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‘MECLİS-İ ÂLÎ-İ UMÛMÎ’
(THE SUPREME CONSEIL-GENERAL)
AND THE TRANSFORMATION IN THE
OTTOMAN POLITICAL THOUGHT
(1839 -1876)

As one of the most important episodes of change in the Ottoman Empire, the Tanzimat Era (1839-1876) was a phase when the state and its political and ideological formation witnessed structural transformation and reforms. During this period, privy councils were instituted at every level, as one of the basic changes in decision-making and the legislation process of the Ottoman State. Meclis-i Âlî-i Umûmî (the Supreme Council-General) is located at the top of the consulting hierarchy of councils at the administrative pramid, instituted in 1838. The Supreme Council-General also functioned as an equivalent to that of a “senate” of the modern parliament for the first time in this transition period.

The Tanzimat Era (1839-1876) in the Ottoman Empire was a period when the state and its political, ideological and economic structures witnessed great transformation and reform. The Tanzimat reforms, in other words, were a process of change and reorganization designed to instate a centralized administrative structure. The main goal of these reforms, which enabled the changes in question, can be defined as a struggle by making use of its benefits for the Ottoman bureaucracy against European supremacy. The process of structuring shifted from the central into rural areas and was based on basic concepts expressed within the Tanzimat Decree, which was declared on November 3, 1839. The transformation, no doubt, intended to establish a new state and social structure, embracing concepts that reflected the Ottoman understanding of the European natural rights. These can be summed up as “the security of life, honor and property,” “fair taxation” and “equality in military obligation.” These new ideas served as the main goal of a transformation in the Ottoman political thought. The Tanzimat movement required the Empire to experience the transition from an understanding of an absolute sultanate and administration to a structure of an “enlightened absolute” state, and was interested in forming and institutionalizing in order to implement the concepts it had introduced.¹

Since it was a semi-constitutional document, the Tanzimat Decree² determined the rights and obligations of the Ottoman subjects while the sovereign’s authority was limited with his own will (auto-limitation). Thus

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the edict followed the path of such absolute monarchies as Prussia, Austria and Russia, all of which had been affected by this change in Europe. Unlike liberal states of England and France, these traditional countries pursued a course which the Ottoman administrative elite could take as a model with the new institutions they had established. This notion which is openly seen in the writings of leading Tanzimat individuals as Sâdık Rifat Pasha and Mustafa Reşit Pasha, appears as the main factor to determine the conception and the administrative understanding of the Tanzimat Era.

This is quite clearly seen in the reorganization of councils installed on a centralized level. The new reformation was established in a form of a pyramid structure extending from Istanbul - center to Ottoman bureaucracy, to the provinces and sanjaks, and from these locations back to the capital. Furthermore, through privy councils instituted at every level, the decision-making and the legislation (law making) process of the Ottoman state was also transformed accordingly to this pyramid hierarchy. A chain of decision-making - consulting hierarchy- had showed itself consisting of "Meclis-i Âlî-i Umûmî" (the Supreme Conseil General), located at the top, followed by the "Meclis-i Vâlâ-yı Ahkâm-ı Adliye" (the Supreme Council of State of Judicial Ordinance), Police Councils and when required provisional councils as Meclis-i İmâriyye (the Assembly of Reconstruction) and Meclis-i Muvakkat (the Temporary Assembly) which had been established for short periods of time; and in the provinces Eyâlet Meclisleri (administrative-provincial assemblies) as Muhassılık Meclisleri (Assembly of Tax Collection, 1840-1842) and Büyük Meclisler (Great Assemblies, 1842-1849), also known as Memleket Meclisleri (the Councils of State), and Sancak Meclisleri (Councils of Sanjaks; 1842-1849 - 'Küçük Meclis' Small Assemblies).

Aside from the Supreme Conseil General, the Supreme Council of State, Police Councils, Provincial and District Assemblies that gave shape to the pyramid were high decision-making bodies operating as privy councils.

Located at the very top of all this hierarchy of councils and the administrative pyramid, the Supreme Conseil General, instituted in 1838, functioned as the equivalent to that of a "Senate" of the modern parliament.³ The establishment date of the council, most probably, is the same with that of the Supreme Council of Judicial Ordinance which had been established at the same time and is most likely on March 24 1838.⁴ The name of the council is written as it is in the Tanzimat Decree (November 3, 1839) and from such expressions as "...vükelâ ve ricâl-i Devlet-i Aliyye'miz dahî b'azı t'ayîn olunacak eyyamda orada ictimâ' ederek ve cümlesi efkâr ve mütâlâatını hiç çekünmeyüb serbestçe söyleyerek..." we see that it openly refers to the Supreme Conseil General (as well as the Supreme Council of State of Judicial Ordinance).⁵

