

CO-EXISTENCE and CONFLICT BETWEEN MUSLIMS and NON-MUSLIMS
IN THE 16TH CENTURY OTTOMAN ISTANBUL

A Master's Thesis

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Ankara
September 2008

To my family, my grandparents, and the memory of my grandmother

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MUSLIMS
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The Institute of Economics and Social Sciences
of
Bilkent University

by

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In Partial Fulfillment of the Requirements for the Degree of
MASTER OF ARTS

in

THE DEPARTMENT OF
HISTORY
BİLKENT UNIVERSITY
ANKARA

September 2008

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in History.

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ABSTRACT

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The attempt of the Ottoman administration to confiscate the Orthodox churches in Istanbul in the 16th century is frequently cited in current historiography. However, transformation of this incident into differing versions throughout centuries prevented many historians from analyzing the issue in detail. For this reason this study attempts to analyze the development of the story, first. The most important aspect of the issue blurring the mind of many historians is the reason behind the decision of the Ottoman administration to confiscate the churches. The reason should be looked for not in the attitude of the sultans towards Christians but in the evolution of the city from its Byzantine period onwards. As a result of the population explosion in the 16th century, Muslim and non-Muslim neighborhoods intersected, and this created a painful course, which

turned co-existence into a painful process.

Keywords: Ottoman Empire, Christians, Patriarchate, *Historia Patriarchica*, *fetva*, conquest of Constantinople, coexistence, conflict.

ÖZET

16. YÜZYIL OSMANLI İSTANBULUNDA MÜSLÜMAN VE GAYRİMÜSLİMLER: BİRLİKTE YAŞAMA VE ÇATIŞMA

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Eylül 1999

Osmanlı yönetiminin 16. yüzyılda İstanbul'daki Ortodoks kiliselerini müsadere etme girişimi mevcut tarihyazıcılığı içerisinde sıkça tekrarlanmaktadır. Ancak, bu olayın yüzyıllar boyunca farklı versiyonlara dönüşümü birçok tarihçiyi bu olayı etraflica incelemekten alıkoymuştur. Bu nedenle bu tez öncelikle hikayenin gelişimini incelemeyi amaçlamaktadır. Olayın birçok tarihçinin kafasını kurcalayan en önemli yanı Osmanlı yönetiminin kiliseleri müsadere etme kararının ardında yatan sebeptir. Bu sebep birçok tarihçinin yaptığı gibi sultanların Hıristiyanlara karşı olan tutumlarında değil, şehrin Bizans döneminden itibaren geçirdiği evrimde aranmalıdır. 16. yüzyılda meydana gelen nüfus patlamasının bir sonucu olarak İstanbul'da Müslüman ve Gayrimüslim mahalleleri iç içe geçmiş, bu da cemaatler arasında birlikte yaşamayı sancılı bir süreç haline getiren bir durum meydana getirmiştir. Kiliselerin müsadere edilme girişiminin ardında bu

sebepl yatmaktadır.

Anahtar Kelimeler: Osmanlı İmparatorluđu, Hıristiyanlar, Patrikhane, *Historia Patriarchica*, fetva, İstanbul'un fethi, birarada yaşama, çatışma.

ACKNOWLEDGEMENTS

First of all I wish to thank Dr. Eugenia Kermeli, who has been a perfect adviser. She not only offered me to study the current topic, but also helped me in all stages during the preparation of this thesis. Without her constant help and encouragement this thesis would not have been substantiated. Secondly, I would like to thank Professor Halil İnalçık to whom my gratitude is two-fold: first, for standing as such a brilliant model of an Ottomanist, and second, for the support he provided during the preparation of this thesis. I got a lot out of the conversations we had, and the documents he provided me with. I would also like to thank Professor Mehmet Öz for acting as my jury member. I would further like to pay my gratitude to Professor Özer Ergenç for everything he taught me about the Ottoman paleography and institutions. Dr. Ahmet Simin was always ready for help in anything Arabic. Associate Professors Şükrü Özen and Tahsin Özcan were so kind to share their knowledge about the *fetvas* and *sicils* respectively. I am most grateful to the staff of Ottoman Archive of Prime Ministry, Archive of Topkapı Palace Museum, Süleymaniye Manuscript Library, and İstanbul *Müftülük* Archive. In case of the last one, I should like to thank Professor İnalçık, who recommended me to study the *sicils* in this archive, and Professor Mustafa Çağrıçı, the *müftü* of İstanbul, who

permitted me to work on the manuscripts of the *sicils*. During the preparation of this thesis, I spent one month at Dumbarton Oaks Center to familiarize myself with Medieval Greek, and to benefit from its brilliant collection, and for that I must thank Dr. Alice-Mary Talbot, who helped me refine my translation of *Historia Patriarchica*, and discussed with me various aspects of late Byzantine Constantinople, and Dr. Stratis Papaioannou, who introduced me to the basics of Greek paleography. Elif Bayraktar discussed with me different parts of the thesis and Fatih alıřır helped me to decipher some of the *fetvas* in Arabic, both being such good friends. Despite the help of so many people, all the mistakes in this thesis are mine only.

I would also like to thank my friends, who are as many as not to quote here. Especially I should mention Gölřen Birinci, Mehmet elik, Suat Dede, Fahri Dikkaya, Koray Doęan Kaya, Nimet Kaya, Kevin Murat Kúsmez, Bayram Rahimguliyev, Aaron Andrew Rank, Nimetullah Yařar, Harun Yeni. Specifically, I must thank Ayřegöl Keskin, my fiancée, who shared with me the burden and distress of this thesis, and turned the world into a beautiful place. Special thanks go to Keskin family for their moral support and care. Last but not least, I want to thank my family who always made their presence felt from far away.

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CHAPTER ONE

INTRODUCTION

And then they put the ones they captured into captivity, tied them with ropes, and learned their prices. Women paid their ransom by selling their bodies, and men got free by doing prostitution with their hands and other parts. Whoever pays the money valued to him/her, s/he would have stayed in his/her faith; while those who did not have money gave consent to stay, those who resisted were killed.¹

This is how Tomaso Eparchos and Giusuè Diplovatatzes described what happened after the Ottoman Turks took over Constantinople in 1453. Both the writers and the audience (which is probably the people from among the lay or clergy in Germany²) of this letter would have been greatly surprised, if they were able to see what would happen during the next hundred years, i.e. how the remaining Greek population paid their ransom by working in the reconstruction of the city and established the first Greek quarters in the city under the Ottomans, how the restored Patriarchate retained most of the churches in its hands for about a century, and

¹ Agostino Pertusi, *İstanbul'un Fethi: I- Çağdaşların Tanıklığı*. Mahmut H.Şakiroğlu, trans. İstanbul: İstanbul Fetih Cemiyeti, 2004, p. 220.

² Pertusi, *İstanbul'un Fethi: I*, p. 215.

indeed overcame the questioning over its possession of churches in Constantinople at the end of its first century under the Ottomans. This thesis deals with different aspects of the attempt of the Ottoman administration to repossess the Orthodox churches in Istanbul during the first half of the 16th century, an issue whose causes go back to the question of how the city was taken, i.e. by force or by surrender.

As we are going to see in the discussion of the repossession case, two component elements are of importance in the narration, firstly, the mode of conquest of Constantinople by surrender or by force, and secondly the privileges given by Mehmed II to Gennadios Scholarios, the first Patriarch during the Ottoman rule. The issues of the privileges evolved in the 20th century into the core of the *millet* theory, the major explanatory framework on Muslim-Christian relations in the Ottoman Empire.

Maybe the most important aspect of the Patriarchate under the Ottoman rule is the recognition of Gennadios as the first Patriarch after the conquest of Constantinople by the Ottomans.³ The major discussion about the restoration of the Patriarchate under Ottomans is focused on the nature of the rights given by Mehmed II. Although some scholars argued that he gave Gennadios an official document such as a *berat* or a *ferman*, which was lost eventually,⁴ others supported that these

³ This issue was most recently discussed in Despina Tsourka-Papastathi, “À Propos des Privilèges Octroyés par Mehmed II au Patriarche Gennadios Scholarios: Mythes et Réalités” in *Le patriarcat œcuménique de Constantinople aux XIVe-XVIe siècles: rupture et continuité : actes du colloque international, Rome, 5-6-7 décembre 2005*, eds. Augustine Casiday, et al. Paris: Centre d’études byzantines, néo-helléniques et sud-est européennes, École des hautes études en sciences sociales, 2007, pp. 253-275.

⁴ Theodore H. Papadopoulos, *Studies and Documents Relating to the History of the Greek Church and People under Turkish Domination*. Aldershot: Variorum, 1952, pp. 7-10. Steven Runciman, *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*. Cambridge: Cambridge University Press, 1968, pp. 166-172.

privileges, if any, were given to Gennadios orally.⁵ Another important aspect of the issue is the content of the rights given by Mehmed II.⁶ While some put forward the idea that these rights were of ecclesiastical nature,⁷ the others propounded that the Patriarch was bestowed with more extensive administrative and judicial jurisdiction upon all the Orthodox Christians in the Empire.⁸

1.1 Makarios Melissenos Melissourgos' *Chronicon Maius*: A Case Study

One of the main sources about the investiture of Gennadios Scholarios is given in the *Historia Patriarchica*. Another source that deserves close attention in order to comprehend the historical circumstances of the 16th century regarding the foundation myths of the Greek Orthodox Patriarchate is the *Chronicon Maius* of Makarios Melissenos Melissourgos. It has long been believed that Sphrantzes, one of the last Byzantine historians who wrote about the fall of Constantinople, produced two distinct works known as *Chronicon Minus*, and *Chronicon Maius*. Recent studies by such scholars as J. B. Falier-Papadopoulos, F. Dölger, and J. R. Loenertz, however, demonstrated that while *Chronicon Minus* was indeed written by

⁵ Macit Kenanoğlu. *Osmanlı Millet Sistemi: Mit ve Gerçek*. İstanbul: Klasik, 2004, p. 83.

⁶ The issue was recently analyzed in Blanchet, Marie-Hélène. "L'Ambiguïté du Statut Juridique de Gennadios Scholarios après la Chute de Constantinople (1453)" in *Le patriarcat œcuménique de Constantinople aux XIVe-XVIe siècles: rupture et continuité: actes du colloque international, Rome, 5-6-7 décembre 2005*, eds. Augustine Casiday, et al. Paris: Centre d'études byzantines, néo-helléniques et sud-est européennes, École des hautes études en sciences sociales, 2007: 195-213.

⁷ Halil İncalcık, "The Status of the Greek Orthodox Patriarch under the Ottomans" in *Essays in Ottoman History*, ed. Halil İncalcık. İstanbul: Eren, 1998, pp. 195-229; Halil İncalcık, "The Policy of Mehmed II Toward the Greek Population of Istanbul and the Byzantine Buildings of the City" *Dumbarton Oaks Papers* 23-24 (1969-70), pp. 236-237.

⁸ Nicolaos I. Pantazopoulos, *Church and Law in the Balkan Peninsula during the Ottoman Rule*. Thessaloniki: Institute for Balkan Studies, 1967, pp. 7-10, 19, 23, 86. Joseph Kabrda, *Le Système Fiscal de l'Eglise Orthodoxe dans l'Empire Ottoman (D'après les documents turcs)*, Brno: Universita J. E. Purkyně, 1969, pp. 14-16.

Sphrantzes, *Chronicon Maius* is an elaborated version of *Chronicon Minus* written by a sixteenth century author, namely Makarios Melissenos Melissourgos, the metropolitan of Monemvasia.⁹

Here, it would be beneficial to give some information about how Makarios Melissenos happened to write such a work. After the naval battle at Lepanto in which Ottomans were defeated by an allied Crusading navy in 1571, the Greek people of the Morea attempted to rebel against the Ottomans which resulted in failure. This army was recruited by Makarios, who was a cleric at that time, and his brother Theodoros, a soldier. As a result of this failed rebellion, both had to flee to and settle in Naples where Makarios “elaborated the *Chronicon Minus* of Sphrantzes and produced the *Maius*.”¹⁰ He is known to have forged another document in addition to the work of Sphrantzes. In 1570, he faked the seal of the emperor Andronikos II Palaeologos (1282-1328) in an imperial decree out of which he won “a dispute about ecclesiastical authority in certain territories in the Morea.”¹¹ He was such a successful counterfeiter that he even identified his name Makarios Melissenos with the eminent family of Melissourgos.

Leaving aside why he needed to elaborate the *Chronicon Minus* of Sphrantzes and why he wrote the *Chronicon Maius*, let us concentrate on the differences between the two. One of the most striking features of the *Chronicon Minus* is that Sphrantzes never mentions about Gennadios Scholarios, which Philippides attributes to the unpopularity of the latter in Byzantine court because of his anti-Unionist

⁹ Marios Philippides, (trans.) *The Fall of the Byzantine Empire: A Chronicle by George Sphrantzes 1401-1477*. Amherst: The University of Massachusetts Press, 1980, p. 6; See also Marios Philippides. “Patriarchal Chronicles of the Sixteenth Century” *Greek, Roman, and Byzantine Studies* 25/1 (1984), pp. 87-94.

¹⁰ Philippides. (trans.) *The Fall of the Byzantine Empire*, pp. 8-9.

¹¹ Philippides. (trans.) *The Fall of the Byzantine Empire*, p. 8.

stand.¹² On the contrary, Makarios Melissenos gives an elaborate description of how Mehmed II installed Gennadios as the Patriarch in the way the Byzantine emperors used to. After a long description of the procedure followed during the election of a patriarch in Byzantine times, he goes on as follows:

Thus this rascal of a sultan tried to pass himself off as the emperor of our City by imitating our Christian emperors: he invited Gennadios to dine and converse with him, receiving him with great honors. They spoke at length... And when the time came for Gennadios to leave, he was presented with that expensive crook and was asked to accept it. Then the sultan insisted on accompanying him to the gate of the palace, where the traditional horse was waiting.¹³

In addition to Gennadios' enthronement as the Patriarch in a traditional way, according to the account of Makarios Melissenos, Mehmed II gave him extensive rights, as well. His account continues:

The sultan gave written decrees with royal authority and undersigned by him to the patriarch, which ensured that no man would hinder or annoy him; moreover, the patriarch was absolved of taxation and tribute. The sultan further declared that all future patriarchs and their high clerics would enjoy the same privileges and would be similarly immune from taxation and tribute forever.¹⁴

Despite the fact that the *Historia Patriarchica* was available as a source for Makarios Melissenos for issues like Gennadios' installation as the Patriarch,¹⁵ the fact that he convinced the people that this work was written by Sphrantzes, i.e. long before the Ottoman administration questioned the rights of the Patriarchate functions as another means of justification of these rights. To put it differently, at a time when the rights of the Patriarchate were questioned by the Ottomans and while *Historia*

¹² Marios Philippides. "Patriarchal Chronicles of the Sixteenth Century" *Greek, Roman, and Byzantine Studies* 25/1 (1984), pp. 91-92.

¹³ Philippides. (trans.) *The Fall of the Byzantine Empire*, p. 135.

¹⁴ Philippides. (trans.) *The Fall of the Byzantine Empire*, p. 136.

¹⁵ Philippides. "Patriarchal Chronicles of the Sixteenth Century", p. 90.

Patriarchica argued that the city was submitted by the emperor himself, and Mehmed II gave the Patriarch and his *archontes* extensive rights such as having slaves,¹⁶ the conscious act to forge the work of a Byzantine author functions in a way as to support the foundation myths of the Ottoman *millet* system concerning the Greek Orthodox Patriarchate.

The story about the investiture of Gennadios Scholarios became the cornerstone in the development of the *millet* theory. Another set of myths were constructed as we are going to see around the story of the attempt to confiscate churches in the early 16th century. Modern historiography, to a larger extent, accepted these interwoven stories whereupon protection to Orthodox churches was provided by Mehmed II himself. Thus, it is important to follow the development of the *millet* theory alongside the actual story of the attempted confiscation in an effort to show how these two different elements became merged into a standard story from the beginning of the 20th century onwards. The role of the Patriarch in the Ottoman Empire, the conditions of the conquest of Constantinople by Mehmed II, and the repossession case is viewed from various perspectives in the 20th century historiography.¹⁷

¹⁶ *Corpus Scriptorum Historiae Byzantinae*, Editio Emendatio et Copiosior Consilio B. G. Niebuhrii C. F., Instituta Auctoritate Academiae Litterarum Regiae Borussicae Continuata (Historia Politica et Patriarchica Constantinopolitana Epiratica, Bonnae Impensis ed. Weber, MDCCCXLIX), 80-95.

¹⁷ The sources mentioning about the case of repossession are discussed in the third chapter.

1.2 Modern Historiography

Yannis Kordatos (1931)

Yannis Kordatos adopted an unbiased approach towards Ottomans, and their relation to Christian subjects.¹⁸ However, Kordatos' characterization of Ottoman sultans as either pro-Christian or anti-Christian does not serve to the benefit of analysis.

One of the biggest weaknesses of the work of Kordatos is that he ignores the historicity of the sources. In other words, he regards all historical works as thorough explanations of the past events regardless of the time they were written. For example, he does not hesitate to compare *Historia Patriarchica* written in the 16th century and Hypsilantes' *Ta Meta tin Alosin* written in the 19th century, and argues that "what Hypsilantes says seems more sensible."¹⁹ He also does not question the sources used.²⁰ In short, although the account of Kordatos symbolizes a more balanced attitude towards the Ottomans in terms of breaking away from nationalism, his work has methodological problems.

Kordatos compares the arguments of Kantemir and Evliya Çelebi that thousands of Byzantines escaped the city to surrender to the Turks before the

¹⁸ For example, he says that although some historians argue that Turks abused the women and children, Turks were respectful towards them. Of course it is impossible to find out such a minor thing, and to determine which Turks were such, and which ones were not.

¹⁹ Yannis Kordatos. *Bizans 'in Son Günleri*. İstanbul: Alkım, 2006, p. 78.

²⁰ While giving the account of Evliya Çelebi, for example, he uses the following expression: "We have to believe in what Evliya Çelebi writes which completely depends on Turkish archives, and the narrations transmitted from generation to generation." Yannis Kordatos. *Bizans 'in Son Günleri*, p. 66. Absolutely Evliya Çelebi was one of the most important intellectuals of his time, and had good connections with the ruling elite, but he was first a traveler rather than a historian.

conquest.²¹ Then he adds that these two authors did not make this information up but took it from Turkish archives.²² Kordatos presupposes that Kantemir borrowed his story from *Künhü'l-Ahbar* of Mustafa Ali of Gelibolu/Gallipoli.²³ Yet, Kantemir clearly stated that he took his account on the “surrender” of the city from "Ali Effendi, a Native of Philippopolis, who held the Office of Chaznè Kiatibi, or the Secretary of the Treasury under the celebrated Ferhad Pasha Tefterdar, or Treasurer to the Sultan Selim I.”²⁴ The doubtful identity of this Ali Efendi is also mentioned in the work of Mordtmann which Kordatos uses extensively.²⁵

As far as the chronology is concerned, Kordatos follows the account of Hypsilantes and discusses that this event took place during the first period of Jeremias, i.e. during the reign of Selim I, probably around 1519-1520. He says that even though Sultan Selim I is known to have treated Christians well,²⁶ there are written documents showing that he was an enemy of Christians, i.e. the account of Hammer. Yet, he argues that Süleyman was a lover of Christians.²⁷

²¹ As for his use of these two sources, it is relevant to say that they were written at the end of the 17th and at the beginning of the 18th centuries, i.e. at a time when the myths proposed in the 16th century started to become established.

²² Yannis Kordatos. *Bizans'in Son Günleri*, p. 68.

²³ Yannis Kordatos. *Bizans'in Son Günleri*, p. 76, fn. 21.

²⁴ Demetrius Cantemir. *The History of the Growth and Decay of the Othman Empire*, London, 1734, p. 103, fn. 17.

²⁵ Mordtmann. “Die Kapitulation von Konstantinopel in Jahre 1453” *Byzantinische Zeitschrift* XXI (1912), pp. 129-145. See also Franz Babinger. “Die türkischen Quellen Dimitrie Kantemir's” in *Franz Babinger Aufsätze und Abhandlungen zur Geschichte Südosteuropas und der Levante*, vol. II. München, 1966, pp. 146-147.

²⁶ Hypsilantes, too, mentions that Selim I confirmed the rights of the monks of Sumela in Trabzon by renewing the *chrysobulls* of the Comnenian emperors. Athanasios Komnenos Hypsilantes. *Ta meta tin Alosin (1453-1789)*. Konstantinoupolis, 1870, p. 50.

²⁷ Yannis Kordatos. *Bizans'in Son Günleri*. pp. 78-79.

Osman Nuri Ergin (1937)

Osman Nuri Ergin, influenced by the socio-political environment of the nascent Turkish Republic, viewed critically the *istimalet* policy of Mehmet II towards the Christians of Istanbul. He argued that Mehmet II attempted to revive the communal system which had disappeared in the West at that time by restoring the patriarchates.²⁸

As far as the attempt to confiscate the churches in İstanbul is concerned, an event he attributes to Sultan Selim I, Ergin argued that Selim tried to correct the mistake done by his grand-father Mehmed II. However the *şeyhülislam* Zenbilli Ali Efendi prevented him saying that it contradicts Islam. The author complains that all Ottoman gains attained in a century were given away by Zenbilli to be only taken back four centuries later.²⁹

Sir Steven Runciman (1963 and 1968)

According to Steven Runciman, the event related by *Historia Patriarchica* is a combined version of two episodes. The first one occurred around 1520, i.e. during the time of Sultan Selim I, “who disliked Christianity”, and the other one during the

²⁸ Osman Ergin. *Türk Tarihinde Evkaf, Belediye ve Patrikhaneler*. İstanbul: Türkiye Basımevi, 1937, p. 76.

²⁹ And then he associates that event to the current issues and says the following: “The constitutional government in Turkey which took lessons from the past by carrying out the treatment that I mentioned to the Armenians during the World War, and the Republican government to the Greeks during the War of Independence not only completed the job that the propagator and the caliph of Islam had started after 14 centuries, but also ... corrected the mistake of the Conqueror after four centuries.” Osman Ergin. *Türk Tarihinde Evkaf, Belediye ve Patrikhaneler*, p. 76.

time of Süleyman I in 1537.³⁰ As for the first episode, Runciman argues that Sultan Selim I suggested to his vizier to convert all Christians to Islam, and when he received a negative reply, he demanded that their churches should be surrendered. And then, Runciman continues, the vizier warned the Patriarch Theoleptos through a lawyer called Xenakes who produced three aged janissaries witnessing Sultan Mehmed's peaceful entry to the city. These witnesses swore on Koran that a number of notables offered the keys of their districts to Sultan Mehmed who, in return, promised them to retain their churches. For Runciman, despite the fact that Selim I accepted this evidence, several more churches were annexed during his reign.³¹

As far as the second episode is concerned, Runciman advocates that in 1537, during the reign of Süleyman I, the same question was raised again, and the sultan consulted his *seyhülislam* who argued that: "As far as was known Constantinople was taken by force; but the fact that the churches were untouched must mean that the city surrendered by capitulation."³² Süleyman accepted this decision, according to Runciman, and no more churches were taken over during the rest of his reign.³³

Christos Patrinelis (1969)

The most important contribution to the analysis of the story about the attempt

³⁰ Steven Runciman. *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*. Cambridge: Cambridge University Press, 1968, p. 190, fn., 2.

³¹ Steven Runciman. *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*, pp. 189-190.

³² Steven Runciman. *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*, pp. 190.

³³ Steven Runciman. *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*, pp. 190.

to confiscate the Orthodox churches has been made by Christos Patrinelis.³⁴ Since the major contribution of the work of Patrinelis is about the dating of the event, I am going to return to his arguments in Chapter II. The testimony of the sources introduced by Patrinelis does not refer to the actual happening of the event but it reflects instead the fear reflected to the Italian sources and the *Chronicon Breve*.

Selahattin Tansel (1969 and 1971)

Selahattin Tansel, who wrote a monograph of Sultan Selim I depending mainly Ottoman archival documents in Topkapı Palace, does not go into any detail on the issue of the attempt to confiscate the churches. He simply repeats the account of Hammer in a footnote in which he explains a personality feature of Selim I, i.e. he was obedient to his agreements.³⁵

Two years after his monograph on Selim I appeared, he prepared a monograph of Mehmed II focusing on his military and political activities. In this book, he says he following about the possibility of surrender of the city:

Probably when Justiniani and the Emperor left this part of the front for some reason, those fighting there resisted for some time. Yet, when they heard that the city walls on the seashore were overtaken, they understood well the non-

³⁴ Christos Patrinelis, "The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam" in *Actes du Ie Congrès International des Etudes Balkaniques et Sud-Est Européennes* (Sofia: Editions de l'Academie Bulgare des Sciences, 1969), pp. 567-572. Gille Veinstein argued that those supporting the view that the incident included the forced conversion of Christians as well, did not consider its prohibition in Islam. Gille Veinstein "Les Conditions de la Prise de Constantinople en 1453: un sujet d'intérêt commun pour le Patriarche et le Grand Mufti" in *Le patriarcat œcuménique de Constantinople aux XIVe-XVIe siècles: rupture et continuité: actes du colloque international, Rome, 5-6-7 décembre 2005*, eds. Augustine Casiday, et al. p. 286.

³⁵ Selahattin Tansel. *Yavuz Sultan Selim*. Ankara: Milli Eğitim Bakanlığı, 1969, pp. 254, fn. 88.

necessity of resistance, and maybe at that time contacted the Conqueror. If indeed the churches in this quarter of the city remained as churches, and if all of the ones in other quarters were converted into *masjids*, then this might only have been the result of an agreement.³⁶

Tansel says that he took this account from *Cenabi Tarihi*, however this story had already been in circulation in the work of Dimitrie Kantemir.

Yorgo Benlisoy and Elçin Macar (1996)

Benlisoy and Macar suffice to mention that the matter whether Constantinople was taken by assault or submission was questioned during the time of Selim I, and through the witnessing of two janissaries Selim was obliged to confirm the rights given to the Patriarchate by Mehmed the Conqueror.³⁷ Of course, the content of the book of Benlisoy and Macar is no suitable for the discussion of such a detailed issue. However, the fact that they made use of a secondary source³⁸ for such a controversial matter shows that even today the standard story constructed by the end of 19th century has become an axiom.

Feridun Emecen (2003)

Another important contribution to the discussions about the dating of the

³⁶ Selahattin Tansel. *Fatih Sultan Mehmed'in Siyasi ve Askeri Faaliyetleri*. Ankara: Milli Eğitim Bakanlığı, 1971, p. 100.

³⁷ Yorgo Benlisoy and Elçin Macar. *Fener Patrikhanesi*. Ankara: Ayraç, 1996, p. 35.

³⁸ M. Turhan Tan. "Fatih İstanbul'da" *Yedigün* 266 (12 April 1938), p. 20.

event was made by Feridun Emecen. Emecen argued that the attempt to confiscate the churches in Istanbul appeared as a problem several times. Emecen stated that the problem of the possession of churches has a long past dating back to the conversion of Pammakaristos, which had served as the Patriarchal seat by then. He based his argument on a *risale* written around 1518.³⁹ In this *risale*, Hüsam Çelebi (d. 1520) discussed that in a city taken by force it is possible to leave the churches. During the time of Selim I, therefore, the problem appeared again as a result of religious sensitivity precipitated by the conflicts with the Safavids. During that time the Patriarch Theoleptos produced two aged janissaries as witnesses. Finally Emecen said that the issue was revisited during the time of Ebussuud, and the Patriarch Ieremias I reminded the *ferman* given by Selim I. The *fetva* of Ebussuud on the mode of the conquest of the city came up as a result of this demand.⁴⁰ Emecen's suggestion that the attempt to confiscate the churches in Istanbul first appeared during the time of Selim I is not based on a strong argument. For, the presence of a *risale* arguing that churches may stay untouched in a city taken by force does not necessarily indicate that there was an attempt in the time of Selim I to confiscate the churches in Istanbul. Possibly it refers to discussions, though not materialized yet, to deal with the possession of churches.⁴¹ In addition, Emecen does not seem to question the chronology of events. For example, he says that the issue was questioned again during the tenure of *şeyhülislam* Ebussuud Efendi and the Patriarch

³⁹ Levent Öztürk. "Hüsam Çelebi'nin (ö. 926/1520) Risâle Ma'mûle li Beyâni Ahvâli'l-Kenâ'isi Şer'an Adlı Eseri" *İslam Araştırmaları Dergisi*. 5 (2001), 135-156, quoted in Feridun Emecen. *İstanbul'un Fethi Olayı ve Meseleleri*. İstanbul: Kitabevi, 2003, 81, fn. 87.

⁴⁰ Feridun Emecen. *İstanbul'un Fethi Olayı ve Meseleleri*. 48-49.

⁴¹ The view discussing that the event occurred twice is not unique to Emecen.

