioned in chapter 2, the notion of the *menea* denotes the physical dimension of power, specifically against external threats, in the classical Islamic political vocabulary. However, according to Şen, beyond the physical power, the *menea* includes geopolitical, geostrategic, demographic, etc. elements.[499] I think the economy can be added among these

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[496] Namık Kemal, "Ve şâvirhum fi'l-emr." "*Mevcut olan mezâlim ve israfâtı kaldıracak ve halkın itimatsızlığını defedecek tedbir ise ancak usul-i meşveretin kabulüdür*."

[497] Namık Kemal, "Mülkümüzün servetine dair geçen numerodaki makaleye zeyl"; Namık Kemal, "Usul-i meşverete dair ikinci mektup."

[498] Top, "The Young Ottomans' Approaches Toward Economic Liberalism (1860-1875)," 63. Though the New Ottomans complain about the economic situation and criticize the economy policies of the Sublime Porte in many articles, as I observed, they do not present a full-fledged solution in terms of how to cope with economic problems. According to Gözde Top, it is hard to associate their economic views with any economic school. She reached the conclusion that they adopted a pragmatist approach concerning the economic problems. They were cautious about the liberal economy and they stated the harmful effects of embracing a full-fledged free trade system both for the state and people; For Deniz Kılınçoğlu, the New Ottomans criticized the widely discussed problems of the Ottoman economy, such as the traditional Ottoman economic mentality, "backward" economic situation, and unsuccessful Tanzimat-era economic measures. However, they did not propose any economic strategy. See: Kılınçoğlu, "The Political Economy of Ottoman Modernity: Ottoman Economic Thought During the Reign of Abdülhamid II (1876-1909)," 61–62.

[499] Şen, *İslam Hukuk Düşüncesinde İktidar ve Meşruiyet*, 190.

elements. Of the problems that the Ottomans encountered in the Tanzimat era, lack of economic resources was the prominent one. Economic insufficiency was undoubtedly affecting the power of the state in many fields, such as education (*maarif*), science (*terakki*), infrastructural power, and the military. In the *Hürriyet*, the negative impact of the economic predicament on military power is dealt with in some articles. It is stated that the sickness of the state derives from the lack in human resources, economic resources, and soldiers.[500] According to Ziya Paşa, the military has been suffering from the financial crisis caused by foreign debts.[501] In another writing, it is expressed that the government cannot pay the salaries of soldiers, equip them properly and provide exact military logistic support because of the economic difficulties.[502] According to them, economic difficulty and its impacts in different spheres of life diminishes the physical power of the state and endangers its existence. In my opinion, we can incorporate the economy into the *menea* of the state and evaluate their critics about economic and financial issues in terms of factual legitimacy of power.

Their criticisms about the economy can also be evaluated depending on the function of allocating resources of political power as well. As noted before, allocating economic resources justly is involved in the definition of power and it has an effect on the legitimacy of power. Inequality in the allocation of resources brings about dissatisfaction and unrest in society regarding political authority. In the *Hürriyet*, criticisms about the Sublime Porte's corruption, wastefulness, and incompetency in the economic administration can be interpreted within this framework. According to them, despot bureaucrats of the Porte put their personal interest before the general interest of the nation and this leads to discontentment in society. Also, spending national resources ineffectively, such as by not building modern transportation infrastructure, may jeopardize the socio-economic independence and the geographical

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[500] Namık Kemal, "Hasta adam." "*Hastalığın hakikati kıllet-i ricâl, kıllet-i mal, kıllet-i asker, kıllet-i esbâb, velhâsıl kılet kıllet kıllet, her şeyde kıllet*."

[501] Ziya, "Sultan Abdülaziz Han, Ziya Bey, Âli Paşa," October 18, 1869. "*Yirmi beş yıl mukaddem hazinenin bir akçe hârice borcu yoktu. Memurîn ve asâkir ve sâir erbâb-ı vezâif muhassesâtını vakt ü zamanıyla alırlar idi ve hazinenin vâridâtı şimdikinin nısfı derecesinde idi… Halbuki erbâb-ı maaş haklarını vakt ü zamanında almadıklarından nice hanûmânın çarh-ı idaresine sekte geldi. Cihan dilenci oldu, asker aç çıplak kaldı*."

