The Ottoman Municipal Reforms between Old Regime and Modernity: Towards a New Interpretative Paradigm

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The object of the present paper is to try and insert into discussions about the rich bibliography on the Ottoman municipal institutions some nuances, pertaining both to recent reflections on the circulation of reform models and to new researches on the historical roots of the ottoman urban old regime. The aim is then to reconsider the interpretation of the Ottoman urban reforms of the second half of Nineteenth century in this new interpretative scheme, which takes into account with a different perspective both the heritage of previous forms of urban governance and the meaning of the circulation of reformative models. The intent is also, once the general frame has been submitted to an effort of complexity, to confront some other arguments on modernity in an Ottoman context. If modernisation came in a different way that it has often been assessed, what does it mean for the content of the concept of modernity? This is why I will also try in this paper to discuss the limits of the Ottoman urban modernity and their causes.

The present research relies on various case studies, taken in the Arab Provinces of the Ottoman Empire, from the Maghreb to the Middle-East, but does in no way pretend to cover the whole geographical field. The intent is rather to use case studies often taken on the margins of the Empire to discuss some commonly accepted assertions about the functioning of the Empire as a whole and about its relationship to administrative modernity. The aim is to try and go further the "importation" paradigm which often sums up the process of modernisation of the Ottoman bureaucratic apparel. The stake is, from a study of the evolution of the forms of urban government, to discuss and challenge the excessive importance of a vision of an only imported modernity into what is often implicitly or explicitly considered as the empty space of pre-reform urban government. Through a study of what I call the urban Ottoman old regime (the use of this term being based upon a comparative method with Western European historiographies –not the importation of a content, but the use of a concept), my intent is to try and propose some revisions into the interpretation of the reforms themselves. The purpose is also to discuss the thesis presenting municipalities as essentially extraneous to the urban Ottoman situation before the reforms. There were in my opinion forms of urban government shaping a system of old regime urban government, based upon the prerogatives of the merchants and their assemblies, sometimes some forms of urban nobility, and the administrative role of guilds in the urban order. These forms served as a base for reforms which cannot thus be read as extraneous anymore to the previously existing urban society and have to be interpreted differently. But this assertion is not intended to close debates. Instead, I conceive it as a methodological proposal, and as a way to bring new elements into debates about the relationship between Ottoman societies and modernity. It is also a way to shift discussion towards other fields. If modernity came as a

reform of an old regime (and not as a mere creation), many questions do remain about the factors that sometimes blocked its implementation: communal caesurae, colonial influence, nationalisms.

In the Ottoman Empire, the way in which cities were governed before the reforms has long remained a little explored domain of the historical research. Interest for this matter generally begins with the period of the reforms of the second half of the Nineteenth century, and with what has long been characterized as a unilateral European influence. My point is to soften this traditional view by both having an attention to the forms of urban government that pre-existed the reforms and the European influence (because before this, cities where ruled) and discussing the circulation of influences and models of government at the time of the reforms. The intent is to build a complex image of the path, but also sometimes the failed path, towards modernity.

Aspects of the urban old regime in the Ottoman Empire

<u>Methodical and theoretical considerations</u>

I use in my research the term Old régime. This might be surprising as this concept has been built in a different cultural area: it is indeed intellectually linked to a European context, with French, English or Italian declinations. But this matter of facts must not be seen as europeocentrism: not only I do prefer in the social sciences the explicit use of concepts that an implicit cultural background, but also I estimate that historical research has to go further than the boundaries of cultural studies. What I retain from readings about the European old regime are concepts that I think are useful for the analysis of the Ottoman situation. My use of the concept of old regime is in no way the transposition of a content, but only the use of a tool, a concept. I don't suggest any parallelism, I just think that at some stage of the research the use of this tool is useful.

What does old regime means for me: it refers to a society of corps, in which the individuals are part of broader groups, structured according to several factor, be them: belonging to a confessional community, belonging to a professional community, belonging to a privileged group (a group which benefits from a "private law" *i.e.* which does not respond to the general rule, aristocracy for example). In this kind of society, the social mechanisms are determined by these factors. And my conception of what is modernity is the consequence of the definition of old regime (I don't like the term pre-modern as it is an anachronism and defines a society in reference to an uncertain future). Modernity refers to a society in which individual are defined for themselves. This is, in my opinion, the key point. In a modern society, your role in the society does not only depend on who you were born, to which community you are belonging and of which professional community you are part of. It is particularly important in the case of civic life. In an old regime society your civic rights do depend on these factors. In a modern society you have civic rights for what you are: an individual. That is why religion is not at the heart of my research: in an old regime society, one must of course act according to the general principles of the moral, whose background is religious, but I will show that in the case of urban government it is not a religious ruling. The idea of modernity in the region must take into account this aspect of tradition. Tradition is not the rule of religion.

