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Khayr al-Din al-Tunisi and Islamic Reformism as a Synthesis between the West and the Islamic Tradition

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Abstract: Muslim countries have experienced great change and transformation during the 19th and 20th centuries as a result of their encounters with the West. Islamic reformism might be considered as a discourse developed to face the diverse challenges posed by Western modernity. Khayr al-Din al-Tunisi (1810–1890) was a statesman and intellectual of the 19th century who elaborated an original approach to the question of Islamic reformism. His major work, *The Surest Path to Knowledge Concerning the Conditions of Countries (Aqwam al-Masalik fi Ma'rifat Ahwal al-Mamalik)*, represents an important contribution to debates on Islam, modernism and the West. This study is based on this work of al-Tunisi and other primary and secondary sources (books and articles) regarding his approach. Using qualitative methods of analysis (contextualization and descriptive discourse analysis), this study aimed to scrutinize how Khayr al-Din offered a balanced reformist vision as a synthesis between Westernism and the Islamic tradition. Rather than purely imitating the West, Khayr al-Din emphasized the need for a better understanding of Western methods and institutions on the basis of Islam.

Keywords: Islamic reformism; the West; the Islamic tradition; the *Tanzimat*; Khayr al-Din al-Tunisi; Muslim world



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1. Introduction

The encounter between the Muslim world and Western modernism paved the way for the emergence of different approaches to reforming Muslim countries in the political, economic and social fields. Khayr al-Din al-Tunisi (1810–1890) was a statesman and intellectual who contributed to the reform efforts by developing a balanced approach between the West and Islamic tradition. This article explores the reformist ideas of Khayr al-Din al-Tunisi in order to show how the West informed reform efforts in the Muslim world. In this context, it should be remembered that Khayr al-Din's reform efforts corresponded to the period of *Tanzimat* within the Ottoman Empire. This period was characterized by rapid changes in the state and society. Khayr al-Din was impressed by the scientific, political, intellectual and socioeconomic development of Europe, and through his political reform approach, he aimed to improve the conditions of Muslim countries in order to remedy their decline vis-à-vis European progress.

The major work of al-Tunisi, entitled *The Surest Path to Knowledge Concerning the Conditions of Countries (Aqwam al-Masalik fi Ma'rifat Ahwal al-Mamalik)*, represents an important effort in conceptualizing a reform program in accordance with the Islamic tradition (Musa 2010). This work is also a major source which sheds light on contemporary Muslim political thought. Indeed, the introduction (*muqaddimah*) of the book constitutes a political treatise which elaborates on the beginnings of the reform movement in the Muslim world (Tunuslu Hayrettin Paşa 2017). “Moreover, it is not simply an essay on abstract ideas, divorced from immediate policy considerations” (Brown 1967, p. 4). In fact, al-Tunisi tried to justify his political program in his book and to answer the objections which might be formulated by the political circles of the author (Brown 1967). In this sense, “Khayr al-Din's

book represents an ideal combination of experience, reflection and commitment to action” (Brown 1967, p. 5). According to the prominent specialist in the history of the Middle East Hourani (d.1993), Khayr al-Din was one of the most important reformist thinkers of the 19th century who sought to reaffirm the strength of the Muslim world vis-à-vis Europe and developed a reformist vision for Muslim countries in order that they could become a part of the modern world (Hourani 1993).

In his book, al-Tunisi emphasized the fact that the success and prosperity of any political system, Muslim or Christian, depended on justice and freedom. In his view, European progress was rooted in its good representative government and in educated public opinion, as well as the balance between authority and responsibility (Wasti 2000). al-Tunisi was mainly preoccupied with showing the Muslim statesmen and the ulema that the foundation and organization of European institutions had followed and applied Islamic principles (Wasti 2000). Therefore, Muslims could borrow from the Europeans what would have been borrowed from them centuries earlier. In order to demonstrate the necessity of adopting new reforms, he underlined that there was a resemblance between the representative assemblies of Europe and the Islamic concept of *shura* (consultation). He also pointed out that the representatives of these European assemblies resembled Islamic *ahl al-hall wa al-aqd* (those qualified to loosen and bind). In addition, al-Tunisi outlined how European efforts to ensure security and prosperity might be thought to parallel the Islamic legal concept of *maslaha* (Islahi 2015). Along this line of thinking, he explained that there was also a resemblance between the European councils and freedom of the press and the ulema’s role of “commanding good and preventing evil” (El-Mesawi 2008, p. 66).

Accordingly, this article argues that al-Tunisi’s political reform project proposed a synthesis between the West and the Islamic tradition regarding the equivalence between the aforementioned Islamic principles (*shura*, *ahl al-hall wa al-aqd*, *maslaha* and commanding good and preventing evil) and European institutions. This article begins with a discussion of the background of the reform project of Khayr al-Din in order to describe the experience of this statesman and intellectual within a broader political context. It then continues to present al-Tunisi’s general approach to reform in Muslim countries, with the aim of highlighting his reflections on Western progress and the possibility for Muslims to attain such prosperity. The last part outlines the main elements of al-Tunisi’s balanced reform vision, which aimed to elaborate an Islamic way of adopting new reforms in light of the European experience.

