INTRODUCTION

Hakan Karateke & Maurus Reinkowski

Authority and legitimacy are closely related concepts. Authority signifies the claim by a group, an individual or an institution to the right to rule. It can be conceived as a real entity, an instrument of power, whereas legitimacy must be understood as a form of "belief," ascribed as a distinctive feature by the subjects to those in power. Legitimacy is thus the outcome of a mutual relation between ruler and the ruled; it emerges in these terms as a more powerful form of authority. The ruler who establishes his or her formal authority must then attempt to make it rest on a legitimate foundation by ensuring it in law and appealing to religious, social, or economic precedent. The ruled may or may not accept the claim to authority, but the ruler will struggle nonetheless to gain the subjects' acceptance. Both political and social history are replete with examples of conflict and conflict prevention based on the notions of rightful rule.

As fundamental as they are for describing relations between ruler and ruled the terms "authority" and "legitimacy" are equally evasive. Like the notorious couple "centre" and "periphery," authority and legitimacy tend to evaporate as soon as we try to have a closer look at them. Because of their sheer omnipresence they can easily be trivialized: Any minor exertion of power may be identified as authority, any kind of sovereign justification may be singled out as a claim to legitimacy.

It is natural enough that the European history of ideas predominates in the historical and sociological literature on the question of authority, and even mere so on the question of legitimacy. Specialists on the European history of ideas tend to belittle the importance of Muslim political thought. For example, Francis Hinsley finds traces of a concept of sovereignty in the "Islamic realm" only with Ibn Khaldun. Besides this outstanding person, argues Hinsley, no major contribution to the political theory of the state has been made in the Muslim world.[1] Exclusion of Muslim history, and in particular,

[1] Francis Hinsley, *Sovereignty* (Cambridge 1986[2]), 52.

Ottoman history, from the European world of ideas is a highly unfortunate distortion. It not only does injustice to six hundred years of intellectual labor in majority-Muslim societies, but also proposes implicitly that the experience of those societies is wholly irrelevant to the project of human self-understanding—except as a doleful object lesson.

Max Weber's remarks on the traditional type of government, and the patriarchal type in particular, still echo through much of the literature on authority and legitimacy in the Muslim world. According to Weber, patriarchy has its purest embodiment in "oriental Sultanism," which he compares unfavorably to European norms as "a form of rule that is most distant to the modern state and a strictly patriarchal variant of patrimonial rule."[2] Even if one repudiates this particular incarnation of Weber as Orientalist paterfamilias, one must admit that the jurist-turned-sociologist has so deeply penetrated the sociology of Islam that one can be a practicing Weberian even if one has never read a word of his writings.[3]

On the other hand, Hamid Dabashi has ably demonstrated in his *Authority in Islam* that many of Weber's concepts, including the idea of charismatic and traditional rule, are heuristically useful tools. Dabashi shows us how the Sunni, Shi'i and the Kharijite parties in the early Muslim community represented different approaches to the question of how to reconcile the heritage of pre-Islamic political traditions, the exigencies of the new Muslim polity and the charismatic legacy of Muhammad.[4] One may argue of course that there are terms in major languages of the Muslim world which are synonymous with the European terms denoting relations of order and power. It seems to us however that "authority" and "legitimacy" are universally applicable for the interpretation of political strategies, power structures and ideological concepts.

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[2] Max Weber, *Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie*, ed. Johannes Winckelmann (Tübingen, 1990[5]), 640.

[3] Patricia Crone, "Max Weber, das islamische Recht und die Entstehung des Kapitalismus," *Max Webers Sicht des Islam: Interpretation und Kritik*, ed. Wolfgang Schluchter (Frankfurt, 1987), 318, endnote 98. Crone refers to the curious incident that a review of her book *Hagarism: The Making of the Islamic Work* (Cambridge, 1980, written with Michael Cook), detected a pervasive influence of Weber, although neither author had read any of Weber's works up to this point.

