CONVERSION IN THE LATE
OTTOMAN EMPIRE: A CASE STUDY ON THE LEGAL
STATUS OF GREEK ORTHODOX CONVERTED TO ISLAM, 1856-1908

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2009

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Thesis submitted to the
Institute for Graduate studies in the Social Sciences
in partial fulfillment of the requirements for the degree of

Master of Arts

in

History

by

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Boğaziçi University
2009

Thesis Abstract

Maria Vasileiou, "Conversion in the Late Ottoman Empire: a Case Study on the Legal Status of Greek Orthodox Converted to Islam, 1856-1908"

This paper discusses the legal status of the Greek Orthodox converted to Islam in the Ottoman Empire for the period extending between the enhancement of the *Tanzimat* with the *Islahat fermanı* of 1856 until the end of the Hamidian period (1856-1908). This research was based primarily on court records from the "Başbakanlık Osmanlı Arşivleri" (Prime-minister Ottoman Archives) and on documents from the "Ιστορικά Αρχεία Μακεδονίας" (Historical Archives of Macedonia) with key figures of the era under examination. The conclusions reached were that, except for reasons of true faith in the righteousness of Islam, a Greek Orthodox would convert to improve his conditions of life in every aspect where the proclamation of equality was not or was partially applied. Conversion appears as a tool of social flexibility;its social consequences are obvious in the family, hereditary, property, penal and public law in general. Also conversion to Islam must have been considereds as a declaration of loyalty to the Porte. The Muslim community was always willing to embrace the new members and help them start a new life away from their former community, whereas the reaction of the convert's former community to the act of the conversion was strong. Many cases of conversion ended in the apostasy of the Greek Orthodox convert. Apostasy took place because of the intervention of the local metropolitans or the convert's changing his mind by himself/herself.

Tez Özeti

Maria Vasileiou, "Osmanlı İmparatorluğunun son döneminde *ihtida*: İhtida eden
Rum Ortodokslar'ın hukuki stasüsünden bir örnek, 1856-1908"

Bu tezde incelediğim konu, 1856 *Islahat fermanı* ile başlayan Sultan Abdul
Hamit dönemi sonu (1856-1908) arasında *ihtida* eden Rum Ortodoks vatandaşlarının
hukuki statusünün değişiklikleridir. Bu araştırma, incelediğim döneme dair,
Başbakanlık Osmanlı Arşivleri ve "Ιστορικά Αρχεία Μακεδονίας" (Makedonya
Tarihi Arşivleri)'den seçtiğim şeriye sicilleri ve belgelere dayanıyor. Bu dönemde,
ihtida eden Rum Ortodokslar'ın, gerçekten Islam inancına inananlar hariç,
modernleşecek ama modernleşmemis veya daha az modernleşmiş alanlarda hayat
şartlarını geliştirmek için *ihtida* ettiğinin farkına vardım. Ayrıca *ihtida*, *mühtedinin*
toplumsal hayatının şartlarını geliştirebilecek bir yolmuş; *ihtida*'nın sosyal
etkinlikleri medeni, miras, toprak, ceza ve genel olarak, kamu hukukunda
işaretlenmiş. Ayrıca,Yunanistan Devleti kuruluşundan itibaren, *ihtida* eden Rum
Ortodokslar Sultana sadık kaldıklarını ispatlamak istemiş olabilirler. Bir taraftan,
Müslüman cemaati tarafından *ihtida* eden Rum Ortodokslar'a çok destek gelmiş,
öteki taraftan, Rum Ortodoks cemaatinin tepkisi ihtida olayına çok şiddetliymiş.
Mühtedi Rum Ortodokslar'ın büyük bir kısmı irtidad etmiş.Bunun sebebi de,
bölgesel olarak Rum Ortodoks Metropolitlerinin mühtedilere karışarak onları irtidad
etmeye ikna etmeleri veya mühtedilerin sonradan fikir değiştirmeleriymiş.

ACKNOWLEDGEMENTS

CONTENTS

CHAPTER I: INTRODUCTION

As a result of the Ottoman conquest, vast masses of non-Muslim populations were incorporated into an Islamic state. In the period that followed the collapse of the Byzantine Empire in the East, the Christians had to accept living under the political hegemony of Muslims. Conversion to Islam was a path permitting access to the predominant religious group and to the advantageous legal and social status of its members in Ottoman society. The individual act of *ihtida* brought about radical changes in the convert's status. This status had many dimensions: legal, social, political and even psychological.

In this dissertation, I will focus on the changes in the legal status of Greek Orthodox converts to Islam in the Ottoman Empire for the period extending between the enhancement of the *Tanzimat* with the *Islahat fermanı* of 1856 until the end of the Hamidian period(1856-1908). To examine this issue, I will first explore two main axes relevant to the area of my research in the next two chapters: the changes in the legal framework and in the status of *zimmi* brought about by the reforms, as well as the nature and the evolution of the phenomenon of conversion to Islam in the Ottoman Empire. This discussion will be followed by a case study, in the fourth chapter, regarding the changes in the legal status of Ottoman Greek Orthodox converts, as they are depicted in the documentation.

The nineteenth century in the Ottoman Empire was marked by the reforms known as *Tanzimat*. This was a series of changes in the legal and administrative structure of the Empire that was initiated by the issuing of the Gülhane Edict in 1839. The study of conversions to Islam in that period will be connected to the examination of the changes in the legal status of the *mühtedi* (convert to Islam). Thus, I will first analyze the previous status of the convert, the changes promoted by the reforms and

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the application of these changes in practice, the expected changes in the legal status of *mühtedi* and finally the extent to which the phenomenon of *ihtida* expanded and evolved locally and temporally. In the second chapter, and especially in its first two parts, where I will refer to the status of *zimmi* in the Ottoman Empire and to the legal and social consequences of the reforms respectively, the fundamental legal and social context regarding the Ottoman *zimmi* will be provided, so as to examine the interplay between the processes of religious conversion and the alteration of legal 'identity' in the following chapters. In the second part, i will present the scholarly debate on the existence of the *millet* system before the reforms as an official institution. As my research will focus on a particular category of *zimmi*, the Ottoman Greek Orthodox, the third part of the second chapter is devoted to the evolutions in the internal structure of the Greek Orthodox community in the nineteenth century.

Conversions to Islam in the *Tanzimat* era in Ottoman Empire is a fertile ground to be studied since, after the proclamation of the conditions of equality between Muslims and non-Muslims in the Reform Edict, the *Islahat Fermanı* came to guarantee the religious freedom of all Ottoman subjects. In order to investigate the legal status of converts to Islam and their motives to convert, in the third chapter, I discuss the literature relevant to conversions and trace the ways that Ottoman *zimmi* use their religion in different regions and periods as an instrument of social integration. Prior to this, of course, the notions of *ihtida* (conversion to Islam) and *irtidad* (apostasy) are analyzed as they constitute the key words of this study. As the phenomenon of apostasy appears constantly in the documentation and a large number of the Greek Orthodox converts to Islam eventually decided to apostatize, the parallel examination of the phenomena of *ihtida* and *apostasy* is almost inevitable. Conversion to Islam will be approached both as a phenomenon in the Muslim world

and in the Ottoman Empire (before and after the reforms). As for conversions to Islam in the Ottoman Empire after the reforms, an extensive reference to the special characteristics of *ihtida,* the preconditions for the validity of the act, as well as the restrictions and the bureaucratization of the phenomenon in the nineteenth century are included. This discussion will contribute to the understanding of the evolution of the phenomenon of *ihtida* so as to proceed in the study of this phenomenon in a particular space and time: the conversion to Islam during the *Tanzimat* and Hamidian period in the Ottoman Empire.

In the fourth chapter, I will focus on my subject matter, structuring my account according to the legal categories relevant to the status of the Greek Orthodox converts that change. Thus, a case study will be presented for each separate branch of law. I will discuss the changes in the legal status of the Greek Orthodox *mühtedi* and the restriction of age as a legal parameter for the validity of the act of conversion in the first two parts of the fourth chapter, whereas i will devote the last two parts to the examination of other aspects, mainly social and financial, which motivated conversions, and to the study of the reaction of the Greek Orthodox community to the conversions.

A wide-spread phenomenon in the nineteenth century, which will be cross-examined with the phenomenon of *ihtida*, is the one of apostasy. Apostasy from Islam appears in the majority of the cases of Greek Orthodox, who were motivated to convert to achieve a favorable legal status belonging to the area of family law. Most of the Greek Orthodox apostates in the second half of the nineteenth century, according to the documentation, were women who had converted to marry a Muslim husband or to divorce their Orthodox husband. In the second case, the convert women would also disappear with their children, after having them converted to

Islam as well. What changed in the frequency and the reasons for apostasy in this period? What was the new legal status of the apostate? What was the reaction of the Greek Orthodox community to the cases of apostasy? These are some of the relevant questions.

My aim is to describe the phenomenon of *ihtida* in the era after the reforms as an official act which affords legal and social "flexibility" to the status of the convert. On the one hand, the convert's legal status changes more than dramatically, whereas on the other hand, legal transformation is related to contemporary political neccessities. The different alternatives, which are regarded as motives that encourage to a conversion, are also tightly connected to the same legal framework. It should be noted that, using statistics or other quantitive data as a methodological tool would not help us to have a clear picture of certain strategies used by the indiviuals themselves. The close examination of the parameters mentioned above is indispensable in order to approach the social implications of *ihtida*. Equally important, this research cannot be fruitful, if not contextualized. My main argument is that, although conditions of equality for both Muslims and non-Muslims had been proclaimed in the reforms, conversions of the Greek Orthodox in that period enabled access to a favourable legal status. In other words, although theoretically Muslims and non-Muslims were supposed to be equally treated before the law, this was not the case in practice, as the latter were indirectly encouraged to convert to Islam in order to enjoy the same legal status with Muslims in terms of family, penal, hereditary or property law. However, it will also be suggested that some Greek Orthodox converts to Islam, who were Hellenic citizens at the time of the conversion, might have intended to achieve the legal status of Muslim non-Ottoman citizens, so as to avoid the military service both in the armies of the Hellenic Kingdom and the Ottoman state.

The primary material I used for the case study was mainly Ottoman documents from the *Başbakanlık Osmanlı Arşivleri* of Istanbul, court records, most of which belong to the *Dahiliye* collection, as well as Ottoman documents, *fermans* and *fetvas* translated into Greek by Ioannis Vasdravellis and included in his book series *Historical Archives of Macedonia*, and some articles from the contemporary Greek newspaper *Taxidromos*.

All the documentation refers to the era after the reforms and dates from 1840s to the end of the Hamidean period. In some parts of the fourth chapter, I used some documents from the pre-*Tanzimat* era, so as to point out continuities or discontinuities with the era that followed. Some methodological constraints regarding the analysis of the Ottoman documentation in the fourth chapter have to be taken into account. Part of the documentation does not directly refer to Greek Orthodox converts but to Christians. In these cases, I tried to figure out the confession of the convert from his/her place of origin or from the names listed in the documents. Where the confessional identity of the convert is not clear, this is noted in the text.

As for the secondary sources I discuss in the next two chapters, it covers publications in the English, Turkish and Greek languages. The scholarly study on the relations between Christianity and Islam, which also triggered a particular interest in conversions, goes back at least to the beginning of the twentieth century. One cannot but start with Frederik Hasluck and Samuel Zwemer, who produced their work influenced by the turmoil of the First World War and the collapse of the Ottoman Empire, and concluded with recent academic contributions on *gaza* and syncretism

as part of the process of conversion[1]. Spyros Vryonis' study on the process of Islamization from the eleventh to fifteenth centuries in the Ottoman Empire constitutes the first detailed academic approach to the phenomenon and the text has instigated the continuation of the research in this field by younger scholars, such as Heath Lowry. Lowry was a student of Vryonis who embarked upon the latter's claims to conduct a case study on the Islamization of the city of Trabzon in the period 1461-1583. His work primarily relies on quantitative data[2].

The group of younger scholars who studied the phenomenon of conversion to Islam investigated different aspects of the phenomenon or used methods and sources of research rather "innovative" for this area. Conversion to Islam has been studied as a social phenomenon of the seventeenth century and from the point of view of the agents of the conversion in the same era by Anton Minkov and Marc Baer respectively[3]. Especially Minkov's contribution is based on a research that has been conducted using Kisve Bahasi petitions to the Porte as a primary source of investigation. Tijana Kristic's thesis on the narration of the phenomenon came as a methodological challenge to the work of previous scholars and led to a re-evaluation

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[1] Frederick W. Hasluck, *Christianity and Islam under the sultans* , (New York: Octagon Books, 1973). Also see: Samuel Zwemer, *The law of apostasy in Islam, Answering the question why there are so few Moslem converts, and giving examples of their moral courage and martyrdom*, (London-New York: Marshall Brothers Editions, 1924)

[2] Heath Lowry, *Trabzon şehrinin İslamlaşma ve Türkleşmesi, 1461-1583: Trabzon örneğinde Osmanlı Tahrir Defterinin şehirleşme demoğrafik tarihi için kaynak olarak kullanılması*, (The Ottoman tahrir defters as a source for urban demographic history: the case study of Trabzon (CA. 1486-1583) (Istanbul: Boğaziçi Üniversitesi Yayınları ,1989)

[3] Mark Baer *Honored by the Glory of Islam, Conversion and Conquest in Ottoman Europe,* (New York: Oxford University Press, 2008). Also see: Anton Minkov, *Conversion to Islam in the Balkans, Kisve Bahası Petitions and Ottoman Social Life, 1670-1730*, (Leiden-Boston: Brill Editions, 2004)

of the concepts of *gaza* and syncretism in the Ottoman context[4]. The research on

Islamization in the Western Balkans is a case study at the local level, which Antonina

Zhelyazkova examined from a historiographical point of view and, among other

issues, includes a vivid illustration of the phenomenon of conversion in different

localities in the late Ottoman times[5]. In addition, in Turkish there is only one work on

the examination of the notions of *ihtida* and *mühtedi*, Mehmet Şeker's research,

which relies only on the archival documentation[6]. The most recent works in the field

of *ihtida* are the research of Selim Deringil on the phenomenon in the years 1839-

1856, where the use of compulsion to convert to Islam is discussed, and the

unpublished work of Yorgos Tzedopoulos on the phenomenon of martyrdom[7]. The

former's work is a part of a larger project, which will concern itself with *ihtida* in the

nineteenth century.

As it is seen, almost all these works deal with different aspects of the

phenomenon of conversion; its local application, its expansion, its narration or the

use of compulsion to convert non-Muslims. However, no particular study has been

done on conversion to Islam with reference to the Greek Orthodox, except for the

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[4] Tijana Krstic, Narrating conversions to Islam: the dialogue of texts and practices in early modern Ottoman Balkans, (Ph.d.diss, University of Michigan, 2004).

[5] Antonina Zhelyazkova , Islamization in the Balkans as a historiographical problem: the Southeast- European perspective , in Suraiya .Faroghi and Fikret Adanır, *The Ottomans and the Balkans* , (Leiden-Boston, Brill Editions, 2002).

[6] Mehmet Şeker, *Osmanlı belgelerinde ihtidâ kavramı ve mühtedîler* (The notion of ihtida in the Ottoman documents and the mühtedi) (Istanbul: Ötüken Yayınları, 2007).

[7] Selim Deringil, *The Ottomans, the Turks, and World Power Politics, Collected Essays*, (Istanbul: The Issis Press, 2000). Also see: Tzedopoulos Giorgos, *To martyrio sta xronia tis othwmanikis kiriarhias: o kiklos ke oi rogmes*, (Martyrdom in the era of Ottoman domination: the circle and its breaks), an unpublished article to appear in the volume in memory of Pinelopi Stathi). Tzedopoulos also wrote about the phenomenon of Crypto-Christianity in Pontos. See: Tzedopoulos, *A displaced locality: "Crypto-Christianity" in the Pontos,* (Samos Workshop 12-16/09/2001).

works of Vryonis and Tzedopoulos, and the motives of the converts have been examined only as a secondary issue. My research aims at addressing exactly these isssues; I intend to study the agenda of the converts who belong to a specific confession, the Greek Orthodox one, and even one particular aspect of this agenda, that is to say the legal implications. Some problematiques, which are touched throughout the study, such as the voluntary or forced nature of the conversions and the local effectiveness of the application of the initiated reforms, will be discussed to the extent that they are regarded as crucial points of examination to proceed further. As for the phenomenon of apostasy, a separate thesis could be written for the Greek Orthodox apostates in the Ottoman reform era. As I already mentioned, the majority of the documents which refer to apostates are relevant to family law. I will try to examine this phenomenon within the limits of the relevant part of the fourth chapter.

CHAPTER II: THE TANZIMAT REFORMS AND THE STATUS OF OTTOMAN GREEK ORTHODOX *ZIMMI* IN THE NINETEENTH CENTURY OTTOMAN EMPIRE

The Status of *Zimmi* in the Ottoman Empire

At the beginning of a study on the status of *zimm*i in the Ottoman Empire during the second half of the nineteenth century, we need first to refer to the usage of the term *zimmi* in the history of Islam in general. Then, we can proceed to study the *status* of the *zimmi* and its application in a particular space and time. Such a study will enable us to approach the social and legal changes attributed to conversion to Islam and to address the question why Ottoman non-Muslims would choose to abandon their previous status by joining Islam. This discussion will be specified and connected to the conversions of Ottoman Greek Orthodox in the following chapters.

In Islam, humans are divided into Muslims and infidels. A Muslim is the one who lives in a society in which God's rules are applied. However, those people who live in the same society, but do not accept that Muhammad brought a new revelation from God, are described as "infidels". Those who did not accept that Muhammad brought a new revelation from God but belonged to the "People of the Book"[8], as long as they were not brought under Muslim domination, were considered to be outlaw infidels, whereas those who were subjugated to Islamic authority lived under the status of *zimmi*. Inevitably, many non-Muslims who inhabited the territories

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[8] As People of the Book, Christians and Jews, who were supposed to have received earlier revelations from God, were portrayed with sympathy and were not persecuted in order to convert. However, the Qur'an warns against the People of the Book as "evildoers", despite the fact that it is acknowledged that a minority among them is on the right path. A part of the scholarly research comments that this minority refers to converts to Islam. This comment derives directly from the Qur'an (3:199), as there is a reference to "those who believe in Allah and what is revealed to you". See: *Encyclopaedia of Qur'an*, volume 1, v.s. Belief and unbelief.

conquered and incorporated into the Islamic ruling structure lived under Muslim rule. Their position in Muslim society and their rights in comparison to those of the Muslims, who represented the dominant religion, is a fertile ground to be examined.

Muslims lived in *dar-ül-islam*, that is to say the world where the principles of Islam were performed, whereas the non-Muslims lived in *dar-ül-kafır*. As far as the latter's status is concerned, it should be mentioned that special rights and duties were granted to non-Muslims to enable their relation with Muslims. If they wanted to live under a full status they would have to convert[9]. The term "full status", as it is used by Berkey, shows the gap between the two categories of social groups, the Muslims and the non-Muslims; the latter could enjoy only a part of legal and social autonomy until the moment of conversion. Under the given circumstances, as the majority of the population in the conquered lands was composed of people of different religious or ethnic identities, a policy of violence and oppression would entail revolts against the newly-established Islamic order[10]. In other words, the main argument here is that the Muslims created favorable conditions for the social integration of the infidel groups into a society dominated by God's rules, not only because this was dictated by the interpretation of the rulings of the Holy Text, but also because they had to adopt a policy that would not mobilize, the larger in number, infidel groups into a revolt. Interaction with People of the Book was permissible, as they would also share God's mercy. Yet, Muslims could marry women from among them but the opposite was not possible[11]. It is evident that this policy was not only a moderate tactic to achieve the harmonic integration of the non-Muslim groups, but also an indirect method to

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[9] Jonathan P. Berkey, *The formation of Islam, Religion and society in the Near East 600-1800* ,(Cambridge-New York: Cambridge University Press, 2003), p.359.

[10] *Encyclopaedia of Islam*, v.s. "Dhimma".

[11] *Encyclopaedia of the Qur'an*, volume 1, v.s. "Christians and Christianity".

encourage a part of them to convert to Islam; the non-Muslim men would have to convert to marry Muslim women.

In the same context, we need to study closer the policy towards the *infidels*. The status of protected people (*ahl al-dhimma*) was offered to the People of the Book in return for the payment of the *cizye* tax[12]. It has also been suggested that the Muslim rulers advocated some discriminatory measures against the original non-Muslim inhabitants, in order to urge them to convert sooner or later. Nevertheless, it is difficult to trace if this was the main or secondary goal of this policy. With respect to this, we can mention the imposition of the *cizye* tax, the measure of wearing different colors according to one's religion, the prohibition of carrying guns for non-Muslims, etc[13].

The most important obligation of a *zimmi* was the payment of the poll-tax. The payment of this tax is described as a heavy psychological and procedural burden, for the ordinary *zimmi*. It is sufficient to note that those *zimmi* who were unwilling to show or did not show the receipt which proved their having paid in order to travel were subject to severe punishment[14]. It can be suggested that the receipt of the payment of the *cizye* tax was the passport of that time.

There is a long debate on the *cizye* tax. Firstly, the *cizye* tax is the only discrimination against the *zimmi* mentioned in the Qur'an. The payment of this tax was described as a prerequisite for the "settlement of peace" by Abu Yusuf. There is also a dichotomy in the opinions of Islamic jurists on the amount of *cizye*. According to some schools of law, *cizye's* rate was the same for all payers. Other jurists claim

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[12] Patricia Crone, *God's rule: Government and Islam*, (New York: Columbia University Press, 2004), p.370.

[13] Ibid, p.372.

[14] Berkey, *The formation of Islam*, pp.162&163.

that the rate was adjusted to the financial means of the *zimmi*; Cohen calls the payment of the *cizye* tax as an "annual penalty", the guarantee of the non-Muslims' protection at an annual price, and points out the constructive role of *cizye* as protection money.[15]

As far as the Christians are concerned, they were indicated as "Nazorean", from the name of Christ's hometown, "Nazareth" (*al-Nasira*). They were considered 'guilty' for believing that Christ was the son of God and in the doctrine of the Trinity, whereas, according to the Qur'an, Christ was a prophet like all the others. *Shirk* is an act of disbelief committed by the polytheists and frequently attributed to Christians by Muslims, because the former were regarded as believers in three gods (God the Father, Jesus and the Holy Trinity)[16].

The belief that Muslims' social position, as conquerors, was superior to the conquered population, prevailed in the early time of conquests in the Ottoman Empire but gradually started to fade away. More and more marriages between new converts to Islam and Muslims took place and the preservation of a separate identity of the new converts from the one of non-Muslims, who no longer were the majority of the population in the conquered lands, became an imperative. As intermarriages between Muslim men and non-Muslim women were already practiced, there appear non-Muslim males who converted in order to marry Muslim women. However, conversions of non-Muslim women which were followed by marriage with a Muslim are also noteworthy to be examined in order to understand the agenda of this sub-group of converts to Islam. It seems that it was inevitable for this category of converts to Islam, both males and females, to develop a new religious and social

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[15] Mark R. Cohen, *Under Crescent and Cross, The Jews in the Middle Ages*, (Princeton: Princeton University Press, 1994), pp.68-70.

[16] Encyclopaedia of the Qur'an, volume 1, v.s. "Nasara".

identity, being influenced both by their previous communal environment and by the one of Muslims, that is to say the new group to which they now belonged. Especially in the case of the Ottoman Empire, the religious and social antagonism, both among themselves and with those born Muslims, were high. In this context, we will examine the policy of the Ottoman administration and the specificities of the Ottoman legal system as far as the status of the *zimmi* was concerned.

Firstly, the term "status" should be defined as the way one is regarded by the dominant social groups by which he/she is surrounded[17]. According to Humphreys, there is a functional difference between the terms "status" and "role". The former depicts a group's place in the society, that is why it is identified as static by the writer. The latter is defined as a more dynamic as it refers to the participation of the groups in the social process. Humphreys parallelizes very vividly the complexity of roles in society to "a kind of drama in which different groups interact in constantly evolving ways"[18]. It looks as if "status" is a term that implies lack of initiative, that is to say it is a function and a place specified or imposed by somebody else, whereas "role" is a status by choice. This study will focus on the examination of the status of the Greek Orthodox Ottoman converts; the motivation of their conversion was their wish to change their legal and social position, in whose granting they did not have the chance to participate; their status was pro-claimed and imposed upon them or sometimes it was not even applied in the way that it was pro-claimed to be. Therefore, conversion to Islam cannot be described only as a path to change one's status, but also as a way to claim an active role in Ottoman society.

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[17] Stephen Humphreys, Islamic *history, a framework for inquiry*, (Princeton: Princeton University Press, 1991), p.258.

[18] Ibid, p.261.

