

Muḥammad Hilāl Effendi: An Arab Intellectual and Bureaucrat in the Late Ottoman Period

Safiah Mohammed Al-Salameen¹ 

[https://doi.org/ 10.35516/jjha.v18i2.1003](https://doi.org/10.35516/jjha.v18i2.1003)

Abstract

Muḥammad Hilāl Effendi (1840–?) was an important Ottoman bureaucrat and intellectual. However, despite his prominence, comparatively little is known about his life and works. Muḥammad Hilāl was a graduate from al-Azhar University, which enabled him to serve as a judge in both in Sharia and the then-newly established Tanzimat courts in various provinces of the Ottoman Empire. During his professional tenure, he authored three memoranda addressed to Sultan Abdülhamid II, as well as several religious treatises in Arabic. Significantly, Muḥammad Hilāl does not appear in standard Arabic biographical compilations of his era. Instead, he is mentioned only as the father of Sāṭi‘ al-Ḥuṣrī, who was one of the most prominent theorists of Arab nationalism. However, Hilāl’s memoranda are discussed in the Turkish secondary literature and there, inexplicably, the fact that he was the father of Sāṭi‘ al-Ḥuṣrī has gone largely unnoticed. One, therefore, could claim that Muḥammad Hilāl became a victim of the nationalist fragmentation of post-Ottoman historiography. This paper proposes to serve as a starting point for a re-evaluation of Muḥammad Hilāl Effendi's identity, career, and writings. In doing so, it sheds light on the intellectual climate of the Ottoman Empire in the second half of the 19th century, challenging commonly held notions of intellectual stagnation and decline in this period.

Keywords: Muḥammad Hilāl Effendi; Ottoman provinces; niẓāmīye courts; memoranda; treatises.

INTRODUCTION

Muḥammad Hilāl Effendi was an erudite bureaucrat in the late Ottoman Empire, from 1881 until 1897. Upon the completion of his studies at al-Azhar, he served as judge and president of the court of appeals in various parts of the Ottoman Empire, the most notable being the sancaks of Deir ez-Zor, Ḥamā, Yemen, Adana, Ankara, Ṭrāblusgarb, and Konya. Between 1899-1907, Hilāl Effendi was the Investigation Officer in the Ministry of Police (Zabtiye Nezareti Tahkik Memurluğu’na) (BOA, DH. MKT 2325/64). Although sources are ambiguous, he likely served in this capacity until his death. Despite having held important administrative posts across the Ottoman Empire, Muḥammad Hilāl al-Ḥuṣrī was, for all intents and purposes, overlooked in the standard Arabic biographical compilations of notable personalities, such as that of al-Ziriklī, Kaḥḥālah, ‘Awwād, or Ghurbāl (al-Ziriklī 1992: 199; Kaḥḥālah 1994: vol.1, 747; Ghurbāl 1965:944 ; ‘Awwād 1969). In contrast to the paucity of information on Muḥammad Hilāl al-Ḥuṣrī’s career, the amount of

¹ Department of History, School of Arts, The University of Jordan, ✉ salameensafiah@gmail.com

Received on 11/3/2023 and accepted for publication on 17/8/2023.

commentary on his well-known son, Sāṭi‘ al-Ḥuṣrī, is considerable.¹

By contrast, Muḥammad Hilāl’s memoranda and religious writing are widely cited in secondary Turkish literature (e.g., Bostan 1986: 167-168; Göyünç 1980: 235-256). Interestingly enough, in these sources, the fact that he was Sāṭi‘ al-Ḥuṣrī’s father goes largely unnoticed.² This may be explained by him usually being referred to simply as Mehmed (or Muḥammad) Hilāl Effendi, without the nisba (al-Ḥuṣrī) (Kandal 2017: 420-42). Historian William Cleveland reasons further that during Sāṭi‘ al-Ḥuṣrī’s Ottoman career, he was not identified by his family name but was known simply as Sati‘ or Mustafa Sati‘ (Cleveland 1971: 13-15). This would have further obfuscated the family link.

By contrast, in the English secondary literature, Muḥammad Hilāl is commonly recognized as the father of Sāṭi‘ al-Ḥuṣrī. However, what is generally omitted is the fact that he was an Ottoman intellectual, who wrote several treatises and memoranda and submitted them to the imperial government in order to apply reforms in the provinces and districts where he served (Osman 2015: 70; Kayali 1997:219; Kenny 1963: 231-56; Tibi 1980: 92; Kuehn 2011: 6). This paper addresses this gap and aims to serve as a starting point for a re-evaluation of Muḥammad Hilāl al-Ḥuṣrī’s identity and career.

Chronology and Career

Muḥammad Hilāl Effendi was born in Aleppo in 1840 (Choueiri 1960; Kenny 1963:231; Göyünç 1982: 130-132; Tibi 1980: 92). He married Fāṭimah al-Jābirī of Aleppo (Cleveland, 1971: 13). They had fifteen *children, as mentioned by* Mustafa Şanal and Çiğdem Özbay (Şanal 2020: 239-250; Özbay 2014: 19). Several of his children were quite well-known, including Neriman Hızır, who was one of the first Ottoman women pedagogues; Bedīa Sanör; Bashīr Macīdī who served as Prosecutor General in Homs and Benghazi in 1890, Bedii Nuri, the *mutasarrif* of an-Nāşiriyya in the Basra provinces, and of course Sāṭi‘ al-Ḥuṣrī (al-Fāyydī 1974:108-114; Çankaya 1971 : vol. 3: 641; Ülken 1966: 248, 253; BOA, DH.SAİDd. 59/17; Cleveland, 1971: 15; Özbay 2014: 19; ‘Azzāwī 2004: v. 8, 424; Cleveland, 1971: 14-15; BOA. DH. SAİDd.93/37).

Muḥammad Hilāl received his religious education at the al-İsmā‘īlīyah madrasah in Aleppo³ (al-Ghazzī 1999 :v. II (3), 348-349; Bakrū 1998: 30-33), where he studied the Qur’ān, Arabic, Qur’ān exegesis (Tafsīr), logic, rhetoric, and the principles of Islamic Jurisprudence, ‘Uṣūl al-fiqh (Cleveland, 1971: 13-15). After completing his elementary education, Muḥammad Hilāl moved to Cairo to study at the Jāmi‘ al-Azhar to obtain his license (Ijāza) (Burg 1967: 9; Kaḥḥālāh 1994: vol.1, 747). Upon the completion of his studies, Muḥammad Hilāl entered the Ottoman judiciary. Between 1871-1876, he served as a deputy judge and later judge at the Şer‘iyye ‘religious’ courts in the sancaḳ (district)

¹ The historian Muḥammad Burg wrote a biography of Sāṭi‘ al-Ḥuṣrī, in which he mentioned important information about the Al-Husri family. This information was narrated by Sāṭi‘ al-Ḥuṣrī himself. However, what is noteworthy is that when Sāṭi‘ al-Ḥuṣrī talks about his father and his works, he refers back to the official translation preserved in the archives of the Ottoman State records (resmi hal tercümesinde. (Burg 1967: 9; Al-Ḥimsī 2016; BOA. DH.SAİDd. 59/17).

² Sāṭi‘ al-Ḥuṣrī has been widely considered as the father of Arab nationalism; his legacy is often considered the basis for Arab nationalist thought in the region. For further reading see Haim 1962, 43; Hourani 1970: 311; Aldoughli 2016: 7–39).

³ A school located in al-Frāfirah neighbourhood in the northern part of Aleppo citadel, it was established by the governor of Aleppo, Ismāil Beik bin Muḥammad, in (1255/1839). By 1900, its rooms housed foreign students. After 1925, lessons were discontinued, and the students relocated. The facility became a fully functional mosque that provided the five prayers and the Friday prayer.

of Deir ez-Zor and Bāb aj-Jbbūl in the province of Aleppo and in the sancağ of Ḥamā (Burg 1967: 12; Khalafallah 1969: 24–31).

At the time, the system of Islamic jurisdiction mandated that a judge be appointed to a specific location for two years. If the judge's term ended while he was still in the same location, they would return to Istanbul and await their appointment to another place (Burg 1967:12). Accordingly, after two years in Ḥamā, Muḥammad Hilāl returned to Istanbul. It appears that he did not seek an appointment as a religious judge again, but rather wanted to work in a secular court, which the Ottoman Empire had begun to establish, making them independent from the religious courts. These secular courts were entrusted with civil matters (Burg 1967: 13). As a result of his experience and good standing in the religious courts of Aleppo, Muḥammad Hilāl was entitled to sit for the examinations which would qualify him for a position in a secular court. On 5 September 1879, he succeeded in the examination conducted by the Ottoman Ministry of Justice, which selected the secular judges. Muḥammad Hilāl was appointed as the Chief of the Court of Appeals in Ṣan'ā' (Cleveland 1971: 13; Burg 1967: 13), the capital of the vilāyet of Yemen. However, the Ministry of Justice decided to abolish the secular courts in Yemen after two years. Consequently, when his position in Ṣan'ā' was abolished on 16 August 1881 (Burg 1967: 13), Muḥammad Hilāl found himself unemployed. Subsequently, he left Yemen to return to Istanbul. It seems that at the time, his salary decreased from 4,000 kuruşes (piasters) to 3,500 kuruşes (Göyünç 1982:236). Shortly thereafter, in 1882, Muḥammad Hilāl was appointed as the presiding judge at the criminal division of the local Court of Appeal in the province of Adana, Ankara and Tripoli – a post he held until 1887. During this period, he was promoted to the tenth rank and awarded the fourth rank of Macidi Nişan-ıI (Göyünç 1982:236; Burg 1967: 13).