Considering the historical roots of the Supreme Conseil General, it is possible to acknowledge the fact that the Conseil functioned as a continuance of Meclis-i Meşveret (the Consultation Council) which existed

since the very beginning of the Ottoman Empire.⁶ It was known to gather on extraordinary circumstances and important decisions as whether to declare war or peace were made during the sessions between the 14th and 19th centuries in the Ottoman Empire. The council had gathered on two different occasions one of which had been at times of crises, that is, in events that the sovereign had no control over, for example, on the event of his death or overthrowing him, forcing him to abdicate from the throne; in short, the Consultation Council met with the intension to determine the shift in power or the person to ascend the throne. This, no doubt, was put to practice on very rare occasions.⁷ The meetings that installed Prince Bayezit on the throne after the death of Sultan Murad I in 1389 or brought Sultan Mustafa I to throne on the death of his brother Ahmed I in 1617 can be considered amongst such occasions.⁸ The Consultation Council contemplated on such decisions within the context of the sultanate succession canons. Due to the political crises that followed the dethronement of Sultan Abdülaziz and as the result of Murad V's lose of consciousness with reality on August 31, 1876 (11 Şa'ban 1293) the Supreme Conseil General gathered to bring Sultan Abdülhamid II to throne after the Tanzimat Era and according to the Ottoman system of inheritance, prince Abdülhamid was installed on the sultanate throne as the eldest male of the family (*ekber evlât-seniorat*). Like Abdülhamid II's ascend to the throne, his descend was also the result of such crisis, however, this time, the matter had been resolved through the Parliament (Meclis-i Meb'ûsan) of the Second Constitutional Era.⁹

The second ground on why the Consultation Council gathered was due to relaying an imperial decree, a mandate of the sultan's decision to declare war or peace. These meetings were also held on rare and extraordinary occasions with a wide range of participation. Under the leadership of the Sadrazam - the Grand Vizier and aside from the sovereign (that is to say, it totally depended on his wish to attend or not) the participants of such sessions of the Consulting Council consisted of Sheikhulislam (dignitary responsible for all matters connected with the canon laws, religious schools, etc), the Kapudan Pasha (the admiral of the fleet), the Rumeli Kadiaskeri (chief military judge of Rumeli), the Anadolu Kadiaskeri (the chief military judge of Anatolia), all the viziers, the leading state officials, the retired ranking statesmen and when considered necessary, the representatives of the Ulema class - the learned men.¹⁰ This, no doubt, proves that the Supreme Conseil General had been the beneficiary of the Consultation Council with its two principal functions and its vast number of participants, and the most important consulting, decision-making and legislative organ of the Ottoman State.

In order to be acquainted with the basic functions of the Supreme Conseil General and its predecessor the Consultation Council, we need look at the other councils in the Empire. The Divân-ı Hümâyûn (the imperial chancery of state) was known to be the principal privy council from the

very beginning of the Ottoman Empire. All decisions concerning legislation and state administration had been especially made from the mid 15th century until the end of the 17th century. The imperial chancery of state (the Divân-ı Hümâyûn) was a multi-functional council-organ that had arranged and implemented state affairs on behalf of the sultan. It had functioned as legislative, executive and judicial bodies on behalf of the sultan - the absolute sovereign, gathered by the sultan himself proceeded under his supervision. The decisions it made came into effect only after the approval of the sultan. Headed by the Grand Vizier, the participants of the meeting consisted of Kubbealtı vezirleri (the viziers of the dome), the Rumeli and Anadolu Kadıasker's, the Defterdar (ministers of finance) and Nişancı (an officer whose duty was to inscribe the Sultan's imperial monogamy over all imperial letters-patent).¹¹ However, the judgment could not be put into effect without the approval of the sultan. With these features, the imperial chancery of state (the Divan) had been a typical consulting and executive organ seen in European States of the era.¹² However, following the 17th century it could not stay away from the corruption that had spread to and encompassed every single body of administration, thus, it inevitably lost its significance and function or its authority just shifted over to other institutions.¹³

Other than the Consultation Council and the imperial chancery of state, there were also other *divans* (councils) in the Ottoman Empire as the İkinci (Afternoon), Çarşamba (Wednesday) and Cuma (Friday) Divans that gathered under the supervision of the Grand Vizier. The İkinci Divan, being the first amongst the three, was a council that met in the afternoon to discuss and establish laws which were left unsettled in the imperial chancery or were considered to be of second degree of importance. Its importance gradually increased after the 17th century and transformed into the Sublime Porte, the strongest administration body of the 19th century.¹⁴

Also known as "Huzur Murafaası", the Cuma Divan, which met on Fridays, functioned as the high court of appeal and was enforced according to the manner of the Rumeli and Anatolian Kadıasker's, making decisions pertaining to canonical and martial laws.¹⁵ The Çarşamba Divan, on the other hand, was both a court as well as a divan that resolved matters involving the administration of Istanbul. Headed by the Grand Vizier and being the extension of the imperial chancery, the council and divans were the basic elements of central administration in the classical Ottoman period from the 14th to 16th centuries, and institutions that legitimized the administration itself.¹⁶

After the imperial chancery lost all its authority and significance, the Consultation Council started to gather more frequently, hence, turning into a privy council that was increasingly made use of within the process of decision-making. It had no longer gathered on peculiar or extraordinary occasions but became a council that met on regular occasions. This was especially seen during the eras of Selim III (1789-1806) and Mahmud II

(1808-1839) when the Consultation Council gathered constantly during the reforms of the Nizâm-ı Cedid (the 'new order') and Mahmud II, playing a significant role in determining the state of these reforms. Although it served for important matters and functions, it did not have any bureaucratic body. The meetings were only held according to will, generally, when the necessity arose. Its topic would primarily be limited to one specific subject and it did not have one certain gathering place. There was the need for a council that had its own jurisdiction, sense of duty and responsibility, with established members, rules for participation and negotiation, with a designated date and place as well as a bureau responsible of all correspondence and officials that drew up minutes of meetings and responsible of such correspondence especially for those of the all-inclusive Tanzimat reforms that Sultan Mahmut II intended to put into practice and the Tanzimat Decree he planned to proclaim, a council that would basically carry them out. The Supreme Conseil General and its ancillary councils had formed assemblies that met this need.¹⁷