In the Ottoman Empire, the fundamental source of the legal status of the *zimmi* was the institution of *zimmet* as a basic principle of Islamic law. However, as suggested by Bozkurt, the Ottoman administration adopted some basic Islamic institutions and modified them according to the needs of the time[19].The Ottomans used to either offer the choice of acceptance of the Muslim rule to non-Muslims in return for paying the *cizye* before a conquest or offered them the chance to live as before in the newly-conquered lands that now belonged to the Empire after making them subject to the same tax. This policy was in accordance with the rulings of the Sharia that no compulsion in religion should take place. In this way, the *zimmi* who lived under the Ottoman rule were categorized into groups by the Ottoman authorities, according to their confession or religion[20]. As a matter of fact, this strategy ended in the same result, the liability of the non-Muslims to the *cizye* tax. Whether before or after the conquest, the act of imposing a new rule definitely involves certain compulsion.

In the pre-reform era, the legal status of the *zimmi* reflects the effort to underline their distinction in religious, political and social terms from the Muslims. Firstly, in terms of family law, Ottoman *zimmi* were subject to their own "religious" law. Cases such as marriages, dowry, divorce and every case that today belongs to the area of private law, were regarded as a religious function and those religious leaders that were granted a *berat* by the Ottoman authorities were responsible for resolving the issue. In addition, in these cases there was a possibility of either resorting to communal authorities or to the *kadı*. What happened, however, in the

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[19] Gülnihal Bozkurt, *Alman-İngiliz belgelerinin ve siyasi gelişmelerin ışığı altında 'Gayrimüslim Osmanlı Vatandaşlarının Hukuki Durumu (1839-1914)*, (Ankara: Türk Tarih Kurumu Basımevi,1996), p.7.

[20] Ibid, p.9.

case of intermarriage? Non-Muslim men who wanted to marry Muslim women were obviously obliged to convert. The *zimmi* women married to Muslim men could keep their religion, but the children to be born had to become Muslims[21].Apparently, taking into account the regulation that a non-Muslim had no hereditary rights on the property of a Muslim, women who converted and whose conversion was followed by their marriage to a Muslim must have sought to "protect" themselves by acquiring hereditary rights on the property of their husbands.

The question of whether this continued after the reforms or not can only be answered by the study of such cases. Nevertheless, it can be added that according to Harisiadou[22], who has compiled many different legal cases, those related to marriage had to be examined according to the nationality of the husband, so given that the book was published in 1887, we assume that this regulation was a result of the reforms[23].

In terms of hereditary law, as the Islamic law does not permit the transference of property to people of a different confession, Muslims and *zimmi* could not transfer property to each other. Given that the children of a *zimmi* woman married to a Muslim male had to become Muslims, they would accordingly have no hereditary rights on the property of their mother. So we realize that one more reason for a non-Muslim woman to convert to Islam was her wish to keep her children's hereditary rights on her property intact. However, *zimmi* that belonged to different confessions reserved these rights, that is to say an Armenian or a Jew could inherit from an

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[21] Ibid, p.14 and 15.

[22] Harisiadou's book was published in 1887. The author describes the status of the Christians in the reform period without referring to particular fermans or other legal texts, so we assume that she refers to the period 1839-1887.

[23] N.Harisiadou, *Στοιχεία Οθωμανικής Νομοθεσίας* (Elements of Ottoman legislation), (n.p. N.G.Kefalidou editions, 1887), p.49.

Orthodox and vice versa. In case a *zimmi* died without making his/her will, the state, after bringing the case before the *kadı,* used to deliver the property to the religious communal institutions that particular person belonged to[24].

Let us briefly refer to some more examples of the legislation that was in use before the reforms. Both Muslims and *zimmi* were subject to the Islamic penal law. A noteworthy point is the suggestion that, in practice, *zimmi*'s drinking wine was tolerable[25]. On the one hand, such a regulation indicates that the Porte did not intend to create conditions of social life that would apply only to the religion of Islam and was respectful of the customs of its subjects who belonged to other confessions. For example, it could be suggested that those non-Muslims who were drinking wine would be a bad example for the Muslims of their social environment; however this parameter seems not to have been seriously taken into account. On the other hand, it can be argued that the Ottoman state did not adopt a specific policy in such matters, as it was also the case in taxation matters; the issue of non-Muslims' drinking wine has been treated differently from time to time by the Ottoman Porte. For this reason, the suggestion that *zimmi*'s drinking wine was tolerable is problematic; anyway, we do not have any indication that such a policy was introduced and applied as an official regulation.

As far as the fiscal law is concerned, the tax known as *haraç* was demanded from the *zimmi* who continued to live and use the lands he/she had owned before the conquest. However, this applies to the first period that followed the Ottoman conquests. Exemptions or other discrepancies were not a rare phenomenon. For

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[24] Bozkurt, *Alman-İngiliz*, pp.15,16.

[25] Ibid, p.25.

example, the merchants who used to sell salt were not subject to *cizye*[26]. On the other hand, *zimmi* had to pay a higher tax for coffee than Muslims did[27]. Yet, we should not forget that the fiscal system underwent many changes in the course of time and there was a great variety of local practices, different from each other, which took place. Even if we accept that *zimmi* had to pay higher tax for coffee than Muslims did in a specific period and locality, the exemption from a tax on a luxurious commodity could not be a motive for conversion. It rather seems that we deal with one more discriminatory regulation towards non-Muslims, whose goal was the increase of the imperial treasury and the acquisition of the necessary incomes for the numerous campaigns of the Empire in order to protect its lands. In other words such a measure, by itself, was certainly not a reason for conversion to Islam, but the existence of many discriminatory measures, as a whole, constitute eventually a "second class citizen status" from which some non- Muslims might have tried to escape by converting.

An important aspect of Ottoman legislation was that it was marked by the duality of the Sharia and the sultanic law, which seems to have been enacted to serve the interests of the state. As far as this duality of the Sharia and the sultanic law is concerned, Najwa Al-Qattan sheds light on a different aspect of the application of the Sharia law; its territoralization. Territoralization in general refers to territorial law privileges that pave the way for territorially based identities. In the case of the Ottoman Empire, Al-Qattan stresses, we observe that the phenomenon of territoralization is both wide and narrow, according to its evolution from place to place and from time to time: it seems to be wide when we refer to the application of

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[26] Ibid, p.27.

[27] Ibid, p.29.

the Sharia law not only to Muslims but to non-Muslims as well. So, in this sense, it seems that a common territorial identity was developed in the Islamic countries. On the other hand, we get the impression of a "narrow" or strict sense of territoralization with reference to the particular dimensions of the application of the Sharia within the territorial boundaries of the Ottoman state[28]. As for the *kadı* courts in the pre-Tanzimat period, it has been, not very convincingly, suggested that they were not just Islamic courts where the distinctions in religion mirrored the differences of legal status (between the statuses of non-Muslims and *zimmi*) but they were also courts of the Ottoman state where the *zimmi* were being transformed into Ottoman subjects.[29] If this was the situation in the system of justice, then why were there at the same time communal religious courts in charge of the examination of the family law cases? If being an Ottoman non-Muslim subject entailed a legal status equal to a Muslim beyond the boundaries of religion, then why did the Porte embark upon proclaiming conditions of equality between Muslims and non-Muslims and upon introducing Ottoman citizenship with the *Tanzimat*?

Not only legal regulations, but also the administrative policy in the regions inhabited by *zimmi* should be examined, as it can be suggested that many conversions to Islam might have taken place among people who wanted to get rid of the obligation to adapt to the relevant restrictions. There was no official prohibition for Jews or Christians to inhabit Muslim neighborhoods but some documents indicate that *zimmi* wanted to sell their houses situated in those areas[30]. Clearly, the

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[28]Najwa Al-Qattan, Inside the Ottoman courthouse: territorial law at the intersection of state and religion, in Virginia H. Aksan & Daniel Goffman ,*The Early Modern Ottomans, Remapping the Empire* ,(New York: Cambridge University Press, 2007), p.201.

[29]Ibid, pp.209,210.

[30] Bozkurt, *Alman-İngiliz,* p.18.

imperative of painting the houses in a different color according to the religion of the inhabitant, for instance in the reign of Selim III the obligation of *zimmi* to paint their houses in black, was a discriminatory measure that could have motivated many conversions to Islam by people who did not want to experience this discrimination. Of course, there must have also been other factors which contributed to such a decision. The same measure was applied for the color of the clothes of *zimmi* so as to be able to tell a *zimmi* from a Muslim or to identify the particular confession of a *zimmi*[31].

The discriminations and their mandatory application dramatically influenced the social and professional life of non-Muslims, who would be identified as such in all their social activities and commercial transactions. However, it should be underlined that the purpose of issuing such regulations was not originally the social discrimination of non-Muslims, which came as an inevitable consequence. There were usually some practical reasons, such as counting or recognizing the houses of non-Muslims during the collection of the poll-tax. All these discriminatory regulations concerning the zones of inhabitance of non-Muslims and the color of their house or clothes were abolished in the reform era; such a policy would be in opposition to the conditions of equality the Reform Edict was issued to guarantee.

Donald Quataert argues that, although the issuing of clothing regulations in the pre-reform era was attributed to the need for state control, these regulations were tools of *negotiation* to define the boundaries for the subject classes in terms of gender, religious and social distinctions. As a matter of fact, members of the communal elite were able to bypass this legislation to achieve visibility and

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[31] Ibid, pp.19,20.

prestige[32]. Especially in the reform era, this process of negotiation evolved and reached its peak point, as not only did the sultan no longer interfere by regulating the clothing of his subjects, but also the distinction in clothing preferences between members of different groups came to rely upon social or administrative status rather than religion or gender[33]. In other words, there were no more restrictions issued by the sultan concerning the clothing preferences of a non-Muslim group from the reform period on, but some members of the group who worked in the Ottoman administrative hierarchy made themselves more "visible" by adopting a specific attire, so that they could be easily distinguished from the other members of the same group.

Najwa Al-Qattan's core argument with respect to the transition from the pre-*Tanzimat* to the reform era focuses on the significance of the "politics of religion" in the late Ottoman times; the historical continuity should not be traced in the "religious tension", she argues, but in the religion's formulating and influencing relations of power[34]. So to what extent did the proclamation of freedom in practicing religion in the *Islahat Fermanı* which was an attempt to minimize the religious conflicts in Ottoman society, pave the way for the religion to be a catalyser in the political scene of the second half of the nineteenth century? Did the distinction between the different confessions become more obvious than in the pre-reform era?

An example of the interplay between the policy in religious matters and Ottoman politics in the second half of the nineteenth century is provided by Selim Deringil. The historian describes the Hamidian era (1876-1909) as a period when the

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[32] Donald Quataert, Clothing Laws, State and Society in the Ottoman Empire, 1720-1829, *IJMES,* v.29, 3 August 1977, pp.406,407.

[33] See the second part of this chapter.

[34] Najwa Al-Qattan, *Inside the Ottoman courthouse*, pp.211,212.

relations of power were developed in accordance with the ideology of the preservation of the state[35]. The Sultan tried to promote Islam as a bond of unification against the "hostile Christian world", by claiming to be the caliph of all Muslims when adressing his Muslim subjects[36]. This title was first used by Selim I in 1517 at the time of the conquest of Egypt. Abdülhamit's fundamental "legitimating ideology" was his claim to defend the holy places in Mecca and Medina[37]. Deringil stresses that the legitimacy policy of Abdülhamit was effective because he claimed to promote the natural order of things[38]. In other words, Abdülhamit stood for his always being the Caliph of the Muslims so the image of his "divine" legitimacy was emphasized. As a result, we are dealing with a paradox. According to the Reform Edict, the distinctions between Muslims and non-Muslims, at least theoretically, disappear. However, religion seems to transform gradually into a powerful social catalyzer as the political events in the Hamidian period indicate.

Bozkurt stresses the important role played by the Great Powers in these reforms. They stood, she argues, for the non-Muslim groups in the Ottoman Empire and stressed the need for reforms; however, in reality they aimed at extending their various political and economic interests by claiming protection of the rights of "non-Muslims living in a Muslim state"[39]. All the non-Muslim groups in the pre-reform period were enjoying protection according to capitulations and *berats* issued upon the request of the Great Powers, a situation that, according to the author, was not the case for the Ottoman Muslims. In other words, she claims, not very convincingly,

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[35] Deringil, *The Ottomans*, p.83.

[36] It would be more proper to say "citizens" when we refer to the reform period.

[37] Deringil, *The Ottomans,* p.84&85.

[38] Ibid, p.96.

[39]Bozkurt, *Alman-İngiliz*, p.212.

that in the end the social hierarchy was reversed: the Muslims who were the dominant social group as they joined the dominant religion were downgraded, in fact, to an inferior social position compared to the non-Muslims, who enjoyed a privileged status as the foreign powers fervently tried to protect them. One can argue, though, that the Muslim element did not need support from the outside to promote its religious identity as their religion was the dominant one and was endorsed by the state that issued laws that could define the boundaries of the practice of religion. As a matter of fact, a large number of scholars attribute the initialization of the reforms to the realization of the Ottoman administration of the danger of the religious and consequently national fragmentation of the Empire.

Nevertheless, all the new rights granted to Ottoman non-Muslims were opposed to the traditional principles of Islamic law, as it was the effort to render non-Muslims equal to Muslims. A big "hole" was opened in the traditional Islamic law, as the *zimmet* was replaced by the status of Ottoman citizenship.

The "equality" among Muslims and non-Muslim "Ottoman citizens" in the reform period refers to equal civic rights whatever the religion or the ethnic identity of the individuals might be. However, access to the same status cannot be regarded as implementation of the same legal identity for everyone. Moreover, it has been suggested that not only was the adoption of a common "Ottoman" identity achieved for non-Muslims, but also a phenomenon of administrative "autonomy" and corruption was observed, as elites among the non-Muslims continued to rule upon their communities by ensuring their participation in the local councils[40]. In other words, the non-Muslim elites intended to rule by using the loopholes of the Ottoman

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[40] Vangelis Kechriotis, The Modernization of the Empire and the Community Privileges: Greek Orthodox Responses to the Young Turk Policies , in Touraj Atabaki, *The State and the Subaltern, Modernization, Society and the State in Turkey and Iran* ,(n.p., I.B.Tauris &CO, 2007), p.53.

administration which was unsuccessfully trying to impose order and to control the provinces. This will be the fundamental topic to be examined in the third part of this chapter. It is through the active participation of the non-Muslim groups in the administration, political life, economic activities and investment that the distinction between the Ottoman ethno-religious groups becomes more visible. Besides, the discussion on the status of Ottoman *zimmi* will be connected to the social changes and the changes in gender that the introduction of this civic equality and its specific local application brought about in the Ottoman society; it will be traced in the documentation of the reform period and presented in the fourth chapter.

The Social and Legal Consequences of the *Tanzimat*

The *Tanzimat* and especially its social consequences have been extensively studied. A review of the relevant literature in this study will help us get a better picture of the historical context in which the conversions to Islam of Greek Orthodox subjects of the sultan took place, especially in the *Tanzimat* era and its aftermath until the end of the Hamidian period when the legal system and the society were under the impact of the reforms. Concomitant to the debate on the *Tanzimat* is the one on the *millet* system, since the reforms that took place in the nineteenth century constitute a turning point in the understanding of the notion of *millet.* It is therefore helpful to start our discussion from there.

Studies related to the *millet* system can be classified into two categories. On the one hand, some scholars suggest that the *millet* system did not exist as an official

institution at all before the reforms of the nineteenth century, whereas on the other hand a part of the scholarly research stands for its existence. It should be noted that the distinction does not refer to the use of the word *millet,* but to its existence as an official institution According to the first view, which seems to be the most convincing, Braude argues that the term *millet* itself, as it is used in the Quran, describes a pre-Islamic community, as in the phrase *millat Ibrahim*, that is to say the people of Abraham, and he claims that according to the Ottoman understanding, before the reforms, this term does not juxtapose the community of Muslims to the one of *zimmi*[41]. So the *millet* included any people that claimed to be successors of Abraham and thus refered to a community which was distinct from the community of the Muslims. In addition, Braude points out the rarity of the usage of the term in the early Ottoman period and attributes it to its use as part of the formulaic vocabulary of the Ottoman correspondence clerks but not of other government officials.[42]

On the other hand, most of the scholars who accept the existence of the *millet* system as an official institution before the reforms stand for the transformation of the religious structure of *millet* to a national one in the nineteenth century. The reforms were regarded as the turning point for the new perception of the *millet* system; the previous understanding of an ethnic-religious group that preserved its culture and religion, though it underwent a continuous "Ottomanization" in other spheres of life, played a crucial role.[43]

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[41] Benjamin Braude, Foundation myths of the millet system, in Benjamin Braude and Bernard Lewis, *Christians and Jews in the Ottoman Empire:the functioning of a plural society*, (London-New York:Holmes&Meier Publishers,1982), p.70.

[42] Ibid, p.71.

[43] Kemal H.Karpat, The roots of the incongruity of nation and state in the post-Ottoman Era, in B.Braude and B.Lewis, p.142.

Kemal Karpat describes the major role of the community as the collective representative of local ethnic and cultural pecularities. In addition, he acknowledges that family was the transmittor of culture. In this respect, the community is viewed as a larger family in which the ethnic identity and customs of a group are being kept alive. Especially with respect to religion, as directly connected to conversions, we should carefully examine the changes in the *millet* system in the reform era. A noteworthy point in Karpat's article is the statement that the *millet* system emphasized the universality of faith beyond ethnic and linguistic differences, keeping intact the cultural and religious life of the community.[44]

However, Karpat argues that from the early Ottoman era until the nineteenth century the structure of the non-Muslim community did not remain identical. From the fifteenth century on, the hierarchical order of the community, that is to say the dominant position and social power of the communal leaders, was a decisive factor in the community's social transformation and, from the eighteenth century on, the several family-based ethnic and linguistic groups which evolved in social and economic units finally claimed independence and statehood. The *millet* which was described as a group identified by religious criteria was transformed into a nationally defined collectivity; Karpat stresses that this transformation was the outcome of the policy of the Porte to impose upon these ethnic religious units, under the pressure of the European powers, a common Ottoman nationality or citizenship in the second half of the nineteenth century[45].

Nevertheless, the theory of the transformation of the structure of the *millet* system in the reform era by Karpat has a weak point; it takes for granted the use of

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[44] Ibid, p.143.

[45] Ibid , p.141.

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the term with the same meaning both in the pre-reform and the *Tanzimat* eras. A group of scholars strongly oppose this view. It has been suggested that in the pre-reform era, the term *taife* was also used to refer both to religious communities and to other groups, such as the guilds[46]. The synonymous use of the terms *taife* and *millet* has been asserted to appear in the seventeenth century Ottoman documents[47], though it has even been suggested that both the terms were used as identical, not only in the early, but also in the late Ottoman era[48].

Aiming at the promotion of this common Ottoman identity as an ultimate goal, the Gülhane Edict heralded a series of changes, relevant to three fundamental axes: the need for security of life and property, and the adoption of a more flexible system of military service. The three axes of reform should be examined separately.

As to the taxation system, no common *zimmi* status neither for all the members of a *millet* nor for every individual non-Muslim was imposed. The administrative role of the individual became the key-element to determine one's tax status and accordingly his social status, not only in the Ottoman society, but also in his own *millet*[49]. Not only did the Muslim population welcome these changes in the taxation system but also the local non-Muslim notables and religious leaders, whose

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[46]Paraskevas Konortas, From Ta'ife to Millet:Ottoman Terms for the Ottoman Greek Orthodox community,in D.Gonticas&C.Issawi Charles, *The economic history of the Middle East, 1800-1814: a book of readings*, (Chicago: University of Chicago Press, 1966.)*,* p.171.

[47] Daniel Goffman, Ottoman millets in the early 17th century, *New Perspectives on Turkey*, No11, 1994, p.139.

[48] Macit Kenanoğlu, *Osmanlı millet sistemi, Mit ve gerçek*,(Istanbul: Klasik, 2004), pp.44,45

[49] Karpat, *The roots of the incongruity*, pp.150-151.

privileges were abolished, instigated the *reaya*, who were eventually disenchanted by the poor implementation of the reforms, to a rebellion in many parts of the Empire[50].

The Reform Edict also paved the way for a radical modification of the system of tax collection. The abolition of farming out state revenue collection (*iltizam*) was ensued by the appointment of *muhassıls* by the central government who became responsible for the tax collection. It is suggested that the increase in state revenues through the centralization of the taxation system was the main concern of the reforms in 1839. The project of the taxes' being directly collected by the *muhassıls* and immediately afterwards being submitted to the imperial treasury, appears to be the main axis of a new order[51]. However, it would be more pragmatic to conclude that the motives of the reformers in the nineteenth century were broader than the increase in state revenue, but this purpose itself was certainly, if not the main goal, at least a fundamental one.

The call for both Muslim and non-Muslim representation in provincial councils and in the Supreme Council of Ordinances, in other words the establishment of mixed councils, was more than an effort to reinforce the central mechanism of tax collection. The tax collection was assigned to both *muhassıls* and provincial councils[52]. It is suggested that this shift of power in tax collection was a path to radically separate the civil from the spiritual power of the patriarch and bishops, as the financial exactions of the clergy had become a scandal[53]. The new order

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[50] Halil Inalcık, Application of the Tanzimat and its social effects, *Archivum Ottomanicum* 5, (1973) p.98.

[51] Ibid, p.102.

[52] Ibid, p.103.

[53] Gerasimos Augustinos, *The Greeks of Asia Minor, : confession, community, and ethnicity in the nineteenth century.*(Kent, Ohio: Kent State University Press, 1992), pp.57,58.
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established by the *muhassıls* turned out to be ineffective, so in 1840 the Porte re-introduced the tax farmer system[54].

In Davison's view, the Porte tried to create a framework of equality and Ottoman citizenry while redefining the boundaries of non-Muslim *millet* communities. According to Davison, the "blurring of *millet* lines" that the issuing of the Reform Edict of 1856 brought about describes the paradoxical situation in which the equality of all Ottoman citizens was 'blurred' by the issuing of a *ferman* by the Sultan that could guarantee the privileges of each community.[55] Especially in the case of the Greek Orthodox *millet* the status of confirmed privileges of the community was challenged by the initiation of an Ottoman citizenship and the administration of the *millet* was re-defined by the preparation of its national constitution[56]. This was also the case in the context of the evolution of the legal agenda of the other *millets* in the post-1856 period.[57] Accordingly, we can suggest, Davidson argues, that the *Tanzimat* prepared the ground for national independence.

Yonca Köksal's study on the variation of the success of the reforms in different localities, which shows that this phenomenon was related to the different responses of local groups to the reforms, seems to have come as a challenge of Davison's thesis[58]. In her study, Köksal concludes that the difference in the application of the reforms between Ankara and Edirne, both of them being cities

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[54] Ibid, p.70.

[55] Roderick Davison, *Reform in the Ottoman Empire, 1856-1876*, (Princeton, N.J: Princeton University Press, 1963), p.56.

[56] Ibid, p.114.

[57] Ibid, p.127.

[58] Yonca Köksal, Imperial center and local groups: Tanzimat reforms in the provinces of Edirne and Ankara, *New Perspectives on Turkey*, No 27, Fall 2002, p.108.

situated in the core lands of the Empire, was due to the different level of economic development, composition of the local population and the geopolitical situation of these two provinces[59]. One significant parameter for the variation of the application of the reforms in different provinces, in general, was the fact that the local governors or members of the councils were former tax-collectors, whose election was tolerable by the Porte due to the lack of trained personnel[60]. Even the order of dividing the auctions' lots into smaller parts, so that ordinary citizens could participate in the councils, as well as the formation of *Imar Meclisleri* attended by officials appointed to travel in the provinces and write reports, did not seem to have been effective. A noteworthy point is that the elected non-Muslim members of councils were receiving a lower salary than the Muslim members[61]. The "corruption" at the local administrative level was so serious that even after the issuing of the Provincial Law of 1864, which prohibited the appointment of local residents as local governors, the local inhabitants continued to benefit from the institution of the permission to govern temporarily until the appointment of a new governor, by extending their rule for a long time[62]. Consequently, the variation of the success of the reforms in different localities had nothing to do with the incompetence of the *Tanzimat* statesmen to comprehend the dimensions of the emergence of nationalism, but it was rather an outcome of pragmatic reasons.

Except for the guarantee of life and property for all Ottoman subjects, one fundamental change in the social life of the converts was the official declaration of

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[59] Ibid, p.109.

[60] Ibid, p.134.

[61] Augustinos, *The Greeks of Asia Minor*, p.59.

[62] Köksal, *Imperial center*, pp.132-135.

the freedom of practicing religion as an individual action. First and foremost, the Edict was addressed to all subjects of the Empire regardless of their religion. Each of the non-Muslim groups interpreted the reforms in a different way.

The social consequences of religious conversion become more obvious when religion is examined as a part of public life rather than as an individual matter. For instance, in marketplaces, where Ottoman subjects from all religious groups were interacting every day, the definition of a market day became a matter of conflict. During this process, we attest the "holy" alliance between the local non-Muslim groups from different doctrines in order to face the resistance of the local Muslim population. A case of such an alliance between the local Orthodox, Armenian, Catholic and Protestant groups was observed in *Aydın* in 1863 which was expressed through a collective petition through the Armenian council of Elders to the Porte to ask for the change of the market day[63]. This incident mirrors not only the ambiguous application of the reforms at the local level, but also the formation of a common identity and alliance between the local non-Muslim groups before the menace of the prevalence of the Muslims' request. In other words, the reforms did not seem to have contributed dramatically to the formation of an Ottoman identity, but to the emergence of a common non-Muslim one, at least locally. However, this common non-Muslim identity was challenged by the emergence of nationalism and the inter-conflicts in matters of religious confession, as it was the case after the official acceptance of the existence of the *millets* of the Ottoman Catholic and the Protestant Christians in 1830 and 1850 respectively.