2. Background to the Reform Project of al-Tunisi

It is not possible to acknowledge the reform efforts of Khayr al-Din al-Tunisi without taking his political experience into account. In fact, al-Tunisi, a person of Circassian origin, was brought to Constantinople as a child and was resold to Ahmad Bey of Tunis in 1840. Therefore, al-Tunisi was educated in the palace and received his military training at the military school established by Ahmad Bey (1837–1855) (Islahi 2015). According to Brown,

Khayr al-Din was a Circassian mamluk who spent most of his active life in the service of the beys of Tunis and then capped his career with a brief (alas, inglorious) year as grand vizier in Istanbul. His long and active political life gave him extensive contact with European culture (he became fluent in French) and convinced him that the Muslim world could catch up with Europe only by openly adopting many of Europe’s ways. (Brown 2000, p. 93)

He rose rapidly in the favor of Ahmad Bey. Moreover, his excellent training in warfare allowed him to be promoted to a major in 1844, a colonel in 1848 and to the rank of brigadier about five years later. He was chosen as one of the aides-de-camp to the Bey during the latter’s visit to France in 1846 (Wasti 2000). al-Tunisi was in Paris between 1853 and 1857 in order to defend Tunisia’s position against Mahmud ibn Ayad, who was accused of defrauding the government of millions of dinars. Under the reign of Muhammed Bey (1855–1859), Ahmad Bey’s successor, he was appointed as the minister of marine affairs and charged with this position from 1857 to 1859, and also served as the

president of the Grand Council (al-Majlis al-Akbar). Another important development of this period was the proclamation of the 'Ahd al-aman (Pact of Safety, otherwise known as the Pacte Fondamentale) on 10 September 1857 under pressure from the European consuls (Wasti 2000). This pact was a legal document which had been conceived in order to guarantee the rights of foreign expatriates in particular (El-Mesawi 2008).

al-Tunisi was responsible for the implementation of the reforms announced in the Pact. Furthermore, a committee was formed under the chairmanship of the Prime Minister, Mustafa Khaznadar, and was composed of members such as al-Tunisi and Ibn Abi al-Diyaf (private secretary to Ahmad Bey) in order to clarify the details of the Pact and to make preparations to set up a constitution. It should be also noted that some members of the ulema were included within this process of preparation, such as Shaykh al-Islam Muhammad Bayram IV and the chief Maliki mufti, Ahmad Hussein. While the committee continued its work, Muhammad al-Sadiq became the new Bey of Tunisia (September 1859) (El-Mesawi 2008). He declared his allegiance to the Pact's principles and a constitution was drafted in order to fulfill his pledge in January 1861. This constitution (*Qanun ad Dawla*), the first in the modern Arab world, was promulgated in April 1861 and necessitated the separation of the executive, legislative and judicial bodies of the state (Wasti 2000). Even though the constitution limited the powers of the Bey by enlarging the authority of Grand Council, the real power had been given to the Grand Vizier. Therefore, Mustafa Khaznadar had a great opportunity for manipulating the reforms by nominating the members of the institutions created by the constitution (Abun-Nasr 1987).

al-Tunisi was in conflict with Prime Minister Khaznadar's policy of borrowing foreign loans, which he considered to be destructive to the future of the state. In response to this policy, Khayr al-Din resigned in 1862 and spent the years between 1862 and 1869 in Europe (Islahi 2015). Under the pressure of foreign consuls and the deteriorating financial situation of the country, Muhammad al-Sadiq Bey decided to retire Khaznadar in 1873 and appointed al-Tunisi as Prime Minister in his place (Wasti 2000). The premiership gave Kahyr al-Din the opportunity to implement his reform program, which touched domains such as administrative organization as well as social, economic and educational policies (Ganiage 1959). For that reason, it might be considered that al-Tunisi was a theorist as well as a practitioner of Islamic reformism. In fact, during the period which Khayr al-Din spent in Europe (1862–1869), he found the time needed to reflect on the backwardness of Muslim societies with regard to European progress. As a result of these reflections, he wrote his book, entitled *Aqwam al-Masalik*, which was presented to the Bey in 1867. The Arabic original of the book was divided into an introduction (*muqaddimah*), the first section, the second section and an appendix. Inspired by the most prominent Muslim philosopher of history Ibn Khaldun (d.1406)¹, al-Tunisi's *muqaddimah* offered a comparison of European and Muslim societies. The main motivation of al-Tunisi in his *muqaddimah* was identifying the causes of the decline in Muslim states and the advance of Europe in order to present an alternative solution to the backwardness of Muslim states' institutions (Islahi 2015). Therefore, this study referred to the *muqaddimah* of the book because it might be considered more essential than the main work in underscoring al-Tunisi's reformist ideas. It should be also remembered that the book was written at a time which coincided with the *Tanzimat* reforms in the Ottoman Empire. Thus, the appearance of the book can be appreciated in line with the larger Ottoman reformist initiatives. Brown also pointed out the following:

The timing of the book is significant in terms of the milieu as well. The 1860s, as can now be seen more clearly, represented roughly the mid-period of the *tanzimāt* era in the central Ottoman Empire. By this time some of the results and some of the disappointments produced by this period of active reformism were more in evidence, thus making possible to statesmen a deeper and more sophisticated awareness of what Westernization entailed. Khayr al-Din, both through personal predilection and as a statesman in a *Beylik* still nominally part of the Ottoman Empire, was well informed concerning ideas and events radiating from Constantinople. (Brown 1967, p. 5)

The political experience of al-Tunisi allowed him to develop his ideas on European advances. According to him, the main reason behind the weakness of his country was the inefficient administration, which has the direct effect of undermining authority and prestige, as well as the confidence of the population in the government. Therefore, it seemed crucial to set up a new administrative system which was grounded on justice and equity to ensure the prosperity of his country (Mzali and Pignon 1971).