[4] Hamid Dabashi, *Authority in Islam: From the Rise of Muhammad to the Establishment of the Umayyads* (New Brunswick – London, 1989).

The title of this collective volume, *Legitimizing the Order*, has a number of meanings in our mind. On the one hand, rulers are compelled to justify their own government; on the other hand, order—stable order, that is—in itself has a legitimizing effect. Order and legitimacy are at once normative assertions and empirical outcomes: they enhance and reinforce each other. One prominent example of the direct correlation between order and legitimacy in the Ottoman state is the reform policy (*Tanzimat*) of the 19th century. The Ottoman demand for the commodity of "legitimacy" greatly increased when it had to face the ever more deadly competition of the European powers. At the same time, the Ottoman state aimed at a more thorough-going reordering of the whole of its society. Many of the contributions thus focus on the period of the 18th and 19th centuries in which the state was increasingly burdened not only to defend its legitimacy in the eyes of its own population but also in the international system.[5]

The main motivation for bringing these contributions together was the impression that there exists to date no scholarly monograph on the question of authority and legitimacy in the Ottoman Empire (or one might even argue for Muslim history as a whole). *Legitimizing the Order: The Ottoman Rhetoric of State Power* will therefore explore the endeavors of the Ottoman political elite to secure authority and legitimacy at various times, for multiple reasons and with diverse intentions. The question of how the Ottoman sultans legitimized themselves has usually been addressed only *en passant* or with reference to the existing secondary literature. A comprehensive overview is still lacking.[6] Given the complexity of the issue, this volume by no means claims to cover all the strategies used by Ottoman rulers to secure acceptance from their subjects or the changing relationship between them over the centuries. It is hoped, however, that the essays below provide a spur to the future endeavors.

In this ambitious undertaking we have been compelled to bring together many different approaches and to consult a great variety of sources. The treatises of political philosophers and the memoranda of high-ranking politicians show quite-explicit attempts to legitimize

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[5] See also on this point Selim Deringil, *The Well-Protected Domains: Ideology and the Legitimation of Power in the Ottoman Empire 1876–1909* (London – New York, 1998), 166.

[6] Unfortunately, papers delivered at the conference on "Legalism and Political Legitimation in the Ottoman Empire," organised by Fikret Adanır und Suraiya Faroqhi in December 1988 at Ruhr-Universität Bochum, were never published.

the Ottoman state's rule; equally useful, however, may be routine Ottoman administrative correspondence, which is revealing about the Ottoman bureaucratic class's self-conception. Even more helpful may be to ask how collective memory and public opinion could be manipulated in the Ottoman state. Researchers have thus ventured, for example, into understanding and analyzing the construction of major public buildings as a tool of legitimization.[7]

A dynasty that ruled for more than six centuries, clearly developed many practical solutions and strategies to confront "legitimacy crises." As will become clear, major aspects of legitimacy in the Ottoman state are understood rather well, others remain in a heuristic twilight. For example, we can say a lot about the "supply side" of legitimacy, but do not know much about the "demand side". We can assume that legitimacy was an important good and that it satisfied a certain demand, but much remains to be done before we really understand the mechanisms of exchange. To give only one example: The well-known image of the sultans as warriors for the faith. How did the Ottoman state elite come to terms with the fact that its armies were much less successful from the 17th century onwards? The army, returning to Istanbul from rather insignificant campaigns performed the same triumphant celebrations, embellished by the same pompously eulogistic literature. The Ottoman political elite must have been well aware of how military defeats negatively affected its reputation. Thus, when the state sought to cement its rule by "producing" legitimacy we take a rather rational behavior by the state elite for granted. But was the production of legitimacy indeed merely a utilitarian enterprise, and was it clearly identified as such by the ruler and his entourage? When they ordered the intellectual, the architect, etc., to manufacture this good, was their thought process purely instrumental? Or was it rather an ideologically consistent universe which the ruler and the manufacturer could not transgress, a universe that could not be rationally penetrated and understood? Was legitimacy in pre-modern society a kind of luxury good like, say, very costly textiles?

