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KUDÜS MUTASARRIFLIĐININ DOĐUŐU 1864-1914: İDARİ ve SOSYAL ETKİLERİ

Öz: 1830'lardan beri Filistin, Avrupa ülkelerinin dini, siyasi ve ekonomik çıkarlarını gerçekleřtirmek için büyük baskısı altına girdi. Bundan kaynaklanabilecek tehlikeler karřısında Osmanlı İmparatorluđu boş durmadı. Bu tehdide idari önlemler alarak karřı koymaya çalıştı. Bunlar arasında en önemlisi, Kudüs'ün doğrudan İstanbul'a bağlanmasıyla gerçekleştirildi. Bu dönemde Filistin toplumu idari prosedürler ve reformlardan etkilendi. Kudüs ve birçok reformdan etkilendi. Kudüs'ün dini önemi olan siyasi ve idari bir şehir haline gelmesi, devletin bu önlemleri almasını gerekli kılmıřtı.

Anahtar Kelimeler: Filistin, Kudüs, Mutasarrıflık, Vilayetler kanunu, Seçimler

THE BIRTH OF THE JERUSALEM SANJAK 1864-1914: ADMINISTRATIVE AND SOCIAL IMPACTS

Abstract: Since the 1830s, Palestine has been under great pressure from European countries to achieve their religious, political and economic interests. In view of the dangers that might result from this, the Ottoman Empire did not stand idle. The Ottoman Empire tried to counter this threat by taking administrative measures to prevent them from achieving their ambitions. The most important of these measures was when the Ottoman Empire established the independent sanjak Jerusalem and connected it directly with Istanbul. The Palestinian society was affected through the administrative procedures and the many reforms in this period. The fact that Jerusalem became a political and administrative city with religious significance necessitated the state to take these measures.

Key Words: Palestine, Jerusalem, Sanjak, Vilayets Law, Elections.

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Introduction

When Sultan Mahmud II succeeded in eliminating the opposition forces in the Ottoman army and the religious establishment (1826), Ottoman reforms entered the stage of no return. Despite the many obstacles facing the reform program, the reformist trend did not stop until the end of the Ottoman Empire. The regulations and reform principles enunciated in the reform program set out by the *Hatt-ı Şerif* of 1839, the reforms proclaimed in the *Hatt-ı Hümayun* of 1856, and the *Vilayets Law* of 1864 and its amendments in 1871 as well as many other laws reflected the continued Ottoman efforts to stand up to internal and external challenges. The reforms of 1839 and 1856 defined the general trends and objectives with regard to the internal Ottoman situation: the improvement of the legal status of the Ottoman subjects, the promotion of equality between individuals and religious groups, the integration of all subjects (*re'aya*) through their proportional representation in all state institutions, and the preservation of security and justice for all people, i.e., to make the Ottoman Empire a "state of all its subjects (citizens)". After establishing the theoretical basis for the concept of reform, the Ottoman Empire applied these principles through a long series of laws, regulations and instructions.

Ottoman reform attempts have had a direct impact on the communities of the *Bilad al-Sham* (Greater Syria) in general and of Palestine in particular. The internal and external events of the 1830s had upset the security of the Ottoman Empire more than ever before, underscoring the strategic importance of the Levant in general and Palestine in particular. This became evident as the forces of Muhammad Ali Pasha, *vali* of Egypt, invaded Syria (*Bilad al-Sham*) and separated it for a decade from the rest of the Ottoman Empire. The invasion facilitated European intervention in Ottoman internal affairs and opened the doors of Palestine wide to Western countries, which pressed for their interests in Palestine and the Bilad al-Sham in general.

The events that took place in the Bilad al-Sham since the invasion of Muhammad Ali Pasha, the civil war in Mount Lebanon,

and the events of Damascus in 1860, clarified the nature of the European interests in the region. European intellectuals, politicians and missionaries have written about these interests, which amounted to a bid for direct control over Palestine. European ambitions and interests caused the Ottoman state to find itself in a race against time to preserve the Levant and Palestine as parts of the Ottoman Empire.

As the Ottoman Empire attempted to deal with internal and external challenges, it made radical changes in its administrative structure through the *Vilayets* Law of 1864 and its amendments made in 1871. This law led to profound changes in the administrative division of the Ottoman Empire and led to the establishment of new institutions of governance at the local administration level, as well as bolstering the control of the central authority over its representatives in the local administration. The *Vilayets* Law also sought to integrate local elite groups and the subjects in general into the administrative institutions that had been recently introduced at all levels of local administration.

Towards the *Vilayets* Law

On the eve of the Egyptian campaign against *Bilad al-Sham* in late 1831, propaganda and rumors that preceded the advancing Egyptian troops suggested that they would leave the matters much as they found them. This encouraged some of the Palestinian leaders to go out to welcome Ibrahim Pasha, the leader of the Egyptian campaign, and pledge their allegiance to him. They did so in the hope of averting the administrative reforms through which Sultan Mahmud II had begun undermining their semi-autonomous position as local powers.¹

In a defensive move to strengthen the front of *Bilad al-Sham* to counter Mohammed Ali's ambitions, the Sultan ordered the reorganization of the administrative borders of the *vilayet* of Damascus and of Sidon. This move included the removal of the *livas*

¹Mahmoud Yazbak, *Haifa in the Late Ottoman Period, 1864-1914, A Muslim Town in Transition* (Lieden: Brill, 1998), 18-19.

of Jerusalem and Nablus, located far away from Damascus, the capital of the al-Sham *vilayet*, from that *vilayet* and their subjection to the authority of Abdullah Pasha, the governor of the *vilayet* of Sidon and its capital, Acre ('Akka). The *vilayet* also included within its jurisdiction the *livas* of Jaffa and Gaza.² The Ottoman state took similar action whenever Palestine was at the risk of invasion and occupation.

