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The Mobility of Legal Education in the Tanzimat Period and Mekteb-i Hukuk-ı Şahane

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ABSTRACT Research Article

The law is one of the basic and vital foundations that the human species needs to ensure the order existing in nature between individuals in a "just" manner. Law has been an instrument of education in the context of acquiring and learning the awareness of rights as well as rights acquired from birth. In this study, the mobility of the legal education applied during the Tanzimat period of the Ottoman Empire is explored. The establishment of the Encümen-i Daniş and Darülfünun and the deployment of legal education within the higher education model during the construction of the modern academic system are addressed chronologically. The establishment, curriculum, administration/teaching staff, and student profile of the Mekteb-i Hukuk-1 Şahane, which started its education activities as an independent school, are analysed. The graduates of the school, with their identities as jurists, were involved in many different activities that had significance in the history of Turkish law. In this regard, the lives of many graduates could be analysed as topics that will enrich the research conducted on the history of law. Historical analysis method was used in the study and also the data were obtained by scanning the education and state yearbooks. Document analysis method was used in the analysis of the obtained data.

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Introduction

As a concept as ancient as the history of mankind itself, law, which passed into the Turkish language from Arabic as *hukuk* and is used as the plural of the word "right", is a concept that can be interpreted within the framework of "having, using, doing, or not doing something" along the axis of individuals' relationships with themselves and their environments (Işıktaç, 1998). It is one of the basic and most vital foundations that the human species needs to ensure the order existing in nature between individuals in a "just" manner. Law has been an instrument of education in the context of acquiring and learning the awareness of rights as well as the rights acquired from birth. Political powers have attached importance to law education and jurists in order to establish and maintain order. The establishment of law can be equated with the establishment of order and the establishment of peace and prosperity.

Since antiquity, the political institutions that constitute state order have implemented a variety of laws in order to protect the established order in society in the name of law. These laws have sometimes derived their power from a king and sometimes from a religion. Apart from the diversity of the source of law, the principle of consensus among individuals and society serves as one of the basic elements for the applicability of law. Ancient Greece, Rome, pre-Islamic Turkic states, and Turkic Islamic states were able to maintain their political and military power to the extent of the consensual applicability of the law (Arıtürk, 2020). The legal system of the Ottoman Empire was built with an understanding centred on Islamic law. The education of jurists who would establish the law was carried out in madrasas, which were the traditional educational institutions of the previous Islamic states. Sahn madrasas, which were established during the reign of Mehmed II, had a character that can be described as traditional, apart from other specialised madrasas. Legal knowledge was presented in madrasas within the framework of the knowledge of the Holy Qur'an, hadith, and figh, which were characterised as "ulum-1 aliye" or the religious sciences. In the madrasas developed during the reign of Suleiman I, courses were held in the specialised faculties of dar al-hadith, medicine, rhetoric, natural sciences, religion, law, and literature. An individual who graduated from one of these madrasas would become a mudarris, or teacher, and could also take on the task of regulating the law as a gadi if desired (Kazıcı, 2021).

Legal education within the educational system of the Ottoman Empire was presented in academic studies [Arıtürk, (2020); Koyuncu, (2012); Kansu, (2006); Sakaoğlu, (2018)] at

different levels. In the literature, the mobility of legal education in the Tanzimat period has particularly been tried to be understood holistically within the framework of the "Hukuk Mektebi" or Law School, but the "Mekteb-i Hukuk-1 Şahane", which was named independently during the reign of Abdülhamid II, has not been sufficiently analysed within its own framework. This study aims to provide a brief explanation of the mobility of legal education in the Tanzimat period, which constitutes a short period in Ottoman legal education, and then to introduce the Mekteb-i Hukuk-1 Şahane, which was established independently, from different perspectives. In this context, the establishment process of the school and its founding charter, curriculum, administration and teaching staff, and student and graduate profiles are examined in detail. The study will present the data on the Mekteb-i Hukuk-1 Şahane in a holistic manner. At the same time, the graduates of the school will be published collectively for the first time. In this respect, it will contribute to the diversification of academic studies in the future, especially in terms of analyzing the graduate profile of the school.

Method

Model

Qualitative research in social sciences can be defined as a process based on scientific data that results from the planning of "a qualitative process in which qualitative data collection methods such as observation, interview and document analysis are used to reveal perceptions and events in a realistic and holistic manner in a natural environment" (Yıldırım & Şimşek, 2013). Qualitative research takes place on the basis of theory building and flexibility with the environment in which social phenomena are related (Robson, 2017). In this study, historical research method, one of the qualitative research methods, is used. Historical research is carried out by systematically collecting and evaluating data in order to understand and explain the action or actions that occurred in the past (Fraenkel & Wallen, 2012). Written documents providing data on targeted action and actions are reviewed by data reduction method (Özdemir, 2010).

Data Collection Tools

In this study, in which the mobility of legal education in the Tanzimat period and the activities of the Mekteb-i Hukuk-ı Şahane are analysed, the data sources presented below were used together with the other examined works as described here.

Yearbooks

Education Yearbook 1316/1898.

Education Yearbook 1317/1899.

Education Yearbook 1318/1900.

Education Yearbook 1319/1901.

Education Yearbook 1321/1903.

State Yearbook 1298/1881.

State Yearbook 1299/1882.

State Yearbook 1300/1883.

State Yearbook 1305/1888.

State Yearbook 1309/1892.

Newspapers

Ceride-i Mehakim 1296/1880(44).

Data pertaining to the topic of research were obtained by analysing the yearbooks and newspapers whose imprint information is given above. In this respect, the data obtained by document analysis and document scans were subjected to the data reduction process. Finally, the data were interpreted by giving them certain meanings.

Collection of Data and Analysis

In the analysis of the data in the research, the document analysis technique was applied together with the descriptive analysis technique. This approach adopts the form of evaluating and interpreting the obtained data within the framework of the previously determined theme (Kumar, 2011). All kinds of information, documents, records or statistics that will bring the research to a conclusion constitute data (Yurtseven, Erkul & Kekeç Morkoç, 2013). Document analysis method, which forms the basis of all kinds of document-based research, is a method that is at the center of research beyond being a supporter of research in many social science fields, including educational sciences (Ulutaş, 2015). Due to the nature of qualitative research, social scientists aim to describe data in detail. Such a description is an important element that provides a correct understanding of what is happening in the details of the past and the data (Kuş, 2009). The data of the analyzed documents were translated from Ottoman Turkish into contemporary Turkish and described.