Ieremias. Ebussuud became *şeyhülislam* in 22 Şaban 952/29 October 1545,⁴² and Ieremias died sometime between September and December 1545.⁴³ Although there is about three or four months in which Ebussuud and Ieremias were in charge at the same time, it is unlikely that Ebussuud embarked on the issue of the churches at the very beginning of his tenure.⁴⁴

Ziya Kazıcı (2007)

Finally scholars such as Ziya Kazıcı following the account of Hammer regarded the attempt of the Ottoman administration to confiscate the churches in Constantinople and to convert the non-Muslims into Islam, as an arbitrary policy. The emphasis is placed on the effort of the *şeyhülislam* Zenbilli Cemali Ali Efendi to balance the arbitrariness of the sultan, by collaborating with the grand vizier Piri Mehmed Pasha:

From time to time, the tendencies of religious pressure against the non-Muslim subjects emerged as a result of impulsive ideas of some rulers had been tried to be prevented by the Ottoman religious officials themselves. They had been reminded that such a pressure and conversion into Islam as a result of this does not accord with Islam.⁴⁵

According to this view both the *şeyhülislam* and the grand vizier advise the

⁴² Richard Cooper Repp, *The Müfti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy*, London: Ithaca Press, 1986, 278.

⁴³ According to a note in the Vatican Library however, Ieremias died on the 13th of January 1546. Christos Patrinelis, *Chronologika Zitimata tis Patriarcheias tou Ieremiou A (1522-1546)*, *Mnimosune*, 1 (1967), 262.

⁴⁴ Emecen's argument that the event was questioned during the tenure of Ebussuud and Ieremias is probably based on his intention to have Ieremias—who is mentioned in many sources—involved in the event, too. Emecen also miscalculates the year 945 of the Hegira as [1540-1541].

⁴⁵ Ziya Kazıcı, *Uçbeyliği'nden Devlet-i Aliyye'ye Osmanlı*. İstanbul: Kayıhan, 2007, p. 83.

Patriarch to produce three Muslim janissaries who say that the Conqueror promised non-Muslims freedom and that no one would be converted into Islam.⁴⁶ In short, the reason for this incident is explained by a group of scholars through the arbitrariness of the sultan, which in the end justify the deeds of the *şeyhülislam*.

Taking all these discussions into consideration, it is possible to claim that the dispute over the possession of churches in 16th century Istanbul has been extensively used and abused in modern scholarship, both within and outside the discipline of history. Such use and abuse was more dependent on their approach to different versions of the story which is sometimes related to contemporary ideologies. The number of serious studies solely dealing with the story of the attempt to confiscate the churches, however, is quite limited.

As far as the remaining parts of the thesis are concerned, the second chapter starts with a discussion of the theories on the Ottoman *millet* system by which the Ottoman government ruled its non-Muslim subjects. The emphasis is put on the emergence of a lay elite among the non-Muslim communities in the 16th century. I argue that because of the strengthening of this lay Orthodox elite, which in turn helped the Patriarchate, the Orthodox Patriarchate needed to justify its rights, it received a century earlier.

The third chapter gives a summary of the story as related in *Historia Patriarchica Constantinopoleos*—the translation of which appears in the Appendix— and discusses the place of this work within the dynamics of the 16th century history-writing. In addition, this chapter analyzes the most eminent later

⁴⁶ Ziya Kazıcı uses this incident quite excessively, and sometimes repeats it with almost the same words. See Ziya Kazıcı, *Uçbeyliği'nden Devlet-i Aliyye'ye Osmanlı*, pp. 83-84, 91-92, 100-101, 148-149.

sources, written in Greek, Ottoman Turkish and Western languages, mentioning the same story. Finally, it investigates the approaches of the current historiography on the issue.

The fourth chapter serves as an analysis of the issue and covers several issues. It covers the history of the city under the late Byzantine rule, and also explains its expansion under the Ottoman rule. The last part of the chapter deals with the major research topic of this study. The major contribution of this thesis concerns the reason behind the attempt of the Ottoman government to confiscate churches in Istanbul in the 16th century. The reason proposed in this thesis is that the expansion of the urban space in the 16th century Ottoman Istanbul, and the intercourse of the Muslim and non-Muslim quarters, served as a means to incite negative feelings against each other. This hypothesis is supported with examples from *fetvas*.

1.3 Sources

Historia Patriarchica

The major source used in this thesis is the *Historia Patriarchica Constantinopoleos*. *Historia Patriarchica* is one of the four major 16th century texts that we have today about the history of the Orthodox under the Ottoman rule, the others being *Ecthesis Chroniki*, *Historia Politica*, and *Biblion Historicon* of Pseudo-Dorotheos. Zachariadou argues that all of these 16th century texts are based on an

anonymous *Chronicle of 1391-1514*.⁴⁷ As there is a gap between the late Byzantine sources such as Doukas, Kritovoulous, Sphrantzes, and Chalkokondyles, the role of the 16th century works is extremely important for the relations between the Orthodox and the Ottoman Empire. Although it is a compilation written in 1578 through the use of another source by Manuel Malaxos, it still contains some important details about the history of the Orthodox under the Ottoman Empire. The story I am going to analyze in this thesis is about the attempt of the Ottoman administration to repossess churches in Constantinople, an event which led to discussions whether the city was taken by assault or by submission.

In addition to this text, I made use of other chronicles, written in Ottoman Turkish, Greek, and Western languages, mentioning the same event, and spanning from the 16th to the 20th century. I also benefited from earlier chronicles related to Constantinople under Byzantine and Ottoman rules respectively. I further made use of both published and unpublished Ottoman archival sources such as *tahrirs*, *mühimmes*, documents from the *Kilise Defterleri* and *Ali Emiri Tasnifi* in the Archive of Prime Ministry in İstanbul, and documents like *temliknames* taken from the Archive of the Topkapı Palace Museum. I am not going to go into detailed analysis of all sources used but rather suffice to explain the *fetâvâ*, which form the bulk of the unpublished documents used in this thesis.

⁴⁷ Zachariadou, *Deka Tourkika Eggrapha gia tin Megali Ekklesia (1483-1520)*. Athina: Ethniko Hidryma Ereunon, Institutou Vyzantinon Ereunon, 1996, pp. 43-44.

Fetâvâ

Fetvas, or *fetâvâ* to use the Arabic plural of the term, consist of the questions asked by any person, be it an ordinary Muslim or non-Muslim subject or the sultan himself, and the answers provided by the religious authorities such as *müfti* or chief *müfti*, i.e. the *şeyhülislam*. *Fetvas* constitute the bulk of the documents used in this thesis. The *fetva* collections can be divided into two types: The so called *aslî*, or original, *fetva* collections are the ones that respond to the problems that actual people asked, and consist of *fetvas* given by either the *müftis* or *şeyhülislams*. *Menkul fetva* collections, i.e. the collections of *fetvas* that are transmitted, are those in which issues from the classical Hanefite literature are compiled to be used by *kadıs* and *müftis* as a kind of handbook.⁴⁸ The bulk of the *fetva* collections used in the thesis are from the *aslî fetva* collections. For, on the one hand the questions asked, and the answers provided on the other are very instrumental in showing the attitudes of both the people and the religious authorities towards actual problems.⁴⁹ The most important *fetvas* that I used are the ones dealing directly with churches, and in particular churches around newly emerging Muslim neighborhoods. The *fetvas* of secondary importance to my topic are the ones about the relationships between Muslims and non-Muslims. The content of these *fetvas* range from issues such as a Muslim's selling grapes to a non-Muslim who is a known wine producer, to those like how to greet non-Muslims.

⁴⁸ Şükrü Özen, "Osmanlı Döneminde Fetva Literatürü" *Türkiye Araştırmaları Literatür Dergisi* 3/5 (2005), p. 253.

⁴⁹ Emine Ekin Tuşalp, *Treating Outlaws and Registering Miscreants in Early Modern Ottoman Society: A Study on the Legal Diagnosis of Deviance in Şeyhülislam Fatwas*. [Unpublished M.A. Thesis: Sabancı University, 2005.], p. 13.

The greatest drawback of using *fetvas* is that they are a-historical, meaning no real names of people or dates are given.⁵⁰ To be clearer, as most of the *aslî fetva* collections consist of the *fetvas* of either *şeyhülislams* or *müftis*, it is impossible for one to know when a *fetva* is issued. However, the presence of the *şeyhülislam* in Istanbul, and the fact that the people in other cities than Istanbul had a more difficult access to the *şeyhülislam*' office might suggest that the *fetvas* of a *şeyhülislam* compiled in a *fetva* collection was more Istanbul-based. Some scholars also suggested that the use of both *fetvas* and *sijillat*, i.e. court records, together shows that the *şeyhülislam* was the mufti of central areas as they are mainly consulted by the *kadıs* and the subjects of the central lands whereas they are replaced by local müftis in other areas of the Empire.⁵¹

Another drawback is that a *fetva* makes no mention of the date it is written. However, the fact that the *şeyhülislams* whom I dealt with in this thesis had been in the post for relatively short terms has been an advantage for me to determine when a *fetva* was written. The following is a list of the *şeyhülislams* serving in the period of time related to the topic of this thesis:

Zenbilli Cemali Ali Efendi (1503-1526)
İbn Kemal (1526-1534)
Sa'dullah Sa'di Çelebi (1534-1539)
Çivizade Muhittin Mehmed Efendi (1539-1542)
Hamidi Abdülkadir Efendi (1542-1543)
Fenarizade Muhittin Efendi (1543-1545)
Ebussu'ud Efendi (1545-1574)

⁵⁰ For a short analysis of *fetva* mechanism and difficulties of interpretation one encounters while reading them see Muhammad Khalid Masud, Brinkley Messick, and David S. Powers. "Muftis, Fatwas, and Islamic Legal Interpretation" in Muhammad Khalid Masud, Brinkley Messick, and David S. Powers. (eds.) *Islamic Legal Interpretation: Muftis and Their Fatwas*. London: Harvards University Press, 1996, pp. 20-23.

⁵¹ Abdurrahman Atçıl, *Procedure in the Ottoman Court and the Duties of Kadıs*. [Unpublished MA Thesis: Bilkent University, 2005], pp. 26-27.

Apart from the distinction of *fetvas* as original or *aslî fetva* collections, it is possible to make another sub-division. The first group of such *fetvas* is the original, or *yapışdırma fetvas*. These are the *fetvas* that survived until today in their original form. The only *yapışdırma fetva* collection belonging solely to a single Ottoman *şeyhülislam* is *Mecmûatü'l-fetâvâ* of Sa'di Çelebi.⁵² It is one of the collections that I used in this thesis.

Another *yapışdırma fetva* collection I made use of is in the Rare Collection of the Central Library of Istanbul University and contains *fetvas* relating solely to the issues of *vakfs*, i.e. pious foundations, given by *şeyhülislams* who lived in the 16th-17th centuries.⁵³ The reason why I chose this collection is that sometimes the issues concerning churches are listed under the heading of *vakf* in other *fetva* collections.

The second type of original *fetva* collection is the compilations that contain the *fetvas* of several *şeyhülislams*. The major advantage of such collections is that they are divided by subject so that one can easily concentrate on the topic s/he is interested. As far as my thesis is concerned I firstly made use of *Mecma'u'l-mesâili's-şer'iyye fi'ulûmi'd-dîniyye* compiled by Saruhani Lali Efendi (d. 1563) who was the scribe of Sa'di Çelebi, Çivizade Mehmed Efendi and Kadiri Çelebi. The third chapter of this collection contains *fetvas* related to the *vakf*.⁵⁴

One of the most important *fetva* collections that I used in this work is *Mecmûatü'l-fetâvâ* compiled by Boyabadi Sağır Mehmed Efendi (d. 1656).⁵⁵ Its chapters on non-Muslims and churches are especially important because it brings

⁵² Özen, "Osmanlı Döneminde Fetva Literatürü", pp. 258-259.

⁵³ For more information about this collection, see Özen, "Osmanlı Döneminde Fetva Literatürü", p. 261.

⁵⁴ For more information about this collection, see Özen, "Osmanlı Döneminde Fetva Literatürü", p. 262-263.

⁵⁵ Özen, "Osmanlı Döneminde Fetva Literatürü", p. 262-263.

together all the important *fetvas* of the 16th and 17th century on these subjects.

Another collection of that sort is *Mecmûatü'l-fevâid ve'l-fetâvâ* gathered together by an anonymous compiler and it contains the *fetvas* of *şeyhülislams* from XVI-XVIIth centuries.⁵⁶

The third type of original *fetva* collections is monographs of *şeyhülislams*. I used the following copies: The *fetvas* of Zenbilli Cemali Ali Efendi (1503-1526), a copy of which is in the Süleymaniye Library. In addition to this monograph, I also benefited from a *menkul fetva* collection for Zenbilli Cemali Ali Efendi. I used the copies of National Library in Ankara and Süleymaniye Library for the *fetvas* of İbn Kemal (1526-1534). For the *fetvas* of Sa'dullah Sa'di Çelebi (1534-1539) I used the *yapışdırma fetva* collection in Süleymaniye Library I mentioned above. As there is no monograph for the *fetvas* of Çivizade Mehmed Efendi (1539-1542) I made use of a *menkul fetva* collection from Süleymaniye Library.

I have used Ebussuud's *fetvas* as an indication of later practices as more thorough research would be beyond the scope of this thesis; I utilized his *fetvas* published by Ertuğrul Düzdağ, and sufficed to have a preliminary look into a single copy of his unpublished *fetvas*, i.e. the copy of Süleymaniye.⁵⁷

⁵⁶ For more information about this collection, see Özen, "Osmanlı Döneminde Fetva Literatürü", p. 264.

⁵⁷ Kadı court records, or *sicillat*, form one of the most important sources for Ottoman history. As they were not direct products of the Ottoman state apparatus, showing the opinion of the people on various daily problems they faced, their importance for the historian is immense. They might be regarded as sort of a "mirror" of the society at a given time and place. For that reason most of the Ottomanists following the line of the Annales School, the French school of history that has aimed at establishing social history, primarily made use of Ottoman court records. Besides their importance as a source of Ottoman social history, they are indispensable for urban history too, as they are structured according to time and place unlike the *fetva* collections. Not all of the court records contain hüccets of the *kadis* though; there are court records containing different types of documents, such as *kassam*, *ilâm*, or *ferman*. Related to my topic I looked at the court records of Evkâf-ı Hümâyûn Müfettişliği 888 (1483-84), Üsküdar 919 (1513-14), Galata 943 (1536-37), Balat 964 (1556-57), Yeni Köy 959 (1551-52), Hasköy 955 (1548-49), Rumeli Kazaskerliği ve Rumeli Sadâreti 953 (1546-47), and Tophane 960 (1552-53). However, I discarded districts outside the city proper, i.e. Üsküdar, Yeni Köy, Hasköy,

CHAPTER TWO

OTTOMAN *MILLET* SYSTEM

2.1 An Irrelevant Discussion: Ottoman *Millet* System as an Example of Tolerance or Oppression

It would not be an exaggeration to claim that it has become a cliché by now to start a discussion about the non-Muslims in the Ottoman Empire either as an example of tolerance or oppression using the Ottoman *millet* system theory as a model of interpretation. There is a considerable amount of works on this subject. A short review of these works would, however, suffice to show the deficiencies and

and Tophane. I also omitted those of Evkâf-ı Hümâyûn Müfettişliği (the Inspectorship of Imperial Vakfs, and Rumeli Kazaskerliği ve Rumeli Sadâreti as they do not relate to the issues I touch upon in this thesis. The only remaining ones, therefore, are the records of Balat, and Galata. Although Galata is not a part of the city proper, it is instrumental in making comparison between a place taken by force, and a place taken by submission. As *kadı* court records mention the place of actual cases, they mainly complete and confirm the information gathered from the *fetvas*. The combined use of the two types of sources, thus, facilitates the research on the relations between the Muslims and non-Muslims and the approach of Muslims towards different elements of Christian life such as churches. My preliminary research in Müftülük Archive in İstanbul proved that including the data in the research of court records into this study would have been impossible because of the limitations of time and space. However, study of the issue under the light of court records would further contribute to the field.

limitations of such an approach as we will see further on, by even political affiliations. The paradigms about the nature of Ottoman *millet* system can be mainly divided into three categories.

Initially, the argument advocating the idea that the *millet* system was an example of oppression for non-Muslims was instrumental in the construction of the nationalistic paradigm of Balkan historiographies. The most important factor leading to the alienation of the Ottoman rule in Balkan historiography is the process of Islamization, through conversion and the policy of *sürgün*, i.e. deportation of Ottoman subjects. Zhelyazkova rightly points to the fact that it was very hard for most Balkan historians “to accept and analyze objectively the spread of Islam in the Balkans, both by immigration and by conversion of a segment of the local population.”⁵⁸ Despite the fact that for a long time they have made use of travelers’ reports, whose objectivity is most of the time questionable, and non-Muslim sources which are quite open to distortion in terms of appealing to nationalistic sentiments, there is a good amount of Balkan historians making use of the Ottoman archival materials, as well. Hristo Gandev, for example, made use of *mufassal defters* in order to show how Ottomans applied a policy of “de-Bulgarization” through Islamization and the policy of *sürgün*.⁵⁹ A somewhat reformed argument within Balkan historiography about the *millet* system was offered by Bulgarian scholar Svetoslav Stefanov. He introduced the term “tolerant oppression” in which the lower

⁵⁸ Antonina Zhelyazkova. “Islamization in the Balkans as a Historiographical Problem: the Southeast-European Perspective” in Fikret Adanır and Suraiya Faroqhi (eds). *The Ottomans and the Balkans: A Discussion of Historiography*. Leiden: Brill, 2002, p. 265.

⁵⁹ Hristo Gandev. *The Bulgarian People during the 15th Century: A Demographic and Ethnographic Study*. Sofia: Sofia Press, 1987, pp. 99-119. For a short analysis of Gandev’s work, see Antonina Zhelyazkova. “Islamization in the Balkans as a Historiographical Problem: the Southeast-European Perspective,” pp. 229-230.

classes enjoyed tolerance, while the elites faced oppression and ceased to exist within a century. He defines oppression as follows: “Having no certain political rights, paying higher and more taxes, being burdened by collective responsibility in certain cases etc.—this is oppression”⁶⁰ To what extent they are relevant for the elites, and to what extent they denote oppression are two issues open to criticism. For example, as early as 1954, Halil İnalcık revealed in his seminal work called *Suret-i Defter-i Sancak-ı Arvanid* that so many Christian timar-holders were acting freely within the process of tax-collection.⁶¹ In the capital too, some Greek aristocratic families were actively involved in trade and tax collection through the *iltizam* system. These families were tracing their lineage to Byzantine times.⁶² In addition, it is obvious that from the 16th to the 18th centuries, lay non-Muslim elites flourished. These elites were in close cooperation with their clergy in matters like mainly building schools for the flock, or the renewal of churches as will be mentioned later.⁶³

⁶⁰ Svetoslav Stefanov. “Millet System in the Ottoman empire—example for oppression or for tolerance?” *Bulgarian Historical Review*. 2-3 (1997), p. 141.

⁶¹ The importance of this *tahrir* of the Albanian lands is that it is dated to the year 1431-32 and it constitutes the earliest *tahrir* existing today. Halil İnalcık. *Suret-i Defter-i Sancak-ı Arvanid*. Ankara: Türk Tarih Kurumu, 1954.

⁶² Some of these families, such as the Palaeologi and Cantacuzeni, were descendants of the dynasties who occupied the Byzantine throne for centuries. Halil İnalcık. “Greeks in Ottoman Economy and Finances, 1453-1500” in Halil İnalcık (ed). *Essays in Ottoman History*. İstanbul: Eren, 1998, p. 384. The other families included the families of Chalkokondyli and Rhali. For the duties they were involved in see Halil İnalcık. “Greeks in Ottoman Economy and Finances, 1453-1500,” p. 385. See also Robert Anhegger and Halil İnalcık. *Kânûnnâme-i Sultânî ber Mûceb-i `Örf-i `Osmânî*. Ankara: Türk Tarih Kurumu, 1956, pp. 73-74. Jews, too had some good positions in the Ottoman Empire in the 16th century. During the time of Bayezid II for example, there is mention of a certain Bünyamin who is in charge of the capital of the mint. E. 6086.

⁶³ Examples are numerous. For the case of Armenians, see Hagop Barsoumian. “The Dual Role of the Armenian *Amira* Class within the Ottoman Government and the Armenian *Millet* (1750-1850)” in Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*. v. I. New York and London: Holmes and Meier Publishers, 1982, pp. 171-185; For the case of the Orthodox elite in the 18th century see Richard Clogg. “The Greek *Millet* in the Ottoman Empire” in Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*. v. I. New York and London: Holmes and Meier Publishers, 1982, pp. 185-209; See also Robert Mantran. “Foreign Merchants and the Minorities in Istanbul during the Sixteenth and Seventeenth Centuries” in Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural*

Therefore, it can be easily said that the article of Stefanov offers a novel and reformed argument vis-à-vis nationalistic Balkan historiographies. However it does not advance research on the relations between the Ottoman administration and its non-Muslim subjects.

Apart from the nationalistic Balkan historiographies, there is another group of scholars approaching the Ottoman *millet* system with a negative and biased agenda. In the introduction to the book edited by Bernard Lewis and Benjamin Braude, for example, the authors use an interesting way to define tolerance: defining it from the reverse. To be precise, after stating that the Ottoman *millet* system is an example of tolerance for non-Muslims in general, they wonder whether tolerance denotes the lack of discrimination or that of persecution.⁶⁴ Furthermore, the authors present the rationalization for persecution as “the violation of justice and traffic with the enemy”. They also provide historical examples not taken though from the Ottoman context. After stating that Islam is an egalitarian religion compared to the aristocratic privilege of Christian Europe and the caste system of India, they argue that Islam recognizes certain basic inequalities both in practice and doctrine i.e. those of master and slave, man and woman, believer and unbeliever. However, their use of the term inequality depicts a rather modern view while dealing with the pre-modern themes. Talking about “the negative attributes to the subject religions and their followers”, their examples such as the differences between greetings used by Muslims while addressing Muslims and non-Muslims or that Christians and Jews

Society. v. I. New York and London: Holmes and Meier Publishers, 1982, pp. 127-141; Those articles mainly associate the power of these elites to their participation in European capitalist economy.

⁶⁴ Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*. v. I. New York and London: Holmes and Meier Publishers, 1982, p. 8.

were forbidden to give their children distinctively Muslim names are quite unbased.⁶⁵ For, there is no reason for the non-Muslims to demand to be greeted as Muslims or to have distinctively Muslim names. Additionally, they claim that the non-Muslims in the Ottoman Empire were “second-class citizens” but it would be a futile attempt to look for the concept of citizenship in a pre-modern society.⁶⁶

With respect to the arguments regarding the Ottoman *millet* system as an example of tolerance, which have been extensively and increasingly used by Turkish scholars, I should like to mention that this term is not an appropriate one for the time we deal with, and it is this anachronizing effect of the term that leads to many irrelevant discussions. Yavuz Ercan, for example, rightly argues that the frequency of Turkish studies on non-Muslim Ottoman subjects has gone hand in hand with the current political problems. For example, the conflicts between Turkey and Greece on matters like the Cyprus issue, the Turks of Western Thrace, and the continental shelf rights in the Aegean, Ercan says, precipitated the studies on the relations between Greeks and Turks in the past and the quality of these studies have been insufficient.⁶⁷ The problem of approaching pre-modern issues with a modern agenda is evident in most of these studies. As a result of this approach, there appeared some

⁶⁵ Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*. v. I. New York and London: Holmes and Meier Publishers, 1982, p. 9.

⁶⁶ Apart from such an anachronistic terminology, if the status of non-Muslims were of a secondary position, this can only be understood through the examination of all the aspects of the non-Muslim societies. They were for example exempt from military services, after the gradual abandonment of *devşirme* system in the 16th century. Additionally they paid only half of some fines or fees about which we have many *fetvas*. Therefore, it would be difficult to make a comparison between them being second-class citizens as claimed by Braude, and Lewis, and the second-class citizenship in modern sense.

⁶⁷ Yavuz Ercan, *OsmanlıYönetiminde Gayrimüslimler. Kuruluştan Tanzimat'a Kadar Sosyal, Ekonomik ve Hukuki Durumları*. Ankara: Turhan, 2001, p. vi. In an earlier work, however, Ercan tries to compare the early relations between the Ottoman government and the Armenian Patriarchate of Jerusalem to the Armenian question. Ercan. *Kudüs Ermeni Patrikhanesi*. Ankara: Türk Tarih Kurumu, 1988, p. i.

Turkish scholars, both from the discipline of history and the others in addition to popular literature, using such terms as “human rights in the Ottoman Empire” with respect to the status of the non-Muslims in the Ottoman Empire—human rights being a modern term anachronistically applied to a pre-modern time.⁶⁸

A different approach to the issue of Ottoman “tolerance” was offered by the Turkish historian İlber Ortaylı. Ortaylı argues that it is an erroneous effort to use the term tolerance for the Ottoman case on the ground that the term tolerance does not have an equivalent in the Ottoman Empire. For example, he contrasts the relations between people from different religions in the East, who had a longer experience of co-existence, to the attitudes of Catholic and Protestant princes against each other during the Augsburg Interim, finalized with the Peace of Westphalia whereupon tolerating or allowing each other to exist was institutionalized. Therefore, he says, since what happened in the West did not happen in the East, the term tolerance can solely be translated without having the same meaning as the former. As for the translation of this term, he proposes the use of the Arabic *tesamuh* as quoted the dictionary of Belon published in 1890’s that translates tolerance as “*mümkini’l-müsamaha*” and criticizes those translating tolerance into Turkish as *hoşgörü* saying that *hoşgörü* is not an institution but a populist term.⁶⁹

Taking all these into consideration, as might be understood from the difficulty Ortaylı faces while trying to find an equivalent of the concept of tolerance in the Ottoman case, there are, indeed, serious problems in the discussion about the

⁶⁸ For example, see Ziya Kazıcı, *Uçbeyliği’nden Devlet-i Aliyye’ye Osmanlı*, pp. 77-87; for example he says, “Another institution which undertook the duty of protecting human rights was Divan-ı Hümayun,” p. 79.

⁶⁹ İlber Ortaylı. “Osmanlı’da Tolerans ve Tesamuh” in İlber Ortaylı, *Osmanlı Barışı*, İstanbul: Timaş, 2007, pp. 53-60.

“tolerant” or “oppressive” nature of the Ottoman *millet* system. Many of these discussions, in my opinion, originate from the anachronistic approach of the scholars with regard to the issue of non-Muslims in the Ottoman Empire. This subject is often affiliated to current concepts, and a result of a conscious or unconscious tendency to compare the past and present, based on misconceived anachronisms.