My first point in my illustration of both the substance of old regime urban rule and the confrontation to modernity is about the Bonaparte experience in Egypt (Misr). This military

expedition can be interpreted of course as a first colonial attempt to take control of an ottoman province and as an expedition containing all the morally condemnable aspects of a conquest, with its parts of violence and despise. But there is anyway an aspect that I think is linked to the object of my study. When French soldiers and scientists arrived in Egypt with Bonaparte, a confrontation between Old régime and administrative modernity happened. Although it was a biased confrontation in which violence and conquest often prevailed, it brings some interesting questions. The French army was in great part composed of officers who had fought old régime structures in France and Europe, during the Revolutionary period, and considered a duty to help other people dismantle old régime. For them, and we are now fully aware of the great ambiguity of the whole context, Egypt was a country in which the revolutionary could provide the external support that was needed for the completion of a modernization process in the society and its structures, in which modernization meant a fight against what was constituting the base of old regime: aristocracy, privileges, guilds, confessional communities. I don't intend to rehabilitate Bonaparte in any way. I just wanted to underline that at the turning point of the XIXth century, the debate about Old régime was a matter of discussion, and that in the mind of revolutionaries, there was little difference between old régime in Europe and the one in the Middle-East. I don't intend to use this matter of facts to rehabilitate what appears to be an excuse for the promotion of a military conquest. But I have other purposes. The first one is to discuss the very existence of old-régime-like structures of urban government in the Arab world. We can still read very often that before modernity there was no structured urban government in the region. In my opinion it is wrong and the use of the concept of old regime might prove of great help in illustrating it.

The European historiography has known great progresses in the reading of old régime urban government[2]. The most significant seem to me those accomplished in Italy and Great-Britain. In France of course a lot has been done too[3]. But the *cliché* on the end of the Old Régime in one night (the 4th of August, 1789) is too strong, even if it has been discussed and nuanced, to allow productive comparisons. Italy and Great-Britain present a variety of situations, much more interesting for discussion. In Great-Britain, administrative modernity arrives within the Old régime, which is never cancelled. The very example of the city of London, where medieval charges still exist today in the heart of European capitalist and political modernity illustrates this fact. Italy is interesting for its historiographical tradition and interpretations of the passage from the communal form of urban government, with all its variety, to the modern municipal. What we learn from this example is that modernity can arrive along different paths, and most of all that modernization is often an adaptation of old régime[4]. For the Ottoman Empire, some interesting efforts have been recently made to take into account this reality[5]. But a discussion of the concept of old regime in an Ottoman context is still lacking.

Here is what I intend when using the term old régime urban government:
- an urban government in the hands of the local élite (merchant bourgeoisie or aristocracy, depending on the typology of the city)
- structures of urban power coming from the guilds
- existence of an assembly of the notables or the merchants, with a broad range of powers in the urban government

[2] The most useful synthetic effort is : Berengo (Marino), *L'Europa delle città. Il volto della società urbana europea tra Medioevo e età moderna*, Turin, Einaudi, 1999, 1040 p.
[3] For France, see, for example : Bely (Lucien), *Dictionnaire de l'Ancien Régime*, Paris, Puf, 1996. On the medieval roots of old regime urban government : Bove (Boris), *Dominer la ville. Prévôts des marchands et échevins parisiens de 1260 à 1350*, Paris, CTHS, 2004, 720 p.
[4] See, for example: Cerutti (Simona), *Giustizia sommaria. Pratiche e ideali di giustizia in una società di Ancien Régime (Torino XVIII secolo)*, Rome, Feltrinelli, 2003, 228 p.
[5] For example: Salzmann (Ariel), *Tocqueville in the Ottoman Empire. Rival Paths to the Modern State*, Leyde-Boston, Brill, 2004.

- existence of a system of urban taxes based upon property and trade
- existence of some executive charges, reserved to the members of the city elite (aristocrats or merchants depending on the typology of the city)
- definition of the city as a collective body in front of the central government

Such a situation does not mean that the central State was absent. The governor had an important role in regulating the relationship between the (organized) local notability and the central sphere. My intent is now to illustrate how the urban situation in the Arab provinces of the Ottoman Empire often corresponds to this frame.

