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**Some sources of legal regulation of non-Muslim
Relations in the Ottoman Empire**

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Abstract

The legal regulation of relations with non-Muslims in the Ottoman Empire was implemented through specific legal acts, as well as through legal institutions, special taxes, and other regulatory mechanisms. This paper examines the principal legal acts governing relations between Muslims and non-Muslims, as well as relations among non-Muslim communities themselves. Particular attention is given to the role of the Medina Charter in laying the foundations for the establishment of an ethnically and religiously pluralistic state. The study notes that classical sources of Islamic law demonstrate a relatively tolerant approach toward non-Muslim subjects. It further analyzes the Gülhane Hatt-ı Şerif and the Hatt-ı Hümayun as documents that legally reinforced the autonomy of non-Muslim religious communities

and established the obligation of the state to protect the life, honor, and property of all subjects of the Ottoman Empire, as well as their equality before the law regardless of religion. The Constitution of the Ottoman Empire of 1876 is examined in the context of attitudes toward non-Muslims and as a manifestation of legal and political compromise. The study also reviews the taxes “Jizya” and “Isfenci”, as well as the practice of “Devshirme”, as elements of the fiscal and administrative system applied to non-Muslim populations, together with certain regulations concerning their dress and lifestyle. The paper demonstrates that, despite the declared goals contained in the aforementioned legal acts, these measures primarily served to strengthen the authority of the Ottoman state and often placed non-Muslims in an unequal position compared with Muslims, which was reflected in the religious, political, social, and economic spheres.

Keywords: Medina Charter; Gülhane Hatt-ı Şerif; Hatt-ı Hümayun; Constitution of the Ottoman Empire of 1876; Statute of the Province of Rumelia; Jizya; Isfenci; Devshirme.

Introduction

The Ottoman Empire was characterized by a distinctive model of governance within a complex multi-ethnic and multi-religious society. A significant portion of the empire’s population consisted of non-Muslims, and their integration into the state system, as well as the definition of their rights and obligations, constituted one of the major challenges to the stability of the empire.

The legal regulation of these relations was carried out through various legislative acts and institutional mechanisms. This paper examines the principal legal acts regulating relations between Muslims and non-Muslims, as well as relations among non-Muslim commu-

ities themselves. Particular attention is given to the role of the "Treaty of Medina" as a foundational document for the formation of an ethnically and religiously pluralistic state, as well as to the attitudes toward non-Muslim subjects reflected in classical sources of Islamic law.

Significant changes began in the nineteenth century with the Tanzimat reforms. The "Gülhane Hatt-ı Şerif" (1839) and the "Hatt-ı Hümayun" (1856) marked the beginning of a new stage in relations with non-Muslims. These reforms strengthened, through legislation, the autonomy of non-Muslim religious communities and, at least at the declarative level, proclaimed the equality of all subjects before the law. The "Constitution of the Ottoman Empire of 1876" attempted to formalize and universalize this principle. In addition to legal acts, the study also examines the taxation system imposed on non-Muslims, including the taxes known as "Jizya" and "İsfenci", as well as the practice of "Devshirme". Furthermore, it considers the norms regulating aspects of their dress and lifestyle.

Despite the loyal attitude of the empire towards non-Muslims declared in legal acts, which was a recognition of certain moral and legal obligations, the legal policy of the Ottoman Empire served to strengthen the central government of the Ottoman Empire. As a result, non-Muslims found themselves in unequal conditions compared to Muslims.

Methods

The research is based on historical-legal, comparative-legal, formal-dogmatic, and political-legal methods. The historical-legal method was employed to analyze the dynamics of the formation and development of the legal status of non-Muslims. The comparative-legal method was used to compare the legal status of non-Muslims in the Ottoman Empire with the classical doctrine of Islamic law, as well as to conduct a comparative analysis of the legal framework before and

after the Tanzimat reforms. The formal-dogmatic method was applied to examine the normative content of legal acts, the legal constructions defining the rights and obligations of non-Muslims, and the legal nature of tax and administrative regulations. The political-legal method was used to assess the legal policy of the Ottoman Empire toward non-Muslims from both normative and socio-political perspectives.

