

AN OUTLINE ON ISLAMIZATION OF THE BALKANS: WITH SPECIAL REFERENCE TO OSMANLI COURT RECORDS (QADI SIJIL)¹

Mesut Idriz *

The Balkan Peninsula is an ancient historical region. As a consequence of its geopolitical position, the Balkan Peninsula, through the ages, displayed a distinct historical and cultural homogeneity. A history of the Balkans in general is an inseparable part of Muslim history.

The common history of the Muslim Balkans, mainly with reference to the Osmanli period, is documented and preserved in millions of written records presently kept in the Osmanli archives in Turkey, and in various Balkan countries and elsewhere.

During the first half of the 20th century, historians of the Balkan peoples have, on the one hand, evaluated centuries of Osmanli domination in a uniformly negative and often hostile manner. They have pointed out that the Balkan people were cut

* Dr. Mesut Idriz is Chief Editor (Academic) at the MPH Group Publishing, Malaysia. He graduated from the International Institute of Islamic Thought and Civilization (ISTAC), Kuala Lumpur.

1 Literally, the term *sijil* derives from Arabic, and means writing, recording, document, scroll, book, etc. See Rohi Baalbaki, *Al-Mawrid: A Modern Arabic-English Dictionary*, 6th ed., (Beirut: Dar el-ilm lilmalayin, 1994); and Sir James W. Redhouse, *A Turkish and English Lexicon*, (first printed in 1890, Constantinople), new impression, (Beirut: Librairie du Liban, 1996). However, the technical meaning of the term refers to books that contain all kinds of judicial matters concerning the people, the decisions of *qādis* (judges) and all sorts of other writings either directly or indirectly related to the court. These books have several titles, where they are either referred to as *sijillāti shar'īyyah* (pl. *sijillat* and sin. *sijil*), or *qādi sijils*, or *qādi daftars*, or *mahkamah daftars*, etc. Amongst all these, the most common usage is that of *qādi sijils*. Therefore, in this study, this title will always be referred to as such with reference to these books. For details see Mesut Idriz, *Manastir in the Second Half of the 18th Century: A History of a Balkan City with Special Reference to Ottoman Judicial Records*, unpublished Ph.D. Dissertation submitted to the International Institute of Islamic Thought and Civilization, 2002, Kuala Lumpur, pp. 10-25. This study is supported by the Osmanli court records (*qādi sijils*) pertaining to and found in different parts of the Balkans.

off from the rest of Europe and from its important development adding that they were also prevented from developing their own civilizations and institutions. The historiography of this period during these centuries was interpreted in a nationalistic and often myopic view. On the other hand, some Western studies have been useful. However, these studies had one major drawback in the sense that they had no access to Osmanli sources or were linguistically unqualified to use them. In their reliance on previous studies, on each other, on the work of Balkan historians, and on available materials in languages they had familiarity with in Western European archives, these authors, nevertheless, managed to produce some good but very limited works.²

In the beginning of the second half of the 20th century opinions began to shift. Historians of the Balkan peoples began to utilize their archives much more extensively than previously practiced. The result has been a much more scholarly and objective study, which has shed new light on the Osmanli period. In the West some qualified scholars also began to write based on these archive materials, and their numbers have steadily increased.³

Based on archival materials left by the Osmanlis, it has become incumbent upon the Muslim or Balkan historian to investigate and analyze as objectively as possible the history of Muslim rule in this region. Among all the documents contained in the Osmanli archives those of the *qādī sijils* (court records) are considered to be the most important, particularly with reference to social history. In them we have both a reliable objective source and a chronology of history with regard to the Balkans and other

2 Peter F. Sugar, *Southeastern Europe under Ottoman rule (1354-1804)*, (Seattle: University of Washington Press, 1977), pp. 289-290.

3 Ibid.

regions.

The *qādi sijils* of the Osmanli Sultanate were books compiled at law courts throughout the lands that were under the Osmanli domination. Although this sort of book antedates the Osmanli period in Muslim history, however, the only books known to have survived to the present day were compiled in Osmanli courts.⁴ The *qādi sijils* were local court record books generally written in single handwritten copies.⁵ After compilation, they were preserved at many sites in courts, used and consulted for reference occasionally over one or two generations. They were then left accumulating the dust of centuries. They were preserved locally, where some were stolen or destroyed in wars, while others were burned or became rotten from exposure. Some cities have preserved many while others only a few.⁶ In the Osmanli courts, all legal and non-legal matters were recorded in the *qādi sijils*. The *qādi sijils* contain various types of documents, which generally are of two kinds: 1) those that were issued by the *qādi* himself; and 2) those issued by other/higher authorities and recorded in the *sijil* by the *qādi* (or his scribe, *kātib*).

No study is considered complete unless every aspect of its significance has been explored. With reference to this one must first afford a definition of the *qādi sijils* in order that their importance to be known. These records were not merely compilations of

4 Galal H. El-Nahal, *The Judicial Administration of Ottoman Egypt in the Seventeenth Century*, (Minneapolis & Chicago: Bibliotheca Islamica, 1979), p. 1.