The framework of the research is formed by the mobility of legal education in the Tanzimat period and the introduction of Mekteb-i Hukuk-ı Şahane.

Findings

Mobility of Legal Education in the Tanzimat Period

The general problems related to legal education and the inability of institutions to be sufficiently functional continued to increase in parallel with the problems experienced in other institutions of the state, and in the Tanzimat period, in the context of creating the modernising face of the state, there was a need for institutions and institutional arrangements that would train lawyers outside of the madrasas. In this framework, the Mualimhane-i Nüvvab or Mekteb-i Nüvvab stands out as the institution that trained lawyers for the gadi establishment (Koyuncu, 2012). Following the Tanzimat Edict or Imperial Edict of Reorganisation, the examination requirement imposed on qadi judges by the Tarik-i İlmîye Dair Ceza Kanunnamesi could not be implemented, and it was applied to new qadi judges who were about to start their careers. This school, which was established during the Tanzimat period in order to train judges of sharia based on the concept of "naib" or regent instead of qadi, was opened on 17 August 1855 near Süleymaniye Mosque. When the desired results could not be obtained from the new regulations that had been passed in April 1855, it was established as a school where the training of naibs could be carried out in a short time and it continued its activities as the Mekteb-i Kudat until 1924 when the sharia courts were closed (Yurdakul, 2019). On the one hand, efforts were made to maintain law education and the training of jurists through such structures, but on the other hand, different plans were made for new educational institutions that would be able to compete with modern educational structures. In addition to the nation/millet system that the Ottoman Empire had adopted for many years, in order to preserve its integrity, it also endeavoured to place the understanding of citizenship that had been disseminated with the Tanzimat process on a healthy foundation within the structural system.

As a result of the political, military, and social problems that the Ottoman Empire experienced in the 18th century, the formation and continuity of institutions to train individuals at the level of their international contemporaries with appropriate equipment in the context of the idea of modern innovation in the institutional sense seemed inevitable. In this regard, especially during the reign of Selim III, military higher education institutions were

established to train personnel to meet the needs of military institutions. However, in the 19th century, the transformation of the state only in military terms was recognised as being insufficient for the survival of the state, and the idea of establishing institutions that would strengthen the civil bureaucracy, which had started to develop during the reign of Mahmud II, together with modern civil higher education institutions to meet the bureaucratic personnel needs became a dominant concern. In 1845, the members of the Meclis-i Maarif-i Muvakkat or Provisional Committee for Education, which had convened under the leadership of Sultan Abdülmecit, drafted an education plan that included higher education institutions, and the Meclis-i Maarif-i Umumiye, which convened in 1846, decided to establish a higher education model under the name of Darülfünun. In this respect, a building consisting of 127 rooms located in front of the Ayasofya and Sultanahmet Mosques was completed in 1863 in order to physically mobilise the educational model.

While the aforementioned process was being pursued with a plan that included legal education, the Encümen-i Daniş, which could be considered as the scientific board of the state at that time, was established in 1851 (Gündüz, 2020). This institution focused on determining the courses and books to be taught in the planned higher education model, together with the qualification criteria of faculty members (Bilim, 2002). Within the building completed in 1863, the Encümen-i Daniş started its teaching activities within the framework of free lectures with Hekimbaşı Salih Efendi's biology and Ahmet Vefik Pasha's philosophy of history courses. Although the variety of courses would subsequently increase, inadequate planning and the prejudiced reactions of the madrasa community led to limited interest in the new academic approach. The school building, which was insufficient to accommodate the necessary physical space, was allocated to the Ministry of Finance after some time. The school moved to a mansion in Divanyolu and had to suspend its education as a result of a fire in 1865 (Unat, 1964).

In order to prevent the failure of legal education, it was decided in 1870 to organise a school where civil servants could be educated about laws and regulations, and also a school where the clerks needed for the Ministry of Justice could be trained in a short time. The education duration of this school, referred to as "Kavanin ve Nizamat Dershanesi" in various sources, was planned as one year. An examination was planned to be held after the education processes were completed, and individuals who successfully obtained a diploma were planned to be employed in regular courts and civil servants' offices. In addition, it was desired that current clerks would be obliged to attend the school, receive gradual training in legal

knowledge, and eventually become qualified personnel. It was also deemed appropriate that the salaries of the teaching staff who would teach at this school be paid by the Divan-1 Ahkâm-1 Adliye Nezareti Celilesi. In this context, it can be inferred that the school was not affiliated with the Ministry of Education; rather, it would operate under the Ministry of Justice (Ergin, 1977(III-IV); Ayas, 1948).