Results

The study demonstrates that the legal policy of the Ottoman Empire toward non-Muslims was based on a multilayered and dynamic legal framework that combined classical sources of Islamic law, sultanic legislation, reform-era normative acts, as well as tax and social regulations. The research indicates that, at the declarative level, these legal instruments were intended to formalize moral and religious obligations aimed at regulating religious pluralism and protecting non-Muslim communities. In practice, however, these mechanisms largely reflected the administrative centralization of the empire. Although the Tanzimat reforms and the early stage of constitutionalism partially expanded the civil rights of non-Muslims, they failed to fundamentally alter the discriminatory character of the legal system. In many respects, this system remained oriented toward the gradual assimilation of the ethnocultural characteristics of the non-Muslim and non-Turkish populations.

Discussion

The Treaty of Medina. The earliest legal source regulating relations with non-Muslims in the Islamic political tradition – later influencing the Ottoman legal framework – was the Treaty of Medina. In 622, Muhammad, together with approximately two hundred followers, migrated from Mecca to Medina. The majority of Medina's population consisted of Jews, Arab polytheists, and Arab Muslims who had previously emigrated from Mecca; a small number of Christian

Arabs also resided in the city. These communities lived largely separately and were frequently involved in conflicts and internal wars (Galiullina & Nuriev, 2015: 187). Following his migration to Medina, Muhammad was no longer solely a preacher of faith; he assumed the role of a political leader responsible for laying the foundations of a new socio-political order and, effectively, a future state. In a society characterized by religious and ethnic diversity, it became necessary to establish an optimal framework for cooperation and peaceful coexistence among different social groups. To govern this heterogeneous community, common rules acceptable to all groups had to be introduced, allowing those incorporated into the new political order to preserve the religion and customs of their ancestors. Such rules were agreed upon in the first year of the Hijra (622) through the Treaty of Medina, concluded prior to the final compilation of the Quran. This document is sometimes described as one of the earliest constitutional agreements in human history (Kuliev & Alieva, 2012: 28). The treaty was concluded between Muslims and the Jewish tribes residing in Medina and addressed issues of peaceful coexistence and collective responsibility among nine tribes and two religious communities. Of the nine tribes mentioned in the document, eight were Jewish tribes and one was Muslim (Constitution, 2021).

The agreement consists of forty-seven articles. The first twenty-three regulate relations among Muslims, defining their rights and obligations, while the remaining twenty-four articles address the regulation of relations between Muslims and non-Muslims.

The principal significance of this document lies in its establishment of an ethnically and religiously pluralistic “common community of believers” based on a form of social contract (Lingsi, 2016: 199). Within this framework, Muslims did not impose religious conversion on local populations and respected their customs and traditions.

The treaty functioned as a normative mechanism regulating coexistence among groups differing in religion and tribal affiliation. Any violation of the agreement was regarded as an act of treachery and betrayal. The inhabitants of Medina who entered into this contract, regardless of their religious affiliation, were considered a “single community” distinct from other groups (Constitution, 2021: Art. 2).

The treaty established centralized management of defense, legislative, judicial, and executive functions (Constitution, 2021: Art. 13). At the same time, matters relating to cultural, economic, educational, health, and other aspects of civil life – including religious and personal affairs – remained within the competence of individual communities (Erdogan, 2010: 156).

The document also formally recognized the distinct identity of various ethnic and religious groups and called upon each to respect the beliefs and principles of the others. As stated in Article 25: “The Jews shall practice their religion, and the Muslims theirs.”

According to the provisions of the treaty, Muslims and non-Muslims enjoyed freedom of religion and a degree of communal autonomy. Non-Muslims, together with Muslims, were obliged to participate in the defense of the city when necessary and to share the costs of war, although they were not required to participate in religious wars conducted by Muslims (Constitution, 2021: Art. 45).

Muhammad is presented in the document as a mediator and supreme arbiter among the tribes, and warfare was prohibited without his authorization (Constitution, 2021: Art. 36).

The treaty placed religious solidarity among Muslims above traditional blood ties. While tribal identity remained relevant, it functioned primarily as a means of identifying groups within the broader political community. The document lists both Jewish and Muslim tribes but does not prioritize any language or ethnicity in the formation

of the new political community (ummah). Instead, faith served as the principal unifying factor – each group maintaining its own religious identity.