Nevertheless, under the supervision of Mahmud II and Mustafa Reşid Pasha, the Reformers, in the act of restructuring the Ottoman administration, had observed the equals in Europe and analyzed those countries that would likely constitute as models. And from this reason, the Sublime Porte re-established by the Sultan and all the administrative organs of the Ottoman State bore similarity to those in Europe. Furthermore one can also see traces of those European models in the Ottoman privy councils. During the process of developing the Tanzimat Reforms, Mustafa Reşid Pasha examined all the councils in European states and making comparisons with those privy councils in France, England, Austria and Prussia and according to him, although England and France were constitutional monarchies, the British and French representatives had been elected and that their structures did not correspond to that of the Ottoman structure.¹⁸

To Mustafa Reşid Pasha, as states of "absolute governments," Austria and Prussia were better choices for constituting as models for the Ottoman Empire with the structural body of their councils and the way they had been instituted. Especially the elections, the dismissal of the Staatsrat (the Council of State) members in Prussia and its function matched to that of the Ottoman State. The Staatsrat consisted of royal princes, the high-ranking state officials, ministers, army commanders and 34 members nominated by the king. The Council of State was instituted as a consulting body that gathered according to the will of the king, whose members were nominated by the king and the decisions were adopted only after the approval of the king. It was a reminiscent of a pre-constitutional parliament of officials and experts. The institution, nature of membership and the function of the Supreme Conseil General was very close to that of the Staatsrat in Prussia.¹⁹

Moreover, the Senate located in the Tsarist Russia which was an absolute monarchy like the Ottoman Empire, was another consulting body that had been established by Petro in 1711 and which only dealt with the decisions of the Collegiums (the subordinate councils). Instituted by Kavalalı Mehmed Ali Pasha in 1837 in Egypt in order to adopt laws and regulations as well as to discuss and approve the decisions of subordinate councils, the Meclisü'l-Husûsî (Private Assembly) stand out as decision-making body which constitute a model for the Reformers.²⁰

The Supreme Conseil General established to function as the supreme privy council which was also known as Meclis-i Meşveret-i Umûmî, Meclis-i Vâlâ-yı Umûmî, Gülhâne Meclisi or Meclis-i Hass-ı Umûmî²¹ was a general assembly that came about as the Supreme Council of State of Judicial Ordinance gathered with cabinet ministers and retired or officially unemployed statesmen. The council which was to function as a senate convened the meetings under the leadership of the Grand Vizier, included cabinet ministers, the members of the Supreme Council of State, the high-ranking officials of pertaining to the *rütbe-i ûlâ sınıf-ı evvel*, a certain number of high-ranking bureaucrats pertaining to *rütbe-i ûlâ sınıf-ı sânisî* as well as *rütbe-i sâni*, and retired or working or officially off-duty state officials of "mecâlis-i âliye me'mûr" (the officials of the Supreme Conseil).²²

The Sultan sometimes attended to the meetings of the General Conseil. Both Abdülmecid and Abdülaziz had a place in the assembly and a workplace where they were able to watch the deliberations that was known as the "lodge of the Sultan" (Hünkâr Dâ'iresi).²³ Sultan Abdülmecid used to pay several visits in a year, that is, for the opening ceremony sessions of both the Conseil General and the Supreme Council that convene each year on the month of Muharrem (the first month in the Arabic lunar calendar) and partake within the discussions. The sultan had thus shown that he had attached great importance to the Tanzimat reforms and that he supported all the efforts of the Conseil.²⁴

The Conseil General was planned to meet two days a week; on Sundays and Wednesdays which were determined so that they would coordinate with the days the Supreme Council of State. According to this, the decisions attained in the Supreme Council of State on Friday and Saturday were to be deliberated on Sunday in the Conseil General, while the decisions attained on Monday and Tuesday were to be reconsidered on Wednesday.²⁵

The Conseil followed a heavy schedule throughout 1840s, a decade when the Tanzimat reforms had been intensely carried out. The meetings, that were determined to convene twice a week,²⁶ carried on for long hours, that is, no less than six hours, and when the hours grew longer, the council meetings continued in the houses of its members.²⁷ In 1841, when the Tanzimat reforms had been enforced in full force, the working arrangements and the meeting days increased, lasting throughout

Tuesday, Wednesday, Saturday and Sunday, starting quite early in the day continuing into the early hours of the next morning.²⁸

Hence, we see that the Supreme Conseil General met quite often during the early years of the Tanzimat. As mentioned above, it sometimes met in the evenings, especially when it gathered on the same day with Meclis-i Vükelâ (the Council of Ministers). As the participants of the conseil attended the sessions of both the Sublime Porte and the Supreme Council in one day the result had been excessive work load, exhaustion and unhealthy cast of vote due to poor and careless evaluation. Some days the Grand Vizier, the commander in the Ministry of War and the ministers were forced to send their assistants and for this reason, on 14 July 1841, the working arrangements were reduced to meet only on Saturday.²⁹ However, when the need arose and called upon they were also able to meet during the weekdays.