5 During the 17th century Ottoman Egypt the case was different, where the *qādi sijils* were summarized and recorded by a number of people, and as a result the handwriting changed frequently. See *ibid.*, p. 10.

6 For instance, here are given two such examples of burn and steal, first a fire in 1884 burned all the *sijils* preserved in Bey pazarı, an important town on the caravan route from Ankara to Istanbul, and second in 1580 the *qādi* of Anduđı, a place near Niğde, took to flight with 40-50 *sijils* in an attempt to conceal a series of crimes he committed. The documents for both examples are set forth by Halit Ongan, *Ankara'nın 1 Numaralı Şer'ıye Sicili*, (Ankara: Türk Tarih Kurumu Basımevi, 1958), pp. viii-ix.

bureaucratic, administrative and verbose data relating only to judicial, social, architectural, economic, and agricultural undertones. These facts are already explicitly stated in the *sijils* themselves. It is, however, implicit facts which are of great importance and which are of enormous historical significance. What we mean is this. The *qādī sijils* are written record of the process of the Islamization⁷ of the Balkans. Proof of this fact is implicitly stated in the *sijils* themselves. History has recorded that Osmanli domination of the Balkans spanned a period of no less than five centuries. During this time the gradual influence of Islamic culture and civilization, a consequence of the religion of Islam itself, began to take root in the Balkans.

Historians of Islam and the Middle East, in particular Osmanli history, have long recognized that these official books of the *qādīs* provide the materials from which the legal, administrative, social and economic history of the Osmanli Sultanate, which include the Middle East, North Africa and the Balkans, will be eventually written. Among the historians in question are Fuad Köprülü, Halil İnalçık, Stanford Shaw, Mehmet İpşirli, T. Mümtaz Yaman, İsmail Hakkı Uzunçarşılı, Halit Ongan and Ronald Carlton Jennings, all well-known contemporary scholars.⁸ Hence, the significance and contribution of the *qādī sijils* to the Osmanli history in all the

7 For a definition of Islamization, the process of, its elements and the intensification of the process, see Syed Muhammad Naquib al-Attas, *Islam and Secularism*, (Kuala Lumpur: ISTAC, 1993), *passim*.

8 Fuad Köprülü, "İslâm âmme hukukunda ayrı bir Türk âmme hukuku yok mudur?", in *İkinci Türk Tarih Kongresi* (İstanbul, 1937), (İstanbul, 1943), pp. 402f; Halil İnalçık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak", in *AÜDTCFD*, 2 (1943), pp. 89-90; idem., "Capital Formation in the Ottoman Empire", in *JEH*, 29 (1969), pp. 97-140; Stanford J. Shaw, "Archival Sources for Ottoman History: The Archives of Turkey", in *JAOS*, 80 (1960), p. 9; Mehmet İpşirli, "Sosyal Tarih Kaynağı Olarak Şer'iyeye Sicilleri", in *İstanbul Üniversitesi Tarih ve Sosyoloji Semineri*, İstanbul, 1991, pp. 157-162; T. Mümtaz Yaman, "Şer'î Mahkeme Sicilleri", in *Ülkü*, 12/68 (1938), pp. 153-156; İ. H. Uzunçarşılı, "Şer'î Mahkeme Sicilleri", in *Ülkü*, 7/29 (1935), pp. 365-368; R. C. Jennings, *The Judicial Registers (Şer'î Mahkeme Sicilleri) of Kayseri (1590-1630) as a Source for Ottoman History*, Ph.D. Dissertation, (Michigan: University of Microfilms, 1985), pp. 1-2, 21-23; and Halit Ongan, *Ankara'nın 1 Numaralı Şer'iyeye Sicili*, (Ankara: Türk Tarih Kurumu Basımevi, 1958), pp. v, x-xi. See also M. Çağatay Uluçay, "Manisa Şer'iyeye Sicillerine Dair Bir Araştırma", in *TM*, 10 (1953), pp. 285-290; M. Fuad Köprülü, "Anadolu Selçukluları Tarihinin Yerli Kaynakları, VII. Kadı Defterleri", in *Belleken*, 27 (1943), p. 409; Alija Silajdžić, "O Slučajevima Ropstva Zabilježeni u Sudskom Protokolu Sarajevskog Kadije iz Godine 1556/57", in *Glasnik Vrhovnog Islamskog Starešinstva u Federativnoj Republici Jugoslaviji (GVISFRJ)*, Sarajevo, Avgust-December (1952), 3/8-12, pp. 241-255; Ciro Truhelka, "Pabirci iz Jednog Jajačkog Sidžila", in *Glasnik Zemaljskog Muzeja u Bosni i Hercegovini (GZMBH)*, C: XXX, p. 157; R. R. Yücer, "Sicillere Göre Eski Bursa", in *Uludağ*, 26 (1940), pp. 41-47, 27 (1940), pp. 27-31; J. Kabrda, "Les anciens registres turcs des cadis de Sofia et de Vidin et leur importance pour l'histoire de la Bulgarie", in *Archiv Orientalni*, 19 (1951), pp. 329, 337; J. Deny, *Sommaire des Archives turques du Caire*, (Cairo: n. p., 1930), p. 215.

above-mentioned fields (i.e. legal, administrative, social and economic history) will be explained in brief.