The concept of the ummah thus emerged as a new model of socio-political and socio-economic organization within Muslim society, in which distinctions based on ethnicity, caste, or social hierarchy were formally diminished in significance (Gelovani, 2024: 374).

Overall, the Treaty of Medina functioned as a legal mechanism designed to maintain cooperation and peaceful relations among the tribal and religious groups of Medina. In doing so, it laid the foundations for the development of an ethnically and religiously plural political order and represents an important historical example of legal and political compromise reflecting the realities of its time.

Non-Muslims in the Quran. Classical sources of Islamic law, from a moral and political perspective, provide justification for the permanent residence of non-Muslims within an Islamic state. Several verses of the Quran emphasize the recognition of religious diversity and promote principles of tolerance and justice. For instance, Surah 2 states: “Indeed, those who believe, and those who are Jews, Christians, and Sabians – whoever believes in Allah and the Last Day and performs righteous deeds – shall have their reward with their Lord; they shall have no fear, nor shall they grieve” (Qurani, 2:59). Another verse of the same surah proclaims the well-known principle that “there is no compulsion in religion” (Qurani, 2:257). Ottoman military law also considered it impermissible to justify war solely on the basis of a people’s unbelief or to initiate war for the purpose of forcibly imposing one’s religion upon others (Bardavelidze, 2020: 9). The Quran further emphasizes the principle of justice in relations with non-Muslims: “Allah does not forbid you from showing kindness and acting justly toward those who have not fought you because of religion

and have not driven you from your homes. Indeed, Allah loves those who act justly” (Qurani, 60:8). Similarly, the Quran addresses the People of the Book with the words: “Our God and your God is One, and to Him we submit” (Qurani, 29:45). In a broader sense, the Quran calls upon humanity to mutual understanding: “O mankind, We created you from a male and a female and made you into nations and tribes so that you may know one another” (Qurani, 49:13).

Islamic tradition also records statements attributed to the Prophet Muhammad that emphasize respect for Christians and other People of the Book. For example, Muslims are encouraged to show respect for Christians and their religious customs; it is reported that Muhammad instructed Muslims to stand when a Christian funeral procession passed by (Mahmadis, 1996: 29). He also forbade entering the houses of Christians without permission and prohibited harming them or their property, including cutting the fruit from their trees without consent (Mahmadis, 1996: 92). These and other examples are discussed in detail in the relevant literature (see Lobzhanidze, 2004; Gorgoshadze, 2006). At the same time, certain verses of the Quran reflect differing historical circumstances from the life of the Prophet of Islam and sometimes express more critical attitudes toward Jews and Christians (Qurani, 5:85; 9:31; 57:27, and others).

The Quran also provides the basis for the institution known as the **dhimmi** (Qurani, 9:10). The term **dhimmi** is an Islamic legal concept referring to communities of the “People of the Book”—such as Christians, Jews, Sabians, and Zoroastrians— who lived within medieval Muslim states while adhering to their own religions. These communities recognized Muslim political authority and paid specific taxes imposed on followers of non-Muslim faiths. In return, they were granted protection and a defined legal status within the Islamic political order. Under this arrangement, **dhimmis** were allowed to

retain their own religious beliefs and practices, although certain restrictions applied. They were guaranteed the protection of their lives and property and were granted a degree of communal autonomy and self-government. Within the Ottoman Empire, this concept formed the legal basis for regulating the status of non-Muslim populations (for more details on **dhimmis** and the millet system, see Gorgoshadze & Putkaradze, 2025: 223-228). The status of **dhimmis** varied depending on prevailing socio-political and economic conditions. The agreement that established this status was protected by Islamic law. Those who entered into such agreements through peaceful negotiations with Muslim authorities became **dhimmis**, that is, “protected people”. In general, non-Muslim populations that submitted peacefully to Muslim rule were granted this status. Some justification for the institution of **dhimmi** is derived from Quranic passages emphasizing peaceful coexistence, such as: “And if they incline toward peace, then incline toward it also, and put your trust in Allah. Indeed, He is the All-Hearing, the All-Knowing” (Qurani, 8:63).