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[7] See for example Howard Crane, "The Ottoman Sultan's Mosques: Icons of Imperial Legitimacy," *The Ottoman City and its Parts: Urban Structure and Social Order*, ed. Irene A. Bierman, Rifa'at A. Abou-El-Haj, Donald Preziosi (New Rochelle – New York, 1991), 173–243; Hakan T. Karateke, "Interpreting Monuments: Charitable Buildings, Monuments, and the Construction of Collective Memory in the Ottoman Empire," *Wiener Zeitschrift für die Kunde des Morgenlandes* (2001), 183–199.

The Ottoman production of legitimacy bore a distinctly elitist character. At least in its written texts it did not address the general public and was meant to serve philosophical and one might even say aesthetic demands. We are rather convinced that the normative basis of legitimacy will only be of enduring substance if it has substantive real world references and if it is continuously readjusted to the necessities and the expectations of the people. Quite naturally we tend to assume that the concepts of the just ruler or the circle of equity were meant to harmonize the relationship between the ruler and the ruled, but in reality we describe all of these concepts only within the realm of the state elite. We have clear indications (of which we will find many examples in the following articles) that the Ottoman rulers did intend consciously to legitimize their rule. But when it comes to understanding the effect of these legitimizing devices on the general public we are almost completely blind. Even less is known about the relationship of Ottoman authorities to non-Muslim groups. As far as we can judge from our present-day knowledge of the sources, both the Ottomans and the representatives of the non-Muslim groups refrained from any explicit comments about the fundamental aspects of their relationship.

Quite possibly, further research on the concepts of authority and legitimacy in the Ottoman Empire will direct its attention to these points, but for the moment we are content to discuss the relationship of order and legitimacy and how it was reflected in the Ottoman rhetorics of power.

Two major and closely related points of interest emerge from the ten papers included in this volume. On the one hand are the endeavors undertaken by the state elites to legitimize their rule. Of main concern here are notions such as "good government," "justice," "divine right," that is, concepts which could be used to produce and maintain legitimacy. And on the other hand, very concrete procedures are described that were meant to justify Ottoman rule in certain times and at certain places.

After Hakan Karateke's introductory article, which seeks to establish a theoretical framework for the Ottoman sultans and state's legitimacy, the present volume deploys into three distinct sections: In the first part, Gottfried Hagen, Christine Woodhead and Colin Imber deal with the question of how the Ottomans imagined the well-founded order of their polity, how they tried to live up to this self-representation, and how the ideal order might be disrupted.

In the second part Hakan Karateke, Nabil Al-Tikriti and Markus Dressler turn to the question of religiosity and orthodoxy as defined by Ottoman political theory and how these concepts related to the issue of legitimacy. The last three articles by Suraiya Faroqhi, Maurus Reinkowski and Teyfur Erdoğdu discuss how the Ottoman notions of legitimacy were exposed to criticism, discussion or simply to transformations in situations of crisis.

In his introductory essay, "Legitimizing the Ottoman Sultanate: A Framework for Historical Analysis," Hakan Karateke asks what is perhaps the fundamental question in Ottoman studies (and indeed in all political theory): why the dynasty managed to stay in power for so long. Strategies the sultans and the state employed in order to keep their subjects content are of general relevance, since the Ottoman Empire did not differ substantially in its legitimization processes from other pre-modern monarchies, be they Islamic or non-Islamic. Ottoman legitimacy, argues Karateke, had a "normative" and a "factual" aspect. Normative legitimacy was based among other things on claims to hereditary and divine right to rule (non-Muslim subjects seem not to have been incorporated in this regard), often based on fictitous genealogies tracing the Âl-i Osman back to Oguz Khan or even to Noah or Adam. (The lack of a convincing genealogy remained always one of the weak points of Ottoman attempts at self-legitimization). He wonders, why, for example, the Ottoman Sultans never married women from the dynasty of the Quraysh so that they might have been able to claim descent from the Prophet. Factual legitimacy, in contrast to the normative, implies a practical policy to arouse positive feelings of comfort and security amongst the people. It begins with endeavors to ensure welfare, justice, order (which may have been for the people even more important than justice), to propagate religiosity and traditionalism, to instill the image of a victorious Sultan, prosperous state and generous ruler. A significant sign in this domain is the ubiquitous *tugra*, or sultanic monogram, which from the 18th century onwards, constituted a propaganda tool in a predominantly illiterate society.

