

The Question of Tunisia's Status Quo and the Firman of 1871*

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Abstract

The status quo of Tunisia, that is, the nature of its relationship with the Ottoman centre emerged as a problem with the occupation of Algerian costs in 1830 and the centralisation of Tripoli in 1835. France frequently warned the Ottoman Empire not to subvert *the status quo* in Tunisia. Clarifying and internationally securing this formally undefined state of affairs had been the British policy in the region since the 1850s. Britain, especially with its consul, Richard Wood, endeavoured for a declaration of a firman stating that the Ottoman Empire recognised the inherited governorship of the Husaynid Dynasty and that the *bey*s accepted the Sultan's political suzerainty in Tunisia. This project, which was constantly delayed by the opposition of France, was realised in 1871. So the firman, which was expected to bring the region's political position to wider international acceptance, was declared.

This study aims to examine the debates about Tunisia's status quo based on British and Ottoman archival sources. So, the efforts of the Ottoman Empire to protect the province, as well as the approaches and plans of Britain and France towards Tunisia, were explored.

Keywords: Tunisia, Ottoman Empire, British Empire, France, North Africa, Richard Wood.

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Tunus'un Statükosu Sorunu ve 1871 Fermanı

Öz

Tunus'un statükosu yani Osmanlı merkezi ile irtibatının niteliği, Cezayir sahillerinin 1830'da işgali ve Trablusgarp'ın 1835'te merkeze bağlanması ile bir sorun olarak ortaya çıkmıştır. Fransa Osmanlı Devleti'ni bölgede *statükonun* bozulmaması konusunda sık sık uyarmıştır. Kapsamı tartışma konusu olan bu siyasi bağın içeriğini netleştirmek ve uluslararası güvenceye almak 1850'lerden itibaren İngiltere'nin Tunus politikasının ana eksenini oluşturmuştur. İngiltere, özellikle Tunus konsolosu Richard Wood'un gayretleriyle, Osmanlı Devleti'nin Hüseyini Âilesi'nin tevarüsen valilik hakkını tanıdığını ve beylerin de sultanın Tunus'taki siyasi egemenliğini kabul ettiklerini bildiren bir ferman çıkarılması için çalışmıştır. Fransa'nın engellemeleriyle sürekli olarak ertelenen bu proje 1871'de gerçekleştirilmiş ve bölgenin siyasi pozisyonunu daha geniş bir uluslararası kabule ulaştırması beklenen ferman ilan edilmiştir.

Bu çalışma ile Tunus'un statükosu ile ilgili tartışmalar temelde İngiliz ve Osmanlı arşiv kaynakları ışığında incelenmiştir. Osmanlı Devleti'nin eyaleti koruma gayretleri, bunun yanında İngiltere'nin ve Fransa'nın bölgeye dair yaklaşımları ve planları açığa çıkarılmaya çalışılmıştır.

Anahtar Kelimeler: Tunus, Osmanlı Devleti, İngiltere, Fransa, Kuzey Afrika, Richard Wood.

"...it is known that this gentle province is located at a point in the middle of some jealous states, so it is obvious how much difficulty [is encountered] in its administration...."

Hayreddin Pasha of Tunisia

[BOA, İ.DUİT 140/62, 19 Cum'ade'l-Ûlâ 1298 (19th April 1881)]

Introduction

In the 16th century, the Ottoman Empire succeeded in establishing superiority in the Western Mediterranean with the incorporation of Algeria, Tunisia and Tripoli. As the geographical distances of these regions, called *Garf Ocakları* [Western headquarters], combined with the inadequate transportation and communication means of the time, the administration of these regions was carried out with significant autonomy. The role of the pashas representing the Sultan in these regions mostly remained formal, and the provincial elites made their own economic and political decisions and developed independent diplomatic relations with foreign powers. Since the 17th century, the real power remained in the hands of the *deys* and *bey*s, who won the support of the *Divân*, which was formed by the

provincial elite¹. The Ottoman administration was based on negotiation with the power groups, and both sides had certain expectations. While Ottomans attained secure bases for their fleet to operate in the Mediterranean, the provincial elites obtained legitimacy and the manpower to maintain their rule².

The autonomous structure of these provinces was expressed in various denominations in European sources and official correspondences just as “régence, regency, barbary regencies, states of barbary, états barbaresques, régence de Tunisie, régence de Tripoli, royaume d’Alger”³. However, the prevailing definition for Tunisia in Ottoman official correspondence was “*eyâlet*” (province). In the state yearbooks, Tunisia was at the end of the list of provinces, together with Egypt, under the title of “*eyâlât-ı mümtâze*” (privileged provinces)⁴. The official term to express the semi-autonomous nature of these regions was “*odjak*”. This expression, the content of which is somewhat ambiguous, shows that these centres in North Africa were initially formed as military garrisons⁵.

The occupation of Algerian costs in 1830 was a determinant point to demonstrate

- 1 Philip Macdougall, *Islamic Seapower During the Age of Fighting Sail*, The Boydell Press, Woodbridge 2017, p. 123.
- 2 For a detailed analysis concerning these mutual interests, see. Emrah Safa Gürkan, “The centre and the frontier: Ottoman cooperation with the North African corsairs in the sixteenth century”, *Turkish Historical Review*, 1, 2010, pp. 125-163.
- 3 Atila Çetin, “Garp Ocakları”, *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Vol. 13, İstanbul 1996, p. 383. These expressions were also used in the Ottoman official sources written in a foreign language. As an example, for Tunisia; the expression “la Régence de Tunis” was used in a report from the Palermo Consulate and this expression was translated as “Tunus Emareti” in the catalogues (see. BOA, HR. SYS. 1609/14, Sheet 1, 25th June 1863). However, the avoidance of the expression “emaret” in official correspondence written in Ottoman Turkish should be due to the fact that the independence connotation of the word was above an acceptable level.
- 4 For examples see. *Salnâme-i Devlet-i Aliyye-i Osmâniyye, 1289 (1872-1873)*, Def’a 27, Darü’-Tibâatü’l-Âmire, İstanbul, pp. 256-258; *Salnâme... 1292 (1875-1876)*, Def’a 30, pp. 254-255. In these yearbooks, the provinces of Baghdad, Wallachia and Serbia were also listed as “*eyâlât-ı mümtâze*”. The fact that Egypt and Tunisia are at the end of the list can be attributed to their degree of dependence to the center also came at the end.
- 5 Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980*, Princeton University Press, 1986, p. 40. As Kreiser points out; the expression “*odjak*”; basically means “house, inherited property”, and with Bektashism it gained the meaning of a “brotherhood” organization, and with the Janissaries it gained military meanings. In the administrative sense, it was used for “semi-independent” regions. See. Klaus Kreiser, “*Odjak*”, in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C. E. Bosworth, E. van Donzel, W. P. Heinrichs, (accessed December 3, 2020), http://dx.doi.org/10.1163/1573-3912_islam_SIM_6009.

the fragility of the semi-autonomous rules in the region. So, the nature of the relationship of the North African provinces with İstanbul became a question for the Ottoman centre and the European powers. Ottoman response to that occupation was an intervention in Tripoli and the centralisation of its administration in 1835⁶. Then Tunisia, located between Tripoli and Algeria, became a focus of attention for the Ottoman Empire, France and Britain. Concerns about an Ottoman intervention in Tunisia and determining Tunisia's status quo in a way that would be accepted internationally formed the central axis of a diplomatic struggle that lasted until the French invasion of Tunisia in 1881.

Changing Policies

The early 1850s marked the turning point of Britain's policy change regarding the North African provinces of the Ottoman Empire. Palmerston, in June 1851, offered to reduce the level the representation in Tripoli from consul general to the consul, as the province turned into *an ordinary Pashalic of the Ottoman Empire* and the relationship of the province with the government of İstanbul no longer necessitated such a high officer⁷. For Tunisia, this change appeared when Sir Edward Baynes was to send as the consul, the diplomatic representation level of the letter given to him was also reduced.

It was claimed in the letter that probably due to the *inadvertence or misconception of the real political character of the executive chief of the government of Tunis*, the letter given to Baynes's successor was in style similar to that given to first priority diplomatic officials. Although the governor of Tunisia was largely independent in the administrative affairs of the province and had some direct relations with foreign powers, he was always accepted as a vassal of the Sultan by the Sublime Porte. In addition, the Sultan held himself responsible for the damages caused by the Tunisian people regarding the capitulations given to the foreign powers. The British government accepted this nominal vassal position of Tunisia in 1839 as

6 Fatma Ben Slimane points out that 1830 and 1835 were turning points for Tunisia, emphasizing the military weakness, economic and political fragility of the province. She notes that Europe, which became increasingly powerful and expansionist thanks to its "great transformations", was more and more openly involved in the international problems of the region through its consuls. In our study, it is possible to see the extent of such interventions. See. Fatma Ben Slimane, "La Tunisie à l'ère des réformes précoloniales. Le référent religieux et ses usages", *Tunisie 2040 le renouvellement du projet moderniste Tunisien*, Sud Editions, Tunis 2018, p. 487-488.