In terms of legal history, the *qādi sijils*, since they were recorded in an institution of the judiciary, contain lots of information and clarification about the application of *sharī'ah* (Islamic law) and *qānūn* (*kanūn*; sultanic/imperial/customary law) at the courts of each district and city of the Osmanli Sultanate. In this respect, many controversial opinions have been raised about the nature of how both laws were applied. The judicial records, however, are considered to be the only source of evidence that describes and determines the nature of the application of both the *sharī'ah* and *qānūn*, and they give a clear answer, which solves the problem of further controversy that may occur.⁹ In addition to this, the *qādi sijils* offer substantial and important information about the history of personal and civil law of the Osmanli Sultanate. For instance the information that they contain with regard to personal law may be summarized as such: 1) the decisions of the courts on legal matters concerning individuals, like patents, absences, rights and other issues of a person; 2) the decisions of the courts on legal matters concerning family life, like marriages, divorces, and other related issues; 3) the decisions of the courts on all matters related to the laws of inheritance; 4) the decisions of the courts on all transactions involving people, like property, debts, credits, and trade; and 5) the decisions of the courts on all matters concerning non-Muslim (*dhimmi*) subjects. As for civil law, it can be also summarized as such: 1) the orders of the Porte and the decisions of the courts with regard to all kinds of criminal issues and problems; 2) the orders of the Porte and the decisions of the courts on legal methodology and its applications with regard to the rules of interpretation

9 Ömer Lütfü Barkan, XVII. ve XVIII. Yüzyıllarda Osmanlı Ekonomisinin Malî ve Hukukî Esasları, (introduction part) pp. I-XXXIII, quoted in *Şer'îye Sicilleri*, vol.: 1, p. 13.

(*ijtihād / ictihād*) and customary law; 3) the orders of the Porte and the decisions of the courts dealing with the laws of execution and bankruptcy; 4) the decisions of the courts with regard to the laws of finance and the orders of the Porte with regard to administrative laws such as tax-polls, tax collections, appointments of officials, and other matters.

In terms of administrative history including military, an analysis of the documents of the *qādī sijils* is noteworthy because they reveal important information about the Empire with regard to the organization of government. In particular, its division into administrative units, such as *eyâlet* (provinces), *sancak* (subdivisions of a province) and *kazâ* (districts) as well as its different systems of administrative and legal officials, namely *beylerbey* (the governor), *sancakbey* (the sub-governor), and *kadı* (*qādī*, “judge”). They also contain a number of documents pertaining to military organization of the Sultanate, supplies of food and transportation for the army, preparations for war and its paramilitary forces.

In terms of its social and economic history, from the earlier periods until the dissolution of the Osmanli Sultanate, the *qādī sijils* offer complete factual information about the lives of the people in lands that were under the rule of the Sultanate, their way of making a living, and products of import and export. They also provide information about agricultural produce, crafts, and a variety of professions that existed in different geographical areas. Apart from this, they also contain evidence on the kind of taxes that were collected from the people, the salaries of officials and their employees paid to them by the government, market prices set by government authorities, and the kinds of currencies used along with their inflation and devaluation rates. In brief, the *qādī sijils* comprise vast information of both macroeconomics and microeconomics

throughout the Osmanli History. In addition to economic history, the court records lend insight into the social structure of the people and their family life, problems of a criminal nature, and many other issues relevant to their society.

However, most Osmanli historians have only had a cursory familiarity with these judicial records. A few historians have read them looking for particular kinds of documents, such as imperial orders, or materials related to the relation between Muslims and non-Muslims, or local traditions.¹⁰ Until recently no systematic study of these records has ever been undertaken, with the exception of a few studies dealing only with a particular city or region. Among those who have done this, for instance, are Ronald C. Jennings and Rifat Özdemir. The former studied the early 17th century judicial records of Kayseri, while the latter studied the first half of the 19th century records of Ankara.¹¹ In addition, although few historians have had an understanding of the old judicial procedure, yet in general they lack the formal training necessary to use the *qāḍī sijils* effectively as sources for administrative, legal, social, and economic history.¹² One historian who has published transliterations and summaries of the early court records of Ankara is Halit Ongan.¹³

Although thousands of these records survive to the present

10 For instance, there are two examples of this kind of works, where the first one is pertinent article on the *waqfs* of Ankara by Halit Ongan, "Ankara Şer'îye Mahkemesi Sicillerinde Kayıtlı Vakfiyeler", in *Vakıflar Dergisi*, 5 (1963), pp. 213-223; and work on the conversions (*ihtidâ*) in Bursa by Osman Çetin, *Sicillere Göre Bursa'da İhtida Hareketleri ve Sosyal Sonuçları (1472-1909)*, (Ankara: Türk Tarih Kurumu Basımevi, 1994).