Following the policy of Muhammad Ali, who had turned Egypt into a single centralized administrative unit under the rule of a single *vali*, and then subjected it to economic monopolization, Ibrahim Pasha abolished the existing administrative division of Syria as soon as he had occupied the province, and turned it into a single administrative unit. At first Ibrahim himself held virtually all authority, both military and civil, but soon discovered that such centralization was more than he could handle. So the post of chief civil governor was separated from that of the chief military governor.³ Neither did Syria survive for long as a single administrative unit, since the Egyptian government soon realized the difficulties it created in collecting the taxes and suppressing the numerous uprisings that flared up throughout *Bilad al-Sham*. In 1834, Syria was divided into seven *eyalets*: Adana, al-Sham, Aleppo, Tripoli, Sidon, Jaffa and Acre.⁴

When the Ottomans re-established control over Palestine, they restored the administrative structure of the *vilayets* more or less to its form before the Egyptian occupation. Beginning from 1841, the Ottoman administration paid special attention to the administrative position of Jerusalem (Kudüs), and its *sanjak* enjoyed a special status

²*Sijill* of Jaffa *Shari'a* Court, vol. 8, 64; Asad Rustum, *al-Usul al-'Arabiyya li-Ta'rikh Suriyya fi 'Ahd Muhammad 'Ali Pasha*, 5 vols. (Beirut, 1930-1933), vol. 1, 23-24, 30; Butrus Abu Manneh, "The Rise of the Sanjak of Jerusalem in the Late 19th Century," in *The Palestinians and the Middle East Conflict*, ed. Gabriel Ben Dor (Montreal, 1978), 21-23.

³ Asad Rustum, *al-Usul al-'Arabiyya li-Ta'rikh Suriyya fi 'Ahd Muhammad 'Ali Pasha*, 5 vols. (Beirut, 1930-1933), vol.4, para. 5746, 18.

⁴At the head of these stood a *hukumdar* (general civil governor) while Ibrahim Pasha himself was their *sir'askar* (general military governor); see Rustum, *Mahfuzat*, vol. 4, para. 5746, 18, 29.

in relation to other Palestinian *sanjaks*. Its borders were extended to include the *kazas* (districts) of Gaza, Jaffa and Hebron, as well as the *sanjak* of Nablus until 1858. Thus, for the first time since the beginning of Ottoman rule in Palestine, the status of the city of Jerusalem was raised and it became an administrative center for the middle and southern regions of Palestine. In the same year, 1841, the Ottoman Empire raised the administrative status of the *sanjak* of Jerusalem, linked it directly to Istanbul, separating it from Damascus, and appointed a senior official to manage it.⁵ The Ottoman government believed that by doing so it could provide greater protection to the *sanjak* of Jerusalem against the great dangers facing Palestine in general and Jerusalem in particular. These dangers issued from the clearly growing political and religious interest of the Western countries in Palestine.⁶ Originally European influence derived from the traditional right of protection that the European countries were allowed to exercise over the non-Muslims in the "Holy Land." The first British consul had been appointed in Jerusalem in 1838 as a gesture by Muhammad Ali in his efforts to have the European powers side with him in his conflict with Istanbul. The Treaty of Paris (1856), which ended the Crimean War, and the *Hatt-ı Hümayun* of the same year allowed the European penetration of Palestine to proceed further. No longer content to intervene in issues of merely religious or commercial nature, foreign consuls began actively interfering in matters of government, by checking up or openly criticizing the conduct of local officials and demanding action against them from the Ottoman authorities. In dispatches to their own governments, foreign vice-consuls often depicted Muslim notables and officials who did not tolerate their interventions as "fanatics," a term clearly meant to imply that they formed a threat for the Christian minorities under European "protection." Thus, the European representatives in the Ottoman Empire may be seen as spearheading the wider political and economic schemes behind the

⁵Sijill of Jerusalem Shari'a Court, vol. 283, 36; Moshe Ma'oz, *Ottoman Reform in Syria and Palestine* (Oxford, 1968), 33.

⁶Haim Gerber, *Ottoman Rule in Jerusalem, 1890-1914*, (Berlin: K. Shwartz, 1985), 22.

Western interest in the region.⁷ On the eve of the Ottoman *Tanzimat* reforms and immediately before the emergence of a strong European presence in Palestine, the Palestinian elite was formed of three distinct groups: *za'amat* (the local ruling leaders), *'ulema* (the members of the Muslim religious establishment), and *tujjar* (the great merchants). In central and southern parts of Palestine, in the mountains of Nablus, Jerusalem and Hebron, there emerged a group of influential local leaders who were entangled in two conflicting alliances. Both of these alliances involved groups of families and rural elites who had fought each other for many years.

In 1859, the Ottoman army succeeded in putting an end to the domination of the region by semi-independent local powers. It then undertook a radical transformation in the state's relations with these forces, which led to profound changes in the social structures in Palestine.⁸ After the elimination of the semi-autonomous Palestinian local leadership in the mountains of central Palestine, the Ottoman state exercised direct control in administrative and financial spheres. This administrative shift led to the linking of Palestine's central areas with global economic networks headed by European countries. This economic linkage and administrative transformation gradually blurred the barriers between the Palestinian social elites mentioned above. From that time onwards, *'ulema* and *tujjar* could be "elected"⁹

⁷Cf. especially Alexander Schölch, *Palestine in Transformation, 1856-1882, Studies in Social Economic and Political Development*, William Young and Michael Gerrity (trans.), (Washington, 1993), 48-49; For detailed studies of European diplomats in Jerusalem representing different European states, see, *Jerusalem Quarterly: Diplomacy in the Holy Land: New Sources, Themes and Topics*, 71 (Autumn 2017).