Notwithstanding the prior abolition, in 1887 the Ottoman state desired to re-establish secular courts in Yemen. According to the official provincial yearbook (sālnāme), the positions abolished in Yemen during 1881 were re-established and extended to most of the districts by 1887 (sālnāmesi 1305H/1887: 44). Muḥammad Hilāl was reappointed to the presidency of the criminal section on 14 November 1887. However, he was later relieved of his duties based on an official letter from the Governor of Yemen, 'Osmān Nūrī Paşa. The letter cited complaints from the local population, expressing their disapproval of Muḥammad Hilāl (Göyünç 1982: 236).

It has proven impossible to find any evidence in the archives substantiating this notion that the people disliked Muḥammad Hilāl or complained about him, whether in Yemen or in the other provinces and districts he served in. On the contrary, some Ottoman officials in Ankara and Adana stated that Muḥammad Hilāl continued to be respected and admired by those close to him, in particular by the Council of Cassation and the secular courts. This is evident from the requests made by several government officials, including Ömar Lutfi (Public Prosecutor/ Assistant), Hussein Hacı (President of the Konya Court), Aḥmad Faik (President of the Court of First Instance in Konya), 'Alī Rıfkī bin Salīm (Public Prosecutor), Muḥammad Sharīf bin Muḥammad (President of the Appellate Court in Konya), and İbrāhīm Rüştü- (President of the Trade Court), to appoint Muḥammad Hilāl to a position more appropriate to his many years of excellent service as a judge since 1871.⁴

⁴ The Ottoman documents substantiate that Muḥammad Hilāl conducted his duties honestly. There were no references to any abuse of power or indications that he utilized his position for personal gain or self-aggrandizement. His performance in the official capacity appeared to be commendable and free from any misconduct or malpractice, see Adana Valisi devletlü Abidin Paşa Hazretleri canibinden reis-i

On the other hand, evidence from the Ottoman documents reveals a conflict between ‘Osmān Nūrī Paşa and Muḥammad Hilāl, indicating a significant clash of personalities. The dispute revolved around the re-establishment of secular courts in Yemen in 1888. In a letter addressed to Istanbul, ‘Osmān Nūrī Paşa argued for the abolition of these courts in Yemen, citing the continued lack of acceptance of the modifications to the court structure implemented in 1880, particularly among the nomadic local population. He emphasized the necessity of abolishing the Courts of First Instance and Courts of Appeal, as the residents showed no interest in attending these courts. Additionally, he proposed that such abolition would enhance the Ottoman Government’s popularity among the local population while also reducing expenses (BOA, İ.MMS.106/4548.6); (BOA, DH. 1083/84941).

‘Osmān Nūrī Paşa held the view that the establishment of religious courts, along with the appointment of local scholars as judges, with only one or two members from the province and sub-province centres, would alleviate the financial burden on the treasury. Unlike secular courts, which required a large staff, the religious courts operated with a smaller workforce. Consequently, the establishment of religious courts would result in fewer personnel and generate money for the Treasury (Bostan 2013:67-68); (BOA, İ.DH. 1083/84941; BOA, MMS.106/4548.6).

As president of the Court of Appeals in Yemen, Muḥammad Hilāl strongly criticized the arguments put forth by ‘Osmān Nūrī Paşa. He argued that dismantling the court structure would undermine efforts to promote justice and civilization in Yemen (Kuehn 2011: 130-31). He believed that re-establishing the court would instead foster local support for the government and instil hope for Yemen’s independence (Kuehn 2011:131); (BOA: İ.MMS.106/4548). Furthermore, Muḥammad Hilāl asserted that there were no complaints about either the officials or the courts, as the local population sought resolution of their cases through both through faqīhs (Islamic jurists) and the district and sub-district councils (Kuehn 2011: 131). In stark contrast to the governor-general, the judge of the appeals court believed that, on the whole, the institutions of the Tanzimat state were embraced in Yemen and should not be scaled back. He supported the close involvement of the Ottoman state in provincial administration and advocated for increased centralization (Kuehn 2011:131).

The dispute between the two parties continued over the abolition of the secular courts. ‘Osmān Nūrī Paşa refused the Ministry of Justice’s order to consult with Muḥammad Hilāl regarding the dissolution of this court, claiming that he could not be consulted in this matter, as his insistence on preserving the secular courts reflected self-interest (Kuehn 2011: 131).

Subsequently, the government acknowledged that the functioning of the secular courts did not meet their expectations, necessitating a reorganization and modification of the judicial system. Recognizing that the people of Yemen were accustomed to their traditional practices and rules, the government chose not to enforce the new order. It thus appears that the Ottoman government responded to Nūrī Paşa’s request, deeming the secular courts ineffective and proceeding to abolish them (Bostan 2013: 70).

Critically, it is evident that the conflict between ‘Osmān Nūrī Paşa and Muḥammad Hilāl is not merely a clash of personalities but also reflects differing perspectives on governance, justice, and the balance between centralization and local autonomy. The arguments put forth by both officials had their merits, and the ultimate decision to abolish

mumailayhin hüsn-i hâli ve Adliye Nazırı devletlü Asım Paşa Hazretlerinin şهادeti ve Cezayir-i Bahrişefid Vilayeti Valisi saadetlü Hakkı Paşa (BOA, DH.SAİDd.518/4; BOA,Y-PRK, AZJ 27/16).

the regular courts suggests a response to the perceived shortcomings rather than a resolution of the underlying disagreements. ‘Osmān Nūrī Paşa and Muḥammad Hilāl represented opposing perspectives on how the Ottoman administration should develop, and there is no clear indication that the decision ultimately reached by Istanbul was the better (or worse) choice.

After the secular court in Yemen was abolished, Muḥammad Hilāl was transferred to Konya and appointed the presiding judge of the criminal division of the local Court of Appeals (BOA, DH. SAID.d, 518/4). He served in this position for almost two years, but on 23 December 1893, he was apparently demoted from his position as a presiding judge of the criminal division of the local Court of Appeals and was unexpectedly transferred to ‘Arabistān. Instead of continuing in his judicial role, he was appointed as a Turkish teacher (BOA, DH. SAID.d, 518/4), but the specific reasons for this sudden change remain unclear.

On 11 January 1894, the Ottoman government appointed Muḥammad Hilāl to the Court of Appeals in Tripoli. In due time, the Public Prosecutor of West Tripoli filed a complaint against him, stating that Hilāl was preoccupied with personal issues and not attending to his duties. Consequently, his salary was cut and he was dismissed as the presiding judge, replaced by Arif Bey (BOA, BEO 702/52648; Göyünç 1982: 236).

On 8 April 1899, Muḥammad Hilāl was appointed in Üsküdar Mutasarrıflığı as investigator (BOA, BEO 1305/97856; BOA, İ.HUS. 74 /73; BOA, İ.HUS. 75 /147). He clearly considered the position inappropriate (BOA, BEO 1337/100232) for a man of his talents and experience, and petitioned the government to move him to a more appropriate appointment (BOA, DH:MKT. 2222/45). The final piece of evidence we have for Muḥammad Hilāl’s career reveals that he was granted an appointment at the Ministry of Police (BOA, DH:MKT 2325/64; BOA, BEO 702/ 52648) between 1899 and 1907. No further details for the latter part of his career are available. We do not know when he died (Göyünç 1982: 236).

Muḥammad Hilāl’s corpus

During Muḥammad Hilāl’s career as a judge in several provinces, he authored three memoranda addressed to Sultan Abdülhamid II, as well as several religious treatises in Ottoman Turkish. His most important memoranda and treatises were: *Lūkātāṭ ad-dhahab fī āthār al-‘Arab*, *Ṭrāblusğarb’a dair bir risalede*, *Dürerü’l-lâl*, and *Nâfi’ü’l-hükkâm* (BOA: DH.SAİDd.4/518). Muḥammad Hilāl’s memoranda were similar to reports which were submitted to the Ottoman authorities across the Empire, on a regular basis since the early years of the *Tanzīmāt*. Like such reports, these memoranda provided information about a specific territory and its population for government use. Muḥammad Hilāl’s memoranda combined authoritative historical overviews of *Ṭrāblusğarb*, *Yemen* (Bostan, 1982: 301-326);, and *Deir ez-Zor*, with regional, geographical, and ethnographic surveys. Based on his observations, he requested that the Ottoman government implement reforms in these regions for the purpose of asserting the government’s authority and improving governance (BOA, Y.EE 58/33). In his memoranda about *Ṭrāblusğarb*, for instance, he presented important information on the region’s economic conditions, which revealed him to be a significant thinker and an adept economist, who was a keen observer of local commerce. Muḥammad Hilāl showed a strong desire to improve the economic well-being both of the people under his administration and of the Empire as a whole, and in pursuing this goal he was keen to suggest innovative solutions. It is clear from his writing that he was not content to simply be a government servant but that he wanted to meaningfully contribute to the

Empire as a whole. He believed that if the economic conditions of the people improved, they would not only produce more and increase the wealth of the Empire, but in the end be thankful to the Sultan and more loyal to the Ottoman government. In his reports, he tried to convince the Ottoman government that the subjects in Yemen and Trāblusḡarb were accepting the Ottoman reforms and he suggested greater centralization would be beneficial for Yemen and Deir ez-Zor – an opinion at odds with some of his contemporaries (BOA: Y..EE, 35/44; Göyünç 1982:240-246).