The customary practices and prejudices were seemingly the hardest to change compared to laws. The example of the legislation concerning dress code in the pre-

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[63] Augustinos, *The Greeks of Asia Minor*, p. 66.

reform era is a representative one. According to Quataert, on the one hand the introduction of clothing patterns in the period 1720-1829 identified the ranks within the official hierarchies, while on the other hand it served as a disciplinary tool of social, sexual and religious distinctions to define the boundaries between the subject groups[64].

It is noteworthy that already before the reforms, Sultan Mahmud II had ordered his bureaucrats to wear a plain fez which would remove any distinction between the different ethno-religious groups and would enable anyone to tell the civil officials from the military personnel[65]. After the reforms, which included the abolition of the legal measures concerning clothing patterns, many Christians adopted more fashionable ways of clothing and they paved the way for an individual distinctiveness rather than a communal one or a distinction of social rank. Augustinos argues that this evolution was the result of interaction with the outside world rather than a consequence brought about by the reforms[66]. At the same time, he states that in the reform era the adoption of a specific clothing style, not because it was required by law but as an individual choice, paved the way for the emergence of a clothing pattern of a social group.

This was the case of a Greek Orthodox named Andronikos, who was a member of the local council and was wearing a fez; some more members of the council, both Muslims and non-Muslims, imitated this style. In the course of time, more and more members began to wear a fez so that finally wearing a fez became a prerequisite for the members to join the mixed councils, in other words it became

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[64] Donald Quataert, The age of reforms, in Halil Inalcık , *An Economic and Social History of the Ottoman Empire*, (Cambridge: Cambridge University Press 1994), pp. 406&407.

[65] Ibid, p.412.

[66] Augustinos, *The Greeks of Asia Minor,* p.66.

part of the official dress code of every member to participate in these councils, despite his/her religious confession[67]. Thus, we realize that in the reform era the individual clothing preferences could lead to the adoption of a common clothing pattern both for Muslims and non-Muslims who belonged to the same administrative group. Not only did the sultan no longer interfere by regulating in detail the attire of his citizens, but also the clothing preferences of a group separated its members from those of another group at an administrative level and not at the level of religion or gender.

The introduction of the equal conditions for the practice of religion came as an answer to the very sensitive problem of the Ottoman government's treatment of the cases of apostasy (*irtidad*). Until the reform era, the Ottoman government, as it will be more extensively examined in the part on apostasy, used to send the apostates away from their hometown for a while, so that the tension would fade away, rather than executing them according to the traditional principles of Islam. However, this was always a problem, as this practice was a loophole in the Islamic tradition, and the cases of apostates who disappeared suddenly attracted the attention of foreign embassies[68]. In 1844, the execution for apostasy was officially banned and this measure was welcomed by Lord Redcliffe, the Christian missionaries and the Orthodox Church[69].

In any case, the poll-tax was a tax collected only from non-Muslims, so the objection of the *reaya* that the current taxation system in 1840 was opposed to the principle of equal rights proclaimed by the *Tanzimat* seems well-argued. The

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[67] Ibid, p.67.

[68] See chapter four.

[69] Augustinos, *The Greeks of Asia Minor*, p. 65.

intervention of the European Press played a decisive role in the lifting of the poll-tax

in 1851 to be replaced by the *bedel-i askeri*(military service exemption tax) for non-

Muslims by the *Islahat Fermanı* in 1856[70]. With respect to this and other cases, Halil

Inalcık has argued that in the reform era the reforms led to the continuation of old

customs under new names or the simultaneous application of the old customs with

the new ones[71]. Roderic Davison, also, claims that neither did Christians want to

serve in the army nor Muslim Turks want to serve under native Christian officers[72].

He mentions that the equality in the right to serve in the army was "burried" under

the new name of the old exemption tax, that is to say the *bedel-i askeri* tax[73]. This

policy was also part of the program of "*Osmanlılık*", for which Davison's thesis has

been criticized above.

Even if we do accept that the tax of *bedel-i askeri* was a continuation of the

poll tax, given the historical, social and legislative context in the 1839-1856 era, was

the liability to this tax an incentive for a Greek Orthodox to convert to Islam in order

to avoid taxation as a non-Muslim in the nineteenth century in general? This seems

unlikely as the convert would have to serve in the army as a Muslim, a duty which at

least he could have avoided as a non-Muslim. So was the introduction of the *bedel-i*

askeri tax a favorable attitude towards non-Muslims, so as to regard it as a violation

of the conditions of equality guaranteed for Muslims and non-Muslims in the Reform

Edict, because the former were not offered the alternative to pay this tax to avoid the

military service? We will return to that in the relevant chapter. The legislative

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[70] Inalcık, *Application of the Tanzimat*, p.106.

[71] Ibid, p.107.

[72] The use of the term 'Muslim Turks' by Davison is problematic in reference to the period
we examine.
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[73] Davison, Turkish attitudes concerning Christian-Muslim equality in the nineteenth
century, *The American Historical Review, Volume 59, Issue 4(Jul, 1954),* p.859.

reforms that followed the Reform Edict will be examined more precisely with reference to the case studies regarding conversion in the fourth chapter.

Apart from the legal and social consequences of the *Tanzimat* reforms, the reform era was marked by significant changes in the sector of economy as well. The agreement of Baltalimanı, which was signed in 1838, paved the way for the liberalization of the Ottoman economy. According to this treaty, the Ottoman administration engaged itself with introducing monopolies, restrictions and prohibitions in commerce, whereas the British government agreed to increase the duties in import and export. The result of the Treaty for the Ottoman Empire was ambiguous. On the one hand, the reversal of restrictions on the export of raw materials and foodstuffs benefited the primary producers and stimulated the growth of agricultural output. On the other hand the Ottoman handicrafts, as they could not compete with the foreign rivals, declined[74]. Paradoxically, the Ottoman government had expected that, with the increase of import and export duties and thanks to the rise in price levels, Ottoman products would be protected against foreign ones[75].

According to Davison, as Christianity was accepted as a partial revelation of the truth, Christians were regarded as second-class citizens in terms of religious revelation. As Islam was an axis to define the society, the law and the government, no equality between Muslims and non-Muslims was permissible according to the traditional principles of Islam[76]. The antipathy towards this violation of the holy text led to the organization of a conspiracy against Sultan Abdulmecit and his ministers,

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[74] Gonticas&Issawi, *The economic history*, p.39

[75] Mehmet Gen*ç, Osmanlı İmparatorluğunda devlet ve ekonomi*, (Istanbul: Ötüken Yayınları, 2000), p.93.

[76] Roderick Davison, *Turkish attitudes*, p.855.

as the participants regarded all the reforms in favor of Christians as the fruit of the intervention of the foreign powers to protect them. This is taken to be the reason for the exile of many Ottoman governors, such as Ali and Fuad Paşa in 1867[77].

To sum, it has been suggested that neither Muslims nor Christians were happy with the reforms, as the former regarded this policy of the Porte condemned by the Quran and the latter continued to be treated as "second class citizens" due to the continuation of old practices under a new name. Especially the Christian *ayan* were extremely disappointed by the new measures to the extent that they tried to block their application either by using their local power to join the councils or by resorting to banditry. The crucial question is whether this disappointment of Christians, and more precisely the one of the Greek Orthodox Christians, was expressed through conversion to Islam in the reform period. If this was the case, what were the particular motives of the converts in reference to their legal status?

The Greek Orthodox Community in the Nineteenth Century Ottoman Empire

In order to a study the Greek Orthodox community in the nineteenth century, we should take the *millet* system and the legal and social consequences of the reforms as the basic context, and focus on certain isssues and developments. This will help to establish the connections between the administrative and social background and developments within the community

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[77] Ibid, pp.861,863.

The Greek Orthodox community in the nineteenth century was far from being an undifferentiated whole. On the one hand, this *millet* included many ethnicities such as the Slavs and the Bulgarians. These ethnicities in the course of time were separated and established their own nation states and independent churches. The Serbs had established their own independent national church in 1830, followed by the Romanians in 1865. Eventually, in 1870 the Bulgarians founded the Bulgarian Exarchate[78]. Nevertheless, the Patriarch of Costantinople and the higher church hierarchy was predominantly Greek in culture and ideology. On the other hand, the lines on defining the ethno-religious borders of a specific community were not quite clear. Since there were many ethnic and linguistic differences within the Orthodox community and Ottoman territories in general, we cannot delineate in all precision the demographic as well as the cultural boundaries of the Greek Orthodox.[79]

The emergence of an elite class within the Greek Orthodox community constitutes a crucial development that should be examined within the context of the domination of trade and finance mostly by non-Muslims at the second half of the nineteenth century. With respect to political evolutions that finally entailed the dissolution of the Empire, Fatma Müge Göçek discusses the emergence of two Ottoman bourgeoisie classes. On the one hand, the Porte decided to educate and appoint a new order of Ottoman diplomats. The latter would receive a "Western" type of education, and would be trained in an academic environment influenced by the intellectual ambiance of the Rennaissance in order to serve and remain devoted to the Ottoman administration afterwards. However, the social bonds between the

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[78] For a full discussion of the *Rum milleti* in the nineteenth century and the authority of the Greek Orthodox Patriarch over it, see: Paraskevas Konortas, *Οθωμανικές θεωρήσεις για το Οικουμενικό Πατριαρχείο, 17ος-αρχές 20ού αιώνα* (Ottoman perceptions of the Greek Orthodox Patriarchate). Athens: Alexandria Editions, 1998 , pp. 303, 306-308.

[79] Haris Exertzoglou , *National identity in Constantinople in the nineteenth century* , (Athens: Nefeli Editions, 1996) , p. 75.

members of this elite class of Ottoman administrators proved to be tighter than the aims of the mission they were trained for[80]. On the other hand, the nineteenth century was marked by the emergence of a multi-ethnic class of merchants who developed a close relationship with the West and tight bonds among themselves as well.

The main argument of Göçek is that, the division of the Ottoman bourgeoisie in the eighteenth and nineteenth centuries into bureaucratic and commercial ones paved the way for the dissolution of the Empire. More precisely, the contact of the Empire with Europe in military and commercial terms paved the way for the transformation of the social structure of the various ethnic Ottoman groups and the structure of the Ottoman society. The Sultan's double effort to create a new young bureaucratic order and to confiscate part of the wealth the non-Muslim merchants had saved thanks to their commercial co-operation with the West, brought about a non-expected result; the 'Western' type of education contributed to the emergence of a bourgeoisie class. The lines between the members of this class, at ethnic and religious level, became more distinct. Finally, the emergence of a merchantile bourgeoisie class, in the same era, led to the forced migration of these groups[81].

The gradual disintegration and break up of Ottoman lands in the nineteenth century entailed a separation of the areas which were considered to be closer to the European markets from those that remained "isolated'. The areas that belong to the former category are Thrace, Macedonia and Western Anatolia. These are the locations where non-Muslim groups developed their activities of foreign trade, tax farming, money lending and prospered. We can safely argue that it was the gradual

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[80] Fatma Müge Göçek , *Rise of the bourgeoisie, demise of empire: Ottoman Westernization and Social change*, (New York: Oxford University Press, 1996), p. 305.

[81] Ibid, pp. 306-310.

loss of the economic and political power of the Ottoman administrative center that paved the way for the prosperity of the non-Muslim groups. It has also been suggested that, among the aims of the nineteenth century legal reforms in the Empire, was the incorporation of these groups[82].

This period witnessed the emergence of a Hellenic bourgeoisie. The migration of many Greek Orthodox subjects to cities in the litoral of Western Anatolia, especially İzmir, Ayvalik and Antalya contributed to the commercial florescence of these cities[83] . The members of this class used to possess both Hellenic and Ottoman nationality and could efficiently use both in order to facilitate their interests . The Ottoman state was reluctant to recognize the Hellenic nationality to its former subjects. However, this new status was quite a privileged one for the members of this newly emerging Hellenic urban class, as they could both continue their activities in the Empire as former Ottoman subjects and benefit from the special fiscal measures applied to the Hellenic ones as well. In the second half of the nineteenth century, not only merchants, but also those who practiced other professions such as doctors and lawyers, could benefit from these privileged fiscal measures as foreign citizens[84].

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[82] Reşat Kasaba , *The Ottoman Empire and the World Economy* , (Albany: SUNY Press, 1988), p.60.

[83] Vangelis Kechriotis, "Educating the nation, migration and acculturation on the two shores of the Aegean at the turn of the twentieth century", in Meltem Toksöz & Biray Kulluoğlu (eds.), *Merchant Cities of the Mediterranean: From the Ottomans to the present day*, (London:I.B.Tauris, 2009), (forthcoming).

[84] Kechriotis, Between professional duty and national fulfillment: the Smyrniot medical doctor Apostolos Psaltoff (1862-1923), in Meropi Anastassiadou (ed.), *Médecins et ingénieurs ottomans à l` age des nationalismes*, (Paris: IFEA, Maisoneuve & Larose, 2003),pp. 331-348

Generally speaking, we can locale the commercial boom of the capital controlled by the Greek-Orthodox in the mid-nineteenth century[85]. We can also trace three periods in the development of the commercial activities of the Greek Orthodox merchants in the nineteenth century; the period of investment and shipping, the period of parallel trade development and banking activities, and the period of general and diverse investment of Greek capital in the majority of the fields of the Ottoman economy. The florescence of investment, described as the third period, began after 1881 that is to say after the founding of the Ottoman debt administration. It was in that period that investment of Greek capital especially in mining, the flour industry, beverage, wine, brandy, alcohol, sugar products and tanning industries was observed. According to Quataert, in 1911 the majority of registered merchants in Istanbul were Ottoman Christians[86]. A research based on the statistic elements presented by Charis Exertzoglou shows that the investment of Greek capital played a significant role in the emergence of modern industry in Smyrna[87].

It seems that the prospering of the non-Muslim bourgeois class in the nineteenth century was either dependent on its declaration of loyalty to the Porte or on its ability to render the state financially dependent on itself. In the case of the Greek Orthodox bourgeoisie, contrary to Göçek who attributed their entire success to western influence, it has been suggested that the credit facilities in Europe and the personal trade skills of the Greek merchants, and not their seeking for a "protected" status from the foreign powers by asking for the help of foreign embassies or by applying for a European passport, was the reason why they gained power and

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[85] Exertzoglou, *National identity in Constantinople* ,p. 90.

[86] Donald Quataert, *The age of reforms*, p.839.

[87] Exertzoglou, *National identity in Constantinople*, p. 96.

prestige in the Empire in the second half of the nineteenth century[88]. In addition, they kept a low political profile in times of political tension, such as the Cretan revolt in 1866. This policy is said to have given more credit to the Greek mercantile groups than if they had applied for European protection. One more significant development was the shift from trade to banking that was observed after the Crimean War, as the Greek bankers in Constantinople began to finance the Ottoman treasury, a practice which eventually led to the increase of the Ottoman public debt[89]. Thus, it was not only foreign interference, but also its dynamic and active involvement in commercial activities that contributed to the prospering of this social group.

The nineteenth century has also been a turning point for the role of the Patriarch of Constantinople as a spiritual and administrative head of the Greek Orthodox; in the reform era his role changed considerably. Until the reforms, many privileges used to be granted to individuals who were allowed to occupy the offices of th Patriarchate and the local metropolitans in return for material offers to the Porte. Especially the office of the Patriarch of Constantinople, due to his strategical position in the capital of the Empire, had gradually developed into the most powerful among all other Patriarchates in the Orthodox Church, despite the fact that typically it was considered as *primus inter pares*. What changes with the reforms, as Sia Anagnostopoulou has shown, is that not only the individuals who occupied the office, but also the institution as such, were officially incorporated into the state administration in the *Tanzimat* period, while the Patriarch's authority within the community of the Greek-Orthodox was curtailed in favor of a lay elite[90].

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[88] Ibid, pp. 90,91.

[89] Ibid, p. 92.

[90] Sia Anagnostopoulou, *Μικρά Ασία, 19ος αιώνας-1919, οι ελληνοορθόδοξες κοινότητες, από το μιλλέτ των Ρωμιών στο Ελληνικό Έθνος* (Asia Minor, 19th century-1919, the Greek

The official incorporation of the Patriarchate in the Ottoman administration, however, did not automatically entail the abolition of the privileges granted until then. However, the exclusive legal privilege of the Church to perform certain religious ceremonies and sanction cases of marriage, divorce and heritage of the Greek Orthodox subjects and matters related to the clergy was eventually to be discontinued in the period following the constitutional movement of 1908[91]. Vangelis Kechriotis argues that the preservation of the privileges of the Greek Orthodox Patriarchate remained a matter of negotation between the community and the Sublime Porte. In 1883, the rejection of the application of the Patriarch Ioachim III to the Porte, for the issuing of a *ferman* which would confirm the existence of the privileges of the Patriarch, paved the way for a series of negotiations.

After the resignation of the Patriarch, upon the rejection of his application, the Porte issued the *ferman* in March 1884 as a conciliatory step. The Ottoman state showed the same intention to compromise by issuing an *irade,* which reasserted the privileges of the Greek Orthodox Patriatch, after a new period of tension that the issuing of *tezkere* in 1890 had entailed. In that *tezkere*, the Porte had asserted its right of interference in the appointment of teachers and board of trustees (*mütevelli*) in the Greek Orthodox schools[92]. Apparently, negotiations would begin with the purpose of guaranteeing, once again, the preservation of the privileges of the Patriarch.

The gradual loss of the privileged position of the Patriarchate in the hierarchy of the Ottoman state administration brought about the loss of its absolute power over

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Orthodox communities, from the Greek Orthodox millet to the Hellenic nation), (Athens: Ellhnika Grammata Editions ,1997), pp. 271,272.

[91] Ibid, pp.285-286.

[92] Kechriotis, *The Modernization of the Empire*, pp. 56-58.

the Ottoman Greek Orthodox subjects[93]. The role of the Patriarch as *milletbaşı* was not discontinued, but the evaluation of certain affairs became the responsibility of councils attended by people who did not belong to the clergy. In the post-1856 period, the internal structure of the *millets* was reorganized and the establishment of mixed councils, that is to say councils in which not only the clergy, but also others, could participate, as well as the proclamations of regulations generally recognised as the response of the non-Muslim elites to the stipulation of the *Islahat Fermanı*, were considered to be a novelty[94]. After the reforms, the "pan-orthodox" nature of the Patriarchate began to fade away to disappear some years later[95]. Nevertheless, the readjustment of the Patriarch's authority over the *Rum* Orthodox due to the reforms, was only an episode in the longs series of blows the institution had received starting from the independence of the Serbian church and culminating in the establishment of the Bulgarian exarchate. All this led to a re-definition of the Patriarch's authority over the Orthodox population[96].

A study on the Ottoman Greek Orthodox community institutions must also include an assessment of the dualism of power between the newly emerging lay groups and the Patriarchate in the nineteenth century. As far as the former are concerned, a Greek Orthodox *noblesse de robe*, which from the mid-seventeenth century on was prospering, had reached its peak when the Phanariots, as these distinguished families were called, monopolized the princely thrones in Wallachia

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[93] Anagnostopoulou, *Μικρά Ασία* , p. 287.

[94] Roderick Davison, *Reform in the Ottoman Empire*, p.114.

[95] Anagnostopoulou, *Μικρά Ασία* , p. 289.

[96] Konortas,, *Οθωμανικές Θεωρήσεις*, pp. 307,308.

and Moldavia(1711-1821)[97]. In the nineteenth century, separatist movements led to a shaking of the relations between them and the Ottoman government. More precisely, the outbreak of the Greek Revolution in 1821 dramatically influenced the position of the Greek Orthodox in the Ottoman bureaucracy whereas it promoted the Armenian participation in official circles. The monopoly of Greeks, who had occupied for years the imperial office of translators, was abolished in 1821, but members of other *millets* continued to work in the newly founded Translation Office[98].

Philliou describes vividly the way how some former Phanariots managed to participate and achieve a powerful status in the political life of the Empire from the 1830's to the 1850's. The example of Vogorides, an influential Phanariot in the pre-1821 era clearly depicts the re-emergence of a new Phanariot elite, that reiterated much of the existing cultural and political tradition after the Greek Revolution[99]. Philliou underlines, by narrating the example of Vogoridis, that this re-emergence was a matter of professional skills, patience, marriage alliance and a good network of connections with both the remaining Phanariots and newly emerging bureaucrats.

As far as the relationship between the Phanariots and the Greek Orthodox Patriarchate after 1821 is concerned, it is argued that although Phanariots were removed from the Danubian Provinces and the Imperial Translation Office, their connections with the Patriarchate remained. The politics in the Patriarchate continued to evolve around the participation of a lay group, which had a prominent role in

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[97] Findley Carter, The acid test of Ottomanism: The acceptance of Non-Muslims in the late Ottoman bureaucracy, in B.Braude and B.Lewis *Christians and Jews in the Ottoman Empire:the functioning of a plural society*, (London-New York:Holmes&Meier Publishers,1982), p.340.

[98] Ibid, p.341.

[99] Christine Philliou, Worlds old and new, Phanariot networks and the remaking of Ottoman governance in the first half of the nineteenth century,(unpublished Ph.d. diss. submitted at the University of Princeton, 2004), pp. 299,300,302.

regulating the finances of the Patriarchate and many large monasteries in the Empire, as well as the appointments of Patriarchs and Metropolitans. However, in the reform era, not only Phanariots, but also Greek Orthodox merchants, bankers and the masters of Istanbul guilds could join the new administrative body, called the Mixed National Council[100]. Findley describes the participation of the non-Muslims in the local councils of the Ottoman administration founded in 1840 as the only way to reach an official position[101]. These local non-Muslim elites, and not only people from Istanbul, were also among the lay who could in theory participate in the Mixed National Council.

It has been suggested that, on the one hand, the Greek lay bourgeois groups tried to create a common identity for the several Orthodox communities of the Empire by using certain mechanisms, such as the infiltration of cultural and political elements from the West.[102]. On the other hand, the Patriarchate tried to ascertain its control over the same populations, so a conflict of authority between them was inevitable. However, this power struggle had to be put aside to a certain extent, as the Patriarchate was the only recognised institution the Greek Orthodox could adress, while it was dependent on the donations of the rich members of the bourgeoisie as well[103].

How would the bourgeoisie ascertain its control over the Greek Orthodox population? The former was closer to the population at the local level. For instance,

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[100] Ibid, p.321.

[101] Carter, *The acid test of Ottomanism*, p.341.

[102] Mc Gowan ,The age of ayans , in Halil Inalcık, *An Economic and Social History of the Ottoman Empire*, p.669.

[103] 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.360.

some local associations, such as the Association of Persons from Asia Minor ("Anatoli"), established in 1891 in Athens, whose members originated from Asia Minor, used to sponsor the education of students who belonged to non-Greek speaking Orthodox populations, as a project related to the *Megali Idea* . The latter were sent to study at the national centre of the time, the University of Athens, and return as agents of the national culture[104]. Kechriotis describes this phenomenon in Smyrna [105].

The groups formed earlier and the new migrants, the ones from Cappadocia and the ones from the islands, the guild members and the professionals, the ones whoses names ended with 'oglou' and those that ended with idis', the ones who could speak Turkish and those who could not, the ones who were Ottoman subjects and those who were not-these did not always overlap[106].

The Smyrniot community, thus, is regarded as an aggregation of several communities which gradually moved to the city. The common bonds of these diverse communities, are ethnicity, locality, profession and kinship.

So, were these common bonds tight enough to challenge the authority of the Greek Orthodox Patriarchate? We can have a better picture if we consider the inter-communal structure and the administrative system of the Greek Orthodox Patriarchate in that period. Not only was the Otoman Empire a mosaic of linguistic, religious and racial groups, but also the *millet* itself as a social and legal entity provided the structure for the local communities' development of both their

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[104] Ibid, pp.14,15. Note: Kechriotis challenges the existence of a mission of educating and creating "cradles of national culture". He argues that this was a phenomenon of geographical and social mobility.

[105] Kechriotis, *Educating the nation*, p. 4.

[106] Ibid, pp. 9,10.

individual and group interests. The Greek Orthodox of the nineteenth century were the descendants of diverse ethnic groups and were divided by language, among other things. However, the bond of religion was regarded as the "universalist element" that united everyone. Augustinos argues that the local communities, whether Greek or non-Greek speaking, kept their religious identity distinct whereas the Orthodox church retained its identity through the bond of the Greek language[107]. So was it the bond of religion or the bonds of language and culture that predominated in this conflict for control? We cannot safely conclude that the lay bourgeois groups using the bonds of language and culture or the Greek Orthodox Patriarchate using the bond of religion managed to "rule" and control the Greek Orthodox population. This process seems to have needed a kind of common understanding by both rivals in this authority game.