In Articles 79-129 of the 1869 Maarif-i Umumiye Nizamnamesi, the status of the Darülfünun was determined in terms of its scientific, administrative, financial, and legal aspects and the missing aspect of higher education, including legal education, was resolved in the planning process. According to the planning, the academy was composed of philosophyliterature, law, and science-mathematics departments. Within the framework of legal education, the curriculum included the following courses: figh, usul-i fikth (principles of Islamic jurisprudence), Roma hukuku (Roman law), Fransız medeni kanunu (French civil code), usul-i muhakeme (principles of judgement), kara ve deniz ticaret kanunu (land and maritime commercial code), ceza kanunnameleri (criminal codes), usul-i muhakeme-i cinayet (principles of criminal offences), idare hukuku (administrative law), and milletler hukuku (international law). The education was planned to last for three academic years and, as can be seen from the range of courses, there was a goal of ensuring that individuals who completed their legal education would be equipped with a background in Western law (İhsanoğlu, 1990). The school started its teaching activities on 20 February 1870 in the building used by the Eminönü District Governor's Office next to the Mausoleum of Sultan Mahmud II with the participation of high-level administrators of the state. However, Jamal al-Din al-Afghani's remarks about industry during a lecture were deemed to be in contradiction with the dominant understanding of religion and a judicial investigation was opened, the principal Hoca Tahsin Efendi was dismissed, and the school was closed in the summer of 1871. It can be said that there was an unspoken defensive stance on the part of traditional state institutions towards the new higher education model, which included legal education, in the city of İstanbul. In this context, a different method was developed in order to remain faithful to the plans of the 1869 Maarif Regulation of the Darülfünun. In 1873, a Darülfünun-ı Sultani was planned for the Darülfünun as a complement to the Sultani and within the Galatasaray Sultani, where education had been carried out since 1868 (Kansu, 2016). In this respect, the same building and boarding house were used for the students of the Darülfünun-1 Sultani, which operated within the Galatasaray Sultani, together with the high school students, but the law curriculum determined in the 1869 Regulation was followed (Unat, 1964). The courses taught in this context were the principles of Islamic jurisprudence, mecelle (civil code), Roman law, principles of Roman law, criminal law, civil law, commercial law, political law, the beginning of law, economics, Arabic, and logic (Ergin, 1977(III-IV)). The school suspended law education for a while when Abdülhamid II ascended to the throne, the students who would graduate in the 1879-1880 academic year were required to prepare a doctoral thesis, and those who completed their theses were awarded doctoral degrees, while those who failed to complete their theses were awarded bachelor's degrees (Unat, 1964; Gündüz, 2020).

In 1880, Sadık Bey, Belilyan, Bezazyan, Zoryan, Unciyan, Korozyan, and Hristo Foridi graduated from the law department of the Darülfünun-ı Sultani. Sava Pasha, who served as the Minister of Foreign Affairs for a period, and Monsieur Kalitüs, the chief interpreter of the Belgian Embassy, also attended the school's classes (Ergin, 1977(III-IV)). Although it is thought that the school had graduates in 1881, the names of those graduates and details of their law education could not be found. It can be concluded that the Darülfünun Law Department, which was operating in the building of the Galatasaray Sultani, was merged with the current school in the same period because law education started being carried out in a different place and as a different institution under the name of Mekteb-i Hukuk-ı Şahane in 1880. The Mekteb-i Hukuk-ı Şahane continued its legal education activities independently until 1909, after which it was transformed into a faculty within the Darülfünun (İstanbul University) (Cihan, 2014; Topdemir, 2014).

Mekteb-i Hukuk-ı Şahane

Establishment Process

The Mekteb-i Hukuk-ı Şahane officially started its teaching activities in its new building in the corner of the garden of the Ministry of Justice in Ayasofya on 5 June 1880 with the opening speeches of Ahmet Cevdet Pasha, then the Minister of Justice. The idea that the school should be removed from the Galatasaray Sultani and operate independently had been proposed much earlier and the school's charter was drafted independently on 5 November 1878. Ergin argues that the reason why the school started to operate in an independent building with a delay of two years was the time it took to construct the building. The school continued its teaching activities in the specified building until the 1891-1892 academic year and in the building of the abolished Language School (Lisan Okulu) from 1892 until the declaration of the Second Constitutional Era in 1908. In the following period, it

continued its activities in the Zeynep Hanım Mansion located in Vezneciler as a faculty within the Darülfünun. In his opening speech, Cevdet Pasha addressed the students after chronologically describing the movement of legal education to the point that the school had reached: "Gentlemen, the science you will learn is of great value. You know that the Prophet did not come to teach rational sciences such as calculus, geometry, and chemistry; great prophets came to inculcate and communicate the laws of Sharia. I do not see the need for any further evidence in this regard". With these words, he expressed the importance of legal education to his audience (Ergin, 1977(III-IV)).

Foundation Charter

The founding charter of the school was prepared in 1878, during the phase of building and infrastructure works, within the framework of the law education programme of the Galatasaray Mekteb-i Sultani, consisting of thirty-five articles and seven chapters. The school's education period was planned to be three years, but it was increased to four years in 1887 after the school was opened (Cevad, 2002). The management of the school was affiliated with the Ministry of Justice in its founding charter, but as of 1886 it was affiliated with the Ministry of Education (Sakaoğlu, 2018). Teaching activities were determined as being daytime only and free of charge. The basic requirements for admission to the school were to be an Ottoman citizen and not to be younger than eighteen years of age. Furthermore, the stages of admission and completion were as follows: "It is obligatory to be able to write in the Ottoman language; to be well versed in the sciences of sarf and nahiv [spelling and grammar], logic, geography, and calculus; to have the necessary knowledge of the history of the Ottoman Empire in general; and to present a certificate bearing the seals of two reputable people stating that [the prospective student] is of good character and good behaviour. Students who have obtained a certificate from other schools, schools of higher education, Sultani schools, and schools of secondary education are admitted without examination. Although the class examinations of the students are held every year, those who have completed their education and will receive a certificate of graduation are also obliged to take a separate public examination. After being employed for three months in the judiciary, three months in the muhakim-i hukukiye, and three months in the muhakim-i nizamiye, the students who have a certificate of graduation from the school are qualified to work in the basic judiciary of the district and the provincial judiciary, in the office of the district attorney, in the office of the

deputy district attorney, and in the office of the deputy attorney general, and they achieve gradual advancement in the judicial service" (Education Yearbook, 1316/1898).

Curriculum

The school's 1880 curriculum envisaged a total of 20 class hours per week, including 5 hours on the provisions of the mecelle and civil procedure, 4 hours on criminal law, 3 hours on commercial law, 2 hours on land law, 1 hour on the introduction to law and philosophy of law, and 5 hours on French (Ceride-i Mehakim, 1880(44)). The 1898 and 1903 curricula are given in the table below.