Muḥammad Hilāl also published some religious treatises. Although no full text survives, they generated some controversy in his lifetime, leaving a trail of references in secondary sources. For instance, in his *Elburhānū’l-Celīl alā Sıḥḥati’l-İncīl* (The Great Proof on the validity of Bible), Muḥammad Hilāl asserted that the Bible was the fundamental basis of Islamic life, that the scriptures were infallible, and that reading the Bible should be obligatory for all Muslims (BOA: DH-MKT 205/43). Such pronouncements were quite controversial, and it is possible that the treatise contributed to his dismissal from Tripoli in 1894, which ended with a charge of negligence and poor career performance. Tellingly, this was coupled with a refusal to grant him permission to publish his treatises and memoranda (BOA, MF.MKT 98/51).

Another of his treatises, *Elburhānū’l-Celīl alā Sıḥḥati’l-İncīl*, seems to have been interpreted as being in opposition to Islam. Its content or arguments might have been perceived as challenging or contradicting some aspects of Islamic beliefs or practices, leading to the perception that it was against the basic tenets of Islam. This interpretation has sparked controversies or disagreements among those who adhered strictly to Islamic teachings (BOA: MF.MKT 98/51). However, In January 1891, Muḥammad Hilāl published his treatise *aş-Şihab al-Saṭi’ al-Muzīl Li’dilāt al-Burhān al-calīl*, which was clearly a clarification of the earlier, controversial piece. He attempted to present new arguments and evidence to demonstrate that his work was not in opposition to Islam, and that his intention was to offer a fresh perspective on religion but not to challenge it. However, the Ministry of Interior Affairs refused to publish this treaty as well, though they stated that the rejection was not based on religious beliefs (BOA, MF.MKT 205/43). An interesting question arises here - What was the real reason for writing the *aş-Şihab al-Saṭi’ al-Muzīl Li’dilāt al-Burhān al-calīl*? No firm evidence exists, but based on circumstantial evidence, the author is inclined to suggest that Muḥammad Hilāl may have been coerced into writing this treatise, in response to his decreasing salary and his dismissal from the position of the presiding judge of the criminal division of the local Court of Appeals.

A critical analysis of this situation raises questions about the role of external influences on Muḥammad Hilāl’s actions. It is essential to consider the potential impact of financial and professional repercussions on an individual’s intellectual or ideological stances. The lack of specific evidence in the provided text limits a comprehensive understanding of the motivations behind Muḥammad Hilāl’s refutation and the full extent of external pressures he may have faced. Further research might shed more light on this issue, but the proposition above at least provides a starting point for future work on how such practical considerations may have influenced the intellectual output in the late Ottoman Empire.

Muḥammad Hilāl appealed the punitive actions against him, requesting that he be reinstated in his original position as a judge (BOA: Y-PRK, AZJ 27/16). As in previous instances, his request was rejected; moreover, this time he was demoted to a clerical position and transferred to another area. Muḥammad Hilāl believed this to be unjust, feeling that the government had not taken his twenty-three years of service into consideration. As

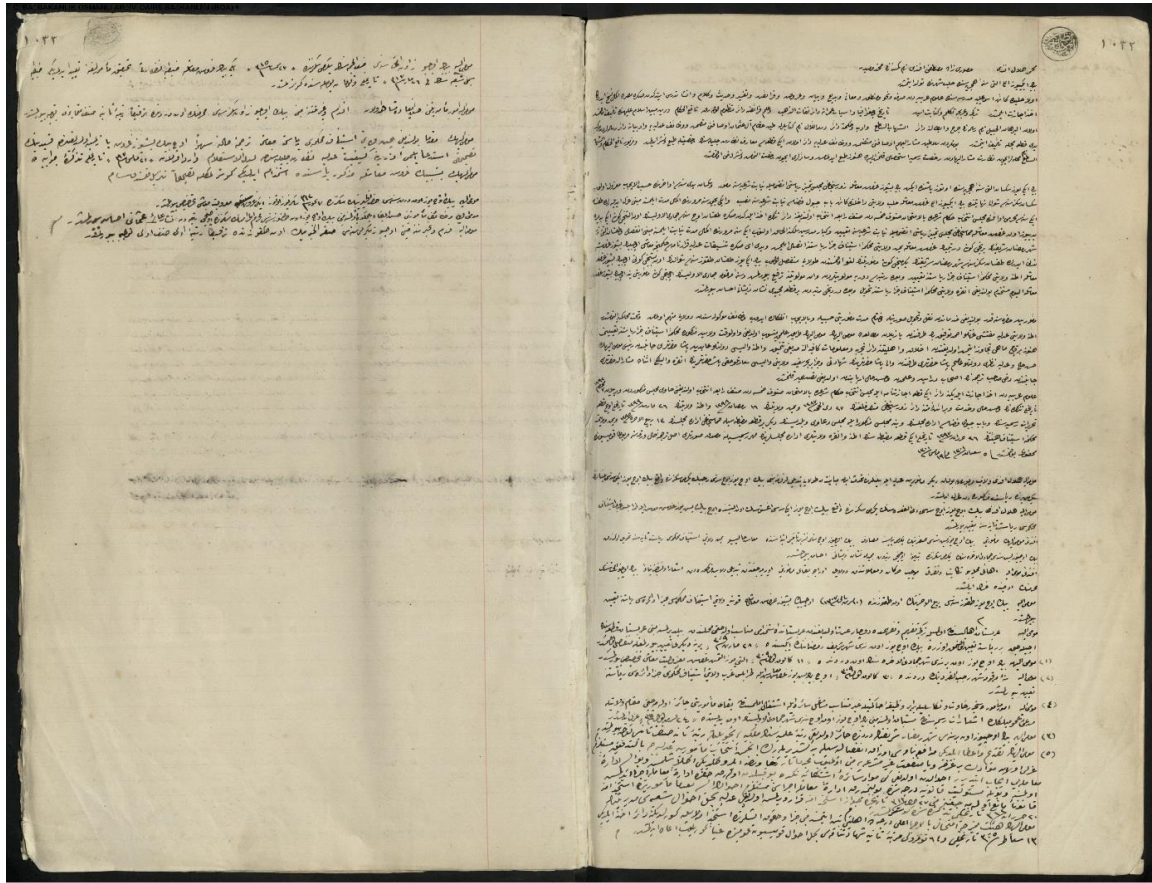
a civil servant who had been faithful to the Ottoman Empire, completed all designated tasks to the best of his ability, and had advanced through the ranks of the judicial system, for which he had received imperial accolades, he clearly felt that this demotion was unfair (BOA, Y.PRK, AZJ 27/16). His financial situation deteriorated, as his low clerical salary was insufficient to support a large family (BOA, Y-PRK, AZJ 27/16). Eventually, his request was accepted, and he was again appointed to a higher rank (at the Ministry of Police), with a higher salary to match.

CONCLUSION

This article, which aims to contribute to the growing revisionist historiography of the nineteenth-century Ottoman Empire, examined the life and career of Muḥammad Hilāl Effendi, chiefly known as the father of the most prominent theorist of Arab nationalism, Sāṭi' al-Ḥuṣrī, but in fact an important intellectual and administrator in his own right. The article has demonstrated how contemporary and modern historiography emphasise different aspects of Muḥammad Hilāl Effendi's life and career. Based on a broad range of primary source material, it examined the tenure of Muḥammad Hilāl Effendi in Ottoman provincial administrative roles and showed how he controlled imperial affairs between 1871-1907, demonstrating skill and wisdom by most accounts, but also clearly making some enemies. In doing so, the article has addressed a clear gap in the historiography of the late Ottoman Empire, in particular Anglophone historiography, which often glosses over the life and works of Muḥammad Hilāl Effendi, reducing his identity to that of his son.

In broader terms, a brief synthesis of the life and works of Muḥammad Hilāl Effendi allows a glimpse onto the second half of the 19th century in the Ottoman Empire. Traditionally seen as a time of stagnation and decline, this article shows that, on the contrary, the period between 1871-1907 was a time of revival and reform. Imperial administrators clashed over their different visions of reform and improvement, while religious works questioned established dogmas, sometimes with pronounced consequences for the authors. It proved that Muḥammad Hilāl Effendi, an ex-presiding judge, intellectual, writer, and a leading patron of the arts and sciences, had a dynamic vision in the application of judicial reforms. He wrote several insightful memoranda and novel works of religious scholarship. He supported and patronized court reforms in the provinces where he served in and significantly contributed to the flourishing of Ottoman cultural and intellectual life during this period.