2.2 Theories on the Early Ottoman *Millet* System

It has long been argued that Mehmed II, upon conquering Constantinople, restored the Greek Orthodox Patriarchate by appointing Gennadius Scholarius, the leading member of the anti-Unionist party within the late Byzantine society, and giving him a *ferman*, an imperial decree including extensive rights. Similarly, it has been said, that he created a new patriarchate for the Armenians in Constantinople by appointing Ovakim as the Patriarch over all the Armenians within the Ottoman dominions. Finally, it has been advocated, that he established the position of “*hahambaşılık*,” or chief rabbi, and made Moses Capsali the *hahambaşı* of the Jews in the Ottoman Empire. It can be argued that the chapter of Gibb and Bowen on *zimmi*s offered a full-fledged discussion of the of Ottoman *millet* system and has been subjected to many criticisms by both the opponents and revisionist proponents of the *millet* system.⁷⁰

H. A. R. Gibb and H. Bowen, *Islamic Society and the West, A Study of the Impact of Western Civilization on Moslem Culture in the Near East*, London: Oxford University Press, 1965, pp. 211-222. Amnon Cohen for example, criticized Gibb and Bowen’s chapter on the ground that they did not make use of Ottoman archival materials and tried to refute the arguments of Gibb and Bowen making use of Ottoman court records of Jerusalem, namely the *sicillat*. Amnon Cohen. “On the

Current historiography, however, has challenged the *millet* theory and described its function as part of “foundation myths” serving more nationalistic tendencies of the former non-Muslim Ottoman subjects. Benjamin Braude argued that the term *millet* was not used with reference to *zimmis* before Tanzimat. He discussed that the anachronizing effect of the 19th century practice which entered the Ottoman usage through Western influences led to the misunderstanding of the system

Realities of the Millet System: Jerusalem in the Sixteenth Century” in Benjamin Braude, and Bernard Lewis (eds). *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*. v. I. New York and London: Holmes and Meier Publishers, 1982, pp. 7-8. The greatest criticism, however, must be about Gibb and Bowen’s arguments on the millet itself. Concerning the Greeks, for example, they state that the Phanariots, from the middle of the 17th century, began to regard the Ottoman Empire as “a reborn Byzantine Empire” (p. 238) Such a misconception results from a retrospective attitude towards the issues of the past. Having seen that the Greeks gained their independence from the Ottomans, and that the major surviving institution during that time was the Patriarchate—which was in the hands of the Phanariots by then—scholars have looked for the precedents leading to that end and they found it in the Patriarchate. Yet, the works of such historians as Paschalis Kitromilides proved that the role of the Patriarchate in the emergence of Greek nationalism and the liberation of Greece was over-exaggerated. Milieu of the Patriarchate was, Kitromilides argues, in favor of the return to the old system, and the Patriarchate itself condemned Greek nationalism several times on the ground that it does not appeal to all of the Orthodox flock. According to Kitromilides, Greek nationalism was born in lands outside the Ottoman Empire such as France, Britain, and Russia. Paschalis Kitromilides. “The Enlightenment East and West: A Comparative Perspective on the Ideological Origins of the Balkan Political Traditions” in Kitromilides (ed.) *Enlightenment, Nationalism, Orthodoxy: Studies in the Culture and Political Thought of South-Eastern Europe*. Aldershot: Variorum, 1994, pp. 59-61. See also Paschalis Kitromilides. “Imagined Communities” and the Origins of the National Question in the Balkans’ in Kitromilides (ed.) *Enlightenment, Nationalism, Orthodoxy: Studies in the Culture and Political Thought of South-Eastern Europe*. Aldershot: Variorum, 1994, p. 181, 184. Therefore, it can be said that the argument of Gibb and Bowen that the Phanariots regarded the Ottoman Empire as a reborn Byzantine Empire should be taken cautiously. With respect to the case of the Armenians, Gibb and Bowen make the following groundless statement: “Indeed, the Armenian became as it were the millet of Heretics, into which such incompatibles as Catholics, Nestorians, and the Jacobites were thrown together.” (p. 232) However, a slight look into Ottoman archival material would suffice to show that although such groups as Nestorians and Jacobites (but not the Catholics who were not given the status of *zimmi* but were regarded as *müste’min* until the Patriarchate of the Catholic Armenians is established in the 19th century) were subdued to Armenians, there was indeed a clash between the Greeks, and the Armenians over these Christians. Yavuz Ercan. *Kudüs Ermeni Patrikhanesi*, pp. 20-21. Ercan indicates that in the year 1665 for the first time after the conquest of Palestine by the Ottomans, Greeks tried to intervene in the affairs of the Armenians with respect to the Ethiopian Church (Habeş Kilisesi). Despite their failure in that year, Greek Orthodox Church petitioned the Porte in the years 1732, 1733, 1734, and 1739, and took control of the Ethiopian, Assyrian, and Coptic Churches in the year 1733 which led to other problems. For the transliteration of the documents from *Başbakanlık Osmanlı Arşivi*, under the title *Evamir-i Maliye Kalemine Tabi Piskopos Mukata’ası Defterleri* pertaining to this issue, see Yavuz Ercan. *Kudüs Ermeni Patrikhanesi*, pp. 21-24.

as well as the term itself.⁷¹ Secondly, Braude draws attention to the similarities between “foundation myths” of Greeks, Jews and Armenians in the following order:

1. Mehmed II had a personal relationship with their respective leaders.
2. Each foundation myth contradicts the practices and norms of its group.
3. These myths fulfilled a purpose.
4. The historians of the time like Aşıkpaşazade ignore all these patriarchs, rabbis and *millet*s.⁷²

Next, the author tried to reveal these myths by analyzing the sources of the supposed time of the three *millet*s and reached two major conclusions: Firstly, the Ottomans had no consistent policy toward non-Muslims in the 15th and 16th centuries. Secondly, as the administrative policy slowly began to emerge over centuries, it was accompanied by myth-making which created justifications for new policies attributing them to the past.

Kevork Bardakjian, in his article entitled “The Rise of the Armenian Patriarchate of Constantinople” tried to trace the rise of the Armenian Patriarchate by examining the extent of its jurisdiction and the nature of its power. He first traced the term “patriarch” and found only a single example for that title for the 15th-16th centuries depending on the work of Berbérian and argued that the term referred to an

⁷¹ Benjamin Braude. “Foundation Myths of the *Millet* System” in. *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, Benjamin Braude, and Bernard Lewis (eds), New York and London: Holmes and Meier Publishers, 1982, pp. 69-83.

⁷² Benjamin Braude. “Foundation Myths of the *Millet* System” p. 83. Although I agree with the first three of these similarities between the foundation myths of the supposed *millet*s, to which I will try to show an example through the Orthodox case, I do not agree with the fourth one because historians coming from a *gazi* background like Aşıkpaşazade cannot be expected to mention about patriarchs and rabbis. It is only in the 16th century when the position of the supposed *millet*s was well-established, having integrated into the state apparatus, and the Ottoman state itself turned into a central monarchy from a *gazi* principality which brought the end of the *gazi* warriors in favor of the *kuls* of the Sultan, that the Ottoman historiography began to mention about the patriarchs and rabbis. About the transformation of the Ottoman state into a central state, and the rise of the *kuls* see Halil İnalcık. *Fatih Devri Üzerinde Tetkikler ve Vesikalar*. Ankara: Türk Tarih Kurumu, 1995.

honorary title rather than a position. Second, he argued that the Ottoman term “*altı cemaat*” (six congregations) i.e. İstanbul, Ankara, Amasya, Sivas, Trabzon and Kafa referred to the Armenian communities recognized as independent groups, distinguished by geographic or administrative divisions and said that these six congregations made no reference to the Armenian Patriarchate of Constantinople as a higher authority.⁷³ In short, he concluded that the Armenian Patriarchate did not add anything new in the way Ottomans governed the Armenian community, only in the 19th century some changes were made. In other words, he claimed that the transformation of the Armenian Patriarchate can be explained by an evolutionary historical process rather than a conscious Ottoman policy, as Braude argued in his article on the foundation myths of the Ottoman *Millet* System.

Concerning the Ottoman Jews, Joseph R. Hacker in his article named “Ottoman Policy toward the Jews and Jewish Attitudes towards the Ottomans during the Fifteenth Century” argued that even though the description of the Jews in recent historiography has been that of the “authorities’ favorites”,⁷⁴ he found great difficulty in tracing the roots of the Jews in the period of the transformation from the Byzantine to Ottoman rule.

Starting with the work of Eliah Capsali⁷⁵ written in 1523, it had been argued

⁷³ Bardakjian, Kevork, “The Rise of the Armenian Patriarchate of Constantinople” in *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, vol. I, eds. Benjamin Braude, and Bernard Lewis, New York and London: Holmes and Meier Publishers, 1982, p. 92.

⁷⁴ Joseph R. Hacker. “Ottoman Policy toward the Jews and Jewish Attitudes toward the Ottomans during the Fifteenth Century” in Benjamin Braude, and Bernard Lewis eds. *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society.*, 117.

⁷⁵ According to Aryeh Schmuelewitz, who works on the early history of Jewish people under the Ottomans and edited the work of E. Capsali in Hebrew, two events strongly influenced the work of E. Capsali: reception of Spanish and Portuguese Jews by Sultan Bayezid II, and the conquest of Palestine in 1516-1517 by Sultan Selim I. Aryeh Schmuelewitz, *Ottoman History and Society: Jewish Sources*. İstanbul: ISIS Press, 1999, pp. 29-30. He envisaged the rulers of the Ottoman Empire as “messengers of God” to punish sinful nations and to gather together the exiles of Israel.”:

that Jews were encouraged by Mehmed to come to Istanbul and were offered special gifts, and a special decree was issued on their behalf. Afterwards, Jewish historiography accepted these myths and the amount of works referring to the favorable relations between Ottoman Jews and the Porte increased considerably.

In the light of new documents about the history of Ottoman Jewry, Hacker claims that the fate of the Jews were not different from that of Christians; many were killed, others taken captive, and children were taken to the *devşirme*.⁷⁶ However, the anti-Ottoman attitudes of the Jews were disregarded by the later Jewish historiography and the fall of Byzantium and the rise of the Ottomans were seen as a divine intervention in favor of the Jews.⁷⁷ The author presents two main reasons for that: first, the policy of Mehmed II towards Jews as opposed to his followers and second, the expulsion of the Jews from Spain in 1492 and from Portugal in 1497 to the Ottoman Empire.⁷⁸

In reply to Braude's work, Michael Ursinus, in his "*millet*" entry in the Encyclopedia of Islam, making use of a selection of *mühimme defters* published by Ahmed Refik, responds to Braude who argues that there was nothing called the *millet* system, nor was there the term *millet* itself which denoted the Islamic religious

Schmuelevitz regards the networks of relations in the Eastern Mediterranean basin and the surrounding countries as "probably the most important field to which Capsali could and did contribute." For, being an inhabitant of Candia in the island of Crete, he was a witness to the events in this region. In particular, according to Schmuelevitz, Capsali informs us "of the immense esteem in Candia accorded to the Mamluks and the total change that took place in this attitude after the Ottoman conquest of Egypt." Aryeh Schmuelevitz. *Ottoman History and Society: Jewish Sources*, 34. In other words, it can be claimed that Elijah Capsali, the first author who mentions about Moses Capsali's appointment as the "hahambaşı" of Ottoman Jews, depicts the total change of attitude against Mamluks in favor of the Ottomans. By depicting the positive attitude of the Jews towards the Ottomans with the 16th century onwards, he projects this attitude to the past.

⁷⁶ Joseph R. Hacker. "Ottoman Policy toward the Jews and Jewish Attitudes toward the Ottomans during the Fifteenth Century", 120.

⁷⁷ Joseph R. Hacker. "Ottoman Policy toward the Jews and Jewish Attitudes toward the Ottomans during the Fifteenth Century", 121.

⁷⁸ Joseph R. Hacker. "Ottoman Policy toward the Jews and Jewish Attitudes toward the Ottomans during the Fifteenth Century", 121-123.

community:

It is not correct that, before the beginning of the period of the reform, the notion has been used in Ottoman-Turkish sources mainly in the meaning of “the community itself.”...Wherever the term *millet* is used here in the meaning of “religious or confessional community, ... it refers invariably to non-Muslim subjects of the Ottoman Empire.⁷⁹

Braude, in a later article, accepted Ursinus’ arguments in terms of the time the term *millet* was used, yet with the following remark:

Outside of Constantinople, in sources such as *sharia* court records, the older usages prevailed. Thus, my claim that the *millet* system did not exist as an empire-wide system for regulating the affairs of the major non-Muslim communities during the fifteenth and sixteenth centuries stands. Furthermore, even when a change in administrative terminology was introduced, apparently in the seventeenth century, there is no evidence that it went beyond the capital or was accompanied by any substantive administrative changes.⁸⁰

Notwithstanding the discussion of the frequency of the use of the term *millet*, the arguments set forth by Benjamin Braude and followed by others about “the foundation myths”⁸¹ have been substantiated by the articles of Bardakjian and Hacker for the Armenian and Jewish cases, respectively.

2.3 The Patriarch as *Mültezim*: An Innovative Approach?

Current historiography on both the Ottoman *millet* system and the status of the Patriarchate has been modified by two major and somewhat similar studies.

⁷⁹ Michael Ursinus. “Millet” *ET*², Brill.

⁸⁰ Benjamin Braude. “The Strange History of the Millet System” in *The Great Ottoman-Turkish Civilization*, vol. 2, ed. Kemal Çiçek, (Ankara: Yeni Türkiye, 2000), p. 418, fn.3.

⁸¹ For a review of the discussions about the early Ottoman *millet* system, see Veinstein, Gilles. “Fetihten Sonraki

Osmanlı Millet Sistemi Üzerine Bazı Düşünceler” in *1. Uluslararası İstanbul’un Fethi Konferansı*. İstanbul: İstanbul Büyükşehir Belediyesi Yayınları, 1997: 137-143.

Macit Kenanoğlu, who wrote a book in Turkish, namely *Osmanlı Millet Sistemi: Mit ve Gerçek* (Ottoman Millet System: Myth and Reality) is one of these who expanded the ideas of Halil İnalcık.⁸² Kenanoğlu made extensive use of the Ottoman archival documents concerning the financial relations between the Patriarchate and the Sublime Porte and came up with the conclusion that the role of the Patriarchate as seen by the Ottoman state was merely that of a *mültezim* or a tax farmer.⁸³ The main conclusion of the work of Kenanoğlu is that the authority of the Ottoman Empire over its non-Muslim subjects was complete, and the role of the Patriarchate was negligible. A major weakness of the work of Kenanoğlu is his use of the Ottoman archival documents as straight explanatory tools for the relations between the Ottoman government and the Patriarchate. In most cases, for example, he does not need to make an analysis of the documents in an historical context and thus, he easily generalizes his hypothesis based on few documents.⁸⁴ For instance, he tries to explain the authority of the Patriarchate of Alexandria and Egypt depending on a document dated to the year 1846/47, i.e., after the proclamation of Tanzimat in 1839. It is known, however, that the Tanzimat reforms changed the rule of the non-Muslim communities in the Ottoman Empire. This is why most of the scholars writing on the *millet* system make a distinction between Tanzimat and pre-Tanzimat practices.⁸⁵ That the modern historians made such a distinction is not without reason, of course. The Ottoman state itself, with the proclamation of Tanzimat, changed the kinds of

⁸² For the ideas of İnalcık on the role of the Greek hierarchs as tax farmers see İnalcık, “The Status of the Greek Orthodox Patriarch under the Ottomans”, İnalcık “Ottoman Archival Materials on *Millets*” in *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, pp. 437-449.

⁸³ Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek*, pp. 59-70.

⁸⁴ Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek*, p. 101.

⁸⁵ For a periodization of the Ottoman rule over its non-Muslim communities see İnalcık, “The Status of the Greek Orthodox Patriarch under the Ottomans” pp. 196-199.

documents it was using with respect to its non-Muslim subjects.⁸⁶

Anastasios G. Papademetriou followed Kenanoğlu's thesis. Unlike Kenanoğlu, however, Papademetriou made use of a scanty number of Ottoman financial documents concerning the Patriarchate, all dating from the year 1544.⁸⁷ By making use of these documents, he reached the conclusion that the Ottoman state was regarding the Patriarchate as a source of income and made use of its structure for tax farming, a conclusion very close to that of Kenanoğlu as far as the role of the Patriarchate vis-à-vis the Ottoman government is concerned.⁸⁸ What makes Papademetriou's work different from that of Kenanoğlu, however, is that unlike Kenanoğlu's idealization of the Ottoman Empire and the minor role reserved to the Patriarchate, Papademetriou read the argument from the reverse. He argued that the Ottoman Empire was "not an Islamic, but a pragmatic state" by the 16th century.⁸⁹ Firstly, one of the weaknesses of Papademetriou's work is that the bulk of his primary material used are dated to the same year, making it thus difficult to be generalized for the whole 16th century. Secondly, Papademetriou has not quite explained what he means by the terms "Islamic" or "pragmatic" state.

The fact that Greek Orthodox hierarchs functioned as tax farmers like the old Byzantine aristocracy does not necessarily indicate that the relationship between the Ottoman administration and the Patriarchate was merely financial. In addition to the

⁸⁶For the transition of Ottoman *firmans* about the Patriarchate bulk of which are included in the *Mühimme Defterleri* and *Piskopos Mukata'ası Defterleri* into *Cemaat-i Gayri Müslima Defterleri* see İnalçık "Ottoman Archival Materials on *Millers*", pp. 438-439. See also Yavuz Ercan. *Osmanlı Yönetiminde Gayrimüslimler: Kuruluştan Tanzimat'a Kadar Sosyal, Ekonomik ve Hukuki Durumları*, pp. xxx-xxxı.

⁸⁷ The documents he used are in the Ahkam Defteri No 62.

⁸⁸ Anastasios G. Papademetriou. *Ottoman Tax Farming and the Greek Orthodox Patriarchate: An Examination of State and Church in Ottoman Society (15-16th Century)*. Princeton University, 2001 [Unpublished PhD Thesis].

⁸⁹ Anastasios G. Papademetriou. *Ottoman Tax Farming and the Greek Orthodox Patriarchate: An Examination of State and Church in Ottoman Society (15-16th Century)*. iv.

Ottoman financial documents concerning the Patriarchate, which indeed form the bulk of the documents issued with regard to the Patriarchate, there were also other ones which show that being the sovereign over the Orthodox religious authorities was a matter of prestige, as well.

For example, six years after the conquest of Constantinople, i.e. in 1458, an imperial decree was issued by Mehmed the Conqueror in response to the letter of the Patriarch of Jerusalem, Athanasios confirming in detail their rights to possess places of prayer and pilgrimage in the inner and outer parts of Jerusalem (referred to as *Kudüs-i Şerif içerü ve taşrasında namaz ve ziyaretleri* in the document).⁹⁰ What is striking is that this decree was issued five years after the conquest of Constantinople and by that time Mehmed the Conqueror had already granted some rights to the Patriarch in Istanbul, and Jerusalem had not yet been part of the Ottoman Empire. Although Kenanoğlu argues that it is a financial document resulting from Patriarch of Jerusalem's need to collect alms in Anatolia,⁹¹ the rivalry between the Mamluks and the Ottomans over Jerusalem might also have played a significant role in this incident. Keeping in mind that the Ottoman state was turning into a much larger state vis-à-vis the Mamluks of Egypt who were ruling over Jerusalem, and that Mamluks had considerable clashes with the non-Muslims in their realm,⁹² it seems that ruling over the Patriarchates might also be a matter of imperial prestige in the

⁹⁰ BOA. Kilise Defteri VIII. p. 6. The same document is in BOA. Ali Emiri Tasnifi, Fatih Dönemi no: 22. This letter is edited, translated into English, and published in facsimile by Hattox. Ralph S. Hattox "Mehmed the Conqueror, the Patriarch of Jerusalem, and Mamluk Authority" *Studia Islamica* 90 (2000), pp. 118-123. Macit Kenanoğlu published a transliteration of this letter. Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek*, 88.

⁹¹ Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek*, p. 89.

⁹² Mehmed II's address to the Mamluk Sultan as "father" and the long celebrations made in Cairo after the conquest of Constantinople obstructed some historians from grasping the tensions between the two states claiming the same mission. See for example Yousif Ali al-Thakafi. *The Diplomatic Relationship between the Ottoman Empire and the Mamluk Empire in the First Quarter of the Sixteenth Century*. [Unpublished Ph.D. Dissertation. Michigan State University, 1981.] p. 76.

eyes of Ottoman sultans such as Mehmed II first, and then Selim I, who confirmed the same rights when he indeed conquered these lands.⁹³

⁹³ Hattox, “Mehmed the Conqueror, the Patriarch of Jerusalem, and Mamluk Authority”, p. 109.

CHAPTER THREE

THE EMERGENCE AND DEVELOPMENT OF THE ATTEMPT TO CONFISCATE CHURCHES IN THE 16TH CENTURY ISTANBUL

3.1 A Summary of the Story According to *Historia Patriarchica*⁹⁴

According to the account of *Historia Patriarchica*, the second term of the Patriarch Ieremias (1522-1545)⁹⁵ witnessed a great anxiety as the Ottoman administration questioned the manner Constantinople was taken. According to accounts in their chancery, Constantinople was taken by coat of arms. Based on this assertion the Ottoman administration had a *fetva* issued that if a city is taken by force then there should be no “Roman churches” in existence. The then *kazasker* being friendly with the *archon* Xenakes, informed him about this development. Xenakes then told the Patriarch Ieremias about the problem according to the account. Since

⁹⁴ In this part I do not refer to the quotations from *Historia Patriarchica* because I have already translated the related story which appears in the Appendix.

⁹⁵ The first term of Ieremias was disrupted by Ioannicius in 1526. By the time Ioannicius took the patriarchal throne, Ieremias was in a pilgrimage to Jerusalem. When he learnt about Ioannicius' capture of the patriarchal throne, he took with him the patriarchs of Jerusalem, Antioch, and Alexandria, and condemned Ioannicius.

the grand vizier of the time called “Toulfi Pasha”⁹⁶ loved this Patriarch very much, he advised the Patriarch to come to the *divan* and argue that when Sultan Mehmed came to take the city, in the beginning there was a war and some of the city’s walls were destroyed. Later on, however, the emperor Constantine appeared holding the keys of the castle and he bowed in front of the sultan himself and gave them to him, and the sultan kindly received him, his *archontes* and the people. Following the advice, the Patriarch went to the *divan* with the *archontes* Demetrios Kantakouzenos and Xenakes. He then repeated the story, rehearsed before. Then the vizier asked him if he had any Muslim witnesses to verify the claim and the Patriarch affirmed it. He demanded that the Patriarch would come to the *divan* to submit an *arzuhal* to the sultan, who is referred to as *basileus* in the text. Having taken the support of the people, the clergy, and the *archontes*, the Patriarch came to the *divan* the day after. He prostrated himself before the grand vizier who demanded the witnesses to be questioned by the sultan about the conditions of the city’s conquest. The grand vizier allowed the Patriarch a period of 20 days to bring witnesses since he claimed that they were in Adrianople/Edirne. The Patriarch immediately sent his most effective men with a great amount of money and gifts to find these witnesses. The men of the Patriarch gave money to these witnesses and they accepted to come to Constantinople with them. The Patriarch treated them very well and then took them to the grand vizier. The grand vizier “on account of the love that he had towards him (the Patriarch)” talked to them, and supported them to testify along the lines the Patriarch had advised them too. The next day the Patriarch took the witnesses and went to the *divan*. The grand vizier pretended that he did not know about them and

⁹⁶ I am going to return to his identification and role in the incident later on.

summoned the witnesses in his presence. After learning their names he asked them how many years have passed since Sultan Mehmed took the city, and how old they were by then. They replied that it had been eighty-four years since the time Sultan Mehmed took Constantinople and that they were eighteen years old at that time. The Pasha asked them where they served in the army of Sultan Mehmed and they said that they were watchmen.⁹⁷ As for how Sultan Mehmed took the city, they said that he took it upon agreement. They narrated how the battle did not start until the navy came from the Black Sea. When it arrived, the sultan sent a message to the emperor asking “to give him the castle voluntarily, to make him his brother, to be two lords and emperors, and [asked him] to give him whatever would suit him, either the castle, or the other incomes so that he and his *archontes* should prosper.” Since the emperor did not accept this word, the sultan became very angry and started the battle. “The *beğlerbeğ* of Rumeli, that is of the West, *ağas*, banner-holders, *sipahis*, and many others” died in the army of the sultan. The witnesses added that they “caused a lot of harm to the Romans” and destroyed some of the walls. Their account goes on as follows:

Then, when the emperor of the Romans saw the large number of his men who were killed, he was afraid lest they [Ottomans] take the castle and behead the people. And he sent emissaries from the *archontes* of his palace to our sultan. And they prostrated themselves before him as the representatives of their emperor to make peace, [promised] to give him the castle, and the sultan, in return, [promised] to give him the safe passage with his *archontes*, and the people were neither to be approached, nor to be looted, nor to be enslaved. On the contrary, [he promised] to leave them in their houses, to reside in peace without any corvée labor, or any other burden. And the sultan, when he heard these words from the emissaries of the emperor, accepted them in good will with great pleasure, and he gave them a written order and it read as follows: “I, the emperor sultan Mehmed, with my present written order, give

⁹⁷ The translations goes as follows: “And they answered: “*Nopetzides*,” that is janissaries. In the Frankish language they are called *soldati*.” *Nopetzides* (Nöbetçis) means watchmen but is not interchangeable with janissaries, nor is it with the Frankish *soldati* which mean soldiers.

clemency to the emperor of the city Constantine Palaeologos,⁹⁸ and to his *archontes*, [I promise] to give them in a just manner whatever they ask, the right to live in prosperity as *archontes* to have a quiet life and male and female slaves. And I want the people living here to be free of all the *corvée labor*, and any other burdens. And I will not take their children as janissaries, neither I nor any successors to my rule ever in time. On the contrary, my present order should be and remain uncontested and unalterable.” And the sultan gave this order with his own hand to the emissaries to give it to the emperor Constantine. And thus they prostrated themselves, and they came to the emperor and gave the order to him. And when the emperor saw the order of the sultan, he rejoiced very much, and he immediately took the keys of the castle and his *archontes* and some of the people and he went out and he went to the tent of the sultan and gave the keys [of the castle] into his hands. And the sultan embraced the emperor and kissed him and made him sit on his right side. He ordered and they made a festival for three days and three nights. And in this manner the emperor took the sultan and they entered the city and he gave it to him.

When the grand vizier heard the witnesses and he wrote an *arzuhal* to the sultan and informed him of their old age. The sultan got very much surprised and immediately issued an imperial order for the Patriarch “so that he would not be disturbed or hindered about the situation of the churches until the end of the world.”

3.2 Some Notes on *Historia Patriarchica* and the Story

One of the most important features of *Historia Patriarchica* is its use of a lot of Turkish words. To state some, it employs the Ottoman terms *fetva*, *kazasker*, *divan*, *sultan*, *arzuhal*, *çavuş*, *nöbetçi*, *beğlerbeyi*, *ağa*, *sipahi*, *mülk*, etc. The most striking character of these words is that all of them are frequently used official terms. However, it was also obvious that the author of *Historia Patriarchica* substituted some of the Turkish words with their Byzantine equivalents. For example, instead

⁹⁸ Here, we should pay attention to how Mehmed describes both himself and Constantine Palaeologos.

of using the Turkish term *ferman*, i.e. imperial decree, he prefers to use the Byzantine term *horismos*.

In addition to that, it is also possible to see the continuation of terms with a political meaning. The best example is the use of Byzantine imperial titles. Before embarking on analyzing the use of these titles, it would be useful to look into their use in the late Byzantine political discourse. Byzantine Empire, or the Roman Empire—to use the term the Byzantines used to refer to themselves—was a conscious inheritor of the Roman imperial, and was using all the material and spiritual benefits of this inheritance. To exclude the exceptional cases of Charlemagne, and Otto I, each Byzantine emperor regarded himself as “the emperor”, (*ho basileus*). Even in these cases, Byzantine emperors preferred to call these late-comers as the Emperor of Franks, whereas they referred to themselves as the Emperor of Romans. The emphasis on being Romans had always been a part of state ideology and it was the most common identity among the intelligentsia, excluding very few examples such as Ghemistos Plethon and Laonikos Chalkokondyles, who were claiming the identity of Helleness under the Palaiologan dynasty. Parallel to this ideology, the author of *Historia Patriarchica* used the terms “the *basileus*” or “the *basileus* of Romans” to refer to the Byzantine emperors. In addition to that, he also continued this practice with respect to the Ottoman sultans by calling them the *basileus*, instead of sultan.⁹⁹ The patriarch addresses in the text the Ottoman sultan as the *basileus* several times, to denote a continuation of

⁹⁹ As I explained this issue somewhere else I sufficed to give a very general portrait of the Byzantine imperial ideology. Hasan Çolak, “Bizans Tarihyazıcılığında “Dönüşüm”: Laonikos Chalkokondyles’te Bizanslı ve Osmanlı İmajı (1299-1402)” *The Social Sciences Review of the Faculty of Sciences and Letters University of Uludağ*, 15 (2008-2). [accepted for publication]

Byzantine nomenclature accepted by the 16th century writers.¹⁰⁰ Confusion in the titles of other dignitaries is apparent though.¹⁰¹ Only in cases where he mentions about both a Byzantine emperor and an Ottoman sultan does he refer to the Ottoman sultan as the sultan in order not to lead to misunderstanding. While explaining the siege of Constantinople by Mehmed II, for instance, he prefers to call Mehmed sultan while uses the title *basileus* for the emperor Constantine. He also uses the term sultan as an expression of respect. While narrating the conversation between the Ottoman grand vizier and the patriarch, for example, he makes the patriarch address the vizier as “my sultan.” Finally, in one occasion, he calls the Ottoman sultan and the Byzantine emperor as *authentai*, i.e. lords, while recounting Mehmed’s offer to Constantine to surrender. Another element that bears a parallelism to the Byzantine practice is prostrating before the ruler. This element is widely used in *Historia Patriarchica*. Although this practice was not unique to the Byzantines, the fact that the author uses the Byzantine term *proskynesis* shows that it is regarded as continuity between the Byzantine and Ottoman rule from the perspective of the Patriarchal circles.¹⁰²

No less importance is the familiarity of the author of *Historia Patriarchica* with the Ottoman court. For example, he is aware of how different *divans* like the one of the *kazasker* and the grand vizier are. He is also familiar with their duties and responsibilities. It is also worth mentioning about his awareness of different centers

¹⁰⁰ For the use of the title *basileus* for Mehmed II, see Apostolopoulos, Dimitris G. “Du Sultan au Basileus? Dilemmes Politiques du Conquérant” in *Le patriarcat œcuménique de Constantinople aux XIVe-XVIesiècles: rupture et continuité: actes du colloque international, Rome, 5-6-7 décembre 2005*, eds. Augustine Casiday, et al. Paris: Centre d’études byzantines, néo-helléniques et sud-est européennes, École des hautes études en sciences sociales, 2007: 241-253.

¹⁰¹ In some cases Ottoman officials such as the grand vizier address the sultan as the *basileus*.

