

THE OTTOMAN POLICY TOWARDS NON-MUSLIM COMMUNITIES AND THEIR STATUS IN THE OTTOMAN EMPIRE DURING THE 15TH & 16TH CENTURIES: INTERACTION OF CIVILIZATIONS

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ABSTRACT

This paper focuses on Ottomans liberal policy and tolerance towards the non-Muslims and other religious communities during 15th, 16th century. In particular, it explores the key role of Sultan Mohammad-II in consolidating and harmonizing different cultures and religions across Europe and Asia. The paper also addresses the Islamic attitude towards inter-religious relations, which was at that time quite unknown in rest of Europe, where they were burning its heretics at the stake, whereas races and religions coexisted under the Ottoman rule. It will highlight how the advent of Ottoman Rule in Eastern Europe brought the Muslim and European Civilizations face to face, which ultimately created an interaction among them. Finally, it will describe the image of the millet system introduced during this period, which brought all non-Muslim communities within the Turkish commonwealth, and allowed them to govern itself by its own laws and live in peace in the Ottoman Empire.

Key Words: Ottoman, policy, Empire, Constantinople, Turkish, history.

INTRODUCTION

The Ottoman Empire¹ would be defined as a mosaic of different cultures and religions, which provided peace and harmony among members of society without distinction between Muslim and non-Muslim, race, and color. The story of Ottoman history involves not only the Ottoman dynasty but the many peoples who ruled the Empire and were ruled by it: Turks, Arabs, Serbs, Greeks, Armenians, Jews, Bulgarians, Hungarians, Albanians, North Africans and others. It constitutes the history of the major religious groups among these subjects: Muslims, Christians and Jews (Akgündüz, 2002). The birth of the Ottoman Empire itself can be traced

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¹ The Ottoman Empire was the one of the largest and longest lasting Empires in the history, which was inspired and sustained by Islam, and Islamic institutions. **See**, for example, Hooker, Richard (1996). "The Ottomans", in World Civilizations: An Internet Classroom and Anthology. Available online at: <http://www.wsu.edu/~dee/OTTOMAN/OTTOMAN1.HTM>

to 1453 whereas the death of the Ottoman Empire can be said to have taken place in the 1920's when the modern Republic of Turkey was formed. Ottoman Empire had an identity that provided the most tolerant administration of its age. In fact, throughout the six hundred years of its administration it was able to hold together people of different religions, languages and races and undertook an important role in the protection of cultures and languages of these nations by providing freedom of religion (Kagan *et al.*, 1995).

This magnificent story of *liberal policy and tolerance* begins with Mohammad-II, who was twenty one years old when his father Murad-II died in 1451 A. D. The Grand Vizier immediately dispatched a courier secretly to Mohammad-II to Manisa, (Magnisa) where he was at that time the Governor, informing him the death of his father. On hearing the news, he rushed to the Hellespont, and thence crossed to Gali Bolu (Galli Poli) and made his way to Edirne (Eversley, 1959). He was proclaimed for third time Sultan of the Ottoman Empire at Edirne (Adrianople) on 16 Muharram 855 A. H./18th February 1451 A. D. (Uzunçarşılı, 1961: Yücel *et al.*, 1990). Mohammad-II fought many battles and laid siege to many cities but the siege which procured him the title of the "Fatih" or the "Conqueror" was that of Constantinople in 1453 A. D. From the very beginning, Sultan Mohammad-II set his heart on the capture of Constantinople, because he thought that it will be the true natural Capital of his vast Empire. With this view, he came to terms for three years, with Hunyadi and the Hungarians. The Caramanian principality was attacked, but afterwards Sultan Mohammad-II made a treaty with the prince of Caramania and married his daughter. Sultan Mohammad-II then relieved from other enemies planned to conquer Constantinople (Yucel *et al.*, 1990: Eversley, 1959).

Accordingly, the Ottomans had longed for the possession of Constantinople ever since Ghazi Osman, the founder of the dynasty had dreamed that he grasped it in his hand. Sultan Bayazid "Yildirim" or the "Thunderbolt" had besieged the Imperial city; Musa had pressed it hard; and Murad-II had patiently planned its conquest. There was little to be won beside the city itself, for the whole Byzantine Empire had been subdued by the Ottomans; but the wealth and beauty, the strength and position of the capital itself were quite inspiring to conquer the place. With Constantinople in his possession, the territories already gained could be safely held and more would be obtained; without it, the territory they possessed was not safe. Mohammad-I had already erected the fortress known as "Anadolu Hisar" or "The Castle of Anatolia" on the Asiatic shore. Mohammad-II built up the "Rumeli Hisar" or "The Castle of Rumeli" on the European side of the Bosphorus, as a preparation for the conquest of Constantinople and to the great terror of the Emperor. A thousand masons and a thousand laborers were devoted

to the work and the castle was completed within three months. The construction of new fortress gave complete command of the straits (the narrow pass near to the imperial city) to the Ottomans (Clement, 1895: 91).

The Siege of Constantinople by Sultan Mohammad-II lasted fifty four days, (25 Rabi-I-Jamadi, I 857/April 6-May 29, 1453), (Inalcik, 1973: 23). The Ottoman and Western sources agree that the Turks entered the city in a general attack through a breach in the walls opened by cannon on May 29, 1453. The Sultan did not wish for the sack of his future capital, but the prevailing traditions required him to grant three days of pillage. The city had been taken by force and, therefore, movable property was considered to be the lawful booty of the soldiers and the population could be legally enslaved. Sultan Mohammed-II after entering the city in procession, immediately stopped the pillage, went to the Hagia Sophia and prayed. Moreover, he converted the Church into a mosque and proclaimed Constantinople the administrative seat of the state and symbol of Ottoman power (Inalcik, 1973; Tansel, 1953).