On 17 January 1843, the day of the meeting of the Supreme Conseil General changed to Sunday. This new modification was necessary as Sultan Abdülmecid, who had occasionally attended the meetings, did not assemble the council after the Friday prayer, a public holiday, which caused a delay that last for two days thus causing disruption within the function of the Councils of Minister and the Supreme Council of State. Hence, the Conseil General was to meet only on Sundays, the last day of the week since it was the final decision-making body that would not create any interruptions or delays in the matters of the SheikhuIslam (Huzur Murafaa's) or the ministers and officials or even determine the meetings of the Supreme Council of State.³⁰

Despite all the changes, a standard functioning system could not be established concerning the working arrangements and a proper schedule for the meetings of the Supreme Conseil General. The overlap in the meeting days of the Council of Minister, the Supreme Council of State and the Conseil General led to interruptions and delays. Especially the cabinet members ceased to function properly due to their executive liabilities and the method of which they conducted their legislative activities. Aside from their work load within the ministries, the ministers were present at government meetings as well as attended to the meetings of the Conseil General at the same time. The sessions proceeded in the Meşihat Dairesi (office) of the SheikhuIslam, who held a place in cabinet as a member of the state during the Tanzimat Era, had nearly come to stop. The confusion, delay and burden that arose within the bureaucracy also lead to heavy criticism within the general public of Istanbul. Thus, the meetings of the Supreme Conseil General were sacrificed and from that instance onwards the Conseil was to gather once a week, whether on Sundays or any other day during the week.³¹ Furthermore the Conseil General was never closed down and proceeded to gather until the First Ottoman Constitution (1876).³²

In the month of “Muharrem”, the Supreme Conseil General began the new judicial and executive year with a ceremony. The sovereign also partook in these meetings, delivering the opening speech known as the “Nutm-ı Resmî-i Hümâyûn”. The first part of the speech had expressed the work and the decisions of the previous year while the latter section explained the activities and goals that were to be achieved in the following year. On behalf of the king the Grand Vizier, the president of the Supreme Conseil General, had presented before the council a ‘mazbata’, a document of intent relaying the work and goals of the government and the council.³³ This quite evidently showed that the sovereigns of the era, Abdülmecid (1839-1860) and Abdülaziz (1860-1876) had both supported the existence and efforts of the Conseil General and worked for it to be actively efficient as a privy council which they assigned over their authority. During his European voyage in 1867, Abdülaziz visited the British parliament on 22 July 1867 in London, partaking in their sessions he watched the House of Commons and the House of Lords in act. Abdülaziz, no doubt, did not return to Istanbul as a constitutionalist after such a visit. However, through the words of the Major of London, we know infact that he got acquainted with the decision-making process in England and that he was quite affected by it.³⁴ Indeed, as soon as he returned to Istanbul he hasten the opening efforts of Şûrâ-yı Devlet (the Council of State), and delivered the famous speech of division of powers in the opening address of 1868 Council of State of the Conseil General.³⁵

Opening the new judicial year with an inaugurative ceremony of the Supreme Conseil General every year, an act which is seen in those of the modern parliament, showed a tendency towards a parliamentary constitution during the Tanzimat Era along with other councils established during the period in question.

The opening speeches of the sultan and the grand vizier which they delivered facing one another, expressing the goals for the new-year, confirmed that these addresses had reminded of government programs. Consisting of the Supreme Council members, state officials, the high-ranking bureaucrats, off-duty bureaucrats and retired statesmen, the Conseil General had transformed into a pre-constitutional “senate” which exercised the legislative, executive and judicial authorities on behalf of the sultan in a traditional state that was based on the principal of union of powers.³⁶

When assessing the jurisdiction of the Conseil, we see that it had exercised a wide scope of sultan’s authority on his behalf within domestic and foreign affairs, authorized to make war and peace as well as to discuss and establish international treaties. Such critical decisions were always decided on within the Supreme Conseil General. The last verdict – approval, however, pertained to the sultan as in this case as well as in all the decisions. That is the last say - approval always pertained to the sultan himself. Rather than reviewing and approving such crucial and exceptional

decisions discussed in the Supreme Council, the Supreme Conseil General had met and come to a decision with the summons of the Grand Vizier and the will of the sovereign.

“The change in throne” can be counted amongst these critical meetings. For example, the Conseil had gathered to overthrow Sultan Abdülaziz and to instate Murad V as well as Abdülhamid II to the throne. The Conseil had assembled with the summons of the Grand Vizier on the event of the sudden death, an illness or dethronement of the sultan which had been all within the jurisdiction of the council. The jurisdiction of the Conseil General, from this framework, had been the continuance of authority and function of the Consultation Council of the classical era.³⁷

Considered within context of its jurisdiction within the domestic policies or administration of state, the Conseil had a ranking working relationship with the Supreme Council of State. That is to say, the decisions were essentially discussed and resolved by the Supreme Council of State and thus brought before the Conseil General. With the Tanzimat reforms, the newly modernized decision-making process had been filtered through collective reasoning and the decision made was then put into effect. Through such a functional system, the Supreme Conseil General was also able to supervise and inspect the applications and decisions of the Supreme Council of State and the government. The elite of the Tanzimat (Reformist) State was thus able to keep the absolute power of the sultan – that is to say – the government under control as well as legally control the absolute, arbitrary and individual rule. As a consequence, the function of the Conseil General had assumed on the role of a “senate” of the modern parliament.