[502] "İstanbul'dan Tahrirât," Hürriyet 72, November 8, 1869. "*Dünya yüzündeki devlet ve hükümetlerin hangisinde bulunur ki yüz elli bin asker tutar, bunlara aylık veremez, tayinatını noksan verir, elbisesini vaktiyle nizamı üzere giydiremez, hastanelerde sefaletle telef eder ve yine efrâd-ı askeriye makam-ı hizmette kaim olurlar*."

sovereignty of the state. I argue that their complaints about the use of economic sources can be dealt with regarding the legitimacy of political power.

4.2.3. Meritocracy as a Legitimizing Element in between Morality and Rationality

The principle of merit has a prominent place in the classical Ottoman political texts. The merit-based political organization is advised to maintain the world order, procure justice, impede bribery and oppression in the administration, and for a mild government (*hüsn-i siyaset*) by Ottoman political authors.[503] However, the meaning of the meritocratic system changed over time. According to Abou El-Haj, modern meritocratic practices are different from classical ones. In the modern sense, service in the public interest is associated with meritocratic practices, equity, institutional objectivity, and juridical independence and rationality is the foundation of this meritocratic system. By contrast, Ottoman statesmen did not distinguish personal patrimony and property from the public treasury in the classical age.[504] However, this classical understanding changed in the Tanzimat era. There was a distinction between personal property and public treasury now. In the Weberian sense, standards of the modern rational bureaucracy were on the stage. The preoccupation with these modern rational appointment procedures became a recurrent topic in the Ottoman political writings during the New Order debates, and almost a century later in the New Ottoman writings.[505]

The lack of human sources is one of the problems that the Ottoman Empire suffered in the Tanzimat era. The New Ottomans, therefore, discussed the merits of bureaucrats. Their discussion about the principle of merit is a little bit confusing. On the one hand, they emphasize personal merits of famous caliphs of Islam like Harun al-Rashid, great Ottomans sultans of the Ottoman "golden age" like Süleyman I. In this context, the disappearance of meritocracy in the governmental ranks is based on the caging

[503] Yılmaz, "Osmanlı Siyaset Düşüncesinin İlkeleri," 528–29.
[504] Abou-El-Haj, *Formation of The Modern State: The Ottoman Empire, Sixteenth to Eighteenth Centuries*, 56.
[505] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 57.

Ottoman *şehzades* (prince) in the palace instead of sending them to governorships for training.[506] On the other hand, they complain about the favoritism and the nonobservance of rational bureaucratic rules that prescribe specialization and qualification in selecting administrative officials.[507] Nonetheless, it seems that the modern training-based bureaucratic understanding overweighs traditional personality-based one since they accentuate the importance of education and expertise – even in mentioning great Ottoman sultans in past. In this regard, they criticize the Porte because they appointed incompetents and toadies to the governmental ranks instead of educated and experienced ones.[508] It is also stated that appointing incapable people to the governmental ranks may cause the collapse of the state. As such, it becomes apparent that their understanding of meritocracy is different from that of classical authors. The New Ottomans mention a merit-based system that institutional objectivity precedes the personal interests of officials.

We can conclude that the merit-based political order has a legitimizing effect on the political authority in the New Ottoman thought. Their expressions on meritocracy can be interpreted within the framework of Weber's legal rule that depends on obedience to impersonal orders, rational expert knowledge, fixed official hierarchy, and promotion according to performance in terms of legitimacy.[509] This is also related to procedural understanding that underscores the importance of conforming to laws and rules.