   To summarize this part,we should reflect on the structure and the changes in the administrative system of the Greek Orthodox community, the emergence of new lay elites, the transformations related to the authority of the Greek Orthodox Patriarch and the political events of the nineteenth century to trace a "target group" whose members can be regarded as vulnerable to conversion. This aspect, however, will be further explored in the fourth chapter of the thesis.

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[107] Augustinos, *The Greeks*, p.38.

CHAPTER THREE: CONVERSION TO ISLAM

In the study of the history of Islam, it has been generally assumed that the Muslim ruling class intended to respect the non-Muslims' freedom of practicing their religion. Although the interpretation and the application of this principle varied from time to time and from place to place, a study of the phenomenon of conversion dictates the exploration of the principles of Islam, regarding the co-existence of Muslims with non-Muslims, first. This general overview will be directly related to the introduction, transformation and application of some of these principles in the Ottoman society. In this context, I will approach the nature of the phenomena of *ihtida* (conversion to Islam) and *irtidad* (apostasy), as well as the terminology used to describe the procedures related to these phenomena and try to illustrate the emergence and the development of both these phenomena in the pre-*Tanzimat* and in the reform era respectively.

Partly because Islam was the last religion to emerge out of the Abrahamic tradition, and partly because of pragmatic reasons, Muslims were historically more ready than the believers of other monotheistic religions to accept that there were some elements of truth in other monotheistic faiths. At the same time, of course, they were also convinced of the superiority of their religion, and regarded conversion to Islam as a very meritorious act for both the convert and the converter, while they regarded conversion out of Islam, that is to say "apostasy", as intolerable, and punished it harshly. So, with regard to conversion, the relevant literature has addressed the question of whether Muslims were allowed, according to the holy texts, to encourage non-Muslims to convert to Islam so as to be praised for this meritorious act both by their social environment and God. Following that question,

of course, the restrictions upon such an encouragement have also been investigated. As a matter of fact, there is a direct reference in the Qur'an to the prohibition of using force in religion[108], despite the fact that pagans were excluded from this prohibition. This significant restriction, however, was not always respected.

Levtzion describes a gradual process of Islamization in the territories first conquered and then inhabited by Muslims; as the Sha'ria recognizes the existence of a non-Muslim population within the domains dominated by Islam, the incorporation of the status of a territory to *dar-al-Islam* was the irrevocable consequence of the imposition of Muslim rule. Thus, a military conquest did not immediately lead the non-Muslim element in the conquered lands to convert to Islam, but the phenomenon of Islamization developed and matured in the course of time through the establishment and florescence of Muslim religious institutions[109].

As Richard Bulliet underlines, the earliest conversions to Islam should not be viewed as the outcome of a long process of preaching, studying, or intellectual and moral transformation. Bulliet describes conversion as *aslama*, which in Arabic means "to surrender to God's will". In other words, as Islam has historically been a religion that emphasizes practice more than dogma, conversion was regarded first and foremost as an act of joining the Muslim religious community rather than as an outcome of a long process of studying the principles and dogmas of that faith. More precisely, the Muslim community accepted the entrance of the new member to it first, without expecting the latter's being enlightened on the matters of Islam; learning and studying in depth the tenets of the faith of that community was seen as a

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[108] "There is no compulsion in religion. The right direction is henceforth distinct from error. And he who rejecteth false deities and believeth in Allah hath grasped a firm handhold which will never break. Allah is Hearer, Knower", The Holy Koran II: 256, in Deringil, *The Ottomans*, p.105.

[109] Nehemia Levtzion, *Conversion to Islam*, (New York: Holmes&Meier Publishers, 1979), p.9.

slow process that would come afterwards. This was not the case for converts to

Christianity; they were expected to have studied meticulously the tenets of that faith

before converting. Although the very early converts to Islam were war captives,

conversion accelerated considerably after the Arab-Muslim expansion in the second

half of the ninth and actually tenth and eleventh centuries, especially in Iran[110]. In the

course of Islamic history, and until the late Ottoman times, conversion to Islam

continued to be an act of embracing this faith without having studied its tenets

before.

It has been argued that while sometimes conversion and Islamization are used

synonymously, Islamization can be better understood as a process by which the

religious tradition of Islam becomes a major factor within a culture, an ethnic group

or region[111]. A parameter connected to the process of Islamization is the distinction

between the terms "conversion" and "adhesion"; As Nock argues, conversion can

take place only to prophetic religions which are exclusive and require unqualified

commitment. On the contrary, adhesion refers to pragmatic religions which people

join so as to satisfy a number of natural needs and to ensure the proper working of

the natural processes. Fisher comments, rather unconvincingly though, that as Islam

is a prophetic religion, according to Nock's definition, becoming a Muslim is a

prerequisite in order to join actively the religious group of Muslims. However, many

people joined Islam in a process that can be regarded as *adhesion*, as the

representatives of Islam attracted people by using prayers, amulets and charms,

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[110] Richard Bulliet, Conversion Stories in Early Islam, in Michael Gervers and R.J.Bikhazi, Conversion and Continuity: Indigenous Christian Communities in Islamic Lands, Eighth to Eighteenth Centuries, *Papers in Medieval Studies, 9.123-133*, (Toronto: Pontifical Institute of Medieval Studies, 1990), p. 131. Cited in Krstic, *Narrating conversions*, pp.120, 121.

[111] Krstic, *Narrating conversions*, p.43.

which were common practices with other local religions[112]. As it has already been discussed, Islam was an open religion to people who had not studied the tenets of this faith. Therefore, conversion to Islam does not render the convert an active Muslim member, but it is his/her gradual acculturation effort that leads to this result. As for the argument regarding joining Islam through adhesion, it will be examined in the framework of religious syncretism[113].

According to Levtzion, the attitude of respect towards the existence of non-Muslims in places conquered by Muslims changed when the proportion of Muslims in the population increased. Accordingly, the *ulema* became more influential on the Muslim part of the population and the rulers began complaining about the former's policy of not issuing or applying discriminatory measures on non-Muslims. Especially when non-Muslims became part of the Ottoman administrative hierarchy and were granted authority over the *Believers* (that is to say the Muslims), the reaction of the rulers was even stronger[114].

It has been observed that in the Muslim dominions, especially in the Ottoman one, those who accepted Islam and gained the name *mühtedi* immediately became eligible for material and financial aid. This amount of money, in Ottoman *nakdiyye*, *atiyye* or *ishan* can be regarded as a considerable motivation for the non-Muslims in need to convert to Islam; especially the policy of granting houses to converts, as

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[112] Arthur Darby Nock, *Conversion: the Old and the New in Religion from Alexander the Great to Augustine of Hippo*, (London-New York, Oxford, 1933), p.8. Also see: H.J.Fischer, Conversion reconsidered: Some Historical Aspects of Religious Conversion in Black Africa, *Africa 43(1973)*, p. 33, cited in Levtzion,*Conversion to Islam*, p.21.

[113] For the etymology and the main characteristics of syncretism, see Colpe Carsten, The phenomenon of syncretism and the impact of Islam, in *Syncretistic religious communities in the Near East, Collected Papers of the International Symposium "Alevism in Turkey and Comparable Syncretistic Religious Communities in the Near East in the Past and the Present, Berlin 14-17 April 1995*, edited by Kriztina Kehl-Bodrogi, Barbara Kellner-Heinkele, Anke Otter-Beaujean , (n.p.,Brill editions, 1997), pp 35-48.

[114] Levtzion, *Conversion to Islam*, pp 9-20.

Şeker claims without mentioning the time when such a policy was introduced, must have been extremely tempting[115] . The granting of these forms of financial aid dates back to the pre-*Tanzimat* period. The *sünnet akçesi*, as the word indicates, constituted an amount of money to be granted to new converts to Islam from the Imperial Treasury to cover all the expenses of the ceremony. In addition, *kisve bahâsı* was given to the *mühtedi* so that they could dress in the way Muslims did, given that every Ottoman had to be dressed in the same colors and style according to his/her religious group. *Destâr*, *sarık* and *kavuk*, which refer to the respective headgears used by Muslim men, are other terms used to describe the financial aid provided to converts[116].

To better understand the legal position of the non-Muslim converts to Islam, we should also study the phenomenon of *irtidad* (*apostasy*), as many converts reverted to their previous confession. According to Islamic law, the apostate was regarded as a traitor, somebody who was disloyal to both state and society. The punishment was rigid and the apostate had to be uprooted at any cost[117]. The *mürted,* that is to say the apostates from Islam, were to be executed according to the Sha'ria[118]. "An apostate in fact lives in a legal twilight. If he migrates and a judge rules that he has reached the realm of war, he becomes legally dead"[119].

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[115] This can be contested, as my case studies do not include any document that refers to the granting of house to a *mühtedi*. The issue of granting financial aid as probable motivation for conversion to Islam will be examined extensively in the relevant chapter.

[116] Şeker, *Osmanlı belgelerinde ihtidâ*,.p. 102.

[117] Encyclopaedia of Religion, vol. 1, v.s. "Apostasy".

[118] Deringil, *The Ottomans*, p.106.

[119] Colin Imber , *Ebu's Su'ud, The Islamic Tradition*, (Stanford-Calif: Stanford Editions, 1997), pp 70,71. Cited in Deringil, *The Ottomans*, p.106.

Irtidad is apostasy to some other religion, for instance to Christianity, whereas, according to Zwemer, whose work was written within the context of an emerging interest for the phenomena of religious syncretism, shortly after the collapse of the Ottoman Empire, apostasy from Islam to "unbelief" is *ridda*[120]. The prophet Muhammad had defined the need for punishment in three cases: in the case of murder, in the case of *zina* (illegal sexual intercourse by a married person) and in the case of apostasy from Islam. The *ulema* interpreted the Qur'an and formulated the Shari'a following the same path[121]. Which act is regarded to be apostasy according to the traditional principles of Islam? As Zwemer claims, according to the most succinct interpretation of the Qu'ran: "Apostasy consists in the abjuration of Islam, either mentally, or by words, or by acts incompatible with faith. As to oral abjuration, it matters little whether the words are said in joke or through a spirit of contradiction, or in good faith"[122]. It should be noted that the apostasy of a minor, a lunatic, a person who was forced to do so or somebody who lost his sanity after committing the apostasy until he recovers his sanity, is not taken into account. However, those who claim having apostatized while being drunk are considered apostates.

As it was the case in other Islamic domains in earlier times, many Muslim religious leaders and dervishes migrated and settled in the East in the sixteenth century. It has been suggested, in a rather far-fetched claim, that the establishment and development of religious institutions that had not existed in the time of the Arab conquests, such as the brotherhoods of dervishes (*zaviyes*), intensified the zeal of the Muslim society to proselytize individual Christians to Islam. According to Barkan,

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[120] Samuel Zwemer, *The law of apostasy*, p. 33.

[121] Encyclopaedia of Islam, 1st ed., v.s. "Shar'ia".

[122] Zwemer, *The law of apostasy*, pp. 47,48.

one of the founding fathers of Ottoman studies in the early Republican years, and his research on the area of Rumeli, the high number of converts to Islam is attributed to the missionary propagandist activities of these brotherhoods[123]. Cemal Kafadar, who has recently published a seminal study on the interaction between the Late Byzantine and the early Ottoman world, following Barkan, points out that colonization was the most important way of the settlement of Muslims in the peninsula and that the schism between the two Churches, the Catholic and the Orthodox, was one more decisive factor to facilitate the settlement of Muslims.[124] However, Kafadar does not accept Barkan's view that this colonization was necessarily religiously motivated; he rather challenges the theory of conversion "by sword", arguing Ottoman *metadoxy*, a state of being beyond any particular religion; in this context, colonization is described as a series of raids fighting not only for one's beliefs but also for honor and booty[125].

On the other hand, Tjana Krstic, a young scholar who has recently defended her thesis on narratives of conversion in the Ottoman Balkans, argues that the nature of these activities is not proven to be missionary. She also rejects Barkan's and Kafadar's argument that a large number of Muslims in the Balkans were descendants of migrants from Asia Minor; she rather agrees with Todorov's view that the Muslim presence in the Balkans should be attributed to the conversion of the local population to Islam and she accepts the religious syncretism propagated by the *Sufis* only as a theory concerning the methods of attracting people to Islam and the *Sufis* as a group

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[123] Ömer Lütfü Barkan, Osmanlı İmparatorluğunda bir İskan ve Kolonizasyon metodu olarak Vakıflar ve Temlikler: İstıla devirlerinin Kolonizatör Türk Dervişleri ve Zaviyeler, *Vakıflar Dergisi 2 (1942)*, pp. 279-386.

[124] Cemal Kafadar, *Between two worlds: The construction of the Ottoman State,* (Berkeley:University of California Press, 1996), p.145.

[125] Ibid, pp.76-78.

of the major agents of religious change. Krstic makes a geographical distinction between the eastern parts of the Balkans which were conquered earlier and by loosely organized bands of *gazi*, nomads, etc. and the western parts of the Balkans, which were conquered by the armies of a centralizing state, those of Mehmed II. Accordingly, both the conversion of the local population and the settlements of Turcoman tribes contributed to the Islamization of the eastern parts, while conversion of the local population was the overwhelming factor in the Islamization of the western part of the Balkans[126].

Although the Ottoman administration did not prefer to lose the poll-tax which the converts would have paid, the Muslim ruling class did not try to stop the proselytization of Muslims in the East. As Vryonis elegantly states, the remains of an entire conquered Empire, the conquered lands, the incomes of the flourishing commerce and the collected booty kept the Ottoman ruling class well satisfied to ask for more[127]. In this respect, Lowry adds that in the sixteenth century in Trabzon, "it was considerably cheaper to be a Muslim than to be a Christian"[128]. However, this parameter should be qualified with the other motives of converts that have been suggested or the policy of the agents of the conversion examined by the scholarly research; concluding that escaping the high taxation of non-Muslims was the main motive for conversion to Islam in the first centuries of Ottoman history would be a superficial treatment of our sources. Undoubtedly, taxation was a big burden for the non-Muslims but economic motives are not sufficient to lead to a religious conversion.

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[126] Krstic, *Narrating conversions*, pp. 6,7, 15.

[127] Vryonis, *The decline*, p. 357.

[128] Lowry, *Trabzon şehrinin İslamlaşma*, p. 241.

In reference to the first centuries of rule, especially in the fifteenth century, many individual *timar* holders converted to Islam and gradually became acculturated and active members of the Muslim group. In the course of the century, it is observed that some members of a family that had been given a *timar* remained Christian, while the rest of them converted to Islam. As a result, for example, conflicts between the convert children of one brother and their Christian cousins broke out; however all of them were eligible for holding a *timar.* It has been suggested that in the sixteenth century, when the number of Christian *timar* holders started to decrease, maintaining a position of local wealth and power might have been a strong impetus for conversion to Islam[129].

A very common phenomenon in the early Ottoman era was the conversion of slaves. Prisoners of war reduced to slavery could be found all over the Empire and were very important agents of the frontier economy.[130]. In this framework, the phenomenon of mass conversion through the system of *devşirme* should be briefly tackled. According to this system, which declined in the seventeenth century, most of the captured young boys were given over to Turkish peasant families in Anatolia. The goal was their learning Turkish and becoming accustomed to physical work. The application of the *devşirme* system is widely accepted as the most evident method of forced conversion to Islam in Ottoman history and it is contested in the Balkan historiographies as it is considered a means of draining the Christian population from its capacity to reproduce effectively. Some of these young boys would still resist and try to run away at first chance, whereas others would accept their new identity and

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[129] David Geza , Administration in Ottoman Europe , in Metin Kurt and Christine Woodhead, *Süleyman the Magnifiscent and His Age*, (New York, n.p., 1995) p. 77. Cited in Deringil, *The Ottomans*, p. 103.

[130] Zhelyazkova , *Islamization in the Balkans*, p. 237.

join the Ottoman hierarchy. It has been recorded that many zealous Muslim statesmen originate from the group of these converts that crowded the ranks of the janissaries. Thus, emphasis should be set upon the way one joined Islam; voluntary adherence to the Ottoman cause or forced conversion through *devşirme* is far more different than joining Islam because of belief in its righteousness[131].

In the years between 1500 and 1800, the agents of conversion varied from state authorities to individual men and women[132]. The former used to grant economic and social privileges or order the conscription and forced conversion of janissaries, whereas the individuals were encouraging members of their social environment to convert, thanks to their kin and friendship networks. Kristic argues that affiliation, or the desire to break out of a certain affiliation system, was the impetus for conversion to Islam, rather than the *Sufi* propaganda. Even in the case of a convert being influenced by the teachings of a *Sufi* order, there was certainly a more influential factor, such as information through friends or a family who had converted before, that led to the act of the conversion[133]. Especially in the cases of Christian women married to Muslims who chose to baptize their Muslim son, would the Muslim descendants of a Christian mother consider themselves crypto-Christians or perform baptism to their children as a family tradition? Vryonis argues that these formerly Christian practices were incorporated into every-day Muslim religious practice (this can be described as an aspect of syncretism) but without undermining the solid character of Islam[134].

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[131] Bulliet, *Conversion Stories in Early Islam*, p.121.

[132] Krstic, *Narrating conversions,* pp. 83-244.

[133] Ibid, p.161.

[134] Ibid, pp.125,162.

As far as religious syncretism and *gaza* are concerned, the debates on both topics are related to each other, as syncretism has been described as an integral element in the *gazi* narratives. *Gaza* in the early Ottoman era has been described as a raid or excursion into foreign territory whose ultimate goal was probably the expansion of the dominance of Islam[135]. The theory for the *gaza* has been presented by Paul Wittek as a holy war and as a militant ideology to which the Ottoman success in the conquests was attributed. This approach has been criticized as single-minded[136]. It has also been noted that the epics of the *gazi* resemble to the Byzantine epics, as both of them show a possibility of duality of identities in the same person in those frontier zones (For instance the father of *Digenis Akritas* was supposed to be a Muslim, and a similar case is the one of *Artuhı* and *Efromiya* in *Danişmendname*)[137]. So did this resemblance in epics of the frontier zones serve for the accomplishment of *gaza* in the way Wittek visualized its mission?

In his relevant study, Ruhi Lindner argues that the predominant socio-religious force over Islam was tribalism in Central Asia. Kafadar's theory of *metadoxy*, a state of being beyond any particular religion, has already been discussed; *gazis'* fighting not only for their beliefs but also for honor and booty, explains why they could easily change sides in the war, shift from one identity to the other, convert or choose to marry outside their clan. Kafadar's perception of syncretism and *gaza* is mirrored in his claim that the difference between warrior epics and hagiographies of holy men was not always distinguishable, and that the people of the marches did not separate the struggle to expand their faith from

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[135] Kafadar, *Between two worlds*, p.80.

[136] Paul Wittek, The Rise of the Ottoman Empire, (London: The Royal Asiatic Society, , 1938) in Krstic, p.7

[137] Kafadar, *Between two worlds*, pp. 81,82.

resorting in conciliatory gestures to people who believed in other faiths[138]. Krstic's point of view is different; she strongly refutes syncretism in the *Sufi* teachings and especially in their hagiographies. The latter are presented as illustrating a different understanding or interpretation and not a mixture of religious traditions[139]. The *warrior for faith* and *metadoxy* are considered as narrow definitions of the mission and the ideology of the *gazi* respectively; religious boundaries, she argues, were not erased for the sake of such a *partnership*, on the contrary, religious difference was negotiated both on an individual and an inter-faith level[140]. One more version of the debate on *gazi* is the clear divergence in the views endorsed by Lowry and Vryonis ; whereas the former unconvincingly stands for the separation of material and spiritual motivation of the *gaza*, the latter points out that such an interpretation ignores the fact that the *gaza* is undertaken against particular enemies, *the infidels*. For Lowry, profit was the ultimate goal of a *gaza*[141].

In the second half of the sixteenth and in the seventeenth century, Islamization became more intensified in the rural areas than in the urban ones[142]. The abandonment of the *devşirme* system in the late seventeenth century was attributed to a new "trend"; the phenomenon of voluntary conversions and petitions addressed to

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[138] Rudi Lindner, *Nomads and Ottomans in Medieval Anatolia*, (n.p., Bloomington Indiana University Press, 1983). Also see Kafadar, pp. 76-78. Also see Lowry, *Trabzon şehrinin İslamlaşma ve Türkleşmesi*, pp. 56-57.

[139] For example, *the Apostles of Gallipoli* or the *Yazıcı brothers* work in the fifteenth century was introduced to enable common folk to approach and understand the rulings of Islam by translating the holy texts from Arabic or Persian into Turkish. Their work was not a simple translation, but they offered their own understanding of religion enriched with the *Sufi* sensibility. For a full discussion of this issue see Krstic, pp. 45-57.

[140] Krstic, *Narrating conversions*, pp. 91,92,161,162.

[141] Lowry, *Trabzon şehrinin İslamlaşma ve Türkleşmesi*, pp. 56-57.

[142] Anton Minkov, *Conversion to Islam in the Balkans*, pp.63-75.

the Porte, for the applicants to be appointed either in the Janissary corps or in the administrative and military apparatus. On the one hand, Anton Minkov describes conversion to Islam by *devşirme* as a process including rupture with the past which suggests that social and economic motives were the impetus for conversion in that era. On the other hand, Krstic dissents that even conversion for economic motives is indirectly a non-voluntary conversion[143]. However, it should be added that the applicants of the petitions studied by Minkov, in most cases, had a friend or a relative already working in the Ottoman hierarchy in the department to which the petition was addressed.[144] Was this a new recruiting pattern after the abolition of the *devşirme* system? I think that the answer is quite obvious. Marc Baer's point of view seems to be the most convincing; the demographic change, since the Muslim population had become the majority, no longer necessitated the recruitment and conversion of non-Muslims[145]. Although the author refers to the seventeenth century, the demographic increase of the Muslim element in the population must have been gradual and evident since the second half of the sixteenth century.

The seventeenth century in the historiography of conversion to Islam in the Ottoman Empire was indelibly marked by the strident Islamic Puritanism of the *Kadızadeli* movement[146]. The application of some of its principles, such as the closing of coffeehouses, the prohibition of the trade and the use of tobacco and

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[143] Krstic, *Narrating conversions*, pp. 11,12.

[144] Minkov, *Conversion to Islam in the Balkans,* p.237. Also see Krstic, *Narrating conversions*, p.19.

[145] Baer, *Honored by the Glory of Islam* p.22.

[146] *Kadızade* began his spiritual life as a *Sufi*, but later he rejected the *Sufi* way. He went to Istanbul to promote the principles which the first Muslims respected and applied in Medina. His mission was to guide people *to enjoy what is proper or good and forbid what is reprehensible or evil.* For a full discussion of this issue, see Baer, pp. 65-67.

alcohol were imposed on Ottoman subjects by the sultan Mehmet IV in an authoritarian way; paradoxically, the Sultan himself was not a member of the movement[147]. Those Ottoman subjects who disobeyed would be put to death. Thus, conversion, in this context, could be said to have two aspects; revival of faith for the Muslims and conversion to Islam for non-Muslims[148].

This category of conversions, both mass and individual, as a state policy involves many kinds of converts and many agents. The conversion chain was described as a conversion of the self, others and sacred space. At the beginning, the sultan converted following his preacher, his grand vizier and his mother, who had converted under the influence of the *Kadızadeli* movement. Afterwards, the sultan became a convert-maker, first of his inner circle in the palace and then of his subjects, as he spent most of his reign in Edirne and Rumelia in order to be closer to the common people and to promote the image of a worthy Muslim sovereign. It has been suggested that when the Sultan went hunting, he used to personally convert Christians to Islam and re-dress them head to toe[149]. Krstic, commenting on Baer's work, criticizes him for having reached arbitrary conclusions by examining some isolated incidents of conversion during the hunting of the sultan and claims that hunting should only be viewed as an opportunity for the sultan to make himself visible; conversions during imperial hunting, Krstic argues, have also been recorded in the reign of Sultan Süleyman, whose policy towards non-Muslims was not repressive[150]. As for the conversion of sacred space, it started with the

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[147] Ibid, p.68.

[148] Ibid, p.12

[149] Ibid, p.179.

[150] Krstic, *Narrating conversions*, p.10.

transformation of Jewish neighborhoods close to the Topkapı Palace, went on with the conversion of church properties to mosques and the prohibition of Christians to inhabit their vicinity and was intensified after the fire of 1660 in Istanbul. The silencing of the pealing of the bells in churches was the sign of the superiority of Islam[151].

As a matter of fact, what changed in the seventeenth century was not only the fact that state policy became more discriminatory towards non-Muslims, but also that the commoners followed the example of the rulers so that many Muslims considered "the prohibition of what is reprehensible or evil" as their own sacred obligation. In this respect, although they had not complained before, many Muslims in Istanbul, after the fire of 1660, started applying to the Porte to ask for the prohibition of the re-settlement of Jews or Christians in their old neighborhoods or the ressation of the restoration of a church in the city or of a monastery in the area of Rumeli, arguing that the feelings of those Muslims living in the nearby space could be offended. Given that only the testimony of Muslims was valid, many Christians had to be expelled from the Muslim homes they inhabited[152].

Thus, eventually, in Rumeli, the practice of religion for the Christians became very difficult and rather "expensive". We get the impression that the efforts of the Christians to practice their religion and surmount these obstacles, despite the fact that the state policy was to humiliate further the "unbelievers" and to remind them of the superiority of Islam, led to the florescence of corruption. The Muslim subjects contributed to this state policy by converting churches to mosques and contesting

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[151] Baer, *Honored by the Glory of Islam*, pp. 6-11.