The Conseil also determined the economic stance of the Empire. It had assembled many times on the matter of tax reforms in 1840. The financial reforms to be carried out had been established after thorough discussions within the context of the Tanzimat reforms and one of the matters discussed had involved the matter of foreign debt to England. From the minutes of the conseil sessions it is clear that after long and heated discussions the Conseil had been for foreign loan despite all dissenting opinions and the reason for foreign borrowing was to use the money in financing the tax reforms in question. Nevertheless, Sultan Abdülmecid did not approve the decision of the Supreme Conseil General and in the end the decision had not been put into effect.³⁸

The Supreme Conseil General was a Privy Council that assembled in the presence of the sovereign in an absolute state and exercised the legislative, executive and judicial authorities together with the government (the Sublime Porte) and the Supreme Council of State. Such authorities started to dissolve and crystallize, especially with the changes achieved within the Supreme Council throughout the Tanzimat Era. Within the natural flow and change of the Tanzimat modernization, it had undergone a constitutional - parliamentary transition that resulted with the First Constitution (1876-1878).

The correspondence and bureaucratic activities of the Supreme Conseil General was enforced by a new bureau called Amedî Odası. The Conseil managed to exist for thirty-seven years, until the First Constitution. However, it was not an elected representative body of members. Known as "meclis-i âlî'ye me'mûr" (officials of the supreme conseil) and nominated with the proposal of the Grand Vizier and the approval of the sovereign, the members either participated from the government wing as well as the Supreme Council of State or consisted of retired high-ranking bureaucrats and statesmen nominated by the sultan himself. The matter of dismissal had also transpired according to the will of the sovereign. The representative councils in the Ottoman Empire had become assemblies that were established within the provincial administration after the 1840 administrative reforms. These councils represented the local population and consisted of four designated members two of which were Muslims while the remaining two were of non-Muslim origin. However, concerning the Supreme Conseil General there had been non-Muslims members amongst those participants from the Supreme Council of State and Sublime Porte especially following the Reform Firman of 1856. Like all its members, these non-Muslim were also official members nominated and appointed personally by the sultan.

Furthermore, no members were held responsible for what they said during the deliberations of the Supreme Conseil General. This freedom which can be characterized as the liberty of the internal regulations can surely be accepted a significant element within the decision-making process of the council in the context of permitting different and adversary beliefs to exist within its body. These two privy councils, however, had depict a portrait of a structure far away from any public pressure and surveillance where high-ranking state bureaucrats worked closed-circuit as there still was no independent press or criticism mechanism in the modern sense in Istanbul after 1839. With the birth of the modern Ottoman press in the second half of the Tanzimat Era and finally the opposition of the New Ottomans Society (the First Young Turk Movement) as a group of political pressure following 1865 had been main elements that contributed to creating a modern tendency within the decision-making process.

As a result, the Supreme Conseil General and its associate the Supreme Council of State of Judicial Ordinance can be accepted as pre-constitutional assemblies of officials and experts. With its lucrative institutions set up by the bodies of the central administration, the Ottoman Empire edged towards a constitutional monarchy seen in the Prussian, Russian and Austria-Hungarian Empires and witnessed a transformation of crystallization within the legislative, executive and judicial bodies.

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Notes

¹ For an unusual perspective on the matter see Sadık Rıfat Paşa, *Müntehabât-ı Âsâr*, (İstanbul: undated), though can look at the treatise titled, "İdâre-i Hükümetin B'azı Kavâ'id-i Esasiyesini Mutazammın Rıfat Paşa Merhûmun Kaleme Aldığı Risâledir" the Pasha wrote. Moreover see: Mehmet Seyitdanliođlu, "Sadık Rıfat Paşa ve Avrupa'nın Ahvaline Dair Risalesi", *Liberal Düşünce*, No. 3 (Summer 1996) pp. 115-124. Also see: Kamuran Birand, *Aydınlanma Devri Felsefesinin Tanzimat'a Tesirleri*, (Ankara: 1955). Carter V. Findley, "Osmanlı Siyasal Düşüncesinde Devlet ve Hukuk: İnsan Hakları mı Hukuk Devleti mi?", in Halil İnalçık-Mehmet Seyitdanliođlu (eds), *Tanzimat: Deđişim Sürecinde Osmanlı İmparatorluğu*, (Ankara: Phoenix Yayınevi, 2006), pp. 353-364.

² For the full version of the Tanzimat Decree (Firman) and the characteristic of a constitutional document see: Yavuz Abadan, "Tanzimat Fermanı'nın Tahlili", İnalçık, Seyitdanliođlu (eds), *Tanzimat: 2006*, pp. 37-64 and Şerif Mardin, "Tanzimat Fermanı'nın Manası Yeni Bir İzah Denemesi", İnalçık, Seyitdanliođlu (eds), *Tanzimat: (2006)*, pp. 109-125.