By the eleventh century, jurists had formulated six essential and six recommended conditions governing the **dhimmi** agreement. The six essential conditions included the following: 1. Refraining from criticizing the Quran; 2. Refraining from insulting the Prophet Muhammad; 3. Avoiding defamation of Islam; 4. Not engaging in adultery with or marrying Muslim women; 5. Not attempting to convert Muslims to another religion; 6. Not supporting individuals or groups fighting against Muslims. Failure to comply with any of these essential conditions could lead to the termination of the **dhimmi** agreement.

In addition, six recommended conditions were formulated: 1. Wearing distinctive clothing differentiating them from Muslims; 2. Refraining from constructing houses higher than those of Muslims; 3. Refraining from ringing church bells or publicly reciting sacred texts

in the presence of Muslims; 4. Avoiding the public display of wine, crosses, or pigs before Muslims; 5. Conducting funerals quietly and without public display; 6. Refraining from riding thoroughbred horses or camels. Over time, these initially recommended conditions gradually became canonical requirements within Islamic legal practice (Islam, 1991:28), and additional restrictions were sometimes introduced (for details, see, **The Status**, 2025).

The agreement concluded with **dhimmis** was generally considered permanent and could only be annulled under specific circumstances: 1. If the **dhimmis** converted to Islam; 2. If Muslims lost control of a territory and it came under non-Muslim rule; 3. In the event of political upheaval in which **dhimmis** seized power (Chanturishvili, 2022: 66).

Although the Quran and other sources of Muslim law, doctrines, and treaties⁹ It is about a more or less loyal attitude towards non-Muslim subjects and in general, “the Quran contains an attempt to reconcile, unite all believers, and eliminate envy and hostility among them” (Kukava, 2000: 376). In reality, there were significant differences between Muslim and non-Muslim subjects. Islam was the dominant religion in the Ottoman Empire and therefore had the highest legal status, with other religions being secondary. The Ottomans considered non-Muslim peoples as foreigners. This suggests that Islamic norms allowed for tolerance “towards the wicked, but did not consider them equal to Muslims” (Svanidze, 2007: 139).

The Gülhane Hatt-ı Şerif. For a long time, the autonomy of non-Muslim religious communities within the Ottoman Empire was not formally reinforced through legislative measures. The first norma-

⁹ For example, see the treaty of Caliph Umar (634-644) with the Holy City of Jerusalem (Japaridze, 2018: 150-153). According to some authors, Georgians are also mentioned in this treaty (Stefanadze, 2002: 335-382).

tive consolidation of the rights of non-Muslims occurred during the Tanzimat period in the nineteenth century. This period marked the beginning of significant legal reforms and the initial reception of Western European legal principles within the Ottoman legal system. In 1839, a supreme imperial decree issued by the Sultan, known historically as the *Gülhane Hatt-ı Şerif* (the Noble Edict of *Gülhane*), proclaimed the principle of the protection of life, honor, and property for all subjects of the empire, regardless of religious affiliation. The decree also formally declared the principle of equality before the law for all subjects of the Ottoman state (Morgun).

However, the *Gülhane Hatt-ı Şerif* of 1839 did not immediately lead to substantial legal or institutional changes within the empire. Consequently, in 1856 a new reform document, the *Hatt-ı Hümayun*, was adopted in order to further advance and formalize the principles proclaimed in the earlier decree.

Hatt-ı Hümayun. The imperial decree of 1856, known as the *Hatt-ı Hümayun*, expanded and further specified the provisions introduced by the reforms of 1839. This document proclaimed the principle of religious freedom and strengthened the autonomy of non-Muslim religious communities in matters of internal administration. According to the decree, all religious communities were granted the right to establish and operate educational institutions, provided that these institutions functioned under the supervision of the imperial authorities. In regions where only representatives of a single religious denomination resided, members of that community were allowed to practice their religion freely and publicly, without restrictions (Hattı, 2013: Art. 7).

In cities, towns, and villages where the population adhered to the same religion, previously existing restrictions on the restoration of non-Muslim religious buildings, schools, and cemeteries were abo-

lished. These institutions could be restored to their original state. However, the construction of new religious buildings required the approval of the Sultan (Hattı, 2013: Art. 6).

The decree also prohibited the use of discriminatory or offensive language directed at individuals on the basis of religion, language, or ethnic origin. It declared that any assertion that representatives of a particular religion, language, or race were inferior to others should be legally prohibited, both in the actions of private individuals and in the conduct of government authorities (Hattı, 2013: Art. 8).

