

**UREĐENJE BOSANSKOG EJALETA
OD 1789. DO 1878. GODINE**

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ORIJEANTALNI INSTITUT U SARAJEVU

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U istorijskoj literaturi koja se bavi proučavanjem Osmanskog Carstva ima velik broj monografija i studija koje su posvećene problemu reformama u Osmanskom Carstvu. Međutim, navedena literatura obrađuje uglavnom Carstvo kao cjelinu, bilo kroz cijeli period reformama bilo u nekom razdoblju toga procesa. Osim toga, većina te literature tretira reforme pretežno u samom centru odnosno prijestonici i samom vrhu osmanske feudalne klase ili u centralnim organima vlasti. Gotovo da nema nijednog rada koji se bavi pitanjem reformama u ondašnjim pokrajinama Osmanskog Carstva, a pogotovu da se bavi uređenjem vlasti u pokrajinama u tom periodu, mada se znade da su reforme, pored vojske, najviše zadirale upravo u pitanje uređenja cjelokupne uprave.

Ovaj rad predstavlja pokušaj da se na osnovu pristupačnih, objavljenih i neobjavljenih, izvora i literature obradi pitanje uređenja ejaleta Bosne u periodu od početka temeljitije reorganizacije i reformama, odnosno od 1789. godine do okupacije od strane Austro-Ugarske 1878. godine.

Iako je poznato, i na osnovu izvora i na osnovu literature, da je tzv. evropeizacija Osmanskog Carstva započela još u prvim decenijama XVIII stoljeća, ipak značajnije akcije u pogledu reorganizacije i modernizacije započinju dolaskom na prijesto sultana Selima III (1789-1807.). Od tada pa do kraja postojanja Osmanskog Carstva ne prestaje proces dograđivanja i reformama sistema. Taj dosta dugačak vremenski razmak mogao bi se podijeliti na tri razdoblja, zavisno od sadržine i intenziteta akcija pojedinih sultana.

Prvi period koji počinje vladavinom sultana Selima III 1789. godine, a završava se smrću sultana Mahmuda II 1839. godine.

U tom periodu čine se pokušaji da se prvenstveno reorganizira postojeća ili obrazuje nova vojska; da se reorganiziraju, ukinu, zamijene ili reformiraju i stabiliziraju klasične ustanove osmanskog upravnog sistema.

Drugi period koji počinje 1839. godine, proglašenjem reformnog fermama od strane Abdul Medžida. Ovaj fermam poznat je kao Hattı-şerif od Gûlhane. Taj period traje do 1876. godine.

U tom razdoblju poduzimaju se mjere da se reformira cjelokupni društveno-ekonomski sistem i naročito da se izmijeni, modernizira i dogradi cjelokupni upravni sistem u centru i pokrajinama. Za to razdoblje se u nauci upotrebljava naziv *Tanzimat*, tj. period reformama. Smatra se da sve do tada traje klasični osmanski sistem, a sve što je dotle poduzimano obično se označava kao evropeizacija postojećeg sistema i jačanje autoriteta centralne vlasti na čelu sa sultanom. Ne odbacujući takve općenite zaključke, mislimo da se može ipak staviti i ozbiljna primjedba u tom smislu. Jer, u momentu proglašenja *Tanzimata*, gotovo da nema nijedne institucije osmanskog sistema koja nije bila pretrpjela znatnije izmjene. Kraće rečeno, *Tanzimat* je mogao

biti proglašen zahvaljujući upravo činjenici da je bio, gotovo, prestao da postoji klasični osmanski sistem.

Treći period počinje 1876. godine, pokušajem da se uspostavi ustavna monarhija i, nakon prvog neuspjeha, borba za ustavnost traje do kraja Osmanskog Carstva. U tom periodu završava se vlast Osmanlija u Bosni. Stoga, razdoblje borbe za ustavnost u Carstvu sa stano- višta Bosne nije osobito značajno.

Mi ćemo označavati reformni period od 1789. godine do kraja osmanske vlasti u Bosni. To je ujedno period koji predstavlja zna- čajno razdoblje u historiji Bosne pod Osmanlijama. Pa i pored toga ono je vrlo slabo proučeno i ispitano. Tako, brojna pitanja, značajna za historiju Bosne ovoga vremena, nisu nikako proučena. I ono što je proučavano uglavnom se bazira na drugorazrednim izvorima, pa se na te rezultate ne može osloniti. Izuzetak čini nekoliko radova koji tretiraju pojedina pitanja iz historije Bosne, kao što su pitanja kapeta- nija u Bosni, pitanje ajana u Bosni, pitanje ustanaka u istočnoj Her- cegovini i Krajini. Ali i ta pitanja zahtijevaju dalja istraživanja i dopune. Niz značajnih pitanja, kao što su: pitanje reformama u Bosni i odnos bosanskih Muslimana prema tim reformama, likvidiranje janji- čara i timarsko-spahijskog sistema, položaj stanovništva, agrarni odnosi, čifučki sistem, poreški sistem, raspadanje esnafa i početak indu- strijalizacije, razvoj nacionalne svijesti i nacionalni pokreti, prosvjetne i kulturne prilike, uređenje Bosne itd., zahtijevaju temeljita proučava- nja i obradu.

