State and Ideology under Sultan Süleyman I

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1. THE CONCEPT OF STATE

A. *"Justice," Foundation of the State*

REGARDING THE concept of State, while the *ulema* laid emphasis on the Islamic notions, the bureaucrats *(kuttāb)* insisted on the Turco-Iranian traditions. The titles of *khudāwendigār* and *Pādishāh* (in Persian both meaning great king or emperor), as well as the titles of *Khān* and *Khākān* (emperor in the Central Asian empires), were used by the *kuttāb* when they intended to stress the Turco-Iranian character of sovereignty.

Suleyman is believed to have embodied in his person the most accomplished image of the Middle Eastern ruler. In the eyes of the Ottomans, he overshadowed the Sasanian emperor Anushirevan Hosraw I (531-579), and matched the Quranic image of the perfect ruler, Salomon. In their glorification of Suleyman, they laid emphasis on his sense of justice and equity as the most significant characteristic of his rulership. In fact, their emphasis on the principle of justice is not just a matter of rhetoric. Ever since ancient Mesopotamia, justice had come to be considered as the most effective ethical and wise principle of conduct for a king in the successive empires of the Middle East. But it is to be noted that in this tradition, the concept of justice gained quite a specific meaning, not to be simply limited to the ethical notion of equity.

The particular notion of *ʿadāle*[1] as the key principle in the pre-Islamic Persian or Middle Eastern political system appears to have been introduced into the Islamic state system by the Persian bureaucrats and literati in the service of the Caliphate.

The notion obviously originated from pre-Islamic Indo-Persian advice literature. The famous story in Tabarī about the Sasanian King Parwīz discussed pragmatic issues for a successful government. There, the main issue was how to increase the state revenues without

causing discontent among the tax-paying majority. The question was that when the discontent of the masses went unheeded, it might cause the loss of power. The Parwīz's case exemplified the power-state or tyranny. It argued that since the ruler's power was sanctioned by God, he had the right to use any means to consolidate it, which included increasing taxes. But through long historical experience, it was learned that a despotic government based on the use of sheer force could not last long. In the story, this kind of government is discarded not only because it might cause the loss of power, but also because an oppressive government might result in an impairment of the productive capacity of the taxpayers (and thus in a decrease in government revenues). As the alternative, it was proposed that protection of the tax-payers against the abuse of royal power was the best policy because it would enhance production and state revenues and consequently would solidify the royal power.

Thus, justice had quite a specific meaning in this system of government. Its definition has a crucial importance for us in understanding the whole structure of the Middle Eastern state. Justice in this system is defined as the prevention and elimination of the oppressive acts, *ẓulm*, by those who exercise power in the name of the ruler, through its *dīwān al-maẓālim* or the Ottoman *Dīwān-i Humāyūn* functioning as a supreme court, through a constant check and spying on the governors, summary punishments under the *siyāsa* laws, the periodic promulgation of the *ʿadālet-nāmes* or rescripts of justice, and *riḳʿa* and *arẓ-i maḥḍar* or petition rights against the abuses of power of the public agents. The whole administrative system rested on a notion of *ʿadāle* of this type. In this system, *ʿadāle* is not simply a principle of equity and impartial judgment, but also a principle of social action.

Within this system, power and justice were considered not as a dichotomy, but as interdependent principles. Power was for justice and justice for power. Arbitrary use of power was injustice. The ultimate goal of supreme power was to establish justice and it was justice that consolidated power. Thus, I believe that the term 'oriental despotism' in Western literature is a misconception of the real state system in the East.

The concept of one ruler with absolute power was of central importance for the system, because the only way to realize the *ʿadāle* was believed to be by means of an omnipotent ruler independent from all external influences, deciding and acting in absolute freedom,

responsible only before God for his actions. In other words, absolute power was believed to be the ultimate guarantee and shelter for the oppressed. The ruler should be on the watch all the time against injustices and be prepared to hear complaints directly from his subjects. The imperial council presided over by the ruler himself and open to the humblest of his subjects was the key institution of the empire.

The 'tower of *ᶜadāle*' or *Djihānnumā* in the Ottoman court symbolized the constant watch of the ruler. Further investigation, particularly of the classical Ottoman systm of government, demonstrates that the social class with which the ruler was primarily concerned in establishing the *'adale* or protection, was the peasant *reᶜāyā*.

The peasantry lived in isolated small communities in the countryside and were victims of all sorts of exactions and acts of violence. In the narrow sense of the word, *reᶜāyā* meant those family farm units in the countryside. They constituted the backbone of the productive classes and the main source of public revenues. Thus, from the times of Hammurabi or Anushirevan Hosraw I, the justice-seeking measures concerned the peasantry, landholding, and land taxation. In the Ottoman Empire, a whole series of laws and regulations were designed principally to protect the peasants against the exactions of provincial *timar* holding soldiery and local authorities. ᶜAdāle meant for the Ottoman bureacrats primarily the protection of the *reᶜāyā* against abuses of power in the provinces.

It is my belief that the special meaning of justice in the Middle Eastern state is the key importance in understanding the Middle Eastern state. Methodologically, it is necessary to study comparatively the rather unsystematic collection of maxims and stories in the advice literature, with the actual government organization and policies. Thanks to the archival sources, the study of the Ottoman state offers the most detailed and reliable picture of a typical Middle Eastern empire.

In the Ottoman Empire, the central government's concern to redress the injustices can be seen in the following measures and institutions.

The principle of accessibility

In the Ottoman government system, even the humblest member of the society had the right to take his complaints to the imperial council. A series of books in the Ottoman archives known as the *defter-i shikāyāt*[2] indicate also the wide use of written grievances against

provincial authorities. Such applications, when done through the cadi, were *'arḍ-i maḥḍar*, or petitions, and often bore many signatures of Muslim and non-Muslim *reᶜāyā*. Complaints were directed against tax collectors, the local military, or even against the governors. The sultan encouraged the *reᶜāyā* to bring injustices to his attention.

The idea of a just era

On his accession to the throne, every sultan introduced certain dramatic measures to declare to the world that his reign was going to be an era of justice. Thus, many rulers in Iran began their reign by abolishing the tamgha taxes.

It was a custom of the Ottoman sultans to promulgate periodically rescripts of justice, of *ᶜadālet-nāmes*, to warn the government agents in the provinces to refrain from such illegal acts as imposition of forced services and dues on the *reᶜāyā*, making exactions, staying in their homes, and forcing them to feed their large retinues. These were the most common abuses the sultan tried to prevent under the threat of the severest *siyāsa* penalities. The sultan asked the local cadi to publicize his order and give a copy of it to whoever wanted one. Such abuses perpertrated by public agents were subject to a special jurisdiction called *siyāsa*. No cash compensation was accepted for such crimes and *siyāsa* punishments were particularly severe.