Mixed courts were established to adjudicate disputes between Muslims and non-Muslims (Hatt-ı Hümayun, 2013: Art. 12). The decree also proclaimed the principle of tax equality between Muslim and non-Muslim subjects (Hattı, 2013: Art. 16). In this regard, the **Hatt-ı Hümayun** sought to formalize the equal legal status of all subjects of the Ottoman Empire, regardless of religious affiliation. Non-Muslims were also granted the right to hold positions in state administration according to their abilities and qualifications (Hattı, 2013: Art. 10).

Furthermore, non-Muslim subjects, like Muslims, were subject to military conscription; however, they were permitted to pay a special tax in lieu of military service (Svanidze, 2007: 312). Some scholars argue that the attempt to equalize the legal rights of Muslim and non-Muslim subjects through this decree constituted a departure from the traditional principles of Ottoman law (Kireev, 2007: 51).

As noted above, the **Hatt-ı Hümayun** of 1856 represented a continuation and further development of the reforms initiated by the **Gülhane Hatt-ı Şerif** of 1839 and formed an integral part of the Tanzimat reform process. However, for a variety of political and social reasons, the provisions of the 1856 decree were not fully implemented in practice and largely remained a formal declaration of imperial intent rather than a fully realized legal reform.

The Constitution of the Ottoman Empire of 1876. The culmination of the reform process aimed at the Europeanization of the Ottoman Empire was the adoption of the Constitution of 1876. Several provisions of this constitution strengthened the legal position of religious minorities within the empire. The constitution declared that all subjects of the state, without distinction, were to be referred to as Ottomans, and that their personal freedom was inviolable and protected by law (Osmaletis, 2022: Art. 3), provided that the exercise of such freedom did not infringe upon the freedom of others (Constitution, 1876: Art. 9). While Islam was proclaimed the state religion, the constitution also guaranteed the protection and free practice of other religions and maintained the existing privileges of religious communities (Osmaletis, 2022: Art. 4). In addition, the constitution proclaimed freedom of the press, the right to establish mutual aid associations, and the equality of all subjects before the law. It also defined certain rights and duties toward the state, including equal access to public offices regardless of religion, the equal distribution of taxes, the protection of property rights, and the inviolability of residence. Furthermore, it established the principle that individuals should be tried before the competent judicial authority determined by law (Osmaletis, 2022: Art. 6).

The constitution also declared Turkish to be the official language of the state (Constitution, 1876: Art. 18). Knowledge of the Turkish language, as well as personal merit, competence, and readiness to serve the state, were established as prerequisites for election to the Ottoman Parliament and for appointment to public office (Konstitucia, 2012: Art. 68(3) and for admission to other public positions (Osmaletis, 2022: Art. 19).

In accordance with the Constitution of 1876, a bicameral National Assembly was established (Constitution, 1876: Art. 42). The up-

per chamber, the Senate, consisted of members and a chairman directly appointed by the Sultan (Constitution, 1876: Art. 60), while the lower chamber – the Chamber of Deputies – was formed through elections. This bicameral parliament began its work in 1877. Of the 32 members of the Senate, 7 were non-Muslims, while in the Chamber of Deputies 46 out of 115 members represented non-Muslim communities, including Greek, Armenian, Jewish, Bulgarian, Serbian, and Arab deputies (Skvoznikov, 2015: 11)¹⁰. The constitutional monarchy established on the basis of the 1876 Constitution proved to be short-lived. In 1878, the parliament was dissolved and the constitution was suspended. Only in 1908, thirty-three years after the suspension of the constitution and the dissolution of parliament, was it possible to restore constitutional governance in the Ottoman Empire and reconvene the parliament. Although amendments were introduced to the constitution following its restoration, these changes did not substantially affect the legal status of the non-Muslim population.