[152] Ibid, pp.102-104. Also see Rossitsa Gradeva, *Rumeli under the Ottomans*, (Istanbul: The Isis Press, 2004) p. 354.

over Christian land as Muslim sacred space; the state and the commoners co-operated as agents of conversion.

More precisely, in the sixteenth and the beginning of the seventeenth century, the local *kadıs* in the Balkans received orders to pull down only newly-built churches; however, as it was the case before, some of them continued to pull-down churches, claiming that although only permission for repair was granted, the church was illegally enlarged. To build a new church or to escape the demolition of an existing church, the Christians had to use loopholes in the legislation and/or bribe the local authorities. Sometimes bribery was proved to be such an effective method that even a new church in mixed settlements was built. Nevertheless, the fear of demolition never disappeared. Officially, to obtain permission of restoration, they had to prove that there had been a church at the time of the conquest and the city had surrendered peacefully to Muslim rule; however, these claims had to be enhanced by the testimony of Muslim witnesses. Paradoxically, although the use of the bells was prohibited, the crosses on the domes of churches were allowed to stay. The parallel Muslim policy was the conversion of churches to mosques upon the claim of the local Muslim community that they needed a sacred space. In some cases Muslims bought houses in Christian neighborhoods, turned them into sanctuaries and then asked for the removal of the non-Muslim population from the area[153].

During the eighteenth century, it was the fiscal policy of the Ottoman state that motivated mass conversions to Islam, especially in the areas inhabited by the Albanian population. At the end of the seventeenth century, for instance, taxes paid as a lump sum by the local Albanian community before were now imposed on an individual basis; in the course of the eighteenth century taxation increased

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[153] Gradeva, *Rumeli under the Ottomans*, pp. 355-365.

dramatically to such an extent that some categories of the Albanian population were liable for ten times the sum of tax they used to pay before. As a result, whole villages in the rural areas of modern Albania joined Islam in the eighteenth century. As the number of Muslims in this area was small and the Ottoman authorities were rather mistrustful of the local Albanian administrators (in 1704 some Albanians had become commanders of irregular troops), Islamization of the local non-Muslim population was not an unexpected outcome but rather a pursued one. Crypto-Christianity was also practiced by these Islamized Albanian groups[154].

There are many sorts of implications for the way individuals or communities have integrated into the Muslim community. What type of Muslim one becomes depends on all the different factors that have already been discussed; do you convert as a lone individual or as a member of a whole community (village, etc.)? As mentioned already, adhesion or conversion to Islam is related much more to adopting a set of practices than to endorsing a dogma. This does not preclude the survival of older practices in a new cultural configuration which is very much syncretic. Thus, if a mass, typically forced, conversion is the case; it might be easier, especially for communities in remote areas, to carry on their old faiths in whole or in parts. Such a case is perhaps the one of crypto-Christians in the Black Sea area. Likewise, the kind of Islam espoused by the agents involved in the conversion effort can be very determining.

To contextualize the debate related to the first two centuries of Ottoman history, it should be noted that, as far as conversion to Islam is concerned, this is a period on which documentation is scarce and debate plenty. Still, we know something about the larger dynamics of the period; Heath Lowry's work on Trabzon,

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[154] Zhelyazkova, *Islamization in the Balkans*, pp. 239-244.

for instance, enlightens us on the scale and the nature of mass and individual conversions, which were taking place in a frontier culture that was conducive both to religious coexistence and to warfare in the name of religion. Lowry concluded that the city of Trabzon in 1583 had a long way ahead to follow in the process of Islamization. Although 53.62% of Trabzon's residents were listed as Muslims, still the ethnically non-Turkish element, including the first and second generation converts, represented 70.35% of the population. In addition, this percentage of the population was probably Greek speaking[155].

Islamization is also presented mostly as cultural syncretism which proceeded both by means of colonization and conversion. Lowry traces a direct relationship between the mass conversions of a neighborhood's residents and its place of worship. In all the areas around the three main churches of Trabzon, the church of Panaghia Chrysokephalos, Saint Eugenios and Aya Sofya, the residents converted to Islam at the time of the conversion of the churches to mosques and remained in the same area, probably so as to pray in what must have already been very familiar surroundings. The state used to accept the application of the Muslim residents of a certain area to be granted the use of a mosque or to remove a church from their vicinity. Lowry following Barkan on colonization as a method of mass conversion, points out that in the era between 1486 and 1523 the originally Muslim population in the area declined, as the deported Christians began returning to their home-towns. It is also suggested that deported Christians may well have preferred to convert to Islam as they felt a certain attachment to their native city while afterwards they would usually apostatize[156].

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[155] Heath Lowry, *Trabzon şehrinin İslamlaşma ve Türkleşmesi*, pp. 237,246,247.

[156] Ibid, pp. 223,226&227. Also see: Ömer Lütfi Barkan and Ekrem Ayverdi, *İstanbul Vakıfları Tahrir Defteri 953 (1546) Tarihli*, (Istanbul, n.p., 1970).

The phenomenon of the destruction of Byzantine ecclesiastical structures and the appeal that the syncretistic *Sufi* orders had on the local Christian population are described as the two major, internal and external factors respectively, which aided in the Islamization process of the era we examine. Vryonis, who, being a specialist on late Byzantine society, addressed the same issue from the point of view of the dramatic decline of Christianity in the very same lands, argues that the granting of Christian lands and buildings to the Muslim religious class facilitated the fulfillment of their social and economic activities to a great extent[157]. The rapid development of the institution of *vakıf* was also a decisive parameter that influenced the struggle between Islam and Christianity, in other words, it reflects the decline of Christianity and the spread of Islam. It is generally accepted that the Ottomans used the sources and incomes of the Christian population, not only for the needs of the army and the political institutions in the provinces, but also to support and reinforce the Muslim foundations.[158]. As a result many mosques, religious schools, hospitals and resembling institutes were situated in the buildings and territories that previously belonged to the Greek Orthodox Church. Finally, the "abandoned" Christians were easily incorporated to these newly-established foundations and to the Muslim society itself. Vryonis adds that, according to Ottoman documents, not only did the 'Ottoman Turks' benefit from the lands and incomes of the local Christian populations, but they confiscated the property of many churches as well[159]. Lowry argues with the discussion of Vryonis on the total weakening of the official hierarchy of the church between the eleventh and fifteenth centuries, Lowry agrees and adds that in the

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[157] Vryonis, *The decline*, p.352.

[158] Ibid, p.354.

[159] Ibid, p.355.

sixteenth century, although the institution of the Patriarchate was restored, it did not try to reinforce its authority over the Christians of Trabzon[160].

To further discuss the case of Crypto-Christians, we should first explain the term; Crypto-Christians were converts to Islam who kept their orthodox tradition and performed secretly their religious ceremonies. Hasluck was the first scholar to claim in the context of an emerging interest for phenomena of religious syncretism, that shortly after the collapse of the Ottoman Empire[161], in the Black sea area, in some villages around Rize, Trabzon, Ankara and Sivas, many cases of crypto-Christians should be found, especially cases where a whole village had converted[162]. Although we cannot tell to what extent practices derive from a particular tradition, and despite the fact that some local customs might have acquired legendary dimensions, some stories about the crypto-Christians seem fascinating.

According to some Greek authors who take the narratives of the local population regarding these practices at face value, the crypto-Christians in the area of Trabzon used to baptize their children and two names were given to them, a Greek and a Turkish one, to be used secretly and in public respectively. The use of the names Mehmet and Ali was avoided. As far as marriage was concerned, they never allowed their daughters to marry "Turks", but their sons could marry "Turkish" neighbors in which case, a secret marriage ceremony in a monastery used to take place before the official ceremony upon the groom's threat to abandon the bride. Andreadis, an independent researcher who was interested in the topic as he himself

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[160] Lowry, *Trabzon şehrinin İslamlaşma ve Türkleşmesi* ,p. 243.

[161] Frederick William Hasluck (1878-1920) lived both in Konya and in Athens. He had the opportunity to travel widely with his wife in the southwest Balkans. He experienced the events of the First World War (1914-1918)

[162] Hasluck, *Christianity and Islam under the sultans*, p. 473.

originated from that region and wrote relevant novels, commenting on the prohibition of Crypto-Christian brides to marry outside the community, reminds us that the fact that the revelation of the original faith of the bride would put the whole community in jeopardy should not be neglected. On the contrary, Muslim brides were allowed to marry Crypto-Christian men if they were in early puberty so as to convert more easily, but the girl was not allowed to see the face of the groom until she accepted Christianity[163]. In addition, when a crypto-Christian died, the funeral and his burial had to take place in a Christian church. In the period of Ramadan, Muslim religious leaders were sent to these areas, but they used to leave when these ceremonies were taking place[164]. We should still qualify this last claim taking into consideration the era when Hasluck recorded these events and his tendency to include some oral traditions and legends in historical accounts.

Antony Bryer, in his article on the Crypto-Christians, drawing heavily on consular reports from Trabzon, reiterates the self narratives produced locally and reproduced by the British Consul and concludes that the phenomenon of Crypto-Christians in the Black Sea region was an anomaly within the Ottoman system. After the mass conversion of Christians to Islam in the seventeenth century, he claims, the converts preserved their original religion and their spiritual leaders were working for the Muslims as well as being closely connected to the Archbishopric of Trabzon at the same time.[165].

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[163] Georgios Andreades, *Gizli Din Taşıyanlar: klostai: dönenler: tenassur: din değiştirenler*, (Istanbul: Belge Uluslararası Yayıncılık, 1997) p.34, in Kıvanç Tanrıyar, *The question of religious freedom in the late nineteenth and early twentieth centuries*, unpublished paper, p.10.

[164] Hasluck, *Christianity and Islam under the sultans* ,pp.474&473.

[165] Anthony Bryer, The Crypto-Christians of the Pontos and Consul William Gifford Palgrave of Trabzon., *Deltio Kentrou Mkrasiatikon Spoudon 48 (1983)*, p. 35. Also see Andreades, *Gizli Din Taşıyanlar*,p. 75.

More recently, Giorgos Tzedopoulos has identified three faces of the Crypto-Christian trajectory; superficial conversion to Islam, secret practice of the old customs and return to the former faith[166]. He criticises Bryer, who had related the conversions in the Black sea region (Pontos) only with the decline of mines in the area, and reminds us that a big part of the population in the villages was occupied with pastoralism[167]. Contrary to Bryer's assessment, he argues that the Crypto-Christians in Pontos were an institutionalized category, the *tenassur*, a local group standing between loyalty and disloyalty to the Ottoman state[168]. The development of the phenomenon of crypto-Christians, the apostasy of some crypto-Christian groups and the changes in the latter's legal status in the reform era are interesting areas for further investigation.

Deringil claims that, "Just as conversion to Islam can be seen as a sort of litmus test of specific historical conditions, we might stand the question on its head, and enquire if the issue of apostasy from Islam is also a window into the soul of a particular people in time and place. What determined the attitude of the power holders to those who held the fold?"[169] Related with apostasy, as described above is the dramatic fate of the neo-martyrs. These people formed a separate category in the ecclesiastical tradition. The majority of the cases were individual and the first ones were recorded before the second half of the seventeenth century[170].

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[166] Yorgos Tzedopoulos, *A displaced locality*, p.1.

[167] Ibid, page 2

[168] Bryer, *The Crypto-Christians of the Pontos*, p.33. Also see Tzedopoulos, *A displaced locality*, p. 7.

[169] Deringil, *The Ottomans*, p.107

[170] Hasluck, *Christianity and Islam under the sultans*, p. 452.

Generally speaking, neo-martyrs were men who had converted when young, no matter what their motivation was, or Christians whom the local authorities assumed had converted to Islam. Some of them were forced to be circumcised or to declare their intention to convert to Islam while being drunk, so they could not deny having done this later, since conversion while being drunk was counted valid according to the Sha'ria, as it has already been mentioned.[171]. As Tzedopoulos points out, martyrdom, according to the traditional principles of Islam (at least according to the Sunni tradition), referred to death during holy war, and not to death as a result of injustice, as it was perceived by the contemporary Central and Western Europeans[172]. Forcing Christians to convert should not necessarily be treated as an unjust implementation, as sometimes the convert had been involved with a Muslim girl or his words had been misinterpreted. According to the general pattern, after having converted to Islam, sooner or later, the neo-martyr used to regret and publicly confess his Christian faith[173]. Furthermore, when the convert realized his mistake, he usually resorted to a monastery in Mount Athos or confessed to a priest. According to the ecclesiastical tradition, the conversion from Christianity to Islam was supposed to be forgiven only upon one's death as a martyr. Accordingly, the convert who regretted having converted had to declare his "return" to his old faith before the Islamic court. After the deadline of some days that the apostate was granted to reflect on his choice expired, he would be put to death in public. Some incidents that occurred after the death of a neo-martyr were about his corpse's not having decayed or a mysterious light coming from his grave. According to the Orthodox tradition,

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[171] Tzedopoulos , *To martyrio*, p. 7.

[172] Ibid, p.10.

[173] Hasluck, *Christianity and Islam under the sultans*, p.453.

this was an indication that the tortured body belonged to a saint or, depending on the case, to somebody who had committed many sins[174].

A case study on conversions in Veroia in 1760-1770 can help us shed light on the conditions of conversion from Christianity to Islam in the Balkans in the pre-*Tanzimat* period. Using documentation from the Ottoman Archives of Veroia, Antonis Anastasopoulos points out that we encounter many cases of women who converted to Islam to marry a Muslim, despite the fact that they could keep their old religion. As Anastasopoulos concludes, the religious identity of the population in the Ottoman domains was not an individual matter. It had a significant administrative and political dimension[175]. This is why the initiators of the *Tanzimat* wished to particularly take care of such an issue, as its administrative and political implications could easily create complications with several agents that emerged in the new era.

The *Islahat Fermanı*, which was issued in 1856, came to add some significant changes to the regulations concerning the status of Ottoman non-Muslims initiated by the *Gülhane Hatt-I Hümayunu*. It was proclaimed that all non-Muslim citizens could freely believe and act according to their confession; "as all forms of religion are and shall be freely professed in my dominions, no subject of my empire shall be hindered in the exercise of the religion that he professes, nor shall he be in any way annoyed on this account. No one shall be compelled to change their religion"[176].

It has been suggested that this proclamation indicates that this religious freedom was non-existent before the reforms and that the sensitivity with which the

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[174] Ibid, p.456.

[175] Anastasopoulos Antonis, Οι Χριστανοί στην Τουρκοκρατία και οι Οθωμανικές Πηγές: η Περίπτωση της Βέροιας, 1760-1770 (The Christians in the Time of the Turks and the Ottoman Sources: a Case Study on Veroia, 1760-1770). *Ariadni* 9, pp.71-89.

[176] J.C.Hurevitz, Diplomacy in the Near and Middle East, volume 1, (Toronto, n.p., 1956), p.151, in Deringil, *The Ottomans,* p.114.

nineteenth century conversions to Islam were approached by the Ottoman authorities indicates that there might have been continuous pressure on non-Muslims to convert before. We are also encouraged to reflect on the possibility that the state might have intended to change this image especially vis à vis the foreign powers. Paradoxically, the prohibition of compulsion in religion is mentioned in the same article where it is proclaimed that no discrimination is allowed in the appointment to administrative positions, as this can only be the result of the assessment of the candidates' skills[177]. Were the converts to Islam treated favourably when applying for a state rank?

These claims seem rather problematic since new regulations, in general, are not only issued to create a new legal framework or status, but sometimes they come to legalize or assert the continuation of pre-existent conditions. So, the proclamation of the religious freedom of all Ottoman subjects in *Islahat Fermanı* might have been intended to emphasize the institutionalization of this freedom as an official legal institution of the Ottoman state. The reason why the declaration of this institutionalization took place at that particular time should be examined in the context of the current political developments which necessitated this measure. The "freedom of religion" for the non-Muslims should be interpreted as "freedom to defend their religion"[178].

In *Islahat Fermanı*, it is specifically mentioned that nobody should be forced to embrace Islam and this declaration was set into practice through the meticulous

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[177]Nikolaidis Dimitrios, *Οθωμανικοί Κώδικες* (Ottoman legal codes), (Istanbul: Eptalofos editions, 1869) pp.34,35.These pages are part of the Greek translation of the original text of the *Hatt-I Hümayunu.*

[178] İsmail Hakkı Danismend, İzahlı Osmanlı Tarihi Kronolojisi, volume 4,(Ankara, n.p., 1955), p.175., in Selim Deringil, *The Ottomans*, p.111.

investigation of any conversion to Islam by the Ottoman authorities in the reform era. In the original text, it is stated that the defence of every religious confession is guaranteed and no offence or discrimination is allowed to take place. It is not easy to say whether the proclamation of the freedom to defend one's religion in *Islahat Fermanı* was a precautionary measure to prevent the national awakening of the ethnic groups of the Empire. Yet, it is important to remember that the freedom and the conditions of equality for both Muslims and non-Muslims were already guaranteed by the Reform Edict.

What were the prerequisites for one's conversion to Islam to be accepted as valid in the reform era? In order for the non-Muslim candidates to convert, they had to meet certain qualifications:

- Before anything else, anyone who wanted to become a Muslim had to make this choice by his free will. He/she should not be forced to become a Muslim by anybody else.

- He/she was supposed to be conscious of why he/she wanted to become a Muslim and had to implement this decision in a conscious way.

- He/she had to be older than 21 years old.

- He/she should not convert in order intend to marry a Muslim or to accept a donation by a Muslim.

- The person who wished to convert should not be forced to talk with his relatives or the religious leaders of his old religion[179]. He/she was also

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[179] The documentation indicates that it was recommended that the candidate should not interact with them, because the Ottoman authorities were facing strong reaction or contention about the validity of the act of conversion on the part of the family or the community of the convert, after the act had been completed.

responsible for declaring that he/she had become a Muslim to the official council and to the people in the area where he/she resided[180].

As far as the last prerequisite is concerned, it seems to refer to a post-conversion stage rather than being a crucial parameter for the verification of the validity of the act. Prohibition of the interaction of the convert with his/her relatives and the former community members is not certainly the case here; it should be interpreted as a provision that the convert should not be forced to interact with them if he/she did not wish to.

In the second half of the nineteenth century, the Ottoman authorities used to examine the voluntary nature of a conversion to Islam meticulously. The motivation was not always a matter of faith and the reaction of the family and/or the previous community of the convert very frequently became the reason for a series of events. In some cases, it seems that the convert was not the only one to wish his/her transfer to a distant place. There is archival evidence that the wife of a convert to Islam persistently insisted on his rejoining his old religion[181]. This was a case of inter-family reaction. From the documentation available, it is clear that the convert's interaction with members of his/her earlier community was only forbidden as an exceptional case, only when there was fear of violence by the latter towards the former or by his/her kin as an attitude of reaction to the act of the conversion. The family of the convert and/or the members of the clergy were usually trying to persuade the convert to apostatize, sometimes by kidnapping him/her. Nevertheless, the common practice was the petition of the convert himself to be transferred to a place far away from his earlier community for the reasons already indicated. As the

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[180] Şeker, *Osmanlı belgelerinde ihtidâ*, pp.42,43.

[181] BOA. DH. MUI, 117/10, 14 Temmuz 1326 (1910). In Şeker, *Osmanlı belgelerinde ihtidâ*, Ötüken Yayınları İstanbul 2007, p.36.

documentation on this issue is rich and this aspect constitutes a fundamental social consequence of *ihtida*, one part of the third chapter has been dedicated to the approach of this thorny phenomenon.

The restriction of age was a parameter for conversions to Islam initiated by the reforms for the first time and its application was strictly supervised. The majority of the rejected petitions for conversion to Islam were a result of the disclosure that the converts were underage or were converting especially to marry a Muslim[182]. It seems that the Ottoman authorities intended to minimize the phenomenon of conversions by people who just wanted to marry a Muslim because these converts would easily apostatize if they changed their minds. In that case, the Ottoman state would have to face a wide phenomenon of apostasy which, according to the traditional Islamic principles, is punished by death. However, the implementation of this punishment was avoided in order to avoid attracting the attention of the foreign embassies, even if this policy was opposed to the traditional Islamic principles. İlber Ortaylı, in his account on conversions in the *Tanzimat* era, points out that many communities or former Christians who had converted were offered the opportunity to revert to their real doctrine, since the death penalty for apostasy was no longer officialy applied given the proclamation of religious freedom[183]. Nevertheless, Cyrus Hamlin refers to an amazingly late incident of the execution of an apostate in the Ottoman Empire in 1843; this execution caused a lot of tension in the Ottoman society, "as the act divided Turkish sentiment and feeling"[184]. Despite the fact that

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[182] Şeker, *Osmanlı belgelerinde ihtidâ*, p.41.

[183] İlber Ortaylı, Tanzimat döneminde tanassur ve din değiştirme olayları, *Tanzimat'ın 150.Yıldönümü Uluslararası Sempozyumu*, (Ankara: 31 Ekim-3 Kasım 1989, Türk Tarih Kurumu Basımevi, 1994), pp. 481,483.

[184] Cyrus Hamlin, *Among the Turks*, (New York: Robert Carter& brothers, 1878), pp.80,81 in Deringil, *The Ottomans*, p.107.

the Ottoman subjects shared the belief that the execution of apostates was formally abolished by the *Islahat Fermanı*, no regulations concerning the phenomenon of apostasy were included in the firman[185].

The nineteenth-century procedure of the act of *ihtida* bears some special characteristics. The declaration that "there is no god but Allah and Muhammed is his messenger" took place in front of two witnesses[186]. Usually the convert was supposed to know very well the principles of his new religion and the male converts were expected to undergo circumcision. The imperative of performing the ceremony of conversion in front of the local authorities began in the nineteenth century. The religious leader of the convert's former religion and the consul of his community, if he was a foreign national, were present as well[187]. Especially the presence of the latter is encountered very frequently in the documentation which dates after 1856.

Deringil underlines a "bureaucratic regularity" in the nineteenth century Ottoman context. According to the registers of Bursa, the stages of conversion included the application to the local administrative council of the province, the investigation of the legal status and the free will of the person to convert by this council, making sure that the candidate was *hür, akil* and *balig* (that is to say free, sane and adult) and NOT *cebr, iğfal, tergib* (that is to say tricked, forced or coerced) respectively. The sacred words were pronounced by the person in front of the authorities aforementioned. In case the convert claimed protected status, representatives of the respective foreign power were to be present. Finally, the same

[185] M.M.A. Ubicini (Abdolonyme), *'Etat present de l'Empire Ottoman*. (Paris : J.Dumaine, 1876), pp.5,6 in Deringil, *The Ottomans*, p.114.

[186] *Türkiye Diyanet Vakfı Ansiklopedisi*, volume 21, v.s. "ihtida"

[187] Ilber Ortaylı, *Osmanlı Toplumunda Aile*, (Istanbul: Pan Editions, 2000), pp.94,95.

procedure had to take place in front of the *kadı* in the court and the process was completed by the granting of a certificate of conversion (*ihtida ilamı*) to the convert[188].

On the matter of foreign involvement, it has been stressed that according to the documentation, the Ottoman authorities were feeling like they were constantly being "supervised" by the foreign consulates and embassies[189]. The "sticking for procedure" is exactly the right phrase to exemplify the formers' policy to escape foreign intervention[190]. After all, the use of force is identified as a behavior against the Sultan's wishes and the rulings of the *Sharia* to persuade somebody to convert.[191] The Porte's attempt to prevent foreign interference is also mirrored in the declaration of the reassessment of the privileges awarded by Fatih Sultan Mehmed[192]. In other words, not only did the Porte declare conditions of equality for its non-Muslim subjects by naming them as Ottoman citizens but also kept the old legal status of Ottoman non-Muslims which consisted of privileges granted to the respective community leadership. In this way, the foreign authorities would be discouraged to interfere again in order to protect the non-Muslims whose status had shifted from subjects to citizens and who were also enjoying privileges as members of their community.

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[188]Osman Çetin, Sicillere göre Bursa'da İhtida Hareketleri ve Sosyal Sonuçları 1472-1909', (Ankara: Türk Tarih Kurumu Basımevi, 1994.), pp.3-5., in Deringil, *The Ottomans*, p.111. *Also see*: Ortaylı, *Tanzimat döneminde tanassur*, p.485.

[189] Deringil, *The Ottomans*, p.118.

[190] Ibid, p.120 .

[191] Ibid, p.122.

[192] Ibid, pp.116,117.

However, the parallel preservation of the old privileges with the application of the new measures was not the only answer to foreign involvement. As Deringil stresses, the nineteenth century political developments necessitated the invention of a tradition as the public image of the Ottoman state to be used as a basis for legitimating itself. This policy of bureaucratization and secularization was the fruit of the co-operation between the ruling elite and the Porte so as to change the image of the inferior position of the Ottoman state vis a vis the European ones. This new tradition would become the "social basis" for the formation of an "Ottoman citizenry"[193]. A late example from the Hamidian period, especially the 1880s and 1890s, is the policy of the Porte to encourage heterodox Muslims to convert to the Hanefi Sect; this is described as a response to the missionary activity of the French, Russian and Americans. The Sunni Hanefi confession was perceived by the Hamidian regime as the basis of official religiosity, a project upon which the Ottoman state embarked in a period of emergency. This urge for "orthodoxy" was accompanied by the fervor of the Hamidian state to convert "marginal elements" to this confession[194].