Kako su se skoro svi reformni pokušaji, neposredno ili posredno, odnosili na organizaciju vlasti, odnosno kako su rezultati reformama najvidljiviji na području administrativnog uređenja, počev od lokalnih do centralnih organa vlasti, pitanje uređenja ima poseban značaj za poznavanje osmanskog sistema u periodu reformama općenito, a po- sebno za poznavanje osmanske vlasti u pokrajinama. Ono je značajno uopće za pravilno shvatanje reformama u Osmanskom Carstvu. Zbog toga smo se mi odlučili da tome pitanju posvetimo odgovarajuću pažnju i da ga, u granicama mogućnosti i raspoloživih izvora i lite- rature, obradimo na području Bosne.

U našoj historiografiji postoji samo jedno fundamentalno djelo koje je posvećeno upravnom uređenju bosanskog ejaleta. To je djelo Hazima Šabanovića *Bosanski pašaluk*, čiji je samo prvi dio objavljen. Ovo djelo spada u rijetka djela u cjelokupnoj historijskoj literaturi o Osmanskom Carstvu koje je posvećeno jednoj administrativnoj jedi- nici, zbog čega je njegov značaj još veći. Posebno, ako se uzme u obzir ozbiljnost u pristupu ovom pitanju i znalačko korištenje arhiv- skih i drugih historijskih izvora, onda je sigurno da će ovo djelo ostati kao jedinstven doprinos historijskoj nauci i priručnik za sva dalja slična istraživanja. U ovom našem radu mi smo se koristili rezultatima do kojih je došao Šabanović, naročito iz drugog dijela ovoga rada koji, nažalost, nije objavljen. Prvenstveno smo se koristili onim dije- lom gdje Šabanović govori o organizaciji pokrajinske vlasti, posebno bosanskog divana i valijina dvora, kao i organizaciji uprave sandžaka i dvora sandžakbegova, jer je uglavnom takvo ustrojstvo ostalo sve do

Tanzimata. U ostalim pitanjima Šabanović je svoja istraživanja posvetio periodu od XV do XVII stoljeća. Kasniji period je prikazao samo u vidu kratke skice događaja i zbivanja. Sva ostala literatura, kojom smo se mi koristili, samo usput i površno govori o uređenju ejaleta Bosne bilo za raniji period ili za vrijeme reformama u XIX stoljeću, koje nas ovdje interesira. Međutim, mi smatramo da proučavanje uređenja pojedinih administrativnih jedinica, u ovom slučaju ejaleta Bosne, ima poseban značaj iz više razloga. Prije svega, u sistemu pokrajinske i lokalne vlasti neposredno se odražavala vlast osmanskog sistema u cjelini, u ovoj i drugim pokrajinama. Tek kad se obradi ovo pitanje može se pravilno razumjeti i ocijeniti položaj i stanje naroda u ovoj zemlji pod osmanskom vlašću. Pored toga, osmanske vlasti su gotovo kroz cijeli period reformama nastojale da modernizacijom upravnog sistema održe svoju vlast nad pokorenim narodima širom Carstva pa i u Bosni. Ta nastojanja sadržavala su mnogo novina koje su bile potpuno strane klasičnom osmanskome sistemu. Tu su nastojanja da se odvoji upravna vlast od sudstva, uvođenje predstavničkih tijela u upravi u kojima su bili zastupljeni i podanici kršćani, pristup u organima vlasti predstavnika izvan feudalne klase i uopće promjena strukture organa vlasti u smislu zamjene vojnih vlasti civilnim organima. Uporedo s tim mijenjala se i struktura društva u cjelini. Konačno, organizacija vlasti zavedena u Bosni 1865. godine, ostala je gotovo neizmijenjena i nakon okupacije od strane Austro-Ugarske. Ovo pitanje trebalo je obraditi i iz razloga što je vladalo opće uvjerenje u nauci da su se bosanski Muslimani neprestano odupirali reformama koje je Porta izvodila. Pravo stanje nije sasvim takvo, što će se vidjeti i iz ovoga rada.

Rad bi se mogao podijeliti, zavisno od procesa reformama, na više dijelova. Međutim, mi smo se odlučili da rad podijelimo u dva osnovna poglavlja i to: prvo poglavlje od početka vladavine sultana Selima III 1789. godine do zavođenja sistema vilajeta u cijelom Carstvu pa i u Bosni 1865/6. godine i drugo poglavlje od 1865/6. do 1878. godine. Mislimo da će tako podijeljen rad najbolje moći pokazati cijeli proces reformama, s obzirom na to da je Bosna u reforme unijela izvjesnih svojih specifičnosti, koje su ostale manje-više sve do 1865/6. godine. Tek tada Bosna je u odnosu na druge pokrajine izgubila sve specifičnosti i uklopila se u jedinstven sistem Osmanskog Carstva. Zatim, u vrijeme zavođenja vilajeta izvršene su najobimnije reforme u cjelokupnom upravnom i sudskom mehanizmu, pa je to i najznačajniji period reformama. O tome svjedoči i činjenica da se taj sistem održao gotovo do kraja Osmanskog Carstva, sa izvjesnim modifikacijama pojedinih upravnih jedinica ili uvođenjem novih organa, uglavnom operativnog karaktera.

Ranije je rečeno da je rad urađen na osnovu objavljene i neobjavljene arhivske i druge istorijske građe kao i literature značajne za ovo pitanje. Najglavniju ćemo ipak navesti.