Royal watch on injustices

An elaborate intelligence and espionage organization was believed to be established primarily to keep watch on the acts of the public agents to prevent their unjust acts. Also the Ottoman sultan's secret tours in disguise were designed to discover the abuses and to redress injustices. All these Ottoman practices sound so familiar for a reader of Niẓām al-Mulk's *Siyāsetnāme*.[3] Actually the tradition was transmitted by the *kuttāb*, the bureaucrats, and by a large literature designed for the *kuttāb*, such as advice books, manuals on state finances and accounting or *inshā'* and history books. It is no coincidence that in Ottoman literature, the first translations consisted of books in these fields.

Symbolism and iconography of justice

Astral symbolism of power and justice goes back to the Mesopotamian civilizations. The combinations of the sun and lion,or the sun and the moon symbolized royal power and justice. Sasanian

and Seljukid coins bear the same emblems. In the famous Turkish advice book *Kutadgu Bilig*,[4] Kün Togdı, rising sun, is the ruler and represents justice; his vizir Ay-Toldı, full-moon, represents intellect and *dawla*-fortune. The ruler's supreme duty is to eliminate injustices. *Kutadgu Bilig* says the sword in the ruler's hand symbolizes his power to establish justice by immediate decision and execution. The emblems of sun, moon, lion, and sword of justice are to be found together or individually on all the regalia of Asiatic states.

The pictorial arrangement of the *ᶜadāle*, revenue, army, and power in the form of a circle was meant to show the whole system, or the dependence of each component on the others. In a circle it is not clear which element, *ᶜadāle* or power, is the initial point; all the elements are considered to be absolutely interdependent. On the other hand, prevention of illegal taxation being the central concern of the ruler and his subjects, particular care was taken to announce *ᶜadāle* measures to the public, as demonstrated in the royal tax inscription throughout the Middle East. The decrees engraved on the walls of the Mesdjid-i Djumᶜa in Isfahan, the Ilkhanid inscription on the gate of the Ankara castle are among such examples.

The theme of justice and royal power also pervaded historiography, the *inshā'* literature, and court poetry. This pattern had crucial significance for those who considered the concept of a just ruler as the very foundation of society. A series of semiotic symbols in art and literature would be clear to us the moment we realize the pervasive meaning of this particular outlook of state and society.

In conclusion, contrary to what is believed, the advice literature is only one part of the evidence of a system of government which prevailed in the Middle East since antiquity. Without it, the medieval Middle Eastern state cannot be understood and defined.

Suleyman is reported to have read with great interest the advice to kings literature.[5]

In his rescript of justice dated 1565,[6] he declared in its preamble that he is determined "to eliminate injustices perpetrated against his subjects by the provincial authorities, notably by the governors and judges, and to ensure for the subjects a secure and prosperous life "under his time of justice." The rescript banned the most widespread abuses, the forcible marriages and false testimonies. In other rescripts, the common forms of injustices included the collection of taxes which was not carried out in accordance with the tax registers, the illicit collection of dues and service fees, making false accusations to exact

money from the peasants, or frequently visiting villages with large retinues with the pretext of investigating criminal acts and in the process forcing the peasants to feed them and to pay indemnifications. The imperial rescript ordered that such official tours be repeated only every three months and that no provisions be received from the peasants unless they were paid for. The rescripts of justice specifically prohibited extra labor services which were imposed by the local authorities on the peasants. There, fiscal concern was emphatically expressed by the statement that as a result of such exactions, the peasants were abandoning their lands and thus revenue sources were lost.

The first acts of Suleyman upon his accession to the throne, are described by Ottoman historians,[7] almost all of whom were bureaucrats, as being acts which were in full conformity with the Middle Eastern notion of the just ruler. Immediately after his accession to the throne he let free the deportees from Egypt, whom his father had forcibly brought to the Ottoman capital, to stay or return to their homeland. He also ordered that all the properties which had been confiscated from the silk merchants, Iranian or Ottoman, when Selim I had declared a ban on the Iranian silk imports in 1515, be returned to their owners. Other acts of justice included summary execution of those state officials who, under his predecessor, had committed acts of cruelty and injustices. Djaᶜfer Beg, admiral of the Ottoman navy at Gallipoli, known as 'Bloody Djaᶜfer,' and the Governor of Prizrin, who was accused of enslaving and selling Ottoman Christian subjects, were executed for their crimes after investigations. In addition, the commander of the cavalry division of the *silahdārs* at the Porte was dismissed and five of his men were executed, when it was proven that they had dared to break in meetings and assault some vizirs and state officials. These acts were designed to show that the new Sultan would not tolerate the abuse of power against the powerless by his agents, and that he demanded due respect and obedience to those who exercised authority in his name. All these acts were emphatically mentioned as proofs of his justice. His order of 1521 to the cadis concerning the rates of the court fees was an important measure of practical nature.

The following policies of Suleyman were also mentioned as the principles of a wise and just administration, the neglect of which would later on be referred to as the main cause for the deterioration and decline of the Ottoman Empire. 'Āli,[8] the historian-bureaucrat, ob-

served that the office-holders, the cadis and the sandjak-begs were kept in their assigned posts for a long period of time. He pointed out that under Suleyman, officials were not dismissed for a trivial fault, and if they were dismissed because of a major misconduct, they were never reinstated. Thus, our historian asserts, they served the State in confidence and justice.

Another advantage of long tenure, it was argued, was that the officials could build up and maintain a large body of retainers with necessary equiptment without resorting to bribery and exactions.

Suleyman was particularly concerned about preventing the soldiery from harassing and plundering the peasants, on their way to a campaign. There are cases related in our sources as to how severe he was against those who did not observe his order.[9] Soldiers were constantly reminded to pay for whatever they obtained from the peasants. It was believed that Ottoman logistics was one of the best in Suleyman's time.[10] Preparations in building up stocks of wheat and barley at suitable places along the campaign route would be started one year prior to the campaign. Ottoman bureaucrats saw in this policy the wisdom of *istimālet,* winning over the native populations, which was believed to be the key factor in ensuring the allegiance of the subject peoples. It was also argued that unruly conduct on the part of the soldiery would cause the flight of the peasantry, and thus, the ruin of the sources of public revenue. Consequently, the protection of the local population, or "justice," was believed to be a necessity for both moral and practical purposes.

Justice and public opinion

The general assumption is that in the traditional Middle Eastern State, the ruler, being aloof, did not care about public opinion, and ignored what the ordinary people, the townsfolk and the peasantry thought of him. However, the oriental ruler was much concerned with his image in the eyes of the masses, because it was a traditionally established fact that potential rivals around him, in the periphery or neighboring lands were all ready to exploit any reversal in public opinion against him. Popular discontent often appeared among the populace in the form of gossips about the moral weaknesses of the ruler, i.e., his neglecting religious duties, his wine drinking, and most important of all, his inability to prevent 'injustices' *(ẓulm, khayf),* and abuses of authority perpetrated by his agents against his subjects.