¹⁰² The Greek term *proskynesis*—whose Latin equivalent is *adoratio*—was a common practice in the Persian court and it passed to the Byzantine court from the Persians.

of power within the decision-making of the Ottoman Empire.¹⁰³ On the one hand, it is necessary to mention *ehl-i örf* symbolized by Lütfi Pasha,¹⁰⁴ referred to as Toulfi Pasha in the text. His friendship with the then Patriarch is stressed in the text without though compromising the benefits of the state. For, there is no doubt that the confiscation of churches in Istanbul would have led to great problems between the state and the Patriarchate and the lay elite as well as the Greek population, which would have eventually been costly to the state in economic terms. As a matter of fact when, after a couple of decades, Sultan Selim II tried to confiscate the monasteries in Mount Athos, one of the bargaining tools of the monks was threatening to leave the Ottoman territories.¹⁰⁵ On the other hand, the decision of *ehl-i ilm* led by the şeyhülislam contradicts that of *ehl-i örf*. However, the role of the people should also be kept in mind. A stricter adherence to Islamic ruler pertaining to Muslim-*zimmi* relations seen in *fetvas* used shows that the crowd could also act as initiators in cases of dispute and the members of *ehl-i ilm* were bound to issue the necessary *fetvas*. This aspect is not mentioned though in the *Historia Patriarchica*. As Lütfi Pasha was a learned man in Islamic jurisprudence too,¹⁰⁶ he was an excellent advisor to release the tension.¹⁰⁷

¹⁰³ For an analysis of two centers of power in the Ottoman Empire, namely *şer'* and *örf*, see Halil İnalçık. "Şariat ve Kanun, Din ve Devlet" in Halil İnalçık. *Osmanlı'da Devlet, Hukuk, Adalet*. İstanbul: Eren, 2005, 39-42.

¹⁰⁴ For some information about Lütfi Pasha as statesman see Fuad Köprülü. "Lütfi Paşa" *Türkiyat Mecmuası* 1 (1925), pp. 132-139.

¹⁰⁵ Eugenia Kermeli, "Central Administration versus Provincial Arbitrary Governance: Patmos and Moun Athos Monasteries in the 16th Century" *Byzantine and Modern Greek Studies* 32-2 (2008), pp. 192-195.

¹⁰⁶ Köprülü. "Lütfi Paşa", pp. 139-144. İsmail Hakkı Uzunçarşılı, *Büyük Osmanlı Tarihi*. v. III (Ankara: Türk Tarih Kurumu), p. 548.

¹⁰⁷ Lütfi Pasha makes no mention of the incident in his *Tevârih-i Âl-i Osman*. As for the manner of the conquest, he clearly states that it is taken by force after Sultan Mehmed's order for plunder of the city (*Âkibet Sultân Mehmed yağmadur deyü emr idicek gâziler her yerden yürüyüş idüb İslambol'i cebren ve kahren aldılar*). Kayhan Atik. *Lütfi Paşa ve Tevârih-i Âl-i Osman*. Ankara: Kültür Bakanlığı Yayınları, 2001, p. 183.

Maybe the most important feature as accounted in the story about the attempt to confiscate the churches is the close knowledge of the author about the Islamic law. His account clearly shows that the Patriarchate was able to follow the negotiations with the Ottoman authorities successfully. The most important element mentioned in the text about Islamic law is the production of two Muslim witnesses whose testimony changed the status of the land of Istanbul. For, according to Islamic law, if there is a controversy between Muslims and non-Muslims on the status of a land, and there are works confirming the claims of both sides, the claim of the non-Muslims is accepted as they were inhabitants long before the Muslims.¹⁰⁸ In our case, the narration mentioned that: "...they found out that it is written in their papers that this very Constantinople was taken by Sultan Mehmed by the sword." However, as there is no document in the hands of the Patriarchate to counter this one, they are cleverly advised to produce Muslim witnesses. For, if both sides produce witnesses

¹⁰⁸ Ömer Nasuhi Bilmen, *Hukuk-ı İslamiyye and Istilahat-ı Fıkhiyye Kamusu*. v. III, (İstanbul: Bilmen Yayinevi), 427-428. Since it was not known in the early years of Islam, whether a land is taken *sulhan* or *anwatan*, and it was a very important factor for the tax system of the state, it emerged as a huge problem at the time of the Ummayyads who embarked on a work to differentiate these lands. Yet, it proved to be unsuccessful. So there were lots of disputes and a number of works called *emval*, *harac*, and *fütuh* came about. Since the Ummayyads wanted to keep the right of the possession of the land, they encouraged the interpretation which advocated that the land in question was taken *anwatan*. Demirci. *İslamın İlk Üç Asrında Toprak Sistemi*. İstanbul: Kitabevi, 2003, pp. 67-68. The main points of discussion were related to when the peace was conducted, conditions of the peace, ambiguity of accounts about the taking of the city, by whom the peace was conducted, and whether the peace was conducted, before or after the war, or without fighting. *Ibid*: 144. According to Noth, what one means by *sulhan* is clear, i.e. the land that is taken by agreement. Yet, there is not a clear definition for *anwatan* conquest. He argues that "In the first or descriptive context, *anwatan* gives only the information that the conquering Muslims had to overcome armed resistance." He also admits that *anwatan* had a different meaning in traditions where the term was used for the whole provinces like Egypt, İraqi sawad whose connotation is "conquered without agreement". Finally, he comes to the conclusion that we have to understand *sulhan/anwatan* as an antithesis meaning "with treaty-without treaty" and not "by treaty-by force." Albrecht Noth, "Some Remarks on the 'Nationalization' of Conquered Lands at the Time of the Ummayyads" in *Land Tenure and Social Transformation in the Middle East*, ed. Tarif Khalidi Beirut: American University of Beirut, 1984: 224. İnalçık argues that the criteria for *anwatan* and *sulhan* conquest emerged depending on the necessities of the time. For example, while the *fikh* books of the past argue that Western Iran was taken *anwatan*, historical analysis revealed that these lands were rather taken *sulhan*. There were also tendencies in places taken *sulhan* where turmoil emerged, to present this place as taken *anwatan*. Halil İnalçık "İslam Arazi ve Vergi Sisteminin Teşekkülü ve Osmanlı Devrindeki Şekillerle Mukayesesi" in Halil İnalçık. *Osmanlı İmparatorluğu, Toplum ve Ekonomi*. İstanbul: Eren: 1993, p. 21.

testifying for their claims, the testimony of the Muslims is accepted.¹⁰⁹ Clearly, this did not happen in our case because the Muslim side did not produce witnesses. In short, the author is quite learned about the intricacies of Islamic law as much as the status of land is concerned. This is evident in his presentation about the rights Mehmed II gave the Patriarch, *archontes*, and the people after the surrender of the city:

I, the emperor sultan Mehmed, with my present written order, give clemency to the emperor of the city Constantine Palaeologos, and to his *archontes*, [I promise] to give them in a just manner whatever they ask, the right to live in prosperity as *archontes* to have a quiet life and male and female slaves. And I want the people living here to be free of all the *corvée labor*, and any other burdens. And I will not take their children as janissaries, neither I nor any successors to my rule ever in time. On the contrary, my present order should be and remain uncontested and unalterable.

Indeed, the rights given by Mehmed II as argued in *Historia Patriarchica* closely suit the rights given to a place that surrendered. Comparing these points to the rights given to the Genoese of Pera/Galata, which indeed surrendered shows the similarities:

So I ordered [and agreed] that their money, provisions, properties, storehouses, vineyards, mills, ships and boats, in short, all their possessions as well as their wives, sons, and slaves, of both sexes, be left in their hands as before and that nothing be done contrary thereof nor to molest them; that they pursue their livelihood, And I, also, ordered that their sons not be taken as janissaries; ... that the inhabitants of the fortress as well as the merchants be free from all kinds of forced labor.¹¹⁰

Finally, a word must be said about the power of the lay elite in the 16th century Greek community. As I explained in the first chapter, the 16th century witnessed the emergence of lay elites within the non-Muslim communities, especially Armenian and Jewish in the Ottoman Empire. This is true of the Greeks

¹⁰⁹ Bilmen, *Hukuk-ı İslamiyye and Istilahat-ı Fıkhiyye Kamusu*. v. III, p. 428.

¹¹⁰ İnalçık, "Ottoman Galata, 1453-1553" in *Essays in Ottoman History*, ed. Halil İnalçık. İstanbul: Eren, 1998, pp. 276-277.

as well. Trying to explain the Greek lay elite of the 16th century Ottoman Empire would be beyond the scope of this thesis.¹¹¹ As recounted in *Historia Patriarchica*, the Greek community learned about the attempt to confiscate the churches in Istanbul is through the friendship of the *archon* Xenakes and the *kazasker*. Thus, when the Patriarch went to the grand vizier for advice, he took with him the same Xenakes, and another *archon* called Demetrios Kantakouzenos, who is probably descending from the famous Byzantine family of Kantakouzenoi or claiming so. Therefore the role ascribed to them is that of an intermediary between the Orthodox Patriarchate and the Ottoman administration. This is also true of the later 16th century, as the emergence of Michael Kantakouzenos, known as Şeytanoğlu is attested in Ottoman sources. Even some Ottoman imperial decrees issued for the Patriarchate were transferred to the Patriarchate through Michael Kantakouzenos. Apart from the role that is attributed to the Greek lay elite, a last point that must be paid attention to is the effort of the author to show the role of the *archontes* during the so called surrender of the city, and the rights Mehmed II granted them after the surrender. In short there is a certain attempt in *Historia Patriarchica* to establish a historical basis for the Greek lay elite. Before beginning to analyze the development of the story, it would be helpful to take a look at another 16th century Greek text which serves as an excellent case study for the creation of myths about the installation of the Patriarchate under the Ottoman rule.

¹¹¹ For a general overview see Zachariadou, Elisabeth A. “Les Notables Laïques et le Patriarchat Oecuménique Après la chute de Constantinople” in *Cambridge History of Christianity, v. V Eastern Christianity*, ed. Michael Angold. Cambridge: Cambridge University Press, 2006: 119-135.

3.3 Dating of the Event

The most detailed analysis of the story about the attempt of the Ottoman administration to confiscate the churches in Istanbul was done by Greek historian Christos Patrinelis. He not only studied the matter in a full-fledged manner but also introduced two important sources giving clues about this case. By using these sources he also tried to offer a date for the time this incident actually happened. The first one consists of two passages from Sanuto. The first passage he quotes is a summary of a letter addressed to him by the *bailo* of Corfu called Bernardo Soranzo. The letter was written from Corfu on the 14th of April in the year 1521. According to this letter, a monk from Constantinople informed them that the Turkish ruler prohibited non-Muslims from wearing Turkish clothes, mounting precious horses and ordered their churches to be destroyed.¹¹²

The second one is about the letter of the “Sindico in Levante” called Vettor Capello, addressed to Sanuto from Nicosia, Cyprus. It is written on the 31st of July in 1521. This letter mentions that the Turks inspected the issue of churches after their defeat in Wallachia, and the sultan ordered the Christians to be killed.¹¹³

Patrinelis combines the information provided in these two letters and comes to the following conclusion:

“Il Signor Turco” of that time, that is sultan Suleiman, intended to demolish the churches and kill the Christians of Constantinople but finally changed his mind. The striking concurrence of Sanuto with the main points of the story

¹¹² Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 570.

¹¹³ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 570.

which is related by Malaxos and Cantemir leaves no doubt that Sanuto is referring to the very same event.¹¹⁴

Patrinelis very prudently brought attention to when and where the two letters were produced. Now that there is approximately three and a half months between the one written in Corfu and the one written in Nicosia, “a firm *terminus ante quem* is established.”¹¹⁵ In addition to that, keeping in mind that Süleyman sat on the throne in November 1520, there is also an established *terminus post quem*. Assuming that it took about one month for the events to reach from Constantinople to Nicosia or Corfu, Patrinelis argues that the events described in these letters took place around the spring of 1521, i.e. before Süleyman left for Wallachia on the 18th of May, probably in February or March 1521.¹¹⁶

Patrinelis further supported his argument with another incidence from an anonymous *Chronicon Breve* written probably after 1523. The passages from this *Chronicon Breve* quoted by Patrinelis explicitly indicate a contrast between Selim I who “liked the Christians very much and particularly the Church of Christ [=the Patriarchate]” and Süleyman I about whom it narrates the following story. A Jewish magician had already foretold the accession of Süleyman to throne and warns him that “the Christians of Constantinople would revolt against the sultan.” Because of this he recommends to the sultan to “kill them and frustrate their plans” and indeed convinces him.¹¹⁷ Patrinelis quotes the following passage from the *Chronicon*

¹¹⁴ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 570.

¹¹⁵ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 570.

¹¹⁶ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 570.

¹¹⁷ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, pp. 570-571.

Breve:

In the same year [7029=1520/1521] God showed this sign in Constantinople: At midnight on Easter [31 March 1521] the dervishes rose and went to pray in the church of St. Sophia, as it was their custom. But as they reached the courtyard of the church they heard hymns and saw a very bright light in the church. Going closer they found the doors open, the lamps lighted, and they heard voices chanting the *Christos Anesti* [=Christ has risen]. Then the dervishes hurried and reported everything to their master, i.e. the sultan, who came [to St. Sophia] in person and heard and saw with his own eyes. Then the sultan gave order to his men to search the church carefully lest all this was a trick. But at the same moment the light went out and the hymns ceased. Then the sultan rushed again to kill the Christians, but again Piri pasha restrained his fury.¹¹⁸

Patrinelis does not get into details about the reality of this account, but suffices to focus on the time this event is accounted to have occurred, i.e. “in the very beginning of Suleiman’s reign, and more specifically, just preceding the Easter of 1521 (March 31), as may be clearly inferred from the context.”¹¹⁹ The testimony of the sources introduced by Patrinelis does not refer to the actual happening of the event but it reflects instead the fear reflected to the Italian sources and the *Chronicon Breve*. The dating of the event is becoming even more obscure as in the construction of the story the main argument used is the personal character of the sultan ordering the repossession. As we are going to see though, the emphasis put on the sultans’ character is a rather late addition to the story constructed sometime in the late 17th century. Thus, instead of explaining, it rather complicates the dating problem.

The analysis of the *fetvas* of the 16th century, too, shows a different picture than those of Patrinelis. The number of *fetvas* about the conversion of the churches into mosques shows a considerable increase towards the end of the first half of the

¹¹⁸ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 571.

¹¹⁹ Christos Patrinelis, “The Exact Time of the First Attempt of the Turks to Seize the Churches and Convert the Christian People of Constantinople to Islam”, p. 571.

sixteenth century. These *fetvas* continue onto the time of Ebussuud. The information gathered from the *fetvas* suggests that the problem about the status of churches had been unsolved for a long time. The fact that the question of the mood of the conquest of Constantinople is asked to Ebussuud again confirms that point. Ebussuud, too, admits that the questioning over the manner Constantinople was taken has been investigated before. As for the dating of that event, Ebussuud said that it occurred in the year H. 945,¹²⁰ which lasts from 30 May 1538 to 18 May 1539. Sadullah Sadi Çelebi remained in office until 2 Şevval 945/21 February 1539, after which Çivizade became the *şeyhülislam*.¹²¹ However, my analysis of the *yapışdırma fetva* collection of Sadullah Sadi Çelebi, which is the only *asli* fetva collection belonging solely to a single Ottoman *şeyhülislam*, proved that he did not issue such a *fetva*. This means that it occurred during the first months of Çivizade's tenure.¹²² Therefore, if the dating given by Ebussuud is true, the actual happening of the event must be between 21 February 1539, when Sadullah Sadi died and was replaced with Çivizade,¹²³ and 18 May 1539 when the year 945 of the Hegira ends.

¹²⁰ İsmail Hami Danişmend, *Türkiyat ve İslam Tetkikleri Külliyyatı. v. I. Fetva Mecmualarına Göre İslam Fıkhının Milli Kıymeti*. İstanbul: Hüsniyat Matbaası, 1956, p. 9; The edition of this fetva lead to a discussion between Ali Rıza Sağman and Mehmet Raif Ogan. Ali Rıza Sağman, *İstanbul'un Fethi Hakkında Enteresan Bir Fetva*. İstanbul, 1957; Mehmet Raif Ogan. *Türk Tarihinde Vicdan Hürriyeti: Fatih Sultan Mehmed'in Bizans'taki "Intelligence-Service"i Sayın Bay Hafız "Ali Rıza Sağman"a Cevap*. İstanbul, Alkaya Matbaası, 1957; Ali Rıza Sağman. *Cevab'a Cevabım*. İstanbul: Ahmet Sait Matbaası, 1957. Ertuğrul Düzdağ. *Şeyhülislam Ebusuûd Efendi Fetvaları Işığında 16. Asır Türk Hayatı*. İstanbul: Enderun Kitabevi, 1983, p. 104.

¹²¹ Repp, *The Müfti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy*, p. 244.

¹²² Based on my preliminary research I did not manage to identify the *fetva*.

¹²³ Çivizade is known for his orthodox Islamic views. For his involvement in the cash *vakf* controversy see Jon. E. Mandaville. "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire" *International Journal of Middle East Studies* 10 (1979), 289-308.

3.4 Sources Mentioning the Attempt to Confiscate the Churches in Istanbul

This section summarizes and analyzes the development of the story about the case between the Ottoman government and the Greek Orthodox Patriarchate over the possession of churches in Istanbul. As this issue is closely associated with the question of how the city was taken, and the rights given by Mehmed the Conqueror to the Orthodox Patriarchate, I put together the accounts mentioning about all these matters. The point all these issues have in share is that all of them serve the foundation myths of the so called *millet-i Rum*. In order not to digress from the main theme, because there is an immense literature on these themes, I focused on the most eminent examples especially while explaining the secondary literature.

The story narrated in the *Historia Patriarchica* touches upon different issues:

- a) The confusion/ dispute surrounding the conquest of Constantinople
- b) The intention of the Sultan
- c) The role of Ottoman administration in solving a potential conflict and their connections to the lay Christian elite.

Some of the aspects of this story are going to evolve in the narratives of 17th to 19th century authors. The surprising new element in the discussion is going to be the rights supposedly invested by Mehmet II to Gennadios Scholarios. The purpose for this aspect being interwoven in the story, was to create undisputable rights, and is instrumental in the way the story was eventually constructed in the 19th century and used in a standard form even today.

Evliya Çelebi (1611-1683)¹²⁴

One of the most complicating questions about the discussions on the taking of Constantinople is the possibility of the surrender of the city in the account Evliya Çelebi, renowned 17th century Ottoman traveller and intellectual. Indeed his work is the earliest source written in Ottoman Turkish that mentions some details which are atypical of the Ottoman historiography of that time. Evliya Çelebi quite clearly stated that the emperor rejected Mehmed's offer to surrender the city.¹²⁵ However, his account mentions about unusual occurrences that happened before the conquest of the city, and this is why his account has been extensively used by many scholars.¹²⁶ He says that a number of Byzantines who were afraid of the uproar of Turks, ran out of the holes on the city walls, and surrendered themselves to the hands of the Ottomans begging for "aman."¹²⁷ Similarly, he recounts that some fishermen around the Gate of Petrion were descending from "the Greeks who opened the gate of Petrion to Mehmed II" and on this account they were exempt from the tithe collected by the Inspector of Fisheries.¹²⁸

¹²⁴ For introductory information about Evliya Çelebi's life, his *Seyahatname*, studies on him, and a detailed bibliography see Klaus Kreiser. *Evliyâ Çelebî*.

http://www.ottomanhistorians.com/database/pdf/evliya_en.pdf

¹²⁵ Orhan Şaik Gökyay. *Evliya Çelebi Seyahatnamesi*. İstanbul: Yapı Kredi Yayınları, 1996, pp. 36-37.

¹²⁶ Kordatos. *Bizans'ın Son Günleri*. 67. Runciman. *Fall of Constantinople, 1453*. Cambridge [England]; New York Cambridge University Press, 1990: 203.

¹²⁷ Gökyay. *Evliya Çelebi Seyahatnamesi*. 38. For a general information about *aman* see İnalçık. "İmtiyazat", *EF²*, Brill, 1178-1189.

¹²⁸ Gökyay. *Evliya Çelebi Seyahatnamesi*. 38; Runciman. *Fall of Constantinople, 1453*, 203. Fishing has long been an important economic activity for the people dwelling along the Golden Horn from the Byzantine times onwards. Not surprisingly the Fish Market (*Balık Pazarı*) was found on a close location to the Golden Horn under Mehmed II. Keeping in mind the role of the economic vitality to keep the population in Istanbul and to further encourage new settlements, it seems likely that Mehmed II might have exempted the people involved in fishing. It might be possible that the part about the

And why did an Ottoman author suddenly begin at the end of the 17th century to write about a number of Byzantines surrendering to the Ottoman army? The answer to that question should be looked for in the life of Evliya Çelebi. For, there is no doubt that Evliya Çelebi had Greek fellows, as Runciman admits too,¹²⁹ and he probably learned about some incidents from them. A document issued by the Patriarchate to inform the “Christians dwelling everywhere, those of the priestly class, those of the monastic order, and those of the laity”¹³⁰ of Evliya Çelebi’s trip through the dominions of the Patriarchate might be explanatory in this respect. This interesting introductory letter goes as follows:

Let it be known to you all, that the bearer of this present letter from our humble self, Evliya Çelebi by name, is honorable, and a man of peace. He has the desire and inclination to be a world-traveler and to investigate places, cities, and the races of men, having no evil intention in his heart to do injury to or to harm anyone. We bear witness to all concerning him that he is a peace-loving and good man, wherefore we call on all devout Christians to receive him and to judge him worthy of kindness and good fellowship, wherever he stays or travels, whether on land or at sea, whether in cities or in villages, neither questioned nor examined by anyone, in that he is known by us and by many others as a man of peace.¹³¹

The content of this letter confirms that he had good connections with the Patriarchate. It is highly possible, thus, that Evliya Çelebi was familiar with the story about the surrender of the Byzantines which had been present in Patriarchal circles through his association with the Greek community and the Patriarchate.

story of the surrender of the Gate of Petriion is added later on. I am thankful to Professor Halil İnalçık for bringing this point to my attention.

¹²⁹ Runciman. *Fall of Constantinople, 1453*. 198.

¹³⁰ Pierre MacKay. *An Introduction for the World Traveler*. <http://angiolello.net/EvliyaLetter-2.pdf>

¹³¹ Pierre MacKay. *An Introduction for the World Traveler*. <http://angiolello.net/EvliyaLetter-2.pdf>

Meletios, the Bishop of Athens (published in 1703)

Mpettes quotes the following passage of Meletios, geographer and the Bishop of Athens, in relation to the attempt of the Ottoman administration to confiscate the Orthodox churches:

During the reign of Ieremias II there was a great unrest in Church and the Christians of Constantinople because some religious Turks, i.e. *ulema* and those upfront in religion knowing well that Constantinople was taken by the sword and that their law is not to allow a holy Church of Christians in the city taken thus, they were secretly planning to demolish old Constantinopolitan churches in a day. The Patriarch and his people found out about it and ran to the *epitropo* Ibrahim Pasha and other important man and begged for advice. There were advised to take a *fetva* and present gifts and pleaded to the Divan. They proved by using very aged Muslim witnesses that Constantinople was not taken by sword but that last emperor of the Romans Konstantinos willingly gave the city to Sultan Mehmet. Thus, he managed to take a *hattı* by the emperor [i.e. sultan] ordering that churches should safely remain forever in the hands of the Christians, like Sultan Mehmet had done before.¹³²

Despite the fact that the account of Meletios follows the account in *Historia Patriarchica* with slight differences such as the substitution of Lütfi Pasha by Ibrahim Pasha, what is striking is the integration of the story of Gennadios as an unquestionable truth. In other words, although *Historia Patriarchica* admits that the Patriarch told a lie advised by Lütfi Pasha, in the 18th century Patriarchal circles accepted the enthronization of Gennadios as an actual event whose facticity was rejected by the Ottoman *ulema*. Therefore it is possible to say that the story of the enthronement of Gennadios by Mehmed II with a *ferman* is becoming established in the Patriarchal circles.

¹³² Stef. Mpettes, "Jeremias I: Archbishop of Constantinople New Rome and Oecumenical Patriarch" *Ipeirotici Estia* November 1963, Ioannina [in Greek] p. 787 quoting from Meletios Geographer Bishop of Athens. Ecclesiastical History. vol. III, 1703, pp. 370-71 [in Greek]

Dimitrie Kantemir (1673-1723)¹³³

The most important source that mention about the surrender of half of the city during the siege is the book of Dimitrie Kantemir titled *Incrementa atque decrementa Aulae Othomanicae* that appeared 1714-1716. According to the account Kantemir, the city was taken by the naval forces transferred into the Golden Horn through land. These forces struck the Phanar gate and took over the majority of the city. The remaining Byzantine land forces fighting behind the city walls then decided to surrender the city and, putting up a white flag, the emperor himself sent envoys to the tent of the sultan. Sultan received them very well and guaranteed the inhabitants “their lives and goods, with liberty to remove wherever they pleas’d.”¹³⁴

The account of Kantemir continues as follows:

But before they reach’d the walls, Sultan Mahomet, having something to communicate to them, orders them to be recalled. The Messengers accordingly pursue the Ambassadors (who were now some way before them) with full speed. The haste of this Turkish band caused the Centinels on the Ramparts to suspect that Mahomet would fraudulently attempt to enter the City with Ambassadors. Wherefore they attempt to fire upon the unwary Turks, to hinder their nearer approach... Mahomet imagines the Greeks had repented of their agreement, and treacherously wounded his people.¹³⁵

And he ordered his army to attack the city. When Constantine is informed of what happened, he thinks that Mehmed II attempted to take the city with assault and orders his soldiers to fight back. During the fight between the two sides, the emperor died, and the remaining Byzantine forces, when they learned about what happened in the side of the sea, decided to submit the city on the conditions on which both sides

¹³³ Mihai Maxim. *Dimitrie Cantemir*. <http://www.ottomanhistorians.com/database/pdf/cantemir.pdf>

¹³⁴ Cantemir. *The History of the Growth and Decay of the Othman Empire*, 100.

¹³⁵ Cantemir. *The History of the Growth and Decay of the Othman Empire*, 100.

had already agreed. For this reason, they put up a white flag on the city walls and shout the following:

Why do you without the fear of God, causelessly, and for no fault of ours break your promise? The agreement for the surrender of the City is now made and order'd by both Emperors to be ratified. Desist therefore from fighting, nor assault these who have promised to be your future subjects.¹³⁶

When Sultan Mehmed heard these and maybe being uninformed about what happened in the sea, stopped the battle, and promised to apply the previous peace conditions. The account goes on with the entrance of the sultan into the city on the following day. When he entered the city, he said the following:

I promised you in our agreement, that if you chose to remain here all the Churches and Monasteries should be untouch'd, and your religion suffer no damage. But since I have receiv'd half the City by force of arms, and half by surrender, I think it just, and accordingly order, that the religious Houses and Churches which stand in that part I have conquer'd, be converted into Jami, and the rest left entire to the Christians.¹³⁷

Although in the account the sultan was not specific about segregation, Kantemir specified that all the churches between Aksaray and Hagia Sophia are converted into mosques and all the churches and monasteries between Sulu Manastir and Edrenekapi remained in the hands of the Christians.

The connection of Kantemir to the Patriarchate is very strong. After his very short reign, which lasted about three weeks, in the Principality of Boğdan, he returned to Istanbul and took classes from the chief dragoman Alexander Mavrocordatos, the archbishop of Arta and the geographer Meletius, the grammarian Iacomi, and the geographer Chrisantos Notaras, who became later the Patriarch of

¹³⁶ Cantemir. *The History of the Growth and Decay of the Othman Empire*, 101.

¹³⁷ Cantemir. *The History of the Growth and Decay of the Othman Empire*, 101.

Jerusalem.¹³⁸ Kantemir uses as reference to substantiate the story a fictitious character, a certain Ali of Philippopolis.¹³⁹ Perhaps, Kantemir who spent some time in the Patriarchate was aware of the story in *Historia Patriarchica* and needed to support the fabrication related to the Conquest of Constantinople by Mehmed II.

James Dallaway (published in 1797)

Steven Runciman mentions an English traveler called James Dallaway who produced a tradition concerning the “surrender” of Constantinople.¹⁴⁰ While describing the district of Phanar, Dallaway mentioned how the Ottomans took the district:

Whilst the brave Constantine was defending the gate of St. Romanus, as a forlorn hope, others of the besieged, either from cowardice or despair, made terms with the conquerors, and opened the gate of the Phenar for their admission. From that circumstance they obtained from Mohammèd II the neighbouring quarter, with certain immunities; and as the present Patriarchal church is situate in the centre, the necessary attendance of the patriarch and twelve synodal bishops, with archondès, or princes, have rendered it populous.¹⁴¹

As for the appointment of Gennadios Scholarios as the first patriarch under the Ottoman rule, Dallaway mentioned that Mehmed II gave the same gifts to the patriarch as the Byzantine emperors used to: “a pastoral staff, a white horse, and four hundred ducats in gold.”¹⁴² He says, Mehmed II also gave him “ample revenues” on

¹³⁸ Mihai Maxim. *Dimitrie Cantemir*. <http://www.ottomanhistorians.com/database/pdf/cantemir.pdf>: 1.