Od dosada neobjavljene i nekorištene građe prije svega pomenućemo:

1. *Muhimme defteri*
2. *Ahkam defteri*
3. *Šikajet defteri*
4. *Zbirka hattı humajuna*
5. *Zbirka irada*
6. *A'šar defteri* (defteri desetine)
7. *Mukataa defteri* (defteri zakupa)
8. *Joklama defteri* (defteri vojne smotre)
9. *Vilajetski arhiv u Orijentalnom institutu.*
10. *Sidžili sarajevskih kadija.*
11. *Sidžili kadija iz raznih mjesta u Orijentalnom institutu.*
12. »Bosna«, zvanični list vilajeta Bosna
13. »Bosanski Vjestnik«, poluzvanični list vilajeta Bosna
14. *Salname*, zvanični kalendari vilajeta Bosna
15. *Destur*, kodeks zakona i zakonskih propisa Osmanskog Carstva
16. *Zbirka zakona primjenjivanih u Bosni*
17. *Istorija Bosne* od Muvekkita
18. *Istorija Osmanskog Carstva* od Dževdet-efendije
19. *Istorija Osmanskog Carstva* od Lutfi-efendije
20. *Maruzat*, izvještaji Dževdet-paše Porti
21. *Tezahir*, memoari Dževdet-paše
22. Memoari Paska Vasa-efendije o Dževdet-pašinoj misiji u Bosni
23. Enver Ziya Karal, *Učüncü Selim Hatt-i Humayunlari*. (Naredbe Selima III koje se odnose na Nizam-i Džedid)
24. Muhamed Emin Isević, *Ahval-i Bosna*. Izuzetno značajan spis o Bosni u prvim decenijama XIX stoljeća.

Ostali izvori i literatura daće se na kraju rada, s napomenom da je donesena literatura koja se odnosi na ovaj rad neposredno ili posredno.

ADMINISTRATIVE ORGANIZATION OF THE EYALET OF BOSNIA
DURING THE PERIOD BETWEEN 1789 AND 1878

S u m m a r y

From the beginning of the reign of Sultan Selim III in 1789 till the proclamation of the first constitution in 1876, the Ottoman Empire was undergoing a continuous process of re-organization, reforms, modernization, and adaptation of the whole system to the conditions imposed by the time and situation in which the Empire had found itself. Bosnia, as an integral part of the Empire, could not remain untouched by this process although in Bosnia it had certain specific characteristics due to Bosnia's strategic position and its distinctive social-economic features as well as to its position from the point of view of international affairs. This work is an attempt to review the reforms in Bosnia, with necessary explanations of the reforms in the Empire as a whole, with special emphasis on the reforms concerning the institutions of governmental authority which were particularly notable and significant during this period. In the existing literature the approach to the question of reforms in this period varies considerably. Very often the term »the period of reforms« designates only the period following the proclamation of the *Hatti-sherref of Gülhane* in 1839, while the period of the reigns of Selim III and Mahmud II is described as the period of re-organization. However, we have decided to designate this whole period as the period of reforms because many of the measures taken by those two sultans had the character of reforms.

As this work points out, the aim of Selim III was primarily to re-organize and reform the army, but he did not neglect other institutions of the Ottoman Empire either, although in this respect he sought to establish order and strengthen the existing institutions rather than to create the new ones. He concentrated on an attempt to organize a new army, the *nizam-i cedid*, since this problem had been the most acute because of its international implications. The first reforms had very poor results if any at all. It even might be said that the effects were negative, particularly in the capital. However, despite the failure of his reforms, Selim III should be given credit for at least starting the process of reforms in the Ottoman society.

During his reign Bosnia was in a special, very difficult political situation which was not favourable for any kind of reforms. Because of frequent and almost continuous wars Bosnia suffered during this period great losses both army personnel and of material goods. In such situation any reform would have had serious consequences both for the Empire and for Bosnia itself. Thus sultan Selim's decision not to reform the army in Bosnia seems quite reasonable. At this time Bosnia was also facing various dangers from the outside such as Napoleon's invasion of the Balkans, spreading of the Berbian uprising towards its territory, and the attacks from Montenegro.

Thus the measures undertaken by Selim III had no significant effects in Bosnia. The classical Ottoman system, which Selim III did not attempt to alter substantially, with all its specific features particularly evident in Bosnia, was still very strong in this province and therefore there was no occasion in this part of the Empire for a reaction to the sultan's reformist measures. However, this does not mean that during this period there was no confrontation between the local feudal classes and other social layers on the one side and the representatives of the central government on the other over a whole range of questions all relating to Bosnia's specific, partially autonomous position within the Empire. The questions which were particularly important from the local point of view were those concerning the *ocaklıks* (the hereditary estates) in the *timar* system, the legal capacities of local authorities, the defence of the *eyalet*, and the maintenance of the existing balance of social structures. In this respect Bosnian captains had a leading role because they were the representatives of the most influential layer of the feudal class and it was therefore in their own interest to defend the specific features of this *eyalet*. They also had the greatest military strength in the *eyalet* and were therefore its main support for the defence of the country.

As it has been already pointed out, sultan Selim III did not take any steps towards changing the classical institutions of the existing system so that the administrative organization also remained completely unaltered. He did, however, pass the Law of Deputies but the essence of this law was to re-establish order in this institution as it had existed in »the good old times«.

The short reign of Mustapha IV was mainly dedicated to the abolition of everything that Selim III had established.