ʿĀlī demonstrates[11] the crucial importance of public opinion for a ruler, in safeguarding the power. Enumerating the matters necessary for the rulers, he mentioned as the first concern, "to gain the love of their subjects so that the weak, who have been committed to their charge by the Creator of all creatures, make them the beloved of their hearts. Now, if the kings lead a pious life, if they take care of the people who are their subjects, if they always mix and associate with philosophers and wise men and at all times avoid the company of blockheads, if they again and again study the teachings of history, that is, the life stories of the kings of old, if they restrain as much as possible their own violence and aim at equity and justice, if fools and eunuchs and mutes and the courtiers, those kindlers of sedition and disintegration, do not take over the affairs of the State, . . . and if they always protect the weak and the poor under their rule from the fire of poverty and destitution by means of their liberality and limitless patronage, they will tie the hearts to themselves in affection and will motivate people after the five ritual prayers to pray for the continuation of their might and glory."

In fact, the ritual of allegiance to the ruler is rendered in the prayers said after each Friday preaching *(khutba)* in the mosques throughout his dominions. A Muslim ruler looses his legitimacy the moment his name disappears from the Friday preaching. Even if the Friday prayers cannot be interpreted truly as a renewal of popular approval of the ruler's conduct, it nevertheless was a reminder about the importance of public opinion. In any case, the Ottoman sultan selected the preachers from among the popular *shaykh*s and appointed them by means of a special diploma, and thus, kept some sort of control on this delicate matter. There were some rare cases in which a particularly bold preacher denounced the Sultan's acts or policies. The drinking and coffee houses were shut down not simply because the Sultan wanted to comply with the religious prohibition, but also because these places were the center of gossip against the government.[12] In fact, criticisms and discontent were voiced during Suleyman's era, not to mention the violent uprisings among the Kızılbash-Turkmens.

Contemporary observers testify that, by his behaviour and conduct which conformed to tradition, Suleyman generated in his person the image of a highly charismatic Sultan. It was of crucial importance that the monarch create an image of a just and forgiving 'father' of the people, ensuring that all groups within the society earned their livelihood, and that the poor and the powerless were protected.

It had been the custom with every Ottoman Sultan to begin his reign with a major victory or conquest, which was considered as a sign of his ability and fortune. At the beginning of his reign, Suleyman's military successes at Belgrade and Rhodes, where Mehmed the Conqueror had failed, were interpreted as a sign of divine support *(ta' yīd-i ilāhī)*, and won him at the outset an unparalleled prestige with the army and the populace.

1. B. *The Concept of the Universal Empire, the Caliphate*

The words and titles which *Shaykh al-Islām* Abu's-Su'ūd used for Sultan Suleyman in the inscription on the main gate of his mosque in Istanbul (completed in 964/1557),[13] can be seen as indicative of the particular concept of state held by him and his contemporaries. In our simplified style, the inscription can be rendered as follows: "This slave of God, powerful with God's power and his mighty deputy on the Earth, standing by the commands of the Quran and for the execution of them all over the world, master of all lands, and the shadow of God over all nations, Sultan over all the Sultans in the lands of Arabs and Persians, the propagator of the Sultanic laws, the tenth Sultan among the Ottoman Khakans, Sultan, son of Sultan, Sultan Suleymān Khān . . ."

Here, the attributes and titles indicate two distinct traditions, the Islamic and Turco-Persian. While, on the one hand, the accent is put on God's support as he stood by God's commands, on the other hand, he is exalted as a khakan spreading the Sultanic laws. We shall return to this point subsequently when dealing with the concpet of law. Stressing the image of Suleyman as the deputy and shadow of God, and his executing God's commands on earth, the first lines emphatically assert his capacity as an Islamic Caliph. Since every Muslim ruler claimed the same title as the upholder and executor of the *Shari'a* after the universal caliphate of the Abbasids disappeared in 1258, there is actually nothing new in Suleyman's titles. The same can also be true for the assertion of his supremacy among Muslim rulers in the world. But what was unique in Suleyman's case, was that he believed in making all these a reality through the tremendous power he held. The striking point in the whole inscription is the concept of a world empire, his claim to supremacy as the shadow of God on all nations. In 1557, the year the inscription was written, Suleyman celebrated his victories over the Hapsburgs in the West and Safavids in the East.

Twenty years earlier, in 1538,[14] in the famous inscription of Benderhe pompously declared his world-wide undertaking in these terms: "I am a slave of God and I am the master in this world. . . . God's virtue and Muhammed's miracles are my companions. I am Suleyman and my name is being read in the prayers in the holy cities of Islam. I launched fleets in the Mediterranean on the part of Franks in Maghreb as well as in Indian Ocean. I am the Shah of Baghdad and Iraq, Caesar of the Roman lands and the Sultan of Egypt. I took the land and crown of the Hungarian king and granted to one of my humble slaves."

In his letters to the Hapsburg rulers, Ferdinand and Charles V, he asserted his supremacy among the rulers of the world through God's favor, adding to his titulature the title of "master of the lands of the Roman Caesars and Alexander the Great." He rejected using the title of *Caesar* for Charles V, the Holy Roman Emperor.

Ottoman claims to the heritage of the Roman Empire in the East,[15] as well as in the West originated from Mehmed the Conqueror's conquest of Constantinople. Since then, the conquest of Rome, symbolized by the Turks as *'Kızıl-Elma'* (Red Apple for the golden globe in the hand of the Roman emperor), had become a dream for the Ottoman sultans. In his campaign of Corfu in 1537 Suleyman actually planned invading Italy and capturing Rome. As the conquest of the West was always on his mind, he supported every separatist movement in Europe against the Pope and the Emperor who claimed to be the head of a unified Christian Europe. Suleyman's support of the French and the Protestant Princes in their fight for independence, which was a policy designed to keep Christendom divided, effectively contributed to the rise of national monarchies in the West and the establishment of Protestantism in Germany.[16]