Sagacity Towards Inter-Religious Relations

After conquering Constantinople² Sultan Mohammad-II renamed the city ‘Islam-bol’ – ‘Islam in abundance’, which was later on called ‘Istanbul’ (Zeine, 1958: 15). It must be mentioned here that the word “Islam” literary means peace and according to the **Quranic** teaching a man is completely free in choice of faith. No one has the right to impose one’s faith on others. The **Quran** enjoins, “*There is no compulsion in the religion*” (**Quran**, 2: 256). The Holy Prophet (P. B. U. H.) also ordains to convey the message of Islam to people, who on their part have the right to accept or reject it. It was the main reason that the Prophet (P. B. U. H.) did not compel a Christian slave who was working in his house to accept Islam. A great Caliph Umar (R. A.) also allowed a Christian in his house to practice his own religion according to his faith. Thus, the concept of religious freedom, therefore, requires that one should not attack even the gods or religious personalities of other faith while preaching one’s own religion. God commands: And do not abuse those whom they call upon besides Allah, lest exceeding limits they should abuse Allah out of ignorance (**Quran**, vi: 109). In short, Muslims are commanded to follow God’s word and God commands Muslims to follow the example of the final Prophet (P. B. U. H.).

It is important to note that from the advent of Islam the freedom of religion has remained the corner stone of the Policy towards non Muslims of all Muslim States throughout history. The non-Muslim citizens living under the Khilafah are referred to, in Shari’ah, as dhimmi³, and were called as “Ahl al-Dhimma”, i. e. “people of

² It was named after Constantine, the Roman Emperor, who shifted his capital here from Rome.

³ The term “Dhimmi” or “Ahl al-Dhimma” refers to communities of non-Muslims (Jewish, Christian or otherwise) who came under Muslim rule historically and accepted a “protected” status that allowed them to continue practicing their faith without hindrance.

the covenant” or “those for whose protection the State was responsible”. Islam considers all people living under the Khilafah as citizens of the Islamic State and treats them with equal status. Therefore, the non-Muslims were accorded all the rights and obligations of citizens and were given the additional privilege, not permissible to Muslims, of being immune from conscription and military duty. In case, however, they were employed on military duty, the nominal tax (or *jizya*)⁴ payable by them was no longer due to the treasury. Women, widows, children, and disabled or old men did not have to pay any tax to the State. It is obvious that the Islamic attitude towards inter-religious relations is much more than that of mere toleration. Islam enjoins equal faith in all the Prophets of all the great religions of the world.

Sultan Mohammad-II, after the conquest, issued a proclamation declaring that the pillage was at an end, and assuring to the Greeks toleration and protection if they quit their hiding places and return to their homes (Uzunçarşılı, 1961). According to the 15th century Byzantine historian, George Sphrantzes, who witnessed the fall of Constantinople, later recalled in his chronicle the aftermath, at the end of the conquest,

“...the sultan celebrated his victory with a great, joyful triumph. He issued a Proclamation: the citizens of all ages who had managed to escape detection were to leave their hiding places throughout the city and come out into the open, as they were remain free and no question would be asked. He further declared the restoration of houses and property to those who had abandoned our city before the siege, if they returned home, they would be treated according to their rank and religion, as if nothing had changed” (Sphrantzes, p. 133).

In addition to this, Arnold (1896. rpt., 1979), in his book “The Preaching of Islam, “ states that,

“When Constantinople was finally opened to the justice of Islam in 1453 Sultan Mohammad-II proclaimed himself the protector of the Greek church. Persecution of the Christians was forbidden and a decree issued securing for the newly elected patriarch, Gennadios, and his bishops and successors after him, all the privileges previously enjoyed under the former rule. Gennadios was given the pastoral staff by the Sultan himself. The Patriarch was also empowered to bring to the attention of the government and Sultan acts of unjust governors”.

In the words of another Modern historian states that,

⁴ The non-Muslims were required to pay a special tax called *jizya* to the state, and the state was a guarantor of their rights as a subordinate group within medieval Muslim society.

“By his liberal policy and broad mindedness, Mohammad, the Conqueror made the control of the Christian population tenfold easier” (David, 1958: 211-215).

It is also said that the Sultan presented the new Patriarch with a thousand pieces of gold, as a symbol of his spiritual and legal privileges (Hayrullah, 1288: 87), while adding these historic words:

“I appoint you Patriarch. May Heaven protect you! In all cases and all occasions count on my friendship and enjoy in peace all the privileges of your predecessors” (Yucel *et al.*, 1990: 141; Eversley, 1959: 94).

The new Patriarch was given the rank of a vizier under the Ottoman constitution and a detachment of Janissaries⁵ [*from the Turkish yeniçeri; literally, new troops*] was even appointed to his service. It is said that when the Patriarch was leaving the Conqueror’s presence, despite his objections, the Conqueror personally accompanied him as far as the garden and commanded all the high-ranking state officials to return with them to the Patriarchate (Yucel *et al.*, 1990). It was during the rule of Sultan Mohammad-II that, *“...the vision of Ghazi Osman, the founder of the Ottoman Empire, was now accomplished and Constantinople had become the central jewel in the ring of the Turkish Empire”* (Clement, 1895: 99).

A well known historian, Eversely (1959: 95), justifies this argument that, *“This great act of tolerance of Mahomet was far ahead of the political ethics of the Christian Powers of Europe at that time. His example was not followed by the Spaniards, when they drove from their country the Muslim Moors, who had refused to adopt the religion of their victors. The action of Mahomet is another proof that the Turkish invasion of Europe was not actuated by religious fanaticism or the desire to spread Islam. There seems to have been no attempt to induce or compel the Greeks and others of the conquered city to embrace Islam”*.