⁸A long civil war took place in Jabal (mount) Nablus between the Qays and Yemen coalitions during the first half of the nineteenth century. This war exhausted the local leaders, enabling the Ottoman army in 1858 to intervene and eliminate the independence of the conflicting coalitions. From then until the end of the Ottoman Empire, Mount Nablus was ruled by rulers who were appointed by Istanbul and often came from outside the region. For more on this subject see, Mahmoud Yazbak, "Nablusi Ulama in the Late Ottoman Period, 1864-1914", *International Journal of Middle Eastern Studies*, no.15, (1997): 73.

⁹Mahmoud Yazbak, "Elections in Late Ottoman Palestine: Early Exercises in Political Representation", in *Late Ottoman Palestine: The Period of Young Turk Rule*, edited by Y. Ben Bassat and E. Ginio, (London: I.B. Tauris, 2012), 5-53.

to the administrative councils, the civil courts and the various administrative bodies. This made available new sources of power for the *'ulema*, including land acquisitions, trade and political power. The *tujjar* became great land owners and competed to win political power.¹⁰ Gradually, members of the *'ulema* and *tujjar* groups emerged to form an important part of the Ottoman administration, economy and political elite.

The *Vilayets* Law, introduced by the Ottomans in 1864 was part of their overall drive for centralization and entailed a reorganization of the administrative structure of the provinces. The idea behind the law was a re-organization of the provinces into larger administrative units, ruled by skillful as governors (*valis*) who were carefully selected and directly appointed by the Sultan himself. As state functionaries, these were given almost complete freedom of action and required to consult with Istanbul only on matters of prime importance. Leaving the *valis* a wide margin for independent action and responsibility was intended to provide the Ottomans with greater efficiency in ruling the provinces, in parallel with the general aims of the Porte's centralization policy.¹¹

The *Vilayets* Law stipulated that the vast area of the empire would be divided into a number of administrative units called *vilayets*,¹² with the *vali* in full charge of all political, financial, judicial, military and public affairs in the *vilayet*. Each *vilayet* was further divided into a number of *livas* (*sanjaks*) headed by a *mutasarrıf*, also appointed by the Porte, who was expected to run all the financial, military and political affairs in his jurisdiction and to see to it that court decisions in the *liva* were duly carried out.¹³ The *mutasarrıf* was accountable to the *vali*. Each *sanjak*, in turn, was divided into *kazas*. The largest town of the *kaza* served as the *kaza* center and the

¹⁰Beshara Doumani, *Rediscovering Palestine, Merchants and Peasants in Jabal Nablus 1700-1900*, (Berkeley and Los Angeles: University of California Press, 1995), 45-46.

¹¹Bernard Lewis, *The Emergence of Modern Turkey* (London-Oxford-New York, 1968), 388.

¹²Al-Dustur, *Arabic translation from Turkish original*, NawfalNawfal (Beirut, 1301 AH), vol. 1, 382.

¹³ *Ibid.*

residence of its head, the *kaimakam*. *Kazas* were further subdivided into *nahiyas* (*nahiye*), each of which incorporated a number of villages. Villages had their own internal administration which, depending on the size and composition of the village, was run by one or two *mukhtars* who were chosen by the inhabitants but who needed the approval of the *kaimakam*.¹⁴ Semantically, the changes from the previous form of organization may seem slight. For instance, the head of the *liva*, previously called *kaimakam*, was now called *mutasarrif*, while *kaimakam* became the new title of the head of a *kaza*, who was formerly called *müdür*, and *müdür* itself became the new title of the government's own functionaries as well as of no longer influential local notables. However, the importance of these changes, extended far beyond the formal sphere.

In 1871 an amendment was introduced when the original *Vilayets* Law was found to be too imprecise in the way it had set down the spheres of responsibility for each of the officeholders. In effect, the 1871 legislation redefined the authorities of all the provincial administrators, from the *vali* down to the rural *mukhtar*.¹⁵ In the amendment's preamble it said: "The basic organization of the *vilayets* has been laid down in the 1864 *Vilayets* Law ... This Law [1871] defines the spheres of action of officeholders, administrative councils (*majlis al-idara – meclis-i idare*), the municipalities and the *nahiya* (*nahiye*) administration".¹⁶ However, when we compare the two legislations we find that what the amendment did was more than redefining the spheres of authority. Actually, the main objective of both the original *Vilayets* Law of 1864 and the amendment of 1871 was to arrive at an optimum level of direct and centralized rule from Istanbul.

¹⁴ For more details about the *mukhtar* and how he was chosen, see in *ibid.*, 390-392, and in Yazbak, *Haifa in the Late Ottoman Period*, 83-86.

¹⁵*Ibid.*

¹⁶*Dustur*, vol. 1, 396.

New administrative divisions in *Bilad al-Sham* and Palestine

The civil war in Damascus and Mount Lebanon in 1860 made it clear to the Ottoman government that there was a need to impose effective Ottoman control in *Bilad al-Sham* and to impose internal unity.¹⁷ It consolidated the *vilayets* of Damascus and Sidon (which also included the *vilayet* of Tripoli) and merged them into a single *vilayet* called the "*Vilayet* of Syria." It extended the administrative borders of this new *vilayet* from southern Aleppo to Aqaba and from the Mediterranean to the desert (except for Mount Lebanon).¹⁸ The Sanjak of Jerusalem was re-annexed to the *Vilayet* of Syria.