As for Suleyman's claim to supremacy in the Islamic world, it found expression in his titles of "the Caliph of the Whole World" and "the Caliph of all Muslims in the World" *(Khalīfa-i Rūy-i Zemīn* or *Khalīfa-i Muslimīn)*[17] Since the conquest of Constantinople, Ottoman Sultans claimed a position of supremacy in the Islamic world, and asserted that since the time of the first four Caliphs, the companions of the Prophet, no other Muslim ruler could claim supremacy over the Ottoman sultans because of their unprecedented success in protecting and extending the domain of Islam against the infidels. After the annexation of the Arab countries (1516-1540), particularly of Hijaz (1517), the Ottoman Sultans took over from the Mamluk Sultans the

most prestigious title in Islam, that of the "Servitor of the two Holy Sanctuaries" (Mecca and Medina). The Mamluk Sultans before the Ottomans had used it to assert their primacy among the Muslim sovereigns. Suleyman took this title in all seriousness as the basis of his claim to universal caliphate and declared that it was his prime duty to keep the pilgrimage routes to the Holy Cities open for all the Muslims in the world. This entailed a worldwide active policy of supporting Muslim countries which were overrun or threatened by the European expansion in the Mediterranean, the Indian Ocean, Indonesia, Africa and the Eurasian steppe (repulse of the Spanish reconquista in Tunis, Algeria and Libya in 1520-55, the expedition to Gujerat in 1538, the promise of technical aid to the Sultan of Sumatra and preparations for a campaign against the Muscovites to free the cities of Kazan and Astrakhan which actualized later in 1569). It was during this period that as a result of the Muscovite expansion, the Uzbek khanates of Central Asia appealed to Suleyman to restore the freedom and safety of their subjects on the pilgrimage and trade routes from Transoxiana to the Crimea.

It was on the basis of a worldwide struggle against an aggressive Europe, which was actually an extension of the earlier frontier *ghazā'* policy of the Ottoman State, that Suleyman forged his idea of a universal caliphate, or Ottoman world domination. His Grand Vizier, Lutfi Pasha (1539-41) advocated in his pamphlet on the caliphate,[18] Suleyman's notion of the revival of the universal caliphate on the basis of his *ghāzī* power and protection of Islam in the world.

But how to reconcile all this with the Ottoman policy of warring and eliminating other Muslim dynasties and annexing their territories? In order to live up to their image of the protector of Islam and of Muslims, the Ottomans ingeniously distinguished between the dynasties and their Muslim subjects, and claimed that the fight was exclusively against the dynasts who either held an oppressive rule (the Mamluks), or tried to impose by force a heresy on their Muslim subjects (the Persians). Following his predecessors, Suleyman too, obtained the written opinion *(fatwā)* of the religious authorities before his campaign against Iran. It was asserted that it was actually the Caliph's, i.e., Suleyman's obligation to restore the *Sharī'a* and eradicate the heresy *(rifḍ u ilhād)*, giving the whole operation the semblance of a true *ghazā'* action. In fact, the Ottomans aimed at the overthrow of the Safavids, and establishing their own control over the silk producing provinces of northern Iran (Azerbeidjan, Shirwan and Gilan), which

were of vital importance for Ottoman economy and finances.[19] Here too, religious ideology and pragmatic goals were inextricably combined.

State and religion

As Suleyman believed he could restore the unity of Islam worldwide through his unmatched power, he also believed it was an imperative duty for him to ensure that absolute rule of the Islamic law in his own lands became a reality. In this task, his source of inspiration and support was Abu's-Su'ūd, the great Ottoman scholar who wrote a famous commentary of the Quran and presided as Shayk al-Islām (1545-1574) over the entire Ottoman *ulema* for a long period time. Suleyman made him his confidant and counselor, calling him in his old age, "my brother in this world and in the other." As will be seen later, Abū's Su'ūd became responsible for some fundamental modifications in the Ottoman land and taxation laws, adjusting them according to the *Shar'ī* principles formulated by the great imams of the ninth century, although Sultanic law-making and bureaucratization underwent considerable development during the same period.[20]

Surely, one can speak of this trend as the beginning of a more conservative, *Sharī'a*-minded Ottoman State. Abū's-Su'ūd's activities included the construction of a mosque in every village and obliging the villagers to conduct their prayers there, so that the heretics were exposed. In the name of the *Sharī'a* he condemned heretical sects, thereby further alienating the Turcomans.

1. C. *The Transfer of the Sovereign Power*

In Ottoman history, Suleyman's father Selim I, had given an example by deposing his father Bayezid II (1481-1512), who was considered too old and unable to assume the command of the army in the face of external threats. A similar situation came up towards 1553, when the eastern frontier of the Empire was again under threat. It is to be remembered that in the Ottoman traditional society, a precedent established a custom and gave validity to the later course of conducts. In 1553, Suleyman was an ailing old man, and his eldest son Mustafa was regarded as the heir apparent by the public opinion. He was particularly popular with Janissaries and the *ulema* as a worthy successor to his father.

In fact, there was no succession law governing the inheritance of Sultanic authority among the Ottomans; every member of the ruling

dynasty had a claim on the right to rule, there existed neither a *primogenitura* nor a *senioratus* principle of inheritance.[21] According to the old Central Asian Turkic belief, the question as to who was to receive sovereign authority was determined by divine *ḳut (saᶜāda* in Arabic, meaning fortune, felicity*)*. So, human attempt to make laws for the succession to the throne is futile.

Whoever established himself on the throne from among the sons of a deceased Sultan was to be obeyed as the legitimate ruler, because his success was considered as the proof that he was chosen and supported by God. A Byzantian historian Doucas wrote: "Among the Ottomans, whomever kingship passes to, whether it be from father to son, or from brother to brother, in short to whomever fortune aids, the *ḳuls* give faithful allegiance to this new leader." Even the reigning Sultan's arrangements about his succession were disregarded in the face of this ancient belief, as seen in Ottoman history down to Suleyman.

Another ancient Turco-Mongol steppe tradition was that the land is the joint possession and inheritance of the Khan family and accordingly, a division of the country among the members of the dynasty was in order. It is suggested[22] that this old custom "can be linked to the migratory tribal ethos and organization" of the Turco-Mongol peoples. Conquered territiories were considered the private possession of the ruler, and would be divided among the members of the dynasty. This system of appange, so persistent among the Turco-Mongol states, was practiced from the earliest times by the Ottomans, though it was modified as the state and society expanded and increasingly came under the influence of the sedentary cultures, particularly the Islamic-Iranian. But, for a long time, even under Suleyman, making arrangements for the succession to the throne was regarded as an interference with God's decision and with *ḳut*. Brothers would sometimes openly oppose the selection of one from amongst them as the heir apparent and would rebel. Suleyman was careful not to express his wish in favor of any one of his sons even when he had his preference.

Over time, under the influence of a public opinion which felt no longer strictly bound with the traditions of the pastoralist Turkic background, modifications were introduced. Ottoman civil society, following the Islamic tradition represented by the *ulema* was particularly disturbed by the recurrent crises and internicine wars as a result of this Central Asiatic tradition.

Passage of the sovereign power to the new ruler was in reality the outcome of the balance of power between various forces and existing interest groups. The *ulema* class and the Janissary corps were the most visible of such groups. Though not so visible, the urban population, particularly in the capital city, also influenced the process.