An Ottoman Urban old regime

My first attempt to confront existing assertions on this field was about Tripoli (Trablus al-Gharb). I was able to demonstrate, studying both local and imperial archives, as well as local chronicles, that at least between the XVIIIth century and the Ottoman reforms of the middle of the XIXth century, this city was ruled by its merchants and notables and was organized according to principles that I qualified as constituting an urban old regime[6]. Both in local archives, in central Ottoman archives and in chronicles, I found echoes of the existence of a city assembly and of the charge of chief of the city.

Tripoli, an Ottoman city of the Maghreb, that had known until 1835 a relative autonomy from the central power in Istanbul under the Qaramanli dynasty, was ruled by its notables, who were mostly merchants. These were members of the most prestigious guilds, traders and landowners. They sat in the *jama'a al-bilâd*, the city assembly, and designed their delegate as chief of the town, *cheikh al-bilâd*. *Cheikh* and *jama'a* had a broad range of powers, dealing with urban life at large: construction, public order, provision of food, market control, guild supervision, low ranges of local justice, urban taxes, relationship with the Ottoman Governor. The return into a more direct Ottoman rule in 1835 doesn't change this situation. It seems to me a typical institution of urban old régime. I was able to follow the activity and composition of the assembly, and of the persons in charge of the town from 1795 to the ottoman municipal reforms of the second half of the XIXth century. I have the names of the *chief al-bilâd* for the whole period, and found many details about the functioning of the institutions: meetings, nominations, conflicts… The urban old regime institution was fully into the Ottoman system. The notables were in direct contact with the Governor and the chief of the town embodied the city as a symbolic entity during official celebrations, be it of dynastic interest before 1835 or Imperial interest after. In my opinion, the Cadi, which is often seen as an urban ruler, only had a judicial competence in urban field: he intervened only to solve conflicts. The true essence of the ottoman urban old regime lies in the hands of the notability: merchants and guilds. After having found this reality for Tripoli, the question was: was this city an exception, or was it a reflection of a broader reality?

I then looked in other cities, sometimes with the help of a team of colleagues, and here are some of the first results[7]. There were indeed in a great variety of cities, from the Maghreb to the Middle-East, such institutions of urban government, in the hands of local élites.

In Algiers, Constantine and Ghadames, there was a *cheikh al-bilâd*, ahead of an assembly of notables, with powers of the same kind as those found in Tripoli: construction, markets, guilds, street order, wheat supply. In Tunis, there was a *cheikh al-madina*, with the same kind

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[6] Lafi (Nora), *Une ville du Maghreb entre Ancien régime et réformes ottomanes : Genèse des institutions municipales à Tripoli de Barbarie (1795-1911)*, Paris, L'Harmattan, Collection Villes, 2002, 305p. See also : Lafi (Nora), « Ville arabe et modernité administrative municipale », *Histoire urbaine*, n°3, 2001, p.149-167.

[7] For the collective part of this work, see: Lafi (Nora) (Ed.), *Municipalités méditerranéennes. Les réformes urbaines ottomanes au miroir d'une histoire comparée (Moyen-Orient, Maghreb, Europe méridionale)*, Berlin, Klaus Schwarz, 2005, 373 p.

of competences. In these four cities, merchants dominated the notability and the city as a collective body was the emanation of this milieu, the guilds were the matrix of which. In others cities, mostly in the Middle-East, there were sometimes different forms of executive charges of urban government, like the *nakib al-ashraf* (Jerusalem, Tripoli –Trablus al-Sham-, Damascus). In these cities it seems that urban government was more in the hands of an aristocracy. But it does not mean that merchants were excluded, nor that aristocrats did not take part into trade activities. For Egypt, there were *cheikh al-bilâd* in villages and small towns. I have not yet assessed if their apparent absence in Cairo is the result of my research being less forward in this city or of a previous reform that could have suppressed the institution in this city. But what is sure is that Alexandria fits perfectly to the frame I describe, with the presence of strong urban institutions in the hands of the local elite. In the case of other Ottoman cities, including non-muslim, from what is today Greece to the Balkans, we have traces of such institutions of local urban government in the hands of merchants and guilds. Further south, in Sanaa, there was a *cheikh al-madina*. These urban charges were not merely symbolical. They represented a true old-regime-like structure for the urban society. And the range of competence covered perfectly what the concept of old regime suggests: street order, symbolic representation of the civic body in front of the central power, market control, trade regulation. In general, urban old regime institutions were also in charge of civic common goods, under the *waqf* regulation regime: walls of the city, common facilities (ovens, fountains, public buildings…). In Tripoli (Maghreb) for example, the seat of the *machîkha-al-bilâd*, were the *jamâ'a-al-bilâd* met, had been given in *waqf* by a rich women in the XVIIth century to the city administration.