Table 1Curricula (Education Yearbook, 1316/1898: 83-85; 1321/1903: 92)

Year of study	Courses	Weekly Course Hours		Total	
·	•		1903	1898	1903
	Mecelle-i Ahkâm-ı Adliye (Civil Code)	3	4		
	Ceza Kanunu (Criminal Code)	3	1		
First year	Hukuk-u Düvel (International Law)	2	2	11	13
·	Hukuk-u İdare (Administrative Law)		2		
	Kitabu'n-Nikâh (Marriage Contracts)	1	4		
	Mecelle-i Ahkâm-ı Adliye (Civil Code)	4	4		13
	Vesaya ve Feraiz (Custody and Inheritances)	1	1		
Second year	Hukuk-u Düvel (International Law)	2	2	13	
	Hukuk-u İdare (Administrative Law)	2	2		
	Usul-ü Muhakemat-ı Cezaiye (Principles of Criminal Offences)	4	4		
	Mecelle-i Ahkam-ı Adliye (Civil Code)	4	4		
	Usul-i Fıkıh (Principles of Islamic	1	1		
	Jurisprudence)	1	1		
	Usul-i Muhakemat-1 Hukukiye	2	2	14	
TP1.11	(Principles of Legal Judgement)	3			10
Third year	Ahkam-1 Evkaf (Law for Foundations)	1		14	12
	Ceza Hukuku (Criminal Law)	2	3		
	İcra Kanunu (Enforcement Law)	1			
	Ticaret-i Berriye Kanunu (Law on Trade and Commerce)	2	2		
Fourth year	Tanzim-i İlamat-ı Hukukiye (Executive				
	Regulation of the Law)	3	3		
	Tanzim-i İlamat-ı Cezaiye (Executive	2	2		
	Regulation of the Criminal Code)	3	3		
	Arazi Kanunu (Land Law)	2	2	1.4	1.4
	Usul-i Fıkıh (Principles of Islamic			14	14
	Jurisprudence)	2	2		
	Kitabü'd-Diyat (Book of Regimes)	2	2		
	Ticaret-i Bahriye Kanunu (Law on				
	Trade and Maritime Affairs)	2	1		

Mukayese-i Codes)	Kavanin	(Comparative	1		
Total Course Hours				52	52

The education period, which was planned as three years in the school's foundation programme, was increased to four years after 1887. The course hours of Mecelle-i Ahkâm-1 Adliye (Civil Code), Ceza Hukuku (Criminal Law), Kitabü'n-Nikâh (Marriage Contracts), Ahkâm-1 Evkaf (Law for Foundations), İcra Kanunu (Enforcement Law), and Mukayese-i Kavanin (Comparative Codes) were adjusted and savings were made in terms of teaching integrity. Although there were changes in the numbers of annual course hours of the programme, the total number of course hours for the students remained unchanged. This may indicate that institutional harmony was achieved in the teaching process.

Administration and Teaching Staff

Mehmet Emin Efendi was assigned as the first principal of the school. He had been born in Germany and was originally a German jurist, having worked as a teacher in London and Paris for a while. When he came to Istanbul on one occasion, he became a Muslim and started to use the name Mehmet Emin. During his stay in İstanbul, he first gave law lectures in the Bab-1 Ali (Sublime Porte) translation office. He lived as a single, lonely man and was appreciated in educational circles as an individual with a disciplined character. He served as the principal of the school for about ten years. During this time, the school gained an institutional character thanks to him. He took close interest in the quality of education at the school, followed the lectures given at the school at that time by high-ranking individuals such as Minister of Education Münif Pasha and Kazasker of Rumelia Ali Haydar Efendi, and often criticised those individuals' lectures in terms of formation. In this respect, he may have wanted to improve the quality of teaching. Aristidi Yorgiyadis, who was the valedictorian of the 1877-1878 academic year, was thought to have been the first valedictorian. The media of the time portrayed Emin Efendi as the culprit of some unfair practices. For these reasons, he was dismissed by Cevdet Pasha, the Minister of Justice in that period (State Yearbook, 1298/1881; Ergin, 1977(III-IV); Yörük, 2008). After Emin Efendi, Aziz Bey, the principal of the Mekatib-i Aliye, was appointed as acting principal in 1888 and as principal in 1890. Aziz Bey's principalship can be considered as a continuation of the transition period in terms of administration. He was dismissed in 1891 due to having an excessive number of tasks (Yörük, 2008).

Mehmet Kazım Efendi, who was the principal of the school for many years after Emin Efendi, was from a family originally from Kazan and was born in 1859 in İbradı (Antalya/Akseki). After graduating from the Rüştiye school, he completed his religious studies in Arabic at Süleymaniye Mosque and graduated from the Mekteb-i Hukuk-ı Şahane in 1886 with the 6th degree. In the same year, he was appointed as the deputy director of the school, and in 1891 he was appointed as the director of the school. In addition to his administrative duties at the school, he served as the minute clerk of the second law department of the Dersaadet Bidayet Court (Court of First Instance) and the first-class minute clerk of the law department of the Court of Appeals, deputy chief attorney general of the Court of Appeals in 1890, member of the Maritime Commercial Court in 1893, member of the Second Commercial Court in 1896, and president of the second law department of Beyoğlu in 1898. In addition to his position as a school principal, as a teacher he taught enforcement law, land trade law, civil procedure, and administrative law (Education Yearbook, 1318/1900).

Table 2School Administrative Staff (1892-1908) (State Yearbook, 1309/1892: 374; 1326/1908: 540, Education Yearbook, 1317/1899: 628; 1321/1903: 93)

Name	Staff	
Kazım Efendi	Principal	
Şevki Bey	Assistant Principal	
Hasan Lütfi Efendi	Inspector	
Sait Bey	Clerk	
Necati Bey	Accounting Clerk	
Hüseyin Hüsnü Ağa	Janitor	

Ahmet Faiz Efendi, a member of the education council, was appointed as the second principal. Fevzi Efendi was also appointed as assistant clerk. Kazım Efendi, Şevki Bey, Sait Bey, and Necati Bey continued to serve in the school administration for many years (State Yearbook, 1326/1908).