Despite their emphasis on the rationale principles of meritocracy, they do not stop highlighting the importance of morality. Morality is included in the principle of merit in their opinion. The one who stresses on morality is mostly Ziya Paşa. He states that "it is not the rules (*nizâm*) that ameliorate the conditions, but, perhaps, people who employ that rules."[510] This statement shows the importance of religious moral values

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[506] Namık Kemal and Ziya, "Devlet-i Aliyye'ye bâis-i tenezzül olan maarifin esbâb-ı tedennisi," *Hürriyet* 6, August 3, 1868.
[507] Namık Kemal, "Bizde adam yetişmiyor," *Hürriyet* 25, December 14, 1868; Ziya, "Çerkes muhacirleri," *Hürriyet* 17, October 19, 1868; Namık Kemal, "Devletin tedennisine dair makale," *Hürriyet* 19, November 2, 1868; Namık Kemal, "Usul-i meşverete dair beşinci mektup."
[508] "Yeni Osmanlılar ve Babıâli."
[509] Weber, *Economy and Society*, 342–54.
[510] Ziya, "Hâtıra Zeyli," March 29, 1869.

in terms of merit. Besides, he thinks that it is the corruption of morality that caused all problems in the governmental ranks.[511] This moral understanding derives from the normative character of Islam. In Islamic perspective, the anchor point of legitimacy is the set of divine eternal values, while the efficiency or rationality of the political mechanism is a secondary and dependent variable to it.[512] Therefore, trying to incorporate morality into the modern bureaucratic meritocratic understanding is a quite normal reflex according to their religion-based perspective.

[511] Ziya, "Hâtıra Zeyli," *Hürriyet* 41, April 12, 1869"…*ahlâk-ı milliye fâsid oldu ve bugünde devletimizin her şube-i idaresinde nazar-ı ye's ve teessüfle görülen fenalıkların kâffesi işte bu menbadan tevellüd etti*."

[512] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 123.

CHAPTER V

CONCLUSION

From the declaration of the Tanzimat Edict onward, the Ottoman Empire officially commenced a reform period to prevent the predicament of state affairs. The main question of the period was how to salvage the state from the dissolution. In this regard, those who sought an answer to this question were not only statesmen but also intellectuals. It is possible to follow discussions of Ottoman intellectuals on how to renew and reform the state and society through the novels, stories, plays, poems, and newspaper articles of the Tanzimat era. Of these intellectuals, the New Ottomans formed the first modern intellectual movement of Ottoman history. They discussed the scope of the reforms in their newspapers. In their writings, they criticized bureaucrats of the Sublime Porte due to their failure in fulfillment of reforms and deviation from Islamic and Ottoman tradition.

Because any conception of Muslim reforms is closely related to tradition, Muslim thinkers endeavor to recover tradition in order to rehabilitate it to its original form.[513] Likewise, the New Ottomans aimed to reproduce tradition following the necessities of the present time. They tried to sustain the Islamic-Ottoman tradition in which they lived. In the post-Tanzimat era, European political concepts and institutions had been introduced to Ottoman intellectual milieu and the New Ottomans were familiar with these ideas. However, though they did not deny the necessity of the renewal, they also objected to a mere imitation of European socio-political concepts and institutions for the Ottoman society. According to their understanding, every socio-political concept and institution develops in specific conditions of each society. Therefore, socio-political concepts and institutions cannot be directly imported from one society to

[513] Ebrahim Moosa and SherAli Tareen, "Revival and Reform," in *Islamic Political Thought: An Introduction*, ed. Gerhard Bowering (New Jersey and Oxfordshire: Princeton University Press, 2015), 204.

another. Every society should take their cultural codes into the consideration. Within this framework, they thought on how to reconcile Ottoman political thought with European values. According to Şentürk, the New Ottomans used fiqh regarding this harmonization and their attempt to match European ideas with those of Islam cannot be seen as a matter of translation but also as a strategy of cultural reconstruction of these concepts and institutions. Fiqh terminology helped them in finding Islamic and Ottoman counterparts for the European concepts that they came across.[514] For Elfenbein, yet the explanation of modern political concepts and institutions with Islamic and Ottoman terms cannot disguise the fact that their ideas more closely resemble those of European contract theories than of any writer in the Islamic legal canon.[515] As for me, however much the New Ottomans were influenced by liberal European political thought, they predominantly refer to Islamic and Ottoman history and traditions in discussing politics and modern political concepts. Accordingly, their understanding of legitimacy is unavoidably devoted to religious basis.