¹³⁹ Babinger. “Die türkischen Quellen Dimitrie Kantemir’s”, 146-147.

¹⁴⁰ Runciman. *Fall of Constantinople, 1453*. 203.

¹⁴¹ James Dallaway. *Constantinople, Ancient and Modern*. London: 1797, 98-99.

¹⁴² James Dallaway. *Constantinople, Ancient and Modern*. 100.

account of “their inconstancy, their ambition, and their private jealousy.”¹⁴³

To address the question of how he learned about this story, it is not difficult to say that Dallaway too had some connections with the Greeks. He gave some elaborate information about the Phanariots, for example how they classicize their Greek.¹⁴⁴ Therefore, it was possible for Dallaway to learn about the incident from written or oral Greek sources as well.

Robert Walsh (published in 1838)

The English traveler Robert Walsh narrated a corrupted version of the story after two and a half centuries.¹⁴⁵ He says that upon “the favor shown to Christians” Muslims became jealous and started converting their churches starting with that of the Apostles which had been serving as the patriarchal seat by that time. However, when they understood that the process is going slowly, “the Sultan, urged by the Mufti, issued an order to the Patriarch, that all the Greeks subject to his spiritual authority should conform to the religion of Mahomet.”¹⁴⁶ And then the Patriarch demands to state his opposition to that with his reasons, and says before the *divan* the following:

When Constantinople was taken by the great grand-father of the present Sultan, a part of the city which the most noble of the Greeks defended,

¹⁴³ James Dallaway. *Constantinople, Ancient and Modern*. 100. A very noteworthy point is that the building up of the foundation myths related to the investiture of Gennadios by Mehmed II has already become a standard narration by the 18th century.

¹⁴⁴ James Dallaway. *Constantinople, Ancient and Modern*. 102-105.

¹⁴⁵ Runciman. *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence*, 190. fn. 2.

¹⁴⁶ Robert Walsh. *Residence at Constantinople during the Greek and Turkish Revolutions*. v. II. London: 1836. 360.

surrendered only on the following condition. That at every return of Easter the gates of the Fortress should be open for three days, that the Greeks who lived outside the enclosure might avail themselves of the opportunity of going to their church.¹⁴⁷

Then Turks admitted the evidence of witnesses, which Patriarch had already prepared knowing the law. Some of the oldest janissaries, who were given large sums of money by the Patriarch testified that “they were present when these terms of capitulation were agreed to.”¹⁴⁸ Walsh implies that it happened during the reign of Süleyman I, “great grand-father” of Mehmed II.

A striking feature of the work of Walsh is his close knowledge of the Greek Orthodox Patriarchate. In the introductory passage of his account on the Greek Church preceding his explanation of the attempt to confiscate the churches, he openly confesses that he gained his information from a Greek manuscript:

I obtained a manuscript account of the actual state of the Greek church in 1809, drawn up by the learned Ignatius, the Metropolitan of Arta, in the Sea of Marmora, which I know to be the most minute and correct, as well as the most curious, that has yet been written.¹⁴⁹

In addition to his close ties with the eminent Greeks, the work of Dimitrie Kantemir, too, was available to Walsh as we understand from his references to latter’s work.¹⁵⁰ It is not surprising thus that the argument of Walsh that only half of the city surrendered is very similar to the account of Kantemir.

¹⁴⁷ Walsh. *Residence at Constantinople during the Greek and Turkish Revolutions*. v. II. 361.

¹⁴⁸ Walsh. *Residence at Constantinople during the Greek and Turkish Revolutions*. v. II. 361. Strikingly Walsh follows the arguments in *Historia Patriarchica* closely.

¹⁴⁹ Walsh. *Residence at Constantinople during the Greek and Turkish Revolutions*. v. II. 359.

¹⁵⁰ For example, in the preface of his book Walsh states the following: “Cantemir says, Mahomet III. strangled twenty two of his brothers, whom he had invited to his coronation.” Walsh. *Residence at Constantinople during the Greek and Turkish Revolutions*. v. II.. vol. I: xiv.

Baron Joseph von Hammer-Purgstall

Joseph von Hammer, a prolific author often cited in both popular and academic works accounted the attempt to confiscate the churches in Istanbul. Hammer dated it during the time of Sultan Selim I and associated this attempt with the sultan's religiously conservative operations against Shiites in Eastern Anatolia. He argued that Selim demanded to kill all the Christians or at least to annex their churches and thus asked the *şeyhülislam* Zenbilli Cemali Ali Efendi which of the following was more permissible: whether to conquer the whole world, or to convert the people to Islam. And the *şeyhülislam*, having not grasped the actual intention of the sultan said that it would be more permissible to convert them to Islam. And then, Selim, having taken the necessary *fetva*, ordered his grand vizier to outlaw the Christian prayers and to have those who refused to convert to Islam killed. His horrified vizier consulted the *şeyhülislam* and the two sent word to the patriarch who came to *divan* and was received by the sultan, after he is persuaded by the vizier and the *şeyhülislam*. In the patriarch's audience in Edirne, he informed the sultan about Mehmed II's contract forbidding the conversion of churches to mosques, and about Koranic laws forbidding Muslims to outlaw Christian prayers, and forcibly converting Christians to Islam as long as they accepted their *zimmi* status. Since the document of rights given by Mehmed disappeared during a fire, Hammer said that the patriarch produced three janissaries who took part in the siege of Constantinople "sixty years ago". They swore that the envoys brought the keys of the city to the sultan in a golden plate, and that Sultan Mehmed promised them not to convert churches to mosques, not to convert Christians to Islam, and not to outlaw Christian

prayers. Sultan Selim obeyed the precepts of Koran and the contract of Sultan Mehmed, but he also added that there is no Koranic precept that such beautiful buildings as Christian churches should be idolater temples either. On this ground, the sultan ordered the conversion of the churches. Yet, in order not to harm his subjects and foreigners, he also ordered the rebuilding of those churches in ruins with wooden material.¹⁵¹ Despite the fact that Hammer does not state a direct date for the incident, it is understood from his statement that if the janissary came to *divan* sixty years after the conquest of Constantinople, then the discussion took place in 1513. This, however, contradicts Hammer's argument that Sultan Selim attempted to kill the Christians, or to annex their churches after killing the Shiites. The full-fledged operations against Shiites came about after the defeat of Safavids in the battle of Çaldıran in the year 1514 and the restoration of Ottoman authority in Eastern Anatolia between 1514 and 1517.

Alphonse de Lamartine (1790-1869)

One of the most influential versions of the story over the fate of churches in Constantinople is the version of Lamartine, as far as the later development of the story is concerned. Before going into his account of the case, it would be beneficial to mention how he depicted Selim and his *mufti* Zenbilli Cemali Ali Efendi. He portrays Selim as a sultan characterized by anger and ambitions constrained only

¹⁵¹ Baron Joseph von Hammer-Purgstall. *Büyük Osmanlı Tarihi*. İstanbul: Sabah, v. II 538.

through the efforts of his *mufti*.¹⁵²

Lamartine narrated that Cemali always preserved Christians from the persecutions of Selim. In order to multiply the number of Muslims, he ordered his grand vizier to convert the churches into mosques, and to kill the Christians who refused to become Muslims. The grand vizier contacted Cemali and the latter counseled the Patriarch to come to the presence of the sultan with his clergy, taking with him the Koran, and the agreements made during the time of the Conqueror. For, Lamartine continues, the Koran outlaws conversion by force, and Mehmed II guaranteed to tolerate and protect the Christians. Since the privileges supposedly given by Mehmed II were lost, the Patriarch had to bring with him aged janissaries as witnesses. Cemali accepted the testimony of these janissaries and declined the demand of the sultan. Thus, Selim sufficed to take the most beautiful churches to convert them into mosques. However, he ordered the construction of new churches afterwards.¹⁵³

Ahmed Rasim (published in 1908)

As we see by the end of 19th century the story does take a standard form in narrative. Ahmed Rasim, who published his *History of the Ottomans* in 1908, wrote about this incident in a chapter called “Islamic *ulema* and Christians.” He started his passage stating that Mehmed II gave Christians freedom in religious affairs and even

¹⁵² Alphonse de Lamartine. *History of Turkey*. New York: D. Appleton and Company, 1857, 196. For another incidence in which Zenbilli Ali Efendi prevents Selim from acting angrily, see Lamartine. *History of Turkey*. 197.

¹⁵³ Lamartine. *History of Turkey*. 198.

installed a patriarch.¹⁵⁴ Yet, he says, some eminent men from among the Greeks (*eski Rum ümerasından bazıları*) started making secret alliances, being captured by the idea of taking Istanbul back, an idea known to have existed during the time of Bayezid II, too. For this reason Selim ordered them to be converted to Islam or to be expelled from Istanbul. And the Greeks went to the *müfti* Zenbilli Ali Efendi, who replied that this is not licit as Sultan Mehmed gave them “*aman*” and “*ferman*.” And when Selim demanded to see the *ferman* they were unable to show it because it had been burnt in a fire. Finally Zenbilli Ali Efendi accepted the testimony of two old janissaries, and gave a decision against the will of the sultan.¹⁵⁵

¹⁵⁴ This also proves the establishment of the *millet* theory and the approval of the myths related to Gennadios Investiture.

¹⁵⁵ Ahmed Rasim. *Resimli ve Haritalı Osmanlı Tarihi*. İstanbul: Şems Matbaası, 1908, 204-205.

CHAPTER FOUR

CO-EXISTENCE AND CONFLICT IN THE 16TH CENTURY ISTANBUL

4.1 Patterns of Development in Byzantine Constantinople till and after the Fourth Crusade

Since it is impossible to grasp the development of Constantinople after its conquest by the Ottomans without paying attention to the dynamics and the occurrences upon the conquest, it would be beneficial to mention the evolution of the city under Byzantine rule. With respect to the progress of Constantinople from the 9th century to the Fourth Crusade which struck Constantinople in 1204, Paul Magdalino, in his book titled *Constantinople Médiévale*, says that there are two principal phases in the development of the city: one which started with Romanus I Lecapenus (920-944), the other with Alexios I Komnenos (1081-1118). Although the latter has been presumed to have more importance, the urban program of the Komnenians did nothing but perpetuate the lines of developments that had been going on for two centuries, which signifies “an uninterrupted expansion” of the

city.¹⁵⁶ He also mentions the emergence of a new center of development in the region of Blachernai on the Golden Horn before 1204.¹⁵⁷

As far as Constantinople under Latin rule between 1204 and 1261 is concerned, David Jacoby argues that Byzantine authors had an anti-Latin approach, because of the loss of their capital, and they therefore neglected “the extent of urban continuity” and focused on “the disruption of urban life.”¹⁵⁸ This attitude contributed to further bias by later Byzantine historians who compared the restored state of the city realized by the Palaeologan dynasty to the previous period. In addition, these sources focus on the prestigious structures and the imperial sector of the city. Jacoby therefore brings the attention to the neglected aspects of Constantinople under Latin rule between the years 1204-1261. He sees two major dynamics determining the fate of the city during these years: Latin emperors and Venice. And at that time, Venice controlled three-eighths of the urban space.¹⁵⁹ While Venetians followed an active urban policy on the Golden Horn, a place of urban vitality by the time,¹⁶⁰ the places under the Latin rule such as Galata/Pera¹⁶¹

¹⁵⁶ Unlike Magdalino who sees continuity in these centuries, Cyril Mango brings to fore the changes the city underwent. Cyril Mango. *Le développement urbain de Constantinople, IVe-VIIIe siècles*. Paris: Diffusion de Boccard, 1985. Nevra Necipoğlu. “Introduction” in Nevra Necipoğlu (ed.). *Byzantine Constantinople: monuments, topography, and everyday life*. Leiden; Boston : Brill Academic Publishers, 2001: 5. Mango, too, admits that the city continued to expand in the eleventh and twelfth centuries with the remark that there was not an overall pattern of urban development in these centuries. Cyril Mango. “The Development of Constantinople as an Urban Centre” in *The 17th International Byzantine Congress. Main Papers*. New Rochelle, N. Y.: Aristide D. Charatzas, 1986: 131.

¹⁵⁷ Paul Magdalino. *Constantinople Médiévale. Etudes sur l'évolution des structures urbaines*. Paris: Diffusion de Boccard, 1996: 91.

¹⁵⁸ David Jacoby, “The Urban Evolution of Latin Constantinople (1204-1261)” in Nevra Necipoğlu (ed.). *Byzantine Constantinople: monuments, topography, and everyday life*. Leiden; Boston : Brill Academic Publishers, 2001: 277.

¹⁵⁹ David Jacoby. “The Urban Evolution of Latin Constantinople (1204-1261)” , 278.

¹⁶⁰ David Jacoby. “The Urban Evolution of Latin Constantinople (1204-1261, 294. For more information about the Venetian quarter and its boundaries, see Horatio F. Brown. “The Venetians and the Venetian Quarter in Constantinople to the Close of the Twelfth Century” *The Journal of Hellenic Studies* 40/1 (1920): 68-88. see the map in Jacoby, “The Urban Evolution of Latin Constantinople (1204-1261)” 279.

suffered from decline.

Paul Magdalino argues that the development of the northern parts of the city was a result of the Fourth Crusade, and this was what lent the area its economic vitality. This trend of development was preserved by the Ottomans who mainly used the Golden Horn for all their important shipping apart from a small fleet of war galleys. In Byzantine times, however, especially due to the construction of two harbors on the Marmara shore by emperors Julian and Theodosius, the southern coast was busier.¹⁶² This, Magdalino says, supported the growth of population in the neighborhoods that emerged in this area. As further evidence for the existence of population in the region, Magdalino uses the *Notitia* which mentions two granaries between these two harbors on the Marmara coast¹⁶³ even though the Golden Horn was “the main hub of the city’s economy in the fourth to sixth centuries”¹⁶⁴ In short, it can be summarized that the Fourth Crusade that struck Constantinople in 1204, changed the trend of development of Marmara-oriented Constantinople in favor of an orientation towards the Venetian sections of the Golden Horn which led to the flowering of that area in later periods.

As for the settlement patterns in the city from the fifth to twelfth centuries, Ken R. Dark divides it into five major zones:

1. The monumental core comprising the Great Palace, Hippodrome, Augusteion, and Haghia Sophia;
2. Coastal zones consisting of “port facilities, granaries and commercial and

¹⁶¹ David Jacoby. “The Urban Evolution of Latin Constantinople (1204-1261)” , 278.

¹⁶² Paul Magdalino. “The Maritime Neighborhoods of Constantinople: Commercial and Residential Functions, Sixth to Twelfth Centuries” *Dumbarton Oaks Papers* 54 (2000): 211.

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.* 214.

official warehouses;”

3. “A low- and middle-status residential zone, between the Chalkoprateia and Constantinian wall.” He believes that the apartments and the so-called *αύλαι*, “groups of residential and commercial structures set around a courtyard, owned by an absentee landlord,”¹⁶⁵ were in that part of the city;
4. A zone within the core of zone 3 where some of high-status residencies were located though the others were situated in all the other zones;
5. “A broad swathe of largely open land, containing ecclesiastical and high-status residential complexes, cemeteries, parks and fields between the Constantinian and Theodosian walls.”¹⁶⁶

4.2 Restoration and Decay under Palaeologans

Michael VIII entered Constantinople in 1261 after blinding and imprisoning the last Lascarid emperor John IV Lascaris. Seeing himself as the “New Constantine,”¹⁶⁷ Michael embarked on the reconstruction and repopulation of the city, which was, in the words of the Byzantine historian Gregoras, “a plain of desolation, full of ruins ..., with houses razed to the ground, and a few (buildings)

¹⁶⁵ Ken R. Dark. “Houses, streets and shops in Byzantine Constantinople from the fifth to the twelfth centuries” *Journal of Medieval History*. 30 (2004): 86.

¹⁶⁶ *Ibid*: 87-88.

¹⁶⁷ On the promotion of Michael VIII as the New Constantine, and its controversial aspects see Ruth Macrides. “The New Constantine and New Constantinople—1261?” *Byzantine and Modern Greek Studies* 6 (1980):13-41. See also Ruth Macrides. “From the Komnenoi to the Palaiologoi: imperial models in decline and exile” in Paul Magdalino (ed.) *New Constantines: the rhythm of imperial renewal in Byzantium, 4th-13th centuries: papers from the Twenty-sixth Spring Symposium of Byzantine Studies, St Andrews, March 1992*. Aldershot: Variorum, 1994: 269-282.

which had survived the great fire”.¹⁶⁸ Restoration work mainly consisted of repair of the city walls, restoration of Hagia Sophia, and of the monastery of St. Demetrios on the Golden Horn, which was provided with a *typicon*. In addition to the restoration of the palace of Blachernai that seated the Komnenoi, Angeloi, and the Latin emperor Baldwin II, he also built a new mosque to replace either the Mitaton or Praitorion mosque as a result of Michael’s diplomatic negotiation with the Mamluk sultan Baybars.¹⁶⁹ Out of the analysis of Michael’s work of restoration, Talbot reaches the conclusion that all of the structures restored or rebuilt by Michael VIII are in the sections of the city that were not affected by the fires of 1203-1204, and these were “the major buildings of the capital” before 1204.¹⁷⁰ It is expected, therefore, that the Fourth Crusade led to the disappearance or shrinking of certain places within the city.

A new trend of private commissions for the renovation and ornamentation of churches and monasteries came into being during the time of the son of Michael VIII, Andronikos II¹⁷¹ which is clearly exemplified by the renovation of the Monastery of Chora by Theodore Metochites.¹⁷² Despite the flowering of the Byzantine art during the Paleologan Renaissance, the fourteenth and fifteenth centuries were also signified by the widening of the gap between rich and poor,

¹⁶⁸ Alice-Mary Talbot. “The Restoration of Constantinople under Michael VIII” *Dumbarton Oaks Papers* 47 (1993): 249.

¹⁶⁹ Talbot. “The Restoration of Constantinople under Michael VIII” 249-255.

¹⁷⁰ Talbot. “The Restoration of Constantinople under Michael VIII” 261.

¹⁷¹ Alice-Mary Talbot. “Building Activity in Constantinople under Andronikos II: The Role of Women Patrons in the Construction and restoration of Monasteries” in Nevra Necipoğlu (ed.). *Byzantine Constantinople: monuments, topography, and everyday life*. Leiden; Boston: Brill Academic Publishers, 2001: 330-332.

¹⁷² The mosaics of Chora, as renovated by the Grand Logothete of Andronikos II called Theodore Metochites, has been regarded as the most important art work in the period known as the Palaeologan Renaissance. For an outline of the Palaeologan Renaissance, see Steven Runciman. *The Last Byzantine Renaissance*. Cambridge: Cambridge University Press, 1970.

which arose during the times of trouble. Byzantine historian and diplomat Demetrius Chryssoloras, writing in 1403, in his oration commemorating the first anniversary of the Battle of Ankara, which saved the Byzantine capital from the siege of Bayezid I (1394-1402) said the following: "...it is wrong that some live in luxury while others perish of hunger, and those who suffer cannot rejoice easily, seeing that some enjoy all the pleasures, whereas they themselves have a share in none at all."¹⁷³

Indeed during this blockade, which was not only military but also economic¹⁷⁴ the people suffered so much that the government tried to supply cheaper grain¹⁷⁵ and the Patriarchate fed the poor.¹⁷⁶ Another thing that had a negative effect on the population of Constantinople during the Ottoman blockade is an outbreak of plague that occurred during 1397-1398.¹⁷⁷

The period of interregnum in the Ottoman state following their defeat by Timur in the Battle of Ankara (1402) allowed Constantinople to realize a semi-recovery¹⁷⁸ and the Byzantine capital and society were able to withstand another Ottoman siege, this time by Musa Çelebi (1411) despite a recent plague that killed

¹⁷³ Nevra Necipoğlu. "Economic Conditions in Constantinople during the siege of Bayezid I (1394-1402)" in Cyril Mango and Gilbert Dagron (ed.). *Constantinople and Its Hinterland. Papers from the Twenty-seventh Spring Symposium of Byzantine Studies, Oxford, April 1993*. Aldershot: Variorum, 1995: 157.

¹⁷⁴ Halil İnalçık. Ottoman Methods of Conquest. *Studia Islamica* 2 (1954), 103-130.

¹⁷⁵ Nevra Necipoğlu. "Economic Conditions in Constantinople during the siege of Bayezid I (1394-1402)", 161.

¹⁷⁶ Nevra Necipoğlu. "Economic Conditions in Constantinople during the siege of Bayezid I (1394-1402)", 162.

¹⁷⁷ Dionysios Bernicolas-Hatzopoulos. "The First Siege of Constantinople by the Ottomans (1394-1402) and Its Repercussions on the Civilian Population of the City" *Byzantine Studies/Etudes Byzantines*. 10 (1983): 50.

¹⁷⁸ For a brief discussion of the Byzantine recovery through its strategy of playing the sons of Bayezid against each other and in particular Musa Çelebi's siege of Constantinople as a part of his centralist policy, and its negative connotations on the other sons of Bayezid I and the frontier *beğs* like Evrenos and Mihaloğlu Mehmed see Dimitris Kastritsis. "Religious Affiliations and Political Alliances in the Ottoman Succession Wars of 1402-1413" *Medieval Encounters* 13(2007): 236-238.

10,000 people.¹⁷⁹ Recurrent plagues of 1417 and 1420-1421 also had deleterious effects on the population of Constantinople.¹⁸⁰

The siege of Constantinople by the Ottoman Sultan Murad II also had some negative implications for the city. Byzantine historian Ioannes Kananos, for example, argues that a Muslim army of 100,000 soldiers led by Mikhal Bey invaded the places around Constantinople with a single assault, and expelled some of the people to Konya, Aratzapetas, and Kyphas.¹⁸¹ Despite the fact that he does not directly mention about the people from the city proper being expelled, keeping in mind the close relations between the city proper and the places around it through such means as trade, it is possible to assume that some of the people who were outside the city by the time the Ottoman army harassed the places around Constantinople. In addition, the number of the Byzantines who died defending the city might have made harm to the population of the city which was struggling to recover itself from the previous catastrophes. Hence, the siege of Constantinople by Murad II had some negative effects on the population of Constantinople, as well.

The account of the Spanish traveler Pero Tafur on Constantinople is worthy to mention here as it supports the above arguments i.e. the decrease of the population during the fifteenth century, the worsening of the economic status of the common people, and the concentration of the population on the sea-shore. As far as the population of the city is concerned, Pero Tafur observes the following: “The city is sparsely populated. It is divided into districts, that by the sea-shore having the

¹⁷⁹ Nevra Necipoğlu. *Byzantium Between the Ottomans and the Latins: A Study of Political Attitudes in the Late Palaeologan Period*. [Unpublished PhD Dissertation: Harvard University, 1990]: 315.

¹⁸⁰ Nevra Necipoğlu. *Byzantium Between the Ottomans and the Latins: A Study of Political Attitudes in the Late Palaeologan Period*. 317.

¹⁸¹ Zafer Taşlıkılıç. “II. Murad’ın İstanbul Muhasarası Hakkında Bir Eser” *Tarih Dergisi* VIII/11-12: 212.

largest population. The inhabitants are not well clad, but sad and poor, showing the hardship of their lot...”¹⁸²

Necipoglu associates the image of Constantinople as a desolate city in the work of Pero Tafur, in part, to another outbreak of plague in the city in 1435.¹⁸³ That the city underwent little progress during the fifteenth century is also supported by the testimony of another traveler named Bertrandon de la Broquière who mentioned that during his two-day journey from Constantinople to Selimbria/Silivri, he came across “nothing but poor villages.”¹⁸⁴

In spite of so many difficulties that the populace experienced, Alice-Mary Talbot argues that at some point between 1400 and 1453, in Byzantine Constantinople at least 55 monasteries were still functioning and on the eve of the Ottoman conquest at least thirty of them were active, as opposed to Bryer’s assumption that there were eighteen monasteries functioning before the conquest.¹⁸⁵ Considering the population of the city that is estimated to have fallen around 40-50,000 before the conquest, Talbot admits that one monastery per 1,000 habitants is “a substantial number.”¹⁸⁶ Keeping in mind the existence of some 300 monasteries

¹⁸² Pero Tafur. *Travels and Adventures 1435-1439*. (trans. Malcolm Letts). London; New York: Routledge, 2004: 145.

¹⁸³ Nevra Necipoğlu. *Byzantium Between the Ottomans and the Latins: A Study of Political Attitudes in the Late Palaeologan Period*. 340.

¹⁸⁴ Nevra Necipoğlu. *Byzantium Between the Ottomans and the Latins: A Study of Political Attitudes in the Late Palaeologan Period*. 341.

¹⁸⁵ Talbot opposes the idea of Bryer that before the conquest of the city by Ottomans only eighteen of them remained on the ground that he based his calculation on the list provided by the Russian pilgrim Zosima. Alice-Mary Talbot. “Monasticism in Constantinople in the Final Decades of the Byzantine Constantinople” in Sümer Atasoy (ed.). *İstanbul Üniversitesi 550. yıl, Uluslararası Bizans ve Osmanlı Sempozyumu (XV. yüzyıl): 30-31 Mayıs 2003 = 550th anniversary of the Istanbul University, International Byzantine and Ottoman Symposium (XVth century) : 30-31 May 2003*. İstanbul: İstanbul Üniversitesi, 2004: 55.

¹⁸⁶ Talbot. “Monasticism in Constantinople in the Final Decades of the Byzantine Constantinople”, 296.

in Constantinople in the twelfth century,¹⁸⁷ one can appreciate how far-reaching the effects of the decrease in the number of the population were. As far as the distribution of these monasteries is concerned, it is seen that there is a concentration right on the Eastern edge of the peninsula while the others are scattered along the Constantinian walls and between the walls of Constantine and Theodosius.¹⁸⁸

It might be beneficial at this point to refer to another place that suffered from plague: England. As for the effects of the recurrent epidemics of plague in England during the Middle Ages, Russell argues that the increasing wealth can be seen in the gifts to religious houses, which found its expression in monasticism.¹⁸⁹ Although it is not possible to make a direct comparison between the English case and Byzantium where orthodoxy always remained an integral part of the government and the populace, it can be assumed that the majority of the wealthy Constantinopolitans, under the influence of both military-political and natural catastrophes, might have spent their wealth to renovate the monasteries that not only served as burial for the donors signifying their privilege, but also as charitable institutions helping the poor.¹⁹⁰ Travelers such as Ruy Gonzales de Clavijo, Pero Tafur, and Russian

¹⁸⁷ Talbot. "Monasticism in Constantinople in the Final Decades of the Byzantine Constantinople", 295. Despite the fact that this number is given as 3000 in this article, through my consultation to Alice-Mary Talbot, I learned from her that a printing error led to such a misunderstanding. Therefore the number of the monasteries in Constantinople before the conquest was 300, not 3000. I would like to thank Alice-Mary Talbot for this insight.

¹⁸⁸ See the map in George Majeska. *Russian Travelers to Constantinople in the Fourteenth and Fifteenth Centuries*. Washington, D.C. Dumbarton Oaks, 1984.

¹⁸⁹ Josiah Cox Russell. "Late Medieval Population Patterns" *Speculum* 20/2 (1945): 170.

¹⁹⁰ In spite of the emergence of a novel approach claiming *tyche* or fortune determining the lives of people seen in the works of some late Byzantine intellectuals such as Ghemistos Plethon, Theodore Metochites, Kritovoulos, and Laonikos Chalkokondyles, pessimism expressed in the eschatological views regarding the difficulties that the empire faced as punishments of God against the Byzantines was very common in the last decades of Byzantium. That even one of these late Byzantine intellectuals, namely Metochites, one of the richest people of his time was the patron of the Monastery of Chora suffices to indicate the power of Orthodoxy in Late Byzantine society. Speros Vryonis. *Decline of Medieval Hellenism in Asia Minor and the Process of Islamization from the Eleventh through the Fifteenth Century*. Berkeley, Los Angeles: University of California Press, 1971: 409, fn.

pilgrims also witnessed the existence of a lively monastic life.¹⁹¹ It is not surprising, therefore, that there was a large number of monasteries in spite of the diminished and impoverished population in Constantinople.¹⁹²

Thus, we could conclude that until the Fourth Crusade, the city had a trend of expansion, be it from the time of Alexios I Komnenos or of Romanus I Lecapenus. Scholars agree that the region of Blachernai appeared as a new center of development in addition to the Marmara shore, which included a settled area, and had been “the main hub of the city’s economy in the fourth to sixth centuries”. Although the Latin rule was “catastrophic” from 1204 to 1261, the city underwent important developments in the Venetian sections along the Golden Horn that was maintained by the Ottomans. After the recovery of Constantinople under Michael VIII Palaeologos, a new trend under his successors was brought about to restore and ornament the churches and monasteries. Partly due to recurring plagues and sieges, and partly to the disparity of wealth in the society, the city was unable to recover its losses. Even after the Battle of Ankara that allowed the Byzantines only a short-term chance, the situation did not improve as witnessed by travellers. The

15. For a more detailed analysis of the issue, see Ihor Ševčenko. “The Decline of Byzantium Seen through the Eyes of Its Intellectuals” *Dumbarton Oaks Papers* 15 (1961): 167-186. For a detailed analysis of the eschatological opinions during the time of the Palaeologan Dynasty see Marie-Hélène Congourdeau. “Byzance et la fin du monde. Courants de pensée apocalyptiques sous les Paléologues” in Benjamin Lellouch and Stéphane Yerasimos (ed.) *Les Traditions Apocalyptiques Tournant de la Chute de Constantinople*. Paris: L’Harmattan, 1999: 55-99.