3. Islamic Modernism and al-Tunisi's General Approach to Reform in Muslim Countries

Modernity might be considered as a concept which emerged in Europe as a result of the Renaissance in 15th and 16th century, representing the advent of the modern science and a revolt against religion in different areas of life. It transformed the Western world from the Christian civilization of the Middle Ages to the secular civilization of modern times (Naeem 2009). In addition, this process of transformation affected the Muslim world, which lagged behind the West in terms of scientific and administrative progress. The Western nations succeeded in controlling local industries through their economic progress and expanding their cultural influence in the Ottoman lands through the establishment of their schools (Lapidus 1996). Against this background, Muslim leaders and scholars tried to find the reasons behind their backwardness against the Western world and to transform their countries in the manner of Europe. Accordingly, modernity in the Muslim world has created important changes in the conceptions of politics, economics, social organization and intellectual approaches (Rippin 2005). According to Zubaida,

The transformations resulted mainly from the incorporation of the region into the expanding capitalist markets dominated by the European powers. This was not merely European domination, but transformations of economy and society, creating new spheres of activity, classes of the population and relations of power. Political, military and administrative reforms were responses of ruling groups to new situations. (Zubaida 2009, pp. 64–65)

The political, economic and scientific stagnation of the Muslim world and the advent of the European nations led Muslim scholars to seek effective solutions to existing problems. According to the prominent liberal reformer of Islam, Fazlur Rahman (d.1988), "Muslims have to face a situation of fundamental rethinking and reconstruction, their acute problem is precisely to determine how far to render the slate again and on what principles and by what methods, in order to create a new set of institutions." (Rahman 1979, p. 214). This fundamental rethinking lies at the heart of Islamic modernism which posed an important challenge to Muslim societies which had to reform their political and administrative systems in accordance with the Western model. From this perspective, "Islamic modernism wants Islam to be the basis of political life as well as religious, but it perceives a need to reinterpret those structures in the light of contemporary needs, frequently with a clear and unapologetic adoption of Western notions" (Rippin 2005, p. 198). This quote demonstrates that Islamic modernism seeks to find a balance between the Islamic tradition and the requirements of modern times. Hence, it can be said that the need to reconcile Islam and modernity was one of the main preoccupations of Muslim scholars throughout the 19th century. This issue was addressed through the reform of the Islamic political and administrative system. In addition, the reformation of the educational institutions might be reflected as one of the pillars of Islamic modernism (Kurzman 2002). This approach led Muslim scholars to establish an intellectual basis for the implementation of necessary reforms in order to remedy the stagnation of the Muslim world. These reformist intellectuals (for example, prominent Indian Muslim reformer and educationist Sayyid Ahmad Khan (1817–1898), and central figure of Islamic modernism Shaykh Muhammad Abduh (1849–1905)) pointed out that the Islamic tradition itself was not an impediment to scientific and economic progress. Rather, modern concepts such as liberty and constitutionalism were compatible with Islamic principles (Masud 2009). Al-Tunisi was among these Muslim intellectuals who advocated for a balance between modern notions and institutions on the basis of Islamic

principles. As mentioned above, in the introduction of his book, al-Tunisi underlined that he was inspired by Ibn Khaldun. al-Tunisi was motivated by the ideal of doing “for the modern age what Ibn Khaldun had done for an earlier one” (Hourani [1962] 1998). According to Pakistani professor of Islamic studies Aziz Ahmad,

In the transitional approach to modernism they both followed in the steps of the Tunisian Khayr al-din Pasha. No other non-Indian Muslim influenced Sayyid Ahmad Khan to such an extent. He and al-Afghani both adopted the Tunisian pioneer’s view that the freedom of expression, which had come in the wake of Western influences, should be used for revolutionizing the ideas and minds of Muslim peoples. (Ahmad 1964, p. 5)

In his book, al-Tunisi sought to elaborate on the causes of the failure of the reforms adopted since the period of Ahmad Bey. In the introduction of his book, he described his approach to political reform in Muslim countries (Kireççi 1999). He pointed out that the Muslim world had faced serious challenges due to the progress of European society and its institutions. Therefore, he analyzed the context of European progress in detail under the heading “European civilization” within his book. al-Tunisi highlighted the developments that Europeans had made in different fields such as arts, philosophy, science and culture. By underlining these developments, he tried to target two groups, namely politicians and religious leaders, as well as the Muslim community in general. In this sense, one objective of his book was “to remind the learned ulema of their responsibility to the important events of these days and to awaken the heedless both among the politicians and all the classes of the people by demonstrating what it would be a proper domestic and foreign conduct” (al-Tunisi 1867, p. 4).

In addition, al-Tunisi attempted to demonstrate the reform efforts of Muslims to European politicians, who considered the Islamic umma to be inferior and incapable of improving their own systems according to the needs of modern times. The motivation behind the publication of the French version of his book was to convince the European public in general of the potential of the Muslim world to adapt their institutions and governance in line with the recent developments in Europe (Wasti 2000). From this perspective, it might be thought that for the French translation of his book, al-Tunisi chose a title which reflected his aspirations for the global Islamic community: “*Réformes nécessaires aux pays musulmans: Essai formant la première partie de l’ouvrage politique et statistique intitulé: La Plus Sûre Direction pour Connaître l’état des nations*”. This translation was published in 1868, just one year after the Arabic edition.² According to Brown,

Khayr al-Din pointed to the imposing civilization of the early Islamic world at a time when western Europe was much less developed, he indicated to his non-Muslim reader that the declining power of the Ottoman Empire was nothing to with Muslim inferiority and Christian superiority. He ended his argument by reminding his readers that the Papal States were among the most backward areas of Europe. Directed to Muslim eyes, this evocation the great Islamic past could restore the pride. Further, when the idea was added that Muslims were in a state of decline and disarray simply because they had abandoned the true principles of their religion. (Brown 1967, pp. 38–39)

As a devout Muslim, al-Tunisi was deeply convinced that the backwardness of the Muslim community could not be associated with the Islamic religion. In this way, he might be considered a reformist who strove to better understand the scientific and political progress of Europe while preserving his cultural and religious identity (Ülken 1994). In this sense, al-Tunisi intended to prove that the Islamic religion itself was not an obstacle to development and scientific innovation; rather, it supported efforts towards adapting to the necessities of modern times (Karlığa 1995).