³ We were not able to find any document in the archive expressing the date when Meclis-i Âlî-i Umûmî (the Supreme Conseil General) had been established. We established the foundation of the Conseil to date to 1839 from the monograph titled *Tanzimat devrinde Meclis-i Vâlâ 1838-1868 (The Supreme Council during the Tanzimat Era, 1838-1868)*, with the declaration of the Tanzimat Firman. However, from various records encountered in the Premiership/Prime Ministry Ottoman Archive we determined that the Conseil General had gathered between the dates 1838 and 1839. And, as a result, a document found in the Premiership Ottoman Archive denotes that the three councils Meclis-i Âlî-i Umûmî (Supreme Conseil General), Meclis-i Vâlâ (Supreme Council) and Dâr-ı Şûrâ-yı Bâb-ı Âlî (Deliberative Council of the Sublime Porte) had been established at the same time, and found a register and a code of rules titled "Dâr-ı Şûrâ-yı Bâb-ı Âlî ve Güllhâne Meclisi'nin İbtidâ-yı Akdinde Bâ-İrâde-i Seniyye Te'sis buyrulan Nizâmı Bu Aşađıda Kayd Olunan Olub Bunların İkisi Beyninde Y'ani Tanzimat-ı Cedîde'nin İbtidâ-yı İcrâsında Olan Nizâm Tanzimat-ı Hayriyye İbtidaki Cerîdesinde Mukayyid Olmađla İşbu Bâlâsına Mahalleri İşaret Olunmuşdur" that organized the hierarchical relationship. Moreover, this register had been written after the Tanzimat and some of its records convey the numbers 1257, that is, 1841. However, it is understood that, from various expressions in the title given above (as the record refers collectively to the Deliberative Council of the Sublime Porte and the other councils) and from the texts of these records, the old dated documents (1254/1838) had been their drafted copies. For this

document see *Başbakanlık Osmanlı Arşivi (Prime Ministry Ottoman Archive - BOA)*, A. DvN. MHM, 1/9, (5 Cemaziye'l-ahir 1257/July 24, 1841).

⁴ The foundation decree of the Supreme Council can be seen in various sources. We have determined the date of the foundation of this council as *Takvim-i Vekayi*, def'a 163 (11 Muharrem 1254/April 6, 1838), for this see: Mehmet Seyitdanliođlu, *Tanzimat Devrinde Meclis-i Vâlâ 1838-1868*, (Ankara: TTK yayınları, 1999), pp. 36-37. Seyitdanliođlu, "Tanzimat'ın Ön Hazırlıkları ve Meclis-i Vâlâ-yı Ahkâm-ı Adliye 1838-1840", *Sultan II. Mahmud ve Reformları Semineri 28-30 Haziran 1989, Proceedings*, (İstanbul: Edebiyat Fakültesi Basımevi), pp. 127-146.

⁵ Seyitdanliođlu, *Meclis-i Vâlâ*, pp. 16-18.

⁶ In some records the name of the Supreme Conseil General appears as Meclis-i Meşveret-i Umûmî (the Consultation Council General) and this supports the belief that the conseil had functioned as a continuance of the Meclis-i Meşveret (the Council of Consultation). See: Prime Ministry Ottoman Archives (BOA), *Mesâ'il-i Mühimme İrâdeleri*, 6 (fi gurre-i Cemâziye'l- evvel 1255/July 13, 1839). Furthermore, when considering the date written on it, this article also reveals that the Supreme Conseil General had existed before 3rd November 1839.

"Ma'lûm-ı âlî buyurulduđu ve geçen Pazar günü akd olunan Meclis-i Meşveret-i Umûmî de bi'l-müzâkere..."

⁷ For detailed information involving Meclis-i Meşveret see: Ahmet Mumcu, *Divan-ı Hümayûn*, 2nd edition, (Ankara: Phoenix Yayınları, 2007), pp. 142-145. İsmail Hakkı Uzunçarşılı, *Osmanlı Devleti'nin Merkez ve Bahriye Teşkilatı*, 2nd edition, (Ankara: TTK Yayınları, 1984), pp. 1-94.

⁸ For an assessment on such meetings see: Mumcu, 2007, pp. 142-145. Necdet Sakaođlu, *Bu Mülkün Sultanları*, (İstanbul: Ođlak Yayınları, 1999).

⁹ Ahmed Cevdet Paşa, *Marûzât*, (published by Y. Halaçođlu) (İstanbul: Çađrı Yayınları, 1980), p. 237; Sakaođlu, 1999.

¹⁰ Mumcu, 2007, pp. 17-47.

¹¹ *Ibid.*, pp. 19-48.

¹² Seyitdanliođlu, 1999, pp. 25-28.

¹³ *Ibid.*, p. 15.

¹⁴ For detailed information on the matter see Ali Akyıldız, *Tanzimat Dönemi Osmanlı Merkez Teşkilatında Reform*, (İstanbul, Eren Yayınevi, 1993), pp. 25-26. Seyitdanliođlu, 1999, pp.15-16. Uzunçarşılı, 1984, pp. 136-137; Mumcu, 2007, pp. 126-137.

¹⁵ Uzunçarşılı, 1984, pp. 138-139. Mumcu, 2007, pp. 131-132. Ekrem Buđra Ekinci, *Tanzimat ve Sonrası Osmanlı Mahkemeleri*, (İstanbul: Arı Sanat Yayınevi, 2004), pp. 92-93.

¹⁶ Uzunçarşılı, 1984, pp. 1-94. Mumcu, 2007.