The Grand Vezir Mahmud Nedim Paşa, who ascended to power in 1871, adopted a different philosophy of reform and a different view of the most effective policies to preserve the unity of the Ottoman Empire. Immediately after his ascension to power Nedim Paşa separated the *sanjak* of Jerusalem from the *vilayet* of Damascus in July 1872 and re-formed it as an independent *sanjak* directly linked to Istanbul.¹⁹ The independent *sanjak* of Jerusalem included the *sanjaks* of Nablus (Balka') and 'Akka (Acre). The European consuls used to call this *sanjak* as "the *Vilayet* of Palestine".²⁰ This arrangement lasted only a month and the Ottoman government abolished the independent *sanjak* of Jerusalem or the "*Vilayet* of Palestine." Alexander Schölch believed that the confusion of the Ottoman administration over the *sanjak* of Jerusalem resulted from a conflict between two different political views about how to cope better with European ambitions. Holders of the first view believed that the *sanjak* of Jerusalem ought to be annexed to the *Vilayet* of Syria

¹⁷ For detailed studies about the civil war in Lebanon in 1860 and its social and political effects, see, Leila Fawaz, *Merchants and Migrants in Nineteenth Century Beirut* (Cambridge: Harvard University Press, 1983); Linda Schilcher, *Families in Politics, Damascus Factions and Estates of the 18th and 19th Centuries* (Stuttgart: F. Steiner, 1985).

¹⁸ Butrus Abu Manneh, "The Establishment and Dismantling of the Province of Syria, 1865-1888", in *Problems of the Modern Middle East in Historical Perspective*, edited by J. P. Spagnolo, (Reading: Ithaca Press, 1992), 24.

¹⁹ Abd al-Aziz Muhammad Awad, *al-Idara al-'Uthmaniyya fi Wilayat Suriyya, 1864-1914 Ottoman Administration in the Vilayet of Syria, 1864-1914*, (Cairo, 1969), 39.

²⁰ Schölch, *Palestine in Transformation*, 13.

and holders of the second preferred to separate it. When Grand Vezir Mahmud Nedim Paşa became aware of the dangers that could potentially arise from the establishment of an independent *vilayet* or *sanjak* centred on Jerusalem, which would include all the Christian and Jewish holy sites in Palestine, especially Safed, Tiberias, Nazareth, Jerusalem, Bethlehem and Hebron, he probably changed his mind and revoked his previous decision.²¹ This episode suggests that the Ottoman authorities were trying to make the European penetration of Palestine more difficult through such administrative decisions.

Two years after the abolition of the *sanjak* of Jerusalem, the Ottoman government was convinced once again that it could only protect Jerusalem from the ambitions of Western countries by attaching it directly to the central government in Istanbul. The *salanname* (Ottoman yearbook) for the year 1291 (1874) mentioned the establishment of an independent *mutasarifiyya* of Jerusalem (Kudüs *Mutasarrıflığı*), which included the four southern and central *kazas* of Palestine: Jerusalem, Jaffa, Hebron, and Gaza. This arrangement endured for almost four decades.²² In 1899 the new *kaza* of Beeralsabi' was established as an administrative center on the Egyptian border within the *sanjak* of Jerusalem. In 1900, the Ottoman Empire established this *kaza* and the new city of Beeralsabi' to strengthen its control of the Bedouin population in southern Palestine.²³

²¹ About the policy of the Grand Vezir, Mahmud Nedim Paşa see, Schölch, *Palestine in Transformation*, 13-20.

²²In a short period between June 1906 and July 1909, the *kaza* of Nazareth was annexed to the *sanjak* of Jerusalem after its separation from the *liva* of Acre and the *vilayet* of Beirut. Istanbul took this step to satisfy European pressure to facilitate the movement of European visitors to holy sites in northern and southern Palestine, see The National Archives, Public Record Office (TNA PRO), London, FO372/34, No. 7, 24 July 1906; FO 195/2321, No. 63, Jerusalem 26 July 1906.

²³ 'Awad, *Ottoman Administration*, 21. For a detailed study of the establishment of the Bedouin tribes in southern Palestine and the establishment of Beeralsabi', see 'Arif al-'Arif, *Tarikh Beeralsabi' wa-Qabailiha* (History of Beealsabi' and its tribes) (Jerusalem, 1934). Al-'Aarif was an Ottoman official and served during the Mandate period as governor of the city.

The *Vilayets* Law did not introduce new administrative divisions. The division of the *vilayets* into *livas* and the *livas* into *kazas* and so on was known and practiced long before the enactment of this law. What the State did in keeping with this law was nothing more than a restructuring of the administrative divisions of the existing *vilayets*. Some *vilayets* were merged with others and new *vilayets* emerged. *Bilad al-Sham* was directly affected by this law, and it was chosen as the first region to implement its contents: The *vilayet* of Saida, with its capital at 'Akka since the late 18th century, was abolished. The *vilayet* of Syria emerged instead in 1865, comprising the former *vilayets* of Saida and Damascus. Its administrative borders extended from southern Aleppo in the north to the borders of the Sinai peninsula in the south (except for the *mutasarifiyya* of Mount Lebanon, which maintained its special status). The establishment of the *vilayet* of Syria was part of the efforts of the Ottoman Empire to protect itself from the economic and political penetration of the West.²⁴

According to the *Vilayets* Law, northern Palestine became part of the newly established *vilayet* of Syria. Administratively, the northern part of Palestine, which was within the jurisdiction of the *vilayet* of Syria, included three *sanjaks*: 'Akka, Balka (Nablus and parts of Eastern Jordan) and Jerusalem. In 1874, the Ottoman government made a significant change regarding the administrative affiliation of the *sanjak* of Jerusalem: it separated the *sanjak* of Jerusalem from the *vilayet* of Syria and made it an independent *mutasariffiya*, directly linked with the Ministry of Interior in Istanbul. The *mutasariffiya* of Jerusalem included four *kazas*: Jerusalem, which included the city of Jerusalem itself, and the *kazas* of Jaffa, Hebron and Gaza.