Undoubtedly, one of the striking features of the Ottoman Empire was the wide practical toleration accorded to the non-Muslim communities residing in the various parts of the Empire. The Great Conqueror represented the centuries-old religious tolerance, which Islam had manifested while treating the non-Muslim communities during the time of the Holy Prophet (P. B. U. H) and Pious Caliphs, thus saving the Eastern Christendom from the subjection to the Church of Rome and religious ideal of Byzantium. Sultan Mohammad-II was a warrior who strove for world dominion but was at the same time a man of tolerance and culture. He established an empire in Europe and Asia with its capital at Istanbul, which was to

⁵ Ottoman foot soldiers renowned for their heroism, gallantry, and skill, are shrouded in legend. They emerged under a recruiting and training system called the devshirme “boy levy”. The janissaries formed a self-regulating guild administered by a council of elected unit commanders with the rank of dey (literally, maternal uncle).

remain the nucleus of the Ottoman Empire for four centuries. Sultan Mohammad-II used the title ‘Sovereign of the Two Lands’ – Rumelia and Anatolia – and ‘of the Two Seas’ – the Mediterranean and the Black Sea (Inalcik, 1973: 29). The conquest of Constantinople was no doubt a great event in the history of Islam, and it not only gave an international fame to the Ottoman Sultan but at the same time extended his influence in the Islamic World (Mughul, 1967). It is truly said that the Ottoman Empire peaked in strength, influence and military might late in the 15th century and the early part of the 16th century (Iyigun, 2006).

The fall of Constantinople was a great blow to Christendom. The indignation was felt throughout the Christian world and the memory of this defeat lasted for centuries. Thus after the fall of Constantinople the hatred against the followers of Islam increased. It resulted in the expulsion of the Muslims from the soil of Spain in the fifteenth century. In addition to that, wars waged against the Muslims in North Africa by both Spain and Portugal (Stripling, 1942).

Between Non-Muslims and Muslims: A Difference of Behaviour

It has been alleged that a warlike spirit was infused into mediaeval Christianity by Islam. However, if we take a closer look at the historical proofs, the Turks behaved much better than the crusaders did in 1204. The Eastern world forgot the sack of the city done by the Western knights, but remembered and condemned the one done by the Muslims (Popescu, 2004). In addition, the massacres of Justinian, the Byzantine Emperor (527-562) and the fearful wars of the Christian Clovis (466-511) in the names of religion occurred long before the time of the Prophet Muhammad (P. B. U. H). Thus, the conduct of the Christian Crusaders when they captured Jerusalem provided a striking contrast to the behaviour of the Muslims when they occupied the city 600 years earlier (Galwash, 1973).

According to Draper (1863: 342), *“When the Khalifa ‘Omar took Jerusalem (A. D. 637) he rode into the city by the side of the Patriarch Sophronius, conversing with him on its antiquities. At the hour of prayer, he declined to perform his devotions in the church of Resurrection, in which he chanced to be, but prayed on the steps of the Church of Constantine; “for, “ said he to the Patriarch, “had I done so (i. e. had he performed his prayers inside the Church), the Muslims in a future age might have infringed the treaty under colour of imitating my example”.*

Afterwards, the Caliph concluded a Treaty with the people of Jerusalem, wherein the spirit of tolerance, justice and peaceful treatment of non Muslims is manifested in the Treaty of Umar (R. A). It reads as follows: *“This is the Treaty for the people of Aelia, granted by Umar the servant of God and the Commander of the Faithful. He gives them the guarantee of their lives and properties, their churches and crosses. Your churches will not be transformed into dwelling*

houses, nor destroyed, nor will any one confiscate anything belonging to them. The inhabitants will not be subjected to any compulsion or constraint in matters of religion, nor shall they be in any way molested, Jews shall reside in Aelia with the Christians” (Mazhar-ul-Haq, 1998: 251).

Now compare the conduct of the Muslims with that of the Christian Crusaders when they captured Jerusalem, on July 15th, A. D. 1099, their track was marked by robbery, bloodshed, and fire. In the first crusade more than half a million of men died. According to Draper’s (1863) assertion: “...in the capture [of Jerusalem] by the Christian Crusaders, the brains of young children were dashed out against the walls; infants were pitched over the battlements; men were roasted at fires; some were ripped up to see if they had swallowed gold; the Jews were driven into their synagogue and there burnt; a massacre of nearly 70, 000 persons took place, and the Pope’s legates were seen partaking in the triumph!” (p. 342).

It is generally thought that the Muslims were out to impose their religion at the point of the sword, and that the Muslim hosts were overrunning all lands with the message of Islam, jizya or the sword (Galwash, 1973). But, from the observation of the French traveler, one can conclude that the European Catholics living in fifteenth century preferred the rule of Ottoman Turks and trusted them more than they did the Orthodox Greeks. “*To Christians*”, says Urquhart, “*a difference of religion was indeed ground for war, and that not merely in dark times and amongst fanatics*” (Amir, 1990: 220). The conception that the Muslims were required to carry on aggressive wars against all non-Muslims till they had accepted Islam is not true. However, tributes and taxes were levied before Islam, and had been levied to this day by Muslim and non-Muslim states, yet they had nothing to do with the religion of the people affected (Galwash, 1973).

According to Amir (1990: 221): “*Islam ‘grasped the sword’ in self-defence; Christianity grasped it in order to stifle freedom of thought and liberty of belief. With the conversion of Constantine, Christianity had become the dominant religion of the Western world. Wherever Christianity prevailed, no other religion could be followed without molestation. The Muslims, on the other hand, required from others a simple guarantee of peace and amity, tribute in return for protection, or perfect equality – the possession of equal rights and privileges – on condition of the acceptance of Islam*”.

In 1521, death and confiscation of property was decreed by Charles V, against all heretics. Burnings and hangings, and tearing out and twisting of tongues were usual penalties and refusal to adopt the Orthodox communion. When Charles V captured Tunis in 1535, thousands of men and women were killed or enslaved in an orgy of blood ship, where as nothing in Muslim annals of the time was

bloodthirsty as the massacre of St. Bartholomew in France. After the defeat of the French forces at Pavia, the imperial troops of Charles V captured Italy in 1527, A. D. Rome was sacked by the Imperial forces. Nothing was sacred for them and no one was spared. Some mercenaries, fierce Lutheran in their conviction that all Catholics – specially Italian Catholics – were idolaters, broke into St. Peter's, where stabled their horses and defecated on the alters. Outside in the streets bands of drunken soldiers roamed, noisily indulging themselves in an orgy of rape and murder. Women, it is said, who tried to resist being raped were publicly stripped in the city's squares, violated and then impaled on stakes or pikes, householders who refused to say where they had hidden their jewels and other treasures were forced to watch as their children's throats were cut before their eyes, while others were hung-up to the ceilings of their own houses by their testicles until they told their torturers where they had concealed their money, where upon they were cut down by being castrated (Stravrianos, 1964).