According to Berger and Luckmann, "once the ideology is adopted by a group in question, it is modified in accordance with the interests it must now legitimate. This entails a process of selection and addition in regard to the original body of theoretical propositions."[516] Likewise, the New Ottomans make a selection and addition in adopting European political concepts and mechanisms. In emulating modern European political thought, they are attentive to modifying it in accordance with Ottoman political tradition and interests. As for the interests of the Ottoman Empire, political power became more prone to rest on the public in the nineteenth century; while reforms contributed to the disappearance of privileged groups and fluorescence of the proto-citizenship, political rights and duties received more attention. These developments necessarily paved the way for the enlargement of the political field in favor of subjects and popular participation in decision-making processes.[517] The New Ottomans are aware of this situation and therefore, want to involve people in politics to prevent the

[514] Recep Şentürk, "Intellectual Dependency: Late Ottoman Intellectuals Between Fiqh and Social Science," *Welt Des Islams* 47, no. 3 (2007): 300–302, accessed March 30, 2020, https://www.recepsenturk.com/articles/.
[515] Elfenbein, "No Empire for Old Men:The Young Ottomans and the World, 1856-1878," 100.
[516] Berger and Luckmann, "Legitimation," 142.
[517] Onaran, *Padişahı Devirmek: Osmanlı Islahat Çağında Düzen ve Muhalefet: Kuleli (1859), Meslek (1867)*, 375.

dissolution of the state due to nationalist and separatist movements. Also, they personally want to be political decision-making figures in government. The policy of Osmanlılık is an ideology that serves to this end by instituting an equal Ottoman citizenship. They think that an equal Ottoman identity can strengthen imperial sovereignty and legitimacy. Also, they consider that this is necessary to be regarded as an equal and legitimate member of civilized nations in the international arena.

Because Islam does not determine any definite socio-political order, Muslim thinkers do not hesitate to benefit from the experiences of other civilizations[518] and the New Ottomans are no exception in this regard. They do not refrain from drawing upon European political thought. For this reason, they deal with modern liberal concepts and mechanisms such as constitution (*meşveret*), representation, parliament, separation of powers, equality, and freedom. Within this framework, they try to combine European political concepts and institutions with Ottoman political tradition. As an example of this combination, the *usul-i meşveret* is set forth as a principle to establish a restricted, just, and legitimate political system that impedes the arbitrary use of power.

In examining the legitimacy of political power in the New Ottoman thought through the *Hürriyet* newspaper, firstly, I have focused on the conception of the human in their thought since theories of human nature play a significant role in constructing a theory as well as in philosophical debates about legitimacy. Exploring their philosophical ground, it has become clear that there are two principles upon which Islamic political thought is predicated: principles of *telkîf* (responsibility) and of the need for divine assistance. According to the principle of *teklîf*, the human being is considered as the vicegerent of God who undertook His divine trust for realizing it on earth. While the principle of *teklîf* makes the freedom that is the condition of responsibility of man part of politics; the principle of the need for divine assistance states that human beings need divine assistance via a messenger to learn laws that are necessary to set up a just political order. While the principle of the need for divine assistance is explicitly mentioned, the principle of *teklîf* is implicitly mentioned by the New Ottomans in the

[518] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 123–24.

Hürriyet. In mentioning the principle of *teklîf*, I also touch upon the responsibility of human beings in terms of Islamic theology through the concept of the particular will (*al-irâda al-juz'iyya*), which is closely related to the freedom and morality of human actions.

The *usul-i* meşveret is the key concept for a legitimate political order in their political imagination. The *usul-i meşveret* is upheld for a restricted government to impede abuse of power. For this purpose, they reinterpret the Islamic concept of *shura* in the modern context. In classical Islamic political thought, the *meşveret* is interpreted as a recommended moral and political principle that is not obligatory and binding. As for the classical Ottoman political thought and practice, it is an advised principle that is ordinarily limited to a few officials. It draws more attention and the broad-based *meşveret* becomes indispensable for decision making from the seventeenth century onwards.[519] However, in the New Ottoman thought, the *meşveret* is reinterpreted as an obligatory and binding principle according to a mechanistic and procedural understanding. On this basis, they deal with constitutionalism, the separation of powers, parliament (*Meclis-i Şura-yı Ümmet*) as components of the *usul-i meşveret*. The *usul-i meşveret* is considered a system that would procure justice and legitimize the Ottoman sovereignty throughout its vast territories by involving people in decision-making processes. In other words, the *meşveret* is the counterpart of modern representation theory. Through interpretation of the concept of *meşveret* based on sharia and tradition, they both lay a religious basis for their arguments and facilitate harmonizing European and Islamic political perspectives. However, they do not simply propose a return to the purity of original Islam but argue that, rather than imitating European legal systems, one should apply the spirit of sharia to modern conditions by distinguishing between the essence of Islamic ideals and the way these are interpreted under specific historical circumstances.[520]