7 TNA, FO 101/29, Draft to Treasury, Palmerston, 14th June 1851.

a character of the region. That year, the British government demanded that the treaty signed with the Sublime Porte in 1838 be valid in Tunisia⁸. The instruction to Baynes was a clear indication that the recognition of Ottoman sovereign rights in the region increased in return for the Treaty of Baltalimanı (1838) to be valid for Tunisia and the Ottoman centre assumed the legal responsibility of the province.

The Ottoman centre also re-evaluated its relations with the region. At the end of 1852, due to the possibility that the governor of Tunisia, Ahmed Pasha, had a severe illness and may have died, Ahmet Ata Bey was sent to the region from İstanbul⁹. In his long instruction, it is stated that for the proper determination of his mission, it is necessary *to explain the state of Tunisia in terms of politics and its importance*. Tunisia is one of the provinces the Ottoman sultan inherited, and its governors are officials appointed by the state. Although this is the case, *the name odjakhood, which was given to the western provinces in the past, has been abused*, and the governors of the province have been appointed from the same family for a long time. This situation caused *the governors of Tunisia to act according to their wishes*¹⁰. In this period, the state of being “odjak” was described as abuse and perceived as a source for the independent actions of the governors. The dangers of this autonomous position rendered it necessary for the centre to determine the extent of its relationship with the province in a more specific manner.

The content of this danger was expressed in the meeting between the Paris ambassador of the Ottoman Empire and the French Minister of Foreign Affairs, Édouard Drouyn de Lhuys. Minister asked whether Ahmed Ata Bey's mission was related to a new plan for Tunisia and if there was an intention to send a governor from the centre. He also officially declared that France would not accept such a thing and if the Ottoman State insisted, they would naturally have to send some military force. Although the ambassador reiterated the Ottoman sovereign rights over Tunisia, the minister sharply stated that they would not accept the

8 TNA, FO 96/9/27, Sir Edward Baynes, Rough Draft No:1, 11th February 1850.

9 Physician Luigi Mongeri, who went to the region with Ahmed Ata Bey to check the health condition of Governor Ahmed Pasha, learned that the governor had been suffering from gout for a long time. The external signs of the disease disappeared for a while. However, on July 23, 1852, when the pasha was in his summer house he had a stroke and the left side of his body became paralyzed. After some treatments, the governor was able to stand up without holding on to anything. However, he could use his paralyzed organs in pain. Source: BOA, HR. TO. 418/75, 19 Kânûn-ı Evvel 1852 (19th December 1852).

10 BOA, A.DVN. 82/76, 6 Safer 1269 (19th November 1852).

appointment of an outside governor. When the British ambassador in Paris asked his opinion, he said that the French State would show coercive force if the Ottomans sent an outside governor to the region and changed the current administration style¹¹.

France's approach to Tunisia in this period was based on denying and weakening Ottoman rights. France wanted to keep the Bey independent from the Ottoman centre but was weak enough to be easily inclined towards French politics. The new consul, Léon Roches, who arrived in the region on 1st July 1855, was chosen to follow this policy actively¹². François Guizot, the French foreign minister and prime minister in the 1840s, explained that France aimed to prevent the Ottomans from turning Tunisia into an ordinary province by carrying out an operation as they did in Tripoli. In Guizot's words:

“... we did not have the slightest desire to conquer the regency of Tunisia, nor to sever the weak traditional ties which still united it to the Porte, but we wanted the complete maintenance of the status quo; and each time a Turkish squadron approached or threatened to approach Tunisia, our vessels moved towards this coast, with orders to protect the bey against any enterprise of the Turks”¹³.

As mentioned by Guizot, since the 1830s, France frequently warned Ottoman Empire not to intervene in Tunisia or send the navy toward Tunisian waters to change *the status quo* in the region and actively prevented the Ottomans from reaching the region¹⁴.

The Emergence of the Question of Tunisia's Status Quo

Once it became clear that the Ottoman Empire would not intervene in the province, the most critical agenda for Britain was to balance the province's inclination towards France. For this purpose, the project put forward by Britain was to make *the status quo of Tunisia*, which was disputed during every diplomatic

11 BOA, Y.EE. 90/14, 7 Rabii'l-Evvel 1269 (19th December 1852).

12 Charles Combs Harber, *Reforms In Tunisia 1855-1878*, Unpublished PhD Thesis, The Ohio State University 1970, pp. 9-10.

13 M. Guizot, *Mémoires pour servir à l'histoire de mon temps*, VI, Paris 1864, pp. 267-268.

14 Abdurrahman Çaycı, *Büyük Sahra'da Türk-Fransız Rekabeti (1858-1911)*, Atatürk Üniversitesi Yayınları, Erzurum 1970, pp. 19-20. For the details of the Ottoman-French rivalry in the region see Cemal Atabaş, “Tunus'ta Nüfuz Mücadelesi ve Osmanlı Müdahalesine Dair Kaygılar (1830-1850)”, *Tarih Dergisi - Turkish Journal of History*, Vol. 74, 2021/2, pp. 121-162.

crisis and reinterpreted by parties in their favour, into an official declaration and international assurance. The framework prepared in 1858 by the British Consul Richard Wood, the architect of the project, formed the basis of the vizierate order (*emr-i sâmî*) in 1864 and the firman in 1871 that finally determined the status quo.

During his first attempt in 1858, Richard Wood prepared a memorandum to determine the relations between the Ottoman central administration and Tunisia. The main goal of the consul was that the governor of Tunisia -who already accepted the Sultan's religious leadership as the Caliph-would officially accept *the temporal suzerainty of the Sultan*¹⁵.

For Wood, the consolidated French presence in Algeria convinced the Tunisian government to develop an arrangement with the Sublime Porte. For a long time, the policy of the Tunisian government was to weaken its relations with the Ottoman Empire. The previous governor, with the encouragement of France, struggled for separation and independence. Although he could not completely distance himself from the Ottoman Empire, he left things in a state called the status quo. Referring to France, Wood stated that *some governments have been and are still striving to give this status quo a development consonant with their views and policy*. For him, this was not only against the Ottoman Empire but also at the expense of ending the political existence of this regency. The fact that the conditions of this status quo were not determined left the door open for aggressive policies.

For Wood the conditions to ensure *the seemingly conflicting but fundamentally common interests of both states* were as follows:

1. Husayn bin Ali's family would be granted the right to inherit the governorship.
2. The Sublime Porte would not interfere in the internal administration of the regency.
3. The right of governors to regulate and conduct their foreign relations would continue.
4. The Tunisian flag would be preserved as it had existed for centuries and was recognised by previous sultans¹⁶.

15 TNA, FO 102/55, Richard Wood to Earl of Malmesbury, 31st July 1858.

16 The demand for the recognition of the Tunisian flag preserved its place in later regulations. In the Ottoman Empire, from Selim III onwards, all armies were ordered to use a red flag with a crescent in the middle surrounding an eight-headed star. Hammûde Pasha, who was the governor of Tunisia between 1782-1814, removed some symbols from the flag and had a special

5. Governors would be given the privilege of awarding medals.

In return for the above-mentioned rights and exemptions, the Bey would also fulfil the following conditions:

1. He would officially accept the suzerainty of the Sultan.
2. He would apply to the Sultan for the appointment and receive a firman to announce the governorship or the ceremony.
3. The coin would be mined in the Sultan's name.
4. The sermon (khutba) would be read in the name of the Sultan.

Richard Wood expected that with the approval of these conditions by both parties, *the status quo* of Tunisia would have to be accepted by the European Powers, who already recognised the territorial integrity of the Ottoman Empire¹⁷.

Instead of putting Wood's plans into action, the British government brought them into a discussion with France. A meeting was held between the British ambassador in Paris and the French Minister for Foreign Affairs, Count Walewski, to ensure the cooperation of the French government in leading the governors of Tunisia to more formally recognise the suzerainty of the Ottoman sultan. According to Walewski, such a recognition would mean the abandonment of *the traditional policy of France* and would perhaps have embarrassing consequences for French rights in Algeria. Therefore, *the status quo* must be maintained in the region.

Richard Wood, whose plans were ruined, saw Walewski's statements as the official declaration of France's policy to prevent a rapprochement between the beys of Tunisia and the Sultan. For him, the reason for this attitude was *the well-digested plan of facilitating the annexation of this country to her [France's] African possessions by its progressive but eventual severance from Turkey*. In addition, Wood drew attention to the existing ambiguity by saying that if France wanted to insist on maintaining *the status quo*, it must explain what this status quo included and make its terms more tangible¹⁸.

flag made for him. Ahmed Bey used this flag when he visited France in 1846. See. Mustapha Stiti, *Tunus'un Fransızlar Tarafından İşgali Karşısında Osmanlı Siyaseti (1878-1888)*, İstanbul Üniversitesi Sosyal Bilimler Enstitüsü, Unpublished PhD Thesis, İstanbul 2008, p. 35. This difference in the flag was one of the signs of the autonomous structure of the province. For some lines about how provincial elite used a separated symbol as a way of preserving their autonomy see. Fatma Ben Slimane, *ibid*, p. 495.