The reform era was marked by arguments between members of the same community as some of them lost their privileges, and by the reaction of the entire community to conversions to Islam, especially when followed by intermarriages with Muslims. Furthermore, as it has been discussed in the part regarding the consequences of the reforms, common Ottoman citizenship was not a concept of egalitarianism. The very abolition of the taxes of *cizye* and *haraç* did not automatically entail the application of a common Ottoman citizenship, as the issuing

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[193] Deringil ,The invention of tradition as public image in the Late Ottoman Empire, 1808 to 1908, *Comparative Studies in Society and History*, Vol 35, No1, (January 1993), p.4.

[194] Ibid, pp.14, 15, 28.

of other taxes, such as the *bedel-i askeri*, to which only non-Muslims were liable, came to contibute to the continuation of an already existent situation, the differentation between the legal status of an Ottoman Muslim from the one of an Ottoman non-Muslim, in a general framework of proclaimed conditions of equality. This differentation was not only legal, but also social and political, as well as a differentiation in terms of gender. Thus, was this differentiation the social outcome of the transition from one legal status to the other with respect to *ihtida*? This question will be the fundamental problematique to be discussed in the third chapter, with reference to the archival documentation regarding the Ottoman Greek Orthodox community.

CHAPTER FOUR: A CASE STUDY ON THE LEGAL STATUS OF GREEK

ORTHODOX CONVERTS

The Changes in the Legal Status of Greek Orthodox Converts

Conversions Relevant to Penal Law

In the area of penal law, many transformations took place in the Tanzimat period. Legal reform began with the promulgation of a penal code (ceza kanunnamesi) in May 1840. The Penal Code of 1840 came to guarantee the conditions of equality of all Ottoman subjects, no matter what their ethno-religious background. This Penal Code was changed twice in 1851 and 1854. According to the last change of 1854, regular courts were founded to deal with the penal law trials between Ottoman subjects of all confessions as well as between Ottoman subjects and foreign ones. In 1858, significant changes were introduced following the Penal Code of France, issued in 1810[195]. One of these changes was the establishment of mixed courts to deal with cases related to both penal law and trade law. The code was to be administered by a hierarchy of secular (nizami) courts, while the regulations concerning the procedure were issued according to the French system. Except for some minor modifications, this code remained in use until the establishment of the Republic. However, in 1863 a maritime trade code was also introduced[196].

In 1868 it was announced that local councils at the kaza and the sancak level would consist of three Muslim and three non-Muslim members, while the kadı would

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[195] İlber Ortaylı, İmparatorluğun *en uzun yüzyılı* , (Istanbul: Hil yayınları,1983), p.131.

[196] Erik J.Zürcher ,*Turkey, a Modern History*, (London- New York: I.B.Tauris, 2004), p. 61.

preside over the court197. This regulation wanted to promote the co-operation of Muslims and non-Muslims at the local administrative level, so that both would play an active role in justice198. After all, in 1860 the testimony of non-Muslims had become admissible at an equal basis for the first time. Finally, according to the Teşkilat-ı Mehakim Kanunu of 1879, the re-establishment of the Nizamiye courts199 coincided with the revival of a pre-existent system of legal authority; the granting of all legal authority on all family and hereditary law cases to the communal courts200.

There is only a very small number of cases of conversion to Islam by Greek Orthodox Ottomans related to penal and criminal law in the Tanzimat period. Usually, a great number of Greek Orthodox Christians who were imprisoned chose to convert during their tenure. After their conversion, they were released or their penalty was reduced, a fact that leads us to draw the conclusion that it was a strong and clear motive for prisoners to convert. The question is, for which crimes was the conversion a crucial factor in shortening the penalty of the convict or even leading to an amnesty for his crime? The deprival of freedom by imprisonment is the ultimate and toughest punishment, except for the death penalty of course. Many people would choose to be released and live as Muslims rather than spend the rest of their life in prison as Christians. Considering the fact that local councils were in charge of cases

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[197] Musa Çadırcı, *Tanzimat Sürecinde Türkiye, Ülke Yönetimi* , (Ankara:İmge Kitabevi, 2007), pp. 259-285.

[198] Halil İnalcık & Mehmet Seyitdanlıoğlu, *Tanzimat, değişim süresince osmanlı imparatorluğu* (Ankara: Phoenix Yayınevi, 2006), pp. 129-134.

[199] Uriel Heyd, *Studies in Old Ottoman Criminal Law*, (Oxford: Clarendon Press, 1973), p.211.

[200] Bozkurt, *Alman-İngiliz*, pp.116,117.

related to penal and criminal law, it might have been easy to release a prisoner who converted to Islam as a "reward", even regardless of the central administration.

The case of Panayotis from Asitane is a representative document in this category of conversions. Panayotis was kept imprisoned temporarily in the fortress of Midilli for having committed fazahat-ı lisanye (verbal insult)201 and, after converting to Islam, his crime was forgiven and the necessary procedures were ordered to br conducted as long as he was still determined in his conversion202. What is strange is why a prisoner, punished for a short and temporary while, would choose to convert to Islam. The crime of fazahat-ı lisanye is translated as the wrong use of the language, without further explanation or comment. Probably, the use of offensive words against Islam might have been the reason for the direct forgiveness and release of the convict right after his conversion. We should also reflect on the conditions of imprisonment which must have certainly been very harsh; torture had been banished by the Islahat Fermanı but we still cannot know to what extent this measure was applied locally. We will never know what really happened, but the short term of the imprisonment of Panayotis does not justify his quick conversion203. If he intended to convert anyway why did he choose to do it under tenure? Maybe he was afraid of his Muslim co-prisoners who might have tried to threaten or injure him. The rapid granting of amnesty for Panayotis' crime makes things more complicated. After all,

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201 There is no exact translation for the word *fazahatı lisaniye.* Probably, it refers to the crime of verbal insult of Islam.

202 BOA, date:1318 (1900), Dosya No:2396, Gömlek No:39, Fon Kodu:DH.MKT.

203 If we accept that *fazahatı lisaniye* was verbal insult, this crime belongs to the category of crimes against moral values, as it is described in the penal code of 1840 which was changed in 1851 and 1854. These crimes were punished by imprisonment from twenty four hours to one month. A financial punishment was also an option. See: Αυτοκρατορικός Ποινικός Κώδιξ (Imperial penal code), in *I Apofasis toy kakourgodikeiou Samou epi ton egklimatwn tis 12 Maiou 1908*, (The verdict of the court of Samos on the crimes committed on 12 May 1908) (Samos: the printing office of the Principality, 1908), pp. 69, 70.

if the crime of fazahat-ı lisanye was insult of Islam, the conversion of the prisoner compensated for the previous crime as conversion is the ultimate proof of loyalty to Islam.

Another point which should be underlined is the investigation on whether Panayotis was determined to remain a Muslim even after the amnesty and his release from jail. This procedure seems to have been part of the meticulous bureaucracy concerning the validity of nineteenth century conversions which aimed, among other things, at preventing foreign intervention. However, as it was the individual decision of the prisoner to convert in return for his release, foreign embassies would not interfere or ask for the investigation of a case in which the reason of the conversion was quite obvious and, perhaps understandable and tolerable.

One more interesting document concerns the conversion of Katerina, who worked as a prostitute. She became ill and stayed for a while in a French hospital. After Katerina's death, some Muslim women claimed that Katerina had pronounced the holy words intending to convert to Islam[204]. In this case, Katerina after becoming ill and being carried to the hospital, might have feared being punished by her former community now that her profession was revealed. However, this is still a speculation.

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[204] BOA, date:25/R/1319 (1900), Dosya No:28, Gömlek No:128, Fon Kodu:Y.PRK.ZB.

Conversions of Soldiers

To explore the agenda of Greek Orthodox converts to Islam during their military service or the one of male converts at an age of possible recruitment to the army, we should be aware of developments regarding military service in the reform era. The founding of a Military Council (Dar-i Şura'yi Askeri)in 1837 was the pre-step of the military reforms, as this council stood for the introduction of a five-year term military service, a project which was included in the Reform Edict as part of the new regulations205. The last military reform before 1908 was the issuing of a new kur'a kanunnamesi (conscription law) in 1871, some of its regulations having been re-modified in 1879 and 1885-87. This conscription law was a seventy-seven article text that included detailed regulations on military activities; the reasons for exemption from military service, the cases of those who were trying to escape serving in the army, the implementation of the draft, etc. One significant modification was the provision of service in the regular army for six years (three years under arms and three in the active reserve) in 1879206.

According to the traditional Ottoman system, the Ottoman subjects who had paid the tax of cizye were exempted from the military service. This tax was collected from all male subjects who could, theoretically, carry a gun. In this context, it was also collected from the non-Muslim subjects, although their use of guns was not permitted. Yet, the inhabitants of Istanbul and those of sacred places, the religious leaders and the very poor people were exempted from this tax.

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[205] Erik J.Zürcher , *Arming of the State, Military Conscription in the Middle East and Central Asia,1775-1925*, , (London- New York: I. B. Tauris, 1999), pp. 79-81.

[206] Ibid, pp.83&84.

According to the Reform edict, the cizye tax was abolished and replaced by the bedel-i askeri . The bedel-i nakdi was a separate tax that only the members of the elite could afford to avoid the military service207. At this point, we should make a distinction between these two taxes. Firstly, those liable to military taxation manpower should be divided into individuals and groups; accordingly, there was individual and collective exemption from military service. Until the issuing of the Islahat fermanı in 1856, women were a group exempted from military service, as well as non-Muslim males, inhabitants of the holy places, religious functionaries, students in religious schools and some professional groups208. Zürcher underlines that, except for cases of enthusiasm to join the army as volunteers, such as in the Ottoman-Greek war of 1897 and the 1912 Balkan War, the military service was very unpopular, either in the phase of the recruitment or after joining the army because of the bad conditions during the time of service. This phenomenon is attributed to the duration of the service which, in some cases, might extend to ten years. "Leaving for the mountains" to stay out of the hands of the representatives of the state was a frequent practice in the Ottoman Balkans and Anatolia. The Porte used to punish harshly the draft-dodgers and people who were accused of having hidden or helped them209.

After 1856, the bedel-i askeri was a tax introduced to be paid only by non-Muslim males, as an alternative to avoid joining the army, and it was much lower than the bedel-i nakdi tax. It is underlined that a large part of the Ottoman population

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[207] Zürcher, *Ottoman labour battalions in World War*. 17 September 2001. Available [on line]:http:// www.hist.net/kieser/aghet/Essays/EssayZurcher.html [17 September 2001]

[208] On more details concerning the professional groups exempt from military service, see Faruk Ayın, *Tanzimat'tan sonra askeralma kanunları (1839-1914)*, (Ankara: Genelkurmay Basimevi, 1994), pp. 14,15.

[209]Zürcher, *Arming of the state*, pp.85,86.

was exempted from military service, so that the Ottoman army was mainly constituent of sedentary Muslim peasants.

Within this context, offering the possibility of choosing between military service and the payment of a tax to the non-Muslims was a successful measure as the sensitive matter of religious choice might not have been respected in the army. It would be quite difficult for a Christian or a Jew to participate in the religious ceremonies of his confession or to pray during his military service. Accordingly, the institutionalization of the alternative of the system of payment of the bedel-i askeri tax in order to become exempted from military service makes sense. It is also possible that non-Muslim soldiers might have been indirectly encouraged to convert to Islam during their military service.

Likewise, the introduction of conditions of equality, except for the equality in military service, pleased the Christians. The alternative of bedel-i askeri tax was a great relief for them as they thought that they had lost the privilege of not being obliged to serve in the army. No matter how much the Christians would ask for equality in theory, they would rather pay the tax and become exempted from military service in practice[210].

This argument has also a financial aspect; The Ottoman government, finally, had the strongest incentive of all to not actually conscript Christians. The Porte's proclamation of conditions of equality led to the abolition of the poll tax. However, as only the Christians, during the reign of Abdülhamit II, represented the 30 per cent of the population and the state had lost a big source of revenue by abolishing the ciziye tax, the introduction of the bedel-i askeri tax seems to have been a measure to

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[210] Ufuk Gülsoy, *Osmanlı Gayrımüslimlerin Askerlik Serüveni*, (Istanbul: Simurg Editions, 2000), pp.62,63.

create a collective source of income211. This measure was practiced until 1909. The very first name of this tax points to the same direction: iane-i askeri (military assistance)212.

One quite interesting regulation, included in the military law of 4 November 1911, when eventually all Ottoman subjects, Muslims and non-Muslims were compelled to serve in the army, was the prohibition of converting to Islam for non-Muslim soldiers during their military service. As a matter of fact, this prohibition was extended to include the wives of Christian soldiers upon the special request of the Christian communities. More precisely, it was specified that the petitions of Christian women, whose husbands were in the army, as well as the latter's petition for their conversion to Islam, would not be assessed by the Ottoman authorities before the military service was completed.213 The issuing of such a regulation especially for Christian soldiers implies that the ihtida of Christian soldiers and their wives, during the former's military service, was apparently a frequent phenomenon until 1911.

Moreover, it has been suggested that especially during the Balkan wars, many non-Muslims were drafted for the army and many of them escaped during service. Many Ottoman Greek Orthodox and Bulgarian soldiers joined the enemy before even using their guns to defend the Ottoman nation during a campaign. For instance, it was recorded that when the Italian fleet reached the island of Rhodes in May 1912, the majority of the Ottoman Christian soldiers abandoned their positions and escaped. It is also argued that this phenomenon was widespread among Greek

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[211] Ayın also agrees with this argument. See Faruk Ayın, *Tanzimat'tan sonra askeralma kanunları (1839-1914)*, p.44.

[212] Zürcher, *Arming of the state*, pp.88&89.

[213] Gülsoy, *Osmanlı Gayrımüslimlerin Askerlik Serüveni*, p. 161. Also see Ayın, *Tanzimat'tan sonar askeralma kanunları*, p. 47.

Orthodox and Bulgarians to such an extent, even in the cease-fire periods during the Balkan wars, not only for Greek Orthodox but also for Bulgarians, that the Porte decided to gather their guns and to keep them busy in the rear. The penalty for those soldiers who escaped, but were arrested later by the Ottoman army, was the death penalty, as it was recorded in the case of a Greek Orthodox from Maydos who escaped to Bulgaria but afterwards was arrested and convicted to death[214]. So, it can be concluded that the death penalty survived as an institution after the reforms, not for the cases of apostasy in practice, but for the soldiers who escaped from the army as a crime of high treason; it is not mentioned what would happen in case the soldier became a mühtedi . Still, we can assume that non-Muslim soldiers who intended to escape had an agenda; if they converted to Islam, together with their wives, in case they were arrested afterwards, and if they were convicted to death as Muslims, this would trigger the strong reaction of the Muslim community.

Sometimes, the community's leaders would interfere to request the special treatment of its members who were recruited to the army. For instance, in 1878, when it was announced that Christian soldiers would also have to join the Asakir-i Mülkiye, an army to be gathered in emergency cases, the Greek Orthodox Patriarch of Constantinople asked Sultan Abdülhamid II to order the separation of the Christians in different battalions according to their confessions. Also, he requested that the Christians would not serve side by side with Muslim soldiers. However, the military committee found the claims of the Patriarch to be unsubstantial[215].

In the Ottoman documentation, we encounter many examples where soldiers from the Hellenic state in the era following the reforms converted to Islam and

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[214] Ibid, pp. 165,166.

[215] Ibid, pp.121, 122.

moved to the lands of the Ottoman Empire, probably to avoid the mandatory military service in Greece. It can be suggested that the Greek soldiers were disappointed by the policy of the Greek state and were seeking for a more promising future in another country.

Firstly, let us consider the case of the Greek soldier Tanaş (Thanasis) Metro who applied to Firaren Serfice Mutasarrıflığı, notifying that he wanted to become a Muslim and asking that his escape from the Hellenic Army not be regarded as a crime and his conversion to Islam be accepted[216]. In addition, the case of Yani from Athens who was working for the Hellenic Land Army as a care-taker is a striking example, as he converted together with his wife during their trip from Piraeus to Preveza[217]. The timing of the conversion raises the question why this convert chose to convert during a journey and why his conversion coincided with the one of his wife. We are given the impression that these two conversions were well-planned so that Yani would not be separated from his wife and both of them would ask for permission to stay in the Ottoman lands. If they converted while at home they would have to face the reaction of their community or it seems that at least they were afraid that this would happen. The measure of paying a tax to be exempted from military service was apparently not included in the legislation of the Hellenic State. So the idea that those soldiers who sought to avoid military service would try to escape to a state whose laws favored the exemption from military service in return for money or a different kind of service to the state is not striking at all. Of course, it can be argued that they could have escaped abroad for their own individual/professional reasons or

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[216] BOA, date:05/N/1305 (1888), Dosya No:1508, Gömlek No:80, Fon Kodu:DH.MKT

[217] BOA, date:04 /M /1312 (1884), Dosya No:257 Gömlek No:29, Fon Kodu:DH.MKT

because of their intense emotional/psychological condition, but still the conditions and the timing of the conversion is indicative.

These converts did not have to pay the bedel-i askeri tax, as only non-Muslims were liable to it. The crucial point is whether these converts became Ottoman nationals or not. Ottoman citizenship was acquired by one whose parents or father were also Ottomans. As far as foreign citizens are concerned, they could apply for Ottoman citizenship after having stayed for five years in Ottoman lands if they had been born abroad. Those children whose parents were foreign citizens who had been born in Ottoman lands could apply for the citizenship within three years after becoming teenagers. However, the Ottoman authorities reserved the right to grant citizenship immediately as an exceptional case[218].

In the documents examined, it is observed that none of the converts applied for Ottoman citizenship, but they asked for permission to stay in the Ottoman lands. Accordingly, as long as they did not apply for Ottoman citizenship and they were granted permission to stay in the Empire, they could continue to live as foreign citizens exempt from military service, enjoying the advantages of living as Muslims in a society in which the pre-dominant religion was Islam. Moreover, it was officially proclaimed in the 1870 Kur'a Kanunu that the children of those foreign citizens, who were staying in Ottoman territories where Ottoman citizens were liable to military service, were exempted from military service for as long as they did not change their citizenship to an Ottoman one. Only the citizens of Iran could not benefit from this regulation[219].

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[218] Harisiadou, *Στοιχεία Οθωμανικής Νομοθεσίας*, pp.27,28.

[219] Ayın, *Tanzimat'tan sonra askeralma kanunları*, p.35.

The Ottoman authorities, who were meticulously investigating the voluntary nature of conversions to Islam, in the case of Greek soldiers who escaped to the Ottoman lands and converted to Islam, would have to face the objection and the involvement of the Hellenic military authorities[220]. As it was mentioned in other chapters of this thesis, the Porte was trying to avoid foreign intervention at any cost, in order to avoid the fragmentation of its lands. In this context, we should note the rejection of the petition of the Greek soldier Anastaş Kakolis who escaped to Istanbul to find a position in the military sector. However, his conversion was considered to be valid[221]. It can be suggested that the Ottoman authorities were trying to discourage Greek soldiers from converting and working in the Ottoman army, for the same reasons that probably the Porte tried to keep the Christians away from the army by issuing alternatives to make them exempted them from service. Nevertheless, some positions in non-military fields were offered to soldiers who were Greek Orthodox converts. In the Ottoman documentation, there are two cases of Greek Orthodox converts former soldiers who were offered jobs, Mehmed Şükrü and Sokrat (Sokratis), son of Anastas Haykopolo. In the first case, Mehmed, who was major in the Hellenic army, converted to Islam and applied for a job. He was offered a position as corporal in the military charter of the prefecture of Hüdavendigar[222]. In the second case, the Greek captain Sokrat was hired as a police officer to work in a prefecture. These two cases were exceptions to the general policy of the Ottoman

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[220] Şeker, *Osmanlı belgelerinde ihtidâ*, pp.39,40. *Also see:*Deringil, *The Ottomans*, p.111.

[221] BOA, date:16 /M /1313 (1895), Dosya No:395 Gömlek No:30, Fon Kodu:DH.MKT

[222] BOA, date:06 /C /1317 (1899), Dosya No:29 Gömlek No:1317/C-02, Fon Kodu:İ.AS

authorities to not offer positions in the army to Christian converts who were former soldiers[223].

The Ottoman authorities requested an investigation of the cases of local priests and soldiers who wanted to escape from military service, converted and then decided to apostatize, encouraged by the metropolitan of Gümüşhane. In one of the documents the phrase "soldiers who wanted to escape military service" is directly mentioned.[224] So, there was an agenda of those Greek soldiers coming from the Hellenic kingdom to the Empire after having converted to Islam.

In accordance with the discussion on Ottoman citizenship and its terms of acquisition, although there is no special regulation for the status of foreign citizens who convert to Islam and move to Ottoman territories, it is clear that the military service was a duty for all Ottoman citizens. Cevdet Paşa wondered, as it is well known, on how the Greek Orthodox or the Jewish soldiers would react when listening to the words vatan uğruna[225]. One can ask similar questions with respect to the issue of discipline in conditions of war; in the Balkan Wars, for instance, the Ottoman Christian soldiers would have to fight against non-Ottoman Christians. This is one of the most significant parameters which explain why the Ottoman authorities were not keen on recruiting Christians in the Ottoman army.

The Porte, which embarked upon the introduction of the bedel-i askeri tax to increase its incomes, would not have the right to collect such a tax from Muslim converts. The only reason that could justify the imposition of Ottoman citizenship over this group would be the collection of the bedel-i nakdi tax as a regular income, if we consider that the conversion's aim was escaping from military service in the

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[223] BOA, date:28 /S/1320 (1912), Dosya No:518 Gömlek No:71, Fon Kodu:DHMKT

[224] BOA, date:23 /Z/1316 (1899), Dosya No:132 Gömlek No:38, Fon Kodu:Y.EE.

[225] Gülsoy, *Osmanlı Gayrımüslimlerin Askerlik Serüveni* ,p.101.

Hellenic Kingdom and military service in general. However, the policy of the Porte does not indicate such an intention; it is discussed, for example, that the Europeans who accepted Ottoman citizenship and settled in Rumeli, as well as the Christians in Tolcu, were exempt from military service for a certain period, the latter, until 1866, were also not liable to the bedel- i askeri tax. In addition, individuals from Bosnia and Herzegovina who settled in Ottoman territories to work in farms were also not liable to any tax related to the exemption from military service, and this was also the case for people from Walachia who migrated to Yanya (Jannina) before 1858. All this information is provided to show that the Porte's agenda did not always depend on financial criteria226. The number of the convert Muslim soldiers who were foreign citizens was probably not as high as to attract the attention of the Ottoman state to introduce a specific policy or legislation for a low budget expectation. It seems to me that the treatment of such cases was rather a matter of local or temporal negotiation.

The motive for the conversions of Hellenic nationals was apparently to escape the military service. The ultimate goal of these new converts was the acquisition of permission to stay in the Empire, hoping that conversion would entail favorable treatment by the Porte. Even if they would have to become Ottoman citizens, they would still have the possibility to choose one of the alternatives offered to Ottoman Muslims to become exempted from military service. In the last document cited above, where it is mentioned that the convert soldiers decided to apostatize, it is attested that apostasy must have been a wide-spread phenomenon among Greek soldier converts, as their motives were specific and after

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[226] Nevertheless, there are some regulations that indicate the opposite. For instance, the bedel- i nakdi and not the bedel-i askeri tax was demanded to be paid by Ottoman non-Muslim citizens who had settled abroad for commercial or academic reasons. See Gülsoy, Osmanlı Gayrımüslimlerin Askerlik Serüveni, p.153.

accomplishing the necessary procedures they could probably revert to their old confession.

Yorgos Tzedopoulos, in his study on Crypto-Christians in the Black Sea (Pontos) region, provides an account on the groups of Kurumlı and İstavri composed of Christian converts to Islam who reverted to Christianity. These groups reverted to Christianity after the Ottoman Russian war of 1877-1878 and the Treaty of Berlin and, according to Tzedopoulos, they aimed at avoiding military service[227]. As it is mentioned "it is wrong to refer to their conversion and reversion as the end of a long trip from 'real' to 'false' faith and back again"[228]. The Ottoman administration did not grant military exemption to these groups, otherwise a large part of the Muslim population would become Christian to avoid military service. It was declared that they were obliged both to serve in the army as former Muslims and to pay the bedel-i askeri tax as Christians. These measures were initiated and put into practice in 1897. Until then these groups lived in "administrative twilight"[229]. Deringil underlines that the measures taken for the İstavri reflect the strict implementation of law in the Hamidian period in cases where Ottoman non-Muslims tried to benefit from loopholes in the law[230].

As a result, non-Ottoman converts were not forced to accept Ottoman citizenship and serve in the Ottoman army, while the Crypto-Christians who reverted to Christianity managed to avoid military service only for a short while.

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[227]Tzedopoulos, *A displaced locality*, p. 3.