Bayezid II came to the throne through the action of a faction supported by the Janissaries. A pacific man by nature, he was praised by bureaucrats as the restorer of the *Sharᶜī* principles in the State policies, and of a good administration,which consolidated the territories conquered by his father, Mehmed the Conqueror. On the other hand, Selim I, Suleyman's father, who was a restless conqueror, an impatient autocrat, who beat his viziers with his own hands, became Sultan only after a long struggle against a faction with the support of the Janissaries. Selim had to fight against his rival brothers to seize the throne, while prince Suleyman was anxiously awaiting in his governorship in Caffa the outcome of his father's struggle. Death for the loser and his sons was an inevitable end. When his own term came, Suleyman was lucky because he was the only son when his father died. But his own sons became restless when he was getting old, and they thought an appointment to a governorship nearest to the capital was a special favor.

While the Ottoman *Pādishāh* is considered in total control, in actual fact, the bureaucracy surrounded him with rigid principles and rules to maintain the system. In 1581, the historian and statesman ᶜĀlī observes that the bearer of the sovereign power had to be alone, that he could not share it with anybody including his own offspring. He says: "They (the Ottoman Sultans) reside all by themselves in a palace like unique jewels in the depth of the oyster-shell, and totally sever all relations with relatives and dependents."[23]

This situation became dramatically clear in the most pathetic moments of Suleyman's life, when he was told he had to execute his own sons, Mustafa and Bayezid, because the rules of the game required it for the preservation of the unity of power and the salvation of the empire. In this dramatic moment, the father addressed himself to this rebellious son Bayezid in these pathetic words:

"My son do not claim the Sultanate. It is God who gives it to whomever he wishes. God made me shepherd over all these subject people of mine. My only desire is to eliminate the wolf that tries to harm thee. God forbid if I intend to kill you without sin from you. Come, do not say you are innocent, confess your sins my son dear to me like my own life."[24]

1. D. *Decision-Making in the Ottoman Government*

In this system of government, the ruler's personal attention of public affairs was considered of crucial importance, and later on, critics attributed the decline to the neglect of this task. Within the bureaucratic process, as well as in the military campaigns, every decision was expressed formally as deriving directly from the person of the Sultan. But, of course, since it was impossible for one person to pay attention to every single problem in such a vast empire, the bulk of the business was left in practice to the charge of the bureaucratics, and only the most important political matters, in particular those directly concerning State politics, key appointments, and matters involving the Sultan's authority, were brought to his attention by the Grand Vizier in a special audience on certain days of the week, or in reports *(ʿarḍ or talkhīs)* presented as a rule by the government head. The Sultan's order, mostly in hand written form *(khatt-i humāyūn),* is obtained on the most important issues.

To give an example, the appointments of the cadis and the madrasa professors were considered as one of the most important tasks of the Sultan which required his personal attention.[25] But the actual procedure was that, the *kādī ʿasker* who was responsible for the small town cadis and the small *madrasa*s, periodically made a list of the candidates, the selection of whom was made according to strict rules laid down in the regulations, and submitted to the Sultan's approval. The Sultan gave his approval following a few stereotype questions about the list submitted. If any of the appointees caused problems later on, the *kādī ʿasker* was held personally responsible. By an order of Suleyman, the appointments of the higher positions in cadiship or professorship were put under the responsibility of the *Shaykh al-Islām,* who would prepare the list. But it was the Grand Vizier who would personally submit it to the Sultan in the routine audience days. If the Sultan had in mind a particular person for an important position, such as that of the *kādī ʿasker,* or the cadiships of great cities, this was decided at the audience.

On the most important issues concerning the future of the dynasty or the state, the strategy to be followed during a major campaign, a high consultative council *(madjlis-i meshweret)* was convoked to reach a decision. Reminding the Quranic verse and the Prophet's

sayings on the advantages of the consultation, such *ad hoc* consultative gatherings were held in Suleyman's time. Although occasionally bold opinions were expressed for the sake of the *Dīn u Dawla* (Islam and Islamic state), debates followed, as a rule, a certain routine of patrimonial character leaving the last word always to the Sultan and keeping absolutely its consultative character. The composition of the council varied according to the issues to be debated. If it was a war council, the most experienced frontier generals were invited and their opinions bore weight on the decisions. If the issue was of a political nature, the most influential people in office or retirement representing the government, the *ulema* and the commanders of the standing army were invited, but nobody representing the *reʿāyā,* the Muslim and Christian tax-paying subjects, was present. The *reʿāyā* made their wishes and complaints heard through individuals or communal petitions *(riḳʿa, ʿarḍ-i ḥāl),* or by sending a delegation to the imperial council under the Sultan.[26] In brief, decision making as a rule remained personal and patrimonial, something which was unavoidable in this autocratic system.

2. SÜLEYMAN THE LAWGIVER AND "OTTOMAN LAW"

Suleyman was known as *Ḳānūnī* (lawgiver or law-abiding) already in his own time. He is glorified in the inscription of his mosque, as *"Nāshiru ḳawānīn al-Sulṭāniyye,"* or, the 'Propagator of the Sultanic Laws,'[27] After his death, bureaucrats, in an effort to maintain "the good Ottoman laws," which were believed to be the underpinning of the centralist empire under Suleyman, further enhanced his reputation as a lawgiver and regarded his age as the golden age of law and order. In the famous rescript of 1595,[28] seeking to eradicate the injustices and abuses of power in the empire, Mehmed III declared that 'formerly Sultan Suleyman Khan—may God place him in the highest of the paradises—in his days of justice enforcement had imperial law codes (*kānūnnāmes*) written and placed in the courts of the cadis, and since they had complied with its content, no one suffered injustice and oppression and everything was taken care of in the best way, and the subjects who are a trust by God lived in peace and prosperity."

Kānūn, or Sultanic law, meant a general ruling emanated from the will of the ruler.[29] Though independently enacted, a *kānūn,* in principle, had to conform to the Islamic law and had to deal with a case

which was not covered by the *Sharī'a*. Legists added that *kānūn* should follow a custom or principle generally accepted by the Islamic community as a basis of analogy. This interpretation of *kānūn* is acceptable by Hanafism, the most liberal Islamic school of law.

Turkish rulers in general adopted it as the officially approved *Shar'ī* system in their realm. Under Suleyman Hanafism was declared, at least in the heartlands of the Empire, Anatolia and Rumeli, as the exclusive school of law according to which the cadis had to give their decisions on the matters under the jurisdiction of the *Sharī'a*. Since the good of the Islamic community was the determining factor in making laws outside the *Sharī'a,* Turkish Sultans or their civil bureaucracy employed this principle to promulgate laws and regulations which were considered necessary for the good order of the Islamic state and society. Thus, under the Ottomans, in the first two centuries of the state, a large collection of Sultanic laws and an independent legal system emerged, particularly in the sphere of public law.