17 TNA, FO 102/55, Memorandum, Richard Wood, Tunisia 31st July 1858.

18 TNA, FO 102/55, Richard Wood to the Earl of Malmesbury, 5th November 1858.

Mehmed Sadık Pasha and New Attempts

The efforts of the British Consul Wood gained new momentum with the death of Mehmed Bey on 23rd September 1859 and the appointment of his brother Mehmed Sadık as the new governor¹⁹. Before sending his envoy to İstanbul to obtain an appointment firman, Sadık Bey had a talk with Wood about his late brother's policy of rapprochement with the Ottoman centre. Wood understood from the conversation that the new governor would follow a policy of independence. However, the province's governing body (*Dîvân*) was divided on the issue. While some favoured maintaining loose and undefined ties with the Ottoman Empire, others saw it as an unsafe policy.

Wood tried to convince Sadık Bey that his interest and *his duty to his own people as a Muslim prince* was to accept the Sultan's suzerainty sincerely. When Bey mentioned his concerns about the possible violations of his family's inherited rights, Wood told him that the issue was not to undermine the freedom and independence of the province, to reduce his inherited rights, or to make his country dependent on someone else. The point was to render his current position stable and secure. This would only happen if he more formally recognised *the temporal suzerainty of the Sultan*.

Sadık Bey decided to give a secret instruction to his envoy. They would discuss the matter with the representatives of the Great Powers if the Sublime Porte were inclined to agree. For Wood, the selection of General Hayreddin (the reformer statesman, who would be known as Hayreddin Pasha of Tunisia in the future) and his assistant, General Hussein, for the mission proved the sincerity of the Bey. These two officers were in favour of integration and had views close to those of Wood²⁰.

Sadık Pasha's appointment firman was issued on 10th December 1859²¹. Wood

19 Ahmet Kavas, "Mehmed Sâdık Paşa", *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Vol. 28, Ankara 2003, p. 522.

20 TNA, FO 102/58, Richard Wood to Lord John Russell, Tunisia 24th November 1859.

21 BOA, HR. SYS 1613/3, Sheet 1, Evâsıt-ı Cemâziye'l-Âhire 1276 (4th -14th January 1860). It is reported in the document that Sadık Pasha was appointed with the firman issued on 15th Cemâziye'l-Evvel [1276], that is, on 10th December 1859, and also with the reassignment of the rank of vizier and general (*müşir*). Besides, Captain Pasha and Serasker Pasha were informed that the governorship of Tunisia was given to Sadık Pasha with the rank of vizier, see: BOA, A.MKT. MHM. 173/52, 24 Cemâziye'l-Evvel 1276 (19th December 1859). İsmail Hakkı Uzunçarşılı referred to the date of 10 Cemâziye'l-Âhir 1276 (5th January 1860) as the date on which the letter

reported that the envoy returned with the Sultan's commissioner Ali Bey and the firman of appointment. On 23rd January, the firman was announced in the presence of the provincial elite and foreign representatives. The consul saw that the firman was no different from those sent to the governors of other provinces. However, it was sensitive about addressing a prince who was appointed as governor in a hereditary way. The title given to the Bey was the "governor-general of my [the Sultan's] province of Tunis". The two previous governors also found this title derogatory and saw the phrase "my province of Tunis" as an effort to undermine their hereditary rights. For this reason, they prevented the public announcement of the firman. However, this time, contrary to the custom, the firman was announced, although the phrase "my governor-general of my province of Tunis" was mentioned several times within it²².

In the meeting of Sadık Pasha's envoy with Ottoman viziers, they informed the envoy that they were far from interfering with the current state of affairs or violating the inherited rights and that their only aim was to strengthen the relations between the two regions within a framework of mutual benefit. They were aware that the security of the weaker side (i.e. Tunisia) was under serious threat. Its absorption and annexation were the aims of a neighbouring and powerful government (i.e. France). To prevent such a project, the duty of the Bey was not to separate himself from the Sublime Porte. He would not be able to provide adequate protection if left unaided. As long as the province remained an integral part of the empire, the Sultan would be able to seek material and moral assistance from the Great Powers in protecting one of his most important dependencies from invasion. Besides, Sublime Porte did not need taxes, soldiers, or gifts from Tunisia. An insignificant amount of one or two million piasters from the region would considerably burden the province's scarce resources but not relieve the central treasury. Likewise, the arrival of a military unit of one or two thousand people from Tunisia would not be a great force for the Ottoman army.

For Wood, the wholly changed tone and attitude of the Ottoman government towards Tunisia was based on a sound policy: *its direct interest in the future preservation of the region.*

giving the rank of general and vizier to Sadık Pasha and the firman of appointment were sent. It can also be deduced from his statements that the appointment was made a while ago. See. İsmail Hakkı Uzunçarşılı, "Tunus'un 1881'de Fransa Tarafından İşgaline Kadar Burada Valilik Eden Hüseyinî Ailesi", *Belleten*, Vol. XVIII/No.72, 1954, p. 556.

22 TNA, FO 102/60, Richard Wood to Lord John Russell, Tunis 28th January 1860.

In a meeting with the Ottoman statesmen, General Hayreddin received the promise that they would write to their representatives in Paris to work on the approval of the conditions of Tunisia's status quo and ultimately the acceptance by the Great Powers that Tunisia was an integral part of the Ottoman Empire²³.

The friendly attitude of the Sublime Porte had a significant impact on Tunisia. To measure this, Wood asked Bey if he was satisfied that the oppositional views he and his predecessors held towards the Ottoman government were purely fictitious and put forward to instil in him the idea that his security could only be possible with foreign protection. Upon Bey's favourable response, the consul expected that once all these insecurity reasons were eliminated, he could safely turn to the projects that would improve the region²⁴.

Although the developments during the appointment of Sadık Pasha did not result in the expected agreement, they created a significant rapprochement. The most obvious sign of this was the public declaration of the appointment firman, in which the Sultan described the region as 'my province of Tunisia'. Sadık Pasha also tried not to offend France and to keep the balance. An important indication of his policy was the declaration of *Kânûnu'd-Devle*, referred to in British documents as the 'organic law'. This text, alongside *Ahdu'l-Amân*, constituted a paramount cornerstone within Tunisia's reform movements. Before declaring this text, considered the "first modern constitution of the Islamic-Ottoman geography"²⁵, Sadık Bey presented it to Napoleon, whom he met in Algeria in the autumn of 1860, and received his approval. In the administrative system established with this text, the executive power was given to the governor of Tunisia. The legislative power belonged to the ministers chosen by the governor and the sixty-member of *Meclis-i Ekber*. The judicial power was independent, and the courts had to comply with Sharia and criminal law²⁶.

23 TNA, FO 102/60, To Lord John Russell, Confidential, Tunisia 11th February 1860.

24 TNA, FO 102/60, Richard Wood to Lord John Russell, Tunisia 17th February 1860.

25 About this definition and the content of *Kânûnu'd-Devle* see. Ayhan Ceylan, "Osmanlı Coğrafyasında İktidarın Sınırlandırılması; (Anayasacılık): Tunus Tecrübesi", *Divan: Disiplinlerarası Çalışmalar Dergisi*, Vol. 13/No. 24, 2008, pp. 129-156. For an analysis of *Ahdu'l-Amân* 'as a project of modern society' for Tunisia see. Fatma Ben Slimane, *ibid*, p. 498-519.

26 Atilla Çetin, "Hüseyinler", *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Vol. 19, İstanbul 1999, p. 27 and Mehmet Alauddin İslamoğlu, *Ahmed Bin Ebi Diyaf'ın İthafı Ehl İzzaman Bi Ahbari Muluki Tunis ve Ahül Eman İsimli Eserine Göre Tanzimat Fermanı'nın Tunus'ta Tatbiki*, Erciyes Üniversitesi Sosyal Bilimler Enstitüsü, Unpublished Master's Thesis, Kayseri 2008, p. 17.

However, this “constitutional government”, which Tunisia accepted with the encouragement of Britain, would not last long. Mejba Revolt of 1864 caused it to be shelved under the pressure of the French consul, who was disturbed by forming a “British convention” in the region. On 30th April 1864, the French consul, taking the admiral of the French navy in the region with him, came and pressured the governor of Tunisia to abolish *Ahdu'l-Amân*. According to Ibn Abi Diyaf, the consul said to the governor, “if the previous French consul was wrong and asked for a constitution to be made, I, as the French consul, want the annulment of it”²⁷.

During this time of reform, uncertainties regarding *the status quo* of the region were maintained. The Ottoman government tried to find alternative solutions to this problem. One of these was the plan of obtaining the acceptance of France for the Ottoman sovereignty on Tunisia in return for the official recognition of its position in Algeria, expressed by Keçecizade Mehmed Fuad Pasha, a leading statesman of the time.