[228] Ibid, p.4.

[229] Ibid, p.5.

[230] Selim Deringil , *The well-protected domains: ideology and the legitimization of power in the Ottoman Empire1976-1899,* (London-New York:I.B.Tauris, 1998), pp.78-81.

<u>Conversions Relevant to Family Law</u>

The cases related to custody, divorces and marriages constitute the most frequently encountered changes in the archival documentation, with reference to mühtedi, and belong, according to the contemporary legal classification, to the area of family law. A study of the documentation related to family law can help us figure out the changes in this field. This study will also contribute to our understanding of whether Ottoman Orthodox Greeks had a strong motive to change their legal status by becoming Muslims or not. In this part the documents concerning marriage and divorce will be examined, whereas those concerning the custody of children, whose parents either one or both had converted to Islam, will be examined in the part on the restriction of age as a pre-condition for the validity of the act of conversion.

In the third chapter, it was mentioned that in the pre-Tanzimat era, the evaluation of family law issues was granted to the religious leader of each community. There was a possibility of either resorting to the communal law or to the kadı. Zimmi males could not marry Muslim women but the opposite was possible. It should be pointed out, though, that a non-Muslim man who wanted to marry a Muslim woman was apparently obliged to convert. Zimmi women married to Muslim men could keep their religion, but the children to be born had to become Muslims231.

There is no detailed information about the changes in the area of family law in the period after 1856 until the end of the nineteenth century. The next relevant regulation was the Hukuk-u Aile Kararnamesi in 1917 in which it was repeated that the leaders of each community or the local religious personnel were in charge of

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[231] Bozkurt, , *Alman-İngiliz*, pp. 14,15. Also, for a discussion on the Greek Orthodox community, see Miltiadis Karavokiris , *Κώδικας Οικογενειακού Δικαίου*,(Codex of Family law), (Istanbul, Emporiko Typolithografeio, 1901), pp.522-524,553.

examining family law cases. This law was the outcome of a project initiated in 1914 and which included regulations only for marriages and divorces. As far as Christians are concerned, the pre-conditions of petitioning for divorce, the one-year deadline for a petition from the day the reason of the divorce was known, the divorce procedure, and the laws related to the validity of marriage and the children born in a valid marriage, all these issues regarding family cases were included and regulated in the Hukuk-u Aile Kararnamesi which was eventually put into practice in 1918[232].

Fethiye was a Christian woman who converted to Islam to marry a Muslim Kazım, son of Çolak Salim Ağa, from Kumanova. After her children's death, she was rejected by her family and resorted to the house of her father's friend. In the document, it is described that she was about to be sent to a village or kaza where no Christians used to live and her wedding would be recognized as valid[233].

Another case is the one of a Greek Orthodox girl from Gelibolu, who converted to Islam and married the Muslim secretary of the local branch of the Düyun-I Umumiye (Public Debt Administration). The former decided to revert to her previous confession and resorted to the Metropolis for this reason, so, the document examined is the order for the investigation of this case[234].

In these two cases, the women converted to marry Muslim men. The former was afraid of the reaction of the community, so she petitioned to move to a safe place, while the latter decided to apostatize. Given that the marriage between a non-Muslim woman and a Muslim man was possible, the conversion of the woman was not a pre-

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[232] Ibid, pp.208,210.

[233] BOA, date:26/Ha/1316 (1900), Dosya No:316, Gömlek No:135, Fon Kodu:ZB.

[234] BOA, date:14/Ca/1310 (1893), Dosya No:2027, Gömlek No:100, Fon Kodu:DH.MKT

condition for the marriage235. We can assume that it was an individual choice of the woman to convert, in order to acquire hereditary rights on the property of her husband, keep the hereditary rights of her children intact and contribute to the new family's economic situation. We have many examples from the Ottoman documentation where a whole family of Muslims applied for a job or for the award of a sum of money236.

There is no proof or mention in any of the documents that the Muslim husband of the Christian convert had forced her to convert. On the other hand, if we consider the fact that both the husband and the children to be born were Muslims, the religious holidays and the customs to be followed in the house would be those of the religion of Islam. It would be quite difficult for a Christian woman to pray, fast, or go to church while living in a Muslim house and a Muslim neighborhood. The conversion of the Christian bride was probably the only way to be welcomed and accepted in the Muslim family of her husband. Moreover, almost in all these cases, not only her family but also her former community was after her, so the adoption of a new identity and integration into a new social environment seems quite reasonable.

The apostasy of a woman who converted to Islam to marry a Muslim was very frequent and there are numerous examples of such cases. From the relevant documentation, it seems that almost 90% of women converts who married Muslim, chose later to apostatize. Here only the most representative cases will be described. The cases of two apostate Greek women are both mentioned in the same document: Zehra who converted to Islam and married Ahmet, and Vasiliki, who also married a Muslim, both decided to apostatize and resorted to the Greek Orthodox Metropolitan

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[235] Karavokiris, ,pp.55-56&65.

[236] I will refer in detail to this issue in the relevant part of this chapter.

Palace of Bursa and to a Greek church respectively. Feyzullah, who helped Zehra to resort to the Patriarchate, lost his job as a police officer and was exiled. Both women were requested to be settled in an appropriate place by the state authorities, as it was recorded in the document[237]. Sometimes an Ottoman document does not contain only a verdict or a petition, but a warning note as well. For instance, in the cases of a Greek girl from Demirhisar and of Anastasya, who had decided to convert to Islam, the local Metropolitans were warned not to interfere and were threatened with losing their positions[238].

In these cases, the interference of the Metropolitans, either before or after the conversion, was dramatically influential. The converts' fear of the reaction of the community, their feeling of guilt for converting or their not being happy in their marriage[239] were enhanced by the local Metropolitan who encouraged them to revert to their old confession. So, the great number of convert women who had married Muslims and then decided to apostatize is certainly not a coincidence. In some documents, it is clearly stated that the woman convert who became apostate had converted to Islam in order to marry a Muslim, as in the case of Athanasia (izdivaç etmek üzere that is to say in order to marry)[240].

One more interesting and rather different example is the case of the wife of Gavril from Silivri, who converted to Islam with her daughter and asked for the verification of this act. However, a short while later, the convert mother disappeared, claiming that she had decided to revert to her previous confession, probably because

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[237] BOA, date:11/Ca/1318 (1900), Dosya No:2400, Gömlek No:12, Fon Kodu:DH.MKT

[238] BOA, date:29/Ş/1317 (1899), Dosya No:2292, Gömlek No:11, Fon Kodu:DH.MKT and BOA, date:26/S/1306, Dosya No:1560, Gömlek No:50, Fon Kodu:DH.MKT

[239] I refer to Greek Orthodox women converts.

[240] BOA, date:11/Ra/1318 (1900), Dosya No:2371, Gömlek No:20, Fon Kodu:DH.MKT

she became afraid of the reaction of the local Greek Orthodox community. In this case we have the simultaneous conversion of the mother and her daughter, because of the formers' plan to automatically divorce her husband without being separated from her daughter[241]. A case from the archives of Salonica is also relevant. Aikaterini Mitrou, a woman originally from Çausli in Gianitsa, was named Hayriye and after her conversion her three underage children were given to her, because her husband refused conversion to Islam[242].

This group of conversions is totally different from the conversions of Christian women who intended to marry Muslims. In this separate category, women used conversion to Islam as a means of getting rid of their husbands for several reasons[243]. It was a drastic way of divorce, as when a woman converted to Islam her non-Muslim husband was obliged to do the same, otherwise their marriage was cancelled. In the last document mentioned above it is clearly stated that the marriage was cancelled because the Christian husband did not convert. The opposite option was not mandatory, that is to say a wife of a convert to Islam was not obliged to convert to validate their marriage. Thus, usually we can see either conversions of women or the conversion of an entire Greek-Orthodox family. When the children were persuaded by their mother to convert and escape with her it was very difficult to trace them down and petition for the cancellation of the act of conversion if they were not underage.

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[241] BOA, Dosya No:1804, Gömlek No:24, Fon Kodu:DH.MKT

[242] Vasdravellis Giannis, *Ιστορικά Αρχεία Μακεδονίας, Αρχείο Θεσσαλονίκης* (Historical Archives of Macedonia, Archive of Salonica), (Thessaloniki: Etaireia Makedonikwn Spoudwn, 1952), p.552., document no:39.

[243] Also see a similar document mentioned in another chapter: BOA, date: 12/L/1266 (1850), Dosya No: 26, Gömlek No: 56, Fon Kodu: A.)MKT.UM

Conversions Relevant to Property and Hereditary Law

In the pre-Tanzimat period, as Islamic law does not permit the transfer of property to people that belong to a different religion, Muslims and zimmi could not transfer property to each other. Women who converted and whose conversion was followed by marriage to Muslims must have sought to "protect" themselves by acquiring hereditary rights on the property of their husbands. The children of a zimmi woman married to a Muslim male would have to become Muslims; accordingly they would have no hereditary rights on the property of their mother. So we realize that one more reason for a non-Muslim woman to convert to Islam was her wish to keep her children's hereditary rights on her property intact. However, zimmi that belonged to different doctrines reserved these rights, for example a Christian could inherit from a Jew. In case a zimmi died without preparing his/her will, the state, after bringing the case before the kadı, used to deliver the property to the zimmi's religious communal institutions[244].

As there was no distinction between family and hereditary law at that time, there were no special regulations regarding cases of hereditary rights of non-Muslims until the beginning of the twentieth century. The only reference was about the prohibition of the inheritance of the property of a Muslim by a Christian and vice-versa, as well as the prohibition of the acquisition of hereditary rights of a non-Ottoman citizen on the property of an Ottoman one[245]. Even before the issuing of the Hukuk-u Aile

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[244] Bozkurt, , *Alman-İngiliz*, pp.15,16.

[245] .Harisiadou , *Στοιχεία Οθωμανικής Νομοθεσίας*, p.47.

Kararnamesi, the Greek Orthodox Patriarchate of Constantinople had issued

regulations concerning the distribution of authority on cases related to the existence

and validity of wills; if both parties were Ottoman Orthodox Christians, the mixed

ecclesiastical council in Istanbul and the local metropolitan councils were

responsible for examining the case. If one of the parties involved was not an Ottoman

citizen or belonged to another Ottoman community, or if the contested land belonged

to a vakıf or it was contested by a third party, either Ottoman or foreign citizen, or

the land was described as mülk, then the case had to be examined by the Nizamiye

courts[246].

As far as the law of property is concerned, the case of Esad Muhlis Efendi, who

was a convert from Christianity to Islam, is noteworthy. In the relevant document, it

was attested that the convert was trying to encourage Christians to convert to Islam

in order to be granted a donation[247]. From the structure of the document we

understand that the Ottoman authorities were meticulously investigating cases where

conversions seemed to have taken place in order to serve the personal interests of the

convert and such incidents must have been the reason why they challenge the validity

of conversions.

On the other hand, a Christian in the kaza of Kemer had converted by his free

will before he died. The normal procedure for the investigation of conversions to

Islam had not been followed for the conversion of a child which took place right after

the abovementioned convert's death. In the document it is mentioned that such

incidents of negligence should not happen again[248]. The structure of this document

is striking because the link between the conversion and the death of the Christian on

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[246] Karavokiris, pp.807,808.

[247] BOA, date:23/B/1313 (1895), Dosya No:29, Gömlek No:26, Fon Kodu:Y.PRK.UM

[248] BOA, date:23/Ca/1313 (1895), Dosya No:2072, Gömlek No:3, Fon Kodu:DH.MKT.

the one hand and the conversion of the child on the other hand is not clarified, that is to say we have no access to information on the relationship between these two converts, we do not know if they were relatives or if the convert who died had transferred his property to the child. We can assume that the child did have hereditary rights if he became a Muslim, that is why he did so right after the death of the convert. Thus, the authorities became suspicious about the timing of this second conversion and this is indirectly reflected in the text.

At the village of Ak Toprak in the area of Chalkidiki, one of the residents petitioned the court to defend his hereditary rights against somebody whose name was Huseyn. Finally, they both confessed to originally being Christians from the village Girmen, their names' being Athanasios Varsamis son of Pashos and Nikolaos Mihail son of Theodoros[249]. This document bears no date, but it is included in the part of the book that contains documentation which dates back to the nineteenth century. It is probable that these two parties of the trial faced some problems in resolving their difference in the kadı courts or the Nizamiye courts, so they claimed being former Christians hoping that they could transfer this trial to the communal courts. However, as the document bears no exact date, we cannot speculate on this parameter, as in the course of the nineteenth century, the authority to carry out trials related to family law was claimed by both the communal courts and the Nizamiye courts[250].

Although conditions of equality were guaranteed in the Islahat Fermanı for both non-Muslims and Muslims, because no detailed regulation was issued on the hereditary cases between Muslims and non-Muslims, the pre-Tanzimat situation was

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[249] Vasdravelis, *Ιστορικά Αρχεία*, pp.348.

[250] Sedat Bingöl ,*Tanzimat devrinde Osmanıda Yargı reformu,Nizamiye Mahkemeleri' nin Kuruluşu ve İşleyişi 1840 1876,* , (Eskişehir: CIP Anadolu Üniversitesi Kütüphane ve Dokümantasyon Merkezi, 2004), pp.208-215.

reiterated. In other words, the relatives of a convert to Islam had to convert as well to keep their hereditary rights on his property. The lack of sufficient documents related to the transfer of property from Greek Orthodox converts does not let us investigate the issue extensively.

Tzedopoulos refers to the case of Kurumlı, a group of crypto-Christians that reverted to Christianity in the nineteenth century. This group tried to achieve privileges both linked to their being non-Muslims in the reform period and to their being converts to Islam for many centuries. This group was named after tenassur rum, which means Greek Orthodox converts to Christianity. The Ottoman authorities in the region used the property as a tool to avoid further reversion to Christianity. More specifically, converts to Christianity could not inherit from their Muslim relatives was banned, as it was already taken for granted that a Christian could not inherit a Muslim[251]. In other words, no special status for ex-converts to Islam who apostatized was recognized. This must have been a very sensitive issue to be officially regulated, as the very proclamation of conditions of equality between Muslim and non Muslim Ottomans, as well as the policy of the Porte to avoid the execution of apostates, were opposed to the traditional principles of Islam.

<u>The Restriction of Age as a Pre-condition for the Official Acceptance of a Conversion</u>

In the chapter on conversions to Islam in the reform era, the age of 21 years old was defined as a pre-condition for the acceptance of the validity of the act of

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[251]Tzedopoulos, A *displaced locality*, pp.4,5.

conversion to Islam252. In the same chapter it was clarified that the restriction of age was a parameter for conversions to Islam initiated in the Tanzimat period and its application was strictly supervised.

It is beyond any doubt that the fulfillment of this pre-condition was meticulously examined because many cases of children kidnapped by their Muslim or newly converted Muslim parents must have been observed. There are several cases in the Ottoman documentation, where the child was being kept in a Muslim house by the family or by friends who were trying to persuade him/her to convert to Islam. This was the case of Olga, the grand daughter of the Orthodox priest Nikolas. The former was threatened and forced by her family, whose members had probably converted to Islam all together, to join Islam; a petition reached the Ottoman administration asking for the girl to be kept under close supervision for reasons of safety253. It is not clearly stated but it seems that Olga's grandfather petitioned the Porte, otherwise Olga would not be identified as "the grand daughter of the Orthodox priest Nicolas". This is a very interesting case, as we have an inter-family conflict: The Orthodox priest grand-father interferes in order to prevent his children from forcing their daughter to convert to Islam.

In addition, many times a Metropolitan intervened to terminate the tenure of underage candidates for ihtida due to the reaction of the community. To such an event is related the case of Olofsiya, the sister of a Greek girl who converted to Islam in Amasya. This girl petitioned the local administration to ask for protection until becoming an adult, because her family and community, who both became aware of her sister's conversion, were threatening her and she was afraid of being killed. This

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[252] Şeker , *Osmanlı belgelerinde ihtidâ*, pp.42,43
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[253] BOA, date:11/S/1319 (1901), Dosya No:2491, Gömlek No:40, Fon Kodu:DH.MKT

case is very interesting, as not only the community, but the family was after her, because she might have helped or encouraged her sister to convert. It is not clarified in the document if Olofsiya had converted or not[254].

Şeker mentions the case of a Muslim underage child[255], whose petition to convert to Islam was rejected, and he/she had to be handed to his/her Christian father until the time of the trial, although he/she had lived with his/her Muslim brother or uncle for 6 consecutive years before[256]. From this example, we can reach the conclusion that the Ottoman authorities were suspicious and reluctant to hand the child to the Muslim members of his/her family in order to be sure that the child's will to convert was free.[257].

In such cases, the Ottoman authorities used to investigate further to clarify if there was any doubt about the child's age or free will. For instance, in the kaza of Karaisalı, the procedure of the examination of the application of Yorgi to convert to Islam was frozen, as his age was not clear and it had to be defined before the acceptance of his petition[258]. Similarly, in the sancak of Midilli the interrogation of a child took place and his conversion was accepted under the precondition that he/she firmly declare his will to convert before the committee[259]. Both these examples indicate that it was probable that the father, the mother or maybe a less close relative of a child could influence him/her to convert. It is admissible that an underage child

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[254] BOA, date:08/Ra/1319 (1901), Dosya No:2502, Gömlek No:132, Fon Kodu:DH.MKT

[255] The same example is also included in chapter 2

[256] BOA. DH. İD 116/1 in ibid, p.37.

[257] Şeker , *Osmanlı belgelerinde ihtidâ* , pp.42,43.

[258] BOA, date:17/Ş/1306 (1889), Dosya No:1617, Gömlek No:54, Fon Kodu:DH.MKT.

[259] BOA, date:15/B/1304 (1887), Dosya No:1411, Gömlek No:6, Fon Kodu:DH.MKT.

is not mature enough to take such a serious decision consciously and he/she can easily be manipulated by members of the family or people he/she is familiar with. However, as it is indicated in the last example, there were cases where the court was persuaded about the sincerity of the child's intention to convert to Islam and assessed the act as a valid one.

Even in the case of an adult, we attest that the authorities used to examine his/her free will in order to validate the act of conversion. In this way, in case of the simultaneous conversion of the mother or the father with the child, thanks to the meticulous investigation of both acts of conversion, the child would not be forced to convert; sometimes the one of the two spouses would leave the house converting with the children which he/she had kidnapped. In the following case -it is not clear if the family was Greek orthodox or not, probably an Armenian family, but it is worth mentioning- Arakil260 applied to the authorities asking for the arrest of the criminals who kidnapped his wife and children and stole several things from the house. The investigation of whether conversion to Islam took place was requested as well261. In this document, it is stated that the mother and her children were forced by somebody else to convert. Who could this person be? We cannot but speculate.

As it was discussed, the spouse who converted was automatically divorced. It was also a wide-spread phenomenon that the convert spouse would kidnap and force the children to conversion so that the other spouse would not be granted their custody. According to the Ottoman documentation, no general policy of the kadı court is detected on whether the child would be handed to its Christian or Muslim parent. Nevertheless, in the case cited above, where the Muslim underage child was

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260 Arakil is an Armenian name.

261 BOA, date:12/L/1266 (1850), Dosya No:26, Gömlek No:56, Fon Kodu:A.)MKT.UM.

handed to his father instead of his Muslim brother or uncle with whom he had spent 6 years, we realize that the court wanted the child to make up his mind, free of force or indirect pressure. There is also a striking document where it is mentioned that during the ceremony of conversion to Islam of the children of the Muslim Tabib Eyüb Sabri Efendi, it was decided that the former would choose their religion after becoming adults and they were handed to their father. However, after the latter's death in Diyarbakır, the court refused to hand them to their Christian mother[262]. We can thus draw the conclusion that there was no official policy in the matter of custody; so we cannot safely argue that there was a tendency to hand the children to the Muslim or the Christian parent. Maybe retaining the right of custody was one of the reasons why the majority of Christians who married Muslims had converted to Islam.

Although it was mentioned that the age limit of 21 years old was taken into account[263], we encounter documents with special regulations regarding petitions to conversion by specific groups of the Greek Orthodox population. One of these is addressed to the prefectures and requests that a separate investigation in the cases of Greek Orthodox male and female children under 15 years old be carried out. This examination should be meticulous and precautionary measures should be taken against those who do not accept the implementation of this regulation[264]. Moreover, one of the most interesting documents is a telegraph from the Emniyet-I Umumiye Müdüriyeti to the İçel Mutasarrıflık, informing the latter that the conversions to

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[262] BOA, date:05/Ca/1320 (1902), Dosya No:571, Gömlek No:68, Fon Kodu:DH.MKT.

[263] Although in Şeker it is mentioned that the "boundary" of 21 years was applied for a child's identification as underage or not, in all the documents I examined the age of 20 years is regarded as such.

[264] BOA, date:08/R/1321 (1903), Dosya No:732, Gömlek No:66, Fon Kodu:DH.MKT.

Islam of women, younger than twenty years old, should not be considered valid and that the girls should be sent back to their communities[265]. One can wonder why this regulation was issued only for the cases of Greek Orthodox children. It is probable that the local authorities used to face more problems with the representatives of Greek consulates or the Metropolitans than with the representatives of other communities. We can also assume that the kidnapping of children younger than 15 years old and their forced conversion was easier than those of older children[266].

<center>Other reasons for conversion to Islam</center>

As mentioned in the third chapter, material support was provided to both women and men who converted to Islam. This amount of money, in Ottoman nakdiyye, atiyye or ishan, might have been a considerable motivation for the non-Muslims in need to convert to Islam in the pre-Tanzimat era.[267] The institutionalization of granting support to the new converts reflects the concern and the zeal of the Muslims to welcome new members to their religious family without discriminating them[268].

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[265] BOA, date:29/Ca/1337 (1918), Dosya No:97, Gömlek No:8, Fon Kodu:DH.ŞFR

[266] On more information about the investigation of cases of underage Greek Orthodox children who converted see the following documents:
 BOA, date:01/N/1326 (1908), Dosya No:2616, Gömlek No:90, Fon Kodu:DH.MKT(an underage child was kept in the Greek consulate until the investigation of the conditions of his *ihtida* was completed).

BOA, date:19/N/1331 (1912), Dosya No:172, Gömlek No:2, Fon Kodu:DH.İD(It was ordered that the legal procedure of the investigation of the conditions of an illegal marriage that an *imam* performed in Edremid begins ; Sofya, who was under twenty years old and her application for her *ihtida* to be validated had been rejected, informally converted to Islam and was living with her husband in the wider area od Edremid)

[267] Şeker , *Osmanlı belgelerinde ihtidâ* , p.101.

[268] Ibid, p.102.

We encounter numerous documents where new Christian converts to Islam were granted an amount of money. This was the case of a Christian priest who was granted five hundred kuruş. The simplicity of this document is characteristic: The profession of the convert, and not his name, is mentioned (Hristiyan papaslarındayken ihtida etmiş olan). This is a brief document where the act of granting money and the amount is mentioned[269]. Of course, the term "Christian" does not refer only to the Orthodox, so the convert might have been a Catholic, a Protestant or an Armenian. The document does not clarify this.

It is not mentioned in the sources, but we can draw the conclusion that in some cases, conversion to Islam was an informal prerequisite for someone to be employed by a Muslim employer. Conversion of young boys who afterwards found a job is a familiar pattern in the documentation. A representative case is the one presented in a document, where two children or teenagers, Gorgos Trayanou and his sister Maria, were converted to Islam and were named Mehmet and Nezmiye respectively. After the conversion took place, they were employed by Abarci Ismail[270]. A similar case from the Historical Archives of Macedonia is the one of a Greek-Orthodox boy named Anastasios, who converted to Islam and was named Mehmet. Afterwards, he was given to Ali Bese, manufacturer of petals, to work as his assistant[271]. In all these cases, it is indirectly indicated that the act of conversion contributed to the convert's finding a job, as both these acts are listed in the same document; however no comment is included relating these two acts.

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[269] BOA, date:29/Ra/1256 (1840), Dosya No:29, Gömlek No: 1753, Fon Kodu:C..ADL.

[270] Vasdravellis, Ιστορικά Αρχεία, p.430., document no:303

[271] Ibid, p.381., document no:266

In all such cases, the convert directly applies to the Ottoman authorities to ask for "his being placed in an appropriate position" (münasib bir görevde istihdam edilmesi). The rigid and plain structure of these documents where the name of the convert, the fact that he is a convert to Islam and his petition to find an appropriate job are the only three elements included, gives the impression that the convert could use his status as a convert to Islam to find a job or to ameliorate his economic condition.

Sometimes, the convert used the term zaruret içinde (in poverty) to describe his awful financial condition. This term is used in the document referring to Mehmed Ali Efendi who had converted to Islam and asked to work as a police officer. The destitution of a large number of Greek Orthodox emerges in the plethora of news in the contemporary Greek newspapers regarding people who tried or managed to commit suicide. For instance, Sofia, a widow who lived in Makrichori (Bakırköy, Istanbul) jumped in the sea in order to commit suicide because she was deprived of the necessary resources to raise her children[272]. The great number of such incidents we encounter show that a large part of the poor Greek Orthodox population might have been vulnerable to conversion to Islam, seeking for a better future.