[519] Yılmaz, "Containing Sultanic Authority: Constitutionalism in the Ottoman Empire Before Modernity," 257.
[520] Black, *The History of Islamic Political Thought: From the Prophet to the Present*, 287–88.

Another mechanism that would control the abuse of power is the *nezaret-i ümmet* (the people's oversight). Through its check on government, the *nezaret-i ümmet* constitutes popular sovereignty in the administration and thus confers social validation and legitimacy to acts of political power. It is defined on the ground of the political rights of people. It gives people the right to check on political and economic acts of the government. The *nezaret-i ümmet* is based on the principle of popular sovereignty. Regarding popular sovereignty, they refer to Ottoman and Islamic history and tradition. It is stated that the legitimate form of government in Islam is based on the election of the people, the *meşveret*, and *bay'at*. In discussing the *bay'at*, they reinterpret it by substituting the people for the *ehlü'l-hal ve'l-akd*. As such, the reciprocal nature of legitimacy becomes clear in their thought.

Despite this mechanistic understanding, they do not omit to refer to morality. However much they refer to religious justifications in theorizing the *usul-i meşveret*, procedural understanding would unavoidably outweigh against morality regarding legitimation. However, in the *ıslhatnâmes* of the classical period, while the causes of decline are traced to immoral and inappropriate behavior of the statesmen and the dissolution of social boundaries, the advice highlights restoring morality to the political actors, putting everyone back in their place, and reinforcing the power of the sultan or his deputy, the grand vizier.[521] In the New Ottoman thought, this emphasis on actors' merit and morality shifts to institutional mechanisms. Although they complain about corruption and the personal incapability of the bureaucrats of the Sublime Porte, they advise establishing institutional mechanisms to impede corruption in government and the decline of the state. This represents a difference from the tradition. But, it does not mean that morality is ignored since morality and legality are intertwined in Islamic understanding of legitimation. Islamic axiology is tried to be integrated into these mechanisms. However, now, it is considered that the *usul-i meşveret* would prevent corruption and maintain order through procedures and mechanisms.

If we remember their interpretation of Ottoman history, they consider the janissary army as a balancing power that oversees the actions of the sultan and the janissary

[521] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 40.

barracks are described as a kind of armed consultative assemblies. However, their role went beyond being a balancing power over the sultan and transformed to domination over him and this led to the abolition of the janissary army in 1826. With the abolition of the janissary army, the government became free of a remarkable restrictive factor and the Sublime Porte set up its domination over the state apparatuses. The New Ottomans frequently criticize this domination of the Porte. I think they want neither military nor bureaucratic domination over the state apparatus, but the domination of people. Thus, the public rises as a balancing power. The *usul-i meşveret* and *the nezaret-i ümmet* are principles that would realize this democratic ideal.

Equality is another normative legitimator element alongside the *meşveret* and the *nezaret-i ümmet*. Equality is intimately connected to pluralism and tolerance. The New Ottomans define equality regarding pluralism and tolerance in terms of the legitimacy of the imperial rule. It is a necessary element of the *usul-i meşveret* for the equal representation of the whole Ottoman peoples in *Meclis-i Şura-yı Ümmet*. In this regard, they mention civic equality, equality of opportunity, and equality before the law. Although they criticize the implementation of equality of opportunity in the Ottoman context, they uphold equality to constitute an equal Ottoman citizenship that depends on the idea of Osmanlılık. The principle of equality is considered as a remedy for the damaged sovereignty of the state and a reinforcing factor for the legitimacy of Ottoman imperial authority. In my opinion, they uphold equality before the law to ground the state-society relationship on a firm basis. For, this would secure the popular approval for the Empire and strengthen the legitimacy of political power.