In his private conversation with Wood, Fuad Pasha explained that until then, the Sublime Porte had not recognised the right of France to possess Algeria. The French emperor would be pleased to add Sublime Porte’s official recognition to the successes he had already achieved with a conquest. In return, the French government would make an official agreement with the Sublime Porte and set up a commission for the demarcation of the Tunisian-Algerian border. By accepting this condition, France would not be able to object to the Ottoman exercise of sovereign rights over Tunisia. Thus, Tunisia would be a part of the Ottoman dominions, not only nominally but also de facto, and permanently protected from foreign aggression. Fuad Pasha wondered whether Britain, which had not recognised France’s rights regarding Algeria until then, would object to his proposal. Wood replied that he desired to protect Tunisia from danger and develop more satisfactory relations between the Bey and the Sublime Porte. However, he could not have known at that time what his government would say about such a plan²⁸. After all, the Mejba Revolt that would engulf the region a few years later and the hardening of France’s influence over the province to a degree of

27 Mehmet Maksudođlu, “Tunus’un Osmanlı Devletinden Ayrılması”, *Marmara Üniversitesi İlahiyat Fakültesi Dergisi*, No. 4, 1986, p. 163.

28 TNA, FO 102/63, Richard Wood to Earl Russell, Confidential and Private, Tunisia 18th November 1861.

domination rendered it impossible to implement Fuad Pasha's plan²⁹.

Mejba or Ibn Gidhahum (Ben Ghedahem) Revolt caused the suspension of the reforms in the province. This movement was defined as the most important popular uprising in Tunisia in the 19th century. It started in the northern regions in March 1864, and spread to the whole province within a short period, as a result of the double increase of the tax, known as *mejba*, which was collected per capita to finance the reforms undertaken in Tunisia. Suppression of this rebellion, which required the intervention of the Ottoman, British and French states, was only possible in January 1865³⁰. In this period, France gained the opportunity to implement a stricter policy on Tunisia due to the province's financial difficulties and security problems.

In a meeting with the British admiral Yelverton, French Consul General Charles de Beauval stated that due to Tunisia's proximity to Algeria, France was in an exceptional position to keep the domestic and foreign affairs of the region entirely under surveillance. Therefore, no foreign interests, including those of the French, should be allowed to develop on their own. While other governments were free to adopt it, a British convention would not be allowed to form here because it would give Britain an advantage over Tunisia. For Wood, the explicit aim of France was to establish its supremacy in Tunisia, which was already considered its "protectorate", and the political status of the region was in irreversible danger³¹. Some specific achievements that the French policy in the region sought to achieve were to extend the Algerian border to the Medjerda River, which flows out of Algeria into the Gulf of Tunisia. Once the French protectorate was extended to Tunisia, Tripoli and then Egypt would fall into similar danger. Having strong arsenals on the North African coasts would provide France with a dominant naval and military

29 This plan was brought to the agenda again by Âli Pasha in the spring of 1864. In return for the Sublime Porte's securing the Algerian border and accepting the French occupation, the offer to regulate its relations with Tunisia was rejected by France. Although Sublime Porte emphasized that there was no intention to change the current administration of the region, as was often done, it did not help. Source: Abdurrahman Çaycı, *La question tunisienne et la politique ottomane (1881 - 1913)*, Türk Tarih Kurumu Yayınları, Ankara 1992, p. 11.

30 Atilla Çetin, "İbn Gızâhum", *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Vol. 19, İstanbul 1999, p. 507; Shinar, P., "İbn Ghidhâhum", in: *Encyclopaedia of Islam, Second Edition*, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. Consulted online on 24 June 2021 http://dx.doi.org/10.1163/1573-3912-islam_SIM_8649 First published online: 2012 First print edition: ISBN: 9789004161214, 1960-2007.

31 TNA, FO 102/72, Richard Wood to Earl Russell, No: 97, Tunisia 30th August 1864.

force in the centre of the Mediterranean³².

These lines of Wood show that Britain had a great interest in the policy of protecting the territorial integrity of the Ottoman Empire in this period, including Tunisia. What was frightening for the British state elite was the possibility that French dominance in the region would jeopardise their superiority in the Mediterranean. For this reason, they tried hard to make sure Tunisia was accepted as an integral part of the Ottoman Empire in the international arena.

An Attempt to Determine the Status Quo

The turmoil of 1864 and the pressures of France alarmed both the Tunisian and the British authorities. The project of obtaining a firman that would determine and formalise the relations between the Ottoman centre and Tunisia gained new momentum in this period.

Wood reported that, in November 1864, the Bey secretly gave instruction to General Hayreddin, who went to İstanbul to thank the Sultan for his support in the face of the events in the province, and demanded that an arrangement be made within the framework of the principles in the memorandum of 1858.

According to the plan, to avoid any opposition from foreign powers, the agreement should be made on the strict protection of the existing conditions in the region and be in the form of the Sultan's approval of the existing rights and privileges. These rights would be listed in a document signed by the Bey and presented to the Sublime Porte, and a firman containing them in detail would be received in return. After the confidential exchange of these documents by the contracting parties, the Ottoman government would submit the sultanic confirmation of *the status quo* to the knowledge of the Great Powers. The arrangement should be in the character of a European diplomatic agreement; otherwise, it would have no validity and significance³³.

In Wood's draft, the articles of the proposed agreement were specified as follows:

1. The right to ascend the throne [governorship] in the province would always belong to the Husaynid Dynasty through inheritance.
2. The Bey would be autonomous in the execution of the province's internal affairs

32 TNA, FO 102/72, Richard Wood to Earl Russell, Private and Confidential, No: 122, Tunisia 26th November 1864, Statements and Explanations with reference to the Tunisian Question.

33 TNA, FO 102/72, Richard Wood to Earl Russell, Private and Confidential, No: 122, Tunisia 26th November 1864.

and would rule the region according to the administrative and constitutional laws.

3. As a result, he would have the right to appoint his own administrative, military and naval officers up to the rank of major general (*ferik*).

4. The Bey would have the right to maintain his foreign relations.

5. The Bey would have the right to conclude general agreements, trade and maritime agreements as in the past. However, any agreement, contract or pact, such as defence or offence alliance, territorial abandonment or demarcation of borders, which may affect the general security of the empire, would be void without the consent of the Sultan.

6. When a new bey was to be appointed, he would demand and obtain a firman of appointment from the Sultan, as in the past.

7. Visiting İstanbul would be left to the discretion of the beys, but every time they go, they would be greeted at the level of a prince appointed by inheritance.

8. The custom of giving gifts was abolished entirely. Instead, the annual ... [an amount left blank to be determined later] would be presented to the Imperial Arsenal as an aid to the general defence of the empire.

9. The Sublime Porte would recognise the Tunisian flag as before.

10. The Sultan would grant the Bey the right to decorate civil and military medals.

11. The coin would be mined in the name of the Sultan.

12. The sermon (khutba) would be read in the name of the Sultan³⁴.

This text was also presented to the London ambassador of the Ottoman Empire, Kostaki Musurus Pasha, by Earl Russell as the arrangement proposal of the Bey of Tunis without mentioning Wood's role in its preparation³⁵.

In İstanbul, however, the proposal brought by Hayreddin Pasha only gained a certain level of success and resulted in an order of the grand vizier (*emr-i sâmî*). In the order, the expectations regarding the relations between the Ottoman centre and the province were expressed in the following lines:

“... as a clear indication of the religious adherence of the province of Tunisia, which is an integral part of the imperial domains, to the supreme caliphate and sultanate, the khutba [sermon] and the coin will

34 TNA, FO 102/72, Richard Wood to Earl Russell, Private and Confidential, No: 122, Tunisia 26th November 1864, Memorandum.

35 BOA, HR.SFR.3 97/8, 4th January 1865.

be embellished with the sultan's blessed name, and the Tunisian flag will remain in its current shape and colour and on the condition of all other allegiance procedures with this party [İstanbul] will continue as they have been the administration of the province will continue to belong to your supreme dynasty by succession as it is now....”

In addition, according to the order, the province's internal affairs would be carried out according to the Sharia and the laws required by the time. The governors would be independent in appointing and dismissing religious, military, administrative and financial officials. Governors would also be free in their relations with friendly states. In case of the governor's death, a petition would be prepared to request the appointment of the eldest heir. The purpose of issuing this order was expressed as *to confirm the position of Tunisia and its governors and to prevent their ancient loyalty to the caliphate from giving meanings that neither side desired*³⁶.

It is obvious that the order was issued following Wood's plan. The most apparent difference was that the financial contribution of Tunisia was not addressed. Moreover, this order of the grand vizier was tried to be confirmed and approved with a firman, but the objections of France prevented it from happening³⁷.