Index



DH.SAİDd.00004

1- BOA, DH. SAİDd., nu. 4/1032 (29/12/1256H)

[Transkripsiyon]

MEHMED HİLAL EFENDİ

Husûrîzade Mustafa Effendi nam kimsenin mahdumudur.

Bin iki yüz elli altı [1840] sene-i Hicriyesi'nde **Haleb** şehrinde tevellüd etmiştir.

Evvela **Haleb**'de kâin **İsmailiye Medresesi**'nde ulûm-ı Arabiye'den sarf ve nahiv ve mantık ve me'âni ve bedî' ve arûz ve ferâiz ve tefsir ve hadis ve kelim ve inşâ tederrüs ettikten sonra ikmal-i nesh ederek ahz-ı icazet eylemiştir. Türkçe ve Arabça tekellüm ve kitabet eder. Tarih ve coğrafya ve esbab-ı umrana dair **Nukâtü'z-zeheb** ve ilm-i ferâize dair manzum olarak **Nâfi'ü'l-hükkam** ve Din-i Mübin-i İslam aleyhinde telif olunmuş olan **el-Burhanu'l-celil** nam risalenin cerh ve ibtaline dair **eş-Şihabu's-sat'** ve edeb ve hikmete dair **Dürerü'l-lâl** nam kitablarla selatin-i izam-ı **Âl-i Osman** evsafını mutazammın ve vezaif-i adliyye ve debiyata dair risalelerden mürekkeb yedi kıt'a Mecelle telif etmiştir. Bunlardan selâtin-i müşarunileyhim evsafını mutazammın ve vezaif-i adliyye dair olan iki kıt'ası Maarif Nezaret-i Celilesinin ruhsatıyla tab' ve neşr edilmiştir ve mezbur **Nâfi'ü'l-hükkam** ve **eş-Şihabu's-sat'** nam mecelleler için nezaret-i müşarunileyhadan ruhsat-ı resmiye istihsal kılınmış ise de henüz tab' edilmemiş ve sairleri için ruhsat alınmamış ve neşr dahi olunmamıştır.

Bin iki yüz seksen altı [1869] sene-i hicriyesinde otuz yaşında iken beş yüz kuruş maaşla **Haleb** Vilayeti dahilinde kâin **Bab-ı Cebul** kazası Niyabet-i şer'iyesine nasb ve iki buçuk sene mürurunda ikmal-i müddet

eylemesine mebni azledilerek doksan iki senesi Muharrem'i evailinde [7-16 Şubat 1875] Meclis-i İntihab-ı Hükkam-ı Şer'i'de bi'l-imtihan sunuf-ı hamseden sınıf-ı râbi'a intihab olunduğuna dair tezkire ahz eyledikten sonra doksan üç senesi Cemaziyelevvel'inin on altıncı günü [8 Haziran 1876] iki bin yedi yüz on kuruş maaşla **Hama** Sancağı Meclis-i Temyiz Riyaseti inzımamıyla niyabet-i şer'iyesine tayin ve kibar-ı müderrisin silkine ilhak olunub iki sene mürurunda ikmal-i müddet-i niyabet eylemesine mebni infisal ve doksan altı senesi şehir-i Ramazan-ı şerifinin birinci günü [19 Ağustos 1879] dört bin kuruş maaşla **Yemen** Vilayeti Mahkeme-i İstinaf Ceza Riyasetine ittisal eylemiş ve yedi ay sonra Tensikat-ı Adliye kararnamesi hükmünce maaşı üç bin beş yüz kuruşa tedenni ederek doksan sekiz senesi şehir-i Ramazan-ı şerifinin yirminci günü [15 Ağustos 1881] memuriyetinin lağv olunmasından dolayı munfasıl olub bin iki yüz doksan dokuz senesi Şevval'inin on beşinci günü [29 Ağustos 1882] üç bin beş yüz kuruş maaşla **Adana** Vilayeti Mahkeme-i İstinaf Ceza Riyaseti'ne tayin ve ba'dehu rütbesi devriye mevleviyetlerden **Van** Mevleviyeti'ne terfi' buyrulmuş ve sene-i merkume Cemaziyelevvel'inin üçüncü günü memuriyeti yine üç bin beş yüz kuruş maaşla elyevm müstahdem bulunduğu **Ankara** Vilayeti Mahkeme-i İstinaf Ceza Riyaseti'ne tahvil ve ba'dehu dördüncü rütbeden bir kıt'a Mecidi nişan-ı zîşanı ihсан buyrulmuştur.

Memuriyet-i hâzırasına kadar bulunduğu hidemâtan nakil ve tahvil suretiyle ve hitam-ı müddet-i memuriyeti hasebiyle ve bi'l-icâb infikak edüb vezaif-i mevkulesinden dolayı müttehim olmamış ve taht-ı muhakemeye alınmamıştır. **Adana** Vilayeti Adliye Müfettişi izzetli **Ahmed Tefvik Bey** tarafından yazılan mütala'ada mumaileyhin tarik-i ilmiyeye mensub olduğu ve ol vakit vilayet-i mezkure Mahkeme-i İstinaf Ceza Riyaseti'ne tayini henüz birkaç mah'ı tecavüz etmiş olduğundan ahlak ve ehliyetine dair tecrübe ve malumat-ı kâfiye alınamadığı tenmik ve **Adana** Valisi devletli **Abidin Paşa** Hazretleri canibinden reis-i mumaileyhin hüsn-i hâl ve **Adliye Nazırı** devletli **Asım Paşa** Hazretlerinin şehadeti ve **Cezayir-i Bahrisefid** Vilayeti Valisi saadetli **Hakkı Paşa** Hazretlerinin **Ankara** Valiliği esnasında müşarunileyh hazretleri canibinden dahi sahib-i tercümenin ashab-ı dirayet ve ilimden ve hüsn-i hâl erbabından olduğu tasdik kılınmıştır.

Ulûm-ı Arabiye'den ahz-ı icazet eylediğine dair iki kıt'a icazetname ile Meclis-i İntihab-ı Hükkam-ı Şer'i'de bi'l-imtihan sunuf-ı hamseden sınıf-ı râbi'a intihab olunduğunu havi meclis-i mezkurdan verilen 7 Muharrem 1292 [13 Şubat 1875] tarihli tezkirenin ve hüsn-i hâl ve hizmet ve beraet-i zimmetine dair **Zor** Sancağı Mutasarrıflığı'nın 27 Zilhicce 1287 [19 Mart 1871] ve **Yemen** Vilayeti'nin 16 Ramazan 1298 [11 Ağustos 1881] ve **Adana** Vilayeti'nin 26 Mart 1299 [7 Nisan 1883] tarihli üç kıt'a tahrirat-ı resmîyesinin ve **Bab-ı Cebul** kazası idare meclisinin ve yine meclis-i mezkur ile Meclis-i De'avi ve Beledi'sinin diğer bir kıt'a mazbatasıyla **Hama** Sancağı İdare Meclisi'nin 13 Rebiülahir 1295 [16 Nisan 1878] ve **Yemen** Vilayeti Mahkeme-i İstinaf Heyeti'nin 26 Haziran 1297 [8 Temmuz 1881] tarihli iki kıt'a mazbatasının **Adana** ve **Ankara** vilayetleri idare meclislerinin mühür-i resmîsiyle musaddak suretleri asıl tercüme-i hâl varakasına merbutan komisyonda mahfuz bulunmuştur.

Fi 5 Şaban 1301 ve fi 19 Mayıs 1300 [31 Mayıs 1884]

Mumaileyh **Hilal Effendi** vilayet-i mezburede bulunan diğer memurin-i adliye ile beynlerinde tahaddüs eden mübayanetten dolayı tebdili lüzumunu bin üç yüz üç senesi Receb'inin yirmi sekizinde vaki' bin üç yüz sekiz senesi Nisan'ının yirmi birinde [3 Mayıs 1892] riyaset-i mezkureden azledilmiştir.

Mumaileyh **Hilal Effendi** bin üç yüz üç senesi Zilkadesinin yirmi sekizinde vaki' bin üç yüz iki senesi Ağustos'unun on altısında [28 Ağustos 1886] üç bin beş yüz kuruş maaş ile **Trablusgarb** İstinaf Mahkemesi Riyaset-i Saniyesine tayin buyrulmuştur.

Effendi-i mumaileyhin memuriyeti bin üç yüz beş senesi Safer'inin yirmi yedisine müsadif bin üç yüz üç senesi Teşrinisanisi ibtidasında [13 Kasım 1887] maaş-ı hâliyesiyle **Yemen** Vilayeti İstinaf Mahkemesi Riyaseti'ne tahvil olunarak bin üç yüz beş senesi Cemaziyelahir'inin yirmi sekizinde [11 Mart 1888] tebdilen üçüncü rütbeden Mecidi Nişan-ı zîşanı ihсан buyrulmuştur.