His book began with the name of Allah and highlighted the primacy of knowledge: “In the name of God, the Merciful, the Compassionate. Praise be to Him who made prosperity one of the results of justice” (Brown 1967, p. 71). al-Tunisi emphasized that God “endowed

mankind with intelligence by which He made it possible for man to attain right conduct and the various gradations of knowledge" (Brown 1967, p. 71). Indeed, al-Tunisi, throughout his work, was very attentive to the fact that it was the inappropriate approach to religion that damaged the advance of Muslim societies. For that reason, al-Tunisi assumed that the survival of the countries of Islam was conditional on their capacity for adaptation to European institutions and Europe's scientific knowledge. Accordingly, he declared that "I was fired to believe that if I assembled what years of thought and reflection had produced plus what I had seen during my travels to various states of Europe [. . .] then my effort might not be without benefit, especially if it comes upon hearts working together in defense of Islam" (al-Tunisi 1867, pp. 3–4).

While being an attentive observer of European institutions and progress, al-Tunisi did not consider Christianity or the fertility of their region as the sources of European development. He made it clear that "it is not to be imagined that Europe's peoples arrived at their present state because of a marked fertility or temperateness of its regions . . . Nor is it due to the influence of their Christian religion" (al-Tunisi 1867, p. 9). In his view, Europe attained its level of prosperity neither because of its religion nor the fertile conditions of its territory, but because of the *tanzimat*³ and the better organization of state and society. According to Çetin, al-Tunisi's main objective through the *tanzimat* was to adopt new reforms which would help reorganize the institutions of his country, as Islam was not against reform, but instead advocated for reformist policies (Çetin 1998). It is important to note that al-Tunisi used the word *tanzimat* in two senses. The first refers to the reform movements within the Ottoman Empire during the 19th century in line with European political and social institutions. The second refers to the reorganization of political, social and religious institutions (Çetin 1998). In al-Tunisi's opinion, it was essential for Muslim countries to follow innovations in modern science and the technologies developed by European nations:

Since the European progress in the field of civilization, resulting in these above inventions, has come through encouraging the sciences and arts and facilitating their use, and since the French kingdom has great fame for its excellent organization of study and education, we have decided to demonstrate its successful systems in order to measure by it the rest of the kingdoms and to compare each with the other. (al-Tunisi 1867, p. 65)

According to the quotation above, it might be assumed that advances in the sciences and arts occupied a central place in the Khayr al-Din's vision as the main instruments through which civilizational progress might have been possible. In this regard, al-Tunisi made it clear that "the purpose in mentioning how the European kingdoms attained the present strength and worldly power is that we may choose what is suitable to our own circumstance which at the same time supports and is in accordance with our *shari'a*" (al-Tunisi 1867, p. 4). Therefore, it is fair to assume that al-Tunisi strove to better understand the European system and its institutions in order to strength Muslim countries and remedy their weaknesses in the administrative and political domains.

4. The Main Elements of Khayr al-Din's Approach to Islamic Reformism

In this section, the main elements of al-Tunisi's reformist vision are outlined. In particular, the importance of the *tanzimat* will be highlighted. Next, the utility of some Islamic concepts and principles (*shura*, *maslaha*, *ahl al-hall wa al-aqd*, commanding good and forbidding evil) is explained. Here, the emphasis is on the parallels which exist between these Islamic principles and the principles on which European institutions were founded.

al-Tunisi attached special importance to economic and administrative policies and "the progress in the governance of mankind which led to the utmost point of prosperity" in Europe (al-Tunisi 1867, p. 4). In this regard, he was interested in understanding "the foundations and conditions of European civilization as well as the institutions of the great states of Europe" (Mzali and Pignon 1971). He believed that European countries had

attained their level of prosperity because of their technical progress, which was a result of the *tanzimat* based on justice and freedom. Al-Tunisi underlined this as follows:

Can this progress be successful without implementing political *tanzimat* comparable to those we see among others? These institutions are based on two pillars -justice and liberty- both of which are sources in our own Holy Law [. . .] Therefore, we must press on to the purpose of this book which is to reveal the conditions of the European nations, including what might be suitable for the Islamic *umma*. (al-Tunisi 1867, pp. 8–9)

Al-Tunisi explained that *tanzimat* was based on political justice, as well as that Europeans had experienced their own process of *tanzimat* and were acquainted with science and technology “by smoothing the roads to wealth, and by extracting treasures of the earth with their knowledge of agriculture and commerce” (al-Tunisi 1867, pp. 9–10). He remarked that security and justice were the basic condition for these activities and pointed out that “it is God’s custom in His world that justice, good management and an administrative system duly complied with be the causes of an increase in wealth, peoples and property, but that the contrary should cause a diminution in all of these things” (Brown 1967, p. 81). In al-Tunisi’s opinion, injustice and oppression might be considered as part of the natural weakness of humanity. Therefore, “unrestricted authority for kings brings about all sorts of injustice and oppression”. He also noticed that the Prophet gave special importance to justice: “The Prophet . . . said justice brings glory to the religion and strength to all orders of the people high and low” (al-Tunisi 1867, p. 10).