A letter to Saffet Pasha, Paris ambassador of the Ottoman Empire, aimed to correct France's negative interpretations of the proposed firman. As for the explanation in the letter, the governor of Tunisia had concerns that his family would be removed from the administration or that his internal affairs would be interfered with due to *his disorderly ties with the Supreme Sultanate*. France did not want a situation in Tunisia that would harm Algeria's security. For this reason, France would desire *to maintain the status quo* and would be pleased with an arrangement that would clear all doubts regarding Tunisia. The recent turmoil showed the governor that the Ottoman Empire did not have a hostile attitude towards Tunisia. The governor sent Hayreddin Pasha to İstanbul to thank the Sultan for his help. Thus, an order of grand vizier determining the conditions of Tunisia's allegiance to the Ottoman Empire was sent to the governor. A copy of this order was also delivered to France. There was no pressure on the governor from İstanbul to accept the conditions in this order. After lengthy investigations, the governor, who realised that these conditions were in the interests of the region he administered, requested

36 BOA, HR.SFR.3 98/19, Sheet 1, 23 Receb 1281 and 10 Kânûn-ı Evvel 1280 (22nd December 1864).

37 Charles Combs Harber, *ibid*, p. 79.

the confirmation of this with an official agreement. If his request were rejected, it would invite many objections and increase his doubts. The Ottoman authorities also thought that *they would get the approval of the French State by issuing a firman confirming the status quo of the province of Tunisia without the slightest change.* For them, the reason for the objections of France was not understandable³⁸. Although the Sublime Porte repeatedly emphasized that his aim was only to preserve *the status quo* and the rights of the Sultan in the region, the opposition of the French government could not be prevented. Not wanting to spoil the friendly relations, the Sublime Porte gave up sending the planned firman³⁹.

The failure to issue a firman approving the grand vizierate order did not mainly satisfy the Tunisian authorities⁴⁰. This was also not the desired result for Richard Wood. However, his plan and the vizierate order in 1864 constituted a very mature stage for the final proposal and firman.

Firman of 1871 and Proclamation of the Status Quo

Following the turmoil in 1864, the province had to struggle with financial difficulties and also with diseases. Cholera, which swept through the region in the summer of 1867, caused a severe decline in the population and economic stagnation in the province. There were a poor harvest two years in a row, whilst the famine and typhus completely depleted the provincial treasury⁴¹. As this was the case, the loans Sadik Pasha had taken from France could not be repaid, and the province's finances were confiscated in 1869. The pressure on the region increased when a commission consisting of two representatives from France, Britain and Italy began to manage the province's resources. However, the heavy defeat of France in the war with Prussia in 1870-1871 and the turmoil of transition from kingdom to republic provided a new opportunity to the governor of Tunisia⁴². Facing the aggressive attitudes of Italy after France and more realising his weakness, the Bey also recognised that his loose relations with the Ottoman centre made him more vulnerable to the influence

38 BOA, HR.TO. 577/25, 8 Teşrin-i Evvel 1865 (8th October 1865).

39 Abdurrahman Çaycı, *La question tunisienne...*, p. 13.

40 Atilla Çetin, "Hüseyinler", *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*, Vol. 19, İstanbul 1999, p. 27.

41 Amos Perry, *Carthage and Tunis: Past and Present: in Two Parts*, Providence Press Company, Printers, 1869, p. 208.

42 İsmail Hakkı Uzunçarşılı, *ibid*, p. 557.

of these contesting powers⁴³. Hayreddin Pasha also states in his memoirs that Italy tried to take advantage of the weakness of France. So, to keep the region away from any possible harm he wrote a letter to İstanbul and demanded that the firman that would guarantee Tunisia's status in Europe to be issued as soon as possible⁴⁴. Thus, he decided to send Hayreddin Pasha to İstanbul with a renewed mission.

Richard Wood also took advantage of the circumstances to foster his efforts to reach the long-awaited result. André Raymond draws attention to the fact that, for the first time since 1835, France's short-term interests and Britain's traditional policy overlapped in Tunisia. Although it would not last long, the Anglo-French rivalry left its place in cooperation in Tunisia⁴⁵. In addition to the disappearance of France's opportunity to resist a rapprochement agreement, the emergence of Italy as a new rival over Tunisia became another reason that prompted the British and the Tunisian authorities to retake action⁴⁶. Furthermore, the governor of Tunisia came to "the realisation that when he stays away from the Ottoman State, he would be an easy prey for the great powers"⁴⁷.

Wood, in May 1871, drew attention to the new dangers in the province and asked for support in issuing the firman that he had been pursuing for a long time. According to him, tremendous pressure was exerted by Italy, who at the time revealed its intention to invade the province militarily, just as French representatives did during the revolt of 1864. To keep the province away from such foreign attacks and threats, necessary arrangements should be made in the province's relations with the Sublime Porte.

Wood reminded in his letter how the French prevention abolished the previous attempt in 1864, and the Ottoman authorities decided to wait for a more suitable time. The new and severe conditions forced the Bey's advisers to make efforts to put the province under the guarantee of the Paris Treaty of 1856 through the Ottomans. For this reason, the Bey wrote letters to the Sultan and the Grand Vizier, demanding from them to fulfil this long-delayed promise.

43 Abdurrahman Çaycı, *La question tunisienne...*, p. 14.

44 *Mudhakkiraati Khayreddin Basha*, (Tahqiq wa ta'rib: Muhammad al-Azbi as-Sanûsî), Tûnis 2008, p. 43-44.

45 André Raymond, *British Policy towards Tunis (1830-1881)*, Unpublished PhD Thesis History, University of Oxford, 1953, p. 453.

46 André Raymond, *ibid*, p. 462.

47 Mustapha Stiti, *ibid*, p. 40.

The Ottoman government had long watched with concern the efforts of France to weaken or break its ties with Tunisia. These concerns must have increased when they saw that Italy was following similar policies. The French emperor declared to the Italian minister in Paris that he would not personally object to Italy if they captured part of Tunisian territory. Although the Italian government claimed the contrary, it had been following an aggressive policy towards Tunisia ever since it had developed the idea of acquiring a colony in Africa.

The Bey asked Wood to get his government's support for the protection of Tunisia and the issuance of a firman. He wanted the firman to include the province's integrity with the rest of the empire, as previously agreed between General Hayreddin and the grand vizier. Anything that would change the character of the Bey's autonomy and status would give political material to those who wanted to separate Tunisia from the Ottoman Empire. For Wood, if the Sublime Porte refused this request for the third time, it would be a great disappointment⁴⁸.

In the autumn of 1871, the long-awaited firman was issued. It was written directly in the language of the Sultan, addressing the governor of Tunisia. After emphasising Tunisia's belonging to him, the Sultan informed Sadık Pasha that this firman was written upon his request. Although the Sultan confirmed that the governorship of the province was given to the Husaynid Dynasty by inheritance, he did not hesitate to make it conditional as:

“...it is the essential and the determined condition of the inheritance privilege that my subjects in the aforementioned province should always be sure of their property, life, honour and general rights, and these essential conditions should always be protected from being violated, and situations and actions contrary to this [condition] should be avoided...”

By this, the Ottoman centre officially determined Tunisia's status quo and guaranteed itself in a way by placing a condition. The firman stated that the Husaynid Dynasty would be removed if the administration in the province became inoperable. The other vital aspects of the firman, which were formulated within the framework of the principles in the drafts that Wood prepared in 1858 and 1864, could be listed as follows:

48 TNA, FO 102/120 and 102/90, Richard Wood to Earl Granville, Private and Confidential, No: 40, Tunisia 10th May 1871.

1. The financial obligations (*mürettebât*), i.e. taxes and gifts, that are customary to be sent from the province, were donated to the people of the region due to the [Sultan's] mercy,
2. The sermon (khutba) will be read, and the coin will be minted in the name of the Sultan,
3. The flag of the province will remain in its current form and colour,
4. In the event of a war, the province will send as many soldiers as it can,
5. The internal affairs of the province will be carried out following the Sharia and the laws enacted under the requirements of the time and sufficient to protect the life, honour and property of its people,
6. Appointment and dismissal of Sharia, military, administrative and financial officials will be made by the governors of Tunisia, respecting justice and equity,
7. Politic issues, namely, the declaration of war and the determination of the relations to be carried out with friendly states, which include conditions such as border changes, are among the sacred rights of the Sultan. In other words, these will be determined by the Sultan, and the governors are considered to be authorised as before in other foreign policy issues.
8. In the case of the death of a governor in the province, a firman will be requested for the appointment of the eldest of the heirs. So, the Sultan will appoint the eldest of the dynasty to the governorship by giving the vizierate and general rank.

The Sultan added his handwriting to the text as a sign of his great concern. The purpose of issuing the firman was *to improve and confirm the status of the critical province of Tunisia and its dynasty*⁴⁹. Another document emphasised that, except for the issues specified in the seventh article of the firman, namely political issues, the governors could maintain their affairs with foreign states as before, and that the firman was decorated with the Sultan's handwriting⁵⁰. With this firman, the Ottoman government gave the privilege of the governorship to Husaynid Dynasty, freed the region in foreign relations as they had previously carried out on their own, such as trade agreements, and did not put them under any financial burden such as giving taxes or gifts⁵¹. In

49 BOA, A.DVNS.NHM.d 13/61, pp. 92-93, 9 Şa'bân 1288 (24th October 1871). Apart from this record in the *Nâme-i Hümayûn* book, another copies of the firman are located at BOA, HR.SFR.1 30/38; BOA, İ.MMS. 41/1696, Sheet 1, and BOA, İ.MMS. 42/1717, Sheet 1.