Mahmud II was, by conviction, an adherent of the reforms which Selim III had begun which means that he was also an opponent of the Order of the Janizaries. Thanks to the support of the *ayans*, which he further strengthened by giving them certain concessions at the expense of his own absolute power and granting them the privileges which they had already usurped, he could make plans how to destroy their Order. But as much as he was an adherent of reforms, Mahmud II was also firmly on re-establishing the absolute power of a sultan which had been thoroughly shaken long ago. It is obvious that he could no less accept the independent power of *ayans* in Rumeli and Anatolia than he could put up with despotism and lack of discipline of the Janizaries. However, Mahmud II was very cautious and took no steps which could provoke an open revolt in any quarters. He did not attempt to re-introduce any of the institutions which had been first established in the reign of Selim III and he avoided even to make any mention of the *nizam-i cedid*. Only when he had won over to his side high governmental officials and the *ulema* (the clergy) and firmly secured their support, he ventured to abolish the Janizary Order. This decision caused an armed

rebellion of the Janizaires against the sultan but they were defeated and destroyed in the Constantinople in June 1826 in a bloody battle which took place in the close vicinity of the imperial residence. But even after this victory Mahmud II refused to revive the idea of the *nizam-i cedid* and began to organize a regular army under a different appellation. This new army was called *The Victorious Mohammedan Army* and it was designed to replace the Janizaries in the first place and later all other armed forces dating from the Classical period. Such a name, no doubt, reflects Mahmud's apprehensiveness of the reactionary forces in the Empire which were too numerous and too strong to be defied even by the sultan. Mahmud's cautiousness in respect of the abolishment of the Janizaries was quite justified and understandable. The Janizaries had been for a long time a very numerous military order and almost the most powerful armed force in the Empire. Their military readiness was rather poor, but their political organizability and readiness to resort to terrorism were at a very high level. Besides, the Janizaries were very frequently supported and joined in action by various dervish order including those which were, in fact, mere gangs of idlers and bandits. The members of the Bektashi Dervish Order were considered to be the ideologist of Janizarizm. For this reason the Bektashi Order was also banned immediately after the abolishment of the Janizaries. The whole event of the abolishment of the Janizary Order was soon nicknamed by the people and in literature as »the blessed event«. The Janizaries and their adherents, on the other hand, proclaimed Mahmud II to be a »gaur sultan«. However, no objective approach to this question can deny that Mahmud II was one of the great Ottoman sultans and that the abolishment of the Janizaries was one of the most significant events in the period of reforms.

From the beginning of Mahmud's reign up to the event of the abolishment of the Janizaries the *eyalet* of Bosnia had been in a state of a serious crisis. Incessant fighting with the Serbian rebels and risings of the *rayah* on the borders towards Montenegro had almost completely exhausted the country and this inevitably created various inner political tensions. The lack of discipline and respect of law by certain social groups and the Janizaries in particular were ever growing. The tempo of the formation of the *ciftlikats* (the large estates) was also quickened and this put the *rayah*, both Christian and Moslem, in an increasingly difficult material position thus making the political situation in the *eyalet* even more unstable. Such harsh conditions of living were forcing many to emigrate from Bosnia and seek elsewhere the means for existence. The village population was also compelled to move to the towns and force their way into various trade classes thus unsettling the economic balance if there had been any at all. The confrontation of the local social classes with the central government and its representatives was daily becoming more acute. Mahmud's demands towards Bosnia were unreasonable and it is obvious that he knew very little about the situation in this Country. During Celalpasha's administration the situa-

tion in Bosnia had been somewhat improved and law and order established. However, this had been achieved by ruthless oppression and payed for by brutal blood shedding while the real causes of discontent and disorder had not been removed. During this period the Bosnian Moslems began to entertain the idea of a separation from sultan's power and this was reflected in their opposition to the sultan's attempts to establish a regular army in Bosnia. The first reform that had an effect in Bosnia was the abolishment of the Janizaries. It was accepted because it was generally believed that sultan's reasons for this act were justified. However, all other Mahmud's reformist measures were opposed in Bosnia because they were considered to be disadvantageous for Bosnia and its population. Thus Mahmud's attempt to organize the regular army, which followed immediately after the abolishment of the Janizary Order, was violently opposed on the grounds that it was in the interest of the people of Bosnia to retain the *timar* system in its existing form as well as all other armed forces which existed in Bosnia. This, as well as the sultan's policy concerning Serbia, led to an armed conflict between the Bosnian Moslems and the sultan in which the Bosnians initially had more success. However, they were defeated in the end and thus their ardent desire remained unfulfilled. Immediately after their defeat the Sultan abolished the captains and armed garrisons in the fortresses. He established instead the *redifa* — the reserve cavalry — which consisted of some of the *sipahis* (landowners, feudal soldiers while the others retained their earlier status. At the same time Mahmud II proclaimed a whole range of new measures the aim of which was to reorganize the administrative authorities, beginning with the highest institutions of central government down to the local authorities throughout the Empire. His aim was to reorganize the classical institutions in such a way as to make them as dependent as possible of his own will. He strove to establish a strict subordinative mechanism of government beginning from the lowest up to the highest administrative institutions which would insure the sultan's absolute power. Instead of the *Imperial Divan* he introduced the system of ministries which were directly subordinated to the sultan. He then established various councils and the Supreme court quite different from those which had existed before his reign. He also elected an army council which was most often presided by himself. All these measures were taken in an attempt to reproduce in form the corresponding institutions in European countries. Unfortunately, Mahmud's plans were continually thwarted by the problem of an inadequate government personnel. The ministers appointed by the sultan were still emotionally attached to the classical system and consequently they achieved no great results in their new jobs. The conservative social forces in the Empire were still too strong to allow Mahmud II to put his ideas freely into practice. Nevertheless, by his relentless efforts he gradually succeeded to win over to his side a certain number of high officials and to arouse their enthusiasm for the reform of the whole system and of the government and the