In effect, beginning from 1874 Palestine had two capitals: Jerusalem and Damascus. The central areas (Nablus Mountains) and northern Palestine (Haifa, 'Akka and the Galilee) were under the jurisdiction of the *vilayet* of Syria, with Damascus as its administrative capital. In turn, Jerusalem's administrative borders

²⁴Abu Manneh, "The Establishment", 8-16.

included all the areas of southern Palestine: Jerusalem, Jaffa, Hebron, Gaza, and the Beeralsabi' *kaza*, which was established in 1899.

In 1877, the Ottoman Empire established the *vilayet* of Beirut, separating it from the *vilayet* of Syria. This, in turn, brought about a significant change in the administrative division and affiliation of Palestine. The Ottoman state unattached northern and central Palestine from the *vilayet* of Syria, and adjoined them to the *vilayet* of Beirut. This division continued until the end of the Ottoman Empire.

Jerusalem: The birth of a new Palestinian *Sanjak*

As mentioned above, Palestine was unified under a single administrative unit for the first time in the modern era, when the *vilayet* of Jerusalem was established in July 1872 —albeit for a short period. The local Hebrew newspaper *Havatsselet* reported on 12 July 1872 that "the great prince [the Grand Vezir] ... has elevated Jerusalem's administrative level from a *mutasarrıflık* to a *vilayet*, and all the towns of Palestine have been attached to it... from now on, it will no longer be subordinate to the *vali* of Damascus... the much praised Süreya Pasha has been appointed *vali* [of Jerusalem]."²⁵ The "Vilayet of Palestine" included the Mediterranean Coast, the Galilee, the Nablus Mountains, the Jerusalem Mountains, the Hebron Mountains, and the *kazas* of Jaffa and Gaza. This was the initiative of the Grand *vezir* Mahmud Nedim, who was earlier a *vali* of Syria. Mahmud Nedim was fully aware of the administrative divisions in *Bilad al-Sham* as well as of the local and external challenges. At the beginning of August, the powerful Midhat Pasha was appointed governor of Syria. This appointment had a direct impact on the newly established *vilayet* of Jerusalem. Immediately after his appointment, Midhat Pasha dissolved the *vilayet* of Jerusalem and annexed the *sanjaks* of northern Palestine - Nablus and 'Akka- to the *vilayet* of Syria. As for the *sanjak* of Jerusalem (*Kudüs Mutasarrıflığı*), which included the southern *kazas* of Palestine, it was declared to be an unincorporated or independent *liva*, i.e. a *sancak ghayr-i mulhak* or

²⁵ *Havatsselet* (Hebrew newspaper), 12 July 1872, 1-2.

müstakil, which was not affiliated with any *vilayet* and instead was linked directly to the Ministry of Interior in Istanbul.²⁶

The successive decisions outlined above reflected the dramatic events that had affected Palestine, one of the strategically most important areas in the Ottoman Empire, in the decades preceding 1872. These events had been linked with two major crises that faced the Ottoman Empire: the Egyptian occupation of Palestine and *Bilad al-Sham* (1831-1840), and the Crimean War (1853-1856). Both events had resulted in the increase of European penetration and intervention in Palestine, sharpening the sensitivity of the Ottoman Empire towards these dangers.

Direct European intervention in Palestine and the expansion of its cultural and religious influence, beside European political ambitions, were a real threat for the future of Palestine. European countries cynically exploited the Capitulation (*imtiyazat*) agreements, placing great pressure on the Ottoman authorities and extracting important concessions in response to this pressure. European subjects and institutions in the Ottoman lands acquired rights that made them appear to be above the law of the Ottoman Empire.²⁷ Indeed, the increasing European interest in Palestine as the Holy Land imposed enormous challenges on the Ottoman Empire. In response to these challenges, the central government directly attached Jerusalem to the Ottoman administration in Istanbul, hoping to face these threats and challenges more effectively.

Several studies that handle the question of Palestine in the late Ottoman period as well as the issue of its administrative divisions have revealed two opposing trends in the Ottoman government in Istanbul: on the one hand there was the trend represented by the

²⁶ Gerber, *Ottoman Rule*, 96-97. `Umar al-Barghuti and Khalil Tutah, *Tarikh Filastin* (A History of Palestine), (Jerusalem, 1923), 235; Butrus Abu-Manneh, "Jerusalem in the Tanzimat Period, the new Ottoman Administration and the Notables", *Die Welt des Islams* 30 (1999): 44. Abu Manneh has based his study on documents from the Başbakanlık Osmanlı Arşivi (Istanbul).

²⁷ Jones Bussöw, *Hamidian Palestine: Politics and Society in the District of Jerusalem 1872-1908* (Leiden and Boston: Brill, 2011), 48; see also Mahmoud Yazbak, "The Municipality of A Muslim Town: Nablus, 1868-1914," *Archiv Orientalni*, 67 (1999): 340.

Grand Vezir Mahmud Nedim, who supported the establishment of a "*Vilayet* of Palestine." The other reformist trend, which was supported by the Grand Vezir Medhat Pasha, who rose to prominence after Mahmud Nedim in 1872, supported the dismantling of the *Vilayet of Palestine* into various administrative units. The supporters of the first view believed that it was possible to address the European challenges by uniting Palestine under a single administrative unit and a single governor, with Jerusalem as its capital. Supporters of the other view believed that Palestine should be divided into more than one administrative unit and linked to different administrative capitals to prevent the penetration of undesirable Western presence in Palestine.