Table 3School Teaching Staff (1882-1903) (State Yearbook 1299/1882: 228-229; 1300/1883: 159-161, Education Yearbook 1321/1903: 93-94)

Courses	1882	1883	1903
Usul-i Fıkıh ve Mecelle (Principles	Abdüssettar Efendi	Haydar Efendi	Ali Haydar Efendi
of Islamic Jurisprudence and Civil	Abdussettal Elelidi	Haydai Elelidi	Ali Haydai Elelidi

Code)			
Hukuk-u İdare ve Hukuk-u Düvel (Administrative Law and International Law)	Hasan Fehmi Efendi	Hasan Fehmi Paşa	İbrahim Hakkı Bey
Hukuk-u Düvel ve Uhûd (International Law and Agreements)	Hasan Fehmi Efendi		Hasan Sırrı Bey
Usul-i Muhakemat-ı Hukukiye ve Tanzim-i İ'lamat-ı Hukukiye ve İcra Kanunu (Principles of Legal Judgement and Executive Regulation of the Law and Enforcement Law)	Cevdet Paşa Tahsin Bey	Tahsin Efendi	Kazım Efendi
Ceza Kanunu (Criminal Code)	Kostaki Efendi	Haçaryan Efendi Kostaki Efendi	Nazım Bey
Ahkâm-ı Evkaf ve Arazi Kanunu ve Miyaru'l-Adale (Law for Foundations and Land Law and the Measure of Justice)	Ahmet Hamdi Efendi Ömer Efendi	Şükrü Efendi	Hüseyin Hüsnü Bey
Mecelle (Civil Code)	Abdüssettar Efendi	Haydar Efendi	Haydar Bey
Ticaret-i Bahriye Kanunu (Law on Trade and Maritime Affairs)	Şahbaz Efendi		Yanko Vitinos Bey
Ticaret-i Ber'iyye Kanunu (Law on Trade and Commerce)	Hasan Fehmi Efendi Şahbaz Efendi	Rıfat Bey Şahbaz Efendi	Celal Bey
Usul-i Muhakemat-1 Cezaiye (Code of Criminal Procedure)	İsmail Bey	Kostaki Efendi	Yorgaki Efendi
Hukuk-u Düvel (International Law)	Hasan Fehmi Efendi	Münif Paşa	Tevfik Bey
Mecelle ve Kitabü'n-nikah (Civil Code and Marriage Contracts)	Ömer Efendi		Mahmut Esat Bey
Hukuk-u İdare (Administrative Law)		Said Bey	Tevfik Bey
Ceza Kanunu (Criminal Code)			Aziz Bey
Kitabü'n-nikah (Marriage Contracts)			Süleyman Sırrı Efendi
Kitabü'l-vesaya ve Feraiz (Book of Custody and Inheritances)		Ömer Efendi	Elhac İsmail Hakkı Efendi
Mecelle (Civil Code)	Cevdet Paşa Ömer Efendi	Abdüssettar Efendi	Musa Kazım Efendi
Muallim Muavini (Teaching Assistant)	23332 23333		Saib Efendi
Baş Belletmen (Head Teacher's Aide)			Fevzi Efendi
Belletmen (Teacher's Aide) Belletmen (Teacher's Aide) Belletmen (Teacher's Aide) Belletmen (Teacher's Aide)			Cemal Efendi Hasan Basri Efendi Kemal Efendi Rıza Efendi

In the first year of the school, Cevdet Pasha, the Minister of Justice, and Ömer Efendi, a member of the Mecelle Committee, taught Mecelle-i Ahkâm-ı Adliye and Usul-i Muhakeme-i Hukukiye; Kostaki Efendi, the Chief Prosecutor of the Court of Appeal, taught Criminal Law; Hasan Fehmi Efendi, the Minister of Public Works, taught Commercial Law; Abdüssettar Efendi, a member of the Mecelle Committee, taught Land Law and Land Registry Regulations; and Münif Pasha, the Minister of Education, taught Introduction to Law

and Philosophy of Law (Ceride-i Mehakim, 1880(44); Doğan, 2012). In 1881, Sait Bey and Recai Efendi taught French, Ekrem Bey taught Turkish literature, and Sami Bey taught Arabic literature (State Yearbook, 1298/1881). In 1903, in addition to the other courses, a new course was added and Memduh Bey taught Tanzimat-ı İlamat-ı Cezaiye (Education Yearbook, 1321/1903).

Student Profile

Most students of the school were graduates of idadi or sultani schools. These students were admitted without examination, while those who were not were admitted on the condition that they had two letters of reference and met the qualification requirements (Education Yearbook, 1316/1898). While the number of students was around two hundred at the time of the school's establishment, it reached six hundred in the early 1900s. This reflects an increase in interest due to the growing need for legal education. In the 1887-1888 academic year, the number of first-year students was 95, second-year students 63, and third-year students 77. Thus, although the first-year quotas were high, there was a decrease in the number of students continuing to the next year. Only 28 students graduated from among those 77 students enrolled in the final year of study in the 1887-1888 academic year. Thus, it can be understood that education quality standards were kept at high levels and not every student could graduate. Based on the graduation percentages of non-Muslim students among the graduates, it can also be said that the non-Muslim student population gradually decreased in the following years compared to the first years of the school.

After graduation, the students who studied at this school served their country in the field of law or in other fields. For instance, Mahmut Esat Efendi, who graduated in second place in the 1885 academic year, was from Seydişehir and belonged to the Çopur Kadıoğulları family, which was known for its jurist background. He was exceptionally admitted to both the madrasa and the Erkan-1 Harbiye as a civilian by the decision of the commission. While continuing his law studies at the school, he also worked as a Turkish and religious studies teacher at the Gülhane Military School. After his graduation, he served in many positions as a bureaucrat, and in 1915 he was a member of the parliament, representing Isparta (Erdoğdu, 2009). More detailed academic studies could be produced on the graduate profile of this school, where many students such as İbnülemin Mahmut Esat Efendi were educated. There is also demographic information on the hometowns of the students. For instance, 17 of the 46

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¹ See Appendix: Graduates of the school.

students who graduated in 1885 resided in İstanbul. The other students came from Seydişehir, Edirne, İzmir, Samako, Crimea, Kayseri, İçel, Constanta, Argiri, Eğin, Safranbolu, Akseki, Erzincan, Tripolitania, Tokat, and other regions. Approximately 30% of the students came from İstanbul, while the rest came from different parts of the country. This situation was similar in the other years when the school had graduates (Education Yearbook, 1318/1900).