army in particular. One of his most prominent supporters was the grand vizier, Mustapha Reshid-pasha, who was also one of the greatest figures of the period of reforms in general. Unfortunately, the financial means of the Empire were drastically inadequate to meet the costs of all these measures. It should be noted that during the reign of Mahmud II the national liberation movements, particularly in Serbia and Greece, were bursting into flame while the uprisings in Albania, Bosnia, Egypt, and elsewhere also seriously shook the Empire. This induced Mahmud to hasten the reform of local authorities as well. He introduced the institutions of general legal capacity in all administrative districts which were directly subordinated to the central government. The whole personnel of these institutions thus became paid government officials. Since he had already established various councils as corporate bodies designed to conduct certain administrative tasks at the Porte, he now began to do the same in the provinces. The provincial administrators also became fully paid officials. Their number was reduced and now all officials received their salaries from the central government. However, the general plight of the subjects in the provinces was not improved because the state had not given up its revenues which were paid for by the population. In the regions where there were no longer the sipahis, the state collected the tenth (*ösür*) and where, as in Bosnia, the sipahis retained their position, they also continued to collect the tenth which had been granted to them by an imperial *berat* (order). But hardships of the working population were not due only to the payment of the tenth. The *çiftlikat* system (the process of turning state lands into large private estates), which had developed recently all over the Empire, created in fact by far greater burdens than the tenth. Under this system the tenants had to give to the landowners sometimes as much as one half of their own total income. The Porte however paid no attention to these malpractices. The *çiftlikat* system had never been legally recognized but the Porte accepted its existence as a fact. Thus it should be pointed out that during this period the reformists were still misdirecting their activities. The reforms should have been undertaken first in the economic system and only then in the administrative institutions or at least they should have been made simultaneously in both these spheres. However, it is true to say that the political situation had not yet been ripe for any radical reform of the social and economic order.

It has been already pointed out that the first significant steps towards a reorganization of the administrative system had been made by Mahmud II who replaced the classical institutions of the central and local authorities by the new ones. In the organization of authorities he established the uniform system of the *müteselimiks* (the *müselimiks*). As a rule, these new local officials with general legal capacities were to be appointed from the civilian ranks thus constituting a civil order of government. But in practice, to these posts were almost always appointed men from the former military and/or feudal ranks. The only difference was

that now they were appointed as fully paid officials rather than as feudal holders of military estates. However, the introduction of various councils and chambers in the central administration, as well as in the provinces and all local administrative centres, meant a limitation of power formerly held by most administrative posts, such as various viziers and provincial administrators or local officials in the *kazas* (districts). It is also a fact that during this period more and more people from the ranks of the *ulema* or trade and merchant classes were beginning to be appointed to various official post and this inevitably changed to a certain degree the character of local administration. Thus the social classes other than only feudal stepped forward into the political arena and began to replace the former military feudal lords. This process is also the result of structural changes within the society as a whole.

In short, it could be said that the reigns of Selim III and Mahmud II were a period during which had been made the first significant attempts to abolish the classical institutions in the army and in the administration in order to modernize the system as a whole. But as far as the population is concerned, particularly the rayah of all denominations, little or nothing had changed for the better. In fact, the reforms brought only the modernization of the feudal classes and of their social mechanism with the aim to strengthen and protect the Empire in which these classes had a dominant role and position.

The international position of the Empire, which was entirely determined by the so-called Eastern question, and this means by the conflicting interests of the European powers, compelled the Porte and the sultan to take measures of a wider range. In order to promote their own strategic interests, which were always uppermost in their minds, the European powers sought to gain their own political ends by the means of evermore loud demands for a protectorate over the Christian population in Bosnia and other parts of the Empire. With this aim in view they continually emphasized the harsh conditions of living of the Christian population within the Empire. What they actually sought was an effective excuse to interfere into the internal affairs of the Ottoman Empire and thus to destroy it in the end. The sultan and statesmen of the Ottoman Empire sought, on the other hand, the means to thwart these aims of the European powers and consequently denied that there existed any division of the population within the Empire. Soon after the death of Mahmud II, his successor Abdul Mecid published a reform *firman*, known in the literature as *the Hatti-shereef of Gülhane*, on 3 November 1839. Since this firman officially proclaims »the blessed reforms« (*Tanzimat-i Hayriyye*), it is usually regarded as the formal beginning of the reforms in the Ottoman Empire. The content of this firman covers three fundamentally important fields of social-economic and political relations in the Ottoman society. These are the question of the status of all subjects, the question of the army, and the question of the taxation system. The firman opens with an assertion that in the old