50 BOA, HR.TH. 9/81, no date.

51 Enver Ziya Karal mentions that as the first of the conditions of the firman, Tunisia would pay a certain tax to the Sublime Porte every year. See. Enver Ziya Karal, *Osmanlı Tarihi*, Vol. VIII, Türk

return, the governors of Tunisia accepted the Sultan's suzerain rights in the region.

There were strong objections to the firman. The French consul, claiming that the firman could have harmful consequences for France and Tunisia, submitted his protest. He also asked Tunisian authorities that this firman not be accepted⁵². Kostaki Musurus Pasha, the London ambassador of the Ottoman Empire, discussed the firman with Lord Granville, the British Secretary of State for Foreign Affairs. Granville said that the firman was just *an annotation and an elaboration* of the grand vizierate's order written in 1864. It was his wish to *emphasise and strengthen* the ties of the governor of Tunisia with the Sublime Porte. However, the French State would be deeply saddened that *something that could not have been attempted when it was strong was carried out by taking advantage of the disaster it suffered* that day. Granville advised that France should not be offended in this regard. Musurus Pasha emphasised that the firman was an internal business of the Ottoman State, and there was no need for another state to intervene in or object to it. The Ottoman State did not intend to offend anyone by *strengthening its ties with the governor of one of its distinguished provinces, who previously went astray*. It cannot be expected that the Ottoman State would fail to protect its rights in its province because France would be upset as it was a time of disaster⁵³.

The firman also disturbed Italy. In Tunisia, the Italian consul called the chief vizier and asked him to persuade the Bey not to accept it. The chief vizier declared that the firman did not change the relationship between Tunisia and the Sublime Porte but only confirmed it. Moreover, the Bey should not be expected to reject the Sultan's benefaction upon him and his people. The French consul in the region suspended its activities until General Hayreddin arrived from Malta and had the

Tarih Kurumu, Ankara 2007, p. 84. However, in the French source to which Karal referred to the firman, there is no such condition. Contrarily, it is stated that financial obligations are forgiven as we mentioned above: ... *et comme actuellement les revenus de la province et la fortune des habitants se ressentent d'une certaine gêne et sont en déficit, mû par un sentiment de compassion et de générosité, je fais don à mes fidèles sujets de Tunis du tribut déterminé sous une certaine dénomination et payé ab antiqou à ma S. Porte par la province précitée à titre de sujétion définie et légale*. See. Aristarchi Bey (Grégoire), *Législation ottomane, ou, Recueil des lois, règlements, ordonnances, traités, capitulations et autres documents officiels de l'Empire ottoman*, Vol. II, (Published by Demétrius Nicolaïdes), Constantinople 1874, p. 148. Other than Karal, sources that directly refer to archival documents also have various statements about the financial obligations. Stiti states that Tunisia would give a tax to the Sublime Porte every year, but this would be in the form of a gift. See. Stiti, *ibid*, p. 41. Nevertheless, it is clear in the Ottoman documents and the above French citation that all the financial obligations were lifted from the province.

52 BOA, İ.MMS. 41/1696, Sheet 3, no date.

53 BOA, HR. SYS. 1898/69, 17 Şa'bân 1288 (1st November 1871).

opportunity to examine the firman. In Wood's view, whatever the consul may assert, the Bey would insist that he had the right to make such arrangements with the Sublime Porte⁵⁴.

The firman was proclaimed on 18th November 1871 in the Bardo Palace in the presence of all civil, military and religious officials, accompanied by artillery fire. Wood said that there was no need to express the joy that the firman created among the Muslim people. This firman renewed the ties between their prince and the Sultan, whom they saw as the supreme leader of the Muslim world. It also strengthened the Bey's administration. The firman would facilitate the relations of the Bey with foreign powers and their representatives and provide a solid basis for this. However, some foreign powers must first admit that their policies until then to realise their own national goals were defeated. Wood stated that this success was the product of the policy of the British government⁵⁵.

Wood submitted a translation of the firman to Earl Granville. He pointed out that the main goal achieved with this official announcement was the renewal and approval of the existing political status. The only exception was the added condition regarding the inheritance right of the Bey's family. This was a condition for the Bey to fulfil the responsibilities and obligations he assumed on his behalf and on behalf of his successors. The Muslims in Tunisia were very pleased with the firman, and they plan to show their joy by illuminating the city for a few nights.

After the declaration of the firman, the French and Italian consuls did not appear before the Bey with their previous claims, and they were waiting for new instructions. However, the representatives of Austria, Germany, Sweden, America and two more foreign powers conveyed their satisfaction and congratulations to the Bey⁵⁶.

The French consul appeared before the Bey and conveyed the instruction he received from his government. The French government was wary of accepting the consequences that might arise from this firman, which it deemed unnecessary to discuss its existence. France would maintain its relations with Tunisia as it was until then. In addition, the French government saw the Bey's request for such a firman as an undeserved distrust and dissatisfaction with the friendship they

54 TNA, FO 102/90, Richard Wood to Earl Granville, No: 89, Tunis 10 November 1871.

55 TNA, FO 102/90, Richard Wood to Earl Granville, No: 90, Tunis 18th November 1871.

56 TNA, FO 102/90, Richard Wood to Earl Granville, No: 91, Tunis 25th November 1871.

demonstrated for forty years. This firman changed the position that the Bey was trying to be more independent for years. The Bey replied that his relations with France had not changed. Although he received services from the French government, everyone needed to pursue their interests to the greatest strength. Wood had the impression that the French government perceived the firman as a *fait accompli*.

The Italian consul did not appear before the Bey. However, he seemed restless and tried to convince his colleagues and the province's European residents that the firman was reviving the fanaticism of the Muslim population. However, for Wood, it was not possible to see even the slightest sign of the existence of such a thing⁵⁷.

France and Italy tried to persuade other European states to adopt their positions. The Ottoman Empire's ambassador to Vienna, Halil Şerif Pasha, conveys the dialogue between him and the Austro-Hungarian foreign minister, Count Andrassy. The consuls of France and Italy declared that they were protesting the firman, and they invited the Count to adopt the same attitude. Andrassy did not accept this, and he said that the only explanation for the attitude of these consuls was their intention to seize Tunisia one day and turn it into a colony. Austria-Hungary, which did not have such an aim, saw the attitude of the Ottoman Empire as entirely legitimate and supported it⁵⁸.

France continued its opposition to the firman. During a meeting between Paris ambassador Mehmed Cemil Bey and the French Minister of Foreign Affairs in December 1871, the minister stated that he found the firman to change the status they wanted Tunisia to maintain and said he was then awaiting how the provisions of the firman would be implemented. Cemil Bey responded to this with the argument repeated by Ottoman statesmen: Since *Tunisia was an integral part of the sultanic lands*, sending a firman to the governor of the province was an issue concerning the rights of the Ottoman State⁵⁹.

57 TNA, FO 102/90, Richard Wood to Earl Granville, No: 93, Tunis 9th December 1871.

58 BOA, HR. SYS 1613/3, Sheet 4, 7 Décembre 1871. The support of Austria-Hungary to the Ottoman Empire in the question of Tunisia went back even further. A document sent to Haydar Efendi, who was the Ottoman commissioner in the region following the Mejba Revolt, dated June 1864, states that the Austrian consul in Tunisia encouraged the former governor, Mehmed Pasha, to strengthen his ties with the Ottoman State, and a copy of Mehmed Pasha's confidential reply to him was received. Source: BOA, HR.SYS. 2929/5, 23 Muharrem 1281 and 16 Haziran 1280 (28th June 1864).

59 BOA, HR. SYS 1922/24, 15 Kânûn-ı Evvel 1871 (27th December 1871).

Conclusion

In this article, the question of *the status quo* of Tunisia, which came to the fore in the 1850s and continued till the declaration of the firman of 1871, is discussed. Until the 1850s, there were international concerns that the Ottoman Empire might intervene in and change the political structure in Tunisia. When it was understood that there would be no such operation, the problem transformed into clarifying that undefined status quo and bringing it to an official announcement. Britain followed a policy of encouraging Tunisian authorities to increase their loyalty to the Ottoman Empire and secure *the status quo* with an international acceptance so that France, its main rival in the Mediterranean, would not become more assertive in the region. As Hayreddin Pasha of Tunisia stated, since France stepped into Algeria, it openly tried to spread its influence in Tunisia and followed a policy of rejecting the rights of the Ottoman centre over the province. Tunisian administrators, who wanted to reduce the damage they would suffer in the face of this policy, tried to maintain their good relations with the Sublime Porte⁶⁰. To bring Tunisia's political state of affairs to a formal declaration, some plans were prepared with the efforts of Richard Wood, the influential British Consul in the region. Although these plans were put into effect in 1858 and 1864, it was not possible to implement them successfully until 1871. The heavy defeat of France in 1870 reduced its pressure on Tunisia. In the meantime, although Italy emerged as a new actor in the region, it could not prevent the implementation of the policy that Britain had been pursuing for years.