11 See Ronald C. Jennings, *The Judicial Registers (Şer'î Mahkeme Sicilleri) of Kayseri (1590-1630) as a Source for Ottoman History*, A Ph.D. Dissertation, (Michigan: UMI, 1985); and Rifat Özdemir, *XIX. Yüzyılın ilk yarısında Ankara*, 2nd reprint, (Ankara: Türk Tarihi Kurumu Basımevi, 1998).

12 Besides the *qāḍī sijils*, there is also the lack of the formal training necessary to use the Ottoman archival documents in general. See Halil Inalcik, "The Turks and the Balkans", *TRBS*, 1 (1993), Istanbul, pp. 38-39.

13 Ongan, Halit, *Ankara'nın 1 Numaralı Ser'iyeye Sicili*, (Ankara: T.T.K. Basımevi, 1958); idem., *Ankara'nın İki Numaralı Ser'iyeye Sicili*, (Ankara: Türk Tarihi Kurumu Basımevi, 1974).

day, any attempt to determine precisely what survives where is premature. Most of them are kept in the archives, or museums, or other places in both Muslim and non-Muslim countries. In Turkey, for instance, the Bursa *qādī sijils* have survived intact from the time of Fatih Sultan Mehmed-II (1451-1481). Large number of records are preserved from the city of Istanbul. Two Kayseri judicial records remain from the last decades of the 15th century, and seven more from different years of the 16th century and from the beginning of the 17th century onwards they have been carefully preserved. But those of Sivas only survive from the 18th century, due to the ravages of war none at all have survived from eastern centers like Erzurum and others. A large number of the *qādī sijils* belonging to some cities of Turkey are preserved in the Ethnography Museum in Ankara.¹⁴

In the Arab lands, formerly part of the Osmanli Sultanate, there are many surviving *qādī sijils* belonging to different countries. Almost two thousand are preserved in Egypt at the Court of Personal Status in Cairo.¹⁵ The surviving numbers of court records in Israel are those of Jaffa and Jerusalem, where the former ones date back to the period of Napoleon.¹⁶ Jon Mandaville has surveyed the *qādī sijils* of Jerusalem, Damascus, Aleppo, Homs, and Hamah, but has given no indication as to whether any may still survive in the other cities of Syria, Jordan and Lebanon.¹⁷ He has learned from the government of Iraq that *qādī sijils* exist there from Baghdad and Basra.¹⁸ The judicial records dating from about the time of the Osmanli conquest

14 Ronald C. Jennings, *The Judicial Registers (Şer'î Mahkeme Sicilleri) of Kayseri (1590-1630) as a Source for Ottoman History*, p. 22.

15 For the *sijils* of Egypt see the works of both Stanford J. Shaw, "Cairo's Archives and the History of Ottoman Egypt", *Report on Current Research, Spring 1956*, (Washington: Middle East Institute, 1956); and Jean Deny, *Sommaire des Archives Turques du Caire*, (Cairo, 1930).

16 Jon E. Mandaville, "The Ottoman Court Records of Syria and Jordan", in *Journal of the American Oriental Society (JAOS)*, 86 (1966), p. 313.

17 *Ibid.*, p. 315-318.

18 This claim is cited in R. C. Jennings, *The Judicial Registers (Şer'î Mahkeme Sicilleri) of Kayseri (1590-1630) as a Source for Ottoman History*, Ph.D. Dissertation, p. 24.

also exist in Cyprus,¹⁹ and the Northern African countries.²⁰ There must be *qādī sijils* from cities of the Arabian peninsula namely Makkah (Mecca), Madīnah (Medina), and elsewhere, and it would be also possible that *qādī sijils* are available from the Georgian and Armenian areas of the Caucasus, but no mention appears in the standard article materials on Osmanli history.

In Europe, with a few exceptions, the surviving number of *qādī sijils* date from the later period of the Osmanli Sultanate, after the long series of Osmanli defeats in the last quarter of the 17th century. An almost complete list of those surviving in Bulgaria have been published.²¹ Two judicial records survive from Hungary.²² An important and large collection survives from Bosnia, Macedonia and Greece. A few other *qādī sijils* survive from several of the southeastern European countries. In Macedonia, for instance, there are almost two hundred *qādī sijils* dating from the beginning of the 17th century until the beginning of the 20th century, out of which 185 belonged to the city of Manastir (today Bitola), an important city during Osmanli rule.

As is well known, the Osmanli Empire originated in a small emirate established in the second half of the 13th century in northwestern Anatolia. By 1354 it had gained a toehold in Europe, and after the capture of Edirne (Adrianople) in 1361 by Sultan Murad-I (1362-1389), the Osmanlis were in a position to carry out a

19 See Ronald C. Jennings, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World (1571-1640)*, (New York: New York University Press, 1993), where the work is based mostly on the *qādī sijils* of Cyprus.

20 Among the works on North African countries see Jacques Berque, "Petits documents d'histoire sociale marocaine: Les archives d'un *cadi* rural", in *Revue Asiatique*, (1950), pp. 113-124.