¹⁹¹ Alice-Mary Talbot. “Monasticism in Constantinople in the Final Decades of the Byzantine Constantinople”, 299.

¹⁹² For an interesting study using the information provided in Raymond Janin. *La Géographie Ecclésiastique de l’Empire Byzantin*. Paris: Institut Français d’Etudes Byzantines, 1975, with the Geographical Information Systems (GIS), “a computer based set of tools that allows the user to systematize and present spatial non-spatial data in an intelligible format, such as a map, a table and a graph, which are associated with one another” see Günder Varinlioğlu. “Urban Monasteries in Constantinople and Thessaloniki: Distribution Patterns in Time and Urban Topography” in *Archaeology and Architecture: Studies in Honor of Cecil L. Striker*, eds. Judson J. Emerick, and Deborah M. Deliyannis. Mainz: Philipp von Zabern, 2005: 187-199.

flourishing of monasticism too, despite population decrease can only be seen as a natural result of both the difficulties the people suffered, and the widening of the gap between rich and poor. Such was the state of the city before the conquest, that major economic activities were held along the Golden Horn. The majority of the decreasing and the impoverished population, due to the frequent plagues and sieges, was concentrated on the shores. Finally the area between the walls of Constantine and Theodosius primarily contained the monasteries.

4.3 Muslim Presence in Constantinople in the Last Centuries of Byzantine Rule

There was also a small group of Muslims in Constantinople in the last centuries of the Byzantine rule. The first group of Muslims was the large number of war captives, used during “the negotiations for exchange and ransom.” The emergence of Muslim war captives started with the Arabo-Byzantine wars, and continued with the emergence of different group of Turks, and later on with the Ottoman Turks.¹⁹³

The second group of Muslims in the city was that of merchants. A Muslim neighborhood formed around a mosque is known to have existed before the Fourth Crusade which was burnt after the conquest of the city by the Latins. This quarter is known to have good trade relations, specializing on the slave trade, with the Venetian quarter on the Golden Horn, the most vibrant economic area of the city in the final

¹⁹³ For more information on the imprisoned Muslims in Constantinople see, Stephen W. Reinert. “The Muslim Presence in Constantinople, 9th-15th Centuries: Some Preliminary Observations” in Hélène Ahrweiler and Angeliki Laiou (eds.) *Studies on the Internal Diaspora of the Byzantine Empire*. Washington, D.C.: Dumbarton Oaks, 1998: 126-130.

centuries of the Byzantine rule. After the recovery of Constantinople under the emperor Michael VIII in 1261, one of his first acts was to rebuild a mosque for the Muslims in Constantinople on account of his good relations with the Mamluk Sultan Baybars.¹⁹⁴ During the time of Bayezid I, we know of his successful attempt to repopulate a neighborhood with his subjects in Constantinople. It was again formed around a mosque in which the name of Bayezid I is read during prayers, a manifestation of Ottoman sovereignty.¹⁹⁵ After the heavy defeat of the Ottomans in the hands of Timur in 1204, the Byzantine Emperor Manuel II destroyed the mosque, and expelled the Ottoman subjects from the city.¹⁹⁶

Ottomans and the other Muslim groups did not necessarily have to be present in the city while trading. Cemal Kafadar discussed the trade activities of Çandarlı Halil Paşa known for his peaceful relations with the Byzantine Empire who was actually killed after the conquest of Constantinople on account of his opposition to the idea of the conquest of the city.¹⁹⁷

4.4 Ottoman Istanbul: Some Notes on the Imperial Project of Mehmed the Conqueror

Before going into detail about the reconstruction and repopulation of the city

¹⁹⁴ Reinert, “The Muslim Presence in Constantinople, 9th-15th Centuries: Some Preliminary Observations”

¹⁹⁵ For a comparison of the same event in the works of Dukas and Aşıkpaşazade see Reinert. “The Muslim Presence in Constantinople, 9th-15th Centuries: Some Preliminary Observations”, 145-146.

¹⁹⁶ Nevra Necipoğlu. “15. Yüzyılda Konstantinopolis’te Osmanlı Tacirleri” *Cogito* 17 (1999), 235-236. The people who were settled in Constantinople were Greek-speaking Muslim converts from Göynük and Taraklı. I am grateful to Halil İnalçık for bringing this to my attention.

¹⁹⁷ Cemal Kafadar. “A Death in Venice (1575): Anatolian Muslim Merchants Trading in the Serenissima” *Journal of Turkish Studies* 10 (1986): 193-194.

after the conquest, we should mention about the imperial project of Mehmed II. As it is impossible to analyze all aspects of such a wide issue in this chapter, I am going to suffice to mention about how the Ottoman intelligentsia of the 15th and 16th centuries viewed it. A couple of decades ago, Halil İnalçık made a very important contribution to the studies on Mehmed II in his book *Fatih Devri Üzerinde Tetkikler ve Vesikalar*. One of the most important innovations of this research was the discussion of the two influential parties in the politics of the Ottoman state. On the one hand, the so called peace party was led by Çandarlı Halil Pasha and maintained that the Ottoman state should have a peaceful policy towards Byzantium, out of fear of another crusade. The war party headed by Zağanos Pasha, on the other hand, aimed at an aggressive policy against Byzantium.¹⁹⁸ Not only the conquest, but also the reconstruction and the repopulation of Constantinople during the time of Mehmed II and his successors should be analyzed in the light of this prism.

Furthermore Stephanos Yerasimos explained the legends regarding the foundation and later developments in Constantinople expanded on the opponents and supporters of the imperial project of Mehmed II. Yerasimos depicted that the authors of these works approach the theme of the Empire positively or negatively depending on their attitude towards the imperial project of Mehmed II. Particularly, he discussed how the narrative of these two groups changed over time, and was later on absorbed into popular legends cleared from its marginal ideas against the imperial project.¹⁹⁹ Yerasimos argued that the Ottoman imperial project was pursued twice, first during the reign of Mehmed the Conqueror, and second during the first period of

¹⁹⁸ Halil İnalçık. *Fatih Devri Üzerinde Tetkikler ve Vesikalar*. Ankara: Türk Tarih Kurumu, 1954, 90-92.

¹⁹⁹ Stefanos Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. İstanbul: İletişim, 1998. 49.

Süleyman the Magnificent. It was rejected during the time of Bayezid II, and it ceased to be of use in the second period of Süleyman the Magnificent as it was proved to be unsuccessful.²⁰⁰

The antagonists of the imperial project of Mehmed II, it were the initiators of the debate. According to Yerasimos, the party opposing the imperial project was probably close to the *gazis*, men of religion, *şeyhs*, and the *ulema*, all feeling to lose power.²⁰¹ This party was presumably established within Edirne and Gallipoli, on the way to the *Darü'l-Harb*.²⁰² Solomon symbolizing the first example of the worldly power is used in the texts opposing the imperial project.²⁰³ In this discourse, elements such as the temple and the icon from which Solomon receives his power, represented the instruments of the worldly power and therefore contrasted with Godly power.²⁰⁴ Whenever Solomon is criticized, the imperial project of Mehmed is also criticized. For example, the following passage shows such kind of disapproval: “...and you are the Solomon of this time, why do not you build a big city so that you are remembered in the world like Solomon.”²⁰⁵ What is condemned here is nothing but the worldliness of the power of Mehmed II.

In the legends opposing the imperial project, not only Mehmed II, but also the institution of the kingship itself, is criticized, though not as explicitly. In a passage from an anonymous legend, for instance, the author narrates the following couplet about “Buzantin” who established the city of Byzantion:

²⁰⁰ Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 261.

²⁰¹ Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 61.

²⁰² Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 221.

²⁰³ Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 49.

²⁰⁴ Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 50.

²⁰⁵ “...sen dahi bu zamanın Süleyman’ısın, nola sen dahi bir ulu şehir bünyad eyle kim Süleyman gibi âlemde anılasın.” Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 76.

Pity to the one who is the sultan in this world
May he become the Satan when he leaves this [world].²⁰⁶

4.5 Reconstruction and Repopulation of Constantinople under the Ottoman Rule

Making use of an inscription on a *vakfiyye*, Professor Heath Lowry brought into the attention a very brief and meaningful motto of the reconstruction and repopulation of Constantinople: From Lesser Wars to the Mightiest War, the latter denoting the reconstruction and repopulation of Constantinople.²⁰⁷ Indeed, a close look at the activities of Mehmed the Conqueror indicates his conscious attempt for the reconstruction and repopulation of Constantinople. Neşri, inspired by these efforts wrote that “*İstanbul’u Mehmed Han yaptı*” [Mehmed Khan made Istanbul] which has been widely cited in current historiography.²⁰⁸

Before leaving the city for Edirne in 21 June 1453, Mehmed II assigned Karışdırın Süleyman Beğ as *subaşı*, with 1500 janissaries, and Hıdır-beğ Çelebi as

²⁰⁶ “Vay ana kim dünyada sultan ola

Bundan gitdukde ol şeytan ola.” Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 104.

²⁰⁷ Heath Lowry. ““From Lesser Wars to the Mightiest War”: The Ottoman Conquest and Transformation of Byzantine Urban Centers in the Fifteenth Century” in Anthony Bryer and Heath Lowry. *Change and Continuity in Late Byzantine and Early Ottoman Society: papers given at a symposium at Dumbarton Oaks in May, 1982*. Birmingham: University of Birmingham Centre for Byzantine Studies; Washington D.C.: Dumbarton Oaks Research Library and Collection, 1986: 323, fn. 1. This motto was found in the introduction of the Turkish translation of the Foundation of Mehmed the Conqueror. The Turkish phrase used in this *vakfiyye* is “Cihâd-ı asgar’dan Cihâd-ı ekber’e”. Ömer Lütfi Barkan and Ekrem Hakkı Ayverdi. *İstanbul Vakıfları Tahrîr Defteri: 953 (1546) Târîhli*. İstanbul: İstanbul Fetih Cemiyeti, 1970, x. The issue of the repopulation of Istanbul has recently been discussed in Elisabeth Zachariadou. “Constantinople se Repeuple” in Tonia Kiousopoulou (ed). *1453: Ī Alosi tis Konstantinoupolis kai i metavasi apo tous Mesaionikous stous Neoterous Khronous*. İrakleio: Panepistimiakes Ekdoseis Kritis, 2005.

²⁰⁸ Unat and Köymen (eds.). *Mehmed Neşri: Kitab-ı Cihan-Nüma*. Ankara, Türk Tarih Kurumu, 1995.

kadı. He also ordered the repair of the city walls,²⁰⁹ the building of a citadel in Yedikule and the construction of a palace for himself at the Forum Tauri.²¹⁰

One of the most effective methods that the Conqueror followed to repopulate the city after the conquest was to order the *sürgün* of Muslims, Christians, and Jews from both Anatolia and Rumili.²¹¹ It is well-known; however, that the method of *sürgün* was the most hated means of repopulation lest the most efficient one.²¹² It created social upheaval among people, both Muslim and non-Muslim, who were deported to Istanbul. The reasons for that are many; the most important one being that Mehmed initially gave free housing to those who are deported to the city, but afterwards obliged them to pay rent. One of the most determining factors behind Mehmed's declaring the whole land of the city as state property, i.e. *mîrî* was the unorganized settlement of the first arrivals.²¹³

A passage from Neşri clearly shows this unrest. When the Conqueror required the deportees to pay rents (*mukâta'a*), they replied: "Did you force us to sell our houses and did you make us avaricious from our homeland to bring us here to pay for the houses of infidels?"²¹⁴

According to Neşri, rent caused a considerable number of people to take flight out of the city, leaving their children and wives behind. Finally, the story narrates that an old man convinced the sultan to give up this policy on the ground

²⁰⁹ E. 11975. In this document dated to 1459 too, there is mention of repair of the city walls.

²¹⁰ Halil İncalcık. "İstanbul" in *EP*², Brill, 225.

²¹¹ İncalcık, "İstanbul", 225.

²¹² İncalcık, "İstanbul", 225.

²¹³ Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 216.

²¹⁴ "Evlerimizi bize sattırıp, vatanımızdan âzmed edip, bizi burada bu kâfir evlerine kira vermeğe mi getirdiniz?" Unat and Köymen (eds.). *Mehmed Neşri: Kitab-ı Cihan-Nüma*. 709.

that such a policy had never been followed during time of Mehmed II's ancestors.²¹⁵

When Mehmed II visited the city in the fall of 1453, he saw that the repopulation was progressing very slowly, thus, he took harsh measures. When he visited Istanbul again in the autumn of 1455, he found that the walls were repaired and that Yedikule and the palace, in what is modern Beyazıt Meydanı, were completed. However, since the Muslim population had abandoned the city, he issued imperial orders to force their return.²¹⁶

It would be good to mention here that the most important aspect of the accusations made against the imperial project of Mehmed II in the Constantinople legends refers to the compulsory settlement of people in Istanbul stating that he tried to rebuild a city "destined to be destroyed." Even historians like Aşıkpaşazade, Neşri and Tursun Beğ did not approve this method, and vividly described people's dislike. However, the important thing to keep in mind here is that they attribute all the failure in the repopulation of the city to the inability of viziers. In the case of Aşıkpaşazade and Neşri for example, the reason for that failure is attributed to Rum Mehmed Pasha. However, this was largely due to the fact that Rum Mehmed Pasha abolished "the gifts and bounties customarily distributed by the Palace to dervishes and sheikhs" i.e. to the group where these two Ottoman chroniclers belong.²¹⁷

The recurrent unfortunate events such as earthquakes or different sorts of epidemics like plague or cholera during the later development of the city played the role of a catalyst to discourage the further settlement in the city. Such catastrophies were extensively used in the the legends about Constantinople. Yazıcıoğlu, for

²¹⁵ Unat and Köymen (eds.). *Mehmed Neşri: Kitab-ı Cihan-Nüma*. 709-710.

²¹⁶ İnalçık. "Istanbul", 225.

²¹⁷ Halil İnalçık. "The Policy of Mehmed II Toward the Greek Population of Istanbul and the Byzantine Buildings of the City" *Dumbarton Oaks Papers* 23-24 (1969-70): 244-245.

example, to explain the slow pace of repopulation claimed that it was founded under unfortunate conditions: “And after that time this city was destroyed by troubles and accidents, sometimes by plague, and sometimes by earthquakes...”²¹⁸

One of the things that Mehmed II ordered after the conquest was the preparation of a *tahrir*, i.e. a population and tax survey, of Istanbul which he entrusted to Cübbe-Alî Beğ, the uncle of the famous contemporary Ottoman chronicler Tursun Bey.²¹⁹ For a long time this *tahrir* was unknown to the reader because a fragment of it, was absent.²²⁰ The fragment of the first Ottoman population and tax survey of Istanbul dated to 1455 and covering “the Fâtih district, part of Akserây, and the areas along the land walls and the Marmara shore” reveal that out of 918 houses, which form 22 *mahalles*, 291 are empty or ruinous.²²¹ As far as the monasteries are concerned, of the 26 monasteries one was used by Greeks, and the others were in the hands of Muslims or in a desolate condition. Out of the 42 churches only two belonged to the Greeks, in addition to a big house in the quarter of Altı-Mermer which the Greeks used as a church.²²²

For the remaining population in Constantinople, and those who fled to Galata, it is possible to say that they constituted the first Greek community of the city as

²¹⁸ “Pes ol vakitden berü ol şehir nice kerre belâ ve kaza kâh taun kâh zelzeleden harab olub...” Obviously what is described in this passage is not the Istanbul of the Ottoman times, but the time even before the foundation of Byzantine Constantinople, i.e. the first Greek colony of Byzantium. However, there is a certain allusion to the reconstruction and repopulation of Constantinople by Mehmed the Conqueror. Quoted in Yerasimos. *Kostantiniye ve Ayasofya Efsaneleri*. 71.

²¹⁹ Tulum, Mertol. (ed.) *Tursun Bey: Tarih-i Ebü'l-Feth*. İstanbul: İstanbul Fetih Cemiyeti, 1977. 68. For a short introductory information about Tursun Bey, see İnan, Kenan. “Fatih’in Tarihçisi Tursun Bey ve Tarih-i Ebü'l-Feth Üzerine Bazı Notlar” in Sümer Atasoy (ed.). *İstanbul Üniversitesi 550. yıl, Uluslararası Bizans ve Osmanlı Sempozyumu (XV. yüzyıl): 30-31 Mayıs 2003 = 550th anniversary of the Istanbul University, International Byzantine and Ottoman Symposium (XVth century) : 30-31 May 2003*. İstanbul: İstanbul Üniversitesi, 2004: 145-159.

²²⁰ The publication of the *tahrir* by Halil İncalcık is anticipated very soon.

²²¹ İncalcık. “İstanbul”, 225.

²²² İncalcık. “İstanbul”, 225.

Mehmed II granted them the right to settle in the city again.²²³

As the key to attract the people to his new capital was a vibrant economy, Mehmed in 1456 ordered the construction of a *bedestan* to serve as “a center for international trade”, which was completed around 1460-61.²²⁴ He also ordered the construction of a complex named after him finished only in 1471, i.e. towards the end of his reign.²²⁵ Additionally, he ordered his viziers to establish similar complexes becoming the nucleus of *mahalles* and subsequently *nahiyes*. Due to waqf-imaret system, serving not only the spiritual but also the material needs of the Muslim population, all of these complexes served as places of attraction.²²⁶

The population increased through the deportations. In 1459 he brought Armenian and Greek merchants from the two Focas and Amasra.²²⁷ In 1460 Greeks from the Morea, Thasos, Lemnos, Imbros, Samothrace were brought to the city.²²⁸ When he took Trebizond in 1461, he transferred some Greeks to Istanbul.²²⁹ Following this, some Greeks were brought from Mytilene in 1462 and from Argos in 1463.²³⁰ Between 1468 and 1474 Muslims, Greeks and Armenians were brought from Konya, Larenda, Aksaray, Ereğli. In 1470 Greeks were deported to Istanbul from Euboea. And finally in 1475 Armenians, Greeks and Latins from Kaffa were taken to Istanbul.²³¹

²²³ İncalcık. “Istanbul”, 225.

²²⁴ Halil İncalcık. “The Hub of the City: The Bedesten of Istanbul” *International Journal of Turkish Studies* I (1979-80): 2-3.

²²⁵ İncalcık. “*Istanbul: An Islamic City*”, 258.

²²⁶ İncalcık. “*Istanbul: An Islamic City*”, 258.

²²⁷ İncalcık. “Istanbul”, 238.

²²⁸ İncalcık. “Istanbul”, 238.

²²⁹ İncalcık. “Istanbul”, 238.

²³⁰ İncalcık. “Istanbul”, 238.

²³¹ İncalcık. “Istanbul”, 238. An important aspect of the transfer of Latins from Kaffa to Istanbul is that they were given an unidentified Byzantine church. The church was dedicated to St. Nicolas. As time

With regard to the distribution of the population in Istanbul at the end of the reign of Mehmed II, Çiğdem Kafesçioğlu reaches the following conclusion:

The most densely settled part of the city was the northern part of the peninsula, and especially the shores and slopes between the Neorion and the Un kapani Gates. Other settlements dotted the course of the Mese in its two branches and the areas along the city's land and sea walls, especially near the Gates. By contrast, the area beyond Mehmed's and Davud Pasha's complexes was virtually empty, save for a few settlements around the entrances to the city.²³²

The first Byzantine church to be converted into a mosque in Constantinople was the most prestigious Byzantine church, namely Hagia Sophia. The second most prestigious church, namely the Church of the Holy Apostles, was given to Gennadius as his patriarchal seat. After a while, however, since the majority of the Greek population chose to settle on the Golden Horn, and as the surroundings of that church was mainly inhabited by Muslims, Gennadius petitioned the sultan and received as his Patriarchal residence the Church of St. Mary Pammakaristos, which had been a nunnery until then.²³³ A mosque in the name of the Conqueror was built on the foundation of the Church of the Holy Apostles. The only other major church to be converted into a mosque during the reign of Mehmed II was the Church of St. Theodore that was converted into a mosque by the tutor of Mehmed II, and received

went by, however, their neighborhood was surrounded by Muslims and they needed to settle in Galata during the time of Murad IV, and establish their church and *mahalle* there.

²³² Kafesçioğlu, Çiğdem. *The Ottoman Capital in the Making: The Reconstruction of Constantinople in the Fifteenth Century*. [Unpublished PhD Dissertation: Harvard University, 1996]. 310. The conclusion Kafesçioğlu reached shows that there was continuity between the late Byzantine Constantinople and the early decades of the Ottoman rule. For the continuity of urban patterns between the two see Kafesçioğlu, Çiğdem. "Reckoning with an Imperial Legacy: Ottomans and Byzantine Constantinople" in Tonia Kiousopoulou (ed). *1453: Ī Alosi tis Konstantinoupolis kai i metavasi apo tous Mesaionikous stous Neoterous Khronous*. İrakleio: Panepistimiakes Ekdoseis Kritis, 2005, 23-46.

²³³ The other reason for the transfer of the Patriarchal throne was that a murdered Muslim was found in the courtyard of the church. *Corpus Scriptorum Historiae Byzantinae*, Editio Emendatior et Copiosior Consilio B. G. Niebuhrii C. F., Instituta Auctoritate Academia Litterarum Regiae Borussicae Continuata (Historia Politica et Patriarchica Constantinoupoleos Epiratica, Bonnae Imperialis ed. Weber, MDCCCXLIX), 81-82.

the name of Molla Gürani/Vefa Kilise Mosque. After Hagia Sophia, the Church of St. Saviour Akataleptos/Diaconissa was converted to the Kalenderhane Mosque and served the *dervishes* of Kalenderi order.²³⁴ The Church of St. Saviour Pantokrator was converted into the Zeyrek Kilise Mosque and served as a *medrese* until the completion of the *medrese* complex of Mehmed II. Afterwards, it continued to function as a mosque. The Church of St. Saviour Pantepoptes which served as a *medrese* and later on was turned into a mosque named as Eski İmaret Mosque. In addition to these, an unidentified church was converted into a mosque called Güngörmez.²³⁵

The second wave of the conversions came towards the end of the reign of Mehmed II. Many of these conversions were done in the name of the people who took part in the siege of Constantinople. The churches that were converted, however, were smaller complexes of minor significance in general. Masjids of Şeyh Süleyman, Kasım Ağa, Balaban Ağa, Hoca Hayreddin and the Tekkes of Yıldız Dede/Yıldız Baba and Etyemez (also known as Mirza Baba Masjid)²³⁶ appeared as a result of the conversion of the churches that could not be identified by scholars. Of the ones that are identified, the Church of St. Thecla became a mosque and took the name Toklu İbrahim Dede Masjid, and the Monastery of Gastria which was turned

²³⁴ Ahmet Yaşar Ocak, *Osmanlı İmparatorluğu'nda Marjinal Sufilik: Kalenderiler (XIV-XVII. Yüzyıllar)*. Ankara: Türk Tarih Kurumu, 1999, 120, 220.

²³⁵ Kırımтайıf says that the personnel of the masjid is paid by the waqf of Mehmed II alluding to Barkan. Süleyman Kırımтайıf, *Converted Byzantine Churches in Istanbul: Their Transformation into Mosques and Masjiids*. İstanbul: Ege Yayınları, 2001, 91, 120, fn. 20.

²³⁶ The only source confirming the conversion of Etyemez Tekke from a church is *Hadikatü'l-Cevami* of Ayvansarayı. Ayvansarayı argues that its founder was Şeyh Derviş Mürza Baba ibn Ömer al-Buharî and its vakfiye was registered in 886[1481-82]. Howard Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayı's Guide to the Muslim Monuments of Ottoman Istanbul*. Leiden; Boston: Brill, 2000, 36. It does not have a quarter.

into Sancakdar Hayreddin Masjid. Finally, a part of another Byzantine monastery,²³⁷ probably that of Kyra Martha²³⁸ was converted into Manastır Masjid.

The following chart shows the population of Istanbul on the basis of households according to the second *tahrir* of this city dated to 1477.²³⁹

| | households | % |
|-----------------------------------|------------|------|
| Muslims | 8951 | 60 |
| Greek Orthodox | 3151 | 21.5 |
| Jews | 1647 | 11 |
| Kaffans | 267 | 2 |
| Armenians of Istanbul | 372 | 2.6 |
| Armenians and Greeks from Karaman | 384 | 2.7 |
| Gypsies | 31 | 0.2 |
| | 14,803 | |

As far as the number of *mahalles* and *nahiyes* are concerned, there were 109 *mahalles* formed around 6 *nahiyes* during the reign of Mehmed the Conqueror. The following table adapted from the “Istanbul” article of İnalçık in Encyclopedia of Islam shows the number of *mahalles* in the 13 *nahiyes*, and the number of *vakfs* supporting these *mahalles* in 1546.²⁴⁰

| | <i>nahiyes</i> | number of <i>mahalles</i> | <i>vakfs</i> in 1546 |
|---|----------------|---------------------------|----------------------|
| 1 | Aya Sofya | 17 | 191 |
| 2 | Mahmud Pasha | 9 | 96 |
| 3 | Ali Pasha | 5 | 44 |
| 4 | İbrahim Pasha | 10 | 106 |
| 5 | Sultan Bayezid | 23 | 198 |
| 6 | Ebu'l-Vefa | 12 | 165 |
| 7 | Sultan Mehmed | 41 | 372 |
| 8 | Sultan Selim | 7 | 33 |
| 9 | Murad Pasha | 23 | 119 |

²³⁷ Ayyansarayi proposes that the Manastır Masjid was converted from a church by Tavaşi İbrahim Paşa. It did not have a quarter by the time of Ayyansarayi. Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayyansarayi's Guide to the Muslim Monuments of Ottoman Istanbul*. 224.

²³⁸ Kırmıtayif, *Converted Byzantine Churches in Istanbul: Their Transformation into Mosques and Masjiids*. 44, 115, fn. 88. alluding to Eyice,

²³⁹ İnalçık. “Istanbul”, 239.

²⁴⁰ İnalçık. “Istanbul”, 229.

| | | | |
|----|---------------|-----|------|
| 10 | Davud Pasha | 13 | 84 |
| 11 | Mustafa Pasha | 30 | 65 |
| 12 | Topkapı | 7 | 13 |
| 13 | Ali Pasha | 22 | 108 |
| | Totals | 219 | 1594 |

The first *nahiyes* to be established were those of Aya Sofya, Mahmud Pasha, Ebu'l-Vefa, Sultan Mehmed, Murad Pasha, and Topkapı.²⁴¹

During the reign of Bayezid II due to economic expansion, the new *nahiyes* of İbrahim Pasha, Sultan Bayezid, Davud Pasha, Mustafa Pasha, and Ali Pasha (both number 3 and number 13 on the list above) emerged.²⁴²

Parallel to the increase of the population, the number of the shops in the *bedestan* showed a considerable increase. While there were 782 shops in 1489, this number increased to 849 in 1496, and to 1011 in 1520.²⁴³

The age of Bayezid II is characterized by the conversion of larger and more prestigious Byzantine complexes. Of the seven churches that were converted in his reign, only one of them is unidentified. During his age, the Church of Ss. Sergius and Bacchus was converted into Küçük Ayasofya Mosque, and the Church of Andrew in Krisei was transformed into Koca Mustafa Paşa/Sünbül Efendi Mosque. The Church of St. Saviour in Chora, the most important masterpiece of the Palaeologan Renaissance as far as its mosaics are concerned, was converted into Kariye Mosque. Furthermore, the Church of Ss. Peter and Mark was turned to Atik Mustafa Paşa/Koca Mustafa Paşa/Hazret-i Cabir Mosque. Additionally, Church of

²⁴¹ For information about the *nahiyes* of Mahmud Pasha, Murad Pasha, and Ebu'l-Vefa, see İnalçık. "Istanbul", 230.

²⁴² For more information about the *nahiyes* of Sultan Bayezid, Ali Pasha (number 3), Ali Pasha (number 13), İbrahim Pasha, Davud Pasha, Koca Mustafa Pasha see İnalçık. "Istanbul", 230-231.

²⁴³ İnalçık, "The Hub of the City: The Bedesten of Istanbul", 11.