In fact, the cancellation of Mahmud Nedim's decision presented a compromise regarding the administrative status of Palestine: Administratively Palestine remained divided, but the administrative status of the city of Jerusalem and its *sanjak*, the focus of European interests, was modified so as to come under the direct control of the central government. The *sanjak* of Jerusalem maintained a full administrative apparatus similar to that of a *vilayet* administration. This step proves that the central Ottoman government was fully aware of the sensitivity of the situation of Palestine in the late nineteenth century, and that it dealt seriously with this situation.²⁸

Of course, the above-mentioned decision did not satisfy the European consuls, who expressed dissatisfaction through reports and telegrams they sent to their governments. In general, the European consuls supported the unification of Palestine under a single administrative unit, as this would facilitate the fulfillment of their tasks and ambitions. So the Ottoman decision to establish the *mutassarifiya* of Jerusalem was clearly intended to prevent them from doing so. It appears besides that the Ottoman decision also frustrated the local Palestinian elite of Jerusalem and elsewhere, as the

²⁸ For discussion of European Diplomacy and its religious and political interests, see, *Jerusalem Quarterly: Diplomacy in the Holy Land: New Sources, Themes and Topics*, 71 (Autumn 2017); For a survey of the chronological development of the European presence in Jerusalem, see, Scholch, *Palestine*, 47-75.

Palestinian elite of Jerusalem had hoped that their city would become the capital of a *vilayet*.²⁹

However, the Ottoman central authorities did not sit idle after their resolution of 1874 and re-examined it whenever Palestine was at risk. This was the case after the British occupation of Egypt in 1882. Subsequently, the need to strengthen the border between Ottoman Palestine and Egypt under British occupation increased, as did the need to invest more in protecting the Hajj main road to Mecca.

In 1890, the local Jerusalemite leaders reached a similar conclusion and sent a delegation to Istanbul to request the elevation of Palestine to the status of a *vilayet*. Although the Ottoman central government did not change its decision, Palestinian leaders repeatedly petitioned for Palestine to be united under a single administrative unit. The last petition in this direction was in June 1913, when members of the administrative and municipal councils of Jerusalem and Jaffa asked the Grand Vezir and the Ministry of Interior to make Jerusalem the capital of a *vilayet* and to raise the administrative status of Yafa from a *kaza* to a *mutasarifiya* because of its increasing economic importance.³⁰ Although the Ottoman government preferred not to establish a "Vilayet of Palestine" that would encompass all parts of geographic Palestine, as defined by the British mandate, the *Vilayets* Law and the establishment of the sanjak/*mutasarifiya* of Jerusalem still contributed to the formation of an integrated Palestinian identity because of Jerusalem's administrative, political and cultural status. In fact, Jerusalem was considered the de-facto capital of Palestine, even without a "Greater Vilayet of Palestine".

²⁹ Abu Manneh, "The Establishment", 51-52.

³⁰Filastin (newspaper), 11 June 1913, : 3.

New Institutions

The political plan behind the *Vilayets* Law was to establish, consolidate and strengthen the direct link between the central government and the subjects of the Sultan through local administrative bodies. The contents of the *Vilayets* Law and its applications, as manifested in the Ottoman yearbooks (*salname*), indicate a major change in the local Ottoman administration. This was manifested in the separation of the judicial, military and administrative authorities. Each of these administrative authorities included different administrative units, with their own hierarchy.³¹ At the head of the civil administration stood the governor (*vali* or *mutasarrif*), the judge (*kadi*) and the accountant (*muhasib*). In addition, the *salnames* mentioned the names of a number of the most specialized position holders, such as the *mufti*, the *tahrirat katibi* (chief secretary), the *evkaf emini* (director of endowments), and others. The size of the administrative body was increased and several new administrative posts were added to facilitate diversity and specialization in each administrative unit. Increasing the number of the administrative staff and its coverage of all aspects of governance and administration brought the government closer than ever before to large sectors of the population, and established direct contact between the subjects and the state representatives. Modern means of communication such as telegraphs, steamers and railways, adopted by the Ottomans in all *vilayets*, facilitated direct and efficient central control.

Establishing direct control over the country constituted the main goal of the Ottoman reforms (*tanzimat*), and was achieved in the *Vilayets* Law through the introduction of new hierarchical administrative institutions that linked all the subjects (*re'aya*) with the state officials. This goal was achieved only after the 1850s, when the central authority succeeded in integrating local leaders into the new Ottoman administration—a move that facilitated the state's control

³¹David Kushner, "The Administration of the Districts of Palestine According to the Ottoman Yearbooks, 1864-1914", *Osmanlı Arastirmaları*, no. 18 (1998): 134.

over the rural areas. In fact, the proclamation and application of the *Vilayets* Law of 1864 led to direct control by the state. As a result, traditional semi-independent rural leaderships had little option other than accepting modest posts in the new administration, like that of *mukhtar*, or membership in a marginal governmental institution such as the administrative council (*meclis-i idare*) or the council of elders (*meclis-ikhtiyariye*) in the *kaza* or *nahiye* level.³² These radical changes forced the rural political leadership to move to cities where administrative bodies acted and competed with the urban notables (*a'yan*).

The amended *Vilayets* Law of 1871 gave special attention to direct Ottoman control in rural areas, and provided a clear legal basis for that objective. The law stipulated that each village containing more than 200 households (*hane*) would form a *nahiye* (sub-district) within a *kaza* (district). Gradually, the Ottoman administration established *nahiyes* throughout Palestine, linking all the rural areas with representatives of the central government in neighboring cities. The *nahiye* administrative system also improved tax collection and security in those remote areas that were beyond the reach of the central authorities. The establishment of the *nahiyes* also led to the establishment of governmental offices (*saraya*) in rural centers, such as post and telegram offices and other modern governmental institutions and services that helped bring remote villages closer to modernity.³³

Political Representation and Social Changes

The *Vilayets* Law made several political changes, including a change in the method of nomination and appointment of members of the administrative councils (*mecli-i idare*). In particular, the administrative councils were composed of a number of *ex-officio* members. Other members, Muslims and non-Muslims, were elected

³²M. yazbak, *Haifa in the Late Ottoman Period*, 83-89.