Effendi-i mumaileyh ahali-i mahalliyece şikayet ve nefreti mucib-i hareket ve muamelattan dolayı oraca beka-yı memuriyeti uyamayacağından tebdili vilayet-i mezkureden iş'ar olunduğuna binaen bin üç yüz altı senesi Muharrem'inin üçünde [9 Eylül 1888] azledilmiştir.

Mumaileyh bin üç yüz dokuz senesi Rebiülahir'inin on dokuzunda (10 Teşrinisanı 1307 / 22 Kasım 1891) üç bin beş yüz kuruş maaşla **Konya** Vilayeti İstinaf Mahkemesi Ceza Dairesi Riyaseti'ne tayin buyrulmuştur.

Mumaileyh **Arabistan** ahalisinden olmasıyla Türkçe tefhimde duçar-ı usret olduğundan Arabistan'da istihdamı münasib olacağı mahallinden bildirilmesine mebni **Arabistan** kıt'asında açılacak bir riyasete tayin

olunmak üzere bin üç yüz on senesi şehir-işerif-i Ramazan’ının ikisinde “28 Mart 1309 / 9 Nisan 1893” yerine diğeri tayin buyrulmakla munfasıl olmuştur.

- (1) Mumaileyh bin üç yüz on bir senesi şehir-i Cemaziyelahir’inin on dördünde “11 Kanunuevvel 1309 / 23 Aralık 1893” altı yüz altmış kuruş ma’zuliyet maaşı tahsis buyrulmuştur.
- (2) Mumaileyhe sene-i merkume şehir-i Recebi’l-ferdinin dördünde “30 Kanunuevvel 1309 / 11 Ocak 1894” üç bin beş yüz kuruş maaş ile **Trāblusğarb** Vilayeti İstinaf Ceza Dairesi Riyaseti’ne tayin buyrulmuştur.
- (3) Mumaileyh bin üç yüz on bir senesi şehir-i Ramazan-ı şerifinin dördünde [12 Mart 1894] haiz olduğu rütbe-i ilmiyesinin mülkiyeye tahviliyle rütbe-i saniye sınıf-ı sanisi tevcih buyrulmuştur.
- (4) Mumaileyh umur-u memuresinde rehavet ve tekasülüyle beraber vazife-i hakimiyetiyle gayr-ı mütenasib meşagil-i saire ile işğal eylesinden beka-yı memuriyeti caiz olamayacağı makam-ı vilayetle müdde’i-i umumiliğin iş’arât-ı resmiesinden müsteban olmasına mebni bin üç yüz on üç senesi şehir-i Cemaziyellevvel’inin on yedisinde “24 Teşrinievvel 1311 / 5 Kasım 1895” azledilmiştir.
- (5) Mumaileyhin takdim ve i’ta eylediği müdafaanamesi evrak-ı infisaliyesiyle birleştirilerek Encümen-i İntihab-ı Memurin-i Adliye’ce bi’t-tedkik müstelzem-i azli olan mevaddın bir gareze veya menfaat-ı gayr-ı meşru’aya mebni olmayub mücerred asâr-ı rehavetten ileri geldiği anlaşılmasına ve bu ise idare-i muameleyi icab ettirir ahvalden olduğu gibi mevad-ı saire-i istikâyenin de bu kabilden olarak hakkında idare-i muamele icra ettirilmiş olmasına ve böyle mesuliyet-i kanuniye derecesinde bulunmayarak idare-i muamele icrası müstelzim-i ahvalden ise ba’dema memuriyette istihdamına kanunen mani’ olamayacağına 27 Zilkade 1313 [10 Mayıs 1896] mebni tarihinde cevaz-ı istihdamına karar verilmiş olduğu Adliye Sicil-i Ahval Şubesi Müdüriyeti’nin 20 Haziran 1312 [2 Temmuz 1896] tarihli tezkiresi gösterilmiştir.

Mumaileyhin heyetimizce imtihanı bi’l-icra a’la derecede ehliyeti tebeyyün etmesine mebni ceza ve hukuk işlerinde istihdama layık görüldüğüne dair ahz eylediği 13 Şubat 1305 [25 Şubat 1890] tarihli ve 64 numaralı mertebe-i saniye şahadetnamesi Sicil-i Ahval Komisyon-ı Umumi’sinde aynen görüleb iade edilmiştir.

Mumaileyh bin üç yüz on altı senesi Zilhicce’sinin yirmi sekizinde “27 Mart 1315 / 8 Nisan 1899” iki bin kuruş maaşla **Zabtiye Nezareti Tahkik Memurluğu**’na tayin edildiği Zabtiye Sicil Şubesi’nin 26 Mart 1317 [8 Nisan 1901] tarihli vuku’at pusulasında gösterilmiştir.

Mumaileyh memuriyetini hüsn-i ifa ve müşahid olan ikdam ve gayretine mebni bin üç yüz on sekiz senesi Muharrem’inin on dördünde [15 Mayıs 1900] terfi’an rütbe-i saniye sınıf-ı mütemayizi tevcih buyrulmuştur. Mumaileyhin mukaddema bulunduğu **Yemen** Vilayeti İstinaf Mahkemesi Riyaseti maaş tercüme-i haline sehven üç bin beş yüz kuruş yazılmış olduğundan kaydının tashihini istida eylemesi üzerine keyfiyet Adliye Nezaret-i Celilesinden lede’l-isti’lam varid olan “21 Mayıs 1317 / 3 Haziran 1901” tarihli tezkire-i cevabiyede mumaileyhin beş bin kuruş maaşla mezkur riyasette istihdam edildiği gösterilmekle tashihan tenzil kılındı.

Mumaileyh bin üç yüz on dört senesi Saferü’l-hayrının sekizinde “7 Temmuz 1312 / 19 Temmuz 1896” sekiz yüz otuz iki kuruş ma’zuliyet maaşı tahsis edilmiştir.

Mumaileyh vezaif-i memuriyetini hüsn-i ifa eylemekte olmasına mebni bin üç yüz on dokuz senesi Muharremü’l-haramının sekizinde [27 Nisan 1901] üçüncü rütbeden Nişan-ı Âli-i Osmanî ihсан buyrulmuştur.

Mumaileyh kıdem ve gayretine mebni üç yüz sekiz senesi Saferü’l-hayrının on dokuzunda [17 Haziran 1900] terfi’an rütbe-i üla sınıf-ı evveli tevcih buyrulmuştur.

[illegible]

Y.PRK.AZJ.00027.00016.001

2-TELGRAFNAME. BOA, Y.PRK.AZJ.,nu 27/16 (15 Muharrem 1311H)

Mahall-i irsali: Makriköy

Mevrudu: Mabeyn-i Hümayun

SURET

Konya Vilayeti Mahkeme-i İstinafiye Cezâ Dairesi Reisi Faziletli Mehmed Hilal Effendi daileri buraya geleliden beri müretteb-i uhde-i zimmeti olan vezâfî kemal-i iffet ve istikametle bi'l-iltizam rıza-yı âlî-i hazret-i padişâhî dairesinde müsaraaten âdilane rüyet-i umur ve ifa-yı vazife eylemekde olduğu muamelât-ı cariyesiyle taayyün eylemiş ve bu suretle icra-yı hüsn memuriyetle cümleden evvel taraf-ı müstecmi'ü'l-mecd ve ş-şeref hazret-i padişahi hakkında isticlab-ı da'avâta hizmet eylemiş ve ahlak-ı hasenesiyle hoşnudiyet-i umumiyeyi celb ederek imsaline nisbeten bir mevki'-i âlî ihraz etmiş dâiyândan bulunmuş olduğundan binaenaleyh cebhe sây-ı şükrâniyyete bi'l-ibtidâr takdim-i mazbata-i dâiyânemize ictisar olundu. Ol babda emr u ferman hazret-i men lehü'l-emrindir.