These considerations confirm once again that al-Tunisi strove to convince Muslims of the need to implement new reforms which were consistent with Islamic principles, such as consultation (*shura*). al-Tunisi referred to the Sufi master Ibn al-Arabi (d.1240)⁴ and emphasized that consultation is one of the main principles of sharia. Ibn al-Arabi noted that “consultation is one of the foundations of the religion and God’s rule for the two worlds” (al-Tunisi 1867, p. 11). al-Tunisi did not confine himself to referring only to Ibn al-Arabi, but also referred to other Islamic sources. For example, he referred to the most prominent theologian al-Ghazzali (d.1111)⁵, who said “The Khalifs and kings of Islam want to be refuted even if they should be in the pulpit” (al-Tunisi 1867, p. 11). As an important Islamic principle, the implementation of consultation necessitates some mechanisms which are described by the concepts of *al-amr bi al-ma’ruf* (commanding right and forbidding wrong) and *ahl al-ḥall wa al-aqd* (those qualified to loosen and bind). The concept of *ahl al-ḥall wa al-aqd* might be considered the Islamic equivalent of European representative assemblies. Indeed, al-Tunisi established a mutual relationship between political authority and the existence of *ahl al-ḥall wa al-aqd* in society (El-Mesawi 2008).

It is only a system of governmental accountability that can guarantee basic principles such as security, justice and liberty. Relying on the views of classical Muslim scholars such as al-Ghazzali and the most prominent jurist of Shafi’i school al-Mawardi (d.1058)⁶, al-Tunisi pointed out that the maintenance of the human species is dependent on the exercise of political authority, which also helps to restrain violations of the members of a given society. What is also equally important is restraining the power of this authority. Nevertheless, if the person exercising this authority acts according to guile, this will trigger problems for the accountability of a government. Therefore, “it is essential that the restrainer should have his restrainer to check him either in the form of a heavenly *shari’a* or a policy based on reason” (al-Tunisi 1867 pp. 11–12). al-Tunisi believed that rational laws should constitute the basis of social life, but also that people may violate such laws. In this case, al-Tunisi underscored that the ulema and the notables of the *umma* are responsible for resisting evil and preserving order and justice in society by working together.

In addition, al-Tunisi underlined that these laws should be based on human reason and that the benefit of such a system based on political laws would be realized “if it remains respected through being preserved and protected by such precepts as commanding the good and forbidding the evil” (al-Tunisi 1867, p. 12). For the maintenance and the effective

function of this system, al-Tunisi pointed out that collaboration between the ulema and the statesmen was an important condition. Indeed, “the politicians discern the public interest and the sources of harm while the ulema assure that the action taken in accordance with the public interest is in agreement with the principles the *shari’a*” (al-Tunisi 1867, p. 42). al-Tunisi also emphasized that this association might be seen as one of the most important duties for helping public interest prevail (al-Tunisi 1867). al-Tunisi attached special importance to the concept of *maslaha* (public interest).

The Islamic ummah is bound in its religious and worldly activities by the heavenly shari’a and by the divine limits, fixed by the justest of scales, which are sufficient guarantee both for this world and the next. Now, there are certain important, or even absolutely essential activities relating to the public interest by which the ummah secures its prosperity and proper organization. If there is no specific rule in the shari’a either providing for or forbidding such actions, and if instead the principles of the Shari’ah require these actions in general and view them with a favorable eye, then the course to follow is whatever is required by the interests of the ummah. (al-Tunisi 1867, p. 40)

Brown considered this passage as “an excellent example of the way in which reformers and Islamic modernists have used the Islamic idea of *maslaha* (public interest) to justify a more liberal interpretation of the *shari’a*” (Brown 1967, p. 123). In al-Tunisi’s opinion, the definition of what is *maslaha* and what is not should be determined through collaboration between the ulema and the political elite.

Any activity for this purpose so that conditions are improved and a great victory achieved in the domain of progress is contingent upon the unity and organization of a group from within the ummah who are in harmony—those learned in the Shari’ah and those knowledgeable in politics and the interests of the ummah and also well-informed both in domestic and foreign affairs and in the origins both of harms and benefits. This group would cooperate to the benefit of the ummah by furthering its interests and warding off its corruptions so that all would act as a single person. Thus, the politicians discern the public interest and the sources of harm while the ulema assure that the action taken in accordance with the public interest is in agreement with the principles of the Shari’ah. (al-Tunisi 1867, pp. 40–41)

al-Tunisi also mentioned the conditions of *ijtihad* in order to demonstrate the necessity of this collaboration by emphasizing that “just as the administration of sharia rulings depends on knowledge of the texts, it depends also upon knowledge of the circumstances surrounding the revelation of these texts” (al-Tunisi 1867, p. 41). In this situation, if the members of the ulema distance themselves from the political leaders, they will not be able to understand these circumstances, and this will open the doors to oppression by governors (al-Tunisi 1867, p. 41). It should be also underlined that most governors do not act in line with the principles of *shari’a*. Therefore, it falls to the ulema to examine the politics of their countries, to take the problems encountered in domestic and foreign affairs into account and to collaborate with the politicians in order to take the necessary steps for *tanzimat*. Indeed, the members of the ulema have the responsibility of determining what is beneficial for the public interest and of eliminating the potential imperfections as much as possible (al-Tunisi 1867, p. 41). According to al-Tunisi, this perspective is based on *siyasa shari’ah*, which might be translated as “political laws”. These laws require all Muslims to respect the Islamic principle of “commanding good and preventing evil” (Mzali and Pignon 1971).