The significant place of the Sultanic law in the Turkish-Islamic states can be linked to a Central Asiatic tradition.[30] This tradition demanded that the imperial law, called in Turco-Mongol *Törü (Türe)* or *Yasa,* be obeyed as a quasi-sacred foundation of the empire, without which even imperial authority lost its legitimation. This was a tradition which was introduced into the Islamic-Iranian state system through the Turkish invasions of the 11th century, and revived under the Mongols in the 13th century. While the Iranian *Pādishāh*'s power was considered totally discretionary, and above the law, the Turco-Mongol *khāḳān*'s authority was believed to be valid as long as it followed the *Törü* or *Yasa*. Among Muslim rulers, however, it was first Mehmed the Conqueror who compiled and officially promulgated Sultanic law codes completely independent of the *Sharī'a*. His two law codes, one dealing with the state organization, the other with the status and taxation of rural populations *(re'āyā)* under the *mīrī* system (see infra), were enacted in the form of Sultanic orders *(fermān)*.

The Conqueror's law code for the *re'āyā* was expanded with the later additions, and took its final form by 1501.[31] What we know as the "Suleyman's Code of Law" is actually the code of 1501. The practice was that under each Sultan, the head of the Ottoman bureaucracy, the *Nishāndjī,* revised the law code in the name of the new Sultan, making a few necessary changes. Besides, the general code of law which

contained general rulings as well as special cases, was superseded by the codes enacted after each survey for individual *sandjaks*. It was the latter that represented the objective law in force at a given date. General law codes were drawn up for general guidance. However, as indicated above, Suleyman declared his general law code as the compulsory reference in the law courts.[32]

Under Suleyman, *sandjak* codes tended to represent a standard type since the basic principles for the peasant status and tax system had attained their final formulation by that time. Several *sandjak* law codes in a region demonstrated uniformity. The reason was that Ottomans applied to a newly conquered land, the law code of the adjacent *sandjak* with or without modifications. Thus, the law codes of Western, Central and Eastern Anatolia exhibit common features which were due principally to the particular conditions of the time of the conquest. While, for instance, regulations of Western Anatolia, conquered in the 14th century, did not contain the *ispendje* tax, those of Eastern Anatolia, conquered in the 16th century, did, because by this time this particular tax of Balkan origin, had become part and parcel of the Ottoman tax system. As a matter of fact, the Western Anatolian type contained the most archaic features as far as the Ottoman tax system was concerned.

That the Sultanic legal system gained its final classical form under Suleyman, is confirmed by the fact that in the second half of the 16th century, "Ottoman law" *(kānūn-i 'Osmānī)* was directly applied in the conquered lands (Hungary, Cyprus, Georgia,) while in the earlier conquests, Ottoman administration was tolerant toward the pre-conquest laws and customs, thus accepting a period of transition. Moreover, strong Islamic influence in conforming the Sultanic laws to the *Shar'ī* principles, is visible in later codes (the non-Muslim, for example, was now paying one fifth of his agricultural produce as *kharādj* instead of one eighth or one tenth). Also Djelāl-zāde modified some of the provisions of the general code, thus introducing a more rigid definition of the status groups. All these were in conformity with the dominant trends which arose under Suleyman, i.e., a more strict traditionalism and religious orthodoxy. This general uniformity in law was in accord with the imperial standardization efforts in other areas—in weights and measures, currency, in urban and rural organizations, and in architecture with its classical imperial style.

3. PATRIMONIALISM, BUREAUCRATIZATION AND LAW-MAKING

Obviously, his tutor *(lala)* was responsible more than anyone else for Suleyman's image of the ideal ruler and government. In order to prepare them for their future responsibilities as rulers, it was a custom to send Ottoman princes to provinces when they reached the age of twelve, i.e., adolescence (also see the custom of appanage above). An experienced and trustworthy person is assigned as a *lala* to the prince. Suleyman's *lala* was Djezeri Ḳāsim Pasha, descending from a famous family of bureaucrats of Arab origin, who served the Ottoman sultans as *defterdār* and *nishāndji* for more than a century and were considered as the founders of the bureaucratic organization in the Ottoman state.[33] Kāsim himself had been a *nishāndji* and vizir under Bayezid II, and the governor of Caffa. A distinguished bureaucrat and a well-known poet, Ḳāsim must have had a significant influence on Suleyman's training as an administrator and a ruler in the old Iranian tradition (the Djezeri family had migrated to Iran and Ḳāsim had lived in Shiraz for a long time). Suleyman respected his tutor. As soon as Suleyman succeeded his father, Ḳoca Ḳāsim, then a very old man, was made a vizir in the imperial *dīwān,* and thus he continued to be an advisor to Suleyman.

As Abu's Su^{c}ūd was going to be responsible for the bureaucratization of the religious institution *('ilmiyye),* the same role was assumed by the powerful *nishāndji* Celāl-zāde Muṣṭafā in the civil administration.[34] Through the laws and regulations enacted under the supervision of Celāl-zāde, the basic institutions of the Ottoman imperial system received their final forms and were systematically applied throughout the empire. For example, the *ghulām* or *ḳul* system, which consisted of employing the Sultan's slaves as his personal, trusted agents in the army, government, provincial administration and tax collections, was more methodically applied under the new administration.

In other words, under Suleyman the ruling elite consisting of the Sultan's household, and acting in the name of the Sultan's absolute power, became more exclusive and more powerful than ever before. The *re^{c}āyā,* i.e., all those groups who were engaged in economic production and formed the tax-paying masses—agriculturists, merchants and artisans—were left out of the ruling elite *(^{c}askerī)* more systematically than ever. This meant further consolidation of the Sultan's monopoly of power, and thus bureaucratization became in

fact instrumental in intensifying the patrimonial control of the Sultan. This ideal type of the oriental ruler, and autocrat embodying all power and enjoying an absolute control of the things and persons in his realm, is believed to have come nearer to reality in the person of Sultan Suleyman. Thus, it is no wonder that theoreticians of absolutism in contemporary Europe turned to him as the most accomplished example of an absolute ruler.[35]

It is pointed out[36] that in its most advanced form, the absolute patrimonial power led to arbitrariness, putting the autocrat above the existing laws and established customs. In fact, Suleyman's career demonstrates the contrasts and contraditions inherent in the system. While Suleyman, on the one hand, tried to show himself as a law-giving and law-abiding ruler, he had, on the other hand, acted as a ruler who was above the rules, just to demonstrate that he was an omnipotent sovereign whose will was not limited.