Table 4Number of Students (State Yearbook 1305/1888: 231; Education Yearbook 1317/1899: 629-653; 1318/1900: 699-701; 1319/1901: 94-95; 1321/1903: 94-99)

Voora		Students			Graduates	
Years	Muslim	Non-Muslim	Total	Muslim	Non-Muslim	Total
1885				38	8	46
1886				48	10	58
1887				24	8	32
1888			235	20	8	28
1891				42	24	66
1892				14	18	32
1893				25	11	36
1894				28	7	35
1895				49	9	58
1896				44	9	53
1897				43	4	47
1898				50	2	52
1899	611	54	665	44	6	50
1901	582	51	633	87	8	95
1902	612	69	681	66	5	71

A total of 759 students graduated from the school between 1885 and 1902. Some of the graduates passed away shortly thereafter. The majority of the non-Muslim graduates worked as lawyers. The Muslim graduates, on the other hand, held various positions within the judicial organisation of the state, including positions within the court presidency, court membership, judge, chief prosecutor, prosecutor, assistant prosecutor, and minute clerk. The individual duties of the graduates of the first semester can be listed as follows: Sabit Efendi, the valedictorian of 1885, was a member of the Dersaadet Bidayet Court; Süleyman Suphi Efendi, the valedictorian of 1886, was a lawyer for the Şehremaneti; Ahmet Reşit Efendi, the valedictorian of 1887, was the Deputy Governor of Adana; Aristidi Yorgiyadi, the valedictorian of 1888, was a lawyer for the Ministry of Education; the 1891 valedictorian, Hüseyin Hüsnü Efendi, served as the Inspector of Justice in Beirut; the 1892 valedictorian, Ahmet Cevdet Efendi, served as the Proprietor and Chief Writer of the *İkdam* newspaper; and the 1893 valedictorian, Mehmet Sunullah Efendi, died at a young age. Mahmut Refik Efendi, the 1894 valedictorian, worked as a lawyer; Ali Fuat Efendi, the 1895 valedictorian, worked

as the Director of the Letter Department of the Ministry of Justice; Mehmet İzzet Efendi, the 1896 valedictorian, worked as a notary in Üsküdar; Osman Talat Efendi, the 1897 valedictorian, worked as a lawyer; Mehmet Hazım Efendi, the 1898 valedictorian, worked as the Chief Clerk of the Ministry of Justice's Umur-1 Ceza Kalemi (Criminal Affairs Department); and Mehmet Muhlis Efendi, the 1899 valedictorian, passed away. Mehmet Fuat Efendi, the valedictorian of 1901, served as the deputy chief prosecutor of the Gallipoli Bidayet Court. Some graduates were also active as educators in addition to their other professional pursuits. In this context, Mehmet Kazım Efendi, who graduated in 1886, worked as the director of the Mekteb-i Hukuk-1 Şahane; Mehmet Tevfik Efendi, who graduated in 1897, worked as a teacher of the law of nations; Hikmet Efendi, who graduated in 1896, worked as a teacher at the Thessaloniki İdadi School; Mehmet Behram Efendi, who graduated in 1897, worked as a teacher at the Mekteb-i Sultaniye; and Mustafa Mazhar Efendi, who graduated in 1898, worked as a writing teacher at the Mekteb-i Tıbbiye-i Şahane (Education Yearbook, 1318/1900; 1319/1901; 1321/1903).

Discussion and Results

The Ottoman Empire achieved its status as a great state in history by strengthening its organisational structure and successfully implementing social peace through law. Starting from the New Age, developments such as the shifting of the axes of power in the world, the strengthening of the rivals of the Ottoman state, and the influence of intellectual movements on societies led to inevitable changes in the Ottoman Empire in parallel with the changes in the broader world. Following the Ottoman military defeats, starting from the 18th century, the opening of educational institutions modelled after Western education institutions necessitated restructuring in other fields. The administrative and judicial reforms that started with Selim III and Mahmud II were reflected in the legal education movement during the Tanzimat period. Legal education also found a place in the Encümen-i Daniş, which was created as an academy of sciences, and in the educational structure developed by this board.

The desire to meet the need for personnel in various institutions of the state and especially in the Ministry of Justice with trained personnel gave rise to the idea of a law school within the higher education model developed by the Board. In this context, the Darülfünun was intended to be established as a higher education model. However, the fact that the ilmiye class did not yet have a favourable view of an educational institution different

from that of the madrasa delayed both the opening of the Darülfünun and the establishment of an independent law school. The Darülfünun, which was established within the Galatasaray Sultani, continued its activities within the Sultani for some time, and the requirement of writing a thesis was even included in the graduation requirements for students. However, the fact that its graduates were mainly composed of Ottoman subjects and non-Muslims brought the future of higher education and legal education into question. As a result of the need to educate more law students at the level of higher education, the Mekteb-i Hukuk-ı Şahane was established.

This school, which was structurally established as a part of other educational reforms during the reign of Abdülhamid II, was referred to with the adjective "şahane", meaning "imperial" or "magnificent", due to the traditions of the period. Since the school had a charter and other similar documents, it was moved during the establishment process from the Galatasaray Sultani to an independent building and became the Hukuk Mektebi (Law School) and then the Mekteb-i Hukuk-ı Şahane. Muslim and non-Muslim students from different provinces of the country were admitted to the school, and the education period was extended from three years to four years. In this way, students would be better equipped for their future careers by receiving more education. While the number of students of the school was in the range of the two hundreds in the early years, it increased to over six hundred towards the 1900s. This can be explained by the fact that the school was popular and also provided employment in an important field such as law. Consequently, thanks to the curriculum based on the principle of training individuals at all levels for the state's justice organisation, graduates were professionally employed at different levels and positions. When the graduates' profile is analysed, the ratio of non-Muslim students to the overall number of students in the first years of the school gradually decreased in the following years. This decrease can be viewed as reflecting an effort to introduce a more domestic and national perspective in the fields of legal education and law, recognising these fields of study as critical during the reign of Abdülhamid II. Issues such as revolts among minority groups and wars during the period in which the school was active may have supported these conditions.

As a result, the Mekteb-i Hukuk-ı Şahane, as one of the educational institutions where lawyers were trained for the continuity of the phenomenon of justice and law as one of the most fundamental building blocks for all societies and states, worked in accordance with the purpose of its establishment during its active period. It filled an important gap in the training

of the personnel needed by the Ottoman Empire. It took its place in history as an important part of the tradition of legal education from the Ottoman Empire to the Republic of Türkiye.