Combing through Ottoman *qanunname*s (code of laws, statute book), *ʿadaletname*s (rescripts of justice) and *siyasetname*s (mirrors for princes) written by outstanding political philosophers of the Ottoman world from the 15th through the 18th century, Gottfried Hagen discusses the notion of *nizam-ı ʿâlem*, the universally valid order of the world. Around this central concept revolve closely connected terms such as

order (*nizam*), justice (*ʿadalet*), the circle of equity (*da'ire-i ʿadliyye*) and oppression (*zulm*) which might possibly disrupt the whole order. Although supposedly the Ottoman model of the world's and the state's order was—in contrast to earlier Muslim polities—marked by a distinct aura of sanctity, legitimacy must be seen as the result of a continuous process of negotiation between state and subject. The Ottoman legitimizing discourse thus involved more than a tradeoff of obedience for moderate social welfare. Although the authors of all these treatises have to be understood as independent participants in the discourse and not only mouthpieces of the central power, the concept of *nizam-ı ʿâlem* was of importance to the elite only. In the numerous petitions submitted from all over the empire to the sultan, it is prominently absent. *Nizam-ı ʿâlem* therefore did not speak to the subjects, who had to obey anyway, but to the Sultan's men who had to implement it. When in the 18th century the need for reforming the state on an unprecedented scale became more and more obvious, the traditional Ottoman notions of order saw a sharp decline in their exchange-value even among the intelligentsia.

In her contribution "Murad III and the Historians: Representations of Ottoman Imperial Authority in Late 16th-Century Historiography" Christine Woodhead attempts to redefine and justify the Sultans' role and the nature of their authority under the stressful conditions which the Ottoman state experienced from the 1580s onwards. Murad III (r. 1574–95) is a particularly good illustration because he had—despite his sound education and his proven skills—to struggle with a largely negative reputation. Among other attempts to convey the desired imperial image, Murad commissioned lavishly illustrated works of court historiography by the historians Loqman and Taliqi-zade. Here, the image of the ruler as a military leader is largely superseded by that of the elevated emperor, his grandeur and magnificence being reflections of the empire's and the people's prosperity. The presumptive audience of these works were the Sultan himself (possibly in order to enhance his self-esteem) and his entourage, i.e. the pages who were later to become important bureaucrats in the empire. Although the circulation of these commissioned works was quite limited and indeed confined to the precincts of the palace, the production process itself was public knowledge and part of the means by which the sultan could project himself as patron of the arts. Thus, it was a useful vehicle for disseminating the image of Sultanic authority.

Colin Imber uses the term "Frozen Legitimacy" to describe the

Ottoman practice of freezing instruments and concepts of legitimization and defrosting them on demand, even as late as the 20th century. Until the 16th century, success on the battleground with the Sultan present was one of the major tools of legitimization in the Ottoman state. With Selim II and Murad III the ruler abandoned direct participation in military activity, and while the practice would be revived under later Sultans, it was only in a symbolic or even talismanic way. Even the Young Turks, when combining Colmar von der Goltz's concept of the "nation in arms" with their Turkish nationalist ideology, fell back on the image of the ruler taking the lead of his army. A similar descent into anachronism befell the empire's official ideology that the Ottomans were the noblest of all Turkic lineages since they could claim direct descent from the Qayı tribe (Qayı being the eldest son of the eldest son of Oguz). From the 16th century onwards, in a cosmopolitan empire with no rival Turkish principality, this genealogy was deemed less and less important—until it was revived again by the Republican historian Fuad Köprülü, who argued that Ottoman Empire had always been a "Turkish state" and was thus a legitimate and quite logical predecessor to the Turkish Republic.