Ed-Dâî Reis-i evvel-i mahkeme-i İstinaf-ı vilayet-i Konya Mehmed Şerif b. Mehmed

Müddeî-i Umumî Ali Rıfki b. Selim

Ed-Dâî Reis-i evvel-i mahkeme-i Bidayet-i Konya Ahmed Faik

Reis-i mahkeme-i mezkur Hüseyin Hami

Müddei Umûmî Muavini Ömer Lütfü

Reis-i Mahkeme-i Ticaret İbrahim Rüşdü

Ömr ve afiyet-i hazret-i cihanbânî nam-ı ittisâmına olarak atabe-i seniyyeye takdim olunmak üzere serkurenâ-yı hazret-i şehriyârî beyEffendi hazretlerine

Cenab-ı halik-i adl ve ihsan müfeyyizü'l-cud ve'l-imtinân hazretleri zat-ı farûkî sıfat-ı tacdârîlerini serir-i şevket masir-i Osmani üzere ilâ yevmi'l-kıyam erike pıra-yı izz ve İclal buyursun. Amin. Abd-i kemîneleri saye-i adalet-vâye-i şehenşâhîlerinde yirmi üç seneden beri mecâlis-i temyiz riyasetlerinde ve teşkilât-ı adliyyeyi müteakib Adana Ankara Trâblusğarb ve Yemen vilayetleri İstinaf Mahkemeleri ceza riyasetlerinde hüsn-i hizmet etmiş olduğum mukaddemâ Yemen ve Trâblusğarb vilayetleri hakkında bazı ıslahâtı mutazammın olarak mütecâsir-i takdimi olduğum levâiyih-i daiyânemin komisyon-ı mahsusuna havalesiyle sabit olup Yemen'de memuriyet-i kemteranemin lağvından sonra buraya muvasalet-i müstemindânemde tekrar duhul-i dâiyâneme karar verilmiş olduğundan saye-i seniyye-i cenab-ı hilafet-penahilerinde şhadetnâme-i lazımnı bade'l-ahz Konya Vilayeti İstinaf Ceza Riyaseti'ne tayin olunmuş ve oraca muvaffak olduğum mevâd eslâf-ı abidanemin iki misli olduğu ve canib-i seniyyü'l-cevanib-i hazret-i zıllullahilerine isticlâb-ı daavât-ı hayriyyeye muvaffakiyet-i abîdânem bâlâda bir sureti takdim kılınan mazbata-i resmiye ile sabit iken bir sene sonra azl edilerek tekrar derbar-ı.

Q.

مفتی محمد تقی عثمانی صاحب مدظلہ العالی کے زیر نفاذ ہے۔ یہ تحریر ہو رہی

[illegible]

معارف نظام جلیسہ بابہ نذر دل صوری

نقد و مروتانه سخن خطاب و نیا هدی خرسانه بقایه جاری اولرد و فکره - دیم می معاخره لری الحاحه فدا خانه و محدود کور و سره از لغتیه
د باب اندیشه و صفات و استراحت نه طولای موسی البره نظرها فانه سینه و عیایه کفایت حصه معاخره و سرور حدی و فهمیده و صریح و شای
حامد بشیر و اقصا سروریه دیم بهرینه سینه و دانسته سلاطین دوش فیه و لم حصن طهر و درج المینه نظریه شایه تطیف مودنی و کندی
طریقه هم ده اولرد حبیب مروتی و خطاب عیایه صفتا صریحانه اولرد و انقباضیه دیم و ساد لغت تقدیر و اعام قلعه اولدنی و طعم عادی و پرورده
در باب اصول و مروتانه حرفه مدد اولرد -

OSMANLI ARŞİVİ		
MF.MKT		
198	51	1

MF.MKT.00198.00051.001

4-BOA, MF.MKT., 198/51(06 Ramazan 131H)

Makam-ı sami-i Sadaret-i uzmadan Maarif Nezaret-i celilesine yazılan tezkire sureti

Elburhanü’l-Celil alâ Sıhhatihi’l-İncil namıyla kütüb-i semaviyeden Tevrat ve İncil-i şerifin tahrifden masuniyeti ve Kuran’ın farziyyetini şamil telif ve temsil olunan risale münderecatının red ve iptaline dair Bab-ı Mercul naib-i sâbıkı Mehmed Hilal Effendi tarafından bi’t-tertib ita olunan reddiye-i mezkur risale ve ol babda olunan arzuhal ile ma’an leffen ve savb-ı vâlâlarına gönderilmiş olmakla iktizasının icra ve ifadesine himmet buyurmaları siyakında tezkire-i senaverîye terkim kılındı.

Maarif Nezaret-i celilesinden yazılan zeyl sureti

Mantuk-ı emr u ferman-ı sami-i cenab-ı Vekalet-penâhîleri karin-i ikan-ı çakeri olarak mezkur reddiye Meclis-i Maarif’e lede’l-havale münderecatında mahzur görülmemiş olduğundan icab eden ruhsatnamenin itasıyla işbu eserinden dolayı muma-ileyhin mazhar-ı mükafat-ı seniyye olması için keyfiyetin huzur-ı mealî-mevfur-ı hidiv-i eḥamilerine arz ve inbası ifade edilmiş ve Effendi-i muma-ileyh din-i Mübin aleyhine tertib olunan bir risaleyi delâil-i kaviyye ve berâhîn-i kâtı’a red ve cerh eylemesinden dolayı şayan-ı taltif bulunduğu ve kendisi tarik-i ilmiyeden olmak hasebiyle mesruriyeti canib-i âlî-u meşihat-penâhîye ait olarak salifü’l-beyan reddiye ve risale leffen takdim ve iade kılınmış olduğu muhat-ı ilm-i âlî buyuruldukda ol babda emr u ferman hazret-i men lehü’l-emrindir.

OSMANLI ARŞİVİ
MF.MKT
198 51 2

داخلیه نظاره چلبه سی جانبا لینه

مردود و اعظمی که
دیده می باشد علی بن و خلی ابو نوزنک اهل اسلام طرفه لزوم نهفته دار اوله ده مقامات لیه لینه ارشد البه ان اخیل علی صلی الله علیه و آله
سازند طرف رعایانده رد و اهلای محوی اوله ده تالیف ایتمک الزاد اهل الین ملوک البه ان اخیل نیم رساله برنده مقام سانی
و کانیاهی عده و نه که طبعه و مقام شایسته و ده معارف نظارت عده سده اسیال الیسی اوزن طبع و شریایین رخصت اهل سده شرف و بیه
علیه تالیف اولان بر سانه زلال قیام و راجعه طبعه ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
و بایه ایله بیسم راجعه طبعه ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
ساده مذکور ملک طبعی ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
چشمه بر مویج کما از لینه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
ارفاق حقه سده سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
معارف نظاره چلبه سی جانبا لینه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
معرفه قدس لینه طبعه سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
حاکم و ده اوله لینه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
حقوق و عیون رعایانیم حقه و نظیره اوله ده طبعه سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
رخصت اهل سده شرف و بیه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
و اوصاف حیدر سده سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
سعی و عیون رعایانیم حقه و نظیره اوله ده طبعه سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
و ده دیکر کتب رخصت اهل سده شرف و بیه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
حقوق و عیون رعایانیم حقه و نظیره اوله ده طبعه سانه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه
مرد و اوله لینه زور طبعه معورت سانه سده ایچون اقتضایه رخصت ابر و دوجی ایسه نظریه لزوم نظیف و شریایین رخصت اهل سده شرف و بیه



MF.MKT.00198.00051.002

5-MF.MKT 198/51-2(27 Kanunusani sene 1309H)