According to Stravrianos (1964) The Holy German Empire did not allow any other Christian sects to open their churches till the end of the eighteenth century; before that time the non-Catholic Christians were to have their temples only on condition that they should not be noticeable, i. e. "without a belfry and a door opening on the main street". The legal status of the Jews was even worse. For instance, during the middle Ages the Jews of Europe had to wear pointed caps, yellow ribbons and other strange items of clothing in order to be easily distinguished from the Christians. One of the main causes of the Jewish immigration to Turkey was the desperate need of religious tolerance.

Indeed, the Ottomans showed generous treatment towards the fugitive Jews. According to a statement from a prominent historian, A. L. Sachar (1967), who, in his book 'History of the Jews', clearly elaborated on this unique atmosphere of religious tolerance: "*Jews had found refuge in the Ottoman dominions for many decades before the expulsion from Spain. During the fifteenth-century persecutions in Germany, thousands had fled eastward and had been well received in the Turkish provinces. Life was secure and the morrow could be greeted without terror. There were no degrading badges and no oppressive residential or trade restrictions. The Jews were liable only to a negligible poll-tax, which all non-Moslems paid. The hospitality of the Turkish rulers was a godsend to the victims of Spanish and Portuguese bigotry.*" (Sachar, 1967: 221).

A Jewish Italian, David dei Rossi, who visited Jerusalem in the 16th Century, commented on Jewish life within the city, "*Here we are not in exile as in our own country [Italy]. Here [...] those appointed over the customs and tolls are Jews. There are no special Jewish taxes*" (Peters, 1985: 484).

Likewise, the same optimism was echoed by Solomon ben Hayyim Meinstrel of Ludenburg, a visitor in the Holy Land in 1607, *“The Gentiles who dwell on the soil of Israel [...] hold the graves of our holy masters in great reverence, as well as the synagogues, and they kindle lights at the graves of the saints and vow to supply the synagogues with oil”* (Ibid., 1985: 484).

Another British author, Thubron (1969: 227), writes in his book ‘Jerusalem’ that: *“In the early centuries, the Muslims were generally tolerant of the Jews and lived with them peacefully while Europe was steeped in persecution”*. Thus, it can be clearly noted that these statements are borne out by the several easily identifiable events, which tells the true story of the differences of behaviour between non-Muslims and Muslims. Consequently, the Ottoman Empire reached the Zenith of its glory under Sultan Süleyman known as the “Magnificent” among the Western Scholars and the “Lawgiver” among the Turkish historians in the sixteenth century. Arnold (1979: 197) states that: *“The Ottoman Turks have fought with Europe, established alliances, won, occupied and lost lands; but had interaction with Europe for about five centuries. After the expansion of the Ottoman Empire towards the Eastern Europe there was interaction of the Ottoman Turks in the areas near the borders, and on many occasions, peasants of Christian border areas preferred Ottoman rule due to the belief that under the Ottomans they would be administered more competently and there would be religious tolerance as well as rule of law”*.

Similarly, there is an old legend that represents the feelings of Christians about Turks, as described by Eversley (1959: 95), which clearly shows the liberalism of Sultans: *“The Turks and the Hungarians were at war; George Brankovich sought out John Hunyady and asked him, “If you are Victorious, what will you do?” “Establish the Roman Catholic faith, “ was the answer. Then he sought out the Sultan and asked him, “If you come out Victorious, what will you do with our religion?”, “By the side of every mosque shall stand a church and every man shall be free to pray in whichever he chooses” was the reply of Ottoman Sultan”*.

In the fifteenth century the sufferings of the Bogomiles became so intolerable that they appealed to the Turks to deliver them from their unhappy condition, for the king of Bosnia and the priests were pushing the persecution of the Bogomiles to an extreme which perhaps it had never reached before; as many as forty thousand of them fled from Bosnia and took refuge in neighboring countries; others who did not succeed in making their escape, were sent in chains to Rome. But even these violent measures did little to diminish the strength of the Bogomiles in Bosnia, as in 1462 we are told that Heresy was as powerful as ever in this country. The following year, when Bosnia was invaded by Mohammad-II, the Catholic King found himself deserted by his subjects: the keys of the principle fortress, the royal

city of Bobovatz were handed over to the Turks by the Bogomile governor; the other fortresses and towns hastened to follow this example, and within a week seventy cities passed into the hands of the Sultan, and Mohammad-II added Bosnia to the number of his numerous conquests (Arnold, 1979). The sympathy for the Turks was the general and common feeling of the majority of the Orthodox Greeks. It is reported by a Byzantine historian, that to console the national Hungarian hero John Hunyady, who was defeated at the second Cossova battle (1448), an old man had said, "*to end the calamities of the Christians it was necessary that Constantinople should pass into the hands of the Turks*" (Danismend, 1953: 26).

Moreover, in the fifteenth and sixteenth centuries the movement of refugees of those who voted with their feet was from West to East and not from East to West. The flight of the Spanish Jews to Turkey is well known, but is by no means unique. When Ottoman rule in Europe came to an end, the Christian nations they had ruled for centuries were still there, with their languages, their cultures, their religions, even to one extent their institutions, intact, and ready to resume their separate national existence (Schacht, 1979). Muslim and Jewish refugees, Christians with heretical religious and political views, were not the only European beneficiaries of Ottoman rule. The peasantry in the conquered provinces also found their lot much improved. Similarly, Ottoman imperial government brought unity and security in place of conflict and disorder.