In "*Kalam* in the Service of State: Apostasy and the Defining of Ottoman Islamic Identity" Nabil Al-Tikriti turns his attention to the neglected genre of *kalam* (theological disputation) in Ottoman times. Scholars of classical Islam dismiss Ottoman works of *kalam* as "post-classical" and therefore insignificant. Ottomanists, with their Turko-centric and secular penchant neglect this important intellectual corpus and belittle it as an insignificant remnant of outdated pre-Ottoman genres. In the first Muslim centuries a person was deemed to be a Muslim if he openly professed the Muslim faith, and one saw no need to investigate whether he was indeed a devout believer. The definition of an apostate in the Muslim realm, however, was more and more rigidly defined by the scholars al-Ghazali (d. 1111), Ibn Taymiyya (d. 1326) and Ibn Kathir (d. 1372–73). Al-Ghazali saw no possibility of tolerating the distinction between a simple unbeliever and an apostate. He also endorsed the state's active participation in prosecuting apostasy, now defined as any external signal of internal disbelief. Ottoman scholars further reinforced this point of view by formulating an imperial religious ideology that allowed them to expand the scope of apostasy from individuals to whole communities, in furthering the state's political and military objectives. The

Ottoman prince Şehzade Korkud (ca. 1468–1513), a pretender to the Sultanate conferred upon the Ottoman *ʿulema* the right to define external indications of apostasy and to demand a minimum proof of internal faith. Such an approach had important consequences for the Ottoman policy vis-à-vis the Shiʿite Kızılbaş of Anatolia; Korkud was very close to the major religious authorities of the first decades of the 16th century such as Sarı Gürz Hamza Efendi and Kemalpaşazade, who buttressed the state's legitimacy by denouncing enemies of the state as enemies of the Muslim religion.

Markus Dressler investigates in his "Inventing Orthodoxy: Competing Claims for Authority and Legitimacy in the Ottoman-Safavid Conflict" the grounds on which the Kızılbaş in Anatolia disputed Ottoman rule at the beginning of the 16th century. Spurred by the foundation of the Shiʿite Safavid state in 1501, the Kızılbaş did not only challenge the political authority of the Ottomans but also questioned their religious legitimacy. Whereas Ottomans and Kızılbaş (as well as the Safavids) shared similar religious worldviews, political and economic factors (particularly an oppressive Ottoman tax policy) drove them apart. Religious articulation provided the Kızılbaş rebellions with broad support. The view, however, that religion should have been the primary or only point of contention was largely a projection of later times. As Dressler argues, the establishment of orthodox Sunnism in the Ottoman Empire and orthodox Twelver Shiʿism in Iran has rather to be seen as a consequence of the Ottoman-Safavid rivalry. With the increasing orthodox and legalistic character of Safavid Twelver Shiʿism—finally formulated under Shah ʿAbbas I (r. 1587–1629)—Kızılbaş beliefs and practices were condemned and outlawed by the Persian authorities. A similar, but slightly earlier, process took place in the Ottoman Empire where a state doctrine of scriptural Sunnism was formulated in the later period of Süleyman the Magnificent's reign, with the prominent help of Şeyhülislam Ebu's-suʿud (1545–1574). Dressler interprets the tension between different modes of legitimation in the course of the Ottoman-Safavid conflict as manifestation of a rivalry embedded in Islam from its earliest times, that is the competition between the principle of a genealogical and scripture-based loyalty vs. that of a charismatic leadership.

In his "Opium for the Subjects? Religiosity as a Legitimizing Factor for the Ottoman Sultan" Hakan Karateke investigates Ottoman strategies to obtain acceptance from the subjects by way of advertising the Sultan's religious devotion. The people's belief in the sanctity

and the mystical aura of the sultan could, however, be formed in the collective memory only over a long period of time. Ottoman sultans ostentatiously propagated a religious way of life: importing sacred relics to Istanbul; visiting the tombs of saints both inside and outside the capital; ensuring the safety and the smooth procedure of the annual pilgrimage to Mecca and Medina; commissioning mosques, madrasas, soup kitchens and so on. Another major channel for propagating the ruler's legitimacy were preachers in the mosques and sheikhs of the diverse sufi orders who all must have had some leverage with the population.