Of course many questions remain, and I don't intend in any way to avoid them. The exposition of what I call an Ottoman urban old regime doesn't sweep away all questions. Most of all remains the question of the relationship with the central power. The civic administration was in general the interlocutor with the Ottoman Governor. But in case of conflict with him, a direct recourse to Istanbul was possible. I found in the central archives traces of a bureau in charge from the XVIIe century on, of receiving complaints and petitions (*chikkayet*) by local notables. My interpretation is that these local notables didn't write only as single persons, but on behalf of the city as a whole or at least on behalf of the civic body they represented. This is my present research in Istanbul.

The relationship with confessional communities is another question at stake. It seems that the Ottoman urban old regime had integrated the confessional question is a way typical of the old regime: for the Maghreb for instance, the civic assembly was the one of the Muslims. Inhabitants of other religions had a parallel representation. The *cheikh-al-yahud* for example for the Jews. Individuals were not equal, nor by religion neither by birth. But there were parallel systems of representation. This situation questions more the passage towards modernity than the old regime itself, the concept being made of such accommodation. In the old regime the individual is defined not for himself, but for the community to which he belongs (professional or religious). For cities in which the Muslim element was not dominant (Rhodes for example) it seems that communal institutions (Christian or Jewish) had the same civic role as the one described above. It seems that the Ottoman old regime had integrated communal governance into civic governance. Once again, it is not a problem in an old regime intellectual context. It will prove a problem for the passage towards modernity. And once again, it doesn't mean that the urban administration was relying upon religious principles: it integrated the communal definition of the individual. And for Muslims, the rule of the notables was in no way of course a religious rule. They were guided by the principles of *Hisba*, a civic morale based upon religious predicaments, as it is normal in an old regime society.

But my point here is not just to assess the existence of an old-régime form of urban government in Maghreb and the Middle-East, in the hands of a local notability whose power came from the guilds, trade, land-ownership and the emanation of the reputation of the notable.

Because the question is also about the passage to modernity and the many problems it raises. The vision of urban and administrative modernity is completely different whether we think that there were no institutions of urban government in the region at all, or if we have for sure that such institutions did exist. If there was nothing, or if all was in the hands of the Governor, just as is generally said, modernity might be a mere importation. But if there were elaborate forms previously, modernity might be a mix of reinterpretation of an existing reality and of the result of reforms, possibly with an external influence. The question then, now that we have established firmly the existence of old-régime-like forms of urban government in the region is to know how we can try and propose an interpretation of the passage (or sometimes of the failed passage) to urban administrative modernity, the form of which can be summarized by the use of the term municipality (*baladiyya*).

Towards a new interpretative paradigm in the history of the Ottoman urban reforms

<u>Some considerations about the circulation of reformative models</u>

The study of the Ottoman reforms has in my opinion to be inserted in both the new frame of analysis of the circulation of reformative models and the continuity/reform frame induced by the existence of an old regime substrate for urban government. But before possible circulations and influences, let's first concentrate on Europe. I prefer to have explicit comparisons than implicit cultural models. In Europe, if we put apart the example of France, where municipal and provincial modernization came by the revolutionary Law in one day in 1790 (even if we know that old régime has managed to come back later), municipal modernization has been a long-lasting process. It has been shown that in Great-Britain, the passage from a communal power, with medieval origins and linked to the guilds system, to modern municipalities has been very progressive. But researchers have assessed too that it is in this process that political modernity (with its liberal form of democracy) has emerged in the country. Italy brings the example of a country in the heart of Europe, with a great tradition of old regime municipal forms of urban government, where municipal modernity came very progressively. Old régime can survive until 1848 and later in many parts of the peninsula, and even with the modern laws of 1865 on municipalities, it has been shown that the qualification of electors by property has provided a way to preserve the functioning of Old régime political and social networks very late into the XIXth century. I am not an expert in the history of Europe. I just want to invite researchers dealing with the history of the Arab or Ottoman world to remember that even in Europe urban administrative modernity has come in a very progressive way and has brought some parts of ambiguity taken from previous old regime situations. Let me recall too the studies of Arno Mayer on the persistence of the Old régime[8]. This author has illustrated how in Europe, social structures inherited from the old regime have had an influence until the XXth century.