Though equality is a concept that was imported from European political vocabulary, the New Ottomans reconceptualize equality on the basis of Islamic tradition. Their reconceptualization of equality reminds the theological explanation of equality in modern political theory. However, the distinctive feature of Islamic socio-political and socio-economic egalitarianism is its ontological dimension that premises every human being is on the same ontological level.[522] Regarding religious justification of equality,

[522] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 152.

it is stated that all humans are created by God and therefore, human beings are like different organs of the same body. Hence, there is no difference in rights due to sectarian differences.

Freedom is another normative legitimator element in the New Ottoman thought. As a concept inspired by European political thought, freedom is explained through personal and political rights. However, freedom is also explained on a religious basis. It is considered as a divine grace to humankind by God and therefore, human beings are free by nature. Politically, freedom means having both personal rights consisting of the security of life, property, honor, and political rights that amount to oversee acts of the government by people. Otherwise, a nation cannot be free. Regarding the legitimacy of political power, freedom indicates consent-based legitimacy and a restricted political authority for impeding despotic rule. Their emphasis on freedom is an innovation for Ottoman political thought. In classical Ottoman political thought, freedom is considered not in politics but in the law of slavery. It is also claimed that Islamic and Ottoman political traditions emphasize the notion of obedience rather than freedom.[523] What is new here is that freedom is considered on a political basis through rights. Now, the freedom of people becomes a yardstick to gauge the legitimacy of political power. This also reflects a remarkable shift from the notion of justice as a balance in society to rights and freedoms in Ottoman political thought.[524] Lastly, they regard freedom as a principle for impeding the danger of domination that derives from the legal personality of the modern state.

Justice is another normative legitimator element as one of the key legitimizing concepts in Islamic and Ottoman political thoughts. The *usul-i meşveret*, in fact, is upheld to ensure justice in society. However, their understanding of justice is different from that of the classical one. In classical Ottoman political thought, justice was not dealt with independently of the personality of the sultan. However, the New Ottomans conceive justice as a meaningful concept in itself and divorce it from the personality of the sultan. Despite depending on sharia, they propose a new formula that is different

[523] Kara, "İslâm Düşüncesinde Paradigma Değişimi: Hem Batılılaşalım Hem Müslüman Kalalım," 256.
[524] Topal, "From Decline to Progress: Ottoman Concepts of Reform 1600-1876," 176.

from the classical one.[525] The classical meaning of justice, which was articulated in the circle of justice, had already begun to fade away from the eighteenth century forward.[526] Justice, now, began to be explained through procedural processes like the *usul-i meşveret* and political rights like freedom and equality by the New Ottomans. This change in the notion of justice inevitably influences the meaning of being legitimate. Formal processes and procedures begin to come to the forefront contrary to normative and ethical references regarding legitimacy. Nonetheless, the New Ottomans do not ignore the religion-based moral explanations of justice. Their emphasis on sharia-based moral explanation of justice is also related to circumscribing the possible threat of invisible domination over people that can come from the legal personality of the modern state.

In the *Hürriyet*, their emphasis on the principles such as the *meşveret, nezaret-i ümmet*, popular sovereignty, equality, freedom, and justice indicate that they highlight the importance of gaining the consent of people in terms of legitimacy. Thus, it becomes clear that they uphold consent-based legitimacy.

As for the elements of factual legitimacy in the New Ottoman thought, *terakki* (progress) appears as a significant concept that reflects scientific discourse. In the modern period, science went beyond scientific concerns and pervaded various spheres of life including politics. It would be erroneous to think that this did not influence the legitimation of power. I argue that we can trace the influence of scientific discourse on legitimacy through the concepts such as *ilim* (science), *maarif* (education), and *terakki* (progress) in the New Ottoman thought. Moreover, regarding the contribution of the progress to factual legitimacy, I argue that their emphasis on the importance of constructing transportation infrastructure can be considered as an implication of the idea of progress. For them, acquiring the modern sciences and being an improved civilization enhances the physical power of the state. This means that the concept of *terakki* is related to the legitimacy of power.

[525] Mardin, "Yeni Osmanlı Düşüncesi," 47.
[526] Aksan, "Ottoman Political Writing, 1768-1808," 64.