According to Schacht (1979: 199) the disaffected and the ambitious were attracted by Ottoman opportunity and tolerance; downtrodden peasants looked hopefully to the enemies of their masters even Martin Luther, in his 'Admonition to prayer against the Turk', published in 1541, gives warning that the poor, oppressed by greedy princes, landlords, and burghers, might well prefer to live under the Turks rather than under Christians such as these! The chivalry of Europe fought bravely against the Turks but their peasants had little interest in their victory. Even the defenders of the established order were impressed by the political and military efficiency of the Turkish Empire.

In the words of a French traveler who visited Constantinople twenty one years before the Conquest (i. e. 1432) speaks of the sympathy and respect of the Byzantines for the Turks. He writes: "*In my dealings with the Greeks I found out that they loved the Turks better than us; in any case I myself trust the Turks more than I do the Greeks because it seemed to me that the Greeks dislike the Christians belonging to the Roman Church*" (Danismend, 1953: 27). Accordingly, the Russian historian Vasiliev, to prove this point quotes Patriarch's words, "*The Turks are enemies but the heretical Greeks are worse*" (Ibid., 27). It can be said that the happiness and grandeur of nations are not based on the forms of their government, but are dependent upon the sovereignty of their laws and the principles of justice

governing them. For example the reason why Süleyman, the Magnificent was called the ‘Lawgiver’ was not because he codified ‘Kanun-name-i-Al-i-Osman’, but because in his age the sovereignty of law and order had reached a degree of exemplary perfection not met with in the West at that time (Ibid., 44). Thus, there is a great deal of proof and documentary evidence to show that no trace of unlawful administration of any kind existed at this period.

Another example of extreme tolerance shown by the Sultan Mohammad-II, as described by Koçu Bey (1277 A. H), is that. once Sultan Süleyman went shooting out at Kagit-hane, saw there some waterways left from Byzantine times and he wanted to repair these and thus increase the city’s water supply. He therefore worked out a scheme for the waterways which took into account the ever increasing population of the town and summoned an engineer by the name of Nicholas, celebrated for his knowledge in these matters, to Kagit-hane on several occasions in order to ask him for information on the matter. However when this action, which amounted to interference by the Sultan in the affairs of the State, came to the ears of the Grand Vizier, Rustam Pasha, he at once arrested the waterways engineer and thus his meetings with the Sultan were stopped. The incident became known and when one day Süleyman, the Magnificent went to Kagit-hane and heard about the arrest of the waterways engineer he reproached Rustam Pasha. In the Selaniki Tarihi this memorable dialogue between the Sultan and the Pasha is recorded as follows: *“What is the reason for the imprisonment of the water engineer?”*

“He has been arrested in order to find out what was the cause of such expense to the royal treasury without the knowledge of your obedient servant. Let us see, and know in what way it is going to be” (Koçu Bey, 1277: 21).

These words of Rustam Pasha bring up the question of authority. In thus going against the most great and glorious Sultan in Ottoman history, what the Grand Vizier really means to say is: *“Without my knowledge you cannot meddle with such things and you cannot spend the money of the treasury according to your whimsical decisions. This matter will be studied by the government and they will do what is necessary. I took the engineer into custody in order to stop him contacting you, because you cannot interfere in things which lie within my sphere of authority!”* (Ibid., 21).

From the above arguments, it can be noted that the greatest strength of the age of splendour of Ottoman State, both at the time of Süleyman the Magnificent and before and after his reign, was the devotion to Law which made it possible for a vizier to speak thus to his Sultan and the Sultan to listen to him. For Rustam Pasha to prevent the Sultan from having relations with the engineer and then to be able

to address him thus shows very clearly how strongly defined were the limits of duty and authority which separated royal decrees from the work of government. There can be no doubt that this was a highly constitutional monarchy and when compared with the position in Western countries at that time, it appears like a democracy (Danismend, 1953). According to the Turkish historian the grandeur and power of the old Ottoman Empire was the result of this state of affairs (Koçu Bey, 1277). The reason for the splendour of the Ottoman Sultans is that when a man becomes a vizier and, after occupying his office, becomes the Grand Vizier, he receives absolute autonomy and no one can interfere with what he does.

Ogier Ghiselin de Busbecq, the Imperial Ambassador from the court of Ferdinand-I in Vienna, during the time of Süleyman the Magnificent, and who lived for many years in Turkey and achieved fame by his Turkish letters⁶, writes thus: *“A man cannot rise to high rank just because he comes of a great family.... When Sultan appointed a man to any post he neither attached any importance to his wealth, nor listened to any empty entreaties. He looked only for capability, character, innate ability and talent; in this way everyone is rewarded according to his own capability and talent. In every post there is a man who can do his work thoroughly. In Turkey everyone is the creator and patron of his position and his reward... The Turks do not believe that talent and capability can be inherited in any way...Dishonest; lazy and inactive men can never rise to high rank, but always remain in an insignificant, low position. The secret of why the Turks have succeeded in every attempt they have made and have become a ruling race that increases their boundaries every day is simply this”* (Vucinich, 1979: 128).

This is just a small part of the many elaborate and praiseworthy descriptions that Busbecq gives of this Ottoman system. However, throughout ‘The Turkish Letters’, Busbecq frequently praises the Ottoman Empire for many great aspects and describes them as being extremely powerful and admirable. Busbecq explain that the Sultan has absolute authority and *“that his slightest wishes ought to be obeyed”*, but at the same time, he makes this sound acceptable, by saying that he is *“full of majesty”* (Said, 1978: 59) and that *“his dignity of demeanour and his general physical appearance are worthy of the ruler of so vast an empire”* (Ibid., 65). Thus, it is true that the Ottoman Turks who entered the country brought with them their principles of human rights and justice, and brought these not as a political force but as a national ideal.