When assessing the grade of modernity of the Arab or Ottoman world, we must of course look for very precise information about the societies we are dealing with, but also avoid implicit comparisons with a static image of Europe. If we have to discuss what is modernity and when it comes, how it comes, or why it doesn't come: much better an explicit comparison, based

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[8] Mayer (Arno), *The Persistence of the Old-Regime. Europe to the Great War*, New-York, Pantheon, 1981, 368 p.

upon methodological principles. This is why any study of the "importation" tool has to integrate the "exportation" situation with nuances. But, furthermore, recent progresses in the historiography invite to revise ideas on the circulation of models in the urban administration. Both in France, Italy, Great Britain and the United States, the circulation of municipal reformative models has been the object of a renewed attention in the last decade[9]. These studies participate in the shaping of a more complex circulatory model, beyond the mere importation/exportation paradigm. This is why I would like to insert myself in this direction while examining the Ottoman Municipal reforms. More precisely, I would like to use new evidences on the urban old regime and new theories on the circulation of models to propose some new interpretation paths on the relationship between Ottoman cities and administrative municipal modernity.

The Tanzimat urban historiography

It is generally admitted that municipal reforms in the Ottoman Empire came in the context of the *tanzimat*, this broad movement of reforms that affects the whole administration and society, starting in the 1830's, with a certain European influence. I don't intend of course to contest this assertion. It has been widely shown that in many domains the reforms did indeed include a dimension of importation, be it technological or administrative. Experts have also circulated in both ways and the image of the *tanzimat* as an Europeanization effort can't be fully rejected. What is true for the military is also true in part for the urban affairs: European expertise was used in order to upgrade the Ottoman urban administration. But I'd like to replace the study of municipal reforms in the Ottoman Empire into the urban history of this region, and to examine the possible link with previous forms of urban government, in order to try and nuance some existing ideas about importation. What I argue is not that there was no dimension of importation, it is just that it was not an importation into a desert field. There was in every Ottoman city an old regime urban system. The reforms were reforms, not the creation of something essentially extraneous to local societies.

Municipal reforms happened in the Ottoman Empire from the 1850's to the 1870's. The general idea, which of course corresponds to a degree of reality, is that there were first reforms in Istanbul, then in a set of test cities, and then in the whole Empire, culminating with the law of 1877 that formally creates modern municipalities. This story is quite well known and has been written by the greatest Turkish historians, from Ergin to Ortaylı. But I would like to invite researchers to think about the interpretation of this process of modernization. Our knowledge of the urban reforms comes largely from the enormous documentary and interpretative work made by historians such as Ergin and Ilber Ortaylı[10]. We can now

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[9] See, for example: Rodgers (Daniel), *Atlantic Crossings. Social Politics in a Progressive Age*, Cambridge (Mass.), Harvard University Press, 1998, 634 p. ; Topalov (Christian) (ed.), *Laboratoires du nouveau siècle. La nébuleuse réformatrice et ses réseaux en France (1880-1914)*, Paris, Ehess, 1999, 574 p. ; Saunier (Pierre-Yves) (ed.), *Contemporary European History, Special Issue – Municipal Connections: Co-operation, Links and Transfers among European Cities in the Twentieth Century*, Cambridge, Cambridge University Press, XI, 4, 2002. 167p. ; Dogliani (Patrizia) and Gaspari (Oscar) (eds.), *L'Europa dei comuni. Origini e sviluppo del movimento comunale dalla fine dell'Ottocento al secondo dopoguerra*, Rome, Donzelli, 2003, 306 p.; Ewen (Shane) Saunier (Pierre-Yves) (eds.), *The Other Global City*, Palgrave, forthcoming 2007.
[10] See, for example: Ergin (Osman Nuri), *Mecelle-i Umûr-ı Belediyye*, Istanbul, 1995, 8 vol. (1st ed. 1914-1922); Ergin (Osman Nuri), *Beledi Bilgiler*, Istanbul, Hamit Bey Matbaasi, 1932 ; Ergin (Osman Nuri), *Türkiye'de Sehirciligin Tarihî Inkisafî*, Istanbul, 1936, p. 167-171; Ergin (Osman Nuri), *Türk Belediyecilik ve Sehircilik Tarihî Üzerine Seçmeler*, Istanbul, 1987; Ortaylı (Ilber), *Tanzimat'dan Sonra Mahalli Idareler*, Ankara, Türkiye ve Ortadogù Amme Idaresi Enstitüsü Yayinlari, 1975 (reed. as *Tanzimat Devrinde Osamnli Mahallî Idareleri (1840-1880)*, Ankara, Türk Tarih Kurumu, 2000); Ortaylı (Ilber), *Tanzimat Devrinde Osamnli Mahallî Idareleri (1840-1880)*, Ankara, Türk Tarih Kurumu, 2000, p. 124; Ortaylı (Ilber), *Tanzimatdan Cumhuriyete Yerel Yönetim Gelenegi*, Istanbul, 1985 ; Ortayli (Ilber), *Istanbul'dan Sayfalar*, Istanbul, 1986; Ortaylı (Ilber),