Statute of the Province of Rumelia. Despite the suspension of the constitution, the Ottoman government formally undertook to ensure equality for the religious minorities living within the empire. According to the Treaty of Berlin of 1878, the Ottoman Empire assumed obligations to grant religious minorities a certain degree of self-government and to introduce quotas for their representation in local administrative bodies, as well as in the judiciary, the police, and the gendarmerie (Treaty, 1970). In practice, however, the Ottoman authorities were reluctant to implement the provisions of the Treaty of Berlin. In 1880, European powers decided to assess the extent to which the promised reforms had been implemented. In response, the

¹⁰ According to some researchers, there were 21 Muslim and 5 non-Muslim deputies in the Senate, while in the lower house there were 71 Muslims, 44 Christians and 4 Jews (Kalandarishvili, 2024: 57).

Ottoman government drafted a reform program known as the Statute of the Province of Rumelia. This project envisaged administrative reforms and measures intended to regulate the position of religious minorities in the region. However, the statute was ultimately not approved by the Sultan and therefore never entered into force (Skvoznikov, 2015: 12).

Taxes and Dress as Instruments of Regulation of Non-Muslim Communities. Taxes imposed on non-Muslim populations, as well as regulations concerning their dress, constituted important mechanisms through which the Ottoman authorities regulated relations with non-Muslim subjects. These measures are often interpreted in the historiography as indicators of the subordinate legal and social status of non-Muslims within the empire. Despite the fact that many non-Muslim communities were indigenous inhabitants of territories incorporated into the Ottoman Empire, they were frequently subjected to specific fiscal obligations and social restrictions that distinguished them from the Muslim population. As a result, they were not always regarded as fully equal members of the political community, and their religious difference often entailed additional legal and social burdens (Rudi & Yaman, 2020: 217). Let us touch on some of these taxes and dress codes.

Jizya. Jizya was a compulsory poll tax imposed on non-Muslim subjects within Islamic states. The concept is referenced in the Quran, where it is stated: “Fight those among the People of the Book who do not believe in Allah and the Last Day and who do not forbid what Allah and His Messenger have forbidden, and who do not embrace the religion of truth, until they pay the jizya with their own hands, while they are subdued” (Qurani, 9:29). The payment of jizya defined the legal status of non-Muslims within the Islamic political order and was associated with the guarantee of protection for their life and

property. The tax was generally imposed on male non-Muslims of working age, typically between 14 and 75 years old – although certain categories, such as the elderly, the disabled, the poor, and slaves, were exempt from payment (Ori osmaluri, 2024: 19). From the early period of the formation of the Muslim state, jizya acquired legal significance as a tax connected with the protection and preservation of the lives and property of non-Muslim subjects (Lobzhanidze, 2006: 560; Islami, 1999: 225). In return for paying this tax, non-Muslims were granted the status of protected subjects within the Islamic state. In the event that a non-Muslim converted to Islam, the obligation to pay jizya was abolished. In this respect, some scholars interpret the tax not only as a fiscal obligation but also as a legal mechanism that reinforced the distinction between Muslim and non-Muslim populations within the Islamic legal system.

Jizya. Jizya is a compulsory poll tax imposed on non-Muslims. It is also mentioned in the Quran, where we read: “Fight those among those who have been given the Book who do not believe in Allah and the Last Day, and do not forbid what Allah and His Messenger have forbidden, and do not accept the religion in truth, until they pay the Jizya with their own hands, while they are being humiliated” (Qurani, 2006: Surah 9, verse 29). Jizya establishes the legal status of a non-Muslim, protects and ensures the inviolability of the life and property of the non-Muslim who pays this tax. Jizya is imposed on males between the ages of 14 and 75 (Ori osmaluri, 2024: 19), except for the very elderly, the disabled, the needy, and slaves. “Jizya” acquired legal significance since the formation of the Muslim state and was considered as a tax paid for the redemption, protection, preservation (Lobzhanidze, 2006: 560) and protection (Islami, 1999: 225) of the lives of non-Muslims. In the case of accepting Islam, a non-Muslim was exempted from Jizya, which means that it was a fine imposed for not

recognizing Islam and a kind of coercion to reject one's own religion and recognize Islam.

According to the last sentence of the 29th verse of the 9th chapter of the Quran mentioned above, this tax was to be paid by the non-Muslim in a submissive/humiliating manner. Indeed, the process of collecting the jizya was an expression of the humiliation of non-Muslims, their inferiority, and their contemptuous attitude towards them: A non-Muslim paying the jizya would hand the tax with an outstretched hand to the tax collector, who was sitting on a raised throne, so that his hand would not be below the payer's hand. After collecting the tax, the payer would be hit in the head with a fist and driven away with a mujlugun (Adjaris, 2011: 26). There were cases when the zimi were given a birka (a signet ring) around their necks, confirming the payment of the tax, and a ring would be placed on their hand (Gelovani, 2024: 643).