There occurred actual situations in which Suleyman asserted himself as such an autocrat. For example, he appointed his favorite servant in the privy chamber, Ibrahim, grand vizir (1523-36), in disregard of the established law and practice. (Ahmed Pasha, who was the formal candidate to the position, was sent away to the governorship of Egypt. There, he established relations with rebellious factions and declared his independence).[37]

One section of the policy where the Sultan's patrimonial disposition found a particular limitation, was the Islamic institution. In principal, the *ulema* were against appointments which were not in accordance with the established "path for ulema" *('ilmiyye ṭarīḳ).* Suleyman, ignoring the rules for promotion, appointed his favorite poet Bāḳī, to a religious professorship. The *Ḳāḍī ^{c}asker*'s reminding of the regulation was overlooked by the Sultan. However, Suleyman's act was recorded by the *ulema* as an unusual and irregular interference.[38]

In an empire where the ruler enjoyed such absolute power, the proper functioning of the system as a whole depended on the personal qualities of the monarch. The authority of a ruler who was not apt to wield such an unlimited power, might actually be appropriated or influenced by a bureaucratic faction or by the ruler's close relatives and favorites in the palace. The analysts of the Ottoman decline[39] point out that under Suleyman's successors, this had indeed been the situation. However, historians question whether or not Suleyman himself was always in full control, and was able to prevent irrespon-

sible people around him, from exploiting his authority for their personal goals and interests. For the Ottoman critics of the 17th century, in general Suleyman was conscious of the importance of keeping supreme authority intact. An actual case is mentioned to illustrate this point. Once, when Djelāl-zāde, head of the government bureaus, made critical remarks about the Grand Vizier Sokollu Mehmed Pasha, Suleyman became upset and banned him from his presence.[40]

Bureaucrat-historians criticized him for being too indulgent toward his beloved wife, Hurrem, and his daughter Mihrumah, who influenced him to execute his Grand Vizier Ibrahim, and later his sons Muṣṭafā and Bāyezīd, born from other women. An intimate letter[41] sent to Suleyman (possibly during his campaign of 1541), reveals how Hurrem tempered the sentiments of the Sultan. She wrote "when your letter was read, your son Mir Mehmed and daughter Mihrumah and myself shed tears in longing you. Seeing them in tears drives me out of my mind as if there is a death mourning. . . . You are inquiring about my being hurt by Pasha (Ibrahim). When we meet again—God willing—you will hear about it."

After fourteen years of a successful career as Grand Vizier, Ibrahim was accused by his enemies to have grown too powerful, and to have coveted the priviliges of the Sultan. As a proof of this, they mentioned that he called himself *serᶜasker-Sultān,* or commander-in-chief and Sultan. The fact of the matter was that he was appointed *serᶜasker-i Sultān,*[42] or the commander-in-chief of the Sultan with full powers to ensure the success of the military campaigns as was a normal assignment in the Ottoman state tradition. In any case, further investigations will show to what extent those factions seeking power could manipulate the Sultan for their own purposes.

It was considered the Sultan's most important duty, to be present at the imperial council, particularly when the case involved the redress of injustices committed against the *reᶜāyā* or the powerless. In 1527, a religious scholar, Molla Kabiz was brought to the imperial council on the ulema's charge that he was publicly declaring spiritual superiority *(afḍaliyya)* of Jesus Christ over the Prophet Mohammed. Suleyman, who followed the hearing, was not satisfied by the *ḳāḍi ᶜasker*'s decision of having the Molla executed as a heretic, because the Molla's agruments were not refuted on the basis of the Islamic precepts. Then, upon the Sultan's order, the hearing was renewed in the presence of the most authoritative scholar of the time, Shaykh al-

Islām Ibn Kemal who listened calmly to the Molla's arguments, refuted each point on the basis of the religious proofs. The Molla stood silent for a moment, not being able to answer Ibn Kemal's replies. Then Ibn Kemal asked him: "now the truth became apparent, do you have anything more to say, or do you want to give up the error and accept the truth." But the Molla did not retreat from his belief, and Shaykh al-Islām gave his religious opinion that he was in error and heresy, and left the legal decision to the *ḳāḍīᶜasker*. The latter invited him again to renounce his error. The Molla insisted on his belief, and was sentenced to death. Incidentally, this trial reminds us of another famous religious trial in the presence of the emperor Charles V a few years earlier, which ended with the death penalty given to the man who said he could not contradict the truth which his conscience dictated.

In contrast to the personal, even arbitrary disposition of the Padishah, the bureaucratization, and thereby the consolidation of the centralized imperial system made further advance under Suleyman. During the decline period, bureaucrats, trying to determine the causes of the change, looked back to Suleyman's time as the Golden Age of the empire with all its institutions in their perfect *forms under the guarantee of the imperial laws and regulations*. Thus, together with the Islamic tradition, bureaucracy was considered as some sort of control apparatus modifying the arbitrary power of the Ottoman ruler. Here, the contradiction within the system became apparent by the fact that the same bureaucrats were responsible at the same time, for the reinforcement of the Sultan's absolute power. Bureaucrats wielded the Sultan's authority in their capacity as his agents, and often the tyranny of the bureaucracy concealed itself behind that of the ruler. Djelāl-zāde employed it to create perhaps the most developed form of a bureaucratized centralist empire, and the Sultan had to show himself as abiding by the laws and regulations made in his name.

NOTES

1. See Halil Inalcık, *The Ottoman Empire, The Classical Age 1300-1600,* (London: Weidenfeld and Nicolson, 1973), 65-69; also, H. Inalcık, "Adâletnâmeler," *Belgeler* II (Ankara, 1965), 49-52.

2. Such a *Defter-i Shikāyāt* is published by H. G. Majer, *Das Osmanische "Registerbuch der Beschwerden" (Şikāyet Defteri) vom Jahre 1675*, I, (Vienna, 1984).

3. Ed. H. Drake (Tehran, 1962), 456.

4. Yūsuf Khāṣṣ Hājib, *Wisdom of Royal Glory (Kutadgu Bilig), A Turko-Islamic Mirror for Princes,* trans. R. Dankoff (Chicago: University of Chicago Press, 1983).

5. A translation of *Kalīla wa Dimna* by ᶜAlī b. Sālih was generously rewarded by Suleyman: Peçevī, *Tā'rīkh* (Istanbul, 1281/1864), 60-61.