Moreover, these laws do not approve of class discrimination and are grounded on the principle of “people’s absolute equality of rights and constitute the ideal of justice that many eminent men struggled to achieve in European (legal) codes” (Mzali and Pignon 1971, p. 136). In this line of thinking, al-Tunisi makes it clear that the establishment of councils and the freedom given to the printing press by Europeans might be explained by the objective of achieving the ulema’s mission of “commanding good and preventing

evil" (al-Tunisi 1867). For al-Tunisi, the main motivation behind the European and Muslim cases was to find "an accounting from the state in order that its conduct may be upright, even if the roads leading to this end may differ" (al-Tunisi 1867, p. 12). Khayr al-Din also remarked that European political leaders shied away from the councils and the opinions of the people, just as Muslim governors shied away from the ulema (al-Tunisi 1867).

al-Tunisi developed some other arguments in order to demonstrate the necessity of the political participation of the *ahl al-hall wa al-aqd*. In this vein, he acknowledged the possibility of "finding among kings one who conducts himself properly in the kingdom without consulting those qualified to loosen and bind and is moved by the love of justice to seek the aid of an informed loyal minister to advise him in complicated matters of public interest" (al-Tunisi 1867, p. 12). Nevertheless, he recognized that this was something rare and that it was difficult to find all these qualities in one person, as well as that it should be noted that even if "these qualities were combined in a permanent manner in one person, they would disappear with his death" (al-Tunisi 1867, p. 13). According to Philipp, al-Tunisi observed:

Because human appetites were such that they opposed reason and justice, he advocated laws to reign in the monarch. The king ideally possessed the necessary knowledge and the ability to apply it to good governance. But more typically he was lacking the one or the other, or both. This made it imperative that the ruler should be assisted by a consultative body. (Philipp 2016, p. 152)

In addition, al-Tunisi noted that the participation of those qualified to loosen and bind with the princes in all political issues might constitute a restriction to the "imam's jurisdiction or of his executive powers" (al-Tunisi 1867, p. 15). al-Tunisi replied to this objection by relying on Mawardi's *Ordinances of Government*, and pointed out that an imam can appoint a minister to whom he will delegate authority in order to manage the state's affairs in conformity with the imam's consideration (al-Tunisi 1867, p. 15). al-Tunisi further developed this view and mentioned that this delegation of authority does not indicate a decrease in the imam's authority, as well as that "his sharing of power with a group—those qualified to loosen and bind—in all aspects of policy is even more permissible because a group of opinions is more likely to attain the correct answer" (al-Tunisi 1867, pp. 15–16). al-Tunisi referred to al-Mawla Sa'd al-Din (d.1389) to support his argument with regard to the participation of those qualified to loosen and bind in matters of policy, and concluded that this process of consultation was considered to be a necessary step by these scholars for making any policy (al-Tunisi 1867, p. 16). It should also be remembered that the imam remains the only person responsible for the implementation of any decision regarding external political and economic relations as well as the appointment and the dismissal of local administrators (al-Tunisi 1867, p. 16). From the same perspective, al-Tunisi referred to a parable to further highlight the importance of the participation of those qualified to loosen and bind:

The owner of a large garden, for example, in the management and care of his trees would not be able to do without the assistance of helpers knowledgeable about trees and what causes them to prosper and wither. Now it might happen that the owner of the garden wanted to cut some of the branches of his trees believing that would strengthen the roots and increase the fruit, but his helpers disagreed knowing from the basic principles of cultivation that pruning at that time would kill the tree at the roots. In such circumstances to obstruct the owner's wish could not be considered a restriction on the scope of his supervision or his complete executive authority on his garden. (al-Tunisi 1867, pp. 16–17)

According to this parable, al-Tunisi underlined the need for the ruler to consult those qualified to loosen and bind and made it clear that this consultation did not mean restriction of the executive authority of the ruler. Instead, it was a process which allowed the ruler to make a refined decision in public affairs. Moreover, al-Tunisi mentioned the prophet Mohammed in order to develop his point. He remarked that the Prophet was an exceptional