³³Even remote *nahiyes* in the Nakab region of southern Palestine became accessible to government officials. For more on Bedouin tribes in the Nakab, see 'Arif al-'Aref, *The History of Beeralsabi' and its Tribes* (Jerusalem, 1934).

to the council by an election committee. Article 5 of the *Vilayets* Law described the process of electing the members of the Administrative Council in the *kaza* level. First, the Election Committee consisting of the *kaimkam*, the *kadi*, the *mufti*, the *katibs* (clerks), and the heads (*mukhtars*) of the non-Muslim communities was convened at the center of the *kaza*. This committee elected from amongst the residents of the *kaza* three times as many candidates as were required to make up the council; namely, nine candidates. Their names were then conveyed to the council of elders (*meclis-i ikhtiyariye*), who in turn selected from among these candidates twice the number required (six); this list was then returned to the election committee, which named the three final candidates. Each village had one vote and the candidates chosen for the council were those who had received the majority of votes.³⁴

In short, by allowing certain members of the public to eliminate the names of candidates from the lists that had been drafted by the central authorities, the *Vilayets* Law provided the Empire's subjects with some experience in political representation, however minimal. True, the law introduced the voting principle, but the agents of the central government still controlled the administrative councils. These were, of course, not popular elections. The authority to elect the candidates rested with the committee and the council of elders, and the members of these were selected only from amongst the political elite. This also meant that the council in no way represented all strata of society.

The municipal councils in Palestine's main cities were also affected by Ottoman reform efforts from the 1860s onward. Unlike the administrative council, all members of the municipal councils were elected and only the mayor was nominated by the governor of the district, the *mutassarif*, who himself was directly responsible to the governor of the province, the *vali*.³⁵

³⁴*Dustur*, vol. 1, : 389.

³⁵For a detailed study of municipal elections, see Mahmoud Yazbak, "The Municipality of A Muslim Town: Nablus 1868-1914," *Archive Orientalni: Quarterly Journal of African and Asian Studies* 67 (1999): 33-60.

According to the Municipalities Law, which was introduced in 1867, only those in the town who could show they had economic resources were eligible to take part in these elections. These were males aged 25 or older who had paid an annual property tax of at least 50 *kurush*. These criteria described in effect the economic and social elite, a minority among the townspeople. Usually, political competition to win offices took place only among members of this social minority. For example, fewer than 700 Muslims and 300 Christians took part in the municipal elections of Jerusalem at the end of the nineteenth century, out of a total population of some 30,000 males over 25 years old.³⁶

The property tax (*verko*) department would put up lists with the names of all those eligible to vote and able to run for office in all public places in town. Headed by the mayor, an election committee composed of two respected (*min mu'tabari al-ahali*) representatives of the different quarters was chosen by the *mukhtars* and the *imams* of the neighborhood to supervise and run the ballot. Since elections were held once every four years, the voters elected double the number of members required for the municipal council: half of them served in the first session (two years), and the others in the second. Because the election committee not only supervised the voting procedure but also had the power to choose which successful candidates would serve in the first session of the municipal council, various coalitions in the town put heavy pressure on the *mukhtars* and the *imams* to select their members and representatives.

In practice, the committee members reflected the balance of power in the town. Even though membership on the municipal council, as in other local elected governmental institutions, was unremunerated, it was still regarded by the members themselves, the community and the officials as recognition of their prominent social status within their society.³⁷ Being elected to the municipal council opened doors to other governmental institutions in the locality.

³⁶ Gerber, *Ottoman Rule in Jerusalem*, 61.

³⁷ Al-Najah University Archives, Nablus, *Records of majlis al-shura of Nablus*, vol. 1, case no. 80.

Members of the municipal council were usually chosen to manage local councils and institutions such as the Agricultural Bank, the Court of First Instance, the Orphanage Treasury, the Education Council, the Communications Council and other institutions.³⁸ Besides, by taking advantage of the respect and fame enjoyed by the elected members of local governmental institutions and the municipal council, this elite gained a real opportunity to influence the decisions of the municipal council and other local governmental councils so as to protect their interests as well as of the interests of their supporters and allies.

However, in an effort to consolidate its political hegemony in the town and in its rural areas, the urban elite created a new form of power base called *jam'iyya*.³⁹ A *jam'iyya* was a league of families or social groups who had common interests and who worked to ensure the election of their candidates to the local administrative institutions and parliament.⁴⁰

Thus an election process was in place in rural and urban Ottoman society by the time the Ottoman Parliament started its work for the first time in 1876. When the parliamentary elections were held, the Palestinian and more generally the Ottoman society had the experience of holding elections.

Jerusalem and the Elections of the Ottoman Parliament (Meclis-i Meb'usan)

The second constitutional period started in 1908, when the Young Turk regime reactivated the constitution of 1876 and the

³⁸ Mahmoud Yazbak, "Elections in Late Ottoman Palestine: Early Exercises in Political Representation", 35-55; Mahmoud Yazbak, "The Vilayets Law and its Impact on Palestine," in *1864 Vilayet Nizamnamesi*, edited by Erkan Tural and Selim Capar (Ankara: TODAİE, 2015): 149-164; Mahmoud Yazbak, "Nabulsi `Ulama in the Late Ottoman Period, 1864-1914", *International Journal of Middle East Studies*, 29 (1997): 71-91.

³⁹ Yazbak, "Nabulsi Ulama", 83.

⁴⁰For a detailed study of Ottoman Elections in Palestine, Mahmoud Yazbak, "Elections in Late Ottoman Palestine", 35-53.