21 For instance, see Galab Galabov, *Die Protokollbücher des Kadiamtes Sofia*, trans. By H. Duda, (Munich, 1960); and J. Kabrda, "Les registres turcs des *cadis* de Sofia et de Vidin et leur importance pour l'histoire de la Bulgarie", in *Archiv Orientalni (AO)*, 19 (1951).

22 One belongs to Temesvar (1651-1653) and the other to Karansebes and Lugos (1673-1675). See Klara Hegyi, "The Terminology of the Ottoman-Turkish Judicial Documents on the Basis of the Sources from Hungary", in *Acta Orientalia*, 18 (1965), pp. 191f.

continuous series of liberations (*futūhāt*) and invasions throughout southeastern Europe. From this base the power of this Muslim Turkic-speaking state steadily expanded. From a military point of view, the most significant defeat of the Serbian states took place at the Battle of Maritsa River at Chernomen in 1371, but it was the defeat of 1389 at Kosova, where a combined army of Serbs, Albanians, and Hungarians under the leadership of Lazar that has been preserved in legend as symbolizing the subordination of the Balkan people, in particular the Slavs, to Osmanli dominion.²³ However, the exact dates of Osmanli liberation of each town and city in the Balkans are not known, but by the end of the 14th century, half of the Balkans had been incorporated as part of the Muslim rule. Among the major cities that were liberated during the second half of the 14th century are the following: Drama, Sophia, Filibe (Philippopolis, Plovdiv), Serres (Serrai), Kavala (Kavalla), Kesriyye (Kastoria), Florina (Phlorina, Lerin), Karaferiye (Veroia), Manastir (Bitola), and Üsküb (Skopje).

Apart from the administrative and judicial divisions, from the time of the first Osmanli invasion at the close of the 14th century and more obviously during and after the mid 15th century, the Balkan lands were divided into *hâsses* (public lands belonging to the Sultan, his children, and the elite nobles), *zeâmets* (large fiefs), and *timârs* (small fiefs), which belonged to the *sipâhîs* (cavalry soldiers). The *hâsses* mainly consisted of large government complexes and its lands (*mîrî*), mine resources, trade routes and others. All the revenues received from these *hâsses* were channeled in to the treasury of the Porte. The minimum revenue of one *hâss* was 100,000 *akçes* a year. The *zeâmets* and *timârs* consisted of small-scale lands, where their

23 Halil Inalcık, "The Turks and the Balkans", *TRBS*, 1 (1993), Istanbul, p. 17; Aleksandar Stojanovski, "Maričkata Bitka i Nejinite Poslednici", in *Makedonija vo Turskoto Srednovekovie*, ed. by A. Stojanovski, (Skopje: Kultura, 1989), pp. 12-18; and Idem., "Vo koj Pravec niz Makedonija Minuval Muratoviot Pohod na Kosovo (1389)?", in *Makedonija vo Turskoto Srednovekovie*, pp. 21-22.

yearly revenues were less than those of the *hâsses*. For instance, the revenue of one *zeâmet* was between 20,000 to 99,999 *akçes* a year, while the revenue of one *timâr* was less than 19,999 *akçes* a year. However, it should be noted that in the Balkans, both Muslim and non-Muslim *sipâhîs* were granted *zeâmet*s and *timâr*s.²⁴

From the beginning, the Muslim Osmanli attitude towards the Balkan people was a reflection of the Sultanate's policy in the entire east and southeast European region, where they applied the stipulations of *shari'ah* concerning the rights and obligations of both Muslims and non-Muslims alike. Providing them with proper and complete protection for their lives and property was considered a commandment of God aside from being a duty of the State. In lieu of military duty, which was compulsory for Muslims, non-Muslims paid a *jizyah* (poll-tax). Aside from this tax, there was no differentiation made between Muslim and non-Muslim groups. This policy of providing equal protection to both Muslim and non-Muslim groups was a vital factor in the spread of Osmanli as well as Islamic influence not only in the Balkans but also in the surrounding areas.

In the Balkans, the Osmanlis developed and practiced a tolerant system of administration, fundamentally based on the teachings of Islam, under the protective cover of the State, where different ethnic and religious communities coexisted.²⁵ This system remained in practice and was readily accepted by the local people

24 A. Matkovski and A. Stojanovski, "Makedonija vo Vremeto na Razvojt na Osmanskata Imperija", in *Istorija na Makedonskiot Narod*, vol: 1, pp. 234-241.

25 This is clearly indicated in a number of the *qâdî sijils* found in different parts of the Balkans. For many such examples, see Mesut Idriz, *Manastir in the Second Half of the 18th Century: A History of a Balkan City with Special Reference to Ottoman Judicial Records*; Klara Hegyi, "The Terminology of the Ottoman-Turkish Judicial Documents on the Basis of the Sources from Hungary", in *Acta Orientalia*, 18 (1965); Galab Galabov, *Die Protokollbücher des Kadiamtes Sofia*, trans. By H. Duda, (Munich, 1960); and J. Kabrda, "Les registres turcs des cadis de Sofia et de Vidin et leur importance pour l'histoire de la Bulgarie", in *Archiv Orientalni (AO)*.

until the 19th century when, under the influence of nationalistic fervor, the local people, not only in the Balkans, but also in the whole region and elsewhere, began to revolt with a view to establish their own respective states.