Hayreddin Pasha, who played as important a role as the British Consul Wood in the issuance of the 1871 firman, expressed the story of the firman as follows:

“I was afraid that the rooted rivalry between France and Italy would sooner or later lead one of these powers to take harmful actions against the Regency. To prevent such a situation, I wrote a letter to Ali Pasha, the Grand Vizier at that time, highlighting the danger and explaining France's political conduct and ambitions in Tunisia, as well as Italy's new stance. I concluded by urging Ali Pasha to persuade the Imperial Government to promptly issue the Firman, which had been promised to me at the time, and secure its official recognition by Europe, so this would provide Tunisia with a stronger guarantee of protection.”⁶¹

60 *Mudhakkiraati Khayreddin Basha*, p. 55-56.

61 Mohamed Salah Mzali, Jean Pignon, *Kheredine Homme d'État, I, Mémoires*, Tunis 1971, p. 38.

Although Hayreddin Pasha did not mention Richard Wood's contribution to the process in his account, he clearly expressed the effect of the escalating rivalry between France and Italy on the issuance of the long-awaited firman and its aim to protect the regency.

The firman of 1871 could be considered a diplomatic success for both Britain and the Ottoman Empire. However, this diplomatic success did not have long-term consequences. The evolved circumstances resulted in non-realisation of their anticipated outcomes from this declaration. In addition to France's not recognising the firman, Mehmed Sadık Pasha could not provide the expected military support in the Ottoman-Russian War of 1877-1878. This situation also led to the dismissal of Hayreddin Pasha, who rose to the rank of grand vizier with his role in the Ottoman-Tunisia rapprochement⁶². The heavy defeat of the Ottoman Empire in this war turned Britain's attention to the Eastern Mediterranean and caused it to protect its interests. The acquisition of Cyprus as a military base in 1878 was a sign that Britain abandoned the policy of protecting the territorial integrity of the Ottoman Empire regarding Tunisia and other regions. As a result of the British attention shifting to the Eastern Mediterranean, France, which had already declared that it would not recognise the 1871 firman, took advantage of the conditions and invaded Tunisia in 1881.

I like to express my gratitude to Meryem Kucuk for her invaluable help in obtaining this particular resource.

62 Ahmet Kavas, "Tunus (Osmanlı Dönemi)", *Türkiye Diyanet Vakıf İslam Ansiklopedisi*, Vol. 41, İstanbul 2012, p. 391.

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APPENDICES

Appendix 1: Translation of the Firman to the Governor of Tunisia, Mehmed Sadık Pasha, in 1871

The blessed handwriting of the Sultan has been added to the top side of it, saying required have to be done

The office order is placed in the letter bag

A decree to the governor of the province of Tunis, Mehmed Sadık Pasha, who is decorated with my jewelled medal of Osmani, and the renowned first-class medal of Mecidi.

Just as the administration of the province of Tunisia, which is part of my well-protected and hereditary imperial domains, had been granted by my glorious sultanate to your predecessors, it has been conferred to your ability and merit to the same extent. The good path which you have followed as well as your services, sincerity and the uprightness which you have shown towards me, since then, have come to my imperial knowledge. The innate qualities which distinguish you make me hope that henceforth you will also persevere in this desired way, that you will heartily show diligence for the prosperity and the tranquillity of my province and my imperial subjects, that you will more and more be worthy of my benevolence and of the confidence I have placed in you, that is to say, that you will know how to appreciate its value and show yourself grateful for it.

The real purpose of my sultanate and its unwavering decision is to maintain and increase the tranquillity and prosperity of this important province of my empire and to consolidate day by day the peace and security of its entire inhabitants. It is evident that my government will make every kind of effort and support that depends on its fundamental rights of sovereignty to achieve this goal entirely.

Following the request and the desire contained in the petition that you addressed to me this time, the province of Tunis, within its former known limits, is left to and maintained to be your responsibility with the privilege of inheritance under the following conditions:

As explained above, my imperial aim, which is accompanied by justice, is to increase the prosperity and wealth of this imperial province of mine and my subjects who inhabit there; and as currently the income and the product of the province and the inhabitants are in certain distress and impairment, motivated by a feeling of compassion and generosity, I donate to my faithful subjects of Tunisia the tribute, which was determined under a

certain denomination and paid since old times to my Sublime Porte by the aforementioned province as a defined and legal subjection.

As it has always been practised, as a public sign of the ancient and legitimate bond which attaches the province of Tunisia, which is an integral part of my imperial domains, to the exalted post of the caliphate and my sublime sultanate, the khutba [Friday prayer] and the coin will be embellished with my imperial name, and the flag will keep the same shape and the same colour. Some day or other, if my empire were engaged in an external war, my aforementioned imperial province would continue to perform the necessary military service to the extent of its strength.

The other relationships and ties that existed up to this day with my Sublime State will be maintained and observed as in the past.

The administration of the province will be maintained hereditarily in your family on the condition that the internal administration conforms to the prescriptions of the Exalted Shaira, to my laws of justice, to the requirements of the moment and of the time, and on the condition that it sufficiently guarantees the life, honour and fortune of the inhabitants.

The governors of Tunisia will have the deputy power to dismiss and appoint the officials of Sharia, military, civil and financial administrations, according to the laws of equity and justice.

The political issues, that is to say, concluding treaties with the friendly states related to peace and war, modification of frontiers and other similar matters, constitute the sacred rights of my sovereignty. Apart from these points, the governors of Tunisia are authorised as in the past to continue to establish relations with foreign states.

In addition, just as it has been practised until now in case of a divine resolve in the provincial post [i.e. the death of a governor], upon the presentation to my sultanate of a petition requesting the appointment of the oldest heir in the family, my glorious order, accompanied with my imperial rescript of vizierate and generalship, will be issued.

This precious order of mine is issued and sent by my Imperial Divân, being decorated with my imperial handwriting. Now, as explained above, my auspicious intentions could only be the improvement and the consolidation of the state and the position of the important province of Tunisia and its family and the happiness, the peace and the security of the different classes of my subjects who live in the mentioned province and who live in the shadow of my imperial protection. So, I absolutely want you to, personally, devote your efforts and your diligence to the accomplishment of this intention. Also, as the complete and evermore safeguard of my indisputable sovereign rights existing since old times in Tunisia and the protection of the life, honour and general rights of my subjects living in the province whose administration is entrusted to your fidelity, are the essential conditions for the privilege of heredity, your intelligence will make you understand the need to take

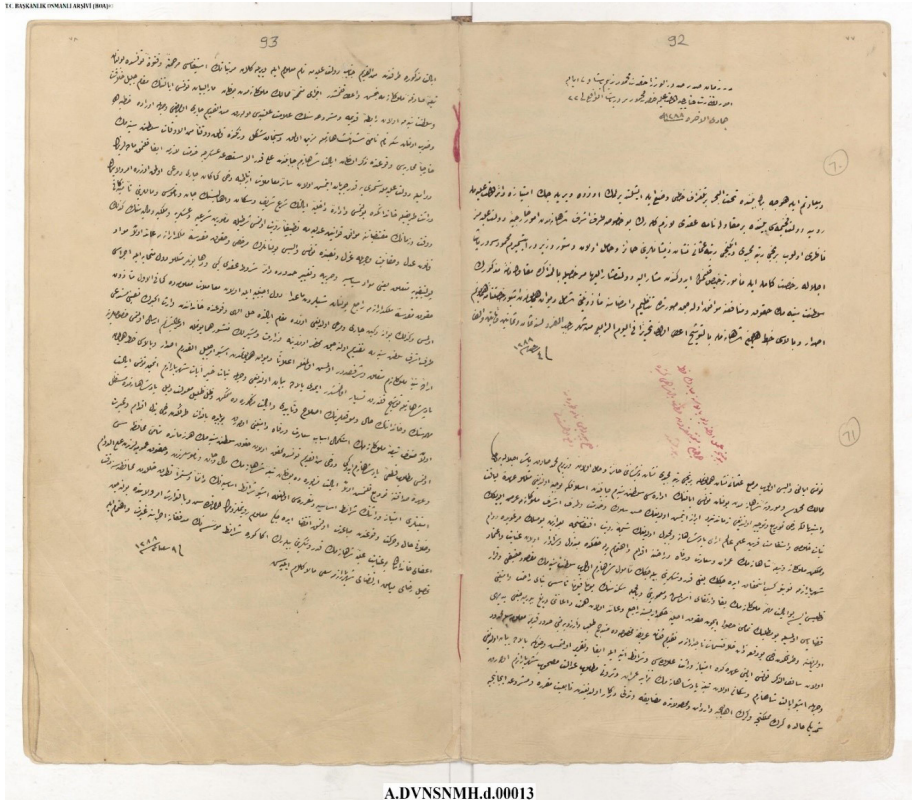
scrupulous care to preserve these fundamental conditions from any violation continuously, and to avoid all things and all acts that would be contrary to them.