One of the most remarkable stories which Tasköprülü-Zade relates concerning the practice of Justice deals with the time of Yıldırım Bayezid: *“When it was decided to build Ulucami (Mosque) in Bursa, it was found that right in the middle*

⁶ See, for example, Busbecq, Ogier Ghiselin de. *The Turkish Letters of Ogier Ghiselin de Busbecq*. Translated by Edward S. Forster. Oxford: Oxford UP, 1927.

of the space was a house belonging to a woman and, since she refused to sell it, when the mosque was completed the house remained in the centre, where it stayed in use for some years after the woman died and, since it was impossible to take the house from its inheritors, it was decided to make use of it as a fountain for ablutions. This is still talked about among the people” (Danismend, 1953: 48)

There are many documents to show that even during the military campaigns in the time of war human rights of non-Muslim Christians were protected. According to a great Turkish historian, *“When the Sultan was on the march with a large force of soldiers, he gave handfuls of gold to the men who were ploughing their land and go to their wives in order to buy hens and pastry for the soldiers”* (Pecevi, 1283: 16). Because of such attitude of the Ottoman Sultans the Christian communities, both men and women, should have stood along the roadside voluntarily in order to sell goods for payment on the spot to an army which was going to war shows quite clearly that their lives, goods, and honour were completely safe and in short that social behaviour during the time of Ottoman splendour was on a level which makes it a model for Western nations, even to-day.

In Turkish laws, it is mentioned that, *“if any man’s horse, mule, ox, or cow enter any field, let him receive five strokes with a stick for each beast and fined five akces for each”* (Kanun-name-i-Al-i-Osman, 1329: 6). But these light punishments were only for times of peace, for there are documents to show that in the various expeditions of Süleyman the Magnificent any soldier who caused the slightest damage to a civilian’s property or his fields was executed immediately. For example, during the expedition to Hungary in 1526 (A. H. 932), while the army was moving forward on Thursday, the 10th May (28th May) *“a man was executed because his horse entered a field!”*. Again, in 1529 (A. H. 935) during the Viennese expedition, when the Turkish army arrived in the area of Eski Hisarlik, beyond Belgrade, on Tuesday, the 20th July (14 Zulka) *“a Sipahi⁷ was executed because his horse entered a field!”* (Danismend, 1953: 50). As can be seen from these examples, the punishment was much greater than the crime, owing to the extraordinary conditions of war. According to other stories, in view of such all-prevailing justice some enemy castles surrendered without defending themselves. The Second World War showed that present Western civilization lagged far behind this high standard.

According to Danismend (1953), the English legal system had benefited greatly from that of the Turks. He points out that, *“The English King Henry VIII sent a group of lawyers to Turkey, in order to study their legal system and thus improve*

⁷ Sipahi was the name of an Ottoman cavalry corps. The Sipahis were an élite mounted force within the Six Divisions of Cavalry of the Empire. Their status resembled that of the knights of medieval Europe.

the English legal system and in so doing he paid great honour to the Ottoman Sultan". The attitude which was predominant in the field of personal rights was also applied to the principles of religious and social justice in the foreign countries which came under Turkish rule (Ibid., 51). Similarly, in 1550 a depulution of Jews from Provence was sent to Istanbul to find out possibilities of their migration to the Ottoman Empire. The depulution after surveying the situation sent a favourable report stating that the wealthy could find lucrative outlet for their capital, the poor dignified employment, and all kindly treatment and completely freedom from physical attack and unjust accusations. "*We have no words*" [they concluded] "*to record the enlargement and deliverance that has been achieved by the Jews in this place*" (Stravrianos, 1964: 23). The remarks of Cecil Roth regarding the treatment of Jews by the contemporary Christian and Ottoman Rulers are as follows: "*Just as the persecutions under the cross reached their climax, a dazzling new world was opened up under the silvery radiance of the crescent*" (Ibid., 23).

Amnon Cohen (1984), Professor of the Hebrew University in Jerusalem, in a fine study of 'Jewish life under Islam in Sixteenth Century Jerusalem', emphasizes the positive attitude of the Ottoman authorities toward the Jews. Cohen stress that fiscal restrictions imposed by the shari'a were not applied in accordance with the letter of the law, and that not all Jews of Jerusalem who owed the jizya tax paid it. Those who did were expected to pay the lowest official rate. He also adds that the entire supervisory mechanism governing the implementation of the religious law was often slanted in favor of the Jews and accepted the testimony of Jewish litigants and witnesses in contradiction of the accepted notion that their testimonies were inadmissible. In conclusion, Cohen says that an autonomous Jewish life in Jerusalem was encouraged and protected by Muslim rulers (cited by Asali, 1994: 207).

The Ottoman Empire, in the sixteenth century, was superior to Europe in military power, equal in architecture and public works, hardly second as regards the amenities of life (Stravrianos, 1964). Like the ancient Romans, the Ottomans were great makers of roads and bridges, and thereby facilitated trade throughout their empire, and foreign states were compelled to admit the Greek merchants into ports from which they had been excluded in the time of the Byzantine emperors, but now sailing under the "Ottoman flag", they assumed the dress and manners of Turks, and thus secured from the nations of Western Europe the respect and consideration which the Catholics had hither to always refused to the Greek Church...(Ibid., 19).

As discussed, the Ottoman Empire during the reign of Süleyman was unique not only for its administration but also for its unequal degree of religious tolerance. In a period when Catholics and Protestants were massacring one another and when

Jews were being hounded from one Christian State to another, the subjects of the Sultan were free to worship as they wished with comparatively minor disabilities. Because of the religious tolerance of the Turks, the Balkan Christians were able to preserve their national identity through five centuries of Turkish rule. The contemporary travelers who visited Cyprus, Crete and other islands found that “...*the Greeks who were under Venetian rule preferred the rule of the Turks, who allowed them communal autonomy and religious freedom, to that of the Venetians, who subjected them to centralized control and to the unceasing proselytism of Catholic priests*” (Ibid., 17-18).