St. Theodosia was converted into Gül Mosque. Church of St. John the Baptist of the Studion also became a mosque, namely İmrahor İlyas Bey Mosque. In addition to these, the Church of St. Mary Chalkoprateia, which was in a rounious state, out of use, was restored and converted into the Acemi Ağa Masjid. The single unidentified construction was converted from a church during the reign of Bayezid II is Sivasi Tekke Masjid.²⁴⁴

Church of Constantine Lips/St. Mary Panachrantos was converted into Fenari İsa Mosque by Ali Efendi of Fenari Family. Despite the exact date of the conversion is not known, it must be before 1496-7, the death of Ali Efendi. Keeping in mind that the reign of Bayezid II witnessed the conversion of more prestigious Byzantine monuments into mosques, and the last years of Mehmed II the conversion of less important monuments most of which are unidentified, it might be thought, without certainty though, that the Church of Constantine Lips/St. Mary Panachrantos was converted into a mosque during the time of Bayezid II.²⁴⁵

The age of Süleyman I witnessed the conversion of only three churches. During his reign, an unknown Byzantine church was converted into a masjid called Ese(İsa) Kapı/İbrahim Paşa/Manastır Masjid. Although Ayvansarayı argued that the conversion was realized by Mustafa Çavuş during the reign of Mehmed II²⁴⁶ Kırımtayif challenged this argument on account of the lack of a mosque in the quarter of *İsakapısı*. The conversion, therefore, should have taken place during the time of Süleyman I by one of his viziers, namely Hadım İbrahim Pasha, hence the

²⁴⁴ Ayvansarayı is our single source mentioning about the conversion of a church into the Sivasi Tekke Masjid. He says that Sultan Bayezid II converted the church for Şeyh Muhyeddin Mehmed Efendi, the father of Ebussud Efendi, the most prominent Ottoman şeyhülislam.

²⁴⁵ Kırımtayif, *Converted Byzantine Churches in Istanbul*,

²⁴⁶ Crane, *The Garden of the Mosques: Hafiz Hüseyin al-Ayvansarayi's Guide to the Muslim Monuments of Ottoman Istanbul*. 226. Ayvansarayı also mentions that the masjid has a quarter.

name of the masjid.²⁴⁷

Another masjid that was converted from a church most probably during the reign of Süleyman I is Haydarhane Masjid. According to Ayvansarayi, Şeyh Ali who is also known as Haydar Dede converted it from a church.²⁴⁸ The church is unidentified by scholars yet. Howard Crane, the editor of the work of Ayvansarayi, however, argued that Ayvansarayi probably refers to the church of St. Polyuktos, “ruins of which were apparently still standing at the time of the conquest...”²⁴⁹ Kırımtayif came to the conclusion that the conversion must have taken place before 1546, as “the *İstanbul Vakıfları Tahrir Defteri* of that date includes a *mahalle* under the name of “Haydarhane Masjid.””²⁵⁰

The last church converted to a masjid, most probably again during the reign of Süleyman I, is Sinan Paşa Masjid. Ayvansarayi stated that its founder was Kapudan Sinan Paşa,²⁵¹ the brother of the Grand Vizier Rüşdem Pasha. The date of the conversion must be before 1553, the year when Sinan Pasha died.²⁵²

In addition to the buildings stated above, there are some five other masjids converted from churches. The current information on these buildings is limited to the account of Ayvansarayi. All of these churches therefore must have been converted into mosques before the death of Ayvansarayi, i.e. 1770’s or 1780’s, or

²⁴⁷ Kırımtayif, *Converted Byzantine Churches in Istanbul*, 95.

²⁴⁸ Crane, *The Garden of the Mosques: Hafiz Hüseyin al-Ayvansarayi’s Guide to the Muslim Monuments of Ottoman Istanbul*. 106.

²⁴⁹ Crane, *The Garden of the Mosques: Hafiz Hüseyin al-Ayvansarayi’s Guide to the Muslim Monuments of Ottoman Istanbul*. 106, fn. 815.

²⁵⁰ Kırımtayif, *Converted Byzantine Churches in Istanbul*, 94.

²⁵¹ Crane, *The Garden of the Mosques: Hafiz Hüseyin al-Ayvansarayi’s Guide to the Muslim Monuments of Ottoman Istanbul*. 143.

²⁵² Kırımtayif, *Converted Byzantine Churches in Istanbul*, 108.

more broadly the last decades of the 18th century.²⁵³ The first of these masjids is Arabacı Bayezid Masjid. The only information Ayvansarayı provided about this building is that its expenses were taken from the *vakf* of the Mosque of Sultan Selim, information that offers no clues about the date of its conversion.²⁵⁴ Concerning the second of these buildings called Segbanbaşı Ferhad Ağa Masjid, Ayvansarayı argued that it was founded by İbrahim Ağa and it had a quarter named after it.²⁵⁵ About the third one, namely, Şeyh Murad Masjid, Ayvansarayı merely said that it was made out of a church and it did not have a quarter.²⁵⁶ Another one known by the names Purkuyu/Perkuyu/Parmakkapı/Kandili Güzel/Katip Hüsrev Masjid was founded by Hüsrev Katib and it had a quarter by the time of Ayvansarayı. Fifth and the last of these buildings is Baruthane Masjid. Despite the fact that Ayvansarayı does not mention about its location, Howard Crane, by making use of the historical context provided by Ayvansarayı, comes to the following conclusion that the mosque was a part of the powder works (*baruthane*) that was founded in Şehremini in the reign of Mehmed IV.²⁵⁷

Despite the conversion of such churches into mosques, there were also cases in which Christians repaired and enlarged their churches without sultanic orders. It is also obvious in these *fetvas* that the Christians had the necessary means to have their works done.

²⁵³ For a discussion of the date of the death of Ayvansarayı see Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayî's Guide to the Muslim Monuments of Ottoman Istanbul*. XVIII, XIX, fn. 17.

²⁵⁴ Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayî's Guide to the Muslim Monuments of Ottoman Istanbul*. 162.

²⁵⁵ Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayî's Guide to the Muslim Monuments of Ottoman Istanbul*. 142.

²⁵⁶ Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayî's Guide to the Muslim Monuments of Ottoman Istanbul*. 148.

²⁵⁷ Crane, *The Garden of the Mosques: Hafız Hüseyin al-Ayvansarayî's Guide to the Muslim Monuments of Ottoman Istanbul*. XXVII.

Mes'ele: Sulhan feth olan vilâyetin keferesi bilâ-terfî' velâ-tevsi' münhedim olan kenîselerini ta'mîre kâdir olurlar mı?
El-cevab: Olurlar hîle itmezler ise.²⁵⁸

Here, the *şeyhülislam* is asked whether the non-Muslims can fix their churches by heightening and enlarging it in a city which is taken by submission (*sulhan*). The answer is yes on the condition that they do not “cheat.” (*hîle itmezler ise*) This answer might offer some perspectives about the power and the abilities of the non-Muslims at that time. In other words, they were able to make use of the gaps within the system to have their work done, and therefore they needed to be checked so that they do not “cheat.”

Mes'ele: Bir karyede harâb olub mikdâr-ı eser binâsı kalan kenîsenin emr-i pâdişâhîsiz tecdîd ve ta'mîrine izin virüb vaz'-ı kadîminden ziyâde tevsi' olunub tecdîd olunmasına sebep olan Zeyd-i kâdıya ne lazım olur?
El-cevab: 'Azl lazım olur.²⁵⁹

In this case, the *kadı* gives permission for the renewal and repair of a church in ruins (*harab olub mikdar-ı eser binası kalan kenise*) without an imperial order. The *şeyhülislam* is therefore asked about how to deal with this *kadı* and the answer requires that he be fired? ('azl). Although this might possibly result from the unawareness of the *kadı* on the issue, this *fetva* might show that the non-Muslims were able to have their work done by using the efficient men such as *kadı* to flow through the system. However, the frequency of similar *fetvas* in which *kadıs* gave permission for the renewal or repair of churches without an imperial order suggests that the latter idea is more likely. The following *fetva* offers a similar case:

Mes'ele: Bir karyede kadîmî bir kenîse harâb olub bir mikdâr eser binâsı kalmış iken Zeyd-i kâdı emr-i pâdişâhîsiz zikr olunan kenîsenin tecdîd ve ta'mîrine izin virüb keferre mezkûr olan kenîseyi vaz'-ı kadîminden ziyâde tevsi' idüb ta'mîr eyleseler Müslümânlar zikr olunan kenîseyi yıkdırmağa

²⁵⁸ Süleymaniye Library, Şehid Ali Paşa 1067, 91.

²⁵⁹ Süleymaniye Library, Şehid Ali Paşa 1067, 91.

kâdir olurlar mı? Beyân buyurıla.
El-cevab: Olurlar.²⁶⁰

In this case, the non-Muslims fix a church in ruins, and the kadı gives permission for its renewal and repair without an imperial order. And the question is whether the Muslims can make the church destroyed. The answer is yes.

4.6 Formation of the Ottoman *Mahalle* and Its Re-formation in the 16th century

A slight look into the studies on the Ottoman urban history would reveal that *mahalle*, neighborhood formed around a mosque, and they became the most important unit of the Ottoman city. The emphasis is especially put on the role of the mosque, and the *imam* acting as mediator between the state officials and the inhabitants of the *mahalle*. To take one of the most prominent examples, Halil İnalcık defines the Ottoman *mahalle* as follows:

The *mahalle* was an organic unity, a community with its own identity, settled around a mosque, a church or a synagogue. The individuals of this community were linked not only by a common origin (in many cases), a common religion and a common culture, but also by external factors making for social solidarity. The meeting-place of the community and the symbol of its unity was the place of worship, the repair of which and the maintenance of whose staff were the joint responsibility of the inhabitants, and after which the mahalle was named.²⁶¹

Özer Ergenç, based on *kadı* court records of Ankara, and Konya, depicts a similar portrait. He defined the *mahalle* as follows:

Mahalle in the Ottoman city is the place where people who know each other, who are in a way responsible for the behavior of each other, and are in a social solidarity. In other words, it is the section of a city where the members

²⁶⁰ Süleymaniye Library, Şehid Ali Paşa 1067, 91.

²⁶¹ İnalcık. "İstanbul", 234.

of community (*cemâ'at*) praying in the same *masjid* dwell with their families.²⁶²

Ergenç emphasizes the benefits of going to the mosque on a regular basis in the eyes of the population. As the mosques were the most important gathering place for the inhabitants of a *mahalle*, he argues, there is a considerable number of people testifying the presence of the sides in the *kadı* court records as a proof of what they were doing at a particular time.²⁶³

The arguments of Ergenç and İnalçık have been further developed by Çiğdem Kafesçioğlu who brought a somewhat different picture for a few decades after the conquest of Constantinople. She argued that there was a period of transition of Istanbul into the traditional Ottoman city. Through a comparison of the names of the *mahalles* in the two *vakfiyyes* of Mehmed II, Kafesçioğlu argues that although the number of the *mahalles* increased from 55 to 61 between the years 1474 and 1479-80, only 30 of these *mahalles* appear in both registers.²⁶⁴ This suggests a change in the perception of *mahalle* instead.²⁶⁵ Such a change is more visible in the vakf survey of 1546 of the Mehmed II foundation. Out of 126 neighborhoods of Istanbul during the time of Mehmed II, only 64 bear the name of mosques. The parts that did not remain in place by the middle of the 16th century, are the areas of Taht al-kal'a

²⁶² Özer Ergenç. "Osmanlı Şehrindeki "Mahalle"nin İşlev ve Nitelikleri Üzerine" *Osmanlı Araştırmaları IV* (1984): 69.

²⁶³ In one case for example the claim of a certain Turşucu Mehmed, who is arrested at night, is frustrated by the testimony of his neighbors that he was present in the evening prayer. Therefore it is understood that his claim that he was away in the evening and he could not return to his home is not correct. Özer Ergenç. "Osmanlı Şehrindeki "Mahalle"nin İşlev ve Nitelikleri Üzerine", 73-74. Alada reached similar results about the formation of *mahalles* around mosques. She put forward that *mahalles* most of the time were named after their mosques. Alada, Adalet Bayramoğlu. *Osmanlı Şehrinde Mahalle*. İstanbul: Sümer, 2008, 146.

²⁶⁴ Kafesçioğlu, Çiğdem. *The Ottoman Capital in the Making: The Reconstruction of Constantinople in the Fifteenth Century*. 297.

²⁶⁵ Kafesçioğlu, Çiğdem. *The Ottoman Capital in the Making: The Reconstruction of Constantinople in the Fifteenth Century*. 297.

(later known as Tahtakale), Unkaparı, and the environs of the aqueduct, and Mehmed's new complex whereas some *mahalles* were renamed and took proper Ottoman names.²⁶⁶ After stating some examples for that change, Çiğdem Kafesçioğlu came to the conclusion that it is only during the sixteenth century, when the Ottoman administration became more religiously oriented, that the Ottoman documents depict "a picture of the city where the greater majority of the residential quarters were centered around, and named after, a mosque." This, for Kafesçioğlu, was at least in part associated with how the individuals perceived the mosque of their quarter.²⁶⁷

Fetvas support the argument that *mahalles* in Istanbul experienced a period of re-formation in the 16th century. As stated above, Kafesçioğlu explained the change in the nature of the 16th century *mahalles* in Istanbul as a result of religious orientation of the Ottoman administration. However, it would be also important to look into the role of the people as a determining factor in the re-formation of the *mahalles* in the 16th century Istanbul.²⁶⁸

²⁶⁶ Kafesçioğlu, Çiğdem. *The Ottoman Capital in the Making: The Reconstruction of Constantinople in the Fifteenth Century*. 299.

²⁶⁷ Kafesçioğlu, Çiğdem. *The Ottoman Capital in the Making: The Reconstruction of Constantinople in the Fifteenth Century*. 301.

²⁶⁸ Further analysis of the transformation of mixed neighborhoods into Muslim neighborhoods can be made through case studies of several neighborhoods. The case of the formation of the *mahalle* of Gül Camii, for example might be a good example. As explained above the Church of St. Theodosia was converted into Gül Mosque during the reign of Bayezid II. The reason for that was the emergence of a Muslim neighborhood next to it. In the *vakf* census of 1546, we see that Gül Mosque is supported by five *vakfs*: vakf-1 Selver binti Abdullah, vakf-1 Mustafa Paşa b. Hamza Beğ, vakf-1 'Âişe Hâtûn binti Abdullah, vakf-1 Nefise binti Abdullah, and vakf-1 Hâce Osman b. Hacı Bâlî. See Ömer Lütfi Barkan and Ekrem Hakkı Ayverdi. *İstanbul Vakıfları Tahrir Defteri: 953(1546) Târihli*. İstanbul: İstanbul Fetih Cemiyeti, 1970, 269. From then on we see a rapid increase in the number of Muslims dwelling in the same quarter. It is quite clear in the *vakf* census of 1600 for the number of the *vakfs* increased to nineteen, adding up fourteen new *vakfs*. These new *vakfs* are vakf-1 Zeynep bint 'Abdullâh, vakf-1 Pîr Mehmed bin Mevlânâ Sinân, vakf-1 'Âyişe Hatun bint 'Abdullâh, vakf-1 Hamza bin 'Abdullâh el-Hammâl, vakf-1 Fâtma bint Hâcî Süleymân, vakf-1 Selver Hatun bint 'Abdullâh, vakf-1 el-Hâc Ahmed ed-Dakîkî der-Mahalle-i Mevlânâ Hüsrev der-kurb-i Bâb-1 Câmi'-i Gül, vakf-1 Fâtma Hatun ibnet Yûnusü vakf-1 Nasûh bin 'Abdullâh el-Hayyât, vakf-1 Mahmûd bin 'Abdullâh, vakf-1 Hâce

4.7 Living Together: Muslims and non-Muslims in Ottoman Istanbul

Despite the fact that living of Muslims and non-Muslims in the same quarter²⁶⁹ is not prohibited in Islam, there was a certain desire among some Muslims in the Ottoman Empire to increase the number of Muslims in their quarter so that more people go to the mosque or *masjid* of the same quarter in the fetvas of the 16th century. However, it was not unusual for some other Muslims to ignore, and sometimes challenge this idea. The following *fetva* issued by Ebussuud is very instrumental in showing both of these groups:

Mes'ele: Zeyd bir mahallede olan mülk evini mezâda virüb tâlibine 'arz itdikde ehl-i mahalleden ba'zı Müslümânlar zikr olan evi Müslümân almağa sa'y idüb mescidde cemâ'at çok olsun didikde mahalleden ba'zı Müslümânlar Amr-i Yahûdi almağa sa'y idüb alıvirseler şer'an ol kimesnelere nesne lâzım gelür mi?

El-cevab: Küfrlerine hükm olunmaz ammâ hatâr-ı 'azîm vardır. Ne'ûzu bi'l-lâhi te'âlâ.²⁷⁰

In this case a Muslim decides to sell his house by auction, and Muslim and Jewish candidates seek to buy this house. Some of the Muslim inhabitants of the neighborhood support a Muslim buyer in order to increase the number of the Muslim community in the *masjid* of the neighborhood, while some other Muslims from the same neighborhood favor the Jewish candidate. Unfortunately we are not informed of their motives to support the Jew in this case.²⁷¹ What is clear, however, is that whatever their motives were, there was a group of Muslim Ottomans who were

Yûsuf bin 'Abdullâh et-Tâcirü'l-Kitâbî, vakf-ı Kâsım bin 'Abdüllatîf, and vakf-ı Mehemmed bin 'Abdullah er-Re'îsü's-Sultânî. See Canatar, Mehmet. *İstanbul Vakıfları Tahrir Defteri: 1009(1600) Târîhli*. İstanbul: İstanbul Fetih Cemiyeti, 2004, 418-422. Therefore we see the precipitation of the process of Islamization of a neighborhood after the conversion of the church into a mosque.

²⁶⁹ Examples pointing to transfer of houses between Muslims and non-Muslims, a fact which shows the absence of such prohibitions are numerous. See for example E. 4223, and 8936.

²⁷⁰ Süleymaniye Library, Şehid Ali Paşa 1067, 90.

²⁷¹ That the Muslims supporting the Jew were recent converts might be a possibility but the content of the *fetva* does not allow us to reach such a conclusion.

favoring co-existence with the non-Muslims within the same neighborhood. Thus, we can conclude that religious differences between the Ottoman subjects were not necessarily creating a religious zeal preventing people from living in the same neighborhood. As for the answer to the question, it seems that the religious authority became involved only when a dispute arose. The *şeyhülislam* replied that these Muslims cannot be characterized as infidel. He nearly views the occasion as one pertaining trouble.

In a similar case, a Muslim sells his house to a Jew who pays more than a Muslim candidate. However Muslim of the same neighbor does not accept it. The *fetva* issued by Hamidi Abdülkadir Efendi reads as follows:

Mes'ele: Zeyd-i Müslimin bir mikdâr mülk yerini Amr-ı Müslim bir mikdâr akçeye istedikde Zeyd tama' idüb bir altun ziyâde ile Bekir-i Yahûdiye bey' eyledikde ehl-i mahalle aramıza Yahûdi komazız diyü Yahûdi'nin evlerini ğayra satdırmağa şer'an kâdir olurlar mı?
El-cevab: Elbette bey'e cebr olunmaz ta'tîl-i cemâ'at yok ise.²⁷²

This *fetva* shows that unless there is a social conflict *ehl-i ilm* did not see a problem about the co-existence of Muslims and non-Muslims within the same neighborhood. For, in this *fetva*, a Muslim sells his house to a Jew who offers a little more than a Muslim candidate. The answer of the *şeyhülislam* is interesting. The sale is allowed provided that the Jew does not harm the community.²⁷³

The following *fetva* is very important in giving us a glimpse of a certain attitude of not only some Muslim subjects, but also of the religious authority, towards living together with the non-Muslims in the same quarter:

Mes'ele: Zeyd-i Müslim-i sâlih ile Amr-i Müslim-i sâlihın dârları mâbeyninde Bekir-i zimmînin evi olub Bekir'in âyin-i bâtilı üzere ba'zı evzâ'ından Zeyd ile Amr bî-huzûr olmağın Bekir'e var kâfirler mahallesinde

²⁷² Süleymaniye Library, Şehid Ali Paşa 1067, 90.

²⁷³ It would be interesting to see how the term "harm" is defined.

sâkin ol sâkin ol bu dârda sâkin olma dimekle kâdir olurlar mı?
El-cevab: Olmazlar. Şer'-i şerîfe muhâlif ef'âlden nuhâ iderler.²⁷⁴

In this case, a non-Muslim's house is situated between the houses of two devout Muslims and the *şeyhülislam* is asked if these Muslims can ask the non-Muslim to settle in the neighborhood of non-Muslims because they are bothered by their affairs as a matter of their void rites (*ayin-i batılı üzere ba'zı evza'ından*). The answer of the *şeyhülislam* is negative. Furthermore, he adds the strict expression that they act contrary to *sharia* (*Şer'-i şerîfe muhalif ef'alden nuha iderler*). The jurisconsults' decisions show the general endorsement to living together.

Another important thing about the fetvas of the 16th century is the re-formation of neighborhoods. This re-formation was a result not only of natural disasters, but also of the increase in the population which resulted in the emergence of new neighborhoods and the expansion of old ones. In the following set of *fetvas* we see an example of the re-formation of a neighborhood after a fire:

Mes'ele: Bir mahallede ihtirâk vâki' olup Zeyd ve Amr ve Bekir nâm kimesnelerin menzilleri ile bile ba'zı zimmîlerin dahî mülk-i menzillerinde ihtirâk vâki' olsa zikr olunan zimmîler menzillerin binâ itmek dilediklerinde ehl-i mahalle mescidimize karîbdır tekrâr binâ olunmağa râzı değilüz diyü men' itmeğe kâdir olurlar mı?
El-cevab: Re'y-i hâkimle olurlar. Teksîr-i cemâ'at içün Müslimîn'e bey' itdürülmek meşrû'dır.²⁷⁵

In this fetva, the houses of three Muslims and some non-Muslims are destroyed because of a fire, and the Muslims ask the *şeyhülislam* if they can prevent the non-Muslims rebuild their houses on the ground that their houses were close to the *masjid* of the neighborhood. The fetva says that it is legitimate to make them sell their houses to Muslims through the judgment of the *kadı*. However, unlawful sale is

²⁷⁴ Süleymaniye Library, Şehid Ali Paşa 1067, 90.

²⁷⁵ Süleymaniye Library, Şehid Ali Paşa 1067, 90.

not allowed.

The next *fetva* offers an example of re-structuring an existing non-Muslim neighborhood through the emergence of a Muslim neighborhood next to it. It reads as follows:

Mes'ele: Maz'ûf kefere mahallesinde Zeyd-i Müslim keferenin evlerinden yol aşurı yerde bir mescid-i şerîf ihdâs ve binâ itmekle evinüz mescide karîbdür diyü cebren mülklerini Müslümâna bey' itdirmeğe kâdir olur mı?
El-cevab: Olmaz.²⁷⁶

In this case a Muslim builds a *maşjid* by the road in an underpopulated non-Muslim neighborhood and the question is whether he can force the non-Muslims to sell their houses to Muslims on the pretext that they are close to that *maşjid*. The answer is negative. Therefore it can be said that there was not a constant “negative” and arbitrary policy towards the churches in mixed neighborhoods. Rather it seems that the social order was one of the most vital factors for the authorities of *ehl-i 'ilm*. The prime concern of the jurisconsult is to make sure that legality is observed. Therefore, the use of force or attempt to buy non-Muslim houses is not accepted.

4.8 Muslim non-Muslim Relations: Examples from *Fetvas*

This part aims to show different aspects of the relations between Muslims and non-Muslims resulting from living together. The examples quoted are taken from the *fetva* collections of the 16th century contemporary to our subject.

Although I am going to focus on the problems between Muslims and non-

²⁷⁶ Süleymaniye Library, Şehid Ali Paşa 1067, 90.

Muslims, it should also be noted that co-existence of different communities in the same quarter was a difficult task for different non-Muslim groups, too.²⁷⁷ Despite the fact that non-Muslims tended to solve their own problems among themselves, it is possible to find examples involving the conflicts in *fetva* collections.²⁷⁸ In a *fetva* issued by Sadullah Sa'di Çelebi, for example, a Jew tells a Christian that Jesus is so illegitimate a child (sizin peygamberiniz İsa pek veled-i zînâdır). Then the Christian petitions the sultan asking that the issue should be solved according to shari'a. The *fetva* of Sadullah Sa'di Çelebi requires the Jew to be killed as he insults a prophet.²⁷⁹

Leaving behind the problems between the non-Muslims themselves, it is now necessary to return to the problems between Muslims and non-Muslims. It is possible to divide these problems into following categories: greetings, taverns, possession of slaves by non-Muslims, graveyards, and privacy.

Greetings

One of the most important elements of co-existence of Muslims and non-Muslims was greeting each other. There are two *fetvas* issued by İbn Kemal on this matter. The first one reads:

²⁷⁷ For the problems between the Christians in the Ottoman Empire, see Robert Anhegger. "Osmanlı Devleti'nde Hıristiyanlar ve İç Tartışmaları I" *Tarih ve Toplum* 8-46 (1987), 54-56; Robert Anhegger. "Osmanlı Devleti'nde Hıristiyanlar ve İç Tartışmaları II" *Tarih ve Toplum* 8-47 (1987), 17-19.

²⁷⁸ For a more detailed analysis of the issue from the perspective of the Greek Orthodox and Muslims, see Eugenia Kermeli. "The Right to Choice: Ottoman Justice vis-à-vis Ecclesiastical and Communal Justice in the Balkans, Seventeenth-Nineteenth Centuries" *Journal of Semitic Studies Supplement* 23, 2007, 165-211.

²⁷⁹ In a similar *fetva* of Sadullah Sa'di Çelebi, a Jew swears at "the mouth and religion" of a Muslim woman. The *fetva* of the şeyhülislam necessitates a severe punishment (ta'zir-i baliğ). The *fetva* reads: Mes'ele: Bir Yahudi Hind-i Müslime'nin yolına gelüb ağzına ve dinine şetm eylese şer'an ol Yahudi'ye ne lazım olur? El-Cevab: Ta'zir-i baliğ müstehak olur. Süleymaniye Library, Şehid Ali Paşa 1073, 93.

Mes'ele: Kefereye selâm vermek şer'an câ'iz midir?
El-Cevab: Ta'zîmen câ'iz değildir. İhtiyâcî olıcak câ'izdir.²⁸⁰

In this *fetva*, the grand mufti is asked if it is licit according to shari'a to greet the infidel (*kefere*). In reply to this question, Kemalpaşazade says that it is not licit if one does it in order to uplift (*ta'zîmen*) the non-Muslim. However, he says, if it is done as a result of necessity, it is licit. The second question contains some more details on greeting, and it goes as follows:

Mes'ele: Ne buyururlar ki kefereden ba'zı kimesnelere Müslümân gibi mi selâm vermek ve almak gerekdir yohsa hiç tınmamak mı gerekdir? Nice itmek gerek?
El-Cevab: Redd-i selâm dürüstdür.²⁸¹

The question asked here is whether a Muslim should greet a non-Muslim in the manner he greets Muslims, or he should instead ignore the non-Muslim. The *fetva* of Kemalpaşazade argues that the right thing to do is to reject the greeting of non-Muslim. It is not difficult, however, to see the discrepancy between the two *fetvas*. It seems that the attitude of the *şeyhülislam* is as ambiguous as that of people. The fact that people ask the mufti whether they can or cannot greet a non-Muslim is evident enough of the mixture between congregational groups.

Taverns

One of the elements that Muslims complained frequently about was the existence of taverns (*meyhane*). Taverns were most of the time utilized by Muslims

²⁸⁰ Süleymaniye Library, Nuruosmaniye 2061, 63.

²⁸¹ Süleymaniye Library, Nuruosmaniye 2061, 63.

as a way to drive out the non-Muslims from a Muslim neighborhood. The following *fetva* offers an example of that sort:

Mes'ele: Mahallât-ı Müslimînden bir mahallede sâkine olan Hind sâkin olduğu mülk evini satmak murâd itdikde ehl-i mahalleden Zeyd-i Müslim yerine mescid-i şerîf binâ için değer bahâsı ile tâlib iken Zeyd'e virmeyüb Amr-ı zimmîye bey' idüb Amr-ı mezbûr mezkûr evi bozub meyhâne itse şer'an Zeyd-i merkûm re'y-i hâkim ile virdüğü akçeyi virüb evi almağa kâdir olur mı?