According to the well-known Osmanli historian Halil Inalcık, there were some similarities between the Osmanli Empire and its predecessors in achieving an imperial regime in the Balkans. He further illustrates that during the Byzantine period, the Macedonian dynasty practiced a policy of protection of the "peasantry" against the *dynatoi* (the powerful lords), and in a similar way, the Osmanli administration extended protection to the *re'âyâ fukarası* (the poor and unprotected subjects) against the *zî-kudret ekâbir* (the powerful and the mighty).²⁶

Since ancient times, the Balkans with its geographic location held strategic importance as a crossroad linking the Adriatic coast on the west and the Aegean coast to the south with the Bosphorus on the east and the Danube River to the north. The Balkans proved to be more important during Osmanli rule, where it played a significant role in the socio-economic and politico-cultural life of the eastern and western peoples. The Osmanlis, after the liberation of the Balkans, began to think of a plan for its development and economic growth, where they offered a number of possibilities to traders, businessmen and others from different parts of the Empire to come and settle in this region.²⁷

After the establishment of the Osmanli Empire in the region

26 Halil Inalcık, "The Turks and the Balkans", *TRBS*, 1 (1993), p. 19.

27 See for instance A. Matkovski and A. Stojanovski, "Makedonija vo Vremeto na Razvojt na Osmanskata Imperija", in *Istorija na Makedonskiot Narod*, vol: 1, pp. 248-249.

of the Balkan, some changes and developments began to appear in the cultural life, and these continued to take place until the late Osmanli periods. Such changes could mostly be seen in major cities such as Üsküb (Skopje), Sophia, and Saraybosna (Sarajevo), where the religion of Islam and Osmanli culture were strongly established and a dominant force. In addition to this, the external facade of those cities changed, where they took on a Muslim-Oriental-Osmanli character. This can be seen especially in the fields of art and architecture, whose legacy has continued to endure for centuries.

In almost every city objects with Muslim art which were used by the people for the facilitation and satisfaction of their different religious, educational, commercial, hygienic, and other needs, appeared. Examples of this are buildings like mosques, *madrasahs*, *tekkes* (dervish lodges), *khans* (hotels), *kervan-sarays* (guesthouses), *bedestens* (shopping complexes /or covered bazaars), *hammāms* (public baths), fountains, and so on.

Many unknown architects, building for centuries in this region, have succeeded in turning the diverse contrasts into a unique harmony using basic measurement units, in addition to basic principle of folk urbanism according to which man is the basic module, and everything is subordinate to him.

The different objects and complexes in the Balkans during the Osmanli era, either viewed as monumental aspects or as so-called "mini" architectural aspects, were utilized in many religious, financial, hygienic, and other spheres. The building of these kinds of objects and complexes were usually financed by the Sultans and their families, by high-ranking officers of the Osmanli Empire and their close relatives, and by rich people and guild organizations with the aim of setting up a *waqf*.

During Osmanli rule, mosques were found in every district in

all cities as well as in villages where settlements were mostly Muslim. Among the oldest and most beautiful mosques in the Balkans were those in the cities of Üsküb (Skopje), Sophia, Saraybosna (Sarajevo), Tirana, Thessalonica and Manastir (Bitola).²⁸

The role of Islam and the Osmanli government made possible a multitude of educational buildings, which were among the main monumental structures in the cities of Anatolia and Rumelia. Education in the Osmanli Empire had great importance along with a strong religious character. It was propagated through two main systems: *madrasahs* (universities or colleges) and *maktabs* (primary schools).²⁹

The *madrasahs* existed in the major cities of the Balkans, specifically in the region of Macedonia as early as the 15th century. Generally they had few classrooms, but many rooms which were used by students as hostels. In these *madrasahs*, apart from religious subjects, students were taught philosophy, mathematics, languages, and other subjects. There were a large number of *maktabs* in cities and in villages where the majority of inhabitants were generally Muslims. Their numbers in cities sometimes exceeded 10 *maktabs*. During Osmanli rule in the Balkans, apart from the *madrasahs*, many other schools belonging to non-Muslims were built. This occurred mostly during and after the 17th-18th centuries. However, these schools were not financed by the Osmanli authorities but by either

28 As an example, see Mesut Idriz, *Manastir in the Second Half of the 18th Century: A History of a Balkan City with Special Reference to Ottoman Judicial Records*, pp. 41-48.