consider this domain as well covered by the historiography. What I would like to propose is an interpretative discussion on the roots of the reforms. Reforms, in what has become the classical Turkish historiography, are seen as the application to the whole Empire of a model built in Istanbul, with a European influence. And it is perfectly true that the Ottoman administrative history confirms the fact that experts in Istanbul studied what happened in Europe in order to try and reinforce the coherence of the Ottoman urban administration through the implementation of municipal reforms. Let me just remember here that in the 1850', Europe itself was in no way an island of modernity and that the urban old regime model (itself very diverse according to the place) was still very strong, both institutionally and socially. Post-1848 Europe sees a return to old regime in many local situations. Municipal administrative apparels were also often not very modern in Europe at this time: weakness of the municipalities, lack of technical services, fiscal problems. But there was a trend towards municipal modernity, and indeed it must have influenced Ottoman reformers. The French historiography, generally based upon the study of foreign sources, has also insisted a lot on the importation tool. Reading this production gives the impression that cities were not ruled before the reforms (themselves inspired by a vague European model).

My point here, once we have for sure that the reforms followed a complex track between importation and accommodation of the model to the Ottoman reality, is to stress on the fact that the municipal reforms in the Ottoman Empire were in no way the creation of something new, but the *reform* of an old-regime system that had been elaborated in an Ottoman context since the XVIIth century on the base of the local medieval roots of urban governance[11]. My interpretation is that there was an old regime urban government in Ottoman cities, and that reformers used it as a base for the implementation of the new administrative scheme. Furthermore, it couldn't have been different: the urban reforms in the Empire were part of an effort to secure the fidelity of local elites in a time of European imperialism. The new system couldn't have negated their historical prerogatives. Ottoman municipalities are the result of a compromise between local notables and central administrators. Where local élites were already caught in the net of imperialist patrons, the reforms did not succeed[12].

My interpretation is also an invitation to reinforce links between two aspects of the Turkish historiography. In my opinion, studies on the XVIIIth and early XIXth centuty have to be more strongly related to the *tanzimat* historiography. What is at stake now is precisely the interpretation of the possible link between what can not be read only as pre-reform and post-reform. A more complex paradigm has to be built, which would include more dimensions and allow a reading of the continuities (as well as of the caesurae, but with a different perspective). The work of the great historian Ahmed Akgündüz, for example, provides a great variety of suggestions and is an invitation to go further in the interpretation of the passage between urban old regime and modernity[13]. Research on guilds also has to be interpreted in conjunction to the passage towards modernity, as guilds were at the hearth of the old regime urban system[14]. Works by Onur Yıldırım or Dilaver Cebeci provide for example a large set of

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tanûimatan Sonra Mahalli Idaresi (1840-1878), Ankara, 1974, 166. See also: Çadırcı (Musa), *Tanzimat Döneminde Anadolu Kentleri'nin Sosyal ve Ekonomik Yapıları*, Ankara, Türk Tarih Kurumu Basımevi, 1991, 323 p.

[11] On these medieval roots, see, for example : Cahen (Claude*), Mouvements populaires et autonomisme urbain dans l'Asie musulmane du Moyen Âge*, Leiden, Brill, 1959, 265 p.

[12] See, for example, my article on Tunis in Lafi (Ed.), *Municipalités méditerranéennes*, cit.

[13] For example: Akgündüz (Ahmed), *Osmanlı Devletinde Belediye Teşkilâtı ve Belediye Kanunları*, Istanbul, Osmanlı Araştırmaları vakfı, 2005, 623 p; Akgündüz (Ahmed), *Osmanlı kanunnâmeleri ve hukukî tahlilleri*, Istanbul, Fey Vakfı, 1990-1993, 7 vol. See also: Ergenç (Özer), "Osmanlı Şehirlerindeki Yönetim Kurumlarırın Niteliği Üzerinde Bazı Düşünceler", *VIII Türk Tarih Kongresi*, vol. II, Ankara, 1981, p. 1165-1274.

[14] On guilds in the Ottoman Empire, see: Faroqhi (Suraiya) and Deguilhem (Randi) (Eds.), *Crafts and craftsmen of the Middle East : fashioning the individual in the Muslim Mediterranean*, London-New-York, Tauris, 2005,

suggestions[15]. In other words, what the introduction of a renewed dimension of complexity into the reform paradigm suggests, is first a closer link between historians of the old regime and historians of the modernity. But the renewal also challenges many domains of the study of the relationship of Ottoman societies to modernity.