Isfenci. Isfenci (often rendered as İспенçe in Ottoman sources) was a land tax imposed on plots cultivated by non-Muslim subjects in the Ottoman Empire (Ori osmaluri, 2024: 20). This tax was primarily levied on the non-Muslim rural population engaged in agricultural activities. A comparable tax, known as benak, was imposed on Muslim landholders. However, the Ottoman taxation system applied different criteria when assessing taxes on Muslim and non-Muslim landowners. In the case of Christian landholders, the assessment of the isfenci tax did not generally take into account the size of the landholding or the fertility of the soil. By contrast, when taxes were levied on Muslim landowners, both the size and the productivity of the land were considered. Furthermore, in the taxation of Muslim landholders, factors such as family status could influence the tax assessment, whereas similar considerations were not applied to Christian landowners (Shengelia, 1962: 127). As a result, the amount of tax differed: Muslim lan-

dholders paid between 18 and 22 akçe, while Christian landholders were required to pay approximately 25 akçe (Adjaris, 2011: 35).

Devshirme. Devshirme was a system of recruitment used in the Ottoman Empire, under which boys from Christian communities were periodically conscripted for service to the state. According to this system, approximately every fourth or fifth year, Christian families were required to provide a proportion of male children, typically one out of every five boys between the ages of 8 and 18, to the Ottoman authorities (Islami, 1999: 52). These boys were subsequently placed in the service of the Ottoman state and received training for civil or military roles, particularly within the administrative and military institutions connected to the Sultan's court (Skvoznikov, 2015: 6).

Bastina. Following the Ottoman conquest of Rumelia, local Christian populations were granted a form of land tenure known as bastina. A bastina consisted of plots of land, gardens, and houses that could be inherited within a family. However, unlike Muslim landholders, the holders of bastina did not possess the right to sell, alienate, or exchange this property, since the land itself remained the property of the state. This form of land tenure also existed in the Georgian provinces of the Ottoman Empire. In particular, bastina lands were present in the territory of Chaneti. The local population in this region belonged to the flock of the Greek Orthodox Church, and therefore the same legal regulations that applied to other Greek-inhabited territories of the Ottoman Empire were also implemented there (Ori osmaluri, 2024: 17, 547).

Clothing Regulations. Another aspect of relations between the Ottoman authorities and non-Muslim populations concerned regulations governing clothing. The dress of non-Muslims was regulated through special firmans (imperial decrees) issued by the Sultan and thus fell within the sphere of both administrative and religious regu-

lation. These decrees specified the types of clothing that Christians, Jews, and members of other non-Muslim communities were permitted or required to wear. At different historical periods, various restrictions were imposed on the dress of non-Muslims, often intended to distinguish them visually from the Muslim population.

According to the conditions established for **dhimmis**, they were required to distinguish themselves from Muslims in their clothing, head coverings, footwear, and even in the manner of grooming their hair. They were expected to wear distinctive garments and, in many cases, a special belt or girdle that marked their status (The Status, 2025). Regulations often prescribed specific colors and types of clothing for different non-Muslim communities. In many instances, their clothing was required to be predominantly dark. Christians were required to wear colorful head coverings and red or yellow shoes, while Jewish communities were required to wear garments in black or purple and black shoes. Non-Muslims were also prohibited from wearing expensive fabrics such as silk or fur and from displaying other forms of luxury (Polovinka, 2019). Head coverings also served as visible markers of religious affiliation. Non-Muslims were required to wear a hat (**chachi**) of a designated color rather than a turban, which was traditionally associated with Muslim dress (Svanidze, 1999: 184). Historical sources also indicate that earlier regulations, including those attributed to the ninth century, required **dhimmis** to wear specific identifying garments, such as a yellow hooded cloak and a special leather belt or girdle. Additional restrictions included riding on saddles with wooden stirrups, and in some cases women from **dhimmi** communities were required to wear yellow cloaks when appearing in public (Gelovani, 2024: 270-271) and so on.