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Appendix

Appendix. Graduates of the school (Education Yearbook 1318/1900: 674-701; 1319/1901: 94-95; 1321/1903: 94-99)

Years	Students
rears	Sabit, Mahmut Esat, Kostaki Aleksiyadi, Mustafa Nuri, Mustafa Nedim, Nureddin Hikmet, Aziz, Faik,
1885	Memduh, Arif, Paskal, Nebil, Kostaki Velikidis, Hasan Tahsin, Hilmi, Ali Rıza, Kirgor Kuluyhıyan,
	Halil Hulusi, Salih Vahit, Abdülgani, Recai, Abdullah, Artin Zilciyan, Abdurrahman Sami, Mahmut
	Vehbi, Salih Hilmi, Mehmet Sıtkı, Mehmet Fehim, Selahattin, Serkiz Ciğerciyan, Karakin, Hafız
	Osman, Hüseyin, Halil Halit, Mehmet Sadık, Ahmet Şevki, Ahmet Hilmi, Ali Haydar, Seyyid Mehmet
	Rüştü, Musa, İbrahim Şemsettin, İsmail Hakkı, Feyzullah, Mercan, Haşik Seraydaryan, Numan
	Efendiler
	Süleyman Suphi, Mehmet Celalettin, İlyas Matar, Ahmet Reşit, Nurettin Misak, Mehmet Kazım,
	Hamit, Arif, Ahmet Salim, Şevket, Bekir Sami, Hüseyin Remzi, Hüseyin Hüsnü, Mehmet Nuri, Mesut,
	Mehmet İzzet, Mehmet Necip, Ethem, Vramşabuh Manuk, İsmail Sami, Mahmut Ferit, Süleyman
1886	Naim, Mustafa Nail, Arakil Gözübüyükyan, Ahmet Nazif, Ali Rıza, Kapril Neşterciyan, Hasan Fehmi,
1000	Mehmet Tevfik, Hasan, Ali Rıza, İlyas, Jorj Yusuf, Osman Remzi, Mehmet Tevfik, Hasan Fehmi,
	Hasan Tahsin, Kazım, Mümin, Mehmet Şefik, Talat, Bağoshanlıyan, Yusuf Cemal, Mustafa Fevzi,
	Evhanis Keresteciyan, Ali, Hafiz Ahmet, Mahmut Necip, Abdurrahim Ziya, İbrahim, Hafiz Mehmet,
	Yordan, Ahmet Tevfik, Abdurrahman Raşit, Haçik Bedrosyan, Beşir Efendiler
	Ahmet Reşit, Mustafa Nazım, Nizameddin, Avramaki Papadopulos, Kirkor Acemiyan, Mehmet Mithat,
1007	Mehmet Tevfik, Mustafa Asım, Hüseyin Galip, Rafet, Ali Nail, İsmail Hakkı, Abdullatif, Ömer Lütfi,
1887	Eyüp Sabri, Yusuf, Mustafa İzzet, Mehmet Sadullah, Rafet, Abdülkerim Nadir, Osman Nazmi, Evhanis
	Kardaşyan, Esat, Bekaryan, Aleksandır, Pozanet, Mustafa Hazım, Nikolaki Yordan, Mehmet Adil,
	Mehmet Nazım, Hıntar Simonyan, İlyas Efendiler Aristidi Yorgiyadi, Halis Eşref, Mehmet Emin, Sadık Şehabettin, Mustafa Hasip, Agop Bahri, İbrahim
	Hayrullah, Mustafa Muzaffer, Kirkor Zakaryan, Ali Fuat, Kirkor Mineciyan, Mihail Latif, Ali Rıza,
1888	Ahmet Saip, Hamparsum Boyacıyan, İsmail Necip, Mehmet İhsan, Osman Sacit, Mehmet Asaf,
1000	Mehmet Necati, Yakup Nazım, Abdullatif, Aristidi Hıralamidi, Abdurrahman Azmi, Mösyö Ekimidis,
	Mehmet Enver, Ahmet Tevfik, Mehmet Mazhar Efendiler
	Hüseyin Hüsnü, Mehmet Tevfik, Ali Rüştü, Mahmut, Senai, Şevki, Mehmet Zühtü, Osman Zeki,
	Abdullah Tevfik, Yakup, Mehmet Tevfik, Adil, Kostantin, Ahmet Cemal, Agop Kapamacıyan, Artur,
1891	Yuvanaki, Nikolaki, Kigorg Korukyan, İsmail, Hasan Fehmi, Mihran Körpeyan, Abdullah Avni, Misak
	Makaryan, Ahmet Memduh, Yordan, Yuvan, Karnik Hisarlıyan, Hakkı, Avadis, Serkiz Karakoçyan,
	Ananyas, Halil Halis, Nasip Yaveryan, Ali Fuat, Muhittin İsmet, Musa Kazım, Osman Saip, Süleyman
	Sırrı, İbrahim Hakkı, Hakkı, Mehmet Nazım, Kigork Alkisyan, Lütfi, Mehmet Vasfi, Mustafa Asım,
	Kigork Mezaduryan, Hasan Rıza, İlyas Fahri, Bedos, Perodormos, İsmail, İlyas, Mehmet Ali, Cemil,
	Mehmet Hayrettin, Ahmet Vefik, Pertev, Halit, Karabet, Yervant, Corci, Yuvanaki, İbrahim Fevzi,
	Mahmut, Megerdiç Azunyan Efendiler
1892	Ahmet Cevdet, Selim Hüsnü, Ahmet Şevki, David, Rober, Hidayet, Sani, Hırelambev, Necip, Sait,
	Samuel, Neşet, Evhanis Baravyan, Hişmi, Aziz, İbrahim Halil, Evhanis Bülbülyan, Kapril,
	Hamparsum, Nikoğos, Fuat, Zakar Kuyumcuyan, Kigork, Hızaros, Miltiyadi, Filip, Pedros,
	Kıropesıtyan, Megerdiç, Artin, Mehmet Hamit Efendiler