<u>What the existence of an urban old-regime system changes in the interpretation of the new regime</u>

Once again, it is in Tripoli that I first found the evidence of a continuity between the old regime and the municipality. It is not a case: this city of the Maghreb escaped longer than others to the European colonial occupation (Algiers was taken before modernity was on the agenda and for Tunis is was already too late in the 1860'). Tripoli also represented an important stake for the Ottomans: to save the last western province in Africa. That is why the implementation of the municipal system was so important. It occurred between the 1850' and the 1870' in different phases, corresponding both to the elaboration of the new administrative scheme in Istanbul and, most of all in my opinion, to the phases of a mediation and negotiation with local notables. As the urban government was in the hands of the notability, through the city assembly and the charge of chief of the city, it is with them that Ottoman governors, such as 'Ali Ridha Pacha al-Jazayri (himself the son of an Algerian ottoman urban notable exiled in Istanbul) negotiated not only the implementation of the reforms, but also the content of the reforms. The municipality is in no way only the result of the importation of an external model: it is rather the result of a long negotiation (with phases of conflict) with the local notability, which embodied the old regime. In Tripoli thus, the creation of the modern municipality is in no way a reform that comes in a context of a lack of local urban government. It is just a passage from old to new régime, with all the usual ambiguities of such a process. The *cheikh al-bilâd* becomes mayor (*rais al-baladiyya*). The *jama'a al-bilâd* becomes municipal council (*majlis al-baladiyya*). The competences remain mostly the same, such as the composition of the assembly. Same families of notables, same social networks. The place where the assembly (*qahwa al-cheikh-al-bilâd*, a café given in *waqf* to the town) used to meet becomes city hall (*baladiyya*)[16]. This doesn't mean that there is *no* reform. Just that it is *a* reform, and not the creation *ex-nihilo* of something that previously did not exist.

The process is quite the same in the other cities of the Arab provinces of the Empire[17]. From Jerusalem to Aleppo, Damascus to Beirut, there were forms of urban old regime, and in general, they have a great influence on the shape of the modernized municipal scheme. Researches on the Ottoman Balkans by Tetsuya Sahara tend to show similar processes[18]. In many regions, the colonial influence introduces many ambiguities and the question of local

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380 p. See also: Faroqhi (Suraiya), *Towns and townsmen of Ottoman Anatolia : trade, crafts, and food production in an urban setting, 1520-1650*, Cambridge, CUP, 1984, 425 p.

[15] For example: Yıldırım (Onur), "Osmanlı esnafında uyum ve dönüşüm: 1650-1826", *Toplum ve Bilim*, 83, 1999-2000, p. 146-177; Cebeci (Dilaver), "Osmanlı Devletinde Ihtisab Ağalığı*", Türk Dünyası Araştırmaları*, Ag. 1987, p. 171-220. See also: Baer (Gabriel), "The administrative, economic and social functions of Turkish guilds", *International Journal of Middle East Studies*, 1970, p. 28-50 and Kütükoğlu (Mübahat), "Osmanlı Esafında Oto-Kontrol Müessesesi", *Ahilik ve Esnaf, Konferanslar ve Seminer, Metinler Tartişmalar*, Istanbul, Yaylacık Matbaası, 1986, p.55-123.

[16] On the civic role of cafés in Old Regime Ottoman Arab cities : Lafi (Nora), "Espace de loisirs, espace politique: le café dans le monde arabe au XIXe siècle", in Beck (Robert) and Madoeuf (Anna) (Eds.), *Divertissements et loisirs dans les sociétés urbaines à l'époque moderne et contemporaine*, Tours, Presses Universitaires, 2005, p. 345-353.

[17] See Lafi (Nora) (Ed.), *Municipalités méditerranéennes*, op. cit.

[18] Sahara (Tetsuya), « Municipal reforms in Japan and Turkey : the Belediye system of the Tanzimat period and Municipal Laws in Meiji Japan », in Esenbel (S.) and Chiharu (I.) (Eds.), *The Rising Sun and the Turkish Crescent*, Istanbul, Boğaziçi University Press, 2003, p. 241-265.

government has to read accordingly. Interestingly, in some situations, the Europeans defend old regime against modernity in order to preserve their patronage system upon local élites. But where the Ottoman remained, we witness such a process of municipal modernization: a local/central negotiation of the passage from old regime notability to municipal modern notability. The importance of property in the definition of the municipal notable helps granting former notables a position into the new system.