It can be noted that the Ottoman administration not only removed all obstacles to migration between the Asiatic and European provinces but encouraged it. Christian migrants were always well received, rehabilitated, and helped by the Muslims, and a great social and ethnic mixture took place as a result of intermarriage. Thus, contrary to the Europeans policy of intolerance and persecutions in the name of Christianity, the Ottomans adopted a liberal policy and showed extreme tolerance towards non-Muslim Christians, Jews and other religious communities. In fact the Ottoman administrative system was based on principles of the rule of law and promotions and appointments were made purely on merit, irrespective of caste or class. Turks or Arabs, Slavs or Armenians once they accepted the faith of Islam were eligible to the highest posts in the land—save that of the Sultan, the only position determined by birth. Thus birth and genealogy, old families, or landed aristocracy became irrelevant for appointment to any post. For example, Sinan Pasha a great architect, and Khair-ud-Din Barbarosa, the victorious admiral, were born Christians. They achieved the highest posts on basis of merit. Ali Bey, who became the Sultan of Egypt and Syria in the late eighteenth century was (a new Muslim) the son of a Caucasian Christian priest.

Christians and Muslims cooperated harmoniously while the Christians enjoyed autonomy in their internal affairs. Conversion was slow, but the sixteenth century Muslims outnumbered the Christians. Farther to the north, in modern Yugoslavia, the Muslims fanned out in large number and Islam spread with them in Bosnia, Serbia, Montenegro, Herzegovina, and Croatia. The spread of Islam was greatly assisted by the mass conversion of the Bogomiles under Mohammad-II. Bogmille Christianity had a great affinity to Islam. It abhorred the worship of Mary, the institution of baptism, and every form of priesthood. It repudiated the cross as religious symbol, the bells, the gaudy decorations of the Catholic Church; and it condemned any bowing before the cross as idolatry. Like the Paulicians and the Arians generally, the Bogomiles rejected the doctrines of the incarnation, crucifixion, and resurrection. They drank neither wine nor spirits, kept their beards and said only the Lord’s Prayer. Passage to Islam was relatively easy for them, and their example prompted others to follow their course.

Fairfax a biographer of Muhammad-II writes that many Christian families from the time of Süleyman the Magnificent onwards migrated to Turkey because they wanted to live under the rule of justice. The comments of a great scholar, about the Ottoman Turks, are quoted here to show their tolerance towards non-Muslims Europeans: *“No man was persecuted for his religion in sixteenth century Turkey, when all over Europe – not only in Spain – inquisitions were at work and the skies were reddened by the glare of the pyres in which thousands of unbelievers perished. In matters of personal hygiene, there was no question where the superiority lay: cleanliness in Constantinople was reckoned an integral part of godliness, and the Turks jeered unmercifully at their western European contemporaries who did not wash their bodies all over more than twice between birth and death”* (Stravrianos, 1964: 24).

Jews expelled from Spain, Greek traders and sailors, Arabs, Sudanese and even Catholics eager for adventure or compelled to leave their countries got shelter in Istanbul. Everyone lived there without fear and got freedom of conscience and worship and complete protection under the Ottoman law, provided they did not make trouble and paid their taxes, they were left in peace. The non-Muslims were allowed to live together in order to lead their lives according to their dogmas and creed in a free atmosphere. The constant influx of men and women of the Christians, Jews and other non-Muslim communities gave the Ottoman capital – Istanbul the cosmopolitan flavor it always retained. Istanbul was also the only capital at that time which was truly open to all oppressed people of the world. The most diverse populations of the Europe and other parts of the Ottoman dominions came to take refuge there to live and work and earn their livelihood honorably. Consequently, the non-Muslims formed their groups according to their ethnic or religious faith and belief. The Catholics were settled at Pera and Galata, the Greek Christians at Fener and Galata on the Bosphorus, the Armenians near Marmara and at Sulu Monastir and Samatya and Jews lived along the Golden Horn. The Greeks, who had left the city after its fall, had come back after the Firman of the Sultan and made up an even large community. Working as small traders and shopkeepers or looking to the sea for their livelihood, they dominated trade in the Eastern Mediterranean. There existed no hostility among the Ottoman Turks and the non-Muslim communities. The Muslims, Christians and Jews shared the same modest life style and confronted the same difficulties, and were free to pray in the mosques, churches or synagogues according to their faith and creed. The non-Muslims-who represented 40 % of the population of Istanbul-were mainly Christian: Greek Orthodox, Armenians including a very small number of Catholics. The two major communities of Christians were nearly 30 % of the total population, whereas the Jews were about 10% (Danismend, 1953: 35; Eversley, 1959: 95). Thus, in a period over half a millennium, the Ottoman Empire achieved

to create the form of social organization from Islamic codes of life and adapted Islamic rules and principles of social life to its imperial system.

The Millet System of the Ottoman Empire

During the Ottoman rule the non-Muslim population of Turkey was divided into religious communities known as *millets* (nations), an Arabic word which, translated literally, means “people united by a common faith or religious-nation”. The Encyclopedia of Islam defines the term “millet” (*milla*⁸) as religion, and the people of *milla* as the true believers of Islam, i. e. the Muslims (Buhl, 1979: 317). The millet system was a distinctive feature of the Ottoman Empire, which recognized and regulated the rights and duties of religious communities. Ortaylı (1998: 121) defines the millet system as: “*a form of organization and legal status arising from the submission of followers of monotheistic religions (ehl-i zimmet) to the authority of Islam after the annexation of a region to the Empire, under an ahidname or treaty granting protection*”. The millet constituted one of the basic administrative units of the state, in which Orthodox, Armenian and Jewish communities not only carried out their administrative affairs with the state through the heads of their community organization, but also protected their own culture, customs, language and religions (Boztemur, 2005).