You and those of your family members who will find themselves in charge of the province's administration by inheritance, will appreciate the value of this high imperial favour and be grateful for it. Accordingly, you will apply yourself with care to the precise execution of these essential conditions and you will use your diligence to earn my sovereign consent.

9 Şa'bân 1288 [24th October 1871]

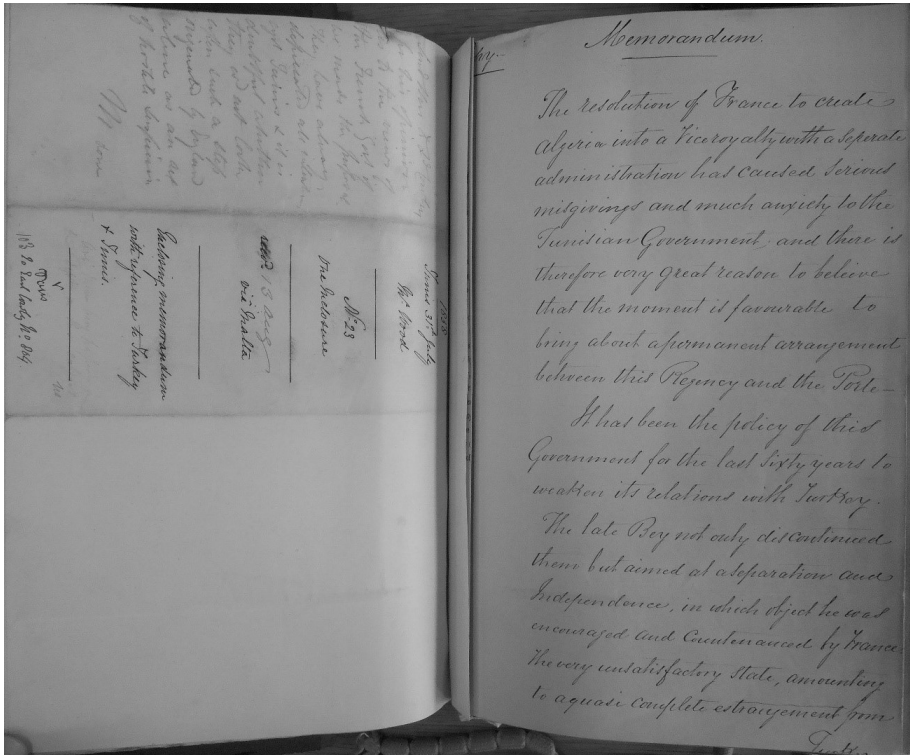
(BOA, A.DVNS.NHM.d 13/61, p. 92-93; BOA, HR. SFR.1 30/38, BOA, İ.MMS. 41/1696, Sheet 1, no date, and BOA, İ. MMS. 42/1717, Sheet 1, no date).

[For two slightly different publications of this firman in French see. Aristarchi Bey (Grégoire), *Législation ottomane, ou, Recueil des lois, règlements, ordonnances, traités, capitulations et autres documents officiels de l'Empire ottoman*, Vol. II, (Published by Demétrius Nicolaïdes), Constantinople 1874, p. 147-149 and Abdurrahman Çaycı, *La question tunisienne et la politique ottomane (1881-1913)*, Türk Tarih Kurumu Yayınları, Ankara 1992, Annexe No. 2, p. 170-172. Also for a publication of it in Arabic see. *Mudhakkiraati Khayreddin Basha*, (Tahqiq wa ta'rib: Muhammad al-Azbi as-Sanûsî), Tûnis 2008, p. 227-229.]

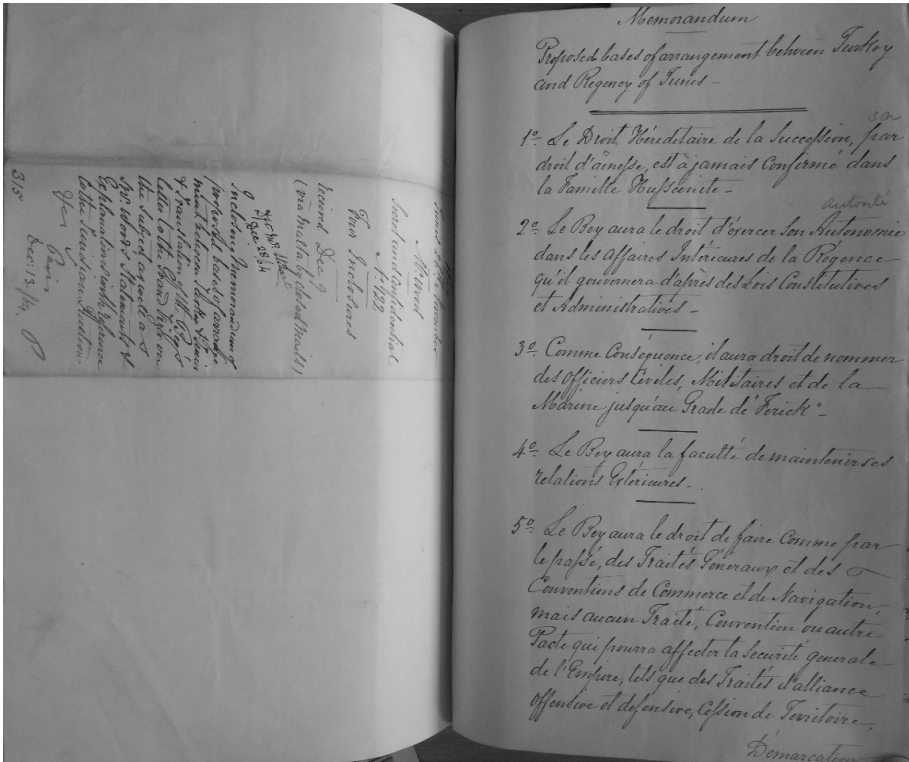


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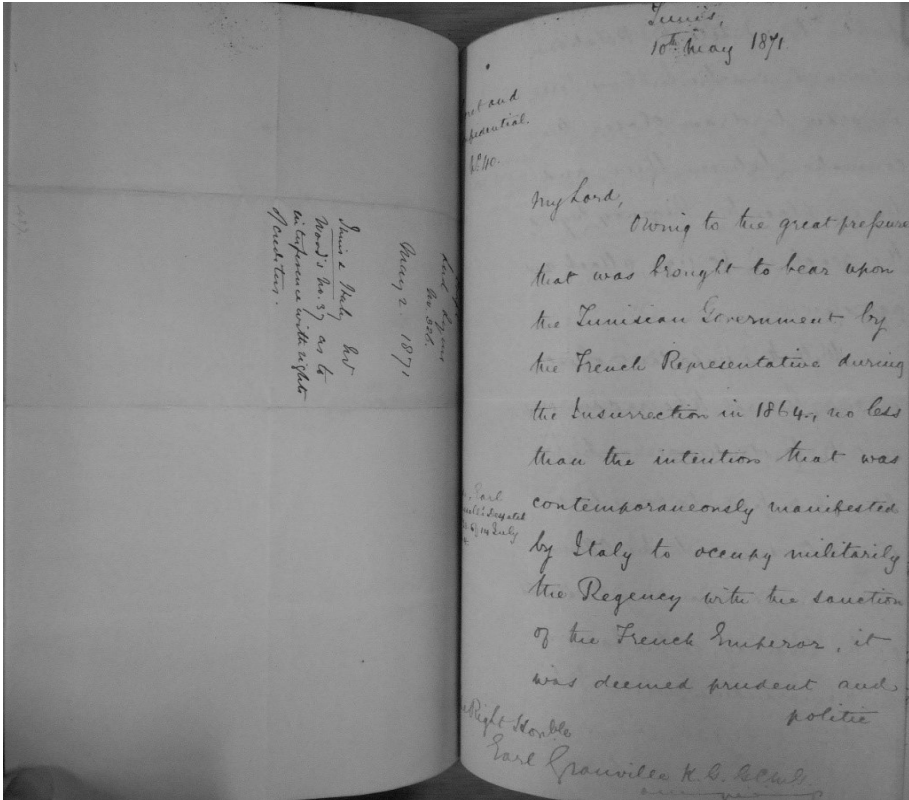
Appendix 2: A copy of the firman to the governor of Tunisia, Mehmed Sadık Pasha, in 1871, BOA, A.DVNS.NMH.d 13/61, pp. 92-93, 9 Şa'ban 1288 (24th October 1871).



Appendix 3: The first page of Richard Wood's memorandum in 1858, TNA, FO 102/55, Memorandum, Richard Wood, Tunisia 31st July 1858.



Appendix 4: The first page of Richard Wood's memorandum in 1864, TNA, FO 102/72, Richard Wood to Earl Russell, Private and Confidential, No: 122, Tunisia 26th November 1864, Memorandum.



Appendix 5: The first page of Richard Wood's report in 1871, TNA, FO 102/120, Richard Wood to Earl Granville, Private and Confidential, No: 40, Tunisia 10th May 1871.