29 For educational institutions in the earlier periods of Islam see George Makdisi, *The Rise of Colleges: Institutions of learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981). As for the periods of Osmanli Empire see Huseyin Atay, *Osmanlılarda Yüksek Din Egitimi* (Istanbul: Dergâh Yayınları, 1983). See also Mesut Idriz, *The İjâza Tradition in Muslim Educational Life in the Light of the Late Balkan Practices (19th-20th centuries)*, Unpublished M. A. thesis, ISTAC, Kuala Lumpur, 1998, pp. 2-4.

churches or private foundations.³⁰ After the Osmanli reforms which occurred in the late 19th century, which is considered the beginning of "modernization", there were many other schools built in the Balkans with different fields and profiles. For instance, the schools for civil, military, trade and schools with religious curriculums,³¹ having no interconnection with each other and those that were autonomous institutions. In addition to this, schools belonging to other groups were also built. According to Ali Vishko, a Balkan historian, these schools are "propagandistic" and local-native. They were for example, Greek, Bulgarian, Vllach, Albanian, "French-Catholic", "American-Protestant" and Jewish schools.³²

Today unfortunately, from all *madrasahs* and *maktabs* built throughout the 15th-18th centuries in the Balkans, excluding the schools of the late 19th century, it would not be wrong to say that none of them remain. They were either destroyed by an earthquake or demolished by the authorities after the collapse of the Osmanli Empire.

Throughout the Osmanli rule, dervish orders in the Balkans were spread wide. As a result, many *tekkes*, *dergâhs* and *zâwiyahs* (dervish-lodges) were built. Unfortunately there is no available data illustrating the oldest dervish-lodges for the earlier periods of the Osmanlis in the region.³³

As stated earlier, apart from the above-mentioned main and

30 Ljuben Lape, "Kulturnite priliki vo XV-XVIII vek-Proveta", in *Istorija na Makedonskiot Narod*, vol: 1, pp. 298-299.

31 Ali Vishko, *Manastiri me Rrethina*, pp. 235-245.

32 *Ibid.*, pp. 246-266.

33 For some examples see Mesut Idriz, *Manastir in the Second Half of the 18th Century: A History of a Balkan City with Special Reference to Ottoman Judicial Records*, unpublished Ph.D. Dissertation, pp. 51-52.

central objects, (i.e. mosques, *madrasahs*, and dervish-lodges) there were many other monumental buildings in the Balkans which were founded and built during the Osmanli rule, including churches, *bedestens*, *khans*, fountains, *hammāms*, and others.

Like mosques and *masjids* were considered Muslim religious buildings, during the Osmanli rule in the Balkans several religious buildings belonging to non-Muslims were built.

Some claim that the Osmanlis were generally attacking Christianity in the Balkans and that they did not spare the churches. In addition, some claim that the churches and monasteries in these areas were demolished while others were converted into mosques.³⁴

In contrast, according to Halil Inalcik, the Osmanli attitude towards the Greek Orthodox Church was a reflection of the Sultanate's Balkan policy. Since their surrender and submission to the Osmanlis, the stipulations of Islamic Law concerning the rights and obligations of non-Muslims were applied to them. The Osmanlis followed a policy of tolerance towards non-Muslims and afforded them proper and complete protection of their lives, property, and religious freedom, which it was a commandment of God and a duty of the State. Since the Osmanlis were tolerant of the Church, they recognized and bestowed upon it all the privileges previously enjoyed and gave the leader of the church administrative autonomy, while at the same time maintained for the most part the status of the monasteries. This continued until the end of the 19th century.³⁵

34 For instance among them are Done Ilievski in his *The Macedonian Orthodox Church*, trans. by James M. Leech, (Skopje: Macedonian Review, 1973), p. 30, and Gligor Todorovski in his *Demografskite Procesi i Promeni vo Makedonija od krajot na XIV vek do Balkanskite Vojni*, (Skopje: Institut za Nacionalna Istorija), *passim*.

It is possible however that some churches were demolished for reasons that they were either built illegally without authorization from the Osmanli officials, or that they were not in the right and proper place, or for other reasons which required their removal.

Taking into account only the city of Manastir (today Bitola, Macedonia) and its surroundings, there were many churches and monasteries built during the 16th and 17th centuries, for example, the church built by Mihailo Petkov in 1607.³⁶ During and after the 18th century, not only in Manastir but also in other parts of the Balkans, the number of church buildings bearing the architecture influenced by the Osmanlis rapidly increased.³⁷

As previously mentioned, education in the Osmanli Empire held great importance; consequently books had an important role in the life of Muslims, too. Even during the earlier periods of the empire many libraries were built and large numbers of books and manuscripts were donated. Generally libraries were attached either to the mosques, *madrasahs*, or to dervish-lodges. These books were mostly of religious content.

Since the Balkan cities were becoming more and more developed and at the same time geographically the region was in a transit point for travelers and traders, many places for accommodation such as *khans* (hotel) and *kervan-sarays* (traveler-house) were built. According to the Venetian traveler Lorenzo

35 Halil Inalcik, "The Turks and the Balkans", *Turkish Review of Balkan Studies*, No: 1, 1993, Istanbul, pp. 18-20; see also Kosta Balabanov, "Kulturnite priliki vo XV-XVIII vek-Umetnost", in *Istorija na Makedonskiot Narod*, vol: 1, pp. 299-314, *passim*.

36 Kosta Balabanov, "Kulturnite priliki vo XV-XVIII vek-Umetnost", in *Istorija na Makedonskiot Narod*, vol: 1, pp. 300-301.