Dahiliye Nezaret-i celilesi canib-i âlîsine

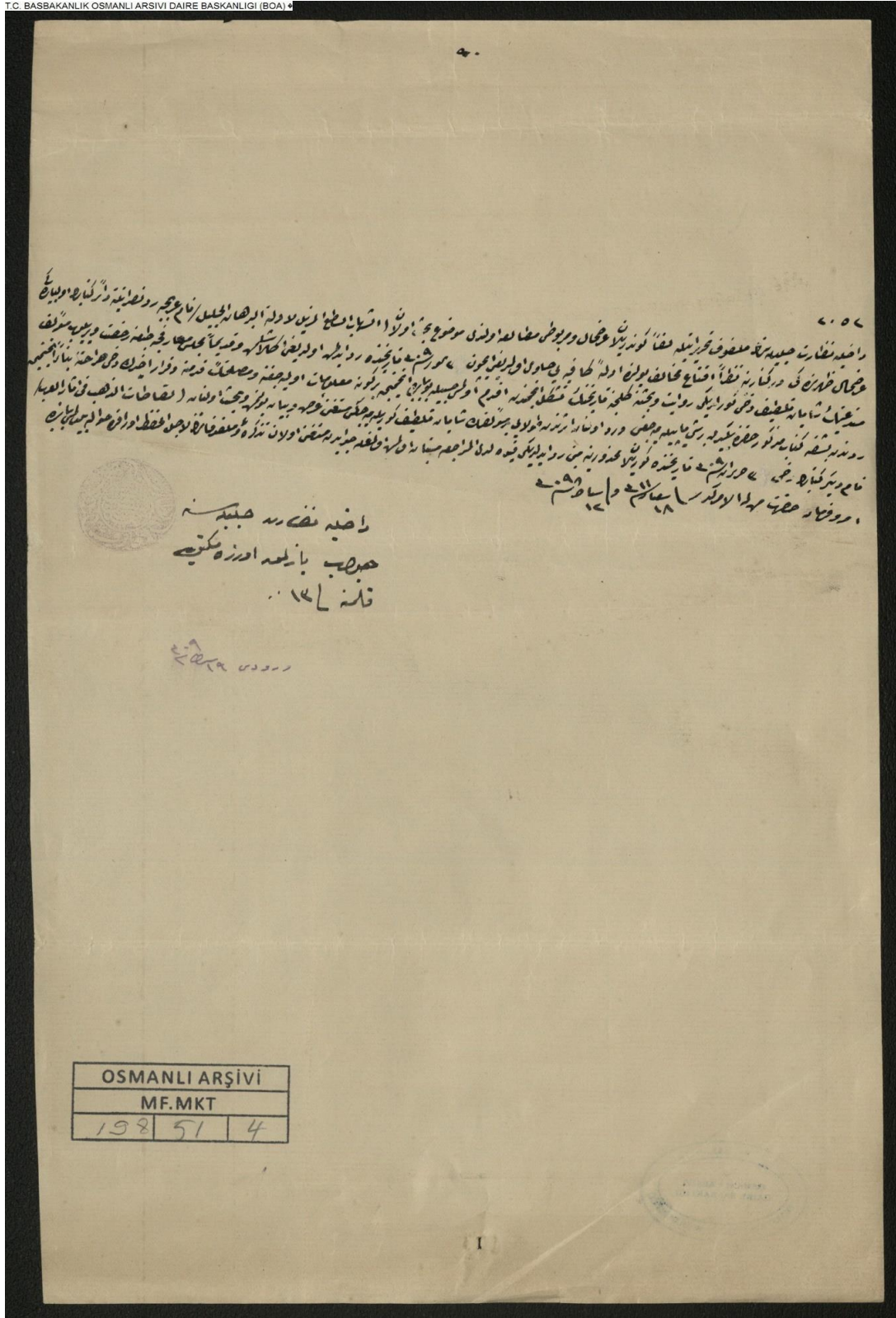
Ma‘rûz-ı dâ‘îleridir ki,

Din-i mübîn-i İslâm aleyhine ve İncil ile Tevrat'ın ehl-i İslâm tarafından lüzum-ı tilâvetine dâir olarak mukaddemâ telif olunmuş olan El-Burhânü'l-Celîl alâ Sıhhati'l-İncil nam risalenin taraf-ı dâ‘iyânemden red ve ibtâlini muhtevi olarak telif eylediğim **Eş-Şihâbü's-Sâtı‘ El-Müzeyyel li-Edilleti'l-Burhâni'l-Celîl** nam risale bundan mukaddem makam-ı sâmi-i Vekalet-penâhiye arz ve takdim edilmiş ve makam-ı samî-i mezkurdan dahi Maarif Nezaret-i celilesine irsal olunması üzerine tab‘ ve neşri için ruhsat itasından başka dîn-i mübîn aleyhine telif olunan bir risalenin delâil-i kaviyye ve berâhin-i kat‘iyye ile red ve cerh edilmesinden dolayı dâ‘îlerinin lüzum-ı taltif ve tesrîri dahi tezkire-i cevabiyede arz ve beyan edilmiş ise de dâ‘îleri hîn-i mezkûrede memuriyete müteheyyi-i azîmet bulunmuş olduğundan ne risale-i mezkure tab‘ edilmiş ve ne de taltif-i dâ‘iyânem emr edilmiştir. Bu def‘a risale-i mezkurenin tab‘ı için iktiza eden ruhsatnamenin hasbe'l-kâide tecdidi ile âsâr-ı dâ‘iyânemden memâlik-i mahrusa-i şâhâne arasında kuvve-i inbâtiyesinin vefreti cihetiyle bir mevki‘-i mümtaz ihrâz eden Zor kıt‘asının mamuriyet-ı sâbıkasıyla el-hâletü hazîhi kabiliyet-i ümrânı ve kabâil-i mevcudesinin adât ve etvârıyla mukaddimesinde evsâf-ı me‘âlî ittisâf-ı hazret-i şehriyârîden ve zaman-ı şahanelerinde vâki‘ olan terakkiyâtıdan bâhis bulunan Lekatâtü’z-Zeheb fî Asaril-Arab kitabının tab‘ ve neşri için Maarif Nezaret-i celilesine vuku bulan istirham üzerine keyfiyet Encümen-i Mahsusa'a ba‘de'l-havale birinci risalenin evvelden mesâ‘î edilmiş olduğuna bakılmayarak reddi ve ikinci risalenin bazı fıkârâtının tayyinden sonra tab‘ ve neşri tensib buyurulmuşken muahharan makam-ı nezaretten tab‘ı münasib görülmeyerek risale-i ahûre dahi cevab-ı red ita edilmiştir. Halbuki arz olunduğu üzre din-i mübîn-i İslâm aleyhine vaki olan ta‘arruzâtı cerh için tertib edilen risalenin mukaddemâ canib-i nezaretten ruhsatı ita edildikten başka bu babdaki himmet ve gayret-i dâiyânem tahsin ve takdir olunarak taltif edilmekliğim yoluna gidilmişken bazı esbâbın hayluletine mebnî tab‘ının tevhür etmiş olmasıyla risale-i mezkurenin tab‘ına ruhsat ita edilmemesi ve Zor kıt‘ası hakkında olup efkar-ı me‘âlî disâr-ı mülûkâneleri imar-ı mülk ve memleket nokta-i nazarına mun‘atif olan padişah-ı zîşânın mehâsin ve evsâf-ı celilesiyle müveşşah olan kitab-ı dâ‘iyânem Encümen-i Mahsusunda lede't-tetkik ruhsat itası karargir olmuşken makam-ı celil-i nezâretten reddedilmesi ashab-ı telifâtın sa‘y ve gayretlerine îrâs-ı hâlel eyleyeceği tabî‘î ve bu ise neşr-i maârif kazıyye-i mu‘tenâbihâsına tevâfuk etmeyeceği bedihi bulunmasına mebnî reddiye-i mezkure ruhsatnamesinin tecdidi ve encümen kararı vechle diğer kitab ruhsatnamesinin itası nezaretçe kâbil olmadığı halde Maarif Nezaret-i celilesinin leffen arz ve takdim edilen karar-ı sâbıkı vechle dâ‘îlerinin telifât hususunad olan sa‘y ve gayretime fütûr gelmemek üzre münasib bir suretle taltif edilerek sâye-i aliyye-i âsifânelerinde hâiz olduğum üçüncü Mecîdî nişân-ı zîşânının terfî‘an tebdili veyahut müceddeden üçüncü kıt‘a nişân-ı zîşân-ı Osmânî'nin itası hususuna emr ve irade-i aliyye-i nezaret-penâhîlerinin bî-dirîğ buyurulması babında ve herhalde emr u ferman hazret-i men lehül-emrindir.

Fi 27 Kanunusani sene [1]309

Ed-dâ‘î: Reis bi-Mahkemet Esâs-ı Cezâ Vilayet-i Trâblusgarb

Mühür: Mehmed Hilal



MF.MKT.00198.00051.004

6-BOA, MF.MKT., nu 198/51-4 (12 Şubat 1309).

2052

Dahiliye Nezaret-i celilesinin melfuf tahriratıyla leffen gönderilen arzuhal ve merbutu mutalaa olundu. Mevzubahs olan Eş-şihâbü's-Sâtı‘ el-müzeyyel li-Edilleti'l-Burhâni'l-Celil nam Arapça redd-i Nasrâniyete dâir kitabın ol babdaki arzuhal zahrındaki derkenarına nazaran iknâ‘-ı muhalif yolunda edille-i kâfiyeyi hâvî olduğu için 3 Temmuz sene [1]309 tarihinde red edilmiş olduğu anlaşılmış ve kadimen Meclis-i Maarifce tab‘ına ruhsat verilip müellif-i müsted‘înin şâyân-ı taltif dahi görüldüğü rivayet ve bahsine gelince tarihinin teşekkül-i encümeden akdem olması hasebiyle bu babda encümence bir gûne malumat olmayacağına ve maslahaden kıdemine ve karar-ı ahîrin dahi sarahatine binâen encümence reddinden başka kitab-ı mezkur hakkında yeniden bir şey yapılamayacağı ve red olunan eserinden dolayı bir müellifin şâyân-ı taltif görülemeyeceği müstağnî-i arz ve beyan bulunmuş ve bahs olunan (Lekatâtü'z-Zeheb fî Asâri'l-Arab) nam diğer kitabın dahi 3 Haziran sene [1]309 tarihinde görülen mahzuruna mebnî red edildiği kayda lede'l-mürâca‘a müstebân olmuş olmakla cevabdan müstağnî olan tezkire ve melfûfâtının li-ecli'l-hıfz evraka havale buyurulması babında emr u ferman hazret-i men lehü'l-emrindir.