days justice and prosperity had reigned in the Empire. That was in the time when the *Sheriat* and laws had been strictly obeyed but the situation has changed since the *Sheriat* and laws had been neglected. This alone clearly indicates that the reforms proclaimed by the firman do not disregard the Islamic character of the Empire nor the notion that a sultan is a defender and an executor of the *Sheriat* in the capacity of the caliph. The firman further states that the sultan's wish is to restore order, peace, and prosperity and that this aim can be achieved only if all subjects of the Empire are equally treated before the law. In conformity with this view different appellations for the subjects of the Empire, such as the *rayah*, *ehali*, etc., were to be abolished and a uniform term *tabaa*, which actually means the subjects, was to be used instead. Civil (natural) rights with respect to the protection of life, honour, and property were also confirmed by the firman. The system of taxation was to be altered and only one uniform tax for all subjects without regard to their social position and religious denomination to be levied. The army was to be reformed in accordance with the needs of the Empire; in this respect all provinces were to be equally treated and the term of military service was to be limited. In order to effectuate these basic aims adequate new administrative institutions were to be established throughout the Empire. All laws regulating these matters were to be passed but in strict deference to the *Sheriat*. The firman also formally abolished the *timar-sipahi* system and thus all *timars* and the *miri* land (land owned by the State), as well as all other public estates, were to be returned to the State. All officials were to be paid by the Treasury and the army service to become compulsory and regular. The army was also to be paid for by the central Treasury. All those measures were designed to prevent foreign interference into the affairs of the Empire and the firman itself was the work of the Ottoman statesmen without any influences from abroad. The firman achieved its aims to a certain extent. But since the European powers were not interested in the Empire because of its internal situation but because of their own political ends, particularly in respect of the balance of power in this part of the world, they were not fully satisfied with the measures introduced by the firman. On the contrary, the European countries soon realized that the firman was an attempt to thwart their influence and preserve the Empire and thus they rejected it. It is true, however, that the firman had certain deficiencies in its basic propositions, particularly in respect of the Christians. Since the Empire had retained the character of a theocratic Islamic state, it is obvious that the new official appellation, the *tabaa*, for all subjects of the Empire did not by itself alter the social status of the Christian subjects. The firman was also deficient in the sphere of taxation because, although it introduced a uniform tax to be paid in cash by all subjects, it also retained the *cizya* for

Christian subjects as the protégés of the Islamic state, which in fact meant that they were to be doubly taxed. They were also exempted from service in the army but that only added to their social inequality.

However, it ought to be pointed out that the Porte made considerable efforts to adapt its activities to the letter of the *Hatti-shereef of Gülhane*. In this respect the first steps were taken in the legislative sphere, primarily in the criminal and commercial law. But these new laws were still in strict accordance with the Sheriat, while the institutions and authorities in this sphere retained to the full their former character. Thus the main jurisdictional authority was still a *qadi* as the basic Islamic institution.

The governmental administrative institutions were altered in so far as they were supplemented by newly established councils and chambers which were formally designed as operative bodies in various administrative units. The defect of these bodies lay in the unequal representation of all subjects since the Moslems always had an absolute majority in all such bodies.

Since the new system of taxation had not solved the question of the economic plight of all subjects, it is understandable that most often it was this problem which induced them to oppose and rebel against the measures taken by the Porte and thus attract the attention of the European powers. It can even be claimed that the European powers secretly stimulated the discontent of the Christians in the Ottoman Empire in order to have an excuse for interfering into its internal affairs. This Christian component, i. e. the problem of unequal rights of the Christians in the Empire, thus was the only determinative factor of their political activities. Without denying in the least the existence of inequality of the Christians in the Ottoman Empire, it should be stressed, however, that this question requires a more comprehensive and scientifically objective approach. It must be taken into consideration that the Ottoman society had an expressed class character both before and after the *Tanzimat*. In this sense all working people were deprived of their rights both in the social and economic spheres because the process of exploitation was uniform in the whole Empire. Thus neither the Moslems nor the Christians from the ranks of the working population were represented in the administrative councils which clearly shows that they had no means to exercise any influence whatsoever on economic and social trends and tendencies in the Ottoman Empire. They were all economically exploited either by the *timariots* and, later on, by the State, or by the *ciftlikat-sahibis* (the landholders). This is the only logical view of any class society. In this respect the most significant shortcoming of the *Tanzimat* was that the agrarian question remained completely neglected. It had been developing without any constraint or plan over a long period of years and gradually pushed into the background the

classical agrarian relations which had been regulated by laws of the Empire as well as by the rules of the Sheriat and the state *kanun*. For this reason the measures of the *Tanzimat* had no visible effects in respect of the general prosperity of the people.

Owing to the fact that the social and economic relations proclaimed by the *Hatti-shereef of Gülhane* had not been effectuated and the pressures of the European powers, the Porte resorted in 1856 to the proclamation of a new reformist firman. This firman reaffirmed the basic propositions of the firman of 1839 and also modified certain of its regulations in order to grant greater rights to the Christian population. Unlike the first one, this firman was conceived under the influence of some European countries. It was officially presented to the delegates at the Conference in Paris in 1856 and incorporated into Article 9 of the Treaty which also stipulated the right for all participants of the Conference to supervise the execution of the firman. However, the firman was violently opposed in the Empire. A large number of supporters of reforms in the Empire, including the first reformist Mustapha Reshid-pasha, openly stood up against this firman. They believed that the firman treats only the problems of the Christian subjects and that it gives them greater rights than to the Moslems thus pushing the Moslems into the background. They also felt, and even submitted to the Sultan a petition expressing their views, that the firman would mean leaving the doors wide open for foreign powers to interfere into the affairs of the Empire. Mustapha Reshid-pasha soon found many followers and thus the first ever opposition in the Ottoman Empire to the official policy of the Porte and the Sultan came into being.