Electoral Law that had been accepted in the first Parliament.⁴¹ Elections were held three times in Palestine, in 1908, 1912, 1914. The constitution provided for a parliamentary system that was composed of a nominated senate (*heyet-i a'yan*) and an elected chamber of deputies (*heyet-i meb'usan*). The Electoral Law stipulated that every Ottoman male above the age of thirty with a command of Turkish, the official language of the Empire, who met the property requirements, had the right to be elected deputy.⁴² Voting rights were restricted again to men over 25 years old who paid direct taxes.

The Ottoman election process was made up of a two-stage, indirect election. In the first stage, the primary eligible voters elected secondary voters, and in the second stage the elected became electors who voted for the actual deputies. The secondary electors who represented all geographical parts of the *mutasariffiya*, after being elected by the members of the public with a right to vote, were invited to convene in the central municipality to elect the deputies.⁴³

The *mutasariffiya* of Jerusalem covered four *kazas* with four urban centers: Jerusalem, Jaffa, Gaza, and Hebron. According to statistics culled from the local press, there were about 80,000 eligible voters in the *mutasariffiya*.⁴⁴ These were designated to elect 164 secondary electors, who elected three candidates for the parliament deputyship from a list of 22 candidates. Because the candidacy for deputyship was province-wide, it allowed secondary voters from a certain *kaza* to vote for candidates from other parts of the *mutasariffiya*. In this case, the strongest representatives of the traditional elite were likely to defeat the other candidates in the *kaza*. The elected deputies, Ruhi al-Khalidi and `Uthman al-Nashahibi,

⁴¹Hasan Kayali, "Elections and the Electoral Process in the Ottoman Empire, 1876-1919", *International Journal of Middle East Studies*, no. 27 (1995): 267.

⁴²For an Arabic translation of the Electoral Law see *al-Muqtabas* (newspaper), 28 December 1908.

⁴³ Detailed studies of elections in late Ottoman period, see Kayali, "Elections and the Electoral Process in the Ottoman Empire, 1876-1919", 260-274; Yazbak's, "elections" study mentioned above is based upon primary sources, especially the Ottoman municipal archives of the municipality of Nablus.

⁴⁴Filastin (newspaper), 10 February 1912; 17 April 1912; 23 March 1912; 27 April 1912; 30 April 1912.

both Jerusalem residents, received fewer votes in their hometown than the other candidates, but they were still able to beat their rivals in Jaffa, Hebron and Gaza due to the broad support they received in the other districts of the *mutasarifiyya*.⁴⁵

However, as the *mutasarifiyya* of Jerusalem included several *kazas* and various urban centers, competition for parliamentary elections produced new types of social and political struggles between the different urban centers of the *mutasarifiyya*. The political hegemony of Jerusalem from 1872 onwards, when the city became the capital of a separate *sanjak* directly attached to the Ministry of Interior in Istanbul, greatly contributed to the spread of the political clout of Jerusalem's traditional elite in other urban centers of the *sanjak*, thanks to the parliamentary elections.⁴⁶ This trend started in 1877, when Yusuf Diya' al-Khalidi was the only elected deputy from Palestine. Jerusalem's political hegemony became even clearer in 1908, when in the parliamentary elections of that year two of the *sanjak*'s three deputies came from Jerusalem. They were Ruhi al-Khalidi and Sa'id al-Husayni, members of established traditional elite families. The third was Hafiz al-Sa'id, a member of an old elite family from Jaffa. During the 1912 campaign, the CUP selected the elite candidates of Jerusalem, and ignored Jaffa and other urban centers in the *sanjak*. As a result, three parliamentary representatives were elected from the *sanjak* of Jerusalem: Ruhi al-Khalidi and 'Uthman al-Nashashibi, belonging to Jerusalem's old elite, and Ahmad 'Arif al-Husayni from Gaza, an ex-mufti representing the two branches of the large Husayni family in Gaza and Jerusalem.

The election of these three candidates to the parliament was the beginning of a stable trend that would become clearer in the following years, under the British Mandate, when Jerusalem's elite would entirely dominate the politics of Palestine. In other words, the 1912 parliamentary elections already singled out Jerusalem as the "political capital" of Palestine until 1948.

⁴⁵Ibid., 17 April 1912; 30 April 1912.

⁴⁶ For a detailed study of the rise of Jerusalem in the Late Ottoman era see, Abu-Manneh, "Jerusalem in the Tanzimat Period", 1-44.

Conclusion

The social changes in Palestine resulted from two different processes that interacted and mixed together since the middle of the nineteenth century: The Ottoman policy of centralization and the European penetration. While the new administrative offices and methods of nominating the staff were the same throughout the empire, their impact differed from one place to another depending on the social and political composition of an area prior to those changes. In the mountainous interior regions of Palestine, where semi-autonomy had prevailed for decades, the Ottomans had to use force to break the existing social structures before integrating these regions into the Ottoman Empire. As for the areas and cities of the Palestinian coast, in which local forces were weaker than those in mountainous areas, these were integrated more quickly into the new Ottoman system, without necessitating the use of force.

New administrative institutions provided great opportunities for the traditional non-governmental elite to become part of the local governmental elite. Wealthy merchants (*tujjar*), for the first time, played a key role in the city's management. They competed with the traditional ruling elites (*a`yan*) and succeeded on several occasions in replacing the traditional elites and acquiring control of politics and economy in the cities and surrounding rural areas. The new institutions also helped the Christian population integrate into the local elite. Using the new administrative procedures as leverage, the local Christian elites were able to integrate into the local administration, starting with important positions in local administration. As these changes accelerated only towards the end of the Ottoman era, their effects were more evident during the mandate period, when the merchant class, the new Christian elite and the emerging administrative elite played a key political role in Palestine as well as in *Bilad al-Sham*.

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