The economy is another factual legitimator element. Because the economic change that the Empire faced in the nineteenth century contributed to the formation of the New Ottoman movement,[527] the economy is one of the recurring themes in the *Hürriyet*. They utilize the economic and financial predicament of the Empire to delegitimize the Sublime Porte administration. According to them, because there is a close relationship between the economy and the power of the state, the economic crisis diminishes the factual and social legitimacy of the state. I deal with this relation of the economy with the physical power and capacity of the state in terms of factual legitimacy. With regard to economy and legitimacy, another issue is the fair allocation of economic resources. According to them, the Sublime Porte's corruption, wastefulness, and incompetency in the economic administration bring about dissatisfaction and unrest in society regarding political authority. In this regard, the *usul-i meşeveret* is presented as a panacea for all the economic problems. I argue that their complaints about the usage of economic sources can be dealt with regarding the factual legitimacy of political power.

The lack of qualified human sources is one of the problems that the Ottoman Empire suffered in the Tanzimat era. The New Ottomans, therefore, discuss the merits of bureaucrats in administration. In their writings, it can be seen that the merit-based political order has a legitimizing effect. On the one hand, they deal with the principle of merit through the personal merits of famous rulers in Islamic and Ottoman history; on the other hand, they underscore rational bureaucratic rules like specialization and qualification in selecting administrative officials. Nonetheless, it seems that the modern bureaucratic understanding overweighs the traditional personality-based one. However, their emphasis on the rationale principles of meritocracy does not stop them from highlighting the importance of morality. For, in the Islamic perspective, the anchor point of legitimacy is the set of divine eternal values and the efficiency or rationality of the political mechanism is a secondary and dependent variable to it.[528]

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[527] Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, 4.
[528] Davutoglu, *Alternative Paradigms: The Impact of Islamic and Western Weltanschauungs on Political Theory*, 123.

Accordingly, their efforts to incorporate morality into the modern bureaucratic meritocratic understanding is a quite normal reflex from their religion-based perspective.

Evaluating the New Ottoman political thought as a pragmatic effort is a quite normal attitude. Of course, international pressures and threats coming from European powers stimulated the development of European political concepts and institutions in the Ottoman context. It is true that the idea of saving the state occupied the minds of Tanzimat intellectuals and they sought an answer to this question. The New Ottomans were among them. However, I think, the New Ottomans' reconceptualization of European concepts in accordance with Ottoman and Islamic traditions should not be underestimated and boiled down to pragmatism merely. Pragmatism is an aspect of the issue, but we should keep in mind that unstable times force thinkers to reflect on political matters. The nineteenth century was an unstable period in which Muslims were challenged economically, militarily, politically, and ideologically by the West. Considering these challenges, the New Ottomans thought on the political issues, and cogently discussed modern political concepts by referring to either religion or Islamic history and tradition. Their fusion of Islamic and European political thoughts, reading each in the light of each other, produced an original thought.[529] For these reasons, such a valuable intellectual effort, I think, should not be sacrificed to mere pragmatism-based claims that derive from the turbulent view of the nineteenth century.

Finally, in this thesis, I have examined the legitimacy of power in the New Ottoman thought through the *Hürriyet* newspaper that they published during their self-imposed exile in Europe. But, I do not argue that this study presents the definite final framework in this regard. According to Uslu, it is impossible to reach a final comment about the studied subject in the history of political thought; but, though researchers may not fully grasp the reality due to insufficiency of their perspectives and knowledge, they might lift the curtain towards the reality.[530] I hope that I have lifted the curtain toward

[529] Black, *The History of Islamic Political Thought: From the Prophet to the Present*, 288.
[530] Uslu, *Siyasal Düşünceler Tarihine Giriş; Tarihyazımı, Temel Yaklaşımlar ve Araştırma Yöntemleri*, 165.

exploring the New Ottoman political thought regarding the legitimacy of political power and contributed to the studies in the field. Though this thesis provides a deeper insight into both the New Ottomans' political thought and the course of Ottoman political thought, it has only examined the *Hürriyet* newspaper. Further studies on publications of the movement are needed in order to extend our knowledge about both the New Ottomans and the development of Ottoman political thought in the nineteenth century.

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