37 *Ibid.*, pp. 301-313.

Bernardo, for instance, he described the city of Manastir in 1591 where apart from public buildings and complexes; there was a *kervan-saray* for guests who came from the different parts of the world.³⁸ The *khans* or *kervan-sarays* were four-angled squares usually double stored, in which the ground floor was utilized as a storage facility while the upper floor had a large number of rooms for sleeping. In the middle of the square there was a fountain where guests used to sit and meditate.

As for the bazaars and shopping complexes, during Osmanli rule there were many *bedestens* (shopping complex) built in the major cities of the Balkans, among them were the *bedestens* of Mustafa Paşa in Üsküp (Skopje) and Davut Paşa in Manastir. According to Evliya Çelebi, a famous Osmanli historian and traveler, during the 17th century in the city of Manastir, for instance, there was a wonderful *bedesten*, referring to the one of Davud Paşa, with iron doors like a citadel, embellished by many domes with a total of 86 shops. There were approximately 900 shops in the bazaar of the city outside of the *bedesten*, 40 of which were coffee shops/houses.³⁹

The rapid development of the cities as well as an increase in their population made the Osmanli authorities and the rich people pay attention and concern for public hygiene and for the establishment of public baths with a good, reliable water system. And as a result many public baths, so-called *hammāms*, were built. A large number of fountains not only in the cities but also in the villages were built. They were mainly public fountains which were a part of the so-called "mini" architecture. They were not only used

38 Aleksandar Matkovski and P. Angelakova, "Opis na Patuvanjetto na Venecijanskiot Pratenik Lorenzo Bernardo niz Makedonija vo 1591 god.", in *GINI*, No: 1, Skopje, (1971), p. 215, cited in Ali Vishko, pp. 145-146.

39 Evliyâ Çelebi, *Evliya Çelebi Seyahatnamesi*, vol.: 5, p. 573.

for hygienic and religious reasons but also useful for their beautiful forms, carved of mostly valuable material, their decorations, and the freshness of the water, they represented the decorative structures of a mostly urban complex. In addition, most of these monumental objects were established as *waqf*.⁴⁰

During the 20th century, particularly in the later half, the aesthetic and architectural facade of the Muslim Balkan cities began to change rapidly. A very strong criticism for modern urbanists and architects, with reference to the Balkans in general and the region of Macedonia in particular, is voiced by Radmila Momidik-Petkova. In her article,⁴¹ she states:

“The contemporary urbanists and architects trying to apply all innovations in contemporary planning and drawing up plans, in some cases, it seems that they forget the traditions and the basic module thus closing the sights of the mountain massifs with huge objects penetrating roughly into the tissue of the old town which leads us to an idea that their solutions are reduced to dull art. On the contrary, the architecture and the city planning are complex sciences and they should be treated only as such, especially while building and planning in towns with rich cultural and building tradition...”⁴²

Finally, the Balkans had been ruled by Muslims with

40 Mesut Idriz, *Manastir in the Second Half of the 18th Century: A History of a Balkan City with Special Reference to Ottoman Judicial Records*, passim. For many other examples see also Salih Asim Bey, *Üsküp Tarihi ve Cıvırı*, ed. By Suleyman Baki, (Istanbul: Rumeli Türkleri Vakfı, 2004).

41 Radmila Momidik-Petkova, “Nekoi Zabeleski za odnosot na Staroto i Novoto vo Urbanata Struktura na Bitola” [Some remarks on the relation between the old and the new in the urban structures of Bitola], in *ZT*, No: 12-13-14, (1992-1995), Bitola, pp. 37-46.

42 *Ibid.*, p. 46.

reference to the Osmanlis for almost five and half centuries, and in comparison with other regions of the Sultanate it is considered to have been ruled the longest.⁴³ Conversions (*ihtidā*) of non-Muslims to Islam were common in the Balkans, but no instances of forced conversion took place, contrary to what certain observers have asserted.⁴⁴ During this time the gradual influence of Islamic culture and civilization, a consequence of the religion of Islam itself, began to take root in the Balkans. This is evidence in part by the influence of Osmanli and ultimately Arabic language on the Balkan languages, particularly on the technical terms. This is true that there are a number of technical terms in the Balkans, although a calculated effort was made at the fall of the Osmanli Empire to eradicate their use and to create new terms in order to suppress history. We are not claiming that the language of the Balkan peoples were replaced with Osmanli, only that their language was enriched as too was their whole culture and civilization.

43 L. Carl Brown (ed.), *Imperial Legacy: The Ottoman Imprint on the Balkans and the Middle East*, (New York: Columbia University Press, 1996), *passim*.

44 For brief discussion on this matter see Mesut Idriz, "Conversion and Assimilation of Dhimmīs in the Ottoman Empire: A Case of Manastir with Special Reference to 18th Century Judicial Records", in *Al-Shajarah: Journal of International Institute of Islamic Thought and Civilization (ISTAC)*, vol.: 8, No.: 2, 2003, pp. 167-190.

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