Since the *cizya* had been abolished even before the proclamation of this firman and the Christians consequently became entitled, both formally and in practice, to the same rights as the Moslems in accordance to the letter of the *Hatti-shereef of Gülhane*, this firman actually only confirmed the fact that the *cizya* had been abolished. The firman further prescribed that the Christians are also entitled to all other rights as the Moslems, including the equal treatment in respect of adequate participation in the administrative institutions and services and the right to education. However, this firman, like the previous one, does not even touch upon the agrarian relations nor does it settle the question of the right to hold the *miri* land and thus silently passes over the fact of the existence of the *çiftlikat* relations which are in sharp contradiction with the *miri* system and the right to hold such land. The abolishment of the *cizya* also meant that the Christians were obliged to serve in the army. However, neither the Christians were willing to do this, nor did the Moslems want them to do it. Similarly, the State was not ready to enforce this obligation because it had not yet prepared the conditions necessary to put it into effect. This firman was also very unfavourably received by the dignitaries of the Orthodox church because it deprived them of their existing financial privileges at the expense of the lower clergy and the people. For this reason, the high Orthodox clergy

propagated against the firman. They did not even announce officially the firman to the lower clergy although they were in duty bound to do so. It is interesting that there were no negative reactions to this firman in Bosnia, neither from the Moslems nor from the Christians. However, its consequences were evident in this province. Although the religious rights had been legislatively restricted even before the *Tanzimat*, in this period the religious freedom became far greater. This was particularly evident in the construction of a large number of Christian churches for which the building permits were regularly granted during this period. The building of schools also became more intensive although still by far inadequate in relation to the actual needs.

The reforms also brought the liberalization and increased safety for commercial trades and this, as it is well known, proved to be more profitable for the Christians. In short, it may be concluded that the reforms were, on the whole, progressive and gave positive results to a much greater extent than has been considered so far in our existing historical literature.

After the action of Omer-pasha Latas in 1851/52, the Moslem population ceased its resistance to the central government and provincial authorities. But the compulsory military was not nevertheless accepted until 1863 although that had been the main task of Latas on his arrival to Bosnia with official orders to put the reforms into effect. It is evident that it was just after the intervention of Latas that the local people were gradually removed from most leading positions and influential posts in the institutions of local government. They were regularly replaced by government officials who were brought from outside Bosnia. This situation remained unaltered until the end of the Ottoman rule in Bosnia. But this was not, as it has sometimes been claimed, the result of the fact that Latas had allegedly destroyed the Moslem nobility and the leading local oligarchy. In Bosnia this social class had long ago shown its ability of quick regeneration and this was again proved during the period of reforms, this time even more so because the Moslem leading social layer had undergone during this period a significant transformation in comparison to the classical feudal class. This was also pointed out by Cevdet-pasha who had, in our opinion, well estimated both the Moslem people and its leading social layer. Thus Cevdet-pasha affirms that without this leading social layer he would not have been able to put into effect neither the decree about the compulsory military service nor any other of the reforms.

The last reform that the Porte undertook in 1865, which was carried out in the whole Empire, was the result of the need to re-organize again the Ottoman system and of the experience which had been gained during the period of more than fifty years of continuous attempts to modernize the system of government. Although the *Hatti-shereef of Gülhane* had envisaged numerous new laws which should have regulated various questions of government and administration of justice, the process of organizing the institutions which were de-

signed to perform these duties was very slow. One of the chief aims was to put the judiciary into order and to achieve equality in law courts for all confessions. However, this was not possible as long as a *qadi* administered justice according to the rules of the Sheriat. Besides, the practice of accepting evidence only from Moslem witnesses had been retained, which meant that the Christians were still denied certain basic rights. After the Christians had been granted the right to give evidence in courts, new law courts were formed which could administer justice to the satisfaction of all subjects. These courts paid attention to religious rules of both Christianity and Islam. However, it soon became evident that it was absolutely necessary to separate the judiciary from the administration and thus new civil law courts and court councils were introduced. The court councils were made up of subjects belonging to all confessions and they administered justice according to the profane laws passed by the State. The Sheriat court was not abolished but it dealt only with those cases which were strictly under the jurisdiction of the Sheriat. The Christians also had the right to retain their own religious courts which had the authority to hear and decide cases in connection with religious matters. But in the situation in which in the whole Empire there was no other juridical authority except a *qadi*, it was him who was regularly appointed a president of court councils. However, the councils always consisted of an equal number of the Christians and Moslems. Administrative institutions had no power over these councils and the executive administrative bodies, regardless of their rank, could not dispute any decision of the court. This was, no doubt, an important improvement in the administration of justice. The Christians gradually obtained the right that all court decisions, which were always in Turkish, should also be translated into their own language. This was the case in Bosnia since 1869 when it was decreed that each court council should be attended by an official interpreter from the Turkish into the native language.

During the same period, the military administration was separated from the civil authorities. In some cases, however, the governor of a province also held the position of the military commander in chief. But this was an exception rather than a rule and most frequently a commander in chief of the armed forces was an entirely independent post from the post of a governor. Civil authorities had at their disposal units of the gendarmery (the armed police), but these units also had their commanders. This reform of the civil administration and jurisdiction may appear at first glance as a thorough decentralization of the whole administrative system. It seems that it has been interpreted as such by many historians and thus the decree of 1865 concerning the administrative system has been often described as the regional constitution. It is often thought that this decree was particularly relevant for Bosnia. However, in its essence it was neither the constitution of Bosnia nor did it mean the decentralization in the proper sense of that word. On the contrary, the whole administrative mechanism was strictly tied up by the principle

of subordination from the premier (the prime minister), who was directly subordinated to the sultan, down to the lowest official in the *kazas* (districts) and *nahiyas* (counties). They were all only the links in the chain of subordination leading up to the central government. Furthermore, a whole range of questions could be decided only by the central government although these questions were not in any way directly related to the affairs of the State as a whole. Finally, the new reform also envisaged the effectuation of the principle of equal representation of Moslems and non-Moslems in all representative bodies and institutions. One of the expressively progressive features of the new reform was the obligation imposed on all provincial authorities to open printing shops, primarily for the needs of the administration but also for general use. In this way the conditions for the spreading of culture and education were significantly improved. The first printery in Bosnia was established in 1866 by Ignjac Sopron from Zemun but it was later bought and taken over by the local authorities and thus became the property of the *vilayet*. This printery laid the foundations of printing in Bosnia and Herzegovina.