In her "Guildsmen Complain to the Sultan: Artisans' Disputes and the Ottoman Administration in the 18th Century" Suraiya Faroqhi argues that the subjects did indeed have access to the central state organs in Istanbul and actually succeeded in having their complaints considered at the court. Insecurity caused by nearly continuous warfare in the first half of the 18th century exacerbated the gulf between ever increasing tax obligations and the state's failure to maintain "good order"—thus allowing the subjects to make a living. In the later 1700s a protocol was established whereby complaints were registered according to the province of origin, thus making it possible to deal faster and more efficiently with incoming petitions. The positive effects were quite clear: Not only did state authorities increase their familiarity with respect to the real state of affairs in the provinces, but the image of the Sultan as a scourge of injustice must have also been reaffirmed. It is logical to assume that the exponential increase in petitions in the following decades was related to these improvements. Special attention is also given in this paper to the case of Istanbul guilds which, being under close state surveillance, regularly asked the central administration to promulgate or confirm their privileges. While it is not clear whether this policy of "legitimization through increased interference" vis-à-vis Istanbul's guilds was successful, one can argue that the wide-spread conviction of decentralization in the 18th century, making direct communication between ruler and ruler impossible, will have to be revised.

In "The State's Security and the Subjects' Prosperity. Notions of Order in Ottoman Bureaucratic Correspondence (19th Century)," Maurus Reinkowski shows that Ottoman bureaucratic correspondence can be an excellent source for understanding the Ottoman political idiom and rhetoric of power. Instead of paying exclusive attention to "high terms of power" (such as *khalife, sultan, devlet* or

meşruiyyet) the "everyday language of power" with its ritualized forms of speech and its stereotyped phrases should be seen as a rich mine of information on Ottoman political concepts. At the heart of the Tanzimat political idiom lies a state ideology of order *cum* prosperity, designated in Ottoman by the key terms *asayiş* and *refah*. Two cyclical metaphors emerge clearly: The classical circle of equity, a well-known notion in Islamic writing on statecraft; and secondly the incessant alternation between order and disorder. In this discourse the ideal order of security *cum* prosperity, Reinkowski finds, is always endangered by negative events and evildoers. By admonition, and, in the last resort, by physical violence, order is restored. Culprits are chastened and the old equilibrium asserts itself once more. From the 1860s onwards, however, a fundamental change sets in. Instead of being obliged again and again to restore the always—precarious order, Ottoman authorities were now firmly resolved to establish a new and "final" order. The case of the tribal conglomeration of the Catholic Mirdites in Northern Albania is a particularly illuminating example. From the late 1860s onwards the old privileges that Ottoman documents had confirmed in earlier decades without reservation were described as self-arrogated and even potentially rebellious. The Mirdites were now to be improved through reform (*ıslah*) and discipline (*inzibat*). Instead of interpreting the Tanzimat as a purely rational policy one must ask whether the rigidity of many Tanzimat measures may not stem from a certain irrationality at the core of Ottoman modernity.

Teyfur Erdoğdu's contribution, "Civil Officialdom and the Problem of Legitimacy in the Ottoman Empire," closes the volume. A bleak picture emerges concerning the state of affairs in the Ottoman administration of the Hamidian period. The legitimacy of the Ottoman state was severely strained because of the inability to install an effective administration in the last decades of the empire's existence. Internal tensions within the the bureaucracy fostered deliberately by ʻAbdülhamid II, venality, incompetence, favoritism and various other deficiencies crippled the work of the Ottoman administration. The shortcomings of Ottoman civil officialdom, he argues, were particularly visible in four areas: economic-fiscal, political-ideological, legal-judicial and administrative.