Many questions of course arise. My intent is just here to replace the study of the reforms, and the evaluation of modernity, in a context of historical continuity. This does in no way mean that continuity could become a general explicative paradigm. If reforms are reforms and not a creation, it does not exclude tensions, conflicts, ambiguities and failures. It just suggest a different frame for interpretation. My intent is to discuss the concept of a possible Ottoman modernity in the field of urban life in the context of the passage towards new régime.

This relies on several important arguments, the first of which is: there was an old régime. There was a tradition of urban government. There was a social network of notability controlling the urban life in relation with Ottoman governors. There were urban institutions. And merchants and guilds were generally at the center of this system. So the new régime can't be only the importation of foreign ideas and practices re-elaborated more or less extensively in Istanbul. Second point: the foreign influence is an important element. But let us be sure of what we are talking about. Because Europe itself, in the 1850's can't be seen as a block of municipal modernity. Yes the Ottoman Empire is late in creating municipalities only in the 1850's (and not the 1870', as my research has contributed to illustrate) if we consider that modernity is the law of revolutionary France in 1790. But no it is not late if we consider that Italy itself (the most prestigious country that there is in terms of urban civilization) has its municipal law in 1865 and that before this date old regime under different forms prevails in many cities.

What is important, better than discussing the order of appearance, is to examine the context and the content of reforms. We can have diverse interpretations according to the place. But the general movement is the passage from a qualification for urban notables based upon the belonging to certain families or guilds, to a qualification based upon a quantitatively countable revenue, in a system linked with land-ownership and taxation. Families might be the same, but their belonging to notability comes from a different point of view. *This* is administrative modernity. Counting, statistics, fixed lists of electors. This does not mean that the social milieu is different. Modernity relies in a different definition.

In some of the cities I have studied, modernity and colonization are linked. When the city is lost by the Ottomans before the 1850's, modernity, or new régime, might come, or not come, under a colonial rule. This is another very interesting debate. If it comes: how is it biased by colonial power? How external is modernity to local élites? To what extent are local traditional old régime rulers included into modern new régime? If excluded, what is the consequence? If it doesn't come: how-is-this that a modern European country doesn't provide colonies with urban new régime?

From Algiers to Cairo, and then Tunis or Beirut we have the whole set of combinations to examine and discuss. This is another very interesting way to discuss modernity in the Arab world. It is part of the history I want to study.

Conclusion : Questions about the Ottoman urban modernity and its limits

In the frame of the conceptualization of the relationship between Islam and Modernity, I would like to advance a few theoretical proposals.

The first one is about tradition. We can't have an only religious definition of tradition. Of course *Hisba*, the Coranic principle of good behavior and good government is central in urban

old regime. Every ruler has to behave according to it. But it does not mean in any way that we are dealing with a religious rule. My idea is that old regime urban structures in the Arab and Ottoman world were deeply rooted in a secular tradition, to the base of which we find guilds.

So in our debates about Modernity and Islam, my first point is: Modernity is not an alternative to Islam, it is an alternative to old regime. Islam was in old regime but was not old regime.

Old regime was not an application of the myth of a Coranic government. A ruler, though having to act as a good Muslim as every individual, was a ruler because of his belonging to a certain category of the society, merchant for example. This is very important in present debates: not to confuse tradition and religion, old regime and religious rule. The past is old régime. In this old regime, religion had a specific position, different from the one in modernity. What is central then is the study of the definition of the individual: its role in society, its beliefs. In an old regime situation, urban civic rights depended most of all, from money.

The second point of course is about modernity. If tradition has to be complexified, modernity also. The evolution of the structures of urban government shows that modernity is the passage to a different kind of society, in which the definition of the role of the individual has changed. Modernity then is both linked to what existed before and marks a break. But modernity is also biased in the Ottoman Empire by new factors: colonization for example. But I wouldn't like to give all the responsibility of the failure of the passage to modernity in some societies exclusively to colonization. It has a responsibility, for example in keeping old regime governance for "natives" and giving modernized structures to settlers. There are also numerous other aspects of this facts.

But the Ottoman modernization itself did not succeed in confronting some very important questions, for example:

-   The role of confessional communities: as the Ottoman old regime found kind of a balance in this matter, modern municipal councils did not always bring a modern solution and often the Ottomans had to accept the surviving into modernity of previous forms which were the negation of modernity itself. Many impasses in the definition of the individual, but also many debates on nationalism(s) in the next decades come from this founding ambiguity of the Ottoman modernity.
-   The role of the central state in relation to local autonomies
-   The repartition of competences between government functions and economical functions.

So here are some of the points I wanted to raise, in the intent of participating in the debates going on here, but also in our society, about Modernity and Islam, the Ottoman heritage and nationalism, or the relationship between Europe and the Empire.