6. H. Inalcık, "Adâletnâmeler," 99-104.

7. For the works of Matrakcı Naṣūḥ, see H. G. Yurdaydın, *Kanuni'nin Cülûsu ve Ilk Seferleri* (Ankara, 1961); *idem, Matrakcı Naṣūh* (Ankara, 1963); P. Kappert, *Geschichte Sultan Süleymān Ḳānūnīs von Celālzāde Muṣṭafā genannt Ḳoca Nişancı* (Wiesbaden: Franz Steiner, 1981); also, J. Matuz, *Das Kanzleiwesen Sulemans des Prächtigen,* Freiburger Islamstudien Bd.5, (Wiesbaden, 1974); *idem, Herrscherurkunden des Osmanen Sultans Suleyman des Prächtigen. Ein Chronologisches Verzeichnis,* Islamkundliche Materialen, Bd.1, (Freiburg, 1971); F. Babinger, *Geschichtsschreiber der Osmanen und ihre Werke* (Leipzig, 1927), Turkish trans. C.Üçok, *Osmanlı Tarih Yazarları ve Eserleri* (Ankara, 1982), nos. 58-67.

8. Muṣṭafā ᶜĀlī, *Nuṣhatu's-Salāṭīn,* ed. and trans. A. Tietze, *Muṣṭafā ᶜĀlī's Counsel for Sultans of 1581,* I (Vienna: Akademie, 1979), Text: 16. *Lāzima*: 50v-52 r.

9. "Two *silahdārs* were executed because they had let loose their horses to graze on the peasants' crop in the fields": "Daybook of the campaign of Buda" in Ferīdūn, *Munsha'āt al-Salāṭīn,* I (Istanbul, 1274/1857), 555.

10. See G. Veinstein, "Some Views on Provisioning in the Hungarian Campaigns of Suleyman the Magnificent," *Osmanistische Studien für Wirtschafts- und Sozialgeschichte in Memoriam Vanco Boškov,* ed. H. G. Majer (Wiesbaden: O. Harrasowitz, 1986), 177-85.

11. A. Tietze, I, ii. *Lāzima:* 41 r, 3 Margin; cf., Venetian Bailo D. Trevisano's note in *Relazione* cited by Ş. Turan, *Şehzade Bayezid Vak'ası* (Ankara: Türk Tarih Kurumu (TTK), 1961), 46.

12. A. Refik, *On Altıncı Asırda Istanbul Hayatı, 1553-1591* (Istanbul, 1935), 141, 142; coffeehouses first appeared in Istanbul in 926/1519: see Peçevī, *Tā'rīkh,* I, 363-66.

13. Dhulhidjdja 964/ Ocotber 1557.

14. M. Guboglu, *Paleografia şi diplomatica turco-osmana* (Bucharest, 1958), 133.

15. For Suleyman's plan to conquer Rome, see E. Charrière, *Négociations de la France dans le Levant,* I (Paris, 1848), 320-24.

16. See S. Fisher-Galati, *Ottoman Imperialism and German Protestantism 1521-1555,* (Cambridge, Massachusetts, 1959).

17. P. M. Holt, A.K.S. Lambton and B. Lewis, eds., *The Cambridge History of Islam,* I (Cambridge: CUP, 1970), 320-323.

18. *Ibid.,* 322.

19. "Ḥarīr" (H. Inalcık), *EI²,* III, 213; J.-L. B.-Grammont, "Notes sur une saisie de soies d'Iran en 1518," *Turcica,* VIII/2 (Paris-Strasbourg, 1976), 237-53.

20. H. Inalcık, "Suleyman the Lawgiver," *Archivum Ottomanicum,* I (1969); "Ḳānūn," (H. Inalcık), *EI²,* IV, 560.

21. H. Inalcık, "Osmanlılarda Saltanat Verâseti Usûlü ve Türk Hakimiyet Telakkisiyle İlgisi," *Siyasal Bilgiler Fakültesi Dergisi,* XIV (1959), 69-94, trans. in this volume under the title "The Ottoman Succession and Its Relation to the Turkish Concept of Sovereignty."

22. *Ibid.*

23. Tietze edition, Text: H 22r

24. Ş. Turan, *op cit.*

25. H. Inalcık, "The Rūznāmče Registers of the Kadıasker of Rumeli as Preserved in the Istanbul Müftülük Archives." *Turcica,* XX (1988), 251-75.

26. For the study of *'arḍ-i mahẓar,* see Inalcık, "Şikâyet Hakkı: ᶜ*Arż-i Hāl* ve *'Arẓ-i Maḥẓar'lar,*" *Journal of Ottoman Studies,* VII-VIII 33-54, Special Issue in Honor of Professor John Walsh.

27. For the text of the inscription, see C. Çulpan, "Istanbul Süleymaniye Camii Kitabesi," *Kanuni Armağanı* (Ankara: TTK, 1970), 293.

28. H. Inalcık, "Adâletnâmeler" mentioned in Note 1.

29. See "Ḳānūn," mentioned in Note 20.

30. *Ibid.,* 559; *idem,* "Kutadgu Bilig'de Türk ve Iran Siyaset Nazariye ve Gelenekleri," *Reşit Rahmeti Arat Için* (Ankara: TKAE, 1966), 259-70, trans. in this vol. no. 1.

31. H. Inalcık, "Suleyman the Lawgiver," 117-20.

32. See H. Inalcık, "Adâletnâmeler," 105.

33. Sehī Beg, *Heşt Bihişt, The Tezkire by Sehī Beg,* ed. Günay Kut, Cambridge: Harvard University Printing Office, 1978) 319-321, 118; for his ancestors, see Madjdī's translation of *Al-Shaḳā'iḳ* (Istanbul: 1269/1852), 62-66.

34. For his biography, see I. H. Uzunçarşılı, "Tosaylı Celâl zâde Mustafa ve Salih Çelebiler," *Belleten,* XXII (1958), 391-441.

35. For Jean Bodin's opinion in particular, see C. D. Rouillard, *The*

Turk in French History, Thought and Literature (Paris: Bovin, no date), 388-95.

36. Max Weber, *Economy and Society, An Outline of Interpretive Sociology*, I, eds. G. Roth and C. Wittich, (Berkeley: UCP, 1978), 226-35; arbitrary type is called *sultanism*.

37. See "Aḥmed Pasha," (H. Inalcık), *EI*², I, 293.

38. *ʿAṭāī, Hadā'iḳ al-Haḳā'iḳ* . . . (Istanbul: 1268), 183, 243.

39. Ideas common to Selānikī, ʿĀlī, Akhisārī, the author of *Kitābi-i Muṣṭaṭāb*, Azīz Efendi and others are eloquently reformulated by Koçi Beg, *Risāle*, ed., A. K. Aksüt (Istanbul: 1939), 21, 59, 61-64.

40. Koçi Beg. *op. cit.*, 21; cf. ʿĀlī, *Nuṣha*, ed. Tietze, I, Text 130.

41. Published by C. Uluçay, *Osmanlı Sultanlarına Aşk Mektupları*, (Istanbul: 1950), 31.

42. Diploma of seraskerlik was composed by Djelāl-zāde, who was a close friend of the Grand Vizier.