El-cevab: Olur. Cemâ'ate hâzır olan Müslim evini kâfire bey' ile cemâ'ate killet gelse cebr ile hâkim Müslim'e bey' itdirir.²⁸²

In this case, a Muslim woman is to decide whether to sell her house located in a Muslim neighborhood, either to a Muslim who plans to turn it into a *masjid*, or to a *zimmi* who pays the same amount. The woman sells it to the *zimmi* and then he turns it into a tavern. The question asked to the *şeyhülislam* here is whether the Muslim who was planning to transform the house into a *masjid* can get it on the price he had already proposed provided it is supported by *rey'-i hakim*. The *şeyhülislam* gives a positive answer to that question on the ground that it was soon to serve the Muslim community already available. It might be said that the importance of this *fetva* is two-fold. On the one hand, it shows us that a Muslim might sell to a non-Muslim his house which was in a Muslim neighborhood and that a non-Muslim finds no problem in buying this house and even turning it into a *meyhane*. This leads to an opposition on behalf of probably Muslim candidate who was planning to transform that house into a *masjid*. The answer shows that the major criterion of the *ehl-i ilm* was the presence of a Muslim community. This is evident in the manner the question is asked, i.e. “while the Muslim Zeyd desired to make it a *masjid* in return for its value” (*ehl-i mahalleden Zeyd-i Müslim yerine mescid-i şerîf bina için değer bahası ile*

²⁸² Süleymaniye Library, Şehid Ali Paşa 1067, 90.

talib iken). It is also interesting to note that the property rights of the non-Muslim are not compromising. Thus, he received his payment back in full.

The production and sale of alcoholic beverages were allowed only for non-Muslims in Islam because it strictly prohibits drinking alcohol. However, there were some stages of the production where there is doubt. For example, in a *fetva* issued by Sadullah Sadi Çelebi, he is asked the following question:

Mes'ele: Bir Müslüman kendü bağının üzümün satub şıra idüb Nasrânî'ye ve Yahûdi'ye şıra satsa ammâ ol Nasrânî ile Yahûdi ol şıra hamr idüb satacağın bilse ol şıranın akçası ol Müslümân'a şer'an helâl olur mı? Beyân buyurıla.
El-Cevab: Şübhelidür. Harâm dinilmez.²⁸³

This is a *fetva* about a Muslim who produces grapes and makes must (şıra) out of it, if he sells this must to Christians and Jews knowing it would be used to produce wine. Here the *şeyhülislam* Sadullah Sadi Çelebi is asked whether the money this Muslim receives from the non-Muslims in exchange for the must he sold them is illicit (haram). The answer of Sadullah Çelebi is also noteworthy because he says that it is dubious, and it cannot be said that it is not illicit.²⁸⁴

²⁸³ Süleymaniye Library, Şehid Ali Paşa 1073, 144.

²⁸⁴ Despite the fact that the taverns were rejected by Muslims, drinking alcoholic beverages and taverns were not necessarily a part of Christian or Jewish life. Muslims, too, are known to have drunk such drinks referred to as “*hamr*” in the *fetvas*. For *hamr* see J. Sadan. “*Khamr*” *EL*², Brill, 997-998. In the *fetva* collection of Sadullah Sadi Çelebi, which is the single *yapışdırma fetva* collection belonging to the same *şeyhülislam*, there are three distinct *fetvas* issued about Muslims drinking *hamr*. For example, Muslim Zeyd makes a promise not to drink wine otherwise he would divorce his current and to-be-wives (*avreti ve alacağı*). However, he drinks an alcoholic beverage and Sadullah Sadi is asked if Zeyd really gets divorced. And the *şeyhülislam* gives a negative reply to this question. Süleymaniye Library, Şehid Ali Paşa 1073, 169. In two *fetvas* issued by Sadullah Sadi in Süleymaniye Library, Şehid Ali Paşa 1073, 175 and 176 the questions are of importance because Muslim men are taken to the court of *kadı* as being drunk. Therefore, prohibition of wine-drinking on Muslims might not have been applied that strictly.

Possession of Slaves by Non-Muslims

Possession of slaves, especially Muslim slaves, by non-Muslims is another important problem that causes unrest among Muslims and leads to the emergence of *fetvas* issued on this subject. A *fetva* issued by Sadullah Sadi Çelebi reads as follows:

Mes'ele: Zeyd-i Yahûdi Amr-i Müslim'i 'abdi idüğini isbât idüb istihdâm itmek istedikde hâkimü'ş-şer' Amr-i mezbûrı Müslim'e bey' eyle diyü cebre kâdir olur mı?

El-cevab: Olur.²⁸⁵

In this case there is a Muslim slave serving a Jew and the question asked is whether the *hakimü'ş-şer'* i.e. *kadı* can compel the Jew to sell his Muslim slave to a Muslim and the answer is simply "yes".²⁸⁶

Graveyards

Not very much frequently, there appeared Muslim settlements close to non-Muslim graveyards. The following *fetva* is about such a case:

Mes'ele: Bir kasabada vâki' olan Yahûdiler mülk mevrâlarında mürdlerin nice zamandan berü defn idegelmişler iken etrâfında ba'zı yerlerde Müslimîn evler binâ itmek ile mürdleriniz bunda getirüb defn eylemeğün ve defn olunanları dahî ihrâc idin diseler şer'an men' ve ihrâca kâdir olurlar mı? Beyân buyurıla.

El-cevab: İhraca kadir olmazlar.²⁸⁷

²⁸⁵ Süleymaniye Library, Şehid Ali Paşa 1067, 90.

²⁸⁶ As far as the second half of the 16th century is concerned, there is a considerable number of decrees forbidding the possession of slaves by non-Muslims. See for example two cases in Ahmed Refik *Onuncu Asr-ı Hicride İstanbul Hayatı (1495-1591)* İstanbul: Enderun, 1988, 43. The frequency of similar orders, however, shows that the problem was not solved afterwards either.

²⁸⁷ Süleymaniye Library, Şehid Ali Paşa, 1067, 90.

This *fetva* is a very important one in terms of revealing the problems between Muslims and non-Muslims resulting from living next to each other. In this case, Jews had used a graveyard for a long time, and afterwards appear some Muslim houses. As much as this *fetva* is concerned they are bothered by the graveyard and the *şeyhülislam* is asked if the Jews can both be prevented from burying the corpse of the Jewish society in this graveyard and make them export the corpses already buried. The answer addresses only one of these questions i.e. it states that they cannot make Jews export the corps from the graveyard. Although he does not say anything about the other question, it might be interpreted that he leaves the matter to the decision of *kadı* or *ehl-i 'örf*.

Privacy

Another important aspect to be kept in mind with respect to the relations between Muslims and *zimmi*s was privacy. It was one of the most important dynamics determining the formation of quarters in the Ottoman Empire. It is known that there was a certain height that the Muslims and non-Muslims were required to build the walls of their gardens. The emphasis was especially put on the notion of privacy if it is possible for someone to see the *harem* of a house. In most of the cases, there appeared a need to construct a wall between the *harem* and the window of the neighboring house.²⁸⁸ Therefore the intercourse of Muslim and non-Muslim neighborhoods might have increased the number of such cases.

²⁸⁸ Macit Kenanoğlu, *Osmanlı Millet Sistemi: Mit ve Gerçek*. 327-29.

The notion of privacy had an influence in the formation of a single household, as well, or at least, people put it as a means for other purposes. In a *fetva* issued by Sadullah Sa'di Çelebi, for example, he is asked if the wife of the Muslim Zeyd can expel the child of his husband who was given birth by a concubine of him, and who was set free by Zeyd. For, the other people say that he is *nâmahrem*.²⁸⁹

²⁸⁹ Sadullah Sadi. 198.

CHAPTER FIVE

CONCLUSION

The attempt to confiscate Orthodox churches in Istanbul in the first half of the 16th century is a very interesting case study with regard to the function of the Orthodox Patriarchate and its relation to the Porte. *Historia Patriarchica* is the first source relating the incident. The Ottoman contemporary sources being silent about the event complicated further any effort to establish the historicity of the event. The *terminus ante quem* is 1567 as *Historia Patriarchica* finishes its narrative then. There are two proposed dates, the first provided by Patrinelis on the basis of Italian hearsaying sources somewhere in 1521 during the reign of Selim I. However, the date proved by the source itself is 1537 during the time of Süleyman the Magnificent. The problem of proper dating the event is further complicated by an effort over the centuries to construct the study so that it would serve a number of purposes.

There are many constituent elements in the study narrated by *Historia Patriarchica*. The first one is the mode of conquest of Constantinople by Mehmed II, by agreement or by sword. This was the core of the question, as Islamic law prescribes the demolition of churches in case they were taken by force. The effort of

the Patriarch was then to refute this. Under the guidance of the Ottoman dignitaries, identified in the text as friends and supporters of the Patriarch, the construction of the Church's defense was made. It is important to note that the information given by *Historia Patriarchica* is very accurate when it comes to procedural Islamic law. To refute the decision of the Sultan based on a *fetva*, the Patriarch produced two male Muslim aged witnesses. As the power of words in Islamic law is strong, this would be the most important defense tool. The witnesses testified that the city surrendered to Mehmed II, thus the rights of the Church were given. The next step was to obtain a *ferman* confirming the right of the Patriarchate over churches in Istanbul.

The focal point in the narration is not the refense of the Patriarchal rights. Nowhere in the story is it argued that the control over the churches was an unaltered right of the Patriarchate. The narration rather focuses on the mechanisms used to attain to this right. *Historia Patriarchica* concentrates thus, more on the interpersonal relations between the Patriarch and his lay elites to the Porte and the Ottoman administration.

Although the story is rather straightforward, what is of interest is the way it evolves over centuries. The *şeyhülislam* of Süleyman the Magnificent, the celebrated Ebussuud, a man known for his deep knowledge of law and his practical mind,²⁹⁰ provides the first interesting clue as to the affair. He dates the affair in H. 945/1538-39 that coincides with the dating of *Historia Patriarchica* with a little difference. Ebussuud in his *fetva* explains that it is known that the city was taken by force. He then adds that the way the churches were treated is evident that the city was taken by

²⁹⁰ İnalçık. "Islamization of Ottoman Laws on Land and Land Tax" in *Essays in OttomanHistory*, ed. Halil İnalçık, İstanbul: Eren, 1998: 155-173.

treaty.²⁹¹

Ebussuud mentions the two witnesses used one aged 107 and the other 130. The two witnesses, unlike the story in *Historia Patriarchica* do not mention that the keys of the city were handed over to Mehmed II by the last emperor. Instead, in the *fetva* they put forward that some Jews and Christians promised to the Sultan not to help the emperor, thus they were allowed to continue under the previous status. The last sentence of Ebussuud is referring indirectly to policies of Mehmed II towards the Orthodox, researched by Halil İnalçık. Ebussuud mentioned that “on the basis of this testimony, the status of churches remained as of old.”²⁹² The partial surrender of the city is also put forward by Evliya Çelebi in the 17th century while narrating the story of the fishermen of the Petron Gate who were thus exempted from paying taxes.

Although so far the story seems to be straightforward, from the 17th century onwards two more dimensions are added by contemporary writers. Kantemir gave another version of the surrender of the city, showing thus that the main concern was to focus on constructing this part of the story. Apart from Kantemir, Dallaway—the next author touching upon the conquest of the city and writing in the 18th century—was also well connected with the Patriarchate. Dallaway furthers Kantemir’s narration by adding a part on the rights and privileges of Gennadios Scholarios supposedly given by Mehmed II. Meletios of Athens, another 18th century writer, although he follows closely the *Historia Patriarchica* version that somehow justifies the attempt to repossess churches on the basis of the fact that the city was taken by

²⁹¹ It is important to note the way Ebussuud is using his terminology. For the case of the city taken by force he uses the term *ma'ruf*. However, for the ancient rights of the church he uses a stronger term, that of *delâlet*.

²⁹² Ertuğrul Düzdağ, *Şeyhülislam Ebusuûd Efendi Fetvaları Işığında 16. Asır Türk Hayatı*. İstanbul: Enderun Kitabevi, 1983, p. 104.

force, he makes the connection between the right on possession of churches by the Patriarchate to the privileges given by Mehmed II to Gennadios Scholarios. The story of Meletios is the connecting link in the reconstruction of the story. Walsh, writing in the early 19th century, followed this reconstruction of the story. It was though Hammer who concentrated on the character of the sultan, adding thus the last piece of the puzzle. Hammer put forward the idea that it must have been Selim I who initiated the repossession as he was highly religious motivated. His theory was that the struggle against the Shiites was the reason why Selim I became more rigid an Islamist and endeavoured to kill the Christians and annex their churches. Lamartine would further furnish the story as finally constructed by the beginning of the 19th century providing the stories of Zenbilli Ali Efendi, the şeyhülislam of Selim I as the only one who could restrain the anger of the Sultan.²⁹³ By the time Lamartine narrates his version of the story, there is a departure from the narration of *Historia Patriarchica*. By now Zenbilli, the now actor would be present as a supporter of the Patriarch who even advised the latter to appear in front of the Sultan holding a Koran, and the agreements made during the time of Mehmed the Conqueror. As the privileges given by Mehmed II were lost the other option offered was to produce Muslim witnesses. Finally Ahmed Rasim in the beginning of the 20th century takes the reconstructed story at face value to only add that the core of the problem was not Selim's religious zeal but rather the actions of eminent Orthodox men who conspired to recapture Istanbul. As a result of this conspiracy Selim I attempted to force the Christians either to convert or to be expelled from Istanbul. These plans were disrupted by the şeyhülislam Zenbilli who stressed that Mehmed II had given the

²⁹³ The same theme is followed by Patrinelis who dates the event in 1521.

Christians an *aman* and a *ferman*, therefore the Sultan cannot materialize his order. However, as the *ferman* is lost in a fire witnesses were accepted instead. Other fabrication constructed most probably in the middle of the 19th century was that of the rights and privileges given by Mehmed II to Gennadios Schohlaris. This story was instrumental in the efforts of the Patriarchate from 1750's onwards to acquire more privileges.²⁹⁴

Within this framework another myth was constructed that of the Patriarch as Ethnarch. In the age of nationalism the model of the Patriarch as the head of the Orthodox subjects served the aspirations of nascent nationalist Greek intelligentsia. Surprisingly enough it was place up as an explanatory framework for the Christian-Ottoman relations by modern historians. Although the deconstruction of the *millet* theory is well under way,²⁹⁵ the role of the Patriarch and most importantly the attitude of the Porte towards the institution of the Patriarchate are issues still open to debate.

The construction of the attempt to repossess churches in the 16th century and the direct involvement of the core story of the *millet* theory would serve as a new dimension in the ongoing debate.

Tracking the reconstruction of the story and its possible usage is only one aspect of the affair. What still remains to be researched is the possible reasons that led to the need to order the repossession of churches in the early 16th century. As

²⁹⁴ The expansion of the judicial jurisdiction of the Patriarch over the whole Christian population and beyond matters of family law into all disputes of civil law is researched by Eugenia Kermeli in her article "The Right to Choice: Ottoman Justice vis-à-vis Ecclesiastical and Communal Justice in the Balkans, Seventeenth-Nineteenth Centuries" *Journal of Semitic Studies Supplement* 23, 2007, 165-211. Kermeli based on berats of appointment of bishop showed that the process was slow and culminated around the beginning of the 18th century, which is curiously coinciding with both the construction of the lost *ferman* of Gennadiso and the use of this *ferman* to defend the right of the Patriarchate to attain their churches in the 16th century.

²⁹⁵ Benjamin Braude. "Foundation Myths of the *Millet* System", pp. 69-87.

İnalçık pointed out²⁹⁶ Mehmed II consciously endeavoured to repopulate and revive Istanbul. Thus, his policies towards the Christian population aimed at this target. By the beginning of the 16th century the city had fully recovered and the population increased rapidly.²⁹⁷ This population pressure is evident in the *fetvas* of the 16th century. In the *fetvas* of Zenbilli Ali Efendi, İbn Kemal, Sadullah Sadi Çelebi, Çivizade Mehmed Efendi, and Ebussuud Efendi, the population pressure is translated in conflict over space. Especially the *fetvas* on mixed neighbourhoods and whether Muslim new-comers have the right to expel *zimmi*s from their *mahalles* reflect the imperial Ottoman attitude. The jurisconsults refrained from endorsing segregation unless the majority of the populace was supportive. The main concern was social peace. Even in the case *zimmi*s were not welcomed, their propriety rights were fully protected. The *şeyhülislam*s are damantly against any effort to harm physically or financially *zimmi* property owners. In some of the *fetvas* we also trace a disagreement of the Muslim inhabitants over whom to accept in their *mahalles*. Thus, in a *fetva*, half of the Muslims supported the bid of another Muslim to a house up in the market and the other half the bid of a *zimmi*.

Another point to make is that *fetvas* related to conflict between Muslims and *zimmi*s became more frequent at the same time, another sign of population pressure. Thus, newly settled Muslims asked the *şeyhülislam* questions like whether they are allowed to greet *zimmi*s or not. These *fetvas* reflect in the most graphic way the painful adjustment period between Muslims and non-Muslims in the cosmopolitan Istanbul of the 16th century.

²⁹⁶ İnalçık, "The Policy of Mehmed II Toward the Greek Population of Istanbul and the Byzantine Buildings of the City", 231-249.

²⁹⁷ İnalçık. "Istanbul" *EI*²

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APPENDIX A

IEREMIAS (The Patriarch again)

[157] When he sat on the most sublime patriarchal throne for the second time, on the one hand, he loved those who were loved by him to a greater degree, and he made enemies his friends on the other, and he forgave them. All the people were happy because, as we wrote, he was a peaceful and humble man. They chased away the illegal patriarch Ioannicius from the city and he went away disgraced, insulted, reproached and cursed by all the Orthodox Christians. And in a short time, he died badly and painfully and he was found excommunicated and swollen like a drum since he had been excommunicated by [158] the four patriarchs, and the poor man was punished.

After the same Kyr Ieremias took the patriarchal throne for the second time, a great confusion and disturbance occurred to the great Church and to all the believers, clergy and laymen since all the learned and wise men of the Turks were gathered together and they found out that it is written in their papers that this very Constantinople was taken by Sultan Mehmed by the sword. And they issued a *fetva*

that whichever castle was taken by sword without submitting, therein no Roman churches should have psalms, nor should they even exist. But they should destroy them from the foundations of the earth. And the Turks kept this *fetva* hidden since they were sure about the taking of the city, because they cut down the emperor and all the people and it was taken by sword, as we said. And they were ready to rush one day to destroy the Great Church and all the others, that are found right here in the city according to the decision of the *fetva* and the imperial order. And the *archon* Xenakes had a great friendship with the then *kaddilēskerē* and the same *archon* went to prostrate himself before him, as it was habitual in certain days, so that he would not remiss in all the servile attitudes. When he went, he told him: [159] “You should know that in five days all of your churches and the Patriarchate will be destroyed from the foundations because a *fetva* was issued that in a city where a war was fought and won by sword there a Roman church should not exist, nor should it be found.” When Xenakes heard that, the expression on his face altered completely, and he became like a dead man and he started trembling. After he prostrated himself before the *kaddilēskerē*, he left him and went to the great Church and went up to the Patriarch with many tears and could not speak. And the patriarch asked him: “What is the reason for your grief and tears?” And after some time, he told him: “A *fetva* and an order of the emperor were issued that because the city was taken by sword, by war, they should destroy all the Christian churches which are inside [the walls].” When the Patriarch heard that, a great fear and trembling came over him and the sweat dripped from his face like the rain drops from the sky to the earth. And immediately he descended from his holy cell, and he ordered and they opened the church [upon his order]. And he stood in front of the icon of the Pammakaristos and

prayed for aid with tears from the depths of his soul and kissed the Pammakaristos. And thus, he went out of the church, and mounted his mule and went with the same *archon* Xenakes [160] to the Pasha because the Patriarch could speak freely with him and he was loved by this same Pasha very much. He was the grand vizier Toulfi Pasha. And when he met this Pasha, he [Toulfi Pasha] told him [the Patriarch] that he should come to the *divan* and say that when Sultan Mehmed came to take the city, in the beginning they made a war and they destroyed some of its walls. And then appeared the emperor Constantine holding the keys of the castle and he bowed in front of the sultan himself and gave them to him, and the sultan kindly received him, his *archontes* and the people. And when the Patriarch heard the words of the Pasha, he was slightly comforted. And he rushed on the same day to all the great and eminent men of the Porte and to all the rest and he gave gifts to everyone according to their rank.

And the next day, it was an awe-inspiring *divan* because it was heard throughout the city. And there gathered Turks, Romans, Armenians, Jews and all the other nations. The crowd was so great that the people stood outside of the Hagia Sophia to hear the decision of the emperor. And the Patriarch went to the *divan* and after prostrating himself, he stood before the pashas and observed them, and he admired their glory and eloquence. And the sweat [161] was greatly flowing from his face and it was soaking his *mandion* and all his clothes just like those of Christ during his passion. The most honorable *archon* Kyr Demetrios Kantakouzenos and the same *archon* Xenakes were with the Patriarch. The Pasha told him that “O Patriarch, a *fetva* and an imperial order were issued that you Romans should have a

Roman church neither in the city here, nor in the other castles of the emperor taken by other emperors, his own forefathers, by their sword. You should say it to your priests. If they have clothes in your own churches according to your order and you wear them and papers and whatever else you have, we should take them and overthrow the churches because we will do whatever we wish to them, just as the *fetva* and the imperial order orders.” And the Patriarch replied with a loud voice and told to the Pasha “My sultan, I cannot reply for the other castles outside the city. For the city, I say that during that time when Sultan Mehmed came to fight this very city, the emperor Constantine Palaiologos, his *archontes* and the people prostrated themselves before him and they gave him the castle willingly.” When the Patriarch said these words to the Pasha, he answered and told him “With regard to what you said, do you have Muslim witnesses who [162] were in the army of Sultan Mehmed when he came and took the city so that we may learn how he took it, whether by war or by surrender?” And the Patriarch answered “I have, my sultan.” And the Pasha told him, “Come to the *divan* tomorrow and we will demand the *artzē* of the emperor as he orders.”

And the Patriarch with his entourage went away from the Pasha and all the crowd of the Christians followed [him] and they went with him to the Patriarchate and they all told him in unison: “We are willing not only to give our money for our churches and to free them, but also to die, both we and our children.” When the Patriarch heard these words from the people, he thanked them very much and blessed them and thus he went up to his holy cell.

And the next day, the clergymen and the *archontes* came and they took the Patriarch and they went to the *divan* followed by the entire Christian people, both of the city and of Galata, both clergymen and laymen. When they went to the *divan*, the Patriarch stood again with the clergy and *archontes* before the pashas. Then Toulfi Pasha, the grand vizier, said: “O Patriarch, when [163] I came here to the imperial *divan*, I went up and prostrated myself before the emperor and I made him the *artzē*. And he ordered that you should bring those Muslims that you said you have as witnesses, and we should ask them what they knew about it. And thus, if we hear them, we will again petition the emperor as he orders. Thus, bring your witnesses.” The Patriarch replied, and said to the vizier: “My sultan, my witnesses are not here, but in Adrianople. And I ask for a period of twenty days to send [someone] to bring them.” When the Pasha heard that, he gave him the period [of time]. And thus the Patriarch prostrated himself before him and he went out of the *divan* with his entourage and he came to the Great Church. And he immediately sent the most effective men. And they went to Adrianople with a great amount of money and presents, and they found those Muslims where they went on account of them to bring them. And they talked with them. And they took the money into their hands as those [they] wished. Then, they mounted and they came to the Great Church with those who were sent by the Patriarch. And the Patriarch descended into the courtyard, and embraced them, and received them with a great love. And at the right time, they sat and he brought them different foods and clothes. And they rested. Then, [164] on the second day, he took them and they went to the Pasha. And the Pasha, on the name of the Patriarch, on account of the love that he had towards him, talked to them, and supported them to testify as the Patriarch told them. And he advised them

not to have fear. And thus, the Patriarch went out with them from the Pasha and they came to the Patriarchate.

And the next day, the Patriarch took them and they went to the imperial *divan*, and he appeared in front of the Pashas and he prostrated himself before them. And he left the witnesses outside the *divan* prudently. And when the Pasha saw him, he said to him: “O Patriarch, the period of twenty days that you took to bring witnesses came and passed. What do you say now? Be careful not to deceive the emperor. You will fall into a great anger, torture and condemnation.” Then the Patriarch replied to the Pasha and said: “My sultan, I, according to the period that I took, brought my witnesses. And I do not deceive either the emperor, or your excellency.” And the Pasha said to him: “Where are they then?” and the Patriarch told him: “They are standing with my own monks outside the *divan*.” Then the Pasha, when he heard that, immediately sent a *tsausē*. And he ran and [165] brought them before the pashas. And when they saw them, they were astonished by their old age. For, their beards were white just like pure snow. And from their eyes, tears were running down, and all around them [the eyes] were red just like meat. And their hands and feet were trembling because of their great old age. And the Pasha said to one of them: “What is your name?” And he answered: “Mustafa.” “And what was your father’s name?” and he said: “Yunus.” And he also said to the other, the second: “What is your name?” and he replied “Piri.” “And your father, what was his name?” and he said: “Rüstem.” Then he told them: “How many years are there from the time Sultan Mehmed took this Constantinople?” And they replied that there are eighty-four years from today. And he said to them again: “And how old were you at

that time?” And they said, “Each of us was eighteen.” And he said to them again, “How old are you today?” And they answered one hundred and two. When the First Pasha and the other pashas heard [that] they were startled and very astonished. And he said to them again: “In what service were you in the army of the sultan at that time?” And they answered: “*Nopetzides*,” that is janissaries. In the Frankish language they are called *soldati*. He told them again: “How did the sultan take the city, by war or by surrender?” And they said to the Pasha by surrender. And hear, my sultan, how it happened, to learn the case in detail.

[166] When we came here with the sultan and his army, we pitched our tents outside [the city] and we sat. And we did not start the battle until the navy came, the triremes from above the Black Sea. And as soon as it came, the sultan sent a message to the emperor of the Romans to give him the castle voluntarily, to make him his brother, to be two lords and emperors, and [asked him] to give him whatever would suit him, either the castle, or the other incomes so that he and his *archontes* should prosper. And this emperor did not accept the word of this sultan, nor did his *archontes*. And he, getting angry, set the time and started the battle, the triremes [attacked] from the sea, and we [attacked] from the land. And from the cannon shots, firearms, and the masses of the people, the world became dark, and the day was looking like night. And many great men from the army of the sultan were killed in that battle, the *beğlerbeğ* of Rumeli, that is of the West, *ağas*, banner-holders, *sipahis*, and many others. And we caused a lot of harm to the Romans and we destroyed, with our cannons, firearms and arrows, some of the walls of the castle and some of the houses.

[167] Then, when the emperor of the Romans saw the large number of his men who were killed, he was afraid lest they [Ottomans] take the castle and behead the people. And he sent emissaries from the *archontes* of his palace to our sultan. And they prostrated themselves before him as the representatives of their emperor to make peace, [promised] to give him the castle, and the sultan, in return, [promised] to give him the safe passage with his *archontes*, and the people were neither to be approached, nor to be looted, nor to be enslaved. On the contrary, [he promised] to leave them in their houses, to reside in peace without any *corvée* labor, or any other burden. And the sultan, when he heard these words from the emissaries of the emperor, accepted them in good will with great pleasure, and he gave them a written order and it read as follows: “I, the emperor sultan Mehmed, with my present written order, give clemency to the emperor of the city Constantine Palaeologos, and to his *archontes*, [I promise] to give them in a just manner whatever they ask, the right to live in prosperity as *archontes* to have a quiet life and male and female slaves. And I want the people living here to be free of all the *corvée labor*, and any other burdens. And I will not take their children as janissaries, neither I nor any successors to my rule ever in time. On the contrary, [168] my present order should be and remain uncontested and unalterable.” And the sultan gave this order with his own hand to the emissaries to give it to the emperor Constantine. And thus they prostrated themselves, and they came to the emperor and gave the order to him. And when the emperor saw the order of the sultan, he rejoiced very much, and he immediately took the keys of the castle and his *archontes* and some of the people and he went out and he went to the tent of the sultan and gave the keys [of the castle] into his hands. And the sultan embraced the emperor and kissed him and made him sit on his right side.

He ordered and they made a festival for three days and three nights. And in this manner the emperor took the sultan and they entered the city and he gave it to him.”

When the Pasha heard these words from the witnesses, he went to the sultan and he made an *artzē*, and he spoke of the old age and advanced years of the witnesses. And when the sultan heard this, he was greatly surprised, and he immediately ordered, and they gave the order to the patriarch so that he would not be disturbed or hindered about the situation of the churches until the end of the world.

And, when the Patriarch received the order, he came to the [169] Patriarchate with all the Christian people, and he put the order in the sacristy. And on that day, they performed, with great piousness, litanies and thanksgiving to our lord Jesus Christ and to the Pammakaristos, the very illustrious holy Theotokos, the hope and anchor of us, the God-fearing and Orthodox Christians. And the Christians were joyful, and rejoiced due to this good thing that happened, and the universal great Church and all the other churches of the city and of Galata were liberated. And thus, the saying of our lord Jesus Christ was fulfilled, where he says in the divine and holy Gospel to Peter: “You are Peter, and on this stone, I am going to build my church. And the gates of the Hades would not be able to cut it apart.”