1894

1895

1896

1897

1898

1899

1901

Mehmet Sunullah, Agop İzmirliyan, Ziya, Aziz, Mehmet Tevfik, Mehmet Arif, Ahmet Aziz, Hasan Hilmi, İbrahim Ethem, Şaram, Hasan Tahsin, Ahmet Tevfik, Mehmet Muhlis, Mehmet Kazım, Süleyman, Ahmet Ata, Semih, Parsih, Hafiz Davut, İbrahim Fevzi, Estepan, Vehbi, Mehmet Rafet, Suat, Mehmet Faik, Yordan, Leon Feraci, Halit, Sinpat, Emil, Rafet, Mihran, Halil Lebip, İbrahim Halit, Maksut Tepanyan Efendiler

Mahmut Refik, Musa Kazım, Ali Rıza, Osman Saip, Mehmet Rauf, Mehmet Memduh, Mehmet Cemal, İsmail Vasfi, Osman Kemalettin, Muharrem Muammer, Mehmet Arif, Mehmet Celalettin, Mehmet Bahaeddin, Temestoklu, Mehmet Nazif, Ahmet Cevdet, İsmail Hakkı, Mehmet Cemil, Bekir Sıtkı, Mehmet Sadık, Hüseyin Hüsnü, Ali Haki, Behlül Fazıl, Silosteros, Halil Kamil, Lambiki, Nikola Tokatlıyan, Avram, Abbas Fevzi, Eyüp Sabri, Ahmet Tevhit, Mehmet Emin, Armidi, Dikran Limonyan Efendiler

Ali Fuat, Mehmet Cemal, Ahmet Tevfik, Mehmet Celalettin, Ethem, Cafer İlhami, Saip, Ali Şevket, Refet, Mehmet Ali, Muzaffer Gıyasettin, Ali Rıza, Ali Ulvi, Nikolaki, Mehmet İlhami, Ali, Refet, Kısti, Hasan Tahsin, Murat Nikolaki, Şevket, Ahmet Tevfik, Ahmet Muhtar, Osman Sait, Salih, Ehat Rafet, Mustafa Asım, Ali Rıza, Mehmet Nafiz, İbrahim Fevzi, Rafael, Nafiz, Necip Habip, Sami, Mehmet İzzet, Mehmet Eşref, Vahan, Kostanti, Hasan, Mehmet Şerif, Mahmut Hamdi, Talat, Mustafa Nuri, Halil Şaban, Mehmet Sait, Cafer Sadık, Seyfettin, Ahmet Vasıf, İbrahim Necati, Hasan Tahsin, Simon, İbrahim Ethem, Mehmet Besim, Mesut, Süleyman, Ahmet Atıf, Yani Kilyo, Mois Levi Efendiler

Mehmet İzzet, Nazif, Mehmet Münir, Mehmet Necmettin, Mehmet Ali, Mehmet Servet, Ahmet Mazhar, Rafet, Yusuf Ziya, Mehmet Kadri, İsmail İsmet, Hasan, Hasan Zühtü, Refet, Hikmet, İbrahim Refik, Mois Zeki, Refet, Ahmet Şükrü, Hayati, Ahmet Hamza, Nesip, Refet, Hafiz Halil, Halil, Osman Tevhit, Nafiz, Mustafa Şerif, Hristo, Hüseyin, Aram Apikyan, Mahmut Agah, Mehmet Behçet, Mahmut Macit, Artin, Hasan Asaf, Mahmut Nedim, İhsan, Sebuh, Kirgor, Mahmut Şevket, İsmail Hakkı, Miraçyan, Mehmet İsmet, Mehmet Refik, Markaryos, Şevki, Yusuf Feramiz, Ahmet Vasfi, Zaharya, Emin, Mehmet Lami Efendiler

Osman Talat, Mustafa Hayri, Diran Arkayanyan, Sait Zeynel Abidin, Yusuf Nuri, Mehmet Şakir, Mehmet Sait, Mehmet Sadık, Mehmet Behram, Ahmet Hakkı, Mustafa Mazhar, Mehmet Şevki, Mehmet Sedat, İbrahim Ethem, Mustafa Haşim, Ahmet Müfit, Mehmet Necip, Hüseyin Avni, Hafız Mehmet Hayri, Osman Süreyya, Mehmet Hulusi, Mustafa Nazmi, İsmail Hakkı, Abdullah, Ahmet Tevfik, İbrahim Hikmet, Ahmet Rüştü, Yervant, Mehmet Mithat, Hasan, Salih Arif, Bedosaki,Hasan Mazhar, Mustafa Nihat, Yordan, Mustafa Hulusi, Mustafa Nuri, Mustafa Nazım, Ali Rıza, Hasan Tahsin, Mehmet Kamil, İlyas, Hüseyin Fikri, Ali Rıza, Mehmet Rüştü, Hasan Fehmi, Ali Haydar Efendiler

Mehmet Hazım, Abdülhak Mithat, Mustafa Arif, Mustafa Mazhar, Mahmut Mahir, Ahmet Fuat, İbrahim Evliya, Mehmet Hamdi, Süleyman Mümtaz, Ali Haki, Yusuf Nihat, Osman Cevdet, Salih Sırrı, Abdurrahman Asım, Şahap Sami, Ali Seyfi, Ali Fehim, Ahmet Hasip, Süleyman Faik, Hasan Raci, Mustafa Hüsnü, Mehmet Bahattin, Ali Necati, Yunus Muhsin, Mehmet Asaf, Mustafa Cemalettin, Hüseyin Zihni, Ali Nüzhet, Ali Rıza, Abdullah, Muharrem Harem, Mehmet Ferit, Ahmet Avni, Ali, Hüseyin Vassaf, Musa Kazım, Mustafa Asım, Mehmet Sadettin, Hasan Fehmi, Bekir Sıtkı, Mehmet Rıza, Hasan Tahsin, David, İsmail Hakkı, Ahmet Saki, Mustafa Asım, Mustafa Sıtkı, Ustuyan Telkov, Reşit Rami, Hasan Fehmi, Hasan Şerif, Mehmet Nafi Efendiler

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