person in the sense that he acted by divine inspiration. He also emphasized that the Prophet was obliged by God to take advice in order to set up a law for his successors (*Khalifas*). Likewise, the *Khalifas* made decisions after having consulted a representative group of persons called the *Souhaba*. Accordingly, the Ottoman *Khalifas* had followed this tradition and addressed the extraordinary councils composed of the ulema, the ministers and the high officials, as well as the educated people in different fields (Mzali and Pignon 1971). Following this logic, al-Tunisi pointed out that this did not mean that the Islamic law itself was insufficient, as claimed by some people, but that the rulers who executed these laws were insufficient. Therefore, it was of the utmost importance to ameliorate their way of administration. In this respect, al-Tunisi might be considered a modernist Salafi according to the classification of Lauzière⁷, since modernist Salafis sought to reconcile Islam with modern concepts in social, political and intellectual fields. These reformers aimed to revitalize the political, social and educational institutions of Muslim societies. Modernist Salafis adopted a balanced reformist approach and were committed to renewal in way that would not undermine the relevance of the Islamic tradition (Lauzière 2016). Indeed, al-Tunisi explained “the necessity of definite laws determining the obligations and prerogatives of the ruler, his ministers, and other state officers” (El-Mesawi 2008, p. 68). Moreover, al-Tunisi attached special importance to the participation of notables, particularly the ulema, in the policy-making process of the ummah’s affairs. These considerations demonstrate the originality of al-Tunisi’s approach to reform, which was against autocratic rule and tried to align the Islamic concepts (*maslaha*, *al-amr bi al-ma’ruf* and *ahl al-hall wa al-aqd*) with the current political concepts in Europe (democracy, separation of power, etc.). Despite the fact that al-Tunisi was well aware of the current European political theories, he used Islamic language to elaborate upon his reformist view in order to better respond to challenges faced by the Tunisian society of that time. Because he was motivated by the idea of learning from European progress in order to “choose from them what is suitable to our own situation” (Brown 1967, p. 46), accordingly, he considered that substituting the old Muslim institutions with “a regime of hybrid of European institutions” might be an inefficient and counterproductive approach (Mzali and Pignon 1971, p. 136). In al-Tunisi’s view, “it is impossible to transplant a country’s institutions in another one where people’s temperament, lifestyles, education and environment are different” (Mzali and Pignon 1971, p. 137). Likewise, al-Tunisi reinforced his argument by mentioning that French jurisprudence did not resemble British jurisprudence, though these were two peoples which shared many elements in common, such as race, geography, religion, etc. (Mzali and Pignon 1971).

To conclude, as a statesman and intellectual, al-Tunisi was well aware that European progress was based on political, economic and scientific advances which were possible only if the accountability of government was maintained. For that reason, he insisted on the necessity of the ulema and the participation of notables in the decision-making process. In order to convince his readers in the Muslim world, he referred to Islamic sources such as Mawardi, Ghazali, Ibn Arabi, etc. In this way, he tried to demonstrate that *tanzimat* based on justice, consultation and equity conformed with the *shari’a*

5. Conclusions

The main aim of this study was to explore the reformist ideas of al-Tunisi in order to prove that he proposed a synthesis between the West and the Islamic tradition. As a Muslim statesman of the *Tanzimat* period, Khayr al-Din developed a reform program with the purpose of remedying the widespread malaise of Muslim countries through his major work, “*Aqwam al-Masalik*”. In this regard, Brown rightly emphasized that al-Tunisi was preoccupied by the problems related to administration and government, which occupied a central place in the backwardness of the Muslim world (Brown 1967). Accordingly, this study found that he proposed a practical problem-solving guide to reorganizing the old Muslim institutions. Throughout his book, al-Tunisi used an extensive number of references to classical Islamic scholars and thinkers (al-Ghazzali, al-Mawardi, Ibn al-Arabi and Ibn

Khaldun). Indeed, “a major purpose in writing the book was an appeal to the ulema class to accept a reformist policy not only inspired by Western experience but also presented as a return to the purer faith of early Islam” (Brown 1967, pp. 43–44). In al-Tunisi’s opinion, a statesman with high public administrative skills as well as the members of the ulema, who could explain the principles of *shari’a*, together constituted two crucial classes for an ideal government.

This study highlighted how al-Tunisi considered a system of governmental accountability to be the basis of the security, justice and liberty through which the states of Europe had achieved their progress. This system, called “ministerial responsibility” by the Europeans, had an equivalent in the Islamic tradition. Consequently, al-Tunisi recalled the application of the Islamic concept of *ahl al-hall wa al-aqd* in order to improve the political systems of Muslim countries. This study also found that al-Tunisi’s approach to reform was grounded in the idea that the *tanzimat* reforms were consistent with Islam. For that reason, al-Tunisi highlighted the similarity between the Islamic concept of *shura* and the representative assemblies of Europe. In the same way, he asserted the equivalence between the concept of *maslaha* and its European counterpart (public interest), through which prosperity and good organization were ensured. In summary, al-Tunisi was a practical statesman who successfully combined the main elements of Western prosperity and progress with classical Islamic concepts and principles regarding the administration of governmental affairs.

The strength of the reformist vision developed by al-Tunisi lies in the way that he demonstrated the possibility to reform institutions of Muslim countries by following the Islamic principles (such as *maslaha* and *shura*) which are synonymous with European concepts (public interest, consultation). The main line of al-Tunisi’s approach was rooted in the belief that Muslim societies were able to adapt their political and administrative system in parallel with the principles of *sharia*. What was also impressive in al-Tunisi’s reform project was the absence of an inferiority complex. Indeed, his intimate acquaintance with European institutions played an important role in his ability to compare Christian and Muslim political systems. According to this comparison, he pointed out that if these systems rely on justice and freedom, they thus ensure prosperity and development. From al-Tunisi’s perspective, the Europeans shaped their institutions by adopting the accomplishments of the Islamic civilization. Likewise, Muslims must borrow needed institutions and techniques from Europe.

In addition, learning from Europe might be thought of as a requirement of the Islamic concept, *maslaha*. Therefore, the backwardness of Muslim countries is not due to Islam. The reason behind this decline should be found in the abandonment by Muslims of the rules governing life as determined in the time of the Prophet. Additionally, al-Tunisi attached a special importance to the ulema in applying the Islamic principle *al-amr bi al-ma’ruf* (commanding right and forbidding wrong) and emphasized that the ulema had the responsibility to examine the politics of their countries in order to promote public interest and to restrain the authority of the rulers.