¹⁷ For detailed information involving Meclis-i Meşveret see Stanford Shaw, "The Central Legislative Councils in Nineteen Century Ottoman Reform Movement Before 1876", *International Journal of Middle East Studies*, I (1970) pp. 51-54. Bernard Lewis, "Meşveret", *İ.Ü. Edebiyat Fakültesi Tarih Enstitüsü Dergisi*, No. 12 (1981-82) pp. 775-782. Mumcu, 2007, pp. 142-148. Mumcu, "Osmanlı Devleti'nde Meşveret Yöntemi Demokratik Bir Gelişme Sağlayabilir miydi?", *Hacettepe Üniversitesi, Edebiyat Fakültesi Dergisi*, Special Issue: Türkiye'de Demokrasi Hareketleri Konferansı (6-8 Kasım 1985 Ankara), Vol. 4, No.1 (1986) pp. 3-8. Roderic Davison, "The Advent of Principle of Representation in the Government of Ottoman Empire" *Essays in Ottoman and Turkish History 1774-1923*, (Texas: University of Texas Press, 1990), pp. 96-111. Akyıldız, 1993, pp. 177-179. Ali Akyıldız, *Osmanlı Bürokrasisi ve Modernleşme*, (İstanbul: İletişim Yayınları, 2004), pp. 31-44.

¹⁸ For detailed information on the matter see Seyitdanliođlu, 1996, pp. 26-32. Enver Ziya Karal, "Gülhane Hatt-ı Hümayununda Batının Etkisi", İnalçık, Seyitdanliođlu (eds), 2006, pp. 65-82. Frank Edgar Bailey, "Palmerston ve Osmanlı Reformu", İnalçık, Seyitdanliođlu (eds), 2006, pp. 217-258. Niyazi Berkes, *Türkiye'de Çađdaşlaşma*, (İstanbul: Dođu-Batı Yayınları, 1978), p. 658. İlber Ortaylı, *İmparatorluđun En Uzun Yüzyılı*, (Ankara: Hil Yayınevi, 1987), p. 97. The Ottoman administration, the Palace in particular, had closely and intentionally followed the developments in European countries, translating important articles on matters of Europe published in European newspapers and presented them to the palace during the Tanzimat Era. For an interesting example, see BOA, İrade, Mesâ'il-i Mühimme, no 28/783 (20

Cemaziyelahir 1264/ May 25, 1848). It followed up on the French election conducted during the 1848 Revolution, expressing the results of the elections to be as "şekl-i hükümetin cumhuriyet" "the government type is republic", adding that the elected "Meclis-i UmŪmî-i Millet," the "General Council of the People" "the General Public" had concluded the matter as such.

¹⁹ There is a piece of writing which had been written by Mustafa Reşid Paşa, expressing his open opinion on the councils in Europe and which he had sent to Mahmud II. For this document see Reşat Kaynar, *Mustafa Reşit Paşa ve Tanzimat*, (Ankara: TTK Yayını, 1985), 104-107. For an assessment and further information on this matter see Seyitdanliođlu, 1996, 26-32.

Furthermore, for Mustafa Reşit Pasha and Sadık Rifat Pasha's opinions on the condition in Europe see Ahmed Hamdi Tanpınar, *19.uncu Asır Türk Edebiyatı Tarihi*, (İstanbul: Çağlayan Kitabevi, 1985), pp. 120-122. Moreover see sources cited in footnote/reference 3.

²⁰ For councils in Russia see, Akdes Nimet Kurat, *Rusya Tarihi*, (Ankara: TTK yayınları, 1987), pp. 267-268. Ortaylı, 1987, p. 110.

For detailed information involving the councils in Egypt see, Şinasi Altundağ, *Kavalalı Mehmet Ali Paşa İsyanı, Mısır Meselesi 1831-1841*, (Ankara: TTK Yayınları, 1945); Gilbert Sinoue, *Kavalalı Mehmed Ali Paşa, Son Firavun*, trans. by A.C. Akkoyunlu, (İstanbul: Doğan Kitap, 1999). Timoty Mitchell, *Mısır'ın Sömürgeleştirilmesi*, trans. by Z. Altok, (İstanbul: İletişim Yayınları, 2001). İbrahim Mouelhy, *Etude Documentaire; Organisation et Fonctionnement en Egypte 1517-1917*, (Ankara: TTK Yayınları, 1983), p. 95, footnote/reference 312.

²¹ For different variations of the Council name see, BOA, A. DvN. MHM, 1/9, (5 Cemaziyelahir 1257/July 24, 1841). BOA, İrade Dahiliye, 25, (25 Zilkadde 1259/January 17, 1843). BOA, İrade, Mesâ'il-i Mühimme, 6, (Fî gurre-i cemaziye'l-evvel 1255/July 13, 1839). BOA, İrade, Mesâ'il-i Mühimme, 2, (23 Şevval 1255/December 30, 1839). BOA, İrade Dahiliyye, 133/6870 (29 Muharrem 1263/January 17, 1847).

²² Information on the members who established the Conseil General in the draft of the Supreme Council, in Takvim-i Vekayi, no 188 (18 Şevval 1255/December 25, 1839) is as following: ...cenâb-ı sadâret-penâhî ve sâ'ir vükelâ-yı fiham hazerâtı ve rütbe-i ûlâ'nın sınıf-ı evvelinde olan zevât-ı kiram meclis-i mezkûrda bulunacak iseler de müzâkerât-ı vakîada erbâb-ı vukufdan ne derecelerde ekseriyet bulunur ise karargir olacak ahkâm-ı mü'essise-i mevzûası ol kadar müstahkem ve metîn olacağından rütbe-i ûlâ sınıf-ı sâ'nîsi olan manâsib eshâbıyla..."