An important innovation in the organization of local government in provinces brought about by the new reforms was the legislative regulation of the process of election of representatives into the administrative and executive bodies and institutions. This was worked out and set down in detail with precisely defined methods of election, durations of various mandates, duties, and legal capacities of each institution. As it has been already pointed out, the system of representation was introduced both into the government administration and into the judiciary. However, the system of election was not direct but indirect and the representative were delegated from above, depending on the rank of any given body or institution. Thus the members of the *vilayet* council were delegated by the provincial government, members of the district council by the district authorities, and members of the *kaza* councils were appointed by local authorities in the *kazas*. The population directly voted only in the elections of village and ward *muhtars* (the quart leaders). This system of elections, which was incorporated into the decree regulating the administration of the *vilayet*, retained a marked class character in so far that it prescribes a census for the election of representatives. The census was prescribed even for the voters. This refers, of course, only to the villages and quarts in town. The census meant that it was strictly defined who could take part in the elections of *muhtars* and members of the village councils. Anyone who paid less than thirty groschen of annual tax could neither vote in an election nor be elected. The census for other representatives was much higher and it varied from one hundred and fifty up to five hundred groschen, while the average annual tax in Bosnia at the time was about eighty-five groschen per household. Thus it is evident that the representatives in all administrative bodies belonged to the upper social layers. As far as it is known, in the elections of *muhtars* in town wards and in the villages which had the status of a town ward, a person appointed to the post of the

muhtar was the one which had been elected by the voters of that village. The same was true of the members of a village council but they also had to be approved by a superior administrative institution. Thus it is evident that the will of the population mattered very little in the elections. Since the census for both active and passive voting right was rather high, it is no great wonder that in the administrative councils more or less always sat the same people. It also seems that, among other things, those who were authorized to appoint representatives into administrative councils used to the full the possibility to delegate the same candidates an unlimited number of times. Thus the composition of most councils rarely changed and this fact was responsible for the increase of corruption in the ranks of administrative institutions and various councils. The administrative councils generally functioned within the scope of their legal capacities. Despite the fact that the will of the wide electorate mattered little, the practice of elections meant an important improvement in the organization of government and administration of justice, particularly in respect of equal representation of all confessions, even if it was still imperfect in many ways.

The examination of the documents of administrative and juridical institutions in the Bosnian *vilayet*, from the introduction of the new system of organization in 1865/66 until the end of the Ottoman rule in Bosnia, shows that the mechanism of elective bodies and institutions had functioned during that period according to the plans of the reformists and according to regulations of the decree of 1865. It could be claimed, therefore, that during this period the government in Bosnia was stable in the legal sense and that it basically answered the needs of its day. In other words, all questions which were significant for the *vilayet* were discussed in the appropriate representative bodies and institutions thus creating a wide spread impression that all matters were being settled according to regulations and with the consent of the people. It should be also stressed that the population often applied for various reasons to these institutions and that they settled these matters in accordance with their legal capacities.

However, this fact should not mar the existence of the abuse of power and the bureaucratic character of the administration of government. During this period the number of various executive institutions and services, which were not subject to election or any such control, was considerably increased in the administrative organization of the *vilayet*. In other words, the bureaucratic apparatus had so multiplied that it surpassed in numbers all previous systems of administration in the Ottoman Empire. The official authorities believed that all these measures would lead to a more effective settling of matters which directly concerned the interests of the population. To a certain extent this proved to be so because many questions, which had been previously in the competence of the *Porte*, could be now settled in the *vilayet* and thus much quicker. Although the mechanism of law courts and general administration of justice was being constantly improved, on the basis of numerous documents it can be nevertheless

concluded that the law courts had functioned during this period to the satisfaction of the Porte. To what extent the population had been satisfied with their activities is still, however, very difficult to establish.

The reforma of 1865 did not include the economic relations nor the material situation of the people and it was restricted to the spheres of administration and judiciary. It seems that it was considered that the Land law, which was uniform for the whole Empire, and the law regulating the *çiftlikat* system in Bosnia, which was in effect only in Bosnia, sufficiently regulated the agrarian relations and the economy as a whole.

The newly established administration was designed to contribute to the improvement of the whole economic system. This period saw the beginning of organized exploitation of forests and ore deposits, as well as the first attempts at forest protection, undertaken by the State. There were also some attempts to introduce the industrialization by establishing various workshops and companies. However, all this produced few results because the competition of European products, to which the markets of the Ottoman Empire were wide open, was far too strong. Similar attempts were also made in agriculture by introducing new types of seed and means for more intensive production, particularly in fruit growing. But these measures had equally poor results because the financial resources of the Empire were inadequate and the general state of agricultural production at a very low level. Thus, despite the establishment of the relatively favourable political framework, the effects of all these measures and reforms were almost insignificant. This was the situation in which the Ottoman rule in Bosnia had ended in 1878 and it was not much altered nor improved after the Austro-Hungarian occupation either.

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**ŠTAMPARIJA NIJE RASPOLAGALA NEKIM ORTOGRAFSKIM
ZNACIMA, POTREBNIM ZA TURSKI ALFABET, PA SU NASLOVI PISANI
NAŠIM ALFABETOM**

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