Nevertheless, in some cases, the convert used to ask for help not for himself/herself but for a member of his/her family. This is the case of Zehra, who after having converted to Islam, petitioned for her husband to be hired in a position. It is not mentioned in the document, but we can assume that Zehra's husband must have been a Muslim or a convert, so Zehra's conversion would be considered as enhancing the family's loyalty to the Porte. However, such a motive is not mentioned in the document. One more interesting category of conversions to Islam is the one of

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[272] *Taxidromos*, 27 April 1898.

converts who not only asked for an appropriate job after having converted, but also asked to be placed in another position if they were not satisfied with their job. This seems to be an expedient use of the act of conversion which was related to opportunities in the job market.

One of the monks of Mount Athos who had converted five years earlier and was working in müddet dahiliye kalemi, after having resigned, he petitioned the authorities for an appropriate job (münasib bir görevde istihdam edilmesi)[273]. Given the five years which had passed since the conversion and the fact that this is not the only document where it is recorded that the convert petitioned the authorities more than once for financial support, the administration must have been quite flexible in its approach to the new members of the Muslim "family". In such documents, only the name of the convert, usually his Muslim new name, his status as a convert and his petition text are included. The repetition of this procedure of recording the identity information of the petitioner gives the impression that conversion to Islam offered the convert the possibility of improving his life conditions..

In the same context, we can refer to the petition of Mustafa, who had converted to Islam in Crete. Mustafa worked as a police officer in Izmir for a while, and then he escaped and wandered from place to place. Finally, he petitioned the Ottoman authorities stating that his previous job was not appropriate for him for several reasons and asking that a daily salary (yevmiye) be granted to both himself and his family until he found an appropriate position[274]. This case is representative of a group of petitions by converts where either the convert who petitioned the authorities, asking for a favorable status.

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[273] BOA, date:28/M/1321(1903), Dosya No:694, Gömlek No: 38, Fon Kodu:DH.MKT.

[274] BOA, date:05/C/1319(1901), Dosya No:2533, Gömlek No: 130, Fon Kodu:DH,MKT

In the last three documents cited, the community to which the converts belonged is not clarified, but the places of origin mentioned (e.g. Mount Athos, Crete) lead to the conclusion that they were probably Greek Orthodox. Moreover, in all the documents where only the Muslim names of the converts were recorded, we encounter the problem of tracing their former religious identity, but of course this does not change the fact that they were non-Muslims.

The conversion of the members of a whole family, at the same time, does not seem to be a coincidence when followed by a petition for financial support. For instance, Abdullah[275], who converted to Islam together with his wife and children, applied for such support[276].

To sum up, in this part it was suggested that not only did conversion to Islam bring about radical changes in the legal status of the convert, but also that it was a significant factor to help improve the life conditions of the convert.

The reaction of the Greek Orthodox community towards the converts

The material and moral support the new convert received from his new religious "family" was a great motivation as it simultaneously offered an opportunity for the person to get rid of enormous debts or to obtain protection against his own community's strict rules. The new "family" was often eager to pay his/her debts or to protect him/her against all offences. This protection is evident from the numerous documents where measures are ordered to be taken for the convert's safety. The most

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[275] There is also no reference to the previous name of the convert here.

[276] BOA, date:11/Ş/1318 (1900), Dosya No:2434, Gömlek No: 41, Fon Kodu:DH.MKT

important privilege achieved through conversion was the removal of the authority of his/her former community over the convert.

The reaction of the Greek community was often so strong that it had disastrous consequences. In the kaza of Bafra, the daughter of Çolak Lefter converted to Islam together with her two daughters and married Salih. Not only was their house burnt down by the outraged Christian populace (hristiyan ahalice), but they were killed as well. The necessary investigation of these incidents was ordered to be conducted[277]. The following case concerns the reaction of the Greek Orthodox community before the act of conversion took place. In Deşkat, a Christian girl resorted to the house of the scribe of the village in order to convert to Islam, and upon this, some individuals encouraged the local Christian community to revolt. In the Ottoman document, it is stated that the act of conversion must take place peacefully in the department that the law defines as appropriate; the arrest and punishment of the instigators of the revolt was ordered so that no revolt or similar incidents could take place after the conversion[278].

The first case seems quite cruel as three individuals were killed by members of their own community because of their religious choice. This incident took place in Bafra, that is to say very far from the administrative centre of Istanbul, so we might assume that the control of the state was loose, otherwise such incidents are totally opposed to the image of modernization and centralized power that the Ottoman authorities tried to create through the reforms. In this case the local authorities should have tried at least to protect the converts, if not they should have interfered to suppress the revolt, as they did in the second case. Was this a matter of indifference

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[277] BOA, date:10/B/1309 (1891), Dosya No:1920, Gömlek No:92, Fon Kodu:DH.MKT

[278] BOA, date:01/Ş/1319 (1901), Dosya No:2555, Gömlek No:50, Fon Kodu:DH.MKT

or was the tension so great that even the state authorities would not dare to get involved?

As for the reaction of the Greek community after an ihtida, we encounter several examples in the documentation. One of them is the document regarding a young Greek-Orthodox in Lüleburgaz who was supposed to be underage, and it was claimed that he/she was forced to conversion. The tension that these rumours created in the local society necessitated his/her being sent away from the area and the Ottoman authorities ordered its implementation[279]. The case of Olga, who applied to the local administration of her neighborhood to ask for protection until she was of age, because her family and community which were both aware of her sister's conversion were threatening her and she was afraid of being killed, has already been mentioned[280].

In all these examples, it is evident that the reaction of the Greek Orthodox community was very strong, so it was almost impossible for the convert to stay in his place of residence and he had to abandon it. Sometimes, the convert applied to the state to be settled in a safe place away from his former community. However, it was a frequent phenomenon that the Ottoman authorities asked for the re-settlement of a person, whose ihtida brought about tension in the local society. This was a precautionary measure to assure that no revolt would begin and the converts would not be harmed.

Similar incidents took place before the conversion of a person after his/her having announced his intention to convert to Islam. In the island of Midilli, the local bishop interfered, informing the Ottoman authorities that Sultana, who wanted to

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[279] BOA, date:10/C/1319(1901), Dosya No:2535, Gömlek No:125, Fon Kodu:DH.MKT

[280] BOA, date:08/Ra/1319 (1901), Dosya No:2502, Gömlek No:132, Fon Kodu:DH.MKT

convert, would not come to the administrative council for interrogation. He also requested her resettlement from the local church administration. It is implied that Sultana had been transferred by the Porte to another place, when she expressed her intention to convert to Islam, to avoid, in this way, the probable reaction of her community following the spread of the news that Sultana had converted to Islam. However, the Church who did not wish to lose a member of its flock did not hesitate to interfere and negotiate her resettlement back before the act of conversion was completed. The legal procedures for the investigation of this case were ordered[281]. Similarly, Frankoula, the daughter of Nikola, who wished to convert, was kidnapped by unknown individuals, whose arrest was ordered[282]. In addition, relevant is the conversion of a girl from Kartal, whose brother had already converted and petitioned the authorities, informing them that his sister who wished to convert was kidnapped by his uncle Todori and kept in Heybeliada. The investigation of the case was requested[283]. However, it should be noted that if there was no evidence that the former community of the convert would react to the act of ihtida, the convert who changed his/her place of residence to validate or complete the act of conversion, would be asked to return to his previous residence . There is a document where it is stated that the return of a woman from Dedeağaç, when she came to take a certificate of her conversion, probably to Istanbul, although it is not clear, was ordered.

The person who wished to convert was strongly discouraged by the members of his family/community or was usually kidnapped. The local ecclesiastical authorities used to intervene and were sometimes warned by the Ottoman authorities to step

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[281] BOA, date:19/L/1300(1882), Dosya No:1341, Gömlek No:58, Fon Kodu:DH.MKT

[282] BOA, date:23/Z/1302 (1884), Dosya No:167, Gömlek No:29, Fon Kodu:HR.HMŞ.İSO

[283] BOA, date:28/Z/1307 (1889), Dosya No:1751, Gömlek No:39, Fon Kodu:DH.MKT

back. Not only the religious authorities, but also the foreign embassies, possibly encouraged by the community of the convert, used to interfere to prevent the conversion. For instance, it was requested that the interpreters (dragomans) of the English, French and Russian consuls stop interfering in the matter of the conversion of the Greek Orthodox Anastasia from the Bulgardağımadeni[284]. It seems quite strange that not only the consulate, but also representatives from other local consulates tried to discourage Anastasia from converting; was this an expression of solidarity between the local consulates in their efforts to deal with the systematic policy of the Porte to remove future converts from their close environment to ensure that the act of conversion took place smoothly?

Finally, let us return to a document already mentioned, to exemplify the practical dimensions of the authority of the community over the convert. A Greek Orthodox named Katerina, after staying for a while in the French hospital, died. Katerina was said to have converted to Islam, but there was no official document to validate this conversion, only the testimony of some women. An argument followed on whether Katerina's funeral should take place in a church according to her recognized faith or according to the new one that -is- to- say Islam. All the official acts and records which refer to one's religious status are inevitably influenced by his/her conversion. In that sense, we can speak of "flexibility" for the convert to change not only his confession, but also all the relevant legal and social parameters that automatically were affected. Even after the convert's death, even if the convert's former community no longer had any authority over him, in complicated cases, where the validity of the act of ihtida had to be proved, it was contested. The bureaucratization of the procedure of conversion in the nineteenth century seems to

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[284] BOA, date:08/L/1317 (1899), Dosya No:2303, Gömlek No:58, Fon Kodu:DH.MKT

have been indispensable, so that such arguments on whose community's rules should be applied would not arise285.

The Transfers of the Greek Orthodox Convert Population

The information related to the settlement and residence cadre of a citizen belongs to public law according to the modern classification of legal terminology. However, as this classification did not exist in the nineteenth century and this issue is closely related to the reaction of the Greek Orthodox community to conversions, this part has been included here.

The act of conversion to Islam was a source of discomfort for the local Christian population. Its reaction was sometimes violent or fatal, as it has been described in the previous section. Deringil stresses that usually the reaction of the Christian community was dual: Either the Christian population petitioned the local authorities, claiming that the process of conversion was irregular, or the convert somehow "disappeared", so no more problems remained to be resolved286.

One of the most interesting cases is the one of Lemonya, who was from the Island of Midilli. Lemonya converted to Islam in Istanbul, took the name of Zehra, and afterwards her transfer to Midilli was ordered, as she had nobody in Istanbul ("Dersaadet'te kimsesi olmadığından"). There is no information on whether she petitioned the authorities to be transferred or the latter decided to order her transfer. What is striking in this case is that this transfer was ordered after Lemonya's

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285 BOA, date:24/R/1319 (1901), Dosya No:28, Gömlek No:128, Fon Kodu:Y..PRK.ZB.

286 Deringil, *The Ottomans*, pp.122-123.

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conversion whereas the reason cited in the document obviously pre-existed. In addition, upon leaving Istanbul, Zehra would be removed from her social environment there but resettled in the one of her origin, that is to say in a familiar social "family". Was she more afraid of the reaction of her social environment in Istanbul than the one in Midilli? The question will remain unanswered287.

Contrary to the document aforementioned, which is cited as an exception, in the majority of the cases in the Ottoman documentation converts were transferred to a totally new and unfamiliar environment for several reasons. For instance, Salih Efendi, who was Greek Orthodox (Rum milletinden) converted and applied for a new identity certificate (tezkere-i osmaniye) and a transfer document (mürur tezkeresi). In the investigation that followed it was proved that Salih Efendi was a resident of the Karaağaç mahalle in the kaza of Bayezid in Erzurum, that he was a student at the Sibyan Mektep in the karye of Karabeyli in Şile and that he needed these documents to travel for academic purposes288. In addition, the case of the Greek Orthodox Meryem is noteworthy, as she moved from the area of Bor in Konya to Adana, converted to Islam, and was named Fatma, claiming that she converted because her husband had died (eşinin ölümüyle).

Mostly, as indicated above, the death of a close relative or academic purposes were popular bases to ask for a transfer to another place. Sometimes, however, the convert was more sincere, claiming that his life was at risk because of the reaction of his former community to his/her conversion. In other words, in the cases mentioned above the convert would base his application to be transferred to another place on educational reasons or on the need to be transferred somewhere where other close

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287 BOA, date:05/Te/1323 (1905), Dosya No:477, Gömlek No:54, Fon Kodu:ZB.

288 BOA, date:25/B/1304 (1886), Dosya No:1414, Gömlek No:29, Fon Kodu:DH.MKT.

relatives resided, however the fear of the reaction of the Greek-Orthodox community was the real motive.

The case of Olofsiya, discussed earlier, who petitioned the local administration of her neighborhood to ask for protection until she was of age, because her family and community that were aware of her sister's conversion were threatening her and she was afraid of being killed, was already mentioned[289]. If the convert's moving to another place before or after his conversion was an individual choice, problems concerning his documents of identification could arise. For instance, the procedure of the conversion of the Greek Orthodox Angeliki from Midilli, who had moved to Istanbul, was frozen, as it was attested that she was a Hellenic citizen, and further investigation of the issue was ordered[290].

In the context of transfers of converts ordered by the local authorities, we should refer to the case of a young convert Greek in Lüleburgaz who was supposed to be underage and it was claimed that he/she was forced to conversion. The tension that these rumors brought about in the local society necessitated his/her being sent way from the area upon the orders of the Ottoman authorities[291].

Finally, conversion during a trip seems to have been popular as the convert was already in the process of moving away from his place of residence, so the conditions were quite favorable. That was also the choice of Kaliopi, a girl from Sakız (Chios) Adası who was sent by Şevki Bey to his father in law to work as a servant. Şevki Bey most probably lived in Chios (at the vilayet of Cezair-I Bahr-I Sefid) and his father in law was the director of Mabeyn-I Hümayun in Russia. When Kaliopi announced

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[289] BOA, date:08/Ra/1319 (1901), Dosya No:2502, Gömlek No:132, Fon Kodu:DH.MKT

[290] BOA, date:16/Ey/1323 (1905), Dosya No:478, Gömlek No:143, Fon Kodu:ZB.

[291] BOA, date:10/C/1319 (1901), Dosya No:2535, Gömlek No:125, Fon Kodu:DH.MKT

that she intended to convert to Islam, she was arrested on board during the trip. The relevant document includes the order that she should not be prevented from getting off the boat, and a warning to the captain to behave appropriately that was asked to be communicated through the Russian Embassy (Rusya Sefareti vasıtasıyla)292. This is the first document where we encounter a joint operation involving the Ottoman authorities and foreign representatives to resolve an issue concerning the conversion of a Christian to Islam; however it is not clear if Kaliopi was an Ottoman or a Russian citizen.

Not only the Ottoman authorities but also the religious communal ones used to interfere and order the removal of a convert for precautionary reasons. In the case of Agasi, mentioned by Deringil, the woman convert was firstly transferred to the household of the kadı's deputy, probably for reasons of safety, from where she was brought before the local court by her husband and some other Christians. After Agasi apostatized, she stayed for twenty days in the house of the local Greek Orthodox kocabaşı from where she was kidnapped by the Muslim population and placed in a Muslim household. This series of subsequent transfers ended with the woman's transfer to Istanbul for questioning, upon the request of the Greek Orthodox Patriarchate293.

To sum up, we can conclude that in most cases of the conversion of the Greek Orthodox to Islam, the reaction or possible reaction of the local Christian community dictated the convert's transfer to a remote place. This was either the result of the convert's own will, or the outcome of the interference of the Ottoman or religious communal authorities. Co-operation between these two authorities or between the

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[292] BOA, date:29/L/1304 (1886), Dosya No:1433, Gömlek No:112, Fon Kodu:DH.MKT.

[293] BBA HR.MKT 56/65; 26 Cemaziyelevvel 1269/8 March 1853, request from the Greek Patriarchate, in Deringil, *The Ottomans*, p.125.

former and the foreign embassy was likely to take place. The disruption of the local social harmony was disturbing for all the authorities and especially in cases of apostasy the Ottoman authorities made the choice of having the convert disappear rather than enforcing the death penalty according to the traditional principles of Islam, which would cause immeasurable problems and the interference of all foreign representatives.

CHAPTER V: CONCLUSION

This study concerned itself with a very restricted area: the changes in the legal status of converts or the legal "motives" for conversion. It also referred to a particular historical period, the years 1856-1908, and to a particular social group, the Ottoman Greek Orthodox. A particular dimension of the phenomenon of conversion was studied: the conversion to Islam (ihtida). All these aspects of the phenomenon of conversion were examined .

Conversions of the Greek Orthodox were subject to some general rules of the nineteenth century conversions: the bureaucratization of the system, the extensive investigation of the conditions of conversion, the need for the presence of witnesses during the act. However, some special characteristics are observed; the migration of Greek Orthofox mühtedi soldiers to the Empire, apostasy from Islam in the majority of cases where a metropolitan interfered, the strong reaction of the local community to a conversion of one of its members.

Why would a Greek Orthodox Ottoman citizen convert to Islam in the post-Tanzimat period when the Islahat fermanı supposedly brought about conditions of equality and freedom of religious choice in the Empire? Except for reasons of true faith in the righteousness of Islam, a Greek Orthodox would convert to improve his conditions of life in all the sectors where the proclamation of modernity was not or was partially applied. For example, if he was blackmailed in jail and was offered his freedom in return for converting to Islam he would convert. He would also convert to benefit from advantages related to family law and inheritance, as the old system of the religious courts that examined these cases remained valid, enabling him/her to automatically divorce his/her non-Muslim spouse, to inherit from a Muslim or a

convert to Islam, and to accept a donation. Greek Orthodox women would convert to Islam to get away with their children (having them convert as well) in order to escape from a marriage in which they were unhappy.

The Muslim community was always willing to embrace the new members and help them start a new life away from their ex-community. Many mühtedi were eligible for financial aid or were offered to a job. As members of the dominant religious group, the converts would face no longer face discrimination in public life and live as second class citizens.

However, many cases of conversion ended in the apostasy of the convert. Apostasy took place because of the intervention of the local metropolitans or because the convert changed his/her mind. Usually, women who had converted to marry a Muslim apostatized if they were not happy with their marriage or were living in poverty. In these cases, it becomes clear that the only motive to convert was to marry a Muslim (so as to acquire hereditary rights on his property and to enable Muslim children to inherit their mother's property), so if the marriage did not meet the convert woman's expectations she would apostatize and run away from home together with her children.

Conversion appears as a tool of social flexibility;social consequences are obvious in the family, property, penal and public law in general. There is no case of conversion that can be examined as a separate act of legal entity. The legal motives of a conversion have a connection with the society and its rules. A society can be influenced by political evolution.

The reaction of the convert's former community and the convert's being resettled in different areas are both social phenomena. If conversion means to change worlds, then apostasy is an even more dramatic choice: the apostate is condemnable

according to the traditional principles of Islam for his/her act, his Orthodox family and former community are probably not eager to embrace him/her immediately; he is rejected by both worlds. Even the children, who are kidnapped and forced to convert by one or both of their parents, are obliged to experience a mixture of social reaction and approval by their former and new communities; although they were not given the chance to choose their social and legal identity. As it was presented in the case study, some Greek Orthodox who converted to Islam applied for a job while unemployed or applied to be transferred to another position; in this way, given that their mühtedi status was mentioned in the application document, the act of conversion appears as a path for transition from one social status to the other.

We should also reflect on the fact that, after the establishment of the Hellenic state, conversion to Islam must have been a declaration of loyalty to the Porte. The intensity of the discrimination towards the Greek Orthodox of the Empire might have encouraged many of them to convert, to guarantee safety for themselves and their families. This might also have been the case in the days of the political events in Crete. In this case, conversion to Islam seems to have functioned as a precautionary measure adapted to the political framework of the era.

Finally, the case study on conversion gives access to a study of gender as well. On the one hand, the convert women of the Greek Orthodox community escaped the strict boundaries of their community and from the influence of the Church. They got rid of the psychology of inferiority and the feeling of being female members of a subject group.On the other hand, the life of the Muslim woman, who belonged to the predominant social group, was not always as ideal as it seemed to be. Some cases of mühtedi who apostatized because they could not get along with their Muslim husbands have been reported. The conditions of marital life were difficult for

Ottoman women, as it was suggested in the relevant part, being a convert wife meant the road back was closed, at first glimpse. The mühtedi woman had to co-exist with somebody whose religion and culture was different, and she would have to re-establish social bonds from scratch within a social group that would not welcome her immediately. If this effort of integration in the Muslim group failed, the convert would join the very unfavourable status of the apostate. Nevertheless, the extensive study of this issue could be the topic of a separate thesis.

To conclude, my research focused on a specific kind of conversion, on ihtida. Ihtida influences every aspect of life; converts bear the superiority of the dominant religious group and they share the Muslim status in full grant. To convert is to change worlds.

APPENDICES

A.

Yanya vilayeti Kalyan(?) kazası Pasviçe(?) köyü sakinlerinden ve Rum milletinden kendi isteğiyle ihtida ederek Abdullah oğlu İsmail adını alıp sonra tekrar kendi dinine dönen (irtidad) ve adı geçen vilayetin zabtiye dairesine (polis department) gönderilen Kosti oğlu Niço İzmir'de iskan edilme için 22 Temmuz 1302 tarihli ve 79 numaralı yazıya 18 Ağustos tarihli cevapta adı geçen kişinin adı geçen vilayete (İzmir'e) gönderildiği.

Buna benzer bundan bir sene önce Perşembe pazarında Hacı Ago'nun evinde ihtida ederek Mehmet adlı bir kişiyle evlen ve Emine adını alan Katina, kocasının kendisine bakmadığını gerekçe göstererek evden ayrılıp, tekrar eski dinine dönerek Galata Mürekkihane(?) sokağında oturan Vasiliki adlı annesinin evine yerleştiği Beyoğlu mutasarrıflığının yazısından anlaşılmaktadır.

Kabataş iskelesi kayıkçılarından Kayserili Mehmet'in on sene önce ihtida edip kendisiyle evlenen Kalo tekrar kendi dinine dönüp Balat'ta oturan babasının evine gittiği, ancak babasının kendisini kabul etmemesi üzerine değişik evlerde kaldığı adı geçen kadının kocasının kefalete bağlanması için verdiği dilekçeden anlaşılmaktadır. Bu ik kadın hakkında nasıl bir işlem yapılması gerektiği sorulmaktadır.

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B.

Midilli adasında Sultana adlı bir Hıristiyan köylü kızı ihtida etmek amacıyla Ali adlı bir köylünün arkasına düşüp birkaç gün dağda dolaştıktan sonra birlikte bir Müslüman köyüne gittiklerinde kızı evden almak için 15 kadar Hıristiyan, kızı oradan almak için köye kadar gitmişse de, kız oradan Midilliye getirilerek hükümete teslim edilmiş, düğün yapmak için bir yer aranmakta ise de, kızın vereceği cevaplara göre işe bir çözüm bulmak için Midilli despotu Bölge idare meclisine davet edilmiş, ancak kendisi bu davete katılmaktan kaçınmış ve üstelik kızın Despothaneye (Mitropolite) tesliminde ısrar etmiştir. Kız iki haftadır hükümetin gözleminde tutulmaktadır, yapılamsı gereken işlem midilli mutasarrıflığına danışılmıştır. İhtida problemine ruhani liderlerin katıldığı idare meclisinde bakılması kural ve kanun olduğu, özellikle despotun katılmamasının kurullara aykırı olduğu ve bu nedenle Patrik hane tarafından despotun meclise katılmağa telgrafla mecbur edilmesi veya onun yokluğunda kanunlara uygun olarak meclisin bu konuda karar vermesi ve kızın vilayet merkezine getirilmesi……(belgenin kalan kısmı yok

C.

Bafra kazasının Selam-ı Aleyk köyünden çolak Lefter kızı adlı hatunun iki çocuğuyla beraber kendi isteğiyle ihtida ederek Salih'le evlendiği halde aynı köyün Hıristiyan halkı intikam almak amacıyla gecele evlerini ateşe verip bu sırada evlerinden çıkarken onları öldürdükleri ve bölge kaymakamlığına yapılan başvuru üzerine bazı şahıslar tutuklanmış ancak tutuklananlar serbest bırakılmış bunun üzerine Salih'in babası Sadullah faillerin yakalanması için dilekçeyle baş vurmuş ve dilekçesi valiliğe ulaşmıl olduğundan olayın bölgede iyice araştırılması, asıl sorulmaların yakalanarak adelete teslim edilmeleri ve sonucun üst makama bildirilmesi isteniyor.

D.

Yanlış sözleri nedeniyle iki yıl kalebentlik cezasıyla Midilli kazasında tutuklu bulunan ve kendi isteğiyle ihtida etmek isteyen İstanbullu Panayoti ihtida işlemlerinin gerçekleşmesi için diğer örneklerde olduğu gibi Yüce Adalet Bakanlığının yazısı üzerine Sadrazamlıktan gelen 31 Temmuz 1316 tarihli tezkerede adı geçenin tutukluluğunun iki seneyi geçtiği ve hala kendisi bu isteğinde ısrarlıysa ihtida işşlemninin yapılması ve durumun sadarete bildirilmesi.

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