Although al-Tunisi’s main objective throughout his book was to choose what was suitable for Muslim countries in order to revitalize their institutions, he did not mention terms such as democracy, parties or separation of powers. For that reason, he was not amenable to substituting archaic Muslim institutions with a regime of a hybrid of European institutions. Rather, al-Tunisi suggested that Muslims needed to adopt radical reforms in accordance with their own values and lifestyles, as well as the country’s needs. Accordingly, it might be contended that al-Tunisi suggested that the establishment of new institutions in Muslim countries needed to take into account the situation and expectations of the inhabitants. Once again, al-Tunisi made it clear that Muslim societies needed to develop their own institutions based on their own identity, values, education and environment, rather than transplanting European ones.

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Notes

- ¹ Ibn Khaldun (1332–1406), Wali al-Din Abd al-Rahman ibn Muhammad ibn Muhammad ibn Abi Bakr Muhammad ibn al-Hasan Ibn Khaldun, was a prominent historian of the medieval Islamic world. His major work, Muqaddimah constitutes a theoretical treatise of history, sociology and political science. The Muqaddimah was an introduction of his remarkable book on history *Kitab al-Ibar wa diwan al-mubtada wa'l-khabar* (The Book of Warning and the Collection of Beginnings and Historical Information). In the Muqaddimah, Ibn Khaldun presented a general survey of Islamic societies and their arts and sciences. Also, he pointed out three important topics in his Muqaddimah. Firstly he asked why and how society is created. Secondly he discussed the rise and the fall of the state. Thirdly he analyzed the role of religion in a state with khalifate and imamate. See (Rahman 2021) and (Irwin 2018).
- ² This translation was published by the Imprimerie Administrative de Paul Dupont-Saint Honoré, Paris, 1868. Magali Morsy produced a new and annotated edition of it in 1987: *Essai sur Les Réformes Nécessaires aux Etats Musulmans* (Morsy 1987). In it, only the introduction (*Muqaddimah*) dealing with the theoretical part was included. Books I and II concerning the history of the Ottoman Empire and European and other countries were omitted.
- ³ The word *tanzimat* has been used to refer to the whole period of Westernization in the central Ottoman Empire in the 19th century. This word might also be translated as “reforms”, “reorganizations” and “regularizations”. According to Brown (1967, p. 77), al-Tunisi used this word in a broad sense to explain his idea of reform; it might also be thought of as being equal to the word “modernization”.
- ⁴ Ibn al-Arabi (1165–1240), Muhyi al-Din Ibn al-Arabi, was one of the greatest figures of Islamic intellectual history. He was also called as *al-Shaykh al-Aqbar*, the Greatest Master, a title which reflects the significance of Ibn al-Arabi’s works regarding the Islamic tradition. His writings cover a wide range of topics including Qur’an commentary, hadith, principles of jurisprudence, Islamic ritual, philosophy, theology and mysticism. His major works are *Fusûs al-hikam* (The Ringstones of the Wisdoms) and *al-Futûhât al-makkiyya* (The Meccan Openings). *Fusûs al-hikam* constitutes an exposition of the inner meaning of the wisdom of the prophets and a focus on a long tradition of commentary. Also, *al-Futûhât al-makkiyya* might be considered as a kind of encyclopedia of the ideas of Ibn Arabi and his reflections on the Sufis of his time. See (Dagli 2016, pp. 1–5). For an analysis of Ibn al-Arabi’s conceptualization of power relations see (Balci 2015).
- ⁵ al-Ghazzali (1058–1111), Abu Hamid Muhammed ibn Muhammed al-Tusi al-Ghazzali was one of the most influential Muslim theologians mystics of Sunni Islam. He was awarded the prestigious title “*Hujjat al-Islam*” (Proof of Islam). His major works are *Ihyâ’ ‘ulûm ad-dîn* (The Revival of the Religious Sciences), *Tahâfut al-falâsifa* (Incoherence of the Philosophers), *Jawâ-hir al-Qur’an* (The Jewels of the Qur’an), *Miskhat al-anwar* (The Niche of Lights). al-Ghazzali was at the same time a theologian, jurist, philosopher and mystic who combined all these aspects with the aim of reviving and reforming religion. See (Campanini 2019, pp. 7–8). For an alternative re-reading of the works of al-Ghazzali and Ibn al-Arabi with regards to contemporary global politics see also (Balci 2020, pp. 23–41).
- ⁶ al-Mawardi (974–1058), Abu al-Hasan Ali Ibn Muhammad Ibn Habib al-Mawardi, was a prominent jurist of the Shafi’i School in the time of Abbasid. His major work, *Al-ahkam al-sultaniyyah* (The Ordinances of Government), highlighted the authority of the state (Imamate). The main aim of this treatise was to provide a theoretical basis for “the delimitation of the spheres of authority between the caliph, in charge of religious affairs, and the emir, in effective control of civil administration on the basis of a negotiated agreement”. See (Rosenthal 1958, p. 29).
- ⁷ Lauzière identifies two paradigmatic conceptions of Salafism. The first is modernist Salafism and the second is purist Salafism. According to Lauzière, Jamal al-Din al-Afghani (d.1897), Muhammad Abduh (d.1905), and Rashid Rida (d.1935) were modernist Salafis in the sense that they adopted a moderate reformist approach and believed that Islam was in tune with the requirements of the modern age. In addition, purist Salafis claim to follow the most authentic religious orientation within Sunni Islam. This form of salafism is used as synonymous with Wahhabism—the conservative approach to Islam and that was first expounded Muhammad ibn Abd al-Wahhab in the 18th century. See (Lauzière 2016, pp. 4–6).

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