The *millets* recognized by the Ottoman Sultans were: **1)** the Greek community, known as *Rum* (or Rome), which included all members of the Orthodox Church recognizing the Ecumenical Patriarch, whose seat was at Fener (Phanar), in the Istanbul; **2)** Latins (or Catholics), who used the Roman liturgy, consisting of the descendants of the Genoese and Venetian settlers and other native Catholics of the Latin ritual; **3)** Armenian Gregorians, under their patriarch in Constantinople, but giving supreme spiritual allegiance to the Catholics at Echmiadzin, in Russian Armenia; **4)** Armenian Catholics, under a patriarch at Constantinople; **5)** Syrian Catholics, under a patriarch at Mardin; **6)** Chaldean Catholics under a patriarch at Mosul; **7)** Syrian Jacobites, under a patriarch at Mardin; **8)** Protestants, consisting chiefly of converts among the Armenians; **9)** Melchites, under a patriarch at Damascus; **10)** Jews of two rites, now separately recognised; **11)** Bulgarian Catholics, under the Bulgarian Exarch; **12)** Maronites, chiefly in the Lebanon. These communities owed an agreed sum which the Patriarch, the Chief rabbi, and Catholics were responsible for collecting and depositing in the government treasury.

⁸ The term, *milla* is used in the Hebrew Bible and in Aramaic texts in the meaning of “word” or “utterance”, and in some Christian texts as Greek *logos* (divine rationality, word of God, science). The Holy Book of Islam also uses the term in this meaning, the people who follow the divine word, the word of holy religious books. See, for example, Bernard Lewis, *The Multiple Identities of the Middle East* (London: Weidenfeld and Nicolson), 1998: 84.

Under the Ottoman rule all subjects of the Ottoman Empire were registered as members of some recognized religious community. A man without a religion was literally a man without a country so as the Ottoman Empire was concerned. Every non-Moslem was required to claim his rights through religious heads conducting their negotiations with the minister of justice in the Ottoman cabinet, just as the minister of foreign powers conducted theirs with the minister of foreign affairs. If his claims were denied by his patriarch he had no redress. However, the religious communities enjoyed limited autonomy but they could operate their own churches and synagogues, schools, and domestic religious courts, train and govern their clergy, and oversee their charitable institutions.

It is worthy of note that in 1462, at a period when throughout Europe religious minorities had no recognized worthy of the name, Sultan Mohammad-II at the height of his power not only re-established the Greek patriarch on the ecumenical throne, but granted to the Greeks of Turkey a whole series of special privileges which they have enjoyed throughout the Ottoman rule. Although the Greek Empire ceased to exist as an independent political entity after the conquest of Constantinople, but for four hundred and seventy years more it continued to exist as a religious, commercial and political force at Fener (Phanar), the seat of the Ecumenical Patriarch. It was only after collapse of Ottoman Empire in March, 1919 the Greek Patriarchate broke off its ancient relations with the Porte. After the formation of the Turkish Republic, Republican Government under Mustafa Kemal Atatürk authorized the establishment of a new Orthodox community, known as the Turkish Orthodox, recognizing as its head, an Orthodox Priest of Sympathies, with its head quarter at Caesarea, in Asia Minor.

CONCLUSION

The Ottoman Turks were the bravest soldiers of Islam and perpetuated its culture, its taste in art and literature. During 15th and 16 centuries no other Muslim race or power was able to withstand the onslaughts of Europe. It is a fact that fame of the Ottoman rule of justice and tolerance spread throughout Europe and the nations who suffered under the despotism of their own country's rule found shelter under the Ottoman rule.

The remarks of Sir James Porter, who was ambassador to the Porte from 1746 to 1762, are worth mentioning: *"In every empire which has extended wide, and it is certain that, whatever defects may be in the political system of the Turks, their Empire is so solidly founded on the basis of religion, combined with law, and so firmly cemented by general enthusiasm, and the interest, as well as vanity, of the Turkish individual, that it has lasted ages, and bids fair for stability and permanence"* (Porter, 1768: 55).

In accordance with these remarks, it can be concluded that Sultan Mohammad Al-Fateh (*or Süleyman al-Kanuni as the Ottoman Caliph is known to Arabs and Muslims*) shall be remembered not just because of his victories but also because for many fundamental measures he introduced in the Ottoman system of government. In all the institutions-legislative, administrative, regulatory services and other authorities-of the Ottoman State the principles of Islam were effective. Therefore, during his time, he was regarded as the most significant ruler in the world, by both Muslims and Europeans. Sultan Muhammad-II became a major player in 16th century European balance-of-power geopolitics who guided the Ottoman Empire to the fullest extent of its power and prestige and under his patronage, the Empire entered the golden age of its development. In conquering the European countries, the Ottoman Sultans exhibited a degree of toleration and justice which puts many Christian nations to shame. When Christian Europe was burning its heretics at the stake, the Ottoman rulers were permitting the heretics to follow their own religions unmolested. However, all conquered people were asked to become Muslims. If they persistently refused they were permitted to practice their own religions with further hindrance upon the payment of a head-tax, or tribute, which automatically exempted them from performing military service, for none save Muslims were called upon to serve in the Ottoman armies.

Thus, Istanbul became once again an international center of Islamic civilization. Scholars, artists, and architects from all over the Islamic world and Europe were commissioned, as Muslim conquerors also proved to be great builders of civilization as well. The skyline of Istanbul was transformed by the distinctive cupolas of palaces and mosques. The royal family lived in splendor in the Topkapi palace, preserved today as a great museum. An imperial monarchy governed subjects of many tribal, ethnic, linguistic, and religious backgrounds from the Mediterranean to Iran. In short, the Ottoman Empire became abode of the persecuted communities. Races and religions coexisted under the rule of Ottoman Turks. Muslims, Christians and the Jewish families lived together in the Ottoman capital of Istanbul, and Christians and Jewish freely practiced their religions, customs and laws. The treatment of their Christian subject by the Ottoman emperors – at least for two centuries after the conquest of Constantinople in 1453 – exhibits toleration such as was at that time quite unknown in the rest of Europe.

To sum up, it can be said with confidence that the Ottoman Empire was one of the largest and longest-lived dynasties the world has seen. Starting with Osman, in the direct male line 36 Sultans ruled from 1288 to 1922. Apparently, the Ottoman Sultans remained undisputed World Power at least for two centuries and, as such, it can be concluded that their Policy towards the non-Muslim communities

was liberal and without prejudice, which brought the Muslim and European Civilizations face to face creating a long lasting interaction among them based on toleration, justice, respect and freedom of conscience for all citizens.

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