The officials/civil servants had been classified in four groups in order to attain equality and accord in salary and within the group they pertained to during the reign of Mahmud II. Each group had been rated amongst themselves. For further information see, Fatma Aliye, *Ahmet Cevdet Paşa ve Zamanı*, (Dersaadet: Kanaat Matbaası, 1332), pp. 81-82; Musa Çadrcı, *Osmanlı Türkiye'si Yönetiminde Yenilikler 1826-1856*, unpublished Ph.D. thesis), (Ankara: 1979); Seyitdanliođlu, 1996, pp. 87-89.

²³ Semih Mümtaz Yaman, *Tarihimizde Hayal Olmuş Hakikatler*, (İstanbul: Hilmi Kitabevi, 1948), p. 35 relays information on the period following 1868 of this section.

²⁴ For the matter of sultans' participation to the meetings of the Conseil General and the Supreme Council or the meetings held in the before the sultan see BOA, İrade Dahiliye, 4078 (25 Zilkade 1259/January 17, 1843); Akyıldız, 1993, p. 185, footnotes 5-6.

Furthermore, each year in the month of Muharrem (in Arabic lunar calendar name of the first month) the sultan would appear in the conseil, opened the new legislative term and the council with a ceremony. Evaluating the work of the previous year in his speech and explicating on what needs to be done in the new-year, may perhaps give birth to a kind of a "proto-governmental program" understanding. See Mehmet Seyitdanliođlu, 1996, pp. 129-131 and footnote 3.

²⁵ For the meeting days of the Conseil General see BOA, İrade Dahiliye, 4078 (25 Zilkade 1259/17 January 1843) BOA, İrade Dahiliye, 380 (Zilhicce 1255/February 1839), BOA, İrade Meclis-i Vâlâ, 240 (29 Zilhicce 1256/23 January 1841), Takvim-i Vekayi, 194 (26 Zilhicce

1255/1 May 1840). For the meetings of the Conseil conducted during the first term see Edmond Chertier, *Reforms en Turquie*, (Paris: 1858), p. 28. Akyıldız, 1993, p. 185.

²⁶ BOA, A. DvN. MHM, 1/9, (5 Cemaziyelahir 1257/July 24, 1841).

²⁷ For meetings conducted in the houses of members see BOA, İrade Meclis-i Vâlâ, 240 (29 Zilhicce 1256/January 23, 1841).

²⁸ BOA, İrade Meclis-i Vâlâ, 240 (29 Zilhicce 1256/January 23, 1841).

²⁹ BOA, Mesâ'il-i Mühimme İradeleri, 19 (24 Cemaziyelevvel 1257/July 14, 1841).

³⁰ The decision of the meeting order/arrangements was made with a decree dating to BOA, İrade Dahiliye, 4078 (25 Zilkade 1259/January 17, 1843) as a decision of the Coseil General.

³¹ *Takvim-i Vekayi*, 264 (22 Zilhicce 1259/January 14, 1844).

³² There are innumerable records that reveal the meeting of the Supreme Conseil General in the phase extending to 1876. For several opening speeches and minutes of the Supreme Conseil General see *Takvîm-i Vekayi*, def'a, 195, (11 Muharrem 1256/ March 14, 1840), *Takvîm-i Vekayi*, def'a 196 (23 Muharrem 1256), BOA, Mesâ'il-i Mühimme İradeleri, no3/ p. 44. For the same speech and other articles see *Takvim-i Vekayi*, def'a 280, (12 Muharrem 1261).

Moreover see Ahmed Lütü Efendi, Vak'anüvis *Ahmed Lütü Efendi Tarihi*, vol. 6-7-8, İstanbul, YKB Yayınları, 1999, pp. 1183-1184. The news of the sultan partaking in the opening ceremony of the Council constituted the preliminary article/writing of each year of *Takvim-i Vekayi* and Lütü Tarihi. However, some articles of *nutk-ı hümayûn's* and *mazbata's* were also included.

³⁴ Translated by the Ambassador Muzurus Pasha, Abdülaziz's words to the Major of London show that he had been influenced by Europe on the matter of the reforms: "...My visits to London and other locations in Europe have two purposes. The first is to see, in this heart of civilization, what remains to be done in order to complete our efforts/work that is in progress back in our country. The second reason being friendship/brotherhood..." For Abdülaziz's European visit must see studies: Nihat Karaer, *Paris, Londra Viyana, Abdülaziz'in Avrupa Seyahati*, (Ankara: Phoenix Yayınları, 2003), p. 115, 119, 159. Halûk Şehsuvarođlu, *Sultan Aziz, Hususî, Siyasî Hayatı, Devri ve Ölüümü*, (İstanbul: Hilmi Kitabevi, undated), pp. 32-33.

³⁵ For Abdülaziz's famous speech on the division of powers, see: *Takvim-i Vekayi*, def'a 963 (2 Muharrem 1283/April 29, 1868). Furthermore see: Seyitdanliođlu, 1996, pp. 55-58.

³⁶ See for detail, Seyitdanliođlu, 1996, p.67-76. H. Aliyar Demirci, *İkinci Meşrutiyet'te Âyan Meclisi 1908-1912*, (İstanbul: Bilgi Üniversitesi Yayınları, 2006), p.11.

³⁷ Ahmet Cevdet Paşa, (published by Y. Halaçođlu), 1980, 2.237.

³⁸ BOA, İrade, Mesâ'il-i Mühimme, 3 (11 Şevval 1255/20 Ekim 1839).