Fi 18 Şaban sene [1]311 ve fi 12 Şubat sene [1]309

Mühür: Maarif Nezareti

Dahiliye Nezaret-i celilesine cevap yazılmak üzere Mektûbi Kalemi'ne fi 13

Vürudu 19 Şubat sene [1]309

محمد هلال أفندي: مفكر وبيروقراطي عربي في أواخر العهد العثماني

صفية محمد السلامين¹

ملخص

محمد هلال أفندي (1840-؟) كان بيروقراطيًا ومفكرًا عثمانيًا مهمًا. وعلى الرغم من شهرته، إلا أن القليل نسبيًا معروف عن حياته وأعماله. حصل محمد هلال على شهادة من جامعة الأزهر، مما أتاح له العمل كقاضٍ في المحاكم الشرعية ومحاكم التنظيم الجديدة التي أُنشئت في مختلف مقاطعات الإمبراطورية العثمانية. خلال فترة عمله، كتب ثلاث مذكرات موجهة إلى السلطان عبد الحميد الثاني، بالإضافة إلى العديد من الرسائل الدينية باللغة العربية. يلاحظ أن محمد هلال لا يظهر في المصادر السيرية العربية التقليدية في عصره، بل يُذكر فقط كوالد ساطع الحصري، واحد من أبرز نظريي القومية العربية. ومع ذلك، فإن مذكراته تم مناقشتها في الأدب التركي الثانوي، حيث لم يُلاحظ بشكل كبير حقيقة أنه والد ساطع الحصري. يُمكن للمرء أن يُقدّم الرأي بأن محمد هلال أفندي أصبح ضحية للتجزؤ القومي في التأريخ ما بعد العثمانيين. سوف تكون هذه الورقة نقطة انطلاق لإعادة تقييم هوية محمد هلال أفندي ومسيرته المهنية وكتابات، على المناخ الفكري للإمبراطورية العثمانية في النصف الثاني من القرن التاسع عشر، ويتحدى المفاهيم الشائعة عن الركود والانحطاط الفكري في هذه الفترة.

الكلمات الدالة: محمد هلال أفندي ومسيرته المهنية في الولايات العثمانية؛ المحاكم النظامية؛ مذكرات؛ رسائل.

¹ قسم التاريخ، كلية الآداب، الجامعة الأردنية.

تاريخ استلام البحث 2023/3/11، وتاريخ قبوله للنشر 2023/8/17.

REFERENCES

- Aldoughli, Rahaf (2016); “Revisiting Ideological Borrowings in Syrian Nationalist Narratives: Sati’ al-Husri, Michel ‘Aflaq and Zaki al-Arsuzi”. *Syria Studies*, vol.8 (1), Pp.: 7–39
- ‘Azzāwī, Abbās (2004); *Mawsū‘at tārīkh al-‘Irāq bayna iḥtilālayn*. Beirrut: al-Dār al-‘Arabīyah lil-Mawsū‘āt.
- ‘Awwād, Kūrķīs (1969); *Mu‘jam al-Mu‘allifin al-‘Irāqīyīn: fī al-Qarnayn al-Tāsi‘ ‘Ashar wa-al-‘Ishrīn, 1800-1969*, Baghdad: Maṭba‘at al-Irshād.
- Bakrū, Kamal Aldīn (1998); *Al-ta‘līm al-šar‘ī fī Ḥalab mund ‘ām 1918 ila ‘ām 1958*. Ḥalab: Markaz al-Diya’a.
- Başbakanlık Osmanlı Arşivleri (BOA), Istanbul**
- BOA: BEO: Babîali Evrak Odası, 702/52648; 1305/97856.
- BOA: DH:Dahiliye Nezareti Defterleri. 1083/84941.
- BOA: DH-MKT Dâhiliye Nezareti Mektubî Kalem. 205/43; 2222/45; 2325/64.
- BOA: DH. SAİDD: Dahiliye Nezareti Sicill-i Ahvâl Komisyonu Defterleri: 4/518, 59/17, 93/37
- BOA: İ.DH: İrade Dâhiliye. 1083/84941.
- BOA: İ.HUS: İrade Hususi. 74 /73; 75 /147.
- BOA: İ.MMS: İrade Meclis-i Mahsûs.106/4548.6.
- BOA: MF.MKT: Maarif Nezareti Mektubî Kalem. 98/51; 205/43; 198/51.
- BOA: Y..EE: Yıldız Esas Evrakı defterleri. 35/44; 58/33.
- BOA: Y-PRK, AZJ: Yıldız Perakende Evrakı, Arzuhal ve Jurnaller . 27/16
- Bostan, Hümierya (2013); “Institutionalizing Justice in a Distant Province: Ottoman Judicial Reform in Yemen (1872-1918)”. Unpublished MA Thesis, İstanbul Şehir Üniversitesi, Sosyal Bilimler Enstitüsü, History, Türkiye
- Bostan, İdris (1986); “Zor Sancağı’nın İmar ve Islahı ile alakalı üç Layiha,” *Osmanlı Araştırmaları (Journal of Ottoman Studies)*, vol. 6, Pp. 163-220.
- Bostan, İdris (1982); “Muhammed Hilal Effendi’nin Yemen’e Dair İki Layihası,” *Osmanlı Araştırmaları* vol. 3, Pp. 301-326.
- Burg, Muḥammad (1967); *Sāṭi‘ al-Ḥuşrī*. Cairo:Dār al-Kātib al-‘Arabī.
- Choueiri, Youssef (1960); “*Sāṭi‘ al-Ḥuşrī*”. *Encyclopaedia of Islam*, P. Bearman; C.E. Bosworth; E. van Donzel and W.P. Heinrichs eds., Leiden: E. J. Brill.
- Cleveland, William (1971); *The Making of an Arab Nationalist: Ottomanism and Arabism in the Life and Thought of Sati‘ al-Husri*, Princeton, NJ: Princeton University Press.
- Çankaya, Ali (1971), *Yeni Mülkiye Târîhi ve Mülkiyeliler*. Ankara, Mars Matbaası.
- al-Fāyydī, Sulaymān (1974); *fī Ghamrāt al-Nidāl*, Bairūt: Dār al-Qalam.
- al-Ghazzī, Kāmil ibn Ḥusayn (1999); *Nahr al-dhahab fī tārīkh Ḥalab*, Ḥalab: Dār al-Qalam al-‘Arabī.
- Ghurbāl, Muḥammad (1965); *al-Mawsū‘ah al-‘Arabīyah al-Muyassarrah*, Cairo: Aş-Şa‘b
- Göyünç, Nejat (1980); “Trablusgarb’a Ait Bir Layiha”. *Osmanlı Araştırmaları/Journal of Ottoman Studies*, vol. 1, Pp.: 235-256.
- Haim, Sylvia (1962); *Arab Nationalism: An Anthology*, Berkeley: University of California Press.
- al-Ḥimşī, Bāsil (2016); “Sāṭi‘ al-Ḥuşrī wa-al-huwīyyah al-‘Arabīyah,” *Majallat Ru‘yā al-Sūrīah*, vol. 28:
- <http://www.nct.sy/%D8%B3%D8%A7%D8%B7%D8%B9-%D8%A7%D9%84%D8%AD%D8%B5%D8%B1%D9%8A/>
- Hourani, Albert (1970); *Arabic Thought in the Liberal Age, 1798-1939*, London: Oxford University Press.
- Kaḥḥālāh, ‘Umar Riḍā (1994); *Mu‘jam al-Mu‘allifīn*. Bairut : Mu‘assasat al-Risālah.
- Kandal, Coşğun (2017); *Mustafa Sâti Bey’in Ma‘lûmât-ı Medenîyye Dersi Üzerine Düşünceleri*, Recep Yıldırım’a Armağan book, Bilgin Kültür Sanat Yayınları.

- Kayali, Hasan (1997); *Arabs and Young Turks Ottomanism, Arabism, and Islamism in the Ottoman Empire, 1908-1918*, Berkeley: University of California Press.
- Kenny, L. M. (1963); "Sāṭi' Al-Ḥuṣrī's Views on Arab Nationalism.". *Middle East Journal*, 17, no. 3, Pp.: 231-56.
- Khalafallah, Muhammad (1969); "Sati' al-Husri: Qissat Haīatihi". *al-Mağallah*, vol. 146, Pp.: 24–31.
- Kuehn, Thomas (2011); *Empire, Islam, and Politics of Difference: Ottoman Rule in Yemen, 1849–1919*, Leiden and Boston: Brill.
- Osman, Khalil, (2015); *Sectarnism in Iraq the Making of State and Nation since 1920*, New York: Routledge, Abingdon.
- Ottoman Yearbooks (Sālnāme).
- Özbay, Çiğdem (2014); Mustafa Satı El-Husri'nin Etnografya Tarihimizdeki Yeri, Yayınlanmamış yüksek lisans tezi, AÜ, SBE.
- Sālnāme, 1305H/1887.
- Şanal, Mustafa (2020); "Mustafa Satı Bey (Satı El-Husri) (1880-1968), Hayatı ve Türk Eğitim Tarihi İçerisindeki Yeri,". İn: Ali Fuat Arıcı, *BÜYÜK EĞİTİMCİLER*, Ankara: Pegem Akademi Yay, Pp.: 239-250.
- Tibi, Bassam (1980); *Arab Nationalism: A critical enquiry*, Marion Farouk-Sluglett and Peter Sluggett eds. and trans., New York: St. Martins Press.
- Ülken, Ziya (1966); *Türkiye'de Çağdaş Düşünce Tarihi*. , İstanbul: Ülken Yayınları.
- al-Ziriklī Khayr al-Dīn (1992); *al-A'lām, Qāmoūs Tarājim li-Ashhar al-Rijāl wa-al-Nisā' min al-'Arab wa-al-Musta'ribīn wa-al-Mustashriqīn*. Bairūt:: Dār al-'Ilm lil-Malāyīn.