Conclusions

The Ottoman Empire, throughout its existence, paid great attention to relations with the non-Muslim population, using a number of legal levers for this purpose: adopting new legal acts based on classical sources of Islamic law ("The Treaty of Medina", "The Quran", etc.), ("The Hati-Sherif of Gulhane", "Hati Humayun", "The Constitution of the Ottoman Empire of 1876", "The Statute of the Province of Rumelia", etc.); creating tribal institutions ("Dhimmi", "Millet system"); imposing special taxes and beggars for non-Muslims ("Jizya", "Isfenji", "Devshirme", etc.); establishing a special style of dress for non-Muslims, etc.

Although the declared purpose of many of these legal acts and institutions was grounded in principles reflected in the hadith attributed to Caliph Ali, according to which non-Muslims accepted Muslim authority in return for the protection of their lives and property (Khapchaev, 2010) the practical implementation of these measures did not always result in the full realization of equal civil rights for all subjects of the empire regardless of religious affiliation. While the legal, political, and theological discourse often acknowledged certain moral and legal obligations toward non-Muslims and formally sought to mitigate discrimination, these measures in practice frequently contributed to strengthening the authority of the Ottoman state while maintaining the unequal position of non-Muslims in comparison with Muslims. This inequality was reflected in both political and socio-economic spheres, including limitations related to land ownership, the regulation of social relations under both Sharia and secular law, and the imposition of heavier fiscal obligations on non-Muslim communities (Shashikadze & Karalidze, 2020: 103), among other factors.

Religious and ethnic minorities were at times subjected to persecution that involved significant violations of the norms formally

prescribed by Islamic law. A notable example is provided by the experience of the Georgian population within the Ottoman Empire. The case of Georgian Christians demonstrates that, despite the formally declared tolerance toward “infidels,” the rights of certain religious minorities were not always effectively protected in practice. In particular, the Orthodox Church, to which most Georgians belonged, was administratively classified within the Ottoman system as part of the Greek (Orthodox) Church. Due to a number of historical and political factors, the Ottoman authorities often adopted a stricter policy toward this ecclesiastical structure (Shashikadze & Karalidze, 2020: 103). Moreover, the Georgian population of the conquered provinces of southern Georgia was subordinated to the Armenian-Gregorian Patriarchate established in Constantinople (Lomsadze, 1979: 25). Evidence of the complex religious situation of Georgian Christians under Ottoman rule can also be seen in the phenomenon of so-called “hidden Christianity.” This institution emerged among Georgian Christians living under Ottoman domination as a means of preserving their religious identity and practicing Orthodox Christianity in circumstances characterized by the predominance of Islamic political authority (Chokharadze, 2020: 245–255; Kazbegi, 1995: 146–147).

The Ottoman tax system, grounded in the principles of Sharia as well as in the discretionary authority of the Sultan, often produced a dual structure of fiscal obligations. Special taxes imposed on non-Muslims, particularly **jizya**, together with the disproportionate burden of certain general taxes, reinforced the subordinate legal and social position of non-Muslim communities. In addition, practices such as unilateral violations of the **dhimmi** agreements, episodes of forced Islamization, and the destruction of churches and monasteries or their conversion into mosques created a social and political environment in which non-Muslims frequently found it difficult to perceive the-

mselves as fully equal members of the imperial community. Within this context, the role of Islam became increasingly significant in the formation of Ottoman, later Turkish, political and cultural identity (Bakuradze, 2020: 4).

Although the Tanzimat reforms and the Constitution of 1876 partially expanded the legal rights of non-Muslims, they did not eliminate the fundamental inequality that persisted between Muslim and non-Muslim subjects. Ultimately, the legal policy of the Ottoman Empire, despite certain measures reflecting a degree of tolerance, exhibited an assimilationist tendency. The gradual weakening of the ethnocultural distinctiveness of non-Muslim populations, apart from some relatively privileged communities such as Greeks, Jews, and Armenians, as well as of non-Turkish Muslim groups, formed part of a broader policy aimed at integrating diverse populations into a unified Ottoman, and later Turkish, political identity. Consequently, many legal sources and institutions that formally sought to regulate and protect the status of non-Muslims simultaneously served the broader interests of the empire and contributed to the gradual assimilation of non-Turkish peoples.

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